

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The	)	
Dayton Power and Light Company for	)	Case No. 18-1875-EL-GRD
Approval of Its Plan to Modernize Its	)	
Distribution Grid	)	

In the Matter of the Application of The	)	
Dayton Power and Light Company for	)	Case No. 18-1876-EL-WVR
Approval of a Limited Waiver of Ohio	)	
Adm.Code 4901:1-18-06(A)(2)	)	

In the Matter of the Application of The	)	
Dayton Power and Light Company for	)	Case No. 18-1877-EL-AAM
Approval of Certain Accounting Methods	)	

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**MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT  
OF INDUSTRIAL ENERGY USERS-OHIO**

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**January 7, 2019**

**Attorneys for Industrial Energy Users-Ohio**

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Industrial Energy Users-Ohio ("IEU-Ohio") hereby respectfully moves the Public Utilities Commission of Ohio ("Commission"), pursuant to R.C. 4903.221 and Rule 4901-1-11, Ohio Administrative Code, for leave to intervene in the above-captioned matters with the full powers and rights granted by the Commission, specifically by statute or by the provisions of the Ohio Administrative Code, to intervening parties.

On December 21, 2018, The Dayton Power and Light Company ("DP&L") filed an application seeking approval of its Distribution Modernization Plan, accounting changes, and a waiver of specified residential disconnection requirements. The issues addressed in this proceeding could ultimately result in an increase in rates for commercial and industrial customers served by DP&L that are members of IEU-Ohio.

As demonstrated further in the Memorandum in Support attached hereto and incorporated herein, IEU-Ohio has a direct, real, and substantial interest in the issues and matters involved in the above-captioned proceeding and is so situated that the disposition of this proceeding may, as a practical matter, impair or impede its ability to protect that interest. IEU-Ohio believes that its participation will not unduly prolong or delay this proceeding and that it will significantly contribute to the full development and equitable resolution of the factual and other issues in the proceeding. The interests of IEU-Ohio will not be adequately represented by other parties to the proceeding and, as such, IEU-Ohio is entitled to intervene with the full powers and rights granted by the Commission, specifically by statute and by the provisions of the Ohio Administrative Code, to intervening parties.

Respectfully submitted,

/s/ Matthew R. Pritchard

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In support of this Motion to Intervene, IEU-Ohio states that it is an association of ultimate customers. A current listing of IEU-Ohio member companies is available on IEU-Ohio's website at [http://www.ieu-ohio.org/member\\_list.aspx](http://www.ieu-ohio.org/member_list.aspx). IEU-Ohio's members purchase substantial amounts of electric and related services from Ohio's electric distribution utilities ("EDUs"), including DP&L. IEU-Ohio's members work together to address matters that affect the availability and price of utility services. Additionally, IEU-Ohio seeks to promote customer-driven policies that will assure an adequate, reliable, and efficient supply of energy for all consumers at competitive prices. To this end, IEU-Ohio has worked, including actively participating in the legislative process related to SB 221, and will continue to work to produce legislative, regulatory, and market outcomes that are consistent with the state policy contained in R.C. 4928.02.

IEU-Ohio has a real and substantial interest inasmuch as this proceeding may directly or indirectly impact the provision of electric service to IEU-Ohio members' manufacturing facilities by increasing their rates for electric service. Further, IEU-Ohio has an interest in the implementation of the agreements in the underlying case, the standard service offer case, that is the basis of this Application.

As a participant in Commission matters involving DP&L and applications seeking the implementation of distribution platform affecting other EDUs, IEU-Ohio believes that its participation will not unduly prolong or delay this proceeding and that it will significantly contribute to the full development and equitable resolution of the factual and other issues in the proceeding.

Further, the interests of IEU-Ohio will not be adequately represented by other parties to the proceeding as no other party represents the specific interests of IEU-Ohio members in this proceeding.

Based on its interests in this proceeding, therefore, IEU-Ohio should be granted intervention.

Respectfully submitted,

/s/ Matthew R. Pritchard

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## **CERTIFICATE OF SERVICE**

In accordance with Rule 4901-1-05, Ohio Administrative Code, the Commission's e-filing system will electronically serve notice of the filing of this document upon the parties that have sought intervention. In addition, I hereby certify that a service copy of the foregoing *Motion to Intervene and Memorandum in Support of Industrial Energy Users-Ohio* was sent by, or on behalf of, the undersigned counsel for IEU-Ohio to the following parties of record this 7th day of January 2019, via electronic transmission.

/s/ Matthew R. Pritchard

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UTILITIES COMMISSION OF OHIO**

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Summary: Motion Motion to Intervene and Memorandum in Support of Industrial Energy Users-Ohio electronically filed by Mr. Matthew R. Pritchard on behalf of Industrial Energy Users-Ohio