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Public Utilities
Commission of Ohio

Local Public Hearing

Dayton Power and Light
Electric Security Plan

Case No. 08-1094-EL-SSO

Date Taken: 2-26-09

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PUBLIC UTILITIES COMMISSION OF OHIO

Local Public Hearing

Dayton Power and Light Electric Security Plan

Case No.

08-1094-EL-SSO

TAKEN AT DAYTON MUNICIPAL BUILDING

101 W. Third Street

Dayton, Ohio 45401

February 26, 2009

6:00 p.m..

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APPEARANCES:

On behalf of the Commission:

CHERYL ROBERTO
Commissioner
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215-3793

On behalf of the Commission:

KIMBERLY W. BOJKO, ESQ.
Attorney Examiner
Public Utilities Commission of Ohio
Deputy Director Legal Department
180 East Broad Street
Columbus, OH 43215-3793

On behalf of the Dayton Power & Light Company:

CHARLES J. FARUKI, ESQ.
Faruki Ireland & Cox, P.L.L.
500 Courthouse Plaza, S.W.
10 North Ludlow Street
Dayton, OH 45402-1818

On behalf of the Ohio Consumers' Counsel:

RICK REESE, ESQ.
Office of the Ohio Consumers' Counsel
10 West Broad Street, 18th Floor
Columbus, OH 43215-3485

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PROCEEDINGS

MS. BOJKO: We will now commence the official record in the local hearing. Let's go on the record. Good evening, the Public Commission of Ohio has assigned a public hearing at this time and place, case No. 08-1094-EL-SSO, et al., being captioned: In the Matter of the Application Dayton Power and Light Company for Approval of its Electric Security Plan. Dayton Power and Light is also seeking approval of revised tariffs security and its amended corporate separation plan.

My name is Kim Bojko. I'm the Attorney Examiner. I've been assigned in this case. I'm one of two Attorney Examiners assigned. Other Commission personnel as has been explained to you, are present today, including one of the commissioners, Commissioner Roberto, is here to listen to your statements.

If you have a question concerning a utility matter other than the electric security plan that is pending before us today, I am sure that the Commission staff, the Consumers' Counsel, or the company will be more than happy to answer your questions. Note there are a number of parties who have filed motions to intervene in these proceedings, and they have been actively participating in the cases. And these interveners, they represent commercial customers, industrial customers, and

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1 residential customers, as well as other entities.

2 And at this time I will ask counsel for those
3 interveners to make appearances in this case. We will begin with the
4 Dayton Power and Light Company. On behalf of DP&L?

5 MR. FARUKI: Good evening. My name is Charlie
6 Faruki from Faruki, Ireland & Cox on behalf of the Dayton
7 Power and Light Company.

8 MS. BOJKO Thank you. On behalf of the Office
9 of the Ohio Consumers' Counsel.

10 MR. REESE: Thank you, Your Honor. On behalf of
11 the residential rate payers of Dayton Power and Light, on
12 behalf of the Ohio Consumers' Counsel, I'm Richard Reese,
13 Assistant Consumers' Counsel. Thank you.

14 MS. BOJKO: Any other interveners present? I
15 do not see any. Let me explain a little bit about the
16 case. You've heard some from the previous presentation,
17 but on October 10, 2008, DP&L filed application with the
18 Commission to establish what's called a standard service
19 offer for competitive retail electric service based on
20 what they call their Electric Security Plan. That is an
21 ESP is what we call it. And there have been local public
22 hearings established in this case. We have three for
23 this proceeding, and local public hearings are only one
24 aspect of the whole entire process.

25 There was an evidentiary hearing which

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1 commenced on February 11, 2009, at the Commission Offices
2 in Columbus, and it was continued until February 24th.
3 The purpose of an evidentiary hearing is for all the
4 interveners and the parties in this case to present
5 expert testimony and evidence in support of their
6 positions in the case. And at that evidentiary hearing
7 on February 24th, as noted previously by Mr. Turek, there
8 was a stipulation and recommendation filed, and that is
9 given to the Commission for consideration. That
10 agreement was signed by fifteen parties in the case.

11 And at the hearing today, we would like to
12 receive comments from the public. This is the other
13 aspect of the hearing process. And the public -- we will
14 not be hearing from the companies or the staff or other
15 interveners in the case. Instead, we will be hearing
16 from members of the public, and we would like to hear
17 from you, and this is your opportunity to let the
18 Commissioner, in particular, as well as the other
19 Commissioners, through the record of this case, know your
20 thoughts about the application of the proceeding before
21 us.

22 When you arrived, you were offered the
23 opportunity to sign up to testify. If you missed that
24 opportunity, it's still available, so you can still sign
25 up, and we will take witnesses in the order that they

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1 signed up. When we call you, please come up to the
2 front, state your name and spell your last name, and
3 state your address for the record. We will also ask that
4 you take an oath to state that you affirm that what you
5 are saying is the truth of the matter, and that your
6 testimony will be considered part of the official record
7 in this case and it will be reviewed by the Commission,
8 Commissioners, and other parties in the case.

9 We do need to tell you that all testimony that
10 you provide to us under oath is also subject to other
11 attorneys from the company or other parties asking
12 questions. That is their prerogative, so that is part of
13 this proceeding, if it should happen. And if you decide
14 at the time that your name is called that you wish not to
15 testify, that is fine. Just simply say, pass, and we'll
16 move on to the next person.

17 As explained to you previously, there is a
18 court reporter here to type -- to take your testimony
19 down. It will be in typewritten format. Please speak
20 slowly, carefully so that they can understand everything
21 that you are saying and we can record all of your
22 comments. We appreciate your participation at today's
23 hearing and we welcome the comments that you will provide
24 to us. Are there any questions about the process --
25 procedure in the case before we get started? Seeing

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1 none, we will begin. I have on my list Ms. Andrews.

2 Could you please raise your right hand.

3 GLENDA ANDREWS, DULY SWORN

4 MS. BOJKO: Please proceed. Your name and
5 address.

6 MS. ANDREWS: My name is Glenda Andrews. We
7 reside at 3511 Oils Drive, and that's in the Cataba Wood
8 area. This is kind of a virgin to me, but since I'm a
9 virgin, that means I need to be broke in. So if I go
10 wrong in any way, please feel free to just correct me in
11 the right direction.

12 The reason why I was here because I haven't
13 been able to sleep and my daughter went on line and she
14 hit as much as she possibly could to set the record
15 straight, so she told us to attend this meeting. In the
16 month of January we got a bill from DP&L, which was
17 outrageous, using 15,990 kilowatts, however they describe
18 it, and we only have one bedroom, our sitting room where
19 we watch television, a living room, a dining room, a
20 kitchen and that's it. We're on one level.

21 After I got the bill, I was very shocked about
22 it and I went out and I looked at the meter. I said,
23 something is wrong with that meter again. And so my
24 husband said, you know, just call them and tell them to
25 change it. By the time the guy got to the meter, it was

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1 whew, whew, whew, (indicating) but I had shut it off
2 before he got there since we had problems before. I shut
3 it off and the meter was still whew, whew, whew.

4 (Indicating.)

5 So when DP&L got there, he said the meter is
6 off the chain. I said, yeah, I know. You're here
7 because I'm getting ready to jump off the Empire State
8 Building, and we got a bill for \$1,511.44. I said, my
9 God, if I ran electricity the whole month, I said it
10 shouldn't be anything like that. He said, well, ma'am,
11 show me where your boxes are. So I showed him the boxes.
12 He said, you have two breaker boxes. I said, yes, we do.
13 Every house up here, we have two breaker boxes.

14 So, he shut it down and it still was a
15 problem. So he told me he said, ma'am, up here it's listing
16 you have cable heating. I said cable heating? And what
17 is cable heating? He said, cable heating is an electrical
18 charge, and he said you got it buried someplace in
19 here and I want you to show me the inside of the house
20 and blah, blah, blah. And I said, we've been living here
21 for this long; never had this problem before, and now you
22 created a cable heating for a 1955-built home? And he
23 wanted to rest for a minute because he had arthritis in
24 his legs, so he said he was going to go sit down and
25 think about it and then change the meter.

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1 He didn't change the meter; although, I have a
2 letter here, if I could leave a copy, of the whole detail
3 of the whole scenario. When he -- the next day a guy
4 named Kevin came out, and he was a meter tech. So he
5 said, the meter is off the chain. So they went through,
6 went upstairs in our attic and did everything that was
7 possible to find out where the resources or the sources
8 should have been undistributed, redistributed, or
9 overdistributed. But nothing was found.

10 So I said, wait a minute. I said, before you
11 go any farther, I said, let me call an electrician; find
12 out are we wrong. If we're wrong, we'll correct the
13 problem. But he said, oh, that wouldn't be necessary.
14 He said it has to be the meter because nothing crazy like
15 this should be happening. And I said, I agree. 15,000 --
16 almost 16,000 and we live in one bedroom and so forth.

17 To make a long story short, it wound up
18 that they came out three, almost four days in a row. The
19 last day Kevin came out, the meter tech, I was with
20 another agent getting our insurance together, and he took
21 my husband, who is very gullable, thinking that he could
22 entrust somebody who thought that they knew what they
23 were doing. I went back to the bathroom. We had a wall
24 thing, and he said, well, you know, he said, you got a
25 problem with that heater in the bathroom. It's about

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1 that big. I said, that heater doesn't even work. He
2 says, that's the problem. He says, that thermostat kicks
3 on and it keeps cranking and cranking for energy and keeps
4 burning up and burning up. And I said, this don't sound
5 edible (sic.) to me. I said, if I go without food for a
6 whole month, I got to die or crash. Seems like that
7 heater should have burned something if the energy kept
8 coming in.

9 So then when I turned around, this man had
10 taken our whole heater apart in our bathroom with his
11 tools. He brought his tool box. And I told my husband,
12 I said, why did you let him do that? He said, the guy
13 told me he knew what he was doing. And I went off on my
14 husband because this guy is a meter guy who got the whole
15 meter -- the whole thermostat and took our whole thing
16 apart in our home and then suggested that we not call an
17 electrician. So I got a little upset about that.

18 So in return, I called Mr. Sawyer, the
19 supervisor, and he said, we're going to get things
20 straightened out, Ms. Spearman. I'm Spearman-Andrews.
21 He said, we're going to get things straightened out and
22 find out what the problem is and get that meter in there
23 and change things around. I said, I hope so.

24 So in return, Kevin came back the next day,
25 brought a different guy. First, it was Dell, and then

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1 Kevin and Bill, or whatever his name, and Charlie or Joe,
2 whoever it was. They came three days in a row. And I
3 said, why, if something is not wrong with the meter, why
4 continue to come in our home and invade on my privacy if
5 you're doing an outside thing? So Mr. Sawyer said he was
6 going to go with his boy Kevin, what he put on paper, and
7 that's why I'm here today, because we got another bill
8 for \$478 and some change, which brought our total amount
9 for two months \$18,000 -- I mean, \$1,846.99. And that
10 was overwhelming for us.

11 And my question is, they started out high,
12 because of my budget billing, but we kept it at a degree.
13 So they brought the budget billing down to \$96 through
14 budget automatic paid through our bank. And my question
15 was, to Mr. Sawyer, then why put us on budget billing if
16 we're outstanding like this? He said, well, we probably
17 didn't read the meter for about four months. And if we
18 didn't read the meter about four months, everything is
19 dwindling down. I said, how can that be when our bill
20 has been 200- some dollars in the past. Something should
21 have caught up and made it even, because we've always
22 broke even in the end. And when I looked at my veteran
23 bill, they're crediting us. We got credit to our account
24 of 1,200- some dollars of stuff that we haven't used.

25 So Dayton Power and Light is more greater than

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1 Veteran, so I guess I'm confused. And I called my
2 neighbors. My neighbor came over before the Dayton Power
3 and Light guy got there, and he said the spinning, the
4 platinum dial was just going off and off and off. And I
5 thought that something was going to be rectified, and I
6 just thought we were being challenged mentally,
7 retardedly, and unprofessionally with attitude because
8 after I called and told about what the guys were doing
9 and everything, then they began to defend each other.
10 And I wasn't trying to attack anything. All I asked them
11 to do was change our meter, and they said they wasn't
12 going to. Although, he took it out completely, it
13 stayed on for a little while after shutting the power
14 off. He took it off, left it off overnight -- I mean,
15 for a few hours. He come in and he put it back in and
16 the meters acted right. So that's when I called in the
17 electrician.

18 The electrician, you know -- and then after
19 the electricians made their statements, we don't find a
20 problem with anything, You know, so I called Mr. Sawyer
21 back and I explained to him, - I said, sir, we had two
22 electricians to come in and evaluate that it's not our
23 problem. And one of the guys suggested it was probably
24 one of those poltergeist meters. So Mr. Sawyer said,
25 they don't know what they're talking about. He said,

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1 they don't know nothing about our meter. And I said,
2 okay. All right. Sir, thank you. Bye. You know, so
3 that's what I wanted to say. Anybody got any questions
4 for me or anything?

5 MR. FARUKI: Your Honor, let me suggest, the
6 company has a representative here to help people with
7 problems. If she would raise her hand, If she could see
8 that lady, I think we can work that out.

9 MS. ANDREWS: Okay. Thank you.

10 MS BOJKO: Thank you. Did your husband,
11 Mr. Andrews, also want to testify? Okay. Thank you. Do
12 I have any other members from the public present that
13 would like to testify at this time? Seeing none, it
14 looks like we are going to conclude for the day. Thank
15 you all for attending and thank you for coming out to
16 participate in our public hearing. We appreciate it.
17 We're adjourned.

18 THE PROCEEDINGS WERE THEN CONCLUDED 6:26 P.M.
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23
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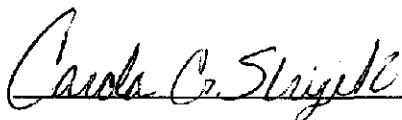
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C E R T I F I C A T E

I, CAROLA G. STRIJEK, RPR, THE UNDERSIGNED, AND
NOTARY PUBLIC-COURT REPORTER, DO HEREBY CERTIFY THAT AT
THE TIME AND PLACE STATED HEREIN, I RECORDED THE
FOREGOING PROCEEDINGS BY STENOGRAPHY MEANS AND THEREAFTER
TRANSCRIBED WITH COMPUTER-AIDED TRANSCRIPTION, AND THAT
THE FOREGOING TRANSCRIPT OF PROCEEDINGS IS A COMPLETE AND
ACCURATE REPORT OF MY SAID STENOGRAPHED NOTES.

MY COMMISSION EXPIRES: SEPTEMBER 26, 2010.



CAROLA G. STRIJEK, RPR



DATE

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