

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
THE DAYTON POWER AND LIGHT
COMPANY TO INCREASE ITS RATES FOR
ELECTRIC DISTRIBUTION.

CASE NO. 20-1651-EL-AIR

IN THE MATTER OF THE APPLICATION OF
THE DAYTON POWER AND LIGHT
COMPANY FOR ACCOUNTING
AUTHORITY.

CASE NO. 20-1652-EL-AAM

IN THE MATTER OF THE APPLICATION OF
THE DAYTON POWER AND LIGHT
COMPANY FOR APPROVAL OF REVISED
TARIFFS.

CASE NO. 20-1653-EL-ATA

ENTRY

Entered in the Journal on October 22, 2021

{¶ 1} The Dayton Power and Light Company (DP&L or the Company) is an electric light company and a public utility as defined in R.C. 4905.03 and R.C. 4905.02, respectively. As such, DP&L is subject to the jurisdiction of this Commission.

{¶ 2} On November 30, 2020, the Company filed applications for an increase in electric distribution rates, for accounting authority, and for approval of revised tariffs.

{¶ 3} Pursuant to R.C. 4909.19, the Commission caused an investigation to be made of the facts set forth in the rate increase application, the exhibits attached thereto, and the matters connected therewith. On July 26, 2021, Staff filed a written report of its investigation, copies of which were mailed to the Company and other persons deemed interested in these cases.

{¶ 4} On July 30, 2021, the attorney examiner issued a procedural schedule establishing various filing deadlines, scheduling a prehearing conference, and directing that the evidentiary hearing would commence on October 4, 2021. The attorney examiner also announced that local public hearings would be scheduled by subsequent Entry.

{¶ 5} By Entry issued August 9, 2021, the attorney examiner granted a motion to continue and rescheduled the hearing to commence on October 26, 2021.

{¶ 6} On August 17, 2021, the attorney examiner issued an Entry scheduling two local public hearings pursuant to R.C. 4903.083: one on September 17, 2021, and one on September 28, 2021. The Entry also directed the Company to publish legal notice of all scheduled hearings.

{¶ 7} By Entries dated April 7, 2021, April 29, 2021, June 1, 2021, and September 15, 2021, the attorney examiner granted intervenor status in these cases to the following entities: Ohio Energy Group; Ohio Manufacturers' Association Energy Group; The Kroger Co.; Ohio Consumers' Counsel (OCC); University of Dayton; Industrial Energy Users-Ohio; Interstate Gas Supply, Inc.; Retail Energy Supply Association (RESA); Ohio Partners for Affordable Energy; Walmart Inc.; Environmental Law & Policy Center; Ohio Hospital Association; Armada Power, LLC (Armada); Nationwide Energy Partners, LLC; Direct Energy Services, LLC, and Direct Energy Business, LLC; One Energy Enterprises LLC; ChargePoint, Inc.; the City of Dayton; and Ohio Environmental Council.¹

{¶ 8} On September 16, 2021, the prehearing conference was conducted as scheduled.

{¶ 9} On September 22, 2021, OCC filed a motion to allow Dayton-area consumers to participate virtually during the pandemic in the Commission's local public hearing on the Company's proposed rate increase with a request for expedited ruling. Specifically, OCC requested that the Commission allow consumers to remotely testify at the September 28, 2021 local public hearing, which was to be held at 6:00 p.m. at the Dayton Municipal Building.

¹ On July 14, 2021, Armada withdrew from participating in these proceedings. Similarly, RESA withdrew from these matters by notice filed August 10, 2021.

{¶ 10} By Entry dated September 23, 2021, the attorney examiner announced that, pursuant to published notice, the evidentiary hearing will be called as scheduled on October 26, 2021, at 10:00 a.m., at the offices of the Commission – both in the scheduled hearing room and virtually using Webex – immediately adjourned, and then continued to reconvene by Webex only. The Entry provides the information necessary to allow any interested nonparty to observe the hearing via the internet or telephone.

{¶ 11} On September 27, 2021, the attorney examiner issued an Entry denying OCC's motion. Although the Entry denied OCC's request to allow consumers to remotely testify at the September 28, 2021 hearing, the attorney examiner explained that a third event would be scheduled to allow the Company's customers an opportunity to provide public testimony by remote technology. Finally, the attorney examiner stated that details for this event, and instructions for publication of its notice, would be provided by future Entry.

{¶ 12} By Entry dated October 19, 2021, the attorney examiner granted a motion to continue the evidentiary hearing. Pursuant to the Entry, the evidentiary hearing will be called as scheduled on October 26, 2021, and then continued to December 7, 2021. The Entry provides the information necessary to allow any interested nonparty to observe the December 7, 2021 hearing via the internet or telephone.

{¶ 13} At this time, the attorney examiner announces that a public hearing will be held on November 16, 2021, commencing at 6:00 p.m. ET, using Webex.

{¶ 14} Interested persons who are not a party to these cases and wish to provide testimony must pre-register with the Commission before 12:00 p.m. on November 15, 2021, at <https://puco.ohio.gov/wps/portal/gov/puco/events/case-no-20-1651-EL-AIR-et-al> or by calling the Commission at 1-800-686-7826.

{¶ 15} Persons providing testimony will be required to provide their full name, home address, telephone number, and electronic mail address, if available; state that they wish to register for the public hearing in Case No. 20-1651-EL-AIR, et al.; specify whether they plan

to join the event by internet or telephone; and state that they intend to offer testimony. Persons who plan to attend the remote-access event through the internet must have a computer or smart device with a microphone and speakers, an electronic mail address, and reliable internet service.

{¶ 16} Persons who have registered to testify will be asked to speak beginning shortly after 6:00 p.m., so all who have registered to testify should be prepared to speak at that time. The Commission's staff will contact those persons who are speaking by telephone when it is time for their testimony and connect them to the public hearing.

{¶ 17} Interested persons who merely wish to attend the hearing remotely and not offer testimony can do so by calling 1-408-418-9388 and entering the access code 2336 413 2985. The public hearing will also be live streamed for viewing at www.youtube.com/user/PUCOhio. Additional information is available by contacting the Commission's Consumer Call Center at 1-800-686-7826.

{¶ 18} Access information for the public hearing will be provided to counsel for the parties at their email address of record. Counsel who will speak during the hearing should join the Webex event through internet access and must have a computer or smart device with a camera, microphone, and speakers; an electronic mail address; and reliable internet service.

{¶ 19} The Company should publish notice of the hearing in newspapers of general circulation in the affected service territory once each week for two consecutive weeks prior to the scheduled date of the hearing. The notice should not appear in the legal notices section of the newspaper. The Company shall file proof of publication of the notice with the Commission. The notice should read as follows:

LEGAL NOTICE

The Public Utilities Commission of Ohio has scheduled a local public hearing in Case Nos. 20-1651-EL-AIR, 20-1652-EL-AAM, and 20-1653-EL-ATA, *In the*

Matter of the Application of the Dayton Power and Light Company for an Increase in Electric Distribution Rates, for Accounting Authority, and for Approval of Revised Tariffs. In its application, the Company requests a rate increase of \$120,771,561, or an average increase of 49 percent over current revenues. After its review of the application and records, the Staff of the Commission recommends a revenue increase in the range of \$61,115,418 and \$66,665,151, or an increase in total distribution revenue of 25 percent to 27 percent over current revenue.

This local hearing is scheduled for the purpose of providing an opportunity for interested members of the public to testify in these proceedings via remote technology. The public hearing will be held via Webex on Tuesday, November 16, 2021, commencing at 6:00 p.m.

Interested persons who are not a party to these cases and who wish to provide testimony must pre-register with the Commission before 12:00 p.m. on Monday, November 15, 2021, at <https://puco.ohio.gov/wps/portal/gov/puco/events/case-no-20-1651-EL-AIR-et-al> or by calling the Commission at 1-800-686-7826. If individuals wish to supplement their testimony with an exhibit for the Commission's consideration, a copy of the document, along with a reference to Case Nos. 20-1651-EL-AIR, 20-1652-EL-AAM, and 20-1653-EL-ATA, must be provided to the Commission by November 15, 2021, if possible, but no later than November 26, 2021, by electronic mail to contactThePUCO@puco.ohio.gov or by mail to Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793.

Interested individuals who merely wish to attend the hearing remotely and not offer testimony can do so by calling 1-408-418-9388 and entering access code 2336 413 2985. The public hearing will also be live streamed for viewing

at www.youtube.com/user/PUCOhio. Additional information is available by contacting the Commission's Consumer Call Center at 1-800-686-7826.

Public comments can be provided in writing on the Commission's website at <https://puco.ohio.gov/wps/portal/gov/puco/help-center/file-a-complaint>, by electronic mail to contactThePUCO@puco.ohio.gov, or by mail to Public Utilities Commission of Ohio, 180 East Broad Street, Columbus, Ohio 43215-3793. Written comments should reference the case numbers 20-1651-EL-AIR, 20-1652-AL-AAM, and 20-1653-EL-ATA.

{¶ 20} It is, therefore,

{¶ 21} ORDERED, That a public hearing be held on November 16, 2021, in accordance with Paragraph 13. It is, further,

{¶ 22} ORDERED, That the Company publish notice of the public hearing and file its proof of publication in accordance with Paragraph 19. It is, further,

{¶ 23} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Patricia A. Schabo

By: Patricia A. Schabo
Attorney Examiner

MJA/hac

This foregoing document was electronically filed with the Public Utilities

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in

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

Summary: Attorney Examiner Entry ordering that a public hearing be held on November 16, 2021, in accordance with Paragraph 13 and that the Company publish notice of the public hearing and file its proof of publication in accordance with Paragraph 19 electronically filed by Heather A. Chilcote on behalf of Patricia Schabo, Attorney Examiner, Public Utilities Commission