

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION
OF DUKE ENERGY OHIO, INC., FOR A
WAIVER OF OHIO ADM.CODE 4901:1-
18-06(A)(2).

CASE NO. 19-187-EL-WVR

ENTRY

Entered in the Journal on April 19, 2019

{¶ 1} Duke Energy Ohio, Inc. (Duke, the Applicant, or the Company) is an electric distribution utility as defined by R.C. 4928.01(A)(6) and a public utility as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 2} On January 30, 2019, the Applicant submitted an application to the Commission requesting a continuation of a waiver of Ohio Adm.Code 4901:1-18-06(A)(2) that was granted by the Commission on March 8, 2017. *In the Matter of the Application of Duke Energy Ohio, Inc. for a Waiver*, Case No. 16-1096-EL-WVR, Finding and Order (Mar. 8, 2017). Duke states that the Commission granted the waiver as a pilot program and directed the Company to file any request to continue the pilot program by March 1, 2019. Duke submits this request to extend the pilot for an additional five years and is not proposing any changes to the program. Duke avers that throughout the pilot program the use of more effective communication has reduced the number of disconnections and that the Company has not received any complaints with respect to not providing a premises visit on the day of disconnection for nonpayment. Additionally, Duke states that continuing this program allows customers to realize the full benefit of the Company's AMI investment. Duke argues that the continuation of the Company's SmartGrid enables many customer benefits, not the least of which is the ability to remotely disconnect and reconnect electric customer service. The effective use of this remote SmartGrid-enabled service, among other benefits, provides better public and employee safety when addressing the requirement to disconnect customers. Further, Duke states its waiver request is beneficial to customers because it provides more notices and additional information to expedite payment or enter into arrangements to avoid disconnection.

{¶ 3} On March 6, 2019, the Ohio Consumers' Counsel (OCC) filed a motion to intervene in this proceeding. OCC argues it has authority under R.C. Chapter 4911 to represent the interests of Ohio's residential utility customers and that the interests of such customers may be adversely affected by these proceedings. OCC further submits that its participation will not unduly prolong or delay the proceedings and that its advocacy will significantly contribute to the full development and equitable resolution of the issues.

{¶ 4} On April 1, 2019, Ohio Partners for Affordable Energy (OPAE) filed a motion to intervene in these proceedings. In support of its motion to intervene, OPAE asserts that it is a corporation that advocates for affordable energy policies for low- and moderate-income Ohioans; its members include Duke ratepayers and organizations located in the service area that will be affected by the application; and its interest in this case lies in protecting the interests of its members who will be effected by the waiver request set forth in the application.

{¶ 5} The attorney examiner finds that OCC and OPAE's motions to intervene in these proceedings are reasonable and should be granted. The attorney examiner notes that the Applicant does not oppose OCC or OPAE's intervention. The attorney examiner finds that the motions to intervene filed by OCC and OPAE comply with the requirements set forth in R.C. 4903.221 and Ohio Adm.Code 4901-1-11 and should, therefore, be granted.

{¶ 6} The attorney examiner now finds it appropriate to invite interested stakeholders to file comments. The applicable procedural schedule shall be as follows:

- (a) Motions to intervene shall be filed by May 10, 2019.
- (b) Comments shall be filed by May 10, 2019.
- (c) Reply comments shall be filed by May 24, 2019.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That the motions to intervene filed by OCC and OPAC be granted. It is, further,

{¶ 9} ORDERED, That the procedural schedule set forth in Paragraph 6 be adopted. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Stacie Cathcart

By: Stacie E. Cathcart
Attorney Examiner

JRJ/sc

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Case No(s). 19-0187-EL-WVR

Summary: Attorney Examiner Entry granting motions to intervene by OCC and OPAE and setting forth a procedural schedule as indicated in Paragraph 6 - electronically filed by Sandra Coffey on behalf of Stacie Cathcart, Attorney Examiner, Public Utilities Commission of Ohio