

**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
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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
	:	
In the Matter of the Application of The Dayton Power and Light Company for a Finding That Its Current Electric Security Plan Passes the Significantly Excessive Earnings Test and More Favorable in the Aggregate Test in R.C. 4928.143(E)	:	Case No. 20-0680-EL-UNC
	:	
In the Matter of the Application of The Dayton Power and Light Company for Administration of the Significantly Excessive Earnings Test Under R.C. 4928.143(F) and Ohio Adm.Code 4901:1-35-10 for 2018	:	Case No. 19-1121-EL-UNC
	:	
In the Matter of the Application of The Dayton Power and Light Company for Administration of the Significantly Excessive Earnings Test Under R.C. 4928.143(F) and Ohio Adm.Code 4901:1-35-10 for 2019	:	Case No. 20-1041-EL-UNC
	:	

**MEMORANDUM CONTRA OHIO CONSUMERS'
COUNSEL'S MOTION FOR 3-DAY EXTENSION FOR
FILING TESTIMONY OPPOSING THE SETTLEMENT
SUBMITTED ON BEHALF OF THE STAFF OF
THE PUBLIC UTILITIES COMMISSION OF
OHIO**

On December 10, 2020, the Ohio Consumers' Counsel (OCC) filed a motion before the Public Utilities Commission of Ohio (Commission) requesting that the Commission grant, on an expedited basis, a three-day extension for the filing of OCC's testimony opposing the Stipulation, moving the due date from December 14, 2020 to December 17, 2020. In the motion, OCC proposes that all other deadlines in the procedural schedule remain the same. Staff opposes OCC's request as it allows less time for Staff's review in preparation of Staff's testimony due December 30, 2020. This is compounded by the fact that Staff's testimony is also due in the middle of a holiday week. Staff would not oppose OCC's motion if the Commission also grants an extension of the deadline for the filing of Staff's testimony from December 30, 2020 to January 5, 2021.

Accordingly, Staff requests that the Commission deny OCC's motion for a three-day extension for the filing of OCC's testimony opposing the Stipulation. Alternatively, Staff does not oppose OCC's motion if the Commission also grants an extension of the deadline for the filing of Staff's testimony from December 30, 2020 to January 5, 2021.

Respectfully submitted,

Dave Yost
Ohio Attorney General

John H. Jones
Section Chief

/s/ Steven L. Beeler

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**On behalf of the Staff of
the Public Utilities commission of Ohio**

PROOF OF SERVICE

I hereby certify that a true copy of the foregoing **Memorandum Contra Ohio Consumers' Counsel's Motion for Three-Day Extension for Filing Testimony Opposing the Settlement** submitted on behalf of the Staff of the Public Utilities Commission of Ohio, was served via electronic mail upon the following Parties of Record, this 11th day of December, 2020.

/s/ Steven L. Beeler

Steven L. Beeler

Assistant Attorney General

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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

12/11/2020 9:06:54 AM

in

Case No(s). 18-1875-EL-GRD, 18-1876-EL-WVR, 18-1877-EL-AAM, 20-0680-EL-UNC, 19-1121-EL-UNC

Summary: Memorandum Contra Ohio Consumers' Counsel's Motion for 3-Day Extension for Filing Testimony Opposing the Settlement Submitted on Behalf of the Staff of the Public Utilities Commission of Ohio electronically filed by Mrs. Kimberly M Naeder on behalf of PUCO