

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the :  
Application of Aqua Ohio, :  
Inc. for Authority to :  
Increase its Rates and : Case No. 09-560-WW-AIR  
Charges in its Masury :  
Division :

- - -

PROCEEDINGS

Before Jay S. Agranoff, Hearing Examiner, at the Public  
Utilities Commission of Ohio, 180 East Broad Street,  
Room 11-D, Columbus, Ohio, called at 10:05 a.m. on  
Tuesday, March 23, 2010.

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1 APPEARANCES:

2 Richard Cordray, Ohio Attorney General  
3 By John H. Jones, Esq.  
4 Sarah J. Parrot, Esq.  
5 Assistant Attorneys General  
6 180 East Broad Street, 9th Floor  
7 Columbus, Ohio 43215-3793

8 On behalf of the Staff of the PUCO.

9 Chester, Willcox & Saxbe, LLP  
10 By Mark S. Yurick, Esq.  
11 Capitol Square Office Building  
12 65 East State Street, Suite 1000  
13 Columbus, Ohio 43215

14 On behalf of the Applicant, Aqua Ohio, Inc.

15 Ohio Consumers' Counsel  
16 By Melissa R. Yost, Esq.  
17 10 West Broad Street, Suite 1800  
18 Columbus, Ohio 43215

19 On behalf of Ohio Consumers' Counsel.

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1 Tuesday Morning Session,  
2 March 23, 2010.

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4 HEARING EXAMINER AGRANOFF: Let's go on the  
5 record. The Public Utilities Commission of Ohio has  
6 assigned for public hearing at this time and place Case  
7 No. 09-560-WW-AIR, which is captioned: In the Matter  
8 of the Application of Aqua Ohio, Inc. for Authority to  
9 Increase its Rates and Charges in its Masury Division.  
10 My name is Jay Agranoff, and I'm the Attorney Examiner  
11 with the Commission's Legal Department, and I am the  
12 individual assigned to preside over this case.

13 At this particular point in time I'll take  
14 the appearances of the parties.

15 On behalf of Aqua Ohio.

16 MR. YURICK: On behalf of Aqua Ohio, Your  
17 Honor, Mark S. Yurick, that's Y-u-r-i-c-k, with the law  
18 firm of Chester, Willcox & Saxbe, 65 East State Street,  
19 Suite 1000, Columbus, Ohio 43215.

20 HEARING EXAMINER AGRANOFF: And on behalf of  
21 Ohio Consumers' Counsel.

22 MS. YOST: Melissa R. Yost, 10 West Broad  
23 Street, Suite 1800, Columbus, Ohio 43215.

24 HEARING EXAMINER AGRANOFF: And on behalf of  
25 the Staff of the Public Utilities Commission of Ohio.

1 MR. JONES: Yes, Your Honor. On behalf of  
2 the Staff of the Public Utilities Commission of Ohio,  
3 Ohio Attorney General Richard Cordray, Assistant  
4 Attorneys General John Jones and Sarah Parrot, 180 East  
5 Broad Street, Columbus, Ohio.

6 HEARING EXAMINER AGRANOFF: Thank you.  
7 Pursuant to my entry of February 26, 2010, this matter  
8 was scheduled for an evidentiary hearing as well as a  
9 public hearing, which was held on March 18th of last  
10 week, 2010. It is my understanding at this point in  
11 time that the parties have been in discussion with  
12 respect to a potential stipulation in this matter and  
13 are interested in pursuing a call and continue of this  
14 hearing until April 7th of 2010.

15 MR. YURICK: That's correct, Your Honor.

16 MR. JONES: That's correct, Your Honor.

17 MS. YOST: Yes, Your Honor.

18 HEARING EXAMINER AGRANOFF: That being the  
19 case, this hearing shall be continued until April 7th,  
20 2010, at 10 a.m., at which time I believe the intent of  
21 the parties is to have the Commission consider a Joint  
22 Stipulation reached between all of the parties.

23 MR. YURICK: That's correct, Your Honor.

24 MR. JONES: Yes, Your Honor.

25 MS. YOST: Yes, Your Honor.

1 HEARING EXAMINER AGRANOFF: That being the  
2 case, I would ask that the Stipulation be prefiled in  
3 this docket, and if it is not a problem, I would ask  
4 that it be prefiled at least two business days prior to  
5 the 7th of April, and I would also ask and it is my  
6 understanding, based on conversations with counsel for  
7 the Applicant, that the expert witness will be in  
8 attendance for the April 7th hearing for purposes of  
9 sponsoring the Stipulation and being available for any  
10 questions that I might have relative to that document.

11 MR. YURICK: That's correct, Your Honor.

12 HEARING EXAMINER AGRANOFF: I also  
13 understand, based on prior conversations with counsel,  
14 that it is OCC's desire that they have the opportunity  
15 within one week subsequent to the entry of the Joint  
16 Stipulation to file a supporting brief.

17 MS. YOST: That's correct, Your Honor.

18 HEARING EXAMINER AGRANOFF: And to the extent  
19 that any of the other two parties have any desire to  
20 file a pleading in response to OCC's brief, they may do  
21 so within five business days of that filing. If  
22 there's nothing else, then we will be in recess until  
23 the 7th of April. Thank you.

24 MR. YURICK: Thank you.

25 MR. JONES: Thank you, Your Honor.

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MS. YOST: Thank you.

(Thereupon, the hearing was concluded at  
10:08 a.m.)

CERTIFICATE

I do hereby certify that the foregoing is  
a true and correct transcript of the proceedings taken  
by me in this matter on Tuesday, March 23, 2010, and  
carefully compared with my original stenographic notes.

Valerie J. Sloas, Registered  
Professional Reporter and Notary  
Public in and for the State of  
Ohio.

My commission expires June 8, 2011.

(VJS-771)

**This foregoing document was electronically filed with the Public Utilities**

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**in**

**Case No(s). 09-0560-WW-AIR**

Summary: Transcript Transcript of Aqua Ohio, Inc. hearing held on 03/23/10. electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Sloas, Valerie J. Mrs.