

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

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

ENTRY

The attorney examiner finds:

- (1) The Dayton Power and Light Company (DP&L) is a public utility as defined in Section 4905.02, Revised Code, and, as such, is subject to the jurisdiction of this Commission.
- (2) On March 30, 2012, DP&L filed an application for a standard service offer (SSO) pursuant to Section 4928.141, Revised Code. This application is for a market rate offer in accordance with Section 4928.142, Revised Code. Additionally, DP&L filed accompanying applications for approval of revised tariffs, for approval of certain accounting authority, for waiver of certain Commission rules, and to establish tariff riders.
- (3) By entry issued April 2, 2012, the Commission established a procedural schedule for this proceeding.

- (4) Subsequently, on April 13, 2012, Ohio Energy Group, Staff, FirstEnergy Solutions Corp., Duke Energy Retail Sales, L.L.C., Duke Energy Commercial Asset Management, Inc., the Ohio Hospitals Association, and Honda of America Mfg., Inc. (collectively, Joint Movants), filed a joint motion seeking to extend portions of the procedural schedule. By entry issued April 18, 2012, the attorney examiner granted Joint Movants' motion and extended portions of the procedural schedule, requiring intervenor testimony to be filed by June 13, 2012, and providing that the evidentiary hearing should commence on June 25, 2012.
- (5) Thereafter, on June 5, 2012, DP&L filed a motion for a continuance of the deadline for intervenor testimony and the scheduled evidentiary hearing date of June 25, 2012. Additionally, DP&L stated that it waives the 90-day limit for Commission action on its first application for a market rate offer under Section 4928.142(B)(3), Revised Code.
- (6) By Entry dated June 12, 2012, the attorney examiner amended the procedural schedule to utilize the June 25, 2012, evidentiary hearing date as a call and continue. The call and continue commenced on June 25, 2012, and a further procedural schedule was discussed.
- (7) On July 12, 2012, the attorney examiner issued an entry to again revise the procedural schedule. The entry scheduled the deadline for intervenor testimony for August 6, 2012. The entry then set the prehearing conference, deadline for staff testimony, and deadline for discovery requests for August 13, 2012. Finally, the entry set the evidentiary hearing for August 27, 2012.
- (8) On August 1, 2012, Staff of the Public Utilities Commission of Ohio filed a motion to suspend the procedural schedule. In support of its motion, Staff stated that the Parties are continuing to have settlement discussions and need more time to review and analyze the various issues involved in the case.
- (9) The attorney examiner finds that the motion to suspend the procedural schedule should be granted. A new procedural schedule, including deadlines for intervenor testimony, Staff testimony, and discovery requests, will be set by subsequent entry.

It is, therefore,

ORDERED, That the procedural schedule be suspended as set forth in Finding (9).
It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Bryce McKenney

By: Bryce A. McKenney
Attorney Examiner

JRJ/sc

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in

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

Summary: Attorney Examiner Entry grants motion to suspend the procedural schedule and upon subsequent entry, a new procedural schedule will be set. - electronically filed by Sandra Coffey on behalf of Bryce McKenney, Attorney Examiner, Public Utilities Commission of Ohio