

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

<b>In the Matter of the Application of The</b>	)	
<b>Dayton Power and Light Company to</b>	)	<b>Case No. 20-1651-EL-AIR</b>
<b>Increase its Rates for Electric Distribution</b>	)	

<b>In the Matter of the Application of The</b>	)	
<b>Dayton Power and Light Company for</b>	)	<b>Case No. 20-1652-EL-AAM</b>
<b>Accounting Authority.</b>	)	

<b>In the Matter of the Application of The</b>	)	
<b>Dayton Power and Light Company for</b>	)	<b>Case No. 20-1653-EL-ATA</b>
<b>Approval of Revised Tariffs.</b>	)	

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**OBJECTIONS OF  
NATIONWIDE ENERGY PARTNERS, LLC**

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In accordance with Ohio Revised Code Section 4909.19(C), Ohio Administrative Code Rule 4901:1-19-07(F), and the Attorney Examiner's Entries in these proceedings, Nationwide Energy Partners, LLC ("NEP") files the following objections to the Staff Report docketed on July 26, 2021, and to The Dayton Power and Light Company's ("DPL") Rate Increase Application filed November 30, 2020.

**A. Objections to the Staff Report**

- 1. The Staff Report failed to recommend language that would create a framework for customers to purchase DPL-owned equipment on customer property. (Staff Report at 23-25)**

Certain customers desire to purchase DPL-owned equipment and infrastructure, such as transformers, cabling and switch gear, that is situated within the bounds of those customers' property. DPL does not presently employ a process to address these customers' requests or to negotiate a sale of such infrastructure and equipment, and DPL may categorically refuse such

requests if it chooses. The absence of a process by which customers can engage with DPL for the purchase of infrastructure on their properties may result in waste; a customer who desires to privatize the electric distribution infrastructure within the bounds of its property, being unable to purchase such infrastructure from DPL, may be forced to overbuild such infrastructure at greater expense and leave DPL's infrastructure abandoned in the ground. A framework for a process that is more economical for both customers and DPL is therefore necessary, and the tariff should be modified to require DPL to create such a process. While the Staff Report addressed other deficiencies in the tariff and DPL's operations (e.g. installments for the payment of a deposit; Staff Report at 23), the Staff Report failed to recommend language to this effect. NEP objects to this omission from the Staff Report.

## **B. Objections to DPL's Rate Increase Application**

### **1. DPL failed to add to its terms and conditions language that would create framework for customers to purchase DPL-owned equipment on customer property.**

DPL does not employ a process to address the requests of customers who wish to purchase DPL-owned equipment and infrastructure situated on their property. While DPL's current tariff sheet D.9 contains provisions for a property owner to manage its property around the DPL equipment, including by providing vaults, conduits, and foundation pads for such equipment, and by actively protecting such equipment, there is no opportunity for the customer to directly own that equipment. Customers must instead choose to build over and around this equipment when exercising their right to privatize behind the meter infrastructure. The existence of a process by which a customer who wishes to privatize the electric infrastructure on its property could purchase such infrastructure and equipment would avoid the waste of overbuilding and abandoning DPL infrastructure, and would therefore benefit both customers and DPL. DPL should be required to

include such a process in its tariff. This process must be sufficiently clear and certain to permit businesses to rely thereon in making decisions about purchasing infrastructure and to avoid project delays, and should require DPL to engage in a good faith negotiation with any commercial customer that makes such a request. The tariff should include language requiring DPL to set forth a clear, certain process in its rules and regulations, handbook and on its website. NEP objects to this omission from DPL's rate case application and proposed tariff.

**C. Conclusion**

For the foregoing reasons, NEP objects to the Staff Report and DPL's Rate Increase Application in these proceedings.

Respectfully Submitted,

/s/ Drew B. Romig

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## **CERTIFICATE OF SERVICE**

The Public Utilities Commission of Ohio'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 the case. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served (via electronic mail) on August 25, 2021 to the addresses listed below.

/s/ Drew B. Romig

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Summary: Objection to the PUCO Staff Report and Rate Increase Application electronically filed by Mr. Drew B Romig on behalf of Nationwide Energy Partners, LLC