

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The)	
Dayton Power and Light Company for)	Case No. 08-1094-EL-SSO
Approval of its Electric Security Plan.)	
In the Matter of the Application of The)	
Dayton Power and Light Company for)	Case No. 08-1095-EL-ATA
Approval of Revised Tariffs.)	
In the Matter of the Application of The)	
Dayton Power and Light Company for)	
Approval of Certain Accounting)	Case No. 08-1096-EL-AAM
Authority Pursuant to Ohio Rev. Code)	
Section 4905.13.)	
In the Matter of the Application of The)	
Dayton Power and Light Company for)	Case No. 08-1097-EL-UNC
Approval of its Amended Corporate)	
Separation Plan.)	

**MEMORANDUM CONTRA DP&L’S MOTION FOR AN EXTENSION OF TIME
TO FILE ITS OPPOSITION TO OCC’S APPLICATION FOR REHEARING
BY
OFFICE OF THE OHIO CONSUMERS’ COUNSEL**

With the recent injustice of the PUCO’s 16-month delay in ruling on OCC’s January 17, 2020 application for rehearing (that favored DP&L), no delay great or small should be countenanced at this point for this utility. But DP&L wants a four-day delay to oppose OCC’s application for rehearing while it charges its consumers \$216,0000 per day for an unlawful stability/POLR charge. In Dayton the poverty level is 35%; in Montgomery County food insecurity is 18%.

The Ohio Consumers’ Counsel would like for the PUCO to not lose four days of review toward making a full decision within 30 days of OCC’s rehearing application, per

R.C. 4903.10. Under these circumstances, there is not “good cause” for DP&L’s motion and it should be denied under O.A.C. 4901-1-13(A).

DP&L has sufficient time to respond to the arguments OCC made on rehearing. That sufficient time is the ten days the PUCO rules provide. (Ohio Adm. Code 4901-1-35(B). There is no unfairness in requiring DP&L to adhere to the PUCO rules.

Given the real prejudice to consumers that exists, and the lack of good cause, the PUCO should deny DP&L’s motion to delay its response to OCC’s application for rehearing.

Respectfully submitted,

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Ohio Consumers’ Counsel

/s/ Maureen R. Willis
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Memorandum Contra was electronically served via electric transmission on the persons stated below this 21st day of July 2021.

/s/ Maureen R. Willis

Maureen R. Willis
Senior Counsel

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Summary: Memorandum Memorandum Contra DP&L's Motion for an Extension of Time to File Its Opposition to OCC's Application for Rehearing by Office of The Ohio Consumers' Counsel electronically filed by Mrs. Tracy J Greene on behalf of Willis, Maureen R.