

1 BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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3
4 In the Matter of the :
5 Application of Aqua Ohio :
6 Incorporated for Authority : Case No.
7 to Increase Rates and : 09-1044-WW-AIR
8 Charges in its Lake Erie :
9 Division. :

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11 PROCEEDINGS

12 Before James M. Lynn and L. Douglas Jennings,
13 Attorneys Examiner, held at the offices of the
14 Public Utilities Commission of Ohio, 180 East
15 Broad Street, Hearing Room 11-A, Columbus, Ohio,
16 on Thursday, July 22, 2010 at 10:00 A.M.

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22 Armstrong & Okey, Inc.
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24 Columbus, Ohio 43215
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APPEARANCES:

Chester Willcox & Saxbe
By Mr. Mark S. Yurick
65 East State Street
Suite 1000
Columbus, Ohio 43215

On behalf of the Applicant.

Mr. John Jones
and
Ms. Sarah Parrott
Assistant Attorneys General
180 East Broad Street
Columbus, Ohio

On behalf of the Staff of the
Public Utilities Commission
of Ohio.

Mr. Gregory J. Poulos
and
Mr. Michael Idzkowski
and
Mr. Kyle Verrett
Assistant Consumers' Counsel
10 West Broad Street
Columbus, Ohio 43215

On behalf of the Office of the
Ohio Consumers' Counsel.

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Thursday Morning,

July 22, 2010.

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ATTORNEY EXAMINER LYNN: The Public Utilities Commission of Ohio has assigned for hearing at this time and place Case No. 09-1044-WW-AIR in the matter of the application of Aqua Ohio Incorporated for authority to increase rates and charges in its Lake Erie Division.

I am Jim Lynn, the Attorney Examiner assigned to hear this case. Actually I have a fellow Attorney Examiner with me assigned to hear this case also, Doug Jennings.

At this time I would like to have the appearances of the parties beginning with Aqua Ohio.

MR. YURICK: On behalf of the Company, Your Honor, Mark S. Yurick with the law firm of Chester Willcox & Saxbe, 65 East State Street, Suite 1000, Columbus, Ohio 43215.

ATTORNEY EXAMINER LYNN: Thank you, Mr. Yurick. And representing the State of Ohio, please, Mr. Jones.

MR. JONES: Yes, Your Honor. On

1 behalf of the Commission's Staff, Ohio Attorney
2 General Richard Cordray, Assistant Attorneys
3 General Sarah Parrot and John Jones, 180 East
4 Broad Street, Columbus, Ohio.

5 ATTORNEY EXAMINER LYNN: Thank you,
6 Mr. Jones. And finally representing the Office
7 of the Ohio Consumers' Counsel.

8 MR. POULOS: Thank you, Your Honor.
9 My name is Gregory J. Poulos, I have with me
10 Michael Idzkowski and Kyle Verrett. We
11 represent Janine Migden-Ostrander with the Ohio
12 Consumers' Counsel. And our office is at 10
13 West Broad Street, Columbus, Ohio.

14 ATTORNEY EXAMINER LYNN: Thank you.
15 As I understand it from information between
16 myself and the parties involved the parties have
17 been working on a settlement of the case, and
18 that more time is needed. And, Mr. Jones, would
19 you like to take the lead and explain that, or
20 whoever is appropriate.

21 MR. JONES: Yes, Your Honor. The
22 parties are exchanging drafts of a stipulation
23 that addresses a global settlement of all
24 the issues in the case. And I believe that the
25 parties are very close to working out all

1 the terms, and hopefully we are going to have a
2 settlement.

3 ATTORNEY EXAMINER LYNN: That
4 sounds great. And my next question is again
5 given what I have been informed of to date that
6 you are interested in a continuance to sometime
7 next week.

8 MR. JONES: That's correct.

9 ATTORNEY EXAMINER LYNN: Have you
10 determined what date that would be?

11 MR. JONES: Yes, Your Honor. We
12 have discussed the date of July 29th which would
13 be a Thursday at 10:00 o'clock.

14 ATTORNEY EXAMINER LYNN: Mr. Jones,
15 would an earlier start like at 9:30 be possible
16 given I have something else I have scheduled
17 that morning? If not, Mr. Jennings could
18 certainly handle it at 10:00. If we could go
19 off the record just a minute, please.

20 (DISCUSSION OFF THE RECORD)

21 ATTORNEY EXAMINER LYNN: All
22 right. The parties have agreed then that the
23 hearing will be continued to July 29th at 9:30,
24 and I will get information out to you about what
25 hearing room that will be in. I know we have

1 some available.

2 Are there any other questions that
3 anyone might have at this time?

4 MR. YURICK: Nothing on behalf of
5 the Company, Your Honor.

6 ATTORNEY EXAMINER LYNN: Mr.
7 Poulos.

8 MR. POULOS: No, Your Honor.

9 ATTORNEY EXAMINER LYNN: Mr. Jones,
10 any further questions?

11 MR. JONES: No, Your Honor.

12 ATTORNEY EXAMINER LYNN: Okay.
13 Thank you. In that case this hearing will be
14 continued on July 29th at 9:30, and we are
15 adjourned until then.

16 (At 10:05 A.M. the hearing was
17 concluded)

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CERTIFICATE

I do hereby certify that the foregoing
is a true and correct transcript of the
proceedings taken by me in this matter on July
22, 2010, and carefully compared with my
original stenographic notes.

Michael O. Spencer,
Registered Professional
Reporter.

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This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 09-1044-WW-AIR

Summary: Transcript Transcript of Aqua Ohio, Inc. hearing held on 07/22/10. electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Spencer, Michael O. Mr.