

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
THE DAYTON POWER AND LIGHT
COMPANY FOR AUTHORITY TO RECOVER
CERTAIN STORM-RELATED SERVICE
RESTORATION COSTS.

CASE NO. 19-662-EL-RDR

ENTRY

Entered in the Journal on September 6, 2019

{¶ 1} The Dayton Power and Light Company (DP&L or the Company) is a public utility and an electric distribution utility as defined under R.C. 4905.02 and R.C. 4928.01, respectively. Therefore, DP&L is subject to this Commission's jurisdiction.

{¶ 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 service, 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 a nonbypassable Storm Cost Recovery Rider (SCRR). *In re Dayton Power and Light Co.*, Case No. 16-395-EL-SSO (*ESP Case*), Opinion and Order (Oct. 20, 2017). The SCRR is used as a placeholder for DP&L to file an application to recover the prudently incurred costs from major storms; it permits the Company to recover all operating and maintenance expenses incurred for storms that are determined to be "Major Events" as defined by Ohio Adm.Code 4901:1-10-01. Pursuant to the amended stipulation and recommendation (Stipulation) ultimately adopted by the Commission in the *ESP Case*, DP&L is required to file its annual SCRR application by April 1 of each year, and Staff is to complete its audit with the Commission's approval for rates to be effective around August 1 of each year.

{¶ 4} On April 1, 2019, DP&L filed an application to recover through the SCRR storm-related service restoration costs for two qualifying weather events that occurred in 2018.¹

{¶ 5} On April 12, 2019, Ohio Consumers' Counsel (OCC) filed a motion to intervene in this proceeding on behalf of DP&L's residential customers.

{¶ 6} On July 16, 2019, Staff filed an unopposed motion for an extension of time to complete its audit and for approval of rates. Citing to time constraints created by the Company's effort to submit an amended filing as envisioned by the April 1, 2019 application and Staff's need to review the same, Staff requested an extension—until October 1, 2019—for completion of the audit and implementation of rates.

{¶ 7} By Entry dated July 18, 2019, the attorney examiner granted Staff's motion for an extension. In order to permit the Commission sufficient time to review and consider the various filings for approval of rates effective around October 1, 2019, the attorney examiner directed Staff to complete its audit and file its review and recommendations no later than August 30, 2019. The attorney examiner also granted OCC's motion to intervene.

{¶ 8} On July 26, 2019, DP&L filed its amended application for recovery of 2018 storm-related service restoration costs through the SCRR.

{¶ 9} On August 14, 2019, Staff filed its recommendation regarding both the original and amended applications (together, Application) filed by DP&L.

{¶ 10} By Entry dated August 28, 2019, the attorney examiner issued a procedural schedule directing that initial comments be filed by September 6, 2019, and reply comments be filed by September 13, 2019.

¹ DP&L's application actually identifies four qualifying weather events in 2018, but the Company states that it has included only the first two storms for recovery in 2018; DP&L proposes to include the latter two storms with 2019 expenses.

{¶ 11} On September 4, 2019, OCC filed a motion to extend the procedural schedule and request for expedited treatment. OCC seeks to extend the filing deadlines for initial and reply comments to September 20, 2019, and October 4, 2019, respectively. For cause, OCC states that it has served discovery requests on DP&L for which responses are expected on September 9, 2019, and that additional time will provide the parties a better opportunity to explore a potential settlement. Additionally, OCC states that modifying the schedule will provide the parties appropriate due process without unreasonably delaying the proceeding. OCC represents that all parties have been contacted and certifies that no party opposes an expedited ruling.

{¶ 12} The attorney examiner finds that the two-week extension requested by OCC is reasonable and should be granted. Accordingly, the comment period is extended as follows:

(a) September 20, 2019 – Deadline for filing initial comments.

(b) October 4, 2019 – Deadline for filing reply comments.

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That OCC's motion to extend the procedural schedule be granted. It is, further,

{¶ 15} ORDERED, That the parties observe the deadlines for filing comments set forth in Paragraph 12. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Patricia Schabo

By: Patricia Schabo
Attorney Examiner

JRJ/mef

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Commission of Ohio Docketing Information System on

9/6/2019 3:51:49 PM

in

Case No(s). 19-0662-EL-RDR

Summary: Attorney Examiner Entry granting the motion to extend the procedural schedule; setting deadlines to file initial comments by 9/20/19 and reply comments by 10/04/19 electronically filed by Ms. Mary E Fischer on behalf of Patricia Schabo, Attorney Examiner, Public Utilities Commission of Ohio