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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

Casa No. 08-935-EL-SSO

In the Matter of the Application ) of Ohio Edison Company, The Cleveland ) Electric Illuminating Company, and The ) Toledo Edison Company for Authority ) to Establish a Standard Service Offer ) Pursuant to Section 4928.143, Revised ) Code, in the Form of an Electric ) ) Security Plan.

BE IT REMEMBERED that upon the hearing of the above-entitled matter held before Commissioner Cheryl Roberto at the Cleveland City Hall Council Chambers, 601 Lakeside Avenue, Cleveland, Ohio, and commencing on Thursday, the 25th day of September, 2008, at 12:00 o'clock p.m., the following proceedings were had.

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1 MR. PRICE: Good afternoon. Welcome to the hearing of the Public Utility 2 3 Commission. We're set for hearing at this time in Case Number 08-935-EL-SSO in the 4 5 Matter of the Application of Ohio Edison Company, the Cleveland Illuminating Company 6 and the Toledo Edison Company for Authority to 7 Establish a Service Offer Pursuant to Section 8 9 4928.143, Revised Code, in the Form of an 10 Electric Security Plan. 11 My name is Gregory Price, the 12 attorney examiner assigned to this case. With 13 me is Commissioner Cheryl Roberto. Let's 14 begin by taking appearances of the parties, starting with the company. 15 MR. KORKOSZ: If Your Honor 16 17 please, on behalf of the applicant, Arthur 18 Korkosz, FirstEnergy Service Company, 76 South Main Street, Akron, Ohio. 19 MR. PRICE: Thank you, counsel. 20 21 MR. POULOS: Your Honor, Gregory 22 J. Poulos. I represent the Ohio Consumers' Counsel and the residential consumers in this 23 24 case. Thank you. 25 MR. BEELER: City of Cleveland,

3 1 Steve Beeler, 601 Lakeside Avenue, Cleveland, Ohio 44114. 2 MR. WARNER: I'm Greg Warner on 3 behalf of the city. 4 5 MR. PORTER: Andre Porter. I work at Schottenstein, Zox & Dunn on behalf of the 6 7 city, City of Cleveland. MR. PRICE: Are there any other 8 9 interveners today for the proceedings? 10 MR. MEISTER: Yes, sir. Good 11 afternoon, Your Honor. My name is Joseph 12 Meister. I'm an attorney with Cleveland Legal 13 Aid Society. 14We're here today on behalf of the 15 Citizens Coalition which comprises the 16 following groups: Empowerment Center of Greater Cleveland, Consumers for Fair Utility 17 18 Rates and Neighborhood Environmental Coalition 19 and the Cleveland Housing Network. 20 We have previously, Your Honor, 21 protested against these hearings and the lack 22 of notice of these hearings. Thank you very much. 23 24 MR. PRICE: Thank you. All 25 testimony at today's hearing will be under

4 oath. After I issue the oath, I'll ask you to 1 2 state your name and give us your address for the record. Let's go ahead with the first 3 witness Valerie McCall. 4 VALERIE McCALL 5 6 of lawful age, a Witness herein, having been 7 first duly sworn, as hereinafter certified, testified and said as follows: 8 MR. PRICE: Please state your name 9 10 and address. 11 MS. McCALL: Sure. It's Valerie 12J. McCall, Chief of Governmental Affairs, City of Cleveland, 601 Lakeside Avenue, Office of 13 14 the Mayor, Cleveland, Ohio 44114. 15 MR. PRICE: Please proceed. 16 MS. McCALL: Thank you. On behalf 17 of Mayor Frank G. Jackson, Cleveland City 18 Council, I would just like to say for thank 19 you for hearing this hearing here at Cleveland 20City Hall, but also so that our residents of 21 the City of Cleveland could get here in an 22 accessible manner to share their concerns. 23 My name is Valerie J. McCall and I 24 am the Chief of Governmental Affairs for Mayor 25 Frank Jackson, City of Cleveland and I am here

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1	today as a representative of the Mayor and
2	Cleveland City Council not only to listen to
3	the comments and concerns expressed by
4	Cleveland's citizens in response to
5	FirstEnergy's request to modify its rate
6	structure and apply for a Standard Service
7	Offering in the State of Ohio, but also to
8	assure the citizens of Cleveland that the city
9	and the administration are keenly aware of the
10	consequences and far reaching ramifications of
11	the request by FirstEnergy and the effect of
12	those requested changes will have on all of
13	us.
14	As part of the effort to make sure
15	that the City of Cleveland and its citizens
16	are properly represented and that our voice is
17	heard in Columbus, the City has filed a motion
18	to intervene in the PUCO's review of
19	FirstEnergy's Electric Security Plan
20	application that is the subject of today's
21	public hearing.
22	Additionally, the City of
23	Cleveland is already an intervenor in the
24	related market rate offer application also
25	filed by FirstEnergy and pending before PUCO.

6 1 The city staff, the law 2 department, special legal counsel and our technical experts are all working diligently 3 to make sure that Cleveland has an appropriate 4 place at the table during the PUCO 5 б proceedings. 7 As proposed, FirstEnergy's ESP and MRO applications have the potential to 8 drastically impact pricing, as well as the 9 10terms and conditions under which the City of Cleveland, its residents and businesses 11 receive retail electric service. 12 13 We wanted to make sure that the 14great citizenry of the City of Cleveland knows 15that the City of Cleveland currently is, and 16 will absolutely continue to, participate fully 17 as a party in the review and approval process 18 being deducted by the PUCO of Ohio in response 19 to this application. 2.0During the ESP and MRO proceedings, the city will work to seek the 21 22 best possible retail electric rates and terms and conditions of service for its residents 23 24 and businesses. 25 The PUCO, however, should

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1	administer the law in a way that will move
2	Ohio to the forefront of states promoting
3	renewable energy sources. This is a big
4	concern for us here in Cleveland. Among the
5	city's concerns is that the alternative energy
6	portfolio standards be meaningful.
7	While we understand that the PUCO
8	may allow a waiver of the standards for "good
9	cause" it is imperative that the good cause be
10	carefully defined. Ohio in general and
11	northeast Ohio in particular have many
12	competitive advantages in the race to build
13	new economies based on the production of
14	renewable energy. We need a regulatory
15	environment that supports these advantages.
16	The mayor has already gone on
17	record with Governor Strickland and Lieutenant
18	Governor Lee Fisher about our concerns in this
19	manner. We desire to communicate to the PUCO
20	and our citizens that the city remains
21	steadfast in its commitment to making sure
22	city staff and our expert legal counsel
23	continue to participate fully in these
24	proceedings, until the best possible result is
25	realized for Cleveland's residents, businesses

8 1 and the city. 2 We have already had conversations with FirstEnergy and have shared this as well. 3 Many will continue to have conversations with 4 them as well. Thank you for your time and 5 your consideration of the citizens of the City 6 7 of Cleveland. MR. PRICE: Thank you. Our next 8 witness is Robert Morton. 9 1.0 ROBERT MORTON 11 of lawful age, a Witness herein, having been 12 first duly sworn, as hereinafter certified, 13 testified and said as follows: 14 MR. PRICE: Please state your name 15 and address for the record. MR. MORTON: Robert Morton, 16 17 Strongsville City Schools, 13200 Pearl Road, 18 Strongsville, Ohio. MR. PRICE: Please proceed. 19 2.0 MR. MORTON: My name is Robert I am the Director of Business 21 Morton. 22 Services and Technology for Strongsville City 23 Schools and I'm here today to talk about the proposed rate increases for generation and 24 25 distribution of electrical power to

1 Strongsville City Schools. 2 Over the last ten years Strongsville City Schools, along with 248 3 other school districts throughout Ohio, and 4 through the Ohio Schools Council have enjoyed 5 a partnership with FirstEnergy that has been 6 7 beneficial to all parties. The districts have realized a 13.4 8 percent lower cost for electrical energy and 9 10 FirstEnergy has had the use of significant 11 dollars realized from a prepayment program. 12 The current program is ending December 31, 13 It is our desire to enter into a new 2008. 14 partnership to continue with those amounts of 15 savings. 16 With the end of the Energy for 17 Education II program and the present value of 18 prepayment program Strongsville City Schools 19 annual electrical cost will increase by 20 \$134,000; that alone represents two and a half 21 teachers. If you increase the generation and 22 distribution rate, it will further reduce the 23 amount of money needed for teaching staff. 24 The district recognizes the cost 25of doing business is increasing; it is for

10 1 everyone. We do not know what the total 2 percentage increase will be, but at minimum it will be 13.4 percent. 3 And I might add since I've written 4 this we have received information that the 5 6 first year's increase request is 5.32 percent, which will now at that rate increase our 7 budget for electrical energy by -- and the 8 loss of savings that we currently have to 9 10\$190,000, which is about three teachers. 11 We strongly encourage the 12 continued partnership that exists with the 13 Energy for Education I and II programs so the 14 districts can continue to provide the 15 excellent educational opportunities for the 16 individuals that will be making these types of 17 decisions in the future. Thank you for allowing me to speak 18 19 today. I appreciate the opportunity. 20 MR. PRICE: Our next witness is 21 Philip Dickinson. 22 PHILIP DICKINSON 23 of lawful age, a Witness herein, having been 24 first duly sworn, as hereinafter certified, 25 testified and said as follows:

11 1 MR. PRICE: Please state your name 2 and address for the record. 3 MR. DICKINSON: My name is Philip Dickinson. I'm the Director of Operations and 4 Business Services for Orange City Schools. 5 6 We're located at 32000 Chagrin Boulevard, 7 Pepper Pike, Ohio. Thank you for letting us 8 present today. Orange City Schools is a public 9 10district. It represents the cities of Hunting Valley, Moreland Hills, Orange, Pepper Pike 11 12 and Woodmere. We're a public school district. 13 We are one of the 249 members of the Ohio 14 Schools Council that participate in the Energy 15 for Education Program. 16 As Bob said, you know, this 17 program gives us a 13.4 percent discount on 18 our electricity for just the school buildings. 19 The program was designed so we prepay CEI and 20 they will take that money and they would 21 service their equipment and build new things. 22 They have the money in advance and, of course, 23 we will get the discount on the public school 24buildings. 25 I'm not sure if that took place

1 because CEI has lost power to Orange and our 2 campus many times over the past few years. 3 They have also given us significant power 4 surges which has caused equipment damage and 5 we have had to buy suppressors and equipment to try to protect the school from the 6 7 fluctuation of power. 8 We had a power outage on Sunday, December 2nd, 2007. It took 11 hours for the 9 10 repair and we had to close school and we lost 11 a day of education. Our last power -- most recent one on Sunday, September 14th took CEI 12 13 12 hours to restore power. 14 And I have been in the school 15 business for 30 years, a little over 30 years 16 now and power outages and surges and slow response were not part of my past experience 17 18 with the electric company. They always 1.9responded and treated us as a high priority, 2.0 not as high as hospitals but, you know, they 21 thought that the public schools were somebody 22 that they needed to get on and get back on 23 quickly. 24 The rate increase follows an 25 announcement from CEI that was in the Plain

Dealer that the 2007 year was record profits
for FirstEnergy, \$1.31 billion, the highest
profit in the 10-year history of the utility.
So, you know, coupled with and I've got the
Plain Dealer article attached to that.
So we have a possible loss of our
Energy for Education program which will effect
Orange about \$100,000. Our yearly budget is
about \$800,000 for electricity, so just the
discount program would increase our cost
\$100,000. And then as I looked over the rate
increases over the few years, they about equal
the loss of the energy program, so that would
be another hundred thousand. So it would be
200,000 total budget increase and that would
be a huge increase for any school district.
So kind of in review, you know,
we've had a decrease in customer service,
FirstEnergy reports record profits, with
possible loss of our energy program for
education, possible rate increase, huge cost
increases for electricity, the economic times
are tough for everyone. It's very hard to
pass school levies and this, you know, so this
kind of increase could cost decrease in

14 educational programs. 1 2 So I'm requesting that the Public Utilities Commission and FirstEnergy treat the 3 public schools as a separate and distinct 4 5 group, that they renew our special rate and 6 that they respond and give us high priority on our service calls. 7 Thank you. MR. PRICE: Our next witness is 8 Ronald Miller. 9 10 RONALD MILLER 11 of lawful age, a Witness herein, having been 12 first duly sworn, as hereinafter certified, 13 testified and said as follows: 14 MR. MILLER: My name is Ronald 15 Miller. My address is 749 Bedford Avenue, 16 Elyria, Ohio. 17 I'm here representing residents 1.8 and consumers of FirstEnergy and many of them 19 may not even realize that they need 20 representation at this point in time, but I 21 have researched the effects of the proposed 22 rate increases by Ohio Edison on my particular home and I would like to share with you some 23 of the information that I have found. 24 25 First of all, I contacted Ohio

Edison and asked them if their rate increases 1 2 were approved as proposed what impact it would 3 have on my bill, specifically beginning in January of 2009. And I received the following 4 5 information back from them. They took a 12 month history and 6 7 they told me what I currently was paying for electricity and what I would pay under the 8 proposed rate increase. In the past 12 months 9 10I paid \$1500 for electricity. Under the new 11 plan, which would take effect in 2009, the same consumption would cost me over \$2500, 12 13 which is an increase in my personal electric 14bill of over a thousand dollars a year on a 15 current \$1500 bill. 16 Now, do the math. Proportionately 17 I keep reading here about how their rates are 18 going to be four percent, five percent, 5.99 19 percent for the average person's home. Okay. 2.0 Well, obviously I do not fit into that average 21 category because my rate increase would be 22 somewhere in the neighborhood of 66 to 68 23 percent. 24 And when I inquired further about 25 it, they said that it would even be greater

1 than that because the rates that they quoted 2 or that they used when they quoted me the proposed increases for 2009 they did not 3 include these proposed rates that was taking 4 the current rates and moving me from the 5 existing rate plan that I'm on to a new plan 6 which was part of House Bill 221. 7 So it deeply disturbs me 8 Okay. 9 that I keep reading how the average person is 10going to have four percent, five percent increases for those three years, but I look at 11 12 my bill and it's going to be 70-plus percent 13 increase in the very first year and then I'm 14 still going to take these additional increases 15in the preceding years. 16 Now I get a special rate because I 17 live in an all electric home. Okay. And 18 those special rates are going to be eliminated, it's my understanding, based upon 19 20the information and feedback that I received 21 from Ohio Edison that they plan to eliminate 22 that. 23 Now our governor has said that he, 24 you know, pushed Bill 221 to stimulate growth 25 and development in the State of Ohio. In my

1 opinion it's very unfair to put a burden like that on a specific population, a small group 2 of people disproportionately share of the cost 3 of those increases is going to be assessed on 4 people like myself who live in an all electric 5 home. 6 7 I would urge you to consider providing some type of protection against that 8 proposed rate increases for owners of those 9 10 types of homes, including myself. Many of 11 these people are not aware of the effects that these increases are going to have on them 1213 because, again, if they go by what they're 14 reading in the newspaper they think maybe 15 they're going to get four or five percent or six percent raises or increases and in reality 16 17 it's going to be 70-plus percent if you live in a home like I do. 18 19 So I would urge you to -- I think 2.0 it's inappropriate to do this. I've contacted the PUCO, I've contacted Governor Strickland's 21 office, I've contacted my state representative 22

23 Matthew Lundy, I've also contacted the

24 Consumer Protection Agency.

25

I believe that gentleman over

18 there said that he was from that agency. 1 And 2 I spoke with a man named Jim Williams down And in every case all the parties that 3 there. I spoke to when I first started talking to 4 them and presenting information about what I 5 6 had learned from Ohio Edison and, again, I'm giving you information that came direct from 7 8 Ohio Edison, they sort of all blew it off. And then when I actually gave them 9 10 dollars and cent representation of the 11 increases and the percentages, every one of 12 them was shocked. No one really believed that 13 those kinds of increases would impact on 14 people. 15 And so I would ask you to please protect us and do not allow these increases to 16 17 I thank you for your time. occur. 18 MR. PRICE: Thank you. Now our 19next witness is Sheila Pennington. SHEILA PENNINGTON 20 21 of lawful age, a Witness herein, having been 22 first duly sworn, as hereinafter certified, 23 testified and said as follows: 24 MR. PRICE: Please state your 25 name.

19 1 MS. PENNINGTON: Miss Sheila Pennington. And a good afternoon. Thank you 2 for my electric bill. Okay. 3 I see that you had an ad in the 4 5 paper and I'm here to ask that the PUCO do the people, senior citizens that happen to live in 6 7 the ghetto do nothing for FirstEnergy. Let them survive like we survived, 8 9 on what they have done and what they're doing 10 now, which is nothing. From the CEOs to CFOs 11 you look good in your black suits and white 12 shirts but that does not help us pay the light 13 bill. 14 I have in my hand my light bill \$1,435. They want that on the 29th of 15 September. I have in this hand my award 16 letter Social Security. It wouldn't cover 17 18 this bill if I borrowed \$500. 19 Now, to this beautiful piece of 20 paper here to be phased in over five years. What and how much would that help us? 21 It's 22 going to increase us. They want us to pitch a 23 tent with a candle and they pass by in their black suits and white shirts, how do you do. 24 25 How do you do?

1 I have another little piece of 2 paper here that you all let me read today. Allows for the recovery of costs. If you lose 3 part of your health, you cannot recover that. 4 It's over, it's gone, it's shot. 5 6 You call these people. They have 7 beautiful girls I guess. I've never seen any of them, but they have the nastiest attitudes 8 when you're trying to explain and ask what can 9 10I do with a \$1,000 light bill? Pay your bill. 11 I almost said to her I'm going to let you know in a minute that I am from the ghetto because 12 13 I can talk to you like you talk to me. Ι 14 don't bother to call them. 1.5When they call me, I call them I get a recording punch this, punch 16 back. 17 That's not what I want. I want a that. 18 voice. I want someone who can deal with the 19public. Remember if you got a mother how 20 would you want somebody to talk to her. The 21same you give, the same you get. But if the PUCO allows these 22 23 lobbyists to pull FirstEnergy's coattail with a golf outing to raise our rents, it's a sin 24 25 and I thank you for listening to me.

21 MR. PRICE: Thank you. Our next 1 2 witness is Ken Clickenger. 3 KEN CLICKENGER of lawful age, a Witness herein, having been 4 5 first duly sworn, as hereinafter certified, testified and said as follows: 6 7 MR. CLICKENGER: Rather sorry I 8 wore a suit. 9 MR. PRICE: Please state your name 10 and address for the record. 11 MR. CLICKENGER: Ken Clickenger. 12 I'm the Business Manager of Euclid City 13 Schools, 651 East 222nd Street, Euclid, Ohio. 14 Some months ago we came here 15 offering testimony with regard to the proposed 16 distribution rate increase and were told that 17 our fears about a generation rate increase 18 shouldn't be expressed at that setting. Now 19 we're here again with a generation rate 20 increase that will be stacked on top of the 21 distribution rate increase and then stacked on 22 top of a 13.4 rate increase your public schools will feel because of the loss of the 23 24 Energy for Education program evidently being 25 dropped by FirstEnergy.

22 1 Now, in Euclid we're bracing for a 2 \$280,000 per year increase which will slash 3 into our budget causing us to layoff employees, employees who service our very 4 needy school children. This increase alone 5 could mean the reduction of more than 11 6 7 security guards. Now, we are already downsizing. 8 We're already reducing services to children. 9 10 We're already faced with revenue losses from the State of Ohio and inflation because of 11 diesel fuel costs for our school buses and 12 13 unfunded mandates that will surely drag us 1.4 down. We have done what we can to conserve 15energy, in the last 18 months have invested 16 \$1.5 million in energy saving equipment and 17 controls. 18 Please consider that the only place that the public has to say no is in the 19 20voting booth for schools and school issues. There will be hundreds of school districts on 21 22 the ballot in November trying to stay afloat. 23 These rate increases need to come to us more 24gradually through a revamped Energy for 25 Education program that treat schools

	23
1	differently and fairly. Thank you.
2	MR. PRICE: Thank you. Tom
3	Mendelsohn.
4	THOMAS MENDELSOHN
5	of lawful age, a Witness herein, having been
6	first duly sworn, as hereinafter certified,
7	testified and said as follows:
8	MR. PRICE: Please state your name
9	and address for the record.
10	MR. MENDELSOHN: My name is Tom
11	Mendelsohn. I'm Executive Director of the
12	Empowerment Center of Greater Cleveland,
13	formerly the Welfare Rights Organization.
14	We work with low income
15	individuals and families trying to assist them
16	with basic needs as they arise. Every day
17	somebody comes to our door or calls us up on
18	the phone and says something happened in my
19	family and I need some help. I don't have
20	enough money for food. I got my utilities
21	disconnected. It could be anything like that.
22	An example of how increasing rates
23	might impinge upon daily living of one of
24	these families, and I'm speaking for someone
25	who couldn't be here today. She is a kinship

24 1 care giver, a grandparent like maybe some of 2 us in the room are. 3 I know I'm a grandparent and I 4 know that my day or my week sometimes gets changed because one of my grandkids needs to 5 6 be picked up, but anyway this grandparent 7 happens to be on a pension. She has an ill She receives a small stipend through 8 spouse. the county to cover her grandchildren. 9 10 And by the way, it's my 11 understanding that that's less if there is a 12 familial relationship than somebody that might 13 get if they were in foster care. So 14 increasing a rate for a utility for whatever 15 the reason has a domino effect on what a 16 family's basic income might be in terms of 17 where do I put the money? Do I put it to medicine for my grandchildren? Do I put it to 1819 the food that I need to have for the family? 2.0So I would really caution a utility company like FirstEnergy in terms of 21 22 their process of raising the rates. I think 23 it's great to figure out ways of spending 24 millions and millions of dollars on efficiency 25 and we all know that we need to do that. We

need to conserve energy in many different 1 2 ways, but how will these millions of dollars actually reach the constituents, the 3 consumers, the people that really need the 4 5 help for weatherization or for conservation? 6 So many of the homes are so old in the inner rings of the city that it would 7 really help to work with organizations already 8 in existence in the community to try to help 9 10bring programs that will help decrease the 11 cost of utilities by improving and upgrading 12 the homes. So I would like to ask what 13 14 constitutes the right amount of dollars? What's the sufficient amount of notice that a 1.5 utility company needs to give to the 16 17 constituents to prepare for an increase because it has that domino effect that I 18 19 mentioned and how will the funds actually reach the consumers who are in need and that 20 21 concludes my statement. Thank you for the 22 time to speak. 23 MR. PRICE: Thank you. Next witness is Mike Lenzo. 24 25 MICHAEL LENZO

26 1 of lawful age, a Witness herein, having been first duly sworn, as hereinafter certified, 2 3 testified and said as follows: MR. PRICE: Please state your name 4 5 and address for the record. 6 MR. LENZO: Yes. My name is Mike 7 Lenzo, 11136 Ravenna Road in Twinsburg, Ohio. 8 My position is Assistant to the 9 Superintendent with the Twinsburg City 10 Schools. 11 I would like to thank the 12 commission for allowing me the opportunity to 13 explain how an electric rate increase will 14 impact the education of our children. 15 As you know, school funding is a 16 major issue in our state and any increases 17 means the basic cost of operating our district 18 will take away dollars from the budget and 19 other items that we need to pursue. 20 Although our community has been 21 very supportive of our district, this increase 22 will have a direct impact on educating students. Our district is currently 23 24 struggling to overcome the passage of House 25 Bill 66. This house bill deals with the

27 phase-out of tangible personal property tax 1 and that revenue that we use for schools. 2 The state's restructuring of this 3 funding was an attempt to assist businesses in 4 5 the state. Unfortunately the change in the 6 tax has impacted our school district in a 7 negative fashion. We, more than most schools 8 in the state, use this type of funding to run 9 our programs. 10 I mention this only because the 11 tangible personal property tax rollback benefits business, but it is devastating to 12 13 how we fund our schools in our community. 14 Please know that our district has benefited 15 from and is very appreciative of the Energy 16 for Education II program. 17 The proposed changes, however, 18 could increase energy costs and adversely 19 affect our district. Early estimates put the 20 figures at 13.4 percent but could be as high as 30 percent. This is the cost of 21 22 approximately four teachers. With increasing 23 enrollment that our district is experiencing, we will not be able to hire the new teachers 24 25 needed to keep up with our growth.

28 1 We have worked diligently to contain costs but, unfortunately, through the 2 3 next few years will be seeking operating levy money to replace the losses of this type of 4 5 revenue. In closing, I would like to thank 6 you very much for the time to listen to my 7 concerns. I would also like to ask that the 8 program be continued. Thank you. 9 10MR. PRICE: Thank you. Our next witness is Joseph Orevec. 11 12 JOSEPH OREVEC 13 of lawful age, a Witness herein, having been 14 first duly sworn, as hereinafter certified, testified and said as follows: 15 16 MR. PRICE: Please state your name 17 and address for the record. 18 MR. OREVEC: Joseph Orevec, 4027 East 29th Street, Newburgh Heights, Ohio. 1920MR. PRICE: Please proceed. 21 MR. OREVEC: Ladies and gentlemen, 2.2 I come here today because one of the goals at FirstEnergy is saying that they're going to 23 take care of us. Their electric security 24 25 playing goal is to maintain and improve their

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power distribution system.

I come to you today giving you a 2 3 little history lesson about FirstEnergy and maintaining their system. On August 14, 2003 4 5 the United States and Canada was effected by one of the worst power outages in history and 6 7 it was a direct result of the lack of maintenance of FirstEnergy maintaining their 8 power grid, namely, their easement underneath 9 10 their power lines. 11 When the power surge because of 12 air conditioning use, the lines sagged and 13 then it arched to foliage and trees and caused 14 a forest fire. This caused turbine trips all 15 across the U.S. and took out 40 million people in the United States without power and 10 16 17 million in Canada. 18 I come to you today to say that 19 this company should be maintaining their 2.0property like any responsible property owner 21 and I tell you that where I live in Newburgh 22 Heights they have laws in place about noxious 23 weeds, weed control, forestry and everything 24 else. 25 As a homeowner I'm responsible to

1 control noxious weeds from invading my 2 neighbor's property, from having things like poison ivy, poison oak and other things from 3 4 being overgrown, but this company right now 5 behind my property has Japanese bamboo, poison 6 ivy, poison oak just inundating the area and affecting neighbor's properties. 7 And all that is going to happen as 8 a result of them not maintaining their 9 10 property as they should be doing as of right 11 now, they're going to have another outage due to their negligence and their neglect of 12 taking care of their property. 13 14 They're saying that they want to increase our rates. Mainly one of the things 15 16 said improve the distribution system and 17 maintain their property. I'm saying right now 18 that they are not doing their job as to 19 maintaining their property. And in all aspects they're collecting rate money from us 20 21 now and part of that is to pay for maintaining their power grid and the property underneath 22 23 the power grid by having it manicured and landscaping companies that they contract with 24 25 to take care of their property.

They are not doing that and why 1 2 should we give them more money to do something that they refuse to do? I am not responsible 3 as a homeowner to maintain their property. 4 5 They are getting billions of dollars in tax б incentives. They're getting billions of 7 dollars from customers across this region to maintain their property as part of their cost 8 of doing business. 9 10And if they were a landlord and 11 they were collecting rent and part of the 12responsibility was to maintain the property 13 for their tenants, they would be labeled right 14 now slum lords and it's exactly what they are. 15 They do not maintain their properties and, therefore, they're causing 16 17 irreparable harm to people's property values, 18lifestyles and causing property problems for 19 children that may come into contact with 20 poison ivy, poison oak and other things that 21 are on their property that they refuse to take 22 care of. 23 They are in violation of Newburgh 24 Heights ordinances about maintaining their 25 property. Every other business: Church, gas

station, homeowner in the Village of Newburgh 1 Heights, one square mile, 2300 people, takes 2 3 care of their property, but this company does not take care of their easement which is 4 probably the largest parcel of land outside of 5 the parks that are in the village. They're 6 7 the single largest owner of property and they do not take care of their property. 8 9 Thank you. 10 MR. PRICE: Thank you. Our next 11 witness is Greg Markus. 12 GREG MARKUS 13 of lawful age, a Witness herein, having been 14 first duly sworn, as hereinafter certified, 15 testified and said as follows: 16 MR. PRICE: Please state your name and address for the record. 17 Greg Marcus. 18 MR. MARKUS: I'm 19 with Rocky River City Schools, 21600 Center 20 Ridge Road, Rocky River, Ohio 44116. 21 Good afternoon. I'm Greg Markus. I'm the Treasurer and Chief Financial Officer 22 of the Rocky River City Schools and I'm here 23 24 today representing the students, citizens, 25 staff and Board of Education of the Rocky

	33
1	River City School District.
2	I would like to thank the
3	commission for allowing me to explain how an
4	electric rate increase will impact the
5	education of our children.
6	We are very appreciative of the
7	support FirstEnergy has provided to our school
8	district, as well as the other 248 districts
9	in the Energy for Education II program in the
10	past. We have had two Energy for Education
11	programs over the last ten years which have
12	been very helpful in keeping our electric
13	rates down. These savings have been used for
14	increased learning opportunities for all
15	students.
16	The current Energy for Education
17	II program will expire on December 31, 2008,
18	which will cause our electric rates to go up
19	at a minimum of 13.4 percent. Any new
20	distribution rate increase and any generation
21	increase authorized by the PUCO will be on top
22	of that increase.
23	Collectively the loss of the
24	current Energy for Education II program will
25	cost the 249 participating districts over

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1	\$11.7 million per year. FirstEnergy's
2	distribution rate increase in this PUCO case
3	and any generation increase will be in
4	addition to that \$11.7 million.
5	The Ohio Schools Council is
6	currently analyzing the amount of rate
7	increase that will result from the generation
8	rate proposed by FirstEnergy. That analysis
9	is not yet complete, but we anticipate that it
10	will be significant.
11	This is an unfunded mandate over,
12	which we have no control. We will have to cut
13	elsewhere in our budget in order to fund this
14	increase. For our district we are estimating
15	that the total increase could be the
16	equivalent of up to three teachers or
17	approximately \$180,000.
18	As you know school funding is a
19	major issue in our state. School levy
20	requests are a constant these days and
21	taxpayers are nearing their breaking point as
22	evidenced by recent elections in which more
23	than half of school levy issues have failed
24	with many experiencing multiple failures.
25	Any increase in the basic costs of

1 operating our district will take away dollars 2 from other budgeted items and our school 3 district, as well as the others in this 4 program, simply cannot afford to absorb this 5 level of increase. 6 Rocky River just passed a 5.9 mill 7 operating levy this past March that we have 8 not even yet started to collect upon. This 9 levy was requested to enable us to keep our 10 current level of educational programming and 11 to recover from significant losses of property 12 tax revenue and huge increases in medical 13 insurance and fuel costs that we have 14experienced over these last several years. 15 Any increase in electric rates would further strain our finances to the point 16 17 where we'll have to cut programs. With 18 large-scale facility needs in our district and 19 the fact that we just had a levy approved, we 20 simply cannot ask for additional tax revenues 21 from our citizenry. 22 Overall, the loss of the Energy 23 for Education II program, the loss of the 24 special school rates and the anticipated 25 increase in rates for distribution and

36 generation may increase the 249 districts' 1 2 electric bills in this program by 3 approximately one-third. 4 Further, the Ohio Schools Council's analysis has concluded that schools' 5 load characteristics are more favorable than 6 7 other commercial customers. Schools do not 8 peak during the three summer months like other commercial customers because school is not in 9 10 session largely during those peak months. 11 Therefore, special rates which currently exist for Toledo Edison and CEI customers are 1213 justified and should continue and new special 14 school rates should be established for Ohio 15Edison. 16 This increase hits school 17 districts especially hard with the loss of the 18 discount in the Energy for Education II 19 program. This is not a gradual increase, but 20 rather a huge increase that cannot be absorbed 21 by us without significant cuts to our 22 programs. 23 We are asking that the PUCO at a 24 minimum order FirstEnergy to offer the Ohio 25 Schools Council and its 249 public school

37 1 districts an Energy for Education III program 2 to achieve gradualism in any rate increases to the schools that may increase from this case. 3 I would like to thank the 4 commission for listening and to all those who 5 6 have testified or will testify today. We hope that the commission would be sympathetic 7 towards schools and look at us as a distinct 8 group, worthy of school rates, which have been 9 10in effect previously. Thank you. MR. PRICE: Thank you. Let's go 11 12 off the record. 13 (Off record discussion had.) 14 MR. PRICE: Back on the record. 15 Our next witness will be Tim Walters. TIMOTHY WALTERS 16 17 of lawful age, a Witness herein, having been 18 first duly sworn, as hereinafter certified, testified and said as follows: 19 20 MR. PRICE: Please state your name and address for the record. 21 22 MR. WALTERS: My name is Tim 23 I'm a community organizer. Walters. 4510 Broadview here in Cleveland. I would like to 24 25 address a number of points here very quickly

38 1 that I feel need to be brought up. 2 One is participation. I think as 3 the woman indicated before, we see a number of 4 people in white shirts and suits. I'm just comforted that I don't have either on at the 5 6 moment, but the point is if you're really interested in the impact of the public you're 7 not going to hold a meeting in downtown 8 Cleveland at noon on a weekday at a place that 9 10 you're going to pay anywhere from six to \$8 11 to park. You're not going to hear the people 12 that you want to. 13 I do work as a community 14 organizer. I was out in Garfield Heights when 15 they had the hearing out there and they had a 16 significant number of people. They held it in 17 the evening. They held it in a place that 18 people were familiar with and they gave out 19 advance notice to the community that they were 20 going to come down. 21 If you really want to hear what 22 people have to say, if you really want to have 23 to think, you can't depend on them to come to 24 They have other commitments during the you. 25 day. You have to reach out and do it in the

39 community. 1 2 Like I told Chairman Schrieber at that meeting, and I know Tom Mendelsohn as 3 well, if you come out to our community and you 4 want to find a place for people to come to 5 6 speak, we'll find you places. It's not that hard to do. 7 The other thing is I'm a college 8 graduate and one of the things that I have 9 10prided myself on was my vocabulary and as I 11 look at this I hear this total security plan. 12 As I look at it for the people that I work 13 with, and I work primarily with low-income 14 people in the community, I can't find anything that relates to their security. 15 I can find something that relates 16 17to the security of the CEOs or the energy 1.8 companies so they continue to drown millions 19 of dollars. 20I can find things that relate to 21 the security of the PUCO so they can continue 22 to operate and I can find something that 23 relates to security of many of our lawyers because this seems to keep a number of them in 24 25 work, which I admire very much with that, but

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1	what I don't see anybody taking a look at is
2	how is this going to impact?
3	And this goes back to the
4	participation. How is this going to impact
5	our community people and what have we done as
б	we develop these rules to involve them? We
7	talk about we're going to bring in this plan
8	over a five year period. Well, what we
9	haven't done any time is going out in the
10	community and saying what is this going to
11	mean to you?
12	And the part that really concerns
13	me and I'm involved in a number of other
14	things with the Strickland administration
15	where they're taking an active look and
16	they're even asking are we measuring poverty
17	adequately? And they're holding regional
18	meetings or going out to meet with people, but
19	on the other side we're having decisions made
20	that we're going to raise the costs that these
21	people have to pay.
22	And when we talk about five
23	percent, ten percent, one percent to many
24	people in the community with all the other
25	things going on they can't afford it, which

1 brings me to my last point is that if this is 2 going to happen, if this is going to take place, then there has to be safequards built 3 in that are going to enable the average 4 consumer to retain their electricity. 5 6 Some of this has to be programs 7 that bring their homes to a level that's going to lower those rates and I believe I saw in 8 there that we're talking about FirstEnergy has 9 10 offered \$25 million. I'm sad to say I'm not 11 really impressed. I could see a figure much larger than that, at least around a hundred 12 million or higher given their profits and what 13 14 they take out of it to protect our consumers. 15 I also recommend that there has to be a look at the type of assistance and who we 16 17 provide assistance to out of the communities 18 and this is already happening in other parts 19 of the Strickland administration but it has to 20 happen here as well. 21Right now we cut off assistance at 22 150 percent at poverty. This leaves many of 23 our consumers without any recourse, without 24 anywhere to go to find any type of assistance. 25 And we need to include those parts in here or

42 if we do this the only security that we're 1 2 addressing or addressing ourselves to is people who are already making millions of 3 dollars a year. Thank you. 4 5 MR. PRICE: Thank you. Our next witness is Bernard Pritchett. 6 7 BERNARD PRITCHETT 8 of lawful age, a Witness herein, having been first duly sworn, as hereinafter certified, 9 10testified and said as follows: MR. PRITCHETT: I'll be 11 12 testifying today about lights. My lights 13 based upon electricity. Without electricity 14 my machines don't work. Without my medicine I 15 will die. I have been in a coma too many times. I have grand mal seizures. A lot of 16 17 my medicine has got to be refrigerated. 18I had to go to a hospital, stay in 19 the hospital. My lights was off for four 20days. My medicine ain't no good. Now I got 21to restock. I throw my food away, you know. 22 Don't make no sense to pay the lights if you 23 can't have light. Light. 24 I'm pretty sure some of you all got people that have to have medicine. 25

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1	Somebody in your family has got to be sick,
2	somebody need medication. I need medication.
3	I'm a diabetic and half of my medicine is
4	liquid. I have to take over 30,000 milligrams
5	a day just to live.
6	Without light I don't have
7	nothing. I call for lights. They tell me to
8	go buy a generator. I'm on a fixed income.
9	I'm poor. I mean, what can I do? Tell me.
10	Light company, they don't they
11	never get their lights cut off. The people
12	that own the light company, they ain't worried
13	about nothing but they worry about getting
14	paid, where the next buck comes from.
15	I live in a low-class
16	neighborhood. I have to have light. I have
17	to eat. I have to eat three square meals a
18	day but I lose everything I got. What can I
19	do? Tell me what can I do? I lost. They
20	almost cost me my life. That's what I had to
21	come down here today to tell you about.
22	I'm going to die without lights.
23	Without lights I got nothing. They want to
24	cut off public transportation. I live right
25	on the bus line. Without that bus line I

1 can't make where I got to go. Provide a ride 2 to medical. Come to other personal matters I 3 have to take care of myself. So what am I supposed to do? What should I do? I'm lost. 4 5 In this bag I carry nothing but my This is my whole medical records. 6 life. Μy 7 doctor came to my house when the lights was out and gave me a phone. He would have bought 8 9 me a phone so I could have some type of 10 contact. He said he is going to give me 11 lights. Now I have to order lights. So I 12could say I'll be safe. And I hope all senior citizens 13 also around the world will be safe too. I'm 14 1.5 58. I can't -- I'm in worse shape than I have 16 ever been. I made it down here with another 17 lady. I don't know how I made it down here. 18 She brought me. That's what I have to testify 19 to today. 20 Light bills. Senior citizens 21 don't stand a chance. We don't stand a 22 chance. Nobody cares. Just like sweeping up 23 under the rug. That's what I have to say. 24 But my medication I had to destroy and go to 25 the hospital so I had lights. My life is

45 based upon lights. Got to have lights. Bills 1 2 is too high. Thank you. MR. PRICE: Our next witness is 3 Liz Hernandez. 4 LIZ HERNANDEZ 5 6 of lawful age, a Witness herein, having been first duly sworn, as hereinafter certified, 7 testified and said as follows: 8 MR. PRICE: Please state your 9 10name. 11 MS. HERNANDEZ: My name is Liz 12 Hernandez. I'm the Property Services Director 13 of the Cleveland Housing Network, 2999 Payne 14 Avenue, Cleveland 44114. 15 I'm here today to speak to the need for weatherization and energy efficiency 16 17 programs that will lower the energy costs for 18 low-income customers, as well as others if 19 programs were made available. 20 As rates continue to climb, energy conservation is one of the few ways that 21struggling low-income residents will be able 22 23 to impact their deepening and disproportionate energy burden. 24 25 Cleveland Housing Network is one

	46
1	of the leaders in providing low-income energy
2	service provider to the community for over 20
3	years. CHN has worked in partnership with
4	many community development organizations
5	throughout the northeast Ohio territory to
6	provide their residents these services.
7	Cleveland Housing Network
8	administers the Dominion East Ohio energy
9	program, receives funding from the FirstEnergy
10	Community Connections program through Ohio
11	Partners of Affordable Energy, and works with
12	the City of Cleveland in servicing residents
13	with the State of Ohio's Home Weatherization
14	Assistance program.
15	In addition, Cleveland Housing
16	Network is one of the service providers of the
17	Electrical Partnership program providing
18	electrical baseboard audits and measures to
19	high electric users in the FirstEnergy
20	territory. Our experience in service delivery
21	and technical know how is deep.
22	When fully funded, CHN is able to
23	provide comprehensive services, both electric
24	baseload energy efficiency programs, as well
25	as gas conservation, in addition to providing

47 1 for health and safety related measures to allow for full weatherization measures to be 2 3 installed. An example of health and safety 4 5 measures would be the correction of a furnace venting program or a blocked chimney that 6 7 could potentially cause carbon monoxide to escape into the home, or the correction of 8 9 faulty wiring that's needed to ensure the safe 10 installation of cellulose materials to 11 insulate the walls and attic. 12With regards to FirstEnergy 13 funding specifically: Funding is currently 14 not meeting the needs of the low-income 15 residents in the FirstEnergy territory. For the past several years the funding level of 16 17 \$2.7 million has been allocated to the 18Community Connections program. 19 This funding amount is spread 2.0 throughout the FirstEnergy territories of Ohio 21 Edison, Toledo Edison and the Cleveland 22 Electric Illuminating service territories. 23 A network of community development 24 organizations have been involved in delivering 25 services throughout the communities of

northern Ohio, implementing the program as a 1 2 coordinated effort with other energy 3 efficiency programs funded by utilities and the State of Ohio. It is a crucial component 4 to be able to impact the total energy usage of 5 the low-income client. 6 7 The FirstEnergy program allows for the replacement of inefficient, high use, what 8 we call energy hog refrigerators with an 9 10 energy star appliance based on metering the It also allows for the 11 appliance. installation of efficient lighting with the 12 13 installation of compact fluorescent bulbs in 14 areas where they are used the most in the 15home. 16 In addition, the repair of faulty, 17dangerous wiring in owner-occupied homes and 18roof repair or replacement are allowable 19 measures, done to be able to fully insulate 20 the walls and attics in a safe manner. The 21funding provided by FirstEnergy allows for 22 leveraging additional dollars. 23 While electric baseload programs 24 may average a thousand dollars with repairs 25 included, the leveraged dollars amount to

49 three times that amount from the state and 1 Dominion programs. The energy savings from 2 3 these programs can lower the usage of a lower income consumer by anywhere from 30 to 45 4 5 percent. We have had some even higher. 6 FirstEnergy funding in 2007 and 7 2008 was expended well before the end of the funding cycle, with most agencies requesting 8 9 additional money to meet the growing needs of 10 their communities. However, there were no 11 additional dollars to be had. As well, there is currently no 1213 funding in place for 2009 and beyond. 14Immediate attention to this funding crisis is 15needed to avoid discontinuing these valued 16 programs. No FirstEnergy funding means 17 putting in jeopardy the ability of energy 18 program providers to provide a comprehensive 19 service. 20 Many clients will be denied any 21 service without FirstEnergy funding, which is needed to make the required safety repairs to 22 23 the electrical system to allow for the 24 insulation programs, as I mentioned 25 previously.

As well, no baseload work at all 1 2 will be done without a renewed funding commitment by FirstEnergy, which needs to be a 3 part of any rate agreement. 4 5 The funding has been inadequate 6 despite the growing need and the increased 7 capacity of the providers to get to those clients in need to provide this service. 8 I urge the commission to seriously 9 10 consider that this company cannot continue to 11 raise its rates without a serious commitment 12 to energy conservation for low-income customers and for all customers who are 13 14interested in reducing their consumption. 15 The only way to reduce the energy 16 burden of those who are low income or middle 17 income is to invest in conservation programs. 18 The number of persons eligible and in need of 19 services in northern Ohio far outweighs the 20 availability of funding to provide such 21 services. 22 In addition, agencies are also 23 being asked by struggling residents in their 24 community who do not fit the income guidelines 25 for these same services reflecting the

1 struggles of the working poor and the middle class customers who fall outside the 2 150 3 percent of federal poverty level that most 4 programs use as the guidelines for 5 eligibility. We must work on a program design that will assist with their need to conserve 6 7 and reduce their expenses. 8 In summary, Cleveland Housing Network is advocating that the PUCO include 9 10 the funding of the Community Connections 11 program currently administered through Ohio 12Partners for Affordable Energy at a much 13 higher level. The current funding needs to be 14 at an amount triple its current amount and 15allow for the servicing of clients outside the 16 poverty limits. I would suggest looking at an 17 amount of \$10 million annually for the next 18 ten years as a starting point. 19 As well, there needs to be a 2.0 mechanism that PUCO puts in place to hold 21 FirstEnergy to its promises made in rate cases 22 around the funding efficiency programs. 23 It has been frustrating to see 24 that moneys promised the low-income community 25 have not always been delivered as promised.

52 1 Several years ago many millions of dollars that were part of a settlement to fund these 2 3 same low-income programs was diverted to 4 another organization that was building a few all electric homes. 5 6 While it may have been a worthy 7 project, it did not have the impact of thousands of FirstEnergy low-income customers 8 that could have benefited from this funding 9 10 through the established network of providers 11 as I've described today. Thank you for your time and 12 13 attention. 14 MR. PRICE: Next witness is 15 Loretta Hunter. LORETTA HUNTER 16 17 of lawful age, a Witness herein, having been first duly sworn, as hereinafter certified, 18 19testified and said as follows: 2.0MR. PRICE: Please state your name 21 and address for the record. 22 MS. HUNTER: My name is Loretta 23 Hunter, 9813 Orleans Avenue, Cleveland, Ohio. 24 I am a 59 year old grandmother who 25 is reparenting. I reparented six of my

53 1 grandchildren and I currently have four grandchildren in the home. I'm also a cancer 2 survivor. I'm also very ill. 3 I have a number of illnesses. 4 Ι 5 have bronchitis. I have a grandson that has 6 bronchial asthma. I also have congestive heart failure. 7 8 Trying to decide whether to buy my medication or to buy shoes for my 9 10 grandchildren or how much food to buy for my 11 grandchildren in order to pay the rising cost 12 of the utilities, which we do need. If my lights are cut off, I do not 13 14 have gas because my stove comes on because of 15electricity. My oven comes on because of 16 electricity. My furnace works because of 17 electricity and my hot water tank works 18 because of electricity. We are on a fixed 19 income. It is very hard for us. 20 I know that you probably have to 21 make rate increases, but think about the 22 people that don't get the increases. When we 23 get an increase, cost of living increase on our checks or whatever, any other things that 24 25 we get it gets increased. If we're on a fixed

1 income where our rate is allocated for our rent because of how much money we pay, our 2 3 rent goes up. So when we get the little bit increase, then we get more taken away from us. 4 5 It is very hard for us to pay the rates that we have. Even if we're on PIP or 6 7 whatever. It is very, very hard. I wish you 8 would think seriously about the impact that would be placed upon the people of the 9 community when you make this rate hike. 10 11 Thank you very much. MR. PRICE: Our next witness is 12 13 Mary Dodd. You're going to pass? 14 MS. DODD: Yes. 15MR. PRICE: Our next witness is 16 Steve Indak. 17 STEVE INDAK 18 of lawful age, a Witness herein, having been 19first duly sworn, as hereinafter certified, testified and said as follows: 20 21 MR. PRICE: Please state your name and address for the record. 22 23 MR. INDAK: My name is Steve 24 I work for Congressman Dennis J. Indak. 25 Kucinich, 14400 Detroit Avenue, Lakewood,

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1	Ohio.
2	I'd like to read for you all here
3	a letter that Congressman Kucinich sent to
4	Chairman Schrieber today on this case. It
5	reads as follows: Dear Chairman Schreiber, I
6	strongly oppose FirstEnergy's proposed
7	Electric Security Plan or ESP which would
8	increase consumer electric bills from four to
9	six percent each of the next three years, not
10	counting the proposed distribution rate.
11	My constituents should not be
12	strapped with such a utility increase.
13	Natural gas prices are up; gasoline prices are
14	up; prescription drug prices are up as were
15	referenced earlier. Grocery prices are up.
16	A seemingly insignificant electric
17	bill increase could lead to low-income
18	individuals and families having to choose
19	between groceries, prescription drugs or
20	transportation.
21	Over 15,500 homeowners in Cuyahoga
22	County fell victim to foreclosure in 2007.
23	Numbers for 2008 suggest this trend is only
24	worsening. High utility bills were
25	undoubtedly a contributing factor. Such an

56 increase would contribute to additional 1 2 foreclosures in the future. 3 Now, electricity is basic necessity. Payment is not optional. 4 Rate hikes like this hit those hardest who are 5 6 already living at the edge of their means. We 7 must not let FirstEnergy dump their purported costs onto low-income and fixed-income people 8 9 like seniors, while FirstEnergy racks up 10 profits. 11 In 2007 FirstEnergy posted a net 12 income of \$1.31 billion. According to the 13 publication Business Week, the president and 14 CEO of FirstEnergy received a total calculated 15 compensation of \$12,753,326 in 2006, five 16 times higher than the industry average for 17 that same year for that same position. 1.8As a result of deregulation, 19 FirstEnergy has been driven by motivation to 20 put profit above the public interest. This culture has led to a lack of maintenance and 21 deterioration of their infrastructure. 22 This 23 was also mentioned earlier. 24 FirstEnergy's long history of 25 management failures and role in the 2003

1 blackout have left many in northeast Ohio with no faith in their private electric utility 2 3 company. In August 2003 I filed a complaint 4 with the PUCO to revoke FirstEnergy's license 5 6 to operate in northeast Ohio. Federal investigations searching for the causes of the 7 blackout have since confirmed the complicity 8 9 of FirstEnergy. The ten page complaint cites 10 multiple violations of federal and state 11 regulations, as well as Enron-like accounting 12 as the reason that FirstEnergy is not suitable 13 or capable to serve the residents of northeast 14 Ohio. We have seen examples of such 15 accounting in the ESP proposal in discussion today. 16 17 FirstEnergy should not be 18 permitted to operate in such a reckless 19 fashion while being rewarded with rate increases that will continue to pad their 2021 pockets at the expense of my constituents. 22 Although Ohio Senate Bill 221 23 mandated FirstEnergy to file an ESP, the 24 PUCO's hands are not tied in accepting the 25 inflated provisions of it. In fact, the PUCO

is charged with determining if excess profit 1 occurred under an approved ESP. The PUCO 2 3 should save itself from making a future determination with mandating a reasonable ESP 4 5 for Ohio's consumers. 6 As part of this case, FirstEnergy 7 lowered their original proposed distribution 8 rate annual increase of \$340 million by more 9 than half to \$150 million per year. Such a 10 dramatic change should make us all extremely 11 skeptical and hesitant. FirstEnergy now wants \$150 million more, but FirstEnergy needs zero 12 13 increases to continue to make a reasonable 14 profit. 15I thank you for holding a series 16 of public hearings on this important issue, 17 including this one here today in Cleveland. Ι respectfully remind you that the reason for 18 19 the PUCO's existence is to ensure adequate 20 consumer protections are in place. 21 A decision to allow FirstEnergy to 22 raise their rates would be a slap in the face 23 to consumers that are facing more and more 24 increased costs of their own every day. 25 The PUCO should seize this

59 valuable opportunity to protect the public 1 from another attempt at price gouging. 2 MR. PRICE: Anyone who has not had 3 an opportunity to sign the sign-up sheet here 4 who would like to testify please do so. 5 Our next witness is Stefanie 6 7 Spear. STEFANIE SPEAR 8 of lawful age, a Witness herein, having been 9 10 first duly sworn, as hereinafter certified, 11 testified and said as follows: 12MR. PRICE: Please state your name 13 and address for the record. 14 MS. SPEAR: My name is Stefanie 15Spear, 5 Skyline Drive in Moreland Hills, Ohio. 16 17 MR. PRICE: Please proceed. I currently receive my 18 MS. SPEAR: 19 electricity for both my home and business from 20 FirstEnergy via the Illuminating Company. Μv 21 community is one of the 126 member communities 22 that receives its electricity rates through 23 the Northeast Ohio Public Energy Council 24 (NOPEC). 25 I fully support governmental and

1 community aggregation and believe that the decisions made by the Public Utilities 2 Commission of Ohio should ensure the 3 continuation of organizations like NOPEC. 4 Large scale opt-out governmental 5 aggregation is good for residential and small 6 7 business customers because it provides purchasing power, keeps the energy market 8 competitive and helps make certain that Ohio 9 10 remains open to other power sources that can 11 provide financial savings. In addition to financial savings, 12 13 I feel that it is extremely important that the PUCO ensure that electricity companies 14 1.5 throughout Ohio meet or beat the renewable energy standard and energy efficiency 16 17 benchmarks set by the passage of Senate Bill 221. 1.819 In the State of Ohio more than 87 2.0 percent of our energy comes from the burning of coal and Ohio ranks fourth in the nation 21for carbon dioxide emission which scientists 22 23 say is contributing to climate change and global warming. I believe that the PUCO plays 2425 a major role in renewable energy future for

our state and must make sure that all of the 1 2 decisions it makes encourages the transition 3 to cleaner energy sources. Currently NOPEC has a letter of 4 5 intent with Florida Power and Light to supply 6 electricity to the 126 NOPEC member 7 communities in northeast Ohio over a three year period beginning in 2009. 8 This letter of intent includes an 9 10agreement that would exceed renewable energy provisions of the statute by at least 50 11 12 percent. Florida Power and Light is the 13 nation's leading generator of wind and solar 14 power and they are currently investigating the 15possibility of developing, constructing, 16 owning and operating wind energy projects in 17 Ohio. 18 Under the proposed transaction, 19 Florida Power and Light will, through its 20 power marketing and competitive retail 21 subsidiaries, provide power that based on 22 current energy prices could result in 23 substantial cost savings for 600,000 electric customers in nine counties in northeast Ohio. 24 25 Senate Bill 221 recognized the

importance of governmental aggregation and 1 states that, and I'm quoting, "the PUCO is 2 directed to adopt rules that encourage and 3 promote large-scale governmental aggregation. 4 To this end, the PUCO is required to conduct 5 an immediate review of its existing rules. 6 7 This requirement gives governmental aggregators such as NOPEC a meaningful 8 opportunity to persuade the PUCO to address 9 some of the hurdles faced by aggregation 10 11 programs, such as switching fees and to adopt rules that will ease the administrative 12 burdens that can interfere with the success of 13 14 aggregation programs. The PUCO is also 15 directed to consider the effect on large-scale 16 governmental aggregation of any 17 non-by-passable generation charge that is 18 newly approved in the context of an electric 19 security plan." 20 Senate Bill 221 also states that 21 "Customers participating in governmental 22 aggregation programs established under 23 4928.20, Revised Code, will not be required to 24 pay any surcharge resulting from the phase-in 25 of a standard service offer plan, either a

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1	market-based offer or electric security plan
2	that is not proportionate to the benefits
3	received by such customers, as a group,
4	receive. Customers participating in
5	governmental aggregation programs will not be
6	required to pay the utility for standby
7	generation service where the aggregation
8	program elects not to take such service."
9	I have several concerns relating
10	to FirstEnergy's proposed rate plan.
11	FirstEnergy's plan to spend \$25 million on
12	energy efficiency programs over the next five
13	years does not specify in what areas they will
14	spend their money in.
15	I suggest that there should be
16	dedicated funding for energy efficiency
17	programs in the residential sector, a
18	commitment to provide energy efficiency
19	programs in each of their service territories
20	and FirstEnergy make a bigger commitment to
21	energy efficiency than what they have planned.
22	Other Ohio utilities like American Electric
23	Power have proposed investing \$178 million
24	over a much smaller service territory.
25	FirstEnergy also neglects to

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1	explain in their energy efficiency plan who
2	will run these programs and how will they
3	verify that these efficiency savings are real?
4	Other states require a third party
5	administrator specialist to monitor or operate
6	utility energy efficiency programs. It is
7	also unclear who will pay for efficiency
8	improvements and who will benefit from the
9	efficiency programs.
10	I request that FirstEnergy put
11	energy efficiency as a top priority. By
12	cutting energy use and investing in clean
13	energy sources, we can reduce air, water and
14	global warming pollution. Every dollar we
15	spend on energy efficiency is \$3 cheaper than
16	producing that electricity from a coal or
17	nuclear power plant.
18	Opportunities to be more energy
19	efficiency are abundant. There is a huge need
20	to increase public awareness of the simplicity
21	of being more energy efficient. Not only will
22	Ohioans contribute to a healthier environment,
23	but they will save money.
24	Over the past year I have worked
25	to lower my energy consumption in my home,

	65
1	which also happens to be where I work. I live
2	in a 2,000 square foot home with my husband
3	and two kids. My current average monthly
4	usage is 394 kilowatts per hour. I was able
5	to lower my energy use by putting most of my
6	electronics on power strips. This way I'm
7	only using what I need when I need it and
8	power strips completely turn off appliances
9	and electronics that would otherwise be on
10	standby mode.
11	The energy efficiency programs
12	I've started in my home have cost me virtually
13	nothing to implement. I think that electric
14	energy users need to be aware of their energy
15	consumption and I'm thankful that my energy
16	bill is easy to read and provides a lot of
17	information, including a bar graph of my
18	usage, so that I can easily monitor my usage
19	and measure my successes in my energy
20	efficiency programs in my home.
21	I encourage FirstEnergy to make
22	educating their customers on energy efficiency
23	programs a priority and offer free energy
24	audits, rebates on energy efficient
25	appliances, discounts on home weatherization,

66 old appliance pickup and disposal services and 1 investing in smart metering. 2 I can't express enough my feeling 3 of the importance of investing in the 4 renewable energy future for our region and 5 strong energy efficiency standards. 6 The 7 burning of coal in our state is contributing greatly to climate change, global warming and 8 air and water pollution. 9 According to the Environmental 10 11 Protection Agency, Cuyahoga County's air quality is in nonattainment for failing to 1213 meet the national ambient air quality 14 standards. There are many restrictions on the 15 amount of fish we can eat out of Lake Erie due 16to mercury contamination, which the burning of 17 coal is partly to blame. The mining of coal also 18 1.9significantly damages the environment. The 18 20 coal-fired power plants that line the Ohio River have turned that area into a sacrifice 21 zone to provide the rest of our state with 22 23 power. Currently one community in Meigs 24 25 County is fighting five additional coal

67 related power plants which would make for a 1 total of nine power plants in a ten mile 2 3 radius for this community, making it the largest concentration of coal plants in the 4 5 nation. I recommend that the PUCO make its 6 7 decisions based on what is best for the 8 customer and the environment and be sure that 9 Ohio-based utilities meet or beat the 10 standards set in Senate Bill 221. 11 The PUCO also needs to encourage and promote large-scale governmental 1213 aggregation and ensure that organizations like 14 NOPEC can provide its customers with a 15 competitive or lower rate while investing in the renewable energy future for our state that 16 17 includes strong energy efficiency standards. 1.8Thank you for listening to my 19 testimony today. I look forward to the PUCO 20 decision on this important and precedent 21 setting matter. 22 MR. PRICE: Anybody that wants to 23 testify who has not had a chance to sign up? 24 Seeing none. 25 Thank you. We're concluded for

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1	the afternoon. We will resume again tonight
2	at 6:30 in Cleveland Heights, Ohio.
3	
4	(Hearing concluded at 1:30 o'clock p.m.)
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I

CERTIFICATE

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

I, Lori K. Phillips, an RMR and Notary Public within and for the State of Ohio, duly commissioned and qualified, do hereby certify that the proceedings were by me reduced to Stenotypy, afterwards transcribed upon a computer; and that the foregoing is a true and correct transcription of the proceedings so given as aforesaid.

I do further certify that these proceedings were taken at the time and place in the foregoing caption specified, and were completed without adjournment.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Akron, Ohio, on this 30th day of September, 2008.

Zní Kalill,

Lori K. Phillips, VRMR and Notary Public in and for the State of Ohio.

My Commission expires December 2, 2010.

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Public Utilties Commission of Ohio hearing

Before Gregory Price, attorney examiner

September 25, 2008

BISH & ASSOCIATES, LLC 520 South Main Street Suite 2501 Akron, Ohio 44311 33-762-0031

# PUCO hearing

	BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO		3
		1	Steve Beeler, 601 Lakeside Avenue, Cleveland,
		2	Ohio 44114.
	Case No. 08-935-EL-880	3	MR. WARNER: I'm Greg Warner on
	In the Matter of the Application ) of Ohio Edison Company, The Cleveland )		-
	Electric Illuminating Company, and The )	4	behalf of the city.
	Toledo Edison Company for Authority ) to Establish a Standard Service Offer )	5	MR. PORTER: Andre Porter. I work
	Pursuant to Section 4928.143, Revised )	6	at Schottenstein, Zox & Dunn on behalf of the
	Code, in the Form of an Electric ) Security Plan. )	7	city, City of Cleveland.
			•
	4	8	MR. PRICE: Are there any other
	BE IT REMEMBERED that upon the hearing of the above-entitled matter held before	9	interveners today for the proceedings?
	Commissioner Cheryl Roberto at the Cleveland	10	MR. MEISTER: Yes, sir. Good
	City Hall Council Chambers, 601 Lakeside Avanue, Cleveland, Ohio, and commencing on	11	afternoon, Your Honor. My name is Joseph
	Thursday, the 25th day of September, 2008, at		
	12:00 o'clock p.m., the following proceedings were had.	12	Meister. I'm an attorney with Cleveland Legal
		13	Aid Society.
	COMPUTERIZED TRANSCRIPTION BY	14	We're here today on behalf of the
	BISH & ASSOCIATES, LLC	15	Citizens Coalition which comprises the
		16	following groups: Empowerment Center of
	520 South Main Street, Suite 2501		5 5 1 2
	Akron, Ohio 44311	17	Greater Cleveland, Consumers for Fair Utility
	(330) 762-0031	18	Rates and Neighborhood Environmental Coalition
I I	(800) 332-0607	19	and the Cleveland Housing Network.
		20	We have previously, Your Honor,
	FAX: (330) 762-0300		•
	E-Mail: bishassociates(neo.rr.com	21	protested against these hearings and the lack
	www.bish-associates.com	22	of notice of these hearings. Thank you very
		23	much.
1		24	MR. PRICE: Thank you. All
		25	testimony at today's hearing will be under
		Ľ	costationy at coary 5 nearing will be under
<b></b>	2		
			4
Ι.	_	1	4
1	MR. PRICE: Good afternoon.	1	4 oath. After I issue the oath, I'll ask you to
2	MR. PRICE: Good afternoon. Welcome to the hearing of the Public Utility	2	state your name and give us your address for
	MR. PRICE: Good afternoon.		•
2	MR. PRICE: Good afternoon. Welcome to the hearing of the Public Utility Commission. We're set for hearing at this	2	state your name and give us your address for
2 3 4	MR. PRICE: Good afternoon. Welcome to the hearing of the Public Utility Commission. We're set for hearing at this time in Case Number 08-935-EL-SSO in the	2 3 4	state your name and give us your address for the record. Let's go ahead with the first witness Valerie McCall.
2 3	MR. PRICE: Good afternoon. Welcome to the hearing of the Public Utility Commission. We're set for hearing at this time in Case Number 08-935-EL-SSO in the Matter of the Application of Ohio Edison	2 3	state your name and give us your address for the record. Let's go ahead with the first witness Valerie McCall. VALERIE McCALL
2 3 4 5 6	MR. PRICE: Good afternoon. Welcome to the hearing of the Public Utility Commission. We're set for hearing at this time in Case Number 08-935-EL-SSO in the Matter of the Application of Ohio Edison Company, the Cleveland Illuminating Company	2 3 4 5 6	state your name and give us your address for the record. Let's go ahead with the first witness Valerie McCall. VALERIE McCALL of lawful age, a Witness herein, having been
2 3 4	MR. PRICE: Good afternoon. Welcome to the hearing of the Public Utility Commission. We're set for hearing at this time in Case Number 08-935-EL-SSO in the Matter of the Application of Ohio Edison Company, the Cleveland Illuminating Company and the Toledo Edison Company for Authority to	2 3 4 5 6 7	state your name and give us your address for the record. Let's go ahead with the first witness Valerie McCall. VALERIE McCALL of lawful age, a Witness herein, having been first duly sworn, as hereinafter certified,
2 3 4 5 6	MR. PRICE: Good afternoon. Welcome to the hearing of the Public Utility Commission. We're set for hearing at this time in Case Number 08-935-EL-SSO in the Matter of the Application of Ohio Edison Company, the Cleveland Illuminating Company	2 3 4 5 6	state your name and give us your address for the record. Let's go ahead with the first witness Valerie McCall. VALERIE McCALL of lawful age, a Witness herein, having been
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1	5 today as a representative of the Mayor and	1	administer the law in a way that will move
2	Cleveland City Council not only to listen to	$\frac{1}{2}$	Ohio to the forefront of states promoting
3	the comments and concerns expressed by	3	renewable energy sources. This is a big
4	Cleveland's citizens in response to	4	concern for us here in Cleveland. Among the
5	FirstEnergy's request to modify its rate	5	city's concerns is that the alternative energy
6	structure and apply for a Standard Service	6	portfolio standards be meaningful.
7	Offering in the State of Ohio, but also to	7	While we understand that the PUCO
8	assure the citizens of Cleveland that the city	8	may allow a waiver of the standards for "good
9	and the administration are keenly aware of the	9	cause" it is imperative that the good cause be
9 10	consequences and far reaching ramifications of	10	carefully defined. Ohio in general and
10	the request by FirstEnergy and the effect of	11	northeast Ohio in particular have many
		12	• •
12 13	those requested changes will have on all of	13	competitive advantages in the race to build
	us.	14	new economies based on the production of
14	As part of the effort to make sure		renewable energy. We need a regulatory
15	that the City of Cleveland and its citizens	15	environment that supports these advantages.
16	are properly represented and that our voice is	16	The mayor has already gone on
17	heard in Columbus, the City has filed a motion	17	record with Governor Strickland and Lieutenant
18	to intervene in the PUCO's review of	18	Governor Lee Fisher about our concerns in this
19	FirstEnergy's Electric Security Plan	19	manner. We desire to communicate to the PUCO
20	application that is the subject of today's	20	and our citizens that the city remains
21	public hearing.	21	steadfast in its commitment to making sure
22	Additionally, the City of	22	city staff and our expert legal counsel
23	Cleveland is already an intervenor in the	23	continue to participate fully in these
24	related market rate offer application also	24	proceedings, until the best possible result is
25	filed by FirstEnergy and pending before PUCO.	25	realized for Cleveland's residents, businesses
	6		
1	The situ staff the law		and the city
1	6 The city staff, the law	1	and the city.
1 2 3	department, special legal counsel and our	1 2 3	We have already had conversations
3	department, special legal counsel and our technical experts are all working diligently	1 2 3	We have already had conversations with FirstEnergy and have shared this as well.
-	department, special legal counsel and our technical experts are all working diligently to make sure that Cleveland has an appropriate		We have already had conversations with FirstEnergy and have shared this as well. Many will continue to have conversations with
3 4 5	department, special legal counsel and our technical experts are all working diligently to make sure that Cleveland has an appropriate place at the table during the PUCO		We have already had conversations with FirstEnergy and have shared this as well. Many will continue to have conversations with them as well. Thank you for your time and
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3 4 5 6 7 8	department, special legal counsel and our technical experts are all working diligently to make sure that Cleveland has an appropriate place at the table during the PUCO proceedings. As proposed, FirstEnergy's ESP and MRO applications have the potential to	3 4 5 6 7 8	We have already had conversations with FirstEnergy and have shared this as well. Many will continue to have conversations with them as well. Thank you for your time and your consideration of the citizens of the City of Cleveland. MR. PRICE: Thank you. Our next
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# PUCO hearing

	9			11
1	Strongsville City Schools.	1	MR. PRICE: Please state your name	
2	Over the last ten years	2	and address for the record.	
3	Strongsville City Schools, along with 248	3	MR. DICKINSON: My name is Philip	
4	other school districts throughout Ohio, and	4	Dickinson. I'm the Director of Operations and	
5	through the Ohio Schools Council have enjoyed	5	Business Services for Orange City Schools.	
6	a partnership with FirstEnergy that has been	6	We're located at 32000 Chagrin Boulevard,	
7	beneficial to all parties.	17	Pepper Pike, Ohio. Thank you for letting us	
8	The districts have realized a 13.4	8	present today.	
9	percent lower cost for electrical energy and	9	Orange City Schools is a public	
10	FirstEnergy has had the use of significant	10	district. It represents the cities of Hunting	
11	dollars realized from a prepayment program.	11	Valley, Moreland Hills, Orange, Pepper Pike	
12	The current program is ending December 31,	12	and Woodmere. We're a public school district.	
13	2008. It is our desire to enter into a new	13	We are one of the 249 members of the Ohio	
14	partnership to continue with those amounts of	14	Schools Council that participate in the Energy	
15	savings.	15	for Education Program.	
16	With the end of the Energy for	16	As Bob said, you know, this	
17	Education II program and the present value of	17	program gives us a 13.4 percent discount on	
18	prepayment program Strongsville City Schools	18	our electricity for just the school buildings.	
19	annual electrical cost will increase by	19	The program was designed so we prepay CEI and	
20	\$134,000; that alone represents two and a half	20	they will take that money and they would	
21	teachers. If you increase the generation and	21	service their equipment and build new things.	
22	distribution rate, it will further reduce the	22	They have the money in advance and, of course,	l
23	amount of money needed for teaching staff.	23	we will get the discount on the public school	
24	The district recognizes the cost	24	buildings.	ĺ
25	of doing business is increasing; it is for	25	I'm not sure if that took place	
	10			12
1	everyone. We do not know what the total	1	because CEI has lost power to Orange and our	12
2	everyone. We do not know what the total percentage increase will be, but at minimum it	2	because CEI has lost power to Orange and our campus many times over the past few years.	12
23	everyone. We do not know what the total percentage increase will be, but at minimum it will be 13.4 percent.	2 3	because CEI has lost power to Orange and our campus many times over the past few years. They have also given us significant power	12
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2 3 4 5 6	everyone. We do not know what the total percentage increase will be, but at minimum it will be 13.4 percent. And I might add since I've written this we have received information that the first year's increase request is 5.32 percent,	2 3 4 5 6	because CEI has lost power to Orange and our campus many times over the past few years. They have also given us significant power surges which has caused equipment damage and we have had to buy suppressors and equipment to try to protect the school from the	12
2 3 4 5 6 7	everyone. We do not know what the total percentage increase will be, but at minimum it will be 13.4 percent. And I might add since I've written this we have received information that the first year's increase request is 5.32 percent, which will now at that rate increase our	2 3 4 5 6 7	because CEI has lost power to Orange and our campus many times over the past few years. They have also given us significant power surges which has caused equipment damage and we have had to buy suppressors and equipment to try to protect the school from the fluctuation of power.	12
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	13		15
1	Dealer that the 2007 year was record profits	1	Edison and asked them if their rate increases
2	for FirstEnergy, \$1.31 billion, the highest	2	were approved as proposed what impact it would
3	profit in the 10-year history of the utility.	3	have on my bill, specifically beginning in
4	So, you know, coupled with and I've got the	4	January of 2009. And I received the following
5	Plain Dealer article attached to that.	5	information back from them.
6	So we have a possible loss of our	6	They took a 12 month history and
7	Energy for Education program which will effect	7	they told me what I currently was paying for
8	Orange about \$100,000. Our yearly budget is	8	electricity and what I would pay under the
9	about \$800,000 for electricity, so just the	9	proposed rate increase. In the past 12 months
10	discount program would increase our cost	10	I paid \$1500 for electricity. Under the new
11	\$100,000. And then as I looked over the rate	11	plan, which would take effect in 2009, the
12	increases over the few years, they about equal	12	same consumption would cost me over \$2500,
13	the loss of the energy program, so that would	13	which is an increase in my personal electric
14	be another hundred thousand. So it would be	14	bill of over a thousand dollars a year on a
15	200,000 total budget increase and that would	15	current \$1500 bill.
16	be a huge increase for any school district.	16	Now, do the math. Proportionately
17	So kind of in review, you know,	17	I keep reading here about how their rates are
18	we've had a decrease in customer service,	18	going to be four percent, five percent, 5.99
19	FirstEnergy reports record profits, with	19	percent for the average person's home. Okay.
20	possible loss of our energy program for	20	Well, obviously I do not fit into that average
21	education, possible rate increase, huge cost	21	category because my rate increase would be
22	increases for electricity, the economic times	22	somewhere in the neighborhood of 66 to 68
23	are tough for everyone. It's very hard to	23	percent.
24	pass school levies and this, you know, so this	24	And when I inquired further about
25	kind of increase could cost decrease in	25	it, they said that it would even be greater
L		۰ ۹ <u>ــــــ</u>	
<b></b>	14		16
1			16 than that because the rates that they quoted
1 2	educational programs.	1 2	than that because the rates that they quoted
2	educational programs. So I'm requesting that the Public	2	than that because the rates that they quoted or that they used when they quoted me the
2 3	educational programs. So I'm requesting that the Public Utilities Commission and FirstEnergy treat the	2	than that because the rates that they quoted or that they used when they quoted me the proposed increases for 2009 they did not
2 3 4	educational programs. So I'm requesting that the Public Utilities Commission and FirstEnergy treat the public schools as a separate and distinct group, that they renew our special rate and	2 3 4	than that because the rates that they quoted or that they used when they quoted me the proposed increases for 2009 they did not include these proposed rates that was taking
2 3 4 5	educational programs. So I'm requesting that the Public Utilities Commission and FirstEnergy treat the public schools as a separate and distinct	2 3 4	than that because the rates that they quoted or that they used when they quoted me the proposed increases for 2009 they did not include these proposed rates that was taking the current rates and moving me from the
2 3 4 5 6	educational programs. So I'm requesting that the Public Utilities Commission and FirstEnergy treat the public schools as a separate and distinct group, that they renew our special rate and that they respond and give us high priority on	2 3 4	than that because the rates that they quoted or that they used when they quoted me the proposed increases for 2009 they did not include these proposed rates that was taking the current rates and moving me from the existing rate plan that I'm on to a new plan
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### PUCO hearing

1 4	17	,	
	's very unfair to put a burden like		MS. PENNINGTON: Miss Sheila
	specific population, a small group	2	Pennington. And a good afternoon. Thank you
1	disproportionately share of the cost	1	for my electric bill. Okay.
	ncreases is going to be assessed on	4	I see that you had an ad in the
1	e myself who live in an all electric	2	paper and I'm here to ask that the PUCO do the
6 home.	11	6	people, senior citizens that happen to live in
	would urge you to consider		the ghetto do nothing for FirstEnergy.
	some type of protection against that	8	Let them survive like we survived,
1	ate increases for owners of those	9	on what they have done and what they're doing
	omes, including myself. Many of	10	now, which is nothing. From the CEOs to CFOs
	le are not aware of the effects that	11	you look good in your black suits and white
1	eases are going to have on them	12	shirts but that does not help us pay the light
	gain, if they go by what they're	13	bill.
	the newspaper they think maybe	14	I have in my hand my light bill
	ing to get four or five percent or	15	\$1,435. They want that on the 29th of
•	raises or increases and in reality	16	September. I have in this hand my award
	to be 70-plus percent if you live	17	letter Social Security. It wouldn't cover
18 in a home		18	this bill if I borrowed \$500.
1	o I would urge you to I think	19	Now, to this beautiful piece of
	copriate to do this. I've contacted	20	paper here to be phased in over five years.
	I've contacted Governor Strickland's	21	What and how much would that help us? It's
	ve contacted my state representative	22	going to increase us. They want us to pitch a
23 Matthew Lu	ndy, I've also contacted the	23	tent with a candle and they pass by in their
24 Consumer P	cotection Agency.	24	black suits and white shirts, how do you do.
25 I	believe that gentleman over	-25	How do you do?
	18		20
1 there said	that he was from that agency. And	1	I have another little piece of
E	h a man named Jim Williams down	2	paper here that you all let me read today.
-	i in every case all the parties that	3	Allows for the recovery of costs. If you lose
	when I first started talking to	4	part of your health, you cannot recover that.
-	resenting information about what I	5	It's over, it's gone, it's shot.
	l from Ohio Edison and, again, I'm	6	You call these people. They have
	information that came direct from	7	beautiful girls I guess. I've never seen any
	, they sort of all blew it off.	8	
			of them, but they have the nastiest attitudes
19 A	nd then when I actually gave them	9	of them, but they have the nastiest attitudes when you're trying to explain and ask what can
	nd then when I actually gave them I cent representation of the		when you're trying to explain and ask what can
10 dollars and	l cent representation of the	9	when you're trying to explain and ask what can I do with a \$1,000 light bill? Pay your bill.
10 dollars and 11 increases		9 10	when you're trying to explain and ask what can
<pre>10 dollars and 11 increases 12 them was st</pre>	d cent representation of the and the percentages, every one of nocked. No one really believed that	9 10 11	when you're trying to explain and ask what can I do with a \$1,000 light bill? Pay your bill. I almost said to her I'm going to let you know in a minute that I am from the ghetto because
<ul> <li>10 dollars and</li> <li>11 increases</li> <li>12 them was sl</li> <li>13 those kinds</li> </ul>	l cent representation of the and the percentages, every one of	9 10 11 12	when you're trying to explain and ask what can I do with a \$1,000 light bill? Pay your bill. I almost said to her I'm going to let you know
<pre>10 dollars and 11 increases ( 12 them was si 13 those kinds 14 people.</pre>	l cent representation of the and the percentages, every one of nocked. No one really believed that s of increases would impact on	9 10 11 12 13	when you're trying to explain and ask what can I do with a \$1,000 light bill? Pay your bill. I almost said to her I'm going to let you know in a minute that I am from the ghetto because I can talk to you like you talk to me. I don't bother to call them.
10dollars and11increases12them was sl13those kind14people.15A	I cent representation of the and the percentages, every one of mocked. No one really believed that is of increases would impact on and so I would ask you to please	9 10 11 12 13 14	when you're trying to explain and ask what can I do with a \$1,000 light bill? Pay your bill. I almost said to her I'm going to let you know in a minute that I am from the ghetto because I can talk to you like you talk to me. I don't bother to call them. When they call me, I call them
<pre>10 dollars and 11 increases 1 12 them was si 13 those kind 14 people. 15 A 16 protect us</pre>	a cent representation of the and the percentages, every one of nocked. No one really believed that as of increases would impact on and so I would ask you to please and do not allow these increases to	9 10 11 12 13 14 15	<pre>when you're trying to explain and ask what can I do with a \$1,000 light bill? Pay your bill. I almost said to her I'm going to let you know in a minute that I am from the ghetto because I can talk to you like you talk to me. I don't bother to call them. When they call me, I call them back. I get a recording punch this, punch</pre>
10dollars and11increases12them was sl13those kind14people.15A16protect us17occur. I	d cent representation of the and the percentages, every one of nocked. No one really believed that s of increases would impact on and so I would ask you to please and do not allow these increases to thank you for your time.	9 10 11 12 13 14 15 16	<pre>when you're trying to explain and ask what can I do with a \$1,000 light bill? Pay your bill. I almost said to her I'm going to let you know in a minute that I am from the ghetto because I can talk to you like you talk to me. I don't bother to call them. When they call me, I call them back. I get a recording punch this, punch</pre>
10dollars and11increases12them was si13those kind14people.15A16protect us17occur. I18M	d cent representation of the and the percentages, every one of mocked. No one really believed that s of increases would impact on and so I would ask you to please and do not allow these increases to thank you for your time. R. PRICE: Thank you. Now our	9 10 11 12 13 14 15 16 17	<pre>when you're trying to explain and ask what can I do with a \$1,000 light bill? Pay your bill. I almost said to her I'm going to let you know in a minute that I am from the ghetto because I can talk to you like you talk to me. I don't bother to call them.</pre>
10dollars and11increases12them was side13those kind14people.15A16protect us17occur. I18M19next witnes	I cent representation of the and the percentages, every one of mocked. No one really believed that is of increases would impact on and so I would ask you to please and do not allow these increases to thank you for your time. R. PRICE: Thank you. Now our as is Sheila Pennington.	9 10 11 12 13 14 15 16 17 18 19	<pre>when you're trying to explain and ask what can I do with a \$1,000 light bill? Pay your bill. I almost said to her I'm going to let you know in a minute that I am from the ghetto because I can talk to you like you talk to me. I don't bother to call them. When they call me, I call them back. I get a recording punch this, punch that. That's not what I want. I want a voice. I want someone who can deal with the public. Remember if you got a mother how</pre>
<pre>10 dollars and 11 increases 1 12 them was si 13 those kind 14 people. 15 A 16 protect us 17 occur. I 18 M 19 next wither 20</pre>	d cent representation of the and the percentages, every one of nocked. No one really believed that a of increases would impact on and so I would ask you to please and do not allow these increases to thank you for your time. A. PRICE: Thank you. Now our as is Sheila Pennington. SHEILA PENNINGTON	9 10 11 12 13 14 15 16 17 18 19 20	<pre>when you're trying to explain and ask what can I do with a \$1,000 light bill? Pay your bill. I almost said to her I'm going to let you know in a minute that I am from the ghetto because I can talk to you like you talk to me. I don't bother to call them.</pre>
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<pre>10 dollars an 11 increases 12 them was si 13 those kind 14 people. 15 A 16 protect us 17 occur. I 18 M 19 next witne 20 21 of lawful 22 first duly 23 testified</pre>	<pre>d cent representation of the and the percentages, every one of nocked. No one really believed that s of increases would impact on and so I would ask you to please and do not allow these increases to thank you for your time. A. PRICE: Thank you. Now our ss is Sheila Pennington.     SHEILA PENNINGTON age, a Witness herein, having been sworn, as hereinafter certified,</pre>	9 10 11 12 13 14 15 16 17 18 19 20 21 22	<pre>when you're trying to explain and ask what can I do with a \$1,000 light bill? Pay your bill. I almost said to her I'm going to let you know in a minute that I am from the ghetto because I can talk to you like you talk to me. I don't bother to call them.</pre>

#### **PUCO hearing**

21 23 MR. PRICE: Thank you. Our next differently and fairly. Thank you. 1 1 2 witness is Ken Clickenger. 2 MR. PRICE: Thank you. Tom 3 3 KEN CLICKENGER Mendelsohn. of lawful age, a Witness herein, having been 4 THOMAS MENDELSOHN 4 5 5 of lawful age, a Witness herein, having been first duly sworn, as hereinafter certified, 6 6 first duly sworn, as hereinafter certified, testified and said as follows: 7 MR. CLICKENGER: Rather sorry I 7 testified and said as follows: 8 8 MR. PRICE: Please state your name wore a suit. 9 9 MR. PRICE: Please state your name and address for the record. 10 and address for the record. 10 MR. MENDELSOHN: My name is Tom 11 MR. CLICKENGER: Ken Clickenger. 11 Mendelsohn. I'm Executive Director of the 12 Empowerment Center of Greater Cleveland, 12 I'm the Business Manager of Euclid City 13 13 Schools, 651 East 222nd Street, Euclid, Ohio. formerly the Welfare Rights Organization. 14 14 Some months ago we came here We work with low income 15 offering testimony with regard to the proposed 15 individuals and families trying to assist them 16 distribution rate increase and were told that 16 with basic needs as they arise. Every day 17 our fears about a generation rate increase 17 somebody comes to our door or calls us up on 1818 shouldn't be expressed at that setting. Now the phone and says something happened in my 19 we're here again with a generation rate 19 family and I need some help. I don't have 20 enough money for food. I got my utilities 20 increase that will be stacked on top of the 21 disconnected. It could be anything like that. 21 distribution rate increase and then stacked on 22 22 top of a 13.4 rate increase your public An example of how increasing rates schools will feel because of the loss of the 23 might impinge upon daily living of one of 23 24 Energy for Education program evidently being 24 these families, and I'm speaking for someone 25 25 dropped by FirstEnergy. who couldn't be here today. She is a kinship 22 24 1 Now, in Euclid we're bracing for a 1 care giver, a grandparent like maybe some of 2 \$280,000 per year increase which will slash 2 us in the room are. 3 into our budget causing us to layoff 3 I know I'm a grandparent and I 4 employees, employees who service our very 4 know that my day or my week sometimes gets 5 needy school children. This increase alone 5 changed because one of my grandkids needs to 6 could mean the reduction of more than 11 6 be picked up, but anyway this grandparent 7 7 happens to be on a pension. She has an ill security quards. 8 Now, we are already downsizing. 8 spouse. She receives a small stipend through We're already reducing services to children. 9 the county to cover her grandchildren. 9 10 10 We're already faced with revenue losses from And by the way, it's my the State of Ohio and inflation because of 11 understanding that that's less if there is a 11 12 diesel fuel costs for our school buses and 12 familial relationship than somebody that might 13 unfunded mandates that will surely drag us 13 get if they were in foster care. So down. We have done what we can to conserve 14 increasing a rate for a utility for whatever 14 energy, in the last 18 months have invested 15 the reason has a domino effect on what a 15 16 family's basic income might be in terms of 16 \$1.5 million in energy saving equipment and 17 17 where do I put the money? Do I put it to controls. 18 Please consider that the only 18 medicine for my grandchildren? Do I put it to 19 the food that I need to have for the family? 19 place that the public has to say no is in the 20 voting booth for schools and school issues. 20 So I would really caution a 21 utility company like FirstEnergy in terms of 21 There will be hundreds of school districts on 22 22 the ballot in November trying to stay afloat. their process of raising the rates. I think 23 23 it's great to figure out ways of spending These rate increases need to come to us more 24 millions and millions of dollars on efficiency gradually through a revamped Energy for 24 Education program that treat schools 25 and we all know that we need to do that. We 25

## PUCO hearing

		1	
1	25 need to conserve energy in many different	1	27
1 2	ways, but how will these millions of dollars	2	phase-out of tangible personal property tax and that revenue that we use for schools.
	actually reach the constituents, the	3	The state's restructuring of this
	consumers, the people that really need the	4	funding was an attempt to assist businesses in
4		5	
5	help for weatherization or for conservation?	6	the state. Unfortunately the change in the
6	So many of the homes are so old in	7	tax has impacted our school district in a
1	the inner rings of the city that it would	8	negative fashion. We, more than most schools in the state, use this type of funding to run
8	really help to work with organizations already	9	
9	in existence in the community to try to help	10	our programs.
10 11	bring programs that will help decrease the	11	I mention this only because the
11	cost of utilities by improving and upgrading the homes.	12	tangible personal property tax rollback benefits business, but it is devastating to
12	So I would like to ask what	12	how we fund our schools in our community.
14		14	Please know that our district has benefited
14	constitutes the right amount of dollars? What's the sufficient amount of notice that a	15	
15	utility company needs to give to the	16	from and is very appreciative of the Energy for Education II program.
10		17	The proposed changes, however,
17	constituents to prepare for an increase because it has that domino effect that I	18	could increase energy costs and adversely
10	mentioned and how will the funds actually	19	affect our district. Early estimates put the
20	reach the consumers who are in need and that	20	figures at 13.4 percent but could be as high
21	concludes my statement. Thank you for the	21	as 30 percent. This is the cost of
22	time to speak.	22	approximately four teachers. With increasing
23	MR. PRICE: Thank you. Next	23	enrollment that our district is experiencing,
24	witness is Mike Lenzo.	24	we will not be able to hire the new teachers
25	MICHAEL LENZO	25	needed to keep up with our growth.
<u> </u>			
	<u></u>		
1	26		28 We have worked diligently to
1	of lawful age, a Witness herein, having been	1	We have worked diligently to
2	of lawful age, a Witness herein, having been first duly sworn, as hereinafter certified,	1 2	We have worked diligently to contain costs but, unfortunately, through the
2 3	of lawful age, a Witness herein, having been first duly sworn, as hereinafter certified, testified and said as follows:	1 2 3	We have worked diligently to contain costs but, unfortunately, through the next few years will be seeking operating levy
2 3 4	of lawful age, a Witness herein, having been first duly sworn, as hereinafter certified, testified and said as follows: MR. PRICE: Please state your name	1 2	We have worked diligently to contain costs but, unfortunately, through the next few years will be seeking operating levy money to replace the losses of this type of
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2 3 4 5 6	of lawful age, a Witness herein, having been first duly sworn, as hereinafter certified, testified and said as follows: MR. PRICE: Please state your name and address for the record. MR. LENZO: Yes. My name is Mike	1 2 3 4	We have worked diligently to contain costs but, unfortunately, through the next few years will be seeking operating levy money to replace the losses of this type of revenue. In closing, I would like to thank
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### **PUCO hearing**

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	29		
1	power distribution system.	1	<b>31</b> They are not doing that and why
2	I come to you today giving you a		should we give them more money to do something
3	little history lesson about FirstEnergy and	3	that they refuse to do? I am not responsible
4	maintaining their system. On August 14, 2003	4	as a homeowner to maintain their property.
5	the United States and Canada was effected by	5	They are getting billions of dollars in tax
6	one of the worst power outages in history and	6	incentives. They're getting billions of
7	it was a direct result of the lack of	$\ _{7}$	dollars from customers across this region to
8	maintenance of FirstEnergy maintaining their	8	maintain their property as part of their cost
9	power grid, namely, their easement underneath	9	of doing business.
10	their power lines.	10	And if they were a landlord and
11	When the power surge because of	11	they were collecting rent and part of the
12		12	
	air conditioning use, the lines sagged and	12	responsibility was to maintain the property
13	then it arched to foliage and trees and caused	14	for their tenants, they would be labeled right now slum lords and it's exactly what they are.
14	a forest fire. This caused turbine trips all	15	They do not maintain their
15	across the U.S. and took out 40 million people	16	1
16 17	in the United States without power and 10 million in Canada.	17	properties and, therefore, they're causing
18	I come to you today to say that	18	irreparable harm to people's property values, lifestyles and causing property problems for
		19	children that may come into contact with
19 20	this company should be maintaining their property like any responsible property owner	20	poison ivy, poison oak and other things that
20	and I tell you that where I live in Newburgh	21	are on their property that they refuse to take
		22	care of.
22 23	Heights they have laws in place about noxious	23	
23	weeds, weed control, forestry and everything else.	24	They are in violation of Newburgh Heights ordinances about maintaining their
25	As a homeowner I'm responsible to	25	property. Every other business: Church, gas
25			property. Every other business. Church, gas
	30		33
	30		32 station homeowner in the Village of Newburgh
1	control noxious weeds from invading my	1	station, homeowner in the Village of Newburgh
2	control noxious weeds from invading my neighbor's property, from having things like	2	station, homeowner in the Village of Newburgh Heights, one square mile, 2300 people, takes
2 3	control noxious weeds from invading my neighbor's property, from having things like poison ivy, poison oak and other things from	2 3	station, homeowner in the Village of Newburgh Heights, one square mile, 2300 people, takes care of their property, but this company does
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## PUCO hearing

1 1	33	1	35
	River City School District.		operating our district will take away dollars
2	I would like to thank the	2	from other budgeted items and our school
3	commission for allowing me to explain how an	3	district, as well as the others in this
4	electric rate increase will impact the	4	program, simply cannot afford to absorb this
5	education of our children.	5	level of increase.
6	We are very appreciative of the	6	Rocky River just passed a 5.9 mill
7	support FirstEnergy has provided to our school	7	operating levy this past March that we have
8	district, as well as the other 248 districts	8	not even yet started to collect upon. This
9	in the Energy for Education II program in the	9	levy was requested to enable us to keep our
10	past. We have had two Energy for Education	10	current level of educational programming and
11	programs over the last ten years which have	11	to recover from significant losses of property
12	been very helpful in keeping our electric	12	tax revenue and huge increases in medical
13	rates down. These savings have been used for	13	insurance and fuel costs that we have
14	increased learning opportunities for all	14	experienced over these last several years.
15	students.	15	Any increase in electric rates
16	The current Energy for Education	16	would further strain our finances to the point
17	II program will expire on December 31, 2008,	17	where we'll have to cut programs. With
18	which will cause our electric rates to go up	18	large-scale facility needs in our district and
19	at a minimum of 13.4 percent. Any new	19	the fact that we just had a levy approved, we
20	distribution rate increase and any generation	20	simply cannot ask for additional tax revenues
21	increase authorized by the PUCO will be on top	21	from our citizenry.
22	of that increase.	22	Overall, the loss of the Energy
23	Collectively the loss of the	23	for Education II program, the loss of the
24	current Energy for Education II program will	24	special school rates and the anticipated
25	cost the 249 participating districts over	25	increase in rates for distribution and
	34	· · · · · · · · · · · · · · · · · · ·	
1	34		36
1	\$11.7 million per year. FirstEnergy's	1	<b>36</b> generation may increase the 249 districts'
1 2		1 2	
-	\$11.7 million per year. FirstEnergy's		generation may increase the 249 districts'
2	\$11.7 million per year. FirstEnergy's distribution rate increase in this PUCO case	2	generation may increase the 249 districts' electric bills in this program by
23	\$11.7 million per year. FirstEnergy's distribution rate increase in this PUCO case and any generation increase will be in	2 3	generation may increase the 249 districts' electric bills in this program by approximately one-third.
2 3 4	<pre>\$11.7 million per year. FirstEnergy's distribution rate increase in this PUCO case and any generation increase will be in addition to that \$11.7 million.</pre>	2 3 4	generation may increase the 249 districts' electric bills in this program by approximately one-third. Further, the Ohio Schools
2 3 4 5	<pre>\$11.7 million per year. FirstEnergy's distribution rate increase in this PUCO case and any generation increase will be in addition to that \$11.7 million. The Ohio Schools Council is</pre>	2 3 4 5	generation may increase the 249 districts' electric bills in this program by approximately one-third. Further, the Ohio Schools Council's analysis has concluded that schools'
2 3 4 5 6	<pre>\$11.7 million per year. FirstEnergy's distribution rate increase in this PUCO case and any generation increase will be in addition to that \$11.7 million. The Ohio Schools Council is currently analyzing the amount of rate</pre>	2 3 4 5 6	generation may increase the 249 districts' electric bills in this program by approximately one-third. Further, the Ohio Schools Council's analysis has concluded that schools' load characteristics are more favorable than
2 3 4 5 6 7	<pre>\$11.7 million per year. FirstEnergy's distribution rate increase in this PUCO case and any generation increase will be in addition to that \$11.7 million. The Ohio Schools Council is currently analyzing the amount of rate increase that will result from the generation</pre>	2 3 4 5 6 7	<pre>generation may increase the 249 districts' electric bills in this program by approximately one-third.         Further, the Ohio Schools Council's analysis has concluded that schools' load characteristics are more favorable than other commercial customers. Schools do not</pre>
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	<pre>\$11.7 million per year. FirstEnergy's distribution rate increase in this PUCO case and any generation increase will be in addition to that \$11.7 million.         The Ohio Schools Council is currently analyzing the amount of rate increase that will result from the generation rate proposed by FirstEnergy. That analysis is not yet complete, but we anticipate that it will be significant.         This is an unfunded mandate over, which we have no control. We will have to cut elsewhere in our budget in order to fund this increase. For our district we are estimating that the total increase could be the equivalent of up to three teachers or approximately \$180,000.         As you know school funding is a major issue in our state. School levy requests are a constant these days and taxpayers are nearing their breaking point as evidenced by recent elections in which more</pre>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	<pre>generation may increase the 249 districts' electric bills in this program by approximately one-third.</pre>
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	<pre>\$11.7 million per year. FirstEnergy's distribution rate increase in this PUCO case and any generation increase will be in addition to that \$11.7 million.         The Ohio Schools Council is currently analyzing the amount of rate increase that will result from the generation rate proposed by FirstEnergy. That analysis is not yet complete, but we anticipate that it will be significant.         This is an unfunded mandate over, which we have no control. We will have to cut elsewhere in our budget in order to fund this increase. For our district we are estimating that the total increase could be the equivalent of up to three teachers or approximately \$180,000.         As you know school funding is a major issue in our state. School levy requests are a constant these days and taxpayers are nearing their breaking point as evidenced by recent elections in which more</pre>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<pre>generation may increase the 249 districts' electric bills in this program by approximately one-third.</pre>

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1	37		3
1	districts an Energy for Education III program	1	community.
2	to achieve gradualism in any rate increases to	2	Like I told Chairman Schrieber at
3	the schools that may increase from this case.	3	that meeting, and I know Tom Mendelsohn as
4	I would like to thank the	4	well, if you come out to our community and you
5	commission for listening and to all those who	5	want to find a place for people to come to
6	have testified or will testify today. We hope	6	speak, we'll find you places. It's not that
7	that the commission would be sympathetic	7	hard to do.
8	towards schools and look at us as a distinct	8	The other thing is I'm a college
9	group, worthy of school rates, which have been	9	graduate and one of the things that I have
10	in effect previously. Thank you.	10	prided myself on was my vocabulary and as I
11	MR. PRICE: Thank you. Let's go	11	look at this I hear this total security plan.
12	off the record.	12	As I look at it for the people that I work
13	(Off record discussion had.)	13	with, and I work primarily with low-income
14	MR. PRICE: Back on the record.	14	people in the community, I can't find anything
15	Our next witness will be Tim Walters.	15	that relates to their security.
16	TIMOTHY WALTERS	16	I can find something that relates
17	of lawful age, a Witness herein, having been	17	to the security of the CEOs or the energy
18	first duly sworn, as hereinafter certified,	18	companies so they continue to drown millions
19	testified and said as follows:	19	of dollars.
20	MR. PRICE: Please state your name	20	I can find things that relate to
21	and address for the record.	21	the security of the PUCO so they can continue
22	MR. WALTERS: My name is Tim	22	to operate and I can find something that
23	Walters. I'm a community organizer. 4510	23	relates to security of many of our lawyers
24	Broadview here in Cleveland. I would like to	24	because this seems to keep a number of them in
25	address a number of points here very quickly	25	work, which I admire very much with that, but
<b></b>			
	38		4
1	that I feel need to be brought up.	1	what I don't see anybody taking a look at is
2	One is participation. I think as	2	how is this going to impact?
1 5	the woman indicated before we are a number of	1 3	And this goes back to the

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3 the woman indicated before, we see a number of 4 people in white shirts and suits. I'm just 5 comforted that I don't have either on at the 6 moment, but the point is if you're really 7 interested in the impact of the public you're 8 not going to hold a meeting in downtown 9 Cleveland at noon on a weekday at a place that 10 you're going to pay anywhere from six to \$8 11 to park. You're not going to hear the people 12 that you want to. 13 I do work as a community

#### 14 organizer. I was out in Garfield Heights when 15 they had the hearing out there and they had a 16 significant number of people. They held it in 17 the evening. They held it in a place that people were familiar with and they gave out 18 19 advance notice to the community that they were 20 going to come down.

21 If you really want to hear what 22 people have to say, if you really want to have 23 to think, you can't depend on them to come to 24 you. They have other commitments during the day. You have to reach out and do it in the 25

And this goes back to the participation. How is this going to impact our community people and what have we done as we develop these rules to involve them? We talk about we're going to bring in this plan over a five year period. Well, what we haven't done any time is going out in the community and saying what is this going to mean to you?

And the part that really concerns me and I'm involved in a number of other things with the Strickland administration where they're taking an active look and they're even asking are we measuring poverty adequately? And they're holding regional meetings or going out to meet with people, but on the other side we're having decisions made that we're going to raise the costs that these people have to pay.

And when we talk about five percent, ten percent, one percent to many people in the community with all the other things going on they can't afford it, which

# PUCO hearing

Page 41 to 44

	41	)[	43
1	brings me to my last point is that if this is	1	Somebody in your family has got to be sick,
2	going to happen, if this is going to take	2	somebody need medication. I need medication.
3	place, then there has to be safeguards built	<b>i</b> 3	I'm a diabetic and half of my medicine is
4	in that are going to enable the average	4	liquid. I have to take over 30,000 milligrams
5	consumer to retain their electricity.	5	a day just to live.
6	Some of this has to be programs	l c	Without light I don't have
7	that bring their homes to a level that's going		nothing. I call for lights. They tell me to
		B	
8	to lower those rates and I believe I saw in		go buy a generator. I'm on a fixed income.
9	there that we're talking about FirstEnergy has	9	I'm poor. I mean, what can I do? Tell me.
10	offered \$25 million. I'm sad to say I'm not	10	Light company, they don't they
11	really impressed. I could see a figure much	11	never get their lights cut off. The people
12	larger than that, at least around a hundred	12	that own the light company, they ain't worried
13	million or higher given their profits and what	13	about nothing but they worry about getting
14	they take out of it to protect our consumers.	14	paid, where the next buck comes from.
15	I also recommend that there has to	15	I live in a low-class
16	be a look at the type of assistance and who we	16	neighborhood. I have to have light. I have
17	provide assistance to out of the communities	17	to eat. I have to eat three square meals a
18	and this is already happening in other parts	18	day but I lose everything I got. What can I
19	of the Strickland administration but it has to	19	do? Tell me what can I do? I lost. They
20	happen here as well.	20	almost cost me my life. That's what I had to
21	Right now we cut off assistance at	21	come down here today to tell you about.
22	150 percent at poverty. This leaves many of	22	I'm going to die without lights.
23	our consumers without any recourse, without	23	Without lights I got nothing. They want to
24	anywhere to go to find any type of assistance.	24	cut off public transportation. I live right
24	And we need to include those parts in here or	25	on the bus line. Without that bus line I
2.5	And we need to include those parts in here of	2.5	
	42		44
1	if we do this the only security that we're	1	can't make where I got to go. Provide a ride
1 2		1 2	
	if we do this the only security that we're	1 2 3	can't make where I got to go. Provide a ride
2	if we do this the only security that we're addressing or addressing ourselves to is		can't make where I got to go. Provide a ride to medical. Come to other personal matters I
2	if we do this the only security that we're addressing or addressing ourselves to is people who are already making millions of		can't make where I got to go. Provide a ride to medical. Come to other personal matters I have to take care of myself. So what am I
2 3 4	if we do this the only security that we're addressing or addressing ourselves to is people who are already making millions of dollars a year. Thank you. MR. PRICE: Thank you. Our next	3 4	can't make where I got to go. Provide a ride to medical. Come to other personal matters I have to take care of myself. So what am I supposed to do? What should I do? I'm lost. In this bag I carry nothing but my
2 3 4 5	if we do this the only security that we're addressing or addressing ourselves to is people who are already making millions of dollars a year. Thank you. MR. PRICE: Thank you. Our next witness is Bernard Pritchett.	3 4 5	<pre>can't make where I got to go. Provide a ride to medical. Come to other personal matters I have to take care of myself. So what am I supposed to do? What should I do? I'm lost.</pre>
2 3 4 5 6 7	if we do this the only security that we're addressing or addressing ourselves to is people who are already making millions of dollars a year. Thank you. MR. PRICE: Thank you. Our next witness is Bernard Pritchett. BERNARD PRITCHETT	3 4 5	<pre>can't make where I got to go. Provide a ride to medical. Come to other personal matters I have to take care of myself. So what am I supposed to do? What should I do? I'm lost.</pre>
2 3 4 5 6 7 8	if we do this the only security that we're addressing or addressing ourselves to is people who are already making millions of dollars a year. Thank you. MR. PRICE: Thank you. Our next witness is Bernard Pritchett. BERNARD PRITCHETT of lawful age, a Witness herein, having been	3 4 5	<pre>can't make where I got to go. Provide a ride to medical. Come to other personal matters I have to take care of myself. So what am I supposed to do? What should I do? I'm lost.</pre>
2 3 4 5 6 7 8 9	if we do this the only security that we're addressing or addressing ourselves to is people who are already making millions of dollars a year. Thank you. MR. PRICE: Thank you. Our next witness is Bernard Pritchett. BERNARD PRITCHETT of lawful age, a Witness herein, having been first duly sworn, as hereinafter certified,	3 4 5 6 7 8 9	<pre>can't make where I got to go. Provide a ride to medical. Come to other personal matters I have to take care of myself. So what am I supposed to do? What should I do? I'm lost.</pre>
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2 3 4 5 6 7 8 9 10 11 12 13 14	<pre>if we do this the only security that we're addressing or addressing ourselves to is people who are already making millions of dollars a year. Thank you.</pre>	3 4 5 6 7 8 9 10 11 12 13 14	<pre>can't make where I got to go. Provide a ride to medical. Come to other personal matters I have to take care of myself. So what am I supposed to do? What should I do? I'm lost. In this bag I carry nothing but my life. This is my whole medical records. My doctor came to my house when the lights was out and gave me a phone. He would have bought me a phone so I could have some type of contact. He said he is going to give me lights. Now I have to order lights. So I could say I'll be safe. And I hope all senior citizens also around the world will be safe too. I'm</pre>
2 3 4 5 6 7 8 9 10 11 12 13 14 15	<pre>if we do this the only security that we're addressing or addressing ourselves to is people who are already making millions of dollars a year. Thank you.</pre>	3 4 5 6 7 8 9 10 11 12 13 14 15	<pre>can't make where I got to go. Provide a ride to medical. Come to other personal matters I have to take care of myself. So what am I supposed to do? What should I do? I'm lost. In this bag I carry nothing but my life. This is my whole medical records. My doctor came to my house when the lights was out and gave me a phone. He would have bought me a phone so I could have some type of contact. He said he is going to give me lights. Now I have to order lights. So I could say I'll be safe. And I hope all senior citizens also around the world will be safe too. I'm 58. I can't I'm in worse shape than I have</pre>
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	<pre>if we do this the only security that we're addressing or addressing ourselves to is people who are already making millions of dollars a year. Thank you.</pre>	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	<pre>can't make where I got to go. Provide a ride to medical. Come to other personal matters I have to take care of myself. So what am I supposed to do? What should I do? I'm lost. In this bag I carry nothing but my life. This is my whole medical records. My doctor came to my house when the lights was out and gave me a phone. He would have bought me a phone so I could have some type of contact. He said he is going to give me lights. Now I have to order lights. So I could say I'll be safe. And I hope all senior citizens also around the world will be safe too. I'm 58. I can't I'm in worse shape than I have ever been. I made it down here with another lady. I don't know how I made it down here. She brought me. That's what I have to testify to today. Light bills. Senior citizens</pre>
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baseload energy efficiency programs, as well

as gas conservation, in addition to providing

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Sept	tember 25, 2008 PUC	:0 hea	aring	Page 45 to 48
<b></b>		45		47
1	based upon lights. Got to have lights. Bill:			or health and safety related measures to
2	is too high. Thank you.	- <b>F</b> 1		llow for full weatherization measures to be
3	MR. PRICE: Our next witness is		3 ir 4	nstalled.
4	Liz Hernandez. LIZ HERNANDEZ	4	4 5 me	An example of health and safety easures would be the correction of a furnace
5 6	of lawful age, a Witness herein, having been			enting program or a blocked chimney that
7	first duly sworn, as hereinafter certified,			buld potentially cause carbon monoxide to
8	testified and said as follows:			scape into the home, or the correction of
9	MR. PRICE: Please state your			aulty wiring that's needed to ensure the safe
10	name.	10		istallation of cellulose materials to
11	MS. HERNANDEZ: My name is Liz			sulate the walls and attic.
12	Hernandez. I'm the Property Services Director	- <b>F</b> 1 - 1		With regards to FirstEnergy
13	of the Cleveland Housing Network, 2999 Payne	13		unding specifically: Funding is currently
14	Avenue, Cleveland 44114.	14		ot meeting the needs of the low-income
15	I'm here today to speak to the	15		esidents in the FirstEnergy territory. For
16	need for weatherization and energy efficiency	16		he past several years the funding level of
17	programs that will lower the energy costs for	17		2.7 million has been allocated to the
18	low-income customers, as well as others if	18	8 Co	mmunity Connections program.
19	programs were made available.	19	9	This funding amount is spread
20	As rates continue to climb, energy	20	) th	roughout the FirstEnergy territories of Ohio
21	conservation is one of the few ways that	21	l Ec	lison, Toledo Edison and the Cleveland
22	struggling low-income residents will be able	22	2 El	ectric Illuminating service territories.
23	to impact their deepening and disproportionate			A network of community development
24	energy burden.	24		ganizations have been involved in delivering
25	Cleveland Housing Network is one	25	5 se	ervices throughout the communities of
				- · · · · · · · · · · · · · · · · · · ·
		16	_	48
1	of the leaders in providing low-income energy			orthern Ohio, implementing the program as a
2	service provider to the community for over 20	2		ordinated effort with other energy
3	years. CHN has worked in partnership with	3		ficiency programs funded by utilities and
4	many community development organizations	- II '		e State of Ohio. It is a crucial component
5	throughout the northeast Ohio territory to	5		be able to impact the total energy usage of
6	provide their residents these services.	. 0	6 th 7	ne low-income client.
8	Cleveland Housing Network administers the Dominion East Ohio energy	8	/ 2 +1-	The FirstEnergy program allows for the replacement of inefficient, high use, what
9	program, receives funding from the FirstEnergy	<b>1</b>		e call energy hog refrigerators with an
10	Community Connections program through Ohio	10		ergy star appliance based on metering the
11	Partners of Affordable Energy, and works with	11		opliance. It also allows for the
12	the City of Cleveland in servicing residents	12	-	stallation of efficient lighting with the
13	with the State of Ohio's Home Weatherization	13		stallation of compact fluorescent bulbs in
14	Assistance program.	14		reas where they are used the most in the
15	In addition, Cleveland Housing	15		ome.
16	Network is one of the service providers of the	16	<b>ó</b>	In addition, the repair of faulty,
17	Electrical Partnership program providing	17	7 da	ngerous wiring in owner-occupied homes and
18	electrical baseboard audits and measures to	18		of repair or replacement are allowable
19	high electric users in the FirstEnergy	19	) me	asures, done to be able to fully insulate
20	territory. Our experience in service delivery			e walls and attics in a safe manner. The
21	and technical know how is deep.	21		nding provided by FirstEnergy allows for
22	When fully funded, CHN is able to	22		everaging additional dollars.
23	provide comprehensive services, both electric	23		While electric baseload programs -
24	haseload energy officiency programs as well	24	1 m.=	a average a thousand dollars with remains

 While electric baseload programs
 may average a thousand dollars with repair
 included, the leveraged dollars amount to may average a thousand dollars with repairs

## PUCO hearing

Page 49 to 52

	49		51
1	three times that amount from the state and	1	struggles of the working poor and the middle
2	Dominion programs. The energy savings from	2	class customers who fall outside the 150
3	these programs can lower the usage of a lower	3	percent of federal poverty level that most
4	income consumer by anywhere from 30 to 45	4	programs use as the guidelines for
5	percent. We have had some even higher.	5	eligibility. We must work on a program design
6	FirstEnergy funding in 2007 and	6	that will assist with their need to conserve
7	2008 was expended well before the end of the	7	and reduce their expenses.
8	funding cycle, with most agencies requesting	8	In summary, Cleveland Housing
9	additional money to meet the growing needs of	9	Network is advocating that the PUCO include
10	their communities. However, there were no	10	the funding of the Community Connections
11	additional dollars to be had.	11	program currently administered through Ohio
12	As well, there is currently no	12	Partners for Affordable Energy at a much
13	funding in place for 2009 and beyond.	13	higher level. The current funding needs to be
14	Immediate attention to this funding crisis is	14	at an amount triple its current amount and
15	needed to avoid discontinuing these valued	15	allow for the servicing of clients outside the
16	programs. No FirstEnergy funding means	16	poverty limits. I would suggest looking at an
17	putting in jeopardy the ability of energy	17	amount of \$10 million annually for the next
18	program providers to provide a comprehensive	18	ten years as a starting point.
19	service.	19	As well, there needs to be a
20	Many clients will be denied any	20	mechanism that PUCO puts in place to hold
21	service without FirstEnergy funding, which is	21	FirstEnergy to its promises made in rate cases
22	needed to make the required safety repairs to	22 23	around the funding efficiency programs.
23 24	the electrical system to allow for the insulation programs, as I mentioned	23	It has been frustrating to see that moneys promised the low-income community
25	previously.	25	have not always been delivered as promised.
<b></b>	<u> </u>	) [	52
	50 As well, no baseload work at all		52 Several years ago many millions of dollars
$\begin{bmatrix} 1\\ 2 \end{bmatrix}$	As well, no baseload work at all	1 2	Several years ago many millions of dollars
2	As well, no baseload work at all will be done without a renewed funding	2	Several years ago many millions of dollars that were part of a settlement to fund these
2 3	As well, no baseload work at all will be done without a renewed funding commitment by FirstEnergy, which needs to be a		Several years ago many millions of dollars that were part of a settlement to fund these same low-income programs was diverted to
2	As well, no baseload work at all will be done without a renewed funding commitment by FirstEnergy, which needs to be a part of any rate agreement.	2 3	Several years ago many millions of dollars that were part of a settlement to fund these same low-income programs was diverted to another organization that was building a few
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2 3 4 5	As well, no baseload work at all will be done without a renewed funding commitment by FirstEnergy, which needs to be a part of any rate agreement. The funding has been inadequate despite the growing need and the increased	2 3 4 5	Several years ago many millions of dollars that were part of a settlement to fund these same low-income programs was diverted to another organization that was building a few
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# PUCO hearing

	53	][	55
1	grandchildren and I currently have four	1	Ohio.
2	grandchildren in the home. I'm also a cancer	2	I'd like to read for you all here
3	survivor. I'm also very ill.	3	a letter that Congressman Kucinich sent to
4	I have a number of illnesses. I	4	Chairman Schrieber today on this case. It
5	have bronchitis. I have a grandson that has	5	reads as follows: Dear Chairman Schreiber, I
6	bronchial asthma. I also have congestive	6	strongly oppose FirstEnergy's proposed
7	heart failure.	7	Electric Security Plan or ESP which would
8	Trying to decide whether to buy my	В	increase consumer electric bills from four to
9	medication or to buy shoes for my	9	six percent each of the next three years, not
10	grandchildren or how much food to buy for my	10	counting the proposed distribution rate.
11	grandchildren in order to pay the rising cost	11	My constituents should not be
12	of the utilities, which we do need.	12	strapped with such a utility increase.
13	If my lights are cut off, I do not	13	Natural gas prices are up; gasoline prices are
14	have gas because my stove comes on because of	14	up; prescription drug prices are up as were
15	electricity. My oven comes on because of	15	referenced earlier. Grocery prices are up.
16	electricity. My furnace works because of	16	A seemingly insignificant electric
17	electricity and my hot water tank works	17	bill increase could lead to low-income
18	because of electricity. We are on a fixed	18	individuals and families having to choose
19	income. It is very hard for us.	19	between groceries, prescription drugs or
20	I know that you probably have to	20	transportation.
20	make rate increases, but think about the	20	Over 15,500 homeowners in Cuyahoga
21	people that don't get the increases. When we	21	County fell victim to foreclosure in 2007.
		22	
23	get an increase, cost of living increase on	23	Numbers for 2008 suggest this trend is only
24	our checks or whatever, any other things that	24	worsening. High utility bills were
25	we get it gets increased. If we're on a fixed	25	undoubtedly a contributing factor. Such an
1	54		56
1	income where our rate is allocated for our		increase would contribute to additional
2	income where our rate is allocated for our rent because of how much money we pay, our	2	increase would contribute to additional foreclosures in the future.
2 3	income where our rate is allocated for our rent because of how much money we pay, our rent goes up. So when we get the little bit	23	increase would contribute to additional foreclosures in the future. Now, electricity is basic
2 3 4	income where our rate is allocated for our rent because of how much money we pay, our rent goes up. So when we get the little bit increase, then we get more taken away from us.	2 3 4	increase would contribute to additional foreclosures in the future. Now, electricity is basic necessity. Payment is not optional. Rate
2 3 4 5	income where our rate is allocated for our rent because of how much money we pay, our rent goes up. So when we get the little bit increase, then we get more taken away from us. It is very hard for us to pay the	234	increase would contribute to additional foreclosures in the future. Now, electricity is basic necessity. Payment is not optional. Rate hikes like this hit those hardest who are
2 3 4 5 6	income where our rate is allocated for our rent because of how much money we pay, our rent goes up. So when we get the little bit increase, then we get more taken away from us. It is very hard for us to pay the rates that we have. Even if we're on PIP or	2 3 4 5 6	increase would contribute to additional foreclosures in the future. Now, electricity is basic necessity. Payment is not optional. Rate hikes like this hit those hardest who are already living at the edge of their means. We
2 3 4 5 6 7	income where our rate is allocated for our rent because of how much money we pay, our rent goes up. So when we get the little bit increase, then we get more taken away from us. It is very hard for us to pay the rates that we have. Even if we're on PIP or whatever. It is very, very hard. I wish you	2 3 4 5 6 7	<pre>increase would contribute to additional foreclosures in the future.</pre>
2 3 4 5 6 7 8	<pre>income where our rate is allocated for our rent because of how much money we pay, our rent goes up. So when we get the little bit increase, then we get more taken away from us. It is very hard for us to pay the rates that we have. Even if we're on PIP or whatever. It is very, very hard. I wish you would think seriously about the impact that</pre>	2 3 4 5 6 7 8	increase would contribute to additional foreclosures in the future. Now, electricity is basic necessity. Payment is not optional. Rate hikes like this hit those hardest who are already living at the edge of their means. We must not let FirstEnergy dump their purported costs onto low-income and fixed-income people
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2 3 4 5 6 7 8 9 10	<pre>income where our rate is allocated for our rent because of how much money we pay, our rent goes up. So when we get the little bit increase, then we get more taken away from us. It is very hard for us to pay the rates that we have. Even if we're on PIP or whatever. It is very, very hard. I wish you would think seriously about the impact that would be placed upon the people of the community when you make this rate hike.</pre>	2 3 4 5 6 7 8 9 10	increase would contribute to additional foreclosures in the future. Now, electricity is basic necessity. Payment is not optional. Rate hikes like this hit those hardest who are already living at the edge of their means. We must not let FirstEnergy dump their purported costs onto low-income and fixed-income people like seniors, while FirstEnergy racks up profits.
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2 3 4 5 6 7 8 9 10 11 12	<pre>income where our rate is allocated for our rent because of how much money we pay, our rent goes up. So when we get the little bit increase, then we get more taken away from us. It is very hard for us to pay the rates that we have. Even if we're on PIP or whatever. It is very, very hard. I wish you would think seriously about the impact that would be placed upon the people of the community when you make this rate hike. Thank you very much. MR. PRICE: Our next witness is</pre>	2 3 4 5 6 7 8 9 10 11 12	<pre>increase would contribute to additional foreclosures in the future.</pre>
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### PUCO hearing

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1	blackout have left many in northeast Ohio with		valuable opportunity to protect the public
2	no faith in their private electric utility	2	from another attempt at price gouging.
3	company.	3	MR. PRICE: Anyone who has not had
4	In August 2003 I filed a complaint	4	an opportunity to sign the sign-up sheet here
5	with the FUCO to revoke FirstEnergy's license	5	who would like to testify please do so.
6	to operate in northeast Ohio. Federal	6	Our next witness is Stefanie
7	investigations searching for the causes of the	7	Spear.
8	blackout have since confirmed the complicity	8	STEFANIE SPEAR
9	of FirstEnergy. The ten page complaint cites	9	of lawful age, a Witness herein, having been
10	multiple violations of federal and state	10	first duly sworn, as hereinafter certified,
11	regulations, as well as Enron-like accounting	11	testified and said as follows:
12	as the reason that FirstEnergy is not suitable	12	MR. PRICE: Please state your name
13	or capable to serve the residents of northeast	13	and address for the record.
14	Ohio. We have seen examples of such	14	MS. SPEAR: Ny name is Stefanie
15	accounting in the ESP proposal in discussion	15	Spear, 5 Skyline Drive in Moreland Hills,
16		16	Ohio.
	today.		
17	FirstEnergy should not be	17	MR. PRICE: Please proceed.
18	permitted to operate in such a reckless	18	MS. SPEAR: I currently receive my
19	fashion while being rewarded with rate	19	electricity for both my home and business from
20	increases that will continue to pad their	20	FirstEnergy via the Illuminating Company. My
21	pockets at the expense of my constituents.	21	community is one of the 126 member communities
22	Although Ohio Senate Bill 221	22	that receives its electricity rates through
23	mandated FirstEnergy to file an ESP, the	23	the Northeast Ohio Public Energy Council
24	PUCO's hands are not tied in accepting the	24	(NOPEC).
25	inflated provisions of it. In fact, the PUCO	25	I fully support governmental and
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	58	<b>۱</b>	
	36		60
1		1	<b>60</b> community aggregation and believe that the
1	is charged with determining if excess profit	1	community aggregation and believe that the
2	is charged with determining if excess profit occurred under an approved ESP. The PUCO	1 2	community aggregation and believe that the decisions made by the Public Utilities
2 3	is charged with determining if excess profit occurred under an approved ESP. The PUCO should save itself from making a future	1 2 3	community aggregation and believe that the decisions made by the Public Utilities Commission of Ohio should ensure the
2 3 4	is charged with determining if excess profit occurred under an approved ESP. The PUCO should save itself from making a future determination with mandating a reasonable ESP	1 2 3 4	community aggregation and believe that the decisions made by the Public Utilities Commission of Ohio should ensure the continuation of organizations like NOPEC.
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2 3 4 5 6 7 8	is charged with determining if excess profit occurred under an approved ESP. The PUCO should save itself from making a future determination with mandating a reasonable ESP for Ohio's consumers. As part of this case, FirstEnergy lowered their original proposed distribution rate annual increase of \$340 million by more	1 2 3 4 5 6 7 8	community aggregation and believe that the decisions made by the Public Utilities Commission of Ohio should ensure the continuation of organizations like NOPEC. Large scale opt-out governmental aggregation is good for residential and small business customers because it provides purchasing power, keeps the energy market
2 3 4 5 6 7 8 9	is charged with determining if excess profit occurred under an approved ESP. The PUCO should save itself from making a future determination with mandating a reasonable ESP for Ohio's consumers. As part of this case, FirstEnergy lowered their original proposed distribution rate annual increase of \$340 million by more than half to \$150 million per year. Such a	1 2 3 4 5 6 7 8 9	community aggregation and believe that the decisions made by the Public Utilities Commission of Ohio should ensure the continuation of organizations like NOPEC. Large scale opt-out governmental aggregation is good for residential and small business customers because it provides purchasing power, keeps the energy market competitive and helps make certain that Ohio
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### PUCO hearing

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1	our state and must make sure that all of the	1	market-based offer or electric security plan
2	decisions it makes encourages the transition	2	that is not proportionate to the benefits
3	to cleaner energy sources.	3	received by such customers, as a group,
4	Currently NOPEC has a letter of	4	receive. Customers participating in
5	intent with Florida Power and Light to supply	5	governmental aggregation programs will not be
6	electricity to the 126 NOPEC member	6	required to pay the utility for standby
7	communities in northeast Ohio over a three	7	generation service where the aggregation
8	year period beginning in 2009.	8	program elects not to take such service."
9	This letter of intent includes an	9	I have several concerns relating
10	agreement that would exceed renewable energy	10	to FirstEnergy's proposed rate plan.
11	provisions of the statute by at least 50	11	FirstEnergy's plan to spend \$25 million on
12	percent. Florida Power and Light is the	12	energy efficiency programs over the next five
13	nation's leading generator of wind and solar	13	years does not specify in what areas they will
14	power and they are currently investigating the	14	spend their money in.
15	possibility of developing, constructing,	15	I suggest that there should be
16	owning and operating wind energy projects in	16	
17	Ohio.	17	
18	Under the proposed transaction,	18	commitment to provide energy efficiency
19	Florida Power and Light will, through its	19	programs in each of their service territories
20	power marketing and competitive retail	20	and FirstEnergy make a bigger commitment to
21	subsidiaries, provide power that based on	21	energy efficiency than what they have planned.
22	current energy prices could result in	22	
23	substantial cost savings for 600,000 electric	23	Power have proposed investing \$178 million
24	customers in nine counties in northeast Ohio.	24	· · · · · · · · · · · · · · · · · · ·
25	Senate Bill 221 recognized the	25	FirstEnergy also neglects to
	62		64
1	importance of governmental aggregation and	1	
2	states that, and I'm quoting, "the PUCO is	2	
3	directed to adopt rules that encourage and	3	for any series series and and roars
4	promote large-scale governmental aggregation.	4	Other states require a third party
5	To this end, the PUCO is required to conduct	5	administrator specialist to monitor or operate
б	an immediate review of its existing rules.	6	utility energy efficiency programs. It is
7	This requirement gives governmental	1 7	also unclear who will pay for efficiency
8	aggregators such as NOPEC a meaningful	8	- Perturbative data and aller solidized from one
9	opportunity to persuade the PUCO to address	9	
10	some of the hurdles faced by aggregation	10	1
11	programs, such as switching fees and to adopt	11	
12	rules that will ease the administrative	12	5 53
13	burdens that can interfere with the success of	13	31
14	aggregation programs. The PUCO is also	14	<b>, , , , , , , , , ,</b>
15	directed to consider the effect on large-scale	15	• 22 2 •
16	governmental aggregation of any	16	
17	non-by-passable generation charge that is	17	
18	newly approved in the context of an electric	18	
19	security plan."	19	
20	Senate Bill 221 also states that	20	1 1 1
21	"Customers participating in governmental	21	· · · · · · · · · · · · · · · · · · ·
22	aggregation programs established under	22	
23	4928.20, Revised Code, will not be required to	23	but they will save money.
24	nay any surcharge resulting from the phase-in	24	Over the past year I have worked

pay any surcharge resulting from the phase-in of a standard service offer plan, either a 24 Over the past year I have worked 25 to lower my energy consumption in my home,

## PUCO hearing

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	65		
1	which also happens to be where I work. I live	1	related power plants which would make for a
2	in a 2,000 square foot home with my husband	2	total of nine power plants in a ten mile
3	and two kids. My current average monthly	3	radius for this community, making it the
4	usage is 394 kilowatts per hour. I was able	4	largest concentration of coal plants in the
5	to lower my energy use by putting most of my	5	nation.
6	electronics on power strips. This way I'm	6	I recommend that the PUCO make its
7	only using what I need when I need it and	Ĵ	decisions based on what is best for the
8	power strips completely turn off appliances	8	customer and the environment and be sure that
9	and electronics that would otherwise be on	9	Ohio-based utilities meet or beat the
10	standby mode.	10	standards set in Senate Bill 221.
1	The energy efficiency programs	11	The PUCO also needs to encourage
12	I've started in my home have cost me virtually	12	and promote large-scale governmental
3	nothing to implement. I think that electric	13	aggregation and ensure that organizations like
4	energy users need to be aware of their energy	14	NOPEC can provide its customers with a
L9 L5	consumption and I'm thankful that my energy	15	competitive or lower rate while investing in
.6	bill is easy to read and provides a lot of	16	the renewable energy future for our state that
.0	information, including a bar graph of my	17	includes strong energy efficiency standards.
.8	usage, so that I can easily monitor my usage	18	Thank you for listening to my
.o .9	and measure my successes in my energy	10	testimony today. I lock forward to the PUCO
20	• • ••	20	decision on this important and precedent
:0 :1	efficiency programs in my home.	20	
	I encourage FirstEnergy to make	21	setting matter.
2	educating their customers on energy efficiency	22	MR. PRICE: Anybody that wants to
23	programs a priority and offer free energy		testify who has not had a chance to sign up?
24 25	audits, rebates on energy efficient appliances, discounts on home weatherization,	2 <b>4</b> 25	Seeing none. Thank you. We're concluded for
	appliances, discounts on home weatherization,		Thank you. We're concluded for
25	appliances, discounts on home weatherization, 66		-
1	appliances, discounts on home weatherization, 66 old appliance pickup and disposal services and	25	Thank you. We're concluded for
25 1 2	appliances, discounts on home weatherization, <b>66</b> old appliance pickup and disposal services and investing in smart metering.	25	Thank you. We're concluded for the afternoon. We will resume again tonight
25 1 2 3	appliances, discounts on home weatherization, 66 old appliance pickup and disposal services and investing in smart metering. I can't express enough my feeling	25	Thank you. We're concluded for the afternoon. We will resume again tonight
1 2 3 4	appliances, discounts on home weatherization, <b>66</b> old appliance pickup and disposal services and investing in smart metering. I can't express enough my feeling of the importance of investing in the	25 1 2 3 4 5	Thank you. We're concluded for the afternoon. We will resume again tonight at 6:30 in Cleveland Heights, Ohio.
1 2 3 4 5	appliances, discounts on home weatherization, 66 old appliance pickup and disposal services and investing in smart metering. I can't express enough my feeling of the importance of investing in the renewable energy future for our region and	25 1 2 3 4 5 6	Thank you. We're concluded for the afternoon. We will resume again tonight at 6:30 in Cleveland Heights, Ohio.
25 1 2 3 4 5 6	appliances, discounts on home weatherization, 66 old appliance pickup and disposal services and investing in smart metering. I can't express enough my feeling of the importance of investing in the renewable energy future for our region and strong energy efficiency standards. The	25 1 2 3 4 5 6 7	Thank you. We're concluded for the afternoon. We will resume again tonight at 6:30 in Cleveland Heights, Ohio.
1 2 3 4 5 6 7	appliances, discounts on home weatherization, <b>66</b> old appliance pickup and disposal services and investing in smart metering. I can't express enough my feeling of the importance of investing in the renewable energy future for our region and strong energy efficiency standards. The burning of coal in our state is contributing	25 1 2 3 4 5 6 7 8	Thank you. We're concluded for the afternoon. We will resume again tonight at 6:30 in Cleveland Heights, Ohio.
1 2 3 4 5 6 7 8	appliances, discounts on home weatherization, <b>66</b> old appliance pickup and disposal services and investing in smart metering. I can't express enough my feeling of the importance of investing in the renewable energy future for our region and strong energy efficiency standards. The burning of coal in our state is contributing greatly to climate change, global warming and	25 1 2 3 4 5 6 7 8 9	Thank you. We're concluded for the afternoon. We will resume again tonight at 6:30 in Cleveland Heights, Ohio.
123456789	appliances, discounts on home weatherization, 66 old appliance pickup and disposal services and investing in smart metering. I can't express enough my feeling of the importance of investing in the renewable energy future for our region and strong energy efficiency standards. The burning of coal in our state is contributing greatly to climate change, global warming and air and water pollution.	25 1 2 3 4 5 6 7 8 9 10	Thank you. We're concluded for the afternoon. We will resume again tonight at 6:30 in Cleveland Heights, Ohio.
1 2 3 4 5 6 7 8 9 0	appliances, discounts on home weatherization, <b>66</b> old appliance pickup and disposal services and investing in smart metering. I can't express enough my feeling of the importance of investing in the renewable energy future for our region and strong energy efficiency standards. The burning of coal in our state is contributing greatly to climate change, global warming and air and water pollution. According to the Environmental	25 1 2 3 4 5 6 7 8 9 10 11	Thank you. We're concluded for the afternoon. We will resume again tonight at 6:30 in Cleveland Heights, Ohio.
1 2 3 4 5 6 7 8 9 0	appliances, discounts on home weatherization, <b>66</b> old appliance pickup and disposal services and investing in smart metering. I can't express enough my feeling of the importance of investing in the renewable energy future for our region and strong energy efficiency standards. The burning of coal in our state is contributing greatly to climate change, global warming and air and water pollution. According to the Environmental Protection Agency, Cuyahoga County's air	25 1 2 3 4 5 6 7 8 9 10 11 12	Thank you. We're concluded for the afternoon. We will resume again tonight at 6:30 in Cleveland Heights, Ohio.
1 2 3 4 5 6 7 8 9 0 1 2	appliances, discounts on home weatherization, 66 old appliance pickup and disposal services and investing in smart metering. I can't express enough my feeling of the importance of investing in the renewable energy future for our region and strong energy efficiency standards. The burning of coal in our state is contributing greatly to climate change, global warming and air and water pollution. According to the Environmental Protection Agency, Cuyahoga County's air quality is in nonattainment for failing to	25 1 2 3 4 5 6 7 8 9 10 11 12 13	Thank you. We're concluded for the afternoon. We will resume again tonight at 6:30 in Cleveland Heights, Ohio.
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CERTIFICATE

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

I, Lori K. Phillips, an RMR and Notary Public within and for the State of Ohio, duly commissioned and qualified, do hereby cartify that the proceedings were by me reduced to Stanctypy, afterwards transcribed upon a computer; and that the foregoing is a true and correct transcription of the proceedings so given as aforesaid.

I do further certify that these proceedings were taken at the time and place in the foregoing caption specified, and were completed without adjournment.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Akron, Ohio, on this 30th day of September, 2008.

Lin KOhl

Lori K. Phillips, RMR and Notary Fublic in and for the State of Ohio.

My Commission expires December 2, 2010.

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