

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of)	
The Dayton Power and Light Company)	Case No. 16-395-EL-SSO
for Approval of its Electric Security Plan)	

In the Matter of the Application of)	
The Dayton Power and Light Company)	Case No. 16-396-EL-ATA
for Approval of Revised Tariffs)	

In the Matter of the Application of)	
The Dayton Power and Light Company)	
for Approval of Certain Accounting)	Case No. 16-397-EL-AAM
Authority Pursuant to Ohio Rev.)	
Code § 4904.13)	

**SIERRA CLUB’S RESPONSE TO
MURRAY ENERGY CORPORATION’S MOTION TO INTERVENE**

Sierra Club hereby responds to the Motion to Intervene of Murray Energy Corporation (“Murray”). Sierra Club takes no position on Murray’s request to intervene in this proceeding. Sierra Club observes, though, that Murray’s filing includes a false statement regarding Sierra Club that should be corrected. Specifically, Murray states that the Stipulation, filed in this proceeding:

focuses primarily on serving the private self-interests of the parties to the agreement, many of which, including the Sierra Club, appear to stand ready to receive substantial payments under the self-serving agreement.¹

This statement is false. Sierra Club has not and will not receive any “payment” under any agreement in this proceeding.

¹ Murray Energy Corp. Mem. In Supp. Of Mot. To Intervene at 6.

Dated: February 28, 2017

Respectfully submitted,

/s/ Tony G. Mendoza

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing *Sierra Club's Response to Murray Energy Corporation's Motion to Intervene* has been served upon the following parties via electronic mail on February 28, 2017.

/s/Tony G. Mendoza
Tony G. Mendoza

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Case No(s). 16-0395-EL-SSO, 16-0396-EL-ATA, 16-0397-EL-AAM

Summary: Response by Sierra Club to Murray Energy Corporation's Motion to Intervene electronically filed by Mr. Tony G. Mendoza on behalf of Sierra Club