

**In the Matter of the Joint Application between Appleton Papers, Inc.  
and the Dayton Power and Light Company in which the Customer has  
committed its PJM Demand Response Capabilities into DP&L's Peak  
Demand Reduction Program**

**Appleton Papers, Inc. (Case No. 09-1701-EL-EEC)**

Rule 4901:1-39-05(F), Ohio Administrative code (O.A.C.), permits a mercantile customer to file, either individually or jointly with an electric utility, an application to commit the customer's existing demand reduction, demand response, and energy efficiency programs for integration with the electric utility's programs. In this case, the Dayton Power and Light Company (Company) and the Appleton Papers, Inc., (Customer) filed a joint application in accordance with the Commission's rules at that time.

Pursuant to the Integration Agreement between the Company and the customer, the customer agreed to commit its PJM demand response capability to the Company's demand reduction program in exchange for the EER rider exemption from its inception. This exemption was to remain in effect as long as the customer maintained its demand response capability, unless cancelled by either party with appropriate notice. Through communications with the Company, the Staff became aware that as of June 1, 2012 the customer no longer maintained its demand response capability and therefore the terms of this Agreement should cease. The Staff recommends that the Company issue a rider exemption credit to the customer for the period of time beginning January 1, 2009 through May 31, 2012. This rider exemption shall no longer apply post June 1, 2012, pursuant to the terms of the agreement.

Filed by Greg Scheck

May 2., 2013

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