

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of                    )  
The Dayton Power and Light Company        )     Case No. 13-0956-EL-RDR  
to Update its Energy Efficiency Rider        )

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**MOTION OF THE DAYTON POWER AND LIGHT COMPANY  
TO WITHDRAW ITS APPLICATION TO UPDATE ITS ENERGY EFFICIENCY  
RIDER**

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The Dayton Power and Light Company ("DP&L" or "the Company") hereby moves to withdraw its Application to update its Energy Efficiency Rider ("EER") filed on April 30, 2013, and respectfully request that the Commission grant this motion to withdraw and issue an order closing this case. The reasons in support of this motion are more fully explained below.

**MEMORANDUM**

On April 15, 2013 DP&L filed an Application for approval of its second Program Portfolio in Case Nos. 13-833-EL-POR, *et al.* Subsequently, pursuant to the Ohio Administrative Code ("O.A.C.") §4901:1-39-07(A), DP&L filed an application in this case to update its EER on April 30, 2013.

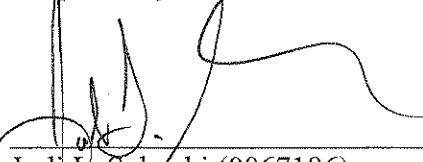
However on December 4, 2013, the Commission issued an Opinion and Order approving DP&L's second Program Portfolio as modified by a Stipulation filed in Case Nos. 13-833-EL-POR, *et al.* In approving the Stipulation, the Commission ordered that "...DP&L file its EE/PDR rider tariffs consistent with this opinion and order..." Those tariffs were filed in that case on December 30, 2013 and bear an effective date of February 1, 2014. Therefore, the proposed rates and tariffs filed in this docket on April

30, 2013 are now obsolete and inconsistent with the more recent Commission Order in Case Nos. 13-833-EL-POR, *et al.*, and the issues which were originally ripe for determination in this docket are now moot. In order to address this procedural anomaly, DP&L moves to withdraw this case, and requests that the Commission close this case of record.

DP&L will file its next Application to update its EER by June 30, 2014 in compliance with O.A.C. §4901:1-39-07(A).

WHEREFORE, for the foregoing reasons, DP&L respectfully requests that the Commission enter an order granting this motion to withdraw DP&L's Application to update its EER and formally closing this case.

Respectfully submitted,



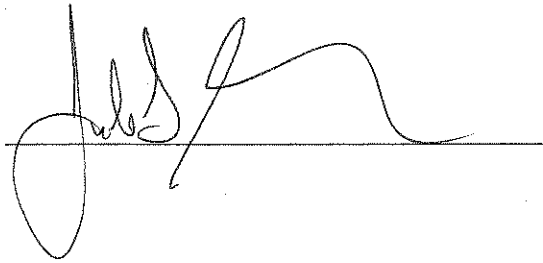
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Company

## CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been served upon the following parties by electronic mail this 16th day of January, 2014.

Kyle L. Kern  
Assistant Consumers' Counsel  
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A handwritten signature in black ink, appearing to read 'Kern', is written over a horizontal line.

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

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**in**

**Case No(s). 13-0956-EL-RDR**

Summary: Motion of the Dayton Power and Light Company to withdraw its application to update its Energy Efficiency Rider electronically filed by Mr. Tyler A. Teuscher on behalf of The Dayton Power and Light Company