

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

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3
4 In the Matter of the)
5 Self-Complaint of Columbus)
6 Southern Power Company and) CASE NO.
7 Ohio Power Company Regarding) 06-222-EL-SLF
8 the Implementation of Programs)
9 to Enhance Distribution)
10 Service Reliability)

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14 BE IT REMEMBERED, that upon the hearing of
15 the above-entitled matter, held at Glenoak High
16 School Auditorium, 1801 Schneider Street
17 Northeast, Canton, Ohio, before Greta See,
18 Attorney Examiner, and commencing on Thursday,
19 the 11th day of January, 2007, at 6:14 o'clock
20 p.m., at which time the following proceedings
21 were had.

22 This is to certify that the images appearing are an
23 accurate and complete reproduction of a case file
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ORIGINAL

1 APPEARANCES:

2

3 On Behalf of the Public Utilities Commission
4 Of Ohio:

5 PUBLIC UTILITIES COMMISSION OF OHIO

6 BY: Greta See, Attorney Examiner

7 180 East Broad Street

8 Columbus, Ohio 43215-3793

9 614/466-0112

10

11 On Behalf of Ohio Consumers' Counsel:

12 OFFICE OF THE OHIO CONSUMERS' COUNSEL

13 BY: Rick Reese

14 Assistant Consumers' Counsel

15 10 West Broad Street, Suite 1800

16 Columbus, Ohio 43215-3485

17 614/466-8574

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1 APPEARANCES (Continued):

2

3 On Behalf of Columbus Souther Power Company
4 and Ohio Power Company:

5 AMERICAN ELECTRIC POWER

6 BY: Marvin I. Resnik

7 Assistant General Counsel

8 Regulatory Services

9 1 Riverside Plaza

10 Columbus, Ohio 43215-2373

11 614/716-1606

12

13 ALSO PRESENT: Steven Blake, Bruce Bailey,

14 Peggy Claytor, Marylyn Scott, Anita Baltzly

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1 MS. SEE: The Public
2 Utilities has assigned for public hearing at
3 this time and place Case Number 06-222-EL-SLF,
4 being captioned, "In the Matter of the
5 Self-Complaint of Columbus Southern Power
6 Company and Ohio Power Company Regarding the
7 Implementation of Programs to Enhance
8 Distribution Service Reliability."

9 As I said before, my name is Greta
10 See. I'm an Attorney Examiner for the Public
11 Utilities Commission of Ohio and I will be
12 conducting this hearing.

13 As you arrived outside of this door
14 you may have met a couple of individuals from
15 the Commission's Service Monitoring and
16 Enforcement Department. In addition, Commission
17 Staff is here from your Public Affairs Office.

18 Representatives of Columbus Southern
19 Power and/or Ohio Power are also available if
20 you have questions about utility matters other
21 than the reliability plan which we're here to
22 discuss tonight. Additionally, there's Staff
23 from the Office of Consumers' Counsel who may
24 also be able to help you with your utility
25 service complaints and issues.

1 I would note -- do you have someone
2 here, Mr. Reese? You do have personnel here?

3 MR. REESE: Yes. We have
4 several Staff from the Ohio Consumers' Counsel.

5 MS. SEE: Okay. I thought
6 that's what you were referring to. Consumers'
7 Counsel has intervened as a party in this
8 proceeding and will be representing the
9 interests of residential utility customers.
10 There are also several other parties that have
11 intervened in this case and they will be
12 representing the interests of their
13 constituents.

14 On October 6th, Columbus Southern
15 Power and Ohio Power, who I may also refer to as
16 AEP Ohio or AEP, filed an application with the
17 Commission to implement Enhanced Distribution
18 Service Reliability Programs and to recover the
19 cost of implementing those programs.

20 As a part of this proceedings, the
21 Staff of the Commission would be reviewing the
22 proposed service reliability plans, the
23 Company's service performance and file testimony
24 in this case, as will other interveners, and
25 file testimony supporting the positions of their

1 constituents.

2 There are scheduled for -- this
3 matter is scheduled for six local public
4 hearings. We had one last night in Lima, this
5 particular hearing here in Canton, there's a
6 hearing scheduled to take place in Zanesville,
7 Reynoldsburg, Marietta and Athens.

8 The local public hearing is one step
9 in the processing of this case. A public
10 hearing is also scheduled to commence on
11 February 27th at the Commission's offices in
12 Columbus. The purpose of that hearing is to
13 allow AEP, the Commission's Staff, Consumers'
14 Counsel and the other interveners to present
15 witnesses and evidence in support of their
16 positions in this particular case.

17 The purpose of tonight's hearing is
18 to receive comments from the public regarding
19 AEP's proposed reliability plan. We will not be
20 hearing from the Company or Staff or the other
21 interveners tonight. It's your opportunity to
22 let the Commission know what you think.

23 Some of you, when you arrived, you
24 had an opportunity to sign in at the desk
25 outside the door indicating that you want to

1 offer testimony tonight. If for some reason
2 you -- the table wasn't set up when you arrived
3 and you wish to offer testimony, you can step
4 right outside and sign your name. If for some
5 reason when I call your name you elect -- you
6 believe what you were going to say has already
7 been mentioned or you have decided for other
8 reasons not to give testimony, please let me
9 know and just say you pass and I'll go on to the
10 next person.

11 When I call your name, you'll be
12 asked to come forward, you'll be sworn in and
13 I'll ask you to state and spell your name for
14 the record and provide us with your address.

15 Tonight's hearing is being
16 transcribed by a court reporter. Basically all
17 that means is that it's a recording of tonight's
18 proceedings in typewritten fashion to be
19 included in the Commission's record. It will
20 reflect all the comments that you make here
21 tonight.

22 If you've prepared a written
23 statement, I would appreciate it if you could
24 provide that statement to the court reporter. I
25 appreciate your time here tonight in coming out

1 and giving up your evening to offer testimony.

2 I would like to know if there are any
3 questions about the process. Okay. Thank you
4 and let's get started.

5 (Thereupon, a discussion was held off
6 the record.)

7 MS. SEE: At this time I
8 would like to take appearances of the parties.
9 On behalf of the Company?

10 MR. RESNIK: Thank you, Your
11 Honor. Appearing on behalf of Ohio Power
12 Company and Columbus Southern Power Company, my
13 name is Marvin Resnik. My address is 1
14 Riverside Plaza, Columbus, Ohio 43215.

15 MS. SEE: On behalf of the
16 Consumers' Counsel?

17 MR. REESE: Thank you, Your
18 Honor. I'm Rick Reese, Assistant Consumers'
19 Counsel appearing on behalf of the residential
20 rate payers of Columbus Southern Power and Ohio
21 Power. Also on behalf of the Ohio Consumers'
22 Counsel, Janine Migden-Ostrander.

23 MS. SEE: Did I miss any
24 other counsel who wish to enter an appearance
25 tonight? Okay. With that, let's get started.

1 First, Steven Blake?

2 MR. BLAKE: Yeah. Where would
3 you like for me to --

4 MS. SEE: Come forward.
5 Mr. Blake, and take the podium.

6 MR. BLAKE: Okay.

7 MS. SEE: Mr. Blake, I need
8 you to raise your right hand.

9 MR. BLAKE: Okay.

10 (Thereupon, Mr. Blake was sworn.)

11 MS. SEE: Please state and
12 spell your name for the record and provide us
13 with your address.

14 MR. BLAKE: My name is Steven
15 Blake. B-l-a-k-e, Steven with a "V." 1003
16 Bachtel Street Southeast in Canton 44720.

17 What caused me to come here tonight
18 was -- really isn't supposed to be germane to
19 the proceedings, but was the lack of basic
20 efficiency in the administration of Ohio Power.

21 (Thereupon, a discussion was held off
22 the record.)

23 MR. BLAKE: Number one, as far
24 as the rate increase goes for reliability, as
25 far as the -- I'm not quite sure why an extra

1 levy really needs to be imposed on rate
2 holders -- or on customers because of -- for
3 that reason. I would think that -- I mean, this
4 isn't a third world country.

5 And I will stray a little bit and
6 relate a story about what really got me
7 irritated enough to come tonight. We got a
8 time-of-day meter and it took me several months
9 just to find someone in the customer relations
10 area of AEP even to know what I was talking
11 about. And when they did install it, they did
12 not -- they installed it, the digital meter made
13 a mistake and I didn't know how to read the
14 digital meter. I had never seen a time-of-day
15 meter.

16 I called back and I got hooked up
17 with someone at the call center in Houston,
18 Texas. It's Houston. And she convinced me --
19 assured me that everything was all right. We
20 went another month and I called back and it
21 still didn't make -- the bill still did not make
22 sense, because there should have been on peak
23 and off peak billings, and so they finally came
24 out and replaced the meter.

25 I mean, this -- I can only imagine

1 the expenses -- the labor expenses involved. I
2 mean, just the expenses alone could have paid
3 for a little bit more reliability.

4 It really is not pertinent. I just
5 think that AEP -- I never really had an issue
6 with them. We did have some reliability
7 problems. We still have occasional flickers,
8 which we never used to have when we had Ohio
9 Power -- or Ohio Edison in Alliance, but I
10 really don't think that it's correct to ask rate
11 payers to pay for reliability, because that
12 should be of a standard -- a standard of
13 service. Thank you.

14 MS. SEE: Thank you.
15 Mr. Blake. Bruce Bailey? Please raise your
16 right hand, Mr. Bailey.

17 (Thereupon, Mr. Bailey was sworn.)

18 MS. SEE: Please state and
19 spell your name for the record and provide us
20 with your address.

21 MR. BAILEY: It's Bruce Bailey,
22 "B" as in boy, a-i-l-e-y, 353 1st Street
23 Northwest, Canton.

24 And the reason I'm here is because
25 we've been on the AEP system for going on 16

1 years. When we first moved into our home, that
2 was the year that they trimmed the trees. They
3 didn't come back for 14 years. During that 14
4 years we experienced many, many, many outages,
5 five-minute outages, three-day outages. Just
6 lousy service.

7 I called and contacted numerous
8 people who were supposedly doing customer
9 service, went through two people in Canton.
10 Finally I got to the point where I just told
11 them not to call me back, but I'm not going to
12 waste my time or his to talk about service.

13 It wasn't until this year that they
14 finally did come back and trim trees, and now I
15 find it rather insulting that the power company
16 wants to come and take more money out of my
17 pocket to provide something they're supposed to
18 be providing on an ongoing basis and that is
19 reliability. It is a cost of performing a
20 service to maintain their system.

21 And, again, I think it's absolutely
22 ridiculous for the power company to come and
23 say, "Well, we need to trim trees, we need to
24 replace power stations." That was one of the
25 excuses I heard for years out here in Canton.

1 "Well, we need to work on that power station
2 over by East Point." Okay. They finally
3 replaced the power station at East Point and it
4 started failing. You know, you have to provide
5 the service and I have to pay it. That's pretty
6 much what I have to say. Thanks.

7 MS. SEE: Thank you. Peggy
8 Claytor? Ms. Claytor, please raise your right
9 hand.

10 (Thereupon, Ms. Claytor was sworn.)

11 MS. SEE: Thank you. Please
12 state and spell your name for the record and
13 provide us with your address.

14 MS. CLAYTOR: My name is Peggy
15 Claytor, spelled C-l-a-y. "T" as in Tom. "O."
16 "R" as in Robert. Address is 1835 Dueber Avenue
17 Southwest, Canton 44706.

18 MS. SEE: Thank you.

19 MS. CLAYTOR: Good evening. My
20 name is Peggy Claytor. I am Manager of State
21 Government Affairs for The Timken Company. I
22 appear here this evening before the Public
23 Utilities Commission of Ohio on behalf of The
24 Timken Company as a result of our significant
25 interest in issues that affect the price and

1 availability of electricity for our Timken
2 facilities located in Ohio. More specifically,
3 I am here this evening to discuss AEP's proposed
4 Enhanced Distribution Service Reliability Plan
5 submitted in Case Number 06-222-EL-SLF that is
6 now currently before the Commission and to
7 explain why The Timken Company opposes the plan
8 as currently proposed.

9 The Timken Company is an active
10 participant in the activities undertaken by the
11 Industrial Energy Users of Ohio, IEU-Ohio, being
12 a trade association that represents the
13 interests of industrial and commercial energy
14 consumers on matters that affect the price and
15 availability of energy. I am also a member of
16 the Ohio Manufacturers' Association. I am a
17 member of the OMA's Energy Committee and I am a
18 prior chair of IEU-Ohio.

19 The Timken Company has also been an
20 active participant in efforts to address the
21 issues that affect the price and reliability of
22 electric service in our region. We've also been
23 very active on federal energy legislation and
24 before the Federal Energy Regulatory Commission,
25 FERC. Our interest in these issues stems from

1 the fact that the price and reliability of
2 energy significantly affects the competitive
3 position of The Timken Company which has been
4 headquartered here in Canton, Ohio since 1901.

5 The Timken Company is a leading
6 manufacturer of highly engineered bearings,
7 alloy and specialty steels and components, as
8 well as a provider of related products and
9 services. We have 20 plants, office buildings
10 and other facilities served by AEP's Ohio
11 operating companies located in Canton, North
12 Canton, Eaton, Niles, Bucyrus and New
13 Philadelphia, Ohio, and currently employ about
14 5,800 associates here in Ohio.

15 Collectively these plants, offices
16 and other facilities consume in excess of 1.5
17 billion kilowatt-hours per year with an annual
18 cost of electricity for these facilities in
19 excess of \$44 million.

20 Prior to becoming Manager of State
21 Government Affairs for Timken, for many years I
22 handled both natural gas and electricity issues
23 for the company under the title of Purchases
24 Manager-Energy.

25 In January 2004 AEP filed a Rate

1 Stabilization Plan with the Commission, which
2 among other things, requested that AEP's
3 distribution rates remain frozen through 2008,
4 except for certain charges that, to my
5 understanding, do not originate from
6 distribution related activities.

7 Despite IEU-Ohio's and the Commission
8 Staff's suggestions that distribution rates be
9 established in a distribution-focused case, the
10 Commission agreed with AEP in its January 25,
11 2005 Opinion and Order approving the Rate
12 Stabilization Plan and determined that AEP's
13 distribution rates should be frozen through
14 2008, and that adjustments could be made to the
15 distribution rates for items that do not involve
16 distribution service, without the benefit of a
17 distribution rate case.

18 In January 2006 AEP filed a
19 self-complaint case alleging that its present
20 distribution rates cannot support the continued
21 increased expenditures that it has made over the
22 last two years on its distribution system. As a
23 result, AEP requested in its complaint that the
24 Commission allow AEP to present a plan to the
25 Commission that would allow AEP to implement a

1 number of programs that would enhance its
2 present distribution system.

3 Subsequently, on October 6th, 2006,
4 AEP presented to the Commission an Enhanced
5 Distribution Reliability Service Plan, which as
6 indicated, was composed of a number of programs
7 that focus on asset management, service
8 reliability, vegetation management, distribution
9 station reliability and the use of enhancements
10 in technology to provide service that AEP claims
11 is beyond the base level of service reliability.

12 It is my understanding that AEP
13 estimates that the program will cost about \$640
14 million and it proposes to increase its
15 distribution rates through a rider which would
16 stay in effect until new base distribution rates
17 are established. AEP suggests that new
18 distribution rates will be set sometime after
19 2008.

20 It is also my understanding that AEP
21 is asking the Commission to increase
22 distribution rates without an examination of
23 whether the revenue that AEP is currently
24 collecting is providing AEP with adequate
25 compensation and to do so without a specific

1 identification of how or when service quality
2 will be enhanced as a result of this rate
3 increase. Thus, while the rate increase aspect
4 of AEP's proposal is certain, the customer
5 benefit side of the equation seems to be rather
6 vague.

7 As a longstanding customer of AEP,
8 The Timken Company wants and needs AEP to
9 provide reliable service. This is also
10 something that is important to the 5,800 plus
11 associates that Timken employs in this area. We
12 expect AEP to do what is necessary to provide
13 reliable service and we know that AEP should be
14 fairly compensated for the service it does
15 provide.

16 While most of Timken's facilities
17 receive service at transmission voltage levels,
18 it still pays distribution service charges for
19 the distribution service provided by AEP. So,
20 as a company that must compete every day in a
21 global economy, we are deeply concerned about
22 AEP's proposal. We see it as asking the
23 Commission to authorize an increase in rates
24 without examining the adequacy of AEP's existing
25 distribution rates and to do so based on rather

1 vague indications of how or when AEP's customers
2 might benefit from the rate increase.

3 AEP asked for and received the
4 Commission's authority to freeze its
5 distribution rates for 2008 as part of its Rate
6 Stabilization Plan. The Rate Stabilization Plan
7 has several moving parts which also work to
8 increase rates. Timken is generally supportive
9 of the Commission's Rate Stabilization Plan
10 approach and does not believe that efforts to
11 undo or overturn these plans are consistent with
12 the best interests of customers.

13 Indeed, thanks to the Commission's
14 Rate Stabilization Plan approach, Ohio pushed
15 off, until the end of 2008 in AEP's case,
16 potential rate shock problems that have hurt
17 customers in other states.

18 We urge the Commission, Governor
19 Strickland and the Ohio General Assembly to
20 promptly address this larger question so that
21 Ohio can better manage the rate shock risks that
22 are presented by conditions in the wholesale
23 electric market as designed by the federal
24 regulators. But AEP's distribution rate
25 increase proposal seems to bypass the

1 requirements of the Rate Stabilization Plan.

2 It is my understanding that the
3 proposal may also be viewed as an attempt to
4 bypass laws that require utilities to
5 demonstrate that their current rates are
6 providing inadequate compensation prior to
7 getting authority to increase rates.

8 When AEP's distribution rate increase
9 proposal is viewed in the larger context which
10 includes AEP's efforts to require customers to
11 guarantee cost recovery for a proposed Ohio
12 electric generating plant involving more than \$1
13 billion, perhaps the Commission might begin to
14 understand why customers may feel like we have
15 the worst of all worlds.

16 When costs are low, market prices are
17 used to justify rate increases. When market
18 prices are not enough for AEP to add capacity,
19 customers are asked again to bear the costs for
20 recovery. When the Rate Stabilization Plan
21 calls for a distribution rate freeze, AEP
22 nonetheless asks the Commission to increase
23 rates and to do so without examining the
24 adequacy of AEP's existing cost-based
25 distribution rates or explaining how the

1 increased rates will benefit customers.

2 As presented, we feel AEP's
3 distribution rate increase lacks balance and
4 fairness, both on a standalone basis and as part
5 of the larger picture. I will leave it up to
6 the lawyers to debate whether the proposal is
7 legal.

8 Thank you for holding a public
9 hearing in Canton and making it convenient for
10 us to provide comments for the Commission's
11 consideration. I will try to respond to any
12 questions you may have.

13 MS. SEE: Ms. Claytor, do you
14 have an additional copy of your written comments
15 for the court reporter?

16 MS. CLAYTOR: Yes, Your Honor, I
17 do.

18 MS. SEE: Okay. Marylyn
19 Scott? Ms. Scott, would you please raise your
20 right hand?

21 (Thereupon, Ms. Scott was sworn.)

22 MS. SEE: Please state and
23 spell your name for the record and provide us
24 with your address.

25 MS. SCOTT: My name is Marylyn

1 Scott. Marylyn is spelled M-a-r-y-l-y-n, Scott,
2 S-c-o-t-t.

3 (Thereupon, a discussion was held off
4 the record.)

5 MS. SCOTT: Okay. I'm going
6 try to speak up so everyone can hear me. I'm
7 going to read this and then I have a few more
8 comments after this.

9 AEP has been our electricity provider
10 for over 14 years. Often the electric goes out
11 for brief periods and we reset all the clocks
12 and the telephone answering machine, and these
13 episodes happen every few weeks. We don't
14 bother to call the electric company.

15 Last December 1st, 2006 my husband
16 had some minor surgery and we returned from the
17 hospital at around 3:30 p.m. to find the
18 electricity off. When we lose our electric
19 power we lose heat, lights and water. I called
20 the emergency phone number to report the outage.
21 The woman who answered said that our power would
22 be back on, at the earliest, on Sunday, December
23 3rd -- now, this is on December 1st that I'm
24 talking to her -- at around 11 p.m. or midnight.

25 She said, "All our crews are out."

1 And I asked, "How many crews were out working?"
2 And I was told I was not allowed to know that.
3 I'm not allowed to know how many crews are
4 working.

5 Over the evening and the next day I
6 called three more times to try to get
7 information about the outage. In the meantime
8 we went to my brother's house down in Canton.
9 So we've been -- we had been on the road
10 traveling around. We had not seen one crew.

11 I called three more times. One young
12 man that I reached got frustrated with me when I
13 asked to speak to a supervisor and his answer
14 was, "We don't have any supervisors here." And
15 I, being a little smart-aleck, said, "Of course
16 they're not there. They're all in the Bahamas!
17 We're up here in the winter weather."

18 He got angry with me. "We have some
19 of the best supervisors." "Well, yeah, but you
20 don't have some of the best service." I said,
21 "How many times exactly have we had outages?"
22 And he looked it up and he said, "Since 2002 it
23 has been reported out 7 times." That's not
24 acceptable. This is major outages. This is
25 hours and hours or even days long without water.

1 without the use of the bathroom.

2 These responses are not helpful or
3 appropriate. It is not acceptable for electric
4 power to be unreliable and unaccountable. They
5 have a responsibility to their consumers first
6 before any investors collect dividends. You're
7 in the power business. You're not in the
8 dividend business, or that's how it used to be
9 anyway.

10 The PUCO has been less than helpful
11 in the past 15 years in advocating for their
12 customers. I advocate that revamping the PUCO,
13 rewriting their mission and replacing their
14 Board would be a good beginning.

15 It is more than frustrating when my
16 husband just got out of the hospital, cannot use
17 the bathroom until we find a place where he can
18 go to use the bathroom. We live on a very small
19 street. There are twelve houses on the street.
20 Two people had installed generators because it's
21 that bad. If anybody has any questions, I would
22 answer them now.

23 MS. SEE: Thank you.

24 MS. SCOTT: Thank you.

25 Ms. Anita Baltzly? I think I pronounced that

1 correctly. Ms. Baltzly, please raise your right
2 hand.

3 (Thereupon, Ms. Baltzly was sworn.)

4 MS. SEE: Please state and
5 spell your name for the record.

6 MS. BALTZLY: My name is Anita
7 Baltzly. That's "B" as in boy, a-l-t-z-l-y. My
8 address is 3024 Parklane, one word, Street
9 Northwest, Canton 44709.

10 And I'm here -- my story is that I
11 have MS, asthma, plus many other ailments and I
12 cannot, because of my MS, be without air
13 conditioning. The MS causes me to have attacks
14 in heat or anything else it affects it. If I'm
15 out in the heat, of course, it will bring on an
16 MS attack.

17 If the -- if I have a power failure,
18 I have to get out. If it's going to be off for
19 any length of time, then I have to get out of
20 the area and I have to be in air conditioning.
21 My bills -- and I have Aultcare insurance and I
22 still work 40 hours a week. And my -- on my
23 medication it runs me -- my co-pays run me
24 around \$550 a month on my medication. I cannot
25 afford another increase on another utility bill.

1 This is ridiculous. The utilities
2 are gouging us to death. And my suggestion is:
3 Why can't the Board of Directors, why can't the
4 CEOs on some of these companies take a cut in
5 pay and help make ends meet instead of gouging
6 the working class and the poor? Give us some of
7 your bonuses at the end of the year. Help us
8 out a little bit. If some of these -- some of
9 these companies would make precedents and start
10 doing this and helping us out instead of gouging
11 us to death, that would be a real boom to the
12 American working class and the poor.

13 When I have a power outage I suffer.
14 I have to get out. Do you have any questions
15 for me? I'm a single working mom. I can't
16 afford any more rate increases. I can't do it.
17 And I'm still working full time. I don't know
18 what else to do. And I work in the healthcare
19 business.

20 MS. SEE: There are no
21 questions.

22 THE WITNESS: Thank you.

23 MS. SEE: Thank you. Is
24 there anyone else that did not sign up that
25 wishes to offer testimony at this time?

1 Okay. We'll -- I recognize that
2 there were some -- the address and the location
3 for tonight's hearing was incorrectly published
4 given that the high school was once located on
5 44th Street. In light of that, I'm going to
6 take a recess for 15 to 20 minutes to see if
7 anyone shows up, has gone to the other location
8 and is on their way here tonight, to make sure
9 they also have an opportunity to offer
10 testimony.

11 Okay. By my watch it's 6:50. We'll
12 reconvene at 7:05.

13 (Thereupon, a recess was taken.)

14 MS. SEE: We took a 15-minute
15 recess to allow anyone who may have shown up
16 later to come in and offer testimony. No one
17 has signed up on the sheet outside of the
18 auditorium.

19 I will ask an additional time if
20 there's anyone present who would like to offer
21 testimony. Okay. With that, we'll adjourn this
22 hearing. Thank you very much and thank you for
23 giving your time and offering testimony this
24 evening.

25 (Thereupon, the proceedings were

1 concluded at 7:07 o'clock p.m.)

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C E R T I F I C A T E

STATE OF OHIO,)
) SS:
SUMMIT COUNTY,)

I, Christina A. Arbogast, a Registered Professional Reporter and Notary Public within and for the State of Ohio, duly commissioned and qualified, do hereby certify that these proceedings were taken by me and reduced to Stenotypy, afterwards prepared and produced by means of Computer-Aided Transcription and that the foregoing is a true and correct transcription of the proceedings so taken as aforesaid.

I do further certify that these proceedings were taken at the time and place in the foregoing caption specified.

I do further certify that I am not a relative, employee of or attorney for any party or counsel, or otherwise financially interested in this action.

I do further certify that I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28(D).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Akron, Ohio on this 17th day of January, 2007.



Christina A. Arbogast, RPR

My commission expires December 7, 2010.



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