

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of The)	
Dayton Power and Light Company for)	
Approval of its Energy Efficiency and)	Case No. 13-833-EL-POR
Peak Demand Reduction Program)	Case No. 13-837-EL-WVR
Portfolio Plan for 2013 through 2015.)	

ENTRY

The attorney examiner finds:

- (1) The Dayton Power and Light Company (DP&L) is a public utility as defined in Section 4905.02, Revised Code, and, as such, is subject to the jurisdiction of this Commission.
- (2) On April 15, 2013, DP&L filed an application for approval of its energy efficiency and peak demand reduction program portfolio plan for 2013 through 2015 pursuant to Section 4928.66, Revised Code, Rules 4901:1-39-04, 4901:1-39-05, 4901:1-39-06, and 4901:1-39-07, Ohio Administrative Code (O.A.C.).
- (3) On April 17, 2013, the attorney examiner established a procedural schedule pursuant to Chapter 4901:1-39, O.A.C., scheduling a deadline for intervention, deadline for filing objections, deadline for intervenor testimony, deadline for staff testimony, and hearing date.
- (4) On June 14, 2013, DP&L filed a motion to modify the procedural schedule. The attorney examiner granted the motion on June 14, 2013, extending the deadline for objections to July 18, 2013, establishing new deadlines for intervenor testimony and staff testimony and setting a new hearing date.
- (5) On July 17, 2013, DP&L filed a second motion to modify the procedural schedule. The attorney examiner granted the motion on July 18, 2013, extending the deadline for objections to August 8, 2013.

- (6) On August 7, 2013, DP&L filed a third motion to extend the deadline for filing objections and a request for expedited treatment. The attorney examiner granted the motion on August 8, 2013, extending the deadline for objections to August 22, 2013.
- (7) On August 21, 2013, DP&L filed a fourth motion to extend the deadline for filing objections and a request for expedited treatment. DP&L represents that the parties have continued settlement negotiations and that good cause exists to modify the procedural schedule so that parties may engage in further settlement negotiations. DP&L requests that the deadline for filing objections be extended to August 29, 2013. Furthermore, DP&L certifies that all parties who have moved to intervene in this proceeding have indicated that they do not oppose DP&L's motion.
- (8) Pursuant to Rule 4901-1-12(C), O.A.C., if the moving party certifies that no party objects to the issuance of an expedited ruling, an immediate ruling may be issued. Accordingly, the attorney examiner finds that DP&L's motion to extend the deadline for filing objections is reasonable and should be granted. Furthermore, due to the number of motions to extend the deadline that have been filed in this case, the attorney examiner finds that the remaining procedural schedule should be suspended. On September 6, 2013, DP&L should file a status update in this case. If parties need more time for settlement negotiations or it is necessary to establish a new date for hearing, the attorney examiner will call and continue the hearing on September 26, 2013.

It is, therefore,

ORDERED, That DP&L's motion to extend the deadline for filing objections is granted and the procedural schedule suspended in accordance with finding (8). It is, further,

ORDERED, That a copy of this entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Bryce McKenney

By: Bryce A. McKenney
Attorney Examiner

JRJ/sc

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in

Case No(s). 13-0833-EL-POR, 13-0837-EL-WVR

Summary: Attorney Examiner Entry grants DP&L's motion and suspends the procedural schedule. - electronically filed by Sandra Coffey on behalf of Bryce McKenney, Attorney Examiner, Public Utilities Commission of Ohio