

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
DUKE ENERGY OHIO, INC. FOR AN
ADJUSTMENT TO RIDER AMRP RATES
TO RECOVER COSTS INCURRED IN 2019.

CASE NO. 19-1769-GA-RDR

IN THE MATTER OF THE APPLICATION OF
DUKE ENERGY OHIO, INC. FOR TARIFF
APPROVAL.

CASE NO. 19-1770-GA-ATA

ENTRY

Entered in the Journal on March 6, 2020

{¶ 1} By Opinion and Order issued May 28, 2008, in *In re Duke Energy Ohio, Inc.*, Case No. 07-589-GA-AIR, et al., the Commission approved a stipulation that, inter alia, provided a process for adjustments to the Accelerated Main Replacement Program (AMRP) rider (Rider AMRP) of Duke Energy Ohio, Inc. (Duke). In accordance with the stipulation, by November of each year, Duke is to file a prefiling notice of an application to implement adjustments to Rider AMRP. Subsequently, Duke is to file its application and an update of year-end actual data by the following February 28 of each year. Staff and other parties then may file comments, and Duke has until April 1 of each year to resolve the issues raised in the comments. If the issues raised in the comments are not resolved, then a hearing will be held. The goal of the process set forth in the stipulation is for the proposed amendment to Rider AMRP to be effective by the first billing cycle of May.

{¶ 2} By Finding and Order issued April 24, 2019, in *In re Duke Energy Ohio, Inc.*, Case Nos. 18-1452-GA-RDR and 18-1453-GA-ATA, the Commission established Duke's current AMRP rates, thereby allowing Duke to recover costs incurred during 2018.

{¶ 3} On November 18, 2019, Duke filed a prefiling notice of an application supporting a rate adjustment for Rider AMRP to recover costs incurred during 2019. Subsequently, on February 26, 2020, Duke filed its application in the instant cases.

{¶ 4} In order to accomplish the review of Duke's proposed adjustment to Rider AMRP, the attorney examiner finds that the following procedural schedule should be established:

- (a) March 20, 2020 – Deadline for the filing of motions to intervene.
- (b) March 20, 2020 – Deadline for Staff and intervenors to file comments on the application.
- (c) March 27, 2020 – Deadline for Duke to file a statement, informing the Commission whether the issues raised in the comments have been resolved.
- (d) March 31, 2020 – Deadline for the parties and Staff to file expert testimony.
- (e) In the event that some or all of the parties enter into a stipulation resolving some or all of the issues in these cases, the parties must file such stipulation with the Commission, by 9:00 a.m. on April 1, 2020.
- (f) In the event that all of the issues are not resolved or the parties enter into a stipulation, a hearing shall commence on April 2, 2020, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-C, Columbus, Ohio 43215. Any party requesting a continuance of the hearing must file a motion to continue the hearing with the Commission, by 9:00 a.m. on April 1, 2020.

{¶ 5} In light of the time frame for these proceedings, the attorney examiner requires that, in the event that any motion is made in these proceedings, any memorandum contra

shall be filed within three business days after the service of such motion, and a reply memorandum to any memorandum contra will not be accepted. Parties shall provide service of pleadings via hand delivery, facsimile, or e-mail.

{¶ 6} In addition, the attorney examiner finds that the response time for discovery shall be shortened to seven days. Unless otherwise agreed to by the parties, discovery requests and replies shall be served by hand delivery, facsimile, or e-mail. An attorney serving a discovery request shall attempt to contact the attorney upon whom the discovery request will be served in advance to advise him/her that a request will be forthcoming.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That the procedural schedule set forth in Paragraph 4 be adopted.
It is, further,

{¶ 9} ORDERED, That the parties adhere to the processes established in Paragraphs 5 and 6. It is, further,

{¶ 10} ORDERED, That a copy of this Entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Lauren L. Augostini

By: Lauren L. Augostini
Attorney Examiner

JRJ/hac

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in

Case No(s). 19-1769-GA-RDR, 19-1770-GA-ATA

Summary: Attorney Examiner Entry setting forth procedural schedule and ordering the parties to adhere to the processes established electronically filed by Heather A Chilcote on behalf of Lauren L. Augustini, Attorney Examiner, Public Utilities Commission of Ohio