

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In The Matter Of The Fuel Adjustment)
Clauses For The Dayton Power And Light) Case No. 16-224-EL-FAC
Company.)

ENTRY

The Commission finds:

- (1) By Opinion and Order issued on June 24, 2009, the Commission approved a Stipulation and Recommendation (Stipulation) to establish an Electric Security Plan (ESP) for The Dayton Power and Light Company (DP&L). *In re The Dayton Power and Light Company*, Case No. 08-1094-EL-SSO, et al., Opinion and Order (June 24, 2009). The ESP provided for, among other things, the establishment of a fuel adjustment clause (FAC) mechanism, effective January 1, 2010, with annual audits of DP&L's fuel costs and fuel management practices. The ESP also established an alternative energy rider (AER) to recover alternative energy costs. On September 4, 2013, DP&L's second ESP was approved in Case No. 12-426-EL-SSO, et al., for the period beginning January 1, 2014 and ending May 31, 2017. *In re The Dayton Power and Light Company*, Case No. 12-426-EL-SSO, et al., Opinion and Order (September 4, 2013). Both the FAC and the AER were approved for the term of the second ESP.
- (2) On February 10, 2016, the Commission issued an Entry directing Staff to issue a request for proposal (RFP) for the audit services necessary to review and report on the services specified in the RFP. Prospective bidders were directed by the Commission to submit proposals to Staff by March 4, 2016. Bidders were directed to demonstrate their understanding of the project and the work required by showing a clear understanding of the tasks to be completed, the experience and qualifications of the personnel who will perform the work, and the anticipated breakdown of costs and timing.
- (3) The proposals received in response to RFP No. U16-FAC/AER-1 have been evaluated and, after consideration of those proposals, the Commission selects Energy Ventures Analysis, Inc. (EVA). The Commission finds that EVA has the necessary experience to complete the required work.

- (4) DP&L shall enter into a contract with EVA by April 13, 2016, for the purpose of providing payment for its auditing services. The contract shall incorporate the terms and conditions of the RFP, auditor's proposal, and relevant Commission entries in these cases.
- (5) 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.

- (6) 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.
- (7) 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.

- (8) 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 EVA is hereby selected to perform the consulting activities set forth above. It is, further,

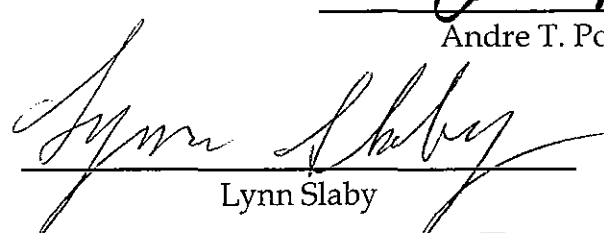
ORDERED, That the audit of DP&L be conducted in accordance with the provisions of RFP No. U16-FAC/AER-1 and the findings of this Entry. It is, further,

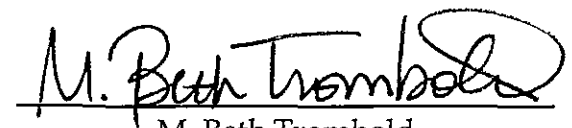
ORDERED, That DP&L and EVA shall observe the requirements set forth in this Entry. It is, further,

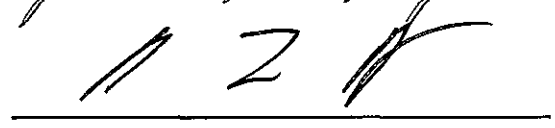
ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Andre T. Porter, Chairman


Lynn Slaby


M. Beth Trombold

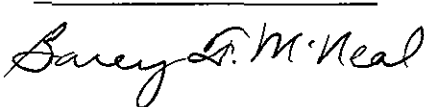

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MAR 31 2016

Entered in the Journal


Barcy F. McNeal
Secretary