

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Duke)	
Energy Ohio, Inc., for Authority to Adjust)	Case No. 20-0666-EL-RDR
its Power Future Initiatives Rider.)	

**CLARIFICATION TO MEMORANDUM OF DUKE ENERGY OHIO, INC.,
CONTRA THE MOTION TO INTERVENE**

On March 12, 2021, Mission:data filed a motion in this case,¹ (Motion) seeking to intervene out of time. On March 26, 2021, Duke Energy Ohio, Inc., (Duke Energy Ohio or the Company) filed its Memorandum Contra the Motion to Intervene (Memo Contra) in response. In this Clarification, Duke Energy Ohio would like to make a brief clarification to one of the points in its Memo Contra.

In its Memo Contra, the Company stated that it had “identified non-CRES third parties who have downloaded interval AMI data” and that third party data access functionality from Phases I and II had “already been designed, tested, and has been in use for over a year, including by non-CRES third parties.”²

The Company’s use of the term non-CRES-third parties was intended to distinguish providers of retail generation to customers, also known as “suppliers,” from the third-party power marketers, power brokers, and aggregators. Thus, the Company used the term “non-CRES third parties” to refer to those entities, whom while certified by the Commission, are not acting as retail generation providers. Indeed, all of the third party entities which the Company had

¹ Motion to Intervene and Request for Leave to Intervene Out of Time by Mission:data Coalition (Motion)(March 12, 2021).

² Memorandum Of Duke Energy Ohio, Inc., Contra The Motion To Intervene, p. 5 (March 26, 2021).

identified in discovery as having used the new functionality are or were “certified” by the Commission as either aggregators and/or power brokers.

The Company is not aware of any “other” third parties who have attempted to access and have been turned away from access to the portal or the Phase I or II functionality for lack of certification from the Commission. However, the Company’s business process until now has been to request a commission-issued certificate in order to grant access to the supplier portal. The Company recognizes that non-certified third parties may also have an interest in utilizing these functions via the portal and has no objection to their doing so with the appropriate and valid customer consent and authorization.

Notwithstanding this clarification, the Company continues to oppose Mission:data’s intervention in this case. Intervention is both untimely and unnecessary to secure the availability of the functionality to non-certified third parties. Accordingly, the Company continues to respectfully request that the Commission deny the motion by Mission:data to intervene out of time in this proceeding.

Respectfully submitted,

DUKE ENERGY OHIO, INC.

/s/ Larisa M. Vaysman

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was delivered by U.S. mail (postage prepaid), personal delivery, or electronic mail, on this 9th day of April 2021, to the following parties.

/s/ Larisa M. Vaysman
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Summary: Memorandum Clarification To Memorandum of Duke Energy Ohio, Inc. Contra The Motion To Intervene electronically filed by Mrs. Tammy M Meyer on behalf of Duke Energy Ohio Inc. and D'Ascenzo, Rocco and Vaysman, Larisa