

BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

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

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**MOTION OF APPLICANT THE DAYTON POWER AND LIGHT COMPANY FOR  
CONTINUANCE OF TESTIMONY AND HEARING DATES**

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For the reasons stated in the memorandum in support of this motion, Applicant The Dayton Power and Light Company ("DP&L") moves for an order continuing the June 25, 2012 hearing date, and establishing a date for a prehearing conference so that the parties can discuss a new schedule.

Respectfully submitted,

s/ Judi L. Sobecki

Judi L. Sobecki (0067186)  
THE DAYTON POWER AND  
LIGHT COMPANY  
1065 Woodman Drive  
Dayton, OH 45432  
Telephone: (937) 259-7171  
Telecopier: (937) 259-7178  
Email: judi.sobecki@dplinc.com

s/ Charles J. Faruki

Charles J. Faruki (0010417)  
(Counsel of Record)  
Jeffrey S. Sharkey (0067892)  
FARUKI IRELAND & COX P.L.L.  
500 Courthouse Plaza, S.W.  
10 North Ludlow Street  
Dayton, OH 45402  
Telephone: (937) 227-3705  
Telecopier: (937) 227-3717  
Email: cfaruki@ficlaw.com

Attorneys for The Dayton Power and  
Light Company

**MEMORANDUM IN SUPPORT OF MOTION OF APPLICANT  
THE DAYTON POWER AND LIGHT COMPANY FOR CONTINUANCE  
OF TESTIMONY AND HEARING DATES**

For each of several reasons, a continuance of the June 13, 2012 deadline for intervenor testimony and of the June 25, 2012 hearing is necessary and appropriate. First, there is insufficient time to complete settlement discussions. A number of the parties have been in discussions with DP&L about settlement, and those discussions continue. This case has over two dozen parties, most with multiple counsel and client representatives, and the complexity of the case necessarily results in complicated settlement discussions. Intervenor testimony is due June 13, and DP&L does not want the settlement discussions to be overridden by the approach of the June 13 testimony due date and the June 25 hearing date.

In addition, a large number of parties in this case are also parties in other cases that have been and are presently tied up in hearings before this Commission, which further hampers settlement discussions. DP&L and the parties to this case should not be in the position of simply running out of time to reach settlement. DP&L is working on another settlement proposal that will balance the interests of settling parties.

Further, DP&L has been doing significant analysis and work to study the issues involved with separation of generation assets. The basis of the company's current capital structure is an enterprise which includes the generating assets and the transmission and distribution assets under one enterprise. Separation of generation would require addressing debt at DP&L, DP&L's parent, and the subsidiary which will ultimately hold the generating assets; the evaluation of the costs and feasibility of separation is inherently complex and will require more time to accomplish.

DP&L will waive the 90-day limit for Commission action on its first application for a market rate offer, under Ohio Revised Code § 4928.142(B)(3).

For the above reasons, DP&L asks for an order continuing the June 13 testimony due date and the June 25 hearing date, and setting a conference of the parties to select a new hearing date.

Respectfully submitted,

s/ Judi L. Sobecki

Judi L. Sobecki (0067186)  
THE DAYTON POWER AND  
LIGHT COMPANY  
1065 Woodman Drive  
Dayton, OH 45432  
Telephone: (937) 259-7171  
Telecopier: (937) 259-7178  
Email: judi.sobecki@dplinc.com

s/ Charles J. Faruki

Charles J. Faruki (0010417)  
(Counsel of Record)  
Jeffrey S. Sharkey (0067892)  
FARUKI IRELAND & COX P.L.L.  
500 Courthouse Plaza, S.W.  
10 North Ludlow Street  
Dayton, OH 45402  
Telephone: (937) 227-3705  
Telecopier: (937) 227-3717  
Email: cfaruki@ficlaw.com

Attorneys for The Dayton Power and  
Light Company

## CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Motion of Applicant The Dayton Power and Light Company for Continuance of Testimony and Hearing Dates has been served via electronic mail upon the following counsel of record, this 5th day of June, 2012:

Samuel C. Randazzo, Esq.  
Frank P. Darr, Esq.  
Matthew R. Pritchard, Esq.  
Joseph E. Olikier, Esq.  
MCNEES WALLACE & NURICK LLC  
21 East State Street, 17th Floor  
Columbus, OH 43215-4228  
sam@mwncmh.com  
fdarr@mwncmh.com  
mpritchard@mwncmh.com  
joliker@mwncmh.com

Attorneys for Industrial Energy Users-Ohio

Philip B. Sineneng, Esq.  
THOMPSON HINE LLP  
41 South High Street, Suite 1700  
Columbus, OH 43215  
Philip.Sineneng@ThompsonHine.com

Amy B. Spiller, Esq.  
Deputy General Counsel  
Jeanne W. Kingery, Esq.  
Associate General Counsel  
DUKE ENERGY RETAIL SALES, LLC and  
DUKE ENERGY COMMERCIAL ASSET  
MANAGEMENT, INC.  
139 East Fourth Street  
1303-Main  
Cincinnati, OH 45202  
Amy.Spiller@duke-energy.com  
Jeanne.Kingery@duke-energy.com

Attorneys for Duke Energy Retail Sales, LLC and  
Duke Energy Commercial Asset Management, Inc.

Mark A. Hayden, Esq.  
FIRSTENERGY SERVICE COMPANY  
76 South Main Street  
Akron, OH 44308  
haydenm@firstenergycorp.com

James F. Lang, Esq.  
Laura C. McBride, Esq.  
N. Trevor Alexander, Esq.  
CALFEE, HALTER & GRISWOLD LLP  
1400 KeyBank Center  
800 Superior Avenue  
Cleveland, OH 44114  
jlang@calfee.com  
lmcbride@calfee.com  
talexander@calfee.com

David A. Kutik, Esq.  
JONES DAY  
North Point  
901 Lakeside Avenue  
Cleveland, OH 44114  
dakutik@jonesday.com

Allison E. Haedt, Esq.  
JONES DAY  
325 John H. McConnell Blvd., Suite 600  
Columbus, OH 43215-2673  
aehaedt@jonesday.com

Attorneys for FirstEnergy Solutions Corp.

Robert A. McMahon, Esq.  
EBERLY MCMAHON LLC  
2321 Kemper Lane, Suite 100  
Cincinnati, OH 45206  
bmcmahon@emh-law.com

Rocco D'Ascenzo, Esq.  
Associate General Counsel  
Elizabeth Watts, Esq.  
Associate General Counsel  
DUKE ENERGY OHIO, INC.  
139 East Fourth Street  
1303-Main  
Cincinnati, OH 45202  
Elizabeth.Watts@duke-energy.com  
Rocco.D'Ascenzo@duke-energy.com

Attorneys for Duke Energy Ohio, Inc.

David F. Boehm, Esq.  
Michael L. Kurtz, Esq.  
BOEHM, KURTZ & LOWRY  
36 East Seventh Street Suite 1510  
Cincinnati, OH 45202-4454  
[dboehm@BKLawfirm.com](mailto:dboehm@BKLawfirm.com)  
[mkurtz@BKLawfirm.com](mailto:mkurtz@BKLawfirm.com)

Attorneys for Ohio Energy Group

Gregory J. Poulos, Esq.  
EnerNOC, Inc.  
471 East Broad Street  
Columbus, OH 43215  
Telephone: (614) 507-7377  
Email: [gpoulos@enernoc.com](mailto:gpoulos@enernoc.com)

Attorney for EnerNOC, Inc.

Colleen L. Mooney, Esq.  
OHIO PARTNERS FOR AFFORDABLE  
ENERGY  
231 West Lima Street  
P.O. Box 1793  
Findlay, OH 45839-1793  
[cmooney2@columbus.rr.com](mailto:cmooney2@columbus.rr.com)

Attorney for Ohio Partners for Affordable Energy

Jay E. Jadwin, Esq.  
AMERICAN ELECTRIC POWER  
SERVICE CORPORATION  
155 W. Nationwide Blvd., Suite 500  
Columbus, OH 43215  
[jejadwin@aep.com](mailto:jejadwin@aep.com)

Attorney for AEP Retail Energy Partners LLC

M. Anthony Long, Esq.  
Senior Assistant Counsel  
HONDA OF AMERICA MFG., INC.  
24000 Honda Parkway  
Marysville, OH 43040  
[tony\\_long@ham.honda.com](mailto:tony_long@ham.honda.com)

Attorney for Honda of America Mfg., Inc.

Richard L. Sites, Esq.  
General Counsel and Senior Director of  
Health Policy  
OHIO HOSPITAL ASSOCIATION  
155 East Broad Street, 15th Floor  
Columbus, OH 43215-3620  
[ricks@ohanet.org](mailto:ricks@ohanet.org)

Thomas J. O'Brien, Esq.  
BRICKER & ECKLER LLP  
100 South Third Street  
Columbus, OH 43215-4291  
[tobrien@bricker.com](mailto:tobrien@bricker.com)

Attorneys for Ohio Hospital Association

Thomas McNamee, Esq.  
Assistant Attorney General  
Devin Parram, Esq.  
Assistant Attorneys General  
180 East Broad Street  
Columbus, OH 43215  
[Thomas.mcnamee@puc.state.oh.us](mailto:Thomas.mcnamee@puc.state.oh.us)  
[devin.parram@puc.state.oh.us](mailto:devin.parram@puc.state.oh.us)

Attorneys for the Staff of the Public Utilities  
Commission of Ohio

Mark S. Yurick, Esq.  
(Counsel of Record)  
Zachary D. Kravitz, Esq.  
TAFT STETTINIUS & HOLLISTER LLP  
65 East State Street, Suite 1000  
Columbus, OH 43215  
[myurick@taftlaw.com](mailto:myurick@taftlaw.com)  
[zkravitz@taftlaw.com](mailto:zkravitz@taftlaw.com)

Attorneys for The Kroger Company

Mark A. Whitt, Esq. (Counsel of Record)  
Andrew J. Campbell, Esq.  
Melissa L. Thompson, Esq.  
WHITT STURTEVANT LLP  
PNC Plaza, Suite 2020  
155 East Broad Street  
Columbus, OH 43215  
[whitt@whitt-sturtevant.com](mailto:whitt@whitt-sturtevant.com)  
[campbell@whitt-sturtevant.com](mailto:campbell@whitt-sturtevant.com)  
[thompson@whitt-sturtevant.com](mailto:thompson@whitt-sturtevant.com)

Vincent Parisi, Esq.  
Matthew White, Esq.  
INTERSTATE GAS SUPPLY, INC.  
6100 Emerald Parkway  
Dublin, OH 43016  
[vparisi@igsenergy.com](mailto:vparisi@igsenergy.com)  
[mswhite@igsenergy.com](mailto:mswhite@igsenergy.com)

Attorneys for Interstate Gas Supply, Inc.

Steven M. Sherman, Esq. Counsel of Record  
Joshua D. Hague, Esq.  
Grant E. Chapman, Esq.  
KRIEG DEVAULT LLP  
One Indiana Square, Suite 2800  
Indianapolis, IN 46204-2079  
[ssherman@kdlegal.com](mailto:ssherman@kdlegal.com)  
[jhague@kdlegal.com](mailto:jhague@kdlegal.com)  
[gchapman@kdlegal.com](mailto:gchapman@kdlegal.com)

Attorneys for Wal-Mart Stores East, LP  
and Sam's East, Inc.

Joseph P. Serio, Esq. (Counsel of Record)  
Melissa R. Yost, Esq.  
Assistant Consumers' Counsel  
Office of The Ohio Consumers' Counsel  
10 West Broad Street, Suite 1800  
Columbus, OH 43215-3485  
[serio@occ.state.oh.us](mailto:serio@occ.state.oh.us)  
[yost@occ.state.oh.us](mailto:yost@occ.state.oh.us)

Attorneys for Office of the Ohio Consumers'  
Counsel

Christopher L. Miller, Esq.  
(Counsel of Record)  
Gregory H. Dunn, Esq.  
Asim Z. Haque, Esq.  
ICE MILLER LLP  
250 West Street  
Columbus, OH 43215  
[Christopher.Miller@icemiller.com](mailto:Christopher.Miller@icemiller.com)  
[Gregory.Dunn@icemiller.com](mailto:Gregory.Dunn@icemiller.com)  
[Asim.Haque@icemiller.com](mailto:Asim.Haque@icemiller.com)

Attorneys for the City of Dayton, Ohio

M. Howard Petricoff, Esq.  
Stephen M. Howard, Esq.  
VORYS, SATER, SEYMOUR AND  
PEASE LLP  
52 East Gay Street  
P.O. Box 1008  
Columbus, OH 43216-1008  
[mhpetricoff@vorys.com](mailto:mhpetricoff@vorys.com)  
[smhoward@vorys.com](mailto:smhoward@vorys.com)

Attorneys for the Retail Energy Supply  
Association

Trent A. Dougherty, Esq. Counsel of Record  
Cathryn N. Loucas, Esq.  
OHIO ENVIRONMENTAL COUNCIL  
1207 Grandview Avenue, Suite 201  
Columbus, OH 43212-3449  
[trent@theoec.org](mailto:trent@theoec.org)  
[cathy@theoec.org](mailto:cathy@theoec.org)

Attorneys for the Ohio Environmental  
Council

Joseph M. Clark, Esq., Counsel of Record  
6641 North High Street, Suite 200  
Worthington, OH 43085  
jmclark@vectren.com

Asim Z. Haque, Esq.  
Christopher L. Miller, Esq.  
Gregory J. Dunn, Esq.  
Alan G. Starkoff, Esq.  
ICE MILLER LLP  
2540 West Street  
Columbus, OH 43215  
Asim.Haque@icemiller.com  
Christopher.Miller@icemiller.com  
Gregory.Dunn@icemiller.com

Attorneys for Direct Energy Services, LLC  
and Direct Energy Business, LLC

M. Howard Petricoff, Esq.  
VORYS, SATER, SEYMOUR AND PEASE LLP  
52 East Gay Street  
P.O. Box 1008  
Columbus, OH 43216-1008  
mhpetricoff@vorys.com  
smhoward@vorys.com

Attorneys for Exelon Generation Company, LLC,  
Exelon Energy Company, Inc., Constellation  
Energy Commodities Group, Inc., and  
Constellation NewEnergy, Inc.

Matthew J. Satterwhite, Esq.  
Steven T. Nourse, Esq.  
AMERICAN ELECTRIC POWER SERVICE  
CORPORATION  
1 Riverside Plaza, 29th Floor  
Columbus, OH 43215  
mjsatterwhite@aep.com  
stnourse@aep.com

Attorneys for Ohio Power Company

Ellis Jacobs, Esq.  
Advocates for Basic Legal Equality, Inc.  
333 West First Street, Suite 500B  
Dayton, OH 45402  
ejacobs@ablelaw.org

Attorney for Edgemont Neighborhood  
Coalition

Carolyn S. Flahive, Esq.  
Stephanie M. Chmiel, Esq.  
Michael L. Dillard, Jr., Esq.  
THOMPSON HINE LLP  
41 South High Street, Suite 1700  
Columbus, OH 43215  
Carolyn.Flahive@ThompsonHine.com  
Stephanie.Chmiel@ThompsonHine.com  
Michael.Dillard@ThompsonHine.com

Attorneys for Border Energy Electric  
Services, Inc.

Lisa McAlister, Esq.  
Matthew W. Warnock, Esq.  
J. Thomas Siwo, Esq.  
BRICKER & ECKLER LLP  
100 South Third Street  
Columbus, OH 43215-4291  
lmcaster@bricker.com  
mwarnock@bricker.com  
tsiwo@bricker.com

Attorneys for The Ohio Manufacturers'  
Association Energy Group

Kimberly W. Bojko, Esq.  
LAW OFFICES OF KIMBERLY J. BOJKO,  
LLC  
6930 Margarum Bend  
New Albany, OH 43054  
kbojko@insight.rr.com

Attorney for SolarVision, LLC



Matthew R. Cox, Esq.  
MATTHEW COX LAW, LTD.  
4145 St. Theresa Blvd.  
Avon, OH 44011  
matt@matthewcoxlaw.com

Attorney for the Council of Smaller Enterprises

s/ Jeffrey S. Sharkey  
Jeffrey S. Sharkey

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