

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
DUKE ENERGY OHIO, INC. FOR
RECOVERY OF PROGRAM COSTS, LOST
DISTRIBUTION REVENUE, AND
PERFORMANCE INCENTIVES RELATED TO
ITS ENERGY EFFICIENCY AND DEMAND
RESPONSE PROGRAMS.

CASE NO. 18-397-EL-RDR

ENTRY

Entered in the Journal on May 2, 2019

{¶ 1} Duke Energy Ohio, Inc. (Duke or the Company) is an electric distribution utility (EDU) as defined in 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} R.C. 4928.141 provides that an EDU shall provide customers within its certified territory a standard service offer (SSO) of all competitive retail electric services necessary to maintain essential electric services to customers, including firm supply of electric generation services. The SSO must be either a market rate offer in accordance with R.C. 4928.142 or an electric security plan (ESP) in accordance with R.C. 4928.143.

{¶ 3} Pursuant to R.C. 4928.66, EDUs are required to implement energy efficiency and peak demand response (EE/PDR) programs. Through these programs, the EDUs are mandated to achieve a specific amount of energy savings every year.

{¶ 4} By Opinion and Order issued August 15, 2012, the Commission approved a stipulation entered into between Duke and some of the parties. *In re Duke Energy Ohio, Inc.*, Case No. 11-4393-EL-RDR. Specifically, among other things, the Commission approved the recovery of program costs, lost distribution revenue, and performance incentives related to Duke's EE/PDR programs.

{¶ 5} On March 29, 2018, Duke filed an application for recovery of program costs, lost distribution revenue, and performance incentives related to its energy efficiency and demand response programs for 2017.

{¶ 6} Motions to intervene were filed by the Ohio Consumers' Counsel (OCC), Industrial Energy Users-Ohio (IEU), the Environmental Law & Policy Center (ELPC), the Ohio Manufacturers' Association Energy Group (OMAEG), and, collectively, the Ohio Environmental Council, Environmental Defense Fund, and Natural Resources Defense Council (Environmental Groups). At this time, no party has objected to the motions to intervene and the motions to intervene from OCC, IEU, ELPC, OMAEG, and the Environmental Groups should be granted.

{¶ 7} In order to accomplish the review of Duke's application, the attorney examiner finds that the following procedural schedule should be established:

- a. June 27, 2019 – deadline for filing of motion to intervene.
- b. June 27, 2019 – deadline for the filings of comments on the application by Staff and intervenors.
- c. July 11, 2019 – deadline for all parties to file reply comments.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That the motions to intervene filed by OCC, IEU, ELPC, OMAEG, and the Environmental Groups be granted. It is, further

{¶ 10} ORDERED, That the procedural schedule in Paragraph 7 be observed. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Nicholas J. Walstra

By: Nicholas J. Walstra
Attorney Examiner

MJA/hac

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Case No(s). 18-0397-EL-RDR

Summary: Attorney Examiner Entry granting motions to intervene and establishing procedural schedule electronically filed by Heather A Chilcote on behalf of Nicholas Walstra, Attorney Examiner, Public Utilities Commission