**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

|  |  |  |
| --- | --- | --- |
| In the Matter of the Application of The Dayton Power and Light Company for Establishing New Reliability Targets. | )  )  ) | Case No. 12-1832-EL-ESS |

**COMMENTS**

**BY**

**THE OFFICE OF THE OHIO CONSUMERS’ COUNSEL**

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# I. INTRODUCTION

This case involves an Application by Dayton Power and Light Company (“DP&L” or “the Company”), to establish new reliability standards for its electric distribution system customers. The establishment of well-defined and enforceable reliability standards provides critical benchmarks towards ensuring that the state legislated goal for consumers to have access to reliable electric service is fulfilled.[[1]](#footnote-2) The Application was filed under Ohio Admin. Code 4901:1-10-10,[[2]](#footnote-3) and a Stipulation and Recommendation from the Company’s last service reliability case.[[3]](#footnote-4)

By Entry dated October 10, 2012, the Public Utilities Commission of Ohio (“PUCO” or “the Commission”) established a procedural schedule for this case, which included a technical conference on November 1, 2012 and the opportunity for interested persons to file comments by November 20, 2012.[[4]](#footnote-5) On behalf of approximately 456,000 residential customers of DP&L, the Office of the Ohio Consumers’ Counsel (“OCC”) files these initial comments concerning the reliability of electric service that DP&L is required to provide its customers.

# II. BACKGROUND

Ohio Admin. Code 4901:1-10-10 requires electric utilities like DP&L to establish minimum reliability performance standards for two indices called the Customer Average Interruption Duration Index (“CAIDI”) and the System Average Interruption Frequency Index (“SAIFI”).[[5]](#footnote-6) SAIFI is a measure of the average number of interruptions customers experience on an annual basis. CAIDI is an annual measure of the average duration of outages in minutes, or the time to restore service for customers who experience an outage. The SAIFI and CAIDI standards are accepted as representative of the reliability that customers receive during the normal operation of the electric distribution system.

Certain outages are excluded from the reliability performance standards that DP&L must meet. Among the outages that are excluded are interruptions in service that have a duration of less than 5 minutes,[[6]](#footnote-7) outages that occur as a result of major events,[[7]](#footnote-8) and failures of the transmission system..[[8]](#footnote-9) For example, the reliability performance standards exclude major events like those experienced in September 2008 when many DP&L customers experienced outages lasting up to two weeks[[9]](#footnote-10) or the June 29, 2012 derecho weather event when more than 175,000 DP&L customers lost service for multiple days.[[10]](#footnote-11) In fact, DP&L excluded two major event days in 2007, nineteen event days in 2008, one day in both 2009 and 2010, and eleven event days in 2011.[[11]](#footnote-12) Major events occur when a statistically large number of customers experience outages due to weather, equipment failures, or various other causes. In addition, there were thirty-six transmission outages in 2011 that resulted in outages for over 119,000 DP&L customers.[[12]](#footnote-13)

While the Commission rules designate the SAIFI and CAIDI reliability indices as being minimum average performance standards,[[13]](#footnote-14) the reality is that DP&L’s customers are experiencing more outages and outages that last considerably longer than what is reflected in DP&L’s Application. Table I provides a comparison of the actual DP&L SAIFI and CAIDI performance from 2007 through 2011, both including and excluding outages associated with major events.

**Table I: DP&L Actual Reliability Performance (2007 – 2011)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Year | CAIDI (Exclude Major Events)[[14]](#footnote-15) | SAIFI (Exclude Major Events)[[15]](#footnote-16) | CAIDI (Include Major Events)[[16]](#footnote-17) | SAIFI (Include Major Events) |
| 2007 | 106.30 | 1.00 | 123.3 | 1.16 |
| 2008 | 124.50 | 1.00 | 1514.8 | 2.30 |
| 2009 | 104.31 | 0.76 | 115.7 | 0.98 |
| 2010 | 116.09 | 0.83 | 115.84 | 0.98 |
| 2011 | 120.61 | 0.81 | 357.30 | 1.68 |
| 5-Year Average | 114.36 | 0.88 | 445.38 | 1.42 |

As can be seen in Table 1, based on a 5-year historical average, DP&L’s customers are experiencing average outage times of less than two hours when major events are excluded. However, the average outage time when outages associated with major events are included grows to well over seven hours. With regard to the frequency of outages, DP&L’s customers are on-average experiencing less than one outage per year when major events are excluded. However, a sixty-one percent increase in outage frequency is experienced when outages associated with major events are included.[[17]](#footnote-18) Based only upon review of the historical average performance of the DP&L system, and the fact that many outages are excluded from the performance measures, the proposed CAIDI standard of 125.01 minutes is too long. If adopted, such a standard can lead to customer outages lasting longer then the duration of the average historical outage. The Company would have less incentive to improve customer service reliability. That is unreasonable.

These Comments identify major flaws in DP&L’s Application for establishing new reliability standards. The Company’s Application is unjust and unreasonable because it fails to comply with the Commission’s rules concerning new reliability standards.

Furthermore, the Company has failed to comply with the Stipulation it agreed upon when reliability standards were last established in Case No. 09-754-EL-ESS. Rather than adhere to the Commission’s standards and its own agreement concerning justifying new reliability standards, DP&L created its own standard by just adding a random variance to the actual historical performance and labeling the results new standards. As shown below, Ohio Admin. Code 4901:1-10-10(B)(6)(e) requires the Commission to establish a hearing if the proposed reliability standards appear to be unjust or unreasonable.

(e) If it appears to the commission that the proposals in the application may be **unjust or unreasonable, the commission shall set the matter for hearing** and shall publish notice of the hearing in accordance with section 4909.10 of the Revised Code. At such hearing, the burden of proof to show that the proposals in the application are just and reasonable shall be upon the electric utility. (Emphasis added)

For all the reasons set forth below, the Commission should find that DP&L’s Application is unjust and unreasonable and should schedule this matter for hearing.

# III. RECOMMENDATION

OCC recommends that the PUCO reject the Company’s proposed reliability standards of 125.01 for CAIDI and 0.97 for SAIFI because they are unjust and unreasonable. The standards proposed by the Company are unjust and unreasonable because the Company only considered the historical average performance of the distribution system in establishing the new standards. The Company proposal also failed to consider the system design, technological advancements, service area geography, and the results of a customer perception survey, as required by the PUO rules and the Stipulation in Case No. 09-754-EL-ESS Stipulation.[[18]](#footnote-19) As a result of these deficiencies, the Application fails to meet the requirements of Ohio Admin. Code 4901:10-10( B), and OCC requests that the Commission reject the Company’s proposed reliability standards and set this matter for hearing.

# IV. SPECIFIC COMMENTS:

## A. DP&L’s Application For Establishing Reliability Standards Is Unjust And Unreasonable Because It Fails To Justify The Proposed Standards As Required Pursuant To Ohio Admin. Code 4901:10-10(B).

The requirements for the filing of Applications to establish new reliability standards are governed by PUCO rules in Ohio Admin. Code 4901:1-10-10(B).[[19]](#footnote-20) Ohio Admin. Code 4901:1-10-10(B)(3)(c) requires that applications for reliability performance standards justify the proposed methodology for each reliability performance standard:

(3) Applications for approval of a reliability performance standard shall include:

\* \* \*

(c) Supporting justification for the proposed methodology and each resulting performance standard.

DP&L’s Application fails to justify a proposed methodology. The justification for the proposed methodology used to establish the reliability performance standards is supposed to be based on a thorough analysis of several factors specifically related to the distribution system. Ohio Admin. Code 4901:1-10-10(B)(4)(a) requires DP&L to justify the performance standards based on the following requirements:

(4) Supporting justification for the proposed methodology and each resulting performance standard.

(a) Performance standards should reflect historical system performance, **system design, technological advancements, service area geography, customer perception survey results** as defined in paragraph (B)(4)(b) of this rule, and other relevant factors. (Emphasis added)

DP&L’s Application is unjust and unreasonable because it seeks to justify reliability standards based only upon consideration of the historical system performance, and not all of the factors listed in Ohio Admin. Code 4901:1-10-10(B)(4)(a). The historical system performance alone is not an accurate indicator of future reliability. According to the Commission rules, the historical system performance is only one factor that must be considered in addition to system design, technological advancements, service area geography, and results of the customer perception surveys while establishing new reliability standards.[[20]](#footnote-21)

Instead of addressing all of the factors listed above, DP&L’s consideration of the system design impact on the reliability of the system is limited to a one sentence explanation that the distribution system is designed to meet or exceed all applicable National Electric Code (“NEC”) requirements.[[21]](#footnote-22) Considering that the Commission’s rules require DP&L to meet the NEC standards,[[22]](#footnote-23) DP&L’s Application is deficient because it fails to explain how the design of the distribution system impacts reliability. DP&L’s consideration of the technological advancements is also limited to a single sentence that there have been no major changes in technology that would substantially improve CAIDI or SAIFI.[[23]](#footnote-24) DP&L’s consideration of service area geography is limited to an explanation that there is nothing particularly unique in the service area characteristics.[[24]](#footnote-25)

According to the Application, DP&L claims that a survey was conducted and that the results indicate that customer expectations for reliability appear to be in line with the system performance.[[25]](#footnote-26) Yet the Company is proposing reliability standards that result in outage durations that are significantly longer than the current performance.

The Commission’s rules also prescribe the content of the workpapers that DP&L is required to file with its Application. Ohio Admin. Code 4901:1-10-10(B)(5) requires:

(5) A complete set of workpapers must be filed with the application. Work papers must include, but are not limited to, **any and all documents prepared by the electric utility for the application**, a **list of assumptions** used in establishing its proposed methodology, and a **narrative or other justification for its proposed methodology** and each resulting performance standard. (Emphasis added)

DP&L’s workpapers were not filed with the Application on June 29, 2012, but were filed as a supplement to the Application on July 18, 2012. Even then, the workpapers consist of only a list of outages by year since 2007, the total number of customers affected by each outage, total customer minutes interrupted and major event exclusions. The workpapers do not include any documents that were prepared by DP&L that justify the exclusion of the system design, technological advancements, service area geography, or the results of the customer perception survey from consideration as the new reliability standards were being developed. In addition, the workpapers do not include a list of assumptions used in establishing a proposed methodology for the standards. Finally, the workpapers do not include a narrative or other justification for the methodology of including a random variance, in the reliability standards that DP&L is proposing.

## B. DP&L’s Application For Establishing Reliability Standards Is Unjust And Unreasonable Because It Fails To Provide The Justification That The Company Agreed To Provide In The Last Case Where Reliability Standards Were Established.

On March 29, 2010, DP&L signed a Stipulation and Recommendation[[26]](#footnote-27) that established the parameters for the Company’s next reliability standards case to assess the impact on CAIDI and SAIFI of system design, historical system performance, technological developments, service area geography, and the results of a customer perception survey. OCC’s comments in that case were critical of the fact that DP&L failed to adequately quantify the impact that each of the above factors has on establishing the reliability standards.[[27]](#footnote-28) DP&L failed to meet both the PUCO rules requirement and its stipulated commitments for assessing the impact of system design, technological advancements, and service area geography in its Application to establish the new proposed standards in this case. DP&L’s Application must also be considered inadequate because it fails to justify the reliability standards as required by the Commission’s rules and the Stipulation where the Company agreed to consider these factors.

The importance of these factors is demonstrated by a review of the Company’s actions over the past few years. For example, DP&L changed its distribution vegetation management program in 2010 to institute a five-year trimming cycle, and has increased its annual distribution tree-trimming efforts in 2010 and 2011 such that more of its distribution system was trimmed in any one year. Tree trimming[[28]](#footnote-29) is important to reliability as tree-related outages constitute more than 25% of 2011 electric service outages.[[29]](#footnote-30) Prior to 2010, the Company’s goal was to trim distribution lines where needed. In 2008 62 circuits trimmed and 62 circuits were trimmed in 2009. However, starting in 2010,[[30]](#footnote-31) the goal was to trim 20% of the distribution system each year.[[31]](#footnote-32) This goal equals about 2,110 miles per year.[[32]](#footnote-33)

In fact, the Company trimmed 84 circuits and some 2,950 miles in 2010 and 114 circuits and 2,381 miles in 2011. By increasing the number of circuits and miles trimmed each year, the Company reduces the average time between trims and reduces the average tree growth between trims. This can be expected to reduce the outages due to trees, and lower the Company’s SAIFI and System Average Interruption Duration Index (“SAIDI”)[[33]](#footnote-34) reliability indices, relative to the Company’s historical performance. Yet DP&L fails to address this factor in its proposed reliability standards. Similarly, several changes were made in the Company’ inspection and repair programs concerning several aspects of the distribution system in 2009; yet these programs and their impact are not considered in the establishment of the proposed reliability standards.[[34]](#footnote-35)

With regards to the Customer Perception Survey, DP&L agreed in the Stipulation to include an explanation within its Application as to how the survey results “were considered in the development of: a) the types of reliability standards that should be recommended; b) the level of each recommended reliability standard; and c) any programs to improve reliability performance.”[[35]](#footnote-36) The current Application includes none of the information DP&L committed to provide in the Stipulation.

Further in regards to the Customer Perception Survey, DP&L agreed that the PUCO Staff and OCC would have the opportunity to review the survey methodology and questions prior to the survey being distributed to customers.[[36]](#footnote-37) While the Application claims that Staff may have had the opportunity to review the draft survey,[[37]](#footnote-38) OCC is not aware of any OCC personnel having such an opportunity to review the draft survey and to provide input concerning ways that reliability standards could be improved to meet the needs of residential consumers.

In addition to not meeting its commitment in assessing system design, technological developments, service area geography, and the customer perception survey, DP&L also failed to consider the reliability impact associated with investments that the Company is making in the System Improvement Plan pursuant to Ohio Admin. Code 4901:1-26. According to the Stipulation:

DP&L shall also consider in the next proceeding in which its reliability standards are set, **the reliability impact associated with investments that are being made pursuant to Ohio Adm. Code 4901:1-10-26,** “Annual System Improvement Plan,” and reflect such consideration in its proposed standards.[[38]](#footnote-39) (Emphasis added).

Ohio Admin. Code 4901:1-10-26 requires electric utilities to report, on an annual basis, the level of capital investments and Operations and Maintenance (“O&M”) expense[[39]](#footnote-40) that the utility is planning to and actually spends on reliability. In 2011, DP&L made capital expenditures exceeding $75 million in reliability specific investments related to the transmission and distribution system.[[40]](#footnote-41) In addition, DP&L spent over $47 million in reliability specific maintenance for the transmission and distribution system. Given that the Company invested over $120 million in reliability programs and O&M expenses last year alone, it is unjust and unreasonable that the Company failed to include the impact these investments are having on the reliability standards. This is especially true given that the Company agreed in the Stipulation to consider the reliability impact these investments should have on the proposed reliability standards.[[41]](#footnote-42)

## C. DP&L’s Application For Establishing Reliability Standards Is Unjust And Unreasonable Because It Fails To Justify The Proposed Variation To The Five-Year Actual Historical Performance.

Rather than justify reliability standards using the methodology required by Commission rules, DP&L has proposed to circumvent the process by just using the most recent five-year average performance for CAIDI and SAIFI and then adding a variance to the standards.[[42]](#footnote-43) In accounting for variations in CAIDI and SAIFI, DP&L proposed adding 9.31 percent and 10.31 percent, which DP&L alleges were added as variances in the last proceeding where reliability standards were developed.[[43]](#footnote-44) Table 2 shows the DP&L proposed reliability standard.

**Table 2: DP&L’s Proposed Reliability Standard[[44]](#footnote-45)**

|  |  |  |
| --- | --- | --- |
| Year | CAIDI (Exclude Major Events) | SAIFI (Exclude Major Events) |
| 2007 | 106.30 | 1.00 |
| 2008 | 124.50 | 1.00 |
| 2009 | 104.31 | 0.76 |
| 2010 | 116.09 | 0.83 |
| 2011 | 120.61 | 0.81 |
| 5-Year Average Performance | 114.36 | 0.88 |
| Variation | 9.31% | 10.31% |
| DP&L Proposed Standards | 125.01 | 0.97 |

In addition to DP&L not complying with its Stipulation concerning the factors that were to be considered in the establishment of the new reliability standards, DP&L also failed to comply with the Stipulation because it relied on results from a previous settlement where the Company explicitly agreed to not rely upon the terms of the Stipulation in other proceedings. The terms of the Stipulation state:

This Stipulation is submitted for purposes of this proceeding only, and is not deemed binding in any other proceeding, except as expressly provided herein, **nor is it to be offered or relied upon in any other proceedings**, except as necessary to enforce the terms of the Stipulation.[[45]](#footnote-46) (Emphasis added).

Based on this language, the Company is precluded from using the variance from the last case as precedent for the CAID and SAIFI calculations in this case.

DP&L’s previous Application failed to comply with the Commission standards concerning the establishment of reliability standards because it did not justify the standards based on the system design, technological advancements, service area geography, and the results of a customer perception survey.[[46]](#footnote-47) Thus the Company’s Application is deficient. DP&L is supposed to be justifying its proposed reliability standards using the Commission’s rules and its own Stipulation. But DP&L is attempting to circumvent the rules by using the results from a previous settlement out of context and in an unjust and unreasonable manner. The PUCO should reject the Company proposal.

## D. DP&L’s Reliance On A Variance To The Five-Year Average Reliability Performance Results In A Degradation Of CAIDI Performance For DP&L Customers.

DP&L’s current CAIDI reliability performance shows an increasing trend from the five-year average performance meaning that customers who experience outages are experiencing longer outages. Table 3 provides the five-year average CAIDI and SAIFI reliability performance for DP&L. DP&L’s five-year average CAIDI performance from 2007 through 2011 was 114.36 minutes as shown in Table 3, meaning on average customers experienced an annual outage of 114.36 minutes over the last five years.

However, the CAIDI performance in 2010, 2011, and 2012 has been almost four minutes longer than the 114.36 minute five-year average. In fact, as shown in Table 3, the average CAIDI performance for 2010, 2011, 2012 was 118.31 minutes. Because the DP&L CAIDI standard was established in 2010 at a level of 125.51 minutes, there is concern that the increases in CAIDI may reflect DP&L having less incentive to continue maintaining a low CAIDI performance level. Because of the absence of support data in the Application explaining the difference between the actual historic CAIDI performance and the proposed standard, having a variance of almost 11 minutes between the historical average CAIDI performance is unreasonable. The proposed standard may act as a disincentive for DP&L to timely restore service because the proposed standard is more lax than the Company’s current performance level. This is precisely why the Commission should reject DP&L’s proposal and establish a standard that is no greater than the actual CAIDI five-year average performance.

While DP&L has proposed a CAIDI standard of 125.01 minutes, the variance between the increasing historical performance and the standard simply means that DP&L customers can expect to receive less reliable service in the future. While DP&L’s SAIFI performance appears to be improving over time, the methodology used by the Commission to exclude major events[[47]](#footnote-48) has changed, which potentially means that more outages are now excluded from the standard.[[48]](#footnote-49) Additionally, the DP&L application does not explain why the SAIFI has improved or if there are technology considerations that might explain the relationship between the SAIFI and CAIDI.

**Table 3: DP&L Reliability Performance Compared with the Five-Year Average**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Year | CAIDI (Excluding Major Events) | Variance from the Average (Minutes) | SAIFI (Excluding Major Events) | Variance from the Average |
| 2007 – 2011 Average | 114.36 | - | .88 | - |
| 2010 | 116.09 | 1.73 | 0.83 | (.05) |
| 2011 | 120.61 | 6.25 | 0.81 | (.07) |
| 2012[[49]](#footnote-50) | 118.23 | 3.87 | .57 | (.31) |
| 2010 – 2012 Average | 118.31 |  | .74 |  |
| DP&L’s Proposal | 125.01 | 10.65 | .97 | .09 |

The data in Table 3 shows that DP&L’s proposed CAIDI and SAIFI indices are deeply inflated compared to the most recent Company reliability performance.

## E. DP&L’s Proposal to Keep the CAIDI and SAIFI values in place indefinitely (or until the industry adopts proven technology that will cost effectively improve the indices) is unjust and unreasonable.

DP&L is proposing reliability standards that are significantly more lax than the actual historical average CAIDI performance that DP&L has been providing to customers. DP&L is now proposing to reduce the reliability it provides customers and to continue to provide reduced service until some future time when proven technologies can be implemented in a cost-effective manner.[[50]](#footnote-51) This proposal is unfair in light of the significant investment that customers will ultimately be asked to fund to improve the Company’s reliability. In addition, this proposal is unfair because it does not ensure that consumers will obtain the benefits from the more uniform inspection, maintenance, repair and replacement programs as mandated by the Commission.[[51]](#footnote-52)

# V. CONCLUSION

The Commission should find that DP&L’s proposed reliability standards of 125.01 for CAIDI and 0.97 for SAIFI are unjust and unreasonable. The Company has considered only the historical average performance of the distribution system in establishing the new standards. Instead, the Commission rules require DP&L to consider the system design, technological advancements, service area geography, and the results of a customer perception survey in proposing new standards. In addition to not complying with the Commission rules concerning justifying the proposed standard, DP&L has not fulfilled the commitments it made in the Stipulation that established the current reliability standards. In addition to not considering each of the factors listed above, DP&L agreed to consider the significant investments that have been made pursuant to the annual “System Improvement Plan” and to specifically apply the results from the customer perception survey, and that customers may be asked to pay for in future rate proceedings. The Application demonstrates that DP&L failed to meet the terms of the PUCO Rules as well as the Stipulation from Case No. 09-754-EL-ESS. Because of these deficiencies, OCC requests that the Commission reject the Company’s proposed reliability standards and set this matter for hearing.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the Comments was served on the persons stated below via electronic transmission, this 20th day of November 2012.

*/s/ Joseph P. Serio*\_\_\_\_\_\_\_\_\_\_\_\_\_

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1. Ohio Revised Code 4928.02(A). [↑](#footnote-ref-2)
2. *In the Matter of the Application of The Dayton Power and Light Company for Establishing New Reliability Targets,* Case No. 12-1832-EL-ESS, Application (June 29, 2012). [↑](#footnote-ref-3)
3. *In the Matter of the Application of Dayton Power and Light Company for Establishing New Reliability Targets,* Case No. 09-754-EL-ESS, Stipulation and Recommendation (March 29, 2010). In that Stipulation and Recommendation, DP&L agreed to the establishment of reliability standards and to file an Application for new reliability standards for 2013 and beyond by June 30, 2012. [↑](#footnote-ref-4)
4. Case No. 12-1832-EL-ESS, Entry at 1 (October 10, 2012). [↑](#footnote-ref-5)
5. Ohio Admin. Code 4901:1-10-10(B)(1) and (B)(2). [↑](#footnote-ref-6)
6. Ohio Admin. Code 4901:1-10-01(Y). [↑](#footnote-ref-7)
7. Ohio Admin. Code 4901:1-10-01(Q). [↑](#footnote-ref-8)
8. Ohio Admin. Code 4901:1-10-10(B)(4)(c). [↑](#footnote-ref-9)
9. Supplement to Filing in Case No. 12-1832-EL-ESS, Workpapers at 21 of 61 (July 18, 2012). [↑](#footnote-ref-10)
10. Outage Reports that were provided to the PUCO Staff pursuant to Ohio Admin. Code 4901:1-10-07. [↑](#footnote-ref-11)
11. Supplement at Workpapers. [↑](#footnote-ref-12)
12. *In the Matter of the Annual Report of the Dayton Power and Light Company Pursuant to Rule 10 of the Electric Service and Safety Standards, Ohio Administrative Code 4901:1-10-10,* Case 12-883-EL-ESS, Annual Report at Section 5.b (March 27, 2012). [↑](#footnote-ref-13)
13. Ohio Admin. Code 4901:1-10-10(A). [↑](#footnote-ref-14)
14. Application at Table 3. [↑](#footnote-ref-15)
15. Application at Table 3. [↑](#footnote-ref-16)
16. Company Response to OCC Interrogatory No. 1. [↑](#footnote-ref-17)
17. 1.42 - .88/ .88. [↑](#footnote-ref-18)
18. *In the Matter of the Application of The Dayton Power and Light Company For Establishing New Reliability Targets*, Case 09-754-EL-ESS, Stipulation and Recommendation at 3 (March 29, 2010). [↑](#footnote-ref-19)
19. Ohio Admin. Code 4901:1-10-10(B)(2). [↑](#footnote-ref-20)
20. Ohio Admin. Code 4901:1-10-10(B)(4)(a). [↑](#footnote-ref-21)
21. Application at 5 (June 29, 2012). [↑](#footnote-ref-22)
22. Ohio Admin. Code 4901:1-10-06. [↑](#footnote-ref-23)
23. Application at 6 (June 29, 2012). [↑](#footnote-ref-24)
24. Application at 6 (June 29, 2012). [↑](#footnote-ref-25)
25. Application, at 4. [↑](#footnote-ref-26)
26. *In the Matter of the Application of The Dayton Power and Light Company For Establishing New Reliability Targets*, Case 09-754-EL-ESS, Stipulation and Recommendation at 3 (March 29, 2010). [↑](#footnote-ref-27)
27. Case 09-754-EL-ESS, Comments by The Office of the Ohio Consumers’ Counsel (November 30, 2009). [↑](#footnote-ref-28)
28. The Company’s response to OCC Interrogatory No. 4 shows that tree-related causes, including wind, ice, trees in ROW, and trees outside ROW, made up 4,539 outages out of a total of 15,913 outages. [↑](#footnote-ref-29)
29. See response to OCC Interrogatory No. 4. [↑](#footnote-ref-30)
30. See Rule No. 26 Reports. A number of branch lines were also trimmed in each of these years. [↑](#footnote-ref-31)
31. *In the Matter of The Dayton Power and Light Company’s Inspection, Maintenance, Repair, and Replacement of Transmission and Distribution Facilities,* Case 10-2621-EL-ESS at 11 (November 16, 2010). [↑](#footnote-ref-32)
32. See 2011 Rule No. 26 Report at 17. 10,552 overhead miles divided by 5 equals 2,110.4. [↑](#footnote-ref-33)
33. SAIDI is a measure of how many interruptions an average customer will experience over the course of a year. [↑](#footnote-ref-34)
34. *In the Matter of the Application to Amend the Company's Transmission and Distribution Inspection, Maintenance, Repair and Replacement Programs Electronically filed by Mr. Robert J Adams on Behalf of The Dayton Power and Light Company,* Case 10-2621-EL-ESS (November 16, 2010). [↑](#footnote-ref-35)
35. Case 09-754-EL-ESS, Stipulation and Recommendation at 5 (March 29, 2010). [↑](#footnote-ref-36)
36. Id. at 4. [↑](#footnote-ref-37)
37. Application at 4 (June 29, 2012). [↑](#footnote-ref-38)
38. Case 09-754-EL-ESS, Stipulation and Recommendation at 5 (March 29, 2010). [↑](#footnote-ref-39)
39. Ohio Admin. Code 4901:1-26(B)(3(c) and (d). [↑](#footnote-ref-40)
40. *In the Matter of the Annual Report of Dayton Power and Light Co. Pursuant to Rule 26 of the Electric Service and Safety Standards, Ohio Administrative Code 4901:1-10-26,* Case No. 12-1000-EL-ESS, System Improvement Report of the Dayton Power and Light Company File Pursuant to Rule 26 of the Electric Service and Safety Standards, Ohio Administrative Code 4901:1-10-26, electronically filed by Mr. Robert J. Adams. (March 28, 2012). [↑](#footnote-ref-41)
41. Case 09-754-EL-ESS, Stipulation and Recommendation at 4-5 (March 29, 2010). [↑](#footnote-ref-42)
42. Application at 2 (June 29, 2012). [↑](#footnote-ref-43)
43. Application at 3 (June 29, 2012). [↑](#footnote-ref-44)
44. Application, Table II at 3 (June 29, 2012). [↑](#footnote-ref-45)
45. Stipulation and Recommendation at Paragraph 7, page 6 (March 29, 2010). [↑](#footnote-ref-46)
46. Case 09-754-EL-ESS, Comments Filed by the Office of the Ohio Consumers’ Counsel (November 30, 2009). [↑](#footnote-ref-47)
47. Definition for a major event is defined in Ohio Admin. Code 4901:1-10-01. [↑](#footnote-ref-48)
48. In fact, a review of the DP&L work papers revealed that 2 major event day exclusions were claimed in 2007, 19 in 2008, 1 each in 2009 and 2010, and 11 in 2011 [↑](#footnote-ref-49)
49. DP&L Response to OCC Interrogatory No. 45. [↑](#footnote-ref-50)
50. Application at 3 (June 29, 1012). [↑](#footnote-ref-51)
51. Ohio Admin. Code 4901:1-10-27(E). [↑](#footnote-ref-52)