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**TRANSCRIPT TO THE  
TESTIMONY OF:**  
The Public Utilities  
Commission of Ohio  
Public Hearing

**In Re:**  
Case No. 08-935-EL-SSO

Date Taken: October 15, 2008

Date Printed: October 27, 2008

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THE PUBLIC UTILITIES COMMISSION OF OHIO

PUBLIC HEARING

IN RE: CASE NO. 08-935-EL-SSO

OCTOBER 15, 2008

- - - - -

PUCO Local Public Hearing for Electric Security Plan  
Applications, taken before me, the undersigned,  
Christine Leisure, an RPR and Notary Public in and for  
the State of Ohio, at the Geneva High School, 1301  
South Ridge Road, Geneva, Ohio, 44041 commencing at  
6:30 p.m. the day and date above set forth.

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1 APPEARANCES:

2 On Behalf of PUCO:

3 Christine Pirik, Esq.

4 Cheryl Roberto, Commissioner

5 180 East Broad Street

6 Columbus, OH 43215

7 614-644-8955/614-644-8226

8 On Behalf of Ohio Consumers:

9 Gregory Poulos, Esq.

10 Office of the Ohio Consumers' Counsel

11 10 West Broad Street

12 18th Floor

13 Columbus, OH 43215

14 614-466-8574

15 On Behalf of First Energy:

16 Daniel Reinhard, Esq.

17 Calfee Halter & Griswold

18 1100 Fifth Third Center

19 21 East State Street

20 Columbus, OH 43215

21 614-621-7765

22 - - - - -

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1 MS. PIRIK: At this time I  
2 will start the formal piece of the  
3 hearing. The Public Utilities  
4 Commission of Ohio has assigned  
5 for public hearing, at this time  
6 and place, Case No. 08-935-EL-SSO  
7 being in the matter of the  
8 application of Ohio Edison  
9 Company, the Toledo Edison  
10 Company, the Cleveland Electric  
11 Illuminating Company, for  
12 authority to establish a standard  
13 service offer pursuant to Section  
14 4928.143 Revised Code in the form  
15 of an electric security plan.

16 My name is Christine Pirik.  
17 I have been assigned by the Public  
18 Utilities Commission to hear this  
19 case, and I will be conducting the  
20 hearing. With me today is  
21 Commissioner Cheryl Roberto. She  
22 will be presiding at this  
23 hearing.

24 There are also commission  
25 personnel in the back. You just

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1 heard from one, Jill Coker, and  
2 there is another, Dan Harrington.  
3 If you did not get an opportunity  
4 to sign in to testify, that is not  
5 a problem. I will call those that  
6 are on the list that is provided.  
7 And if you decide during the  
8 course of testimony that you would  
9 like to say something and have  
10 your comments on the record, at  
11 the conclusion you can just raise  
12 your hand, and I will have you  
13 come forward.

14 I will ask for you to take an  
15 oath, to raise your right hand and  
16 state and spell your name for the  
17 record, to be sure that we have  
18 all the accurate information on  
19 the record.

20 The purpose of this hearing  
21 is to hear your comments. It is  
22 to hear what you have to say about  
23 the FirstEnergy application in  
24 this case. There is a court  
25 reporter with us. She will be

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1 typing everything that you have to  
2 say to take before the  
3 Commission.

4 There are numerous parties in  
5 this case representing commercial,  
6 industrial, as well as residential  
7 customers, low-income customers,  
8 marketers of electricity, as well  
9 as the company. Today we have  
10 with us two of the parties to this  
11 case, and I will take their formal  
12 appearances on the record.

13 First I will call upon the  
14 company. Would you please make an  
15 appearance for the record?

16 MR. REINHARD: On behalf of  
17 FirstEnergy, Dan Reinhard from  
18 Calfee, Halter and Griswald, 1100  
19 Fifth Third Building, 21 East  
20 State Street, Columbus, 43215.

21 MS. PIRIK: Thank you. On  
22 behalf of the Office of the  
23 Consumers' Counsel?

24 MR. POULOS: Good evening,  
25 Your Honor. My name is Greg

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1 Poulos on behalf of the Consumers'  
2 Counsel, Janine Migden-Ostrander,  
3 the Consumers' Counsel. We are  
4 representing all the residential  
5 customers in this case. Thank  
6 you.

7 MS. PIRIK: Thank you. At  
8 the conclusion of the hearing, if  
9 you have any questions for either  
10 the company, the Office of  
11 Consumers' Counsel, or the Public  
12 Utilities Commission -- I see a  
13 gentleman from the Consumers'  
14 Counsel just walked in -- any of  
15 the three entities, we would all  
16 be happy to stay afterwards to  
17 talk with you about any questions  
18 or concerns you might have that  
19 are not related to the application  
20 before us. We would be happy to  
21 do that.

22 At this time I will begin  
23 calling witness. If I call upon  
24 you, and you decide that you would  
25 prefer not to testify, that is not

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1 a problem. Just say that you've  
2 changed your mind, and I will move  
3 on.

4 Our first witness is Gail  
5 Larson. Also, if you have  
6 documents that you bring with you,  
7 like a written statement, or  
8 whatever, that is sometimes  
9 helpful for us to take, and we can  
10 mark it as an Exhibit after you  
11 are done testifying. But you can  
12 make that decision when you're  
13 actually up there.

14 So if you would like to go up  
15 to the podium. I know it's hard  
16 to speak in the microphone, but  
17 maybe pull it close.

18 GAIL LARSON,  
19 After having been first duly sworn, as  
20 hereinafter certified, was examined and testified  
21 as follows:

22 MS. PIRIK: Thank you.  
23 Please state your name, spelling  
24 and address for the record.

25 MS. LARSON: My name is Gail



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1           Larson, G-A-I-L, L-A-R-S-O-N, 3200  
2           State Road in Rock Creek, Ohio,  
3           44084. I'm hoping what I'm going  
4           to say is relevant because it's  
5           really personal to me, so I'm  
6           going to read my little letter,  
7           and I'll give it to the court  
8           reporter when I'm done.

9           My husband and I are both  
10          retired. We bought a home in Rock  
11          Creek in April of this year. It  
12          is all electric. ,So all of our  
13          heat and power usage costs are  
14          subject to the Illuminating  
15          Company rate structures per year.

16          As we have recently lost  
17          value in our retirement accounts  
18          due to the financial crisis, we  
19          are very concerned about what will  
20          happen to our monthly budget if  
21          the electric rates increase to an  
22          unaffordable level. Please  
23          consider all the residents in this  
24          area that are on fixed incomes,  
25          especially now that we're facing

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1           such an enormous economic crisis  
2           in this country.

3           MS. PIRIK: Thank you. I  
4           will mark this document as Geneva  
5           Exhibit 1, and it will be part of  
6           the record. It will be admitted  
7           into the record at this time.

8           Our next witness is Roger --  
9           Goo-dee? Gou-dee?

10          MR. GOUDY: Gou-dee.

11          MS. PIRIK: Sorry.

12          MR. GOUDY: That's all  
13          right.

14          ROGER GOUDY

15          After having been first duly sworn, as  
16          hereinafter certified, was examined and testified  
17          as follows:

18          MS. PIRIK: Please state your  
19          name and spelling and address for  
20          the record.

21          MR. GOUDY: Dr. Roger J.  
22          Goudy, G-O-U-D-Y. 31425 Author  
23          Road, Solon, Ohio, 44139.

24          MS. PIRIK: Thank you. You  
25          may proceed.

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1 MR. GOUDY: Your Honor, I'm  
2 actually here representing three  
3 different groups. I serve on the  
4 Solon Board of Education as one of  
5 its members. I serve as the  
6 business manager for the Southeast  
7 Lyndhurst Schools, and I also am  
8 on the subcommittee for  
9 electricity purchasing of the Ohio  
10 Schools Council. My comments  
11 relate to all three groups, and  
12 I'll try to share with you tonight  
13 how this impacts those groups.

14 First of all, I want to state  
15 that we really appreciate the  
16 support FirstEnergy has provided  
17 to my school district and the 249  
18 other school districts that  
19 participate in this program. We  
20 have had two Energy for Education  
21 Programs over the last ten years  
22 that have been very helpful to  
23 keep the electric rates down.  
24 These savings have been used for  
25 increased learning opportunities

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1 for boys and girls, and to promote  
2 economic development in Ohio and  
3 for Ohio's future job source.

4 I was very privileged to  
5 serve on the subcommittee that  
6 negotiated the first deal with  
7 FirstEnergy, and it was a  
8 tremendous help at that time for  
9 public schools in Northeastern  
10 Ohio.

11 The current Energy for  
12 Education Program II will expire  
13 on December 31, 2008, which will  
14 cause the electric rates to  
15 automatically go up by an average  
16 of 13.4 percent. Then any new  
17 distribution rate increases and  
18 any generation increases  
19 authorized by PUCO will top that  
20 average of 13.4 percent.

21 Collectively, the loss for  
22 the Energy for Education Program  
23 II alone will cost the 249  
24 participating Ohio Public Schools  
25 over 11.7 million dollars per

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1 year. FirstEnergy's distribution  
2 rate increase in this PUCO case,  
3 and any generation increase will  
4 be additional -- in addition to  
5 that 11.7 million.

6 Let me share with you how  
7 this will impact the school  
8 district that I'm purchasing  
9 energy for. It will be to the  
10 tune of 60,000 -- 13.4 would be  
11 about \$60,300 annually. For the  
12 school district that I'm a board  
13 member, it would be approximately  
14 \$128,640 annually. Folks, that's  
15 -- in my district where I  
16 currently work, you're looking at  
17 two or three teachers, and in the  
18 district that I'm a school board  
19 member, you're looking at six to  
20 seven teachers. That's  
21 unfortunate in this time when  
22 there's economic difficulties on  
23 everyone, that somehow we can't  
24 come to an agreement to continue  
25 the Energy for Education Program

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1                   III or II, whatever you want to  
2                   call it.

3                   The Ohio Schools Council is  
4                   currently analyzing the amount of  
5                   rate increase that will result  
6                   from the generation rate in the  
7                   proposed FE. This analysis is not  
8                   complete yet, and they anticipate  
9                   that that increase would be also  
10                  significant to the schools of  
11                  Northeastern Ohio.

12                  This is an unfunded mandate  
13                  over which we, as public  
14                  educators, have no control. We  
15                  would have to cut elsewhere in our  
16                  budget to fund this increase. For  
17                  our districts to increase this  
18                  amount would be a substantial loss  
19                  to the teaching and learning  
20                  process in the schools of  
21                  Northeastern Ohio.

22                  Overall, the loss of the  
23                  Energy for Education Program II,  
24                  and the loss of the special school  
25                  rates in the anticipated rate

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1 increases for distribution and  
2 generation may increase electric  
3 bills by one-third for the 249  
4 school districts served by the  
5 Ohio Schools Council.

6 Our district, I know, in  
7 Solon and Southeast Lyndhurst  
8 can't absorb those kinds of  
9 losses. Unfortunately, those  
10 types of losses that we have are  
11 going to go back and be the burden  
12 of the local tax payer to try to  
13 maintain what they currently  
14 have. So it's going to,  
15 unfortunately, go right back to  
16 the citizen that's already going  
17 to be burdened by this increase  
18 that's coming forward.

19 This increase is  
20 disproportionate, especially the  
21 loss of the discount of the Energy  
22 for Education Program. That's  
23 just too large of a chunk. That  
24 13.4 percent off the top that  
25 we've been lucky to have for the

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1 last ten years is just too  
2 substantial a hit in these  
3 economic times for any school  
4 district to handle.

5 We would like to ask PUCO and  
6 FirstEnergy, on behalf of the Ohio  
7 Schools Council and its 249  
8 participating public school  
9 districts, for an Energy for  
10 Education III, if this program  
11 could achieve, gradually, a rate  
12 increase that the schools may be  
13 able to handle in this type of  
14 circumstance.

15 I would like to thank  
16 everyone here in the audience for  
17 listening to these long-winded  
18 remarks. I would like to thank  
19 the members of the PUCO. Your  
20 Honor, I would like to thank you  
21 for listening tonight.

22 I hope as a result of this  
23 testimony, the testimony by many  
24 of my colleagues across the state,  
25 that we're able to come to some



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1 terms with FirstEnergy, and  
2 maintain the Energy for Education  
3 Program.

4 The reason I'm out here in  
5 Geneva, Ohio, at the Cuyahoga  
6 County meeting I had a scheduling  
7 conflict. So I apologize for  
8 having to come out here, but I  
9 wanted to make sure I was able to  
10 share my concerns. Thank you for  
11 your time.

12 MS. PIRIK: I have one  
13 question. I just want to be  
14 sure -- we've had previous  
15 testimony in a hearing in Akron  
16 about the Energy for Education and  
17 the Ohio Schools Council, and I  
18 just want to be sure that the  
19 record -- it's 243 of the schools  
20 that belong to the Ohio Schools  
21 Council -- I don't remember the  
22 number.

23 MR. GOUDY: 249.

24 MS. PIRIK: 249 that are in  
25 FirstEnergy's territory?

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1 MR. GOUDY: I believe it's  
2 249 in First Energy's territory.  
3 I can find that out and get back  
4 to you if you have you card. I  
5 will certainly gladly get that  
6 information for you.

7 MS. PIRIK: Okay. That would  
8 be fine. I mean, I think that  
9 was what was stated before, and I  
10 wanted to be sure that that was,  
11 in fact correct, since you were on  
12 the Council and on one the  
13 subcommittees.

14 MR GOUDY: It's a fluid thing  
15 where each year we're adding per  
16 up and coming in and out of the  
17 program, so I don't want to stand  
18 before you under oath and give you  
19 a definitive number, then find out  
20 it's one more or one less. I  
21 would gladly get that information  
22 for you. And if have you a  
23 business card or the court  
24 reporter has a business card, I  
25 would gladly get that and provide

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1                   that information for you to the  
2                   exact number of schools in the  
3                   FirstEnergy territory.

4                   MS. PIRIK: Thank you. I  
5                   appreciate that.

6                   MR. GOUDY: Do you have a  
7                   card?

8                   MS. PIRIK: I will give it to  
9                   you. I don't know that I have  
10                  one, but I will give it to you.

11                  MR. GOUDY: You have my  
12                  address. Thank you.

13                  MS. PIRIK: Our next witness  
14                  is Al Stewart.

15                  MR. STEWART: I was just  
16                  signing in.

17                  MS. PIRIK: You were signing  
18                  in?

19                  MR. STEWART: I thought  
20                  there was a sign-in sheet.

21                  MS. PIRIK: That's fine. If  
22                  you change your mind and you would  
23                  like to make comments, you can  
24                  think about it and perhaps do it  
25                  at the conclusion of evidence.

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1 Kris Venneri.

2 MS. VENNERI: Mine are  
3 questions more than they are  
4 testimony. Should I go over  
5 there?

6 MS. PIRIK: We can answer any  
7 questions after the meeting --  
8 after the testimony, but if you  
9 would like make a comment or a  
10 statement at the conclusion, or if  
11 you would like to say something  
12 now, you'll have to come up to the  
13 podium. But we wouldn't be able  
14 to necessarily answer questions on  
15 the record, you know, in a  
16 conversation way, because we're  
17 more here to listen to what  
18 everyone has to say.

19 KRISTINE VENNERI,

20 After having been first duly sworn, as  
21 hereinafter certified, was examined and testified  
22 as follows:

23 MS. PIRIK: Please state your  
24 name and spelling and address for  
25 the record.

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1 MS. VENNERI: My name is  
2 Kristine Venneri, K-R-I-S-T-I-N-E,  
3 V as in Victor, E-N-N-E-R-I. My  
4 address is 4902 North Myers Road,  
5 and that's in Geneva, 44041.

6 MS. PIRIK: You might want to  
7 pull the microphone just a little  
8 closer.

9 MS. VENNERI: This is kind of  
10 sporadic. I would just like to  
11 point out that I had been a fuel  
12 oil user for the past ten years  
13 and had been basically really put  
14 to the test with the increase of  
15 fuel oil, and so I decided to turn  
16 to electric this year. So I am  
17 deeply concerned about the  
18 increases that I was ill prepared  
19 for with the electric company, and  
20 would just like to note my  
21 concern as a resident who was  
22 already been whiplashed by fuel  
23 oil.

24 MS. PIRIK: Thank you very  
25 much.

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1 MS. VENNERI: Uh-huh.

2 MS. PIRIK: And we'll be here  
3 afterward if you want further  
4 discussion on the issue.

5 MS. VENNERI: Okay.

6 MS. PIRIK: Jake Rose.

7 JAKE ROSE,

8 After having been first duly sworn, as  
9 hereinafter certified, was examined and testified  
10 as follows:

11 MS. PIRIK: Please state your  
12 name and address.

13 MR. ROSE: Jake Rose. I'm  
14 going to give my business address,  
15 because I'm here representing my  
16 school district, Pymatuning Valley  
17 Local Schools, P.O. Box 1180,  
18 Andover, Ohio, 44003. I will keep  
19 my comments brief since Roger had  
20 a lot of the same talking points.  
21 But we're all in the same Ohio  
22 School Council group. And as of  
23 the writing of this, I will try to  
24 verify that we're one of the 249  
25 districts that are part of the

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1 Ohio Schools Council and Energy  
2 for Education Program.

3 Again, my name is Jake Rose.  
4 I'm superintendent of Pymatuning  
5 Valley Local School District. PV  
6 Schools, along with the 240 other  
7 school districts appreciate what  
8 FirstEnergy has done for us over  
9 the past ten years or so by saving  
10 us dollars, as well as energy.  
11 And as he stated, it helped us  
12 control our operational costs and  
13 increased our instructional  
14 opportunities as evidenced  
15 statewide by the increase in  
16 performance on our State of Ohio  
17 report card.

18 With the program set to  
19 expire, and projected increases,  
20 we'll be forced to look at our  
21 budgets, decrease staffing and  
22 structural resources. This  
23 increase in our district will  
24 equate to probably one-and-a-half  
25 staff members. And in our small

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1 district, that's a -- would be a  
2 huge loss in terms of our pupil-  
3 to-teacher ratio and so forth.  
4 And as a school district, we're  
5 labor incentive, so our cuts come  
6 in people rather than in  
7 operations.

8 As stated, we're probably not  
9 -- we won't be in a position to  
10 absorb this kind of increase, and  
11 especially if there is generation  
12 increases, distribution  
13 increases. They'll be too large  
14 for us to handle. And we're  
15 certainly -- Pymatuning Valley's  
16 not prepared to ask our residents  
17 to increase their property taxes  
18 at this time in such an economic  
19 calamity.

20 Again, it's not a gradual  
21 increase that I -- if I understand  
22 it correctly, it's not a gradual  
23 increase, and it will hit us  
24 pretty hard. We just won't be  
25 able to absorb that, as I



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1 mentioned.

2 We would certainly like to  
3 continue in an Energy for  
4 Education part III, if that would  
5 be possible. And, again, we'd  
6 like to thank FirstEnergy for all  
7 their help in the past ten years,  
8 and we hope we can work together  
9 with the Public Utilities  
10 Commission and FirstEnergy to make  
11 No. 3 a reality. Thank you.

12 MS. PIRIK: Thank you.

13 Shawn Shannon.

14 SHAWN SHANNON,  
15 After having been first duly sworn, as  
16 hereinafter certified, was examined and testified  
17 as follows:

18 MS. PIRIK: Please state your  
19 name and address for the record.

20 MR. SHANNON: First name is  
21 Shawn, S-H-A-W-N, last name is  
22 Shannon, S-H-A-N-N-O-N. Address  
23 is 3189 State Route 307,  
24 Austinburg, Ohio.

25 MS. PIRIK: Go ahead.

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1                   MR. SHANNON: I would like to  
2                   address the board today. I am a  
3                   card carrying member of the NOGA.  
4                   I'm a small business owner, and in  
5                   our society today we see that many  
6                   of our businesses are all small  
7                   businesses -- or a big part of our  
8                   growth is. And unfortunately, as  
9                   I stand here today and say -- I  
10                  have a very small mini-mart, or  
11                  7/11, so to speak, is what I  
12                  operate, and my costs for just  
13                  running my electric and my little  
14                  place in Austinburg was around  
15                  just over \$1,200 last month. I  
16                  know it increased.

17                 You can only ask so much for  
18                 a candy bar, or so much for this  
19                 or that and, you know, I have a  
20                 few employees that I'm trying to  
21                 work with, and every time we get  
22                 an increase in rates, obviously,  
23                 it affects many small businesses.  
24                 And with our pinches in society  
25                 for getting money from the

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1 banks -- I think at this point in  
2 time I would like to think that I  
3 would speak for many of the small  
4 businesses and say that our  
5 increases and what we're getting  
6 is not the same as this increase  
7 that is being asked for over  
8 here.

9 I speak on behalf of myself  
10 and those that I know, everybody  
11 is entitled to a small portion of  
12 increased rates. Not like the  
13 schools, or other places that can  
14 absorb them, many small businesses  
15 will fold, and we'll lose them.  
16 As a matter of fact, the other day  
17 we had a big hit. We had one  
18 plant close with 25 jobs, one with  
19 plant close with 45 jobs, so I  
20 don't know.

21 The more we want, the less  
22 we're going to have. And I stand  
23 for the people that don't have a  
24 job. I just wanted to come today  
25 and speak my mind what I feel on

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1 the rate increases.

2 MS. PIRIK: Thank you. That  
3 concludes the list of those  
4 individuals that have signed up.  
5 Are there others that would like  
6 to testify at this time? Anyone?

7 Okay. Seeing no hands, I  
8 will turn it over to the  
9 Commissioner for the closing  
10 remarks.

11 Cheryl.

12 MS. ROBERTO: I just want to  
13 briefly thank you for taking the  
14 time out this evening and sharing  
15 your perspectives. It provides  
16 important insight to us as we  
17 consider these rate cases that are  
18 before us.

19 When we close the record, as  
20 we mentioned before, we will stay  
21 around here. So if there are  
22 other public utility issues you  
23 would like to talk about, please  
24 feel free. Thank you again for  
25 taking your evening out to share

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your incite with us. We really  
appreciate it.

MS. PIRIK: This hearing is  
adjourned. Thank you.

- - - - -

(Hearing adjourned at 7:15 p.m.)

- - - - -

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The State of Ohio,       )  
                              ) SS:               CERTIFICATE  
County of Cuyahoga.    )

I, Christine Leisure, RPR and Notary Public within and for the State of Ohio, duly commissioned and qualified, do hereby certify that the within-named witnesses was first duly sworn to testify the truth, the whole truth, and nothing but the truth in the cause aforesaid; that the testimony then given by him/her was by me reduced to stenotypy in the presence of said witness, afterwards transcribed on a computer, and that the foregoing is a true and correct transcript of the testimony so given by him/her as aforesaid.

I do further certify that this testimony was taken at the time and place in the foregoing caption specified and was completed without adjournment.

I do further certify that I am not a relative, employee of, or attorney for any of the parties in the above-captioned action; I am not a relative or employee of an attorney for any of the parties in the above-captioned action; I am not financially interested in the action; I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28(D); nor am I otherwise interested in the event of this action.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my seal of office at Cleveland, Ohio on this 23rd day of October, 2008.



Christine Leisure, Notary Public  
In and for the State of Ohio.  
My commission expires April 12, 2012.

|  |   |   |  |   |
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|---|---|---|--|

*General*

October 15, 2008

To: PUCO Commissioners

My husband and I are retired. We bought a home in Rock Creek, Ohio in April of this year. It is an all-electric home so all of our heat and power usage costs are subject to The Illuminating Company rate structure.

As we have recently lost value in our Retirement accounts due to the Financial Crisis, we are very concerned about what will happen to our monthly budget if the electric rates increase to an unaffordable level.

Please consider all the residents in this area that are on fixed incomes, especially now that we are facing such an enormous Economic Crisis in this country.



Gail Larson  
3200 State Road  
Rock Creek, Ohio 44084  
Phone: 253-691-2714



# PUBLIC HEARING SIGN-IN SHEET

COMPANY: FIRST ENERGY  
DATE: 10-15-08

CASE NO.: 08-935-EL-SSO  
LOCATION: Geneva

If you would like to provide testimony,  
please **PRINT** your name and address below.

[illegible]



# PUBLIC HEARING SIGN-IN SHEET

COMPANY: \_\_\_\_\_

CASE NO.: \_\_\_\_\_

DATE: \_\_\_\_\_

LOCATION: \_\_\_\_\_

If you would like to provide testimony,  
please **PRINT** your name and address below.

[illegible]