

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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

**MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT
OF 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 plan¹ and to transfer its generating assets ("Asset Transfer Application").² DP&L indicated that it would "file a supplement to [the Asset Transfer Application] setting forth a detailed plan for such a separation, once the Company has had the opportunity to complete its review of the pending issues and their operational and financial impacts."³ The Asset Transfer

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 Asset Transfer Application at 2 (Dec. 30, 2013).

Application requested waivers of the hearing requirement and the requirement to state the fair market value and book value of its generating assets.⁴

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 E. Olikier

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⁴ Asset Transfer Application at 1.

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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 E. Olikier

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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.

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Summary: 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