

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION
OF THE DAYTON POWER AND
LIGHT COMPANY TO UPDATE ITS
STANDARD OFFER RATE.

CASE NO. 18-638-EL-RDR

FINDING AND ORDER

Entered in the Journal on May 23, 2018

I. SUMMARY

{¶ 1} The Commission approves the application filed by The Dayton Power and Light Company to update its standard offer rate tariffs.

II. DISCUSSION

{¶ 2} The Dayton Power and Light Company (DP&L) is an electric distribution utility as defined in R.C. 4928.01(A)(6), and a public utility as defined in R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 3} R.C. 4928.141 provides that an electric distribution utility shall provide consumers within its certified territory a standard service offer (SSO) of all competitive retail electric services necessary to maintain essential electric services to customers, including a firm supply of electric generation services. The SSO may be either a market rate offer in accordance with R.C. 4928.142 or an electric security plan (ESP) in accordance with R.C. 4928.143.

{¶ 4} On June 24, 2009, the Commission adopted the stipulation and recommendation of the parties to establish DP&L's first ESP (ESP I). *In re The Dayton Power and Light Co.*, Case No. 08-1094-EL-SSO, et al. (*ESP I Case*), Opinion and Order (June 24, 2009). Thereafter, by Entry issued on December 19, 2012, the Commission continued ESP I until a subsequent SSO could be authorized.

{¶ 5} Further, on September 4, 2013, the Commission modified and approved DP&L's application for a second ESP (ESP II). *In re The Dayton Power and Light Co.*, Case No. 12-426-EL-SSO, et al. (ESP II Case), Opinion and Order (Sept. 4, 2013). On June 20, 2016, the Supreme Court of Ohio issued an opinion reversing the decision of the Commission approving ESP II and disposing of all pending appeals. *In re Application of Dayton Power & Light Co.*, 147 Ohio St.3d 166, 2016-Ohio-3490. Subsequently, on August 26, 2016, in the ESP II Case, the Commission modified ESP II pursuant to the Court's directive and then granted DP&L's application to withdraw ESP II, thereby terminating it. By Finding and Order issued on August 26, 2016, in the ESP I Case, the Commission granted DP&L's application to implement the provisions, terms and conditions of ESP I, its most recent SSO, pursuant to R.C. 4928.143(C)(2)(b).

{¶ 6} On February 22, 2016, DP&L filed a new application for an SSO (ESP III), with accompanying applications for approval of revised tariffs and for approval of certain accounting authority. *In re The Dayton Power and Light Co.*, Case No. 16-395-EL-SSO, et al. (ESP III Case). On October 20, 2017, the Commission approved DP&L's proposed third ESP. *ESP III Case*, Opinion and Order (October 20, 2017). In the Opinion and Order, the Commission approved a new standard offer rate (SOR), to be based on competitive bid auctions approved by the Commission.

{¶ 7} On May 8, 2018, DP&L filed its tariffs to update the SOR for the delivery period of June 1, 2018, through May 31, 2019. DP&L states that the rates would have an effective date of June 1, 2018. The proposed tariffs also include language to clarify that the SOR is subject to refund in certain, specified, circumstances.

{¶ 8} On May 16, 2018, Staff filed its review and recommendations in response to DP&L's filing. Following its review, Staff recommends that the tariffs be approved effective June 1, 2017. No other comments or motions for intervention were filed.

{¶ 9} Upon review of DP&L's application and Staff's recommendations, the Commission finds that DP&L's application to update the SOR is consistent with the *ESP III Case*, does not appear to be unjust or unreasonable and should be approved, effective June 1, 2017. Further, the Commission finds that it is not necessary to hold a hearing in this matter.

III. ORDER

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That the application filed by DP&L to update the SOR be approved. It is, further,

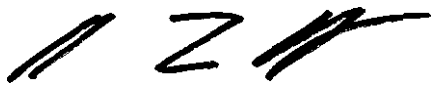
{¶ 12} ORDERED, That DP&L is authorized to file tariffs, in final form, consistent with this Finding and Order. DP&L shall file one copy in this docket and one copy in its TRF docket. It is, further,

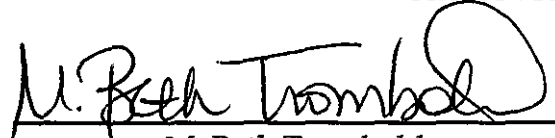
{¶ 13} ORDERED, That the effective date of the new tariffs shall be June 1, 2017. It is, further,


{¶ 14} ORDERED, That nothing in this Finding and Order shall be binding upon the Commission in any future proceeding or investigation involving the justness or reasonableness of any rate, charge, rule, or regulation. It is, further,

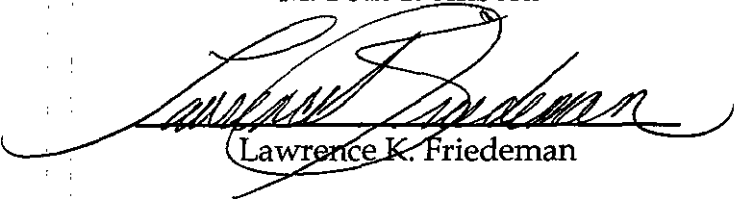
(¶ 15) ORDERED, That a copy of this Finding and Order be served on all interested persons and parties of record.

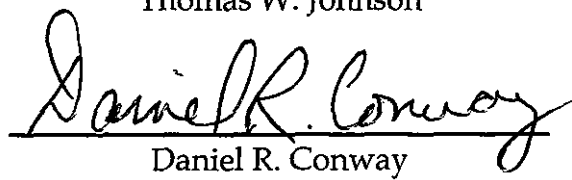
THE PUBLIC UTILITIES COMMISSION OF OHIO


Asim Z. Haque, Chairman


M. Beth Trombold


Thomas W. Johnson



Lawrence K. Friedeman


Daniel R. Conway

GAP/sc

Entered in the Journal

MAY 23 2018


Barcy F. McNeal
Secretary