

**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The            )  
Dayton Power and Light Company for            ) Case No. 13-2420-EL-UNC  
Authority to Transfer or Sell its                )  
Generation Assets.                                )

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**INITIAL COMMENTS**

**OF**

**DUKE ENERGY COMMERCIAL ASSET MANAGEMENT, INC.**

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On December 30, 2013, The Dayton Power and Light Company (DP&L) filed an application (Application) opening a docket in which it will seek authority to transfer or sell its generation assets. The attorney examiner assigned to this proceeding issued an entry on January 3, 2014, allowing for the filing of comments on the Application. Duke Energy Commercial Asset Management, Inc. (DECAM), a competitive wholesale generation supplier, submits its comments pursuant to that entry.

DP&L does not, through the Application, seek authorization for the sale or transfer of its generation assets. Indeed, in the opening paragraph of the Application, it specifically states that it will seek such authorization in a subsequent filing. What DP&L does ask for here is, first, waiver of any hearing requirement in connection with that subsequent filing. Second, DP&L seeks a waiver of the requirement that it determine, at this time, the fair market value of its generation assets.

With regard to waiving the hearing requirement, DP&L reasons that a comment process will be sufficient, particularly in light of the recent evidentiary hearing in its standard service offer (SSO) proceeding.<sup>1</sup> The Commission should not grant the requested waiver, at least at this time. First of all, neither the Commission nor any interested parties can determine, on the basis of the Application, what plans DP&L may have for the structure and process of the sale or transfer. Without any knowledge of the substance of DP&L's request, no evaluation can possibly be made with regard to the need for a hearing. Furthermore, the evidentiary process in the recent SSO proceeding, to which DP&L refers, is not helpful here. That process, to the extent that it related to the transfer of generation assets, was not relevant to how the transfer should occur. In DP&L's own words, the SSO evidence related only to "whether DP&L should be ordered to transfer its generation assets . . . ." Whether such an order should be issued is quite different to approving the terms of the transfer.

Thus, while DECAM cannot comment on a transfer that is not described, DECAM opposes the concept of waiving the hearing process before any substantive details have been provided.

Similarly, DP&L has not provided any information that allows consideration of the need for the fair market value of the assets. Without a substantive application, DECAM cannot comment on whether this information will be needed for a full evaluation of the proposal.

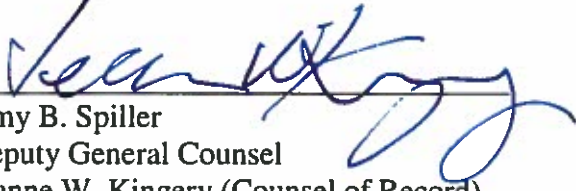
DECAM appreciates the opportunity to provide comments in this matter and submits that the requests for waiver should be denied.

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<sup>1</sup> *In the Matter of the Application of The Dayton Power and Light Company for Approval of Its Market Rate Offer*, Case No. 12-426-EL-SSO, *et al.*

Respectfully submitted,

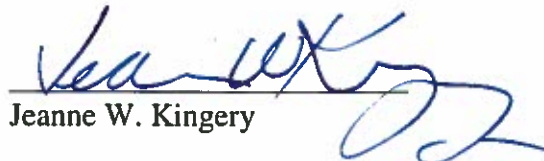
DUKE ENERGY COMMERCIAL ASSET  
MANAGEMENT, INC.

A handwritten signature in blue ink, appearing to read "Jeanne W. Kingery", is written over a horizontal line.

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## CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was delivered via U.S. mail (postage prepaid), personal, or electronic mail delivery on this the 4<sup>th</sup> day of February, 2014, to the following parties.

  
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