

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Procurement of )  
Standard Service Offer Generation as )  
Part of the Electric Security Plan for ) Case No. 13-2120-EL-UNC  
Customers of The Dayton Power and )  
Light Company. )

FINDING AND ORDER

The Commission finds:

- (1) The Dayton Power and Light Company (DP&L) is an electric utility as defined by Section 4928.01, Revised Code.
- (2) Section 4928.141, Revised Code, provides that electric utilities shall provide consumers a standard service offer (SSO) of all competitive retail electric services in accordance with Sections 4928.142 or 4928.143, Revised Code.
- (3) On September 4, 2013, the Commission issued its Opinion and Order in DP&L's electric security plan (ESP) in *In re The Dayton Power and Light Company*, Case No. 12-426-EL-SSO (ESP). The ESP provides that, for the period between January 1, 2014, and May 31, 2017, retail generation rates will be partially determined by a descending-clock format competitive bid process (CBP).
- (4) In the CBP, DP&L agreed to procure, on a slice of system basis, 10 percent of its aggregate, wholesale full requirements SSO supply for the year 2014. Further, the ESP provided that the CBP would be conducted by an independent bid manager, CRA International (CRA). Although the ESP provided that CRA was to select the winning bidder(s), the ESP also provided that the Commission may reject the results within 48 hours of the auction conclusion.

- (5) Pursuant to the Commission's decision in the ESP, a CBP auction was held on October 28, 2013. The auction consisted of a 41-month product. On October 30, 2013, CRA and Boston Pacific Company, Inc. (Boston Pacific), a consultant retained by the Commission to monitor the CBP auction, filed reports regarding the conduct of the auction. These reports consisted of confidential versions, filed under seal, and a redacted version of the report filed by CRA, which is publically available in this docket.
- (6) According to the reports filed by CRA and Boston Pacific, for the 41-month product, there were 10 bidders who registered for the CBP auction, and 3 bidders submitted winning bids during the CBP auction for a clearing price of \$49.32 per MWh for the January 1, 2014, to May 31, 2017, delivery period. The CBP consisted of 24 rounds in a descending-clock format auction. CRA and Boston Pacific each recommended that the Commission find that the CBP auction, within the limits of its structures, had sufficient competitive attributes and resulted in winning prices that are reasonable.
- (7) The Commission finds that the reports filed by CRA and Boston Pacific do not contain any recommendation or evidence that the auction violated the CBP rules in such a manner as to invalidate the auction. Accordingly, the Commission will not reject the results of the CBP auction. Further, the Commission finds that DP&L should honor winning contracts from the CBP, regardless of any future changes to the Order or determinations made by the Commission on rehearing.
- (8) In addition, the Commission notes that the reports filed by CRA and Boston Pacific also contain sensitive information which should be deemed confidential and remain under seal. Therefore, the Commission finds that the following information will be protected from public release indefinitely: the names of unsuccessful

bidders; price information, including starting price methodologies and round prices/quantities for individual bidders; all information contained in Part I and Part II bidder applications; and indicative pre-auction offers.

- (9) However, the Commission finds that certain information regarding the CBP auction contained in the reports submitted by CRA should be released to the public after a brief period of time to allow the winning bidders to procure any additional necessary capacity to serve the SSO load. Therefore, unless otherwise ordered by the Commission, the following information will be subject to public release 21 days after the issuance of this finding and order: the names of bidders who won tranches in the CBP auction; the number of tranches won by each bidder; the first round ratio of tranches supplied compared to tranches needed; and the redacted report filed by CRA detailing the CBP auction proceedings, subject only to redaction of any confidential information enumerated in Finding (8).
- (10) Finally, the Commission finds that all bidders should immediately disclose to the Commission and Staff all prices, terms and conditions for any post-auction assignments of tranches obtained through the CBP, subject to appropriate protections for confidential or proprietary information.

It is, therefore,

ORDERED, That the information set forth in Finding (8) be deemed confidential and remain under seal indefinitely. It is, further,

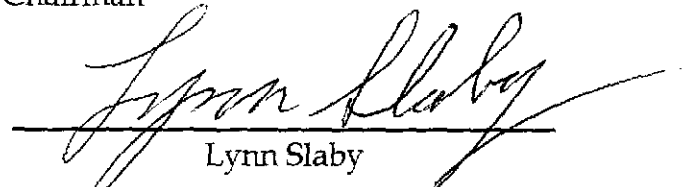
ORDERED, That, unless otherwise ordered by the Commission, the information set forth in Finding (9) be subject to public release 21 days after the issuance of this Finding and Order. It is, further,

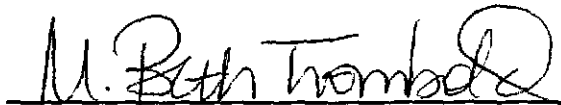
ORDERED, That a copy of this Finding and Order be served upon all parties of record.

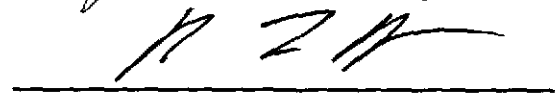
THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Todd A. Smithler, Chairman

  
Steven D. Lesser

  
Lynn Slaby

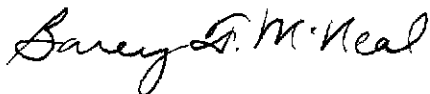
  
M. Beth Trombold

  
Asim Z. Haque

BAM/sc

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**OCT 30 2013**



Barcy F. McNeal  
Secretary