

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)	
The Dayton Power and Light Company for)	Case No. 08-1094-EL-SSO
Approval of Its Electric Security Plan.)	
In the Matter of the Application of)	
The Dayton Power and Light Company for)	Case No. 08-1095-EL-ATA
Approval of Revised Tariffs.)	
In the Matter of the Application of)	
The Dayton Power and Light Company for)	Case No. 08-1096-EL-AAM
Approval of Certain Accounting Authority)	
Pursuant to Section 4905.13, Revised Code.)	
In the Matter of the Application of)	
The Dayton Power and Light Company for)	Case No. 08-1097-EL-UNC
Approval of Its Amended Corporate)	
Separation Plan.)	

ENTRY

The attorney examiner finds:

- (1) Dayton Power and Light Company (DP&L) is a public utility as defined in Section 4905.02, Revised Code, and, as such, is subject to the jurisdiction of this Commission.
- (2) On October 10, 2008, DP&L filed an application for a standard service offer (SSO) pursuant to Section 4928.141, Revised Code. This application was for an electric security plan (ESP) in accordance with Section 4928.143, Revised Code. As part of its ESP filing, DP&L sought approval of its Customer Conservation and Energy Management (CCEM) programs, including proposals for Advanced Metering Infrastructure (AMI) and Smart Grid.
- (3) By Opinion and Order issued on June 24, 2009, the Commission approved a stipulation that, *inter alia*, required DP&L to develop and file independent business cases demonstrating a positive cost-benefit analysis for its AMI and Smart Grid proposals. DP&L accordingly filed the requisite business cases for its AMI and Smart Grid proposals on

August 4, 2009. This filing was amended on August 13, 2009, and September 15, 2009.

- (4) By entry issued November 4, 2009, a procedural schedule for the filing of comments and reply comments was established. The November 4, 2009, entry required that comments be filed by November 24, 2009, while setting December 1, 2009, as the deadline for the filing of reply comments.
- (5) In response to motions for extension of time filed by DP&L and Staff on November 12, 2009, and November 19, 2009, respectively, a revised procedural schedule for this proceeding was established. The revised schedule set December 15, 2009, as the deadline for the filing of comments and December 22, 2009, as the deadline for filing of reply comments.
- (6) On December 15, 2009, The Kroger Company, Ohio Partners for Affordable Energy, the Office of the Ohio Consumer's Counsel, the City of Dayton, and Staff filed comments.
- (7) On December 17, 2009, DP&L filed a second motion for extension of time. DP&L requests that the deadline for filing reply comments be extended until January 8, 2010. In its motion, DP&L argues that the comments filed in this matter included a number of substantial proposals. DP&L asserts that evaluating these proposals will take more time than anticipated, and notes that this task is complicated because of the upcoming holidays and corresponding vacation schedules of key internal resources. DP&L also states that the need for concluding this proceeding during the fourth quarter of 2009 has dissipated, as DP&L was not awarded federal stimulus funding for this project, and so is not subject to the strict spending timelines associated with any stimulus award. Finally, DP&L states that it contacted the other parties to this proceeding to determine if there was any opposition to the motion for extension, and that no party indicated any opposition. DP&L requests expedited consideration of its motion for extension. On December 21, 2009, DP&L supplemented its motion for extension, noting that no party objects to issuance of an expedited ruling in this matter.
- (8) Rule 4901-1-12(C), Ohio Administrative Code (O.A.C.), states that a motion requesting an extension of time to file pleadings

or other papers of five days or less, an immediate ruling may be issued without the filing of memoranda. In all other situations, the party requesting an expedited ruling may first contact all other parties to determine whether any party objects to the issuance of such a ruling without the filing of memoranda. If the moving party certifies that no party objects to the issuance of such a ruling, an immediate ruling may be issued. Given that DP&L's motion for extension, as supplemented, represents that no party objects to the issuance of an expedited ruling, the attorney examiner finds that Rule 4901-1-12(C), O.A.C., permits the issuance of an expedited ruling on DP&L's motion for extension.

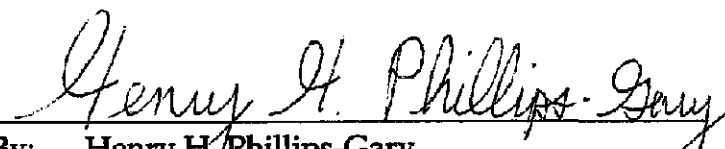
- (9) The attorney examiner finds that the DP&L's motion for extension is reasonable and should be granted. Accordingly, the procedural schedule for this proceeding should be revised, setting January 8, 2010, as the new deadline for filing reply comments.

It is, therefore,

ORDERED, That the revised procedural schedule for this proceeding be adopted as set forth in Finding (9). It is, further,

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

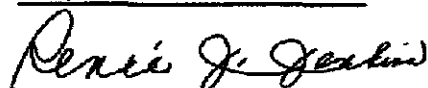
THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Henry H. Phillips-Gary
Attorney Examiner

grf
/ct

Entered in the Journal

DEC 21 2009



Renee J. Jenkins
Secretary