

FILE

**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) Case No. 11-3002-EL-MER
Approval for a Change of Control of The Dayton)
Power and Light Company.)

RECEIVED-DOCKETING DIV
2011 AUG 18 PM 4:40

PUCO

REPLY COMMENTS OF THE OHIO HOSPITAL ASSOCIATION

I. INTRODUCTION

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. On June 1, 2011, the Public Utilities Commission of Ohio suspended the application and directed interest parties to file comments by July 18, 2011 and reply comments by August 18, 2011. Pursuant to the Commission's June 1, 2011 Entry, the Ohio Hospital Association ("OHA") respectfully submits its reply comments in response to comments filed by the following parties: FirstEnergy Solutions Corp.; Ohio Partners for Affordable Energy ("OPAE"); the OMA Energy Group ("OMAEG"); the Staff of the Public Utilities Commission ("Staff"); the City of Dayton; and the Industrial Energy Users-Ohio.

RECEIVED-DOCKETING DIV
2011 AUG 18 PM 4:35

PUCO

II. REPLY COMMENTS

OHA agrees with those comments made by various parties that recognize the importance and long-standing role of DP&L in Dayton and the surrounding area, and the importance of ensuring that AES commits in a meaningful way to continuing that tradition of community contribution and economic development. City of Dayton Comments, pp. 3, 5; OMAEG Comments, pp. 3, 4. OHA also agrees with comments by OMAEG that "reliability, power quality and price are...of paramount importance" and by

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.
Technician KN Date Processed AUG 18 2011

OPAE that "Service reliability is of great concern to customers." OMAEG Comments, p. 3; OPAE Comments, p. 3. Reliability, quality and price are critical to hospital operations.

While agreeing with comments of various parties such as those cited above, OHA does not oppose the merger provided alterations or modifications are made to the proposed transaction generally as recommended by the Commission Staff. OHA supports the position adopted by the Commission Staff, who in turn agrees with DP&L's assessment of the key elements and benefits to the merger. Staff Comments, p. 3. Further, OHA supports Staff's recommendations for alterations or modifications to the individual elements of the proposed transaction. With the additional conditions recommended by Staff, the OHA would be satisfied that the longstanding support to the Greater Dayton community, including its healthcare facilities, and those matters of reliability, quality and price will be adequately safeguarded.

III. CONCLUSION

The OHA urges the Commission to consider these reply comments in its consideration of this Application.

Respectfully submitted on behalf of
OHIO HOSPITAL ASSOCIATION




Richard L. Sites
General Counsel and Senior Director of Health Policy
155 East Broad Street, 15th Floor
Columbus, OH 43215-3620
Telephone: (614) 221-7614
E-mail: ricks@OHANET.org

and

Thomas J. O'Brien
BRICKER & ECKLER LLP
100 South Third Street
Columbus, OH 43215-4291
Telephone: (614) 227-2335
Facsimile: (614) 227-2390
E-mail: tobrien@bricker.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Reply Comments was served upon the parties of record listed below this 18th day of August 2011 *via* electronic mail.


Thomas J. O'Brien

Daniel R. Conway
Andrew C. Emerson
Porter Wright Morris & Arthur LLP
41 South High Street
Suites 2800-3200
Columbus, OH 43215-6194
dconway@porterwright.com
aemerson@porterwright.com

Lisa G. McAlister
Matthew W. Warnock
Bricker & Eckler LLP
100 South Third Street
Columbus, OH 43215-4291
lmcalister@bricker.com
mwarnock@bricker.com

Charles J. Faruki
Jeffrey S. Sharkey
Faruki Ireland & Cox P.L.L.
500 Courthouse Plaza, S.W.
10 North Ludlow Street
Dayton, OH 45402
cfaruki@ficlaw.com
jsharkey@ficlaw.com

Samuel C. Randazzo
Frank P. Darr
Joseph E. Olier
McNees Wallace & Nurick LLC
21 East State Street, 17th Floor
Columbus, OH 43215
same@mwncmh.com
fdarr@mwnchm.com
joiker@mwncmh.com

Arthur G. Meyer
1065 Woodman Drive
Dayton, OH 45432
arthurmeyer@dplinc.com

Colleen L. Mooney
Ohio Partners for Affordable Energy
231 West Lima Street
Findlay, OH 45840
cmooney@columbusrr.com

Thomas Melone
Ecos Energy LLC
Allco Renewable Energy Limited
14 Wall Street, 20th Floor
New York, NY 10005
Thomas.Melone@AllcoUS.com

David F. Boehm
Michael L. Kurtz
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, Ohio 45202
dboehm@BKLawfirm.com
mkurtz@BKLawfirm.com

Christopher L. Miller
Gregory H. Dunn
Asim Z. Haque
Shottenstein Zox & Dunn Co. LPA
250 West Street
Columbus, Ohio 43215
ahaque@szd.com
cmiller@szd.com
adunn@szd.com

Mark A. Hayden
FirstEnergy Service Company
76 South Main Street
Akron, Ohio 44308
havdenm@firstenergycorp.com

Colleen M. O'Neal
Kevin P. Shannon
Calfee, Halter & Griswold LLP
1400 Key Bank Center
800 Superior Avenue
Cleveland, Ohio 44114
coneil@calfee.com
kshannon@calfee.com

Steven L. Beeler
Attorney General's Office
Public Utilities Section
180 East Broad Street, 6th Floor
Columbus, OH 43215-3793
Steven.beeler@puc.state.oh.us