

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE REVIEW OF
DUKE ENERGY OHIO, INC.'S
DISTRIBUTION CAPITAL INVESTMENT
RIDER.

CASE NO. 19-1287-EL-RDR

ENTRY

Entered in the Journal on January 23, 2020

{¶ 1} Duke Energy Ohio, Inc. (Duke or the Company) is an electric distribution utility (EDU) 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} R.C. 4928.141 provides that an EDU shall provide consumers within its certified territory a standard service offer (SSO) of all competitive retail electric services necessary to maintain essential electric services to customers, including a firm supply of electric generation services. The SSO may 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} On April 2, 2015, the Commission modified and approved an application for an ESP filed by Duke for the period June 1, 2015, through May 31, 2018. *In re Duke Energy Ohio*, Case No. 14-841-EL-SSO, et al. (*ESP 3 Case*), Opinion and Order (Apr. 2, 2015). In the Opinion and Order, the Commission established a distribution capital investment rider (Rider DCI) to allow for the recovery of capital costs for distribution infrastructure investments. Further, the Commission found that a compliance audit of Rider DCI is to be completed annually to ensure conformance with the Opinion and Order.

{¶ 4} By Entry on May 30, 2018, in the *ESP 3 Case*, the Commission granted Duke's request to extend the ESP, including Rider DCI, until a new application for an ESP was approved. In doing so, the Commission initially extended the 2018 \$35 million revenue cap collection period for Rider DCI until August 1, 2018. In a Second Entry on

Rehearing issued July 25, 2018, the Commission granted Duke's application for rehearing, in part, and set a monthly \$5 million cap for Rider DCI until a new ESP was approved. Thereafter, on December 19, 2019, the Commission approved a stipulation that, among other things, established a new ESP and continued Rider DCI. *In re Duke Energy Ohio, Inc.*, 17-1263-EL-SSO, et al., Opinion and Order (Dec. 19, 2019).

{¶ 5} On June 19, 2019, the Commission directed Staff to issue a request for proposal (RFP) to assist with the annual audit of Rider DCI. Prospective bidders were directed by the Commission to submit proposals to Staff by July 9, 2019. Bidders were directed to demonstrate their understanding of the project and the work required by showing a clear understanding of the tasks to be completed, the experience and qualifications of the personnel who will perform the work, and the anticipated breakdown of costs and timing.

{¶ 6} On July 31, 2019, the Commission issued an Entry selecting Rehmann Consulting (Rehmann) to perform the consulting activities for Duke's Rider DCI and directed Duke to enter into a contract with Rehmann for the purpose of providing payment for its auditing services. Thereafter, on December 13, 2019, Rehmann submitted its audit report.

{¶ 7} Previously, on July 25, 2019, the Ohio Consumers Counsel (OCC) filed a motion to intervene and memorandum in support. No memoranda contra the motion to intervene was filed. The Commission finds that the motion to intervene filed by OCC complies with the requirements set forth in R.C. 4903.221 and Ohio Adm.Code 4901-1-11, and should, therefore, be granted.

{¶ 8} The attorney examiner now finds it appropriate to invite comments regarding the audit report. The procedural schedule shall be as follows:

- (a) Motions to intervene shall be filed by February 28, 2020;

(b) Comments shall be filed by February 28, 2020;

(c) Reply comments shall be filed by March 20, 2020.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the procedural schedule set forth in Paragraph 8 be adopted. It is, further,

{¶ 11} ORDERED, That OCC's motion to intervene be granted. 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

1/23/2020 9:09:34 AM

in

Case No(s). 19-1287-EL-RDR

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