

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

|  |   |                         |
|--|---|-------------------------|
| In the matter of the Application of      | ) |                         |
| The Dayton Power and Light Company       | ) | Cause No. 12-426-EL-SSO |
| Approval of its Market Offer             | ) |                         |
|  | ) |                         |
| In the matter of the Application of      | ) |                         |
| The Dayton Power and Light Company       | ) | Cause No. 12-427-EL-ATA |
| Approval of Revised Tariffs              | ) |                         |
|  | ) |                         |
| In the matter of the Application of      | ) |                         |
| The Dayton Power and Light Company       | ) | Cause No. 12-428-EL-AAM |
| Approval of Certain Accounting Authority | ) |                         |
|  | ) |                         |
| In the matter of the Application of      | ) |                         |
| The Dayton Power and Light Company       | ) | Cause No. 12-429-EL-WVR |
| The Waiver of Certain Commission Rules   | ) |                         |
|  | ) |                         |
| In the matter of the Application of      | ) |                         |
| The Dayton Power and Light Company       | ) | Cause No. 12-672-EL-RDR |
| To Establish Tariff Riders               | ) |                         |

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**MOTION TO INTERVENE OF  
WAL-MART STORES EAST, LP AND SAM'S EAST, INC.**

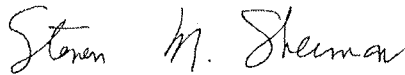
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Pursuant to Rule 4901-1-11 of the Ohio Administrative Code and R.C. 4903.221 and Rule 4903.221, Wal-Mart Stores East, LP and Sam's East, Inc. (collectively "Walmart") respectfully seeks leave to intervene in this proceeding. As set forth in the accompanying Memorandum in Support, Walmart meets the requirements for intervention.

On March 30, 2012, Dayton Power and Light ("DP&L") filed a request for approval to meet its Standard Service Offer ("SSO") obligation, and for approval of revised tariffs, accounting authority, a waiver of certain Commission rules, and establishment of tariff riders . As demonstrated further in the Memorandum in Support attached hereto and incorporated herein,

Walmart has a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceeding, and its interests are not represented by other parties. Walmart believes that its participation will not unduly prolong or delay this proceeding and that it will contribute to the just and expeditious resolution of the proceedings. The interest of Walmart will not be adequately represented by other parties to the proceeding and, as such, Walmart is entitled to intervene with the full powers and rights granted by the Commission.

Respectfully submitted,

A handwritten signature in cursive script that reads "Steven M. Sherman".

---

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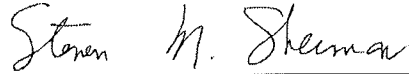
**MEMORANDUM IN SUPPORT OF  
WALMART'S MOTION TO INTERVENE**

In support of its Motion to Intervene in this proceeding, Walmart avers that it is a large commercial customer in Ohio, with approximately 21 facilities in the Dayton Power & Light ("DP&L") service territory that consume approximately 100 million kWh annually.

Walmart has a real and substantial interest in these proceedings as it will be directly impacted by the cost of electric service to Walmart and its impact on the electric bills of its stores. No other party to this proceeding will adequately represent the interests of Walmart. Walmart's participation will contribute to these proceedings, and will not cause undue delay. The test of intervention pursuant to Rule 4901-1-11 Ohio Administrative Code has been met, and, therefore, full intervention should be granted.

WHEREFORE, Walmart moves this Commission to grant it intervention in this proceeding.

Respectfully submitted,

A handwritten signature in cursive script that reads "Steven M. Sherman". The signature is written in dark ink and is positioned above a horizontal line.

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Attorneys for Wal-Mart Stores East, LP  
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## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Intervene of Wal-Mart Stores has been served by U.S. Mail, postage prepaid, upon Dayton Power and Light Company of Ohio and each person designated on the official service list in this proceeding on the 18<sup>th</sup> day of April, 2012.

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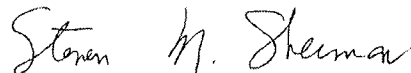
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**Case No(s). 12-0426-EL-SSO, 12-0427-EL-ATA, 12-0428-EL-AAM, 12-0429-EL-WVR, 12-0672-EL-RDR**

Summary: Motion Motion to Intervene and Memorandum in support filed on behalf of Wal-Mart and Sam's electronically filed by (RETURNED MAIL) Mr. Steven M. Sherman on behalf of Wal-Mart Stores East, LP and Sam's East, Inc.