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PUBLIC UTILITIES - OHIO

In re Dayton Power and Light Company

Supreme Court of Ohio - October 4, 2018 - N.E.3d - 2018 WL 4846142 - 2018 -Ohio- 4009

Following reversal of its decision approving electric-distribution utility's second electric-security plan, the Public Utilities Commission granted utility's motion to withdraw and terminate its second electric-security plan. Objectors appealed.

The Supreme Court of Ohio held that Commission's order approving utility's third electric-security plan rendered moot objectors' claims on appeal as to second electric-security plan.

Public Utilities Commission's order in separate case approving electric utility's third electric-security plan, which replaced utility's second electric-security plan, rendered moot objectors' claims on appeal challenging Commission's order allowing utility to withdraw and terminate its second electric-security plan; approval of third plan caused rates at issue in second plan to expire and new rates under third plan to be put into effect, and third plan was not being challenged by current appeal.