

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| In the Matter of the Application of |) | |
| The Dayton Power and Light Company for |) | Case No.: 16-395-EL-SSO |
| Approval of its Electric Security Plan. |) | |

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| In the Matter of the Application of |) | |
| The Dayton Power and Light Company for |) | Case No.: 16-396-EL-ATA |
| Approval of its Electric Security Plan. |) | |

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| In the Matter of the Application of |) | |
| The Dayton Power and Light Company for |) | Case No.: 16-397-EL-AAM |
| Approval of its Electric Security Plan. |) | |

**MOTION TO INTERVENE AND REQUEST FOR LEAVE TO FILE MOTION TO
INTERVENE OUT OF TIME OF CLASSIC CONNECTORS, INC.**

Classic Connectors, Inc. (hereinafter “Classic Connectors”),), pursuant to Section 4903.221 of the Ohio Revised Code and Rule 4901-1-11 of the Ohio Administrative Code, moves for leave to intervene and request for leave to file its motion to intervene out of time in the above-styled proceedings.

Classic Connectors recognizes that the procedural schedule set forth in the Entry issued in the above-styled proceedings provided that motions to intervene should be filed by June 30, 2016. Classic Connectors respectfully requests that the Commission entertain its motion to intervene, as granting the motion remains consistent and germane with the Commission’s policy of encouraging the broadest possible participation in its proceedings¹ and the Ohio Supreme Court’s instruction that motions to intervene are to be liberally construed.² Further, granting Classic Connectors’ leave to file its motion to intervene out of time would be consistent with the

¹ See, e.g., *Cleveland Elec. Illum. Co.*, Case No. 85-675-EL-AIR (Entry dated January 14, 1986).

² *Consumers’ Counsel v. Pub. Util.*, 111 Ohio St.3d 384, 387 (Nov. 29, 2006).

disposition of similar requests to file motions to intervene out of time in other proceedings before this honorable Commission. No party will be prejudiced by Classic Connectors' request and, if the motion to intervene is granted, Classic Connectors will accept the record as it finds it.

WHEREFORE, Classic Connectors respectfully requests that the Public Utilities Commission of Ohio grants this motion to intervene and request for leave to file the motion out of time. A Memorandum in Support is attached hereto.

Respectfully submitted,

Pro Se

Carl Tamm _____

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MEMORANDUM IN SUPPORT

Classic Connectors is a leading provider of distribution and transmission products that harden the grid and increases grid reliability. This case may impact the utilities investment in distribution infrastructure which will have a direct impact on DP&L's customers and on Classic Connectors. Specifically, the company proposes a Distribution Investment Rider (DIR). Therefore, Classic Connectors has a direct interest in, and may be adversely affected by, the outcome of this case.

Classic Connectors submits that it has a direct, real and substantial interest in this proceeding and that it is so situated that the disposition of this proceeding without its participating may, as a practical matter, impair or impede its ability to protect its interest. Further, Classic Connectors states that it will not cause undue delay and will not unjustly prejudice any existing party and will contribute to the just and expeditious resolution of the issues and concerns raised in these proceedings.

The standard for intervention at the Public Utilities Commission of Ohio (hereinafter "Commission") is governed by Rule 4901-1-11 of the Ohio Administrative Code, promulgated pursuant to Section 4903.221 of the Ohio Revised Code.

Rule 4901-1-11(A) of the Ohio Administrative Code states, in part:

Upon timely motion, any person shall be permitted to intervene in a proceeding upon a showing that:....(2) The person has a real and substantial interest in the proceeding and the person is so situated that the disposition of the proceeding may, as a practical matter, impair or impeded his or her ability to protect that interest, unless the person's interest is adequately represented by existing parties.

When deciding a motion to intervene, the factors that the Commission considers in implementing the above rule are the nature of the intervenor's interest, the extent that interest is

represented by existing parties, the intervenor's potential contribution to a just and expeditious resolution of the issues involved, and whether intervention would result in undue delay of the proceeding. *See also* Ohio Revised Code, Section 4903.221(B). A review of the intervention criteria in light of the following facts supports granting Classic Connectors' intervention.

First, the nature and extent of Classic Connectors interest is to protect and support the continued investment in the Distribution Infrastructure of DP&L to ensure grid reliability to the customers of DP&L. This interest is different from that of any other party.

Second, Classic Connectors legal position relates to the proposed DIR Rider and how said rider should be utilized in DP&L's service territory. This position is directly related to the merits of the case pending before the Commission.

Third, Classic Connectors intervention will not unduly prolong or delay the proceedings. Classic Connectors issues in this proceeding are narrow. This will allow for the efficient processing of this case.

Fourth, Classic Connectors intervention will contribute to the full development and equitable resolution of the factual issues. Classic Connectors will develop information that this Commission should consider for equitably and lawfully deciding this case in the public interest.

Classic Connectors meets the criteria set forth in Ohio R.C. 4903.221, Ohio Adm. Code 4901-1-11, and the Commission should grant Classic Connectors Motion to Intervene.

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing *Motion to Intervene and Request for leave to file motion to intervene out of time of Classic Connectors* was served this 20th day of October 2016 upon the following via electronic mail.

Carl Tamm

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

Summary: Motion Motion to intervene and request for leave to file motion to intervene out of time of Classic Connectors, Inc. electronically filed by Mr. Carl Tamm on behalf of Classic Connectors