

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of	:	Case No. 12-426-EL-SSO
The Dayton Power and Light Company for	:	
Approval of Its Market Rate Offer	:	
	:	
In the Matter of the Application of	:	Case No. 12-427-EL-ATA
The Dayton Power and Light Company for	:	
Approval of Revised Tariffs	:	
	:	
In the Matter of the Application of	:	Case No. 12-428-EL-AAM
The Dayton Power and Light Company for	:	
Approval of Certain Accounting Authority	:	
	:	
In the Matter of the Application of	:	
The Dayton Power and Light Company for	:	Case No. 12-429-EL-WVR
the Waiver of Certain Commission Rules	:	
	:	
In the Matter of the Application of	:	
The Dayton Power and Light Company	:	Case No. 12-672-EL-RDR
to Establish Tariff Riders	:	

**MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT
OF INDUSTRIAL ENERGY USERS-OHIO**

Samuel C. Randazzo (Counsel of Record)
Frank P. Darr
Matthew R. Pritchard
Joseph E. Olikier
MCNEES WALLACE & NURICK LLC
21 East State Street, 17th Floor
Columbus, OH 43215-4228
Telephone: (614) 469-8000
Telecopier: (614) 469-4653
sam@mwncmh.com
fdarr@mwncmh.com
mpritchard@mwncmh.com
joliker@mwncmh.com

March 30, 2012

Attorneys for Industrial Energy Users-Ohio

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MOTION TO INTERVENE

Industrial Energy Users-Ohio ("IEU-Ohio") hereby respectfully moves the Public Utilities Commission of Ohio ("Commission"), pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, for leave to intervene in the above-captioned matter with the full powers and rights granted by the Commission, specifically by statute or by the provisions of the Ohio Administrative Code, to intervening parties.

On March 30, 2012, Dayton Power and Light ("DP&L") filed an application to meet its standard service offer ("SSO") obligation under Section 4928.141, Revised Code. To satisfy its SSO obligation, an electric distribution utility may file a market rate offer ("MRO") under Section 4928.142, Revised Code, or an electric security plan

("ESP") under Section 4928.143, Revised Code. To meet its SSO obligation DP&L elected to file an MRO. DP&L's proposed MRO would begin on January 1, 2013 and would continue through December 31, 2017.

As demonstrated further in the Memorandum in Support attached hereto and incorporated herein, IEU-Ohio has a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceeding, and is so situated that the disposition of this proceeding may, as a practical matter, impair or impede its ability to protect that interest. IEU-Ohio believes that its participation will not unduly prolong or delay this proceeding and that it will significantly contribute to the full development and equitable resolution of the factual and other issues in the proceeding. The interests of IEU-Ohio will not be adequately represented by other parties to the proceeding and, as such, IEU-Ohio is entitled to intervene with the full powers and rights granted by the Commission, specifically by statute and by the provisions of the Ohio Administrative Code, to intervening parties.

Respectfully submitted,

/s/ Matthew R. Pritchard
Samuel C. Randazzo (Counsel of Record)
Frank P. Darr
Matthew R. Pritchard
Joseph E. Olikier
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21 East State Street, 17th Floor
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Telephone: (614) 469-8000
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MEMORANDUM IN SUPPORT

In support of this Motion to Intervene, IEU-Ohio states that it is an association of ultimate customers. A current listing of IEU-Ohio member companies is available on IEU-Ohio's website at http://www.ieu-ohio.org/member_list.aspx. IEU-Ohio's members purchase substantial amounts of electric and related services from Ohio's electric distribution utilities ("EDU").

IEU-Ohio's members work together to address matters that affect the availability and price of utility services. Additionally, IEU-Ohio seeks to promote customer-driven policies that will assure an adequate, reliable, and efficient supply of energy for all consumers at competitive prices. To this end, IEU-Ohio has worked, including actively

participating in the legislative process related to Amended Substitute Senate Bill 221 ("SB 221"), and will continue to work to produce legislative, regulatory, and market outcomes that are consistent with the State policy contained in Section 4928.02, Revised Code.

IEU-Ohio has a real and substantial interest inasmuch as this proceeding may directly or indirectly impact the provision of electric service to IEU-Ohio members' manufacturing facilities. Specifically, IEU-Ohio's direct interest in this proceeding is the result of the effect that this proceeding shall have upon the price, adequacy, and reliability of the electric supply and related services within Ohio.

Respectfully submitted,

/s/ Matthew R. Pritchard

Samuel C. Randazzo (Counsel of Record)

Frank P. Darr

Matthew R. Pritchard

Joseph E. Olier

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Columbus, OH 43215-4228

sam@mwncmh.com

fdarr@mwncmh.com

mpritchard@mwncmh.com

joliker@mwncmh.com

Attorneys for Industrial Energy Users-Ohio

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion to Intervene and Memorandum in Support of Industrial Energy Users-Ohio* was served upon the following parties of record this 30th day of March 2012, *via* hand-delivery, electronic transmission, or first class mail, U.S. postage prepaid.

/s/ Matthew R. Pritchard

MATTHEW R. PRITCHARD

Judi L. Sobecki
The Dayton Power and Light Company
1065 Woodman Drive
Dayton, OH 45432
judi.sobecki@dplinc.com

Charles J. Faruki
Jeffrey S. Sharkey
Faruki, Ireland and Cox PLL
500 Courthouse Plaza, S.W.
10 North Ludlow Street
Dayton, OH 45402
Email: cfaruki@ficlaw.com

**On Behalf of The Dayton Power and
Light Company**

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Case No(s). 12-0426-EL-SSO, 12-0427-EL-ATA, 12-0428-EL-AAM, 12-0429-EL-WVR, 12-0672-EL-RDR

Summary: Motion to Intervene and Memorandum in Support electronically filed by Mr. Matthew R. Pritchard on behalf of Industrial Energy Users-Ohio