

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The Dayton)	
Power and Light Company for an Increase in its)	Case No. 20-1651-EL-AIR
Electric Distribution Rates)	
)	
In the Matter of the Application of The Dayton)	Case No. 20-1652-EL-AAM
Power and light Company for Accounting)	
Authority.)	
)	
In the matter of the Application of Dayton)	Case No. 20-1653-EL-ATA
Power and Light Company for Approval of)	
Revised Tariffs.)	

**MOTION TO INTERVENE
OF UNIVERSITY OF DAYTON**

Pursuant to R.C. 4903.221 and Ohio Adm. Code 4901-1-11, University of Dayton (“UD”) respectfully moves the Public Utilities Commission of Ohio (“Commission”) to intervene in the above-captioned proceeding. UD has real and substantial interests in these proceedings, and those interests are not adequately represented by existing parties. Absent UD’s direct involvement, UD faces the risk that its interests may be prejudiced by the results of these proceedings. Accordingly, as set forth more fully in the attached memorandum in support, UD respectfully requests that the Commission grant this timely motion to intervene.

Respectfully submitted,

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**MEMORANDUM IN SUPPORT OF UNIVERSITY OF DAYTON'S
MOTION TO INTERVENE**

The Dayton Power and Light Company (“DP&L”) filed a notice on October 30, 2020, of its intent to seek an increase in its electric distribution rates and on November 30, 2020, DP&L filed its Application for an increase in its electric distribution rates. The University of Dayton (“UD”) is a large consumer of electricity from DP&L. Given the potential impact that the Commission’s decision will have on rates paid by residential and commercial consumers, including UD and its students, UD has a real and substantial interest in these proceedings that cannot adequately be represented by other parties. Therefore, the Commission should grant UD leave to intervene in these proceedings.

Pursuant to RC 4903.221, any person who may be adversely affected by a Commission proceeding may intervene in such proceeding. In deciding whether to permit intervention, the Commission shall consider: the nature and extent of the prospective intervenor’s interest; the legal position advanced by the prospective intervenor and its probable relation to the merits of the case; whether the intervention by the prospective intervenor will unduly prolong or delay the proceedings; whether the prospective intervenor will significantly contribute to full development

and equitable resolution of the factual issues; and the extent to which the person's interest is represented by existing parties. Ohio Adm. Code 4901-1-11. UD meets this standard.

UD has a real and substantial interest in these proceedings. Located just south of downtown Dayton, Ohio, UD is a private university with a footprint of nearly 400 acres. DP&L supplies power to seven large UD commercial accounts that serve educational, administrative and research facilities, as well as the UD Arena. DP&L also provides service to over 500 individual student residential accounts for UD's student housing. UD's total annual energy usage exceeds 88 million kWh. DP&L seeks to increase rates for several classes of customers across its service area. Given the sheer size of its accounts and energy use, UD has an interest in the proceedings and the result of these proceedings may impair or impede UD's ability to protect its interest.

UD seeks to participate in the proceeding to ensure that its and its constituents' interests are adequately represented and protected in these proceedings. UD's unique interest in energy issues and its position as a large commercial and residential consumer of electricity from DP&L means that UD can significantly contribute to the proceedings. Given its size and combination of residential and commercial accounts, no other party currently does or can adequately represent UD's interests in the outcome of these proceedings. UD anticipates that it will address these issues as a participant in the proceedings as they are certain to have a significant impact on DP&L's customers, including UD and its neighbors. UD has participated in other PUCO proceedings that impact rates charged to DP&L's customers.

Finally, UD's intervention is timely and, thus, will not unduly prolong or delay the proceedings.

For all of these reasons, UD respectfully requests that the Commission grant its motion to intervene and allow UD to be made a party of record in these proceedings with the full powers and rights granted by the Commission to intervening parties.

Respectfully submitted,

/s/ Stephanie M. Chmiel

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 17, 2020 a copy of the foregoing Motion to Intervene and Memorandum in Support were filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio, which will electronically serve notice of the filing on counsel for all parties.

/s/Stephanie M. Chmiel

Stephanie M. Chmiel (0087555)

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Case No(s). 20-1651-EL-AIR, 20-1652-EL-AAM, 20-1653-EL-ATA

Summary: Motion MOTION TO INTERVENE OF UNIVERSITY OF DAYTON and
MEMORANDUM IN SUPPORT OF UNIVERSITY OF DAYTON'S MOTION TO INTERVENE
electronically filed by Ms. Stephanie M Chmiel on behalf of University of Dayton