

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The Dayton Power and Light Company for Approval of Its Plan to Modernize Its Distribution Grid)	Case No. 18-1875-EL-GRD
)	
In the Matter of the Application of The Dayton Power and Light Company for Approval of a Limited Waiver of Ohio Adm. Code 4901:1-18-06(A)(2))	Case No. 18-1876-EL-WVR
)	
In the Matter of the Application of The Dayton Power and Light Company for Approval of Certain Accounting Methods)	Case No. 18-1877-EL-AAM
)	

**MOTION TO INTERVENE OF
THE OHIO MANUFACTURERS' ASSOCIATION ENERGY GROUP**

Pursuant to Section 4903.221, Revised Code, and Rule 4901-1-11, Ohio Adm. Code, the Ohio Manufacturers' Association Group (OMAEG) respectfully moves the Public Utilities Commission of Ohio (Commission) for leave to intervene in the above-captioned matter with the full powers and rights granted to intervening parties. As demonstrated herein, OMAEG has real and substantial interests that this proceeding may adversely affect, and no existing parties adequately represent those interests. OMAEG satisfies the standard for intervention set forth by statute and the Commission's rules.

Therefore, OMAEG respectfully requests that the Commission grant this motion to intervene and that OMAEG be made a full party of record in these proceedings. A memorandum in support is attached.

Respectfully submitted,

/s/ Kimberly W. Bojko

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MEMORANDUM IN SUPPORT

On December 21, 2018, the Dayton Power and Light Company (DP&L) filed an Application for Approval of Its Plan to Modernize Its Distribution Grid (Application) with the Public Utilities Commission of Ohio (Commission).¹ Through its Application, DP&L seeks to impose costs upon its customers to implement its Distribution Modernization Plan and explains the purported benefits of the Distribution Modernization Plan.² Many of the alleged benefits, however, appear to be speculative. Accordingly, OMAEG hereby moves to intervene in this matter in order to ensure that its members' interests are protected as DP&L seeks to impose additional charges on customers.

Ohio Adm. Code 4901-1-11 permits intervention by an affected party that has a real and substantial interest in the proceeding and who is so situated that the disposition of the proceeding may impair or impede its ability to protect that interest and whose interest is not adequately

¹ See The Dayton Power and Light Company's Application for Approval of Its Plan to Modernize Its Distribution Grid (December 21, 2018) (Application).

² See Application at 9-10.

represented by an existing party. Similarly, R.C. 4903.221 authorizes intervention in accordance with Commission-established deadlines where a party: may be adversely affected by the proceeding; will contribute to a full development and equitable resolution of factual issues; and will not unduly prolong or delay the proceedings.

OMAEG is a non-profit entity that strives to improve business conditions in Ohio and drive down the cost of doing business for Ohio manufacturers. OMAEG members and their representatives work directly with elected officials, regulatory agencies, the judiciary, and the media to provide education and information to energy consumers, regulatory boards and suppliers of energy; advance energy policies to promote an adequate, reliable, and efficient supply of energy at reasonable prices; and advocate in critical cases before the Commission. OMAEG members purchase electric services from DP&L and could see their bills impacted by the approval of DP&L's Application.

OMAEG has been a participant in other cases before the Commission involving rates charged by regulated Ohio utilities, including, but not limited to, proceedings involving DP&L.³ Here, OMAEG has an interest in ensuring that the Commission does not approve an imprudently costly distribution modernization plan with cost burdens to be borne by DP&L's customers. As a representative of multiple large DP&L customers, OMAEG has an interest in protecting its members from unjust and unreasonable charges paid to DP&L.

OMAEG has a direct, real, and substantial interest in the issues raised in this proceeding and is so situated that the disposition of the proceeding may, as a practical matter, impair or impede

³ See e.g., *In the Matter of the Application of The Dayton Power and Light Company for Approval of its Energy Efficiency and Peak Demand Reduction Portfolio Plan for 2018-2020*, Case No. 17-1398-EL-POR, et al., Entry at ¶ 5 (September 29, 2017); *In the Matter of Application of The Dayton Power and Light Company for Approval of its Electric Security Plan, et al.*, Case No. 16-395-EL-SSO, et al., Entry at ¶ 5 (August 16, 2016); *In the Matter of the Application of the Dayton Power and Light Company for an Increase in Electric Distribution Rates, et al.*, Case No. 15-1830-EL-AIR, et al, Entry at ¶ 4 (April 30, 2018).

its ability to protect that interest. OMAEG is regularly and actively involved in Commission proceedings and, as in previous proceedings, OMAEG's unique knowledge and perspective will contribute to the full development and equitable resolution of the issues in this proceeding. OMAEG's interest will not be adequately represented by other parties to the proceeding and its timely intervention will not unduly delay or prolong the proceeding.

As discussed above, OMAEG satisfies the criteria for intervention set out in R.C. 4903.221 and Ohio Adm. Code 4901-1-11. OMAEG, therefore, respectfully requests that the Commission grant this motion, allow OMAEG to intervene with the full powers and rights granted by the Commission to intervening parties, and make OMAEG a full party of record.

Respectfully submitted,

/s/ Kimberly W. Bojko
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Counsel for OMAEG

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served upon all parties of record via electronic mail January 31, 2019.

/s/ Brian W. Dressel
Brian W. Dressel

This foregoing document was electronically filed with the Public Utilities

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Case No(s). 18-1875-EL-GRD, 18-1876-EL-WVR, 18-1877-EL-AAM

Summary: Motion to Intervene of the Ohio Manufacturers' Association Energy Group electronically filed by Mr. Brian W Dressel on behalf of The Ohio Manufacturers' Association Energy Group