

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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

REPLY COMMENTS OF THE KROGER CO.

Pursuant to the Entry on December 21, 2009, The Kroger Company submits these reply comments in response to comments filed by other parties in the above captioned proceeding. Lack of reply to a particular comment neither indicates support or opposition to that comment.

Generally, The Kroger Co. is supportive of Staff's and other parties recommendations to delay the deployment of AMI and SmartGrid until additional studies have been conducted to verify that the actual benefit customers receive are worth the significant costs customers are asked to pay. In DP&L's business case for deploying SmartGrid and AMI technologies ("Business Case"), DP&L has not demonstrated sufficient tangible benefit to customers to justify

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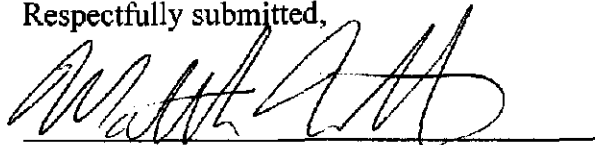
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the significant risk of moving forward with the proposed SmartGrid and AMI investments.¹ However, if the Commission approves DP&L's Business Case, the Business Case must be modified in accordance with The Kroger Co. recommendations in its Initial Comments.²

The Kroger Co. also supports Staff's recommendation to move forward with the implementation of a new billing system. While Staff is not specific in regards to the type of billing system it recommends, The Kroger Co. submits that any new billing system must include an Electronic Data Interchange ("EDI") that allows large scale energy consumers to receive bills and make payments electronically ("Electronic Billing"). EDI reduces costs and also enhances the convenience of bill payment for customers. In addition, this technology is readily available, as several Ohio electric utilities have EDI systems that provide Electronic Billing for large scale energy consumers. DP&L should not be permitted to lag behind other businesses that have recognized the benefits of EDI and Electronic Billing.

The Kroger Co. respectfully requests that the Commission consider these reply comments before any approval of DP&L's Business Case.

Respectfully submitted,



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¹ AMI also may pose security risks to customers' personal information. See *The Offense: Smart Meter vs. Slot Machine Security*, [energybizinsider](http://energybizinsider.com) (January 8, 2010);

http://www.energycentral.com/utility/newsletters/sample_ebi.htm

² Those recommendations include:

- Incorporating a demand component in the cost recovery mechanism for AMI and SmartGrid deployment.
- Granting customers direct, real-time access to their meters at no additional charge.
- Development of a rate design that maximizes the advantages of AMI and SmartGrid deployment.
- The implementation of Electronic Date Interchange billing system.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Comments Of The Kroger Co.* was served upon the following parties of record or as a courtesy, via U.S. Mail postage prepaid, express mail, hand delivery, or electronic transmission, on January 8, 2010.

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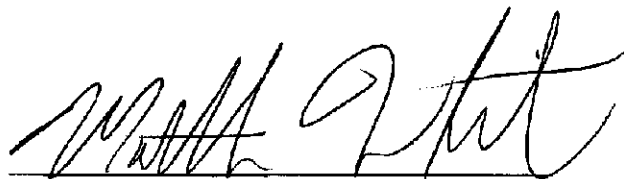
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