

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The	:	
Dayton Power and Light Company to	:	Case No. 08-1094-EL-SSO
Establish a Standard Service Offer in the	:	
Form of an Electric Security Plan.	:	

In the Matter of the Application of the	:	
Dayton Power and Light Company for	:	Case No. 08-1095-EL-ATA
Approval of Revised Tariffs.	:	

In the Matter of the Application of the	:	
Dayton Power and Light Company for	:	Case No. 08-1096-EL-AAM
Approval of Certain Accounting	:	
Authority.	:	

In the Matter of the Application of the	:	
Dayton Power and Light Company for	:	Case No. 08-1097-EL-UNC
Waiver of Certain Commission Rules.	:	

COMMENTS

SUBMITTED ON BEHALF OF THE STAFF OF
THE PUBLIC UTILITIES COMMISSION OF OHIO

February 22, 2017

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INTRODUCTION

On February 1, 2017 Dayton Power and Light Company (DP&L) filed a Notice regarding its planned competitive bidding process. On that same day DP&L filed an amendment to that notice. The examiners in the case issued an entry on February 7, 2017 directing comments be filed by February 22, 2017. On February 16, 2017 DP&L submitted a second amended notice regarding its competitive bidding process. The competitive bidding process proposal submitted by DP&L is based on the process it

submitted in Case No. 16-0395-EL-SSO, as modified by the stipulation filed in that case on January 30, 2017.

COMMENTS

In general, Staff appreciates DP&L's competitive bidding process proposal and believes that its proposal is reasonable and will help assure continued delivery of reasonably priced generation service to its SSO customers. However, Staff does have comments to make in several areas.

First, DP&L's SSO filing in Case No. 16-0395-EL-SSO indicates that the SSO supply requirements may include the supply required for PIPP customers.¹ However, this requirement is contrary to prior Commission order, in which the Commission directed each utility to remove PIPP from the SSO to be bid out separately.² The order resulting from this comment process should direct DP&L to revise its MSA and bidding rules to conform with this previously established Commission requirement.

Second, the testimony of DP&L witness Brown in Case No. 16-0395-EL-SSO anticipates that a Commission consultant will be able to review the CBP process. However, the testimony does not address funding of the consultant. In conformance with

¹ *In the Matter of the Application of The Dayton Power and Light Company for approval of its Electric Security Plan*, Case No. 16-0395-EL-SSO, *et al.* (Testimony of Robert Lee at 24, Ex. RJL-2 (Master Supply Agreement in SSO Service definition), Ex. RJL-5 at 2 (Bidding Rules).

² *In the Matter of the Implementation of Sections 4928.54 and 4928.544 of the Revised Code*, Case No. 16-247-EL-UNC (Finding and Order at 4-6 (¶ 7)) (Mar. 2, 2016).

standard practice, the order resulting from this comment process should direct DP&L to enter into contract with the chosen Commission consultant to provide such services.

Third and finally, the testimony of DP&L witness Lee in Case No. 16-0395-EL-SSO does not indicate that the auctions will be advertised. The Commission has consistently agreed with Staff that the auctions should be advertised in a publication that would typically be viewed by potential auction participants, in order to increase the likelihood of maximum participation in the auction. The order resulting from this comment process should direct the Company to advertise the auctions.

CONCLUSION

In sum the Staff would recommend that the Commission direct the Company to alter its competitive bidding structure as described above so as to be consistent with past practice and prior Commission directives.

Respectfully submitted,

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PROOF OF SERVICE

I hereby certify that a true copy of the foregoing **Comments** submitted on behalf of the Staff of the Public Utilities Commission of Ohio, was served via electronic mail upon the following Parties of Record, this 22nd day of February, 2017.

/s/ Thomas W. McNamee

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Case No(s). 08-1094-EL-SSO, 08-1095-EL-ATA, 08-1096-EL-AAM, 08-1097-EL-UNC

Summary: Comments submitted by Assistant Attorney General Thomas McNamee on behalf of the Staff of the Public Utilities Commission of Ohio. electronically filed by Kimberly L Keeton on behalf of Public Utilities Commission of Ohio