

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
THE DAYTON POWER AND LIGHT
COMPANY TO INCREASE ITS RATES FOR
ELECTRIC DISTRIBUTION.

CASE NO. 20-1651-EL-AIR

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

CASE NO. 20-1652-EL-AAM

IN THE MATTER OF THE APPLICATION OF
THE DAYTON POWER AND LIGHT
COMPANY FOR APPROVAL OF REVISED
TARIFFS.

CASE NO. 20-1653-EL-ATA

ENTRY

Entered in the Journal on June 1, 2021

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

{¶ 2} On October 30, 2020, DP&L filed notice of its intent to file an application for an increase in rates for electric distribution service under R.C. 4909.18, as well as a motion to establish a test period and date certain and for waivers of certain standard filing requirements set forth in Ohio Adm.Code 4901-7-01 and its appendix.

{¶ 3} By Entry dated November 18, 2020, the Commission approved the test year and date certain and granted the requested waivers.

{¶ 4} On November 30, 2020, DP&L filed its application for an increase in rates with accompanying applications for accounting authority and for approval of revised tariffs (Application).

{¶ 5} On April 7, 2021, the Commission issued an Entry accepting the Application as of the November 30, 2020 filing date. The Commission further approved DP&L's

proposed notice for publication and instructed the Company to begin publication of the newspaper notice, pursuant to R.C. 4909.19, within 30 days of the Entry. Additionally, the Commission approved twelve pending motions to intervene.

{¶ 6} On April 19, 2021, the Company filed a motion to modify the newspaper notice and for an extension of time along with a request for an expedited ruling. The motion sought permission to use a proposed amended notice (Amended Notice) in place of the newspaper notice approved in, and directed to be published by, the Commission's April 7, 2021 Entry. The Company further sought an extension of time to begin publishing the Amended Notice.

{¶ 7} By Entry dated April 29, 2021, the attorney examiner granted DP&L's motion and directed the Company to begin publication of the Amended Notice on or before May 21, 2021. The Entry also granted four motions to intervene filed between March 26, 2021, and April 1, 2021.

{¶ 8} On May 5, 2021, ChargePoint, Inc. (ChargePoint) filed a motion to intervene pursuant to R.C. 4903.221 and Ohio Adm.Code 4901-1-11. No party has opposed the motion. Upon review, the attorney examiner finds that ChargePoint has demonstrated that it has a real and substantial interest in the proceeding, which interest is not adequately represented by any other party, and that its participation will not cause prejudice or undue delay. Thus, the attorney examiner finds that the motion is reasonable and should be granted.

{¶ 9} On May 27, 2021, DP&L filed a motion for limited waiver regarding publication of newspaper notice in Madison County with a request for an expedited ruling. Specifically, DP&L seeks a waiver of the time in which to publish notice of this proceeding in Madison County due to a publishing error. DP&L explains that, given the time frame set forth in the April 29, 2021 Entry, the Company directed all relevant Sunday-only newspapers to begin publication on May 16, 2021; but, the Madison Messenger—a newspaper in general circulation in Madison County—unwittingly published the original notice, not the Amended Notice, on that date. The Company states that it learned of the

error after the May 16 edition was printed and, thus, was unable to begin publication of the Amended Notice in the Madison Messenger before the May 21, 2021 deadline. On the other hand, the Company confirms that publication of the Amended Notice began in the remaining 25 newspapers within DP&L's service territory before the May 21, 2021 deadline.

{¶ 10} Therefore, the Company requests a waiver of its duty to begin publishing the Amended Notice on or before May 21, 2021, in Madison County only. The Company represents that it will run the Amended Notice in the Madison Messenger once a week for two consecutive weeks, per R.C. 4909.19, beginning the second Sunday after any Entry granting the requested waiver. The Company further represents that no party has objected to expedited consideration of its motion, with twelve intervenors expressly stating their non-objection to the same.

{¶ 11} Upon review, the attorney examiner finds that the motion is supported by good cause and should be granted. Accordingly, the Company is directed to begin publication of the Amended Notice in the Madison Messenger once a week for two consecutive weeks no later than the second Sunday after the issuance of this Entry; the Amended Notice shall not appear in the legal notices section of the newspaper.

{¶ 12} It is, therefore,

{¶ 13} ORDERED, That the motion to intervene filed by ChargePoint be granted. It is, further,

{¶ 14} ORDERED, That the Company's May 27, 2021 motion for a limited waiver be granted, and the Company begin publication of the Amended Notice in Madison County, in accordance with Paragraph 11. It is, further,

{¶ 15} 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

GAP/hac

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Case No(s). 20-1651-EL-AIR, 20-1652-EL-AAM, 20-1653-EL-ATA

Summary: Attorney Examiner Entry ordering that the motion to intervene filed by ChargePoint be granted and ordering that the Company's May 27, 2021 motion for a limited waiver be granted, and the Company begin publication of the Amended Notice in Madison County, in accordance with Paragraph 11 electronically filed by Heather A Chilcote on behalf of Patricia Schabo, Attorney Examiner, Public Utilities Commission