

BOEHM, KURTZ & LOWRY

ATTORNEYS AT LAW
36 EAST SEVENTH STREET
SUITE 1510
CINCINNATI, OHIO 45202
TELEPHONE (513) 421-2255
TELECOPIER (513) 421-2764

Via E-FILE

June 24, 2019

Public Utilities Commission of Ohio
PUCO Docketing
180 E. Broad Street, 10th Floor
Columbus, Ohio 43215

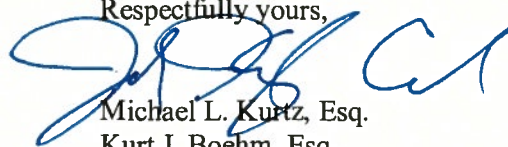
In re: Case No. 19-1121-EL-UNC

Dear Sir/Madam:

Please find attached the OHIO ENERGY GROUP'S MOTION TO INTERVENE AND MEMORANDUM IN SUPPORT e-filed today in the above-referenced matter.

Copies have been served on all parties on the attached certificate of service. Please place this document of file.

Respectfully yours,

A handwritten signature in blue ink, appearing to be "Michael L. Kurtz", written over the typed name.

Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

Jody Kyler Cohn, Esq.

BOEHM, KURTZ & LOWRY

MLKkew

Encl.

Cc: Certificate of Service

**BEFORE THE
PUBLIC UTILITY COMMISSION OF OHIO**

In The Matter Of The Application Of The Significantly	:	Case No. 19-1121-EL-UNC
Excessive Earnings Test Under Section 4928.143(F), Ohio	:	
Revised Code, And Rule 4901:1-35(C)(10), Ohio Administrative	:	
Code For The Dayton Power And Light Company	:	

**MOTION FOR LEAVE TO INTERVENE
OF THE OHIO ENERGY GROUP**

Pursuant to the Ohio Rev. Code §4903.221 and Ohio Admin. Code §4901-1-11, the Ohio Energy Group. (“OEG”) moves for leave to intervene in this proceeding. The Public Utility Commission of Ohio (“Commission”) should grant OEG leave to intervene because OEG has a real and substantial interest in the proceeding, and the Commission’s disposition of this proceeding may impair or impede OEG’s ability to protect that interest.

Respectfully submitted,



Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

Jody Kyler Cohn, Esq.

BOEHM, KURTZ & LOWRY

36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

Ph: (513) 421-2255 Fax: (513) 421-2764

E-Mail: mkurtz@BKLawfirm.com

kboehm@BKLawfirm.com

jkylercohn@BKLawfirm.com

June 24, 2019

COUNSEL FOR OHIO ENERGY GROUP

**BEFORE THE
PUBLIC UTILITY COMMISSION OF OHIO**

In The Matter Of The Application Of The Significantly	:	Case No. 19-1121-EL-UNC
Excessive Earnings Test Under Section 4928.143(F), Ohio	:	
Revised Code, And Rule 4901:1-35(C)(10), Ohio Administrative	:	
Code For The Dayton Power And Light Company	:	

**MEMORANDUM IN SUPPORT OF
THE OHIO ENERGY GROUP'S MOTION TO INTERVENE**

Pursuant to Ohio Rev. Code §4903.221 and Ohio Admin. Code §4901-01-11, the Public Utility Commission of Ohio should grant OEG leave to intervene in this proceeding.

OEG is a non-profit entity organized to represent the interests of large industrial customers in electric and gas regulatory proceedings before the Public Utility Commission of Ohio ("Commission"). OEG's members who are participating in this intervention are: Cargill, Incorporated, General Motors LLC and TimkenSteel Corporation. These companies purchase electric distribution services from Dayton Power and Light Company. Therefore, the interests of OEG's members may be directly affected by the outcome of this proceeding. OEG intends to play a constructive role in this case and provide information which will assist the Commission.

No other party to this proceeding can adequately represent OEG's interest. Intervention would not unduly delay the proceeding nor unjustly prejudice any existing party.

Accordingly, OEG has a real and substantial interest and is entitled to intervene in this action under Ohio Rev. Code §4903.221 and Ohio Admin. Code §4901-1-11.

Respectfully submitted,



Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

Jody Kyler Cohn, Esq.

BOEHM, KURTZ & LOWRY

36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

Ph: 513.421.2255 Fax: 513.421.2764

E-Mail: mkurtz@BKLawfirm.com

kboehm@BKLawfirm.com

jkylercohn@BKLawfirm.com

June 24, 2019

COUNSEL FOR THE OHIO ENERGY GROUP

CERTIFICATE OF SERVICE

In accordance with Rule 4901-1-05, Ohio Administrative Code, the PUCO's e-filing system will electronically serve notice of the filing of this document on the parties referenced on the service list of the docket card who have electronically subscribed to this case. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served (via electronic mail) on the 24th day of June, 2019 to the following:



Michael L. Kurtz, Esq.

Kurt J. Boehm, Esq.

Jody Kyler Cohn, Esq.

DAYTON POWER AND LIGHT NONE
DONA SEGER-LAWSON
1065 WOODMAN DRIVE
DAYTON OH 45432

*MALLARNEE, PATRICIA J MS.
OHIO CONSUMERS' COUNSEL
65 E. STATE ST. 7TH FLOOR
COLUMBUS OH 43215

*JABER, HANI S MR.
DP&L
1065 WOODMAN DR
DAYTON OH 45432

OHIO CONSUMERS' COUNSEL NONE
CHRISTOPHER HEALY
65 EAST STATE STREET 7TH FLOOR
COLUMBUS OH 43215-4203

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6/24/2019 1:23:09 PM

in

Case No(s). 19-1121-EL-UNC

Summary: Motion Ohio Energy Group (OEG) Motion to Intervene and Memorandum in Support electronically filed by Mr. Michael L. Kurtz on behalf of Ohio Energy Group