

## 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

### ENTRY NUNC PRO TUNC

Entered in the Journal on May 30, 2018

#### I. SUMMARY

{¶ 1} The Commission finds that the May 23, 2018 Finding and Order should be amended nunc pro tunc.

#### 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.

{¶ 8} On May 23, 2018, the Commission issued its Finding and Order approving DP&L's application to update its SOR.

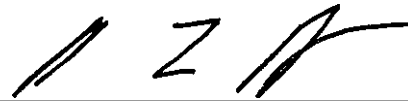
{¶ 9} However, paragraphs 8, 9, and 13 of the Finding and Order incorrectly state that the effective date of the new tariffs is June 1, 2017. The correct effective date of the new tariffs is June 1, 2018. Each incorrect reference should be amended to reflect the actual effective date of the new tariffs: June 1, 2018.

**III. ORDER**

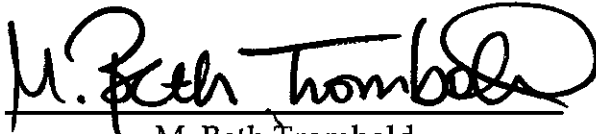
{¶ 10} It is, therefore,

{¶ 11} ORDERED, That the May 23, 2018 Finding and Order be amended nunc pro tunc. It is, further,

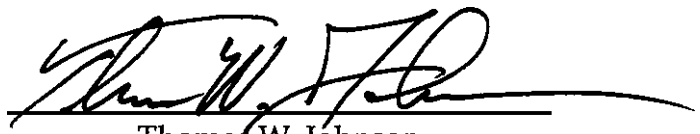
{¶ 12} ORDERED, That a copy of this Entry Nunc Pro Tunc be served on all interested persons and parties of record.

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

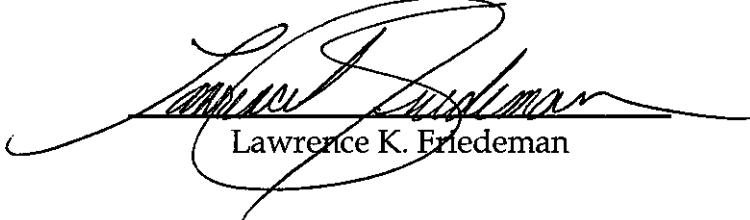
Asim Z. Haque, Chairman




M. Beth Trombold



Thomas W. Johnson



Lawrence K. Friedeman



Daniel R. Conway

PAS/sc

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**MAY 30 2018**



Barcy F. McNeal  
Secretary