BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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

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PROCEEDINGS

before Mr. Gregory Price and Ms. Mandy Willey, Attorney Examiners, at the Public Utilities Commission of Ohio, 180 East Broad Street, Room 11-A, Columbus, Ohio, called at 10 a.m. on June 25, 2012.

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ARMSTRONG & OKEY, INC.
(614) 224-9481 - (800) 223-9481

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APPEARANCES:

Faruki, Ireland & Cox, PLL
By Mr. Jeffrey S. Sharkey
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Dayton, Ohio 45402-1818
Dayton Power & Light Company
By Ms. Judi L. Sobecki
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Dayton, Ohio 45432

On behalf of the Applicant.

Vorys, Sater, Seymour and Pease, LLP
By Mr. M. Howard Petricoff
and Mr. Stephen M. Howard
52 East Gay Street
Columbus, Ohio 43216-1008

On behalf of Exelon Generation Company, Exelon Energy Company, Constellation NewEnergy, Constellation Energy Commodities Group, and Retail Energy Supply Association,

McNees, Wallace & Nurick, LLC
By Mr. Samuel C. Randazzo
Mr. Joseph E. Oliker
Mr. Matthew R. Pritchard
Mr. Frank P. Darr
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On behalf of the Industrial Energy Users of Ohio.

Bricker & Eckler, LLP
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Mr. J. Thomas Siwo
100 South Third Street
Columbus, Ohio 43215-4291

On behalf of the OMA Energy Group.

APPEARANCES (Continued)

FirstEnergy Service Company
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Calfee, Halter & Griswold LLP
Mr. N. Trevor Alexander
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Jones Day
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Jones Day
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On behalf of FirstEnergy Solutions.

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Ms. Melissa L. Thompson
Mr. Andrew J. Campbell
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155 East Broad Street
Columbus, Ohio 43215

Interstate Gas Supply
By Mr. Vincent A. Parisi
Mr. Matthew S. White
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On behalf of Interstate Gas Supply.

APPEARANCES (Continued):

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By Ms. Jeanne W. Kingery
Ms. Amy Spiller
155 East Broad Street
Columbus, Ohio 43215

Thompson Hine, LLP
By Philip B. Sineneng
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Columbus, Ohio 43215-6101

On behalf of Duke Energy Retail Sales and Duke Energy Commercial Asset Management.

Krieg Devault, LLP
By Mr. Steven M. Sherman
Mr. Joshua D. Hague
One Indiana Square, Suite 2800
Indianapolis, Indiana 46204

On behalf of the Wal-Mart Stores East, LP and Sam's East, Inc.

IceMiller, LLP
By Mr. Asim Z. Haque
250 West Street, Suite 700
Columbus, Ohio 43215-7509

Direct Energy Services
By Mr. Joseph M. Clark
6641 North High Street, Suite 200
Worthington, Ohio 43085

On behalf of Direct Energy Services, LLC and Direct Energy Business, LLC.

IceMiller, LLP
By Mr. Asim Z. Haque
Mr. Christopher L. Miller
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Columbus, Ohio 43215-7509

On behalf of the City of Dayton.

APPEARANCES (Continued):

Taft, Stettinius & Hollister, LLP
By Mr. Mark S. Yurick
Mr. Zachary D. Kravitz
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On behalf of the Kroger Company.

Carpenter, Lipps & Leland, LLP
By Ms. Kimberly W. Bojko
Ms. Colleen M. O'Donnell
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On behalf of Solarvision, LLC.

Bruce J. Weston, Ohio Consumers' Counsel
By Mr. Joseph P. Serio
Ms. Melissa Ranay Yost
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On behalf of the Residential Consumers of the State of Ohio.

Ohio Hospital Association
By Mr. Richard Sites
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Columbus, Ohio 43215

Bricker & Eckler, LLP
By Mr. Thomas J. O'Brien
100 South Third Street
Columbus, Ohio 43215-4291

On behalf of the Ohio Hospital Association.

Ms. Colleen Mooney
231 West Lima Street
Findlay, Ohio 45839-1793

On behalf of Ohio Partners for Affordable Energy.

APPEARANCES (Continued):

Ohio Environmental Council
By Ms. Cathryn N. Loucas
Mr. Grant Maki
1207 Grandview Avenue, Suite 201
Columbus, Ohio 43212

On behalf of the Ohio Environmental Council.

Mike DeWine, Ohio Attorney General
William L. Wright, Section Chief
Public Utilities Section
By Mr. Thomas W. McNamee
Mr. Devin D. Parram
180 East Broad Street
Columbus, Ohio 43215-3793

On behalf of the Staff of the Public Utilities Commission.

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Monday Morning Session,

June 25, 2012.

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EXAMINER WILLEY: The Public Utilities Commission of Ohio has called for hearing at this time and place Case No. 12-426-EL-SSO, In the Matter of the Application of The Dayton Power & Light Company for Approval of its Market Rate Offer; Case No. 12-427-EL-ATA, In the Matter of the Application of The Dayton Power & Light Company for Approval of Revised Tariffs; Case No. 12-428-EL-AAM, In the Matter of the Application of The Dayton Power & Light Company for Approval of Certain Accounting Authority; Case 12-429-EL-WVR, In the Matter of the Application of The Dayton Power & Light Company for Waiver of Certain Commission Rules; Case No. 12-672-EL-RDR, In the Matter of the Application of The Dayton Power & Light Company to Establish Tariff Riders.

I am Mandy Willey, and with me is Gregory Price. We are the attorney examiners assigned to hear this case.

I will take appearances of the parties, beginning with the company.

MR. FARUKI: Thank you, your Honor. Charles Faruki, Faruki, Ireland & Cox, Dayton, for

the Applicant. With me is my partner, Joe Sharkey. Seated at counsel table is Judi Sobecki, senior counsel for the company, and Dona Seger-Lawson, the director of regulatory operations, and Richard Reed, who is a consultant to my law firm.

EXAMINER PRICE: Thank you.

Mr. Petricoff.

MR. PETRICOFF: Thank you, your Honors. On behalf of Exelon Generation Company, Exelon Energy Company, Constellation NewEnergy, and Constellation Energy Commodities Group, as well as the Retail Energy Supply Association, Howard Petricoff and Stephen Howard from the law firm of Vorys, Sater, Seymour and Pease, 52 East Gay Street, Columbus, Ohio.

MR. OLIKER: Good morning, your Honor. On behalf of the Industrial Energy Users of Ohio, Sam Randazzo, Joseph Oliker, Frank Darr, and Matt Pritchard of the law firm of McNees, Wallace, 21 East State Street, Columbus, Ohio, 43215.

MR. ALEXANDER: Good morning. On behalf FirstEnergy Solutions, Mark Hayden, FirstEnergy Solutions; Jim Lang, Laura McBride, and Trevor Alexander from the law firm of Calfe, Halter & Griswold; and David Kutik and Allison Haedt, from the

law firm of Jones Day.

EXAMINER WILLEY: Thank you.

MS. THOMPSON: Good morning. On behalf of Interstate Gas Supply, Incorporated, Mark Whitt, Melissa Thompson, and Andrew Campbell, Whitt Sturtevant, LLP; and Vincent Parisi and Matthew White on behalf of Interstate Gas Supply.

MS. KINGERY: Good morning, your Honors. On behalf of Duke Energy Retail Sales and Duke Energy Commercial Asset Management, Jeanne Kingery and Amy Spiller, 139 East Fourth Street, Cincinnati, Ohio; and Philip Sineneng, S-I-N-E-N-E-N-G, of Thompson Hine, 41 South High Street, Columbus Ohio.

MR. SIWO: Good morning, your Honors. On behalf of OMA Energy Group, Lisa G. McAlister and J. Thomas Siwo from the law firm of Bricker & Eckler.

MS. MOONEY: On behalf of the Ohio Partners for Affordable Energy, Colleen M Mooney, 231 West Lima Street, Findlay, Ohio.

MR. SHERMAN: On behalf of Wal-Mart Stores and Sam's Club, Steven M. Sherman, the law firm of Krieg Devault. I would also like to add the appearance of Joshua Hague.

MR. PARRAM: Good morning, your Honor, on behalf of the staff of the Public Utilities

Commission of Ohio, Ohio Attorney General Mike DeWine, Section Chief William Wright, by assistant attorneys general Thomas McNamee and Devin Parram, 180 East Broad Street, Columbus, Ohio, 43215.

MR. HAQUE: Good morning, your Honors. On behalf of the Direct Energy Business, LLC, Direct Energy Services, LLC, Asim Haque and Joseph Clark.

On behalf of the City of Dayton, Asim Haque and Christopher Miller, from the law firm of IceMiller, 250 West Street, Columbus, Ohio 43215.

MR. YURICK: On behalf of the Kroger Company, Mark S. Yurick, and Zachary D. Kravitz, the law firm of Taft, Stettinius & Hollister, LLP, 65 East State Street, Suite 1000 Columbus, Ohio 43215.

Ms. BOJKO: Good morning, your Honor. On behalf of Solarvision, LLC, Kimberly W. Bojko, Colleen M. O'Donnell from the firm of Carpenter, Lipps & Leland, 280 North High Street, Columbus, Ohio.

MR. SERIO: Thank you. On behalf of the residential utility customers of Dayton Power & Light, Bruce Weston, Consumers' Counsel, by Joseph Serio and Melissa Yost.

EXAMINER WILLEY: Thank you.

MR. SITES: Your Honor, Richard Sites and Tom O'Brien on behalf of the Ohio Hospital Association.

EXAMINER WILLEY: Thank you. Anyone else present who would like to enter an appearance?

MR. MAKI: Your Honor, on behalf of the Ohio Environmental Council, Grant Maki. I'd like to enter the appearance of Cathryn Loucas as well, 1207 Grandview Avenue, 43212.

EXAMINER WILLEY: That's everyone.

By entry dated June 12, 2012, the attorney examiners granted the request from DP&L to call today's hearing as a call and continue and to suspend the deadline for intervenor testimony. Consequently, this hearing is called for that limited purpose.

At this time we will hear the company's proposal as to a new date to commence the evidentiary hearing in this case.

MR. FARUKI: Thank you, your Honor. We have had an off-the-record discussion about a possible hearing date, and the company put out a number of dates, one of which was August 27, and after discussion, I think where we are ending up is that for the moment we will shoot for August 13, with

a status report to be made to the attorney examiners, depending upon how both settlement progress and discovery goes, and the ultimate hearing date then would be August 13 or, if necessary, August 27.

With regard to other dates, your Honors are going to set a discovery cut-off. Whichever date ultimately applies, intervenor testimony would be due 14 days before the hearing date, and staff testimony would be due seven days before the hearing date. That would be my summary.

EXAMINER WILLEY: Thank you. At this time we will take responses from each of the parties, if you have a response. We will take those requests under advisement.

We will begin with Mr. Petricoff. Do you have a response?

MR. PETRICOFF: No, your Honor, other than that sounds like a workable plan and see how things progress whether we can do the earlier date. If not, the 27th would be fine.

MR. ALEXANDER: FirstEnergy Solutions is agreeable as well.

MS. THOMPSON: IGS is agreeable.

MS. KINGERY: Duke Energy is agreeable.

MR. SIWO: Your Honor, OMA Ohio is fine

with that approach.

MS. MOONEY: Ohio Partners for Affordable Energy is agreeable.

MR. SHERMAN: Wal-Mart and Sam's Club is agreeable.

MR. PARRAM: Staff is agreeable.

MR. HAQUE: Direct Energy and the City of Dayton is agreeable.

PARTICIPANT: I'm tempted to say something different to break up the monotony, but, unsurprisingly, I can't think of anything, so Kroger Company has no objection to the suggestions.

MS. BOJKO: Solarvision has no objection.

MR. SERIO: Consumers' counsel is agreeable.

MR. SITES: OHA is agreeable.

EXAMINER WILLEY: Thank you very much for your responses. We will take this under advisement, and we will set a hearing date and other items in the procedural schedule by subsequent entry.

Is there anything else to come before us today?

MR. FARUKI: Not for the company, your Honor.

MR. SERIO: I think, for the record,

there's no one from the public that showed up this morning wanting to testify, as much as the hearing was noticed for today.

EXAMINER PRICE: Thank you for clarifying that, Mr. Serio.

EXAMINER WILLEY: Thank you.

All right. Hearing no other business, we are adjourned until the date set by subsequent entry.

Thank you.

(The hearing adjourned at 10:17 a.m.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Monday, June 25, 2012, and carefully compared with my original stenographic notes.

_____

Rosemary Foster Anderson,
Professional Reporter and
Notary Public in and for
the State of Ohio.

My commission expires April 5, 2014.

(RFA-8806)

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

Summary: Transcript of The Dayton Power & Light Company hearing held on 06/25/12 electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Anderson, Rosemary Foster Mrs.