

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of The Dayton Power and Light Company for Approval of Its Electric Security Plan	: : : : :	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 the 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 OF APPLICANT
THE DAYTON POWER AND LIGHT COMPANY IN RESPONSE TO
UNNECESSARY INTERLOCUTORY APPEAL OF
THE OFFICE OF CONSUMERS' COUNSEL REGARDING FORM OF NOTICE**

The Office of the Ohio Consumers' Counsel ("OCC") did not inform Applicant The Dayton Power and Light Company ("DP&L") that it intended to file an interlocutory appeal over the form of public notice. Had OCC asked DP&L to consider modification of the notice, DP&L would have done so.

DP&L agrees that adequate public notice should be given. Rather than consume the time of the full Commission in briefing over the text of a notice, DP&L states that it is not going to file an opposition to the appeal, suggests that OCC withdraw the interlocutory appeal,

and suggests that the Attorney Examiner simply order interested parties to confer about a form of revised notice. Such revised notice can be presented to the Attorney Examiner by a filing.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Memorandum of Applicant

The Dayton Power and Light Company in Response to Unnecessary Interlocutory Appeal of The Office of Consumers' Counsel Regarding Form of Notice has been served via electronic mail upon the following counsel of record, this 12th day of December, 2012:

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Summary: Memorandum Memorandum of Applicant The Dayton Power and Light Company in Response to Unnecessary Interlocutory Appeal of The Office of Consumers' Counsel Regarding Form of Notice electronically filed by Mr. Jeffrey S Sharkey on behalf of The Dayton Power and Light Company