

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of The	:	
Dayton Power and Light Company to	:	Case No. 15-1830-EL-AIR
Increase Its Rates for Electric Distribution	:	
	:	
In the Matter of the Application of The Dayton	:	
Power and Light Company for Accounting	:	Case No. 15-1831-EL-AAM
Authority	:	
	:	
In the Matter of the Application of Dayton	:	
Power and Light Company for Approval of	:	Case No. 15-1832-EL-ATA
Revised Tariffs	:	

STIPULATION AND RECOMMENDATION

Pursuant to Ohio Adm.Code 4901-1-30, any two or more parties may enter into a written stipulation concerning a proposed resolution of some or all of the issues in a proceeding of the Public Utilities Commission of Ohio ("Commission"). This Stipulation and Recommendation ("Stipulation") sets forth the understanding and agreement of the parties that have signed below ("Signatory Parties"), who recommend that the Commission approve and adopt this Stipulation without modification to resolve all of the issues in the above-captioned proceeding.

This Stipulation reflects a just and reasonable resolution of the issues in this proceeding. It is the product of serious, arms-length bargaining among the Signatory Parties and those parties who chose not to sign this Stipulation ("Non-Opposing Parties") (all of whom are capable, knowledgeable, and represented by counsel), with the participation of the Staff of the Commission ("Staff"). All parties were invited to discuss and negotiate this Stipulation, and it was openly negotiated among those parties that chose to participate; no party was excluded from

these negotiations. This Stipulation is supported by adequate data and information, and as a package, benefits customers and the public interest. This Stipulation violates no regulatory principle or practice; indeed, it complies with and promotes the policies and requirements of Title 49 of the Ohio Revised Code. This Stipulation accommodates the diverse interests represented by the Signatory Parties, and is entitled to careful consideration by the Commission.

WHEREAS, The Dayton Power and Light Company ("DP&L" or the "Company") is a public utility engaged in the business of supplying electric distribution service to more than 500,000 customers in West Central Ohio;

WHEREAS, DP&L's current base rates for electric distribution service were approved by the Commission using a date certain of March 31, 1991, and a test period of January 1 to December 31, 1991;¹

WHEREAS, on November 30, 2015, DP&L filed the Application of The Dayton Power and Light Company to Increase Its Rates for Electric Distribution ("Application") using a date certain of September 30, 2015 ("Date Certain"), and a test period of June 1, 2015 to May 31, 2016 ("Test Period");

¹ In the Matter of the Application of The Dayton Power and Light Company for Authority to Amend Its Filed Tariffs to Increase the Rates and Charges for Electric Service, Case No. 91-414-EL-AIR (Jan. 22, 1992 Opinion and Order). The distribution rates approved in that case were later unbundled from rates for transmission and generation service and frozen through December 31, 2012 by a series of Stipulation and Recommendations that were approved by the Commission. In the Matter of the Application of The Dayton Power and Light Company for Approval of Transition Plan Pursuant to 4928.31, Revised Code and for the Opportunity to Receive Transition Revenues as Authorized Under 4928.31 to 4928.40, Revised Code, Case No. 99-1687-EL-ETP (Sept. 21, 2000 Opinion and Order); In the Matter of the Continuation of the Rate Freeze and Extension of the Market Development Period for The Dayton Power and Light Company, Case No. 02-2779-EL-ATA (Sept. 2, 2003 Opinion and Order); In the Matter of the Application of The Dayton Power and Light Company for Approval of its Electric Security Plan, Case No. 08-1094-EL-SSO (June 24, 2009 Opinion and Order).

WHEREAS, on March 12, 2018, the Staff of the Commission, pursuant to R.C. 4909.19(C), submitted the findings of its investigation regarding the facts set forth in the Application and the exhibits attached thereto, and of the matters connected therewith ("Staff Report"); and

WHEREAS, the Signatory Parties agree that this Stipulation represents a just and reasonable resolution of all of the issues in this proceeding;

NOW, THEREFORE, in order to resolve all of the issues raised in this proceeding, the Signatory Parties stipulate, agree, and recommend that the Commission issue an Opinion and Order in this proceeding accepting and adopting this Stipulation without modification.

I. STAFF REPORT

1. The Signatory Parties agree that the Commission should adopt the findings and recommendations of the Staff Report, except as otherwise agreed in this Stipulation.

II. BASE DISTRIBUTION RATES

1. The Signatory Parties agree that the revenue requirement for DP&L's base rates for electric distribution service is \$247,951,788 ("Stipulated Revenue Requirement"). The Signatory Parties further agree to the amounts set forth in Stipulated Schedule A-1, which is attached to this Stipulation as Exhibit 1.

2. The Signatory Parties, including Staff, recommend that the Commission adopt the proposal detailed in this paragraph. The Signatory Parties understand and agree that the full impact of the Tax Cuts and Jobs Act ("TCJA") has only been partially realized in these

proceedings and TCJA impacts will be resolved in their entirety in a subsequent proceeding(s) as described below. The Signatory Parties agree that the Stipulated Revenue Requirement includes necessary adjustments to implement the TCJA, with regard to the federal income tax expense and the gross revenue conversion factor. The Signatory Parties further agree that all excess accumulated deferred income taxes ("ADIT") resulting from the TCJA and the full balance of the regulatory liability ordered by the Commission effective January 1, 2018 in Case No. 18-47-AU-COI are not realized in these proceedings and TCJA impacts will be resolved in their entirety in a subsequent proceeding(s) as described below. The Company agrees that the savings from the TCJA, including the excess ADIT and the regulatory liability, constitute monies that must be returned to customers and the Company agrees to file an application in a subsequent proceeding(s) for the sole purpose of returning monies associated with the aforementioned items within the time periods described herein. By no later than January 1, 2019, DP&L shall calculate the net impact of the TCJA. By not later than March 1, 2019, the Company shall file an application to commence a proceeding limited to the sole issue of the TCJA refund as described herein (the "TCJA Application"). The distribution-related, eligible unprotected portion of the excess ADIT ("the Unprotected ADIT") and the regulatory liability relating to the January 10, 2018 Commission Order in Case No. 18-47-AU-COI will be returned to customers by the Company over an amortization period no greater than 10 years; however, the Company agrees that it will provide customers an aggregate refund of no less than \$4.0 million per year for the first five years of the amortization period unless the refund of the Unprotected ADIT and the aforementioned regulatory liability is fully returned within the first five years. If any balance remains after the first five years of the amortization period, such remainder shall be returned to customers over a maximum of an additional five years. The distribution-related eligible protected excess ADIT will be returned to customers in accordance with Federal law. In Case

No. 18-47-AU-COI, the aforementioned TCJA Application, and any other proceeding addressing a return of the tax savings from the TCJA to DP&L's customers, DP&L agrees to withdraw and waive its arguments that a refund or credit of deferred amounts would be unlawful or unreasonable for any of the following reasons: (a) retroactive ratemaking or the filed-rate doctrine; (b) that the refund or credit would constitute an unlawful refund; (c) DP&L's ROE is too low; and (d) that the issues can be addressed only in a rate case.

3. The Signatory Parties agree that, pursuant to R.C. 4909.15(A)(2), a fair and reasonable rate of return for DP&L on the Stipulated Rate Base is 7.27% ("Stipulated Rate of Return"), which incorporates a return on equity of 9.999% and a cost of long-term debt of 4.8% ("Stipulated Cost of Debt").

4. The Signatory Parties agree that, pursuant to R.C. 4909.15(A)(1), the valuation of property of DP&L used and useful in rendering electric distribution service as of the Date Certain was \$643,518,823 ("Stipulated Rate Base"). The Stipulated Rate Base includes the plant-in-service findings and recommendations in the Staff Report including a reduction of \$2,007,847 to deferred income taxes associated with Staff's net plant adjustments and flow-through adjustments related to cash working capital. See Stipulated Schedule B-1, which is attached to this Stipulation as Exhibit 2.

5. The Signatory Parties agree that, pursuant to R.C. 4909.15(A)(4), the adjusted operating income during the Test Period was \$23,424,847 ("Stipulated Operating Income"). In calculating the Stipulated Operating Income, the Signatory Parties implemented the following adjustment(s) to the recommendations in the Staff Report regarding DP&L's operating expenses:

- a. An addition of \$5,610,653 to reflect employee labor costs incurred by DP&L during the Test Period;
- b. An addition of \$1,910,790 to reflect property tax expense incurred by DP&L during the Test Period;
- c. An addition of \$5,000,000 included in the Stipulated Operating Expenses to reflect known increases in vegetation management; and
- d. A reduction of \$1,500,000 to test year revenues associated with Staff's adjustment for energy efficiency.
- e. A reduction of \$329,774 to test year expenses associated with Miscellaneous General Expenses.

III. RIDERS

1. The Signatory Parties agree that pursuant to the October 20, 2017 Opinion and Order in Case No. 16-395-EL-SSO, the Commission shall populate DP&L's Distribution Investment Rider ("DIR") in this proceeding, as follows:

- a. The DIR shall commence coincident with the update to DP&L's base rates for electric distribution service approved in this proceeding;
- b. The beginning DIR balance will include the balance of qualifying incremental investments placed in service from October 1, 2015 to the Commission's approval of this Stipulation;

c. The DIR shall be calculated using the tax rates enacted as part of the TCJA;

d. The DIR shall be subject to the following revenue caps:

2018 \$1,200,000 per month effective with DIR commencement

2019 \$22,000,000

2020 \$29,000,000

2021 \$37,000,000

2022 \$44,000,000

2023 \$43,000,000 (reflects proration through October 31, 2023).

Should DP&L fail to file a base distribution rate case on or before October 31, 2022, the DIR will sunset, and the DIR rate shall be set to zero, on November 1, 2022. If DP&L files a base distribution rate case on or before October 31, 2022 the DIR will sunset, and the DIR rate shall be set to zero, on November 1, 2023, unless otherwise approved as part of a new standard service offer. Upon approval of a subsequent rate case application, the DIR revenue caps for the remainder of the current SSO period (16-395-EL-SSO) will be re-established on a pro-rated basis, and the collection of revenue under the rider could begin, based upon the outcome of the subsequent rate case.

e. DP&L shall file quarterly updates on or about January 1st, April 1st, July 1st and October 1st, with rates effective 60 days after filing unless otherwise suspended by the Commission. The filings shall be subject to annual Commission review, audit, and reconciliation. Such audit shall include a determination of whether the distribution investments made are used and useful in rendering utility service to customers;

f. DP&L shall include in the DIR tariff language the following provision:

"This Rider is subject to reconciliation or adjustment, including but not limited to, increases or refunds. Such reconciliation or adjustment shall be limited to the 12-month period of expenditures upon which the rates were calculated, if determined to be unlawful, unreasonable, or imprudent by the Commission, or Supreme Court of Ohio in the docket those rates were approved, or the docket where the audit of those rates occurred."

- g. DP&L may file an application with the Commission for battery storage projects related to distribution service. Interested parties may submit to DP&L requests to consider battery storage projects related to distribution service. DP&L may install battery storage projects for the purpose of deferring distribution circuit investments or addressing distribution reliability issues, and include those distribution plant investments in the DIR. Prior to including a battery storage investment in the DIR, DP&L agrees to meet with Staff and Signatory Parties prior to filing an application for pre-approval of a battery project. In a battery application, DP&L must demonstrate that the battery (or batteries) will be used for a distribution service and will qualify as distribution equipment under the FERC uniform system of accounts authorized to be included in the DIR (specifically Accounts 360 to 374).
- h. The DIR shall be calculated using the same methodology reflected in Exhibit 3 to this Stipulation, which includes the after-tax weighted average cost of capital specified in Part II.3 above.
- i. DP&L shall work with Staff and OCC to develop an annual plan to emphasize proactive distribution maintenance that will focus spending on where it will have the greatest impact on maintaining and improving

reliability for customers. The plan shall specifically include identification of those expenditures that will help reduce customers' minutes interrupted. The plan shall be submitted to Staff and OCC annually starting on December 1, 2019. In lieu of the Staff Report recommendation that the DIR revenue caps be set to zero if the Company fails to comply with its Customer Average Interruption Duration Index ("CAIDI") and System Average Interruption Frequency Index ("SAIFI") performance standards, the Signatory Parties agree to the following. DP&L's CAIDI and SAIFI performance for 2018 will not be used to determine any penalty for non-compliance with Ohio Adm.Code 4901:1-10-10(E). Beginning with the 2019 CAIDI and SAIFI performance reported on or before March 31, 2020, if either performance standard is not achieved for two consecutive years, DP&L's DIR revenue cap increment will decrease by \$2.0 million rather than being assessed a penalty or forfeiture due to a violation of Ohio Adm.Code 4901:1-10-10.

2. DP&L will dedicate up to \$1.0 million in total capital investment eligible for DIR recovery, beginning in 2019, to fund distribution grid investments necessary to support installation of electric vehicle ("EV") charging infrastructure in the DP&L service territory. Specifically, through the DIR the Company may recover costs associated with investments for the meter and equipment in front of meter (i.e., on the Company's side of the meter) to support EV charging stations supported by grants awarded by the Ohio EPA pursuant to its Beneficiary Mitigation Plan for dollars allocated from the Volkswagen Mitigation Trust Fund. DP&L will commit to work with Ohio EPA and charging station host applicants within its service territory

to facilitate the installation of DC fast chargers under the Beneficiary Mitigation Plan, including but not limited to siting criteria. In consultation with the Staff and the Signatory Parties, the Company may develop a pilot EV tariff. This provision does not preclude DP&L from spending additional amounts in support of EV deployment and seeking cost recovery for such additional expenditures; however, this Stipulation does not provide any independent right for DP&L to obtain cost-recovery for amounts expended in support of EV deployment. DP&L further agrees to provide, upon reasonable request, information regarding the costs of these investments to any Signatory or Non-Opposing Party.

3. The Signatory Parties agree, that pursuant to the October 20, 2017 Opinion and Order in Case No. 16-395-EL-SSO, DP&L shall be permitted to implement Revenue Decoupling through its existing Decoupling Rider, as follows:

- a. Revenue Decoupling shall employ a revenue per customer ("RPC") methodology and is applicable to tariff classes D17, D18, and D19 only. The calculation of the allowed RPC allocates the Stipulated Revenue Requirement to each tariff class based on the revenue allocations in the Staff Report and divides the result by the test year number of customers as filed in DP&L's Application. The resulting RPC is shown and calculated on Exhibit 4;
- b. The Decoupling Rider will be set to zero with the implementation of this distribution rate case;
- c. Beginning on January 1, 2019, the Decoupling Rider will be effective with a rate (or credit) calculated by taking the difference between the Stipulated

Revenue Requirement applicable to tariff classes D17, D18, and D19 and the Allowed Revenue Requirement. The Allowed Revenue Requirement will be calculated by multiplying the number of customers as of September 30, 2018 by the RPC that is shown in Exhibit 4;

- d. For subsequent annual true-ups, the Decoupling Rider rate or credit will be calculated by taking the difference, whether positive or negative, between the updated Allowed Revenue Requirement (calculated by multiplying the updated number of customers by the RPC) and actual base distribution revenues for tariff classes D17, D18, and D19 in the calendar year. The Decoupling Rider will be reconciled on a calendar year basis and will be effective April 1st of each year;
- e. The Decoupling Rider deferral balance (whether over or under) will include carrying costs at DP&L's Stipulated Cost of Debt;
- f. The Decoupling Rider tariffs will be automatically implemented 60 days after the filing of the Company's Decoupling Rider filings, unless suspended by the Commission. The Decoupling Rider is subject to reconciliation or adjustment, including but not limited to, increases or refunds. Such reconciliation or adjustment shall be limited to the twelve-month period upon which the rates were calculated, if determined to be unlawful, unreasonable, or imprudent by the Commission, or the Supreme Court of Ohio, in the docket those rates were approved or the docket where the audit of those rates occurred;

- g. The Decoupling Rider will be charged based on a percentage of base distribution revenue for each applicable tariff class individually; and
- h. Pursuant to the Stipulation approved by the Commission in Case No. 17-1398-EL-POR, with the implementation of this distribution rate case, DP&L shall not be entitled to double collect the same revenue reductions through lost distribution revenues and decoupling charges simultaneously.

IV. OTHER

1. The Signatory Parties agree that DP&L is authorized to defer as a regulatory asset, for future recovery, with no carrying costs, annual expenses for vegetation management performed by third-party vendors as follows: for calendar year 2018 annual expenses which are incremental to the baseline of \$10.7 million, subject to a \$4.6 million annual cap, and for calendar year 2019 and thereafter annual expenses which are incremental to the Test Year expenses of \$15.7 million, subject to a \$4.6 million annual cap. Annual spending of less than the vegetation management baseline amount listed above will result in a reduction to the regulatory asset or creation of a regulatory liability.

2. Prior to filing its Distribution Infrastructure Modernization Plan in accordance with Case Nos. 16-395-EL-SSO *et al.*, and within 60 days of the filing of this Stipulation, DP&L will meet with Staff; the Environmental Law & Policy Center, Natural Resources Defense Council, Ohio Environmental Council, and Environmental Defense Fund ("Environmental Parties"); OCC; and any other interested stakeholders at least once to seek input and information relevant to formulate a proposal to facilitate electric vehicle adoption and deployment of electric vehicle charging infrastructure.

3. DP&L will meet with Staff, the Environmental Parties, and any other interested stakeholders, within 60 days of the filing of this Stipulation, to collaborate on developing a pilot plan with a goal of identifying for potential implementation "non-wires alternatives" (NWA) (*e.g.* energy efficiency, demand response, distributed generation, storage, or other non-wires alternatives) that could cost-effectively result in the deferral or avoidance of a distribution investment project. In its Distribution Infrastructure Modernization Plan filing, DP&L will propose to continue the effort as a Non-Wires Alternatives Pilot Collaborative. Six months after the filing of this Stipulation, DP&L and the Environmental Parties will each file a status report with the Commission describing progress toward developing an NWA pilot plan. DP&L will work to finalize an NWA pilot plan within 12 months of the filing of this Stipulation. To the extent a final NWA pilot is developed, DP&L also commits to file and seek approval of the final NWA pilot plan with the Commission within three months of finalizing the NWA pilot plan for approval by the Commission prior to implementation. To the extent the final NWA may lawfully be included in an appropriate regulatory mechanism, and cost-recovery is legally permissible, DP&L may seek recovery of prudently incurred cost for any implementation of a final NWA pilot plan. DP&L shall not implement the NWA pilot plan until it receives Commission approval. The Signatory Parties agree that nothing in this paragraph shall limit or restrict in any manner the rights of any of the Signatory or Non-Opposing Parties to make whatever arguments they deem appropriate in any proceeding relevant to the NWA Pilot or any cost recovery related thereto requested by DP&L. To the extent no final NWA pilot is developed, DP&L and the Environmental Parties will file a status report with the Commission explaining DP&L's decision not to pursue the NWA pilot plan within three months of the decision not to file the plan.

4. Nothing in this Stipulation prohibits DP&L from filing its next distribution rate case at any time.

V. RATES AND TARIFFS

1. The Signatory Parties agree that DP&L shall charge customers the rates set forth in the summary sheet for new rates attached to this Stipulation as Exhibit 5.

2. In accordance with Exhibit 5, the customer charge for residential customers shall be \$7.00.

3. In accordance with Exhibit 5, the allocations to customer classes represent the Staff Report recommendations with a modification to the Secondary, Primary, and Primary-Substation classes, which reflects a compromise allocation between the Company's Application and the Staff Report.

4. DP&L agrees to waive the Contract Capacity Charge related to Redundant Service (aka "Alternate Feed Service") described in DP&L's current Tariff No. D10, any other applicable tariff, or any equivalent service until a final order is issued in DP&L's next base distribution rate case in the following manner. This waiver is applied to all OHA members regardless of whether or not these members are currently paying Redundancy/Alternate Feed Service charges or whether these OHA members require Redundancy/Alternate Feed Service in the future. This waiver shall not exempt OHA members from the capital costs associated with supplying a new redundant service feed, including throw-over and protective equipment.

5. DP&L will conduct a distribution interconnect feasibility study for the solar farm at the 16-acre brownfield located in Edgemont on the former General Motors factory site at the

intersection of Miami Chapel Road and Wisconsin Boulevard, the costs of which will not be recovered from customers.

VI. OTHER PROVISIONS

1. In arm's-length bargaining, the Signatory Parties have negotiated terms and conditions that are embodied in this Stipulation. This Agreement involves a variety of difficult, complicated issues that would otherwise be resolved only through expensive, complex, protracted litigation. This Stipulation contains the entire agreement among the Signatory Parties, and embodies a complete settlement of all claims, defenses, issues and objections in this proceeding. The Signatory Parties agree that this Stipulation is in the best interest of the public and urge the Commission to adopt it.

2. DP&L will rely on the Staff Report and may offer its testimony and exhibits as evidentiary support of this Stipulation. DP&L will file supplemental testimony in support of this Stipulation. Except as modified by this Stipulation or the Staff Report, DP&L's Application in this proceeding is approved. Nothing in this subsection prohibits any Signatory Party from filing testimony or submitting evidence in support of the Stipulation.

3. This Stipulation is a consensus among the Signatory Parties of an overall approach to ratemaking in this proceeding. It is submitted for the purposes of this case alone and should not be understood to reflect the positions that an individual Signatory Party may take as to any individual provision of the Stipulation standing alone, nor the position a Signatory Party may have taken if all of the issues in this proceeding had been litigated. Nothing in this Stipulation shall be used or construed for any purpose to imply, suggest or otherwise indicate that the results produced through the compromise reflected herein represent fully the objectives of any Signatory

Party. This Stipulation is submitted for purposes of this proceeding only, and is not deemed binding in any other proceeding, except as expressly provided herein, nor is it to be offered or relied upon in any other proceedings, except as necessary to enforce the terms of this Stipulation. The willingness of Signatory Parties to sponsor this document currently is predicated on the reasonableness of the Stipulation taken as a whole. The Signatory Parties will support this Stipulation if it is contested.

4. This Stipulation is conditioned upon adoption of the Stipulation by the Commission in its entirety and without material modification. If the Commission rejects or materially modifies² all or any part of this Stipulation, any Signatory or Non-Opposing Party shall have the right to apply for rehearing. If the Commission does not adopt the Stipulation without material modification upon rehearing, or if the Commission makes a material modification to any Order adopting the Stipulation pursuant to any reversal, vacation and/or remand by the Supreme Court of Ohio, then within thirty (30) days of the Commission's Entry on Rehearing or Order on Remand any Signatory or Non-Opposing Party may withdraw from the Stipulation by filing a notice with the Commission ("Notice of Withdrawal"). No Signatory or Non-Opposing Party shall file a Notice of Withdrawal without first negotiating in good faith with the other Signatory and Non-Opposing Parties to achieve an outcome that substantially satisfies the intent of the Stipulation. If a new agreement achieves such an outcome, the Signatory and Non-Opposing Parties will file the new agreement for Commission review and approval. If the discussions to achieve an outcome that substantially satisfies the intent of the Stipulation are unsuccessful, and a Signatory or Non-Opposing Party files a Notice of Withdrawal, then the Commission will convene an evidentiary hearing to afford that Signatory or Non-Opposing Party

² Each Signatory and Non-Opposing Party has the right, in its sole discretion, to determine whether the Commission's approval of this Stipulation constitutes a "material modification" thereof.

the opportunity to contest the Stipulation by presenting evidence through witnesses, to cross-examine witnesses, to present rebuttal testimony, and to brief all issues that the Commission shall decide based upon the record and briefs. If the discussions to achieve an outcome that substantially satisfies the intent of the Stipulation are successful, then some or all of the Signatory and Non-Opposing Parties shall submit the amended Stipulation to the Commission for approval after a hearing if necessary.

IN WITNESS THEREOF, the undersigned Signatory Parties agree to this Stipulation and Recommendation this 18th day of June, 2018. The undersigned Signatory Parties request that the Commission issue an Opinion and Order approving and adopting this Stipulation.

THE DAYTON POWER AND LIGHT
COMPANY

By: /s/ Jeffrey S. Sharkey
Jeffrey S. Sharkey

STAFF OF THE PUBLIC UTILITIES
COMMISSION OF OHIO

By: /s/ Thomas McNamee
(per authorization)
Thomas McNamee

THE OFFICE OF THE OHIO CONSUMERS'
COUNSEL

By: /s/ Christopher Healey
(per authorization)
Christopher Healey

OHIO ENERGY GROUP

By: /s/ Michael L. Kurtz
(per authorization)
Michael L. Kurtz

THE KROGER COMPANY

WAL-MART STORES EAST, LP and
SAM'S EAST, INC.

By: /s/ Angela Paul Whitfield
(per authorization)
Angela Paul Whitfield

By: /s/ Carrie M. Harris
(per authorization)
Carrie M. Harris

OHIO HOSPITAL ASSOCIATION

By: /s/ Devin D. Parram

(per authorization)
Devin D. Parram

OHIO ENVIRONMENTAL COUNCIL AND
ENVIRONMENTAL DEFENSE FUND

By: /s/ Miranda Leppla

(per authorization)
Miranda Leppla

EDGEMONT NEIGHBORHOOD
COALITION

By: /s/ Ellis Jacobs

(per authorization)
Ellis Jacobs

NATURAL RESOURCES DEFENSE
COUNCIL

By: /s/ Samantha Williams

(per authorization)
Samantha Williams

ENVIRONMENTAL LAW & POLICY
CENTER

By: /s/ Madeline Fleisher

(per authorization)
Madeline Fleisher

OHIO PARTNERS FOR AFFORDABLE
ENERGY

By: /s/ Colleen L. Mooney

(per authorization)
Colleen L. Mooney

IN WITNESS THEREOF, the undersigned Non-Opposing Parties agree not to
challenge this Stipulation and Recommendation this 18th day of June, 2018.

INDUSTRIAL ENERGY USERS-OHIO

By: /s/ Matthew R. Pritchard

(per authorization)
Matthew R. Pritchard

BUCKEYE POWER, INC.

By: /s/ Stephanie M. Chmiel

(per authorization)
Stephanie M. Chmiel

OHIO MANUFACTURERS'
ASSOCIATION ENERGY GROUP

By: /s/ Kimberly W. Bojko

(per authorization)
Kimberly W. Bojko

ONE ENERGY ENTERPRISES, LLC

By: /s/ Katie Johnson Treadway

(per authorization)
Katie Johnson Treadway

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Stipulation and Recommendation has been served via electronic mail upon the following counsel of record, this 18th day of June, 2018.

Thomas McNamee
Public Utilities Commission of Ohio
30 East Broad Street, 16th Floor
Columbus, OH 43215-3793
Email:
thomas.mcnamee@ohioattorneygeneral.gov

Attorney for PUCO Staff

Christopher Healey (Counsel of Record)
Terry Etter
Assistant Consumers' Counsel
Office of The Ohio Consumers' Counsel
65 East State Street, 7th Floor
Columbus, OH 43215-4203
Email: christopher.healey@occ.ohio.gov
terry.etter@occ.ohio.gov

Attorneys for Appellant
Office of the Ohio Consumers' Counsel

Frank P. Darr (Counsel of Record)
Matthew R. Pritchard
McNees Wallace & Nurick
21 East State Street, 17th Floor
Columbus, OH 43215
Email: fdarr@mwncmh.com
mpritchard@mwncmh.com

Attorneys for Appellant
Industrial Energy Users - Ohio

Angela Paul Whitfield
Stephen E. Dutton
Carpenter Lipps & Leland LLP
280 North High Street, Suite 1300
Columbus, OH 43215
Email: paul@carpenterlipps.com
dutton@carpenterlipps.com

Attorneys for The Kroger Company

David F. Boehm
Michael L. Kurtz
Kurt J. Boehm
Jody Kyler Cohn
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, OH 45202
Email: dboehm@BKLawfirm.com
mkurtz@BKLawfirm.com
kboehm@BKLawfirm.com
jkylercohn@BKLawfirm.com

Attorneys for Ohio Energy Group

Kimberly W. Bojko (Counsel of Record)
Brian W. Dressel
Carpenter Lipps & Leland LLP
280 North High Street, Suite 1300
Columbus, OH 43215
Email: bojko@carpenterlipps.com
dressel@carpenterlipps.com

Attorneys for The Ohio Manufacturers'
Association Energy Group

Madeline Fleisher
Kristin Field
Environmental Law & Policy Center
21 West Broad Street, Suite 500
Columbus, OH 43215
Email: mfleisher@elpc.org
kfield@elpc.org

Robert Kelter (Senior Attorney)
Justin Vickers (Staff Attorney)
Environmental Law & Policy Center
55 East Wacker Drive, Suite 1600
Chicago, IL 60601
Email: rkelter@elpc.org
jvickers@elpc.org

Attorneys for the Environmental Law &
Policy Center

Steven D. Lesser
James F. Lang
N. Trevor Alexander
Calfee, Halter & Griswold LLP
41 South High Street
1200 Huntington Center
Columbus, OH 43215
Email: slesser@calfee.com
jang@calfee.com
talAlexander@calfee.com

Attorneys for Honda America Mfg., Inc. and
The City of Dayton

Stephanie M. Chmiel
Thompson Hine LLP
41 South High Street, Suite 1700
Columbus, OH 43215-6101
Email: stephanie.chmiel@thompsonhine.com

Attorneys for Buckeye Power, Inc.

Trent Dougherty (Counsel of Record)
Miranda Leppla
1145 Chesapeake Avenue, Suite 1
Columbus, OH 43212-3449
Email: tdougherty@theoec.org
mleppla@theoec.org

John Finnigan
Senior Regulatory Attorney
Environmental Defense Fund
128 Winding Brook Lane
Terrace Park, OH 45174
Email: jfinnigan@edf.com

Attorneys for the Ohio Environmental Council
and Environmental Defense Fund

Robert Dove
P.O. Box 13442
Columbus, OH 43213
Email: rdove@attorneydove.com

Samantha Williams (Staff Attorney)
Natural Resources Defense Council
20 N. Wacker Drive, Suite 1600
Chicago, IL 60606
Email: swilliams@nrdc.org

Attorneys for Natural Resources
Defense Council

Colleen L. Mooney
Ohio Partners for Affordable Energy
231 West Lima Street
P.O. Box 1793
Findlay, OH 45839-1793
Email: cmooney@ohiopartners.org

Attorney for Ohio Partners for
Affordable Energy

Derrick Price Williamson
Spilman Thomas & Battle, PLLC
1100 Bent Creek Blvd., Suite 101
Mechanicsburg, PA 17050
Email: dwilliamson@spilmanlaw.com

Carrie M. Harris
Spilman Thomas & Battle, PLLC
310 First Street, Suite 1100
P.O. Box 90
Roanoke, VA 24002-0090
Email: charris@spilmanlaw.com

Lisa M. Hawrot
Spilman Thomas & Battle, PLLC
Century Centre Building
1233 Main Street, Suite 4000
Wheeling, WV 26003
Email: lhawrot@spilmanlaw.com

Steve W. Chriss
Senior Manager, Energy Regulatory Analysis
Greg Tillman
Senior Manager, Energy Regulatory Analysis
Wal-Mart Stores, Inc.
2001 SE 10th Street
Bentonville, AR 72716-0550
Email: stephen.chriss@walmart.com
greg.tillman@walmart.com

Attorneys for Wal-Mart Stores East, LP
and Sam's East, Inc.

Matthew W. Warnock
Dylan F. Borchers
Devin D. Parram
Bricker & Eckler LLP
100 South Third Street
Columbus, OH 43215-4291
Email: mwarnock@bricker.com
dborchers@bricker.com
dparram@bricker.com

Attorneys for The Ohio Hospital Association

Joseph Oliker
Michael Nugent
Interstate Gas Supply, Inc.
6100 Emerald Parkway
Dublin, OH 43016
Email: joliker@igsenergy.com
mnugent@igsenergy.com

Attorneys for Interstate Gas Supply, Inc.

Ellis Jacobs
Advocates for Basic Legal Equality, Inc.
130 West Second Street, Suite 700 East
Dayton, OH 45402
Email: ejacobs@ablelaw.org

Attorney for The Edgemont Neighborhood
Coalition

Katie Johnson Treadway
One Energy Enterprises, LLC
12385 Township Rd. 215
Findley, OH 45840
Email: ktreadway@oneenergyllc.com

Attorney for One Energy Enterprises, LLC

John R. Doll
Doll, Jansen & Ford
111 West First Street, Suite 1100
Dayton, OH 45402-1156
Email: jdoll@djflawfirm.com

Attorneys for Utility Workers of
America Local 175

Michael J. Settineri (Counsel of Record)
Gretchen L. Petrucci
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
P.O. Box 1008
Columbus, Ohio 43216-1008
Email: mjsettineri@vorys.com
glpetrucci@vorys.com

Attorneys for Constellation NewEnergy, Inc.

Mark A. Whitt
Andrew J. Campbell
Rebekah J. Glover
Whitt Sturtevant LLP
The KeyBank Building, Suite 1590
88 East Broad Street
Columbus, OH 43215
Email: whitt@whitt-sturtevant.com
campbell@whitt-sturtevant.com
glover@whitt-sturtevant.com

Attorneys for Retail Energy Supply
Association

/s/ Jeffrey S. Sharkey
Jeffrey S. Sharkey

1272169.1

1280131.1

EXHIBIT 1

**The Dayton Power and Light Company
Case No. 15-1830-EL-AIR**

Overall Financial Summary

Schedule A-1
Page 1 of 1

Line No.	Description	Stipulated Jurisdictional Test Year
	(B)	(C)
1	Stipulated Rate Base	\$ 643,518,823
2		
3	Stipulated Operating Income	\$ 23,424,847
4		
5	Earned Rate of Return	3.64%
6		
7	Stipulated Rate of Return	7.27%
8		
9	Required Operating Income	\$ 46,783,818
10		
11	Operating Income Deficiency	\$ 23,358,972
12		
13	Gross Revenue Conversion Factor	1.275097
14		
15	Revenue Deficiency	\$ 29,784,955
16		
17	Stipulated Revenue Increase	\$ 29,784,955
18		
19	Adjusted Operating Revenues	\$ 218,166,833
20		
21	Stipulated Revenue Requirement	\$ 247,951,788

EXHIBIT 2

The Dayton Power and Light Company
Case No. 15-1830-EL-AIR

Jurisdictional Rate Base Summary
As of September 30, 2015

Schedule B-1
Page 1 of 1

Line No.	Description (B)	Stipulated Amount (C)
(A)		
1	Plant in Service	
2	Production	\$ -
3	Transmission	\$ -
4	Distribution	\$ 1,494,435,485
5	General	\$ 9,639,952
6	Other: Intangible	\$ 25,305,660
7	Total Plant In Service	\$ 1,529,381,097
8		
9	Reserve for Accumulated Depreciation	
10	Production	\$ -
11	Transmission	\$ -
12	Distribution	\$ 695,057,490
13	General	\$ (4,970,577)
14	Other: Intangible	\$ 11,715,900
15	Total Reserve for Accumulated Depreciation	\$ 701,802,813
16		
17	Net Plant In Service	\$ 827,578,284
18		
19	Construction Work In Progress 75% Complete	\$ -
20		
21	Working Capital Allowance	\$ 2,240,507
22		
23	Customers' Advances for Construction	\$ (466,036)
24		
25	Other Rate Base Items	\$ (185,833,933)
26		
27	Jurisdictional Rate Base	\$ 643,518,823

EXHIBIT 3

The Dayton Power and Light Company

Case No. 15-1830-EL-AIR

Distribution Investment Rider

Revenue Requirement Calculation

Line No.	Description (B)	Stipulated Amounts as of	
		September 30, 2015 (C)	March 31, 2018 (D)
	<u>Rate Base</u>		
1	Gross Distribution Plant	\$ 1,345,230,954	\$ 1,422,599,647
2	Accumulated Depreciation on Distribution Plant	\$ 642,166,933	\$ 717,388,560
3	Net Distribution Plant In Service	\$ 703,064,021	\$ 705,211,087
4			Line 1 - Line 2
5	Accumulated Deferred Income Taxes on Distribution Plant	\$ (147,941,796)	(84,657,529)
6			
7	Distribution Rate Base for DIR	\$ 555,122,225	\$ 620,553,558
8			Line 3 + Line 5
9	Return on Rate Base	8.58%	8.58%
10	Return on Rate Base	\$ 47,629,487	\$ 53,243,495
11			Line 7 * Line 9
12	Incremental Return on Rate Base		Line 10, Col (D) - Col (C)
13			
14	<u>Depreciation, Taxes Other than Income and O&M</u>		
15	Depreciation Expense	\$ 38,359,093	\$ 40,280,597
16	Property Tax Expense	\$ 44,978,513	\$ 49,594,872
17			
18	Total Depreciation, Other Taxes and O&M Before CAT	\$ 83,337,606	\$ 89,875,469
19			Line 15 + 16
20	Incremental Depreciation, Taxes Other than Income and O&M (Pre Tax)		Line 18 Col D - Col C
21	Incremental Commercial Activities Tax		\$ 6,537,863
22			1,0026
23	Incremental Depreciation, Taxes Other than Income and O&M (Post Tax)		\$ 6,554,861
24			Line 20 * Line 21
25	<u>Revenue Requirement</u>		
26	Total DIR Revenue Requirement		\$ 12,168,870
			Line 12 + Line 23

EXHIBIT 4

The Dayton Power & Light Company
Case No. 15-1830-EL-AIR

Distribution Decoupling Rider – Calculation of Revenue Per Customer (RPC)

Sheet No. (A)	Tariff Class Description (B)	Test Year Customers (C) (C-11)	Revenue Allocation (D)	Base Distribution Revenue (E) (E) = (G)*(D)	RPC (F) (F) = (E)/(C)
D22	High Voltage	9	0.05%	\$ 123,976	\$ -
D20	Primary	462	6.59%	\$ 16,340,023	\$ -
D21	Primary Substation	8	0.35%	\$ 867,831	\$ -
D17	Residential	346,652	46.20%	\$ 114,554,916	\$ 330.46
D18	Residential Heat	111,160	20.18%	\$ 50,035,481	\$ 450.12
D19	Secondary	56,858	25.15%	\$ 62,359,875	\$ 1,096.77
D25	Street Lighting	223	0.35%	\$ 867,831	\$ -
D23	Private Outdoor Lighting	-	1.12%	\$ 2,777,060	\$ -
Applicable Customer Classes		(G) Stipulated Rev. Req.		\$ 247,951,788	

EXHIBIT 5

The Dayton Power and Light Company
Case No 15-1830-EL-AIR
Rate & Revenue Summary

Line No.		Description	Billing Determinants				Rates				Revenue and Allocation								
(A)	(B)	(C)	kWh	(D)	kW	kVar	(F)	Customer Charge	(G)	kWh	(H)	kW	(I)	kVar	(J)	Revenue Requirements	(K)	% Allocation	(L)
1	RESIDENTIAL																		
2	Residential Non-Heating	4,173,016	3,425,120	929				\$	7.00	\$	0.0233154					\$	109,069,332		
3	Residential Non-Heating-Employee	13,041	10,159	595				\$	7.00	\$	0.0233154					\$	328,162		
4	Residential Heating	1,340,092	1,810,219	986				\$	7.00	\$	0.0233154					\$	51,586,730		
5	Residential Heating-Employee	4,281	6,928	695				\$	7.00	\$	0.0233154					\$	191,513		
6	Total Residential	5,530,430														\$	161,175,737	66.38%	
7	SECONDARY																		
8	Unmetered Secondary Service	27,260						\$	14.16							\$	385,873		
9	Secondary Single Phase	445,903						\$	16.73							\$	7,461,991		
10	Secondary Three Phase	184,553						\$	25.77							\$	4,755,648		
11		657,716														\$	3,656,990		
12	Secondary Single Phase-MAX	22,639	12,939,870					\$	16.73							\$	47,320,983		
13	Secondary Three Phase-MAX	13,007						\$	25.77							\$	378,854		
14		35,646	38,960	607				\$		\$	0.0112602					\$	335,170		
15	Total Secondary															\$	438,704		
16																\$	61,077,224	25.15%	
17	PRIMARY																		
18	Primary	5,492	2,820,450	998				\$	242.12	\$						\$	15,936,540		
19	Primary-MAX	232	3,467,905					\$	242.12	\$						\$	73,917		
20	Total Primary															\$	16,010,457	6.59%	
21																			
22	PRIMARY SUBSTATION																		
23	Primary Substation	96	1,106,925					\$	626.001	\$	463.47					\$	853,583	0.35%	
24																			
25	TRANSMISSION VOLTAGE SERVICE																		
26	High Voltage	108	975,140	514				\$	1,124.11							\$	121,404	0.05%	
27																			
28	STREET LIGHTING SERVICE																		
29	Street Lighting	2,656	54,279	372				\$	8.60	\$	0.0152357					\$	849,827	0.35%	
30																			
31	PRIVATE OUTDOOR LIGHTING SERVICE																		
32																			
33	Pole Charges	116,246									Item Charge					\$	153,987		
34	Ornamental Pole Charges	1,320														\$	1,749		
35	Aerial Spans	155,040														\$	92,651		
36	Fixtures	331,080														\$	350,945		
37	9500 Lumen High Pressure Sod.	10,740						\$	9.11							\$	97,825		
38	28000 Lumen High Pressure Sod.	5,784						\$	9.11							\$	52,683		
39	7000 Lumens Mercury	194,316						\$	9.11							\$	1,768,913		
40	21000 Lumens Mercury	21,228						\$	9.11							\$	193,354		
41	2500 Lumens Incandescent	36						\$	9.11							\$	328		
42	7000 Lumens Fluorescent	108						\$	9.11							\$	984		
43	4000 Lumens PT Mercury	552						\$	9.11							\$	5,028		
44	Total Private Outdoor Lighting Service															\$	2,719,446	1.12%	
45																			
46	BASE DISTRIBUTION REVENUE															\$	242,807,679	100.00%	
47																			
48	OTHER MISCELLANEOUS REVENUE																		
49	Total Other Operating Revenue															\$	5,113,684		
50	Off-peak Meter Surcharge															\$	30,425		
51																			
52																			
53	TOTAL REVENUE															\$	247,951,788		
54																			
55	Current Distribution Revenue 12 months April 2018 (Distribution & Decoupling)															\$	240,939,397		
56	Increase to Current Revenue															\$	7,012,391		
57	% Increase to Current Revenue																	2.91%	

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

6/18/2018 4:56:32 PM

in

Case No(s). 15-1830-EL-AIR, 15-1831-EL-AAM, 15-1832-EL-ATA

Summary: Stipulation Stipulation and Recommendation electronically filed by Mr. Jeffrey S Sharkey on behalf of The Dayton Power and Light Company