

STEPHEN C. BARSOTTI
DANIEL J. BENNETT
MARY F. BRENNING
JOHN P. BRODY
ERIN C. CLEARY
ROBERT G. COHEN
KENNETH R. COOKSON
CATHERINE A. CUNNINGHAM
KACIE N. DAVIS
ERIC D. DUFFEE
MATTHEW D. ELLIOTT
BRENDAN P. FEHELEY
LAWRENCE F. FEHELEY
KATHERINE C. FERGUSON
LORIANN E. FUHRER
KAILEE M. GOOLD
DONALD W. GREGORY
ALLEN L. HANDLAN
PAUL R. HESS
THOMAS W. HILL

TIM JOCHIM
CHARLES J. KEGLER
TODD M. KEGLER
TIMOTHY A. KELLEY
RASHEEDA Z. KHAN
MARGEAUX KIMBROUGH
MICHAEL J. MADIGAN
DAVID M. McCARTY
LARRY J. McCLATCHEY
VINITA B. MEHRA
JEFFREY C. MILLER **
JEFFREY J. NEIN
JAMES J. PINGOR**
BRIAN C. POLIS**
REBECCA R. PRICE
CHRISTY A. PRINCE
MARK R. REITZ
PAUL D. RITTER, JR.
JEFFREY D. ROBERTS

KEGLER BROWN
HILL & RITTER
A LEGAL PROFESSIONAL ASSOCIATION

MICHAEL L. SCHOTTENSTEIN
RICHARD W. SCHUERMANN, JR.
ROBERT G. SCHULER
THOMAS J. SIGMUND
ANDREW J. SONDERMAN
S. MARTIJN STEGER
GEOFFREY STERN
JEFFREY W. STILTNER
ROGER P. SUGARMAN
KEVIN L. SYKES
JEREMIAH E. THOMAS
STEFAN T. E. THOMAS
ERIC B. TRAVERS
STEVE TUGEND
TIMOTHY T. TULLIS
STEPHANIE P. UNION
CHRISTOPHER J. WEBER
MELVIN D. WEINSTEIN
NICHOLAS E. WILKES
MICHELLE H. WONG HALABI
MICHAEL E. ZATEZALO

OF COUNSEL

LUIS M. ALCALDE
RICHARD C. BRAHM
RALPH E. BREITFELLER
ANTONIO C. FIORE
PETER E. JONES
ROBERT D. MAROTTA
TED M. McKINNISS*
RANDALL W. MIKES
S. MICHAEL MILLER
ANEEZAL H. MOHAMED
DAVID M. WILSON

*Resident in Marion Office
**Resident in Cleveland Office

December 12, 2012

Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street
11th Floor
Columbus, Ohio 43215

Re: **Erratum to City of Wilmington Opt-Out Notices**
Case No. 12-2420-EL-GAG

To Whom It May Concern:

On December 7, 2012, DPL Energy Resources, Inc. electronically filed Opt-Out Notices to be sent to residential and small commercial customers in the City of Wilmington, Clinton County, Ohio. A portion of the last paragraph contained in the Opt-Out letters was inadvertently omitted. As filed, the paragraph states:

We are pleased to provide you the opportunity to join other local businesses to save money on the electricity you use. Savings are possible through governmental aggregation, where community officials bring together citizens to gain group buying power for the purchase of electricity from a retail electric generation provider certified by the Public Utilities Commission of Ohio. Voters in the City of Wilmington approved this program in November, 2003.

The paragraph should read as follows:

We are pleased to provide you the opportunity to join other local businesses to save money on the electricity you use. Savings are possible through governmental aggregation, where community officials bring together citizens to gain group buying power for the purchase of electricity from a retail electric generation provider certified by the Public Utilities Commission of Ohio. Voters in the City of Wilmington approved this program in November, 2003, and the city has selected Clinton County as the governmental aggregator.

This letter serves as an *Erratum* to submit the full text of the opt-out letters, as attached. Please contact me directly if you have any questions.

Capitol Square • Suite 1800 • 65 East State Street • Columbus, Ohio 43215-4294
Telephone: (614) 462-5400 • Facsimile (614) 464-2634 • www.keglerbrown.com



Public Utilities Commission of Ohio
December 12, 2012
Page 2

Sincerely,

Margeaux Kimbrough
Counsel for DPL Energy Resources, Inc.

Attachments

December 17, 2012

Dear City of Wilmington Business Owner:

We are pleased to provide you the opportunity to join other local businesses to save money on the electricity you use. Savings are possible through governmental aggregation, where community officials bring together citizens to gain group buying power for the purchase of electricity from a retail electric generation provider certified by the Public Utilities Commission of Ohio. Voters in the City of Wilmington approved this program in November, 2003 and the city has selected Clinton County as the governmental aggregator.

After researching competitive electricity pricing options for you, your community has chosen DPL Energy Resources, Inc. (DPL Energy), a wholly-owned subsidiary of DPL Inc. and affiliate of The Dayton Power and Light Company ("utility" or "Dayton Power and Light"), to provide you with your electric generation through your January 2015 meter reading. There is no fee from the utility or from DPL Energy to join the program, and you do not need to do anything to participate.

As a member of this program, you will pay \$0.05293 per kilowatt hour (kWh) for your electric generation and transmission charges. To estimate your month's savings associated with this program, multiply your typical monthly usage in kWh against the difference between \$0.05293 and the "Price to Compare" identified on your utility invoice. The "Price to Compare" is the portion of your total electric bill associated with your generation and transmission charges, and changes based on your utility's rates.

Your switch to DPL Energy will occur with your February, 2013 meter read, and you will see your new electric price beginning with the bill resulting from your March, 2013 meter read. Of course, you are not obligated to participate in the Wilmington aggregation program. If you choose to opt-out of the aggregation prior to commencement of the program, you will be served by the utility's standard service offer unless you choose an alternate provider. If you wish to be excluded from the program and continue to purchase your generation and transmission from Dayton Power and Light, you will have until 21 days from the postmark date on this Opt Out Notice to return the attached "opt out" form. If you do not return the form by that time, you will be enrolled and will receive a similar Opt-Out Notice at least every three years asking if you wish to remain in the program. If you leave the program at any other time, you could be subject to a \$75 early termination fee from DPL Energy. In addition, by leaving the program early you might not be served under the same rates, terms and conditions that apply to other customers receiving generation and transmission from Dayton Power and Light.

After you become a participant in this aggregation program, Dayton Power and Light will send you a letter confirming your selection of DPL Energy as your electric generation provider. As required by law, this letter will inform you of your option to cancel your contract with DPL Energy within seven days of its postmark. To remain in the City of Wilmington aggregation program, you don't need to take any action when this letter arrives.

Dayton Power and Light will continue to maintain the system that delivers power to your business – no new poles or wires will be built by DPL Energy. You will continue to receive a single, easy-to-read bill from your local electric utility with your DPL Energy charges included. Please be aware that budget billing will not be available under this program.

If you have any questions, please call DPL Energy at 1-888-266-1738, Monday through Friday, 8 a.m. through 5 p.m. Please do not call the City of Wilmington with aggregation program questions.

Sincerely,

The City of Wilmington and Clinton County Local Officials

Opt-Out Form – City of Wilmington Aggregation Program

Option 1 – Do nothing and save.

If you want to participate in the aggregation program and save, you do not need to return this form. Your enrollment is automatic.

OR**Option 2 – Opt out by returning this form.**

If you do not want to participate in this program, you must mail this form by January 7, 2013.

By returning this signed form, you will be **EXCLUDED** from this opportunity to join with other residents in the City of Wilmington Aggregation Program.

☐ **I wish to opt out of the City of Wilmington Program. (Check to opt out.)**

Service Address (City, state and zip): _____

Utility 10-digit Account Number: _____ Phone No.: _____

Account Holder's Signature: _____ Date: _____

Mail the completed form by January 7, 2013 to:

DPL Energy, Wilmington Aggregation Program, 1065 Woodman Dr., Dayton, Ohio 45432

December 17, 2012

Dear Resident of the City of Wilmington:

We are pleased to provide you the opportunity to join other residents to save money on the electricity you use. Savings are possible through governmental aggregation, where community officials bring together citizens to gain group buying power for the purchase of electricity from a retail electric generation provider certified by the Public Utilities Commission of Ohio. Voters in the City of Wilmington approved this program in November, 2003 and the city has selected Clinton County as the governmental aggregator.

After researching competitive electricity pricing options for you, your community has chosen DPL Energy Resources, Inc. (DPL Energy), a wholly-owned subsidiary of DPL Inc. and affiliate of The Dayton Power and Light Company ("utility" or "Dayton Power and Light"), to provide you with your electric generation through your January 2015 meter reading. There is no fee from the utility or from DPL Energy to join the program, and you do not need to do anything to participate.

As a member of this program, you will pay \$0.05293 per kilowatt hour (kWh) for your electric generation and transmission charges. To estimate your month's savings associated with this program, multiply your typical monthly usage in kWh against the difference between \$0.05293 and the "Price to Compare" identified on your utility invoice. The "Price to Compare" is the portion of your total electric bill associated with your generation and transmission charges, and changes based on your utility's rates.

Your switch to DPL Energy will occur with your February 2013 meter read, and you will see your new electric price beginning with the bill resulting from your March 2013 meter read. Of course, you are not obligated to participate in the Wilmington aggregation program. If you choose to opt-out of the aggregation prior to commencement of the program, you will be served by the utility's standard service offer unless you choose an alternative provider. If you wish to be excluded from the program and continue to purchase your generation and transmission from Dayton Power and Light, you will have until 21 days from the postmark date on this Opt-Out Notice to return the attached "opt out" form. If you do not return the form by that time, you will be enrolled and will receive a similar Opt Out Notice at least every three years asking if you wish to remain in the program. If you leave the program at any other time, you could be subject to a \$75 early termination fee from DPL Energy. In addition by leaving the program early you might not be served under the same rates, terms and conditions that apply to other customers receiving generation and transmission from Dayton Power and Light.

After you become a participant in this aggregation program, Dayton Power and Light will send you a letter confirming your selection of DPL Energy as your electric generation provider. As required by law, this letter will inform you of your option to cancel your contract with DPL Energy within seven days of its postmark. To remain in the City of Wilmington aggregation program, you don't need to take any action when this letter arrives.

Dayton Power and Light will continue to maintain the system that delivers power to your home – no new poles or wires will be built by DPL Energy. You will continue to receive a single, easy-to-read bill from your local electric utility with your DPL Energy charges included. Please be aware that if you are currently participating in the utility's budget billing program and your premise has at least 7 months of usage, you will automatically be enrolled in the DPL Energy budget bill program. The levelized charges associated with your generation and transmission charges will be set based on your historic usage and the rate set by your community.

If you have any questions, please call DPL Energy at 1-888-266-1738, Monday through Friday, 8 a.m. through 5 p.m. Please do not call the City of Wilmington with aggregation program questions.



Sincerely,

The City of Wilmington and Clinton County Local Officials

Opt-Out Form – City of Wilmington Aggregation Program

Option 1 – Do nothing and save.

If you want to participate in the aggregation program and save, you do not need to return this form. Your enrollment is automatic.

OR

Option 2 – Opt out by returning this form.

If you do not want to participate in this program, you must mail this form by January 7, 2013.

By returning this signed form, you will be **EXCLUDED** from this opportunity to join with other residents in the City of Wilmington Aggregation Program.

☐ **I wish to opt out of the City of Wilmington Aggregation Program. (Check to opt out.)**

Service Address (City, state and zip): _____

Utility 10-digit Account Number: _____ Phone No.: _____

Account Holder's Signature: _____ Date: _____

Mail the completed form by January 7, 2013 to: DPL Energy, Wilmington Aggregation Program, 1065 Woodman Dr., Dayton, Ohio 45432

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

12/12/2012 5:36:03 PM

in

Case No(s). 12-2420-EL-GAG

Summary: Notice of Erratum to correct a portion of a sentence inadvertently omitted from the City of Wilmington, Clinton County Opt-Out Notices. electronically filed by Ms. Margeaux Kimbrough on behalf of DPL Energy Resources, Inc.