

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Jiles N. Hale Jr.)	
3992 Frytown Rd)	
Dayton, Ohio 45417)	Case No. 13-0407-EL-CSS
)	
Complainant,)	
v.)	
)	
The Dayton Power and Light Company)	
1065 Woodman Drive)	
Dayton, Ohio 45432)	
)	
Respondent.)	

**ANSWER, MOTION TO DISMISS, AND REQUEST FOR MEDIATION OF THE
DAYTON POWER AND LIGHT COMPANY**

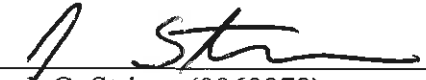
Now comes the Dayton Power and Light Company (“DP&L” or “Respondent”), by and through counsel, and for its answer to the Complaint filed in this docket by Jiles N. Hale Jr. (“Complainant”), hereby states as follows:

1. On or about February 11, 2013, the Public Utilities Commission of Ohio (“the Commission”) accepted for filing a Complaint by Complainant alleging generally that DP&L ran a gas line at the Complainant’s address and as a result caused drainage issues on his property.

2. It is unclear that DP&L is a proper party to this matter. DP&L is not in the business of installing gas lines. Accordingly, the Respondent, DP&L, denies or is without sufficient knowledge to ascertain the veracity of all of Complainant’s allegations of wrongdoing as described in the Complaint and therefore denies the same. At all pertinent times, DP&L has complied with all relevant statutes, regulations, and approved tariffs.

3. Respondent further moves the Commission to dismiss this Complaint. To the extent that the Commission denies such motion, Respondent hereby requests the opportunity to mediate this issue with the Complainant to determine whether a mutually acceptable resolution is possible.

Respectfully submitted,




Joseph G. Strines (0069878)
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Attorney for The Dayton Power and Light
Company

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been sent via ordinary mail, postage prepaid, this 26th day of February, 2013 to the following:

Jiles N. Hale Jr.
3992 Frytown Rd
Dayton, Ohio 45417



Joseph G. Strines

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 13-0407-EL-CSS

Summary: Answer Motion to Dismiss and Request for Mediation electronically filed by Mrs. Angela N. Hogan on behalf of The Dayton Power and Light Company