

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of The     )  
Dayton Power and Light Company To     )     Case No. 11-5730-EL-FAC  
Establish a Fuel Rider.                     )

ENTRY

The attorney examiner finds:

- (1) On June 24, 2009, the Commission issued an Opinion and Order approving a stipulation that, *inter alia*, authorized The Dayton Power and Light Company (DP&L) to institute a fuel recovery rider (fuel rider), effective January 1, 2010. *In the Matter of the Application of The Dayton Power and Light Company For Approval of its Electric Security Plan*, Case No. 08-1094-EL-SSO, et al. Under the terms of the stipulation, DP&L is required to submit an annual fuel cost filing, beginning in 2011, with the 2011 and 2012 filings subject to an audit.
- (2) On November 10, 2010, the Commission issued an entry selecting Energy Ventures Analysis, Inc. (Auditor) to perform a management/performance and financial audit. On February 27, 2012, the attorney examiner directed the Auditor to file its formal report by April 27, 2012. Consistent with the attorney examiner's entry, the audit report for the year 2011 was filed on April 27, 2012.
- (3) Motions to intervene in this proceeding have been timely filed by the Ohio Consumers' Counsel (OCC), Industrial Energy Users-Ohio (IEU-Ohio), and FirstEnergy Solutions Corp. (FES). No party opposed the motions to intervene. The attorney examiner finds that the motions to intervene are reasonable and should be granted.
- (4) On August 27, 2012, the attorney examiner established a procedural schedule for this proceeding. According to the procedural schedule, pre-filed testimony in this proceeding is due on October 1, 2012.

- (5) However, on October 1, 2012, OCC filed a motion and request for expedited consideration seeking a three-day extension of the deadline for submitting pre-filed testimony. According to the motion, counsel for OCC has contacted all parties to the proceeding, and no party objects to the extension.
- (6) The attorney examiner finds that the motion for an extension is reasonable and should be granted. Accordingly, pre-filed testimony should be filed in this proceeding no later than October 4, 2012.

It is, therefore,

ORDERED, That the motions to intervene filed by OCC, IEU-Ohio, and FES be granted. It is, further,

ORDERED, That the motion for extension of time filed by OCC be granted. It is, further,

ORDERED, That pre-filed testimony in this proceeding be filed no later than October 4, 2012. It is, further,

ORDERED, That a copy of this Entry is served upon all parties of record in this proceeding.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Gregory Price

By: Gregory A. Price  
Attorney Examiner

SEF/sc

**This foregoing document was electronically filed with the Public Utilities**

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**in**

**Case No(s). 11-5730-EL-FAC**

Summary: Attorney Examiner Entry grants the motions to intervene filed by OCC, IEU-Ohio, and FES and the motion for extension of time filed by OCC and orders the pre-filed testimony in this proceeding to be filed no later than 10/04/12. - electronically filed by Sandra Coffey on behalf of Gregory Price, Attorney Examiner, Public Utilities Commission of Ohio