

## 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 August 12, 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. Thereafter, the Commission 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. 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.

{¶ 3} By Entry issued May 20, 2022, the attorney examiner set forth the procedural schedule for this matter whereby all objections to the Staff Report were to be filed within 30 days after the filing of the Staff Report; motions to strike objections were to be filed by June 30, 2022; memoranda contra motions to strike objections were to be filed by July 8, 2022; motions to intervene were to be filed by June 21, 2022; pre-filed testimony was to be filed

pursuant to Ohio Adm.Code 4901-1-29; the prehearing conference was scheduled for June 28, 2022; and, the evidentiary hearing was scheduled to commence on August 9, 2022.

{¶ 4} On May 27, 2022, Duke filed an unopposed motion to modify the procedural schedule. By Entry issued June 9, 2022, the attorney examiner granted Duke's motion and directed all pre-filed testimony in this proceeding to be filed by July 8, 2022.

{¶ 5} The prehearing conference was held, as scheduled, on June 28, 2022, at the Commission's offices. In response to discussions from the prehearing conference, by Entry issued June 30, 2022, the attorney examiner rescheduled the hearing to commence on September 19, 2022; set August 18, 2022, as the deadline for Duke to file supplemental testimony and for Staff and intervenors to file testimony; and, set September 1, 2022, as the deadline for any party to file rebuttal testimony.

{¶ 6} On August 9, 2022, Duke filed an unopposed motion to modify the procedural schedule and a request for expedited ruling. In support of its motion, Duke stated that it desired more time to continue settlement discussions. Duke requested that the deadline for intervenors to file testimony be extended to August 26, 2022, and the deadline for any party to file rebuttal testimony be extended to September 9, 2022. According to Duke, it would still file its supplemental testimony by August 18, 2022. Duke asserted that no parties objected to the additional time requested or the request for expedited treatment.

{¶ 7} By Entry on August 10, 2022, the attorney examiner granted Duke's motion. A new procedural schedule was adopted wherein Duke's supplemental testimony is due August 18, 2022, intervenor testimony is due August 26, 2022, and any rebuttal testimony is due by September 9, 2022.

{¶ 8} On August 11, 2022, Staff filed a motion requesting a deadline for Staff testimony. Staff requested a deadline of September 12, 2022. Staff seeks expedited treatment of the motion and avers that no party opposes the requests.

{¶ 9} While Ohio Adm.Code 4901-1-29(A) does not require deadlines be established for the filing of Staff testimony, nonetheless we will direct Staff to file all direct testimony by September 12, 2022.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That Staff's motion to establish Staff testimony deadlines be granted in accordance with Paragraph 9. 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/Nicholas J. Walstra

By: Nicholas J. Walstra  
Attorney Examiner

MJA/dmh

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

Summary: Entry ordering that Staff's motion to establish Staff testimony deadline as September 12, 2022 be granted electronically filed by Ms. Donielle M. Hunter on behalf of Nicholas J. Walstra, Attorney Examiner, Public Utilities Commission of Ohio