

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of The)
Dayton Power and Light Company to) Case No. 15-042-EL-FAC
Establish a Fuel Rider.)

ENTRY

The attorney examiner finds:

- (1) By Entry issued on January 28, 2015, the attorney examiner directed Energy Ventures Analysis, Inc. (EVA) to present its draft audit report to Staff and to The Dayton Power and Light Company (DP&L) by June 5, 2015. Thereafter, the attorney examiner directed EVA to submit the final audit report to the Commission by July 1, 2015. To afford EVA additional time to complete the audit, the attorney examiner now finds that the deadline for EVA to file the draft and final audit reports should be extended by a period of approximately 90 days. Accordingly, the attorney examiner directs EVA to submit its draft audit report to Staff and DP&L by September 4, 2015, and the final audit report to the Commission by October 2, 2015.
- (2) The attorney examiner notes that, consistent with the Commission's February 5, 2014 Entry in Case No. 14-117-EL-FAC and the attorney examiner's January 28, 2015 Entry in this case, EVA will execute its duties pursuant to the Commission's statutory authority to investigate and acquire records, contracts, reports, and other documentation under R.C. 4903.02, 4903.03, 4905.06, 4905.15, and 4905.16. EVA is subject to the Commission's statutory duty under R.C. 4901.16, which provides:

Except in his report to the public utilities commission or when called on to testify in any court or proceeding of the public utilities commission, no employee or agent referred to in Section 4905.13 of the Revised Code shall divulge any information acquired by him in

respect to the transaction, property, or business of any public utility, while acting or claiming to act as such employee or agent. Whoever violates this section shall be disqualified from acting as agent, or acting in any other capacity under the appointment or employment of the commission.

- (3) Upon request of EVA or Staff, DP&L shall provide any and all documents or information requested. DP&L may conspicuously mark such documents or information "confidential" if DP&L believes the document should be deemed as such. In no event, however, shall DP&L refuse or delay in providing such documents or information.
- (4) Once disclosure is permitted by R.C. 4901.16, the following process applies to the release of any document or information marked as confidential. Three days' prior notice of intent to disclose shall be provided to the party claiming confidentiality. Three days after such notice, Staff or EVA may disclose or otherwise make use of such documents or information for any lawful purpose, unless the Commission receives a request for a protective order pertaining to such documents or information within the three-day notice period. The three-day notice period will be computed according to Ohio Adm. Code 4901-1-07.
- (5) EVA shall perform its audit and investigation as an independent contractor. Any conclusions, results, or recommendations formulated by EVA may be examined by any participant to these proceedings. Further, it shall be understood that the Commission and/or its Staff shall not be liable for any acts committed by EVA or its agents in the preparation and representation of the report.

It is, therefore,

ORDERED, That the draft audit report be submitted to Staff and DP&L by September 4, 2015, and the final audit report be filed with the Commission by October 2, 2015. It is, further,

ORDERED, That the audit of DP&L be conducted in accordance with the provisions of RFP No. U14-FAC/AER-1 and the findings of this Entry. It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Bryce McKenney

By: Bryce A. McKenney
Attorney Examiner

JRJ/sc

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in

Case No(s). 15-0042-EL-FAC

Summary: Attorney Examiner Entry ordering the draft audit report submitted to Staff and DP&L by 09/04/2015 and the final audit report filed with the Commission by 10/02/2015. - electronically filed by Sandra Coffey on behalf of Bryce McKenney, Attorney Examiner, Public Utilities Commission of Ohio