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THE PUBLIC UTILITIES COMMISSION OF OHIO

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IN THE MATTER OF:

OHIO EDISON COMPANY, THE CLEVELAND  
ELECTRIC ILLUMINATING COMPANY, AND THE  
TOLEDO EDISON COMPANY FOR AUTHORITY TO  
ESTABLISH A STANDARD SERVICE OFFER  
PURSUANT TO SECTION 4928.143, REVISED  
CODE, IN THE FORM OF AN ELECTRIC SECURITY  
PLAN.

Case No. 10-388-EL-SSO

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PUBLIC HEARING

April 27, 2010  
6:00 p.m.

Taken at:  
Lakeland Community College  
7700 Clocktower Drive  
Kirtland, Ohio

Charles L. Butera, Notary Public



RENNILLO

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| <p>THE PUBLIC UTILITIES COMMISSION OF OHIO<br/> *****</p> <p>IN THE MATTER OF:<br/> OHIO EDISON COMPANY, THE CLEVELAND<br/> ELECTRIC ILLUMINATING COMPANY, AND THE<br/> TOLEDO EDISON COMPANY FOR AUTHORITY TO<br/> ESTABLISH A STANDARD SERVICE OFFER<br/> PURSUANT TO SECTION 4928.143, REVISED<br/> CODE, IN THE FORM OF AN ELECTRIC SECURITY<br/> PLAN.</p> <p>Case No. 10-388-EL-SSO</p> <p>*****</p> <p>PUBLIC HEARING</p> <p>April 27, 2010<br/> 6:00 p.m.<br/> Taken at:<br/> Lakeland Community College<br/> 7700 Clocktower Drive<br/> Kirtland, Ohio</p> <p>Charles L. Butera, Notary Public</p>  | <p>3</p> <p>1 APPEARANCES/continued:<br/> 2<br/> 3 JODY M. KYLER, ESQ.<br/> 4 Assistant Consumers' Counsel<br/> 5 Office of the Ohio Consumers' Counsel<br/> 6 10 West Broad Street<br/> 7 Suite 1800<br/> 8 Columbus, Ohio 43215<br/> 9 (614)466-9601<br/> 10 kyler@occ.state.oh.us<br/> 11 ~ ~ ~ ~ ~<br/> 12<br/> 13<br/> 14<br/> 15 18:08:28<br/> 16<br/> 17<br/> 18<br/> 19<br/> 20<br/> 21<br/> 22<br/> 23<br/> 24<br/> 25</p> |
| <p>2</p> <p>1 APPEARANCES:<br/> 2<br/> 3 KIMBERLY W. BOJKO, ESQ.<br/> 4 Attorney Examiner<br/> 5 Public Utilities Commission of Ohio<br/> 6 180 East Broad Street<br/> 7 Columbus, Ohio 43215<br/> 8 (614)752-7999<br/> 9 Kim.Bojko@puc.state.oh.us<br/> 10<br/> 11 PAUL A. Centolella<br/> 12 Commissioner<br/> 13 Public Utilities Commission of Ohio<br/> 14 180 East Broad Street<br/> 15 Columbus, Ohio 43215<br/> 16 (614)644-8226<br/> 17 Paul.Centolella@puc.state.oh.us<br/> 18<br/> 19 EBONY L. MILLER, ESQ.<br/> 20 FirstEnergy<br/> 21 76 South Main Street<br/> 22 Akron, Ohio 44308<br/> 23 (330)384-5969<br/> 24 elmiller@firstenergycorp.com<br/> 25</p> | <p>4</p> <p>1 INDEX<br/> 2<br/> 3 Fisco Exhibit 1 was marked 107 20<br/> 4<br/> 5<br/> 6<br/> 7<br/> 8<br/> 9<br/> 10<br/> 11<br/> 12<br/> 13<br/> 14<br/> 15<br/> 16<br/> 17<br/> 18<br/> 19<br/> 20<br/> 21<br/> 22<br/> 23<br/> 24<br/> 25</p>   |

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| <p>1 MS. BOJKO: The Public Utilities<br/>2 Commission of Ohio has assigned for public<br/>3 hearing at this time and place. Case No.<br/>4 10-388-EL-SSO, being captioned in the matter of<br/>5 the application of Ohio Edison, the Cleveland 18:08:41<br/>6 Electric Illuminating Company, and the Toledo<br/>7 Edison Company for authority to establish a<br/>8 standard service offer pursuant to section<br/>9 4928.143 of the Revised Code in the form of an<br/>10 Electric Security Plan. 18:08:57<br/>11 My name is Kim Bojko and with me<br/>12 this evening is commissioner Centolella and<br/>13 Beth Trombold. I am one of the attorney<br/>14 examiners that has been assigned to preside<br/>15 over this proceeding. And I also presided over 18:09:09<br/>16 the evidentiary hearing in Columbus that<br/>17 occurred last week and lasted approximately --<br/>18 it lasted four days of hearing from numerous<br/>19 witnesses on this case.<br/>20 But at the hearing tonight, we are 18:09:22<br/>21 going to hear from you. There are<br/>22 representatives from the company here and there<br/>23 are representatives from interveners, but<br/>24 tonight, this is the opportunity to hear from<br/>25 you. So if you have a question other than the 18:09:33</p> | <p>1 describe a little bit more about the case. On<br/>2 March 23, 2010, FirstEnergy filed with the<br/>3 Commission an application along with the signed<br/>4 agreement among several parties to establish<br/>5 its next Electric Security plan, and this plan 18:10:46<br/>6 is commonly called an ESP Plan. And this will<br/>7 be for the supply and pricing of electric<br/>8 service from June 1, 2011 through May 31, 2014.<br/>9 Electric generation rates under the new plan<br/>10 would again be determined through a competitive 18:11:03<br/>11 bid process, conducted by an independent bid<br/>12 manager, as it was done in the companies' last<br/>13 Electric Security Plan. And under the proposed<br/>14 ESP, FirstEnergy's base distribution rates<br/>15 would remain frozen through May 31, 2014. The 18:11:18<br/>16 company would also establish a mechanism in<br/>17 2012 to recover improvements to the company's<br/>18 distribution system. And this cost recovery<br/>19 would be subject to quarterly filings and<br/>20 annual audits by the commission. FirstEnergy 18:11:32<br/>21 would also continue to promote economic<br/>22 development, job retention, energy efficiency,<br/>23 conservation and low-income programs.<br/>24 As has been stated this evening,<br/>25 there have been eight local public hearings 18:11:47</p> |
| <p>1 proceeding before us today, feel free to speak<br/>2 with one of the individuals, either us or the<br/>3 company representatives or the Consumers'<br/>4 Counsel that's here. I'm not sure if other<br/>5 interveners are here, but feel free to talk to 18:09:48<br/>6 them as well and they will be happy to answer<br/>7 your questions.<br/>8 And at this time I would like to<br/>9 take appearances of the parties. Let's begin<br/>10 with the company, FirstEnergy. 18:09:59<br/>11 MS. MILLER: Good evening. My name<br/>12 is Ebony Miller. I'm here on behalf of the<br/>13 Cleveland Electric Illuminating Company, the<br/>14 Toledo Edison Company and Ohio Edison Company.<br/>15 MS. BOJKO: And then the office of 18:10:11<br/>16 the Consumers' Counsel.<br/>17 MS. KYLER: On behalf of the<br/>18 residential consumers of FirstEnergy, Janine<br/>19 Migden-Ostrander, Ohio Consumers' counsel by<br/>20 Jody Kyler, Assistant Consumers' counsel. 18:10:22<br/>21 MS. BOJKO: Do we have any other<br/>22 intervening parties present tonight that would<br/>23 like to make an appearance? Seeing none, we<br/>24 will continue.<br/>25 First of all, I would like to 18:10:31</p>  | <p>1 scheduled in this case, and those local public<br/>2 hearings are only one aspect of the entire<br/>3 process. The evidentiary hearing began, which<br/>4 is just explained, on April 20 and it concluded<br/>5 on April 23. And the purpose of that hearing 18:12:00<br/>6 was to allow the companies, the staff of the<br/>7 commissions, the interveners -- such as<br/>8 Consumers' Counsel and the companies -- to<br/>9 present witnesses regarding the company's<br/>10 proposal. And they were to support their 18:12:15<br/>11 positions in the case at the evidentiary<br/>12 hearing.<br/>13 So the purpose of tonight's public<br/>14 hearing is to move away from the parties that<br/>15 normally practice before the Commissions and 18:12:24<br/>16 it's to hear from the public. So today, this<br/>17 is your opportunity, so please feel free to<br/>18 come up and testify before us and tell us your<br/>19 opinions about the case that's pending before<br/>20 us. 18:12:36<br/>21 When you arrived you were offered<br/>22 an opportunity to sign up to testify. But if<br/>23 you missed that opportunity, that's okay. It's<br/>24 not too late. Just go back to the back, the<br/>25 table is still back there and you can sign up, 18:12:46</p>   |

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| <p>1 and then we will take the witnesses in the<br/>2 order in which they have signed in.<br/>3 Before you begin your statement, I<br/>4 will ask for your name and address for the<br/>5 record. You must state it clearly so the court 18:12:59<br/>6 reporter will be able to take down your name<br/>7 and address. And your testimony will be<br/>8 considered part of the official record of the<br/>9 case, and it will be reviewed, as Commissioner<br/>10 Centolella has explained, by all of the<br/>11 commissioners, not just him here tonight, but<br/>12 will be reviewed by the other four<br/>13 commissioners, as well as the examiners that<br/>14 will be making the decision in the case. The<br/>15 commissioners ultimately have the five-member 18:13:23<br/>16 vote that was explained to you.<br/>17 Your statement will be under oath,<br/>18 so we will ask you to take an oath when you<br/>19 come up to testify. And the other parties, the<br/>20 other interveners to the case that have made 18:13:36<br/>21 appearances before you tonight, are allowed to<br/>22 ask you questions, on the record, about your<br/>23 testimony. So should you decide that you do<br/>24 not want to testify when your name is called,<br/>25 that's fine, just say pass and we'll move on to 18:13:46</p> | <p>11<br/>1 sign-up sheets out on the table where you<br/>2 signed in, and it asks you to note that if you<br/>3 would like to oppose the application before us,<br/>4 and you can also note if you support the<br/>5 application before us. If you would like to 18:15:05<br/>6 just sign your name on the document out on the<br/>7 table instead of testifying if you need to<br/>8 leave, or if you just are in agreement with<br/>9 everybody else, what they said, and you feel<br/>10 like you do not want to be repetitious, that's 18:15:17<br/>11 fine as well, just go ahead and sign. And your<br/>12 name will be part of the official record in<br/>13 this case that either opposes or supports the<br/>14 proposal that's before us tonight.<br/>15 I am presiding over this hearing 18:15:31<br/>16 and I am unable to answer any substantive of<br/>17 questions that you may have, because the case<br/>18 is pending before the Commissions. So we are<br/>19 not able to answer questions for you. However,<br/>20 you may direct those questions, as we stated 18:15:45<br/>21 previously, to either the company<br/>22 representatives that are here as well as the<br/>23 Consumers' Counsel. And I believe there are<br/>24 other parties of interest here that might be<br/>25 able to answer questions as well. I also know 18:15:59</p> |
| <p>10<br/>1 the next person.<br/>2 Again, tonight's hearing is being<br/>3 transcribed by a court reporter, so you need to<br/>4 speak clearly, slowly, so that they are able to<br/>5 accurately reflect your comments on the record. 18:14:00<br/>6 And if you have prepared written statements, it<br/>7 would be very helpful if you could provide that<br/>8 to the court reporter after your testimony is<br/>9 given.<br/>10 We appreciate your participation in 18:14:12<br/>11 tonight's hearing, and we want everyone who<br/>12 wishes to make a public statement to be able to<br/>13 do so. Therefore, please keep your comments<br/>14 brief and to the point; we have a number of<br/>15 people already signed up to testify. So if at 18:14:24<br/>16 all possible, we would like to try to keep your<br/>17 comments to five minutes, if at all possible,<br/>18 in order to allow everybody else a chance to<br/>19 testify. We want to give everyone an<br/>20 opportunity that wants to speak to speak 18:14:39<br/>21 tonight.<br/>22 Also, if you have been here a while<br/>23 and you've heard people testify and you agree<br/>24 with what they're saying and you need to leave,<br/>25 that is fine as well. We have now placed 18:14:51</p>  | <p>12<br/>1 that there is literature out there that will<br/>2 help answer your questions.<br/>3 But before we get started, does<br/>4 anybody have any questions about the process?<br/>5 Not substantive questions about the 18:16:09<br/>6 application, but any questions about what is<br/>7 going to happen tonight with regard to this<br/>8 local hearing? Yes.<br/>9 MEMBER OF THE AUDIENCE: Just for<br/>10 verification, in fact, this hearing has nothing 18:16:22<br/>11 -- doesn't really address the all-electric<br/>12 rates, right?<br/>13 MS. BOJKO: That is correct.<br/>14 MEMBER OF THE AUDIENCE: Okay.<br/>15 Thank you. 18:16:31<br/>16 MS. BOJKO: Are there any other --<br/>17 I should say, you said this hearing, the<br/>18 proposal before us does not address the<br/>19 all-electric --<br/>20 MEMBER OF THE AUDIENCE: What we're<br/>21 talking about here tonight is not going to be<br/>22 about the all-electric rates.<br/>23 MS. BOJKO: That's correct. Are<br/>24 there any other questions? Seeing none, let's<br/>25 get started. 18:16:54</p>  |

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| <p>1 First of all on our list, we have<br/>2 Representative Fende. Would you please come up<br/>3 to the podium. Could you please raise your<br/>4 right hand.<br/>5 LORRAINE FENDE, of lawful age,<br/>6 having been first duly sworn, testified as<br/>7 follows:<br/>8 MS. BOJKO: Please state your name<br/>9 and address for the record.<br/>10 MS. FENDE: It's State 18:17:17<br/>11 Representative Lorraine Fende. 372 East 328th<br/>12 Street, Willowick, Ohio, 44095. And before I<br/>13 start my testimony, I want to thank everybody<br/>14 for coming this evening and welcome you to the<br/>15 62nd District. 18:17:32<br/>16 I'm testifying today to oppose<br/>17 FirstEnergy's Electric Security Plan<br/>18 application and stipulations.<br/>19 On March 23, 2010, FirstEnergy<br/>20 filed an application Case No. 10-388-EL-SSO 18:17:44<br/>21 along with the stipulation agreement to set its<br/>22 generation rates under an Electric Security<br/>23 Plan known as the ESP.<br/>24 The ESP also proposes to set new<br/>25 delivery or distribution charges as well as 18:18:01</p>   | <p>15<br/>1 giving the average Ohioan little time to learn<br/>2 about these complicated issues.<br/>3 \$390 million. This charge allows<br/>4 FirstEnergy to collect up to \$390 million from<br/>5 its customers over two and a half years. 18:19:26<br/>6 FirstEnergy would be allowed to make quarterly<br/>7 adjustments to the charge to obtain recovery of<br/>8 and the return on capital investments made to<br/>9 this electric distribution system. These costs<br/>10 have not been carefully reviewed. There has 18:19:43<br/>11 been no determination that they are just,<br/>12 reasonable or prudent. This is the big<br/>13 problem, as my constituents could be paying<br/>14 FirstEnergy for expenses that are unnecessary<br/>15 and that they cannot afford. 18:19:57<br/>16 I especially think this proposal is<br/>17 a problem because of the results of the last<br/>18 distribution rate case. In 2007, FirstEnergy<br/>19 requested an annual distribution rate increase<br/>20 of about \$340 million. After the application 18:20:10<br/>21 was fully studied, PUCO granted less than half<br/>22 of the percentages requested by rate increase.<br/>23 At the end of the process, FirstEnergy was<br/>24 approved to collect \$137 million from its<br/>25 customers, not the initial 340. This is a 18:20:27</p>            |
| <p>14<br/>1 settle a number of cases and issues pending<br/>2 before the PUCO. In FirstEnergy's application,<br/>3 they ask for PUCO's decision by May 5, 2010.<br/>4 I am concerned about this case<br/>5 because it will allow FirstEnergy to recover 18:18:16<br/>6 hundreds of millions of dollars of expenses<br/>7 from consumers and this decision will be made<br/>8 in what I feel is a relatively short period of<br/>9 time. And this will be too short of a time to<br/>10 adequately review and analyze increases of this 18:18:28<br/>11 size.<br/>12 As I previously stated, FirstEnergy<br/>13 filed its application and stipulated agreement<br/>14 at the same time. When I voted in support of<br/>15 Senate Bill 221 in 2008, I voted in support of 18:18:43<br/>16 the thorough process for rate cases of this<br/>17 magnitude. Senate Bill 221 included a 275-day<br/>18 process, which would allow all interested<br/>19 parties to review an application before an<br/>20 electric utility tries to settle those parties. 18:19:01<br/>21 The law allows for a process of up to nine<br/>22 months, and in this case it should be adhered<br/>23 to.<br/>24 These public hearings were<br/>25 scheduled in a relatively short period of time, 18:19:10</p> | <p>16<br/>1 clear example of why the PUCO should allow more<br/>2 time to review this expensive rate proposal.<br/>3 Without this proposal, FirstEnergy's customer<br/>4 bills could possibly decrease.<br/>5 This added rider takes away the 18:20:44<br/>6 benefits that consumers deserve. This would be<br/>7 equal to a tax cut because we would put more<br/>8 money in the pockets of consumers to pay bills<br/>9 or buy products to stimulate the economy. I<br/>10 urge the PUCO to reject this proposal. 18:20:57<br/>11 Payments of the transmission<br/>12 expansion costs. FirstEnergy has applied to<br/>13 move its transmission assets from one Regional<br/>14 Transmission Organization, which is known as an<br/>15 RTO, to another. Regional Transmission 18:21:11<br/>16 Organizations manage utilities transmission<br/>17 systems in the specific regions to ensure the<br/>18 fair flow of electricity from power plants to<br/>19 customers. FirstEnergy should not recover the<br/>20 cost of this switch from its consumers. 18:21:27<br/>21 FirstEnergy has made a business decision to<br/>22 move all of its transmission operations into a<br/>23 new Regional Transmission Organization, and its<br/>24 shareholders should be responsible for the cost<br/>25 associated with that change. I have not heard 18:21:42</p> |

4 (Pages 13 to 16)

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| <p>17</p> <p>1 that there will be any benefits to my</p> <p>2 constituents because of this move.</p> <p>3 The Federal Energy Regulatory</p> <p>4 Commission, which is known as the FERC -- a</p> <p>5 federal agency that regulates the transmission 18:21:55</p> <p>6 of electricity, natural gas and oil -- in a</p> <p>7 December 17, 2009 order, stated, "Transmission</p> <p>8 owners seek to change RTOs should be prepared</p> <p>9 to assume the costs attributable to their</p> <p>10 decision." The PUCO, in my opinion, should 18:22:14</p> <p>11 enforce this principle to protect Ohioans.</p> <p>12 Under the agreement, several organizations have</p> <p>13 struck deals with FirstEnergy related to its</p> <p>14 economic development and job retention. While</p> <p>15 I wholeheartedly support economic development, 18:22:28</p> <p>16 I am hard-pressed to ask my constituents to pay</p> <p>17 for these investments without assurances that</p> <p>18 the benefits will follow. This should be</p> <p>19 addressed in a separate proceeding.</p> <p>20 If FirstEnergy wants to expand 18:22:41</p> <p>21 their sales in our area, they should contribute</p> <p>22 to the funding of this economic development</p> <p>23 from their shareholders' money, not my</p> <p>24 constituents'. Thank you for your time.</p> <p>25 And I would like to reiterate my 18:22:51</p> | <p>19</p> <p>1 MS. NEWCOMB: Thank you. Deborah</p> <p>2 Newcomb, 392 Residence Street in Conneaut,</p> <p>3 Ohio.</p> <p>4 MS. BOJKO: I'm sorry, could you</p> <p>5 please raise your right hand?</p> <p>6 DEBORAH NEWCOMB, of lawful age,</p> <p>7 having been first duly sworn, testified as</p> <p>8 follows:</p> <p>9 MS. BOJKO: Please proceed.</p> <p>10 MS. NEWCOMB: Again, my name is 18:24:14</p> <p>11 Deborah Newcomb, 392 Residence Street,</p> <p>12 Conneaut, Ohio. I'm a state representative for</p> <p>13 Ashtabula, for Northern Trumbull County, 99th</p> <p>14 District of Ohio. And I will provide a written</p> <p>15 copy to the court reporter after my testimony. 18:24:26</p> <p>16 MS. BOJKO: Thank you.</p> <p>17 MS. NEWCOMB: I am here today to</p> <p>18 express my concerns regarding the recent filing</p> <p>19 of FirstEnergy's Electric Security Plan and its</p> <p>20 potential impact on many residents in my 18:24:36</p> <p>21 communities.</p> <p>22 Senate Bill 221 just passed in</p> <p>23 2008, by a large bi-partisan margin, to ensure</p> <p>24 electricity price stabilization, modernize</p> <p>25 energy efficiency standards, encourage future 18:24:49</p>   |
| <p>18</p> <p>1 concerns for my constituents or customers of</p> <p>2 FirstEnergy. They simply cannot afford these</p> <p>3 rate increases. And I strongly urge the PUCO</p> <p>4 to reject this plan. And before I turn this</p> <p>5 over, I again would like to thank everybody for 18:23:05</p> <p>6 coming.</p> <p>7 And Representative Deborah Newcomb</p> <p>8 and myself, and we have our aide out in Bath,</p> <p>9 that if you wouldn't mind before you leave this</p> <p>10 evening to sign in with your names and 18:23:15</p> <p>11 addresses. And we also have complaint forms</p> <p>12 that we will -- if you would like to fill out</p> <p>13 -- we have those there, that we will forward on</p> <p>14 to the OCC and also the PUCO.</p> <p>15 And we're asking you to do this 18:23:27</p> <p>16 after the fact because we didn't want to</p> <p>17 confuse anybody with signing up for people who</p> <p>18 wanted to testify this evening, or people who</p> <p>19 just wanted to put their names down because</p> <p>20 they were in attendance. So again, we do have 18:23:37</p> <p>21 those documents out front -- or back, if you</p> <p>22 would please sign in or sign out before you</p> <p>23 leave. Thank you.</p> <p>24 MS. BOJKO: Thank you.</p> <p>25 Representative Newcomb. 18:23:47</p>  | <p>20</p> <p>1 economic development in advanced energy and new</p> <p>2 technologies, and provide accountability and</p> <p>3 transparency provisions for utility customers</p> <p>4 based on significant evidence that Ohio</p> <p>5 customers would actually pay less under these 18:25:03</p> <p>6 plans in comparison to market-based prices.</p> <p>7 Senate Bill 221 stipulates that</p> <p>8 Ohio's electric utility companies must file</p> <p>9 these rate stabilization plans to eliminate</p> <p>10 market uncertainty. As a result, FirstEnergy 18:25:18</p> <p>11 filed their plan with the PUCO to offer</p> <p>12 long-term rate stability and support for</p> <p>13 economic development.</p> <p>14 My understanding is the plan would</p> <p>15 use a competitive bidding process to establish 18:25:27</p> <p>16 generation supply and pricing, determining</p> <p>17 generation rates for FirstEnergy customers from</p> <p>18 June 2011 to May 2014. In addition, the plan</p> <p>19 would also allow the utility to collect up to</p> <p>20 390 million through quarterly increases, while</p> <p>21 investing millions of dollars in local economic</p> <p>22 development arrangements.</p> <p>23 The additional request that has</p> <p>24 been filed along with the competitive bidding</p> <p>25 process proposal is imprudent, especially with</p> |

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| <p>1 the May 5 PUCO ruling deadline. While I<br/> 2 understand that the competitive bidding process<br/> 3 is the best cost-savings measure for<br/> 4 FirstEnergy customers, and investment in local<br/> 5 economic development is critical to the 18:26:08<br/> 6 Northeast Ohio region, the approval of this<br/> 7 plan, as presented, could negatively impact<br/> 8 customers who are already struggling during<br/> 9 this tough economic situation and further<br/> 10 impact their ability to pay monthly electric 18:26:23<br/> 11 bills.</p> <p>12 The bidding process, I know, is<br/> 13 fast approaching and that is the reason for the<br/> 14 expedited PUCO ruling on the stipulated plan.<br/> 15 However, with most recent experiences with 18:26:32<br/> 16 FirstEnergy, the PUCO and over 4,000<br/> 17 all-electric homeowners in my district, I<br/> 18 believe fast-tracking this review process could<br/> 19 prove to be irresponsible and yield unintended<br/> 20 consequences. This ruling holds a great 18:26:48<br/> 21 significance to my area and my communities and<br/> 22 many FirstEnergy customers. Therefore, I want<br/> 23 to ensure that the public, PUCO, the Ohio<br/> 24 Consumers' Counsel and FirstEnergy are working<br/> 25 together, thoroughly participating in this 18:27:02</p> | <p>23</p> <p>1 aspects of this plan may be to certain groups.<br/> 2 And I thank you for your time.<br/> 3 MR. CENTOLELLA: Thank you.<br/> 4 MS. BOJKO: Thank you. Senator<br/> 5 Grendell. Sir, could you please raise your<br/> 6 right hand.<br/> 7 TIMOTHY J. GRENDALL, of lawful age,<br/> 8 having been first duly sworn, testified as<br/> 9 follows:<br/> 10 MS. BOJKO: Please state your name 18:28:36<br/> 11 and address for the record.<br/> 12 MR. GRENDALL: Timothy J. Grendell,<br/> 13 G-r-e-n-d-e-H. 7413 Tattersall,<br/> 14 T-a-t-t-e-r-s-a-H, Drive, Chesterland, Ohio,<br/> 15 44026. 18:28:48<br/> 16 MS. BOJKO: Please proceed.<br/> 17 MR. GRENDALL: Thank you. First of<br/> 18 all, let me thank everyone for coming to the<br/> 19 18th Senate District, because you're also in<br/> 20 the 18th Senate District. And thank you PUCO 18:28:57<br/> 21 for bringing this hearing to the 18th Senate<br/> 22 District.<br/> 23 When Senate Bill 221 was passed,<br/> 24 the PUCO review of the ESP was a critical<br/> 25 component. It was a component to assure that 18:29:11</p>  |
| <p>22</p> <p>1 procedure, to understand the impact of these<br/> 2 rates could have on the community.<br/> 3 SB 221 provides a mechanism for<br/> 4 deliberating fair and just decisions,<br/> 5 particularly when it comes to dealing with 18:27:12<br/> 6 utility companies. The consumers of<br/> 7 FirstEnergy must be provided some assurances<br/> 8 that increases will not significantly impact<br/> 9 their bills and that they remain a part of this<br/> 10 process.<br/> 11 I urge the PUCO Commissioners and<br/> 12 staff to carefully consider the concerns of the<br/> 13 Ohio Consumers' Counsel, the FirstEnergy<br/> 14 customers, and our people in the 99th District<br/> 15 when making your final decision regarding this 18:27:36<br/> 16 case.<br/> 17 Unemployment is over 14 percent and<br/> 18 people are struggling like never before during<br/> 19 this toughest economy ever, and they need our<br/> 20 help and consideration -- even though I know 18:27:48<br/> 21 these are probably not part of the things you<br/> 22 have to consider.<br/> 23 But FirstEnergy customers simply<br/> 24 cannot accommodate any more significant<br/> 25 increases, no matter how important other 18:27:57</p>   | <p>24</p> <p>1 these folks, the people who will pay for the<br/> 2 electric service, are properly protected from<br/> 3 the re-regulation process embodied in Senate<br/> 4 Bill 221. So I ask the PUCO, do not rush the<br/> 5 process. 18:29:29<br/> 6 And while I understand why<br/> 7 FirstEnergy has requested this decision,<br/> 8 they're asking you to make a decision in<br/> 9 one-sixth of the time that was provided for in<br/> 10 Senate Bill 221. 18:29:40<br/> 11 And as Representative Newcomb has<br/> 12 so correctly pointed out, when -- as we look at<br/> 13 the all-electric discount debacle, we<br/> 14 understand that we should all learn that there<br/> 15 is a price to be paid when we rush to make 18:29:54<br/> 16 decisions.<br/> 17 Now I agree and I applaud the Ohio<br/> 18 consumers' counsel on their position on this<br/> 19 application and fully agree with and support<br/> 20 their position. I think the consumers here all 18:30:03<br/> 21 know that on this one, the Consumers' Counsel<br/> 22 is standing up for you and is fighting a good<br/> 23 fight to try to make sure you are protected in<br/> 24 this process. I commend Representatives Fende<br/> 25 and Newcomb for also standing up for their 18:30:18</p> |

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| <p>1 constituents. 25</p> <p>2 On behalf of my constituents of the</p> <p>3 18th Senate District, I oppose the proposed</p> <p>4 FirstEnergy Electric Security Plan for the</p> <p>5 following reasons: 18:30:27</p> <p>6 With respect to the replacement for</p> <p>7 the current delivery system improvement charge</p> <p>8 with a new larger delivery capital recovery</p> <p>9 charge. The new proposal would allow</p> <p>10 FirstEnergy to collect up to \$390 million 18:30:37</p> <p>11 through quarterly increases over approximately</p> <p>12 two and a half years. In case they haven't</p> <p>13 noticed, we are still in a down economy in</p> <p>14 Northeast Ohio. This will unduly burden our</p> <p>15 consumers, our fledgling small businesses, and 18:30:53</p> <p>16 those on fixed incomes. Upon the document I</p> <p>17 have had a chance to review, it is my opinion</p> <p>18 that these are not yet justified, and I agree</p> <p>19 with Representative Fende in the numbers that</p> <p>20 she gave to the Commission, that further review 18:31:07</p> <p>21 and justification has to be provided before</p> <p>22 that kind of increase would be permitted.</p> <p>23 Secondly, FirstEnergy has</p> <p>24 incorrectly claimed that the benefit of its</p> <p>25 agreement; that it will not charge customers</p>                              | <p>1 certainly don't think that's what was 27</p> <p>2 contemplated in transparency when we passed</p> <p>3 Senate Bill 221.</p> <p>4 I also object to the procedure and</p> <p>5 the short time frame that the PUCO has 18:32:27</p> <p>6 followed, as a result of this, to try to reach</p> <p>7 this agreement. The Ohio law allows up to 275</p> <p>8 days of processing these cases. And with the</p> <p>9 intricacy involved with the ESP, a longer</p> <p>10 process with sufficient and proper review 18:32:41</p> <p>11 should be permitted so that the best interests</p> <p>12 of these folks, the residents and consumers who</p> <p>13 already paid for this electric, are covered.</p> <p>14 Just remember, this was filed on</p> <p>15 March 23. FirstEnergy is asking for an answer 18:32:54</p> <p>16 in about 43 days, May 5. When we spent 275</p> <p>17 days with appearance, we didn't rush to</p> <p>18 judgment and have to embarrassingly undo a</p> <p>19 decision that wasn't justified in the first</p> <p>20 place. 18:33:09</p> <p>21 And again, with talking about rates</p> <p>22 that would kick in June 1, 2011, which is over</p> <p>23 a year from now, a major concern I also have is</p> <p>24 that under the pending market offer rate case</p> <p>25 proposal, FirstEnergy can raise these rates 18:33:20</p>   |
| <p>1 for certain future transmission-related costs. 26</p> <p>2 But I agree with the Ohio Consumers' Counsel</p> <p>3 that the cost are a direct result of</p> <p>4 FirstEnergy's business decision to switch from</p> <p>5 one Regional Transmission Organization to 18:31:29</p> <p>6 another, which also dovetails into that</p> <p>7 discussion about all-electric homes for another</p> <p>8 day. And I agree with Ohio Consumers' Counsel</p> <p>9 that the customer should not be held</p> <p>10 responsible for those costs. Representative 18:31:40</p> <p>11 Fende hit the nail on the head there with</p> <p>12 respect to economic development arrangements</p> <p>13 that would cost customers million of dollars in</p> <p>14 additional charges.</p> <p>15 These deals should be reviewed in 18:31:50</p> <p>16 separate proceedings that allow for full</p> <p>17 disclosure of information and complete PUCO</p> <p>18 review process.</p> <p>19 Frankly, as a legislator who voted</p> <p>20 for Senate Bill 221, I am greatly disturbed by 18:32:03</p> <p>21 this pre-process where some folks have a chance</p> <p>22 to sit down, read some sort of prior agreement,</p> <p>23 that is apparently not even in the full public</p> <p>24 forum, stipulate to it and present it to the</p> <p>25 PUCO before the process even gets started. I 18:32:16</p> | <p>1 automatically without going through the PUCO 28</p> <p>2 process, with each increase that will affect</p> <p>3 the consumer. This should not be an acceptable</p> <p>4 process and there should be a separate proposal</p> <p>5 or process that would provide full disclosure, 18:33:32</p> <p>6 accountability and proper review for the</p> <p>7 requests. The idea that they're going to raise</p> <p>8 it and make quarterly filings that you're going</p> <p>9 to audit at the end of the year is backwards.</p> <p>10 They should have to justify any rate increases 18:33:45</p> <p>11 to you before those increases are approved. I</p> <p>12 just don't think this is a process that was</p> <p>13 contemplated to protect the consumers, the</p> <p>14 homeowners and the small business people in my</p> <p>15 district.</p> <p>16 I respectfully request that you</p> <p>17 take the following actions with respect to the</p> <p>18 ESP: disapprove FirstEnergy's pending ESP</p> <p>19 proposal. It's too fast, it's too hot.</p> <p>20 Secondly, have FirstEnergy resubmit a new 18:34:14</p> <p>21 proposal and go through the required process,</p> <p>22 follow Ohio law of 275-day procedure with</p> <p>23 consideration of more time and when such</p> <p>24 complex requests are made that are going to</p> <p>25 cost the consumers hundreds of millions of 18:34:26</p> |



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| <p>29</p> <p>1 dollars in additional money out of their<br/>2 pocket. If FirstEnergy really respects its<br/>3 customers, it would not try to ram through a<br/>4 \$390 million process increase in six weeks.<br/>5 And finally, I would ask FirstEnergy to supply 18:34:42<br/>6 each time they want a rate increase not to tell<br/>7 you after the fact or just justify after the<br/>8 fact why they've already charged these people<br/>9 more money, which they would have to justify<br/>10 before they charge these people more money why 18:34:56<br/>11 they are doing that. And you should thoroughly<br/>12 review that and approve it before they have the<br/>13 ability to raise the cost to these fine folks<br/>14 and my constituents throughout my district.<br/>15 I am troubled by the stipulation of 18:35:08<br/>16 advanced process because the parties who didn't<br/>17 have a chance to sit with FirstEnergy and<br/>18 stipulate in advance are the consumers, are the<br/>19 people who have to pay, who work to take care<br/>20 of their families and pay their taxes. They 18:35:22<br/>21 don't get to hire the lawyers, they don't get<br/>22 to hire the lobbyist, they don't get to sit<br/>23 with FirstEnergy and cut special deals that<br/>24 then get submitted in the form of a<br/>25 stipulation. They got to go through the 18:35:34</p> | <p>31</p> <p>1 case 10176.<br/>2 Let me give you the negative<br/>3 effects that the last distribution rate<br/>4 increase had on the all-electric customers just<br/>5 12 short months ago. This increase totaled 18:37:16<br/>6 \$157 million, and counted as a first<br/>7 distribution rate increase for CEI in the last<br/>8 12 years. This seemed to be FirstEnergy's<br/>9 primary justification for this increase. As<br/>10 the Ohio Consumers' Counsel found justification 18:37:30<br/>11 for the last \$157 million increase, besides \$25<br/>12 million need for Toledo Edison. In fact, this<br/>13 case 07551 opposing last year's distribution<br/>14 rate increase is still open. And on March 18,<br/>15 2009, the PUCO granted the Consumers' Counsel a 18:37:53<br/>16 new hearing.<br/>17 So the point here being that<br/>18 there's still considerable disagreement whether<br/>19 the last distribution rate increase was even<br/>20 necessary. And yet, FirstEnergy is here asking 18:38:05<br/>21 for another one in the meantime. The effects<br/>22 of the last \$157 million increase was<br/>23 devastating to the all-electric customer.<br/>24 I have personally examined several<br/>25 all-electric customer bills, comparing what 18:38:17</p>  |
| <p>30</p> <p>1 process and hope that PUCO protects them. I am<br/>2 counting on PUCO in doing that because that was<br/>3 the critical part of Senate Bill 221. I ask<br/>4 that you take the time at the latest process<br/>5 and get it right and please protect my 18:35:48<br/>6 constituents.<br/>7 I thank you very much for the<br/>8 opportunity to say a few words this evening.<br/>9 MS. BOJKO: Thank you, Senator.<br/>10 Sue Steigerwald. Please raise your right hand. 18:36:12<br/>11 SUE STEIGERWALD, of lawful age,<br/>12 having been first duly sworn, testified as<br/>13 follows:<br/>14 MS. BOJKO: Please state your name<br/>15 and address for the record. 18:36:31<br/>16 MS. STEIGERWALD: Sue Steigerwald,<br/>17 10731 Beechwood Drive, Kirtland, Ohio, 44094.<br/>18 Hi, I am one of the leaders of<br/>19 CCAP, the all-electric group. And while I<br/>20 fully understand this hearing is dealing with 18:36:46<br/>21 FirstEnergy's new ESP and not the all-electric<br/>22 case, it would be a myth in this testimony not<br/>23 to at least mention the impact that this<br/>24 particular ESP could have to the 100,000<br/>25 all-electric customers awaiting a decision in 18:37:04</p>   | <p>32</p> <p>1 their January through March '09 bill looks like<br/>2 in relation to their '10. And I can report<br/>3 that at least half of the total increase to the<br/>4 all-electric customers' all-electric bill is<br/>5 due to the distribution increase that happened 18:38:32<br/>6 last time.<br/>7 It's important to mention the<br/>8 effects of this distribution increase because<br/>9 the new ESP proposed by FirstEnergy includes a<br/>10 delivery capital recovery charge of up \$390 18:38:45<br/>11 million more. The net amount of the increase<br/>12 is debatable, with FirstEnergy stating that<br/>13 with certain existing riders expiring, the<br/>14 total amount of the increase is really 90<br/>15 million. So even if we believe that 18:39:00<br/>16 FirstEnergy's assessment, that the net effect<br/>17 is really \$90 million, the question to be asked<br/>18 is still, why is this necessary on top of the<br/>19 137 million that just went into effect last<br/>20 year? FirstEnergy is trying to call a public 18:39:14<br/>21 outcry over this plan by saying the net<br/>22 increase is only 90 million because the other<br/>23 300 million is simply replacing the existing<br/>24 rider. The problem with that logic is that we<br/>25 were done paying on those -- the debt on those 18:39:29</p> |

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| <p>33</p> <p>1 existing \$300 million in riders. And our bills<br/>2 were scheduled to go down.</p> <p>3 Before this new ESP was proposed,<br/>4 according to Consumers' Counsel, the average<br/>5 750-kilowatt customer was scheduled to receive 18:39:42<br/>6 a 10 percent decrease in their bill. However,<br/>7 instead of letting our bills go down,<br/>8 FirstEnergy is implementing \$300 million of new<br/>9 riders to replace the ones that we have already<br/>10 paid off and then adding 90 million on top of 18:39:55<br/>11 this.</p> <p>12 In addition to the distribution<br/>13 system riders, the other new riders include<br/>14 economic development arrangements that will<br/>15 cost FirstEnergy customers millions in 18:40:04<br/>16 additional charges. For instance, the Ohio<br/>17 Consumers' -- the Ohio Energy Group<br/>18 representing automakers will receive \$8.2<br/>19 million, the Ohio Partners for Affordable<br/>20 Energy 15 million, and then Cleveland Clinic 70 18:40:18<br/>21 million. While economic development is good,<br/>22 the problem with this proposed funding is that<br/>23 it is solely funded through Ohio customers, not<br/>24 FirstEnergy shareholders. Why should Ohio<br/>25 customers fund these projects that will only 18:40:33</p>  | <p>35</p> <p>1 The only way to approve this ESP would be to<br/>2 trust FirstEnergy that they have the best<br/>3 interest of their customers at heart.</p> <p>4 Just hours ago, I spoke at length<br/>5 with a very knowledgeable FirstEnergy lawyer, 18:41:54<br/>6 Jim Burk. He spent a considerable amount of<br/>7 time with me, answering my questions about this<br/>8 ESP. I greatly appreciate his time and really<br/>9 wish that I could believe all of the positive<br/>10 things he said about this ESP. Well, Jim 18:42:06<br/>11 certainly appears to be genuine to me,<br/>12 unfortunately FirstEnergy's credibility has<br/>13 taken a beating in the last six months. Who<br/>14 can forget the elimination of the all-electric<br/>15 discount, which actually caused the Consumers' 18:42:22<br/>16 Counsel the need to file a declaration of<br/>17 emergency -- economic emergency. The<br/>18 government had to intervene and instruct the<br/>19 PUCO to order FirstEnergy to stop what they<br/>20 were doing. So we have serious mistakes that 18:42:37<br/>21 have been made in the last six months, and are<br/>22 we willing to go for another? I'm not.</p> <p>23 So in closing, I ask the PUCO to<br/>24 learn from the past mistakes and deny<br/>25 FirstEnergy's request to approve this proposal 18:42:48</p> |
| <p>34</p> <p>1 increase FirstEnergy's profit potential? It is<br/>2 no surprise that many of these customers came<br/>3 out early in support of this new ESP that they<br/>4 had negotiated behind closed doors.</p> <p>5 FirstEnergy is trying to bully its way in 18:40:46<br/>6 requesting an approval of this ESP in six short<br/>7 weeks rather than the allowable nine-month<br/>8 process.</p> <p>9 The PUCO allows this to happen --<br/>10 if the PUCO allows this to happen, a dangerous 18:40:56<br/>11 precedent is going to be set that will allow<br/>12 FirstEnergy to request ridiculous shortened<br/>13 time frames and future filings as well. The<br/>14 timetable allows a full nine months because<br/>15 rate cases and ESPs are very complicated and 18:41:11<br/>16 effect 1.9 million customers for decades. Is<br/>17 it not worth proper diligence to get it right?</p> <p>18 The current ESP does not expire<br/>19 until May 2011. If FirstEnergy is so confident<br/>20 that this ESP is so good for the average 18:41:27<br/>21 consumer, then why rush it? Why not handle it<br/>22 with the same procedures a real rate case has,<br/>23 for the complete review of what is prudent and<br/>24 reasonable can take place? How can this ESP be<br/>25 approved when there are so many open questions? 18:41:43</p> | <p>36</p> <p>1 on fast track by May 5. The mission of the<br/>2 PUCO is to assure all customers access to<br/>3 reliable utility services at fair prices.</p> <p>4 There is no way that PUCO could fully<br/>5 understand all the ramifications of this 18:43:05<br/>6 complex ESP within the six short weeks.<br/>7 Therefore, the PUCO must stand up against<br/>8 FirstEnergy's bullying and deny the ESP request<br/>9 until such time so that it could be fully<br/>10 imbedded. Thank you. 18:43:19</p> <p>11 MS. BOJKO: Thank you. Joe Hays.<br/>12 If we could hold the applause until the end, I<br/>13 think that we can move this along a little<br/>14 quicker. There are a lot of people that would<br/>15 like to have an opportunity tonight to talk. 18:43:42<br/>16 Mr. Hays, please raise your right hand.</p> <p>17 JOE HAYS, of lawful age, having<br/>18 been first duly sworn, testified as follows:<br/>19 MS. BOJKO: Please state your name<br/>20 and address for the record. 18:43:54</p> <p>21 MR. HAYS: It's Joe Hays, H-a-y-s,<br/>22 21707 Cedar Branch Trail, Strongsville, Ohio,<br/>23 44149.</p> <p>24 MS. BOJKO: Thank you.<br/>25 MR. HAYS: I don't have several 18:44:10</p>   |

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| <p>1 pages of anything to address, but I have some<br/>2 quick points that I would like to make on<br/>3 behalf of consumers, of which I happen to be<br/>4 one.<br/>5 First off, I stand before you to 18:44:22<br/>6 say that I am standing here in favor of the<br/>7 OCC's position with regard to FirstEnergy's<br/>8 current ESP. And I'm also here in opposition<br/>9 to FirstEnergy's ESP. A couple of points I<br/>10 would like to make that are contained within 18:44:45<br/>11 this proposal is -- and I'll start with the<br/>12 very best one -- is the recovery of loss<br/>13 revenues. This has to do with the fact that if<br/>14 we as consumers happen to somehow be able to<br/>15 consume less energy, then FirstEnergy is 18:45:04<br/>16 looking to receive money in lieu of what was<br/>17 actually used in electricity. That makes no<br/>18 sense. If I cut back, I believe FirstEnergy<br/>19 should cut back.<br/>20 Second, our replacement of the 18:45:22<br/>21 current delivery system, I think the current<br/>22 delivery system is just fine. And although<br/>23 this is expiring in 2011, a renewal might be<br/>24 more in order than a replacement.<br/>25 And finally, I don't believe as 18:45:39</p> | <p>37<br/>38<br/>39<br/>40</p> <p>1 your name and your address for the record,<br/>2 please.<br/>3 MR. DECICCA: My name is Jerry<br/>4 DeCicca. It's spelled, D-e-C-i-c-c-a. My<br/>5 address is 8276 Deepwood Boulevard, Mentor, 18:47:32<br/>6 Ohio.<br/>7 My testimony is not going to be as<br/>8 good as some of the others. I have to find my<br/>9 glasses first. You know, like I said, I live<br/>10 in Deepwood condominiums in Mentor and all 170 18:47:51<br/>11 homes in Deepwood are all-electric with no<br/>12 option for natural gas heat.<br/>13 For 23 years I worked in the<br/>14 electric utility business -- primarily in the<br/>15 steam generation side -- and I gained a lot of 18:48:10<br/>16 respect for their engineering staff that they<br/>17 used. You know, after reading the information<br/>18 on this Electric Security Plan, the rate plan,<br/>19 I wonder if our electric supplier puts more<br/>20 importance on financial scammers than it does 18:48:27<br/>21 on engineering, and here's why I believe<br/>22 this -- you know, I believe our electric bills<br/>23 are way too confusing and complicated. You<br/>24 know, the real cost of electric is our total<br/>25 bill divided by the kilowatts used. My cost is 18:48:43</p>  |
| <p>1 consumers that we should be bared of the<br/>2 responsibility of covering the cost of the<br/>3 transmission-related costs. That should be<br/>4 part of the FirstEnergy business plan. And if<br/>5 money is the issue, then I would like to 18:45:59<br/>6 suggest to FirstEnergy, if they're strapped for<br/>7 the cash, they perhaps shouldn't have purchased<br/>8 Allegheny Power. Okay.<br/>9 The most recent winter rate<br/>10 increase fiasco should only go to serve not 18:46:15<br/>11 only the PUCO, but we as consumers of<br/>12 FirstEnergy's product. That we should look<br/>13 with at least an eye-stance on what in the<br/>14 world they are possibly trying to do because<br/>15 they weren't to be trusted. It was deceptive 18:46:36<br/>16 advertising and they pulled the wool over<br/>17 PUCO's eyes first, where you had to go back and<br/>18 retract. And you should look at this one in<br/>19 the same light. Thank you.<br/>20 MS. BOJKO: Thank you. Jerry 18:46:56<br/>21 DeCicca. Please raise your right hand.<br/>22 JERRY DECICCA, of lawful age,<br/>23 having been first duly sworn, testified as<br/>24 follows:<br/>25 MS. BOJKO: Please state and spell 18:47:22</p>                            | <p>38<br/>39<br/>40</p> <p>1 closer to 10 cents a kilowatt than 5 cents.<br/>2 And will we soon see a new cost for light pole<br/>3 connections? How many light poles are involved<br/>4 to get the juice to your home?<br/>5 You know, alternate suppliers, who 18:49:03<br/>6 understands this? How can FirstEnergy<br/>7 Solutions be an alternate supplier when<br/>8 FirstEnergy makes the electricity, don't they?<br/>9 You know, in justifying the rate increase for<br/>10 lost revenue, due to more efficient electric 18:49:19<br/>11 products, you know, that's just crazy. That<br/>12 means when all of this -- all of our electric<br/>13 homeowners this winter were wearing heavy coats<br/>14 inside to save money so we could buy food, it<br/>15 didn't matter, we're going to pay for it 18:49:34<br/>16 anyway. You know our electric supplier, like<br/>17 someone just mentioned, wants to supply<br/>18 energy-saving light bulbs. Our rates would go<br/>19 up anyway. There's a lot wrong with this<br/>20 justification, you know, and I guess I would 18:49:51<br/>21 like to know, are all electric suppliers<br/>22 guaranteed a profit no matter what they do?<br/>23 Instead of buying this other electric utility,<br/>24 why isn't this one used for capital<br/>25 improvements? You know, what good is it for me 18:50:04</p> |

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| <p>41</p> <p>1 for FirstEnergy to spend their money on new<br/>2 utility? You know, I personally believe a lot<br/>3 of my concerns are a result of this<br/>4 deregulation, however it works. You know, in<br/>5 the old days, our electric supplier loved all 18:50:20<br/>6 these electric homeowners because we used more<br/>7 electricity during the winter months and kept<br/>8 the plants running. You never heard of a<br/>9 brownout in the wintertime. And also, where<br/>10 did all the extra money go when they dropped 18:50:35<br/>11 their all-electric rates -- when they dropped<br/>12 all-electric rates for last winter? Are we<br/>13 ever going to get that money back? You know,<br/>14 as a customer, I want reliable electricity at<br/>15 the lowest possible cost. You know, 18:50:49<br/>16 electricity is something that's a necessity and<br/>17 we can't go out and purchase it like shopping<br/>18 around like we do for a car. You know, we need<br/>19 to trust our supplier and our state officials<br/>20 that oversee our necessity. And I believe 18:51:03<br/>21 there is work to be done to establish this<br/>22 trust and I hope this rate plan will be<br/>23 revisited. Thank you.<br/>24 MS. BOJKO: Thank you.<br/>25 MR. CENTOLELLA: Thank you. 18:51:15</p> | <p>43</p> <p>1 we seemed to have an abundance of electricity.<br/>2 And many of these homeowners out here, homes<br/>3 were built -- as the last individual stated --<br/>4 we do -- I do live on an all-electric street,<br/>5 no gas lines, no duct work in our homes, no 18:53:07<br/>6 furnaces. So it's going to cost us a bundle if<br/>7 we want to go to an alternate source. But<br/>8 we're not here to discuss the all-electric home<br/>9 right now, we're here to discuss ways of<br/>10 controlling our cost. 18:53:24<br/>11 Thirty years ago plus, why did we<br/>12 have an abundance of energy? Was it because<br/>13 the Perry Nuclear Plant was coming into<br/>14 existence? Was that the reason deals were made<br/>15 for builders to build? Possibly yes. However, 18:53:42<br/>16 since that period of time, the second reactor<br/>17 at Perry Nuclear Plant has never been fired up.<br/>18 How many millions of dollars were spent on the<br/>19 cooling tower? How much of the second reactor<br/>20 is completed? How much would it take to 18:54:09<br/>21 complete the rest of the reactor?<br/>22 Last weekend the paper, Plain<br/>23 Dealer, showed an energy company, I think in<br/>24 Columbus -- like I said, I didn't bring that<br/>25 with me tonight because I didn't think I would 18:54:28</p>  |
| <p>42</p> <p>1 MS. BOJKO: Bill Sass. Please<br/>2 raise your right hand.<br/>3 BILL SASS, of lawful age, having<br/>4 been first duly sworn, testified as follows:<br/>5 MS. BOJKO: Please state your name 18:51:37<br/>6 and address for the record.<br/>7 MR. SASS: My name is Bill Sass,<br/>8 S-a-s-s. I'm located at 1400 Erieview Drive,<br/>9 Madison, Ohio. I'll even give you my phone<br/>10 number, (440)428-1610. 18:51:53<br/>11 I too did not come with a prepared<br/>12 statement, so I have nothing to drop on the<br/>13 podium. So I would appreciate the chance to<br/>14 ask a few questions or present some ideas. It<br/>15 seems like -- I would like to say first, on 18:52:10<br/>16 behalf of many of the customers and residents<br/>17 here, we appreciate you being here.<br/>18 Again, I would like to say that<br/>19 over the past year, when Mr. Rudolph was<br/>20 chairman of CEI, he was very congenial to work 18:52:28<br/>21 with. I don't feel we have that kind of<br/>22 togetherness today where the customer can<br/>23 communicate with the heads of the CEI and<br/>24 FirstEnergy. It would be nice if we did, but<br/>25 unfortunately we don't. So 30 years ago plus, 18:52:47</p>   | <p>44</p> <p>1 be speaking -- they showed that they don't have<br/>2 a high demand for your electricity now. Is<br/>3 this the same thing that FirstEnergy and CEI is<br/>4 facing right now? Have things toned down? Is<br/>5 that why they're coming to the residents and 18:54:46<br/>6 trying to charge more money? Is it another<br/>7 form of gouging? Is FirstEnergy living within<br/>8 their means? You look around and see some of<br/>9 their workers -- okay -- must be a nice company<br/>10 to work for with the homes and the automobiles. 18:55:11<br/>11 If they would treat their customers as they<br/>12 treat their employees, I think we would all be<br/>13 better off and we could communicate and we<br/>14 could get things accomplished a lot more.<br/>15 If we learned to downsize with the 18:55:29<br/>16 times, we wouldn't be facing many of these<br/>17 problems we are today. As the constituent<br/>18 said, we're out of work, we're facing a<br/>19 recession. We have a retiree here, we have<br/>20 people on fixed incomes, these people are 18:55:50<br/>21 hurting. These people don't have the luxuries<br/>22 that those employees have. If we have to sell<br/>23 our home at 35 to 40 percent loss -- if you<br/>24 have a home, \$200,000, that's \$80,000 you take<br/>25 out of your -- let's say for retirement. Is 18:56:09</p> |

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| <p>1 the PUCO or FirstEnergy or CEI willing to make<br/>2 these kinds of sacrifices? I don't think so.<br/>3 We got to all learn to live within<br/>4 our means. And if they have to downsize, so be<br/>5 it. And if they want to expand and make more 18:56:29<br/>6 electricity, I would like to know how much<br/>7 money was spent on cooling tower number two,<br/>8 how close it is to completion, and if there is<br/>9 a demand out there for more energy, fire it up,<br/>10 cut our costs, don't increase them. Thank you. 18:56:48</p> <p>11 MS. BOJKO: Connie Kline.<br/>12 CONNIE KLINE, of lawful age, having<br/>13 been first duly sworn, testified as follows:<br/>14 MS. BOJKO: Please state your name<br/>15 and address for the record. 18:57:29<br/>16 MS. KLINE: My name is Connie<br/>17 Kline. 38531 Dodds Landing, Willoughby Hills,<br/>18 Ohio.<br/>19 I do have written testimony. I<br/>20 guess great minds think alike because much of 18:57:44<br/>21 what I have written has already been said.<br/>22 We'll lighten things up just a little bit, it's<br/>23 like a cave in here. It's so dark. First, I<br/>24 will show this to the PUCO because they'll<br/>25 appreciate it. 18:58:05</p>  | <p>47</p> <p>1 them, the City of Cleveland, the Cleveland<br/>2 Clinic, the Industrial Energy Users of Ohio,<br/>3 the Morgan Stanley Capital Group, the Ohio<br/>4 Manufacturers' Association, the Ohio Hospital<br/>5 Association, domestic automakers, and the Ohio<br/>6 Association of Independent Colleges and<br/>7 Universities, to name a few. Frivolity aside,<br/>8 I am deeply disturbed by both the procedural<br/>9 and substantive aspects of this case including,<br/>10 but not limited to:<br/>11 The so-called economic development<br/>12 arrangements; in other words, the<br/>13 multi-million-dollar backroom deal crafted<br/>14 between FirstEnergy and the above-mentioned<br/>15 entities as well as other beneficiaries. As 19:00:12<br/>16 usual, it appears that residential ratepayers<br/>17 will shoulder most of the burden of these deals<br/>18 and will reap few, if any, benefits.<br/>19 FirstEnergy shareholders will not fund any of<br/>20 these deals. Mr. Amr Ibrahim of the Ohio 19:00:26<br/>21 Consumers' Counsel says in his April 5, 2010<br/>22 testimony, "FirstEnergy states that it shall<br/>23 collect \$13.7 million from consumers for the<br/>24 Cleveland Clinic deal, of which \$7.9 million<br/>25 will be collected from residential customers." 19:00:58</p> |
| <p>46</p> <p>1 You don't remember me, Mr.<br/>2 Centolella, but I remember you.<br/>3 MR. CENTOLELLA: Okay.<br/>4 MS. KLINE: You're actually one of<br/>5 the better Commissioners on the board. 18:58:13<br/>6 You guys can't see this. I'm going<br/>7 to actually leave it right here. There we go.<br/>8 Thank you for conducting these public hearings<br/>9 and for the opportunity to address the PUCO in<br/>10 the matter of FirstEnergy's case 10-388-EL-SSO. 18:58:36<br/>11 I prefer to call it "Utilities Gone Wild."<br/>12 Perception is sometimes greater<br/>13 than reality as illustrated by this famous 1982<br/>14 Cleveland Press editorial cartoon. You can see<br/>15 how long these types of issues have been going 18:58:58<br/>16 on. This cartoon, that I enlarged, was from<br/>17 1982, which shows the Cleveland Electric<br/>18 Illuminating Company and the Public Utilities<br/>19 Commission of Ohio, cuddling. That's the<br/>20 G-rated version, and motel room bed. 18:59:14<br/>21 Fast forward 28 years, CEI is now<br/>22 part of FirstEnergy or as some call it<br/>23 FirstEnemy, but the public's perception remains<br/>24 unchanged, and there's a vast new cast of<br/>25 characters waiting in the motel lobby. Among</p> | <p>48</p> <p>1 It's 57 percent. "FirstEnergy shall collect<br/>2 \$2.7 million in recovered revenues for the<br/>3 arrangement offered to the domestic automakers,<br/>4 of which \$1.1 or approximately 41 percent will<br/>5 be collected from the residential customers." 19:01:20<br/>6 All of these economic development supports<br/>7 should be reviewed individually in separate<br/>8 proceedings.<br/>9 The attorney examiner's granting of<br/>10 FirstEnergy's motion for waiver of rules and 19:01:30<br/>11 the unprecedented fast-tracking of this case in<br/>12 six weeks from March 23, 2010 filing date to<br/>13 the May 5 date by which FirstEnergy wants PUCO<br/>14 approval. A case as complex and far-reaching<br/>15 as this one should be afforded the full 275 19:01:46<br/>16 days provided by Ohio law. This ridiculously<br/>17 short time frame alone should be sufficient for<br/>18 PUCO denial of this case.<br/>19 FirstEnergy wants approval of its<br/>20 Electric Security Plan by May 5 so that a 19:01:59<br/>21 wholesale generation auction can be conducted<br/>22 in July of 2010 to supposedly lock in low<br/>23 prices. However, as the Ohio Consumers'<br/>24 Counsel has pointed out, FirstEnergy's own<br/>25 witness, Mr. Schmitzer, testified in Case 19:02:16</p>     |

12 (Pages 45 to 48)

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| <p>1 09-906-EL-SSO that "forward market prices for<br/>2 power to be delivered in future years already<br/>3 reflect the market's judgment that electric<br/>4 prices will increase." Further, Mr. Wilson<br/>5 Gonzalez's April 15, 2010, testimony on behalf 19:02:35<br/>6 of the OCC addresses the uncertainty in<br/>7 connection with FirstEnergy's switch from the<br/>8 Midwest Independent System Operator, MISO, to<br/>9 the East Coast-based PJM transmission authority<br/>10 in Philadelphia and the possible price risk<br/>11 associated with excessive lead time between a<br/>12 July 2010 auction and the start of actual<br/>13 delivery on June 1, 2011, when the Electric<br/>14 Security Plan will take effect.<br/>15 FirstEnergy's exaggerated claims of 19:03:10<br/>16 millions of dollars in savings by not passing<br/>17 along to customers fees associated with leaving<br/>18 MISO and entering PJM. According to FERC, the<br/>19 transmission owner, in this case the American<br/>20 Transmission Systems, Inc., ATSI, is<br/>21 responsible for these fees, not the customers<br/>22 served by American Transmission Systems. The<br/>23 ESP does not guarantee that FirstEnergy<br/>24 customers will be protected from incurring<br/>25 extra charges associated with FirstEnergy's</p> | <p>1 increases in ordinary distribution rates do not<br/>2 fit the description of an increase is absurd."<br/>3 Delivery issues should be handled in a separate<br/>4 distribution rate case.<br/>5 Collection of lost revenues 19:05:18<br/>6 proposed in stipulation. These are charges to<br/>7 customers for revenue that a utility is not<br/>8 realized due to implementation of energy<br/>9 efficiency programs and conservation. A recent<br/>10 example of this was FirstEnergy's fiasco<br/>11 "giveaway" compact of fluorescent bulbs that<br/>12 would cost customers quadruple the amount they<br/>13 would pay in stores. FirstEnergy's lost<br/>14 revenue is not capped either by a dollar amount<br/>15 or a time period, which has the potential to<br/>16 cost residential customers tens of millions of<br/>17 dollars and actually cause them to pay more in<br/>18 lost revenue collection than they would in<br/>19 energy efficiency programs. In the 1990s,<br/>20 Minnesota's lost revenue program permitted<br/>21 electric utilities to recover more than they<br/>22 actually spent on conservation, which doubled<br/>23 the cost of energy efficiency for ratepayers.<br/>24 As a result of this, the Minnesota lost revenue<br/>25 recovery program was discontinued. As noted in</p> |
| <p>1 business decision to switch from MISO to PJM.<br/>2 The stipulation delivery capital<br/>3 recovery charge Rider DCR, which would permit<br/>4 FirstEnergy to collect \$390 million through<br/>5 quarterly increases over a 30-month period<br/>6 subject only to FirstEnergy's "burden of proof<br/>7 to demonstrate the accuracy of the quarterly<br/>8 filings," which requires considerably less<br/>9 verification and review of the accuracy and<br/>10 reasonableness of these filings than would<br/>11 occur under a separate distribution rate<br/>12 proceeding. FirstEnergy has claimed in various<br/>13 Plain Dealer and News Herald articles that<br/>14 since Rider DCR "replaces an existing rider, in<br/>15 most cases customers wouldn't see any<br/>16 additional impact" or "an increase of, only,<br/>17 \$90 million."<br/>18 Page 15 of the stipulation states,<br/>19 "Quarterly Rider DCR will not be an application<br/>20 to increase rates within the meaning of Revised<br/>21 Code 4909.18." In his April 15, 2010<br/>22 testimony, the OCC's Mr. Gonzalez characterizes<br/>23 FirstEnergy's semantic shenanigans as<br/>24 ridiculous. He said, "The stipulation<br/>25 provision that proposes that quarterly</p>   | <p>1 Mr. Gonzalez's April 15 testimony, Connecticut<br/>2 electric utilities are "only allowed recovery<br/>3 of lost revenues if their earnings are below<br/>4 their allowed rate of return for six months."<br/>5 I know you can't answer any questions, but it's 19:06:40<br/>6 my understanding that the current rate of<br/>7 return is about eight and a half percent.<br/>8 Which is nice. Nice for the company.<br/>9 Apparently, FirstEnergy has also audaciously<br/>10 demanded assurance that the PUCO will not 19:06:55<br/>11 oppose its purchase of Allegheny Energy in<br/>12 Pennsylvania. And FirstEnergy also wants this<br/>13 case approved as a total package, which<br/>14 presumably means that they do not want the PUCO<br/>15 to separate out any parts of the case for<br/>16 denial.<br/>17 Given the rush to resolution<br/>18 imposed by this ridiculously short timeline,<br/>19 it's remarkable that the OCC and other<br/>20 non-signatory -- people that the interveners 19:07:23<br/>21 that didn't sign on the stipulation -- were<br/>22 able to provide such comprehensive valuable<br/>23 testimony. It is incredible that ordinary<br/>24 citizens have submitted testimony; I heartily<br/>25 commend them. All of you. 19:07:37</p>  |

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| <p>1 I support the application for</p> <p>2 rehearing, filed April 19 by the OCC, Citizen</p> <p>3 Power, Environmental Law &amp; Policy Center, the</p> <p>4 Natural Resources Defence Council, the</p> <p>5 Northwest Ohio Aggregation Coalition, the</p> <p>6 Northeast Ohio Public Energy Council, and the</p> <p>7 Ohio Environmental Council, particularly Part A</p> <p>8 which states, "The PUCO's entry is unreasonable</p> <p>9 and unlawful because it took administrative</p> <p>10 notice of the record in the pending Market Rate</p> <p>11 Offer Case without any basis in law and thereby</p> <p>12 unlawfully eliminated a portion of</p> <p>13 FirstEnergy's burden of proof."</p> <p>14 The PUCO should deny this case.</p> <p>15 However, I disagree with the OCC that the PUCO 19:08:22</p> <p>16 should decide the pending MRO Case 09-09-EL-SSO</p> <p>17 instead. The MRO would statutorily mandate --</p> <p>18 due to Senate Bill 221 -- FirstEnergy</p> <p>19 henceforth use auctions that would not be part</p> <p>20 of a rate plan submitted and subject to some 19:08:43</p> <p>21 PUCO control. I fear this would expose</p> <p>22 ratepayers to potentially volatile wholesale</p> <p>23 prices without the option of returning to a</p> <p>24 PUCO-negotiated process, as flawed as that</p> <p>25 process may be. 19:09:00</p> | <p>53</p> <p>1 all of the previous people that have spoken.</p> <p>2 I'm not even going to bring up that my November</p> <p>3 electric bill was \$100, when the equal payment</p> <p>4 plan was \$187. I don't know why they reduced</p> <p>5 it to 100, but they made up for it in December 19:11:22</p> <p>6 when my bill was \$438. And then the following</p> <p>7 month was \$440, but I realize that's not part</p> <p>8 of this meeting. But I will state that I am in</p> <p>9 total agreement with all of the things that</p> <p>10 have been brought up by the previous speakers. 19:11:42</p> <p>11 Thank you.</p> <p>12 MS. BOJKO: Thank you. Connie</p> <p>13 Luhta. Again, we have approximately 30 people</p> <p>14 that would like to testify, so if we could</p> <p>15 maybe hold the applause until the end, it would 19:12:05</p> <p>16 be appreciated. Thank you.</p> <p>17 CONNIE LUHTA, of lawful age, having</p> <p>18 been first duly sworn, testified as follows:</p> <p>19 MS. LUHTA: My name is Connie</p> <p>20 Luhta, L-u-h-t-a. 12361 Concord Hambden Road, 19:12:20</p> <p>21 Concord Township, 44077.</p> <p>22 I just want to thank</p> <p>23 Representatives Newcomb and Fende and Senator</p> <p>24 Grendell for their testimony. I agree</p> <p>25 completely with them and I do support the OCC's 19:12:38</p> |
| <p>54</p> <p>1 Absent blanket denial of this, the</p> <p>2 PUCO should require that a separate</p> <p>3 distribution rate case be filed and all</p> <p>4 economic development supports be reviewed</p> <p>5 individually in separate proceedings. 19:09:09</p> <p>6 FirstEnergy customers must be</p> <p>7 protected from any extra charges associated</p> <p>8 with FirstEnergy's business decision to switch</p> <p>9 transmission grid authorities from MISO TO PJM.</p> <p>10 The issue of lost revenue must be 19:09:24</p> <p>11 resolved in a manner favorable to customers,</p> <p>12 especially residential ratepayers. Thank you.</p> <p>13 MS. BOJKO: Al Clough, C-l-o-u-g-h.</p> <p>14 Ralph Miller. On deck is Connie Luhta.</p> <p>15 RALPH MILLER, of lawful age, having</p> <p>16 been first duly sworn, testified as follows:</p> <p>17 MS. BOJKO: Please state your name</p> <p>18 and address for the record.</p> <p>19 MR. MILLER: My name is Ralph</p> <p>20 Miller, address is 7191 South Meadow Drive, 19:10:42</p> <p>21 Concord Township, Ohio.</p> <p>22 I am the owner of an all-electric</p> <p>23 home and have been for 31 years. I'm not here</p> <p>24 -- I didn't know that that was part of this</p> <p>25 meeting. But I want to say that I agree with 19:11:06</p>  | <p>55</p> <p>1 decision.</p> <p>2 But I just wanted to add one little</p> <p>3 thing. It may be small, but it's important to</p> <p>4 us. For as long as I can remember, FirstEnergy</p> <p>5 would pay for light poles. And early this 19:12:52</p> <p>6 year, they changed the policy. And now, if we</p> <p>7 ask in the township for a light pole, the</p> <p>8 township has to pay for the pole. We always</p> <p>9 paid for the electric, but now we have to pay</p> <p>10 for the installation of the pole itself? And 19:13:11</p> <p>11 that then is the cost that is assumed by the</p> <p>12 taxpayers of Concord Township. I didn't know</p> <p>13 whether that came under the PUCO jurisdiction</p> <p>14 or not. You do that and you approved that.</p> <p>15 MR. CENTOLELLA: Let me just get a 19:13:29</p> <p>16 clarification. These are light poles for</p> <p>17 street lighting --</p> <p>18 MS. LUHTA: Yes, street lights.</p> <p>19 When it's an intersection of a township road</p> <p>20 and a county road and it's for safety purposes, 19:13:39</p> <p>21 we ask that these street lights be installed.</p> <p>22 Before, it was an automatic thing, they did it,</p> <p>23 but now we pay for the pole.</p> <p>24 MR. CENTOLELLA: Okay.</p> <p>25 MS. BOJKO: Thank you. Kathy 19:13:52</p>                               |

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| <p>1 Miller. And on deck is Bill Zoller.</p> <p>2 KATHY MILLER, of lawful age, having</p> <p>3 been first duly sworn, testified as follows:</p> <p>4 MS. BOJKO: Please proceed. State</p> <p>5 your name and address for the record. 19:14:15</p> <p>6 MS. MILLER: Kathy Miller, 7191</p> <p>7 South Meadow Drive, Concord Township, Ohio. I</p> <p>8 track and report on federal and state</p> <p>9 health-care legislation and regulations for my</p> <p>10 present job. This work has made me keenly 19:14:31</p> <p>11 aware that time frames and deadlines, comment</p> <p>12 periods and the like, are to be respected and</p> <p>13 adhered to. Therefore, I have to say that I</p> <p>14 see a big difference between 43 days and the</p> <p>15 275 days specified in Ohio Senate Bill 221. I 19:14:52</p> <p>16 urge the PUCO to, at the very minimum, take the</p> <p>17 time to thoroughly explore and give full and</p> <p>18 careful consideration to FirstEnergy's</p> <p>19 proposal.</p> <p>20 As a second point, I would like to 19:15:10</p> <p>21 impress upon PUCO that caution must be</p> <p>22 exercised in raising rates and setting new</p> <p>23 standards. I currently live with my parents --</p> <p>24 you just heard from my dad -- In an</p> <p>25 all-electric home, I might add. And I've seen 19:15:27</p> | <p>57</p> <p>1 for the kilowatts I haven't used.</p> <p>2 I am an all-electric homeowner, as</p> <p>3 many people are here. But the relevance of</p> <p>4 that is that we've become a large consumer of</p> <p>5 electric. My house uses probably 6,000 19:17:11</p> <p>6 kilowatts in the winter. My sister has an</p> <p>7 all-electric house, which is larger than mine;</p> <p>8 she uses approximately 8,000 kilowatts in the</p> <p>9 winter months. So we are very large -- our</p> <p>10 family is very large users of power. 19:17:27</p> <p>11 There used to be a rate scheduled</p> <p>12 called "time of day," which both of us took</p> <p>13 advantage of. What was nice there is that we</p> <p>14 could make decisions about our lifestyle and</p> <p>15 choose when we used our power, and the result 19:17:40</p> <p>16 would be substantial discounts. But I have</p> <p>17 been affected by this recession as everyone</p> <p>18 else has here.</p> <p>19 I have been hearing from these</p> <p>20 people on fixed incomes, I would love to be on 19:17:52</p> <p>21 a fixed income. The recession has caused my</p> <p>22 income to drop by about 30 percent in the last</p> <p>23 couple of years. My electrical usage has gone</p> <p>24 down by about 10 percent, but my cost of</p> <p>25 electricity has gone up by over 120 percent. 19:18:06</p>   |
| <p>58</p> <p>1 firsthand how devastating higher electricity</p> <p>2 rates can be on two people who are retired, and</p> <p>3 their daughter, who I must point out is losing</p> <p>4 her job in August due to her company's</p> <p>5 outsourcing to India and China. So please all 19:15:45</p> <p>6 PUCO Commissioners, think twice before making</p> <p>7 any rash decisions, before agreeing on</p> <p>8 FirstEnergy's ESP. And just one question</p> <p>9 before I close, are we really talking about an</p> <p>10 Electric Security Plan here? Maybe not. Thank 19:16:03</p> <p>11 you.</p> <p>12 MS. BOJKO: Bill Zoller. Fritz</p> <p>13 Harrell.</p> <p>14 FRITZ HARRELL, of lawful age,</p> <p>15 having been first duly sworn, testified as</p> <p>16 follows:</p> <p>17 MS. BOJKO: Please state and spell</p> <p>18 your name for the record.</p> <p>19 MR. HARRELL: Okay. Fritz Harrell, 19:16:45</p> <p>20 H-a-r-r-e-l-l, 5329 East Heisley Road in</p> <p>21 Mentor.</p> <p>22 I would like to thank you for the</p> <p>23 opportunity to speak here tonight. I would say</p> <p>24 I've been using compact fluorescents for ten</p> <p>25 years, so I must owe FirstEnergy an awful lot</p>   | <p>59</p> <p>1 So I'm using less and paying considerably more.</p> <p>2 The case before the commission is</p> <p>3 relative to transmission distribution of</p> <p>4 electricity. You know, we look around this</p> <p>5 room, we can see the results of the 19:18:19</p> <p>6 electricity. We see the lights on, I can feel</p> <p>7 the air conditioning, I can hear the sound</p> <p>8 system; and that's the power portion of it in</p> <p>9 use. The transmission distribution is getting</p> <p>10 the power to here. I see that as being similar 19:18:31</p> <p>11 to the highways. What FirstEnergy is asking</p> <p>12 for is money so that they could repave their</p> <p>13 electrical highway and add more lanes to their</p> <p>14 electrical highway. But what I haven't seen is</p> <p>15 the plan is for exactly how they're -- where 19:18:47</p> <p>16 they want to add these lanes and where they</p> <p>17 want to do the repaving. And being a former</p> <p>18 "time of day" person, I know that I used to use</p> <p>19 the highway in the off-hours.</p> <p>20 Those of you who drove here tonight 19:19:00</p> <p>21 on Interstate 90 saw the three lanes at the</p> <p>22 Route 306 exit and saw heavy traffic, all three</p> <p>23 lanes were in use. If you go through there at</p> <p>24 3:00 in the morning, you don't even need one</p> <p>25 lane. And our electrical grid has similar 19:19:13</p> |
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| <p>1 peaks and valleys. And part of the federal<br/>2 policy that's been implemented in this country,<br/>3 encouraging alternative sources of energy, and<br/>4 also encourage hybrid vehicles or plug-in<br/>5 vehicles. Part of that is based on premise 19:19:32<br/>6 that off-peak power will be less expensive.<br/>7 As I said, FirstEnergy had this<br/>8 time of day plan for over 20 years. And did<br/>9 away with it about two years ago. It's<br/>10 interesting to note that at the same time that 19:19:45<br/>11 Ohio did away with time of day, the FirstEnergy<br/>12 subsidiary in Pennsylvania started a time of<br/>13 day program. It's also interesting to note<br/>14 that the FirstEnergy subsidiary in New Jersey<br/>15 currently has a very sophisticated time of day 19:19:58<br/>16 program, where there is a readout in the<br/>17 individual's home that tells them what this<br/>18 hour's kilowatt cost them. And so the consumer<br/>19 can make an informed decision, 24 hours a day,<br/>20 and say, "Oh my gosh, it's 30 cents a kilowatt 19:20:11<br/>21 because it's July and everybody's air<br/>22 conditioner is on. I'm not going to turn on<br/>23 the oven. I'm not going to run my clothes<br/>24 dryer." But at 9 o'clock at night they could<br/>25 look at the same readout and say, "Oh, it's</p> | <p>1 arms around this \$390 million number. That's<br/>2 an awful lot of money. And I guess the best<br/>3 analogy I can think of was looking at last<br/>4 week's lottos. \$390 million would equal<br/>5 getting the jackpot in the Mega Millions and 19:21:52<br/>6 the jackpot in the Powerball at the same time.<br/>7 An awful lot of money. I thank the commission<br/>8 for their time this evening.<br/>9 MS. BOJKO: Anita Vlcek, and Anne<br/>10 Roffe will be on deck. Anita Vlcek. 19:22:09<br/>11 ANITA VLCHEK, of lawful age, having<br/>12 been first duly sworn, testified as follows:<br/>13 MS. BOJKO: Could you please state<br/>14 and spell your name for the record.<br/>15 MS. VLCHEK: Anita Vlcek, 6298<br/>16 Dewey Road, Madison, Ohio.<br/>17 I'm a simple person. I don't have<br/>18 a lot of flowery words. I just have a few<br/>19 comments. The word "fast track" scares me.<br/>20 The amount of time that FirstEnergy wants this 19:22:57<br/>21 pushed through implies to me shadiness and<br/>22 underhandedness. There's some things wrong<br/>23 about all of this, just based on this time<br/>24 thing that FirstEnergy has requested. The<br/>25 quarterly increase -- I'm 55 years old, I'm 19:23:19</p>  |
| <p>1 only two and a half cents a kilowatt, I'm going<br/>2 to dry some clothes." And so they reward the<br/>3 consumer for good behavior and as a result,<br/>4 they don't need to make the investment in the<br/>5 infrastructure to move that power because the<br/>6 infrastructure is already there.<br/>7 So Ohio went from being a<br/>8 progressive leader in transmission distribution<br/>9 through their time of day program, by dropping<br/>10 it. They haven't even become a follower, 19:20:50<br/>11 they're not even in the game any longer. And<br/>12 that I find to be very disturbing.<br/>13 As I said, I haven't really seen a<br/>14 good plan for what they're going to do with<br/>15 this \$390 million. I heard some references to 19:21:03<br/>16 smart grid and similar things. I would<br/>17 encourage the Consumers' Counsel and the Public<br/>18 Utilities Commission to pursue smart grid and<br/>19 also to give preferential admission to smart<br/>20 grid programs to the heavy residential users, 19:21:21<br/>21 which would be all-electric homes and former<br/>22 time of day users. Where people who have<br/>23 already made adjustments in our lifestyles, it<br/>24 would maximize the benefit of such plans.<br/>25 Now, I have a hard time getting my 19:21:36</p>                                  | <p>1 lucky enough to have a job, even though my<br/>2 income has been cut in half in the last eight<br/>3 years.<br/>4 Quarterly increase -- I'm never<br/>5 going to have another pay increase for the rest 19:23:33<br/>6 of my life and yet, I have to somehow find more<br/>7 money and more money and more money. This is<br/>8 terrorizing me. I can't live my life anymore.<br/>9 I'm so worried about what everybody is trying<br/>10 to suck out of my bank account. I haven't even 19:23:51<br/>11 recovered yet from January's electric bill.<br/>12 And now they're asking for more.<br/>13 And the lost revenues -- when my<br/>14 January bill hit, I was so frightened, I called<br/>15 FirstEnergy and she said to me, "Well, ma'am, 19:24:11<br/>16 you use too much electricity. We raised our<br/>17 rates so that you could start to conserve."<br/>18 Now I find out with this new Electric Security<br/>19 Plan that my reward for conservation of<br/>20 electricity is to have my rates yet increased 19:24:25<br/>21 again. This is never-ending. This is -- it's<br/>22 not right. It's just not right. And I so<br/>23 oppose this. And especially the time frame<br/>24 that they want to push this through because<br/>25 there's something underhanded going on here, 19:24:44</p> |

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| <p>1 just based on the time frame alone. Thank you.<br/> 2 MS. BOJKO: Thank you. Anne Roffe.<br/> 3 MS. ROFFE: Pass.<br/> 4 MS. BOJKO: Richard Huber.<br/> 5 MR. HUBER: Pass. 19:25:06<br/> 6 MS. BOJKO: Gail Larson. Please<br/> 7 raise your right hand.<br/> 8 GAIL LARSON, of lawful age, having<br/> 9 been first duly sworn, testified as follows:<br/> 10 MS. BOJKO: Please state your name 19:25:25<br/> 11 and address for the record.<br/> 12 MS. LARSON: Gail Larson, G-a-i-l,<br/> 13 L-a-r-s-o-n. 3200 State Road, Rock Creek,<br/> 14 Ohio. I agree with everything that people have<br/> 15 said tonight and this is my personal take on 19:25:37<br/> 16 how this situation is affecting our home.<br/> 17 Our provider is the Illuminating<br/> 18 Company owned by FirstEnergy. We own an<br/> 19 all-electric home which we purchased in 2008.<br/> 20 We are currently billed at the standard rate.<br/> 21 In January 2009, we paid \$445 for 5,215<br/> 22 kilowatt hours. In January 2010, we paid \$556<br/> 23 for 4,545 kilowatt hours. We used 670 kilowatt<br/> 24 hours less due to our conservation measures<br/> 25 that we put in place last year after the high</p>                               | <p>67<br/> 1 their website, "We advocate for affordable<br/> 2 energy policies for moderate and low-income<br/> 3 Ohioans." FirstEnergy clearly finds this<br/> 4 classic mission worthy of their \$15 million, so<br/> 5 they must support that mission.<br/> 6 We ask that any rate plans that the<br/> 7 Public Utility Commission approves, going<br/> 8 forward, include a commitment to provide all<br/> 9 homeowners of Northeast Ohio affordable<br/> 10 electric power to our homes based on<br/> 11 reasonable, transparent and accountable<br/> 12 requests for increases. Thank you very much.<br/> 13 MS. BOJKO: Pat Sommer. Joe<br/> 14 Fioriante. I may be mispronouncing it. They<br/> 15 live in Deepwood Boulevard. Representative 19:28:21<br/> 16 Schneider.<br/> 17 MARK SCHNEIDER, of lawful age,<br/> 18 having been first duly sworn, testified as<br/> 19 follows:<br/> 20 MS. BOJKO: Please state your name 19:29:08<br/> 21 and address for the record.<br/> 22 MR. SCHNEIDER: My name is Mark<br/> 23 Schneider. My address is 8914 Trotter Lane,<br/> 24 Unit D, Mentor, 44060.<br/> 25 MS. BOJKO: Please proceed. 19:29:23</p>   |
| <p>66<br/> 1 bill we got in January, and yet we paid \$111<br/> 2 more this year for the same time period. Why?<br/> 3 Because the distribution-related component<br/> 4 charge went up 129 percent due to the 2009<br/> 5 rider. 19:26:32<br/> 6 FirstEnergy's Electric Security<br/> 7 Plan makes us very anxious because of the<br/> 8 unknowns about the distribution charges. What<br/> 9 will FirstEnergy use as a formula this time to<br/> 10 charge us for the \$390 million they want to<br/> 11 collect from us?<br/> 12 The formula which it appears<br/> 13 FirstEnergy wants to use to bill us include,<br/> 14 but is not limited to: \$15 million for Ohio<br/> 15 Partners for Affordable Energy (OPAE), plus \$70 19:27:00<br/> 16 million for the Cleveland Clinic's expansion,<br/> 17 plus increasingly higher billing for kilowatts<br/> 18 hours used over 500 because we are an electric<br/> 19 home.<br/> 20 All of these components and 19:27:10<br/> 21 additional unknowns will price us out of our<br/> 22 home. How much does it really cost FirstEnergy<br/> 23 to deliver their product to my home?<br/> 24 Please take note: The Ohio<br/> 25 Partners for Affordable Energy mission says on</p> | <p>68<br/> 1 MR. SCHNEIDER: I would like to<br/> 2 take this opportunity to first off, apologize<br/> 3 for my tardiness for this hearing, I was<br/> 4 speaking and testifying with a number of<br/> 5 charities in Lake County today down in Columbus 19:29:35<br/> 6 and the hearing ran late. It's important work,<br/> 7 but luckily I was able to make it back here in<br/> 8 time. I would like to also go forward and<br/> 9 thank the Public Utilities Commission for<br/> 10 holding this very important public hearing and 19:29:47<br/> 11 doing so at the request of Representative<br/> 12 Fende, Newcomb, myself and so many other<br/> 13 representatives that asked that in light of the<br/> 14 circumstances around us in dealing with utility<br/> 15 issues, that we bring this type of forum to the 19:30:00<br/> 16 people of our communities, rather than make<br/> 17 them travel to Columbus to give their opinions.<br/> 18 And this kind of access is to be commended in<br/> 19 this level of transparency that hopefully it<br/> 20 brings to the process. 19:30:13<br/> 21 So I want to commend the Public<br/> 22 Utilities Commission and thank them for their<br/> 23 participation in this matter.<br/> 24 Also, I would like to thank<br/> 25 FirstEnergy, who I know has representatives 19:30:22</p> |

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| <p>69</p> <p>1 here this evening, for also being attentive and<br/>2 wanting to be a part of this process, and in<br/>3 doing so, creating a more open environment to<br/>4 discuss these matters.</p> <p>5 And formally, I would like to thank 19:30:37<br/>6 so many of my constituents. The constituents<br/>7 throughout Lake County in our region for taking<br/>8 part, not only in this evening's process, but<br/>9 in so many other forums that have taken place<br/>10 throughout our state on this issue. 19:30:50</p> <p>11 I wanted to speak on behalf of the<br/>12 numerous constituents that I represent in the<br/>13 63rd District, which is comprised of all of<br/>14 Mentor and eastern Lake County in the House of<br/>15 Representatives. And out of these 19:31:03<br/>16 constituents, we recently had approximately<br/>17 4,000 homes that were involved in the<br/>18 all-electric discount. And as such, that<br/>19 served as a beginning to start discussing these<br/>20 utility issues in the numerous forums that I 19:31:18<br/>21 tried to present for my constituents.</p> <p>22 And I thought of more than anything<br/>23 else I wanted to make sure that this process<br/>24 was an open one, and that it's an ongoing<br/>25 process. I urge the Public Utilities 19:31:33</p>                  | <p>71</p> <p>1 However, when I try to take a look at the kind<br/>2 of paperwork that sometimes these rate plans<br/>3 are spelled out in or when I try to go through<br/>4 these different bills to figure out the pricing<br/>5 schemes, I certainly have difficulty in reading 19:33:08<br/>6 through that. And I know if I'm having<br/>7 difficulty in that regard, the citizens in this<br/>8 room most likely are feeling the same way. I<br/>9 can't emphasize enough the importance. And I<br/>10 get so many calls from constituents and 19:33:23<br/>11 correspondences from constituents and I meet<br/>12 with constituents at these meetings telling me<br/>13 that they don't understand how the rate system<br/>14 works. They can't follow the rate systems or<br/>15 the changes in the rate system and their bills 19:33:35<br/>16 are at times unintelligible to them.</p> <p>17 So I urge and I plead with the<br/>18 Public Utilities Commission that when a finding<br/>19 is made, that we take great efforts on behalf<br/>20 of these people here today and throughout our 19:33:48<br/>21 region to do some of the plain-spoken manner<br/>22 that can be interpreted and understood by our<br/>23 citizens to again create a level of<br/>24 transparency in this process.</p> <p>25 In addition, as a representative 19:34:00</p>                     |
| <p>70</p> <p>1 Commission to take the full time allotted to<br/>2 them to conduct these hearings. In light of<br/>3 recent developments that we've all read about<br/>4 and some of us have experienced firsthand, in<br/>5 light of, you know, the very feelings right now 19:31:49<br/>6 towards government and towards regulations, I<br/>7 want to make sure that the Public Utilities<br/>8 Commission takes every opportunity to<br/>9 investigate these rate plans, this proposed<br/>10 system and also takes the time and does not 19:32:06<br/>11 make any kind of rash decisions or decisions<br/>12 that could even appear to be quickly motivated<br/>13 or quickly executed.</p> <p>14 Furthermore, I plead with the<br/>15 Public Utilities Commission that when a 19:32:19<br/>16 decision is made in this matter, when a ruling<br/>17 is handed down, and when a rate structure is<br/>18 contemplated, that it be put forward to these<br/>19 people in this room and the people of my<br/>20 communities and throughout the State of Ohio, 19:32:35<br/>21 and it's very clear and in plain-spoken manner.</p> <p>22 I consider myself a man of<br/>23 education, a man who has had real-world<br/>24 experience in dealing with issues involving<br/>25 utilities as well as a myriad of other issues. 19:32:50</p> | <p>72</p> <p>1 who has numerous constituents that have been<br/>2 affected by utility issues that have been<br/>3 brought up tonight as well as utility issues in<br/>4 the near past, I ask that the Public Utilities<br/>5 Commission give special attention and ensure to 19:34:16<br/>6 these folks that this is not a meek attempt to<br/>7 recoup any cost that may have been involved in<br/>8 the all-electric discount plan and that special<br/>9 scrutiny is given in that regard.</p> <p>10 We have folks here from throughout 19:34:37<br/>11 my district, we have folks here representing<br/>12 every walk of life and every age range<br/>13 possible. We have folks here from the Public<br/>14 Utilities Commission representing our citizens<br/>15 and our consumers. We have folks here from 19:34:54<br/>16 FirstEnergy representing the distributors and<br/>17 producers of our energy. And each of us has a<br/>18 responsibility to the people of our state.<br/>19 Each of us is entrusted in different parts<br/>20 of this process. And it's by working together 19:35:12<br/>21 in this way and by holding these open forums<br/>22 and by remembering that responsibility we have<br/>23 to the consumers of this region -- the<br/>24 consumers of this region, which I would argue<br/>25 there is no greater responsibility that we 19:35:31</p> |

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| <p>1 have -- that in keeping all of these things in<br/>2 mind, if we follow these steps in the process,<br/>3 then I am sure we will reach a just result and<br/>4 we will do so in a contemplative way, and we<br/>5 will do so in a way that is fair to all, in a 19:35:47<br/>6 way that -- we can point to someone's future<br/>7 when studying on how to make decisions in the<br/>8 realm of utilities and decisions beyond that in<br/>9 our state government.</p> <p>10 And most of all, I want to thank 19:35:59<br/>11 everybody for participating in their state<br/>12 government this evening. Thank you.</p> <p>13 MS. BOJKO: Thank you.<br/>14 MR. CENTOLELLA: Thank you.<br/>15 MS. BOJKO: Brian Humphrey.<br/>16 MR. HUMPHREY: I'll Pass.<br/>17 MS. BOJKO: Deborah Newcomb.<br/>18 MS. NEWCOMB: I'll pass.<br/>19 MS. BOJKO: Fred Schoemig.<br/>20 FRED SCHOEMIG, of lawful age,<br/>21 having been first duly sworn, testified as<br/>22 follows:<br/>23 MS. BOJKO: Please state your name<br/>24 and spell your last name and your address for<br/>25 the record please.</p>  | <p>73</p> <p>1 customers and they have lost our trust. Why?<br/>2 There are many reasons, some of which are the<br/>3 following:<br/>4 One, mismanaging their nuclear<br/>5 power plants, radioactive leaks, fuel failures,<br/>6 cracks in critical components are common<br/>7 occurrences.<br/>8 Two, they bamboozled the state<br/>9 legislature into passing Senate Bill 221.<br/>10 Three, they conned PUCO into 19:39:01<br/>11 accepting the energy-efficient light bulb<br/>12 fiasco.<br/>13 Four, they effectively hid the<br/>14 all-electric rate changes, so far in the<br/>15 details of their proposal, that neither the 19:39:14<br/>16 PUCO nor the Ohio Consumers' Counsel knew what<br/>17 was happening.<br/>18 Five, FirstEnergy's corporate<br/>19 strategy seems to be to confuse both their<br/>20 customers and PUCO with overly complicated 19:39:31<br/>21 corporate structure, proposals to PUCO that<br/>22 PUCO can't understand, and very confusing<br/>23 electric bills.<br/>24 What's wrong with Electric Security<br/>25 Plan? First of all, the name. Whose security? 19:39:48</p> <p>75</p>   |
| <p>1 MR. SCHOENIG: My name is Fred<br/>2 Schoenig, S-c-h-o-e-n-i-g. My wife Margaret<br/>3 and I live at 12527 Concord Hambden Road in<br/>4 Concord Township, 44024.<br/>5 First of all, I would like to thank 19:37:14<br/>6 you for having these hearings. I would like to<br/>7 especially thank you for publicizing them. I<br/>8 understand there was an all-electric hearing<br/>9 last summer, but neither myself nor many, many<br/>10 other people ever knew about it. So thanks for 19:37:29<br/>11 having this well-publicized.<br/>12 My wife and I came to Lake County<br/>13 about 20 years ago, and we moved into an<br/>14 all-electric rated home. And at the time we<br/>15 were told by the electric Illuminating Company 19:37:46<br/>16 that the all-electric rate was permanent. Our<br/>17 January bill this year was almost \$900. That's<br/>18 about three times higher than it was last year<br/>19 for less electric.<br/>20 Prior to coming to Lake County, I 19:38:05<br/>21 was an engineering manager for GE Nuclear<br/>22 Energy. In my opinion, the real issue is<br/>23 trust. We've heard that word several times<br/>24 from other speakers. Over the past five years,<br/>25 FirstEnergy has lost the confidence of their 19:38:29</p> <p>74</p> | <p>1 Certainly not ours. We don't understand the<br/>2 proposal. I hope that PUCO does. Some issues<br/>3 in my mind are the following: the \$390 million<br/>4 increase is proposed without critical reviews.<br/>5 Consumers should not be paying for special 19:40:17<br/>6 economic development deals. Consumers should<br/>7 not be paying for FirstEnergy internal<br/>8 organizational changes and the cost of which.<br/>9 Consumers should not be paying for FirstEnergy<br/>10 setting up separate profit centers, whose major 19:40:43<br/>11 purpose seems to be to confuse their customers<br/>12 and PUCO as to what the real cost and profits<br/>13 are.<br/>14 The proposed Electric Security Plan<br/>15 will increase our all-electric rate, no doubt 19:40:57<br/>16 in my mind. I think the PUCO has to reject<br/>17 this proposal and they have to encourage<br/>18 FirstEnergy to take steps to regain the<br/>19 public's confidence and trust. Thank you.<br/>20 MS. BOJKO: Tom Waltermire. 19:41:31<br/>21 TOM WALTERMIRE, of lawful age,<br/>22 having been first duly sworn, testified as<br/>23 follows:<br/>24 MS. BOJKO: Please state your name<br/>25 and address for the record. 19:41:50</p> <p>76</p> |

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| <p>1 MR. WALTERMIRE: Thomas Waltermire,<br/>2 W-a-l-t-e-r-m-i-r-e. I live at 1009 State<br/>3 Route 45 in Austinburg, Ohio.<br/>4 All I want to say is that we have a<br/>5 lot of people here from the state legislation 19:42:08<br/>6 (sic). You have the authority to deregulate<br/>7 the electric utility company and I would<br/>8 believe that you have the right and the -- to<br/>9 re-regulate it. I would certainly believe that<br/>10 we were much better off in the '70s and '80s 19:42:26<br/>11 with regulated electricity.<br/>12 I need to tell you I worked for 35<br/>13 years for the Illuminating Company.<br/>14 Twenty-nine of those years was in the<br/>15 management. I can tell you that all of those 19:42:39<br/>16 years I was working for them, I never worried<br/>17 about reliability of my electric service.<br/>18 Since that, I now have a whole-house generator<br/>19 because the service that I received was<br/>20 terrible. I can go out, and because I worked 19:43:02<br/>21 in the overhead lines department, drive down<br/>22 the road and I can look up and I can notice the<br/>23 problems that they have. They don't do<br/>24 anything about it. They would much rather have<br/>25 the poles burn off, have the wires come down 19:43:17</p> | <p>1 what we're going to do is, we're going to<br/>2 change this from the regulated portion -- state<br/>3 legislature, I want to do it -- over into<br/>4 FirstEnergy Solution, which is unregulated.<br/>5 You the ratepayer, the customer, paid for those 19:45:02<br/>6 generators. Paid all of them. And what<br/>7 happens? FirstEnergy Solution is now going out<br/>8 on the open market with the idea that these<br/>9 companies that have started and bought out all<br/>10 of these generators to generate electricity, 19:45:20<br/>11 and they want to take and get the same kind of<br/>12 profits that they can on the open market. It's<br/>13 a monopoly, folks. They are ripping you off.<br/>14 And I think that the only way we're going to<br/>15 change this is if the Public Utilities<br/>16 Commission and the state legislature says,<br/>17 "Enough is enough."<br/>18 So that's what I have to say and I<br/>19 would hope that it gets back to Mr. Alexander,<br/>20 because he really needs to know it. 19:45:47<br/>21 MS. BOJKO: Dean Dabson.<br/>22 MR. DABSON: Dean Dabson,<br/>23 D-a-b-s-o-n. 7132 Enfield, Mentor, Ohio.<br/>24 MS. BOJKO: Please raise your right<br/>25 hand, sir. 19:46:27</p>  |
| <p>1 and then we'll fix it. I wholeheartedly think<br/>2 that the Public Utilities Commission should<br/>3 reject this proposal and tell them to go back<br/>4 to it.<br/>5 The other thing that I was thinking 19:43:31<br/>6 about is that, you know, we have a CEO -- if I<br/>7 remember correctly -- \$18.5 million last year<br/>8 in compensation. I would propose that the<br/>9 Public Utilities Commission, the state<br/>10 legislature, whoever, would put in a provision 19:43:52<br/>11 that the CEO and any vice presidents and so<br/>12 forth that work for the company, can make no<br/>13 more than say 300 times the lowest paid<br/>14 full-time employee, which would mean that your<br/>15 CEO could only make \$1.5 million; anything over 19:44:11<br/>16 that should be charged to the stockholders. So<br/>17 that's my proposal for this meeting.<br/>18 I certainly reject the idea of this<br/>19 ESP. I think that it's blown out of<br/>20 proportion. And I don't believe that they have 19:44:29<br/>21 used their money correctly.<br/>22 The other thing is folks, think<br/>23 about this, all of the generating stations,<br/>24 other than Perry, were written off over the<br/>25 years in depreciation. FirstEnergy decided, 19:44:46</p>                  | <p>1 DEAN DABSON, of lawful age, having<br/>2 been first duly sworn, testified as follows:<br/>3 MS. BOJKO: Please proceed.<br/>4 MR. DABSON: Okay. I've heard a<br/>5 lot about -- from representatives of large 19:46:36<br/>6 companies, including their attorneys -- about<br/>7 making a profit and they need to make a decent<br/>8 profit. But I think there's a difference<br/>9 between making a decent profit and making a<br/>10 living versus gouging and making a killing, and 19:46:50<br/>11 the difference is collateral damage to the<br/>12 consumer. And I also think the whole electric<br/>13 system suffers as well, because greed tends to<br/>14 be blind in terms of serious money, and I think<br/>15 we have seen that on Wall Street with billions 19:47:11<br/>16 and billions of dollars invested and perhaps<br/>17 not wisely. Yet \$16 billion and FirstEnergy<br/>18 goes on a shopping spree to enlarge its market<br/>19 share. Now shouldn't they have used a portion<br/>20 of that money to upgrade the electrical grid 19:47:28<br/>21 first before spending money on acquisitions?<br/>22 And I think they're going to try to get out of<br/>23 that one by saying that they're pretty much in<br/>24 a position of a parent or holding company and<br/>25 they're not responsible for the individual 19:47:48</p> |

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| <p>1 components, like Illuminating Company, etc.<br/> 2 But I think that those things are being<br/> 3 challenged in other areas, yet a recent example<br/> 4 of American Financial and American Trust cases.<br/> 5 Okay. 19:48:08<br/> 6 Another issue is population is<br/> 7 declining in Northeast Ohio, and shouldn't the<br/> 8 electric usage be declining? So that's another<br/> 9 one of my issues. Not only when the consumer<br/> 10 cuts its energy consumption, but the population 19:48:31<br/> 11 would cut their energy consumption, shouldn't<br/> 12 there be some sort of reduction in the rates<br/> 13 due to the fact that the energy supply<br/> 14 requirements of FirstEnergy should also be cut?<br/> 15 Another area is the Cleveland 19:48:48<br/> 16 Clinic. The Cleveland Clinic has a number of<br/> 17 very wealthy patrons and contributors, Saudi<br/> 18 Arabians, OPEC cartel members, energy<br/> 19 suppliers. And the actual status of the clinic<br/> 20 is a nonprofit organization and that has been 19:49:13<br/> 21 questioned.<br/> 22 So when should FirstEnergy charge<br/> 23 its customers in that expansion in terms of the<br/> 24 electrical needs? So those are my comments.<br/> 25 Thank you.</p> | <p>1 digress and talk about how that impacted my<br/> 2 family personally. My mother-in-law lost her<br/> 3 house, so we moved her into our house and put<br/> 4 her in an in-law suite. She's 75 and she likes<br/> 5 the building temperature to be her age, which 19:52:01<br/> 6 is about 10 degrees higher than we keep the<br/> 7 rest of the house. So she moved in last year<br/> 8 and I kept saying, "Well, you know, mom, you<br/> 9 know, we got to figure something out, our<br/> 10 electric bill went up" -- I'm thinking it must 19:52:18<br/> 11 be her. Well, no, it wasn't her, it was<br/> 12 FirstEnergy. We actually consumed two percent<br/> 13 less energy. Now, that's not a lot, but that's<br/> 14 a little bit. And this is before we even knew<br/> 15 what was going on with these rates; I was just 19:52:34<br/> 16 thinking it was my mother-in-law. In spite of<br/> 17 the fact that we now have a second stove and a<br/> 18 second refrigerator, we have electric heaters<br/> 19 because our all-electric house -- you know,<br/> 20 that's the only way we can heat it. But we 19:52:48<br/> 21 have special extra electric heaters to keep her<br/> 22 warm. We consume about 47,000 BTUs a year.<br/> 23 According to what I understand, there used to<br/> 24 be a declining scale as you consume more<br/> 25 electric, now with the new rate it's less, 13, 19:53:10</p> |
| <p>1 MR. CENTOLELLA: Thank you.<br/> 2 MS. BOJKO: Thank you. Jerry<br/> 3 Kayser.<br/> 4 JERRY KAYSER, of lawful age, having<br/> 5 been first duly sworn, testified as follows:<br/> 6 MS. BOJKO: Please state your name<br/> 7 and address for the record.<br/> 8 MR. KAYSER: Jerry Kayser,<br/> 9 K-a-y-s-e-r. 14885 Durkee Road, Burton, Ohio,<br/> 10 44021. 19:50:33<br/> 11 I would like to start by thanking<br/> 12 the PUCO for having these hearings in open<br/> 13 public for an opportunity to speak. It's<br/> 14 refreshing.<br/> 15 I happen to have been one of those 19:50:52<br/> 16 lost souls that bought an all-electric house in<br/> 17 early 2007. My seller told me, "Ah, you got<br/> 18 this great discounted rate." Well, with the<br/> 19 new increases, we now pay 13 cents a kilowatt.<br/> 20 My January bill was "only" \$1,151. I oppose 19:51:14<br/> 21 this new ESP and I suggest to you that you wait<br/> 22 until May 5 -- I think that's the date -- and<br/> 23 just tell them that we reject it.<br/> 24 \$390 million is almost three times<br/> 25 as large as the last increase. Now, let me 19:51:43</p>  | <p>1 whether you buy one unit or 1,000 units.<br/> 2 That's not correct. I certainly appreciate the<br/> 3 idea of, you know, timeliness and some of the<br/> 4 other things that used to be in place.<br/> 5 To allow something like this to 19:53:28<br/> 6 even go into consideration at this time, when<br/> 7 you haven't really figured out how to sort out<br/> 8 the issues about conservation and what to do<br/> 9 with the all-electric people who -- and to turn<br/> 10 around and fast track it. No. Just decline. 19:53:45<br/> 11 They still have plenty of time before the<br/> 12 current program, or time to revise the program.<br/> 13 I want to share with you a trust<br/> 14 issue with FirstEnergy, because you're dealing<br/> 15 with them. And I think you need to know about 19:54:00<br/> 16 this. In the Plain Dealer on the 16th of<br/> 17 April, reporting on your ruling to them on<br/> 18 Thursday April 15, the PUCO ruled Thursday that<br/> 19 anyone who buys or rents a home that has had<br/> 20 the low rates in the past will get them again 19:54:19<br/> 21 "at a minimum," through next winter. And<br/> 22 tonight we have the information about the<br/> 23 temporary rollback. The article further<br/> 24 clarifies a March 3 ruling that requires<br/> 25 FirstEnergy temporarily restored low rates to 19:54:37</p>   |

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| <p>85</p> <p>1 customers who have been with them before<br/> 2 January 1, 2009. Still doesn't include me.<br/> 3 It's okay. But thank you PUCO, your new ruling<br/> 4 orders FirstEnergy to extend the rates within<br/> 5 one week -- one week would be April 22 -- to 19:54:52<br/> 6 people who bought all-electric homes or rented<br/> 7 all-electric apartments even after FirstEnergy<br/> 8 began phasing out the program, which was the<br/> 9 2006 adjustment that you made.<br/> 10 Well, on April 22 I called 19:55:10<br/> 11 FirstEnergy -- well, actually, I called them on<br/> 12 the 16th and I called them back on the 22nd and<br/> 13 I asked them -- first on the 16th I asked if<br/> 14 they were aware that our house and our property<br/> 15 was all-electric. They said, yes, they were 19:55:22<br/> 16 aware of it and it's in their records. I said<br/> 17 that's good. So I said, "I'm calling just to<br/> 18 make sure that you've got us set up and we're<br/> 19 now getting -- because it's now one week --<br/> 20 getting this new rate." And I was told that 19:55:35<br/> 21 order is pending. I was told it will take a<br/> 22 while before it goes into effect. And I was<br/> 23 told that FirstEnergy will not credit back to<br/> 24 the date that PUCO said that they had to<br/> 25 provide that new rate. 19:55:54</p> | <p>87</p> <p>1 44041.<br/> 2 I didn't really come prepared with<br/> 3 a testimony or statement, but I do want to<br/> 4 speak. What I am concerned about is when<br/> 5 FirstEnergy says that they had support of a 19:57:59<br/> 6 broad diverse number; parties including PUCO<br/> 7 Staff, Ohio Schools Council, the City of<br/> 8 Cleveland, and competitive electric suppliers.<br/> 9 Well, they didn't ask every person. So when<br/> 10 they say they have support of what they are 19:58:16<br/> 11 going to do, they didn't ask everyone here. So<br/> 12 that's what concerns me. What also concerns me<br/> 13 is I do not have an all-electric home. I guess<br/> 14 you can consider it an all-gas home. I have<br/> 15 gas stove, gas water heater, gas air, forced 19:58:29<br/> 16 air, gas dryer, and my electric bill was \$103<br/> 17 and they charged me \$168 to deliver it --<br/> 18 distribution charges. When I called to ask<br/> 19 why, I was told I could always go somewhere<br/> 20 else if I didn't like it by FirstEnergy. And I 19:58:49<br/> 21 said "Well, unless I'm stupid I can get a<br/> 22 different supplier, but first FirstEnergy<br/> 23 distribution is charging me the same."<br/> 24 And also, another gentleman here<br/> 25 tonight said, you know, that FirstEnergy is 19:59:01</p> |
| <p>86</p> <p>1 I'm sorry, but how can we trust<br/> 2 these guys? And you know the back -- you know,<br/> 3 I understand the whole thing about economic<br/> 4 development, I'm a businessman, but for it to<br/> 5 go at the expense of the residential customers. 19:56:12<br/> 6 You've got a proposal from them that's asking<br/> 7 for three times as much as the last one, that<br/> 8 quite frankly -- just to let you know, even<br/> 9 though we are consuming a little bit less<br/> 10 energy at this point, I'm sure it will be a lot 19:56:26<br/> 11 less. We're paying 70 percent higher because<br/> 12 of the price change from the rate that we paid<br/> 13 in 2009. 70 percent higher on 137 million, you<br/> 14 want that to be three times as large -- I'm<br/> 15 sorry, they want it to be three times as large. 19:56:46<br/> 16 I'm sorry, FirstEnergy, but to more than double<br/> 17 my utility cost is outrageous. Thank you for<br/> 18 allowing me to speak.<br/> 19 MS. BOJKO: Debbie Caranci. Please<br/> 20 raise your right hand. 19:57:37<br/> 21 DEBBIE CARANCI, of lawful age,<br/> 22 having been first duly sworn, testified as<br/> 23 follows:<br/> 24 MS. CARANCI: Debbie Caranci,<br/> 25 C-a-r-a-n-c-i. 4055 Austin Road, Geneva, Ohio. 19:57:42</p>   | <p>88</p> <p>1 going to be -- largest in the nation, but then<br/> 2 we're supposed to be not upset that our rates<br/> 3 are going sky-high.<br/> 4 I also feel for the all-electric<br/> 5 people that keep saying don't bring that up, 19:59:13<br/> 6 but I have a daughter that rents a home for<br/> 7 \$400 a month and her electric bill was \$500 and<br/> 8 the \$204 was the electric part, the rest of it<br/> 9 was distribution charges. So I'm helping her<br/> 10 pay her electric, plus I'm paying my electric 19:59:27<br/> 11 bill because she's going to college.<br/> 12 Again, I don't want to waste<br/> 13 anybody's time here tonight. I just feel that<br/> 14 this is wrong. I also called the Public<br/> 15 Utility Commission, I know you hire other 19:59:37<br/> 16 people to take on the extra calls, but the lady<br/> 17 informed me, "Do you know how many times you've<br/> 18 called to question or to complain?" Yes, I<br/> 19 could tell her. I called every month to ask<br/> 20 what was going on. And I think that is my 19:59:50<br/> 21 right as a United States citizen. So thank you<br/> 22 for your time.<br/> 23 MS. BOJKO: Sal Russo. Please<br/> 24 raise your right hand.<br/> 25 SAL RUSSO, of lawful age, having</p>   |

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| <p>1 been first duly sworn, testified as follows:</p> <p>2 MS. BOJKO: Please state your name</p> <p>3 and address for the record.</p> <p>4 MR. RUSSO: My name is Sal Russo</p> <p>5 and my address is 3025 Edgewood Road, Pepper 20:00:29</p> <p>6 Pike, 44124.</p> <p>7 My background is in the grocery</p> <p>8 business. It was started by my</p> <p>9 great-grandfather Sam Russo. And we had our</p> <p>10 original store in Cleveland Heights. And we 20:00:49</p> <p>11 were fortunate enough, we had a good</p> <p>12 relationship with the adjacent property owner,</p> <p>13 that in 1998 we bought a mixed-use building.</p> <p>14 It has retail on the first floor and the</p> <p>15 mezzanine level, it has two floors of offices. 20:01:10</p> <p>16 The building was built in 1918. And the</p> <p>17 offices on the second and third floor are</p> <p>18 small. And I could sympathize with the people</p> <p>19 that are here this evening that have spoken</p> <p>20 about the impact of the removal of the 20:01:29</p> <p>21 all-electric discount on their residences. But</p> <p>22 I am here to talk about the impact that it's</p> <p>23 had on a commercial account at this particular</p> <p>24 building that I own. A lot of the tenants are</p> <p>25 social workers, therapists, counselors, 20:01:49</p>  | <p>1 costly to maintain and it was impossible to</p> <p>2 provide consistent heat across the wide range</p> <p>3 of offices. Some on the south side, some on</p> <p>4 the north side. So we purchased electric</p> <p>5 furnaces. We had all of the rooftop 20:03:38</p> <p>6 air-conditioning units converted to have</p> <p>7 electric heat. We paid the expense for that.</p> <p>8 And it worked out well and everyone -- every</p> <p>9 individual tenant had, you know, regular heat</p> <p>10 during the winter months. The rate increase 20:03:55</p> <p>11 that came about in the summer of 2009 -- this</p> <p>12 gets to what the previous speaker mentioned --</p> <p>13 the service plans were flattened, so that was</p> <p>14 the first negative impact that I experienced.</p> <p>15 I was no longer able to buy in bulk because the 20:04:18</p> <p>16 tenants were now the same rate, even though</p> <p>17 they had much smaller units.</p> <p>18 But the bigger impact for us was</p> <p>19 the -- was the removal of the all-electric</p> <p>20 discount. And as far as that impact, I looked 20:04:39</p> <p>21 at from January 7th of 2010 through April 5th</p> <p>22 of 2010 the cost -- and this is just on the</p> <p>23 meter for the electric heat -- I paid 11.3</p> <p>24 cents per kilowatt hour versus from January 9,</p> <p>25 2009 through April 6, 2009, I paid 3.5 cents 20:05:12</p> |
| <p>1 psychologists, psychiatrists, dentists,</p> <p>2 writers, consultants, they're small-business</p> <p>3 owners. And quite a few of them when they</p> <p>4 inquired about our building, I asked them, you</p> <p>5 know, "Where are you leasing now?" And it's 20:02:05</p> <p>6 very common for them to say that, "Well, you</p> <p>7 know, I'm working out of my house right now and</p> <p>8 I want to get out and you know establish</p> <p>9 myself. I need a commercial address." And</p> <p>10 because we have smaller offices, it's seems to 20:02:18</p> <p>11 be a good fit. So you know, just like owning</p> <p>12 -- affording a home is part of the American</p> <p>13 dream, so is owning your own business. The</p> <p>14 previous owner of my building, decades ago,</p> <p>15 purchased sub-meters and had them installed. 20:02:37</p> <p>16 And he would buy his electricity in bulk and</p> <p>17 then the sub-meters were read and the tenants</p> <p>18 paid a standard charge under the Illuminating</p> <p>19 Company. Same rate that they would have if</p> <p>20 they had an account directly with the 20:02:56</p> <p>21 Illuminating Company based on their usage.</p> <p>22 I would say six years ago or so, we</p> <p>23 made a strategic decision to abandon a central</p> <p>24 boiler that heated the second and third floor</p> <p>25 offices. The boiler was old and it was very 20:03:16</p> | <p>1 per kilowatt hour. So that's an increase of</p> <p>2 3.23 times, over 300 percent.</p> <p>3 And to give you an example, when</p> <p>4 the typical tenant is looking at my building</p> <p>5 and he says, "Well, what's it going to cost me, 20:05:34</p> <p>6 I'm in my house now, so I'm sharing utilities."</p> <p>7 You say, Your rent's going to be X and your</p> <p>8 electric is based on the past year they had</p> <p>9 used, should be about \$150 a month. And he</p> <p>10 gets his first bill for January and it's close 20:05:51</p> <p>11 to \$500 a month. And as a building owner it</p> <p>12 makes me look foolish. I didn't provide him</p> <p>13 with accurate information.</p> <p>14 So I'm happy to hear that the</p> <p>15 Commission has ordered the temporary 20:06:08</p> <p>16 reinstatement of the all-electric discount.</p> <p>17 And I have tried to follow it with regard to</p> <p>18 what's been written in the Plain Dealer. I've</p> <p>19 had some correspondences with Governor</p> <p>20 Strickland's office, but I haven't heard 20:06:23</p> <p>21 anything about the reinstatement of the</p> <p>22 discount applying to commercial accounts. And</p> <p>23 that's the main reason I came here is to let</p> <p>24 everyone know that it's not just residential</p> <p>25 users; there are commercial accounts, there are 20:06:38</p>                                     |



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| <p>1 small businesses that are being impacted.<br/> 2 So my questions are, does the<br/> 3 temporary reinstatement of the all-electric<br/> 4 discount apply to commercial accounts? And<br/> 5 then regarding what I read in the flyer that 20:06:55<br/> 6 the Commission has ordered PUCO staff to<br/> 7 conduct an investigation and submit a report,<br/> 8 will commercial accounts such as my mine be<br/> 9 considered in that investigation?<br/> 10 And I know that this pertains to 20:07:10<br/> 11 the Illuminating Company -- but since this is<br/> 12 the Public Utilities Commission of Ohio -- I<br/> 13 was very -- I was shocked to read in the Plain<br/> 14 Dealer a month or so ago regarding Dominion<br/> 15 Gas -- that there was 56 and a half cents per 20:07:34<br/> 16 MCF that was going to fund homes where the<br/> 17 homeowners could not afford their natural gas.<br/> 18 And that that charge was going from 56 and a<br/> 19 half cents to like a \$1.71 per MCF. I took<br/> 20 that cost and divided it over my gas cost per 20:07:59<br/> 21 MCF. And it amounted to a 26 percent tax on my<br/> 22 gas to subsidize other people's gas charges.<br/> 23 And I was shocked and I -- I'm speechless on<br/> 24 that. How that gets passed. Anyway, thank you<br/> 25 for your time. 20:08:22</p> | <p>1 left and as they retire, they're not<br/> 2 replaceable. They're going to outsource the<br/> 3 repair work, and if you have two storms that<br/> 4 hit at the same time, you better have a<br/> 5 generator. And you think you're going to be 20:09:58<br/> 6 mad at the facilities, no, just wait until<br/> 7 then.<br/> 8 Also, you know, like I said, I<br/> 9 worked there -- this is going back memory<br/> 10 lane -- but I worked in CEI from '63 to '69. 20:10:07<br/> 11 You know, back then, you know, we would put a<br/> 12 -- 12, 8, 16 boxes, you know, we would put you<br/> 13 from here and put you all the way down to the<br/> 14 -- put a new main point, give you new breakers.<br/> 15 It's all a matter of greed today, what these 20:10:26<br/> 16 companies want. I mean, they still made a<br/> 17 profit, they made a big profit back then. Now,<br/> 18 you have to do everything yourself. They don't<br/> 19 do anything for the money, all they do is<br/> 20 collect it, and the reason for that is 20:10:46<br/> 21 stockholders. They don't care about you, they<br/> 22 care about one thing, stockholders. You know,<br/> 23 they have the gall, CEI -- you know, in the<br/> 24 paper, in the news article, when they stated --<br/> 25 referring to where it says artificially low 20:11:04</p>               |
| <p>1 MS. BOJKO: Rosemary Bailer. Ralph<br/> 2 Chetnik. Please raise your right hand.<br/> 3 RALPH CHETNIK, of lawful age,<br/> 4 having been first duly sworn, testified as<br/> 5 follows:<br/> 6 MS. BOJKO: Please state your name<br/> 7 and --<br/> 8 MR. CHETNIK: Ralph Chetnik,<br/> 9 C-h-e-t-n-i-k. 8021 Eagle Road, Kirtland,<br/> 10 Ohio. I just want to expand a little bit about 20:08:58<br/> 11 what Mr. Waltermire said. You know, I believe<br/> 12 that if you want to know what's going on in the<br/> 13 country you talk to the workers. And I worked<br/> 14 for CEI for five years. But if you think<br/> 15 you're mad at the utilities companies now -- 20:09:15<br/> 16 the power men are the men that do the repairs<br/> 17 after a storm. And I had a lot of friends -- I<br/> 18 still talk to them -- they pointblank told me,<br/> 19 you better get a generator because they said if<br/> 20 we have a storm, what they're doing is phasing 20:09:31<br/> 21 out -- if you call FirstEnergy, they won't tell<br/> 22 you this. They won't talk. It's not their<br/> 23 department. They won't get to telling you<br/> 24 who's doing what. But from Ashtabula to<br/> 25 Cuyahoga County, there's very few power men 20:09:48</p>   | <p>1 electric rates also work against Ohio efforts<br/> 2 to encourage energy conservation. And they<br/> 3 actually stated in the paper, FirstEnergy<br/> 4 stated that, if you give all-electric rates,<br/> 5 people will abuse the electric. And how many 20:11:20<br/> 6 of us are barely paying our bills and we're<br/> 7 going to abuse the electric? I shut my rooms<br/> 8 off to try to keep the heat. And they have the<br/> 9 gall to say that. This is their excuse. This<br/> 10 is the best excuse they can give for not 20:11:38<br/> 11 keeping the all-electric rates? You know,<br/> 12 there's representatives here, you know, but you<br/> 13 can't get any answers from these people. You<br/> 14 can't get anything at all.<br/> 15 And they actually at PUCO -- guess 20:11:53<br/> 16 who pays PUCO's wages? If you don't know,<br/> 17 FirstEnergy. Okay. They actually were stupid<br/> 18 enough, I should say, to put in this paper, if<br/> 19 you look at the statement here on the white<br/> 20 paper you had. When do these rates change -- 20:12:12<br/> 21 it says that the RCPs, which is the<br/> 22 FirstEnergy's rates certainty plan -- when<br/> 23 necessary because of strong electricity<br/> 24 generation, market cannot be built to allow<br/> 25 rates to move to a free market structure. 20:12:27</p> |

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| <p>97</p> <p>1 Therefore, you have the rate certainty plan,<br/>2 which guaranteed them at a certain rate. And<br/>3 then down the road -- which other people<br/>4 iterated on this -- down the road the<br/>5 artificially low interest rates also work 20:12:42<br/>6 against Ohioans' efforts to encourage<br/>7 conservation. They were stupid enough to put<br/>8 this in there. What they don't tell you is, if<br/>9 you conserve, you're not going to have strong<br/>10 enough electricity generation markets to 20:13:00<br/>11 develop a free-market plan. So if you conserve<br/>12 electricity, you get charged more. If you<br/>13 don't conserve electricity, you get charged<br/>14 more. So who is helping you out in this?<br/>15 They're not helping you out at all. I think 20:13:12<br/>16 that's about it.<br/>17 I also would like to say that I<br/>18 think they should look over this program and<br/>19 try to do what's right for the consumer and<br/>20 give the people some answers. If you call 20:13:35<br/>21 FirstEnergy, let the people -- don't give the<br/>22 people some answers, don't treat them like<br/>23 they're nobody, because that's what FirstEnergy<br/>24 does. Thank you.<br/>25 MS. BOJKO: Mary Lambert.</p>   | <p>99</p> <p>1 your energy partner to assist you in making the<br/>2 best energy decision possible for your<br/>3 construction projects. The following proposal<br/>4 is based on" -- okay. It's got names and stuff<br/>5 in here -- "featuring the electric/heat pumps 20:15:30<br/>6 and installing this HVAC equipment package will<br/>7 create a win-win situation for you as a builder<br/>8 and for each of your future tenants." Now<br/>9 they're starting to say that when the account<br/>10 name changes, the discount shouldn't carry 20:15:44<br/>11 forward. And this is a letter promising it to<br/>12 tenants. And am I supposed to pay my tenants'<br/>13 electric bills? Good thing I'm not. I'm<br/>14 sorry, I didn't mean to target you with that.<br/>15 But it seems to me that there has been a real 20:16:01<br/>16 betrayal of the very people that supported<br/>17 FirstEnergy or supported the Illuminating<br/>18 Company in building their market.<br/>19 You know, when I go to sell a home<br/>20 and I say this is an all-electric home, it's a 20:16:20<br/>21 wonderful thing to have an all-electric home,<br/>22 you know, it's going to be a one-utility bill,<br/>23 and it's very reasonably priced, it's<br/>24 competitive with gas, we've gone -- it took<br/>25 years to get people to believe that 20:16:33</p> |
| <p>98</p> <p>1 MARY LAMBERT, of lawful age, having<br/>2 been first duly sworn, testified as follows:<br/>3 MS. LAMBERT: Okay. I live in<br/>4 Burton, too. I live on Claridon Troy Road.<br/>5 And I have lived in Geauga County for 35 years. 20:14:18<br/>6 I have been almost exclusively in new<br/>7 construction for most of that. And I remember<br/>8 back in 1978 when this all-electric promise<br/>9 started. I was working for a builder in<br/>10 Chagrin Falls and, I mean, he would come take 20:14:29<br/>11 us to lunch at least once a week and try to get<br/>12 us to build all-electric homes because this<br/>13 promise of this all-electric discount. And<br/>14 over the years I have encouraged people to<br/>15 build all-electric homes because of this 20:14:43<br/>16 wonderful discount that was promised.<br/>17 In 1994 when my husband and I<br/>18 started our own construction company, we were<br/>19 solicited by the Illuminating Company at that<br/>20 time. In August of 2000, we started a rental 20:14:58<br/>21 project. A little number of suites. We have<br/>22 eight rental suites that are all-electric. And<br/>23 we got a letter from FirstEnergy promising us<br/>24 the all-electric discount on our rentals. It<br/>25 said, "FirstEnergy is interested in becoming 20:15:14</p> | <p>100</p> <p>1 all-electric could compete with gas. Now,<br/>2 these very people that have bought an<br/>3 all-electric home, you know, they're not going<br/>4 to have that advantage in the resale market.<br/>5 You know, as when I rent to 20:16:45<br/>6 tenants, I estimate the electric bill, like Mr.<br/>7 Russo was saying. They say, "How much is it<br/>8 going to cost me to heat my apartment? What's<br/>9 my budget bill going to be?" And then they<br/>10 move in and it's over twice as much as I 20:16:57<br/>11 promised them. And I'm feeling bad. So now I<br/>12 have tenants that are behind in their rent.<br/>13 And when I go to get new tenants, I probably<br/>14 will get less income and it's because I<br/>15 believed in the all-electric promise. 20:17:13<br/>16 I have a little problem with their<br/>17 estimates. My husband and I were out of town<br/>18 for a good part of the winter and our driveway<br/>19 wasn't plowed, so they chose to estimate. My<br/>20 last two months, since they read the meter, 20:17:27<br/>21 have been zero because they estimated so much<br/>22 more than we actually used, or could have used.<br/>23 They estimated more than we have ever used.<br/>24 So I don't know how this process<br/>25 works. And I understand that this discount 20:17:43</p>                         |

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| <p>1 goes back to a specific date. Well, I won't<br/> 2 get any discount because they figure that I<br/> 3 used all this year's electricity last year and<br/> 4 they just pre-billed me for it, you know, so I<br/> 5 don't know what I should have done different 20:17:58<br/> 6 there.<br/> 7 But you know, I don't want to<br/> 8 repeat things that other people have said, but<br/> 9 my tenants, my eight tenants, are either -- all<br/> 10 of them are either retired, underemployed or 20:18:10<br/> 11 unemployed at this time. This is not an easy<br/> 12 time for people. And the doubling of their<br/> 13 utility bills is just -- not only untimely but<br/> 14 just unfair.<br/> 15 I also want to say this: there's a 20:18:30<br/> 16 program out for free gas for people that are in<br/> 17 the poverty level. They don't have to pay for<br/> 18 their gas. I wonder about not having to pay<br/> 19 for it. I have seen situations -- I am aware<br/> 20 of situations where people actually leave the 20:18:48<br/> 21 window open and leave the heat on because it<br/> 22 doesn't cost them anything. And it just kind<br/> 23 of -- it's just a little bit more of spreading<br/> 24 the wealth, I guess. So that's it.<br/> 25 MR. CENTOLELLA: Thank you. We 20:19:04</p> | <p>1 MS. BOJKO: Please state your name<br/> 2 and address for the record.<br/> 3 MR. MOBASSERI: John Mobasseri,<br/> 4 8430 Riverside Drive. I moved into my home --<br/> 5 I actually bought my home in 2007. I called 20:19:53<br/> 6 FirstEnergy beforehand to make sure -- because<br/> 7 it was an oil home, we don't have gas lines on<br/> 8 our street -- I said that I wanted to put an<br/> 9 all-electric furnace in my home. Of course,<br/> 10 they told me, go ahead. You'll have the -- 20:20:08<br/> 11 you'll have the right. No problem. I moved in<br/> 12 there in December, 25th, 26th, almost Christmas<br/> 13 of December of 2007. I got my first bill in<br/> 14 January of \$1,800 to heat my home. Oh, it gets<br/> 15 better. It gets a lot better. Over that next 20:20:27<br/> 16 period from December of '08 (sic) to April of<br/> 17 '08, I spent close to \$8,000 on electricity.<br/> 18 This month, this year -- this month actually, I<br/> 19 got a \$2,500 bill in the mail for electricity,<br/> 20 when I have used less this year. So now I have 20:20:44<br/> 21 to clean out my daughter's college funds to pay<br/> 22 that.<br/> 23 I'm just wondering why when I<br/> 24 actually called the PUCO, I said, you know,<br/> 25 "What can I do about this?" They told me my 20:20:58</p>         |
| <p>1 would like to have copies of the letters<br/> 2 that --<br/> 3 MS. LAMBERT: I sent them to you.<br/> 4 MR. CENTOLELLA: Okay. Very good.<br/> 5 MS. LAMBERT: I can give you<br/> 6 another copy tonight, but this is my original.<br/> 7 MR. CENTOLELLA: Okay. I don't<br/> 8 want to take your original but if you have an<br/> 9 extra copy, we can include it in the record of<br/> 10 the proceeding as an exhibit.<br/> 11 MS. LAMBERT: Is there a copy<br/> 12 machine here?<br/> 13 MR. CENTOLELLA: I don't know, but<br/> 14 we can make arrangements if you would like to<br/> 15 send them to us. 20:19:23<br/> 16 MS. LAMBERT: Okay. All right.<br/> 17 Yeah, I will.<br/> 18 MR. CENTOLELLA: Okay.<br/> 19 MS. BOJKO: John Mobasseri.<br/> 20 MR. MOBASSERI: Mobasseri.<br/> 21 MS. BOJKO: Please raise your right<br/> 22 hand.<br/> 23 JOHN MOBASSERI, of lawful age,<br/> 24 having been first duly sworn, testified as<br/> 25 follows:</p>   | <p>1 option was to move. Move. I said, "That's the<br/> 2 best option for me is to move?" So now I have<br/> 3 to pay and clean out my daughter's education to<br/> 4 pay a bill that's due on my birthday.<br/> 5 So I'm just wondering what is PUCO 20:21:16<br/> 6 doing to really help us? And why isn't -- why<br/> 7 aren't we getting anything done with our<br/> 8 senators or anybody else to try and help us?<br/> 9 When I called FirstEnergy they told<br/> 10 me that I was going to be grandfathered in. 20:21:29<br/> 11 But when I went in there, I got slammed. I<br/> 12 have no savings now. My daughter's college<br/> 13 fund is going to be gone. So I'm just<br/> 14 wondering, who's really benefitting from this,<br/> 15 me or you? Who's really going to get anything 20:21:43<br/> 16 out of this? I think that FirstEnergy is<br/> 17 scamming the people. I was told that I had an<br/> 18 all-electric home, that I should be able to<br/> 19 live in my house and have heat. This winter,<br/> 20 we had to leave for three to four weeks just to 20:21:59<br/> 21 get out. I had to go rent a hotel room. And I<br/> 22 still had heat bills through the roof. I mean,<br/> 23 it's just -- it's crazy. I hope PUCO or<br/> 24 whatever does something.<br/> 25 MS. BOJKO: Eileen Fisco. Could 20:22:54</p> |

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| <p>105</p> <p>1 you please raise your right hand.</p> <p>2 EILEEN FISCO, of lawful age, having</p> <p>3 been first duly sworn, testified as follows:</p> <p>4 MS. BOJKO: Please state your name</p> <p>5 and address for the record. 20:22:59</p> <p>6 MS. FISCO: Eileen Fisco. P.O. Box</p> <p>7 445, Gates Mills. I want to make a couple of</p> <p>8 comments. The first one is that the electric</p> <p>9 discount, the all-electric discount, was not</p> <p>10 restored. I'll give you the information as to 20:23:19</p> <p>11 why. Public Utilities wrote me a letter and I</p> <p>12 also called them and they said even if it</p> <p>13 wasn't fully restored, it was still restored.</p> <p>14 You can't be half pregnant; you're either</p> <p>15 pregnant or you're not pregnant. We either 20:23:36</p> <p>16 have a full discount or we don't have a</p> <p>17 discount. And we don't have our full electric</p> <p>18 discount. Now, I understand the situation like</p> <p>19 this. We have a teeter-totter and the</p> <p>20 government has to try to help corporations make 20:23:49</p> <p>21 money, but they also have to help consumers not</p> <p>22 go broke. And I feel it's your job to balance</p> <p>23 that teeter-totter.</p> <p>24 So is there a solution to this</p> <p>25 problem? I think there is. You're going to 20:24:04</p>   | <p>107</p> <p>1 rates. And they can't guarantee that they're</p> <p>2 going to have their customers. So work out a</p> <p>3 compromise, guarantee an X amount for all of</p> <p>4 the discounted people and work out something.</p> <p>5 There's got to be a compromise. There are 20:25:35</p> <p>6 other solutions to these problems. Don't cut</p> <p>7 off the people that are counting on our</p> <p>8 government to help us in situations where -- we</p> <p>9 were founded as a country, on the basis that</p> <p>10 you have corporations if you ever need help, 20:25:51</p> <p>11 and you have the government regulate so that</p> <p>12 the consumer gets helped. So neither suffers.</p> <p>13 It's all I'm asking you to do. Please restore</p> <p>14 the all-electric discount.</p> <p>15 MS. BOJKO: We will mark your 20:26:09</p> <p>16 letter -- your example -- sample billing as</p> <p>17 Fisco Exhibit 1 and that will be attached to</p> <p>18 the record.</p> <p>19 - - - - -</p> <p>20 (Thereupon, Deposition Fisco Exhibit</p> <p>21 1 was marked for purposes of</p> <p>22 identification.)</p> <p>23 - - - - -</p> <p>24 MS. BOJKO: Do we have any other</p> <p>25 members of the public that did not sign up that 20:26:23</p> |
| <p>106</p> <p>1 have to come up with something to help people</p> <p>2 who live in all-electric homes, instead of</p> <p>3 taking the attitude that down the line we're</p> <p>4 not going to get any kind of discount. We lose</p> <p>5 real estate value, people don't get pay 20:24:18</p> <p>6 increases like they used to. Meanwhile, you</p> <p>7 have corporations with the power of lobbyists</p> <p>8 that can make these changes and de-regulations</p> <p>9 that came in the roughness about and we don't</p> <p>10 have that power. We just have the power to 20:24:31</p> <p>11 come here and talk to you. We don't have</p> <p>12 lobbyists. So it's your duty, I feel, to</p> <p>13 balance that teeter-totter. Maybe you</p> <p>14 represent corporations, but we're still the</p> <p>15 United States of America and you still have an 20:24:47</p> <p>16 obligation to help middle-class in this</p> <p>17 country. And I feel you're not doing that</p> <p>18 right now. And whatever they come up with -- I</p> <p>19 understand their position. If you could</p> <p>20 guarantee CEI X number of customers and have 20:25:02</p> <p>21 them work the way they're supposed to, we could</p> <p>22 get our discount. But their lobbyists took</p> <p>23 away regulation, now we have a de-regulated</p> <p>24 situation. And they want to go out in the open</p> <p>25 market and compete every day for electric 20:25:23</p> | <p>108</p> <p>1 wishes to testify at this point? We have</p> <p>2 concluded the list. Yes, sir, would you like</p> <p>3 to testify?</p> <p>4 MR. CLOUGH: I thought I did sign</p> <p>5 up. 20:26:37</p> <p>6 MS. BOJKO: I may have tried to</p> <p>7 pronounce your name and you just didn't</p> <p>8 recognize it. What is your name, sir?</p> <p>9 MR. CLOUGH: Al Clough.</p> <p>10 MS. BOJKO: I did call Al Clough. 20:26:45</p> <p>11 Could you please proceed to the podium.</p> <p>12 Mr. Clough, could you please raise your right</p> <p>13 hand?</p> <p>14 ALLEN CLOUGH, of lawful age, having</p> <p>15 been first duly sworn, testified as follows:</p> <p>16 MR. CLOUGH: I do. The last time I</p> <p>17 said that, I was married 60 years ago. I came</p> <p>18 here basically --</p> <p>19 MS. BOJKO: Could you please state</p> <p>20 your name and address for the record. 20:27:21</p> <p>21 MR. CLOUGH: Yeah. Alan Clough,</p> <p>22 C-l-o-u-g-h.</p> <p>23 MS. BOJKO: And your address.</p> <p>24 MR. CLOUGH: 7774 Fairview Avenue,</p> <p>25 Kirtland.</p>   |

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| <p>1 MS. BOJKO: Thank you. Now please<br/>2 proceed.<br/>3 MR. CLOUGH: Okay. I came here --<br/>4 basically I was hoping something was going to<br/>5 be said about the all-electric residential 20:27:37<br/>6 cost. And I agree with several of the other<br/>7 ones that stood here and said in January it was<br/>8 like -- my house was like \$180. It was \$450<br/>9 two months later. I don't know why it should<br/>10 be so high. I don't know why it should gain so 20:27:57<br/>11 much. But basically, this is what I came to<br/>12 say. It's the only thing I'm going to say.<br/>13 When I came to the meeting here, it was a month<br/>14 ago or two months ago or whatever it was -- I<br/>15 don't remember when it was, but I was here. 20:28:15<br/>16 And somebody asked a question to the<br/>17 Illuminating Company representative -- who pays<br/>18 PUCO fees for being on the board? He said, we<br/>19 do, the Illuminating companies. How can we<br/>20 trust them? How can we trust them to 20:28:34<br/>21 accurately and faithfully make any<br/>22 recommendations when they're being paid by the<br/>23 ones asking for the increase? I say they<br/>24 can't. But somebody has got to push that on<br/>25 them to get a regulated fee that's going to be 20:28:58</p> | <p>1 Ohio for that?<br/>2 MR. CENTOLELLA: Well, as in any<br/>3 state expenditure, it's raised through fees and<br/>4 taxes and we have a specific fee that is for<br/>5 the budget of the Public Utilities Commission. 20:30:09<br/>6 MR. CLOUGH: Well, when I was here<br/>7 the last time, the man sitting in your<br/>8 position, very deathly said the Illuminating<br/>9 companies in Ohio pay -- not the Illuminating,<br/>10 but the -- the utilities pay for the salaries 20:30:23<br/>11 of the people on the board.<br/>12 MR. CENTOLELLA: Well, if he said<br/>13 that, then he's speaking incorrectly. We're<br/>14 state employees and we work for all of you.<br/>15 MEMBER OF THE AUDIENCE: I wish 20:30:43<br/>16 that was true, otherwise you wouldn't have told<br/>17 me to move.<br/>18 MR. CENTOLELLA: I want to find out<br/>19 a little bit more about that. I appreciate you<br/>20 telling us about that. I do want to say that I 20:30:51<br/>21 appreciate all of the testimony that we've<br/>22 heard tonight. And we want to thank you and I<br/>23 will certainly consider what I've heard and I'm<br/>24 sure my colleagues will look at the record and<br/>25 consider it as well. 20:31:03</p> |
| <p>1 honest and fair. That's it.<br/>2 MS. BOJKO: Thank you.<br/>3 THE COURT: I want to just briefly<br/>4 respond to the comment that was made twice now.<br/>5 I don't have what was said by FirstEnergy at 20:29:19<br/>6 the prior meeting. But the way the Public<br/>7 Utilities Commission is funded, it's funded<br/>8 based upon a budget that is approved by the<br/>9 state legislature that is then collected in an<br/>10 assessment that -- it does appear on the 20:29:33<br/>11 utility bills, but it is not determined by the<br/>12 utility and we are paid from state funds, not<br/>13 from utility funds. And it's simply a matter<br/>14 of assessment that is charged through the<br/>15 utility bills. It's not money that comes from 20:29:50<br/>16 the utility.<br/>17 MR. CLOUGH: Are you on the PUCO<br/>18 board?<br/>19 MR. CENTOLELLA: Yes. I'm a<br/>20 commissioner on the Public Utilities.<br/>21 MR. CLOUGH: And who pays your<br/>22 wage?<br/>23 MR. CENTOLELLA: The State of Ohio<br/>24 pays them. I'm a state employee.<br/>25 MR. CLOUGH: Who pays the State of</p>  | <p>1 MS. BOJKO: At this time, that<br/>2 concludes the Public Utilities Commission local<br/>3 hearing. We do again appreciate you all for<br/>4 coming and we will close the meeting. Thank<br/>5 you. 20:31:19<br/>6 (Hearing concluded.)<br/>7 -----<br/>8<br/>9<br/>10<br/>11<br/>12<br/>13<br/>14<br/>15<br/>16<br/>17<br/>18<br/>19<br/>20<br/>21<br/>22<br/>23<br/>24<br/>25</p>   |

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## CERTIFICATE

I, Charles L. Butera, do hereby  
certify that as such Reporter I took down in  
Stenotypy all of the proceedings had in the  
foregoing transcript; that I have transcribed  
my said Stenotype notes into typewritten form  
as appears in the foregoing transcript; that  
said transcript is the complete form of the  
proceedings had in said cause and constitutes a  
true and correct transcript therein.

Charles L. Butera, Notary Public  
within and for the State of Ohio

My commission expires December 23, 2013.

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Ap. 27-10

Fisco Ex. 1

All Electric Discount MUST have these  
2 readings. CEI did NOT restore the  
full discount. They use only the bottom  
(or lower) number to calculate bills. This  
gives a far smaller discount. Therefore,  
the all electric discount was NEVER restored.

$$\frac{33597 \text{ kWh}}{031.51 \text{ kW}} = \text{Meter Reading Sample}$$

The 2 readings appear on all electric discount  
meters called non-time-a-day-meter or a  
demand meter. Both terms are used by CEI.

The upper no. measures kWh

The lower no. measures the highest kW load used  
every 30 minutes.

Later-filed  
Exhibit  
Lambert Ex. 1



## **PROJECT ASSISTANCE PROGRAM**

For Residential Builders and Developers

*Promoting Energy Efficiency in the Residential home marketplace through partnerships with Builders and Energy Partners.*

Project Letter of Agreement

Lambert Sales and Leasing

August 24, 2000

Heather S. Pennington

August 24, 2000

Lambert Sales & Leasing  
Richard Lambert  
15580 Route 700  
Barton, OH 44021

Dear Mr. Lambert:

FirstEnergy is very interested in becoming your Energy Partner to assist in making the best energy decisions possible for your construction projects. The following proposal is based on Lambert Sales & Leasing offering an Apartment Complex featuring Total Electric Heat Pumps. I believe that installing this HVAC equipment package will create a win-win situation for you as the builder and for each of your future tenants.

**Builder's Values:**

- **Minimal additional cost for a significantly higher HVAC equipment package –** Differentiate yourself as a builder in the competitive new construction market by providing more value to your customers with a unique, sophisticated heating and cooling package.

**Tenant Values:**

- **Discounted electric heating rate –** By using heat pumps, you qualify for a discount electric rate. You save on your total energy usage each month.
- **Even temperature –** consistent comfort. Heat pumps provide evenly distributed heating and cooling. Even temperatures throughout the apartment provide consistent comfort year round.

If you would like to sign on as an Energy Partner, and agree to the attached Agreement, please sign this letter below where indicated.

Sincerely,  
The Illuminating Company

  
Heather S. Pennington, FirstEnergy Services Corp.  
Agent for The Illuminating Company

The Public Utilities Commission of Ohio has assigned for public hearing at this time and place Case No. 10-388-EL-SSO, which is captioned "In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and the Toledo Edison Company for Authority to Establish a Standard Service Offer Pursuant to Section 4928.143, Revised Code, in the Form of an Electric Security Plan."

I was present at the local public hearing held in Kirtland, Ohio, on April 27, 2010, at 6:00 pm. I am opposed to the proposal for the reasons expressed by those who have already testified.

| Name (Please print) | Address  |
|---------------------|--|
| JAMES VINCIGUERRA   | 10909 WILSON MILLS ROAD<br>CHAMBERLAIN, OH 44024         |
| William D. Dervay   | 8901 DORAL DR.<br>MENTOR, OHIO 44060                     |
| Lewis E. Cook       | 4309 Mill Pond Circle<br>Perry, Oh. 44081                |
| Roger A. Hard       | 7686 Puddingstone Dr<br>CHESTERLAND OH 44026             |
| R. E. Christman     | 11475 Sperry Rd<br>CHESTERLAND, Ohio 44026-1625          |
| Charles V. Pike     | 16455 Lucky Bell Lane<br>Chagrin Falls, Ohio 44023       |
| Jerome Ahumbo       | 9034 ALARD CT<br>MENTOR OHIO 44060                       |
| Frank Cottino       | 7450 LEROY THOMPSON RD<br>THOMPSON, OHIO 44086           |
| William F. Kuast    | 5339 E. HEISLEY RD<br>MENTOR OH. 44060                   |
| Eileen Lisco        | <del>PO BOX 445</del><br>PO BOX 445 Gates Mills OH 44040 |
|                     |  |

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| Name (Please print) | Address  |
|---------------------|--|
| Suzanne Pappas      | 9713 Smith Road<br>White Hill OH 44094                 |
| William A. Pappas   | 9713 Smith Rd.<br>White Hill OH 44094                  |
| Robert Schuler      | 7996 Buckthorn Drive<br>Mentor, OH 44060               |
| Barbara Schuler     | 7996 Buckthorn Dr<br>Mentor, OH 44060                  |
| John Hagan          | 10655 Rockwood Dr.<br>Kirtland, OH 44094               |
| Dan & Beth Lederer  | 13491 Woodin Rd<br>Chardon OH 44024                    |
| Cheryl Ann Birch    | 1388 Chapel Rd.<br>P.O. Box 183<br>Jefferson, OH 44047 |
| Beth Lockitski      | 10576 Hemlock Ridge<br>Chardon, Ohio 44024             |
| Stanley Klosinski   | 8593 Columbia Rd<br>Orwell, Ohio 44076                 |
| Jane Stowe          | 424 Washington Blvd<br>Jefferson OH 44047              |
| Jerry Kayser        | 14885 Dunker Rd<br>Burton, OH 44021                    |



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| Name (Please print) | Address   |
|---------------------|---|
| Ken Kovach          | 1360 Chapel Rd Jefferson OH 44042               |
| Christina Delaney   | 9018 Perkins Dr Mentor, OH 44060                |
| Mary Stokes         | 11865 County line <sup>crossed</sup> Gate Mills |
| Jay Rowles          | 12084 Heath Rd CHESTERLAND OH 44026             |
| JANET JODLOWSKI     | 9150 FLORENCE RD KIRTLAND OH 44094              |
| Janet Jodlowski     |   |
| Ralph Chulnick      | 8021 Eagle Rd Kirtland 44094                    |
|                     |   |
|                     |   |
|                     |   |
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| Name (Please print) | Address                                  |
|---------------------|--|
| Thomas M Plot       | 12000 AUBURN RD CLEVELAND OH 44024       |
| MARY BOB Plot       | 12000 AUBURN RD CLEVELAND OH 44024       |
| Ed R. Klap          | 7235 Regal Dr. Conneaut OH 44030         |
| Tom Stober          | 11865 COUNTRY LANE - LAKES MILLS OH      |
| John Ollila         | 7466 Southwood Rd., Mentor, Ohio 44060   |
| RICHARD BASICH      | 1230 DOROTHEA DR., PAINESVILLE OH 44077  |
| John Mobasser       | 6430 Riverside Drive, Novelty, OH, 44072 |
|                     |  |
|                     |  |
|                     |  |
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[illegible]