

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The)	
Dayton Power and Light Company for)	Case No. 13-1631-EL-UNC
Approval of a Revised Bill Format for)	
Electric Service		

**REPLY OF DIRECT ENERGY SERVICES AND
DIRECT ENERGY BUSINESS, LLC TO
DAYTON POWER & LIGHT COMPANY
MEMORANDUM CONTRA TO
MOTION TO SUSPEND AUTOMATIC APPROVAL**

Pursuant to Rule 4901-1-12 of the Ohio Administrative Code, Direct Energy Services, LLC and Direct Energy Business, LLC (“Direct Energy”) hereby files its Reply to the Dayton Power & Light Company’s (“DP&L”) Memorandum Contra (“Memo Contra”) Direct Energy’s Motion to Suspend Automatic Approval (“Motion”) of DP&L’s proposed bill format.

As noted in the Motion, Direct Energy supports DP&L’s efforts to simplify their bill. However, Direct Energy has some concerns with the proposed changes in DP&L’s bill format relating to when a customer switches competitive retail electric supply (“CRES”) providers.¹ DP&L’s Memo Contra fails to address the substantive issues identified by Direct Energy. Specifically, DP&L’s Memo Contra does address DP&L’s failure to incorporate some proposals from the commission ordered investigation (“COI”) billing workshops in its filing, such as changing the price to compare language to reflect the supplier’s price (rather than the utility’s price). The Reply also fails to address concerns raised in the Motion about the design of bills to make CRES provider charges more visible.

¹ The sample bill format provided with the Memo Contra showing the bill format for a shopping customer suffers from the same deficiencies for a bill provided to non-shopping customers. Direct Energy would have pointed this deficiency out as well in its Motion had this bill format been provided with the original filing on November 1, 2013.

DP&L points to the ongoing COI workshops to not grant Direct Energy's Motion.² However, DP&L has shown in its filing that it is able of incorporating some of the suggestions from the COI workshops into its filing. For example, DP&L's proposed bill format simplifies the bill by placing non-bypassable, distribution, and avoidable charges in a more readable and understandable format to allow customers to see what would change when they switch. DP&L should not be permitted to cherry pick the issues it wishes to address in its bill format case to the detriment of other issues.

DP&L also points to the Comments of Constellation NewEnergy for support of its position.³ Direct Energy submits that any "confusion" concerns related to transmission charges are just as great, if not greater, as it relates to a shopping customer switching away from their current CRES provider based upon information provided in the proposed bill format only to find the customer is switching suppliers based on unclear or incorrect information contained in the bill.

DP&L further questions Direct Energy's motivations as it relates to the timing of when Direct Energy filed its Motion.⁴ There is no gamesmanship here. Direct Energy timely filed its Motion almost two weeks before the automatic approval timeframe ran its course. While DP&L highlights the fact that it actually filed its bill format 60 days (instead of 45 days) in advance of the proposed effective date, DP&L conveniently omits that the obligation it points to for making changes has existed for almost two months (since the Commission issued its Opinion and Order in its electric security plan ("ESP") case on September 4, 2013) and yet DP&L chose not to file until November 1. Finally, DP&L could have sought the input of the Parties to the ESP before it filed the new proposed bill format and possibly avoided the Motion that Direct Energy filed.

² Memo Contra at 2-3.

³ Memo Contra at 2, FN 1.

⁴ Memo Contra at 3.

However, to Direct Energy's knowledge DP&L did not seek out the Parties to the ESP prior to filing in this docket.

WHEREFORE, Direct Energy respectfully requests that the Commission grant its Motion and suspend automatic approval of DP&L's proposed bill format. The Commission should ensure the price to compare on a customer's bill is the correct price to compare for that particular customer and that DP&L takes the necessary steps to more prominently identify the customer's generation supply information on the customer's bill.

Respectfully Submitted,

/s/ Joseph M. Clark

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing Reply of Direct Energy Services, LLC and Direct Energy Business, LLC was served this 11th day of December, 2013 by electronic mail delivery upon the persons listed below.

/s/ Joseph M. Clark

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Summary: Reply to DP&L Memorandum Contra Direct Energy Motion to Suspend Automatic Approval electronically filed by JOSEPH CLARK on behalf of Direct Energy Services, LLC and Direct Energy Business, LLC