

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission's Review    )  
of the Minimum Gas Service Standards in    ) Case No. 19-1429-GA-ORD  
Chapter 4901:1-13 of the Ohio            )  
Administrative Code.                        )

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**REPLY COMMENTS  
OF  
DUKE ENERGY OHIO, INC.**

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On July 8, 2019, the Public Utilities Commission of Ohio (Commission) issued an entry commencing its five-year review of the rules in O.A.C. Chapter 4901:1-13, relating to minimum gas service standards. Pursuant to that order, a workshop was held on August 13, 2019. The Commission's subsequent entry called for comments on staff's proposed changes to that chapter, with due dates of January 17, 2020, for initial comments, and January 31, 2020, for reply comments. In accordance with the Commission's schedule, Duke Energy Ohio, Inc., (Duke Energy Ohio or Company) respectfully submits its reply comments.

The Company agrees with and adopts the reply comments filed by Columbia Gas of Ohio, Inc. Additionally, Duke Energy Ohio would comment on certain other matters, as discussed below.

**Rule 13-11(B)(14) and (15)**<sup>1</sup>

The Office of the Ohio Consumers' Counsel (OCC) proposes changes to Rule 13-11 related to shadow-billing information. This is not OCC's first attempt to force utilities to bear

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<sup>1</sup> For purposes of readability, rule and chapter numbers will be designated without reference to the agency or division number. In addition, where Staff's proposed revisions result in numbering changes, the new (proposed) numbering is used for reference purposes.

the cost of such calculations and the Commission should deny its effort as it has wisely done before.

In the Company's recent bill format case,<sup>2</sup> OCC asked the Commission to require Duke Energy Ohio to include shadow-billing information on its bills, "as soon as the Company's billing system is capable" thereof. The Company noted that this same argument was made by OCC in the 2018 gas cost recovery case, which was still pending at that time, and suggested that it be dealt with in that case rather than the bill format case.<sup>3</sup> In addition, IGS Energy opposed OCC's proposal, saying that the Commission had previously rejected the suggestion on several occasions<sup>4</sup> as it is an imperfect indicator of market rates, among other things. The Commission concluded, in the bill format proceeding, that OCC's recommendations are premature, as the Company's billing system cannot currently provide the information.<sup>5</sup>

The Company's concerns with these shadow-billing-related suggestions have been well documented. In the 2018 GCR case, the Company noted that the issue had been fully litigated in the 2015 GCR case<sup>6</sup> and, further, pointed out that complying with such a mandate would require extensive revisions to the Company's billing systems.

The situation has not changed. The Company's billing system does not currently have the capability to comply with OCC's idea of shadow billing. And, as IGS explained, such information is not shown to be a full or reliable means of determining the value, or lack thereof, of any particular competitive offer.

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<sup>2</sup> *In the Matter of the Application of Duke Energy Ohio, Inc. for Approval of Bill Format Changes*, Case No. 19-1593-GE-UNC (Bill Format Case).

<sup>3</sup> *In the Matter of the Regulation of the Purchased Gas Adjustment Clauses Contained within the Rate Schedules of Duke Energy Ohio, Inc. and Related Matters*, Case No. 18-218-GA-GCR, *et al.* (2018 GCR Case).

<sup>4</sup> IGS cited to the following dockets: Case No. 01-1371-GA-ORD, Case No. 12-925-GA-ORD, and Case No. 13-225-GA-ORD.

<sup>5</sup> Bill Format Case, Finding and Order, ¶ 35 (Dec. 18, 2019).

<sup>6</sup> *In the Matter of the Regulation of the Purchased Gas Adjustment Clauses Contained within the Rate Schedules of Duke Energy Ohio, Inc. and Related Matters*, Case No. 15-218-GA-GCR, *et al.* (2015 GCR Case).

Duke Energy Ohio appreciates the opportunity to provide its reply comments to the Commission and respectfully requests that the Commission revise the proposed rules in accordance with the suggestions herein and in the reply comments filed by Columbia Gas of Ohio, Inc.

Respectfully submitted,

DUKE ENERGY OHIO, INC.

/s/ Jeanne W. Kingery

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(Willing to accept service by email.)

## CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was delivered by or electronic mail, on this 31st day of January 2020, to the following parties.

/s/Jeanne W. Kingery  
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Summary: Comments Reply Comments of Duke Energy Ohio, Inc. electronically filed by Dianne Kuhnell on behalf of Rocco D'Ascenzo and Duke Energy Ohio, Inc. and Kingery, Jeanne W.