

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The	)	
Dayton Power and Light Company for	)	Case No. 13-833-EL-POR
Approval of Its Energy Efficiency and Peak	)	Case No. 13-837-EL-WVR
Demand Reduction Program Portfolio Plan	)	
for 2013 through 2015.	)	

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**OHIO PARTNERS FOR AFFORDABLE ENERGY'S  
MOTION TO INTERVENE**

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Ohio Partners for Affordable Energy ("OPAE") moves to intervene in these applications in which the Public Utilities Commission of Ohio ("Commission") will consider The Dayton Power and Light Company's ("DP&L") request for approval of its energy efficiency and peak demand reduction program portfolio plan for 2013 through 2015. This motion to intervene is filed pursuant to Ohio Revised Code §4903.221 and Ohio Administrative Code Rule 4901-1-11. The reasons for granting this motion to intervene are contained in the attached memorandum in support.

Respectfully submitted,

/s/Colleen Mooney  
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**MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE**

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Ohio Partners for Affordable Energy (“OPAE”) should be permitted to intervene in these matters pursuant to Section 4903.22.1, Ohio Revised Code, and Rule 4901-01-11 of the Ohio Administrative Code. The above-referenced applications concern the 2013 – 2015 energy efficiency and peak demand reduction program portfolio plan of The Dayton Power and Light Company (“DP&L”). .

In determining whether to permit intervention, the following criteria are to be considered: 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 proceeding; and, whether granting the intervention will unduly delay or unjustly prejudice any existing party. OPAE meets all four criteria for intervention in these applications.

OPAE is a non-profit Ohio corporation with a stated purpose of advocating for affordable energy for low and moderate income Ohioans; as such, OPAE has a real and substantial interest in these matters, which will address DP&L’s program portfolio plan. Additionally, OPAE includes as members non-profit organizations that are ratepayers of DP&L and will be affected by these proceedings.<sup>1</sup> Moreover, many of OPAE’s members are community action agencies. Under the federal legislation authorizing the creation and funding of these agencies, originally known as the Economic Opportunity

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<sup>1</sup>A list of OPAE members can be found on the website: [www.ohiopartners.org](http://www.ohiopartners.org).

Act of 1964, community action agencies are charged with advocating for low-income residents of their communities. OPAE members also provide essential services in the form of bill payment assistance programs and weatherization and energy efficiency services to low income customers of DP&L.

OPAE's primary interest in these cases is to protect the interests of low and moderate income DP&L customers and OPAE members whose provision of electric service will be affected by these proceedings. Further, OPAE has been recognized by the Commission in the past as an advocate for consumers and particularly low-income consumers, who will be affected by the outcome of these cases.

For the above reasons, OPAE has a direct, real and substantial interest in these matters. The disposition of these matters may impair or impede OPAE's ability to protect its interests. No other party to the matters will adequately represent the interests of OPAE. OPAE is a rare organization that serves as an advocate, service provider and non-profit customer group. No other party represents this group of interests. OPAE'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 dockets.

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

Respectfully submitted,

/s/Colleen Mooney

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## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Intervene and Memorandum of Support was served electronically upon the following parties identified below in these cases on this 3rd day of May 2013.

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Summary: Motion to Intervene and Memorandum in Support electronically filed by Colleen L Mooney on behalf of Ohio Partners for Affordable Energy