

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of: :  
: Case No. 09-0560-WW-AIR  
In the Matter of that :  
Application of Aqua Ohio, :  
Inc. for Authority to :  
Increase its Rates and :  
Charges in the Masury :  
Division. :

- - -

PROCEEDINGS

before Mr. Jeffrey Jones, Attorney Examiner, at the  
Public Utilities Commission of Ohio, 180 East Broad  
Street, Room 11-D, Columbus, Ohio, called at 10:00  
a.m. on Wednesday, April 7, 2010.

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1 APPEARANCES:

2 Chester, Willcox & Saxbe, LLP  
3 By Mr. Mark S. Yurick  
4 65 East State Street  
5 Columbus, Ohio 43215

6 On behalf of the Company.

7 Janine L. Migden-Ostrander  
8 Ohio Consumers' Counsel  
9 By Mr. Michael E. Idzkowski  
10 10 West Broad Street, Suite 1800  
11 Columbus, Ohio 43215-3485

12 On behalf of the Residential  
13 Consumers of Aqua Water..

14 Richard Cordray, Ohio Attorney General  
15 Duane W. Luckey, Senior Deputy  
16 Attorney General  
17 By Mr. John H. Jones  
18 and Ms. Sarah Parrot  
19 180 East Broad Street  
20 Columbus, Ohio 43215-3793

21 On behalf of the Staff of the Public  
22 Utilities Commission.

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1 Wednesday Morning Session,

2 April 7, 2010.

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4 THE ATTORNEY EXAMINER: The Public  
5 Utilities Commission of Ohio has called for hearing  
6 at this time and place Case No. 09-560-WW-AIR, that  
7 being In the Matter of the Application of Aqua Ohio,  
8 Inc. for Authority to Increase its Rates and Charges  
9 in the Masonry Division.

10 My name is Jeffrey R. Jones. I'm an  
11 attorney-examiner with the legal department, and I've  
12 been assigned to this hearing today.

13 At this time I'll take appearances on  
14 behalf of the parties. On behalf of Aqua Ohio.

15 MR. YURICK: On behalf of Aqua, Ohio,  
16 your Honor, Mark S. Yurick, the law firm of Chester,  
17 Willcox & Saxbe, 65 East State Street, Columbus, Ohio  
18 43215, Suite 1000, on behalf of the company.

19 THE ATTORNEY EXAMINER: Thank you.

20 On behalf of the staff of the Public  
21 Utilities Commission of Ohio.

22 MR. JONES: Yes, Your Honor. On behalf  
23 of the Commission staff, Ohio Attorney General  
24 Richard Cordray, assistant attorneys general Sarah  
25 Parrot, John Jones, 180 East Broad Street, Sixth

1 Floor, Columbus, Ohio.

2 THE ATTORNEY EXAMINER: Thank you. On  
3 behalf of the office of Consumers' Counsel.

4 MR. IDZKOWSKI: Yes. Thank you. On  
5 behalf of the residential customers of the company,  
6 Ohio Consumers' Counsel, Janine Migden-Ostrander,  
7 Mike Idzkoswsi and Melissa Yost, assistant consumers'  
8 counsel, 10 West Broad Street, Suite 1800, Columbus,  
9 Ohio 432135.

10 THE ATTORNEY EXAMINER: Thank you. At  
11 this time are there any preliminary matters we need  
12 to take up?

13 MR. JONES: Your Honor, the parties are  
14 requesting a two-day continuance to Friday, April 9,  
15 at 10:00 a.m. to go forward with the hearing that was  
16 originally scheduled for today. The parties are  
17 continuing to work together to finalize the exhibits  
18 to the Stipulation that we have worked on together.  
19 We have finalized the Stipulation but we have not  
20 finalized the exhibits to that Stipulation, and so we  
21 continue to get that done and we should be filing the  
22 Stipulation and the exhibits either late today or  
23 first thing tomorrow, but we request that continuance  
24 for that to be done.

25 THE ATTORNEY EXAMINER: Thank you. Is

1 there any discussion on the motion made by staff?

2 MR. YURICK: Your Honor, the company  
3 would just join in the motion and state for the  
4 record that assuming we are agreeing to the two-day  
5 continuance, at that time on Friday the company would  
6 be calling Robert Kopas, K-O-P-A-S, to affirm and  
7 support the Stipulation. His prefiled testimony was  
8 filed yesterday, so that's available, should be  
9 available on the website and it was I believe served.

10 THE ATTORNEY EXAMINER: Thank you,  
11 Mr. Yurick.

12 Is there any objection to the motion to  
13 continue this hearing until Friday April 9 at  
14 10:00 a.m.?

15 MR. IDZKOWSKI: No, your Honor.

16 THE ATTORNEY EXAMINER: Hearing none, the  
17 Bench will continue this hearing until Friday  
18 April 9, 2010 at 10:00 a.m. We will be here in  
19 hearing room 11D. At that time we will take up the  
20 Stipulation, the exhibits, and the prefiled testimony  
21 of Mr. Kopas, I believe.

22 Unless there is anything further, we  
23 stand adjourned until Friday at 10:00 a.m.

24 MR. YURICK: Thank you your Honor.

25 MR. JONES: Thank you, your Honor.

MR. IDZKOWSKI: Thank you.

(The hearing adjourned at 10:06 a.m.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Wednesday, April 7, 2010, and carefully compared with my original stenographic notes.

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

My commission expires April 5, 2014.

(RFA-8425)

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

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

Summary: Transcript Transcript of Aqua Water, Inc. hearing held on 04/07/10. electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Anderson, Rosemary Foster Mrs.