

**BEFORE
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) Case No. 21-482-EL-RDR
Performance Incentives Related to its Energy)
Efficiency and Demand Response Programs.)

**MOTION OF DUKE ENERGY OHIO, INC.
FOR LEAVE TO FILE SURREPLY COMMENTS**

Duke Energy Ohio, Inc., (Duke Energy Ohio or the Company) hereby moves the Public Utilities Commission of Ohio (Commission), in accordance with Rule 4901-1-12 Ohio Administrative Code (O.A.C.), for leave to file surreply comments, in response to the reply comments filed by the Ohio Consumers' Counsel (OCC) on May 11, 2023 (OCC Reply Comments). Because OCC did not raise the question of carrying charges until its reply comments, the Company did not have an opportunity to respond to OCC's concerns in its reply comments and would like to have the opportunity to very briefly respond. The Company's Proposed Surreply Comments, which accompany this Motion, offer additional factual information on this point that will be helpful to the Commission's decision making.

This Motion is accompanied by a Memorandum in Support and also by a copy of the Proposed Surreply Comments, which the Company respectfully requests the Commission to consider.

Respectfully submitted,

DUKE ENERGY OHIO, INC.

/s/ Larisa M. Vaysman

Rocco O. D'Ascenzo (0077651)

Deputy General Counsel

Jeanne W. Kingery (0012172)

Associate General Counsel

Larisa M. Vaysman (0090290) (Counsel of Record)

Senior Counsel

Duke Energy Business Services LLC

139 Fourth Street, 1303-Main

Cincinnati, Ohio 45202-0960

(513) 287-4320 (telephone)

(513) 370-5720 (facsimile)

Rocco.D'Ascenzo@duke-energy.com

Jeanne.kingery@duke-energy.com

Larisa.vaysman@duke-energy.com

Willing to accept service via e-mail

Attorneys for Duke Energy Ohio, Inc.

MEMORANDUM IN SUPPORT

In this proceeding, Duke Energy Ohio seeks final reconciliation and recovery of program costs, lost distribution revenues, and a performance incentive for costs associated with energy efficiency programs implemented during calendar years 2018, 2019, 2020, and 2021, pursuant to its portfolio of energy efficiency and demand response programs, which was approved on September 27, 2017 in Case No. 16-576-EL-POR (Portfolio Programs). The Company's Amended Application was filed on April 14, 2022.

The Staff of the Public Utilities Commission of Ohio (Staff) filed its Review and Recommendations on March 17, 2023 (Staff Review). On April 26, Duke Energy Ohio filed initial comments (Duke Energy Ohio Comments) and the Office of the Ohio Consumers' Counsel (OCC) also filed initial comments (OCC Comments). Duke Energy Ohio, OCC, and The Ohio Manufacturers' Association Energy Group filed their Reply Comments on May 11, 2023.¹

The Company's Proposed Surreply Comments addresses the concerns of OCC regarding carrying charges, which the Company did not have an opportunity to do earlier because OCC did not raise the issue of carrying charges in its initial comments. The Company believes its factual clarification regarding the inapplicability of carrying charges will be helpful to the Commission and provide additional factual information for the Commission's consideration.

Accordingly, the Company respectfully requests that the Commission consider its Proposed Surreply Comments in this case.

¹ Reply Comments of Duke Energy Ohio, Inc. (May 11, 2023) (Duke Energy Ohio Reply Comments); Reply Comments By The Office Of The Ohio Consumers' Counsel (May 11, 2023) (OCC Reply Comments); Reply Comments of the Ohio Manufacturers' Association Energy Group (May 11, 2023) (OMAEG Reply Comments).

Respectfully submitted,

DUKE ENERGY OHIO, INC.

/s/ Larisa M. Vaysman

Rocco O. D'Ascenzo (0077651)

Deputy General Counsel

Jeanne W. Kingery (0012172)

Associate General Counsel

Larisa M. Vaysman (0090290) (Counsel of Record)

Senior Counsel

Duke Energy Business Services LLC

139 Fourth Street, 1303-Main

Cincinnati, Ohio 45202-0960

(513) 287-4320 (telephone)

(513) 370-5720 (facsimile)

Rocco.D'Ascenzo@duke-energy.com

Jeanne.kingery@duke-energy.com

Larisa.vaysman@duke-energy.com

Willing to accept service via e-mail

Attorneys for Duke Energy Ohio, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing document was served this 23rd day of May, 2023, by U.S. mail, postage prepaid, or by electronic mail upon the parties listed below.

/s/ Larisa M. Vaysman
Larisa M. Vaysman

John H. Jones
Section Chief
Public Utilities Section
30 East Broad Street
16th Floor
Columbus, Ohio 43215-3414
John.Jones@ohioAGO.gov

**Counsel for Staff of The Public Utilities
Commission of Ohio**

Kimberly W. Bojko
Jonathan Wygonski
Carpenter Lipps & Leland LLP
280 North High Street, Suite 1300
Columbus, Ohio 43215
bojko@carpenterlipps.com
wygonski@carpenterlipps.com

**Counsel for Ohio Manufacturers'
Association Energy Group**

Connor D. Semple
Assistant Consumers' Counsel
Office of the Ohio Consumers' Counsel
65 East State Street, Suite 700
Columbus, Ohio 43215
Connor.semple@occ.ohio.gov

**Counsel for the Office of the Ohio
Consumer's Counsel**

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

5/23/2023 4:34:32 PM

in

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

Summary: Motion Motion of Duke Energy Ohio, Inc. for Leave to File Surreply
Comments electronically filed by Mrs. Minna Sunderman on behalf of D'Ascenzo,
Rocco and Kingery, Jeanne and Vaysman, Larisa and Duke Energy Ohio, Inc..