

# THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE REVIEW OF DUKE  
ENERGY OHIO, INC.'S DISTRIBUTION  
CAPITAL INVESTMENT RIDER.

CASE NO. 21-573-EL-RDR

## ENTRY

Entered in the Journal on December 22, 2021

{¶ 1} Duke Energy Ohio, Inc. (Duke) is an electric distribution utility (EDU) as defined in R.C. 4928.01(A)(6) and a public utility as defined in R.C. 4905.02, respectively. As such, Duke is subject to the jurisdiction of this Commission.

{¶ 2} R.C. 4928.141 provides that an electric distribution utility (EDU) shall provide consumers within its certified territory a standard service offer (SSO) of all competitive retail electric services necessary to maintain essential electric services to customers, including a firm supply of electric generation services. The SSO may be either a market rate offer in accordance with R.C. 4928.142 or an electric security plan (ESP) in accordance with R.C. 4928.143.

{¶ 3} On May 29, 2014, Duke filed its third ESP application. On April 2, 2015, the Commission issued an Opinion and Order modifying and approving Duke's ESP application for the period of June 1, 2015, through May 31, 2018. *In re the Application of Duke Energy Ohio for Authority to Establish a Std. Serv. Offer in the Form of an Electric Security Plan*, Case No. 14-841-EL-SSO, et al. (*ESP III Case*), Opinion and Order (April 2, 2015). As part of the approved ESP, the Commission authorized the establishment of the distribution capital investment (DCI) rider to allow for the recovery of capital costs for distribution infrastructure investments. The rider is to be reviewed annually for accounting accuracy, prudence, and compliance with the Commission's Order. Further, the Commission found that a compliance audit of the DCI rider is to be completed annually to ensure conformance with the Opinion and Order. On December 19, 2018, the Commission issued an Opinion and Order modifying and approving an amended stipulation establishing Duke's fourth ESP that extended Rider DCI through May 31, 2025, subject to certain conditions. *In re Duke*

*Energy Ohio, Inc.*, Case No. 17-1263-EL-SSO, et al., Opinion and Order at ¶ 113-116 (Dec. 19, 2018).

{¶ 4} On June 2, 2021, the Commission issued an Entry directing Staff to issue a request for proposal (RFP) for audit services to assist with the annual audit of Duke's DCI rider costs for the period of July 1, 2020, through June 30, 2021. On July 14, 2021, the Commission issued an Entry selecting Rehmann Consulting (Rehmann) to perform consulting activities for Duke's Rider DCI and directed Duke to enter into a contract with Rehmann for the purpose of providing payment for its auditing services. Thereafter, on December 3, 2021, Rehmann submitted its audit report.

{¶ 5} Previously, on June 22, 2021, the Ohio Consumers' Counsel (OCC) filed a motion to intervene and memorandum in support. No memoranda contra the motion to intervene were filed. The Commission finds that the motion to intervene filed by OCC complies with the requirements set forth in R.C. 4903.221 and Ohio Adm.Code 4901-1-11, and should, therefore, be granted.

{¶ 6} The attorney examiner now finds it appropriate to invite comments regarding the audit report. The procedural schedule shall be as follows:

- (a) Motions to intervene shall be filed by January 21, 2022;
- (b) Comments shall be filed by January 21, 2022;
- (c) Reply comments shall be filed by February 4, 2022.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That the procedural schedule set forth in Paragraph 6 be adopted. It is, further,

{¶ 9} ORDERED, That OCC's motion to intervene be granted. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Matthew J. Sandor

By: Matthew J. Sandor  
Attorney Examiner

NJW/kck

**This foregoing document was electronically filed with the Public Utilities  
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**in**

**Case No(s). 21-0573-EL-RDR**

Summary: Attorney Examiner Entry ordering that the procedural schedule set forth in Paragraph 6 be adopted and granting OCC's motion to intervene. electronically filed by Kelli C. King on behalf of Matthew Sandor, Attorney Examiner, Public Utilities Commission of Ohio