

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
THE DAYTON POWER AND LIGHT
COMPANY FOR APPROVAL OF AN ENERGY
EFFICIENCY PILOT PROGRAM.

CASE NO. 19-334-EL-UNC

ENTRY

Entered in the Journal on April 18, 2019

{¶ 1} The Dayton Power and Light Company (DP&L or Company) is a public utility, electric light company, and electric distribution utility as defined in R.C. 4905.02, R.C. 4905.03(C), and R.C. 4928.01(A)(6), respectively. Therefore, DP&L is subject to this Commission's jurisdiction.

{¶ 2} Beginning in 2009, R.C. 4928.66(A)(1)(a) requires an electric distribution utility (EDU) to "implement energy efficiency programs that achieve energy savings equivalent to at least three-tenths of one percent of the total, annual average, and normalized kilowatt-hour sales of the EDU during the preceding three calendar years to customers in this state." Under the statute, the required energy savings equivalent increased over a number of years such that "the annual savings requirement shall be, for years 2017, 2018, 2019, and 2020, one percent of the baseline * * *." Additionally, pursuant to R.C. 4928.66(A)(1)(b), an EDU must "implement peak demand reduction programs designed to achieve a one percent reduction in peak demand [beginning] in 2009 and an additional seventy-five hundredths of one percent reduction each year through 2014." Again, the reduction requirements were statutorily designed to increase over a number of years, culminating with the dictate that "[i]n 2017 and each year thereafter through 2020, the utility shall achieve an additional seventy-five hundredth of one percent reduction in demand." R.C. 4928.66(A)(1)(b).

{¶ 3} DP&L submitted an application for approval of its 2018-2020 Energy Efficiency Program Portfolio in Case No. 17-1398-EL-POR. On December 20, 2017, the Commission approved the application as modified by a stipulation and recommendation (Stipulation). Amongst other items regarding the Company's "Portfolio Plan Program and

Commitments for 2018-2020,” the Stipulation obligated DP&L to file for approval of any proposed pilot program; any such application would be automatically approved if no objection to it was filed within 60 days and no order is issued by the Commission or an attorney examiner within 30 days thereafter. *In re Dayton Power and Light Co.*, Case No. 17-1398-EL-POR, Opinion and Order (Oct. 27, 2017).

{¶ 4} On January 31, 2019, DP&L filed an application for approval of an energy efficiency pilot program. Specifically, the Company seeks approval of a Residential Demand Response (Residential DR) pilot program beginning May 1, 2019, and concluding on December 31, 2020, which is the last date of DP&L’s currently approved 2018-2020 energy efficiency program portfolio. According to the application, the Residential DR pilot program will allow DP&L to engage all of its residential customers, regardless of their choice of generation supplier, to control central air conditioning loads through smart thermostats. In essence, DP&L would provide incentives to encourage customers to enroll in the program, thus allowing DP&L to cycle or set back the customer’s smart thermostat during system peak summer demand periods.¹ DP&L proposes working with an independent program evaluator to develop an appropriate evaluation plan, the results of which would be included in DP&L’s annual portfolio status for each year the program is active.

{¶ 5} Between March 1, 2019, and March 19, 2019, motions to intervene were filed by the Ohio Consumers’ Counsel (OCC), Interstate Gas Supply, Inc. (IGS), and the Environmental Law and Policy Center (ELPC). Each entity asserts that it is entitled to intervene under R.C. 4903.221 and Ohio Adm.Code 4901-1-11. Upon review, the attorney examiner finds that the motions to intervene are reasonable and should be granted.

{¶ 6} On April 1, 2019, OCC and IGS each filed objections to the Company’s application for approval of the Residential DR pilot program.

¹ The Residential DR pilot program is proposed to be an opt-in program under which enrolled customers would be permitted to override any or all curtailment events.

{¶ 7} In order to provide additional time to obtain further input and information to assist the Commission in its review of DP&L's application for the Residential DR pilot program, the attorney examiner finds that the automatic approval process should be formally suspended and the following procedural schedule should be established:

(a) May 2, 2019 – Deadline for filing motions to intervene.

(b) May 2, 2019 – Deadline for filing initial comments.

(c) May 9, 2019 – Deadline for filing reply comments.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That the motions to intervene filed by OCC, IGS, and ELPC be granted as stated in Paragraph 5. It is, further,

{¶ 10} ORDERED, That the automatic approval process set forth in Case No. 17-1398-EL-POR be suspended for this application. It is, further,

{¶ 11} ORDERED, That the procedural schedule set forth in Paragraph 7 be adopted. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Patricia A. Schabo

By: Patricia A. Schabo
Attorney Examiner

JRJ/hac

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Case No(s). 19-0334-EL-UNC

Summary: Attorney Examiner Entry granting motions to intervene, suspending automatic approval process in Case No. 17-1398-EL-POR and setting forth procedural schedule electronically filed by Heather A Chilcote on behalf of Patricia Schabo, Attorney Examiner, Public Utilities Commission