

# THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF  
THE DAYTON POWER AND LIGHT COMPANY  
TO AMEND ITS POLE ATTACHMENT TARIFF.

CASE NO. 15-971-EL-ATA

## ENTRY ON REHEARING

Entered in the Journal on November 3, 2016

### I. SUMMARY

{¶ 1} The Commission grants the application for rehearing of the September 7, 2016 Finding and Order filed by Dayton Power and Light Company for the purpose of further consideration of the matters specified in the application for rehearing.

{¶ 2} The Dayton Power and Light Company (DP&L or Company) is a public utility as defined under R.C. 4905.02 and, as such, is subject to the jurisdiction of this Commission.

### II. DISCUSSION

{¶ 3} On July 30, 2014, as revised on October 15, 2014, the Commission, in Case No. 13-579-TP-ORD (Pole Attachment Rules Case), *In re the Adoption of Chapter 4901:1-3, Ohio Administrative Code, Concerning Access to Poles, Ducts, Conduits, and Rights-of-Way by Public Utilities*, adopted new administrative rules regarding access to poles, ducts, conduits, and rights-of-way of the public utilities (Pole Attachment Rules). The new rules became effective on January 8, 2015. On February 25, 2015, as revised on April 22, 2015, the Commission, in the Pole Attachment Rules Case, ordered all public utility pole owners in Ohio to file the appropriate company-specific tariff amendment application, including the applicable calculations based on 2014 data. The automatic approval date for the pole attachment amendments was extended until September 1, 2015. At the same time, the Commission established August 1, 2015, as the deadline for filing motions to intervene and objections in the tariff application dockets.

{¶ 4} On May 15, 2015, as amended on June 12, 2015, DP&L filed its tariff amendment application in this docket.

{¶ 5} On June 26, 2015, the Ohio Cable Telecommunications Association (OCTA) filed a motion to intervene in this proceeding.

{¶ 6} On September 7, 2016, the Commission issued its Finding and Order establishing the rates, terms, and conditions to be incorporated into DP&L's pole attachment tariff.

{¶ 7} R.C. 4903.10 states that any party who has entered an appearance in a Commission proceeding may apply for rehearing with respect to any matters determined in that proceeding by filing an application within 30 days after the entry of the order upon the journal of the Commission.

{¶ 8} On October 7, 2016, DP&L filed an application for rehearing of the September 7, 2016 Finding and Order.

{¶ 9} On October 17, 2016, OCTA filed a memorandum contra DP&L's application for rehearing.

{¶ 10} The Commission believes that sufficient reason has been set forth by DP&L to warrant further consideration of the matters specified in the application for rehearing. Accordingly, the application for rehearing filed by DP&L should be granted for the limited purpose of further consideration of the matters raised in the application for rehearing.

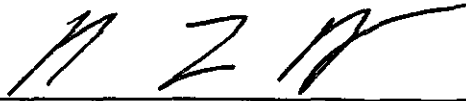
### III. ORDER

{¶ 11} It is, therefore,

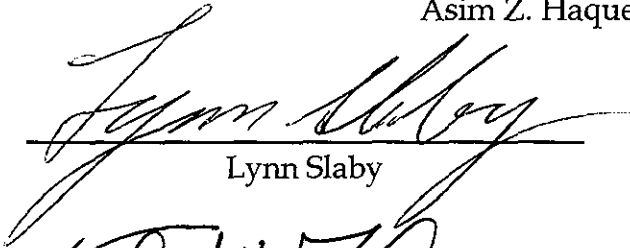
{¶ 12} ORDERED, That the application for rehearing filed by DP&L be granted for further consideration of the matters specified in the application for rehearing. It is, further,

{¶ 13} ORDERED, That a copy of this Entry on Rehearing be served upon all parties of record.

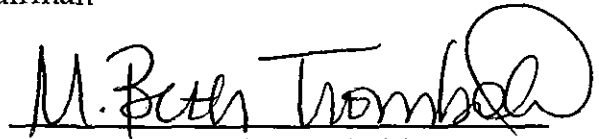
THE PUBLIC UTILITIES COMMISSION OF OHIO



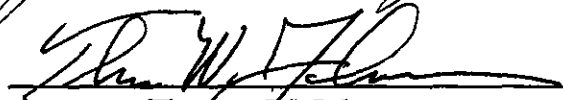
Asim Z. Haque, Chairman



Lynn Slaby



M. Beth Trombold



Thomas W. Johnson

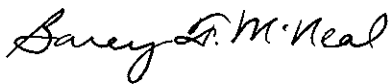


M. Howard Petricoff

JSA/dah

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**NOV 03 2016**



Barcy F. McNeal  
Secretary