

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The)	
Dayton Power and Light Company for)	Case No. 16-0649-EL-POR
Approval of its Energy Efficiency and)	
Peak Demand Reduction Portfolio Plan.)	

In the Matter of the Application of The)	
Dayton Power and Light Company for)	
Approval of Its Energy Efficiency and)	Case No. 16-1369-EL-WVR
Peak Demand Reduction Program)	
Portfolio Plan for 2017 through 2019.)	

**JOINT MOTION FOR (I) MODIFICATIONS TO THE
PROCEDURAL SCHEDULE AND (II) ADMISSION OF EXHIBITS
AND
REQUEST FOR EXPEDITED TREATMENT**

**BY
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL
THE DAYTON POWER AND LIGHT COMPANY
THE STAFF OF THE PUBLIC UTILITIES COMMISSION OF OHIO**

The Office of the Ohio Consumers' Counsel ("OCC"), the Dayton Power and Light Company (the "Company"), and the Staff of the Public Utilities Commission of Ohio (the "PUCO Staff," and collectively, the "Movants") request that the PUCO

(i) amend the procedural schedule in this case as proposed in the attached memorandum in support and (ii) admit into evidence the documents identified in the attached memorandum in support, as modified thereby.

Respectfully submitted,

BRUCE WESTON (0016973)
OHIO CONSUMERS' COUNSEL

/s/ Christopher Healey

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COMPANY

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MEMORANDUM IN SUPPORT

I. BACKGROUND

The Company filed the Application of the Dayton Power and Light Company for Approval of its Energy Efficiency and Peak Reduction Program Portfolio Plan on June 15, 2016 in these proceedings (the "Proceedings"). On December 13, 2016, the Company filed a Stipulation and Recommendation (the "Stipulation") that would, if approved, resolve all issues raised by the Proceedings.

On December 20, 2016, the Attorney Examiner issued an Entry establishing the following procedural schedule:

- Testimony in support of the Stipulation due January 13, 2017.
- Testimony in opposition to the Stipulation due January 30, 2017.
- Hearing to begin February 7, 2017 at 10:00 a.m.

On January 13, 2017, the Company filed the Testimony of Tyler A. Teuscher in Support of the Stipulation and Recommendation. On January 13, 2017, the PUCO Staff filed the Prefiled Direct Testimony of Kristin Braun supporting the Stipulation. On

January 30, 2017, OCC filed the Direct Testimony of Colleen Shutrump on Behalf of the Office of the Ohio Consumers' Counsel opposing the Stipulation. No party other than the Company, the PUCO Staff, and OCC filed testimony in support of or opposing the Stipulation.

II. REQUEST TO CANCEL FEBRUARY 7, 2017 HEARING

The Movants agree that it is in all parties' mutual best interest that the PUCO cancel the February 7, 2017 hearing. Instead, the Movants propose that the PUCO (a) admit into the evidentiary record the documents as described in section III to this memorandum and (b) set a procedural schedule for initial and reply briefing based on this evidentiary record. The Movants believe that these Proceedings can be resolved expeditiously through briefing and that a hearing is not necessary to adequately address the issues raised by the parties to these Proceedings.

The Movants propose a conference call with the Attorney Examiner at 10:00 a.m. on February 7, 2017 (the date and time currently set for hearing) to discuss reasonable deadlines for initial and reply briefs.

III. REQUEST FOR ADMISSION OF EVIDENCE

The Movants request that the Attorney Examiner admit into the evidentiary record in these Proceedings the following documents and records, subject to the modifications described below.

- Joint Exhibit 1, Stipulation and Recommendation filed on December 13, 2016.¹

¹ <http://dis.puc.state.oh.us/DocumentRecord.aspx?DocID=9240b242-e140-4888-8ba6-4354679cf591>

- DP&L Exhibit 1. Testimony of Tyler A. Teuscher filed on January 13, 2017.²
- DP&L Exhibit 2. Application of The Dayton Power and Light Company for Approval of its Energy Efficiency and Peak Reduction Program Portfolio Plan filed on June 15, 2016 and June 16, 2016.³
- DP&L Exhibit 3. Application of The Dayton Power and Light Company for Approval of its Energy Efficiency and Peak Reduction Program Portfolio Plan, Case No. 13-833-EL-POR, filed on April 15, 2013.⁴
- Staff Exhibit 1. Prefiled Direct Testimony of Kristin Braun filed on January 13, 2017,⁵ subject to the following modification: The sentence on page 5, line 71-73 beginning with "The cost" and ending with "plan" shall be stricken from Ms. Braun's testimony and shall not be part of the evidentiary record.
- OCC Exhibit 1. Direct Testimony of Colleen Shutrump filed on January 30, 2017,⁶ including Exhibits CS-1 through CS-10.

IV. REQUEST FOR EXPEDITED TREATMENT

Ohio Administrative Code 4901-1-12(C) allows a party to request that the PUCO consider a motion on an expedited basis. Ohio Administrative Code 4901-1-12(F) is also satisfied here because a ruling granting this motion will not adversely affect a substantial right of any party. The Movants respectfully request an expedited ruling that the procedural schedule be modified as set forth in section II above and that the PUCO admit

² <http://dis.puc.state.oh.us/DocumentRecord.aspx?DocID=052d2335-cf53-4f81-885f-cf221e5d9d3f>

³ The Application was filed in three parts and is available at:
<http://dis.puc.state.oh.us/DocumentRecord.aspx?DocID=f2a51855-2942-44d4-8349-8e6696631765>,
<http://dis.puc.state.oh.us/DocumentRecord.aspx?DocID=826e2657-1c09-4c81-856d-78f74027bb36>,
<http://dis.puc.state.oh.us/DocumentRecord.aspx?DocID=e3c452a0-8813-4caa-b767-3d63f101cdba>

⁴ <http://dis.puc.state.oh.us/DocumentRecord.aspx?DocID=680f48ab-eb51-4fd1-8258-9e00089f0cee>

⁵ <http://dis.puc.state.oh.us/DocumentRecord.aspx?DocID=b1b244f9-054c-443b-b2f6-42b6cb65f583>

⁶ <http://dis.puc.state.oh.us/DocumentRecord.aspx?DocID=e5387ca7-b061-4e9a-bc4b-66d71fafa20b>

into evidence the documents described in section III above, subject to the modifications described therein.

Movants are informed that no party to this Proceeding objects to the Movants' request to cancel the hearing. Movants are informed that no party to this Proceeding objects to the Movants' request to admit into evidence the document described in section III above, subject to the modifications described therein. Movants are informed that no party to this Proceeding objects to the expedited treatment of this motion.

Respectfully submitted,

BRUCE WESTON (0016973)
OHIO CONSUMERS' COUNSEL

/s/ Christopher Healey

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CERTIFICATE OF SERVICE

I hereby certify that a copy of this Motion was served on the persons stated below
via electronic transmission this 6th day of February 2017.

/s/ Christopher Healey
Christopher Healey
Assistant Consumers' Counsel

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Summary: Motion Attached please find the Joint Motion for (I) Modifications to the Procedural Schedule and (II) Admission of Exhibits and Request for Expedited Treatments by The Office of the Ohio Consumers; Counsel, The Dayton Power and Light Company and the Staff of the Public Utilities Commission of Ohio electronically filed by Ms. Jamie Williams on behalf of Healey, Christopher Mr.