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FROM TRANSCRIPT TO TRIAL

Friday, October 31, 2008

Alan R. Schriber  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, OH 43215

RE: PUBLIC UTILITIES COMMISSION OF OHIO  
Deponent: Public Hearing  
Date: October 7, 2008 @ 6:30 pm

PUCO

2008 NOV -3 PM 4:14

RECEIVED-DOCKETING DIV

Dear Mr. Schriber:

Enclosed you will find the original transcript of the public hearing taken on October 7, 2008, in the above-captioned case.

Also enclosed, please find a copy of the same transcript.

When we may be of further assistance, please call our office at 513-621-7723.

Sincerely,

*Kay Patton*  
Kay Patton

Enclosure: (1) original transcript  
(1) copy of transcript  
(1) min-u-script with index

I HEREBY ACKNOWLEDGE RECEIPT OF THE ABOVE:

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CIN-TEL CORPORATION

PH. 513-621-7723 FX. 513-621-6558

Page 1

PUBLIC UTILITIES COMMISSION OF OHIO

CASE NUMBER: 08920-ELSSO

DATE: OCTOBER 7, 2008

TIME: 6:30 P.M.

PLACE: UNION TOWNSHIP CIVIC CENTER  
4350 AICHOLTZ ROAD  
CINCINNATI, OHIO 45245

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NOV 03 2008

ORIGINAL

1 APPEARANCES:

2 On behalf of the PUCO:

3 Alan R. Schriber, Chairman  
4 Public Utilities Commission of Ohio  
5 180 East Broad Street  
6 Columbus, Ohio 43215  
7 (614) 466-3101

8 \* \* \* \* \*

PUBLIC UTILITIES COMMISSION OF OHIO HEARING

1  
2 MR. SCHRIBER: Good evening, everyone. My name is Alan  
3 Schriber. I'm with the Public Utilities  
4 Commission of Ohio. We have this meeting  
5 tonight for the purpose of hearing your  
6 comments with respect to Duke Energy's rate  
7 case, which is number 08920-ELSSO. We are  
8 on the record, right? Good. First of all,  
9 I should probably take appearances from the  
10 counsel for the parties.

11 MS. HOTZ: My name is Ann Hotz, and I work for Janine  
12 Migdon-Ostrander. She is the Ohio  
13 Consumers' Counsel, and we represent  
14 residential customers in proceedings before  
15 the Public Utilities Commission. And with  
16 me is Benjamin Archado [sic] and either one  
17 of us are available to talk to you if you  
18 have any questions about this case or if  
19 you have any concerns about your service or  
20 rates. Thank you.

21 MR. SCHRIBER: Thank you.

22 MS. WATSON: Thank you, Mr. Chairman. My name is  
23 Elizabeth Watson. I'm legal counsel for  
24 Duke Energy. And, likewise, we would be

1 happy to answer questions for anyone that  
2 might have some. We will give you a card  
3 and we will be happy to answer questions.  
4 MR. SCHRIBER: Lee, can I have the list, please? Thank  
5 you. Now, what we are going to do is,  
6 again, I will call you up -- I will call  
7 you forward as you've signed up on the list  
8 here. And I'll ask you to affirm that the  
9 statement that you are to give is the truth  
10 as you believe it. And your comments will  
11 be part of the record in this case. Now,  
12 in Columbus we will have what we call  
13 evidentiary hearings where we have all the  
14 lawyers and the accountants and the  
15 financial guys all come together in sort  
16 of almost like a court proceeding. That,  
17 obviously, makes up a significant portion  
18 of the record in the case also. But I do  
19 not want to leave the impression that the  
20 public testimony is less important. It's  
21 very important. We review everything, and  
22 at the appropriate point in time the  
23 commissioners will, having reviewed the  
24 information that we get from the record in

1 this case, we will render a decision. With  
2 that in mind, I would begin by calling the  
3 witnesses -- first thing I want to do is  
4 introduce, and you probably already know, a  
5 good friend of mine, and a great state  
6 senator, Tom Niehaus and his wife, Emily.  
7 I can tell you that Tom and I work very  
8 closely in crafting the legislation that we  
9 think is good legislation. And part of the  
10 reason why we are here tonight is because  
11 we are now implementing that legislation.  
12 Okay. If you have any questions of me, of  
13 the commission, or the process, what have  
14 you, I can hang around afterward for a  
15 while. I have the good fortune of living  
16 in Cincinnati, so unlike most of these  
17 people, I don't have to drive back to  
18 Columbus tonight. So, what I will do,  
19 again, is have you come forward, ask you to  
20 give your name and spell it. Everything  
21 you're saying tonight is being recorded  
22 over here. And I will ask you to give your  
23 name, probably spell it, and give me your  
24 address, and your statement. We would

1 appreciate it. So first on my list  
2 looks like A.E. Saikaly. Good evening,  
3 Mr. Saikaly. I did pronounce that  
4 correctly?

5 MR. SAIKALY: Yes. Yes, your pronunciation is correct.

6 MR. SCHRIBER: Good. I'll ask you to raise your right  
7 hand, please, and affirm that the statement  
8 you're about to give is the truth?

9 MR. SAIKALY: I would.

10 MR. SCHRIBER: Okay. Good enough. You want to -- I think  
11 it's S-A-C-K-A-L-Y?

12 MR. SAIKALY: S-A-I-K-A-L-Y.

13 MR. SCHRIBER: S-A-I-K-A-L-Y. And your address?

14 MR. SAIKALY: 12142 Bath Court, Cincinnati, Ohio.

15 MR. SCHRIBER: Okay. Okay. Proceed, please.

16 MR. SAIKALY: Good evening, Mr. Chairman. Everybody. My  
17 name is Adeeb Saikaly as I said. I'm here  
18 for two reasons: first reason is, for all  
19 of you to have understanding that there is  
20 a lawsuit regarding payment from energy --  
21 Duke Energy to the big companies that have  
22 been given a lot of -- yet the average  
23 individual was stuck pretty bad. They did  
24 not get the same kind of advantages that

1 big boys have. This is -- which in my  
2 opinion is very discriminatory and is not  
3 fair, and is not properly done. I will go  
4 on and say Mr. Chesley is correct in his  
5 lawsuit, and I hope he is successful. The  
6 other thing is this, I am aware -- I've been  
7 in public utilities before and I understand  
8 what public utilities needs are. I agree  
9 that the public utilities needs some  
10 additional rates to be needed for expenses  
11 in regard to their conveying of the energy  
12 from one place to the other, and all of the  
13 other things that they need to do the job.  
14 But, the rates should be fair, and I don't  
15 think that it's fair, that the rates that  
16 they are asking for is really a fair rate.  
17 Other people have indicated different  
18 things in regard to that, why the rates are  
19 not fair, and why they are excessive. For  
20 me, I think that the rates are a little bit  
21 excessive, and I don't think -- doesn't  
22 make sense to me, one time I pay \$160 a  
23 month. I don't think is very much. I'm  
24 retired. I have one wife. I don't have



1 two. I have -- two of us, and we don't use  
2 that much electricity, yet our bill does  
3 not go less than \$170 or \$160 every month,  
4 which I don't know where it goes. I'm sure  
5 there are lots of people, retirees, like me  
6 that are having same question. And their  
7 rate is going to be increased? We are, in  
8 what you call a fixed income, steady.  
9 Steady income means you are fixed. We  
10 don't ask you for -- we don't ask our --  
11 "Hey, raise our rates now." "Raise our" --  
12 "I deserve more money." I cannot do that.  
13 I'm fixed income. This is, again, the  
14 other people have indicated in regard to  
15 the rates, and I'm very much in favor of  
16 the OCC. The OCC, they're presented here.  
17 They have made a very good case for  
18 themselves, and I agree with them  
19 completely, and I hope that will be in the  
20 record, because I have read their comments  
21 and their comments are very well documented  
22 and very well explained. They are very,  
23 very logical in their requests, and in  
24 their explanation, and in their

1 questioning. I -- again, I don't think we  
2 are asking that the Utility Commission  
3 should not give them some rates, some  
4 increase, but not at the same rate that  
5 they have, not under the certain conditions  
6 that they are asking for. I would like  
7 that rate to be fair, and I'm sure that the  
8 Public Utilities Commission will give them  
9 a fair rate to them and to the user also.  
10 Thank you.

11 MR. SCHRIBER: Thank you, Mr. Saikaly. Next would be  
12 James Farley. Good evening, Mr. Farley.

13 MR. FARLEY: Good evening.

14 MR. SCHRIBER: Right hand, please. Can I ask you to  
15 affirm that the testimony you're about to  
16 give is the truth, the whole truth?

17 MR. FARLEY: Yes, sir.

18 MR. SCHRIBER: Okay. Would you give your name and  
19 spell your address or rather, spell -- I  
20 guess Farley, we, we can probably spell  
21 Farley.

22 MR. FARLEY: James W. Farley, F-A-R-L-E-Y.

23 MR. SCHRIBER: Okay. And your address, please?

24 MR. FARLEY: 3027 Bardwell West Road, Mount Orab, Ohio,

1 45154.

2 MR. SCHRIBER: Thank you, sir. Please proceed.

3 MR. FARLEY: I would like to make a comment this evening  
4 in regard to this 5.7 percent rate increase  
5 that is being proposed by Duke Energy. How  
6 it will affect me personally. How I  
7 believe it will affect most all of the  
8 retired people that's on Social Security  
9 and that's on some type of a fixed income.  
10 Social Security had a 2.3 percent increase  
11 for 2008. With that increase at also  
12 3 percent increase in Medicare or the  
13 Social Security, there was also an increase  
14 of approximately around 50 to 55 percent in  
15 the prescription drug plan for this year,  
16 which is to me is a great increase. The  
17 total increase or the total gain for my  
18 benefits from Social Security would have  
19 been \$13 a month for 2008. My wife would  
20 have seen a \$7 decrease a month. So that  
21 gives us a net gain of about \$6 a month in  
22 Social Security benefits. Our even  
23 billing, which we have been on with Duke  
24 Energy since I don't know when, even back

1 in the 60's we went on even billing through  
2 CG&E, but it's been carried over, over all  
3 these years. Our current even billing is  
4 approximately \$185 a month. With a  
5 5.7 percent increase -- that is not tacking  
6 all the other things that they are talking  
7 about being able to increase: cost of  
8 fuel, cost of emissions, and everything  
9 else -- that would go to \$195.50 a month.  
10 That would be an increase of \$10.50 a  
11 month. If you take that \$10.50 and look at  
12 our \$6 increase that we got from Social  
13 Security on a fixed income, we are \$4.40  
14 short right now just on one thing, our  
15 utility bill. So, what I'm -- what I'm  
16 looking at here now is just something that  
17 doesn't look like it's just a little small  
18 thing for residential individual, but how  
19 many thousands and millions of residential  
20 customers does Duke Energy have that is  
21 actually going to be in the same situation  
22 that I'm in today? Doesn't sound like much  
23 of an increase. From August 2006 to  
24 August 2007, according to Duke Energy, we

1 consumed 21,539 kilowatt hours. That same  
2 time period from 2007 to 2008, it's 19,264  
3 kilowatt hours. According to your chart,  
4 that would be, that would be an increase  
5 from a hundred and -- let's see you had for  
6 1,000, \$110, and we are consuming roughly a  
7 little over 1,600. So that's, that's going  
8 to be another \$80. So we are going  
9 to be falling pretty much in line with what  
10 our even billing is as far as what we've  
11 actually, actually consumed. The only  
12 thing that we can do to recoup that is to  
13 cut our electric back -- cut our electric  
14 usage back. Already gone through and done  
15 all the light changes, put all these energy  
16 efficient lights in the house that I can.  
17 We didn't run our air conditioning anything  
18 lower than 78 degrees this summer. So far  
19 this winter or this fall with the cool  
20 temperatures, we had our furnace on one  
21 time one morning just to bring the  
22 temperature up when we got ready to take a  
23 shower, and that was it. And we are on a  
24 hundred percent electric. We have a heat

1 pump and this, this is what we are faced  
2 with as a residential customer of Duke  
3 Energy. And my thought on this is that  
4 there's many, many more just exactly like  
5 myself. It doesn't look like it's a small  
6 thing, but if we look at a rate increase  
7 from Social Security, which is part of our  
8 livelihood now, at 2.3 percent and then  
9 Duke Energy is going to come along and take  
10 5.7 percent increase plus, then those  
11 numbers are not going to balance. We are  
12 going to be in the hole, and a lot of  
13 people are going to be like that this year.

14 MR. SCHRIBER: Thank you for your testimony.

15 MR. FARLEY: Thank you very much.

16 MR. SCHRIBER: Okay. Now, we have Virginia Saikaly. I'm  
17 going to assume that you're Mr. Saikaly's  
18 only wife?

19 MS. SAIKALY: Yes. I'm the one wife.

20 MR. SCHRIBER: You're the one wife. Well, good.

21 MS. SAIKALY: Should I give my address?

22 MR. SCHRIBER: I assume the spelling and the address are  
23 the same, right?

24 MS. SAIKALY: Yes, yes. It is.

1 MR. SCHRIBER: Okay. Then we are good to go.

2 MS. SAIKALY: Yes, I'm here just as --

3 MR. SCHRIBER: Could, could I ask you to just -- do you  
4 affirm that the testimony you're about to  
5 give is the truth, and the whole truth?

6 MS. SAIKALY: Yes, sir, I do.

7 MR. SCHRIBER: Thank you very much, proceed.

8 MS. SAIKALY: I'm just here as an average citizen to  
9 lodge my protest against this rate increase  
10 as well. In this period of uncertain  
11 economic times, I think we are going to all  
12 be impacted even more than we know right  
13 now. And I'm just afraid of what can  
14 happen, and many of us -- and for many here  
15 probably tonight it might mean a meal on  
16 the table or staying warm this winter. And  
17 I just think that as we as average citizens  
18 have to cut back a little, I think Duke  
19 Energy can cut back and take us into  
20 consideration when they are considering  
21 these rate increases. So that's my  
22 testimony.

23 MR. SCHRIBER: Thank you very much. I'm going to struggle  
24 with this one. Ralph Neil, or Neil --

1 looks like four letters. 5176 Romohr Road  
2 or something like that.  
3 MR. HAIL: That's me.  
4 MR. SCHRIBER: Okay. I can't -- come on up, sir.  
5 MR. HAIL: Talking about right there?  
6 MR. SCHRIBER: No, right there. Can I ask you to raise  
7 your right hand, please, and affirm that  
8 the testimony you're about to give is the  
9 truth, and the whole truth?  
10 MR. HAIL: I do.  
11 MR. SCHRIBER: Okay. Do you want to pronounce and spell  
12 your name for us, please, and your address?  
13 MR. HAIL: Robert Hail, H-A-I-L, 5176 Romohr Road,  
14 Cincinnati, Ohio.  
15 MR. SCHRIBER: Okay.  
16 MR. HAIL: I'm a design engineer. One of my first  
17 jobs was training to be a heating engineer,  
18 so I knew about the economy like  
19 insulation. When we built our house, I  
20 built a wall inside the house making the  
21 walls a foot thick. I have R-56 walls, has  
22 cathedral ceilings. I added two-by-two,  
23 built it up and put one-inch Styrofoam and  
24 3/4-inch cedar boards. I had an R-35



1 rating, and we replaced our furnace about  
2 five years ago. And I had quotes to have a  
3 geothermal system, where they bury pipes in  
4 the ground, and they said that my bill was  
5 only \$125 a month and it was not  
6 economically feasible for me to do that,  
7 and I would not recoup enough money to pay  
8 for it. But I did put in the most  
9 efficient model they had. The heat bill  
10 was about \$125 on even billing back then.  
11 They raised it up to \$195 a month last year  
12 and they cut that back to \$187 I believe  
13 this year. We have ceiling fans in every  
14 room in the house, and we have two  
15 wood-burning stoves. And I've read a lot  
16 in the paper about some kind of a deal Duke  
17 had with big commercial companies. They  
18 were getting some kind of a payback  
19 through some deal. I don't know what it  
20 ever turned out to be. It just kind of  
21 died. I don't know what happened with  
22 that. I got a little bit of a cold here so  
23 you have to bear with me.

24 MR. SCHRIBER: Take your time.

1 MR. HAIL: I guess that is about all I have to say.  
2 Going up from 125 in the last 4 years to  
3 190, I call it "nickel and diming you."  
4 It's so much per thousand, but if you have,  
5 have 2000, it's double that, and I'm on a  
6 fixed income. My wife and I are both  
7 retired on a fixed income, and we have the  
8 medical bills same as the other gentleman,  
9 same as he did. Thank you for your time.

10 MR. SCHRIBER: Thank you. That brings us to Paul  
11 Oslansky. Good evening, sir.

12 MR. OSLANSKY: Good evening.

13 MR. SCHRIBER: Raise your right hand, please. Do you  
14 affirm the testimony you're about to give  
15 is the truth and the whole truth?

16 MR. OSLANSKY: Yes, I do.

17 MR. SCHRIBER: Okay. Thank you. Name, spelling, and  
18 address, please.

19 MR. OSLANSKY: That's Paul Oslansky, O-S-L-A-N-S-K-Y, 684  
20 Brandy Way, Cincinnati, Ohio, 45244.  
21 Basically, mine is, I agree with the other  
22 gentleman and a lady that, that were up  
23 here concerning the rate increase. But  
24 mine is purely more towards customer

1 service that Duke Energy gave us before and  
2 after the power outage. Our property, we  
3 are the end of the line. We have a tree  
4 that was within a foot of the transformer  
5 that leads to our house, and we went two  
6 and a half months back and forth with Duke,  
7 every department passing the buck to  
8 another department saying who was going to  
9 take charge of this, remove either limbs or  
10 the tree. Finally, after two-and-a-half  
11 months, they removed the tree and we  
12 were concerned every time a thunderstorm  
13 would arrive or any type of high winds, the  
14 tree was going to come down, pull out the  
15 power lines out, and disturb power not only  
16 to us but our neighborhood. The next one  
17 deals with the power outage. And we were  
18 very dissatisfied with the service that our  
19 little community received there. We went  
20 nine days without power. And at the end  
21 they -- Saturday they were telling us to  
22 give them a call and tell them where the  
23 power was out. We tell them, and they  
24 never showed up. They told us they were

1 going to be there Saturday, Sunday, Monday,  
2 and now this is a week into this, and  
3 they're telling us to tell them where the  
4 problems are and there's no response. And  
5 then on Sunday and Monday I drove out to  
6 Eastgate and observed, spent a half hour,  
7 45 minutes watching 10, 20, 30 crews  
8 sitting there for a half hour, 45 minutes  
9 at a time not departing the scene. And we  
10 are from that point about two-and-a-half  
11 miles from where our residence was, along  
12 with 12 other people on our street. Houses  
13 that were without power and on our street,  
14 there's 70 houses and those other 70 had  
15 power since Tuesday prior. So I watched  
16 that, and that kind of really frustrated me  
17 to see that amount of crews sitting there  
18 not doing anything. So, we call again and  
19 again and nothing was, you know -- told, "We  
20 will" -- "You'll be tomorrow." We are  
21 guaranteed midnight tonight, and that just  
22 never appeared until finally Tuesday morning  
23 they finally showed up. The other thing, on  
24 Monday when I was driving home from work, I

1 observed a Duke crew hooking up power where  
2 a tree had taken down -- to just a garage  
3 at someone's residence. Power to the garage,  
4 they already had power to the house. They  
5 were restoring power to that garage before  
6 they were handling residents without power.  
7 I just can't fathom how they did this. The  
8 other thing that on Thursday of the first  
9 week, I don't know if you know where 32 and  
10 Old 74 meet on the other side of 275?  
11 Well, that traffic light was out from day  
12 one. I called Duke. They did not even know  
13 about that, yet they are three-quarters of  
14 a mile down the road driving by it everyday  
15 and there's a backup everyday for a mile,  
16 two miles. I called ODOT. ODOT said they  
17 turned in a request right away when they  
18 had the power outage, and I told them, "They  
19 haven't restored it. It's Thursday." I  
20 came home that evening about five hours  
21 after I called, now we have a traffic light.  
22 They need to fix their internal problems  
23 first before they come out and ask us for a  
24 pay increase to support their, you know,

1 problems that they have internally, getting  
2 customer service issues resolved to help  
3 people get their power back. We understand  
4 it was a magnitude that was beyond belief  
5 here in Cincinnati, but when they have  
6 their president come on and say we are  
7 going to have power back to 85 percent of  
8 the people at this time, don't do that if  
9 you don't know for sure. And they said day  
10 in and day out that they were going to have  
11 this at this time, and never achieved their  
12 goals. Since they did this and basically,  
13 it was just that their communication with  
14 the customers is terrible. They need to  
15 resolve these issues first before they come  
16 and ask us to have more money to support  
17 their infrastructure. That's pretty much  
18 all I have to say.

19 MR. SCHRIBER: Thank you for your testimony. I think the  
20 silver lining is without television, we  
21 didn't have to watch the Bengals.

22 MR. OSLANSKY: That's true.

23 MR. SCHRIBER: That's the good part. Thanks for your  
24 testimony. Let's call Phyllis Varner.

1 Good evening.

2 MS. VARNER: Good evening.

3 MR. SCHRIBER: Raise your right hand for me please and  
4 affirm that the testimony you're about to  
5 give is the truth and the whole truth?

6 MS. VARNER: Yes.

7 MR. SCHRIBER: Good. Do you want to give us your name,  
8 spelling, and your address, please?

9 MS. VARNER: My name is Phyllis, P-H-Y-L-L-I-S, Varner  
10 is V as in Victor, A-R-N-E-R. I live at  
11 556 Aspen Glenn Drive, Cincinnati, 45244.  
12 There is 132 units in our complex and  
13 80 units in the complex next door to us.  
14 During the outage our -- all both of us,  
15 both complexes have electric underground so  
16 I don't know where it went out at, but I  
17 called several times and told them and I  
18 was told that it was a problem, yes. And I  
19 said, "Well, I don't understand beings our  
20 electric is underground why we are without  
21 electric." We were out from Sunday  
22 afternoon until midnight Friday night. A  
23 lot of people I know lost a lot of food.  
24 We fortunately were not in that group. I

1 also want to say that I agree with a lot of  
2 the people that have come up here and  
3 talked about being on a limited income and  
4 the raises. I, recently, while within a  
5 year-and-a-half ago I went on even billing  
6 with them. And I never got -- my bill  
7 never got up as high as what the amount  
8 was, and all of a sudden they upped it to  
9 \$129. And I called them and asked them  
10 why. "Why did you up it? I have never  
11 reached the billing that I was on." And  
12 they told me, "Well, we look at it every  
13 three months." I said, "What does that  
14 have to do with anything? If I haven't  
15 even reached that amount, why are you  
16 raising it?" "We look at it every  
17 three months." I said, "Okay, I tell you  
18 this much, you look at it three months and  
19 I will too and if I haven't reached that  
20 amount, I'm taking it off of even billing,  
21 and I won't deal with you like that." I  
22 don't think they need a raise. I think  
23 they are trying to gouge us. I think we  
24 need to stand firm, and I looked at your



1 chart here and it says a hundred and ten  
2 eighty-nine -- assuming that's estimated.  
3 And 2011 it's going to be around \$6.50  
4 more, roughly. And as the first gentleman  
5 talked said he was going to get a \$6 a  
6 month Social Security by 2011, his \$6 is  
7 gone, and we are not going to get that much  
8 more in Social Security every year from  
9 then on. And, of course, by the time he  
10 pays medication and insurance rates and  
11 everything else -- somewhere, somehow this,  
12 these increases have to stop. And the  
13 gentleman that talked just before me saying  
14 that the trucks were in the lot not moving,  
15 we observed that ourselves. We also  
16 observed the traffic light at Old 74, and I  
17 called Clermont Union Township police,  
18 because I thought the least they would do  
19 would be to come down there and direct  
20 traffic because traffic was lined up east  
21 on 74 as far as you could see. And they  
22 told me they did not have anybody to send.  
23 That is a sad state of affairs when you  
24 have buoco cars going around and they

1 cannot send one policeman down to direct  
2 traffic. But I think somewhere this, this  
3 has to stop. Thank you.

4 MR. SCHRIBER: Thank you for your testimony. With that,  
5 I'll call Jim Calvert. Mr. Calvert, I  
6 guess, I'll have to ask you to raise your  
7 left hand.

8 MR. CALVERT: Thank you, sir.

9 MR. SCHRIBER: Do you swear the testimony you're about to  
10 give is the truth, and the whole truth?

11 MR. CALVERT: I do.

12 MR. SCHRIBER: Okay. Thank you. Do you want to give us  
13 your name ad address, please?

14 MR. CALVERT: My name is James Calvert, C-A-L-V-E-R-T.  
15 1230 Wilson Dunham Road in Richmond, Ohio  
16 45157. I'm here -- I'm strongly opposed to  
17 a rate increase by Duke Energy for multiple  
18 reasons. First of all, anybody that had a  
19 television or radio on should understand  
20 what has been going on with the economy.  
21 Their proposed rate increase is on the tip  
22 of the iceberg. It goes not only to what  
23 you pay, but if somebody else pays more that  
24 you're going to have to deal with, they are

1 going to charge you for that increase, so  
2 the \$5 of \$6 that they are requesting is a  
3 low-ball figure, number one. It's a  
4 trickle-down effect just like any other  
5 thing in the economy today. Duke Energy  
6 needs to start by tightening their belt the  
7 same way I have to, and these folks here.  
8 They're on fixed incomes. They can't make up  
9 that five or six percent from Duke Energy  
10 or the extra that the other folks are going  
11 to be charging for their services. So, it  
12 needs to start from within, and it needs to  
13 start from the top. From management down,  
14 top management down, let's tighten the  
15 belt, save some money and not be requesting  
16 a rate increase. Also, everybody should be  
17 paying the same rate. I only know what I  
18 read and see on television, and hear that  
19 directly or indirectly, major corporations  
20 are paying a different rate than the  
21 average consumer. It's been public  
22 knowledge now for several months. Let's  
23 get everybody on the same rate, on the same  
24 worksheet and tighten the belt there. Not

1 charge the general residential customer.  
2 Lastly, is to do with service. We did have  
3 a power outage, quite a large one. I want  
4 to compliment the workers at Duke, the guys  
5 on the firing line, the guys climbing the  
6 poles, the guys cutting the trees did an  
7 outstanding job when you could get them  
8 there. The problem started from that point  
9 up. It became very obvious very quickly,  
10 the management of Duke Energy had no plan  
11 for a catastrophe. No backup plan, no  
12 plan to communicate. I was lied to on the  
13 phone like all the rest of these folks  
14 were, which reported after four or  
15 five days you could call and get a live  
16 voice, saying, "Sir, there's no reported  
17 outage in your neighborhood for a 10 square  
18 miles, hundreds of houses." And it's, "Do  
19 you want to report an outage?" I said, "I  
20 have already reported it." So, "Well, we  
21 don't have a report." And this went on, not  
22 only with me, with my neighbors also, day  
23 after day after day. To get a truck to  
24 take care of the down lined across the road,

1 neighbors and I drove around until we found  
2 a truck 5 miles away. The guy came out and  
3 trimmed off some limbs so he could get the  
4 road open. We talked to them, he had a  
5 little computer in his truck. "Sir,  
6 there's no reported damage in this area."  
7 We took him on a tour through the  
8 neighborhood. He said, "We should have  
9 been out here days ago. We could have had  
10 this whole neighborhood up and running in  
11 just a very few hours." That didn't  
12 happen. That's called communication. It  
13 starts at the management level, and it  
14 needs to be corrected and they need to come  
15 up with a plan and communicate with the  
16 public, not by television. You don't have  
17 power. A lot of people didn't have radios.  
18 When you call in, don't lie to the consumer,  
19 which is actually what happened. And it  
20 went on for days and days and days. So, I  
21 won't take up any more of your time, but  
22 I'm strongly opposed to this for multiple  
23 reasons. Again, Duke Energy needs to start  
24 at the top tightening the belt just like we

1 have to, and let's get everybody on the  
2 same page. Thank you very much.

3 MR. SCHRIBER: Thank you for your testimony, Mr. Calvert.  
4 That brings us to Franklin Dwyer. Was I  
5 close?

6 MR. HAAS: Haas, H-A-A-S.

7 MR. SCHRIBER: Haas.

8 MR. HAAS: Franklin Haas.

9 MR. SCHRIBER: Okay. Do you affirm this testimony you're  
10 about to give is the truth and the whole  
11 truth?

12 MR. HAAS: Yes, sir.

13 MR. SCHRIBER: Okay. Give us your address now, please?

14 MR. HAAS: 4000 Hopper Hill Road, 45255.

15 MR. SCHRIBER: Okay.

16 MR. HAAS: Mr. Schriber, I'm definitely opposed to the  
17 rate increase right now on the electric  
18 rates for a number of reasons. My proposal  
19 is this: an outright rejection or a  
20 moratorium for a season to be determined  
21 essentially by our economy. First of all,  
22 I think we all know just exactly how the  
23 stock market is going right now and where  
24 our retirements are going, down the toilet.

1 Pardon for me saying it that way, but that  
2 is just what's happening because of the  
3 lousy people that didn't know how to --  
4 didn't know how to read their economics  
5 book in grade school, high school. And  
6 with the terrible storm damage, a lot of us  
7 have trees down on houses and stuff like  
8 that, barns, cars. We have taken a lot of  
9 loss, checks are slow in coming and some of  
10 us who didn't have property damage, we still  
11 had -- like I had 30 ton of damage to my  
12 trees, not a penny covered and I'm -- I'll  
13 be 71 next week, excuse me. I'll be 71 next  
14 week so it was a lot of fun. We have an  
15 election coming up in this nation, and we  
16 are looking at the possibility of sky high  
17 tax increases. That is really to be  
18 considered, because we, who are elderly,  
19 handicapped, jobless people, there's a lot  
20 of them in this country now, and any  
21 others who have limited income. Where is  
22 the money going to come from? With 5.47 --  
23 whatever the increase is, that's just a few  
24 dollars a month. Property tax increase, we

1 got a 30 percent increase that is in the  
2 court system right now because that was  
3 very poorly handled between the businesses  
4 and the property owners. I bought my house  
5 16 years this coming Thanksgiving, and the  
6 EPB was \$80 a month. I'm now paying up in  
7 the 370 range. All I did was put an air  
8 conditioner in. I would say the rates are  
9 pretty good especially when they can send  
10 trucks down to Texas. That's our money.  
11 We are paying for it. The people in Texas  
12 didn't not pay for it. I'm not picking on  
13 the people in Texas. If we can all get  
14 together and work together that's what made  
15 our country great. But, you know, charity  
16 begins at home and with that kind of a  
17 storm coming up through the states and  
18 wrecking havoc, and I do mean it was bad.  
19 Well, we all know that. God-given common  
20 sense would have said, "We better wait and  
21 see what's going on here." Now, the Ohio  
22 Consumers' Counsel has some interesting  
23 implementations, some different concerns  
24 there. I think they should be very



1 carefully considered due to the fact that  
2 automatic increases -- automatic, automatic,  
3 automatic -- and then having the property  
4 owners pick up the difference on different  
5 implementations? That's not right. I've  
6 got a limited income. I think we have all  
7 heard about our Social Security, Medicare,  
8 Medicaid and stuff like that. That doesn't  
9 cover it. We keep getting in the hole.  
10 What is the matter with people with their  
11 morals and their God-given common sense and  
12 respect for people when you keep putting it  
13 on, putting it on, and start driving people  
14 out of their homes? We had a friend of  
15 ours down in Newtown, some time ago she  
16 couldn't afford the high electric rate at  
17 that time. 104 years old. She died of  
18 heat exhaustion. You know, when people are  
19 trying to figure out which way to go,  
20 food -- "Well, I can't drive there because  
21 the gas is too high." Thank God it's  
22 starting to come down. Miracles do happen,  
23 you know? And by golly, the medicine keeps  
24 going up, and now we get rate increases.

1 Wait a minute, we have got a property tax  
2 increase coming. Well, the property  
3 valuation is going up. Seems to me on the  
4 television that everything is going down.  
5 That we had a housing bubble burst. So my  
6 rates need to go up? What I'm saying here,  
7 sir, I'm asking for an outright rejection  
8 or at least, at the very least a moratorium  
9 until a lot of this economic crisis is  
10 taken care of; until the dust settles and  
11 we can see where we are at financially. I  
12 don't want to lose my home. I started  
13 working when I was 10 years old on an  
14 Enquirer route. I retired at 60. I spent  
15 50 years and many times I worked well over  
16 100 hours a week. I was blessed that I  
17 could retire early, but I don't want to  
18 lose my home now because this increase,  
19 this increase, this increase. It all adds  
20 up, sir. Now, I have an acquaintance that  
21 worked with the electric company some  
22 years. I asked him I said, "When was the  
23 last time they had a layoff?" And he stood  
24 there and thought, and thought, and

1 thought. He said, "I think it was back in  
2 the 90's. They had a technology layoff."  
3 Well, if we've got to do belt tightening, I  
4 think it's about time some of the  
5 corporations start doing some belt  
6 tightening too. I think we all heard on  
7 the television and radio and other forms of  
8 media, these multi-million dollar  
9 executives. Some of them in the tens of  
10 millions of dollars a year. I think we  
11 need to do some belt tightening in the  
12 companies here, and take a look at: Are they  
13 overstaffed? Are they double-teamed? How  
14 many layers of bureaucracy do they need?  
15 Maybe they need to hold the line too. I  
16 looked at competition on the electric  
17 companies -- gas company, rather. You know,  
18 okay. I had it with the company here a  
19 couple three years and it finally dawned on  
20 me: The five percent reduction they gave  
21 me, and then Duke electric does not charge  
22 tax, but they did. I was coming out  
23 one-and-a-half percent in the hole, so there  
24 is really no competition there, not really.

1 So it was -- that was a waste of time.  
2 There's no competition. What we have here  
3 is a monopoly that is adding and adding  
4 and adding, and we need to put a stop to  
5 this. In other words: I'm an older person  
6 and I represent probably many, many others  
7 in this county and the great surrounding  
8 area that is serviced by Duke Electric. We  
9 are asking for mercy Mr. McGee -- no, no,  
10 Mr. Schriber, I'm sorry.

11 MR. SCHRIBER: That's all right.

12 MR. HAAS: Mr. Schriber, we are asking for mercy  
13 really. We need it. We need some  
14 compassion and we also need some respect.  
15 And I think that at least the moratorium  
16 ought to last until this settlement is made  
17 and the courts on that other 30 percent  
18 increase. You know how bad that looks to  
19 everybody. And I believe that covers  
20 everything I wanted to say -- and one last  
21 thing I wanted to say to Duke Electric:  
22 Thank you for the hard work you guys did.  
23 We were only without power just a couple of  
24 days, but I know it's a dangerous job. And

1 my thanks to the ones that are out there  
2 still hustling. It means a lot to us.  
3 Thank you, sir.

4 MR. SCHRIBER: Thank you. That brings us to Sheila  
5 Segrist. Did I get it right?

6 MS. SEGRIST: Yes.

7 MR. SCHRIBER: Raise your right hand, please. Do you  
8 affirm the testimony you're about to give  
9 is the truth, and the whole truth?

10 MS. SEGRIST: Yes.

11 MR. SCHRIBER: Okay. Do you want to give us your name for  
12 the record, please, and your address?

13 MS. SEGRIST: Sheila Segrist. S-H-E-I-L-A,  
14 S-E-G-R-I-S-T. 1524 Dorset Way, Loveland,  
15 Ohio, 45140. I've been a single mom for  
16 many years. I've raised my kids. I'm a  
17 public servant. I have 29 years as a  
18 public servant. I bought a new home in  
19 2003 after a devastating divorce and lost  
20 everything. I have successfully put one  
21 child through college, and I'm working on  
22 the second one getting his degree. I have  
23 three grandchildren and if the economy  
24 keeps going the way it's going, they are all

1 going to be back home with mom. Since I  
2 bought my home in 2003, it was supposed to  
3 be energy efficient. I've gone to Duke two  
4 or three times. I have received the kit to  
5 decrease the water supply. The  
6 weatherization strips that go around the  
7 door, the weather strips that go around the  
8 outlets. I even went to Home Depot and  
9 Lowe's to buy more things to decrease the  
10 energy supply. I am on budget billing.  
11 I've watched the budget billing go from 120  
12 to 187. In my public service years I've  
13 been there 29. Since I bought my home in  
14 2003 I had to go three years without a raise.  
15 I would like to know how many executives  
16 have gone three years without a raise at  
17 Duke Energy. In that time, the only pay  
18 increase I got was two percent of some kind  
19 of odd-ball figure which amounted to \$600  
20 in December. That doesn't go very far.  
21 When Duke bought Cinergy, the executives,  
22 the people who had to be let go received  
23 such an astronomical amount I was  
24 devastated to think that because you're a

1 big CEO or a CFO that you could walk away  
2 with that kind of money just because you  
3 were bought by another company. I don't  
4 think that we think about the people  
5 anymore. I too can retire in a year.  
6 Unfortunately, in the time that I bought my  
7 house, my taxes have increased \$550 in  
8 3 years. I was not part of the mortgage  
9 scheme, because I'm an accountant by trade.  
10 So fortunately for me, I had my numbers and  
11 my ducks in a row. I didn't fall into  
12 their traps, with their ploys of giving  
13 these mortgages to people who couldn't  
14 afford them. However, now, five years  
15 later, I'm one of those people who can't  
16 hardly afford my mortgage and help my son  
17 who has a son because of the cost of  
18 everything. I also live in a school  
19 district that has an income tax along with  
20 the \$550 real estate increases. With the  
21 the increases that I have been faced with,  
22 I also had to work two jobs. I might be  
23 young, but I also help the community a lot  
24 too. So it takes a devastating effect on

1 someone like me who wants to give to my  
2 community; who wants to be there for the  
3 elderly; who wants to be there for the  
4 sick, and try to work two jobs just to  
5 maintain my house to keep my bills going.  
6 I have a grandson with extreme asthma. His  
7 air conditioning needs to be set very cold.  
8 If you've ever had an asthma sufferer, I  
9 just spent two days in the hospital with  
10 him again. My daughter lives in an  
11 apartment with her husband and these two  
12 children. The apartment complexes are now  
13 using a company called AUM that manages  
14 their utility bills. They don't go by the  
15 number of people who live in the household,  
16 they go by the overall usage and the square  
17 footage and then they bill the homes. If  
18 they don't pay it on time, they shut it off.  
19 My grandson lives in one of those  
20 apartments. My daughter's maxed out of her  
21 income. They say this is fair, and that  
22 the renters are allowed -- or the, yes, the  
23 renter, the people who rent these places  
24 are allowed to do this. I don't see it



1 fair when over the winter I keep my  
2 thermostat on 68, and I'm kind of cold. So  
3 I wrap up in blankets and put on extra  
4 socks. In the summer, this summer my  
5 grandson who lives with me with my son  
6 visited his mother once in the winter and  
7 once in the summer. While he was gone, I  
8 only had one person or two people in my  
9 house. I used less electric, less air  
10 keeping my thermostat between 76 and 78  
11 when home alone, but my bill continues to  
12 go up. I agree in these economic times  
13 that we are facing and the downward,  
14 downward spiral that we are on, I am  
15 begging for the Public Utilities Commission  
16 to review everything, the OCC to review  
17 everything; to look at the economy and look  
18 at how many elderly people we have in our  
19 world today to see that this increase would  
20 make a devastating impact on us. We cannot  
21 keep affording everybody to raise the rates  
22 and not get raises ourselves. Thank you  
23 for your time.

24 MR. SCHRIBER: Thank you for your testimony. Sophia and

1 James Saffer.

2 MR. SAFFER: Good. You got it.

3 MR. SCHRIBER: I got it right, okay. Raise your right  
4 hand, sir. Do you affirm that the  
5 testimony you're about to give is the truth  
6 and the whole truth?

7 MR. SAFFER: I do.

8 MR. SCHRIBER: Okay. Do you want to give your name and  
9 the spelling and your address, please?

10 MR. SAFFER: James Saffer, S-A-F-F-E-R, 7431 South  
11 Timberlane Drive, Maderia, 45243. I, like  
12 the other people who have testified, most  
13 of the other people, my wife and I are on a  
14 fixed income. And we are concerned about  
15 the increasing costs, but I've got a lot of  
16 confusion with respect to what is going on  
17 here. I've heard rate increases of  
18 4.3 percent. I've heard 4.7 percent. I've  
19 heard 5.7 percent. Is this over one year?  
20 Is this over five years? I don't know. In  
21 addition to that, looking at the handout  
22 tonight, the increases projected for 2009  
23 through 2011 says right here, they don't  
24 include riders. My current bill has five

1 riders listed. Would anyone like to  
2 explain what those are? And those aren't  
3 even included in what is being proposed.  
4 This is ridiculous. I received this month  
5 my sixth month even billing bill. They are  
6 proposing an increase in six months of  
7 30 percent. That means my even billing is  
8 going up overall 15 percent a year. Not  
9 4.3 not 4.7 not 5.7. The accountability is  
10 not there, and this is very upsetting.  
11 Thank you.

12 MR. SCHRIBER: Thank you. I would like to call Jenn  
13 Plummer.

14 MS. PLUMMER: Hello.

15 MR. SCHRIBER: Good evening. Would you affirm for me that  
16 the testimony you're about to give is the  
17 truth and the whole truth?

18 MS. PLUMMER: Yes.

19 MR. SCHRIBER: Thank you. Would you give your name and  
20 address please for the reporter?

21 MS. PLUMMER: Jenn Plummer, 4567 Elmont Drive,  
22 Cincinnati, Ohio, 45245. I actually just  
23 came tonight because I heard on the radio  
24 this morning that there was going to be a

1 public hearing about this. My profession  
2 is a nurse. I supervise a department of  
3 social workers and care managers that are  
4 daily upset and stressed by the fact that  
5 patients cannot afford not only their  
6 medicines but their utility bills as well.  
7 Especially in the winter month we are  
8 approached very often for resources and  
9 help for these people and there really  
10 isn't much available. My other concern or  
11 thought is when I got here tonight, I read  
12 about the PUCO. I was not educated about  
13 what you did. But seeing kind of your  
14 mission statement being that you are to  
15 assure that all residential consumers have  
16 access to adequate, safe, and reliable  
17 utility services at fair prices. I would  
18 like to ask for some consideration for  
19 people that are on fixed incomes, residents  
20 that are, perhaps, 60 years and older or  
21 that are on social security/disability to  
22 be exempt from rate hikes if they are  
23 decided to be necessary. Thank you.

24 MR. SCHRIBER: Thank you. I would like to call Dan

1 Owings. Good evening, Mr. Owings. Do you  
2 affirm that the testimony you're about to  
3 give is the truth, and the whole truth?

4 MR. OWINGS: I do.

5 MR. SCHRIBER: Okay. Name and address please for the  
6 record?

7 MR. OWINGS: Daniel Owings. 713 Old Locust Corner --  
8 Old Locust Hill Road, Cincinnati, Ohio,  
9 45245. Good evening. Thank you for the  
10 opportunity to speak. I would like to move  
11 the PUCO to deny this request in its  
12 entirety, and I would ask that the PUCO  
13 staff detail certain issues that I believe  
14 are very important in any rate increase,  
15 and in particular I would like to see the  
16 staff request that any rate increase would  
17 address these issues in the same  
18 specificity as the rate increases are  
19 detailed on the three or four pages that  
20 are necessary to detail each of the  
21 separate categories. I've been involved  
22 with monitoring Cincinnati Gas and  
23 Electric, Cinergy, and Duke for quite a  
24 number of years. I was previously a public

1 official and Beckjord plant was in our  
2 jurisdiction. I would ask that Duke  
3 provide a detailed plan for the exact  
4 capital improvements that they intend to  
5 make, which they have not done. The  
6 efficiency upgrades, which they have eluded  
7 to but still have not stated what those  
8 upgrades are. The capacity upgrades to  
9 meet current and future demands.  
10 Apparently Duke is unable to meet the  
11 current demands through their own  
12 generating capacity. Apparently they're in  
13 in the neighborhood of 13 percent short of  
14 current capacity. And I have obtained a  
15 copy and reviewed in detail the  
16 sustainability report all 44 pages. It's a  
17 very interesting document, and they  
18 indicate that they are going to have to  
19 curtail some 30 percent of the coal fire  
20 plants in this area. But they give no  
21 alternatives of how they are going to  
22 replace any of that power that they are  
23 going to eliminate by closing these plants,  
24 and I find it quite, quite disturbing.

1 Through the years as Trustee in Pierce  
2 Township, we have the Beckjord plant within  
3 our limits and we have never tried to shut  
4 that plant down, but we've tried to have  
5 all of Duke or it's predecessor companies  
6 invest enough money in that plant to keep  
7 it operating efficiently, up to date and  
8 it's been a struggle. It's been an  
9 environmental struggle. It's been a  
10 reliability struggle. It has been a  
11 very, very difficult time that the utility  
12 does not want to reinvest the capital that  
13 is necessary to improve, and put in the  
14 best available technology at that plant.  
15 And we have seen the capacity rundown on  
16 that plant. Among other things they are  
17 using that plant, which is unfortunately a  
18 very old, dirty coal fire plant. We would  
19 like to see them improve that. The site is  
20 a very, very valuable site. The  
21 infrastructure is there. The Ohio River  
22 for transportation, the aquifer, they are  
23 using well in excess of 50 million gallons  
24 a day out of the Ohio River, somewhere

1 between 10 and 15 million gallons a day  
2 from the aquifer. All of this is from the  
3 people of Ohio. They are not paying for  
4 any of that. We would like them to improve  
5 that plant, perhaps retire the first four  
6 units at least which are all under all  
7 types of court orders. I understand that  
8 there is actually a summary judgment  
9 against those units to be decided in  
10 December of this year. The penalty phase  
11 as a result of violation of the particulate  
12 matter coming out of that plant. We would  
13 like to see them upgrade that plant. I've  
14 worked with them over 25 years to upgrade  
15 that plant, perhaps change that plant to a  
16 coal -- to a natural gas dual cycle peaking  
17 plant, because they are presently using  
18 those coal fire units as peaking units,  
19 which is very, very inefficient. It's  
20 created monumental problems with the ash.  
21 They are unable to dispose of that ash,  
22 unable to use it for any beneficial purposes  
23 and because of carbon, the unburned carbon  
24 that remains in the ash it's been a very



1 difficult time. The particulate matter  
2 that comes out of the plant it is known by  
3 some as the dirtiest plants in the US.  
4 Actually, I don't think it's quite the  
5 dirtiest, but it certainly is up there.  
6 There was an audit report and I have  
7 followed the various riders and so on. I  
8 would like at this time to be able to  
9 include this in your consideration. And as  
10 Duke Energy Ohio Rider Fuel Procurement  
11 Policy and Rider SRT and that would be Case  
12 Number 07723-EL, and the audit report from  
13 that. The audit report from that, which I  
14 understand was commissioned by your staff,  
15 which was done by Liberty Consulting and  
16 reported on November 1st of '07 made a  
17 number of recommendations specifically for  
18 the fuel procurement, which is one of the  
19 issues that people have raised this  
20 evening, that these are riders that are put  
21 on there because fuel prices do rise and  
22 fall, and we would like to see those issues  
23 addressed and taken into consideration by  
24 the PUCO Commission, and the staff. I also

1 find it very interesting that the PUCO  
2 staff was quoted as stating that there was  
3 a great deal of skepticism when Duke filed  
4 this request and I still have not been able  
5 to find out and I would like to know the  
6 answer, and I would hope the PUCO would  
7 make those inquiries of Duke Energy as I  
8 understand it another corporation was going  
9 to be formed by the name of the GENCO,  
10 which would divide the company into some 22  
11 separate operating plants; that each of  
12 their generating plants would become an  
13 independent company. And I wonder how this  
14 can promote efficiency and lower cost  
15 within this company. And I have not seen  
16 any answers on this, and I have contacted  
17 Ohio Consumer Counsel and I have also  
18 contacted the PUCO and have not been able  
19 to receive any information on this. I  
20 thought it interesting that the staff found  
21 it a most unusual request in this rate  
22 filing. And for these reasons, I would  
23 request that, that the PUCO Commission  
24 themselves deny the request and ask in the

1 denial that they come back with the answers  
2 to all of these questions. The  
3 sustainability report, how they are going  
4 to actually address these because this is  
5 all something in the future, all something  
6 that needs to be addressed? I believe this  
7 is all very important under the Electricity  
8 Security Plan that was set forth by the  
9 PUCO, and they are using Duke. They are  
10 using this to justify this rate request.  
11 And, therefore, if they are going to  
12 request those rates in all of those  
13 categories then I think they should spell  
14 out everything that they are going to do to  
15 provide the reliable power and where that  
16 money is actually going. Thank you very  
17 much for the opportunity to testify this  
18 evening.

19 MR. SCHRIBER: Thank you for your testimony. We have  
20 Vicki Caldwell. Good evening.

21 MS. CALDWELL: Good evening, sir.

22 MR. SCHRIBER: Raise your right hand. Do you affirm that  
23 the testimony you're about to give is the  
24 truth and the whole truth?

1 MS. CALDWELL: Yes, sir, I do.

2 MR. SCHRIBER: Good deal. Name and address, please, for  
3 the record?

4 MS. CALDWELL: Vicki Lynn Caldwell. 969 State Route 28,  
5 Lot 34, Milford, Ohio, 45150. Thank you  
6 guys for this opportunity to address you.  
7 I just want to come up here and make my  
8 opinion known. I think I represent an  
9 overlooked, often overlooked minority. I'm  
10 a single female. I have four cats and a  
11 rabbit. I have a mobile home I bought in  
12 1995. I purchased a 1986 mobile home. I  
13 live in a rented trailer space. It's not  
14 very efficient as far as energy and fuel  
15 and so forth. But through the years with  
16 God's grace I've been able to take care of  
17 some issues I've had. Under CG&E, I  
18 believe I had some people come out and give  
19 me some ideas of what to winterize and do  
20 and this and that. Common sense and using  
21 my own intelligence and some varied sources  
22 I've been able to make some upgrades in the  
23 trailer and it's been very useful. Been  
24 very helpful. But I do want to say that I

1 have fallen through the cracks, because I'm  
2 a one-income wage earner. I fall through  
3 the cracks whenever it comes to any sort of  
4 help, any sort of assistance, any sort of  
5 aid. As far as: "Come out and help me  
6 winterize." "Come out and help me do this;  
7 come out and help me do that." "Can you cut  
8 me 10 percent off of this or 10 percent off  
9 of that?" I fall through the cracks, and  
10 it's not fair. I don't often complain,  
11 because it is my lot and life. I've been  
12 single. I'm a prior military person. I  
13 spent six years in the US Military in the  
14 Navy. And as a hospital corpsman, I am very  
15 much aware of the plight of the individual.  
16 Whenever I came out of the service -- was  
17 discharged, honorably discharged out of the  
18 service in '87 and honorably discharged  
19 from the reserves in '89, my eligibility for  
20 food stamps I did not meet. That was, of  
21 course, 20 years ago or so. But the lot in  
22 my life is that I have fallen through the  
23 cracks. By God's grace I'm here standing  
24 and saying pass the moratorium. Whatever

1 this economic situation happens I don't  
2 want to see another 80s come about. I  
3 don't want to see gang-bangers; I don't  
4 want to see gym shoes and all these  
5 different stores that only service a  
6 certain segment of the population. I would  
7 like to see the economy grow. I would like  
8 to see no homeless person, but  
9 unfortunately this economy that we are in  
10 right now, this state that we are in right  
11 now, I believe it's going to go back to a  
12 lot of homeless people. And one of the  
13 factors involved in that is paying your  
14 utilities, and paying all the medical  
15 costs, and so forth. So, I thank you again  
16 for this opportunity. I appreciate it.  
17 Thank you so much.

18 MR. SCHRIBER: Thank you. That's all I have here. Lee,  
19 do you have some more up there? Thank you.  
20 Looks like one more so far. Trina  
21 Anderson. Good evening.

22 MS. ANDERSON: Good evening.

23 MR. SCHRIBER: Raise your right hand. Do you affirm that  
24 the testimony you're about to give is the

1 truth and the whole truth?

2 MS. ANDERSON: I do.

3 MR. SCHRIBER: Okay. Would you give us your name and  
4 address for the record, please?

5 MS. ANDERSON: Trina Anderson. 4579 Schoolhaven Circle,  
6 Batavia, 45103. Thank you this evening for  
7 the opportunity to speak with you. I  
8 recognize that costs affect everybody and  
9 we all feel the pinch. I understand that  
10 our utilities probably also feel it, but as  
11 a consumer I have a hard time understanding  
12 what it is we are seeing these constant  
13 rate hikes for. Many of the people tonight  
14 have testified to the effects of past  
15 increases. They have testified to the  
16 significant rate jumps. For most of us out  
17 there we get a limited amount of  
18 information through the media on what is  
19 driving those types of changes, and when  
20 you think about the fact that Duke Energy  
21 is an investor owned electric company,  
22 they are a profit-for-profit organization.  
23 Someone is benefiting from the money that  
24 we provide them. And it's true that we

1 have a limited number of options in who we  
2 can vote -- we can't decide, "Well, I don't  
3 think Duke is going to work for me today.  
4 I'm going to go over to Wal-Mart and get my  
5 electric from there." So my questions and  
6 concerns have to do with patterns of trends  
7 in the past. This is a money-making  
8 organization. This is a profit industry.  
9 They have money that is available, and when  
10 any other company gives out, for example, the  
11 infrastructure modernization, one of those  
12 is to put up the electronic bulletin board  
13 to allow them to post their market prices  
14 for consideration by consumers. That sure  
15 sounds to me like a marketing tool. I  
16 can't go out as a business owner and say to  
17 my customers, "I would like to get more  
18 customers tonight, so I'm going to charge  
19 you the money that I need to boost my  
20 business." I would also be interested in  
21 seeing, if you look over the last couple of  
22 years of all of these increases where did  
23 that money go that they spent up there?  
24 They are a company. They should be



1 providing their own infrastructure  
2 development. If there's a bona fide need  
3 that they have documented that they put  
4 infrastructure into place to help us and  
5 they are out of money and they legitimately  
6 need my help, then I feel that they should  
7 be free to come to me. But I have not seen  
8 any documentation out there that documents  
9 how they are spending the money that they  
10 are already have. Infrastructure-type  
11 changes, basic activities for capital  
12 investments, these are basic things that  
13 every industry needs to plan for. And I am  
14 certain that there's money that we are  
15 paying in our electric bills right now  
16 towards that. And I'd like to ask that you  
17 consider those when you look at what they  
18 are doing with this and whether this is a  
19 justified increase. I'm also very, very  
20 concerned by the fact that there's not a  
21 lot of caps given by them. This is sort of  
22 asking us as rate payers to sign a blank  
23 check, "We will send you the bill later."  
24 I have never gotten an estimate in my life

1 for any work that I've had done where I  
2 just said, "Let me know what you think  
3 needs done, go ahead and fix it, and we can  
4 pay it back later." So, I would really  
5 like you to take some serious consideration  
6 on the fact that it really seems like  
7 there's some significant holes in the  
8 information that they have provided. And I  
9 would like to ask you also to consider at  
10 this time denying this increase. And I'll  
11 keep it brief, we've all been here a long  
12 time tonight. Thank you.

13 MR. SCHRIBER: Thank you. One more. And by the way, if  
14 you haven't signed up after this person  
15 testified, if you want to testify, then we  
16 welcome you up here. I'll sign you up.  
17 James Lewis. Mr. Lewis, do you affirm  
18 that the testimony you're about to give is  
19 the truth and the whole truth?

20 MR. LEWIS: I do.

21 MR. SCHRIBER: Could you give your name and address for  
22 the record, please?

23 MR. LEWIS: James Lewis. 879 Hawthorn Drive,  
24 Cincinnati, 45245. I understand, having

1 been in utility in other states, how it  
2 works with the Utility Commission and rate  
3 increases. And I know that with the fuel  
4 costs and the environmentalist whacko costs  
5 that have been added over the last few  
6 years, why they have -- want increases and  
7 the union contract is going to raise it and  
8 of course management has to raise with the  
9 union contract. We all know that that  
10 idiotic minimum wage was a union ploy to  
11 raise the union rates. My concern is not  
12 with the rate increase per se, it's the  
13 money that they are wasting elsewhere with  
14 this green energy which is chasing our tail  
15 on this global warming hoax. I see the  
16 stuff -- that they are chasing windmills  
17 when we know that, you know, it would take  
18 windmills to fill the whole state of Texas  
19 to supply the energy needed for New York  
20 City. There's no place for it and the  
21 environmentalist whackos won't let us have  
22 it because we have our transmission lines  
23 going to them. We could put them out in  
24 the desert but we can't run the

1 transmission lines from where the windmills  
2 are plus they are inefficient, and they  
3 are They are not reliable because you  
4 can't depend on a steady wind. So why are  
5 we in Ohio wasting money chasing windmills  
6 which we don't have the proper technology  
7 right now to store the energy? Because it's  
8 not feasible. We don't -- we have to have  
9 coal or oil or gas or some other form of  
10 energy to bring online. We don't have the  
11 grids right now that can react quick enough  
12 when the wind stops blowing to jack up the  
13 energy right away so we are wasting energy  
14 standing by. So I don't know why we are  
15 wasting -- and I read all over the world,  
16 we are going green. We are going to go to  
17 windmills. Why? It's idiotic. Why aren't  
18 we -- instead of having this dirty coal, why  
19 aren't we going down there and building  
20 nuclear plants? And why isn't the Utility  
21 Commission fighting these environmentalist  
22 whackos? Because we know that France is  
23 70, 80 percent nuclear, and we know what  
24 idiots they are. And Italy has just

1 decided that they are going to increase the  
2 nuclear plants. It's safe. It's clean.  
3 The environmentalist whackos can't say that  
4 it's going to cause global warming because  
5 there's no carbon emissions, which is a  
6 joke anyway. So why are we going after  
7 windmills? And don't tell me about the  
8 waste that can be recycled if we can get  
9 the idiots in Congress to do what they  
10 should do, which is a joke because they  
11 gave us this problem right now with the  
12 economy. And solar? Yeah, that's nice but  
13 it only works when the sun shines. That  
14 technology is a good five years off if we  
15 are reliable. Why aren't we doing  
16 something intelligent like going nuclear  
17 and instead of chasing windmills and solar  
18 at this point in time? It's just not  
19 feasible. So -- and as far as those spiral  
20 light bulbs that don't produce enough  
21 light, they are a joke because they  
22 contain Mercury so if you drop one you have  
23 an environmental hazard in your house. Why  
24 aren't we going after something intelligent

1 like the LEDs which produce more light  
2 with less energy, and pushing that instead  
3 of GE? I know why, because GE makes these  
4 light bulbs and they own NBC and they are  
5 pushing the green crap and all these people  
6 got to get on board instead of standing up  
7 and saying, "Hey, this is bull." And we  
8 know for a fact this global warming is not  
9 man made, but the press is, along with  
10 the Democrats in Congress are in the back  
11 pocket of the environmentalist whackos.  
12 There was a March scientist -- renowned  
13 scientists in the world met in New York  
14 City and produced a major conference that  
15 pooh-poohed this environmental -- this  
16 global warming man made stuff. But  
17 nobody would cover it, because it doesn't  
18 meet their agenda. It doesn't help these  
19 socialists and their environmentalist  
20 whackos, and they try to control us. It  
21 doesn't help their agenda to control the  
22 nation and our energy use by whatever  
23 means. So why aren't you standing up  
24 instead of falling prey to these idiots?

1 Stand up and say, "You're nuts." Global  
2 warming is not caused by man. In fact, it  
3 has not increased in 10 years. And it's  
4 these environmental whackos who say, "Oh,  
5 we are going to have about a 10 or 20 years  
6 where it going to go down a little bit.  
7 But that's just a blip. We can't explain  
8 it." You get your real scientists and  
9 environmental scientists, geo -- forget the  
10 exact -- the weather-type that really  
11 understand the geophysical stuff. That  
12 model Al Gore used in his bogus slideshow  
13 are baseless. They don't take into -- none  
14 of the models take into, into effect, the  
15 effect of water vapor which is the main  
16 cause of global warming. That is not even  
17 covered in these things. So go after these  
18 idiots that are trying to add all these  
19 extra costs for us and go after the  
20 nuclear, which is safe, and clean. It  
21 doesn't cause us any problems except for  
22 the environmentalist whackos that want us  
23 to go back to living like horse and buggies  
24 and mud huts, I guess. But they don't have

1 any concern except for their own power of  
2 controlling our lives, and that is all I  
3 have.

4 MR. SCHRIBER: Thank you, sir. Is there anyone else who  
5 would like to testify who is not signed up  
6 to do so? Please come up.

7 MS. WOLTERMAN: Good evening.

8 MR. SCHRIBER: Do affirm that the testimony you're going  
9 to give is the truth, and the whole truth?

10 MS. WOLTERMAN: I do, sir.

11 MR. SCHRIBER: Okay. Give me your name.

12 MS. WOLTERMAN: Deborah Wolterman, W-O-L-T-E-R-M-A-N. 2172  
13 Golden Fox Trail. Lebanon, Ohio, 45036.

14 MR. SCHRIBER: Okay.

15 MS. WOLTERMAN: And I had no intentions of coming here  
16 tonight. I stopped in. I listened and I'd  
17 just like to sum it up. What I'm hearing  
18 from everyone here is no more rate  
19 increases until Duke Energy bears some of  
20 the responsibility of reigning in their own  
21 fiscal picture, so when we see that they  
22 are taking fiscal responsibility, they are  
23 transparent, and they are there for us, we  
24 are willing to pay more. But what we have



1 seen is the exact opposite. So I'm just  
2 asking that you not consider the rate  
3 increase. That's simple as that.

4 MR. SCHRIBER: Thank you.

5 MS. WOLTERMAN: Thank you.

6 MR. SCHRIBER: Anyone else? Okay. We are not seeing any  
7 other hands. Again, we appreciate your  
8 coming out tonight. Everything you've said  
9 has been duly recorded. It will be part of  
10 record. It will be read and play a  
11 significant part of in the determination by  
12 the commission. This decision hopefully  
13 will come in a couple months. With that in  
14 mind, I think we are now adjourned.

15  
16  
17 HEARING CONCLUDED AT 7:49 P.M.

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C E R T I F I C A T E

STATE OF OHIO )

COUNTY OF HAMILTON )

I, Jennifer Whittaker (Davis), the undersigned, a  
duly qualified and commissioned Notary Public within and  
for the State of Ohio, do hereby certify that the aforesaid  
hearing was given at the said time and place; that the  
hearing was taken in stenotypy by me and transcribed into  
typewritten form under my supervision; that I am neither  
relative, attorney, nor employee of any party or their  
counsel and have no interest in the result of the pending  
action.

IN WITNESS WHEREOF, I have hereunto set my hand and  
official seal of office at Cincinnati, Ohio, this

30th day of October, 2008.

My commission expires JUNE 18, 2012 Jennifer Whittaker (Davis)  
Jennifer Whittaker (Davis), CSR

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