

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The)	
Dayton Power and Light Company to)	Case No. 13-2442-EL-UNC
Amend its Corporate Separation Plan)	

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

Samuel C. Randazzo (Counsel of Record)
Frank P. Darr
Joseph E. Olikier
Matthew R. Pritchard
MCNEES WALLACE & NURICK LLC
21 East State Street, 17TH Floor
Columbus, OH 43215
Telephone: (614) 469-8000
Telecopier: (614) 469-4653
sam@mwncmh.com
fdarr@mwncmh.com
joliker@mwncmh.com
mpritchard@mwncmh.com

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Attorneys for Industrial Energy Users-Ohio

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MOTION TO INTERVENE OF INDUSTRIAL ENERGY USERS-OHIO

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 matters 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 December 30, 2013, the Dayton Power and Light Company ("DP&L") filed separate applications requesting authority to amend its corporate separation plan ("Corporate Separation Application")¹ and to transfer its generating assets ("Asset Transfer Application").² DP&L's Corporate Separation Application states that "[a]s discussed in DP&L's proposed Fourth Amended Corporate Separation Plan, the plan will explain the formation of AES US Services, LCC, which will provide certain administrative services to DP&L."³

¹ *In the Matter of the Application of the Dayton Power and Light Company to Amend its Corporate Separation Plan*, Case No. 13-2442-EL-UNC, Application (Dec. 30, 2013)

² *In the Matter of the Application of The Dayton Power and Light Company For Authority to Transfer or Sell its Generation Assets*, Case No. 13-2420-EL-UNC, Application (Dec. 30, 2013).

³ Corporate Separation Application at 1.

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/ Joseph Olikier

Samuel C. Randazzo (Counsel of Record)

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21 East State Street, 17TH Floor

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MEMORANDUM IN SUPPORT

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. 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 Amended Substitute Senate Bill 221 ("SB 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/ Joseph Olikier

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mpritchard@mwncmh.com

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 4th day of February 2014 via electronic transmission, hand-delivery or first class mail, U.S. postage prepaid.

/s/ Joseph Olier

Joseph E. Olier

Judi L. Sobecki
The Dayton Power & Light Company
1065 Woodman Drive
Dayton, Ohio 45432
Judi.sobecki@dplinc.com

Bryce A. McKenney
Attorney Examiner
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215

Charles J. Faruki
Jeffrey S. Sharkey
Faruki Ireland & Cox P.L.L.
500 Courthouse Plaza, S.W.
10 North Ludlow Street
Dayton, Ohio 45402
cfaruki@ficlaw.com

ON BEHALF OF THE DAYTON POWER AND LIGHT COMPANY

Bruce J. Weston
Ohio Consumers' Counsel
Edmund Berger, Counsel of Record
Maureen R. Grady
Assistant Consumers' Counsel
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215-3485
edmund.berger@occ.ohio.gov
maureen.grady@occ.ohio.gov

ON BEHALF OF THE OFFICE OF THE OHIO CONSUMERS' COUNSEL

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Summary: Motion Motion to Intervene and Memorandum in Support of Industrial Energy Users-Ohio electronically filed by Mr. Joseph E. Olikier on behalf of Industrial Energy Users-Ohio