

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF  
THE DAYTON POWER AND LIGHT  
COMPANY D/B/A AES OHIO FOR  
APPROVAL OF ITS ELECTRIC SECURITY  
PLAN.

CASE NO. 22-900-EL-SSO

IN THE MATTER OF THE APPLICATION OF  
THE DAYTON POWER AND LIGHT  
COMPANY D/B/A AES OHIO FOR  
APPROVAL OF REVISED TARIFFS.

CASE NO. 22-901-EL-ATA

IN THE MATTER OF THE APPLICATION OF  
THE DAYTON POWER AND LIGHT  
COMPANY D/B/A AES OHIO FOR  
APPROVAL OF ACCOUNTING AUTHORITY  
PURSUANT TO R.C. 4905.13.

CASE NO. 22-902-EL-AAM

### ENTRY

Entered in the Journal on January 26, 2023

{¶ 1} The Dayton Power and Light Company d/b/a AES Ohio (AES Ohio or the Company) is a public utility as defined under R.C. 4905.02. As such, the Company is subject to the jurisdiction of this Commission.

{¶ 2} R.C. 4928.141 mandates that an electric distribution utility shall provide a standard service offer (SSO) of all competitive retail electric services necessary to maintain essential electric services to customers, including a firm supply of electric generation service, to all consumers within its certified territory. The SSO may be either a market rate offer in accordance with R.C. 4928.142 or an electric security plan (ESP) in accordance with R.C. 4928.143.

{¶ 3} On September 26, 2022, AES Ohio filed an application to establish the Company's fourth ESP along with related applications for approval of revised tariffs and for approval of accounting authority (the Application).

{¶ 4} By Entries dated September 30, 2022, and November 21, 2022, the attorney examiner established a procedural schedule for this proceeding. Pursuant to that schedule,

motions to intervene were to be filed by November 28, 2022, a local public hearing will take place on February 2, 2023, in Dayton, Ohio, and the evidentiary hearing regarding AES Ohio's Application is scheduled to commence on March 6, 2023. The schedule also set forth deadlines for discovery and for the filing of intervenor testimony.

{¶ 5} On January 9, 2023, One Energy Enterprises, Inc. (One Energy) filed a motion to dismiss AES Ohio's Application. On January 19, 2023, AES Ohio filed an unopposed motion for an extension of time to respond to One Energy's motion to dismiss with a request for an expedited ruling.

{¶ 6} By Entry dated January 20, 2023, the attorney examiner granted AES Ohio's motion for an extension; the Company's memorandum contra the motion to dismiss is now due on January 31, 2023. The Entry also granted 19 motions to intervene.

{¶ 7} Also on January 20, 2023, AES Ohio filed a motion for an extension of time for discovery and for intervenors to file testimony, as well as a request for an expedited ruling. AES Ohio represents that all parties are actively negotiating a potential settlement of the issues raised in the Application and seeks a two-week extension to facilitate settlement discussions. AES Ohio also contends that the extension would serve the interests of administrative economy. As to the request for expedited ruling, the Company asserts that all parties were contacted, all responded, and none objected.

{¶ 8} Upon review, the attorney examiner finds that the motion is reasonable and should be granted. Accordingly, all discovery requests, except notices of deposition, shall be served by February 16, 2023, and intervenor testimony is to be filed on or before February 27, 2023.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That AES Ohio's motion for an extension of time be granted as stated in Paragraph 8. It is, further,

{¶ 11} ORDERED, That a copy of this Entry be served upon all interested persons and parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/*Patricia A. Schabo*

By: Patricia A. Schabo  
Attorney Examiner

NJW/hac

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**1/25/2023 2:20:36 PM**

**in**

**Case No(s). 22-0900-EL-SSO, 22-0901-EL-ATA, 22-0902-EL-AAM**

Summary: Attorney Examiner Entry ordering that AES Ohio's motion for an extension of time be granted electronically filed by Heather A. Chilcote on behalf of Patricia Schabo, Attorney Examiner, Public Utilities Commission