

**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  
BY  
OHIO PARTNERS FOR AFFORDABLE ENERGY**

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Ohio Partners for Affordable Energy (“OPAE”) hereby respectfully moves the Public Utilities Commission of Ohio (“Commission”) for leave to intervene in the above-captioned applications pursuant to R.C. §4903.221 and Section 4901-1-11 of the Commission’s Code of Rules and Regulations, with full powers and rights granted by the Commission specifically, by statute, or by the provisions of the Commission’s Code of Rules and Regulations to intervening parties. The reasons for granting this motion to intervene are contained in the memorandum attached hereto and incorporated herein.

Respectfully submitted,

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**MEMORANDUM IN SUPPORT  
OF MOTION TO INTERVENE**

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Ohio Partners for Affordable Energy (“OPAE”) should be permitted to intervene in these matters pursuant to Section 4903.22.1, Revised Code, and the Commission’s Rules and Regulations contained in Rule 4901-1-11 of the Ohio Administrative Code. The above-referenced applications are for approval of The Dayton Power and Light Company’s (“DP&L”) plan to modernize its distribution grid, a limited waiver of Ohio Administrative Code Rule 4901:1-18-06(A)(2), and certain accounting authority.

In determining whether to permit intervention, the following criteria are to be considered: the nature of the person’s interest; the extent to which that interest is represented by existing parties; the person’s potential contribution to a just and expeditious resolution of the proceeding; and, whether granting the

intervention will unduly delay or unjustly prejudice any existing party. OPAE meets all four criteria for intervention in these applications.

OPAЕ is an Ohio non-profit corporation with a stated purpose of advocating for affordable energy policies for low and moderate income Ohioans; as such, OPAЕ has a real and substantial interest in these matters, which will address DP&L's plan to modernize its distribution grid and charge customers for its plan. DP&L also seeks a limited waiver of Ohio Administrative Code Rule 4901:1-18-06(A)(2), which requires personal notice to residential customers of disconnection on the day of disconnection. This waiver would adversely affect low-income residential customers. In addition, OPAЕ includes as members non-profit organizations located in DP&L's service area that will be affected by these applications.<sup>1</sup> Many of OPAЕ's members are Community Action Agencies. Under the federal legislation authorizing the creation and funding of these agencies, originally known as the Economic Opportunity Act of 1964, community action is charged with advocating for low-income residents of their communities. OPAЕ members also provide essential services in the form of bill payment assistance programs and weatherization and energy efficiency services to low-income customers of DP&L.

OPAЕ's primary focus in these cases is to protect the interests of low and moderate-income Ohioans and OPAЕ members whose provision of electric service will be affected by these applications. OPAЕ is concerned particularly about the cost of the grid modernization plan and opposes the waiver of Rule

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<sup>1</sup> A list of OPAЕ members can be found on the website: [www.opae.org](http://www.opae.org).

4901:1-18-06(A)(2). Further, OP&E has been recognized by the Commission in the past as an advocate for consumers and particularly low-income consumers, who will be affected by the outcome of these cases.

For the above reasons, OP&E has a direct, real and substantial interest in these matters. The disposition of these matters may impair or impede OP&E's ability to protect its interests. No other party to the matters will adequately represent the interests of OP&E. OP&E is a rare organization that serves as an advocate, service provider and non-profit customer group. No other party represents this group of interests. OP&E's participation in these matters will not cause undue delay, will not unjustly prejudice any existing party, and will contribute to the just and expeditious resolution of the issues raised by these applications.

Therefore, OP&E is entitled to intervene in these applications with the full powers and rights granted by statute and by the provisions of the Commission's Code of Rules and Regulations to intervening parties.

Respectfully submitted,

Colleen Mooney

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## CERTIFICATE OF SERVICE

A copy of this Motion to Intervene and Memorandum in Support will be served electronically by the Commission's Docketing Division on the parties listed below who are electronically subscribed on this 11<sup>th</sup> day of July 2019.

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**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**7/11/2019 5:01:03 PM**

**in**

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

Summary: Motion to Intervene and Memorandum in Support electronically filed by Colleen L Mooney on behalf of Ohio Partners for Affordable Energy