

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

RON MOSLEY)	
4577 Bufort Blvd.)	
Dayton, Ohio 45424)	Case No. 18-1226-EL-CSS
)	
Complainant,)	
v.)	
)	
The Dayton Power and Light Company)	
1065 Woodman Drive)	
Dayton, Ohio 45432)	
)	
Respondent.)	

ANSWER OF THE DAYTON POWER AND LIGHT COMPANY

Now comes the Dayton Power and Light Company (“DP&L” or “Respondent”), by and through counsel, and for its answer to the Complaint filed in this docket by Ron Mosley (“Complainant”), hereby states as follows:

1. On or about July 30, 2018, the Public Utilities Commission of Ohio (“the Commission”) accepted for filing a Complaint by Complainant.

2. The Respondent, DP&L, denies or is without sufficient knowledge to ascertain the veracity of the remaining allegations as described in the Complaint and therefore denies the same. At all pertinent times, DP&L has complied with all relevant statutes, regulations, and approved tariffs.

FIRST AFFIRMATIVE DEFENSE

3. The Complainant fails to set forth reasonable grounds for complaint, as required by Section 4905.26, Revised Code.

SECOND AFFIRMATIVE DEFENSE

4. The Complainant fails to state a claim upon which relief can be granted.

THIRD AFFIRMATIVE DEFENSE

5. At all pertinent times, DP&L has complied with all relevant statutes, regulations, and approved tariffs. These statutes, rules, regulations, orders, and tariff provisions bar Complainant's claims.

FOURTH AFFIRMATIVE DEFENSE

6. The Complainant's claims are time-barred.

FIFTH AFFIRMATIVE DEFENSE

7. The Complainant's claims are barred by the doctrines of res judicata and collateral estoppel.

SIXTH AFFIRMATIVE DEFENSE

8. The PUCO lacks jurisdiction over this matter.

SEVENTH AFFIRMATIVE DEFENSE

9. DP&L reserves the right to raise any additional affirmative defenses as warranted by discovery in this matter.

WHEREFORE, Respondent respectfully requests that the Commission dismiss this Complaint. To the extent that the Commission denies such motion, Respondent hereby requests the opportunity to mediate this issue with the Complainant to determine whether a mutually acceptable resolution is possible.

Respectfully submitted,

/s/ Michael J. Schuler

Michael J. Schuler (0082390)

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Attorney for The Dayton Power and Light
Company

(willing to accept electronic service)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been sent via ordinary mail,
postage prepaid, this 17th day of August, 2018 to the following:

Ron Mosley
4577 Bufort Blvd.
Dayton, Ohio 45424

/s/ Michael J. Schuler

Michael J. Schuler

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8/17/2018 2:22:48 PM

in

Case No(s). 18-1226-EL-CSS

Summary: Answer of the Dayton Power and Light Company electronically filed by Eric R Brown on behalf of The Dayton Power and Light Company