



October 6, 2014

Barcy F. McNeal, Secretary  
Docketing Division  
Public Utilities Commission of Ohio  
180 East Broad Street, 11th Floor  
Columbus, Ohio 43215

RE: *In the Matter of the Application of The Dayton Power and Light Company for Approval of Its Electric Security Plan*, Case No. 12-426-EL-SSO, *et al.* and Supreme Court Case No. 2014-1505

Dear Secretary McNeal:

Without waiving any arguments with respect to the notice provision in R.C. 4903.16, the Office of the Ohio Consumers' Counsel ("OCC") notifies the Public Utilities Commission of Ohio ("PUCO") of its intent to request that the Supreme Court of Ohio stay the PUCO's authorization of the Service Stability Rider ("SSR"), which was authorized and upheld by the PUCO in the following decisions: the Opinion and Order issued September 4, 2013 ("Opinion and Order"), the Entry *Nunc Pro Tunc* issued September 6, 2013 ("*Nunc Pro Tunc* Entry"), the Entry on Rehearing issued October 23, 2013 ("Entry on Rehearing"), the Second Entry on Rehearing issued March 19, 2014 ("Second Entry on Rehearing"), the Fourth Entry on Rehearing issued June 4, 2014 ("Fourth Entry on Rehearing") and the Fifth Entry on Rehearing issued July 23, 2014 ("Fifth Entry on Rehearing") in Case Nos. 12-426-EL-SSO, *et al.* (collectively, "ESP Orders"). OCC intends to only seek a stay of the portions of the above ESP Orders that authorize The Dayton Power and Light Company to collect a charge from customers through the SSR.

OCC intends to request, on or after October 9, 2014, that the Supreme Court of Ohio stay the PUCO's ESP Orders pending the outcome of the appeal. Please consider this letter to be the notice required by R.C. 4903.16.

Sincerely,

/s/ Edmund "Tad" Berger

Edmund "Tad" Berger  
Assistant Consumers' Counsel

cc: Parties of Record

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

**Commission of Ohio Docketing Information System on**

**10/6/2014 4:10:24 PM**

**in**

**Case No(s). 12-0426-EL-SSO, 12-0427-EL-ATA, 12-0428-EL-AAM, 12-0429-EL-WVR, 12-0672-EL-RDR**

Summary: Notice Notice of Intent to File a Stay by the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Berger, Tad Mr.