

## 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 November 23, 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 pursuant to 4905.04, 4905.05, and 4905.06.

{¶ 2} R.C. Chapter 4909 prescribes the fixation of rates for public utilities. An application for an increase in rates is governed by and must satisfy the requirements of R.C. 4909.17 to 4909.19 and R.C. 4909.42. In determining just and reasonable rates, R.C. 4909.15(C) mandates that the revenues and expenses of a utility be determined during a test period. When applying for a rate increase, a utility may propose a test period for this determination that is any 12-month period beginning not more than six months before, and not ending more than nine months after, the date the application is filed. R.C. 4909.15. Unless otherwise ordered by the Commission, the test period shall be what is proposed by the utility. *Id.* Additionally, under R.C. 4909.15(C)(2), the date certain shall not be later than the date of filing.

{¶ 3} On October 30, 2020, pursuant to the Standard Filing Requirements set forth in Ohio Adm.Code 4901-7-01, Appendix A (Standard Filing Requirements or SFR), DP&L filed a notice of its intent to file an application to increase its rates for electric distribution service.

{¶ 4} Also on October 30, 2020, the Company filed a motion to establish a test period and date certain in accordance with R.C. 4909.15(C) and Chapter II(A)(5)(a) of the Standard Filing Requirements. DP&L proposed the twelve-month period beginning June 1, 2020, and ending May 31, 2021, as the test year and June 30, 2020, as the date certain for its forthcoming application, which it intended to file on November 30, 2020. The October 30, 2020 motion also requested waivers of certain Standard Filing Requirements pursuant to Chapter II, (A)(4)(a).

{¶ 5} On November 18, 2020, the Commission approved DP&L's motion to set the test period and date certain, as well as its motion for waiver of certain SFRs.

{¶ 6} On November 30, 2020, DP&L filed its application to increase its rates. On December 14, 2020, the Company filed direct testimony in support of its application.

{¶ 7} On April 7, 2021, the Commission accepted the application as of the filing date of November 30, 2020. As part of the same Entry, the Commission granted motions to intervene on behalf of Ohio Consumers' Counsel (OCC) and Ohio Partners for Affordable Energy (OPAE), as well as ten additional intervenors.

{¶ 8} On July 26, 2021, Staff filed its report of investigation (Staff Report).

{¶ 9} On July 30, 2021, the attorney examiner issued a procedural schedule setting forth case deadlines, including scheduling the matter for an evidentiary hearing on October 4, 2021. Pursuant to subsequent Entries, the evidentiary hearing was continued to and called on October 26, 2021, and then adjourned to recommence on December 7, 2021.

{¶ 10} On August 5, 2021, OCC filed a motion to dismiss DP&L's application for a rate increase.

{¶ 11} On August 20, 2021, DP&L filed a memorandum in opposition to OCC's motion to dismiss.

{¶ 12} On August 27, 2021, OCC and OPAE filed separate replies in support of the motion to dismiss DP&L's application for a rate increase.

{¶ 13} By Entry dated October 20, 2021, the Commission denied OCC's motion to dismiss.

{¶ 14} On November 19, 2021, OCC filed an application for rehearing and memorandum in support in regard to the October 20, 2021 Entry.

{¶ 15} On November 23, 2021, DP&L filed a motion for a continuance to oppose the application for rehearing together with a memorandum in support. DP&L also requested an expedited ruling as to the motion. DP&L indicates that the parties' continuing pursuit of settlement negotiations and the impact on briefing relative to the Thanksgiving holiday support the Company's request for a seven-day briefing extension. Further, DP&L indicates that, as of the time that the continuance request was filed (1) OCC and the University of Dayton had expressly stated their non-opposition to the continuance and (2) no other parties had expressed any objection to the continuance.

{¶ 16} At this time, the attorney examiner finds that good cause supports the Company's motion. Accordingly, the motion for a continuance is granted, and DP&L's time for filing its response to OCC's application for rehearing is extended until December 6, 2021.

{¶ 17} It is, therefore,

{¶ 18} ORDERED, That the November 23, 2021 motion for a continuance be granted, as described in Paragraph 16. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Michael L. Williams

By: Michael L. Williams  
Attorney Examiner

GAP/hac

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

Summary: Attorney Examiner Entry ordering that the November 23, 2021 motion for a continuance be granted, as described in Paragraph 16 electronically filed by Heather A. Chilcote on behalf of Michael L. Williams, Attorney Examiner, Public Utilities Commission of Ohio