

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE APPLICATION OF
DUKE ENERGY OHIO, INC. FOR AN
INCREASE IN 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 ON REHEARING

Entered in the Journal on February 8, 2023

I. SUMMARY

{¶ 1} The Commission grants the application for rehearing filed by Ohio Consumers' Counsel for the purpose of further consideration of the matters specified in the application for rehearing.

II. PROCEDURAL BACKGROUND

{¶ 2} Duke Energy Ohio, Inc. (Duke) is an electric light company as defined by R.C. 4905.03 and a public utility as defined by R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 3} On October 1, 2021, Duke filed its application to increase its rates pursuant to R.C. 4909.18

{¶ 4} Pursuant to R.C. 4909.19, Staff conducted an investigation of the facts, exhibits, and matters relating to the application. Staff filed a written report of its investigation (Staff Report) on May 19, 2022.

{¶ 5} The following entities were granted intervention in these proceedings: Ohio Energy Group (OEG); Ohio Consumers' Counsel (OCC); Ohio Manufacturers' Association

Energy Group (OMAEG); The Kroger Co. (Kroger); City of Cincinnati (Cincinnati); Interstate Gas Supply, Inc. (IGS); Retail Energy Supply Association (RESA); Ohio Partners for Affordable Energy (OPAE); Walmart Inc. (Walmart); ChargePoint, Inc. (ChargePoint); Nationwide Energy Partners, LLC (NEP); Citizens' Utility Board of Ohio (CUB-Ohio); One Energy Enterprises LLC (One Energy); and People Working Cooperatively, Inc. (PWC).

{¶ 6} Objections to the Staff Report were filed by various parties on June 21, 2022.

{¶ 7} On September 19, 2022, a joint stipulation and recommendation (Stipulation) was filed by Staff, Duke, OPAE, OEG, Cincinnati, PWC, RESA, Walmart, IGS, One Energy, NEP, CUB-Ohio. OMAEG, Kroger, and ChargePoint signed the Stipulation as non-opposing parties. On the same day, Duke filed an updated version of the to fix a typographical error omitting the party heading for the City of Cincinnati's signature. On September 26, 2022, Duke filed a corrected version of Attachment 4 of the Stipulation.

{¶ 8} The evidentiary hearing commenced on October 4, 2022, and concluded on October 11, 2022.

{¶ 9} Initial and reply briefs were filed by the parties¹ on October 31, 2022, and November 14, 2022, respectively.

{¶ 10} By Opinion and Order dated December 14, 2022, the Commission approved and adopted the Stipulation.

{¶ 11} R.C. 4903.10 states that any party who has entered an appearance in a Commission proceeding may apply for a rehearing with respect to any matters determined therein by filing an application within 30 days after the entry of the order upon the Commission's journal.

¹ One Energy, ChargePoint, and NEP elected not to file briefs. OPAE and PWC only filed reply briefs

{¶ 12} On January 13, 2023, OCC filed an application for rehearing with respect to the Commission's Opinion and Order.

{¶ 13} On January 23, 2023, Duke filed a memorandum contra the application for rehearing.

{¶ 14} The Commission believes that sufficient reason has been set forth by OCC to warrant further consideration of the matters specified in the application for rehearing. Accordingly, the application for rehearing filed by OCC should be granted.

III. ORDER

{¶ 15} It is, therefore,

{¶ 16} ORDERED, That the application for rehearing filed by OCC be granted for further consideration of the matters specified in the application for rehearing. It is, further,

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

COMMISSIONERS:

Approving:

Jenifer French, Chair
M. Beth Trombold
Lawrence K. Friedeman
Daniel R. Conway
Dennis P. Deters

MJS/dmh

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in

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

Summary: Entry that the Commission grants the application for rehearing filed by Ohio Consumers' Counsel for the purpose of further consideration of the matters specified in the application for rehearing electronically filed by Ms. Donielle M. Hunter on behalf of Public Utilities Commission of Ohio