

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF  
DUKE ENERGY OHIO, INC. FOR  
APPROVAL OF ITS TEMPORARY PLAN  
AND WAIVER OF TARIFFS AND RULES  
RELATED TO THE COVID-19 STATE OF  
EMERGENCY.

CASE NO. 20-599-GE-UNC

### ENTRY

Entered in the Journal on August 20, 2020

{¶ 1} Duke Energy Ohio, Inc. (Duke or the Company) is an electric light company and natural gas company as defined by R.C. 4905.03 and a public utility as defined by R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 2} R.C. 4909.16 provides, in part, that, in the event of an emergency, when the Commission finds it necessary to prevent injury to the business or interests of the public or of any public utility, it may temporarily alter, amend, or suspend any existing rates or schedules.

{¶ 3} On March 9, 2020, the governor signed Executive Order 2020-01D (Executive Order), declaring a state of emergency in Ohio to protect the well-being of Ohioans from the dangerous effects of COVID-19. As described in the Executive Order, state agencies are required to implement procedures consistent with recommendations from the Department of Health to prevent or alleviate the public health threat associated with COVID-19. Additionally, all citizens are urged to heed the advice of the Department of Health regarding this public health emergency in order to protect their health and safety. The Executive Order was effective immediately and will remain in effect until the COVID-19 emergency no longer exists. The Department of Health is making COVID-19 information, including information on preventative measures, available via the internet at [coronavirus.ohio.gov/](https://coronavirus.ohio.gov/).

{¶ 4} Pursuant to R.C. 3701.13, the Ohio Department of Health has supervision of “all matters relating to the preservation of the life and health of the people” and the “ultimate authority in matters of quarantine and isolation.” On March 12, 2020, the Director

of the Ohio Department of Health issued an Order indicating that “all persons are urged to maintain social distancing (approximately six feet away from other people) whenever possible.”

{¶ 5} On March 12, 2020, the Commission opened Case No. 20-591-AU-UNC and directed all utility companies in this state to review their disconnection procedures in light of the state of emergency. *In re the Proper Procedures and Process for the Commission's Operations and Proceedings During the Declared State of Emergency and Related Matters*, Case No. 20-591-AU-UNC (*Emergency Case*), Entry (Mar. 12, 2020) at ¶ 7. On March 13, 2020, the Commission extended its winter reconnection order through May 1, 2020, and directed all utility companies in this state to review their reconnection procedures. *Emergency Case*, Entry (Mar. 13, 2020) at ¶ 6. In the March 12, 2020, and March 13, 2020 Entries, the Commission also directed all utility companies to promptly seek any necessary approval, for the duration of the emergency, to suspend otherwise applicable disconnection or reconnection requirements that may impose a service continuity or service restoration hardship on residential and non-residential customers or create unnecessary COVID-19 risks associated with social contact. The Commission determined that such filings shall be deemed approved on an emergency basis for a period of at least 30 days effective as of the filing date or until such date as the Commission may otherwise specify, which shall not be less than 30 days.

{¶ 6} On March 19, 2020, Duke filed an application proposing a temporary plan for addressing the COVID-19 state of emergency, which seeks the Commission's approval of certain policies, practices, and requirements the Company seeks to suspend pursuant to the Commission's March 12, 2020, and March 13, 2020 Entries and waiver of certain administrative rules. Duke filed additional requests on May 4, 2020.

{¶ 7} On June 17, 2020, the Commission granted, in part, the request of Duke for waiver of certain rules, consistent with recommendations from Staff. Additionally, the Commission acknowledged the state's relaxation of certain social distancing restrictions and

directed Duke to work with Staff to develop a single, comprehensive plan to resume activities and operations, including timelines, and file the plan at least 45 days prior to resuming such activities and operations. The Finding and Order was affirmed in an Entry on Rehearing issued August 12, 2020.

{¶ 8} On June 26, 2020, Duke filed its plan to resume pre-emergency operations and activities in compliance with the Commission's rules. Among other things, Duke's plan expressed that the Company would continue to coordinate with Ohio Development Services Agency (ODSA) to resume the Percentage of Income Payment Plan (PIPP) program and the Graduate PIPP program as they were prior to the declared state of emergency.

{¶ 9} In a Supplemental Finding and Order issued July 29, 2020, the Commission approved Duke's transition plan. As it relates to the PIPP and Graduate PIPP programs, the Commission directed Duke to work with ODSA to resume normal operations and to file notice in the docket by August 7, 2020, regarding its plan.

{¶ 10} On August 7, 2020, Duke filed a motion seeking to extend the deadline to file notice of how the PIPP and Graduate PIPP programs will resume operations. Duke asserts that the Company began immediately working with ODSA after the Commission issued the Supplemental Finding and Order. However, Duke states that ODSA is still reviewing Duke's proposal and additional time is needed to finalize a plan. Accordingly, the Company asks that the deadline be extended until September 1, 2020. Duke also requested expedited treatment of the motion. No party filed objections to Duke's motion.

{¶ 11} Upon review, the attorney examiner finds good cause exists to grant Duke's request. Accordingly, the Company should continue to work with ODSA and Duke should file notice in the docket by September 1, 2020, regarding its intentions to resume the PIPP and Graduate PIPP programs.

{¶ 12} It is, therefore,

{¶ 13} ORDERED, That Duke's motion be granted. It is, further,

{¶ 14} ORDERED, That Duke file notice in the docket by September 1, 2020, confirming how the PIPP and Graduate PIPP programs will resume to normal operations. It is, further,

{¶ 15} ORDERED, That a copy of this Entry be served upon all interested persons and parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Nicholas J. Walstra

By: Nicholas J. Walstra  
Attorney Examiner

SJP/hac

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**Case No(s). 20-0599-GE-UNC**

Summary: Attorney Examiner Entry granting motion and ordering that Duke file notice in the docket by September 1, 2020, confirming how the PIPP and Graduate PIPP programs will resume to normal operations electronically filed by Heather A Chilcote on behalf of Nicholas Walstra, Attorney Examiner, Public Utilities Commission