

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The Dayton : Case No. 20-0140-EL-AAM
Power and Light Company for Approval to :
Defer Distribution Decoupling Costs. :

**THE DAYTON POWER AND LIGHT COMPANY'S
MOTION TO MODIFY PROCEDURAL SCHEDULE**

EXPEDITED RULING REQUESTED

Pursuant to Ohio Adm.Code 4901-1-13(A) and for good cause shown, The Dayton Power and Light Company ("DP&L") moves for a two-week extension of the procedural schedule established in the December 3, 2020 Entry in this proceeding. DP&L, Staff, and the Intervenors are engaged in settlement negotiations, and believe this short extension of time will facilitate those efforts and conserve the time, energy, and resources of the Commission and the parties should a stipulation be reached.

Pursuant to Ohio Adm.Code 4901-1-12(C), DP&L requests an expedited ruling on this Motion. Counsel for DP&L contacted counsel for Staff and the Intervenors by e-mail at 11:41 a.m. on Tuesday, January 5, 2021 to determine whether they objected to the requested extension of time. DP&L certifies that Staff, Ohio Manufacturers' Association Energy Group ("OMAEG") and The Kroger Co. ("Kroger") expressly stated their non-objection to the extension; The Office of the Ohio Consumers Counsel ("OCC") has not responded. On Wednesday, January 6, 2021 at 8:32 a.m., counsel for DP&L contacted counsel for Staff and the Intervenors by e-mail to advise that DP&L would file this Motion later in the morning and to ask whether they objected to expedited treatment by the Commission. DP&L certifies that no party

has objected to expedited treatment, and that OMAEG and Kroger expressly stated their non-objection.

Respectfully submitted,

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*Counsel for The Dayton Power
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(willing to accept service by email)

**MEMORANDUM IN SUPPORT OF THE DAYTON POWER AND
LIGHT COMPANY'S MOTION TO MODIFY PROCEDURAL SCHEDULE**

The Commission recently scheduled a hearing in this proceeding and established the following procedural schedule:

- "(a) DP&L should file testimony on or before January 8, 2021.
- (b) Intervening parties should file testimony by January 15, 2021.
- (c) Staff should file testimony by January 22, 2021.
- (d) An evidentiary hearing will commence on February 2, 2021, at 10:00 a.m., via remote hearing technology. A technology test session will be conducted immediately prior to the hearing."

Dec. 3, 2020, Entry, ¶ 14.

DP&L, Staff, and the Intervenors are currently engaged in settlement discussions, and a short, two-week extension of that schedule will allow the parties to determine whether settlement is achievable. Thus, in the interest of administrative economy, there is good cause to extend those deadlines as follows:

- (a) DP&L should file testimony on or before January 22, 2021.
- (b) Intervening parties should file testimony by January 29, 2021.
- (c) Staff should file testimony by February 5, 2021.

DP&L requests that the hearing be set on or after February 18 to accommodate scheduling conflicts for counsel for the parties.

Given DP&L's current deadline of January 8, 2021 to file testimony, DP&L requests an expedited ruling on this Motion. Counsel for DP&L contacted counsel for Staff and

the Intervenor by e-mail at 11:41 a.m. on Tuesday, January 5, 2021 to determine whether they objected to the requested extension of time. DP&L certifies that Staff, OMAEG and Kroger expressly stated their non-objection to the extension; OCC has not responded. On Wednesday, January 6, 2021 at 8:32 a.m., counsel for DP&L contacted counsel for Staff and the Intervenor by e-mail to advise that DP&L would file this Motion later in the morning and to ask whether they objected to expedited treatment by the Commission. DP&L certifies that no party has objected to expedited treatment, and that OMAEG and Kroger expressly stated their non-objection.

Respectfully submitted,

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*Counsel for The Dayton Power
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(willing to accept service by email)

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing The Dayton Power and Light Company's Motion to Modify Procedural Schedule has been served via electronic mail upon the following counsel of record, this 6th day of January, 2021.

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Summary: Motion The Dayton Power and Light Company's Motion to Modify Procedural Schedule *Expedited Ruling Requested* electronically filed by Mr. Christopher C. Hollon on behalf of The Dayton Power and Light Company