

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of	)	
Anthony McFarland,	)	
	)	
Complainant,	)	
v.	)	Case No. 07-375-EL-CSS
	)	
The Dayton Power and Light Company,	)	
	)	
Respondent.	)	

ENTRY

The Commission finds:

- (1) On April 4, 2007, Anthony T. McFarland (Complainant) filed a complaint against The Dayton Power and Light Company (DP&L or Respondent). DP&L filed an answer on April 19, 2007, generally denying the material allegations of the complaint. Also in its answer, DP&L requested that the Commission dismiss the complaint or, in the alternative, set this matter for mediation.
- (2) A prehearing settlement conference was held on November 1, 2007, in accordance with the attorney examiner entry issued on October 18, 2007. DP&L appeared at the November 1, 2007 settlement conference, but Mr. McFarland did not. Subsequent attempts by the Attorney Examiner to reach Mr. McFarland by telephone have been unsuccessful.
- (3) By attorney examiner entry issued on March 24, 2008, Mr. McFarland was directed to file a statement in this docket by April 15, 2008, identifying dates in May or June 2008 that he would be prepared to attend a prehearing settlement conference at the Commission offices in Columbus. By the same entry, the attorney examiner advised Mr. McFarland that, in the event that he did not file a statement to identify dates for a settlement conference where he would attend, the attorney examiner would recommend to the Commission that this complaint be dismissed for lack of prosecution.

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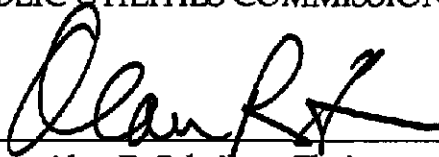
- (4) Commission records, as of the date of this signing, indicate that Mr. McFarland has not complied with the March 24, 2008 attorney examiner's directive. Accordingly, the Commission finds that this complaint should be dismissed for lack of prosecution.

It is, therefore,

ORDERED, That this complaint is dismissed for lack of prosecution. It is, further,

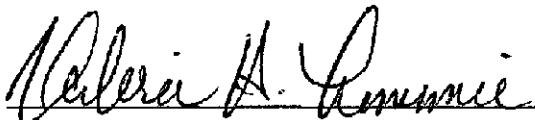
ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Alan R. Schriber, Chairman

  
Paul A. Centolella

  
Ronda Hartman Fergus

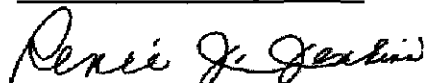
  
Valerie A. Lemmie

  
Cheryl L. Roberto

JKS:ct

Entered in the Journal

MAY 28 2008

  
Renee J. Jenkins  
Secretary