

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
DUKE ENERGY OHIO, INC., FOR AN
INCREASE IN ITS ELECTRIC DISTRIBUTION
RATES.

CASE NO. 21-887-EL-AIR

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

CASE NO. 21-888-EL-ATA

IN THE MATTER OF THE APPLICATION OF
DUKE ENERGY OHIO, INC., FOR
APPROVAL TO CHANGE ACCOUNTING
METHODS.

CASE NO. 21-889-EL-AAM

ENTRY

Entered in the Journal on June 9, 2022

{¶ 1} Duke Energy Ohio, Inc. (Duke) is an electric light company and public utility as defined by R.C. 4905.03(C) and R.C. 4905.02, respectively. As such, Duke is subject to the Commission's jurisdiction pursuant to R.C. 4905.04, 4905.05, and 4905.06.

{¶ 2} On October 1, 2021, Duke filed an application for an increase in electric distribution rates, for approval of tariff modifications, and for approval to changes in certain accounting methods.

{¶ 3} The Commission has caused an investigation to be made of the facts set forth in the rate increase application by Duke, the exhibits attached thereto, and other matters connected with the application.

{¶ 4} On May 19, 2022, Staff filed a written report of its investigation (Staff Report). Copies of the Staff Report were mailed to Duke and other persons deemed to be interested in the case.

{¶ 5} By Entry issued May 20, 2022, the attorney examiner set forth the procedural schedule for this matter whereby all objections to the Staff Report are to be filed within 30

days after the filing of the Staff Report; motions to strike objections are to be filed by June 30, 2022; memoranda contra motions to strike objections are to be filed by July 8, 2022; motions to intervene are to be filed by June 21, 2022; pre-filed testimony is to be file pursuant to Ohio Adm.Code 4901-1-29; a prehearing conference is scheduled for June 28, 2022; and, the evidentiary hearing is scheduled to commence on August 9, 2022.

{¶ 6} On May 27, 2022, Duke filed an unopposed motion to modify the procedural schedule and a request for expedited ruling. In support of its motion, Duke asserts that it seeks an extension of the testimony filing deadline due to the current press of regulatory activity in which it and several intervenors are involved. To ease this burden, Duke requests that the deadline to file all testimony, which currently is required to be filed at the same time as objections to the Staff Report, be extended such that all testimony would be due by July 8, 2022. Duke also notes that some parties are unavailable on August 9, 2022, the date of the hearing. Duke requests that the matter of rescheduling the hearing to a date that is workable for all parties be taken up at the June 28, 2022 prehearing conference. Duke represents that, although some parties had not responded to its query about this motion as of the time of filing, none of the parties it received responses from objected to the request for additional time or expedited treatment of the motion.

{¶ 7} Pursuant to Ohio Adm.Code 4901-1-13(A), an attorney examiner may grant a motion for an extension of time to file pleadings or other papers for good cause shown except as otherwise provided by law and notwithstanding any other provision within Ohio Adm.Code Chapter 4901-1.

{¶ 8} Upon review, the attorney examiner finds Duke's motion reasonable and, therefore, grants it. All pre-filed testimony in this proceeding should be filed by July 8, 2022. The remainder of the procedural schedule will remain the same. Further, parties should be prepared to discuss a potential evidentiary hearing date at the June 28, 2022 prehearing conference.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That Duke's motion to modify the procedural schedule be granted, consistent with Paragraph 8. It is, further,

{¶ 11} ORDERED, That the deadline to file pre-filed testimony in this proceeding should be extended to July 8, 2022, as stated in Paragraph 8. It is, further,

{¶ 12} 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

MLW/hac

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

6/9/2022 3:30:45 PM

in

Case No(s). 21-0887-EL-AIR, 21-0888-EL-ATA, 21-0889-EL-AAM

Summary: Attorney Examiner Entry ordering that Duke's motion to modify the procedural schedule be granted and that the deadline to file pre-filed testimony in this proceeding should be extended to July 8, 2022 electronically filed by Heather A. Chilcote on behalf of Matthew Sandor, Attorney Examiner, Public Utilities Commission of Ohio