

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF  
DUKE ENERGY OHIO, INC. FOR  
RECOVERY OF PROGRAM COSTS, LOST  
DISTRIBUTION REVENUE, AND  
PERFORMANCE INCENTIVES RELATED TO  
ITS ENERGY EFFICIENCY AND DEMAND  
RESPONSE PROGRAMS.

CASE NO. 21-482-EL-RDR

### ENTRY

Entered in the Journal on March 27, 2023

{¶ 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, and, as such, is subject to the jurisdiction of this Commission.

{¶ 2} R.C. 4928.141 provides that an EDU shall provide customers 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 must 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} Prior to the enactment of Am.Sub.H.B. No. 6, which took effect on October 22, 2019, EDUs were required, pursuant to R.C. 4928.66, to implement energy efficiency and peak demand response (EE/PDR) programs. Through these programs, the EDUs were mandated to achieve a specific amount of energy savings every year. The above amendment to R.C. 4928.66 eliminated the energy efficiency requirements after December 31, 2020.

{¶ 4} By Opinion and Order issued August 15, 2012, the Commission approved a stipulation entered into between Duke and some of the parties. *In re Duke Energy Ohio, Inc.*, Case No. 11-4393-EL-RDR. Specifically, among other things, the Commission approved the recovery of program costs, lost distribution revenue, and performance incentives related to Duke's EE/PDR programs.

{¶ 5} By Finding and Order issued February 26, 2020, the Commission granted Duke's application requesting that the current EE/PDR program portfolio be extended through December 31, 2020. *In re Duke Energy Ohio Inc.*, Case No. 16-576-EL-POR, et al.

{¶ 6} On May 14, 2021, Duke filed an application for recovery of program costs, lost distribution revenue, and performance incentives related to its energy efficiency and demand response programs for 2020. On April 14, 2022, Duke filed an amended application, providing cost schedules for the purpose of final reconciliation of all of its outstanding cost recoveries associated with energy efficiency programs offered from 2018 through the end of 2021.

{¶ 7} On March 17, 2023, Commission Staff filed a review and recommendation regarding Duke's amended application.

{¶ 8} In order to accomplish the review of Duke's amended application, the attorney examiner finds that all motions to intervene and intervenor comments should be filed by April 26, 2023. Reply comments should be filed by May 11, 2023.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That motions to intervene and intervenor comments be filed by April 26, 2023, and reply comments be filed by May 11, 2023. It is, further,

{¶ 11} 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

MJA/dr

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

**Case No(s). 21-0482-EL-RDR**

Summary: Attorney Examiner Entry directing that motions to intervene and intervenor comments be filed by April 26, 2023, and reply comments be filed by May 11, 2023 electronically filed by Debbie S. Ryan on behalf of Matthew J. Sandor, Attorney Examiner, Public Utilities Commission of Ohio.