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BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of The AES)
Corporation, Dolphin Sub, Inc., DPL Inc. and The)
Dayton Power and Light Company for Consent)
and Approval for a Change of Control of The)
Dayton Power and Light Company.)

Case No. 11-3002-EL-MER

MOTION TO INTERVENE OF THE OHIO HOSPITAL ASSOCIATION

Pursuant to §4903.221 of the Ohio Revised Code and Rule 4901-1-11 of the Ohio Administrative Code, the Ohio Hospital Association ("OHA") moves for leave to intervene in this proceeding. The Public Utilities Commission of Ohio ("Commission") should grant OHA leave to intervene because OHA has a real and substantial interest in this proceeding, and the Commission's disposition of this proceeding may impair or impede OHA's ability to protect that interest.

MEMORANDUM IN SUPPORT

On May 18, 2011, the AES Corporation (AES) and its subsidiary Dolphin Sub, Inc. ("Merger Sub"), as well as DPL Inc. and its subsidiary, The Dayton Power and Light Company ("DP&L"), jointly filed an application for approval of a merger of Merger Sub and DPL Inc., with DPL, Inc. emerging as a wholly-owned subsidiary of AES. OHA should be permitted to intervene in the above-captioned proceeding because it has real and substantial interests.

OHA is a private nonprofit trade association established in 1915 as the first state-level hospital association in the United States and is the only Ohio trade association representing hospitals with 168 private, state and federal government hospitals and more than 18 health systems.

OHA's mission is to be a membership-driven organization that provides proactive leadership to

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create an environment in which Ohio hospitals are successful in serving their communities. A significant amount of that expenditure is for service provided by Dayton Power & Light Company (“DP&L”) to the approximately 21 hospitals in its service area. Every hospital, or virtually every hospital, in DP&L’s service area is a member of OHA and all OHA member hospitals are posted at www.ohanet.org/about_oha/member_list.asp.

OHA is concerned that the ultimate resolution of the matters to be addressed in the above-captioned proceeding could have a substantial effect on the electricity costs of OHA members, including the hospitals in the service area of DP&L, as well as hospital interests in power reliability, adequacy, and demand management. A significant component of hospital costs is electric, estimated at about \$4500 per staffed bed per annum, and such costs are necessarily passed on to patients, their families, businesses and taxpayers. Additionally, hospitals have somewhat unique electricity load patterns and require reliable electric service on a 24-hour basis very day of the year in order to provide medical care. Pertinent to these proceedings is the additional fact that all hospitals are required by federal regulators and accrediting organization to maintain emergency generators in the event of interrupted utility power, and larger hospitals in particular utilize sophisticated energy management systems and related energy efficiency technology. In sum, communities and individuals depend upon hospitals, hospitals in turn depend upon electric companies to provide reliable service at an affordable rate, and hospitals and DP&L have a common interest in matters related to energy efficiency and demand management.

As a result of the above concerns and hospital characteristics, OHA has a substantial interest in these proceedings that is not adequately addressed by any other party. OHA’s participation will enhance the effectiveness of the above proceedings, will not unnecessarily cause delay, and will help ensure that the proceedings in this matter are fair to its membership.

Accordingly, OHA respectfully requests the Commission to determine that OHA has a real and substantial interest in these proceedings and should grant its Motion to Intervene pursuant to §4903.221 of the Ohio Revised Code and Rule 4901-1-11 of the Ohio Administrative Code.

Respectfully submitted on behalf of
OHIO HOSPITAL ASSOCIATION



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion to Intervene was served upon the parties of record listed below this 28th day of July 2011 *via* electronic mail.


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