

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The	)	
Dayton Power and Light Company for	)	Case No. 12-3062-EL-RDR
Authority to Recover Certain Storm-	)	
Related Service Restoration Costs	)	
	)	
In the Matter of the Application of The	)	Case No. 12-3266-EL-AAM
Dayton Power and Light Company for	)	
Approval of Certain Accounting Authority	)	

---

**MOTION FOR EXTENSION OF TIME TO FILE  
COMMENTS  
AND  
REQUEST FOR AN EXPEDITED RULING  
BY  
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

---

The Office of the Ohio Consumers' Counsel ("OCC") moves<sup>1</sup> the Public Utilities Commission of Ohio ("Commission" or "PUCO") for a fourteen-day extension of time, until June 17, 2013, for all interested persons and/or parties to file Initial Comments in these proceedings. OCC also requests that Reply Comments be similarly extended from June 17, 2013 to July 1, 2013.

The Dayton Power and Light Company ("DP&L") has authorized OCC to represent that DP&L does not oppose this Motion.<sup>2</sup> Additionally, OCC requests an expedited ruling on this Motion, pursuant to Ohio Adm. Code 4901-1-12(C). OCC certifies that no party objects to the issuance of an expedited ruling.

---

<sup>1</sup> Pursuant to Ohio Adm. Code 4901-1-12(C) and 4901-1-13.

<sup>2</sup> The Kroger Company has also authorized OCC to represent that it does not oppose this Motion for Extension.

Wherefore, OCC respectfully requests that, for good cause shown, the Commission grant its request for an extension of time and request for an expedited ruling for the reasons set forth in the attached Memorandum in Support.

Respectfully submitted,

BRUCE J. WESTON  
OHIO CONSUMERS' COUNSEL

/s/ *Melissa Yost*

Melissa R. Yost, Counsel of Record  
Deputy Consumers' Counsel  
Larry S. Sauer  
Michael J. Schuler  
Assistant Consumers' Counsel

**Office of the Ohio Consumers' Counsel**

10 West Broad Street, Suite 1800  
Columbus, Ohio 43215  
(614) 466-1291 (Telephone-Yost)  
(614) 466-1312 (Telephone-Sauer)  
(614) 466-9547 (Telephone-Schuler)  
(614) 466-9475 (Fax)  
yost@occ.state.oh.us  
sauer@occ.state.oh.us  
schuler@occ.state.oh.us

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The	)	
Dayton Power and Light Company for	)	Case No. 12-3062-EL-RDR
Authority to Recover Certain Storm-	)	
Related Service Restoration Costs	)	
	)	
In the Matter of the Application of The	)	Case No. 12-3266-EL-AAM
Dayton Power and Light Company for	)	
Approval of Certain Accounting Authority	)	

---

**MEMORANDUM IN SUPPORT**

---

On December 21, 2012, DP&L filed an Application that initiated these proceedings. On May 2, 2013, the Attorney Examiner issued an Entry setting the procedural schedule. The procedural schedule mandates that Initial Comments be filed by June 3, 2013 and Reply Comments be filed by June 17, 2013. OCC now seeks to extend the procedural schedule by two weeks.<sup>3</sup> If this Motion is granted, then Initial Comments would be due on June 17, 2013 and Reply Comments would be due on July 1, 2013.

On April 18, 2013, OCC propounded a Second Set of Interrogatories and Requests for Production of Documents upon DP&L. Per the Commission's rule, the due date for DP&L's responses was May 8, 2013. However, DP&L requested a two-week extension of time to respond to three of the requests for production in OCC's second set of discovery requests. OCC agreed to the two-week extension on the condition that DP&L agree to a two-week extension of time for filing Initial Comments. DP&L agreed.<sup>4</sup>

---

<sup>3</sup> Ohio Adm. Code 4901-1-13(A) allows for extensions of time to file pleadings and other papers for good cause shown.

<sup>4</sup> DP&L has authorized OCC to represent that DP&L does not oppose this Motion.

Thus, good cause exists for the requested extension of the procedural schedule to afford DP&L adequate time to respond to OCC's discovery requests and OCC additional time to draft its Initial Comments that may rely upon those discovery responses.

Ohio Adm. Code 4901-1-12(C) allows for the Commission to rule on an expedited basis. Because the due date for Initial Comments is June 3 2013, an expedited ruling is warranted. Furthermore, OCC certifies that no party objects to treatment on an expedited basis.

For the good cause set forth above, OCC requests that the Commission grant a two-week extension of the procedural schedule in the above-referenced proceedings, whereby Initial Comments will be due on June 17, 2013, and Reply Comments will be due on July 1, 2013. OCC further requests that this Commission rule on an expedited basis.

Respectfully submitted,

BRUCE J. WESTON  
OHIO CONSUMERS' COUNSEL

/s/ Melissa Yost  
Melissa R. Yost, Counsel of Record  
Deputy Consumers' Counsel  
Larry S. Sauer  
Michael J. Schuler  
Assistant Consumers' Counsel

**Office of the Ohio Consumers' Counsel**  
10 West Broad Street, Suite 1800  
Columbus, Ohio 43215  
(614) 466-1291 (Telephone-Yost)  
(614) 466-1312 (Telephone-Sauer)  
(614) 466-9547 (Telephone-Schuler)  
(614) 466-9475 (Fax)  
yost@occ.state.oh.us  
sauer@occ.state.oh.us  
schuler@occ.state.oh.us

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Motion has been served upon the below-named persons via electronic service this 23rd day of May, 2013.

/s/ *Melissa R. Yost*

Melissa R. Yost  
Deputy Consumers' Counsel

### **SERVICE LIST**

Ryan O'Rourke  
Stephen Reilly  
Attorney General's Office  
Public Utilities Commission of Ohio  
180 East Broad St., 6<sup>th</sup> Fl.  
Columbus, Ohio 43215  
Ryan.orourke@puc.state.oh.us  
Stephen.reilly@puc.state.oh.us

Mark S. Yurick  
Zachary D. Kravitz  
Taft Stettinius & Hollister LLP  
65 East State Street, Suite 1000  
Columbus, Ohio 43215  
myurick@taftlaw.com  
zkravitz@taftlaw.com

AEs: Bryce.mckenney@puc.state.oh.us  
Gregory.price@puc.state.oh.us

Judi L. Sobecki  
Randall V. Griffin  
The Dayton Power and Light Company  
1065 Woodman Drive  
Dayton, Ohio 45432  
Judi.sobecki@dplinc.com  
Randall.griffin@dplinc.com

Charles J. Faruki  
Faruki Ireland & cox PLL  
500 Courthouse Plaza, S.W.  
10 North Ludlow Street  
Dayton, Ohio 45402  
cfaruki@ficlaw.com

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

**Commission of Ohio Docketing Information System on**

**5/23/2013 12:42:53 PM**

**in**

**Case No(s). 12-3062-EL-RDR, 12-3266-EL-AAM**

Summary: Motion Motion for Extension of Time to File Comments and Request for Expedited Ruling by the Office of the Ohio Consumers' Counsel electronically filed by Patti Mallarnee on behalf of Yost, Melissa Ms.