

P.U.C.O. No. 17
ELECTRIC DISTRIBUTION SERVICE
RULES AND REGULATIONS
OPEN ACCESS TERMS AND CONDITIONS

A. Open Access to Distribution System

Distribution Service will be available to all retail electric service Customers in the Company's Certified Territory and their suppliers on a nondiscriminatory and comparable basis. The Company will build distribution facilities when necessary to provide adequate Distribution Service. However, a Customer requesting such service will be required to pay all or part of the reasonable incremental cost of the new facilities in accordance with Tariff Sheet No. D12 of this Schedule. The rules, regulations and rates contained on Tariff Sheets in this Schedule shall be applied to all Customers and their suppliers on a nondiscriminatory and comparable basis.

B. Terms of Service

An electric retail Customer is not responsible for maintaining a formal service agreement for Distribution Service with the Company. However, by completing an Application for Service under Tariff Sheet No. D3, an electric retail Customer is bound by the terms and conditions outlined in this Schedule. Each Alternate Generation Supplier (AGS) serving retail Customers in the Company's Certified Territory is required to enter into a formal service agreement with the Company in accordance with the terms and conditions contained in the Company's Alternate Generation Supplier Coordination Tariff Sheet No. G8.

The Company will bill all electric retail Customers for Distribution Services either directly, or to their authorized representative, or according to third-party billing arrangements with an AGS.

C. Firmness of Service

All Distribution Service will be assumed to be of equal duration and firmness.

The Company is not responsible under its Electric Distribution Service Schedule for the delivery of power and energy not received in part or in whole at the designated transmission point of delivery, for any reason. In the event that Distribution Service interruptions are required to maintain safe and reliable operation of the system, such interruptions will be

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allocated proportionately among all Distribution Service Customers whose load contributes to the need for reduction without regard to the Customer's choice of generation supplier. In the event of an emergency situation, Emergency Electrical Procedures contained in Tariff Sheet No. D11 shall be initiated by the Company. In the event of unplanned outages, service will be restored to Customers in accordance with good utility practices.

D. Construction of New Distribution Facilities

The Company shall use due diligence to add necessary facilities or upgrade its distribution system within a reasonable time. DP&L will not upgrade its existing or planned distribution system in order to provide the requested Distribution Service if doing so would impair system reliability or otherwise impair or degrade existing service.

If the Company determines that it will not have adequate capability to satisfy the full amount of an Application for Service, DP&L nonetheless shall be obligated to offer and provide the portion of the requested Distribution Service that can be accommodated without addition of any facilities. However, DP&L shall not be obligated to provide the incremental amount of requested Distribution Service that requires the addition of facilities or upgrades until such facilities or upgrades have been placed in service.

If any event occurs that will materially affect the time for completion of new facilities, or the ability to complete them, DP&L shall promptly notify the Customer. In such circumstances, DP&L shall within thirty (30) days of notifying the Customer of such delays, convene a technical meeting with the Customer to evaluate the alternatives available to the Customer. The Company also shall make available to the Customer studies and work papers related to the delay, including all information that is in the possession of DP&L that is reasonably needed by the Customer to evaluate any alternatives, excluding commercially sensitive information and that which relates to any of the Company's other Customers.

When it is determined that one or more alternatives exist to the originally planned construction project, DP&L shall present such alternatives for consideration by the Customer. Upon review of these alternatives, the Customer may desire to maintain its Application for Service subject to construction of the alternative facilities. In the event DP&L concludes that no reasonable alternative exists and the Customer disagrees, the Customer may refer the dispute to the PUCO for resolution.

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THE DAYTON POWER AND LIGHT COMPANY
DP&L Building
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If DP&L and the Customer mutually agree that no other reasonable alternatives exist and the requested service cannot be provided out of existing capability under the conditions of this Tariff Sheet, the obligation to provide the requested Distribution Service shall terminate. However, the Customer shall be responsible for all prudently incurred costs by the Company through the time implementation was suspended.

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