



Office of the Ohio Consumers' Counsel

August 26, 2020

Ms. Tanowa M. Troupe, Secretary
Public Utilities Commission of Ohio
180 E. Broad St.
Columbus, OH 43215-3793

Re: *In the Matter of the Review of Duke Energy Ohio, Inc.'s Distribution Capital Investment Rider*, Case No. 19-1287-EL-RDR, Joint Stipulation and Recommendation filed August 25, 2020.

Dear Ms. Troupe:

The Office of the Ohio Consumers' Counsel ("OCC") appreciates the recent process where it, on behalf of Ohio's residential customers of Duke Energy Ohio, Inc. ("Duke"), negotiated with Duke and the Staff of the Public Utilities Commission of Ohio ("PUCO Staff") regarding a settlement for the compliance review of Duke's annual distribution capital investment rider expenses for 2018. OCC neither supports nor opposes the settlement that is the outcome of that negotiation process, as filed in this case on August 25, 2020. OCC acknowledges and appreciates the efforts of Duke and the PUCO Staff in the negotiation process.

Given continuing concerns regarding Duke's accounting practice of capitalizing certain tree trimming costs, the Consumers' Counsel is not signing the settlement. However, the terms of the settlement require Duke to take ongoing corrective actions to address the need for better documentation of capitalized tree trimming costs and, for this reason, the Consumers' Counsel is not opposing the settlement.

OCC's non-opposition is not precedent for any future case or issue. OCC is not waiving rights to make any recommendations it considers appropriate in any other (including future) proceedings regarding Duke's distribution capital investment rider. OCC also is not waiving its right to file testimony in Case No. 19-1287-EL-RDR explaining the Consumers' Counsel's reasons for non-opposition.

Again, the Consumers' Counsel appreciates the efforts of Duke and the PUCO Staff to negotiate a result that enabled OCC's non-opposition.

Ms. Tanowa Troupe
August 26, 2020
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Sincerely,

/s/ Ambrosia E. Wilson

Ambrosia E. Wilson
Assistant Consumers' Counsel

cc: Parties of record

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in

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

Summary: Correspondence Correspondence by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Wilson, Ambrosia E.