

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
DUKE ENERGY OHIO, INC., FOR A
WAIVER OF OHIO ADM.CODE 4901:1-18-
06(A)(2).

CASE NO. 23-823-EL-WVR

ENTRY

Entered in the Journal on April 10, 2024

{¶ 1} Duke Energy Ohio, Inc. (Duke, the Applicant, or the Company) is an electric distribution utility as defined by 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} On November 17, 2023, the Applicant submitted an application to the Commission requesting a continuation of a waiver of Ohio Adm.Code 4901:1-18-06(A)(2) that was initially granted by the Commission on March 8, 2017, and extended on Sept. 26, 2019. *In re the Application of Duke Energy Ohio, Inc.*, Case No. 16-1096-EL-WVR, Finding and Order (Mar. 8, 2017); *In re the Application of Duke Energy Ohio, Inc.*, Case No. 19-187-EL-WVR (2019 Waiver Case), Finding and Order (Sept. 26, 2019). Duke states that the Commission authorized Duke to continue the pilot program through May 1, 2024. Duke submits this request to extend the pilot for an additional five years and proposes to keep the program the same except for two requested changes. First, Duke asks that the Commission omit the second condition included in the 2019 Waiver Case, requiring Duke to include a separate mailing or bill insert notice advising customers that they will not receive personal notice at their premise on the day of the scheduled disconnection for nonpayment. Duke asserts that this separate notice of the now over six-year status quo will be confusing for customers. Second, Duke requests that it reports its annual data to Staff on or around July 15 instead of July 1 to allow adequate time for finalizing and compiling data. Duke avers that throughout the pilot program the use of more effective communication has reduced the number of disconnections and that the Company has not received any complaints with respect to not providing a premises visit on the day of disconnection for nonpayment. Additionally, Duke

states that continuing this program allows customers to realize the full benefit of the Company's Advanced Metering Infrastructure (AMI) investment and provides better public and employee safety when addressing the requirement to disconnect customers.

{¶ 3} On December 8, 2023, the Ohio Consumers' Counsel filed a motion to intervene.

{¶ 4} The attorney examiner now finds it appropriate to invite interested stakeholders to file comments. The applicable procedural schedule shall be as follows:

- (a) Motions to intervene shall be filed by May 10, 2024.
- (b) Comments shall be filed by May 10, 2024.
- (c) Reply comments shall be filed by May 24, 2024.

{¶ 5} The attorney examiner also notes that Duke requests that, since the waiver granted in the *2019 Waiver Case* is set to expire on May 1, 2024, the waiver be extended during the pendency of this case. At this time, the attorney examiner finds this request reasonable and extends the waiver granted in the *2019 Waiver Case* until the Commission renders its decision in this case.

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That the procedural schedule set forth in Paragraph 4 be adopted. It is, further,

{¶ 8} ORDERED, That the waiver granted in the *2019 Waiver Case* be extended, as stated in Paragraph 5. It is, further,

{¶ 9} 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

NJW/dr

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in

Case No(s). 23-0823-EL-WVR

Summary: Attorney Examiner Entry establishing the following procedural schedule: motions to intervene and initial comments due May 10, 2024 and reply comments due May 24, 2024 electronically filed by Debbie S. Ryan on behalf of Matthew J. Sandor, Attorney Examiner, Public Utilities Commission of Ohio.