## BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke	CHICAGO CONTROL O CONTROL O CONTROL CO
Energy Ohio, Inc., for Approval to Implement a Capital Expenditure	Case No. 13-2417-GA-UNC
Program.	
In the Matter of the Application of Duke Energy Ohio, Inc., for Approval to Change Accounting Methods.	) Case No. 13-2418-GA-AAM

# DUKE ENERGY OHIO, INC.'S MOTION FOR LEAVE TO FILE 2018 INFORMATIONAL REPORT, INSTANTER

Now comes Duke Energy Ohio, Inc., (Duke Energy Ohio), and hereby respectfully moves the Public Utilities Commission of Ohio (Commission) for leave to file its 2018 Informational Report concurrently with this Motion, Instanter.

On May 3, 2019, Duke Energy Ohio filed an application (Application) for a new alternative rate plan to establish a capital expenditure program rider (Rider CEP). The Application included information relating to 2018 expenditures, as had historically included in the annual informational reports filed by April 30 of each year, beginning in 2015, in the above-captioned dockets. Duke Energy Ohio assumed, due to that inclusion in the Application, that the 2018 separate filing would not be necessary. Duke Energy Ohio was notified by Staff on May10, 2019, that a regular 2018 annual informational report would still be necessary. Therefore, Duke Energy Ohio is filing its 2018 informational report, concurrently with this motion.

A memorandum in support is attached.

## Respectfully submitted,

/s/Jeanne W. Kingery

Rocco O. D'Ascenzo (0077651)
Deputy General Counsel
Jeanne W. Kingery (0012172) (Counsel of Record)
Associate General Counsel
155 East Broad Street
Columbus, Ohio 43215
(614) 222-1334
(614) 222-1337 (facsimile)
Rocco.D'Ascenzo@duke-energy.com

Attorneys for Duke Energy Ohio, Inc.

Jeanne.Kingery@duke-energy.com

#### **MEMORANDUM IN SUPPORT**

#### I. INTRODUCTION

On December 20, 2013, Duke Energy Ohio, Inc., (Duke Energy Ohio or Company) filed an application in the above-captioned cases, seeking approval of a Capital Expenditure Program (CEP). On October 1, 2014, the Public Utilities Commission of Ohio (Commission) issued a Finding and Order (Order), modifying and approving the Application.

In the Order, the Commission required the Company to make annual informational filings regarding its CEP on April 30 of each year, beginning in 2015. On May 3, 2019, Duke Energy Ohio filed an Application for a new alternative rate plan to establish a capital expenditure program rider (Rider CEP). Within that application, as an exhibit, Duke Energy Ohio included the 2018 annual informational filing calculations, assuming a separate filing would not be necessary.

#### II. DISCUSSION

Duke Energy Ohio respectfully submits that good cause exists for this Commission to consider its 2018 information report, filed concurrently herewith, as filed timely and allow the 2018 informational report to be considered in the disposition of this case.

Permitting the late filing of the 2018 informational report will not prejudice parties or cause any delay.

#### III. CONCLUSION

Due to the Company's incorrect assumption that a separate filing would not be required, Duke Energy Ohio did not file its 2018 informational report in these dockets by April 30. Accordingly, the Duke Energy Ohio requests that the Commission grant its Motion for Leave to File 2018 Informational Report, Instanter.

## Respectfully submitted,

/s/Jeanne W. Kingery

Rocco O. D'Ascenzo (0077651)

Deputy General Counsel

Jeanne W. Kingery (0012172) (Counsel of Record)

Associate General Counsel

155 East Broad Street

Columbus, Ohio 43215

(614) 222-1334

(614) 222-1337 (facsimile)

Rocco.D'Ascenzo@duke-energy.com

Jeanne.Kingery@duke-energy.com

Attorneys for Duke Energy Ohio, Inc.

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served via electronic delivery this 14<sup>th</sup> day of May 2019 to the following:

/s/Jeanne W. Kingery
Jeanne W. Kingery

John H. Jones
Assistant Attorney General
Public Utilities Section
30 East Broad St., 16<sup>th</sup> Floor
Columbus, Ohio 43215
John.Jones@ohioattorneygeneral.gov

This foregoing document was electronically filed with the Public Utilities

**Commission of Ohio Docketing Information System on** 

5/14/2019 2:57:15 PM

in

Case No(s). 13-2417-GA-UNC, 13-2418-GA-AAM

Summary: Motion Duke Energy Ohio, Inc.'s Motion for Leave to File 2018 Informational Report, Instanter electronically filed by Mrs. Debbie L Gates on behalf of Duke Energy Ohio Inc. and D'Ascenzo, Rocco O. Mr. and Kingery, Jeanne W