

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
THE DAYTON POWER AND LIGHT
COMPANY FOR AN INCREASE IN ITS
ELECTRIC DISTRIBUTION RATES.

CASE NO. 15-1830-EL-AIR

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

CASE NO. 15-1831-EL-AAM

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

CASE NO. 15-1832-EL-ATA

ENTRY

Entered in the Journal on July 18, 2018

{¶ 1} The Dayton Power and Light Company (DP&L or Company) is an electric light company and a public utility as defined by R.C. 4905.03(C) and R.C. 4905.02, respectively. As such, DP&L is subject to the Commission's jurisdiction pursuant to R.C. 4905.04, 4905.05, and 4905.06.

{¶ 2} On November 30, 2015, DP&L filed applications for an increase in electric distribution rates, for accounting authority, and for approval of revised tariffs.

{¶ 3} On March 12, 2018, Staff filed a written report of its investigation (Staff Report).

{¶ 4} On June 18, 2018, DP&L filed a stipulation and recommendation (Stipulation) representing an agreement amongst most, but not all, of the parties. Subsequently, on July 12, 2018, DP&L filed a supplemental stipulation and recommendation, by which the City of Dayton signaled its agreement to the Stipulation with no modification to its original terms.

{¶ 5} By Entry dated June 21, 2018, the attorney examiners issued the most recent procedural schedule. The June 21, 2018 Entry established timeframes for discovery and for filing testimony in support of the Stipulation, in opposition of the Stipulation, and by Staff; it further directed that the evidentiary hearing in these proceedings be scheduled for July 23, 2018.

{¶ 6} On July 17, 2018, the Retail Energy Supply Association (RESA) filed a motion for a subpoena duces tecum pursuant to Ohio Adm.Code 4901-1-25. Through the subpoena, RESA seeks to have the Commission order DP&L to present testimony from 11 named witnesses, all of whom are identified as having provided prefiled and supplemental testimony in these proceedings. RESA submits that DP&L's application, the Staff Report, prefiled Staff testimony, and the Stipulation rely upon various components of the identified witnesses' testimony and, therefore, that RESA must have the opportunity at hearing to cross-examine the witnesses on the basis of their opinions. RESA further contends that the witnesses' testimony is necessary for the development of a full record. RESA's motion for a subpoena was granted, and the attorney examiner signed the subpoena on July 17, 2018.

{¶ 7} On July 18, 2018, counsel for DP&L contacted the attorney examiners, requesting that a prehearing conference be held so the Company could make a motion to quash RESA's subpoena prior to the start of the evidentiary hearing. The attorney examiners find that DP&L's request for a prehearing conference is reasonable. Accordingly, a prehearing conference will be held Thursday, July 19, 2018, at 1:30 p.m. in Hearing Room 11-C, 180 East Broad Street, Columbus, Ohio 43215, in order to hear arguments and issue a ruling regarding the motion to quash.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That a prehearing conference be conducted on Thursday, July 19, 2018, as stated in Paragraph 7. It is, further,

{¶ 10} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Patricia Schabo

By: Patricia A. Schabo
Attorney Examiner

JRJ/sc

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

7/18/2018 1:47:29 PM

in

Case No(s). 15-1830-EL-AIR

Summary: Attorney Examiner Entry scheduling a prehearing conference for Thursday, 07/19/2018 at 1:30 p.m. as stated in Paragraph 7 - electronically filed by Sandra Coffey on behalf of Patricia Schabo, Attorney Examiner, Public Utilities Commission of Ohio