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08-1094-EL-SSO
08-1095-EL-ATA
08-1096-EL-AAM
08-1097-EL-UNC

November 11, 2009

Via Fed Ex

Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street
Columbus, OH 43215-3793

**Re: The Dayton Power and Light Company's Motion For A 3-Day extension
Of Time To File Reply Comments And For Expedited Consideration**

Dear Sir/Madam:

Enclosed please find for filing the original and (11) eleven copies of The Dayton Power and Light Company's Motion 'For A 3 Day Extension Of Time To File Reply Comments And For Expedited Consideration'.

Please time-stamp and return the extra copy in the self addressed stamped envelope provided. If you have any questions, please call Judi L. Sobecki at 937-259-7171.

Sincerely,

Jenna Johnson
Administrative Assistant

Enclosures

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

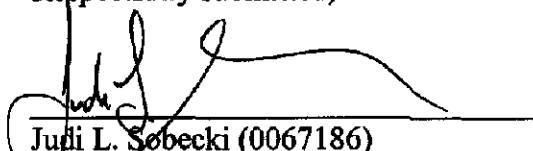
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In the Matter of the Application of The Dayton Power and Light Company for Approval of Its Electric Security Plan	:	Case No. 08-1094-EL-SSO
	:	
In the Matter of the Application of The Dayton Power and Light Company for Approval of Revised Tariffs	: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

**THE DAYTON POWER AND LIGHT COMPANY'S MOTION
FOR A 3 DAY EXTENSION OF TIME TO FILE REPLY COMMENTS AND FOR
EXPEDITED CONSIDERATION**

Pursuant to Rule 4901-1-13 of the Ohio Administrative Code, The Dayton Power and Light Company ("DP&L") respectfully moves the Public Utilities Commission of Ohio ("Commission") for an order granting a modest, three day extension of time for all parties to file reply comments in this matter. In addition, DP&L requests an expedited ruling in this matter pursuant to Ohio Administrative Code Section 4901-1-12(C). If granted, this request would make reply comments due December 4, 2009. The majority of the intervening parties to this proceeding have indicated they do not oppose this motion. The reasons demonstrating good cause for granting this motion are more fully explained in the attached Memorandum in Support.

Respectfully submitted,



Judi L. Sobecki (0067186)

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MEMORANDUM IN SUPPORT

I. INTRODUCTION

On August 4, 2009, DP&L filed its revised AMI and Smart Grid business cases pursuant to paragraph 4 of the Stipulation and Recommendation approved without modification by the Commission by Opinion and Order dated June 24, 2009. DP&L supplemented its revised business cases on August 13, 2009 and September 15, 2009. By entry dated September 23, 2009, the Commission ordered a technical conference, which took place on October 22, 2009, and which was well attended by intervening parties and Staff. On November 4, 2009, the Commission entered a procedural order, in which it ordered all interested parties to file comments on DP&L's revised AMI and Smart Grid Business cases by November 24, 2009. The order also set a December 1, 2009 deadline for filing reply comments. Pursuant to the Stipulation and Recommendation in this case, Commission Staff is to endeavor to complete its report on DP&L's refilled business cases in the fourth quarter of 2009 so as to permit the rider to be implemented January 1, 2010. The Thanksgiving holiday takes place between the current deadlines for filing comments and reply comments. This will in essence leave only two full working days in which to prepare reply comments, putting those parties wishing to file reply

comments at a disadvantage. As a result, DP&L seeks a three day extension of the reply comment deadline.

II. ARGUMENT

Section 4901-1-13(A) of the Ohio Administrative Code permits an extension of time to file pleadings or other papers before the Commission upon good cause being shown, providing specifically:

Except as otherwise provided by law, and notwithstanding any other provision in this chapter, continuances of public hearings and extensions of time to file pleadings or other papers may be granted upon motion of any party for good cause shown, or upon motion of the commission, the legal director, the deputy legal director, or an attorney examiner.

The Commission may issue an expedited decision on such motions under certain circumstances:

Any motion may include a specific request for an expedited ruling. The grounds for such a request shall be set forth in the memorandum in support. If the motion requests an extension of time to file pleadings or other papers of five days or less, an immediate ruling may be issued without the filing of memoranda. In all other situations, the party requesting an expedited ruling may first contact all other parties to determine whether any party objects to the issuance of such a ruling without the filing of memoranda. If the moving party certifies that no party objects to the issuance of such a ruling, an immediate ruling may be issued . . .¹

DP&L respectfully requests that the Commission extend the date for all parties to file reply comments an additional three days, until December 4, 2009 in order to allow sufficient time for the parties to adequately review initial comments of the other parties and prepare thoughtful, well reasoned reply comments. While seven days would ordinarily be enough time in which to prepare a reply in this matter, given the Thanksgiving holiday falling two days after the initial comments are due, DP&L (and other parties) are in essence losing two days, leaving only two full working days in which to prepare replies. This factor, coupled with the anticipated

¹ Ohio Administrative Code Section 4901-1-12(C).

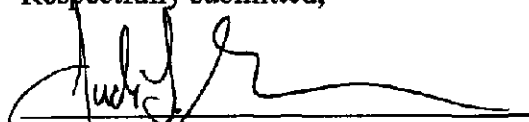
unavailability of key internal resources necessary to assist DP&L in preparing its reply comments due to vacation schedules, along with the nature and complexity of this proceeding presents good cause to warrant this extension of time. Further, this extension of just a few days will not significantly inhibit the Staff's ability to prepare its report pursuant to the Stipulation and Recommendation. In addition, while not required to do so under the Rules, DP&L contacted the other parties to this proceeding to inquire whether there was any opposition to this motion and while not all parties responded to the email, the majority did and all of the responding parties indicated they do not oppose the extension.² Finally, given the fast approaching deadlines, the fact that DP&L seeks only a three day extension, and the lack of expressed opposition to this motion, DP&L requests an expedited ruling.

III. CONCLUSION

For the reasons explained herein, good cause exists for a three day extension of time for all parties to this proceeding to file reply comments and DP&L respectfully requests the Commission issue an expedited ruling granting the parties an additional three days, until December 4, 2009, in which to file reply comments in this mater.

² Those parties indicating no opposition are as follows: The Ohio Environmental Council, The Ohio Hospital Association, Ohio Partners for Affordable Energy, The Kroger Company, The Ohio Farm Bureau, Constellation Energy, Honda, Commission Staff, The Ohio Manufacturers Association, Industrial Energy Users-Ohio, The Edgemont Neighborhood Coalition, Dominion Retail, and the Ohio Consumers' Counsel.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Judi L. Sobceki', written over a horizontal line.

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I certify that a copy of the foregoing has been served via electronic mail upon the following counsel of record, this **12th** day of November, 2009:

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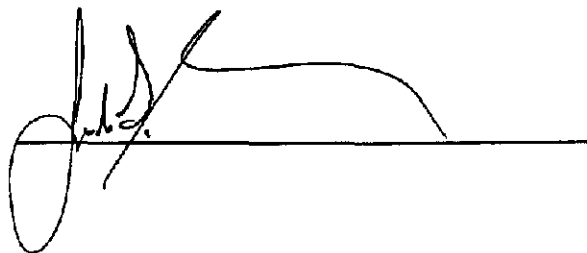
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A handwritten signature in black ink, appearing to read "Todd Williams", is written over a horizontal line. The signature is stylized and cursive.