

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application	)	
of The Dayton Power & Light Company	)	
for Approval of Its Energy Efficiency and	)	Case No. 13-0833-EL-POR
Peak Demand Reduction Program Portfolio	)	Case No. 13-0837-EL-WVR
Plan for 2013 through 2015.	)	

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**MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT  
OF INDUSTRIAL ENERGY USERS-OHIO**

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**May 28, 2013**

**Attorneys for Industrial Energy Users-Ohio**

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**MOTION TO INTERVENE OF INDUSTRIAL ENERGY USERS-OHIO**

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Industrial Energy Users-Ohio ("IEU-Ohio") hereby respectfully moves the Public Utilities Commission of Ohio ("Commission"), pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Administrative Code, for leave to intervene in the above-captioned matter(s) with the full powers and rights granted by the Commission, specifically by statute or by the provisions of the Ohio Administrative Code, to intervening parties.

On April 15, 2013, The Dayton Power & Light Company ("DP&L") filed an application for approval of its Energy Efficiency and Peak Demand Reduction Program ("EE/PDR") Portfolio Plan for 2013 through 2015. The rates that will be established to collect the costs of DP&L's EE/PDR plan will ultimately be assessed to IEU-Ohio's members in DP&L's service area.

As demonstrated further in the Memorandum in Support attached hereto and incorporated herein, IEU-Ohio has a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceeding, and is so situated that the disposition of this proceeding may, as a practical matter, impair or impede its ability to protect that interest. IEU-Ohio believes that its participation will not unduly prolong or delay this proceeding and that it will significantly contribute to the full development and

equitable resolution of the factual and other issues in the proceeding. The interests of IEU-Ohio will not be adequately represented by other parties to the proceeding and, as such, IEU-Ohio is entitled to intervene with the full powers and rights granted by the Commission, specifically by statute and by the provisions of the Ohio Administrative Code, to intervening parties.

Respectfully submitted,

/s/ Matthew R. Pritchard  
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**MEMORANDUM IN SUPPORT**

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In support of this Motion to Intervene, IEU-Ohio states that it is an association of ultimate customers. A current listing of IEU-Ohio member companies is available on IEU-Ohio's website at [http://www.ieu-ohio.org/member\\_list.aspx](http://www.ieu-ohio.org/member_list.aspx). IEU-Ohio's members purchase substantial amounts of electric and related services from Ohio's electric distribution utilities ("EDU").

IEU-Ohio's members work together to address matters that affect the availability and price of utility services. Additionally, IEU-Ohio seeks to promote customer-driven policies that will assure an adequate, reliable, and efficient supply of energy for all consumers at competitive prices. To this end, IEU-Ohio has worked, including actively participating in the legislative process related to Substitute Senate Bill 221, and will continue to work to produce legislative, regulatory, and market outcomes that are consistent with the state policy contained in Section 4928.02, Revised Code.

IEU-Ohio has a real and substantial interest inasmuch as this proceeding may directly or indirectly impact the provision of electric service to IEU-Ohio members' manufacturing facilities. Specifically, IEU-Ohio's direct interest in this proceeding is the result of the effect that this proceeding shall have upon the price, adequacy, and reliability of the electric supply and related services within Ohio.

Respectfully submitted,

/s/ Matthew R. Pritchard

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**Attorneys for Industrial Energy Users-Ohio**

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion to Intervene and Memorandum in Support of Industrial Energy Users-Ohio*, was served upon the following parties of record this 28<sup>th</sup> day of May, 2013 *via* hand-delivery, electronic transmission, or first class mail, U.S. postage prepaid.

/s/ Matthew R. Pritchard  
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**ON BEHALF OF THE STAFF OF THE PUBLIC  
UTILITIES COMMISSION OF OHIO**

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

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Summary: Motion Industrial Energy Users-Ohio's Motion to Intervene and Memorandum in Support electronically filed by Ms. Vicki L. Leach-Payne on behalf of Pritchard, Matthew R. Mr.