

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO¹**

In The Matter of the Application of Duke)
Energy Ohio, Inc. for Recovery of)
Program Costs, Lost Distribution) Case No. 17-781-EL-RDR
Revenues, and Performance Incentives)
Related to its Energy Efficiency and)
Demand Response Programs.)

**REPLY IN SUPPORT OF MOTION FOR PROCEDURAL SCHEDULE
BY
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL²**

The PUCO should grant OCC's motion for a procedural schedule. Nothing in Duke Energy Ohio, Inc.'s ("Duke" or "Utility") memorandum contra OCC's motion should convince the PUCO otherwise.

In this case, Duke seeks to update its energy efficiency rider. As part of its request, Duke is asking to include in the rider \$47 million in energy efficiency charges for 2017.³ That means that once the rider is updated, customers will start paying that \$47 million amount. But the problem with Duke's request is that the PUCO has not yet authorized Duke to charge customers anything for energy efficiency in 2017, let alone the \$47 million that the Utility intends to charge. This is because Duke's application seeking approval of energy efficiency programs for 2017 has not been acted on.⁴

¹ The Public Utilities Commission of Ohio will be referred to as the "PUCO" in this reply.

² The Office of the Ohio Consumers' Counsel will be referred to as "OCC" in this reply.

³ See Application (Mar. 31, 2017), Ziolkowski Testimony, Ex. Page 5 of 11.

⁴ See Case No. 16-576-EL-POR.

OCC's motion for a procedural schedule is straightforward. OCC simply asks that Duke not be permitted, right now, to update its energy efficiency rider to charge customers \$47 million for energy efficiency programs because the PUCO has not yet approved that \$47 million cost. It makes more sense, and is in the interests of regulatory economy, to wait until the energy efficiency portfolio case is complete. Then, all parties will know how much Duke is authorized to charge customers in 2017, and that amount can be included in the rider.

Duke does not address this at all in its memorandum contra OCC's motion. Instead, Duke's two-page memo contra summarily concludes, without further elaboration, that "OCC's request would improperly burden the Company," that OCC's request could result in "an enormous amount of additional work for the Company and for the Commission," and that OCC's request "provides no procedural advantage."⁵ But these claims are baseless.

OCC is simply asking for a procedural schedule that acknowledges that Duke's rider update depends on the results of its pending energy efficiency portfolio case. Once the portfolio case is decided, the path forward in this case will be clearer. There is no evidence that resolving the portfolio case first will in any way place any additional burdens on Duke or the PUCO. The PUCO should grant OCC's motion for a procedural schedule.

⁵ See Duke Memorandum Contra at 2.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of this Reply was served on the persons stated below
via electronic transmission, this 23rd day of May 2017.

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Summary: Reply Reply in Support of Motion for Procedural Schedule by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Healey, Christopher Mr.