

BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of The Dayton Power & Light Company For Approval of Its Electric Security Plan)	Case No. 16-0395-EL-SSO
)	
In the Matter of the Application of The Dayton Power & Light Company For Approval of Revised Tariffs)	Case No. 16-0396-EL-ATA
)	
In the Matter of the Application of The Dayton Power & Light Company For Approval of Certain Accounting Authority Pursuant to Ohio Rev. Code § 4905.13)	Case No. 16-0397-EL-AAM

**STIPULATED MOTION FOR EXTENSION OF TIME TO RESPOND TO DP&L
MOTION TO IMPLEMENT THE SSR EXTENSION RIDER**

[EXPEDITED RULING REQUESTED]

The City of Dayton (“Dayton”) was a party to DP&L’s most recent ESP proceeding, Case No. 12-426-EL-SSO. In the 2012 ESP case, the Commission authorized DP&L to apply for an extension of Rider SSR, identifying the new Rider as Rider SSR-E.¹ If it meets the criteria established by the Commission, Rider SSR-E could total \$45.8 million from January 1, 2017 through May 31, 2017.²

Despite Rider SSR-E being authorized in Case No. 12-426-EL-SSO, DP&L did not file its Motion to Implement the SSR Extension Rider (the “Motion”) in that proceeding. DP&L also did not file any notice in Case No. 12-426-EL-SSO that it had filed the Motion. Instead, DP&L filed the Motion in this proceeding, its most recent ESP application filed on February 22, 2016.

¹ Order dated September 4, 2013 pp. 27-28 as amended by Nunc Pro Tunc entry dated September 6, 2013, p. 2.

² Nunc Pro Tunc entry dated September 6, 2013, p. 2.

Dayton only recently decided to intervene in this proceeding (well in advance of the June 30, 2016 deadline). As part of the preparation of its motion to intervene, on April 12, 2016 Dayton learned that DP&L had filed the Motion on March 30, 2016. Under normal Commission practice, Dayton's response to this Motion would be due on April 14, 2016. If Dayton were forced to respond to this serious Motion involving \$45.8 million within only 2 days it would prejudice Dayton. Among other things, it would leave Dayton without the ability to execute a protective agreement with DP&L, review confidential information, review any applicable discovery in this proceeding, evaluate the testimony supporting the Motion, and/or develop an appropriate response to the Motion.

In an effort to resolve this dispute, after learning of the Motion the undersigned counsel for Dayton contacted counsel for DP&L and explained that Dayton had not received notice of the filing as part of Case No. 12-426-EL-SSO and accordingly needed additional time to respond to the Motion. As a result, Dayton requested an additional 15 days, through and including April 29, 2016, to respond to DP&L's Motion. Counsel for DP&L stipulated to this extension of time for Dayton to respond to the Motion.

As Dayton did not receive notice of the Motion until April 12, 2015, and DP&L has stipulated to providing Dayton with a 15 day extension of time to respond to the Motion, Dayton respectfully requests an extension of time through and including April 29, 2015 to respond to the Motion. Dayton also requests an expedited ruling on this stipulated request in light of the April 14, 2016 due date for a response if this stipulated request is not granted.

Respectfully submitted,

/s/ N. Trevor Alexander

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ATTORNEYS FOR THE CITY OF DAYTON

CERTIFICATE OF SERVICE

I certify that the foregoing was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on this 13th day of April, 2016. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.

/s/ N. Trevor Alexander
One of the Attorneys for the City of Dayton

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

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in

Case No(s). 16-0395-EL-SSO, 16-0396-EL-ATA, 16-0397-EL-AAM

Summary: Motion Stipulated Motion for Extension of Time electronically filed by Mr. Nathaniel Trevor Alexander on behalf of City of Dayton