

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE COMPLAINT OF
THE OFFICE OF THE OHIO CONSUMERS'
COUNSEL AND COMMUNITIES UNITED FOR
ACTION,**

COMPLAINANTS,

CASE NO. 15-1588-GE-CSS

v.

DUKE ENERGY OHIO, INC.,

RESPONDENT.

ENTRY ON REHEARING

Entered in the Journal on December 13, 2017

I. SUMMARY

{¶ 1} The Commission grants the application for rehearing filed by the Office of the Ohio Consumers' Counsel and Communities United for Action to further consider the matters specified in the application.

II. DISCUSSION

{¶ 2} Duke Energy Ohio, Inc. (Duke) is an electric light company and a natural gas company as defined by R.C. 4905.03 and a public utility as defined in R.C. 4905.02. As such, Duke is subject to this Commission's jurisdiction.

{¶ 3} Pursuant to R.C. 4905.26, the Commission has authority to consider a written complaint against a public utility by any person or corporation regarding any rate, service, regulation, or practice affecting or relating to any service furnished by that public utility that is unreasonable, unjust, insufficient, or unjustly discriminatory or preferential.

{¶ 4} On September 15, 2015, the Office of the Ohio Consumers' Counsel and Communities United for Action (together, Complainants) filed a three-count complaint against Duke. Complainants alleged that Duke provided unreasonable and inadequate service in violation of R.C. 4905.22 by failing to comply with the Commission's annual special winter reconnection orders, improperly applying Ohio Adm.Code 4901:1-18-06(B), and disconnecting for nonpayment a higher number and proportion of customers in comparison to Ohio's five other electric distribution utilities.

{¶ 5} On October 5, 2015, Duke filed an answer denying the allegations in the complaint; and, on October 8, 2015, Duke filed a motion to dismiss.

{¶ 6} On October 11, 2017, the Commission issued an Entry dismissing Complainants' complaint for failure to set forth reasonable grounds for complaint as required by R.C. 4905.26.

{¶ 7} Pursuant to R.C. 4903.10, any party who has entered an appearance in a Commission proceeding may apply for rehearing with respect to any matters determined in that proceeding by filing an application within 30 days after the Commission's order is journalized.

{¶ 8} On November 13, 2017, Complainants filed an application for rehearing of the Commission's Entry dismissing the complaint. Subsequently, on November 22, 2017, Duke filed a memorandum contra the application for rehearing.

{¶ 9} Upon review, the Commission believes that sufficient reason has been set forth by Complainants to warrant further consideration of the matters specified in the application for rehearing. Accordingly, the application for rehearing filed by Complainants should be granted.

III. ORDER

{¶ 10} It is, therefore,

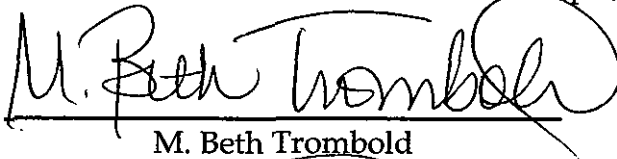
{¶ 11} ORDERED, That the application for rehearing filed by Complainants be granted for further consideration of the matters specified in the application for rehearing. It is, further,

{¶ 12} ORDERED, That a copy of this Entry on Rehearing be served upon all parties of record.

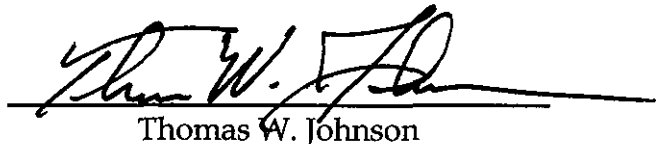
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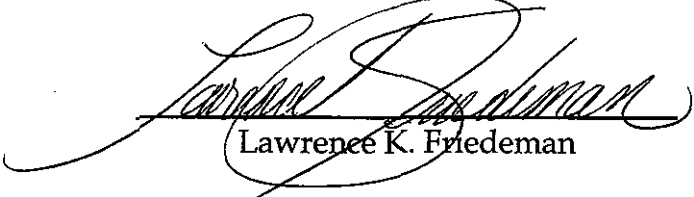
Asim Z. Haque, Chairman



M. Beth Trombold



Thomas W. Johnson



Lawrence K. Friedeman

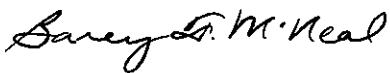


Daniel R. Conway

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Barcy F. McNeal
Secretary