



Working For You Today and Tomorrow

Legal Department

January 5, 2000

Kim Wissman  
Power Siting Board  
180 East Broad Street  
Columbus, Ohio

Re: Case No. 98-996-EL-BGN (DPL Energy - Greenville Peaking Units)

Dear Ms. Wissman:

At the public hearing in this case, held in Greenville on December 16<sup>th</sup>, questions were raised about certain construction activity already taking place at the site. In the interest of making sure the record is clear and complete, DPL Energy would like to point out that while there was construction activity taking place at the site, activities were being performed pursuant to permits acquired locally or with the State of Ohio for what we believe to be non-power siting construction. Nonetheless, we are mindful of the differences in interpretation of the laws and rules affecting this type of construction activity, as well as the public perception of such activity.

DPL Energy understands that construction of a major utility facility cannot begin at a site for which a power siting application is pending, until the certificate has been granted. To alleviate all concerns, DPL Energy has ceased all construction activity at this site and will not commence further construction until a certificate has been granted. DPL Energy has, at Staff's request, backfilled some excavation that occurred at the site. Additionally, DPL Energy has installed a silt fence around the spoils pile.

Sincerely,

Edward N. Rizer  
Associate Counsel

CC: Leon Winget  
Robert Abrams  
Margaret Malone

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.  
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Working For You Today and Tomorrow

Legal Department

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January 5, 2000

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Power Siting Board  
Docketing Department  
180 E. Broad St.  
Columbus, Ohio 43266-0572

Re: Case No. 99-996-EL-BGN

To the Docketing Department:

Please accept for filing on behalf of the Dayton Power and Light Company, this original of a pleading filed by faxed copy yesterday in docket 99-996-EL-BGN. An extra copy is enclosed. Please return it, file stamped in the enclosed envelope.

If there are questions, please call me at (937) 259-7118.

Sincerely,

Edward N. Rizer

C: Robert A. Abrams

Doktletr1-4-00



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Power Siting Board  
180 East Broad Street  
Columbus, Ohio

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Sincerely,

A handwritten signature in cursive script, appearing to read "Edward N. Rizer".

Edward N. Rizer  
Associate Counsel

CC: Leon Winget  
Robert Abrams  
Margaret Malone