

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF  
THE DAYTON POWER AND LIGHT  
COMPANY FOR APPROVAL OF CERTAIN  
ACCOUNTING AUTHORITY.

CASE NO. 20-650-EL-AAM

IN THE MATTER OF THE APPLICATION OF  
THE DAYTON POWER AND LIGHT  
COMPANY FOR APPROVAL OF ITS  
TEMPORARY PLAN FOR ADDRESSING THE  
COVID-19 STATE OF EMERGENCY.

CASE NO. 20-651-EL-UNC

IN THE MATTER OF THE APPLICATION OF  
THE DAYTON POWER AND LIGHT  
COMPANY FOR WAIVER OF TARIFFS AND  
RULES RELATED TO THE COVID-19  
STATE OF EMERGENCY.

CASE NO. 20-652-EL-WVR

IN THE MATTER OF THE APPLICATION OF  
THE DAYTON POWER AND LIGHT  
COMPANY FOR APPROVAL OF REVISED  
CONTRACT WITH CERTAIN CUSTOMERS  
AND REASONABLE ARRANGEMENT  
RELATED TO THE COVID-19 STATE OF  
EMERGENCY.

CASE NO. 20-755-EL-AEC

### ENTRY

Entered in the Journal on April 24, 2020

{¶ 1} The Dayton Power and Light Company (DP&L) is an electric light company as defined by R.C. 4905.03 and a public utility as defined by R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 2} R.C. 4909.16 provides, in part, that, in the event of an emergency, when the Commission finds it necessary to prevent injury to the business or interests of the public or of any public utility, it may temporarily alter, amend, or suspend any existing rates or schedules.

{¶ 3} R.C. 4905.31 authorizes the Commission to approve schedules or reasonable arrangements between a public utility and one or more of its customers. The statute

provides that every such schedule or reasonable arrangement shall be under the supervision and regulation of the Commission, and is subject to change, alteration, or modification by the Commission.

{¶ 4} On March 9, 2020, the governor signed Executive Order 2020-01D (Executive Order), declaring a state of emergency in Ohio to protect the well-being of Ohioans from the dangerous effects of COVID-19. As described in the Executive Order, state agencies are required to implement procedures consistent with recommendations from the Department of Health to prevent or alleviate the public health threat associated with COVID-19. Additionally, all citizens are urged to heed the advice of the Department of Health regarding this public health emergency in order to protect their health and safety. The Executive Order was effective immediately and will remain in effect until the COVID-19 emergency no longer exists. The Department of Health is making COVID-19 information, including information on preventative measures, available via the internet at [coronavirus.ohio.gov/](https://coronavirus.ohio.gov/).

{¶ 5} Pursuant to R.C. 3701.13, the Ohio Department of Health has supervision of “all matters relating to the preservation of the life and health of the people” and the “ultimate authority in matters of quarantine and isolation.” On March 12, 2020, the Director of the Ohio Department of Health issued an Order indicating that “all persons are urged to maintain social distancing (approximately six feet away from other people) whenever possible.”

{¶ 6} On March 12, 2020, the Commission opened Case No. 20-591-AU-UNC and directed all utility companies in this state to review their disconnection procedures in light of the state of emergency. *In re the Proper Procedures and Process for the Commission’s Operations and Proceedings During the Declared State of Emergency and Related Matters*, Case No. 20-591-AU-UNC (*Emergency Case*), Entry (Mar. 12, 2020) at ¶ 7. On March 13, 2020, the Commission extended its winter reconnection order through May 1, 2020, and directed all utility companies in this state to review their reconnection procedures. *Emergency Case*, Entry (Mar. 13, 2020) at ¶ 6. In the March 12, 2020, and March 13, 2020 Entries, the

Commission also directed all utility companies to promptly seek any necessary approval, for the duration of the emergency, to suspend otherwise applicable disconnection or reconnection requirements that may impose a service continuity or service restoration hardship on residential and non-residential customers or create unnecessary COVID-19 risks associated with social contact. The Commission determined that such filings shall be deemed approved on an emergency basis for a period of at least 30 days effective as of the filing date or until such date as the Commission may otherwise specify, which shall not be less than 30 days.

{¶ 7} By Entry dated March 20, 2020, the Commission directed all utility companies to suspend in-person, actual meter readings in circumstances where a meter is located inside a customer's home or similar location, as well as all other non-essential functions that may create unnecessary COVID-19 risks associated with social contact. The Commission also clarified that requests for accounting authority or incremental cost recovery related to the emergency will be addressed in each utility's individual case by subsequent entry. *Emergency Case*, Entry (Mar. 20, 2020) at ¶¶ 10-11, 13.

{¶ 8} On March 23, 2020, in the first three of the above-captioned cases, DP&L filed an application for approval of its plan for addressing the COVID-19 state of emergency.

{¶ 9} On April 8, 2020, in the *Emergency Case*, the Commission, among other things, extended the 30-day automatic approval period for filings to suspend otherwise applicable disconnection requirements for an additional 30 days, unless otherwise ordered by the Commission. *Emergency Case*, Finding and Order (Apr. 8, 2020) at ¶ 9.

{¶ 10} On April 15, 2020, DP&L filed a supplemental application for approval of its plan for addressing the COVID-19 state of emergency. In the supplemental application, DP&L requested approval of its emergency plan, as well as a reasonable arrangement, and initiated the fourth of the above-captioned cases. Among other things, DP&L proposes through its plan, as supplemented, to suspend disconnections in most circumstances; suspend the collection of deposits, reconnection fees, and late fees for certain customers;

establish a reasonable arrangement for certain commercial and industrial customers to waive minimum demand provisions, allow charges to reflect an energy-only rate equivalent to DP&L's County Fair Rate, or reduce the current maximum charge rate to reflect the current County Fair Rate; issue communications to discourage in-person bill payments and to address scams; defer incremental operational costs and foregone revenue that result from implementing the plan as a regulatory asset for subsequent recovery; and, obtain a temporary waiver related to certain field activity requirements.

{¶ 11} On April 22, 2020, Staff filed its review and recommendations in response to DP&L's request for approval of its emergency plan, as supplemented.

{¶ 12} In order to assist the Commission in its review of DP&L's application, as supplemented, the attorney examiner finds that motions for intervention and comments should be filed no later than May 4, 2020. Accordingly, any contrary deadline specified in Ohio Adm.Code Chapter 4901:1-38 that would otherwise apply to DP&L's proposed reasonable arrangement is waived pursuant to Ohio Adm.Code 4901:1-38-02(B).

{¶ 13} It is, therefore,

{¶ 14} ORDERED, That the procedural schedule set forth in Paragraph 12 be adopted. It is, further,

{¶ 15} ORDERED, That a copy of this Entry be served upon all interested persons and parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Michael L. Williams

By: Michael L. Williams  
Attorney Examiner

SJP/hac

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Summary: Attorney Examiner Entry setting forth procedural schedule electronically filed by Heather A Chilcote on behalf of Michael L. Williams, Attorney Examiner, Public Utilities Commission of Ohio