

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission’s Review)
of Chapter 4901:1-10, Ohio) Case No. 12-2050-EL-ORD
Administrative Code, Regarding Electric)
Companies.

**SUPPLEMENTAL COMMENTS OF
THE DAYTON POWER AND LIGHT COMPANY**

The Dayton Power and Light Company (“DP&L” or “the Company”) hereby provides supplemental comments in response to the Entry dated July 10, 2013 in which the Public Utilities Commission of Ohio (“Commission” or “PUCO”) solicited interested parties’ supplemental comments on proposed changes to Sections 4901:1-10-01 and 4901:1-10-05 of the Ohio Administrative Code (“OAC”). The Commission solicited general comments on policy questions as set forth in the entry itself, as well as invited feedback on the proposed changes to the text of the existing rules. DP&L’s comments with respect to the proposed supplemental changes are set forth in the narrative below.

I. Introduction

The Commission Entry promulgates proposed rules associated with an Advanced Meter Opt-Out Service (“Opt-Out Program”) whereby electric utilities would provide a tariff option for customers to “opt out” of advanced meter service and retain a traditional meter for measuring electricity consumption. DP&L strongly objects to the proposed rules requiring an opt-out program for advanced meter installations. Utilities install meters to meet their business needs whether it is for safety purposes; meter access issues, tamper detection, or efficiency purposes. A customer should not be able to determine what type of meter they require at their premises. The utility owns the equipment, has the

expertise and should have the ability to install the meter that the utility deems the best suited meter reading solution for the customer and the Company. Moreover, while DP&L is not currently deploying a large-scale Smart Grid/Advanced Metering Infrastructure within its service territory, the efficacy of such technology hinges on the utility being able to determine how and where it is deployed. The benefits of the smart grid system as a whole will be threatened if customers are permitted to “opt-off the grid” on an ad hoc basis. DP&L is concerned about the chilling effect and Opt-Out Program would have on future deployment of expansion of existing Smart Grid/AMI initiatives within the state.

In the event the Commission moves forward with the opt-out program, DP&L expresses concern with the proposed rules as written and offers amendments that the Commission should adopt in order to further clarify the proposed rules.

II. 4901:1-10-01 Definitions

The Entry proposes a definition for Advanced Meter as follows:

“Advanced meter” means any meter that meets the pertinent engineering standards using digital technology to measure demand and/or usage and has the capability to communicate such measurements to the electric utility without a manual read.

The proposed definition of advanced meter is vague and needs clarification. DP&L’s interpretation of this definition is that those meters associated with a widespread “smart meter” deployment, with the capability of hourly interval meter readings and the ability for the utility to access those meter readings from a centralized location, fall into this definition of an advanced meter. It is not clear however, by the proposed definition if those customer meters with Automated Meter Reading (“AMR”) and Encoder Receiver Transmitter (“ERT”) technologies, both of which having had widespread beneficial use in

the state for quite some time, are meant to be classified as advanced meters. DP&L suggests the following changes:

“Advanced meter” means any meter that meets the pertinent engineering standards using digital technology to measure demand and/or usage at hourly intervals or more frequently, provides usage data to both consumers and energy companies at least once daily, and requires a fixed network that enables two-way data transfer.

This definition clarifies that AMR and ERT meters with one-way communication are not considered an advanced meter. The ERT meters that DP&L has installed since the mid 1990’s are not capable of recording data at hourly intervals or more frequently and do not provide usage data to both consumers and energy companies at least once daily and should not be considered advanced.

The core issue of the PUCO Staff’s definition can be drilled down to the meaning of a “manual read”. DP&L would argue that a manual read constitutes the use of a meter reader, or contractor hired for the purpose of meter reading, to be sent to a premise to obtain an actual meter reading. With respect to AMR and ERT technologies, a meter reader is still required to be dispatched to the premise and be within a specified distance of the meter to acquire a meter reading. With that said a utility still incurs a portion of the labor cost associated with the reading of an AMR/ERT meter when compared to a remote read using smart grid technology. Such a meter still requires a manual read and thus, should be excluded from the definition of advanced meter.

DP&L also suggests PUCO Staff’s definition of “Traditional Meter” be clarified that traditional meters have one- way communication or do not have any communication capability.

“Traditional meter” means any meter that is not an advanced meter and does not have means of communicating with the customer’s equipment.

This would include ERT and AMR meters that are read via a handheld device or van. The traditional meter should not include electro-mechanical meters because they are obsolete and may not meet the ANSI requirements set forth in 4901:1-10-05 (B).

III. 4901:1-10-05 Metering

The proposed rule in Section 4901:1-10-05 (J) gives the customer the option to request that the utility remove an installed advanced meter and replace it with a traditional meter, and the option to decline installation of an advanced meter. DP&L suggests the Commission modify Staff's suggested language to clarify that a customer may not remove an electric utility's meters.

(J)(1) A customer shall have the option to take electric service using a traditional meter and may request a traditional meter and opt out of advanced meter service by contacting the electric utility. An electric utility shall provide customers with the option to [request the electric utility](#) remove an installed advanced meter and replace it with a [an electric utility's](#) traditional meter, and the option to decline installation of an advanced meter and retain a traditional meter, including a cost-based tariffed opt-out service.

DP&L applauds PUCO Staff for recognizing that the utility will incur costs as a result of the opt-out program and the cost causer should bear the cost of the program including installation, ongoing costs and fees that may be assessed by the electric utility associated with the traditional meter.

Section 4901:1-10-05 (J)(2)(b) of the proposed rule states, "If the customer is currently enrolled in a product or service requiring an advanced meter as a condition of enrollment including electric choice, the electric utility shall notify the customer that different product or service must be chosen prior to installation of the traditional meter." DP&L suggests that the product or service needs to be clarified to include electric choice.

A customer that chooses a competitive retail generation supplier and requires an advanced meter as a result, should not be able to choose to opt-out of advanced metering.

Section 4901:1-10-05(J)(3) gives the utility the right to refuse to provide opt-out service in certain circumstances. DP&L suggests the following addition:

(c) If a customer or premise has a history of tampering or there is evidence of tampering.

Advanced meters and ERT meters are easier to detect and track theft with tamper and inversion codes that are stored in the meter and transmitted during the next meter read.

An electric utility needs to be able to refuse opt-out service for these conditions.

DP&L also suggests the following addition:

(b) If a customer does not allow the electric utility's employees or agents access to the meter at the customer's premises during normal business hours, eight am – five pm, Monday – Friday.

Electric utilities need to have access to their equipment at all times but there are certain circumstances where that is not possible. In those circumstances, electric utilities need access during normal business hours.

Section 4901:1-10-05 (4) directs the electric utility to file a proposed tariff for opt-out service that complies with the rules in 4901:1-10-05. DP&L offers the following changes to the proposed rules:

(b)(ii) The tariff shall not be available to any customer taking generation service under a time differentiated rate or from a competitive retail electric service provider, or is enrolled in the Percentage of Income Payment Plan.

The proposed rules allow an electric utility to establish fees for electing not to use an advanced meter. The rules need to address the requirement for the customer to pay for the removal and installation fees up front and that the customer can be disconnected for failure to pay the monthly charge associated with the opt-out program. Section 4901:1-

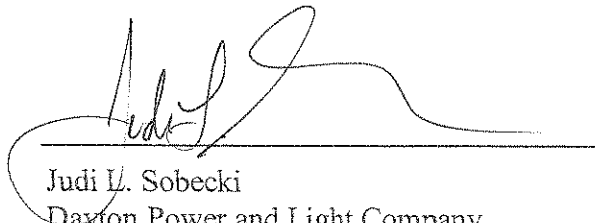
10-05(4)(d) allows an electric utility to establish a recurring fee to recover costs associated with providing meter reading and billing services associated with the use of a traditional meter. DP&L's concern is that the program's implementation will likely create costs outside the scope of the proposed rule and as a result, recommends the following amendment:

- (d) An electric utility may establish a recurring fee to recover all costs associated with a customer declining installation of an advanced meter and retaining a traditional meter, including but not limited to ~~providing meter reading, and~~ billing services, administrative, and communications and information technology-related costs. ~~associated with the use of a traditional meter~~

Conclusion

DP&L appreciates the opportunity to provide supplemental comments and urges the Commission to adopt the recommendations set forth above.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Judi L. Sobecki", is written over a horizontal line. The signature is fluid and cursive, with a large loop at the end.

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Summary: Comments of the Dayton Power and Light Company electronically filed by Mr. Robert J Adams on behalf of The Dayton Power and Light Company