

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Electric Distribution Rates.	)	Case No. 17-32-EL-AIR
)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Tariff Approval.	)	Case No. 17-33-EL-ATA
)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval to Change Accounting Methods.	)	Case No. 17-34-EL-AAM
)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval to Modify Rider PSR.	)	Case No. 17-872-EL-RDR
)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval to Amend Rider PSR.	)	Case No. 17-873-EL-ATA
)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval to Change Accounting Methods.	)	Case No. 17-874-EL-AAM
)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Authority to Establish a Standard Service Offer Pursuant to Section 4928.143, Revised Code, in the Form of an Electric Security Plan, Accounting Modifications and Tariffs for Generation Service.	)	Case No. 17-1263-EL-SSO
)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Authority to Amend its Certified Supplier Tariff, P.U.C.O. No. 20.	)	Case No. 17-1264-EL-ATA
)	
In the Matter of the Application of Duke Energy Ohio, Inc., for Authority to Defer Vegetation Management Costs.	)	Case No. 17-1265-EL-AAM
)	
In the Matter of the Application of Duke Energy Ohio, Inc., to Establish Minimum Reliability Performance Standards Pursuant to Chapter 4901:1-10, Ohio Administrative Code.	)	Case No. 16-1602-EL-ESS
)	

**MOTION TO CONSOLIDATE CASES
SUBMITTED BY DUKE ENERGY OHIO, INC.**

Duke Energy Ohio, Inc., (Duke Energy Ohio) hereby respectfully moves for an order pursuant to Rule 4901-1-12, Ohio Administrative Code (O.A.C.) to consolidate the ten related above-captioned cases (Ten Related Cases) into a single proceeding for the purpose of considering adoption of the April 12, 2018 Stipulation and Recommendation filed in the above-captioned cases. The interrelated proceedings are: (i) 17-32-EL-AIR, *et al.* (*Electric Distribution Rate proceeding*); (ii) 17-872-EL-RDR, *et al.* (*Price Stability Rider (PSR Rider proceeding)*); (iii) 17-1263-EL-SSO, *et al.* (*ESP IV proceeding*) and (iv) 16-1602-EL-ESS (*Reliability Standards proceeding*). Movants submit that consolidation is appropriate as there are common issues between the proceedings and consolidation will enable their efficient administration. The signatory parties to the April 12, 2018 Stipulation and Recommendation have been contacted and support this motion to consolidate cases.

For the foregoing reasons, as well as the reasons more fully explained in the accompanying Memorandum in Support, the Commission should grant Duke Energy Ohio's Motion to Consolidate Cases.

Respectfully submitted,

DUKE ENERGY OHIO, INC.



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MEMORANDUM IN SUPPORT

I. BACKGROUND

On April 12, 2018, a Stipulation and Recommendation (Stipulation) was filed in the Four Related Cases on behalf of Duke Energy Ohio, Commission Staff and interested intervening parties. The cases included in the Stipulation provide an important, durable and holistic approach to the manner in which service is to be provided to Duke Energy Ohio customers for the next six years. Duke Energy Ohio filed an application in the first of the Four Related Cases, the Electric Distribution Rate proceeding, on March 2, 2017. The Application in the rate proceeding was filed to establish new rates and riders to be effective in 2018. The second of the Four Related Cases, an application to modify Rider PSR, was filed on March 31, 2017 requesting that the Commission authorize Duke Energy Ohio to modify its current accounting procedures to establish a deferral as of April 1, 2017, to account for the net costs related to the Company's contractual entitlement in generating assets owned by the Ohio Valley Electric Corporation (OVEC) and to permit recovery of such deferred amounts via Rider Price Stabilization Rider (PSR).

In the third of the Four Related Cases, the Company filed an application, pursuant to R.C.4928.143, seeking Commission approval to establish a standard service offer of all competitive retail electric services necessary to maintain essential electric service to consumers, including a firm supply of electric generation service. Lastly, Duke Energy Ohio filed the fourth of the Four Related Cases, its Reliability Standards proceeding, on July 22, 2016. The Reliability Standards proceeding was filed to establish new reliability standards to become effective in 2017. As some of the work to be accomplished pursuant to terms set forth in the Stipulation involves improvements to the Duke Energy Ohio's distribution system, it is appropriate to also include measurements as provided in the reliability standards to ensure the improvements do provide better reliability. All of the Four Related Cases remain pending, and although procedural

schedules have been issued in the Distribution Rate, ESP IV and Reliability Standards proceedings, those schedules are now suspended.

II. CONSOLIDATION IS APPROPRIATE AS THERE ARE COMMON ISSUES BETWEEN THE PROCEEDINGS AND CONSOLIDATION WILL ENABLE THEIR EFFICIENT ADMINISTRATION.

The Stipulation addresses all of the important issues in all four proceedings. Indeed, there was some significant overlap in the rate proceeding and the ESP IV proceeding. Rider PowerForward (PF), a new rider that has been agreed to in the Stipulation, establishes a recovery mechanism to recover costs for new initiatives as may be determined by the Commission in later proceedings, as well as costs related to advancing competitiveness in retail energy through the provision of interval customer energy usage data to competitive retail energy service (CRES) providers. Rider PF will also allow recovery of updates and improvements to Duke Energy Ohio's modernized grid which was initially deployed beginning in 2009. Rider Distribution Capital Investment (DCI) was included in both the rate proceeding and ESP IV. This rider allows recovery of capital investment in hardening the distribution infrastructure and will allow Duke Energy Ohio to provide safer and more reliable service. With the inclusion of Rider DCI, it is important to also integrate the reliability standards requirements in order to allow stakeholders to ensure that the investment made results in reliability improvements that are measureable.

III. CONSOLIDATION OF THE PROCEEDINGS IS CONSISTENT WITH COMMISSION PRECEDENT.

The Commission has historically recognized the benefit of consolidating cases where there are common issues and efficiencies to be gained.¹ Consolidation has further been found to be warranted in a demonstrated absence of prejudice and to avoid redundancy.²

Here, consolidation of the Electric Distribution Rate proceeding, Rider PSR proceeding, ESP IV proceeding, and the Reliability Standards proceeding satisfies the relevant criteria and, as such, the proceedings should be combined. Further, no party will be prejudiced by consolidation as no procedural schedules have been issued and thus no deadlines have expired. Efficiencies will be achieved upon consolidation, as is apparent from the common witnesses involved in the proceedings and the consequent ability to combine resources for purposes of bringing the proceedings to conclusion. In this regard, it is further evident that redundancy can be eliminated to the extent common issues exist in the Electric Distribution Rate proceeding, Rider PSR proceeding, ESP IV proceeding, and the Reliability Standards proceeding, again allowing for efficiencies to be achieved.

III. CONCLUSION

For the reasons set forth herein, Duke Energy Ohio respectfully requests that the Commission issue an order consolidating the Electric Distribution Rate proceeding, Rider PSR proceeding, ESP IV proceeding, and the Reliability Standards proceeding. The signatory parties to the April 12, 2018 Stipulation and Recommendation have been contacted and support this motion to consolidate cases.

¹ *In the Matter of the Inquiry into the 1989 Long-Term Forecast Report of the Ohio Gas Company*, Case No. 89-0874-GA-GCR, *et al.*, Opinion and Order (June 26, 1989) (“[C]onsolidation of the hearings is appropriate because common issues exist between these proceedings and the consolidation will enhance the efficiency of the proceedings...”).

² *In the Matter of the Application of Duke Energy Ohio, Inc. for an Increase in Electric Rates*, Case No. 08-0709-EL-AIR, *et al.*, Entry (September 12, 2008) (“[N]o party would be prejudiced by this action.... [C]onsolidation...would be reasonable, in the interests of efficiency and the elimination of redundancy.”).

Respectfully submitted,

DUKE ENERGY OHIO, INC.



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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion to Consolidate Cases was served via electronic mail or ordinary mail on the following parties this ^{13th} 12th day of April, 2018.



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Summary: Motion Motion to Consolidate Cases electronically filed by Ms. Elizabeth H Watts
on behalf of Duke Energy Ohio, Inc.