

143 FERC ¶ 61,268  
FEDERAL ENERGY REGULATORY COMMISSION  
WASHINGTON, D.C. 20426

June 24, 2013

In Reply Refer To:  
Duke Energy Ohio, Inc.  
Docket No. PR13-37-000

Duke Energy Ohio, Inc.  
c/o Thompson Hine LLP  
1919 M Street, NW  
Washington, DC 20036-1600

Attention: Peter C. Lesch, Esq.  
Attorney for Duke Energy Ohio, Inc.

Reference: Petition for Rate Approval

Dear Mr. Lesch:

1. On February 28, 2013, Duke Energy Ohio, Inc. (DE-Ohio) filed, pursuant to section 284.123(b)(1)(ii)<sup>1</sup> of the Commission's regulations, a Statement of Operating Conditions (SOC)<sup>2</sup> to revise its existing interruptible transportation rate which has been in effect under its Order No. 63 Certificate.<sup>3</sup> Specifically, DE-Ohio seeks to revise its interruptible transportation rate to \$0.5269 per Mcf, which is the equivalent of the commodity charge of DE-Ohio's Rate IT Interruptible Transportation Service currently on file with the Public Utilities Commission of Ohio (PUCO).<sup>4</sup> DE-Ohio's proposed

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<sup>1</sup> 18 C.F.R. § 284.123(b)(1)(ii) (2012).

<sup>2</sup> Duke Energy Ohio, Inc., FERC NGPA Gas Tariff, Gas Tariffs, [Operating Statement, Section 284.224 Service, 1.0.0.](#)

<sup>3</sup> Cincinnati Gas and Electric Company, 31 FERC ¶ 62,384 (1985).

<sup>4</sup> See P.U.C.O. Gas No. 18, Sheet No. 51.14.

interruptible transportation rate and the referenced tariff record are accepted, effective on March 1, 2013 as proposed, subject to the condition discussed below.

2. Public notice of DE-Ohio's filing was issued on March 1, 2013 with interventions and protests due on or before March 13, 2013. Pursuant to Rule 214,<sup>5</sup> all timely filed motions to intervene and any unopposed motion to intervene out-of-time filed before the issuance date of this order are granted. Granting late intervention at this stage of the proceeding will not disrupt the proceeding or place additional burdens on existing parties. No protests or adverse comments were filed.

3. We find that the rates DE-Ohio has elected in this petition are, as required by section 284.123(b)(1) of the Commission's regulations, contained in DE-Ohio's currently effective Rate IT Interruptible Transportation Service rate schedule, on file with the PUCO for intrastate service. The Commission accepts DE-Ohio's SOC, effective March 1, 2013, as proposed, subject to the condition that DE-Ohio file an informational filing five years from the effective date of DE-Ohio's filing, to allow the Commission to review DE-Ohio's rates

Accordingly, on or before March 1, 2018,<sup>6</sup> DE-Ohio must file with the Commission either: (a) an application pursuant to 18 C.F.R. § 284.123(b)(1) seeking to establish its cost-based PUCO-approved transportation rates as it rates for interstate transportation services provided under its Order No. 63 blanket certificate; or (b) a filing with cost, throughput, revenue and other data, in the form specified in section 154.313 of the Commission's regulations,<sup>7</sup> to allow the Commission to determine whether any change in DE-Ohio's interstate transportation rates is required pursuant to section 5 of the Natural Gas Act. DE-Ohio may file a petition for rate approval under section 284.123(b)(2) of

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<sup>5</sup> 18 C.F.R. § 385.214 (2012).

<sup>6</sup> *Contract Reporting Requirements of Intrastate Natural Gas Companies*, Order No. 735, FERC Stats. & Regs. ¶ 31,310, at P 96 (cross-referenced at 131 FERC ¶ 61,150), *order on reh'g*, Order No. 735-A, FERC Stats. & Regs. ¶ 31,318 (2010); *see also Hattiesburg Industrial Gas Sales, L.L.C.*, 134 FERC ¶ 61,236 (2011) (imposing a five-year rate review requirement on Hattiesburg Industrial Gas Sales, L.L.C. in an order approving Hattiesburg's multiple revisions to its SOC).

<sup>7</sup> 18 C.F.R. § 154.313 (2012).

the Commission's regulations to establish new maximum rates at any time within the five-year period to fulfill this periodic rate review requirement.

By direction of the Commission.

Nathaniel J. Davis, Sr.,  
Deputy Secretary.