

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the matter of the investigation of )	
Duke Energy Ohio, Inc. relative to )	
its compliance with the Natural Gas )	Case No. 22-854-GA-GPS
Pipeline Safety standards and )	
related matters. )	

**MEMORANDUM**

To the Honorable Commission,

On October 28, 2021, Staff issued a letter of Probable Noncompliance detailing that, over a period of approximately one year, Duke did not report three events within the timeframes specified in 49 C.F.R. 191.5 and Ohio Adm.Code 4901:1-16-05. Staff also recommended Duke Energy Ohio ("Duke") take other corrective measures, including, but not limited to, performing tests on the facilities to determine the cause of the failures and revising portions of its Emergency Response Plan to minimize the possibility of recurrence.

On September 14, 2022, Duke and Staff agreed to a Joint Stipulation and Recommendation on corrective action to be performed by Duke and submitted it to the Commission for consideration.

On October 19, 2022, the Commission approved the Stipulation negotiated between Duke and Staff in response to Staff's Probable Noncompliance. The Stipulation included a requirement for Duke to test certain materials, make changes to its Emergency Response Plan, and pay a fine of \$100,000, of which \$90,000 would be held in abeyance pending completion of corrective action.

After review, Staff has verified that Duke has complied with the terms of the Stipulation, and recommends this case be closed.

Respectfully submitted,



Peter A. Chace  
Chief, Facility Operations & Field Division  
Service Monitoring and Enforcement Department

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

**1/25/2024 4:08:02 PM**

**in**

**Case No(s). 22-0854-GA-GPS**

Summary: Memorandum Memorandum recommending case closure electronically  
filed by Mr. Peter A. Chace on behalf of Public Utilities Commission of Ohio.