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### BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE LONG -TERM FORECAST REPORT OF THE DAYTON POWER AND LIGHT COMPANY AND RELATED MATTERS

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CASE NO. 06-505-EL-FOR

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ANY AND RELATED MATTERS ) STIPULATION AND RECOMMENDATION Pursuant to Ohio Administrative Code Rule 4901-1-30, The Dayton Power and Light Company (DP&L), and the Commission Staff (Staff)<sup>1</sup>, (collectively the Parties), do hereby stipulate all issues in the instant proceeding. It is the Parties understanding that the Ohio Office of Consumers Counsel (OCC) will not be a signatory to the Stipulation and Recommendation but does not oppose it.

While the Parties hereto recognize that this Stipulation and Recommendation (Stipulation) is not binding upon the Public Utilities Commission of Ohio (Commission), it is the position of the Parties hereto that the Stipulation is an agreement among the Parties to this proceeding; that the Stipulation is supported by adequate data and information; that it represents a just and reasonable resolution of all issues in this proceeding; that it violates no regulatory principle or precedent; and that, accordingly, the Stipulation is entitled to careful consideration and should be adopted in its entirety by the Commission. This Stipulation shall not be cited as precedent for or against any signatory,

<sup>&</sup>lt;sup>1</sup> Staff will be considered a party for the purpose of entering into this Stipulation by virtue of O.A.C. Rule 4901-1-10(c).

or the Commission itself, if it approves the Stipulation and Recommendation, in any future proceeding. This Stipulation and Recommendation is a compromise involving a balancing of competing positions, and it does not necessarily reflect the position which one or more of the Parties would have taken if these issues had been fully litigated.

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The Parties believe that this Stipulation represents a reasonable compromise of varying interests. Should the Commission reject or modify all or any part of this Stipulation or impose additional conditions or requirements upon the Parties, the Parties shall have the right, within 30 days of issuance of the Commission's order, to either file an application for rehearing or terminate and withdraw the Stipulation by filing a notice with the Commission. Upon rehearing, any party may terminate and withdraw the Stipulation by filing a notice with the Commission within 30 days of the Commission's order on rehearing. Upon notice of termination or withdrawal by any party, pursuant to the above provisions, the Stipulation shall immediately become null and void. In such event, a hearing shall go forward and the Parties shall be afforded the opportunity to present evidence through witnesses, to cross-examine all witnesses, to present rebuttal testimony, and to brief all issues which shall be decided based upon the record and briefs as if this Stipulation had never been executed.

Subject to the terms and conditions set forth in this Stipulation, the Parties hereto agree, stipulate and recommend that the Commission find as follows:

The Company filed its 2006 Long-Term Forecast Report on April 17,
2006, and the assumptions made therein are reasonable and meet the statutory
requirements of Section 4935.04(F) of the Revised Code.

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2. DP&L's Long-Term Forecast Report is admitted into the record as Company Exhibit 1.

3. In satisfaction of the requirements of Section 4935.04(D)(3) of the Revised Code, the Company caused notice to be published in various newspapers of general circulation throughout the Company's service territory for this case. These are admitted into the record as Company Exhibit 2.

4. This Stipulation and Recommendation shall be admitted into the record in this proceeding and identified as Joint Exhibit 1.

The undersigned hereby stipulate and agree and each represents that he or she is authorized to enter into this Stipulation and Recommendation this \_\_\_, day of November, 2006.

THE DAYTON POWER AND LIGHT COMPANY

Joseph G. Strines

STAFF OF THE PUBLIC UTILITIES COMMISSION OF OHIO

By. Thomas W. McNamee, Assistant Attorney General

### **CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing Stipulation and

Recommendation was served by regular U.S. mail, postage prepaid, hand-delivered, or

delivered via electronic mail, upon the following parties of record, this 16<sup>th</sup> day of

November, 2006.

**Thomas W. McNamee** Assistant Attorney General

Parties of Record:

Joseph G. Strines Dayton Power & Light Company 1065 Woodman Drive Dayton, OH 45432 Ann M. Hotz Assistant Consumers' Counsel Office of the Ohio Consumers' Counsel 10 West Broad Street, Suite 1800 Columbus, OH 43215-3485

**Company Exh. 2** 

### BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE)LONG -TERM FORECAST REPORT OF)THE DAYTON POWER AND LIGHT)COMPANY AND RELATED MATTERS)

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CASE NO. 06-505-EL-FOR

### **PROOFS OF PUBLICATION**

### **PROOF OF PUBLICATION**

State of Ohio, Preble County Court of

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I Patricia Dillman, do swear that I am business manager of

### THE EATON REGISTER HERALD Federal ID #31-0226480

a newspaper printed in Eaton, and of general circulation in said county, and that the advertisement hereunto annexed has been published in said paper 1 time(s) in editions dated: 6/21/06.

INSERT FEE: \$37.40 TAG: Case 06-505-EL-FOR

Sworn to and subscribed before me, this 6<sup>th</sup> day of July, 2006.

BETTY J SOWDER Notary Public, State of Ohio My Commission Expires Dec. 04, 2007 Recorded in Preble County

Notary Public

DP & L 13788

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STATE OF OHIO

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was published solemn onth that the notice, a copy of which is hereto attached, County of aforesald. in the Xenia Daily Gazerte, a newspaper of general circulation in the 3 ß Advertising fee \$ Account number: JANHCE MARNE STUDEBAKER, Nálary Public In and for the State of Ohio My Commission Expires July 5, 2010 Y Personally appeared before me Lois Beddies and made Sworn to before me and signed in my presence, this day of STATE OF OHIO, COUNTY OF GREENE A Division of Brown Publishing Company 3002 Solutions Center, Chicago, IL, 60677-3000 937-294-7000 225 ÷. 3 89640 **Brown Publishing Company** 93.30 ŝ Proof of Publication 2006 2006 2006 when 20 Seddus ß ۶ ĝ, Notary Public L.L.T. 12006 2006 2006 2006 5 contacting lities Commis namesion via TTY TOD at 1 té Commissio the opportunity to be heard Puris Burun ase No. 106-505-EL-FOR to 000-1570 mission's hotting 686-7826. The 1 by conta June 19, 2006 15-3793 Hast -331-4680 00 80 by 00 s of the 2006 Aurectuon engr Bugaredea n Hoad Day ow me 2006 long-ler bast report filed by Th lon Power and Lig report contains inform Veril: True 1.31th Floor ipply over the foreca Xions of anticipated pany, The long-lean to W the 2006 a.m., at the offices of a ission, 180 East Bro The public hearing v pply prices and source and Light Co on, July, 12, ...2006 wishing to nevier Public n will give any of Ohlo has 40K 10-3/6 eyws, rowe nous, Ohk Sec. 1 UNIN Hearin Fuither 1900 0110 Dayton 

# The State of Ohio Champaign County ss:

Personally appeared before me, Kelly Shank of the Urbana Daily Citizen, Daily newspaper, published at Urbana, Ohio, and made with that the notice hereto attached was published

> One consecutive day and next after June 19, 2006

in such paper, printed in and of general circulation in the County aforesaid.

Sworn in by/Kelly Shank and by her subscribed before me, this 19th day of

June, 2006

Notary Public, State of Ohio Brenda Amlin My commission expires June 4, 2008

\$63.05

LEGALANGYICE The Public Utilities Commission of Onio has scheduled a qublic hearing in Case No: 06-505-EL-FOR to review the 2006 long-term forecast report filed by The Dayton Power and Light Company. The long-term forecast contains information regarding the compamy's projections of a inforpated supply, supply prices and sources of supply over the forecast pernd. The public hearing will begin on July 12, 2006 at joam, at the offices of the Commussion, 180 East Bread, Street, 11th Floor, Hearing Room 11-F, Columbus, Ohio 43215-3783; Persons wishing to review coples of the 2006 longterm forecast report for The Dayton Power and Light Company may do so by contacting the utility company at Resource Planning The Dayton Power and Light Company may do so Dryden Road Dayton, Ohio: 45439 (937) 331-4680 The Commission will give any interested member of the public the opportunity to be heard at the public hearing. Further Informa-Light Company we obtained by contacting the Public Near Difference of the 2006 Street, Columbus, Chid 4215-3739, of by contacting the Commission of Onio, 180 East Broad Street, Columbus, Chid Street,

PUBLISHED IN THE CIRCLEVILLE HERALD ON THE 12 DAY OF 1200 A.D. 20 06 AND CONTINUED THERE IN 0 CONSECUTIVE WEEKS DURING ALL OF WHICH TIME SALD PAPER WAS PRINTED PICKAWAY COUNTY, SS STATE OF OHIO PROOF OF FUBLICATIONS J.P. SHASTEEN 1, J.P. SHASTEEN, ADVERTISING DIRECTOR OF THE BROWN PUBLISHING CO., PUBLISHERS, BEING DULY SWORN, DO SAY THAT THE NOTICE HERETO ATTACHED WAS. REFERENCE: 13788 SMORN TO AND SUBSCRIPTING DEFORE MELTINE MY COMMISSION EXPIRES STATE OF OHIO PUBLIC NOTARY DAY OF AND IN GENERAL CIRCULARIEN AN SAIN COUNTY. FUBLISHED ON - 06/12 PRINTERS FEB \$ うちまん アンしししし ししょう おう DAYTON POWER & LIGHT CO PO BOX 468 ABERDEEN OH 45101 ۰, 548446 Wy Commission Expires on 11-30-09 Recorded in Fairfield County Janet Rhoten, State of Onio Notary Public N. ..... 2006 FORCAST CIRCLEVILLE HERALD N A ٦Ę lee l 22 20 The Folds (1986) The Folds (1986) Commission of One standy in sevenued z public hearing in the sevenued z public hearing in the sevenue is and Light Company. The long term because report fixed by plant because and the sevenue is and the sevenue is and the sevenue sevenue is any plant procession the sevenue is any plant because period. The public sevenue of the Commission the sevenue is any plant because of the Commission the sevenue is any plant because period. The public sevenue of the Commission the Commission with the company is server company the Dayton Road the Commission with get the Company at the the Commission with get the Commission of the commission the commission of Commission the co 「「ないない」

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LEGAL NOTICE LEGAL NOTICE. The Public Utilities Com-mission of Ohio has sched-uled a public hearing in Case No. 06-505-BL-POR to re-view the 2006 long-term forecast report filed by Day-ton Power and Light Compa-ny. The long-term forecast report contains information recarding the common's mo

report contains, information regarding the company's pro-jections of anticipated supply, supply prices and sources of supply over the forecast peri-od. The public learing will beein on July 12, 2006, at 10:00 a.m., at the offices of the Commission, 180 East, Broad Street, 11th Floor, Hearing Room 11-Fr, Colum-bus, Ohio 43215-3793. Parsons, wishing to review copies of the 2006, long-term forecast report for. The Day-ton Power and Light Compa-ny may do so by contacting the utility company at Resource Planning.

hy may do so my connecting the utility company at Resource Planning. The Dayton Power and Light Company 1900 Dryden Road Dayton, Ohio 45439 (937)331.4680 The Commission will give any intersted member of the public the opportunity to be heard at the public hearing. Further information may be obtained, by contacting the Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793 or by contacting the Commission's hotime at 1-800-686-7826. The hearing impaired can reach the Com-mission via TTY-TDD at 1-800-686-1570 or, in Colum-bus at 466-8180. Just 2, 200-41

June 12, 2006-11

State of Chio Logan County, Ohio

Jon B. Hubbard

being duly sworn, says that he is the representative of the publisher of the Bellefontaine Examiner a newspaper printed and of general circulation in the said county, and that the annexed

advertisement was published in said paper.

June 12, 2006

Sworn to and subscribed before me A Notary Public

this 12th June 2006 on day of

LORBY E. MELLEN Notary Public, State of Ohio My Comm. Expires Oct. 4, 2008

54.00 Printer's Fee \$

# PUBLISHER'S AFFIDAVIT OF NOTICE

STATE OF OHIO

Mercer County,

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I, FRANK M. SNYDER, Publisher or DAVID J. HOYING, Business Manager, of THE DALLY STA UDARD, A Daily Newspaper. Printed and Published in Celina, Ohio, and of general circulation throughout Mercer County make solerinn oath that on

of which the attached is a true copy, was published in said newspaper in its issue. -Lefal Lang Notice

and **ع**, Printer's Fee - \$ 52.81 Swom to and subscribed in my presence this ... Tean ' -, A.D. 2006. ., 2006, and -, 2006, and. \_, 2005, and-My Commission Expires: April 10, 2007 lotary Public annette Les 2 maria 14:1 ł - 2006, 2006, -, 2006, g

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ATTE OF O Wapakoneta, OH	REBECCA SHOPF RUDER A MUNK	Subscribed and sworn to before me this 1244 day of day of	19 AD. 20 06. Meluni CBCUTUK	hereto annexed was published in said newspaper for 1 consecutive weeks in its issues of <u>JUIN</u>	who being duly sworn states an oath that she is bookkeeper for the publishers of THE WAPAKONETA DAILY NEWS, a daily newspaper published at Wapakoneta, County of Auglaize, State of Ohio, and that the same is of general circulation in said county, and that the notice, a true copy of which is	On this 12 <sup>th</sup> day of <u>Juliy</u> A. D. 20 <u>10</u> personally appeared before the undersigned a Notary Public within and for said County and State, MULIYAN K. Bartlett	Certificate of Publication STATE OF OHIO, AUGLAIZE COUNTY, 55.

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Sec. 1

## **Dayton Daily News** AFFIDAVIT OF PUBLICATION

P.O. Box 643080

Cincinnati, OH 45264-3080 937-225-2107

State of Ohio

County

### LEGAL NOTICE

The Bublic Utilities Commission of Ohlo has scheduled a public hearing in Case No. 06:505 ELFOR to review the 2006 long term forebast report filed by The Davion Power and Light Company. The long term forecast report contains information regarding the company's projections of anticipated subbly, subbly prices and sources of supply over the forecast period, The public hearing will begin on July 12, 2006, at 10:00 arm, at the offices of the Commission, 180 East Eroad Street, 11th Floor, Hearing foom 11-P. Columbus, 04:00 43215-3793.

Persons wishing to review copies of the 2006 long-term forecast report for The Dayton Power and ught company may do so by contacting the utility company at

> Resource Planning The Dayton Power and Light Company 1900 Dryden Road Dayton, Ohio, 45439 (937):331-4680,

The Contraission will give any interested member of the public the opportunity to be heard at the public hearing. Further information may be obtained by contracting the public utilities. Contraision of Ohio, 180 East Broad Street, Columbus, Ohio, 43215-3793, or, by contacting the Contraston's holdine at 1520-586-7825. The hearing impaired can teach the Complexion, via: TTY-TDD at 1500-686-1570 or, in Columbus, at 86-8180. 7738567 6-1970

Signed

Sworn or affirmed to, and subscribed before me, this 6/19/2006.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.



Before me, the undersigned, a Notary public in and for said County, personally came Tina Kimball

who being first duly sworn says he/she is the Legal Advertising Agent of the Dayton Daily News,

ayion Daily News,

which he/she says is a newspaper of general circulation in Montgomery, Clark, Warren, Butler, Clinton, Greene, Preble, Miami, Darke, Mercer, Shelby, Fayette, Logan, Hamilton, Clermont, Auglaize, and Champaign Counties, and State of Ohio, and he/she further says that the Legal Advertisement, a copy of which is hereunto attached, has been published in the said Dayton Daily News

32 Lines, 1 Time(s), last day of publication being 6/19/2006,

and he/she further says that the bona fide daily paid circulation of the said

Dayton Daily News was over (25,000) at the time the said advertisement was published, and that the price charged for same does not exceed the rates charged on annual contract for the like amount of space to other advertisers in the general display advertising columns.

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FROOF OF FUBLICATION STATE OF OHIO, CLINION COUNTY

# WILMINGTON NEWS JOURNAL

DAYTON OH 45432 1065 MOODMAN DR DPAL LEGAL DEPT TAMELLA LAKES/LEGAL

REFERENCE: 89648 625959 06505 BL FOR

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PUBLISHER OF I, PAMELA STRICKER DO SWEAR THAT I AM

CIRCULATION IN SAID COUNTY, AND THAT THE A NEWSPAPER PRINTED IN WILMINGTON, AND OF GENERAL THE WILMINGTON NEWS-JOURNAL

ADVERTISEMENT HEREINTO ANNEXED HAS BEEN PUBLISHED IN SAID PAPER / TIME (S) IN EDITIONS DATED:

INSEET FEE

WORN TO AND SUBSCRIPED BEFORE ME, THIS 3 DAY OF

NGTARY PUBLIC, STATE OF OHIN JANICE L. BOWELL 29

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PUBLISHED ON: 06/19

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City of Marysville, se published for JA consecutive weeks on a copy of which is hereto attached, was and made solemn oath, that the Union County STATE OF OHIO, City of Marysville and Union County. newspaper of general circulation in the in The Marysville Journal-Tribune, a and next after ALL 19, 2006. Printer's Fees, \$ 33.86 My commission expires..... my presence this 20 day of 444 A. D. 20 Hyannaul Sworn to before me and signed in Personally appeared before me price Benergin anice Scheidener .**↓, 20**(2)

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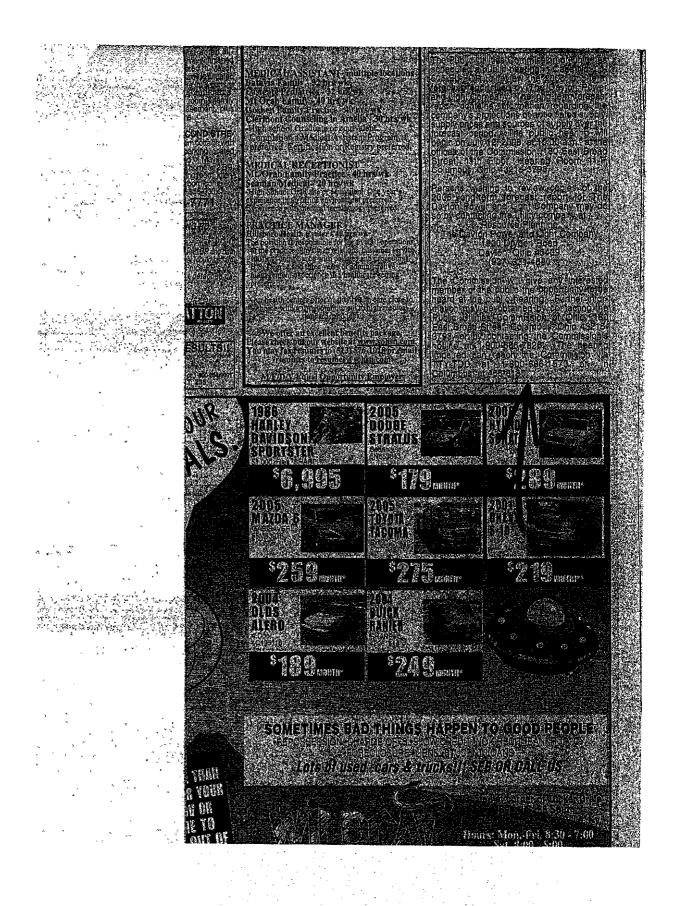
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LEGAL NOTICE

## AFFIDAVIT OF PUBLICATION

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(Signed) Marguet Uhlligford Pata Kinder State My commission expires ..... 111 23,0008



PUBLISHED ON: DAY OF The 2006. SWORN TO AND SUBSCRIBED BEFORE ME THIS / C HARRAN IN THE OF EACH WEEK FOR I NEEKS BEGINNING ON THE CON OF CACH WEEK FOR I 2006. A NEWSFAPER PRINTED, AND OF GENERAL CIRCULATION, IN SAID COUNTY, AND THAT A NOTICE OF WHICH THE ANNEXED IS A TRUE COPY, WAS PUBLISHED IN SAID SIDNEY DAILY NEWS. SHE IS THE EUSINESS OFFICE ASSISTANT OF THE CHERXL DIETZ, BEING FIRST DULY SMORN, SAYS THAT REFERENCE: 89648 (SIGNATURE OF) THE BUSINESS OFFICE ASSISTANT) THE STATE OF OHIO SHELBY COUNTY PROOF OF PUBLICATION 化学的 医牙上颌的 法国际公司 DAYTON OH 45432 1065 WOODMAN DR TAMELLA LAKES/LEGAL DPAL LEGAL DEPT hin 712929 HELBY COUNTY, OHIO) PUBLIC UNILITIEL COM ふれかびまれしま THE COMMUNITY MERCHANT "是不可能是有不可能是有不可能是是 The Commision will give any integrited member of the public the opportunity to be heard at the public hearing. Further information may be obtained by contacting the Public Willing Commission of Orbio, 180 East Broad Street, Cohumbus, Ohio 43212-3723, or by contacting the Commission's hotline at 1-800-686-7226. The hearing impointed can reach the Commission via TTV=TDD at 1-800-686-15/70 or, in Columbus at 466 8180. Richearing in Case No. 06-505-EL-PO term forecast report filed by The Company. The long-term forecast r regarding the company's projections by contacting the utility company atblic heating will begin of blic heating will begin of tens of the Commision The Public U sport for the Dayton Power Resource Planning The Dayton Power and Light Com 1900 Dryden Road or Buy ŕ (937) 331-4680 ion, 180 East In and For The State of Ofric My Commission Expires April 18, 2009 ŝ Marilyn A.S. Yagle 3 June 19, 2006 d supply, sup-period. The O a.m. at the iy may do so Filter Hoor, and Light term fore ÷.

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THE STATE OF ONIO 158:	
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is the business opplice assistant of the troy Daily	of the Commission, 180 East Broad Street, 11th
NEWS, INC.	Floor, Hearing Room 11-
	43215-3793
Jannie M. Butt	Persons wishing to
ISIGNATURE OF THE BUSINESS OFFICE ASSISTANT!	review copies of the 2005 long-term forecast
	report for The Dayton
	Power and Light Com-
A NERSPAPER FRINTED. AND OF GENERAL CIRCUALTION.	pany may do so by con- tacting the utility compa-
	Funning States in a
In Baid County, and that a notice of which the	Resource Planning
ANNEXED IS A TRUE COPY, WAS RUBLISHED IN BAID	The Dayton Power and Light Company
PAPER ON OF BACH WEEK FOR	1900 Dryden Road
WERKS BEGINNING ON THE 19 DAY OF WWW 2006.	Davton, Ohio 45439
N j	(937) 331-4680
Į.	The Commission will give any interested member of the public the
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SNORN TO AND SUBSCRIBED BEFORE ME THIS 21	I opportunity to be heard
nav or Nildet zone.	at the public hearing. Further information may
AND 14/10/10	be obtained by contact-1
SUSAN BRUMFIELD	ing the Public Utilities
Notary Public	Commission. of Ohio, 180 East Broad Street,
Suppor Parime of States In and for	Columbus, Ohio 43215-
the Divis of Divis	3793, or by contacting the Commission's hotline
INOTARY PUBLIC, WIAHT COUNTY OH! My Commission Expires	at 1-800-688-7826. The
3.92 Feb 21 2007	at 1-800-586-7826. The hearing impaired can
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