

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
THE DAYTON POWER AND LIGHT
COMPANY FOR A LIMITED WAIVER OF
OHIO ADM.CODE 4901:1-18-06(A)(2).

CASE NO. 18-1257-EL-WVR

ENTRY

Entered in the Journal on March 5, 2019

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

{¶ 2} On August 2, 2018, DP&L filed an application for a waiver of Ohio Adm.Code 4901:1-18-06(A)(2) pursuant to Ohio Adm.Code 4901:1-18-02, which provides the basis for the Commission to grant such a waiver. The rule from which DP&L seeks a waiver requires utilities to provide a residential customer with personal notice on the day of disconnection of service due to non-payment. DP&L requests a limited waiver of this requirement with regard to customers whom the Company has deemed “Code Red” customers. As defined by DP&L, Code Red customers have acted violently or aggressively toward DP&L representatives in the past, generally requiring a police escort for visits to the premises. As of the date of filing of DP&L’s waiver application, approximately 50 DP&L customer accounts were designated Code Red. In the application for waiver, DP&L proposes several safeguards to ensure that the waiver is implemented in concert with Staff and that DP&L will investigate a residential customer’s claim that a Code Red designation was made in error.

{¶ 3} On August 30, 2018, Ohio Consumers’ Counsel (OCC) filed a motion to intervene on behalf of DP&L’s residential customers. OCC asserts that it is entitled to

intervene under R.C. 4903.221 and Ohio Adm.Code 4901-1-11. Upon review, the attorney examiner finds that the motion to intervene is reasonable and should be granted.

{¶ 4} On November 27, 2018, Staff filed its review and recommendations regarding DP&L's application. Staff found that DP&L's requested waiver would not impact any other rule or requirement, and Staff does not oppose DP&L's application for a limited waiver of Ohio Adm. 4901:1-18-06(A)(2).

{¶ 5} In order to assist the Commission in its review of DP&L's application for a limited waiver, the attorney examiner finds that the following procedural schedule should be established:

(a) March 27, 2019 - Deadline for filing motions to intervene.

(b) April 10, 2019 - Deadline for filing initial comments.

(c) April 24, 2019 - Deadline for filing reply comments.

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That OCC's motion to intervene be granted as stated in Paragraph 3. It is, further,

{¶ 8} ORDERED, That the procedural schedule set forth in Paragraph 5 be adopted. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Patricia A. Schabo

By: Patricia A. Schabo
Attorney Examiner

JRJ/hac

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Summary: Attorney Examiner Entry granting motion to intervene and setting forth procedural schedule electronically filed by Heather A Chilcote on behalf of Patricia Schabo, Attorney Examiner, Public Utilities Commission