

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

<b>In the Matter of the Adoption of a</b>	)	
<b>Portfolio Plan Template for Electric</b>	)	
<b>Utility Energy Efficiency and Peak-</b>	)	<b>Case No. 09-714-EL-UNC</b>
<b>Demand Reduction Programs</b>	)	

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**REPLY COMMENTS OF THE DAYTON POWER AND LIGHT COMPANY**

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**I.     COMMENTS**

**A.     Duke Energy Ohio, Inc.**

The Dayton Power and Light Company (“DP&L”) supports the General Comment of Duke Energy Ohio (“Duke”) with respect to deferring a complete portfolio plan until January 2011. Pursuant to section 4901:1-39-04 of the Ohio Administrative Code, each utility is required to create an energy efficiency and peak-demand reduction program and file it with the Public Utilities Commission of Ohio (“Commission”) prior to January 1, 2010. DP&L stands in the same position as Duke in that DP&L already has a comprehensive portfolio of energy efficiency and demand response programs, which has been approved by the Commission, and which is currently being actively implemented. DP&L’s program portfolio was filed as part of its Electric Security Plan in Case No. 08-1094-EL-SSO. This program portfolio plan was approved by the Commission by Opinion and Order dated June 24, 2009. DP&L’s program portfolio was fully examined and vetted during the course of the ESP proceeding, which ultimately resulted in a negotiated stipulation being signed by substantially all of the parties. Requiring DP&L to file another plan so soon after its program portfolio was approved by the Commission would make the efforts by parties involved in the ESP proceeding wasted. Another filing by January would be duplicative and is unnecessary. For this reason, DP&L respectfully proposes that it be

exempted from any requirement to file another program portfolio by January 2010, and instead be permitted to file its next program portfolio by January 2011.

**B. The Ohio Consumer and Environmental Advocates**

As a general matter, OCEA's comments seek to expand the already comprehensive and administratively challenging requirements set forth in the proposed program portfolio template. For example, OCEA proposes that the Program Descriptions pursuant to section 3.1.2 "include *more specificity* regarding the energy efficiency achievements."<sup>1</sup> Similarly, OCEA proposes an addition to section 3.1.4 to include an "agriculture" sector.<sup>2</sup> In response DP&L echoes its earlier comments and the comments of other utilities that imposing additional, even more comprehensive and detailed reporting obligations will create an unnecessary and undue burden on all parties in these proceedings. The energy efficiency goals set forth in SB 221 should not be eclipsed by the growing mountain of reports and administrative requirements. The utilities' efforts would be better directed toward implementing and managing effective customer energy programs, and OCEA's proposals to expand the level of reporting detail should be rejected.

**II. CONCLUSION**

DP&L appreciates the opportunity to provide comments with respect to the proposed Portfolio Plan Template for Electric Utility Energy Efficiency & Peak-Demand Reduction Programs and respectfully requests that the Commission adopt the proposals set forth by DP&L.

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<sup>1</sup> OCEA Comments, page 3. (Emphasis added).

<sup>2</sup> Id.

Respectfully submitted,

s/Judi L. Sobecki

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