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BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of : Case No. 08-1094-EL-SSO  
The Dayton Power and Light Company for :  
Approval of Its Electric Security Plan :  
:

In the Matter of the Application of : Case No. 08-1095-EL-ATA  
The Dayton Power and Light Company for :  
Approval of Revised Tariffs :  
:

In the Matter of the Application of : Case No. 08-1096-EL-AAM  
The Dayton Power and Light Company for :  
Approval of Certain Accounting Authority :  
Pursuant to Ohio Rev. Code Section 4905.13 :  
:

In the Matter of the Application of : Case No. 08-1097-EL-UNC  
The Dayton Power and Light Company for :  
Approval of Its Amended Corporate :  
Separation Plan :  
:

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**MOTION OF THE DAYTON POWER AND LIGHT COMPANY TO WITHDRAW ITS  
REVISED ADVANCED METERING INFRASTRUCTURE AND SMART GRID  
BUSINESS CASES**

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The Dayton Power and Light Company ("DP&L" or "the Company") hereby moves to withdraw its Revised Advanced Metering Infrastructure and Smart Grid business cases filed pursuant to paragraph 4 of the Stipulation and Recommendation approved without modification by the Public Utilities Commission of Ohio ("Commission") by Opinion and Order dated June 24, 2009 in this case, and respectfully requests that the Commission grant this motion to withdraw and issue an order closing these proceedings. The reasons in support of this motion are more fully explained in the attached memorandum.

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## MEMORANDUM

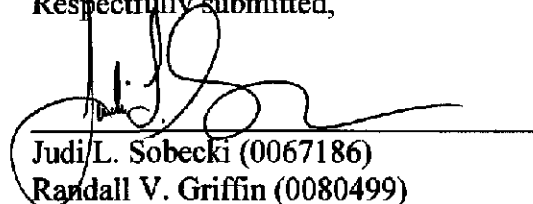
On October 10, 2008, DP&L filed an application for a standard service offer (“SSO”) in the form of an electric security plan (“ESP”), which included the Company’s comprehensive energy efficiency and peak demand reduction plan, including a plan for Advanced Metering Infrastructure (“AMI”) and Smart Grid. On February 24, 2009, the Signatory Parties entered into a Stipulation and Recommendation (“ESP Stipulation”), which was adopted by the Commission without modification by Opinion and Order dated June 24, 2009. The ESP Stipulation provided in part that DP&L would develop independent business cases for both its AMI and Smart Grid proposals which demonstrated a positive benefit-cost analysis, and file those business cases in this docket no later than September 1, 2009. On August 4, 2009, DP&L filed independent business cases for AMI and Smart Grid demonstrating a positive benefit-cost analysis with the Commission.

Since that time, however, and despite the timely, reasonable and good faith efforts by DP&L and interested parties to resolve this matter, the AMI and Smart Grid proposals which give rise to all remaining issues in these proceedings have been affected by various factors beyond any party’s reasonable control. These factors include, but are not limited to: current challenging economic conditions, the fact that DP&L was not awarded federal stimulus dollars, and AMI and Smart Grid programs being implemented by other Ohio utilities that may be instructive to DP&L in connection with possible future AMI and Smart Grid investments. In light of these factors, DP&L respectfully moves for permission to withdraw the AMI and Smart Grid business cases, and seeks an order closing these proceedings, with the understanding that DP&L reserves the right to revisit

the subject of possible AMI and Smart Grid investments in the future, and may apply to the Commission to seek approval of such investments and recovery for such expenditures. To that end, DP&L will continue to monitor AMI deployment experiences of other electric utilities both in Ohio and across the country and also leverage any applicable information and educational materials that are developed by entities such as the Department of Energy, the Smart Grid Consumer Collaborative, the NIST Smart Grid Interoperability Panel, Institute of Electrical and Electronic Engineers, Electric Power Research Institute and the Edison Electric Institute.

WHEREFORE, for the foregoing reasons, DP&L respectfully requests that the Commission enter an order granting this motion to withdraw the Revised Advanced Metering Infrastructure and Smart Grid business cases filed pursuant to paragraph 4 of the Stipulation and Recommendation and formally closing these proceedings.

Respectfully submitted,



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I certify that a copy of the foregoing Stipulation and Recommendation has been served via electronic mail upon the following counsel of record, this 19<sup>th</sup> day of October, 2010:

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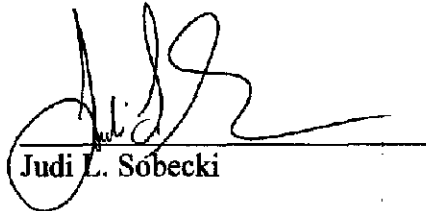
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