

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of The)
 Cincinnati Gas and Electric Company for an) Case No. 01-1228-GA-AIR
 Increase in Its Gas Rates in Its Service)
 Territory.)

In the Matter of the Application of The)
 Cincinnati Gas and Electric Company for) Case No. 01-1539-GA-AAM
 Approval to Change Accounting Methods.)

ENTRY

The Attorney Examiner finds:

- (1) On May 30, 2002, the Commission issued its opinion and order in the above referenced cases, approving a Stipulation that authorized the creation of an Accelerated Main Replacement Program (AMRP) rider for The Cincinnati Gas and Electric Company (CG&E). Pursuant to the AMRP provisions of the Stipulation, CG&E filed its intent to file an application for an increase in the AMRP rider rates on November 26, 2003. Pursuant to the entry issued December 19, 2002, the test year is the 12 months ending December 31, 2003 and the date certain is December 31, 2003. CG&E shall file its application and an update of actual test year data by no later than February 27, 2004.
- (2) In accordance with the approved Stipulation, the goal is for the Commission to issue a decision on the proposed amendment to the AMRP rider for implementation by the first billing cycle of May. To that end, the Attorney Examiner finds it necessary to establish a definitive schedule:
 - (a) Pursuant to the Stipulation, Staff's recommendation and any other party's objections, if any, to CG&E's application shall be docketed as soon as possible but no later than March 22, 2004. Staff's recommendation and any objections filed shall also be electronically transmitted (e-mailed) or faxed to all other parties.

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- (b) If the Staff finds any aspect of the application to be unjust or unreasonable or if any party files an objection, CG&E shall have until March 30, 2004 to file a statement indicating whether such objections have been resolved.
- (c) Unless otherwise agreed to by the parties, discovery requests shall be served upon CG&E electronically (e-mail) where feasible or by fax and are due within seven calendar days after service. For example, if discovery requests are served on a party at 10:00 a.m. on March 1, responses are due by 6:00 p.m. on March 8. Service of discovery requests after 5:30 p.m. shall be considered served on the next business day. The last day to serve discovery request shall be March 30, 2004.
- (d) In the event a hearing is necessary, the hearing will commence on April 7, 2004 at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, Hearing Room 11-D, Columbus, Ohio 43215.

It is, therefore,

ORDERED, That CG&E file its application and an update of the actual test year data by no later than February 27, 2004. It is, further,

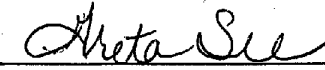
ORDERED, That Staff's recommendation and any party's objection(s) are due by no later than March 22, 2004; that CG&E file its statement indicating whether any issues raised have been resolved by March 30, 2004. It is, further,

ORDERED, That the parties shall exchange discovery request electronically, to the extent feasible, and discovery request are due within seven days of service. The last day to serve discovery upon a party is March 30, 2004. It is, further,

ORDERED, That the hearing in these cases shall be scheduled to commence on April 7, 2003, if necessary. It is, further,

ORDERED, That a copy of this entry be served upon all interested persons of record in these proceedings.

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Greta See
Attorney Examiner

/vrm 

Entered in the Journal
JAN 15 2004



Renee J. Jenkins
Secretary