

FILE**FAX**

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)
 The Dayton Power and Light Company) Case No. 08-651-EL-UNC
 For Approval of a Revised Bill Format)
 For Electric Service)

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**THE DAYTON POWER AND LIGHT COMPANY'S MEMORANDUM IN
RESPONSE TO OCC'S MOTION TO SUSPEND AUTOMATIC APPROVAL
UNTIL SUCH TIME AS THE BILL FORMAT IS IMPROVED**

I. INTRODUCTION

The Dayton Power and Light Company ("DP&L") does not oppose the motion of the Office of Ohio Consumers' Counsel ("OCC") to intervene in this matter.

Implementation of a new bill format need not be delayed, however, because DP&L has consulted with the OCC following the receipt of OCC's Motion to Intervene and reached agreement as to several issues raised by the OCC with respect to language contained on the proposed bill format.

II. ARGUMENT

**A. DP&L ASKS THAT IT BE PERMITTED TO EXHAUST ITS
CURRENT BILL STOCK CONTAINING THE GENERATION
LANGUAGE AS PROPOSED IN ITS APPLICATION AND THEN
SUBSTITUTE THE LANGUAGE PROPOSED BY THE OCC UPON
EXHAUSTION.**

The OCC claims that DP&L's proposed descriptions of "Generation Charge" and "Generation Rider" are not sufficiently descriptive and proposes alternative language. DP&L believes that the language it proposes in its application is accurate and clear and understandable, as required by Ohio Administrative Code 4901:1-10-22(B). Nonetheless, in the interest of compromise, assuming the Commission likewise approves of the

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substitute language as proposed by the OCC, DP&L will agree to adopt the "Generation Charge" and "Generation Rider" language proposed by the OCC upon exhaustion of its current supply of printed bill stock which contains the language as proposed by DP&L in its current application. DP&L estimates this bill stock supply will be exhausted in approximately 3-4 months assuming the automatic approval of its application pursuant to Ohio Administrative Code 4901:1-10-22(C) is not suspended. DP&L has consulted with the OCC concerning this exhaustion issue and the OCC has indicated it will not object to this procedure.

B. DP&L INTENDS TO RETAIN ITS EXISTING PRICE TO COMPARE DESCRIPTION, WHICH IS CONSISTENT WITH OCC'S REQUEST.

The OCC next takes issue with the "Price to Compare" language contained on the bill front example attached to DP&L's application. The example containing the Price to Compare language to which the OCC objects was submitted in error in that it mistakenly contained outdated Price to Compare language. The OCC requests that DP&L retain its existing language regarding Price to Compare. This is DP&L's intent and DP&L will submit a corrected sample bill front reflecting current Price to Compare language shortly.

C. DP&L ASKS THAT THE OCC'S ISSUES WITH RESPECT TO DEPOSITS AND PIPP DESCRIPTIONS BE DEFERRED UNTIL DP&L FILES ITS NEXT BILL FORMAT PROCEEDING.

Finally, the OCC suggests additional changes be made to the bill format regarding the explanations of "Deposits" and "PIPP." The OCC proposes an update to adopt "best practices." DP&L disagrees with the OCC's proposed language for Deposits and PIPP and suggests that this forum is a limited application to change the language relating to Generation charges in order to comply with the April 30, 2008 Finding and Order in Case

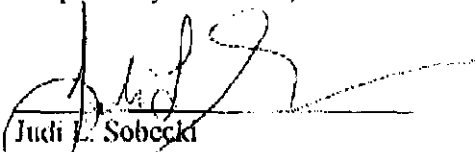
No. 07-1252-EL-ATA—is not the appropriate case in which to advocate for changes to language which the OCC does not find to be inaccurate.

Both of the OCC's concerns relating to Deposits and PIPP can be best addressed in later bill message filings, particularly in light of proposed changes to the PIPP program, which will possibly result in the need to alter existing language relating to PIPP throughout the state. DP&L has consulted with the OCC on this proposal to defer the issues raised by the OCC with respect to DP&L "Deposits" and "PIPP" language until DP&L's next bill format case and the OCC has indicated it does not object to this procedure in light of DP&L's commitment to consult with the OCC regarding bill format issues and language content prior to filing its next billing format case.

III. CONCLUSION

For the foregoing reasons, DP&L asks that its current application be granted, as need be amended for adjustment of Price to Compare language, and automatic approval of bill format changes be permitted to allow DP&L to exhaust its current bill stock containing its proposed changes to the Generation Charge and Generation Rider as depicted on its bill example. Assuming the Commission approves of the OCC's proposed language, DP&L will adopt the Generation language proposed by the OCC when DP&L's current preprinted bill stock is exhausted. DP&L further asks that the Commission defer any determination on the OCC's issues with respect to the "Deposits" and "PIPP" language and permit DP&L's existing language to stand.

Respectfully submitted,


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CERTIFICATE OF SERVICE

I hereby certify a copy of the foregoing was served via First Class U.S. Mail,
postage prepaid, this 15th day of July 2008, upon the following:

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