

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
DUKE ENERGY OHIO, INC. FOR
ADMINISTRATION OF THE
SIGNIFICANTLY EXCESSIVE EARNINGS
TEST.

CASE NO. 19-460-EL-UNC

ENTRY

Entered in the Journal on January 23, 2020

{¶ 1} Duke Energy Ohio, Inc. (Duke 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} Pursuant to the directives of R.C. 4928.143(F), the Commission is required to evaluate the earnings of each electric utility's approved electric security plan to determine whether the plan or offer produces significantly excessive earnings for the electric utility.

{¶ 3} On May 15, 2019, Duke filed an application for the administration of the significantly excessive earnings test, as required by R.C. 4928.143(F) and Ohio Adm.Code 4901:1-35-10 for 2018.

{¶ 4} Thereafter, on June 13, 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 attorney examiner 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.

{¶ 5} The attorney examiner now finds it appropriate to set this matter for hearing. The procedural schedule shall be as follows:

- (a) Motions to intervene shall be filed by February 12, 2020;
- (b) Testimony shall be filed by March 11, 2020;

- (c) The hearing shall convene on March 18, 2020, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-D, Columbus, Ohio 43215-3793.

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That the procedural schedule set forth in Paragraph 5 be adopted.
It is, further,

{¶ 8} ORDERED, That OCC's motion to intervene be granted. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Lauren L. Augostini

By: Lauren L. Augostini
Attorney Examiner

JRJ/hac

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Summary: Attorney Examiner Entry setting forth procedural schedule and granting motion to intervene electronically filed by Heather A Chilcote on behalf of Lauren L. Augostini, Attorney Examiner, Public Utilities Commission of Ohio