

FILE

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

RECEIVED-DOCKETING DIV
2005 SEP 23 PM 5:00
PUCO

3

In the Matter of the Application of)	
The Dayton Power and Light Company)	
for the Creation of a Rate Stabilization)	Case No. 05-276-EL-AIR
Surcharge Rider and Distribution Rate)	
Increase.)	

OBJECTIONS TO STAFF REPORT OF INVESTIGATION

Pursuant to Section 4909.19, Revised Code, Rule 4901-1-28(B) of the Ohio Administrative Code, and the Attorney Examiner's Entry of September 1, 2005, Honda of America Manufacturing, Inc. ("Honda") hereby submits its Objections to the Staff Report of Investigation as follows:

Honda objects to the determination of the Staff on page 27 of the Staff Report issued in the above styled docket that the rate stabilization rider ("RSS") be assessed against customers who purchase their power from a competitive retail electric service provider ("CRES"). As detailed in the Staff Report the basis for the RSS is for fuel and security expenses associated with Dayton Power and Light's generation. Since a CRES customer does not take generation from Dayton Power and Light Company ("DP&L"), and hence would not cause any fuel to be burned by DP&L, it is unreasonable and unlawful to charge such customers the RSS charge.

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business
Technician HW Date Processed 9/26/05

Respectfully submitted,

Stephen M. Howard

M. Howard Petricoff
Stephen M. Howard
Vorys, Sater, Seymour and Pease LLP
52 East Gay Street
P.O. Box 1008
Columbus, Ohio 43216-1008
Tel: (614) 464-5414
Fax: (614) 719-4904
E-mail: mhpetricoff@vssp.com

Attorneys for Honda of America Manufacturing, Inc.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Objections to the Staff Report of Investigation were served by electronic mail or regular U.S. mail, postage prepaid, this 23rd day of September, 2005, upon the following persons:

Mr. Charles Faruki
Faruki Ireland & Cox P.L.L.
500 Courthouse Plaza, S.W.
10 North Ludlow Street
Dayton, Ohio 45402
E-mail: cfaruki@ficlaw.com

Craig Smith
Attorney at Law
2824 Coventry Road
Cleveland, Ohio 44120
E-mail: WTPMLC@AOL.COM

Jeffrey Small
Ann M. Hotz
Office of Consumers' Counsel
10 W. Broad Street, Suite 1800
Columbus, Ohio 43215
small@occ.state.oh.us
hotz@occ.state.oh.us

Mr. David Rinebolt
Ohio Partners for Affordable Energy
231 West Lima Street
P. O. Box 1793
Findlay, Ohio 45839-1793
E-mail: drinebolt@aol.com

Daniel Nielsen
McNees, Wallace & Nurick
Fifth Third Center
21 East State Street, Suite 1700
Columbus, Ohio 43215-4228
dnielsen@mwncmh.com

M. Howard Petricoff

M. Howard Petricoff
by
Stephen M. Howard