

## 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 PEAK  
DEMAND RESPONSE PROGRAMS.

CASE NO. 19-622-EL-RDR

### ENTRY

Entered in the Journal on August 6, 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, 2019, 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 2018.

{¶ 6} By Entry on May 2, 2019, the attorney examiner issued a procedural schedule establishing a deadline to file motions to intervene, as well as deadlines for initial comments and reply comments.

{¶ 7} Motions to intervene were filed by Ohio Consumers' Counsel, the Environmental Law and Policy Center, and the Ohio Partners for Affordable Energy. No parties filed memoranda contra opposing the motions. For good cause shown, the motions to intervene should be granted.

{¶ 8} As Staff's audit of Duke's application is still ongoing, the attorney examiner finds that the procedural schedule should be modified. Accordingly, once Staff files its review and recommendation, parties will have 14 days to file comments. Reply comments will be due 21 days after Staff's filing.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the motions to intervene be granted. It is, further,

{¶ 11} ORDERED, That comments and reply comments be filed in accordance with Paragraph 8. It is, further,

{¶ 12} 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

JRJ/hac

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**8/6/2019 3:03:50 PM**

**in**

**Case No(s). 19-0622-EL-RDR**

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