

# THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE 2018 REVIEW OF  
THE DISTRIBUTION INVESTMENT RIDER  
CONTAINED IN THE TARIFF OF DAYTON  
POWER AND LIGHT COMPANY.

CASE NO. 19-439-EL-RDR

## ENTRY

Entered in the Journal on August 15, 2019

{¶ 1} Dayton Power and Light Company (DP&L or the Company) 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.

{¶ 2} R.C. 4928.141 mandates that an electric distribution utility shall provide 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 service, to all consumers within its certified territory. The SSO may be established as a market rate offer under R.C. 4928.142 or an electric security plan (ESP) under R.C. 4928.143.

{¶ 3} As part of DP&L's most recent ESP proceeding, the Commission approved the creation of a Distribution Investment Rider (DIR) to recover incremental distribution capital investments. *In re Dayton Power and Light Co.*, Case No. 16-395-EL-SSO (*ESP III*), Opinion and Order (Oct. 20, 2017). Originally set at zero, all other matters related to the DIR were to be addressed in DP&L's then-pending distribution rate case, Case No. 15-1830-EL-AIR. *ESP III* at ¶ 14, 113-116.

{¶ 4} On September 26, 2018, the Commission adopted a combination of two stipulations (Stipulations) resolving all issues in DP&L's distribution rate case. *In re the Application of the Dayton Power and Light Co.*, Case No. 15-1830-EL-AIR (*Rate Case*), Opinion and Order (Sep. 26, 2018). Citing to the *ESP III* Opinion and Order, the Commission approved the Stipulations' provisions related to the DIR, commencing concurrently with the update to DP&L's base rates approved in the *Rate Case* and updated and reconciled quarterly. Pursuant to the Stipulations, the DIR is subject to annual review, audit, and

reconciliation by the Commission, with the audit including a determination of whether the distribution investments made are used and useful in rendering utility service to customers. *Rate Case* at ¶54.

{¶ 5} On March 13, 2019, the Commission issued an Entry in this docket directing Staff to issue a request for proposal (RFP) for audit services to assist in the accounting accuracy, prudence, and compliance review of DP&L's DIR. And, by Entry dated April 17, 2019, the Commission selected Blue Ridge Consulting Services, Inc. (Blue Ridge) to conduct the audit of the DIR. Pursuant to the RFP, a draft audit report is to be presented to Staff on August 21, 2019, and a final audit report is due to be filed with the Commission on September 2, 2019.

{¶ 6} Previously, on March 5, 2019, Ohio Consumers' Counsel (OCC) filed a motion to intervene in this proceeding 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. The motion is unopposed. Upon review, the attorney examiner finds that the motion to intervene is reasonable and should be granted.

{¶ 7} On August 8, 2019, Staff filed a motion for an extension of the draft and final audit report deadlines. For cause, Staff states that, due to the volume of work involved, Staff and Blue Ridge need additional time to complete the DIR audit. Staff requests that the deadlines be extended such that the draft audit report be presented to Staff on August 28, 2019, and the final audit report be filed with the Commission on September 11, 2019. Staff represents that DP&L and OCC were contacted and neither objects to the extension.

{¶ 8} Ohio Adm.Code 4901-1-13 permits extensions of filing deadlines for good cause shown. The attorney examiner finds that Staff's motion for an extension is supported by good cause, is reasonable, and should be granted. Accordingly, the draft audit report shall be presented to Staff by August 28, 2019, and the final audit report shall be filed with the Commission no later than September 11, 2019.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That OCC's motion to intervene be granted. It is, further,

{¶ 11} ORDERED, That Staff's motion for an extension of time be granted. It is, further,

{¶ 12} ORDERED, That the draft audit report be presented to Staff by August 28, 2019, and the final audit report be filed with the Commission by September 11, 2019. It is, further,

{¶ 13} 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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**Commission of Ohio Docketing Information System on**

**8/15/2019 3:26:21 PM**

**in**

**Case No(s). 19-0439-EL-RDR**

Summary: Attorney Examiner Entry granting motion to intervene, granting motion for extension of time and setting deadlines for draft audit report and final audit report electronically filed by Heather A Chilcote on behalf of Patricia Schabo, Attorney Examiner, Public Utilities Commission