

**FILE**

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**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Complaint of	)	Case No. 07-1185-EL-CSS
Edward D. Humphrey	)	
3422 Kemp Rd.	)	ANSWER, MOTION TO DISMISS
Beavercreek, Ohio 45431	)	AND REQUEST FOR MEDIATION
	)	OF THE RESPONDENT, THE
Complainant	)	DAYTON POWER AND LIGHT
	)	COMPANY
v.	)	
	)	
The Dayton Power and Light	)	
Company	)	
1065 Woodman Drive	)	
Dayton, Ohio 45432	)	
	)	
Respondent.	)	

PUCO

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Now comes the Respondent, the Dayton Power and Light Company ("DP&L"), by and through counsel, and in response to the Complaint and states as follows:

**FIRST DEFENSE**

1. On or about November 15, 2007, the Public Utilities Commission of Ohio ("the Commission") accepted for filing a Complaint by Complainant alleging generally that DP&L improperly charged a deposit to Complainant's account following a late payment by Complainant.
2. The Respondent, DP&L denies or is without sufficient knowledge to ascertain the veracity of Complainant's allegation of wrongdoing as described in the Complaint. At all pertinent times, DP&L has complied with all relevant statutes, regulations, and approved tariffs.
3. Respondent further moves the Commission to dismiss this Complaint. To the extent that the Commission denies such motion, Respondent hereby requests the opportunity to mediate this issue with Complainant to determine whether a mutually acceptable resolution is possible.

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Technician SM Date Processed 12/6/07

Respectfully submitted,



Judi L. Sobecki (0067186)

Attorney for The Dayton Power and  
Light Company

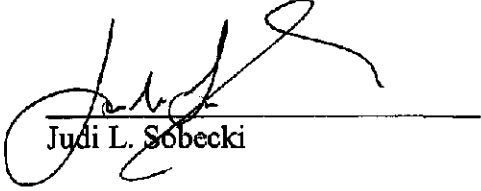
1065 Woodman Drive

Dayton, OH 45432

937-259-7171

**CERTIFICATE OF SERVICE**

I hereby certify a copy of the foregoing Answer, Motion to Dismiss and Request for Mediation was served via First Class U.S. Mail, postage prepaid, this 4<sup>th</sup> day of December, 2007, upon Edward D. Humphrey, 3422 Kemp Rd., Beavercreek, Ohio 45431.



Judi L. Sobecki