

# THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF  
DUKE ENERGY OHIO, INC. FOR  
APPROVAL TO AMEND ITS NATURAL  
GAS TARIFF.

CASE NO. 20-384-GA-ATA

## FINDING AND ORDER

Entered in the Journal on September 9, 2020

### I. SUMMARY

{¶ 1} The Commission approves the application of Duke Energy Ohio, Inc. to amend its natural gas tariff.

### II. DISCUSSION

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

{¶ 3} R.C. 4909.18 provides, in part, that a public utility may file an application to establish any rate, charge, regulation, or practice. If the Commission determines that the application is not for an increase in any rate and does not appear to be unjust or unreasonable, the Commission may approve the application without the need for a hearing.

{¶ 4} Following a hearing in Case No. 18-218-GA-GCR, et al., the Commission approved a stipulation and recommendation (Stipulation) that resolved all of the issues related to Duke's management/performance, gas cost recovery (GCR), uncollectible expense, and percentage of income payment plan audits, which were initiated by the Commission on February 21, 2018. Among other things, the Stipulation provided that Duke would file an application to change its gas tariff to prevent avoidance of capacity release due to timing of customers leaving the GCR; to require choice suppliers to deliver 100 percent of their target supply quantity; to include the incremental cost of propane utilized for system integrity in the Contract Commitment Cost Recovery (CCCR) Rider; to change its Interruptible Monthly Balancing Service rates per the study performed by the Company for the prior audit; and to include overrun and penalty charges associated with maintaining

the system in the CCCR Rider to recover a portion of the costs from choice customers. *In re Duke Energy Ohio, Inc.*, Case No. 18-218-GA-GCR, et al. (*2018 GCR Case*), Opinion and Order (Dec. 18, 2019) at ¶ 43.

{¶ 5} On February 18, 2020, in the above-captioned case, Duke filed an application seeking to amend its natural gas tariff, consistent with the Stipulation approved by the Commission in the *2018 GCR Case*. Duke also proposes additional changes to tariff sheets that are impacted by the Stipulation.

{¶ 6} Staff filed its review and recommendations on August 20, 2020. Following its review of Duke's application, Staff states that the application is reasonable and should be approved.

{¶ 7} Upon review of Duke's application and Staff's review and recommendations, the Commission finds that the application does not appear to be unjust or unreasonable and that it should be approved. Further, the Commission finds that no hearing is necessary in this case.

### III. ORDER

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That Duke's application to amend its natural gas tariff be approved. It is, further,

{¶ 10} ORDERED, That Duke be authorized to file tariffs, in final form, consistent with this Finding and Order. Duke shall file one copy in this case docket and one copy in its TRF docket. It is, further,

{¶ 11} ORDERED, That the effective date of the new tariffs shall be a date not earlier than the date upon which the final tariff pages are filed with the Commission. It is, further,

{¶ 12} ORDERED, That nothing in this Finding and Order shall be binding upon this Commission in any future proceeding or investigation involving the justness or

reasonableness of any rate, charge, rule, or regulation. It is, further,

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

**COMMISSIONERS:**

*Approving:*

Sam Randazzo, Chairman

M. Beth Trombold

Lawrence K. Friedeman

Daniel R. Conway

Dennis P. Deters

SJP/kck

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Summary: Finding & Order approving the application of Duke Energy Ohio, Inc. to amend its natural gas tariff. electronically filed by Ms. Mary E Fischer on behalf of Public Utilities Commission of Ohio