

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| In the Matter of the Amendment of Chapters |) | |
| 4901:1-10 and 4901:1-21, Ohio |) | |
| Administrative Code, Regarding Electric |) | Case No. 14-1411-EL-ORD |
| Companies and Competitive Retail Electric |) | |
| Service, to Implement 2014 Sub.S.B. No. 310. |) | |

**COMMENTS OF THE DAYTON POWER AND LIGHT COMPANY
REGARDING THE AMENDMENT OF CHAPTERS §4901:1-10 AND §4901:1-21, OHIO
ADMINISTRATIVE CODE FOR THE IMPLEMENTATION OF 2014 SUB.S.B. NO. 310**

The Dayton Power and Light Company (“DP&L” or “the Company”) appreciates the opportunity to provide comments in response to the Entry dated October 15, 2014 in which the Public Utilities Commission of Ohio (“Commission” or “PUCO”) solicited interested parties’ comments on proposed amendments to Ohio Administrative Code (“OAC”) §4901:1-10 and §4901:1-21 relating to the implementation of Sub.S.B. No. 310. DP&L’s comments are set forth below.

§4901:1-10-35 Disclosures of Renewable Energy Resource, Energy Efficiency, and Peak Demand Reduction Compliance Costs.

DP&L recommends the following changes to OAC §4901:1-10-35(B) to better clarify the customer bills on which the electric distribution utility (“EDU”) must disclose the cost of compliance with Ohio’s renewable energy resource benchmarks:

- (B) Each electric distribution utility (EDU) shall list on all customer bills sent by the EDU, which contain charges for the supply of generation, including utility consolidated bills that include both EDU and competitive retail electric service provider charges, the individual customer cost of compliance with all of the following for the applicable billing period:

For two reasons it is appropriate for the Commission to make this clarification to §4901:1-10-35(B), administrative code, as any distribution only bills sent by the EDU should not contain the cost of compliance with renewable energy. First, customers may become confused with the new compliance information and the confusion will be furthered by a dual billed customer seeing the same cost of compliance on two bills in a month. This could lead the customer to believe they are being double charged for renewable energy. Secondly, DP&L does not want to be perceived as providing renewable energy when it is the customer's competitive retail electric service ("CRES") provider who is required to comply with the renewable energy benchmarks.

Additionally, DP&L seeks clarification on OAC §4901:1-10-35(B)(1)(d), which suggests that the EDU may show the amount calculated using the average CRES provider renewable energy credit ("REC") cost data, as reported in the Commission's most recent compliance report and detailed in OAC §4901:1-21-19(B)(1) on EDU consolidated bills. Specifically, DP&L suggests the following edits to proposed rule OAC§4901:1-10-35(B)(1)(d):

- (d) On consolidated bills that include both EDU and competitive retail electric service (CRES) provider charges, the renewable energy resource requirement line item shall be ~~either~~ the cost as calculated in paragraph (B)(1) of this rule., ~~or, for CRES customers, the cost as calculated in paragraph (B)(1) of rule 4901:1-21-19 of the Administrative Code.~~

This change would make the OAC rules consistent with the ORC. It is clear in ORC §4928.65(A)(1) that all EDU bills that include both EDU and CRES provider charges show the amount that is calculated using the average EDU REC cost multiplied by the individual's current bill monthly usage. Ohio Revised Code §4928.65(A)(2), clearly states that all bills provided by CRES providers to customers (currently only dual bills) must show the amount that is calculated

using the average CRES provider REC cost multiplied by the individual's current bill monthly usage.

DP&L commends the Commission for simplifying what could have been an overly burdensome calculation in OAC §4901:1-10-35(B)(2)(b) and §4901:1-10-35(B)(3)(b) by allowing the utility to multiply the amounts calculated in (B)(2)(a) and (B)(3)(a) by 80% and 20%, respectively. DP&L agrees with these percentages and believes this is a reasonable practice to split costs into an energy and demand component for compliance information purposes.

DP&L also suggests that the Commission's renewable energy compliance report be issued on a timely basis. Further, the Commission should clarify the reporting requirements for both CRES Providers and EDUs regarding compliance costs for this report, such that the Sub.S.B. No. 310 reporting requirement will provide more meaningful information to Ohio consumers and legislators about the cost of compliance with renewable energy standards.

General Comments

Finally, DP&L agrees with recommendation 3 under question 8 on the Business Impact Analysis (page 4). The EDUs should be provided at least 6 months from the effective date of the new rules to implement these changes on its bill, as various calculations will need to be added to billing systems and additional programming to show the required information.

As always, DP&L appreciates the opportunity to provide comments in connection with this rule amendment, and urges the Commission to adopt the changes proposed by DP&L.

Respectfully submitted,

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Summary: Comments of the Dayton Power and Light Company electronically filed by Mr. Tyler A. Teuscher on behalf of The Dayton Power and Light Company