

**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

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

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The Dayton Power and Light Company ("DP&L" or "the Company") hereby submits comments in reply to initial comments previously filed by interested participants in this proceeding.<sup>1</sup> The lack of reply comment with respect to some or any aspect of another participant's comments should not be construed as agreement with the comments. DP&L's reply comments with respect to changes to the proposed Metering rules outlined in Sections 4901:1-10-05 are set forth in the narrative below.

**I. DP&L Reply Comments addressing parties' comments with respect to PUCO Staff's proposed changes to Section 4901:1-10-05, Metering.**

Similar to DP&L, Duke Energy Ohio ("Duke") and Ohio Edison, The Cleveland Electric Illuminating Company, and The Toledo Edison Company ("First Energy") provided initial comments objecting to the proposed rules requiring an Advanced Meter Opt-Out Service ("Opt-Out Program"). Specifically, First Energy states the following at page 2:

"...there is no specific statutory authority for the Commission to mandate advanced metering on a statewide basis. Similarly, there is no enabling statute for the Commission to develop rules regarding the same. The proposed amendments to the existing rules attempt to circumvent the statutory and administrative processes and, for this reason

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<sup>1</sup> For ease of citation, references to other participants' Initial Comments omit the words "Initial Comments of." Citations are in the form [party name or abbreviation] at [page number].

alone, the proposed amendments should be rejected in their entirety. Moreover, the rules are premature. Because there is no mandate to install smart meters, and, equally important, there are very limited advanced meters in place in the Companies' service territories, there is currently no need for statewide administrative rules that govern the subject."

DP&L agrees with First Energy that there is no statutory provision that requires utilities to install advanced meters and thus, a tariff mandate related to such a program is unnecessary.

If the Commission decides to move forward with the opt-out program, then DP&L agrees with Ohio Power Company's ("AEP-Ohio") general comments at page 2 suggesting the need to clarify the differences between both Smart and AMR meters. DP&L provided similar recommendations within its initial comments and wants to ensure that AMR meters, including those with ERT technology, are not confused with Smart meters and thus, not part of the opt-out program.

DP&L also agrees with AEP-Ohio at page 5 recommending further clarity on Staff's proposed rule 4901:1-10-05(J)(1). During a mass meter replacement project, customer issues could arise especially in instances where there is a conflict between when a customer calls to reject the advanced meter and when the utility actually responds to the request. AEP-Ohio's recommended modification would provide further clarity to the proposed rule.

DP&L agrees with Duke's comments at page 7. Duke poses several questions identifying concerns during scenarios when customers move in and out of new locations.

"It would be helpful to understand the intention that is not set forth in the rule with regard to what happens when a customer moves in and out of new locations. For example, when a customer moves into a residence with an advanced meter, will the customer be charged for removing the existing advanced meter? Will this customer be charged for the cost of reinstalling the advanced meter when they leave the residence? Will there be any limit on the number of times a customer may request such service? If a customer removes an advanced meter and then sells the premises, should the

customer be required to disclose this to the buyer, particularly, if the new buyer will be subject to fees incurred because of decisions made by the seller? Will the buyer be required to pay to obtain an advanced meter?"

If the Commission decides to move forward with the advanced meter opt-out program, the questions posed by Duke must be addressed.

The Ohio Partners for Affordable Energy ("OPAE") state the following at page 3:

"...if the customer is paying a rider to the electric utility to recover the costs associated with the advanced meter, the customer should be able to opt out of the rider as well, consistent with the principal of cost causation."

DP&L would like to add clarity to OPAE's comment to suggest that the customer should only be able to opt out of that portion of the rider that recovers costs associated with the advanced meter. Smart Grid programs also provide benefits to customers through distribution and substation automation that do not require an advanced meter. DP&L wants to ensure that if the customer utilizes the opt-out program, the customer only opts out of those costs associated with the advanced meter.

The Ohio Consumers' Counsel ("OCC") at page 8 recommends as part of the proposed rule 4901:1-10-05-(I)(4)(d) that customers be given the option of choosing an actual meter read once a month or quarterly. DP&L believes this language is unnecessary and is already addressed in Section 4901:1-10-05(I)(1):

"The electric utility shall obtain actual readings of all its in-service customer meters at least once each calendar year. Every billing period, the electric utility shall make reasonable attempts to obtain accurate, actual readings of the energy and demand, if applicable, delivered for the billing period, except where the customer and the electric utility have agreed to other arrangements. Meter readings taken by electronic means shall be considered actual readings."

DP&L urges the Commission to reject OCC's proposed language since the existing rule is sufficient and allows the utility and customer to agree to other meter reading arrangements.

## II. Conclusion

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

Respectfully submitted,



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