

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF THE APPLICATION OF
THE DAYTON POWER AND LIGHT
COMPANY TO ESTABLISH A STANDARD
SERVICE OFFER IN THE FORM OF AN
ELECTRIC SECURITY PLAN.**

CASE NO. 16-395-EL-SSO

**IN THE MATTER OF THE APPLICATION OF
THE DAYTON POWER AND LIGHT
COMPANY FOR APPROVAL OF REVISED
TARIFFS.**

CASE NO. 16-396-EL-ATA

**IN THE MATTER OF THE APPLICATION OF
THE DAYTON POWER AND LIGHT
COMPANY FOR APPROVAL OF CERTAIN
ACCOUNTING AUTHORITY.**

CASE NO. 16-397-EL-AAM

ENTRY

Entered in the Journal on October 4, 2016

{¶ 1} The Dayton Power and Light Company (DP&L) is a public utility as defined under R.C. 4905.02, and, as such, is subject to the jurisdiction of this Commission.

{¶ 2} On February 22, 2016, DP&L filed an application for a standard service offer pursuant to R.C. 4928.141. DP&L's application is for an electric security plan (ESP) in accordance with R.C. 4928.143. Additionally, DP&L filed accompanying applications for approval of revised tariffs and for approval of certain accounting authority. In its application, DP&L asserts that the proposed ESP is designed to promote economic growth and stability in the state of Ohio.

{¶ 3} By Entry issued on August 16, 2016, the attorney examiner adopted a procedural schedule in this matter. Thereafter, on September 14, 2016, the Sierra Club, PJM Power Providers Group, Electric Power Supply Association, Retail Energy Supply Association, and Interstate Gas Supply, Inc. (Joint Movants) filed a joint motion for an

extension of the procedural schedule. The Joint Movants requested the procedural schedule be extended so that intervenor testimony and the evidentiary hearing occur after the Commission issues its rehearing order in the FirstEnergy ESP proceeding.

{¶ 4} On September 21, 2016, DP&L filed a memorandum in response to the joint motion indicating that it does not oppose revising the procedural schedule to vacate the September 30, 2016, deadline for intervenor testimony. However, DP&L opposes extending the procedural schedule until a decision is reached in the FirstEnergy ESP case. DP&L then requests a scheduling conference in this matter.

{¶ 5} By Entry issued on September 29, 2016, the attorney examiner vacated the September 30, 2016, deadline for filing intervenor testimony and scheduled a prehearing conference. Pursuant to discussions at the prehearing conference, the following procedural schedule is hereby established:

- | | | |
|-----|-------------------|--------------------------|
| (a) | October 11, 2016 | DP&L Testimony |
| (b) | October 31, 2016 | DP&L Testimony (Malinak) |
| (c) | November 21, 2016 | Intervenor Testimony |
| (d) | November 29, 2016 | Prehearing Conference |
| (e) | December 5, 2016 | Hearing |

The prehearing conference and the hearing will each begin at 10:00 a.m., in Hearing Room 11-A, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215.

{¶ 6} Additionally, Gov.Bar XII(2)(A) provides rules governing eligibility to practice pro hac vice in Ohio. Pursuant to Gov.Bar R. XII(2)(A)(6), motions for pro hac vice registration must be accompanied by a certificate of pro hac vice registration

furnished by the Supreme Court Office of Attorney Services. Motions to appear pro hac vice in this case have been filed for Jeffrey W. Mayes on behalf of Monitoring Analytics, Tony G. Mendoza and Kristin Henry on behalf of Sierra Club, and Carrie M. Harris on behalf of Wal-Mart Stores East and Sam's East. The attorney examiner finds that the motions to appear pro hac vice for Jeffrey Mayes, Tony Mendoza, Kristin Henry, and Carrie Harris are reasonable and should be granted.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That the procedural schedule be established in accordance with Paragraph 5. It is, further,

{¶ 9} ORDERED, That the motions to appear pro hac vice for Jeffrey Mayes, Tony Mendoza, Kristin Henry, and Carrie Harris be granted. It is, further,

{¶ 10} 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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Commission of Ohio Docketing Information System on

10/4/2016 2:53:51 PM

in

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

Summary: Attorney Examiner Entry establishing a procedural schedule in accordance with Paragraph 5. - electronically filed by Sandra Coffey on behalf of Bryce McKenney, Attorney Examiner, Public Utilities Commission of Ohio