

FILE

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

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**MOTION FOR SUBPOENA DUCES TECUM AND  
BY  
THE OFFICE OF THE OHIO CONSUMERS' COUNSEL**

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Under Ohio Administrative Code 4901-1-25, the Office of the Ohio Consumers' Counsel ("OCC") hereby respectfully moves the Public Utilities Commission of Ohio ("PUCO"), any commissioner, the legal director, the deputy legal director, or an attorney examiner to issue a subpoena compelling Mr. Craig Jackson, the Chief Financial Officer of the Dayton Power and Light Company ("DP&L") to appear at hearing and provide oral testimony through cross-examination on April 3, 2017 at 10:00 a.m., and attend from day to day until called to testify by the OCC at the Commission offices, 180 E. Broad Street, 11th Floor, Columbus, Ohio 43215.

The above-captioned case involves DP&L's request for approval of a six-year Electric Security Plan, which will cost customers hundreds of millions of dollars, Mr. Jackson should appear at the evidentiary hearing to provide testimony concerning his knowledge of DP&L's financial situation and the Distribution Modernization Rider. Mr. Jackson had previously filed testimony in this proceeding and has been deposed. The

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issues for which Mr. Jackson is responsible include, but are not limited to, the financial health of DP&L, DPL, Inc., AES Corporation, the necessity of the DMR, the costs of the DMR, and other issues related to this Electric Security Plan.

Grounds for this Motion are set forth in the accompanying Memorandum in Support.

Respectfully Submitted,

BRUCE WESTON (0016973)  
OHIO CONSUMERS' COUNSEL

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Counsel of Record  
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**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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
In the Matter of the Application of the Dayton Power and Light Company for Approval of Revised Tariffs.	) ) )	Case No. 16-0396-EL-ATA
In the Matter of the Application of the Dayton Power and Light Company for Approval of Certain Accounting Authority Pursuant to Ohio Rev. Code § 4905.13.	) ) ) ) )	Case No. 16-0397-EL-AAM

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**MEMORANDUM IN SUPPORT**

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OCC requests a subpoena, pursuant to Ohio Adm. Code 4901-1-25, to command Mr. Craig Jackson, the Chief Financial Officer of DP&L, to appear at hearing and provide oral testimony through cross-examination on April 3, 2017 at 10:00 a.m., and attend from day to day until called to testify by OCC at the Commission offices, 180 E. Broad Street, 11th Floor, Columbus, Ohio 43215 in the above-captioned proceeding.

The above-captioned case involves DP&L's request for approval of a six-year Electric Security Plan, which will cost customers hundreds of millions of dollars, Mr. Jackson should appear at the evidentiary hearing to provide testimony concerning his knowledge of DP&L's financial situation and the Distribution Modernization Rider. Mr. Jackson has twice previously filed testimony in this case and has been deposed on his previously filed testimony. As a witness and the Chief Financial Officer of DP&L, Mr. Jackson is in a unique position to explain in detail DP&L's current financial situation, the

DMR, the proposed ESP and the effect of the Amended Stipulation on DP&L. No other DP&L witness appears to have such knowledge and expertise.

Mr. Jackson should be required to attend the hearing and respond to questions pertaining to the subject matter of his previously filed testimony and deposition. Mr. Jackson's testimony will facilitate the development of a full and complete record, upon which the PUCO can base its decision. There is good cause to grant this motion for subpoena

Respectfully Submitted,

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OHIO CONSUMERS' COUNSEL

  
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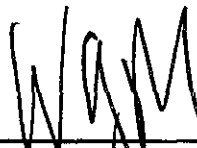
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(All will accept service via email)

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the Motion for Subpoena by the Office of the Ohio Consumers' Counsel was provided to the persons listed below via electronic transmission, this 27<sup>th</sup> day of March, 2017.

  
\_\_\_\_\_  
William Michael  
Assistant Consumers' Counsel

## CERTIFICATE OF SERVICE

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**THE PUBLIC UTILITIES COMMISSION OF OHIO  
SUBPOENA DUCES TECUM**

**TO:** Mr. Craig Jackson  
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Upon application of Counsel for the Office of the Ohio Consumers' Counsel ("OCC"), Mr. Craig Jackson is hereby required to appear at hearing and provide oral testimony as under cross-examination on Monday, April 3, 2017 at 10:00 a.m., and attend from day to day until called to testify by the OCC at the Commission offices, 180 E. Broad Street, 11th Floor, Columbus, Ohio 43215.

The witness shall submit oral testimony concerning his knowledge of DP&L's financial status and the Distribution Modernization Rider, consistent with his previously filed testimony and depositions.

Dated at Columbus, Ohio, this 27<sup>th</sup> day of March, 2017.

**BY:**

A handwritten signature in black ink, appearing to be "D. A. [unclear]", is written over a horizontal line.

**TITLE:**

attorney examiner