

FILE

OE EXHIBIT I

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

C. RICHARD SMITH,

Complainant,

v.

OHIO EDISON COMPANY,

Respondent.

Case No. 10-340-EL-CSS

**DIRECT TESTIMONY OF
RICK PADOVAN
ON BEHALF OF
OHIO EDISON COMPANY**

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1 **I. INTRODUCTION**

2 **Q1. Please state your name, occupation and business address.**

3 A1. My name is Rick Padovan. I am employed by Ohio Edison Company ("Ohio Edison") as
4 a Meterman Leader. My business address is 2231 West Market Street, Warren, Ohio
5 44313.

6 **Q2. Please describe your work experience.**

7 A2. I have worked in various meter-related positions at Ohio Edison for the last 37 years. I
8 have held my current position since 2001. Prior to that time, I worked as a meter man in
9 Ohio Edison's meter services department for approximately 20 years. Before that, I
10 worked as a meter reader for seven years. During my time at Ohio Edison, I have worked
11 in every aspect of meter-related operations, including the reading, testing, installation and
12 repair of meters, as well as investigations related to meter tampering.

13 **Q3. What are your job responsibilities as Meterman Leader?**

14 A3. Meterman Leader is essentially a foreman-type position in the meter services department.
15 I oversee nearly every aspect of the day-to-day operations of Ohio Edison's meter
16 services shop in Warren, Ohio. For example, I coordinate the installations of meters for
17 large commercial and industrial customers. I conduct audits on customer accounts to
18 ensure that meters are correctly measuring usage. I am responsible for ordering
19 appropriate amounts of supplies and meters for our shop. I take meter reads when
20 customers move in or move out of locations (*i.e.*, when accounts are opened or closed). I
21 connect and disconnect meters and repair broken meters. I conduct and supervise meter-
22 related investigations, such as investigations of tampering, as well as coordinate meter
23 tests where usage through a meter is challenged by a customer. I also serve as a resource

1 for my colleagues in the meter services department and constantly consult with them
2 regarding the variety of tasks for which we are responsible.

3 **Q4. Do you complete continuing education coursework related to your work at Ohio**
4 **Edison?**

5 A4. Yes. Ohio Edison regularly offers continuing education classes to meter services
6 personnel, and I take as many of those classes as possible. Over the years, for example, I
7 have taken courses in advanced metering, advanced math for metering, basic electricity
8 and classes on how to safely splice electric lines.

9 **Q5. Have you ever removed a meter from a meter base?**

10 A5. Yes. I estimate that I have removed approximately 300 to 400 meters from meter bases
11 each year for the last 30 years.

12 **Q6. Have you ever investigated instances of unauthorized usage at a property served by**
13 **Ohio Edison?**

14 A6. Yes. I encounter unauthorized usage approximately five to ten times per week.

15 **Q7. Have you ever encountered broken meter bases in your work?**

16 A7. Yes. I encounter approximately ten broken meter bases in the field every six months.

17 **Q8. What is a meter seal?**

18 A8. A meter seal is a plastic and metal strip placed over a meter or meter base that indicates
19 when a meter has been removed or tampered with. For example, when service to a
20 property is disconnected, a meter seal may be placed along the outside of a meter base
21 such that in order to open the meter base and access the meter, the meter seal must be
22 broken or cut.

1 **Q9. Have you ever encountered a situation where the seal on a meter or meter base had**
2 **been broken or cut?**

3 A9. Yes. I see broken or cut meter seals nearly every day, and often multiple times per day. I
4 probably see instances of broken or cut meter seals approximately 600 times a year.

5 **Q10. You mentioned that you conduct investigations related to meter reading. Do you**
6 **review meter reading reports?**

7 A10. Yes. I routinely review reports of meter reads at customer locations in order to conduct
8 investigations. A common example is where a customer complains regarding an
9 unusually high bill. In order to investigate such a complaint, I typically will request and
10 review reports of meter reads to determine whether there has been a metering or meter
11 reading problem.

12 **Q11. How are meter reading reports generated?**

13 A11. Meter readers in the field record the readings on meters using electronic devices that are
14 tied to Ohio Edison's billing system. These reads, along with other information such as
15 the identification number associated with the meter, the identity of the meter reader and
16 an indication whether the read was actual or estimated, are automatically uploaded onto
17 Ohio Edison's system.

18 **II. INVESTIGATION OF UNAUTHORIZED USAGE AT 1930 MAHONING**
19 **AVENUE**

20 **Q12. How did you come to be involved in this case?**

21 A12. On January 27, 2009, I received a "Vacant Use On Meter" report from Ohio Edison's
22 billing department, indicating that our meter readers had recorded usage on the meter at
23 1930 Mahoning Avenue in Warren, Ohio, even though active service at that account had

1 been disconnected. A true and accurate copy of a screenshot reflecting this "Vacant Use
2 On Meter" report is attached to my testimony as Ohio Edison Exhibit J.

3 **Q13. What is a "Vacant Use On Meter" report?**

4 A13. A "Vacant Use On Meter" report is automatically generated anytime a meter reader
5 reports usage on a meter associated with a location where there is no active account and
6 where service is supposed to be disconnected.

7 **Q14. What did you do in response to this report?**

8 A14. On January 27, 2009, I traveled to 1930 Mahoning Avenue to begin my investigation. I
9 was generally familiar with this location because I often pass it on my way to and from
10 work. When I arrived, I pulled into the driveway and parked near the meter, which was
11 located at the side of the house closest to the driveway. The meter was located inside a
12 meter base.

13 **Q15. What is a meter base?**

14 A15. For residential service, the meter base is the area where the meter attaches to the house.
15 The meter base is the point where power coming from the pole is pulled through the
16 meter and then distributed into the house. The meter is secured and attached to the meter
17 base by placing the meter in metal "jaws" that extend from the base. Once secured, the
18 meter base actually closes around the meter itself, leaving a hole or opening to allow for
19 the meter to be read without removing it from the meter base. Where meters are enclosed
20 in a meter base like the one here, Ohio Edison personnel read such meters without
21 opening the meter base.

22 Another feature of meter bases is important in this case. Specifically, the power is
23 transferred from the meter through four metal "legs" arranged in a rectangular shape at

1 the rear of the meter base, with the legs separated by approximately 3 to 3.5 inches
2 horizontally and 4 to 5 inches vertically. The four legs plug into the meter, similar to
3 how a plug is placed into a wall socket. Meter base legs are not weight-bearing, and they
4 typically create no resistance when a meter is placed on them or removed from them.
5 The meter base at the 1930 Mahoning Avenue property was a standard 100 amp meter
6 base.

7 **Q16. What did you find when you examined the meter base?**

8 A16. First, I noticed that the meter seal had been cut. In this instance, the meter seal had been
9 applied to the bottom of the meter base. Although I do not specifically recall whether the
10 break in the meter seal was obvious upon an initial visual inspection, it frequently is true
11 that an individual who tampers with a meter and breaks a meter seal will replace the seal
12 so that the break or cut in the seal is threaded close to the meter base, thus obscuring the
13 break or cut. In that instance, it often is necessary to pull on the meter seal in order to
14 discover that the seal has been cut.

15 **Q17. What is the significance of the broken meter seal in your investigation?**

16 A17. The broken meter seal indicated that someone had tampered with the meter at the 1930
17 Mahoning Avenue property.

18 **Q18. What did you do next?**

19 A18. I opened up the meter base and made a visual inspection of the meter and portion of the
20 meter base behind the meter. I noted that the meter was turning.

21 **Q19. You mentioned that you noticed that the meter at 1930 Mahoning Avenue was**
22 **turning. Did you see any evidence of power usage inside the house?**

1 A19. No. I did not notice any lights on inside the house. It also did not appear that anyone
2 else was present at the property while I was there.

3 **Q20. What did you do next?**

4 A20. Because the meter had been tampered with, I removed it from the meter base. As I pulled
5 the meter away from the meter base, I noticed that one of the legs was broken.

6 **Q21. Did the meter base break as you were removing the meter?**

7 A21. No. I believe the meter base leg was broken before I arrived at the property that day, for
8 several reasons. First, as I was removing the meter, I did not notice any "snapping"-type
9 sounds that might indicate that the leg had broken as I removed the meter. Rather, the leg
10 seemed to flop down, as if it was already broken. Moreover, as is usually the case, I did
11 not feel any resistance from the legs as I was removing the meter. The process of
12 removing a meter from the legs does not put stress on the legs. For this reason, it is very
13 unusual to break a leg on a meter base when removing a meter. In fact, I have never
14 experienced any instance in which a meter base leg broke as a result of removal of a
15 meter.

16 **Q22. Would it be possible to notice that the meter base leg at 1930 Mahoning Avenue was**
17 **broken without opening the meter base?**

18 A22. No. The closed meter base (as well as the presence of the meter) would have made it
19 impossible to notice that the meter base leg was broken. The only way to tell that the
20 meter base was broken would have been to open the meter base and remove the meter.

21 **Q23. What did you do next?**

22 A23. After I removed the meter, I put the meter on my truck and put a plastic cover over the
23 socket. At that time, the line coming into the meter base area from the pole was

1 energized, so I called an Ohio Edison line crew to disconnect service at the pole. After I
2 described to the dispatcher the work I had performed at that location, I left the site. True
3 and accurate copies of the meter work notifications and a work request notification
4 reflecting my work at the property are attached collectively as Ohio Edison Exhibit K.

5 **Q24. Have you reviewed the meter reading records for 1930 Mahoning Avenue?**

6 A24. Yes. Those records indicate that in April 2005, a service account for Joseph Page was
7 finaled and closed, and a final meter reading of 64169 was taken. A true and accurate
8 copy of a system screenshot reflecting the final read taken on April 14, 2005 is attached
9 to my testimony as Ohio Edison Exhibit L. For this reason, the meter seal that had been
10 placed over the meter base (and was found to be cut) was yellow, indicating that the
11 meter was sealed pursuant to a disconnection at the request of a customer.

12 **Q25. When was the next time Ohio Edison recorded usage at 1930 Mahoning Avenue**
13 **through the meter?**

14 A25. Meter reading records for the months after April 2005 indicate that there was no usage
15 through the meter at 1930 Mahoning Avenue until October 2008. A true and accurate
16 copy of the meter reads for 1930 Mahoning Avenue from January 7, 2008 through
17 January 27, 2009 is attached to my testimony as Ohio Edison Exhibit M. As these
18 records show, there was no change in the meter read from the April 2005 read until
19 October 2008.¹ Specifically, the meter reflected 20 kilowatt hours ("kWh") of usage in
20 the month prior to October 6, 2008, and the meter read was the same for the period
21 ending November 3, 2008. The meter registered 192 kWh for the month ending on

¹ The meter reads from January 2008 through September 2008 were 64,170. The single kilowatt hour ("kWh") difference between these reads and the April 2005 read almost certainly arises from a slight difference in rounding by the meter readers in interpreting the dials on the meter, not from actual usage.

December 5, 2008, 145 kWh for the month ending January 6, 2009, and 129 kWh between January 6 and January 27, 2009, which is when I removed the meter.

Q26. You mentioned that you did not break the leg on the meter base. Could the meter have functioned with a broken meter base?

A26. Yes, and in this case, it did function. So long as the leg on the meter base continued to make contact with the meter (which obviously was the case here, given that the meter was recording usage in the months prior to removal), the meter would function and power would be supplied to the property even though the leg was broken.

Q27. How do you believe the leg on the meter base was broken?

A27. As I mentioned above, because the meter seal was cut, I believe that someone tampered with the meter at 1930 Mahoning Avenue. A common tampering technique involves removing the meter and placing small metal objects, such as nails, paper clips or copper pipe between the legs on the meter base. This creates an alternate path for the electricity between the pole and the house. Consequently, even when the meter is placed back on the meter base, it will not record usage because the power is no longer flowing through the meter in order to reach the house.

In this scenario, because of these new obstructions placed in the meter base, there is less space left for the meter itself. Thus, it likely would be necessary to force the meter onto the legs of the meter base in order to get the meter to stay in position so that the meter base enclosure can be placed back over it. In fact, it is common for tamperers to resort to hammering the meter back into place to accomplish this.

Consistent with this common tampering scenario, I believe that the meter base was

1 broken when someone hammered or otherwise forced the meter onto the meter base in
2 connection with the tampering.

3 **Q28. Is it possible that a meter reader could have not noticed the broken meter seal and**
4 **broken meter base while taking reads at 1930 Mahoning Avenue?**

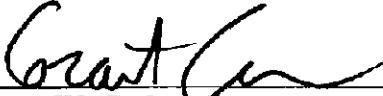
5 A28. Yes. As I described above, it is common for tamperers to replace a broken meter seal in a
6 way that obscures the break or cut in the seal. In this instance, because the meter seal
7 was located at the bottom of the meter base, it is very possible that a meter reader would
8 not have noticed the broken seal. This is especially true since until October 2008, there
9 was no usage on the meter, and thus no reason for the meter reader to suspect tampering.
10 Further, it would have been nearly impossible for a meter reader to discover the broken
11 meter base. Because meter readers do not open the meter base to take reads, they would
12 have no opportunity to see inside the meter base (much less see behind the meter) to find
13 the broken meter base legs.

14 **Q29. Does this conclude your testimony?**

15 A29. Yes.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent by first class mail, postage prepaid,
and email to the following person on this 16th day of February, 2011:



Grant W. Garber
Attorney for Respondent Ohio Edison Company

Bruce M. Broyles
Bruce M. Broyles, Co.
164 Griswold Drive
Boardman, Ohio 44512
brucebroyles@yahoo.com

OE Exhibit J

[illegible]

OE Exhibit K

METER WORK NOTIFICATION

Notification	54578698	Type	MRRE
Notification Desc		Employee issuing	ZEDBTCH
Date/Time Created	01/27/2009 19:15:10	Appoint. Date	01/27/2009
Main Work Center	OE Meter - Warren	Code	OEMWA
Printed Date/Time	02/08/2011 / 10:29:30	SAP Skill Level	03
Contract Acct No	110013939837	Rate Category	OE-RS10AF
BP Name	JOSEPH C PAGE	Home Ph No	(330)469-8369
		Alt. Ph No.	
Service Location	1930 MAHONING AVE NW WARREN OH 44483		
Location Information			
Special Instructions			
Reg Str	WARREN	Work Request #	
MRU-Seq	E058112-N/A	Crew Code	
Access info		Zone ID	WA044483
Connection Type		Political Reg Str.	00006072
Device category code	4300	Transformer Pole	
Dev. Cat. Desc.	1PH 3W FM2S 240V CL200;NO KYZ	Reg. Type	
Heating Source	NH	Classification system	
Voltage Level description	29	Register Full Scale KW	
Existing Meter No	786576399 1 Phase	Meter Location	Outside Right
Reading Instructions:			

Dials	Reg.		Prev.		Current
5.0	Type	Constants	Index	Date	Index
	KWH	1.00000	64,556.0000	01/27/2009	

Replacement Meter No.	Mfg	Dials	Const	Meter Class	Meter Owner	Meter Location	Read Inst	Index

Remarks
S: meter removed

Completed date _____ Completed time _____ Comp. Code _____
 Employee No. _____
 Complete in: PRO(010)

* -----
* * 01/27/2009 19:15:23 ZEDBTCH (ZEDBTCH)
* RECTYPE A
* NOTIFNUM 000054578698
* NEWDEVICE 000000000000000000
* OLDDEVICE 000000000786576399
* EMPLOYEE 10090
* WORKTYPE MRRE
* OLDREGISTERNUM1 001
* OLDREADING1 00064556
* READINST1_CHG N
* READINST2_CHG N
* METERLOCCODE 12
* MTR_LOC_CD_CHG Y
* ACTSTARTDATE 20090127
* ACTSTARTTIME 090007
* ACTENDDATE 20090127
* ACTENDTIME 090028
* STATUSCODE 0000 Comp Work Request
* CONNOBJ 100000932759
* SERV_VOLT 02
* SERV_VOLT_CHG Y
* DEV_LOC_ADD_CHG N
* HAZ_CD_CHG N
* ERT_NUMBER 0111111111
* ERT_NUMBER_CHG N
* THRLM_CAP_CHG N
* KE_VALUE_CHG N
* INTERVALS_PER_HOUR_CHG N
* LATITUDE 41.2537413
* LATITUDE_CHG Y
* LONGITUDE -80.830343
* LONGITUDE_CHG Y
* XCHG_RMV_RSN 01
* SUPERVISOR CERNY, WILLIA
* SUPR_APPRV DATE
* METERED_VOLTS_CHG N
* PRIMARY_VOLTS_CHG N
* SECONDARY_VOLTS_CHG N
* PRI_SEC_IND_CHG N
* FREE_FORM_INSTR_CHG N
* PREVIOUS_SERVICE_VOLTAGE_CODE ; SERVICE_VOLTAGE_CODE 02
* COMMENTS:
* REMARKS:
01/28/2009 09:08:37 M. Munnell (18442) Phone (724)656-5400 862-5400
meter removed

METER WORK NOTIFICATION

Notification 54573315
Notification Desc VUOM Vacant - Use On Meter
Type VUOM
Employee Issuing 48921
Date/Time Created 01/23/2009 15:55:54
Appoint. Date 01/26/2009
Main Work Center OE Meter - Warren
Code OEMWA
Printed Date/Time 02/08/2011 / 10:29:03
SAP Skill Level 03

Contract Acct No
BP Name JOSEPH C PAGE
Rate Category OE-RS10AF
Home Ph No (330)469-8369
Alt. Ph No.
Service Location 1930 MAHONING AVE NW
 WARREN OH 44483
Location Information
Special Instructions

Reg Str WARREN
Work Request #
MRU-Seq E058112-N/A
Crew Code
Access Info
Zone ID WA044483
Connection Type 0011
Political Reg Str. 00006072
Device category code 4300
Transformer Pole
Dev. Cat. Desc. 1PH 3W FM2S 240V CL200;NO KYZ
Reg. Type
Heating Source NH
Classification system
Voltage Level description 29
Register Full Scale KW

Existing Meter No 786576399 1 Phase
Meter Location Outside Right
Reading Instructions:

Dials	Reg. Type	Constants	Prev. Index	Date	Current Index
5.0	KWH	1.00000	64,556.0000	01/27/2009	

Replacement Meter No.	Mfg	Dials	Const	Meter Class	Meter Owner	Meter Location	Read Inst	Index

Remarks

S:YELLOW SEAL CUT AND METER TURNED ON WHEN I WENT TO REBLOCK I* * POUND I LINE SIDE
 BLOCK BROKE REMD MTR AND COVERED please check for blocked meter. post marked vacant
 YELLOW SEAL CUT AND METER TURNED ON WHEN I WENT TO REBLOCK POUND I
 LINE SIDE BLOCK BROKE REMD MTR AND COVERED

Completed date _____ Completed time _____ Comp. Code _____
 Employee No. _____
 Complete in: PRO(010)

```

* -----
* * 01/27/2009 19:15:09 ZEDBTCH (ZEDBTCH)
* RECTYPE A
* NOTIFNUM 000054573315
* NEWDEVICE 000000000000000000
* OLDDEVICE 000000000786576399
* EMPLOYEE 10090
* WORKTYPE VUOM
* OLDREGISTERNUM1 001
* OLDREADING1 00064556
* READINST1_CHG N
* READINST2_CHG N
* MTR_LOC_CD_CHG N
* ACTSTARTDATE 20090127
* ACTSTARTTIME 085530
* ACTENDDATE 20090127
* ACTENDTIME 085700
* STATUSCODE 0009 Comp Work Request w/Exception
* CONNOBJ 100000932759
* SERV_VOLT 02
* SERV_VOLT_CHG Y
* DEV_LOC_ADD_CHG N
* HAZ_CD_CHG N
* ERT_NUMBER 0111111111
* ERT_NUMBER_CHG N
* THRL CAP_CHG N
* KE_VALUE_CHG N
* INTERVALS_PER_HOUR_CHG N
* LATITUDE 41.2537413
* LATITUDE_CHG Y
* LONGITUDE -80.830343
* LONGITUDE_CHG Y
* SUPERVISOR CERNY, WILLIA
* SUPR_APPRV_DATE
* METERED_VOLTS_CHG N
* PRIMARY_VOLTS_CHG N
* SECONDARY_VOLTS_CHG N
* PRI_SEC_IND_CHG N
* FREE_FORM_INSTR_CHG N
* ORIG_SERV_VOLT 29
* PREVIOUS_SERVICE_VOLTAGE_CODE 29 ; SERVICE_VOLTAGE_CODE 02
* COMMENTS:YELLOW SEAL CUT AND METER TURNED ON WHEN I WENT TO REBLOCK
I
* FOUND I LINE SIDE BLOCK BROKE REMD MTR AND COVERED
* REMARKS:
please check for blocked meter. post marked vacant
02/02/2009 09:29:47 M. Clough (17849) Phone (440)717-6829 824-6829
YELLOW SEAL CUT AND METER TURNED ON WHEN I WENT TO REBLOCK FOUND I
LINE SIDE BLOCK BROKE REMD MTR AND COVERED

```

[illegible]

OE Exhibit L

READING1 0064169.

READTYPECODE 01

AFS00RGID 033

TRANSFORMERPOLE

READING1

REFERRALCODE

STARTDATE 20050414

STARTTIME 113727

ENDDATE 20050414

ENDTIME 113732

OE Exhibit M

Device	MR date	RR	MA	MT	RS	KWH TOTAL
786576399	01/27/2009	22	X	01	4	64,556
786576399	01/06/2009	01	X	14	4	64,427
786576399	12/05/2008	01	X	14	4	64,282
786576399	11/03/2008	01	X	01	1	64,190
786576399	10/06/2008	01	X	14	1	64,190
786576399	09/05/2008	01	X	01	1	64,170
786576399	08/04/2008	01	X	13	4	64,170
786576399	07/03/2008	01	X	01	1	64,170
786576399	06/04/2008	01	X	14	1	64,170
786576399	05/05/2008	01	X	14	1	64,170
786576399	04/04/2008	01	X	14	1	64,170
786576399	03/05/2008	01	X	14	1	64,170
786576399	02/01/2008	01	X	01	1	64,170
786576399	01/07/2008	01	X	14	1	64,170