

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The Dayton Power and Light Company for Approval of its Market Rate Offer.	)	Case No. 12-426-EL-SSO
)	
)	
In the Matter of the Application of The Dayton Power and Light Company for Approval of Revised Tariffs.	)	Case No. 12-427-EL-ATA
)	
)	
In the Matter of the Application of The Dayton Power and Light Company for Approval of Certain Accounting Authority.	)	Case No. 12-428-EL-AAM
)	
)	
In the Matter of the Application of The Dayton Power and Light Company for Waiver of Certain Commission Rules.	)	Case No. 12-429-EL-WVR
)	
)	
In the Matter of the Application of The Dayton Power and Light Company to Establish Tariff Riders.	)	Case No. 12-672-EL-RDR
)	

**THE EDMONT NEIGHBORHOOD COALITION'S
MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT**

The Edgemont Neighborhood Coalition (Edgemont) hereby respectfully moves the Public Utilities Commission of Ohio ("Commission") for leave to intervene in the above-captioned matters pursuant to R.C. §4903.221 and Section 4901-1-11 of the Commission's Code of Rules and Regulations. The reasons for granting this motion to intervene are contained in the memorandum attached hereto and incorporated herein.

Respectfully submitted,

Ellis Jacobs

Advocates for Basic Legal Equality, Inc.

333 W. First Street, Suite 500B

Dayton, OH 45402

PH: (937)535-4419

FX: (937) 535-4600

ejacobs@ablelaw.org

COUNSEL FOR EDGEMONT

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The Dayton Power and Light Company for Approval of its Market Rate Offer.	)	Case No. 12-426-EL-SSO
)	
)	
In the Matter of the Application of The Dayton Power and Light Company for Approval of Revised Tariffs.	)	Case No. 12-427-EL-ATA
)	
)	
In the Matter of the Application of The Dayton Power and Light Company for Approval of Certain Accounting Authority.	)	Case No. 12-428-EL-AAM
)	
)	
In the Matter of the Application of The Dayton Power and Light Company for Waiver of Certain Commission Rules.	)	Case No. 12-429-EL-WVR
)	
)	
In the Matter of the Application of The Dayton Power and Light Company to Establish Tariff Riders.	)	Case No. 12-672-EL-RDR
)	
)	

MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE

The Edgemont Neighborhood Coalition (“Edgemont”) should be permitted to intervene in these matters pursuant to Section 4903.22.1, Revised Code, and the Commission’s Rules and Regulations contained in Rule 4901-01-11 of the Ohio Administrative Code. The applications made by The Dayton Power and Light Company (“DP&L”) request approval for a market rate option to establish the standard service offer, revised tariffs, accounting authority, a waiver of certain Commission rules, and the establishment of tariff riders.

The following criteria are to be considered in determining whether to permit intervention: the nature of the person's interest; the extent to which that interest is represented by existing parties; the person's potential contribution to a just and expeditious resolution of the proceedings; and whether granting the intervention will unduly delay or unjustly prejudice any existing party.

Edgemont is a non-profit corporation based in a low income, African American neighborhood in Dayton, Ohio. The neighborhood is in the DP&L service territory. Edgemont works to expand economic and education opportunities and improve the quality of life for its members and all residents of the neighborhood. Access to affordable electric service is a large concern of Edgemont members. Edgemont also functions as a small business, operating an office, storefront, community garden, and community computer center. Edgemont has long been concerned with utility matters and for the past twenty years has actively participated in numerous cases before the PUCO, including cases involving DP&L.

Edgemont's primary interest in these matters is to protect the interests of low income customers of DP&L, including people who live in the Edgemont neighborhood, whose electric service will be affected by these applications. Further, Edgemont has been recognized by the Commission in the past as an advocate for low-income consumers.

For the above reasons, Edgemont has a direct, real and substantial interest in these matters. The disposition of these matters may impair or impede the ability of Edgemont to protect its interests. No other party will adequately represent the interests of Edgemont. Edgemont's participation in these matters will not cause undue delay, will not unjustly prejudice

any existing party, and will contribute to the just and expeditious resolution of the issues raised by these matters.

Therefore, Edgemont is entitled to intervene in these matters with the full powers and rights granted by statute and by the provisions of the Commission's Code of Rules and Regulations to intervening parties.

Respectfully submitted,

Ellis Jacobs
Advocates for Basic Legal Equality, Inc.
333 W. First Street, Suite 500B
Dayton, OH 45402
PH: (937)535-4419
FX: (937) 535-4600
ejacobs@ablelaw.org

COUNSEL FOR EDGEMONT

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Intervene and Memorandum of Support was served electronically upon the parties of record identified below in these cases on this 19th day of April, 2012.

/s/ Ellis Jacobs
Ellis Jacobs

SERVICE LIST

Colleen L. Mooney
Ohio Partners for Affordable Energy
231 West Lima Street
Findlay, OH 45840
Telephone: (419) 425-8860
Fax: (419) 425-8862
Cmooney2@columbus.rr.com

Charles J. Faruki
Jeffrey Sharkey
Faruki Ireland & Cox, P.L.L.
500 Courthouse Plaza, SW
Dayton, OH 45402
cfaruki@cficlaw.com
ishakey@ficlaw.com

Judi L. Sobecki
Dayton Power and Light Company
1065 Woodman Drive
Dayton, OH 45432
Judi.sobecki@dplinc.com

Jeffrey Small
Office of the Consumers' Counsel
10 W. Broad Street, 18th Floor
Columbus, OH 43215-3485
small@occ.state.oh.us

David F. Boehm
Michael L. Kutz
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, OH 45202
dboehm@BKLawfirm.com
mkurtz@BKLawfirm.com

James F. Lang
Laura C. McBride
N. Trevor Alexander
Calfee, Halter & Griswold LLP
1400 Key Bank Center
800 Superior Avenue
Cleveland, OH 44104
jl原因@calfee.com
lmcbride@calfee.com
tallexander@calfee.com

Samuel C. Randazzo
Frank P. Darr
Matthew R. Pritchard
Joseph E. Olikier
McNees Wallace & Nurick
Fifth Third Center, Suite 1700
21 East State Street
Columbus, OH 43215-4228
jolikder@mwncmh.com
sam@mwncmh.com
fdarr@mwncmh.com
mpritchard@mwncmh.com

Richard L. Sites
Ohio Hospital Association
155 East Broad Street 15th Floor
Columbus, OH 43215-3620
ricks@ohionet.org

Matthew W. Warnock
Lisa McAlister
Bricker & Eckler
100 South Third Street
Columbus, OH 43215-4291
lmcalister@bricker.com
mwarnock@bricker.com
tsiwo@bricker.com

Elizabeth Watts
Rocco D'Ascenzo
Duke Energy Ohio
139 East Fourth Street 1303 Main
Cincinnati, OH 45201-0960
elizaeth.watts@duke-energy.com
rocco.d'ascenzo@duke-energy.com

M. Howard Petricoff
Vorys, Sater, Seymour and Pease
52 East Gay Street
P.O. Box 1008
Columbus, OH 43216-1008
mhpetricoff@vorys.com

Amy B. Spiller
Jeanne Kingery
Duke Energy Retail
Duke Energy Commercial
Management
139 East Fourth Street 1303-Main
Cincinnati, OH 45201-0960
Amy.Spiller@duke-energy.com
Jeanne.kingery@duke-energy.com

Thomas J. O'Brien
Bricker & Eckler
100 South Third Street
Columbus, OH 43215-4291
tobrien@bricker.com

Mark Hayden
First Energy Corp.
76 South Main Street
Akron, OH 43308-1890
haydenm@firstenergycorp.com

Jay E. Jadwin
AEPSC
155 Nationwide Blvd., Suite 500
Columbus, OH 43215
jejadwin@aep.com

Robert A. McMahon
Eberly McMahon LLC
2321 Kemper Lane, Suite 100
Cincinnati, OH 45206

M. Anthony Long
Honda of America Mfg., Inc.
24000 Honda Parkway
Marysville, OH 43040
Tony long@ham.honda.com

William Wright
Thomas McNamee
Attorney General's Office
Public Utilities Commission Section
180 E. Broad Street, 9th Floor
Columbus, OH 43215-3793
William.Wright@puc.state.oh.us
Thomas.McNamee@puc.state.oh.us

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

4/19/2012 3:52:42 PM

in

Case No(s). 12-0426-EL-SSO, 12-0427-EL-ATA, 12-0428-EL-AAM, 12-0429-EL-WVR, 12-0672-EL-RDR

Summary: Motion Montion to Intervene and Memorandum in Support of Edgemont
Neighborhood Coalition electronically filed by Mr. Ellis Jacobs on behalf of Advocates for
Basic Legal Equality