

## BEFORE

## THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the ) CASE NOS.  
 Application of the East Ohio ) 07-829-GA-AIR  
 Gas Company, doing business ) 07-830-GA-ALT  
 as Dominion East Ohio, ) 07-831-GA-AAM  
 for Authority to Increase ) 08-169-GA-ALT  
 Rates For Gas Distribution ) 06-1453-GA-UNC  
 Service and Other Related )  
 Matters.

**ORIGINAL**

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BE IT REMEMBERED, that upon the hearing of  
 the above-entitled matter, held at Frank J.  
 Lausche State Office Building, 2nd Floor  
 Auditorium, 615 West Superior Avenue, Cleveland,  
 Ohio, before Christine M.T. Pirik, Attorney  
 Examiner, and commencing on Monday, the 4th day  
 of August 2008, at 12:30 o'clock p.m., at which  
 time the following proceedings were had.

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1     **APPEARANCES:**

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

5                   PUBLIC UTILITIES COMMISSION OF OHIO

6       BY:     Christine Pirik, Attorney Examiner

7                   180 East Broad Street

8                   Columbus, Ohio 43215

9                   800/686-7826

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11           On Behalf of Ohio Consumers' Counsel:

12                   OFFICE OF THE OHIO CONSUMERS' COUNSEL

13       BY:     Joseph P. Serio

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 The East Ohio Gas Company  
4 dba Dominion East Ohio:

5 JONES DAY

6 BY: Jeff Murphy, Attorney at Law  
7 Mark A. Whitt, Attorney at Law  
8 325 John H. McConnell Boulevard  
9 Suite 600  
10 Columbus, Ohio 43215-2673  
11 614/469-3939

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1                   **MS. PIRIK:**                   The Public  
2   Utilities Commission of Ohio has assigned for  
3   public hearing this time and place Case Nos.  
4   07-829-GA-AIR, 07-830-GA-ALT, 07-831-GA-AAM,  
5   08-169-GA-ALT and 06-1453-GA-UNC, which are  
6   captioned "In the matter of the Application of  
7   the East Ohio Gas Company, doing business as  
8   Dominion East Ohio, for Authority to Increase  
9   Rates for Gas Distribution Service and Other  
10   Related Matters."

11                   My name is Christine Pirik. I am the  
12   Deputy Director of the Commission's legal  
13   department and I will be conducting this hearing  
14   today. We also have with us two Commission  
15   personnel who are sitting out in the foyer right  
16   here and they are signing people up to testify.  
17   However, as you're sitting here, if you've not  
18   signed up to testify, once I'm through the list  
19   of those who have signed up, I will ask for  
20   others in the audience who wish to testify, so  
21   you will not miss your opportunity. Never fear  
22   if you want to testify, you will have that  
23   opportunity.

24                   At this time I would like to take  
25   appearances on behalf of the parties that are

1 present today. On behalf of the company?

2 **MR. WHITT:** Thank you, Your  
3 Honor. On behalf of Dominion East Ohio from the  
4 Columbus office of Jones Day, Mark Whitt,  
5 325 John H. McConnell Boulevard, Columbus, Ohio,  
6 43215.

7 **MS. PIRIK:** On behalf of the  
8 Office of Consumers' Counsel?

9 **MR. SERIO:** Thank you, Your  
10 Honor. On behalf of the residential utility  
11 customers of East Ohio Gas Company, Janine  
12 Migden-Ostrander, Consumers' Counse, Joseph P.  
13 Serio, 10 West Broad Street, Columbus, Ohio,  
14 43215. And we do have representatives here also  
15 if you have any utility-related questions at the  
16 table outside. Thank you.

17 **MS. PIRIK:** There are other  
18 interveners in this case, and I will list them  
19 so you will be aware of who those individuals or  
20 entities are. The Ohio Partners for Affordable  
21 Energy, Neighborhood Environmental Coalition,  
22 Empowerment Center of Greater Cleveland,  
23 Cleveland Housing Network, Consumer for Fair  
24 Utility Rates, Interstate Gas Supply, Integrys  
25 Energy Services, Dominion Retail, Stand Energy

1 Corporation, United Workers Union of America,  
2 Local G555, The Ohio Oil & Gas Association, and  
3 the City of Cleveland. Each of these parties  
4 represents different constituencies in the cases  
5 that are before the Commission. Dominion filed  
6 these rate case proceedings initially August 30,  
7 2007. The local public hearing scheduled in  
8 this case are only one aspect of the process.  
9 Last week we held local hearings in Youngstown,  
10 Ohio; Lima, Ohio; Akron and Canton, Ohio. Today  
11 we are here in Cleveland. Tomorrow we will have  
12 someone in Marietta. In addition we will have  
13 an evening hearing in Cleveland. I believe it  
14 is August 18th. We will have an evening hearing  
15 in Youngstown on August 29th -- or on August  
16 19th, and on August 21st we will have an evening  
17 hearing in Akron, so there will be additional  
18 opportunities. We are very interested in  
19 hearing from the public, and we do review all of  
20 the transcripts in these proceedings.

21 The purpose of this public hearing is  
22 to receive comments from the public regarding  
23 the applications that Dominion has filed before  
24 the Commission. As you notice, there is a court  
25 reporter here. She will be writing down

1 everything that is said in today's hearing so  
2 that the Commissioners and other staff members  
3 will have an opportunity to read through the  
4 testimony that is given. I mentioned off the  
5 record but I'll mention again for those who have  
6 just joined us that there is a microphone at the  
7 podium. It is a handheld microphone. If you  
8 could please use that microphone so that  
9 everyone will be able to hear. That would be  
10 greatly appreciated. At this time I will begin  
11 calling witnesses. Congressman Kucinich.

12 I will also swear in witnesses. I  
13 will ask you to take an oath of truth, and then  
14 I will ask you to state your name and address  
15 for the record and spell them for the record to  
16 be sure that they're clear.

17 (Thereupon, Dennis Kucinich was  
18 sworn.)

19 **MR. KUCINICH:** Thank you very much  
20 and I thank the Public Utilities Commission for  
21 holding these hearings. I strongly oppose  
22 Dominion/East Ohio's proposed rate increases,  
23 which, if approved, will cost Ohioans nearly  
24 \$100 million more per year. I ask that you  
25 reject any attempt on the part of Dominion to

1 downplay its strong financial standing and  
2 outlook in an effort to rationalize rate  
3 increases which would, according to its own 2007  
4 annual report, support a 12 percent return in  
5 equity.

6 In 2007, Dominion, the parent company  
7 of Dominion East Ohio, posted a net income of  
8 \$2.5 billion, an estimated 84 percent increase  
9 from the year before and an estimated 240  
10 percent increase from 2005.

11 While the report issued by the staff  
12 of the PUCO correctly denies Dominion East  
13 Ohio's proposed 7 percent rate hike for usage  
14 which totals approximately 75 million annually,  
15 it replaces this request with an approximate  
16 4 percent increase through inflating the fixed  
17 distribution rate. It straps a disproportional  
18 burden on the backs of those consumers who have  
19 chosen to conserve, many of who are low income.  
20 An additional \$12 per month per charge before  
21 gas even begins to flow will be detrimental to  
22 many.

23 Dominion will tell you that its  
24 operating material, maintenance and fuel costs  
25 have increased in the past several months and



1 years. What they won't tell you is that the  
2 cost of living for the average consumer has  
3 increased substantially as well over the same  
4 period of time. Electric prices are up,  
5 gasoline prices are through the roof,  
6 prescription drug prices are up, grocery prices  
7 are up. A seemingly modest natural gas bill  
8 increase could lead to low-income individuals  
9 and families having to choose between groceries,  
10 prescription drugs or transportation in the  
11 winter months ahead.

12 Over 15,500 homeowners in Cuyahoga  
13 County fell victim to foreclosure in 2007.  
14 Early numbers for 2008 suggest that this trend  
15 is only worsening. High utility bills are  
16 undoubtedly a contributing factor to the  
17 financial straits which many people from  
18 Cuyahoga County find themselves in. Such an  
19 increase as East Ohio -- strike that -- as  
20 Dominion East is asking for would contribute to  
21 additional foreclosures in the future. For  
22 those with a natural gas furnace, natural gas is  
23 a basic necessity. Payment is not optional.  
24 Rate hikes like this hit hardest those who are  
25 already living at the edge of their means. We

1 must not let Dominion dump its purported costs  
2 onto low-income and fixed income people like  
3 seniors, while Dominion continues to rack up  
4 profits.

5           According to the publication Business  
6 Week, the president and CEO of Dominion received  
7 a total calculated compensation of \$15,118,207  
8 in 2007. This amount represents an average of  
9 39 percent of the annual increase for customers  
10 of Dominion East Ohio which the PUCO staff  
11 recommended.

12           Now if you think about that, part of  
13 this rate increase is going to go for the  
14 president and CEO of this energy company. We're  
15 making all of the people in this area pay more  
16 for gas so that he can make \$15 million in a  
17 single year.

18           In addition, the proposed  
19 distribution rate increase does not even fully  
20 take into consideration millions of dollars in  
21 increased costs that consumers will face if the  
22 proposed \$2.6 billion 25-year pipeline  
23 infrastructure replacement plan, or the \$126  
24 million automated meter reading device plan is  
25 approved in this case. Such programs will

1 increase profit for Dominion in the long run  
2 through increasing consistency of consumer use  
3 and operational efficiency respectively.

4 Dominion should invest on its own in  
5 these programs without passing the costs onto  
6 consumers. PUCO approval of such charges to be  
7 passed on to consumers will mean short-term  
8 consumer investment in Dominion's long-term  
9 profit margin. Every utility has to maintain an  
10 infrastructure. That's how they make their  
11 money. They should have to pay for their own  
12 infrastructure. They shouldn't make the  
13 consumers pay for their infrastructure.

14 I want to thank you again for holding  
15 these hearings, and I would respectively remind  
16 you that the purpose for the PUCO's existence is  
17 to ensure that adequate consumer protections are  
18 in place. A decision to allow Dominion East  
19 Ohio to raise its rates in response to the  
20 alleged increase in costs would be a slap in the  
21 face to millions of consumers who are facing  
22 more and more increased costs of their own every  
23 day. The PUCO this vital opportunity to protect  
24 the public from any proposed raised increases by  
25 Dominion East Ohio. I thank you again. I have

1 a copy of my testimony here, and we'll be  
2 sending a letter that describes the testimony to  
3 Mr. Schriber.

4 **MS. PIRIK:** Thank you. Thank  
5 you, Congressman.

6 Bill Mountcastle. I apologize ahead  
7 of time if I mispronounce names. You can help  
8 me with that when you come up.

9 (Thereupon, Bill Mountcastle was  
10 sworn.)

11 **MS. PIRIK:** Please state your  
12 name and address and spelling for the record.

13 **MR. MOUNTCASTLE:** My name is Bill  
14 Mountcastle. I live at 4360 West 194th Street,  
15 Cleveland, Ohio, 44135.

16 **MS. PIRIK:** Thank you. You may  
17 proceed.

18 **MR. MOUNTCASTLE:** I just wanted to  
19 qualify myself as a witness. I've been married  
20 41 years to the same woman. I've raised three  
21 children in my house that over the years I've  
22 managed finally to pay for 38 years. And I live  
23 in a modest three-bedroom, one-bathroom house on  
24 the west side of Cleveland, and I have to agree  
25 with Councilman Kucinich -- Congressman

1 Kucinich, I should say. I just can't understand  
2 how from what I understand, we'll be paying  
3 \$17.50 more a month for our gas whether we use  
4 more gas or less gas. I can't tell you how many  
5 years in the winter when we set our thermostat  
6 at 65 degrees and we put on a sweater or wrap an  
7 afghan that my mother made, God rest her soul,  
8 around our shoulders to keep warm in the winter,  
9 and now we're told that -- we were trying to  
10 conserve energy, we've had new windows put in  
11 our house, we've had insulation put in our  
12 attic, and, what, is it all for not? If I'm  
13 going to pay a rate of \$17.50 a month more  
14 whether I use more gas or not, it just seems  
15 ludicrous. I can't see how they could possibly  
16 think about raising the rates.

17 I think that the gas company should  
18 sharpen their pencils and run more efficiently.  
19 And certainly it can't justify someone making  
20 \$15 million running a utility that I have no  
21 choice -- I'm not going to be able to go across  
22 the street and run my furnace. It's just as bad  
23 as the electric company. The PUCO is supposed  
24 to control them, and the guy that runs the  
25 electric company makes I don't know how many

1 millions of dollars. It's just not right. It's  
2 not fair, and that's pretty much my opinion. I  
3 wanted to voice it. Thank you.

4 **MS. PIRIK:** Thank you. Sarah  
5 Puri.

6 (Thereupon, Sarah Puri was sworn.)

7 **MS. PIRIK:** Could you please  
8 state your name and address and spelling of your  
9 name for the record?

10 **MS. PURI:** My name is Sarah Puri,  
11 S-a-r-a-h P-u-r-i, and I live at 13217 Cooley  
12 Avenue, 44111.

13 First of all, I want to thank the  
14 Commission for this opportunity. Heating our  
15 homes takes a major bite out of our budget and  
16 it impacts not only what we spend when we go to  
17 the grocery store, and not just our comfort  
18 level, and not infrequently it impacts our  
19 health. I am here like the two previous  
20 speakers to oppose Dominion East's requests to  
21 the Commission to approve an additional flat  
22 rate transportation charge on top of the current  
23 transportation rate which varies with usage.  
24 While the rate based on usage varies with the  
25 amount of gas the consumer uses and is

1 influenced by the size of the home and the  
2 season, the new flat rate which Dominion has  
3 asked for remains the same whether we're in the  
4 dog days of August or mid-January blizzard and  
5 whether you live in a mansion or a dog house.

6 First of all this, this raises issues  
7 of equity. My next-door neighbor has a small  
8 two-bedroom, one-bath home. If the Commission  
9 approves the request, she will be helping  
10 subsidize my gas bill and we'll both end up  
11 subsidizing the mansion, an eight-minute  
12 right-of-way in the next neighborhood.  
13 Dominion's justification for this increase is  
14 based in part on employee benefits and lobbying  
15 expenditures, and I just wonder which employees  
16 are getting the biggest benefit as the  
17 Congressman pointed out. I think probably the  
18 largest piece of that will go to the CEO.

19 And while employee benefits I must  
20 admit and agree that a company should have big  
21 responsibility to employees, but lobbying  
22 expenditures. For me to comment on lobbying  
23 expenditures is like asking a NASA scientist to  
24 comment on a reported sighting of a UFO over the  
25 lake near Burk Airport. I mean, it's too

1 outrageous and it speaks for itself.

2 While the problem of equity is a  
3 serious one, it is not the most invidious  
4 implication of Dominion's request. Dominion's  
5 request, to put it bluntly, is an attempt to  
6 control the market rather than follow the market  
7 and, as such, it is a frontal attack on  
8 conservation. At this time it seems a little  
9 out of kilter with such different flares as Al  
10 Gore on the left and on the right, Pickens that  
11 (inaudible) flea markets are both calling for  
12 conservation. Dominion is out of sync not only  
13 with its customers but what appears to be a  
14 growing national consensus. The Commission, in  
15 light of some recent decisions, is being  
16 increasingly seen as just another arm of the  
17 corporate state, and I beg the Commissioners to  
18 carefully consider their responsibility to the  
19 larger constituency and prove to all of us that  
20 this growing public perception is incorrect and  
21 you can do this voting against Dominion's  
22 ill-considered and irresponsible request.

23 Thank you very much.

24 **MS. PIRIK:** Robert Gruss.

25 (Thereupon, Robert Gruss was sworn.)



1                   **MS. PIRIK:**                   Could you please  
2     state your name and address and spelling for the  
3     record?

4                   **MR. GRUSS:**                   Robert P. Gruss,  
5     G-r-u-s-s, Cleveland, Ohio, 44121.   1513  
6     Maplegrove Road.

7                   My name is Bob, and I'm retired on  
8     social security disability due to degenerative  
9     arthritis. I'm 67 years old. This proposed  
10    adjustment to the monthly gas service charge by  
11    the PUCO is like a regressive tax on people like  
12    me, because I make a little over a five figure  
13    income a year with my social security payments.  
14    I do not receive proceeds from a private  
15    pension, 401K or the IRS. I am fortunate  
16    because I do not yet have high blood pressure,  
17    heart disease or heart failure, conditions which  
18    along with medication side effects would  
19    predispose me to a risk of hypothermia in the  
20    winter. I can still dial down the thermostat.  
21    How long will my luck hold out in that regard at  
22    my age? I have taken advantage of a deferred  
23    county loan to get an Energy Star furnace, and a  
24    social agency insulated my walls and ceilings.  
25    I've done all the right things for conservation

1 purposes to safeguard my fragile financial  
2 situation, but now I find, according to the PUCO  
3 rate chart published in the Plain Dealer  
4 Saturday, August 2, because I heat my home at a  
5 level of 30,000 cubic foot of gas a year, I will  
6 see my gas service charge increased by \$115 a  
7 year, even after delivery charges are deducted  
8 from the bill, while the guy in the mansion who  
9 uses 180,000 cubic feet, six times what I use  
10 will, in a final calculation, save \$15.99 a  
11 year. I ask you is that fair? Is that based on  
12 ability to pay? \$115 increase may not seem like  
13 much a year when you're working, but if you're  
14 disabled like me and tied to a fixed income,  
15 so-called small expenses have a cumulative  
16 effect and become large expenses. To paraphrase  
17 Senator Everett McKinley, "\$100 here and \$100  
18 there, pretty soon you're talking about some  
19 real money" at my income level. On top of this,  
20 social security cost of living increase that I  
21 got which is tied to wages increased only 2  
22 percent last year while prices increased four  
23 and a half percent. I lost out and so did many  
24 other retirees in my condition.

25 I know the PUCO representatives are

1 going to say that the poor and elderly can  
2 receive home energy assistance to alleviate some  
3 of this additional charge, but too many people  
4 sign up for the HEAP program. They had to  
5 eliminate some to provide air conditioners for  
6 the ill and elderly to ward off heat stroke.  
7 HEAP is in trouble because the increase by  
8 Congress was decoupled from the stimulus package  
9 passed in February because Bush threatened to  
10 veto the whole bill if HEAP and other social  
11 add-ons were included. It certainly does not  
12 seem right to put more strain on energy  
13 assistance by adding a regressive and poorly  
14 considered service charge increase at a time  
15 when food costs are going through the roof,  
16 gasoline is four dollars a gallon, electricity  
17 deregulation next year assures of higher rates,  
18 and many suburbs, including my own, want school  
19 levy increases. This proposed regressive flat  
20 service charge adds injury to insult and  
21 apparently unique to Ohio since the other 49  
22 states would increase yearly in some increments,  
23 so much per MCF and have the utility open their  
24 books and show their fair profits -- if their  
25 fair profits are threatened.

1                   In conclusion, I beseech you to go  
2 back to the original rate proposal last year.  
3 Consider the need for year-by-year increases, so  
4 much per MCF rather than a flat regressive  
5 charge on everybody, which hurts the poor and  
6 working class and punishes the ones that  
7 conserve for energy security or protect the  
8 planet from climate change. If this proposal  
9 increase and the service charge is approved as  
10 presently structured, all I can do is use the  
11 words of a well-known talk show host and say,  
12 where is the outrage? Thank you.

13                   **MS. PIRIK:**           Pat Sharkey.

14                   (Thereupon, Pat Sharkey was sworn.)

15                   **MS. SHARKEY:**       My name is Pat  
16 Sharkey. I live at 3406 West 148th Street in  
17 Cleveland. I would like to thank the PUCO for  
18 holding this meeting today. The last time they  
19 did, there were 30,000 more people in downtown  
20 Cleveland attending a sporting event which  
21 doubled the parking rates and there were very  
22 few people in this room.

23                   Most of my information is from the  
24 news media so I apologize if any of it's wrong  
25 because the news media uses predictions better

1 known as guesses.

2 I am now paying \$5.70 for a pipe to  
3 come in my home with nothing in it with the  
4 possibility of something being in it. Dominion  
5 East Ohio wants to raise -- it's been proposed  
6 that this rate be raised to \$17.50. That's not  
7 100 percent raise, that's not a 200 percent  
8 raise, that's not a 300 percent raise, that's  
9 more than a 300 percent raise in that fee. Then  
10 there's the poor people who are getting  
11 assistance paying their heating bills, or the  
12 deadbeats who don't pay their bills at all. I'm  
13 also paying part of their fees.

14 According to the Associated Press,  
15 the CEO of Dominion's parent company last year  
16 made \$13.3 million. With Dennis Kucinich's  
17 numbers, I guess -- the 15 million also includes  
18 their stock options, pension and deferred  
19 compensation, as well as other freebies or perks  
20 or whatever they get. Each fall I weatherproof  
21 my windows in my home, and each spring I take  
22 the weatherproofing off. I have five rooms, two  
23 bedrooms. I close off my dining room, kitchen  
24 and one bedroom upstairs. My furnace does not  
25 go on until the first of November, and it comes

1 off on April 30th or before that. Inspectors  
2 who go into some of the houses of the poor where  
3 they're receiving assistance from those of us  
4 who are paying, have sometimes found people's  
5 thermostats up to 80 degrees with children  
6 running around with T-shirts and bare feet. I'm  
7 paying for this.

8           There are a lot of expensive suits in  
9 this room, some of which belong to law firms,  
10 some of which are East Ohio employees. I'm very  
11 intimidated by this. It makes me feel as if  
12 they're vultures and I'm their prey. Dominion  
13 wants a \$75 million raise. Lay off the CEO, fix  
14 your equipment, don't buy new equipment, don't  
15 replace retirees, and that's just a start, we  
16 didn't even get down to sharpening the pencils.  
17 If the consumer is East Ohio Gas's cash cow and  
18 the PUCO continues to let them be, there's no  
19 reason to tighten our belts or conserve. My  
20 most recent bill -- if this line fee would go  
21 through, my most recent gas bill would have  
22 doubled. Lowering the price of the gas a little  
23 bit while raising the line hurts me  
24 tremendously. Please don't rubber stamp this.

25           I had one dealing with the PUCO with

1 a utility that -- an independent utility. After  
2 I contacted the -- after this company stole my  
3 money, I contacted the PUCO and I got a check  
4 within two days. The sad part was I got a  
5 letter from the PUCO kind of insinuating that I  
6 wasn't very smart, and in it it said that the  
7 company didn't do anything wrong. That makes me  
8 feel very bad. Please, please take this into  
9 consideration. Look at this from all sides.  
10 Thank you.

11 **MS. PIRIK:** Thank you.  
12 Valarie McCall.  
13 (Thereupon, Valarie McCall was  
14 sworn.)

15 **MS. PIRIK:** Please state your  
16 name and address for the record.

17 **MS. McCALL:** Sure. It's Valarie  
18 McCall, 601 Lakeside Avenue, Cleveland, Ohio,  
19 44114. It's Valarie, V-a-l-a-r-i-e, McCall,  
20 M-c-C-a-l-l.

21 Good afternoon. My name is Valarie  
22 McCall and I am Chief of Government Affairs for  
23 the City of Cleveland, Office of Mayor Frank  
24 Jackson. I am pleased to present this testimony  
25 on behalf of Mayor Jackson who serves the

1 citizens of the City of Cleveland, Ohio. The  
2 city has a long history of voicing its supports  
3 and concerns on public policy decisions that  
4 affect its citizens and its own operations,  
5 including a history before this Commission in  
6 public hearings such as this. I appreciate the  
7 Commission's consideration of the comments  
8 presented today.

9 First, the city is pleased that the  
10 Commission recently scheduled additional public  
11 hearings in the evening for the greater  
12 Cleveland area. Public hearings are the  
13 opportunity to be heard and to provide input on  
14 matters that affect both citizens and  
15 businesses. As noted by then Mayor George  
16 Voinovich in 1981, a gas rate hearing that was  
17 very similar to this hearing, not everyone has  
18 the ability to leave work in the middle of the  
19 day or to travel great distances in order to  
20 exercise this opportunity. Thus, scheduling  
21 more hearings benefits the Commission by  
22 offering more robust opportunities for input as  
23 we witness here today.

24 With regard to the substance of the  
25 Dominion East Ohio's request, the city's



1 concerns relates to increased costs for its  
2 citizens, especially in light of today's  
3 economic situation. These increased costs may  
4 be in the form of a customer charge or rate  
5 adjustment. With regard to customer charges,  
6 the proposal to increase customer charges  
7 approximately \$12 per month adds almost \$150 to  
8 everybody customer's bill. For low-income  
9 residents who qualify for HEAP assistance, this  
10 increase effectively eliminates that assistance.  
11 The city believes that this proposed increase is  
12 not justified. The City also believes that  
13 low-income customers should receive genuine  
14 assistance that is meaningful to their quality  
15 of life.

16 Finally, with regard to customer  
17 charges, the city believes that the proposed  
18 1.5 percent late payment charge is not  
19 reflective of any actual cost associates with  
20 late payments and hurts those customers who most  
21 are struggling to pay their high energy costs.  
22 With regard to rate adjustments, the city cannot  
23 support any automatic rate increase that results  
24 from decreased gas consumption primarily for two  
25 reasons. First, the city is concerned with any

1 policy that contradicts energy conservation  
2 efforts as we've heard this morning. Energy  
3 conservation is both environmentally and  
4 economically beneficial, and the proposal before  
5 the Commission works against such conservation.  
6 Automatic rate increases disincentivize  
7 customers to weatherize their homes, to lower  
8 their thermostats, or to invest in their  
9 properties to maximize the energy efficiency.  
10 Sustainability exists where three elements  
11 intersect: Economic consideration,  
12 environmental stewardship and social needs. The  
13 current proposal is not sustainable.

14 Secondly, the city believes that the  
15 rate adjustment should be made only in light of  
16 the costs associated with providing the actual  
17 service. Automatic rate increases do not  
18 encourage Dominion East Ohio to decrease costs.  
19 Moreover, they do not provide a mechanism  
20 whereby Dominion East Ohio would present its  
21 costs in the public setting prior to any rate  
22 increases which would allow decreased costs to  
23 factor into that rate equation. If Dominion  
24 East Ohio's costs decrease, consumption  
25 decreases, but the rate automatically increases,

1 then Dominion East Ohio realizes even more  
2 profit on the backs of its customers. This is  
3 an unacceptable result. Thank you for your  
4 consideration of these policy issues. Your  
5 decision will directly affect the lives of tens  
6 of thousands of people, many who live in the  
7 greater Cleveland area. Thank you.

8 **MS. PIRIK:** Thank you. Justin  
9 Reiter.

10 (Thereupon, Justin Reiter was sworn.)

11 **MS. PIRIK:** Please state your  
12 name and address for the record.

13 **MR. REITER:** My name is Justin  
14 Reiter, R-e-i-t-e-r, with the Cuyahoga County  
15 Department of Senior and Adult Services, 1701  
16 East 12th Street, Reserve Square, Cleveland,  
17 Ohio, 44114.

18 Good afternoon. My name is Justin  
19 Reiter, and I represent the Cuyahoga County  
20 Department of Senior and Adult Services and the  
21 senior citizens of Cuyahoga County. I am here  
22 today to provide testimony regarding the Public  
23 Utilities Commission of Ohio or PUCO  
24 recommendation to increase the flat or base rate  
25 service fee charged to customers receiving

1 natural gas from Dominion East Ohio. In August  
2 2007 Dominion East Ohio filed with the PUCO a  
3 request to increase its distribution charge  
4 along with a rate increase by \$75 million a  
5 year. The change to distribution cost would  
6 result in an increase of 16.9 percent for  
7 customers in the east region from its current  
8 \$31.60 to a proposed \$36.94. For customers of  
9 the west region, the change amounts to a  
10 26.8 percent increase from the current rate of  
11 \$29.12 to a proposed \$36.94. Dominion has also  
12 proposed that both the western and eastern  
13 regions begin paying \$5.77 a month of a flat  
14 rate service fee. It's important to note that  
15 these increases do not include the actual cost  
16 of gas which varies subject to changes in the  
17 market price, a factor that has impacted the  
18 cost of energy significantly over the last few  
19 years. In addition to a rate change, Dominion  
20 East Ohio has developed several projects,  
21 including the 25-year \$2.6 billion pipeline  
22 infrastructure project, and \$126.3 million  
23 five-year plan to retrofit automated meter  
24 reading devices to all 1.3 million gas meters in  
25 its service territory, the cost of which will be

1 passed on to Dominion's customers. Dominion's  
2 request to increase its service rate is not  
3 unique. As energy costs have grown, major gas  
4 utility providers in Ohio have filed requests to  
5 increase its base rates citing a drastic chain  
6 reduction in customer consumption and the fact  
7 that profits are based solely on what is charged  
8 as a base rate of service. However, the Ohio  
9 Consumers' Counsel has argued that raising the  
10 flat rate customer charge would significantly  
11 change the rate structure and would negatively  
12 impact consumers who attempt to conserve energy.  
13 The end result would be low-use customers  
14 subsidizing high-use customers. In response to  
15 the request, the PUCO recommended raising the  
16 base rate charge to \$17.50 for all of its  
17 Dominion customers, tripling the rate customers  
18 are charged while lowering the usage base charge  
19 from the current \$1.24 per 1,000 cubic feet to  
20 just under .36 per MCF or metric cubic feet.  
21 The justification behind this decision is based  
22 on efforts to lower administrative and filing  
23 costs incurred when a utility company submits  
24 requests for adjustments to rates. In the case  
25 of Dominion, the annual adjustment rate and

1 midyear changes would amount to continued costs  
2 passed on to the consumer.

3           For the past 30 or so years we've  
4 been encouraged to conserve and become more  
5 energy efficient for a variety of reasons. It  
6 seems like a distinctive change to that message  
7 when utility companies with the support of the  
8 PUCO are refocusing on how they charge their  
9 customers by putting more emphasis on the flat  
10 fees that overlook consumption.

11           The Cleveland Plain Dealer reported  
12 in May that this winter's heating bills could  
13 jump from \$200 to \$400 depending primarily on  
14 weather and gas commodity prices. At the same  
15 time Dominion East Ohio has been raising the  
16 2008-2009 budget amount for many of its  
17 customers, some of whom are seeing their  
18 budgeted bills double. Independent gas  
19 marketers serving more than two-thirds of  
20 Dominion Ohio's residential customers are  
21 following suit with one year fixed rate  
22 contracts that range between \$12.40 per 1,000  
23 cubic feet to \$15.99 before taxes and three  
24 dollar MCF delivery charge.

25           The impact of the Public Utilities

1 Commission Ohio's recommendation to Dominion  
2 East Ohio can best be reflected by looking at  
3 the economic standing of the population that's  
4 being served, in our case the senior citizens.  
5 The most recent data comes from the United  
6 States census bureau's 2006 American Community  
7 Survey. According to their findings, Cuyahoga  
8 County had a senior population 65 years and  
9 older of 189,806. Of that population, 18,675  
10 seniors or 9 percent were living at or below the  
11 Federal poverty level or FPL. Another 48,313 or  
12 25 percent were living between 100 and  
13 200 percent of poverty. For that same time  
14 period the City of Cleveland had a senior  
15 population of \$51,543. Of that population,  
16 9,038 or 17.5 percent were living below the  
17 Federal poverty level.

18 To put these numbers in perspective,  
19 the 2006 Federal poverty level for an individual  
20 65 years and older was \$9,669. For a couple 65  
21 years and over, poverty was set at \$12,186. In  
22 2008 the Federal poverty level for a single  
23 person living at 100 percent of poverty is  
24 \$10,400, and for a couple that figure is  
25 \$14,000. Although the Federal poverty level is

1 increased on a yearly basis, the current economy  
2 makes me believe that the financial struggles to  
3 meet basic needs remain, especially when this  
4 large increase was not even requested by  
5 Dominion. To triple the flat rate fees being  
6 charged to customers at this time seems  
7 unreasonably burdensome. The proposed rate  
8 increase coupled with the rising cost of energy  
9 and other essentials weaken the ability of our  
10 senior citizen community to remain independent.  
11 I thank you for your time.

12 **MS. PIRIK:** Thank you.

13 Dora McKeever?

14 (Thereupon, Dora McKeever was sworn.)

15 **MS. PIRIK:** Could you please  
16 state your name spelling and address for the  
17 record?

18 **MS. McKEEVER:** It's Dora McKeever,  
19 like Dora the Explorer. McKeever,  
20 M-c-K-e-e-v-e-r. My address 11430 Clifton  
21 Boulevard, Cleveland, 44102.

22 **MS. PIRIK:** You may proceed.

23 **MS. McKEEVER:** Hi, everybody. I'm  
24 Dora McKeever. I'm 85 going on 86. It's hard.  
25 I listened to the report that this one gentleman



1 just gave that was before me. He talked about  
2 seniors. Some of the seniors are broken down  
3 income level and how many seniors in this  
4 category and that. One class of people who are  
5 forgotten are the seniors who live in the 300  
6 apartments in Cleveland under either CMHA or  
7 landlord-based seniors. Now, while this issue  
8 does not address the rate nor the distribution  
9 of the natural gas, we could suffer in many  
10 other ways. If the landlord doesn't put on the  
11 heat or if you've got city inspectors which  
12 should be inspected, but there are some of the  
13 real people that are causing a lot of the  
14 building problems here because they do not care  
15 how many windows they put in to let the heat out  
16 and they get air coming into their apartments,  
17 they don't care about that. So we're not  
18 talking here about the rate of the natural gas  
19 nor the distribution, we're talking here now  
20 about a fee that is charged to everybody. What  
21 disturbs me about all those people that live in  
22 this housing whether or not if they have a  
23 building, say, with 200 apartments, is the fee  
24 that they're going to charge the landlord 200  
25 apartments, one for each apartment, because they

1 are different households? That was never, ever  
2 covered here, and you have to look between the  
3 lines on that.

4 Now, if you're going to judge from  
5 the \$4 to the \$17, those figures are not too  
6 clear right now, that they want to charge and  
7 rightly so. If they need to pay for  
8 installation of this or have trouble to come  
9 out, those fees have got to be taken care of.  
10 Now, if you look at what this PUCO did pass,  
11 they are passing a bill which would probably  
12 cause the special ticket that every customer has  
13 to pay probably about they say \$17. I was in an  
14 RTA hearing. You know what it's going to cost a  
15 senior when they go up on their bill? They're  
16 going to start charging them, say, instead of a  
17 \$1.75 cents which they can get a pass on now to  
18 get to go to the hospital that they don't  
19 qualify really for parent transit because maybe  
20 they make 10 bucks over that amount, so they  
21 will have to pay at least \$30 per month with  
22 less income than people that the PUCO said they  
23 would have to pay from \$4 to \$17. It looks like  
24 an awful lot and I sympathize with them. On the  
25 other hand, if you look at the whole picture, in

1 my estimation, \$17 is a lot of money. However,  
2 what about bus fair and they're fighting about  
3 the diesel -- they're using diesel instead of  
4 gas. Those are going to go up. How is a senior  
5 going to get to a hospital, to a doctor, to get  
6 to grocery stores when the companies are moving  
7 out of the districts where they live? They  
8 don't want to go to a nursing home. If you  
9 think you're going to drop us off in a nursing  
10 home, you're all mistaken. We don't want to go  
11 to a nursing home. We want to do what you're  
12 doing, coming to meetings and living normally.

13 We do say that PUCO I don't think was  
14 too bad in raising it from \$4 to \$17, although I  
15 wouldn't want to pay it. But if I have to pay  
16 30 bucks for my transportation, if I have to pay  
17 four, five dollars for a gallon of milk, which  
18 as you get older you have osteoporosis, those  
19 things are what a lot of us should be thinking  
20 about. I'm sorry for you. If my mother lived  
21 at home, they're not asking for an increase in  
22 the rate of the gas, natural gas nor the  
23 distribution, they need to have that customer  
24 service to take care of the things they need.

25 Now, if the PUCO, and I'm sure that

1 they didn't do anything in disrespect, looked at  
2 all the figures and figured out, well, they need  
3 this much, this company needs this much, if East  
4 Ohio files a case against the -- in order to get  
5 more money to pay for bringing your gas or doing  
6 other things, they have to figure whether or not  
7 if they don't raise it, will they have enough to  
8 operate. These people are investors. You have  
9 to keep that in mind. It's sad, but you know  
10 what, when you're 85, you sort of forget when  
11 things don't come your way, but you've got to  
12 keep going.

13 Now, to me I have to say I feel sorry  
14 for the seniors. I think that maybe the poor  
15 people who live in those housing and cannot  
16 afford the gasoline, that's what is really  
17 disturbing. A lot of these people -- you have  
18 to consider East Ohio and other utility  
19 companies, they have to deal with a lot of bad  
20 debts. People do things and they can't pay  
21 their bill, therefore, it's going to cost more  
22 to go out there, turn on the gas, turn it off,  
23 customer calls, things like that. So I'm sort  
24 of -- I can't completely go against the PUCO's  
25 ruling, although to go up you have to understand

1    how it works.  You're not paying for more gas,  
2    you're not paying for the distribution to bring  
3    it there, you're paying for the other things.  
4    If you're going to open up a business, you've  
5    got to have everything to run that business.

6                I hope I haven't turned you all away,  
7    but I'm very -- I took a course in seniors,  
8    gerontology, and I did learn this, if you don't  
9    have empathy, that means you have a mental  
10   disorder.  Well, that's very hard not to say I  
11   don't understand you, but I've got to go little  
12   bit along with charging a little more for  
13   ticket, but maybe \$17 is a lot when you stop and  
14   think about our -- this elderly lady talked  
15   about -- we did not get that much money this  
16   time around in our social security, and the  
17   money now is hard for all of us.

18               So I would say if they're going to do  
19   something, they could bring it down a little bit  
20   or try to cut down on some of the things.  They  
21   do mention here what they have to pay for.  If  
22   you have files, you've got to have files here,  
23   for the infrastructure investments, things that  
24   they come to you.  These are only proposed rates  
25   that they're talking about.  But I'm with you

1 when you stop to think about how hard it's going  
2 to be for everybody. I know because I'm  
3 suffering too, but I just cut down my food and I  
4 feel much better and I don't -- I can't eat what  
5 I wanted to eat, not the T-bone steak. I'm  
6 saving money from AT&T lifeline. I save a lot  
7 of money on AT&T's lifeline because I qualify  
8 and others qualify, and if you save a lot of  
9 money you can buy a T-bone steak or a thick  
10 porterhouse steak at the end of the year if you  
11 save your savings. Save your savings. Do what  
12 we do in the second World War, go out and have a  
13 garden in the back, do your greens. You can  
14 save money that way. That's all I've got to  
15 say. Thanks for listening to me. I like to  
16 talk a lot.

17 **MS. PIRIK:** Cindy is a member  
18 of our staff and she's, along with Linda  
19 Hamilton, in the back of the room. I know it's  
20 difficult for everyone to get out today, and  
21 some individuals are interested in testifying  
22 and other individuals -- I hate to lose anybody,  
23 but I'm giving her a petition to sign that  
24 basically states that you were present at  
25 today's hearing and you're opposed to the

1 proposal for the reason expressed by those that  
2 have already testified, so in the event that you  
3 need to leave or you're not interested in  
4 actually coming to the podium, I wanted to give  
5 everyone the opportunity to sign the petition.  
6 I will docket that in the record with today's  
7 date and the fact that it goes with the  
8 transcript for today, so Ms. Stewart and Ms.  
9 Hamilton will have that in the back in case  
10 anyone wants to sign that. In the meantime, we  
11 will continue with testimony. Marie Rehmar.

12 (Thereupon, Marie Rehmar was sworn.)

13 **MS. PIRIK:** Please state your  
14 name and spelling and address for the record.

15 **MS. REHMAR:** Marie Rehmar,  
16 M-a-r-i-e R-e-h-m-a-r, 4121 Hinsdale,  
17 H-i-n-s-d-a-l-e Road, South Euclid, Ohio, 44121.

18 I'm coming to speak as a resident. I  
19 appreciate the opportunity for a hearing, and  
20 I'm glad I had some vacation time to use to come  
21 here. Regulatory matters can be very complex.

22 **MS. PIRIK:** They can't hear.  
23 Hold it closer.

24 **MS. REHMAR:** I'm here as a  
25 resident, and I realize that regulatory matters

1 are kind of complex and that's why the residents  
2 of our state need to rely on the PUCO, so I'm  
3 glad there is an opportunity for the hearing.  
4 I'm also glad that the Ohio Consumers Counsel  
5 exists to help get some information together. I  
6 think that we had some information in the Plain  
7 Dealer, and I did a little looking web-wise.  
8 Some things aren't clear yet to me as far as  
9 like the number of houses that have the new  
10 pipes versus the old pipes, how many new meters  
11 are needed, what kind of distances are we  
12 talking about, and how it relates to staffing,  
13 and, you know, we still have staff to consider  
14 in the utilities and that is an important aspect  
15 as well. So that and the fee information is  
16 something I think maybe there's more information  
17 available.

18 In regard to that construction  
19 program, they mentioned \$1.12 per month first  
20 year, additional 90 cents per month each year  
21 and I'm not certain whether that's included or  
22 not included in this proposed rate increase,  
23 but -- you know, so in terms of long-term, it  
24 looks like it will be less, but it's a little  
25 unclear to me. So I guess I'm saying if it's



1     unclear to me, I'm possibly not the only one  
2     around the state that finds it unclear.

3             I think that the proposed rate  
4     structure looks like it penalizes the  
5     individuals who purposely chose to live in  
6     smaller houses or do without other things to  
7     take care of their utility costs. And I very  
8     much agree with the individual from the City of  
9     Cleveland who was against the proposal that  
10    disincentivizes conservation efforts. Now, I  
11    guess I am surprised that the change would be  
12    such a huge change in a rate structure as shown  
13    in the Plain Dealer August 2 chart, but I come  
14    out as a typical user, and, okay, I care about  
15    structural improvements, the infrastructure  
16    safety matters. That is something important. I  
17    realize there needs to be an increase if  
18    infrastructure matters are worked on.

19            On the other hand, it does seem like  
20    that's a pretty good jump over there. And  
21    usually when things like taxation or other  
22    public matters are talked about, there's a  
23    progressive and regressive aspect that is  
24    discussed, and this chart looks to me like the  
25    individuals using the smaller amounts are going

1 to be hit with an amazingly big difference for  
2 the new costs, and I just think that in looking  
3 at Ohio as a whole, that's a definite concern to  
4 me.

5 Now, another item, I also agree with  
6 the comment made earlier regarding the income  
7 levels of the corporate management, and that's  
8 something that I think should be considered as  
9 well. I get a raise. A lot of people do get  
10 raises around the state, but my raise is not  
11 anywhere near the raises that were discussed  
12 earlier. Also, with these expenses, it's my  
13 understanding expenses are supposed to come  
14 before profits, and I noticed that there was a  
15 stock split that happened in '97, November 19,  
16 '97. It was a chart, historical stock splits  
17 and dividends, updated June 12, 2008, and it  
18 looks like the per share item before was .710,  
19 then afterwards it's .395. So .395 times two  
20 seems to be more than .710. Everyone is having  
21 a little bit of a rougher time right now and I'm  
22 concerned about you know that area as well.

23 Another item is if part of the  
24 proposal is to deal with properties going  
25 through foreclosures and bank ownerships,

1 et cetera, I wonder if there is, perhaps, some  
2 other way of working out details and relating  
3 it -- seeing if municipalities or other  
4 organizations or if there are some other ways  
5 for working out in some newer manner for this  
6 problem. It's not just local, but maybe there's  
7 a way we can be a model for handling the  
8 utilities aspects for this foreclosure and sub  
9 prime problem.

10 So I think those are the most --  
11 those are the items that I thought I'd mention.  
12 I guess I just wanted to be a person very  
13 concerned about this, and I appreciate whatever  
14 educational efforts are made to help the  
15 ordinary person understand these complex  
16 matters, and I appreciate the PUCO caring about  
17 the ordinary person, and particularly the ones  
18 that are having extra problems on the income  
19 front at present. Thank you.

20 MS. PIRIK: I would say, too, I  
21 know that sometimes reading applications like  
22 this are very confusing. There are some  
23 individuals here from the company. You may want  
24 to approach them and ask them specific questions  
25 about the application because it sounds like

1 you're very well educated about the application  
2 and that they may be able to help clarify some  
3 of their requests. Thank you.

4 Tom Mendelsohn.

5 (Thereupon, Tom Mendelsohn was  
6 sworn.)

7 **MR. MENDELSON:** My name is spelled  
8 M-e-n-d-e-l-s-o-h-n. I'm working at the  
9 Empowerment Center of Greater Cleveland,  
10 formerly the Welfare Rights Organization, and  
11 that address is 3030 Euclid Avenue, Suite 100.  
12 I thank you for giving me the opportunity to  
13 speak briefly to you this afternoon.

14 Actually, our group is a part of a  
15 coalition that works together on issues that  
16 relate to utilities, and so we're just really  
17 one of the groups from this coalition. Others  
18 are the Citizens For Fair Utility Rates,  
19 Neighborhood Environmental Coalition, and our  
20 organization, the Empowerment Center. I'd like  
21 to say this, I'd like to say that the rate  
22 increase seems appropriate, but it doesn't,  
23 especially since it's two or three times what  
24 the utility company was asking for, at least in  
25 the information that I have. Also, it appears

1 that by increasing the charge from five dollars  
2 to \$17.50, the increase kind of is a way of  
3 subsidizing the HEAP program which is already a  
4 subsidy, so it just passes on the cost of that  
5 subsidy to other groups who have other income  
6 related things and other things on their list of  
7 things that they need to cover for their own  
8 families, so it's not exactly fair to pass it on  
9 in that regard.

10 I think there's a need to repair  
11 utility access and egress with the pipes and  
12 things like that, but I have to tell you that  
13 oftentimes it becomes an extremely cumbersome  
14 process to do that, and I'm speaking from my own  
15 personal residential experience, so I think it's  
16 time for Dominion East Ohio to take a look at  
17 how efficiently they do things, and how tough  
18 they are on the customers when there is an issue  
19 that's at hand.

20 The one thing that really struck me,  
21 and I -- when I was asked to speak, I have Latin  
22 language training in my background, so I  
23 sometimes go to a derivative of a word just like  
24 they do in the spelling bees. When I think of  
25 Dominion as a derivative word, dominus comes to

1 my mind in terms of spiritual. But there's also  
2 dominos which is a game that you can play a  
3 number of different ways and it involves a  
4 domino effect. And in the work that we do at  
5 the Empowerment Center at Greater Cleveland, we  
6 see all sorts of different aspects that deal  
7 with energy. On the one hand, somebody will  
8 come in and say, "I don't have enough money for  
9 food. Can you help me access food stamps, or  
10 can you direct me to a food pantry," and on the  
11 other hand we're told they don't qualify for  
12 prevention and retention and contingency  
13 dollars, and as a result they've had to attach  
14 an extension cord to a very nice neighbor who  
15 has allowed them to plug into their sockets or  
16 their utilities or help or help with their type  
17 of thing, and this is not related to Dominion  
18 East Ohio, but it's just an example of the  
19 problems that people face with utilities.  
20 Somebody might have a medical reason, might need  
21 to have their gas functional, might not have  
22 enough money to cover that, and then adding  
23 these additional surcharges to it make for a lot  
24 of different problems. And so if we're going to  
25 challenge the HEAP program, if we're going to

1 take funding away from people that generally  
2 like to try to help other people that are in  
3 need by increasing their fees, I think that  
4 we're not really taking a good close look at the  
5 dichotomy that exists between what our energy  
6 needs are, what the people's needs are, and how  
7 do we best fit everything in between all of  
8 those different parties. And I know this sounds  
9 more philosophical than numerical and financial,  
10 but I think that philosophically to try to  
11 increase something as much as is being  
12 recommended doesn't make a lot of sense. Maybe  
13 in smaller increments we might be able to do  
14 something and I think it will hurt less people  
15 that way. So I thank you very much and look  
16 forward to hearing more.

17 **MS. PIRIK:** Thank you.

18 Craig Strong.

19 (Thereupon, Craig Strong was sworn.)

20 **MS. PIRIK:** Please state your  
21 name and address for the record.

22 **MR. STRONG:** Craig Strong,  
23 S-t-r-o-n-g, 13715 Ardoon, A-r-d-o-o-n.

24 I think it's just about all been said  
25 almost. I would hasten to add if anyone were to

1     come up and say they were for this increase,  
2     most of you in this room would probably take  
3     them out back. I think the third person before  
4     and Ms. McKeever, I think she hit one of the  
5     nails on the head, especially when it comes to  
6     senior citizens because their income is fixed  
7     and that is a big concern. Now, the deadbeats,  
8     I have a hard time being too concerned about  
9     them. They were deadbeats when they were in  
10    high school. They didn't pay back people who  
11    loaned them lunch money, so I get a little bit  
12    upset with that approach being concerned about  
13    people that don't pay their bills. I say to  
14    East Ohio Gas, shut off the gas to the  
15    deadbeats.

16                I think the PUCO may not be taking a  
17    look at the big picture. What's the big  
18    picture? A lot of people are being laid off,  
19    RTA is going up, gasoline is very expensive in  
20    terms of your automobile. So when you start to  
21    look, are we going to okay this or not going to  
22    okay it? I question if you're taking a look at  
23    the big picture, the overall picture as such.  
24    In the end, I don't remember a time -- can you  
25    recall a time that the PUCO turned down a



1 request like this? Does anyone want to  
2 speak for East Ohio Gas? Have you always been  
3 given everything you ask for? You guys are  
4 smiling at me, but I'm asking a direct question.

5 **MR. MURPHY:** No.

6 **MR. STRONG:** You were turned  
7 down when, a couple years ago?

8 **MR. MURPHY:** Our last rate  
9 increase was in 1993.

10 **MR. STRONG:** I hope the PUCO  
11 recognizes that things have changed. Even as  
12 you move from 358.86 to 412.91, which is a  
13 \$54.05 increase for a lot of people, for a lot  
14 of people.

15 Let me give you the spike in the  
16 heart that really hurts. I think the PUCO  
17 should put out a little note with Dominion Gas  
18 that says, "Don't bother to save, don't bother  
19 to turn your thermostat down, don't bother to  
20 wear a sweater, don't bother to put an extra  
21 quilt on the bed because it won't do you any  
22 good. Why bother? Just turn the gas up.  
23 They're going to charge you anyway, period."  
24 That's the sadness of what Dominion is asking  
25 for, no matter what we do in terms of trying to

1     conserve, we're still going to get beat up,  
2     period.

3                     I want to thank you for this  
4     opportunity.

5                     **MS. PIRIK:**             Thank you.

6                     (Thereupon, Siobhan Dubin was sworn.)

7                     **MS. PIRIK:**             Could you please  
8     state your name and spelling and address for the  
9     record?

10                    **MS. DUBIN:**            My name is Siobhan  
11     Dubin, S-i-o-b-h-a-n D-u-b-i-n, 2021 Atkins  
12     Avenue, Apartment 6, Lakewood, Ohio, 44107. I'd  
13     like to speak about the disproportionate impact  
14     it will pose on renters. I don't know if anyone  
15     has really addressed that so far.

16                    I've made a choice to economize by  
17     living in rental housing where heat is included  
18     in the price of my rent. Most of the people in  
19     my building are seniors and people with  
20     disabilities who are also living on fixed  
21     incomes, as well as students and young people  
22     like me with students loans and other bills to  
23     pay, and I think we're being disproportionately  
24     affected by this increase because at the moment,  
25     for example, people in my building pay between

1 two and three dollars a month for gas usage, but  
2 with service charge, that's eight or nine  
3 dollars, and our gas bill will almost triple,  
4 although we're using very little gas compared to  
5 people who live in a house. I think we're  
6 subsidizing people who have made bad energy  
7 choices by living in larger homes and it's very  
8 unfair. There is absolutely no reason why  
9 anyone should conserve if the increase goes  
10 through. There's no incentive to cut down your  
11 usage if you're already paying that much money.  
12 That was my main point, that I hope that the  
13 committee will consider the impact on people who  
14 rent as well as the -- I've heard it argued that  
15 some people pay less because the rate is going  
16 down, but that won't have an effect on people  
17 like me. Thank you very much for the  
18 opportunity to speak.

19 MS. PIRIK: Thank you.  
20 Darrell -- I believe it's Darrell.  
21 It starts with a "K".  
22 Weber.  
23 The next person is Walter.  
24 (Thereupon, Walter Ciszewycz was  
25 sworn.)

1                   **MS. PIRIK:**           Could you please  
2     state your name and address for the record?

3                   **MR. CISZKEWYCZ:**   My name is Walter,  
4     W-a-l-t-e-r.   Last name is Ciszkewycz,  
5     C-i-s-z-k-e-w-y-c-z.   I live at 281 East  
6     Pleasant Valley Road, Seven Hills, Ohio, 44131.

7                   I'm a homeowner.   I bought the house  
8     approximately 25 years ago.   I was also a small  
9     business owner until a couple months ago.   I  
10    finally was able to afford to replace my  
11    furnace, get a more efficient one, put  
12    insulation in the attic which cost me almost  
13    \$2,000, and then I get real nice cut from the  
14    government saying you saved \$500 on spending  
15    over \$6,000 to do all this.   Wow, that really  
16    helped a lot.   The problem is we're told to  
17    conserve energy, make sure that you don't use as  
18    much because it helps us in the future, and then  
19    the companies come along and say, "We're sorry,  
20    we didn't make enough money last year, we need  
21    to raise the rates."

22                   Now, tell me how many of you can go  
23    to your boss and go, "Listen, I didn't make  
24    enough money this year so you're going to pay me  
25    more money so I can make more money."

1                   He's going to say, "Have a nice day;  
2   you don't work here anymore." My business  
3   closed because economy sucks, to put it bluntly.  
4   People lost jobs, I got less business, I  
5   couldn't raise the rates because I'm competing  
6   against somebody else, I couldn't afford to do  
7   it, so I closed. But the main thing here is  
8   this: At this moment, \$5.70 for the service  
9   charge at an amount of 1.2 million customers  
10   that the companies have, they're getting  
11   \$6,840,000 a month, which comes out to  
12   \$82,080,000 a year.

13                   At \$17.50 per 1.2 million customers,  
14   that's an increase up to \$21 million a month and  
15   \$252 million a year. That's an increase of  
16   \$169,920,000 a year.

17                   Now, if something goes wrong in my  
18   house, I have to pay for it. If something goes  
19   wrong in my business, I have to pay for it. I  
20   cannot turn around and tell the next customer,  
21   "I have to charge you more because this broke so  
22   I have to charge you more." You guys have to  
23   learn how to deal with it and how to deal better  
24   with this. You guys pay too much to your  
25   presidents. Come on, 50, 60 million a year for

1 the guy to turn around and go, "You're fired, I  
2 don't want you anymore." That's ridiculous.  
3 You know that in ten years that I had my  
4 business, I didn't get one raise. In fact, all  
5 my money went back into my business so it could  
6 survive. I can't charge anybody extra for that.  
7 I lost money. That was part of my deal. That's  
8 what happened. But as far as charging this much  
9 money for an infrastructure that you guys should  
10 be taking care of from the beginning, this tells  
11 me that you guys didn't take care of it and  
12 you're waiting, and you're waiting until  
13 something goes wrong and then you come here and  
14 ask us for more money. And the people are  
15 right, there are senior citizens that cannot  
16 afford. They're getting hit with the school  
17 system that wants more money for the schools.  
18 They're getting hit with gas that they can't  
19 afford, getting hit with their mortgages,  
20 property taxes going up. I'm fortunate my  
21 mother lives with us. If she didn't, I'd hate  
22 to find out what she'd be going through. But to  
23 have a person decide whether they want to buy  
24 food or they want to buy medicine or do they  
25 have to pay the gas company more money, guess

1    what, the gas company wins, they get the more  
2    money and the person has to decide, do I take  
3    pills so I can live longer or do I eat so I can  
4    live longer? It's a no win situation. You  
5    know, everybody is helping everybody else, but  
6    the consumer is not getting the help they should  
7    be getting.

8                   I thank you for your time, and I hope  
9    you guys do the right thing.

10                   **MS. PIRIK:**            Thank you.

11                   Liz Hernandez.

12                   (Thereupon, Liz Hernandez was sworn.)

13                   **MS. PIRIK:**            Please state your  
14    name and address for the record.

15                   **MS. HERNANDEZ:**    Liz Hernandez,  
16    H-e-r-n-a-n-d-e-z, Cleveland Housing Network,  
17    2999 Payne Avenue, Cleveland, Ohio, 44114.

18                   Dominion East Ohio has funded a  
19    weatherization program "Housewarming" since  
20    1987, which resulted from a rate case  
21    settlement. For the past 20 years, Cleveland  
22    Housing Network has been the administrator of  
23    the program, working with a wide network of  
24    community development corporation to effectively  
25    deliver the services throughout Dominion

1 territory. Cleveland Housing Network has worked  
2 with Dominion to continually fine-tune and  
3 improve the services and hopes to continue its  
4 long and productive relationship. It is an  
5 example of a partnership which works.

6 The Housewarming program has had  
7 consistent funding of 3.5 million over the past  
8 five years. The program reaches 1,500  
9 low-income customers on an annual basis  
10 providing insulation, furnace repair or  
11 replacement, carbon monoxide detectors and air  
12 leakage work in order to decrease the  
13 consumption of the qualifying low-income client.

14 Over the years, under CHN's direction  
15 and with the guidance and cooperation from  
16 Dominion, the Housewarming program has developed  
17 its model to become more comprehensive, moving  
18 towards technical standards that the state Home  
19 Weatherization Assistance Program have developed  
20 and standardized and that are widely regarded as  
21 state-of-the-art in the energy conservation  
22 world.

23 CHN has encouraged collaboration with  
24 other utility programs, such as First Energy  
25 Program, the Cleveland Public power program, and



1 the City of Cleveland water program as well as  
2 the Home Weatherization Assistance Program to  
3 maximize the energy savings and more cost  
4 effectively deliver all. Leveraged funds over  
5 the past 20 years could amount to \$20 million or  
6 more, and represent a delivery system that is  
7 efficient and effective impacting gas, electric  
8 and water consumption.

9 In addition to the direct benefit to  
10 the customer in energy terms, Housewarming also  
11 impacts the safety of their household, as  
12 Housewarming provides funding for carbon  
13 monoxide detectors, the replacement of faulty  
14 and dangerous furnaces, as well as correction of  
15 chimney problems, which if not corrected could  
16 be fatal to the resident. Housewarming  
17 inspectors have encountered many of these  
18 situations over the years and the program has  
19 saved lives.

20 As I previously mentioned, funding  
21 has been fairly consistent and has given the  
22 network of Housewarming providers a means to  
23 service those in need. However, the need  
24 outweighs the funding level. The program is  
25 designed to service households falling under 150

1 percent of federal income poverty guidelines.  
2 For a family of four, the guideline is \$31,000  
3 per year. For a household of one, it's \$15,600  
4 per year. We have all noticed the state of the  
5 economy in Ohio and throughout the country.  
6 Social service agencies can tell you that the  
7 need is growing. Statistics show us that the  
8 number of families that fall in the 150 percent  
9 guidelines is also growing. Many are elderly  
10 and disabled. And then there are the families  
11 that fall outside these guidelines who are  
12 barely making it and cannot qualify for energy  
13 assistance towards their bill or a conservation  
14 program.

15           This is all to say that the  
16 Housewarming program is currently stretched  
17 beyond its funding limits. The territory has  
18 greatly expanded, yet the funding has not.  
19 Presently the funding covers areas such as  
20 Canton, Barberton, Akron, Youngstown, Ashtabula,  
21 Painesville, the City of Cleveland, inner ring  
22 suburbs, and territory throughout the state,  
23 including down to Marietta. There are many  
24 other communities not mentioned as it would take  
25 too long to even list. But the point is that

1 these areas are hurting economically and the  
2 funding level needs to be dramatically increased  
3 to come close to serving the customers who need  
4 these services. Our experience is that  
5 low-income customers want to conserve, however,  
6 many live in homes that are older and leakier  
7 than other customers. It takes careful  
8 assessments and adequate funding to cost  
9 effectively impact the energy consumption and  
10 the gas bill.

11 The funding level needs to come  
12 closer to \$10 million per year in order to  
13 adequately fund the current and foreseeable need  
14 to reach the customers needing the services.  
15 Cleveland Housing Network is looking towards the  
16 future of Housewarming which would include:  
17 Full adoption of the technical standards  
18 developed by the Ohio Energy Office,  
19 certification of all contractors and inspectors  
20 which may require additional coursework and  
21 training in house diagnostics, furnace  
22 inspection, and ongoing energy related  
23 coursework, which we are committed to doing.  
24 We've already begun discussions with this regard  
25 with the Ohio Weatherization Training Center.

1 Increased level of funding, as I mentioned  
2 before, closer to \$10 million. Expanding the  
3 reach of the program to a higher number of  
4 customers. And also a demand side management  
5 component to offer similar services to all  
6 classes of residential customers, not strictly  
7 low income. The program design could feature  
8 very low interest loans, rebates to customers to  
9 help offset the cost of an energy audit for  
10 energy efficiency upgrades. There are some  
11 designs for demand side management programs that  
12 could easily be implemented as all consumers  
13 face the struggles of a gas bill and higher  
14 costs of living in general.

15 Cleveland Housing Network also  
16 administers a fuel fund for bill payment  
17 assistance, funded with Dominion dollars, which  
18 will expire this year. It provided  
19 approximately \$137,000, with only a 10 percent  
20 administrative fee. CHN works with clients and  
21 other emergency funding sources to stretch these  
22 dollars in order to maximize the number of  
23 clients it can benefit. It is for some the only  
24 way they can keep their utilities on. It is a  
25 last resort emergency fund. Since CHN also is

1 involved in the administration of emergency HEAP  
2 dollars, the staff is able to most effectively  
3 work out these payments plans with the utility  
4 companies and the client. It is our  
5 recommendation that the fuel fund be  
6 consolidated, and, thus, more cost effectively  
7 coordinated to complement the emergency HEAP  
8 network. It is unfair to families in crisis to  
9 have to chase down the emergency dollars that  
10 are available by going around to other agencies  
11 who are involved with Dominion fuel fund  
12 dollars, such as Energy Share.

13 In closing, I ask the Commission to  
14 look at the enormous multiple benefits of the  
15 Housewarming program and support its expansion,  
16 as well as funding for demand side management  
17 programs which can assist the struggling  
18 customers who are outside the income limits of  
19 the Housewarming program.

20 Lastly, to drive home the points  
21 regarding the clients' needs, I offer the  
22 following excerpts from letters received by CHN.  
23 "To Ohio Department of Development, Cleveland  
24 Housing Network, Housewarming Program."

25 "We wanted to write a letter of

1 sincere gratitude. This program has made it  
2 possible for our household to stay warm and not  
3 pay an extraordinary amount in energy bills. We  
4 have already seen a huge drop in the amount of  
5 energy consumption for last and this month, and  
6 we are sure it will continue throughout the  
7 entire winter season."

8 And one more.

9 "To Whom It May Concern: I am  
10 writing to express my deep appreciation for your  
11 assistance in having my house weatherized. I am  
12 very grateful to you for providing the funds for  
13 a new furnace as well as complete insulation. I  
14 promise to think of you each time I receive a  
15 gas bill."

16 MS. PIRIK: Jim Zales.

17 (Thereupon, Jim Zales was sworn.)

18 MR. ZALES: Jim Zales, 18903  
19 Nottingham Road, Cleveland.

20 Who represents the PUCO?

21 MS. PIRIK: I do.

22 MR. ZALES: You're the only one  
23 that showed up?

24 MS. PIRIK: I'm an attorney in  
25 the legal department and I'm the hearing

1 officer, so it's an administrative hearing.

2 **MR. ZALES:** The main guys don't  
3 bother coming to these then?

4 **MS. PIRIK:** No. They read the  
5 transcript and it's all summarized for them and  
6 they have it all before them.

7 **MR. ZALES:** They usually don't  
8 like to face the people, do they, but they'll  
9 have plenty of private meetings with the  
10 corporate executives.

11 **MS. PIRIK:** Would you like to  
12 give some testimony today?

13 **MR. ZALES:** How much do the  
14 PUCO members get paid per year?

15 **MS. PIRIK:** We're here to have  
16 testimony with regard to the Dominion rate case.  
17 Do you have any comments with regard to that  
18 rate case?

19 **MR. ZALES:** Sure. Dominion is  
20 a Virginia corporation. They used to have  
21 offices at 9th and St. Clair where you could go  
22 and pay your bill and talk to people, but they  
23 closed all that down and moved it out with a lot  
24 of other services. They're a monopoly, which  
25 everybody knows, but we have another company

1 called Columbia Gas. I'd like to ask the lady  
2 from PUCO why is Columbia Gas rates figured  
3 different from Dominion?

4 **MS. PIRIK:** Actually, this  
5 isn't an opportunity to ask questions as much as  
6 to give information.

7 **MR. ZALES:** Just a thought I  
8 had. So I can't talk about the PUCO at all?

9 **MS. PIRIK:** You can give  
10 testimony with regard to the Dominion rate case.  
11 That's what we're here to hear about today.

12 **MR. ZALES:** Well, it seems on  
13 me Mr. Strickland appointed the same guys in the  
14 PUCO and it seems to be the same policies  
15 happening continuously. I think the PUCO is due  
16 for a change.

17 But this automated meter reading that  
18 they want the increase for, see, they only tell  
19 you half truths. They don't tell you how much  
20 money they're going to save by doing this, do  
21 they? They only tell you the costs. So they  
22 ought to give you the whole picture, not just  
23 the part picture. And I don't think -- I know  
24 I'm not supposed to talk about the PUCO, but  
25 they're not fair in this situation. I think



1 they're leaning toward the corporate side rather  
2 than the public side when they propose these  
3 type of rates. I think just like the water  
4 department, the sewer department, they're all  
5 nonprofits. Why can't we make this -- gas a  
6 nonprofit just like we have the water, sewer,  
7 et cetera? Why should they be guaranteed extra  
8 high profits without even checking their figures  
9 what they're asking for? That's all I have.

10 **MS. PIRIK:** Thank you. The  
11 last individual I have on this list is T-h --  
12 (Thereupon, Thomas Sheehan was  
13 sworn.)

14 **MS. PIRIK:** State your name and  
15 spelling for the record.

16 **MR. SHEEHAN:** Thomas, Sheehan,  
17 S-h-e-e-h-a-n. The address is 1373 Gladys  
18 Avenue, Lakewood, Ohio, 44107.

19 I just want to say a couple words  
20 that's already been said. You know, last winter  
21 we were very cold, but we wore sweaters and kept  
22 our bill reasonably low, kind of low anyway.  
23 But this winter we can keep the heat low, but  
24 we'll have higher bills. And we're told  
25 conservation is the way to go, but this proposal

1 is counter to that and I just wanted to say  
2 that. Thank you for your time.

3 **MS. PIRIK:** Thank you.

4 That completes the list of people who  
5 had signed up. Is there anyone in the audience  
6 who would like to testify at this time? I will  
7 take individuals.

8 (Thereupon, Ray Rosenberger was  
9 sworn.)

10 **MS. PIRIK:** Could you state  
11 your name and spelling and address for the  
12 record?

13 **MR. ROSENBERGER:** Yes. My name is  
14 Ray Rosenberger, last name spelled  
15 R-o-s-e-n-b-e-r-g-e-r. My address is 6232 North  
16 Canterbury Road, Parma, Ohio.

17 Everything I was going to say has  
18 already mostly been said. I am opposed to the  
19 granting of the rate increase, not because of  
20 what it is or the amount, but the manner in  
21 which it's being done. We are entering a  
22 completely new era of energy consumption, and  
23 not only the consumption, but the effect that  
24 that energy consumption has on our environment,  
25 and I would urge the PUCO to come up with a new

1     template that meets the needs of the future.  
2     We've been using the same method of going  
3     through rate applications and rate increases,  
4     and I think maybe the energy companies would  
5     enjoy or entertain the possibility of doing it  
6     in a way that recognizes the future, and so  
7     that's why I'm opposed to it.

8                 I also wanted to make a comment with  
9     regards to the public hearing itself. And if  
10    the purpose is to gather input, then, perhaps,  
11    there's a better format in which to do this. I  
12    heard a number before mentioned of one million  
13    customers, and I really don't know the number of  
14    customers that were out there, but there is a  
15    document, a vehicle called a statistically valid  
16    survey which would accurately let you see the  
17    attitudes and opinions of those that are  
18    involved in the rate increase. Thank you.

19                **MS. PIRIK:**            Thank you.

20                Is there anyone else who would like  
21    to testify? Feel free to raise your hand. We'd  
22    like to hear anyone who has anything they'd like  
23    to say.

24                Seeing none, I would like to thank  
25    everyone for coming. This public hearing is

1 just a piece of information that the Commission  
2 uses to make their decision. They have not made  
3 their decision yet. Once all the record is  
4 complete, they will have a recommendation and  
5 they will make their decision at that time.  
6 That being said, this hearing is adjourned.  
7 Thank you.

8 (Thereupon, the proceedings were  
9 concluded at 2:10 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, )

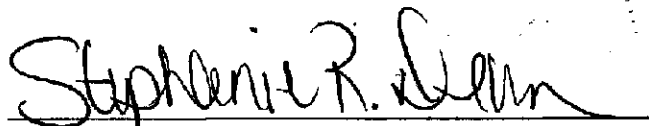
I, Stephanie R. Dean, Court Reporter and Notary Public within and for the State of Ohio, duly commissioned and qualified, do hereby certify that these proceedings were taken by me and reduced to Stenotypy, afterwards prepared and produced by means of Computer-Aided Transcription and that the foregoing 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 13th day of August, 2008.

  
Stephanie R. Dean

My commission expires August 30, 2010.

- - -

**DENNIS J. KUCINICH**

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**House of Representatives**

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CHAIRMAN,  
SUBCOMMITTEE ON DOMESTIC POLICY

COMMITTEE ON OVERSIGHT AND  
GOVERNMENT REFORM

COMMITTEE ON EDUCATION AND LABOR

August 4, 2008

Mr. Alan R. Schriber  
Chairman  
Public Utilities Commission Of Ohio  
180 E Broad St  
Columbus, Ohio 43215-3705

Dear Chairman Schriber:

I strongly oppose Dominion East Ohio's proposed rate increases, which, if approved, will cost Ohioans nearly \$100 million more per year. I ask that you reject any attempt on the part of Dominion to downplay its strong financial standing and outlook in an effort to rationalize rate increases which would, according to its own 2007 annual report, "support a 12% return on equity."

In 2007, Dominion, the parent company of Dominion East Ohio, posted a net income of \$2.5 billion, an 84% increase from the year before and a 240% increase from 2005.

While the report issued by your staff correctly denies Dominion East Ohio's proposed 7% rate hike for usage, which totals approximately \$75 million annually, it replaces this request with an approximate 4% increase through inflating the fixed distribution rate. It straps a disproportional burden on the backs of those consumers who have chosen to conserve, many of whom are low-income. An additional \$12 per month charge before gas even begins to flow would be detrimental to many.

Dominion will tell you that its operating, material, maintenance, and fuel costs have increased in the past several years and months. What they won't tell you is that the cost-of-living for the average consumer has increased substantially as well over the same period of time. Electric prices are up; gasoline prices are through the roof; prescription drug prices are up; grocery prices are up. A seemingly modest natural gas bill increase could lead to low-income individuals and families having to choose between groceries, prescription drugs, or transportation in the winter months ahead.

Over 15,500 homeowners in Cuyahoga County fell victim to foreclosure in 2007. Early numbers for 2008 suggest this trend is only worsening. High utility bills were undoubtedly a contributing factor. Such an increase would contribute to additional foreclosures in the future.



For those with a natural gas furnace, natural gas is a basic necessity. Payment is not optional. Rate hikes like this hit hardest those who are already living at the edge of their means. We must not let Dominion dump its purported costs onto low-income and fixed income people like seniors, while Dominion continues to rack up profits.

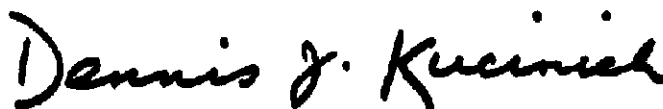
According to the publication *BusinessWeek*, the President and CEO of Dominion received a total calculated compensation of \$15,118,207 in 2007. This amount represents an average of 39% of the annual increase for customers of Dominion East Ohio which the PUCO staff recommended.

In addition, the proposed distribution rate increase does not even fully take into consideration millions of dollars in increased costs that consumers will face if the proposed \$2.6 billion 25-year Pipeline Infrastructure Replacement plan, or the \$126 million automated meter reading device plan, is approved in this case. Such programs will increase profit for Dominion in the long-run through increasing consistency of customer use and operational efficiency, respectively. Dominion should invest on its own in these programs without passing the costs onto consumers. PUCO approval of such charges to be passed on to customers will mean short-term consumer investment in Dominion's long-term profit margin.

I thank you for holding a series of public hearings on this important issue, including this one here in Cleveland. I respectfully remind you that the reason for the PUCO's existence is to ensure that adequate consumer protections are in place. A decision to allow Dominion East Ohio to raise its rates in response to its alleged increases in costs would be a slap in the face to millions of consumers who are facing more and more increased costs of their own everyday.

The PUCO should seize this vital opportunity to protect the public from any proposed rate increases by Dominion East Ohio.

Sincerely,

A handwritten signature in black ink that reads "Dennis J. Kucinich". The signature is written in a cursive, slightly slanted style.

Dennis J. Kucinich  
Member of Congress

DJK:si



**CITY OF CLEVELAND**

Mayor Frank G. Jackson

Cleveland City Hall  
601 Lakeside Avenue, Room 202  
Cleveland, Ohio 44114  
(216) 664-3544

**Dominion East Ohio Proposed Rate Increase  
Testimony  
Presented on Behalf of the  
City of Cleveland  
By its Chief of Government Affairs Valarie McCall**

**AUGUST 4, 2008**

Good afternoon. My name is Valarie McCall, and I am Chief of Government Affairs for the City of Cleveland, Mayor Frank G. Jackson. I am pleased to present this testimony on behalf of Mayor Jackson, who serves the citizens of the City of Cleveland, Ohio. The City has a long history of voicing its support and concerns on public policy decisions that affect its citizens and its own operations, including a history before this Commission in public hearings such as this. I appreciate the Commission's consideration of the comments presented today.

First, the City is pleased that the Commission scheduled additional public hearings in the evening for the Greater Cleveland area. Public Hearings are about the *opportunity* to be heard and to provide input on matters that affect citizens and businesses. As noted by then-Mayor George Voinovich in 1981 in a gas rate hearing that was very similar to this hearing, not everyone has the



ability to leave work in the middle of the day or travel great distances in order to exercise this opportunity. Thus, scheduling more hearings benefits the Commission by offering more robust opportunities for input.

With regard to the substance of Dominion East Ohio's request, the City's concerns relate to increased costs for its citizens, especially in light of today's economic situation. These increased costs may be in the form of a customer charges or rate adjustments.

With regard to customer charges, the proposal to increase customer charges approximately \$12 per month adds almost \$150 to every customer's bill. For low income customers who qualify for HEAP assistance, this increase effectively eliminates that assistance. The City believes that this proposed increase is not justified. The City also believes that low income customers should receive genuine assistance that is meaningful to their quality of life. Finally, with regard to customer charges, the City believes that the proposed 1.5% late payment charge is not reflective of any actual cost associated with late payments, and hurts those customers most who are struggling to pay high energy costs.

With regard to rate adjustments, the City cannot support any automatic rate increase that results from decreased gas consumption, primarily for two reasons. First, the City is concerned with any policy that *contradicts* energy

conservation efforts. Energy conservation is both environmentally and economically beneficial, and the proposal before the Commission works against such conservation. Automatic rate increases disincentive customers to weatherize, lower their thermostats, or invest in their property to maximize energy efficiency. Sustainability exists where three elements intersect: economic consideration, environmental stewardship, and social needs. The current proposal is not Sustainable.

Secondly, the City believes that rate adjustments should be made only in light of the costs associated with providing the service. Automatic rate increases do not encourage DEO to decrease costs. Moreover, they do not provide a mechanism whereby DEO would present its costs in a public setting prior to any rate increases, which would allow decreased costs to factor into the rate equation. If DEO's costs decrease, consumption decreases, but the rate automatically increases, then DEO realizes even more profit on the backs of its customers. This is an unacceptable result.

Thank you again for your consideration of these policy issues. Your decision will directly affect the lives of tens of thousands of people, many of whom live in the Greater Cleveland area.



Name: Liz Hernandez  
Position: Property Services Director, Cleveland Housing Network  
Address: 2999 Payne Ave  
Cleveland, Ohio 44114

Date: August 4, 2008

Testimony regarding the proposed Dominion gas hike

Dominion East Ohio has funded a weatherization program "Housewarming" since 1987. For the past 20 years, Cleveland Housing Network has been the administrator of the program, working with a wide network of community development corporations to effectively deliver the services throughout the Dominion territory. CHN has worked with Dominion to continually fine-tune and improve the services and hopes to continue its long and productive partnership.

*which resulted  
from a rate  
case settlement,*

The Housewarming program has had consistent funding of 3.5 million over the past 5 years. The program reaches approximately 1500 <sup>low income</sup> customers on an annual basis providing insulation, furnace repair or replacement, carbon monoxide detectors and air leakage work in order to decrease the consumption of the qualifying low income client.

*It is an example of a partnership which works,*

Over the years, under CHN's direction and with the guidance and cooperation from Dominion, the Housewarming program has developed its model to become more comprehensive, moving towards technical standards that the state Home Weatherization Assistance Program have developed and standardized and that are widely regarded as state of the art in the energy conservation world.

CHN has encouraged collaboration with other utility programs, such as the First Energy Program, the Cleveland Public power program, and the City of Cleveland water program to maximize as well as the Home Weatherization Assistance Program to maximize the energy savings and more cost effectively deliver all. Leveraged funds over the past 20 years could amount to \$20 million dollars or more, and represent a delivery system that is efficient and effective, *impacting gas, electric and water consumption.*

CHN is committed to continuing to work with the State of Ohio's energy office and other utility efforts to maximize the energy savings for the low income customers who continue to struggle to keep up with their heating and household bills.

In addition to the direct benefit to the customer in energy terms, Housewarming also impacts the safety of their household, as Housewarming provides funding for carbon monoxide detectors, the replacement of faulty and dangerous furnaces, as well as correction of chimney problems which if not corrected could be fatal to the resident. Housewarming inspectors have encountered many of these situations over the years and the program has saved lives.

The environmental benefit is not quantified in my testimony, however the reduction in emissions is a ~~non-energy~~ benefit to all customers and to the world. Avoided bad debt for the company is another benefit, as studies have shown the reduction of participants arrearage as a directly ~~resulting~~ from receiving weatherization services. A reduction in arrearage benefits all rate payers, as well as the company.

As I previously mentioned, funding has been fairly consistent and has given the network of Housewarming providers a means to service those in need. The program is designed to service households falling under 150% of federal income poverty guidelines. For a family of four, the guideline is \$31,000 per year. For a household of 1 the guideline is \$15,600 per year. We have all noticed the state of the economy in Ohio and throughout the country. Social service agencies can tell you that the need is growing. Statistics show us that the number of families that fall in the 150% guidelines is growing. And then there are the families that fall outside these guidelines who are barely making it and cannot qualify for energy assistance towards their bill or a conservation program.

However  
one  
need  
outweighs  
the  
funding  
level.

Many are elderly  
disabled.

This is all to say that the Housewarming program, is currently stretched beyond its funding limits. The territory has greatly expanded, yet the funding has not. Presently the funding covers areas such as Canton, Barberton, Akron, Youngstown, Ashtabula, Painesville, the City Of Cleveland, inner ring suburbs, and territory throughout the state including down to Marietta. There are many other communities not mentioned as it would take too long to even list. The point is that these areas are hurting economically and the funding level needs to be dramatically increased to come close to serving the customers who need these services.

as demand for  
service territory  
expanding

Our experience is that low income customers want to conserve. Many live in homes that are older and leakier than other customers. It takes careful assessments and adequate funding to cost effectively impact the energy consumption and the gas bill.

However

The funding level needs to come closer to \$10 million per year in order to adequately fund the current ~~need~~ and foreseeable need to reach the customers needing the services.

Cleveland Housing Network is looking towards the future of Housewarming which would include:

- Full adoption of the technical standards developed by the Ohio Energy Office
- Certification of all contractors and inspectors which may require additional coursework in house diagnostics, furnace inspection, and ongoing energy related coursework, which CHN is committed to. The discussion with the Ohio Weatherization Training center has already begun in order to reach our technical goals for the program.
- Increased level of funding, expanding the reach of the program to a higher number of customers, ~~and to fund the measures needed in each home.~~
- A demand side management component to offer similar services to all classes of residential customers, not strictly low income. This program design could feature very low interest loans, or rebates to customers to help offset the cost of an energy

audit or energy efficiency upgrades. There are some designs for demand side management programs that could be easily implemented as all consumers face the struggles of a higher gas bill and the higher costs of living in general.

CHN also administers a fuel fund for bill payment assistance, funded with Dominion dollars, which will expire this year. It provides approximately \$137,000, with only a 10% administrative fee. CHN works with clients and other emergency funding sources to stretch these dollars in order to maximize the number of clients it can benefit. It is for some, the only way they can keep their utilities on. It is a last resort emergency fund. Since CHN also is involved in the administration of emergency HEAP dollars, the staff is able to most effectively work out these payment plans with the utility companies and the client. It is our recommendation that the fuel fund be consolidated and thus more cost effectively coordinated to complement the emergency HEAP network. It is unfair to families in crisis to have to chase down the emergency dollars that are available by going around to other agencies who are involved with Dominion fuel fund dollars, such as energy share.

In closing, I ask the commission look at the enormous multiple benefits of the Housewarming program and support its expansion, as well as funding for demand side management programs which can assist the struggling customers who outside the income limits of the Housewarming program.

*are*  
*& LASTLY*


*to drive home the points  
regarding the client needs*

*I offer the following  
excerpts from letters received  
by CHN.*

December 6, 2007

Cleveland Housing Network, Inc.  
2999 Payne Avenue #306  
Cleveland, Ohio 44114

To whom it may concern at:  
Ohio Department of Development  
Cleveland Housing Network, Inc.  
The Housewarming Program  
Tim Davis



We wanted to write a letter of sincere gratitude. This program has made it possible for our household to stay warm and not pay an extraordinary amount in energy bills. We have already seen a huge drop in the amount of energy consumption for last and this month, and we are sure it will continue through the entire winter season!

We want to take a little time to thank Tim Davis for his efforts in completing this job. He has done fantastic work through it all. He continued to stay on-top of any issue that came up and saw it through until the end. He was very friendly and considerate even though there were times he had the right not to be. Thank you very much Tim Davis for your much appreciated efforts!

The Wisecup's:


TO WHOM IT MAY CONCERN:

I AM WRITING TO EXPRESS MY DEEP APPRECIATION FOR YOUR ASSISTANCE IN HAVING MY HOUSE WEATHERIZED.

I AM VERY GRATEFUL TO YOU FOR PROVIDING THE FUNDS FOR A NEW FURNACE AS WELL AS COMPLETE INSULATION. I PROMISE TO THINK OF YOU EACH TIME I RECEIVE A GAS BILL!

I ALSO WANT TO THANK YOU FOR HELPING ME OBTAIN AN ELECTRICAL UPGRADE. THIS IS AN OLD HOUSE AND I WAS ALWAYS CONCERNED ABOUT THE WIRING. NOW, I FEEL MUCH MORE SAFE.

THANK YOU, AGAIN FOR YOUR HELP. GOD BLESS YOU FOR ALL THE ASSISTANCE YOU PROVIDE FOR OTHERS, AS WELL.



8/4/08 Cleveland

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The Public Utilities Commission of Ohio has assigned for public hearing at this time and place Case Nos. 07-829-GA-AIR, 07-830-GA-ALT, 07-831-GA-AAM, 08-169-GA-ALT, and 06-1453-GA-UNC, which are captioned, In the Matter of the Application of The East Ohio Gas Company d/b/a Dominion East Ohio for Authority to Increase Rates for its Gas Distribution Service and other Related Matters.

I was present at the local public hearing held in Cleveland, Ohio, on 8 / 4, 2008, at 12:36 am (pm) I am opposed to the proposal for the reasons expressed by those who have already testified.

Name (Please print)	Address
Pat Shankey	3406 W 148 Cleve OH 44111
Jim Semanick	18903 Nottingham 44110
Connie Davis-Nelson	910 EAST 147ST CLEVE. 44110
WILLIAM A. WEBER	2467 WARRENSVILLE UNIV. HTS 44110
SATINDER P. S. PURI	13217 COOLEY AVENUE CLEVELAND, OHIO: 44111
Ruthie Ann	P.O. Box 1828 / 44106



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I was present at the local public hearing held in Cleveland, Ohio, on 8/4, 2008, at 12:30 am/pm. I am opposed to the proposal for the reasons expressed by those who have already testified.

[illegible]



CLEVELAND DOMINION EAST OHIO GAS  
07-829-GA-AIR

ANYONE WANTING TO TESTIFY IN THE ABOVE CASE, PLEASE PRINT YOUR  
NAME AND ADDRESS BELOW:

- | NAME                       | ADDRESS AND ZIP CODE                               |
|----------------------------|--|
| 1. BILL MOUNTCASTLE        | 4300 W. 194 <sup>TH</sup><br>CLEVELAND, OHIO 44135 |
| 2. SARAH Puri              | 13217 Cooley Ave. Lk. 44111                        |
| 3. Robert E. Green         | 1513 Maple Grove Rd 44121                          |
| 4. Rat Shanker             | 3406 W 148 44111                                   |
| 5. MARIJ. J. McCall        | 601 Lakeside AVE NW<br>44114                       |
| 6. <del>William Kord</del> |  |
| 7. Justin Reiter           | 1701 E. 12th St.<br>Cleveland, OH 44114            |
| 8. Dora McKee              | POB 14604 Cleveland 44114                          |
| 9. Marie Rehner            | 4121 Hinesdale Rd.<br>South Euclid OH 44121        |
| 10. Tom A. F. Mondakun     | 3030 Euclid Avenue #100<br>Cleveland, Ohio 44115   |
| 11. CRAIG STRONG           | 18715 ARDLOON - CLEV. OH                           |
| 12.                        |  |
| 13.                        |  |
| 14.                        |  |



DOMINION EAST OHIO GAS  
07-829-GA-AIR

ANYONE WANTING TO TESTIFY IN THE ABOVE CASE, PLEASE PRINT YOUR NAME AND ADDRESS BELOW:

- | NAME                     | ADDRESS AND ZIP CODE                           |
|--------------------------|--|
| 1. ✓ Siobhan Dubin       | 2021 Atkins Ave #6, Lakewood OH 44109          |
| <del>KEVIN FOLLY</del>   | <del>2839 CONCORD PARKWAY OH 44129</del>       |
| 2. NO Demi Kuehl         | 14400 Detroit Ave 44111                        |
| 3. NO L.O. WEBER         | 2464 WARRENSVILLE<br>UNIV. HTS, OH 44118       |
| 4. ✓ WALTER CISZKEINYCZ  | 281 E. PLEASANT VALLEY<br>SEVEN HILLS OH 44131 |
| 5. ✓ Liz Hernandez       | Clove Housing Auth<br>2999 Ryne Clev 44114     |
| 6. ✓ Jim Zales           | 18903 NOTTINGHAM RD                            |
| 7. ✓ <del>Chadwick</del> | <del>1272 G. Ave</del>                         |
| 8.                       |  |
| 9.                       |  |
| 10.                      |  |
| 11.                      |  |
| 12.                      |  |
| 13.                      |  |
| 14.                      |  |

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