

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of The )  
Dayton Power and Light Company for ) Case No. 10-734-EL-AEC  
Approval of a Unique Arrangement with )  
Caterpillar Inc. )

ENTRY

The attorney examiner finds:


- (1) Pursuant to Section 4905.31, Revised Code, and Rule 4901:1-38-05(A), Ohio Administrative Code (O.A.C.), an electric utility may file an application for Commission approval of a unique arrangement with one or more of the electric utility's customers.
- (2) On June 1, 2010, the Dayton Power and Light Company (DP&L) filed an application for approval of a unique arrangement with Caterpillar Inc. (Caterpillar) for electric service to the new distribution facility Caterpillar is currently building within DP&L's certified service territory.
- (3) By entries issued on July 30, 2010, and September 30, 2010, the motions to intervene filed by the Ohio Consumers' Counsel (OCC) and Industrial Energy Users-Ohio (IEU-Ohio) were granted.
- (4) On January 28, 2011, DP&L, OCC and Staff (collectively, the Signatory Parties) filed a stipulation and recommendation (stipulation). The Signatory Parties state that the stipulation resolves all issues in this matter and represent that IEU-Ohio does not oppose the stipulation.
- (5) The attorney examiner finds that a hearing should be held in order to consider the stipulation filed by DP&L, OCC, and Staff. Accordingly, this matter should be set for a hearing on March 1, 2011, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-C, Columbus, Ohio 43215-3793.

It is, therefore,

ORDERED, That a hearing in this matter be held on March 1, 2011, in accordance with finding (5). 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

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Entered in the Journal

**JAN 31 2011**



Renee J. Jenkins  
Secretary