

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of: :
: Case No. 09-46-EL-UNC
The Application of the :
Ohio Department of :
Development for an Order :
Approving Adjustments to :
the Universal Service :
Riders of Jurisdictional :
Ohio Electric Distribution:
Utilities. :

- - -

PROCEEDINGS

before Greta See, Attorney Examiner, at the Public
Utilities Commission of Ohio, 180 East Broad Street,
Room 11-C, Columbus, Ohio, called at 10:00 a.m. on
Monday, December 7, 2009.

- - -

ARMSTRONG & OKEY, INC.
222 East Town Street, Second Floor
Columbus, Ohio 43215-5201
(614) 224-9481 - (800) 223-9481
Fax - (614) 224-5724

- - -

1 APPEARANCES:

2 Bell Royer, Co., LPA
3 Mr. Barth E. Royer
4 33 South Grant Avenue
5 Columbus, Ohio 43215-3927

6 On behalf of Ohio Department of
7 Development.

8 American Electric Power
9 By Mr. Marvin I. Resnik
10 One Riverside Plaza
11 Columbus, Ohio 43215-2373

12 On behalf of the Columbus Southern Power
13 Company and Ohio Power Company.

14 The Dayton Power & Light Company
15 By Judi L. Sobecki
16 1065 Woodman Avenue,
17 Dayton, Ohio, 45432.

18 On behalf of the Dayton Power & Light
19 Company.

20 Mr. David C. Rinebolt
21 and Ms. Colleen Mooney
22 231 East Lima Street
23 P.O. Box 1793
24 Findlay, OH 45839-1793

25 On behalf of Ohio Partners for
Affordable Energy.

FirstEnergy Corp.
By Ms. Kathy J. Kolich
76 South Main Street
Akron, Ohio 44308

On behalf of the Cleveland Illuminating
Company, Ohio Edison Company and Toledo
Edison Company.

DukeEnergy Ohio, Inc.
By Ms. Elizabeth H. Watts
155 East Broad Street, 21st Floor
Columbus, Ohio 43215.

On behalf of the Duke Energy Ohio.

1 APPEARANCES:

2 McNees, Wallace & Nurick
3 By Ms. Gretchen J. Hummel
4 Fifth Third Center, Suite 1700
21 East State Street
Columbus, Ohio 43215

5 On behalf of the Industrial Energy
6 Users of Ohio.

7 Janine L. Migden-Ostrander
Ohio Consumers' Counsel
8 By Ms. Anne M. Hotz
and Mr. Richard C. Reese
9 10 West Broad Street, Suite 1800
Columbus, Ohio 43215-3485

10 On behalf of the Residential
11 Consumers of the State of Ohio.

12 - - -
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX

- - -

JOINT EXHIBIT

IDFD ADMTD

1 - Stipulation and Recommendation

7 8

ODOD DEPARTMENT EXHIBITS

IDFD ADMTD

1 - Amended Application

7 8

2 - Testimony of N. Sunday

8 8

3 - Testimony of D. Skaggs

8 8

4 - Supplemental Testimony of
D. Skaggs

8 8

- - -

Monday Morning Session,

December 7, 2009.

- - -

THE ATTORNEY EXAMINER: Scheduled for hearing at this time before the Public Utilities Commission of Ohio is Case No. 09-463-EL-UNC entitled In the Matter of the Application of the Ohio Department of Development for an Order Approving Adjustments to the Universal Service Riders of Jurisdictional Ohio Electric Distribution Utilities at this time.

I'd like to take appearances of the parties, starting with ODOD. Go ahead.

MR. ROYER: Thank you. On behalf of the Ohio Department of Development, Barth Royer, Bell Royer, Co., LPA, 33 South Grant Avenue, Columbus, Ohio, 43215.

I have also been asked to enter the following appearances: On behalf of the Dayton Power & Light Company, Judi L. Sobecki, MacGregor Park, 1065 Woodman Avenue, Dayton, Ohio, 45432.

On behalf of Duke Energy Ohio, Elizabeth H. Watts, 155 East Broad Street, 21st Floor, Columbus, Ohio 43215.

On behalf of the Cleveland Illuminating

1 Company, Ohio Edison Company and Toledo Edison
2 Company, Kathy J. Kolich, FirstEnergy Corp, 76 South
3 Main Street, Akron, Ohio 44308.

4 And behalf of Ohio Partners for
5 Affordable Energy, David C. Rinebolt and Colleen L.
6 Mooney, Post Office Box 1793, Findlay, Ohio, 45839.

7 MR. RESNIK: Your Honor, on behalf
8 Columbus Southern Power Company and Ohio Power
9 Company, Marvin I. Resnik, American Electric Power
10 Service Corporation, One Riverside Plaza, Columbus
11 Ohio 43215.

12 MS. HUMMEL: On behalf of the Industrial
13 Energy Users-Ohio, McNees, Wallace & Nurick, by
14 Gretchen J. Hummel, 21 East State Street, Columbus,
15 Ohio, 43215.

16 MS. CROCKER: On behalf of the
17 Residential Consumers of the Electric Utilities in
18 Ohio, the Ohio Consumers' Counsel, Janine
19 Migden-Ostrander, by Rick Reese and Ann Hotz, 10 West
20 Broad Street, Columbus, Ohio, 43215. Thank you.

21 THE ATTORNEY EXAMINER: Okay. I should
22 note that I am Greta See, attorney-examiner on behalf
23 of the Public Utilities Commission.

24 Mr. Royer.

25 MR. ROYER: Thank you, your Honor. At

1 this time I'd like to have marked for purposes of
2 identification the Joint Stipulation and
3 Recommendation that was docketed this morning, which,
4 if accepted by the Commission, will resolve all the
5 issues in this proceeding. I'd like to have that
6 marked as Joint Exhibit 1.

7 THE ATTORNEY EXAMINER: The exhibit is so
8 marked.

9 MR. ROYER: In that stipulation it
10 recommends permission to accept into evidence several
11 documents. I'd like to have the Amended Application
12 filed in this case on November 24, 2009, marked as
13 ODOD Exhibit 1.

14 I'd like to have the Direct Testimony of
15 Donald A. Skaggs on behalf of the Ohio Department of
16 Development, which was filed November 2, 2009, marked
17 as ODOD Exhibit 2.

18 I'd also like to have marked the
19 Supplemental Testimony of Donald A. Skaggs on behalf
20 of the Ohio Department of Development, which was
21 filed November 24, 2009, marked as ODOD Exhibit 3 .

22 And, finally, I'd like the Direct
23 Testimony of Nick Sunday on behalf of the Ohio
24 Department of Development filed on November 2, 2009
25 marked as Exhibit 4.

1 THE ATTORNEY EXAMINER: Mr. Royer, is
2 there some reason you have them in that particular
3 order?

4 MR. ROYER: No.

5 THE ATTORNEY EXAMINER: Off the record
6 for a second.

7 MR. ROYER: At your Honor's request I
8 will change the designation of the various testimony
9 filed in case. Mr. Sunday's direct testimony will be
10 ODOD Exhibit 2. Mr. Skaggs direct testimony will be
11 ODOD Exhibit 3. Mr. Skaggs' testimony will be ODOD
12 Exhibit 4.

13 THE ATTORNEY EXAMINER: Are there any
14 objections to the admission of Joint Exhibit 1 or
15 ODOD Exhibits 1 through 4?

16 MR. ROYER: No.

17 MS. HUMMEL: No.

18 MS. CROCKER: No your Honor.

19 THE ATTORNEY EXAMINER: Hearing none,
20 Joint Exhibit 1 and ODOD Exhibits 1 through 4 will be
21 admitted into the record.

22 (EXHIBITS ADMITTED INTO EVIDENCE.)

23 THE ATTORNEY EXAMINER: Anything further?

24 MR. ROYER: Again, I'd like to thank the
25 parties for their cooperation in reaching an

1 agreement that resolved the case without the
2 necessity for a hearing.

3 THE ATTORNEY EXAMINER: Thank you.
4 Mr. Resnik.

5 MR. RESNIK: Speaking of cooperation, I
6 just want to indicate, as the Commission is aware,
7 there are new PIPP rules that the AEP companies are
8 working on and incurring considerable expenses to be
9 able to comply with them by next November, and we
10 look forward to cooperating with the Ohio Department
11 of Development for recovering those expenses through
12 the Universal Service Fund Rider.

13 THE ATTORNEY EXAMINER: So noted.

14 Is there anything else?

15 If there is nothing else, this hearing is
16 adjourned. Thank you all.

17 (The hearing adjourned at 10:08 a.m.)

18 - - -
19
20
21
22
23
24
25

CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Monday, December 7, 2009, and carefully compared with my original stenographic notes.

Rosemary Foster Anderson,
Professional Reporter and
Notary Public in and for
the State of Ohio.

My commission expires April 5, 2014.

(RFA-8371)

- - -

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

12/21/2009 2:13:44 PM

in

Case No(s). 09-0463-EL-UNC

Summary: Transcript Transcript for hearing held on 12/07/09. electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Anderson, Rosemary Foster Mrs.