

# Large Filing Separator Sheet

Case Number: 10-176-EL-ATA

File Date: 3/9/11

Section: 1 of 3

Number of Pages: 156

Description of Document: Exhibits for Transcript  
Volume IV

FILE

PUCO EXHIBIT FILING

Date of Hearing: 2/23/11

Case No. 10-176-EL-ATA

PUCO Case Caption: Ohio Edison Company, The  
Cleveland Electric Illuminating Company and  
The Toledo Edison Company

List of exhibits being filed:

Company 3 - 44, 64, 64 A, B, C

PUCO

2011 MAR -9 AM 11:41

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Date Submitted: 2/24/11

## 1           BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

2                               - - -

3       In the Matter of the               :  
4       Application of Ohio Edison:  
5       Company, The Cleveland           :  
6       Electric Illuminating           :  
7       Company, and The Toledo       :   Case No. 10-176-EL-ATA  
8       Edison Company for               :  
9       Approval of a New Rider       :  
10      and Revision of an               :  
11      Existing Rider.                   :

12                               - - -

## 13                               PROCEEDINGS

14      before Mr. Gregory Price and Ms. Mandy Willey,  
15      Attorney Examiners, at the Public Utilities  
16      Commission of Ohio, 180 East Broad Street, Room 11-A,  
17      Columbus, Ohio, called at 10 a.m. on Wednesday,  
18      February 23, 2011.

19                               - - -

## 20                               VOLUME IV

21                               - - -

22                               ARMSTRONG & OKEY, INC.  
23                               222 East Town Street, Second Floor  
24                               Columbus, Ohio 43215-5201  
25                               (614) 224-9481 - (800) 223-9481  
                              Fax - (614) 224-5724

- - -

Case Number 10-176. EL-ATA

**The following exhibit(s) were prefiled and can be located with the pleadings:**

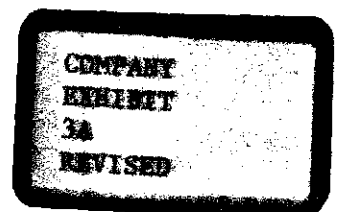
## Exhibits

**Date Filed**

Company Exhibit #64  
Rebuttal Testimony of  
Charles R. Ritley

Feb. 22, 2011

**SUSAN STEIGERWALD EXCERPTS  
DEPOSITION OF JANUARY 21, 2011  
VOLUME I**



**STEIGERWALD EXCERPTS**

**VOLUME I**

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1 SUSAN STEIGERWALD, of lawful age, called  
2 for examination, as provided by the Ohio Rules  
3 of Civil Procedure, being by me first duly  
4 sworn, as hereinafter certified, deposed and  
5 said as follows:

6 EXAMINATION OF SUSAN STEIGERWALD

7 BY MR. KUTIK:

8 Q. What is your name?

9 A. Susan Steigerwald.

10 Q. Could you spell that for the court 09:11:38  
11 reporter, please?

12 A. S U S A N, S T E I G E R W A L D.

13 Q. Where do you live?

14 A. 10731 Beechwood Drive, Kirtland,  
15 Ohio 44094. 09:11:50

16 Q. Is your husband's name Wilbert?

17 A. Yes.

18 Q. Is the size of your home  
19 approximately 2,800 square feet?

20 A. Yes. 09:11:59

21 Q. Is it four bedrooms?

22 A. Yes.

23 Q. Do you heat your home with  
24 electricity?

25 A. Yes. 09:12:08



1 Q. What type of electric heating  
2 system do you have in your home?

3 A. Baseboard.

4 Q. Is it correct that you purchased  
5 your home from your in-laws?

09:12:15

6 A. Correct.

7 Q. In 1988?

8 A. Yes.

9 Q. For \$85,000?

10 A. Yes.

09:12:28

11 Q. Have you installed any electric  
12 heating systems in your home since you've  
13 purchased it?

14 A. No.

15 Q. Your in-laws converted the home to  
16 electric heat from oil, correct?

09:12:37

17 A. Yes.

18 Q. Did your in-laws provide you with  
19 any materials that they received from -- well,  
20 I'll back up.

09:13:03

21 Is your electric company CEI?

22 A. Yes.

23 Q. Did your in-laws provide you any  
24 materials that they had received from CEI?

25 A. No.

09:13:13

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22 Q. Are you a college graduate?

23 A. Yes.

24 Q. Where did you go to college?

25 A. Lakeland College and Notre Dame

09:16:58

1 College.

2 Q. Do you have a degree?

3 A. Yes.

4 Q. From which college?

5 A. Both.

09:17:07

6 Q. What was your degree from Lakeland?

7 A. Computer programming.

8 Q. Was that a bachelor's?

9 A. Associate.

10 Q. And what was your degree from Notre

09:17:15

11 Dame College?

12 A. Information systems management.

14 Q. You had that job through your  
15 graduation at Notre Dame?

09:18:24

16 A. Um-hum.

17 Q. Is that yes?

18 A. Yes.

19 Q. What did you do next in terms of  
20 employment?

09:18:30

21 A. My next job was working at Ohio  
22 Savings Bank.

23 Q. What do you do at Ohio Savings?

24 A. I was there my entire business  
25 career and started in -- I was hired in as a

09:18:40

1 programmer 2 in the IT department and -- I  
2 mean, do you want all of my job titles there?

3 Q. Yes.

4 A. I spent six years in the IT  
5 department. I was promoted to programmer 3,  
6 programmer analyst, senior programmer analyst.

09:18:58

7 Then I moved over to the business  
8 side and was a senior project manager. And  
9 when I left I was a vice-president senior  
10 project manager.

09:19:14

11 Q. How long did you work for Ohio  
12 Savings?

13 A. Twelve years.

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7

Q. So all of your work for Ohio

8

Savings was IT-related?

9

A. Yes.

21           Q.     We said that -- earlier that you  
22     bought your house -- or you and your husband  
23     bought your house for \$85,000, correct?

24           A.     Yes.

25           Q.     Have you attempted to value your

09:22:07

1 house since you purchased it?

2 A. Could you explain the question?

3 Q. Okay. Well, do you know what the  
4 value of your house is now?

5 A. Approximately -- according to what 09:22:21  
6 is on the property tax evaluation.

7 Q. What is that?

8 A. I believe last time I looked it was  
9 roughly \$200,000.

10 Q. So is it your current belief that 09:22:33  
11 your house is worth \$200,000?

12 A. No.

13 Q. Do you have any basis to believe  
14 your house is worth something other than  
15 \$200,000? 09:22:44

16 A. No factual basis, no.

17 Q. In other words, the only value that  
18 you've seen on your house or the most current  
19 value that you've seen on your house is from  
20 your tax assessment; fair to say? 09:23:01

21 A. Yes.



8 Q. Have you ever attempted to sell  
9 your house?

10 A. No. 09:24:32

11 Q. Have you consulted with a realtor  
12 at any time to get a value of your house?

13 A. No.

14 Q. Prior to 2007, did you have any  
15 dealings with CEI regarding rates? 09:24:59

16 A. No.

17 Q. Did your husband?

18 A. No.

19 Q. Did you or your husband receive any  
20 written guarantees about rates? 09:25:10

21 A. No.

22 Q. Did you and your husband receive  
23 any verbal guarantees about rates?

24 A. I do not recall.

25 Q. When was your first awareness that 09:25:25

Page 20

1 there was a problem with your electric bill?

2 A. January of 2010.

3 Q. And what happened?

4 A. My bill appeared to be higher than  
5 normal.

09:25:41

6 Q. What do you mean by that?

7 A. It was considerably higher dollar  
8 amount for the kilowatts that I used and what I  
9 expected.

10 Q. Are you the bill payer in the  
11 house?

09:25:57

12 A. Yes.

13 Q. So once you saw that the bill was  
14 higher than you expected, what did you do?

15 A. The next day I called the  
16 Illuminating Company and asked why.

09:26:08

17 Q. Did you get the name of whoever you  
18 talked to?

19 A. No.

20 Q. What did you tell them or what did  
21 you ask them?

09:26:19

22 A. I said, My bill is 100 some dollars  
23 higher than it should be. Can you explain why?

24 Q. And do you recall what the  
25 explanation was?

09:26:32

1 A. Um-hum.

2 Q. Is that yes?

3 A. Yes.

4 Q. What was the explanation?

5 A. The explanation included things 09:26:37

6 such as, Well, you realize the all-electric  
7 rate is no longer available. And when I asked  
8 regarding that, they also -- I said, Could that  
9 possibly have made my bill go up this much?

10 And the response that I got back was, Yes. 09:26:55

11 And I further questioned what  
12 justification was there for raising a bill 60,  
13 70 percent, and from what I recall the CSR said  
14 something along the lines of, They hadn't  
15 raised their distribution rates in X number of 09:27:12  
16 years.

17 So I realized I wasn't going to get  
18 anywhere with that particular call and left it  
19 at that.

20 Q. Was anything that that person said 09:27:25  
21 to you untrue?

22 A. No.

23 Q. What did you do next?

24 A. I called numerous people. I  
25 started searching the internet for information 09:27:39

1 regarding these high rates.

2 Q. Who did you call?

3 A. Who did I call?

4 Q. Yes.

5 A. I called the consumers' counsel. I 09:27:52

6 mostly contacted people via e-mail.

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Q. You said you called the OCC. Do  
you know who you spoke to at OCC?

09:28:56

A. No.

Q. Can you recall the conversation  
that you had with OCC?

A. No.

Q. So the call you had with OCC wasn't  
memorable as far as you were concerned?

09:29:07

A. Correct.

Q. You said you sent out e-mails. Who  
did you send e-mails out to?

A. Many different entities.

09:29:18

Q. Can you tell me who?

A. I pretty much sent an e-mail to any  
government entity I could find. I sent them  
out to -- starting with Kirtland, to the  
Kirtland mayor. I sent them out to Lake County

09:29:29

1 commissioners. I sent them to the OCC, the  
2 PUCO, state senators -- my state senator, my  
3 state representative, my federal  
4 representative, my federal senator.

5 I can't remember if I immediately 09:29:57  
6 sent to the media, but I know I sent e-mails to  
7 The Plain Dealer and News-Herald as well.

8 Q. Who is your state senator?

9 A. My state senator is Grendell.

16 Q. Did you get a response from OCC?

17 A. Yes.

18 Q. What was the response from OCC?

19 A. The response was from a Brian

20 Bayless, and it was a response regarding -- I 09:31:51

21 believe he said that the rates were --

22 something along the lines of the state -- that

23 the state had changed its laws, and, therefore,

24 it would be unlikely that the all-electric

25 rates would be reinstated. 09:32:10

1 Q. Did you respond to Mr. Bayless?

2 A. I did.

3 Q. What'd you say?

4 A. I told him I didn't care that the

5 state had changed its laws, that it seemed

09:32:23

6 unrealistic that people's rates could go up 60

7 percent. And I told him it was an

8 unsatisfactory answer.

9 Q. Did he respond to you?

10 A. I don't believe he responded back

09:32:40

11 at that time.



9 Q. Did you and Mr. Grendell ever talk  
10 about things that he could do to "put pressure" 09:39:09  
11 on the PUCO?

12 A. Not that I recall.

13 Q. Did you ever mention to him that  
14 you wanted to help -- have him help you put  
15 pressure on the PUCO? 09:39:28

16 A. Sure. Yes.

17 Q. And you've used words like that, to  
18 put pressure, on the PUCO?

19 A. Yes.

20 Q. You were looking for Mr. Grendell 09:39:36  
21 to help you put pressure on the PUCO?

22 A. Yes.

23 Q. Did you view the filing of the  
24 lawsuit as something that you could use to put  
25 pressure on the PUCO? 09:39:45

1           A.     At the time I didn't know. That  
2     was the first thing that happened. So, no, I  
3     would say no.

4           Q.     Okay. Do you believe that the  
5     lawsuit could be used to put pressure on the     09:39:52  
6     PUCO?

7           A.     Yes.

8           Q.     How?

9           A.     Just as another avenue to --  
10    another avenue to publicize the issue and --     09:40:03  
11    primarily that's the issue.

12          Q.     Okay. So that the lawsuit, in your  
13    view, could put pressure on the PUCO by keeping  
14    the issue in the media?

15          A.     Yes.     09:40:22

16          Q.     And using the lawsuit and using  
17    media attention to the lawsuit to help put  
18    pressure on the PUCO?

19          A.     Yes.

20          Q.     You're familiar with a group called     09:40:31  
21    CKAP?

22          A.     Yes.

23          Q.     What's CKAP?

24          A.     Citizens for Keeping the  
25    All-Electric Promise.     09:40:52

1 Q. Did you create CKAP?

2 A. Yes.

3 Q. Are you the leader of CKAP?

4 A. Yes.

5 Q. Are there other leaders of CKAP? 09:40:58

6 A. Yes.

7 Q. Who are the other leaders of CKAP?

8 A. There are many different leaders.

9 Q. Tell me the leaders that you  
10 believe there are. 09:41:09

11 A. Currently?

12 Q. Yes.

13 A. Myself, Rich Jordan, Kevin  
14 Corcoran, Connie Kline.

12 Q. Okay. Is there any way you can  
13 describe how the organization is organized?

14 A. There are members and leaders.

15 Q. And who decides who's a leader?

09:43:05

16 A. Who decides who's a leader? I  
17 suppose that would be me.

15           Q.     So is it your testimony that there           09:44:25  
16     was a need to have people organize together to  
17     deal with CEI's or the FirstEnergy operating  
18     company's rates -- all-electric rates, and so  
19     you had the idea to form it, and you said, I'm  
20     going to form this group, do you want to join;       09:44:41  
21     is that basically how it worked?

22           A.     We formed the group around a common  
23     cause to fight the all-electric rate  
24     reinstatement, yet.

25           Q.     And when you say we, who's we?           09:44:54

1           A.     Myself, and at the time Rich Jordan  
2     was the other primary person.

24 Q. Was Joan Heginbotham ever a leader?

25 A. At different times, yes.

09:46:50

7 Q. How does one become a member of  
8 CKAP?

9 A. They send me an e-mail and tell me  
10 that they would like to become a member. 09:50:58

11 Q. Okay. So, basically, that's all  
12 anybody has to do, I want to be a member of  
13 CKAP, and they become a member?

14 A. Correct.

15 Q. So, for example, I could be a 09:51:08  
16 member of CKAP?

17 A. If you told me you wanted to be,  
18 sure.



1 Q. So they have to tell you that  
2 they're an all-electric customer?

3 A. Do they have to tell me?

4 Q. Yes.

5 A. No.

09:51:38

6 Q. So someone could conceivably just  
7 say, I want to be a member, and they wouldn't  
8 necessarily be an all-electric homeowner?

9 A. Correct.

10 Q. They wouldn't necessarily be even a 09:51:48  
11 customer of one of the FirstEnergy utility  
12 companies, correct?

13 A. Yes.

10 Q. Are there members of the media that 10:16:55  
11 are members of CKAP?  
12 A. A few.  
13 Q. Okay. Can you tell me who they  
14 are?  
15 A. Matt Westerhold. 10:17:06  
16 Q. Anybody else?  
17 A. Dee Riley.  
18 Q. Anyone else?  
19 A. Joe Koziol.  
20 Q. How do you spell that name? 10:17:22  
21 A. K O Z I O L.  
22 Q. Anyone else?  
23 A. Not that I recall.  
24 Q. Mr. Westerhold works for who?  
25 A. Sandusky Register. 10:17:40

1 Q. Ms. Riley?

2 A. Some local Ashtabula paper.

3 Q. Mr. Koziol?

4 A. Geauga Courier.

5 Q. So those are all the members of the 10:18:01

6 media that are CKAP members that you're aware

7 of?

8 A. Correct. And also all-electric

9 homeowners.

14 (Thereupon, Deposition Exhibit  
15 Steigerwald 4, Political E-mails  
16 Marked Pages 27 and 28, was marked  
17 for purposes of identification.)

18 - - - - -

19 Q. Ms. Steigerwald, the court reporter  
20 has handed you a document. It's two pages. At 10:23:13  
21 the bottom of the page are page 27 and page 28.

22 Do you see that?

23 A. Yes.

24 Q. Do you recognize this?

25 A. Not yet I don't. I don't recognize 10:23:24

1 the top section at all.

2 Q. Well, do you recognize your name  
3 about three-quarters of the way down?

4 A. I do.

5 Q. Does that look like you had 10:24:08  
6 received an e-mail or a copy of an e-mail from  
7 Tom Logan?

8 A. Yes.

9 Q. And this is a copy of an e-mail  
10 that Tom Logan had sent to a Senator Widener? 10:24:22

11 A. Yes.

12 Q. I assume when you got this e-mail  
13 you read it?

14 A. I assume I did.

15 Q. Okay. And so you were familiar 10:24:37  
16 with the fact that Mr. Widener had an issue  
17 with Ohio Edison about his business, correct?

18 A. Mr. Widener is a senator.

19 Q. Excuse me; Mr. Logan had an issue  
20 about his business, correct? 10:25:00

21 A. Yes.

22 Q. And he felt that he had reached an  
23 oral agreement with Ohio Edison to change his  
24 rate and Ohio Edison had reneged on that,  
25 correct? 10:25:10

1 A. To change his rate?

2 Q. Is that correct?

3 A. I would -- I would like time to  
4 read the e-mail, please.

5 MR. CORCORAN: Are you asking 10:25:44  
6 her --

7 MR. KUTIK: Well, I'm asking what I  
8 asked her, and don't coach her, please. If you  
9 have an objection, make an objection.  
10 Otherwise -- 10:25:52

11 MR. CORCORAN: Could I hear the  
12 question again, then, please?

13 (Record read.)

14 MR. CORCORAN: Objection.

15 A. I've read the e-mail. Could you 10:27:21  
16 restate the question, please?

17 Q. Are you aware that Mr. Logan had an  
18 issue with Ohio Edison where he claimed that he  
19 had reached an oral agreement with Ohio Edison  
20 to change the rate on his business, and that 10:27:33  
21 Ohio Edison had reneged on that agreement,  
22 correct?

23 A. I'm aware of what --

24 MR. CORCORAN: Objection.

25 Q. Go ahead. 10:27:43

1           A.     I'm aware of what Mr. Logan had  
2     said in this e-mail.

3           Q.     So you were aware that Mr. Logan  
4     had a disagreement with Ohio Edison about  
5     changing his rate where he said that he had           10:27:54  
6     reached an oral agreement to change the rate  
7     for his business and Ohio Edison had reneged on  
8     that, correct?

9           MR. CORCORAN:  Objection.

10          Q.     You can answer, ma'am.  Ma'am, the           10:28:07  
11     rules of the deposition are -- since there's no  
12     judge here, you have to go ahead and answer,  
13     unless he instructs you not to answer, okay?

14          A.     Um-hum.

15          Q.     So go ahead and answer my question           10:28:22  
16     now, please.

17          A.     I'm aware of the material that Mr.  
18     Logan wrote in this e-mail, yes.

19          Q.     Okay.  So you were aware that he  
20     had a bone to pick with Ohio Edison, correct?           10:28:32

21          MR. CORCORAN:  Objection.

22          A.     No, I was not aware he had a bone  
23     to pick.

24          Q.     Okay.  Well, you had read that  
25     e-mail, correct?           10:28:42

1 A. Yes.

2 Q. At some point?

3 A. Yes.

4 Q. All right. So based upon that

5 e-mail, you were aware that he had a bone to 10:28:46

6 pick with Ohio Edison, correct?

7 MR. CORCORAN: Objection.

8 A. No.

9 Q. You don't think that he had a bone  
10 to pick with Ohio Edison based on that e-mail? 10:28:52

11 MR. CORCORAN: Objection.

12 A. I don't know what he had. I am  
13 aware of just the words he wrote in the e-mail.

14 Q. And so you're aware he had a  
15 dispute with Ohio Edison? 10:29:02

16 A. I'm aware of the words he wrote in  
17 the e-mail.

18 Q. Okay. So you are aware of the  
19 facts that are in there, correct, since you  
20 read them? 10:29:12

21 A. I'm aware of the words he wrote in  
22 the e-mail, yes.

23 Q. And you're aware then that he had a  
24 dispute with Ohio Edison, correct?

25 A. I'm aware of the words in the 10:29:20



1 e-mail.

2 Q. Okay. Well, why do you keep saying  
3 that, ma'am? Are you aware of the substance of  
4 what's in the e-mail, that is, that he had a  
5 dispute with Ohio Edison?

10:29:28

6 A. I'm aware of the words in the  
7 e-mail.

8 Q. Why do you keep saying that, ma'am?

9 A. Because that's what I'm aware of.

10 Q. All right. Are you not aware that  
11 he had a dispute with Ohio Edison?

10:29:37

12 A. No.

13 Q. Are you saying you read the e-mail,  
14 but you're not aware that he had a dispute with  
15 Ohio Edison --

10:29:45

16 A. I'm aware --

17 Q. -- is that your testimony?

18 A. -- of what he said in the e-mail.

19 Q. Okay. And in the e-mail did he say  
20 he had a dispute with Ohio Edison?

10:29:49

21 A. I believe he did, yes.

22 Q. All right. So then are you aware  
23 that, according to Mr. Logan, he had a dispute  
24 with Ohio Edison?

25 A. I'm aware of what he said in the

10:29:58

1 e-mail, yes.

2 Q. All right. And what he said in the  
3 e-mail was he had a dispute with Ohio Edison,  
4 correct?

5 A. Yes.

10:30:04

6 Q. So then are you aware, based upon  
7 his e-mail, that he had a dispute with Ohio  
8 Edison?

9 A. Yes.

10 Q. So then you're aware that he had a  
11 dispute with Ohio Edison, correct?

10:30:10

12 A. Yes.

13 Q. All right. Did you think that Mr.  
14 Logan was being less than truthful with Senator  
15 Widener?

10:30:25

16 MR. CORCORAN: Objection.

17 A. No.

18 Q. Do you have any reason to believe  
19 that the story that Mr. Logan tells in the  
20 e-mail is untrue?

10:30:32

21 MR. CORCORAN: Objection.

22 A. No.

9 Q. CKAP has a website?

10 A. Yes. 10:31:37

11 Q. And were you the designer of that  
12 website?

13 A. Yes.

14 Q. Are you the person who maintains  
15 the content on the website? 10:31:44

16 A. Yes.

17 Q. Does anyone else do that?

18 A. Nope. No.

19 Q. So it would be fair to say that all  
20 of the content on the website is yours -- 10:31:52

21 A. Yes.

22 Q. -- or put there by you?

23 A. Yes.

15 Q.

16 Now, you said as part of the effort  
17 that you undertook after your initial call to  
18 CEI was that you started to call people, e-mail  
19 people and do searches on the internet,  
20 correct?

10:36:19

21 A. Yes.

22 Q. Is it the case that you reached out  
23 to people who you felt were knowledgeable about  
24 the issues relating to the various changes in  
25 the rates charged by, say, CEI?

10:40:22

1 A. I suppose I did.

2 Q. Okay.

3 A. I tried to do homework, yes.

4 Q. Was one of those people John Funk

5 from The Plain Dealer?

10:40:40

6 A. Yes.

7 Q. When did you contact him or how did  
8 you end up contacting him?

9 A. I initially contacted John in  
10 January.

10:41:02

11 Q. Why did you contact him?

12 A. Because I wanted him to write a  
13 story on the enormous bills people were  
14 receiving.

8 Q. And you wanted him to write a story  
9 on how the -- the change in the rates affected  
10 people?

10:42:06

11 A. Correct.

12 Q. You wanted to get some publicity  
13 about that fact?

14 A. Yes.

15 Q. Did Mr. Funk provide you with  
16 information about the change in FirstEnergy  
17 rates?

10:42:11

18 A. Yes.

19 Q. And you felt he was somebody who  
20 was knowledgeable about the tariffs, the rates,  
21 the past cases?

10:42:35

22 A. Yes.

23 Q. So he was a good resource for you  
24 in helping you understand what had happened to  
25 the rates of the utility companies?

10:42:50

1

A. Yes.



19 (Thereupon, Deposition Exhibit  
20 Steigerwald 6, Letter Authored by  
21 Susan Steigerwald, was marked for  
22 purposes of identification.)

23 - - - - -

24 Q. Ms. Steigerwald, the court reporter

25 has handed you what's been marked as Exhibit 6 10:51:58

1 in this deposition.

2 Do you recognize that?

3 A. Yes.

4 Q. What is it?

5 A. It's a document on -- the document 10:52:04

6 I wrote on whether or not I believed the gas  
7 customer had ever subsidized the all-electric  
8 customer.

9 Q. And you sent this to others?

10 A. Yes. 10:52:27

11 Q. And this was a result of some of  
12 the research you had done, correct?

13 A. Yes.

14 Q. Correct?

15 A. Yes. 10:52:34

16 Q. Is there anything in this document  
17 that you wrote that you believe now is untrue?

18 A. I'd have to review the document at  
19 this time.

20 Q. Please do. 10:52:45

21 A. Could you repeat the question?

22 Q. Sure.

23 Is there anything in this document  
24 that you wrote that you now believe is untrue?

25 A. No. 10:54:46

1 Q. You had come to an understanding as  
2 to why the companies initially offered  
3 discounted or special rates to electric heating  
4 customers, correct?

5 A. Yes. 10:55:08

6 Q. And you describe it as a  
7 win-win-win situation, correct?

8 A. Yes.

9 Q. And can I take that to mean that  
10 you believe it was a win for the company, a win 10:55:19  
11 for the customers who were receiving the  
12 special rate, and a win for the rest of the  
13 customers?

14 A. Yes.

15 Q. And how was it a win for the rest 10:55:28  
16 of the customers?

17 A. Because it kept their rates  
18 manageable, too.

19 Q. And how did it do that?

20 A. It kept their rates manageable -- 10:55:39  
21 it kept their rates lower by us buying a larger  
22 amount of kilowatts in the off-peak season.

23 Q. And how would that keep rates low?

24 A. Because it helped offset the  
25 overhead of FirstEnergy. 10:55:55

1 Q. And you're aware at sometime there  
2 was deregulation, correct?

3 A. Yes.

4 Q. And deregulation means that the  
5 generation portion of electric service was no 10:56:16  
6 longer going to be regulated, correct?

7 A. Correct.

8 Q. Are you aware of whether the  
9 statute that brought deregulation to the  
10 electric industry in Ohio had any requirements 10:56:35  
11 about continued ownership or operation of  
12 generation facilities by electric distribution  
13 utilities?

14 A. Could you repeat the question?

15 Q. Sure. 10:56:49

16 MR. KUTIK: Can you read it,  
17 please?

18 (Record read.)

19 A. No.

20 Q. So you're not aware of whether it 10:57:10  
21 has any requirements, or is it your belief  
22 there are no requirements?

23 A. I'm not aware if it has any  
24 requirements.

25 Q. Are you aware that after 10:57:19

1 deregulation -- the deregulation statute was  
2 enacted in Ohio that Ohio Edison, CEI and  
3 Toledo Edison sold their generation plants?

4 A. Yes.

20           Q.     Now, you are aware, are you not,           10:58:48  
21     that in about 2007, the FirstEnergy utility  
22     companies no longer offered special electric  
23     heating rates to new customers, correct?

24           A.     Yes.

25           Q.     And those rates were what's called       10:59:20

1 -- were grandfathered, correct?

2 A. Yes.

3 Q. And what does a grandfathering of  
4 rates or tariffs mean to you?

5 A. It means whoever has it at that 10:59:35  
6 time will continue to have it.

7 Q. But new customers will not?

8 A. Correct.

9 Q. Are you aware of how it came to be  
10 that the special rates that electric heating 10:59:49  
11 customers enjoyed became grandfathered?

12 A. I don't understand the question.

13 Q. Okay. Did it come as a result of a  
14 PUCO decision?

15 A. I believe it did, yes. 11:00:07

16 Q. Are you familiar with the case  
17 which that happened?

18 A. The grandfathering of rates -- I  
19 don't recall the case number right now, no.

20 Q. Okay. Are you familiar with 11:00:28  
21 something called the rate certainty plan?

22 A. Yes.

23 Q. What is the rate certainty plan?

24 A. The rate certainty plan, I believe,  
25 is what came -- okay. It was the case -- it 11:00:37

1 was the -- the case that happened in 2007 that  
2 -- it was the first ESP plan that was -- it was  
3 the first ESP plan that came out of the Senate  
4 Bill 221.

5 Q. So the grandfathering of rates came 11:00:59  
6 out of an ESP plan?

7 A. That's my understanding, yes.

8 Q. Okay. Was the grandfathering of  
9 rates, whatever case that came from, the result  
10 of a stipulation that was approved by the 11:01:18  
11 commission?

12 A. I don't know for sure.

13 Q. Do you know whether OCC agreed to  
14 the grandfathering?

15 A. I believe they did. 11:01:29



3 Q. And did all-electric customers have  
4 a declining block rate?

5 A. That's my understanding, yes. 11:04:11

6 Q. And at some point the declining  
7 block rate was eliminated?

8 A. Yes.

9 Q. And when did that happen?

10 A. I believe it happened in 09 with 11:04:22  
11 the rate certainty plan.

12 Q. Okay. Was that something that the  
13 OCC agreed to?

14 A. Yes.

15 Q. Do you know why it was eliminated? 11:04:41

16 A. I know the reason it was said to be  
17 eliminated, was because of energy conservation  
18 needs.

19 Q. And how does energy conservation  
20 needs relate to the elimination of the 11:04:55  
21 declining block rate?

22 A. Because energy conservation would  
23 logically require that you pay more the more  
24 you use electricity. And a declining block  
25 structure is set up that you pay less the more 11:05:11

1 you use.

2 Q. Okay. So the idea with the  
3 declining block rate is you pay less the more  
4 you use?

5 A. Correct. 11:05:20

6 Q. And that idea is seen by some to be  
7 antithetical to conservation and promoting  
8 conservation, correct?

9 A. Yes.

10 Q. You're aware, are you not, that 11:05:28  
11 under a rate structure that was in effect prior  
12 to 2009, the three FirstEnergy Ohio utilities  
13 had over 100 different tariffs, correct?

14 A. Yes.

15 Q. And as a result of the case that 11:05:50  
16 went -- whose rates -- or which rates went into  
17 effect in 2009, the 100 rates were reduced to  
18 about six?

19 A. Yes.

20 Q. And the companies also introduced 11:06:14  
21 riders, correct?

22 A. Yes.

23 Q. And the riders could be additional  
24 charges or they could be some credits, correct?

25 A. Yes. 11:06:25

7 Do you believe prior to this case,  
8 that electric heating customers had a rider  
9 which provided a credit for generation?

10 A. Yes.

11:08:56

11 Q. So before this case there were two  
12 credits that electric heating customers had,  
13 correct?

14 A. Yes.

15 Q. One for distribution and one for  
16 generation, correct?

11:09:01

17 A. Correct.

18 Q. And there's an additional  
19 generation credit in this case, correct?

20 A. Correct.

11:09:16

21 Q. Was there ever a time throughout --  
22 let's say, starting in 2005 till today, when an  
23 electric heating customer did not enjoy some  
24 type of discount vis-a-vis standard residential  
25 customers?

11:09:54

1           A.     Not that I'm aware of, no.

3 (Thereupon, Deposition Exhibit  
4 Steigerwald 7, E-mails Bates Stamped  
5 005452 through 005453, was marked  
6 for purposes of identification.)  
7 - - - - -

8 Q. Ms. Steigerwald, the court reporter  
9 has handed you what's been marked as Exhibit 7  
10 for this deposition.

11:12:52

11 Do you recognize this?

12 A. Yes.

13 Q. And these were a series of e-mails  
14 that either you wrote or received?

15 A. Yes.

11:13:09

16 Q. And is it correct -- I want to ask  
17 you first; the first e-mail that appears at the  
18 top of the page that has the numbers 05452 is  
19 an e-mail from you to another Sue, a Sue D,  
20 correct?

11:13:33

21 A. Yes.

22 Q. Who is Sue D?

23 A. Sue Daughterty.

24 Q. And Sue Daughterty is who?

25 A. She is the Sandusky Serving Our

11:13:40

1 Seniors director.

2 Q. And you were sending her some  
3 information about the discount that electric  
4 heating customers enjoyed, correct?

5 A. Yes. 11:13:53

6 Q. And what you said in your e-mail to  
7 her was true?

8 A. Yes.

9 Q. Now, on the second page -- can you  
10 turn there, please. 11:14:06

11 At the bottom, there's an e-mail  
12 from a woman at FirstEnergy, correct?

13 A. Yes.

14 Q. And the e-mail is from a woman by  
15 the name of Ellen Raines? 11:14:20

16 A. I'm assuming that that's her e-mail  
17 address.

18 Q. Okay. Is that -- do you recognize  
19 someone by the name of Raines as being  
20 FirstEnergy's PR director? 11:14:39

21 A. Yes.

22 Q. And is there anything that -- that  
23 is in that e-mail from Ms. Raines or from the  
24 person that's from FirstEnergy that you  
25 disagree with? 11:14:54

1           A.     Let me take a minute to read it  
2 here. No.

3           Q.     So when she says, "We never stopped  
4 providing a discount to customers who were on  
5 special electric heating rates," that was true? 11:15:22

6           A.     Yes.

7           Q.     Now, as a result of this case, I  
8 think we agreed, there were additional -- there  
9 were additional credits provided, correct?

10          A.     Yes. 11:15:55

11          Q.     And those credits were ordered by  
12 the commission to restore the discounts to the  
13 levels that electric heating customers enjoyed  
14 as of the end of 2008, correct?

15          A.     Yes. 11:16:12

16          Q.     And the result of that was that  
17 some customers enjoyed even larger discounts,  
18 correct?

19          A.     They may have enjoyed slightly  
20 increased credits. Some -- some different 11:16:31  
21 bills -- some different people have reported  
22 that, yes.

23          Q.     Some people reported record low  
24 bills, correct?

25          A.     Yes. 11:16:41

1 MR. KUTIK: Let me have this one  
2 marked.

3 - - - - -  
4 (Thereupon, Deposition Exhibit  
5 Steigerwald 8, E-mails Bates  
6 Numbered 005427 through 005429, was  
7 marked for purposes of  
8 identification.)  
9 - - - - -

10 Q. The court reporter has handed you 11:17:15  
11 what's been marked as Exhibit 8.

12 Do you recognize this document?

13 A. Yes.

14 Q. And this also contains e-mails that  
15 you either sent or were sent to you? 11:17:25

16 A. Yes.

17 Q. And you were passing along, in this  
18 e-mail, information about record low bills,  
19 correct?

20 A. Yes. 11:17:37

21 Q. Someone's telling you that their  
22 rates have never been lower, correct?

23 A. Yes.

24 Q. Do you know whether -- let me back  
25 up. 11:17:55



1                   The e-mail came from a Bill Bruton,  
2 correct?

3           A.     Yes.

4           Q.     Was Mr. Bruton at any point a  
5 leader of CKAP?

11:18:05

6           A.     No.

7           Q.     And was -- do you know whether Mr.  
8 Bruton had an all-electric home?

9           A.     Yes.

10          Q.     Do you know whether the other  
11 individuals that are shown in the e-mail  
12 attachment also are homeowners of an  
13 all-electric home?

11:18:23

14          A.     Yes.

15          Q.     They all are?

11:18:37

16          A.     Yes.

17 Q. Now, from time to time did you  
18 encourage individuals to file complaints or  
19 comments with the Public Utilities Commission?

20 A. Yes. 12:08:25

21 Q. And how did you -- how would you do  
22 that? How would you urge that to happen?

23 A. Via e-mail.

24 Q. And would the e-mails just  
25 generally say, It's time for folks to send 12:08:34

1 complaints?

2 A. Sometimes, and sometimes I would  
3 give suggestions as to what to say.

4 Q. Okay. And have you produced those  
5 e-mails?

12:08:44

6 A. Yes.

7 Q. Did you also urge individuals to  
8 make telephone calls?

9 A. Yes.

10 Q. And whom did you urge people to  
11 call?

12:08:52

12 A. The OCC, the PUCO, their  
13 legislators, the governor and FirstEnergy.

14 Q. So you'd send an e-mail and say,  
15 It's time to put out a call -- I'm putting out  
16 a call for people to call the governor, for  
17 example?

12:09:08

18 A. Yes.

19 Q. And so you were attempting to  
20 orchestrate calls and complaints to the  
21 commission and to the governor?

12:09:18

22 A. Yes.

23 Q. As part of your work for this --  
24 for your investigation about these issues, is  
25 it the case that you had been in contact with

12:09:35

1 former employees of the FirstEnergy utilities?

2 A. Yes.

3 Q. And the FirstEnergy -- and other  
4 FirstEnergy affiliates?

5 A. Yes.

12:09:45

6 Q. One of these individuals was Teryl  
7 Bishop?

8 A. Yes.

9 Q. And he's a member of CKAP?

10 A. Yes.

12:09:57

11 Q. Do you know when he became a member  
12 of CKAP?

13 A. Not -- no, I don't.

14 Q. Was it fairly early on?

15 A. Yes.

12:10:05

16 Q. And what was your first contact  
17 with him?

18 A. My first personal contact with him  
19 was via e-mail after he had come forward at a  
20 Lakeland public meeting -- public hall meeting.

12:10:21

5 (Thereupon, Deposition Exhibit  
6 Steigerwald 10, E-mails Bates  
7 Stamped 005676 through 005677, was  
8 marked for purposes of  
9 identification.)

10 - - - - -

12:16:50

11 Q. Exhibit 10 is another series --  
12 represents another series of e-mails that you  
13 either sent or received, correct?

14 A. Yes.

15 Q. And in this e-mail, starting on the  
16 second page -- or in this document, starting on  
17 the second page, there's an e-mail from you  
18 dated February 2nd, correct?

12:17:01

19 A. Which page are you on; I'm sorry?

20 Q. The page that has the Bates number  
21 005677.

12:17:26

22 A. Yes.

23 Q. All right. And this is the e-mail  
24 where you're asking him if he can recall  
25 whether he told folks -- or that anyone from

12:17:50

1 Ohio Edison told folks that the discount would  
2 stay with the house?

3 A. Yes.

4 Q. He says, We wanted to know from  
5 you, I spoke directly with OCC today, is 12:18:02  
6 whether you believe the intention was to tie  
7 the all-electric program to the house or to the  
8 owner.

9 That's the question you asked him,  
10 correct? 12:18:13

11 A. Yes.

12 Q. And on the first page of this  
13 document, the document with the number 5676,  
14 there's an e-mail from Mr. Bishop to you with  
15 the same date, and he's relying to your e-mail, 12:18:28  
16 correct?

17 A. Yes.

18 Q. And he says -- he basically  
19 understands your issue, but he says, I do not  
20 recall promoting it in that fashion. I clearly 12:18:38  
21 recall what I had earlier stated. I just don't  
22 think anyone felt the special rate would ever  
23 go away. After all, they were making an  
24 investment. It was something out of the norm  
25 that definitely benefited the electric utility. 12:18:49

1 Do you see that?

2 A. Um-hum.

3 Q. Do you see that?

4 A. Yes.

5 Q. So that he clearly recalled what he 12:18:57

6 said, correct?

7 A. Yes.

8 Q. He could not recall saying it --

9 saying that the discount would go with the

10 house, correct? 12:19:04

11 A. Yes.

12 Q. And that was his clear

13 recollection, correct?

14 A. Yes.

17 Q. Now, it's true, is it not, that Mr.  
18 Bishop tried to get other former FirstEnergy  
19 company employees to corroborate what he told  
20 you, correct?

12:20:20

21 A. Yes.

22 Q. And he was not successful in doing  
23 that, correct?

24 A. Not that I'm aware of.

25 Q. So what I said was correct; he was

12:20:29



( Pa

Page 108

1 not successful?

2 A. Not that I'm aware of; he was not

3 successful.

5 Q. Okay. Is it your habit to say 12:22:08  
6 things you don't believe in e-mails?

7 A. No.

8 Q. Okay. Do you think that generally  
9 that what you say in e-mails reflects an  
10 accurate statement of what you believe to be 12:22:16  
11 the truth?

12 A. Yes.

13 Q. Now, is it true in addition to Mr.  
14 Bishop you have spoken with at least one other  
15 former FirstEnergy employee? 12:22:34

16 A. Yes.

17 Q. And is that Mr. Karchefsky?

18 A. Yes.

19 Q. And how did you get in contact with  
20 Mr. Karchefsky? 12:22:43

21 A. He contacted me via e-mail.

22 Q. What did Mr. Karchefsky tell you?

23 A. He told me he worked for  
24 FirstEnergy and he had some documents he wanted  
25 to show me. 12:23:01

16 Q. Did any of the documents that Mr.  
17 Karchefsky provided indicate anything in the  
18 form of a written guarantee as to how long the  
19 discount or discounted rates would last?

20 A. No.

12:24:00

21 Q. Do -- what do you know about Mr.  
22 Karchefsky in terms of his work for any of the  
23 FirstEnergy companies?

24 A. Not much. I know he was an  
25 employee there for, I believe, eight years

12:24:14

1 selling all-electric technologies.

2 Q. Did at some point in time you  
3 receive a resume of his?

4 A. Yes.

5 Q. Do you have any reason to believe 12:24:26  
6 that his resume stated his work inaccurately or  
7 incompletely?

8 A. No.

9 - - - - -  
10 (Thereupon, Deposition Exhibit  
11 Steigerwald 11, Resume of Chester  
12 Karchefsky, was marked for purposes  
13 of identification.)  
14 - - - - -

15 Q. The court reporter has handed you 12:25:12  
16 what's marked as Exhibit 11.

17 Do you recognize this as Mr.  
18 Karchefsky's resume?

19 A. Yes.

20 Q. Mr. Karchefsky indicates on, I 12:25:22  
21 guess, the third page of this particular  
22 document that he worked for something called  
23 FirstEnergy Solutions Corporation, correct?

24 A. I'm sorry; you're on the first  
25 page? 12:25:43

1 Q. No.

2 Well, let me ask you this: Did he  
3 -- does this resume indicate he worked for  
4 FirstEnergy Solutions Corporation?

5 A. Yes.

12:26:05

6 Q. And -- so does it indicate anywhere  
7 in this resume that Mr. Karchefsky worked for  
8 any company other than FirstEnergy Solutions  
9 Corporation in the FirstEnergy family?

10 A. I don't see that it does, no.

12:26:30

11 Q. So it doesn't indicate that he  
12 worked for CEI, Toledo Edison or Ohio Edison,  
13 correct?

14 A. Correct.

15 Q. And under where he says,  
16 FirstEnergy Solutions Corporation, he says he  
17 was a senior sales representative national  
18 accounts, correct?

12:26:40

19 A. Um-hum, yes.

20 Q. Does it indicate that he also was  
21 marketing products and services to commercial  
22 and industry customers?

12:26:51

23 A. Yes.

24 Q. Does it indicate on his resume that  
25 he was selling to builders or residential

12:27:09

1 customers?

2 A. Does this indicate he was selling  
3 to builders or residential customers?

4 Q. Yes.

5 A. I don't see it on here, no.

12:27:26

24 Q. Do you believe that it's important

25 to have as many letters of protest on this

12:32:59

1 issue as possible filed with the PUCO?

2 A. Yes.

3 Q. And you've worked to do that?

4 A. Yes.

5 Q. Do you know how to submit letters 12:33:10

6 to the PUCO?

7 A. Yes.

8 Q. And you've done that?

9 A. Some, yes.



7 (Thereupon, Deposition Exhibit  
8 Steigerwald 15, E-mails Bates  
9 Stamped 005562 through 00563, was  
10 marked for purposes of  
11 identification.)  
12 - - - - -

13 Q. Ms. Steigerwald, the court reporter  
14 has handed you a document that has been marked  
15 as Exhibit 15.

12:45:00

16 The first two pages -- or at least  
17 the first page, appear to be e-mails that were  
18 either sent to you or sent by you, correct?

19 A. Yes.

20 Q. And the last two pages appear to be  
21 a document from the Cleveland Electric  
22 Illuminating Company and an envelope -- a copy  
23 of the front of an envelope, correct?

12:45:16

24 A. Yes.

25 Q. And you received the letter and the

12:45:28

1 envelope from a Mr. Willetts?

2 A. Yes.

3 Q. And you then shared this letter  
4 with other people, correct?

5 A. Yes. 12:45:45

6 Q. Okay. Do you know how it came that  
7 Mr. Willetts provided you this piece of  
8 information?

9 A. He must have told me he had it and  
10 sent it to me. 12:46:00

11 Q. Now, let me ask you a little bit  
12 about this letter.

13 In the -- about a quarter of the  
14 way down the letter, it says, Under the new  
15 rate schedule, there will be no change in the 12:46:14  
16 discount provisions until there is a change of  
17 customer.

18 Do you see that?

19 A. Yes.

20 Q. Does that indicate that the 12:46:23  
21 discount provisions would not stay with the  
22 house?

23 A. For that particular program, yes.

24 Q. Okay. And when they're talking  
25 about, There will be no change in the discount 12:46:31

1 provisions, what did you take that to mean?

2 A. I didn't receive the letter, but  
3 when I looked at it, I would assume that the  
4 rate differential would remain the same.

5 Q. Okay. Is it your assumption that  
6 the specific rate itself would not necessarily  
7 stay the same?

12:46:47

8 A. Correct.

9 Q. That the rate would change?

10 A. Correct.

12:46:56

11 Q. But they would continue to enjoy a  
12 discount at or about the same level?

13 A. Yes.

14 Q. And this important information was  
15 sent out to electric space heating customers,  
16 correct?

12:47:07

17 A. I don't know who it was sent to.

18 Q. Well, that was what it's addressed  
19 to, correct, at the top?

20 A. Yes.

12:47:17

21 Q. So is it fair to assume this letter  
22 was not sent out to water heating customers or  
23 load management customers?

24 A. I would assume.

25 Q. Okay. And it also indicates in the

12:47:31

1 second sentence, "If there is a change in our  
2 customer of record at any address served under  
3 these discount provisions after July 14, 1980,  
4 electric service will be provided under the  
5 residential schedule without the discount  
6 provision."

12:47:53

7 Do you see that?

8 A. Yes.

9 Q. So, for example, in the case of  
10 yourself and your husband, you would be someone  
11 who would not receive the discount provision,  
12 according to this letter?

12:48:01

13 A. Depending on the rate schedule this  
14 letter in particular is referring to. As we  
15 said, there were 100 different rate schedules.

12:48:16

16 Q. But respect to whatever rate  
17 schedule this is referring to, someone like  
18 you, who moved in after 1980 to an electric  
19 home, would not be able to take advantage of  
20 that, correct?

12:48:30

21 A. It would depend on if I was on the  
22 rate schedule this is referring to.

23 Q. Well, again, whatever rate schedule  
24 this was referring to would not be necessarily  
25 available to you as someone who moved in after

12:48:38

1 1980, correct?

2 A. That is correct.

20 Q. Is it the case, Ms. Steigerwald, 12:52:15  
21 with respect to how you thought this whole  
22 issue could be resolved, that you thought that  
23 it was the case that the PUCO was most  
24 definitely the right venue to hear this  
25 dispute? 12:52:55

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1 MR. CORCORAN: Could you read the  
2 question back, please?

3 (Record read.)

4 A. I would say my thought on the right  
5 venue has changed from the beginning of my 12:53:22  
6 involvement to the end. At first there was a  
7 lawsuit, then there was the regulatory path and  
8 then there was the senate bill.

9 I think as we saw the lawsuit  
10 become -- as we saw the lawsuit become a -- 12:53:39  
11 thrown out of jurisdiction and we saw the  
12 senate bill not get voted out of committee,  
13 that, yes, I felt the best way to resolve it  
14 was the PUCO.

15 Q. So you believed that the PUCO most 12:53:54  
16 definitely was the right venue to hear this  
17 dispute?

18 A. It appeared that way, yes.

19 Q. Okay. And you came to that view  
20 when? 12:54:05

21 A. After the lawsuit was thrown out  
22 and after the senate bill didn't make it out of  
23 committee.

24 Q. Okay. And is it the case that you  
25 understood from Mr. Grendell that he also 12:54:14

1 believed that the PUCO was the proper venue?

2 A. No.

3 - - - - -

4 (Thereupon, Deposition Exhibit  
5 Steigerwald 17, E-mails Bates  
6 Stamped 005372 through 005374, was  
7 marked for purposes of  
8 identification.)

9 - - - - -

10 Q. Ms. Steigerwald, Exhibit 17 12:54:54  
11 comprises three pages, correct?

12 A. Um-hum, yes.

13 Q. And these are also e-mails to and  
14 from you?

15 A. Yes. 12:55:05

16 Q. Now, you have an e-mail here on the  
17 second page to Joe Pagonakis and others dated  
18 September 10, 2010 at 9:16, correct?

19 A. Yes.

20 Q. And in this letter you're writing 12:55:29  
21 to -- you're sending them, that is, Joe  
22 Pagonakis and all, an e-mail that you sent to  
23 CKAP, correct?

24 A. Yes.

25 Q. And you're reporting to your CKAP 12:55:45



1 friends - which is the term you use - what  
2 happened with respect to the lawsuit, correct?

3 A. Yes.

4 Q. And you say, do you not, in the  
5 second paragraph, The thing is, the PUCO is  
6 most definitely the right venue to hear rate  
7 cases. The problem is they are trying to  
8 weasel their way out of investigating past  
9 marketing practicing of FE.

12:56:00

10 That's what you said, correct?

12:56:17

11 A. Yes.

12 Q. And later on you say, Back to Mr.  
13 Grendell, Grendell said he would file an appeal  
14 to keep the lawsuit going as back pressure.  
15 Remember, once the PUCO got involved in the  
16 case, we always knew and agreed that the best  
17 place for the all-electric issue to be handled  
18 was with the PUCO.

12:56:32

19 Even Mr. Grendell agrees that it  
20 would be handled more quickly at the PUCO than  
21 with a lawsuit, which could take years, and we  
22 can't wait that long.

12:56:45

23 Mr. Grendell also said that he  
24 would do all he can to put pressure on the PUCO  
25 to make a quick decision to consider the past

12:56:58

1 marketing promises of FE.

2 Did I read that correctly?

3 A. Yes.

4 Q. And did you accurately report your  
5 views and what Mr. Grendell's views were?

12:57:06

6 A. Yes.

7 Q. Let me have you turn to the next  
8 page, where you say at the top of that page,  
9 So, bottom line, the lawsuit being denied  
10 jurisdiction is a little bit bad, but could  
11 turn out to help us in the long run by forcing  
12 the PUCO to consider the bait and switch  
13 tactics of FE in their ruling, which we  
14 absolutely need to do.

12:57:30

15 Just remember, we always knew the  
16 PUCO was where the case was most likely to be  
17 solved, not the lawsuit.

12:57:46

18 Did I read that correctly?

19 A. Yes.

20 Q. And did that also represent  
21 accurately what your views were?

12:57:57

22 A. Yes.

23 Q. Including the views as to what you  
24 "always knew"?

25 A. We knew it would most likely be

12:58:10

1 solved in the PUCO because nobody else would  
2 make a decision on it, yes.

3 Q. Again, that's something you always  
4 knew, correct?

5 A. That it was the most likely place  
6 the case would be solved, yes.

12:58:23

20 Q. Now, OCC has provided you some 13:12:10  
21 advice about the public hearings and other  
22 matters in this case, correct?

23 A. Yes.

24 Q. For example, did OCC prepare  
25 talking points for people to use in the public 13:12:28

1 hearings?

2 A. Yes.

3 Q. And were those talking points

4 distributed for you?

5 A. Yes.

13:12:39

6 Q. Did you receive them from OCC?

7 A. Yes.

8 Q. Have you provided the documents you  
9 received from OCC to us?

10 A. If it was before June 1st, yes.

13:12:46

11 Q. Okay. So if it was after June 1st,  
12 you have not provided that yet, correct?

13 A. Correct.

14 Q. Is it the case, Ms. Steigerwald,  
15 you have also had an opportunity to have  
16 discussions with the rate consultant hired by  
17 OCC?

13:13:17

18 A. Yes.

19 Q. Do you agree with his  
20 recommendations?

13:13:28

21 A. It depends on which recommendation  
22 you're speaking of.

23 Q. Is there any -- well, have you read  
24 his testimony?

25 A. His current testimony? Yes.

13:13:36

1 Q. Okay. Did you read any other  
2 testimony that he prepared?

3 A. No.

4 Q. Okay. When you say his current  
5 testimony, I'm trying to understand if that's  
6 different than any other testimony. Is it?

13:13:45

7 A. Drafts of it.

8 Q. Okay. You've seen drafts of it?

9 A. Um-hum.

10 Q. Did you provide input on the  
11 drafts?

13:13:53

12 A. We discussed it, yes.

24 Q. Did you retain Mr. Corcoran as your  
25 lawyer?

13:19:18

1 A. He's pro bono, yes.

2 Q. You're not paying him?

3 A. No.

4 Q. When did you retain him?

5 A. February. 13:19:25

6 Q. So the very beginning, basically?

7 A. Yes.

8 Q. And who does Mr. Corcoran represent  
9 other than you?

10 A. Bob Schmitt Homes, Joan Heginbotham 13:19:39  
11 and CKAP.

12 Q. Does he represent all the  
13 individual CKAP members, as far as you know?

14 A. Yes.

15 Q. You were involved in the decision 13:19:50  
16 to intervene in this case?

17 A. Yes.

18 Q. And why did you intervene?

19 A. We intervened so that we could have  
20 our voices heard equally on the case. 13:20:04

21 Q. Is that the only reason?

22 A. We wanted a seat at the table, yes.

23 Q. So having a seat at the table is  
24 the only reason that you intervened?

25 A. Yes. 13:20:24



10 Q. I think we agreed earlier that an 13:22:08  
11 important part of your work was to bring  
12 publicity to the perceived problem caused by  
13 the change in rates to all-electric customers,  
14 correct?

15 A. Yes. 13:22:27

16 Q. And you wanted the significance of  
17 the elimination of the all-electric discount to  
18 be publicized, correct?

19 A. Yes.

20 - - - - -

21 (Thereupon, Deposition Exhibit  
22 Steigerwald 20, Media E-mails, was  
23 marked for purposes of  
24 identification.)

25 - - - - - 13:23:36

1 Q. Ms. Steigerwald, the court reporter  
2 has handed you what's been marked as Exhibit  
3 20.

4 This is an e-mail that you wrote to  
5 John Funk? 13:23:49

6 A. Correct.

7 Q. At least the first page.

8 And the second page is an e-mail  
9 that he wrote back to you?

10 A. Yes. 13:24:11

11 Q. You say in the beginning of your  
12 e-mail to Mr. Funk on the first page, I'm still  
13 feeling that the significance of the  
14 elimination of the all-electric discount hasn't  
15 been thoroughly publicized and the amount of 13:24:29  
16 the impact is being underestimated.

17 Do you see that?

18 A. Um-hum, yes.

19 Q. And that was your view at the time?

20 A. Yes. 13:24:40

21 Q. And so you worked to make sure that  
22 the significance of the elimination of the  
23 all-electric account was thoroughly publicized?

24 A. Yes.

25 Q. And you want to make sure that the 13:24:50

1 amount of the impact was not underestimated and  
2 was fully and widely known, correct?

3 A. Yes.

4 Q. You say a couple lines later, about  
5 the middle of the page, I have made contact 13:25:06  
6 with another disgruntled Illuminating -- or,  
7 Illum Company customer who has kept a very  
8 detailed record of his battle.

9 Is that Rich Jordan?

10 A. Yes. 13:25:22

11 Q. Now, along the way you worked with  
12 Mr. Funk and provided him information;  
13 sometimes on your own, sometimes at his  
14 request, correct?

15 A. Yes. 13:25:39

16 - - - - -  
17 (Thereupon, Deposition Exhibit  
18 Steigerwald 21, Media E-mails, was  
19 marked for purposes of  
20 identification.)  
21 - - - - -

22 Q. This is another series of e-mails,  
23 this Exhibit 21, correct?

24 A. Yes.

25 Q. And this includes some e-mails from 13:26:11

1 John Funk to you and from you to John Funk?

2 A. Yes.

3 Q. And on the first page, the page  
4 that's actually numbered 45, you -- he's asking  
5 you two questions, correct?

13:26:30

6 A. Yes.

7 Q. And he wanted to get -- he wanted  
8 you -- he told you that, If you want to say  
9 anything else, please tell me and I will make  
10 room in the story.

13:26:44

11 Do you see that?

12 A. Um-hum, yes.

13 Q. So he was very cooperative to make  
14 sure that you got whatever message you needed  
15 to send out, correct?

13:26:51

16 A. Yes.

17 Q. You thought he was your ally in  
18 that regard, correct?

19 A. Yes.

9 Q. Do you recall asking Mr. Funk  
10 whether he could provide you with any 13:28:16  
11 additional publicity in The Plain Dealer, plus  
12 any contact information or other suggestions  
13 regarding radio or TV stations or other media?

14 A. Most likely, yes.

15 Q. Okay. And did he provide that 13:28:33  
16 information to you?

17 A. I don't believe he did.

18 Q. Okay. Did you eventually come in  
19 contact with individuals from various  
20 television stations in Cleveland? 13:28:45

21 A. Yes.

22 Q. And did that include Mr. Pagonakis,  
23 who we referred to earlier --

24 A. Yes.

25 Q. -- from channel 5 here in 13:28:55

1 Cleveland?

2 A. Yes.

3 Q. And did that also include  
4 individuals from -- or reporters from channel  
5 3, NBC outlet here in Cleveland?

13:29:03

6 A. I don't remember.

7 Q. Do you remember having  
8 communications with Mr. --

9 A. Oh, yes.

10 Q. -- Mr. Russ?

13:29:14

11 A. Yes, I did.

12 Q. Okay. Do you recall having  
13 communications with any other TV people other  
14 than those two; those two being Pagonakis and  
15 Russ?

13:29:29

16 A. There were other people -- yes,  
17 there are others in my e-mail blast list so --  
18 that are TV-related people.

19 Q. Apart from the e-mail blasts, do  
20 you recall having any contact with other folks  
21 other than Mr. Pagonakis and Mr. Russ?

13:29:41

22 A. Yes, Dick Feagler.

23 Q. Did you have a conversation with  
24 Mr. Feagler or an e-mail --

25 A. I was on his TV show.

13:29:52

1 Q. Okay. Were there others -- when  
2 was that TV show broadcast?

3 A. I think it was in March.

4 Q. And was this on the PBS station  
5 here in Cleveland?

13:30:06

6 A. Yes.

7 Q. Was that on his Feagler & Friends  
8 show?

9 A. It was.

10 Q. Did you also appear on other TV or  
11 radio programs?

13:30:19

12 A. Other than being interviewed, there  
13 were quite a few reporters that followed the  
14 Columbus rally, and several people came up and  
15 -- I don't know who they were from; some were  
16 local people. But other than that, no, I don't  
17 recall being interviewed by other people.

13:30:38

-----  
2 CONTINUED EXAMINATION OF SUSAN STEIGERWALD

3 BY MR. KUTIK:

4 - - - - -  
5 (Thereupon, Deposition Exhibit  
6 Steigerwald 22, Complaint Form to  
7 the Ohio Inspector's Office, was  
8 marked for purposes of  
9 identification.)

10 - - - - - 14:58:08

11 Q. Ms. Steigerwald, the court reporter  
12 has handed you what's been marked as Exhibit  
13 22. Take a moment and look at that.

14 Do you recognize it?

15 A. Give me a moment to look through. 14:58:22  
16 Yes.

17 Q. What is it?

18 A. It's a complaint form to the Ohio  
19 inspector's office.

20 Q. Was the complaint form ever filed? 14:58:56

21 A. Yes.

22 Q. Did you investigate the authority  
23 and jurisdiction of the Ohio Inspector General  
24 before you filed this?

25 A. On the internet, yes. 14:59:07



1 Q. Okay. And was it your  
2 understanding that the -- well, what was your  
3 understanding of the powers of the inspector  
4 general of the state of Ohio?

5 A. Powers over state organizations. 14:59:19

6 Q. Anything else?

7 A. Not that I'm aware of.

8 Q. Okay. Did he have the authority to  
9 investigate wrongdoing by state officials?

10 A. Yes. 14:59:31

11 Q. And did you believe that the  
12 commissioners of the PUCO or the PUCO staff had  
13 engaged in wrongdoing?

14 A. Yes.

15 Q. It was your idea to file this? 14:59:43

16 A. Yes.

17 Q. Did you speak with anyone before  
18 you filed it?

19 A. Yes.

20 Q. Who did you speak to? 14:59:51

21 A. I spoke with other CKAP members.

22 Q. Did you speak with them  
23 specifically about the idea of filing this?

24 A. Yes.

25 Q. Who did you speak with? 15:00:00

1 A. I don't remember.

2 Q. Can you tell me one person that you  
3 spoke with?

4 A. It was a suggested idea from one  
5 person, and I can't remember her name. 15:00:09

6 Q. So if someone suggested it to you,  
7 then you looked into the authority of the  
8 inspector general; is that basically what  
9 happened?

10 A. Yes. 15:00:21

11 Q. And you concluded that the  
12 inspector general -- since the inspector  
13 general had authority to investigate wrongdoing  
14 by state officials and the PUCO commissioners  
15 and their staff had engaged in wrongdoing, that 15:00:34  
16 it was appropriate to file this, correct?

17 A. Yes.

18 Q. And the specific wrongdoing that  
19 you allege appears on the inspector general  
20 complaint form under number 3, correct? 15:00:53

21 A. Yes.

22 Q. Did you speak with Mr. Grendell  
23 before you filed this about potentially filing  
24 this?

25 A. I don't recall if I did. 15:01:09

1 Q. Did you speak with Senator Patton?

2 A. With who?

3 Q. Senator Patton?

4 A. I don't recall speaking to him, no.

5 Q. Did you tell Senator Patton or 15:01:18  
6 Senator Grendell that you were going to list  
7 them on a complaint form to the inspector  
8 general?

9 A. I may have.

10 Q. Do you believe you did or you 15:01:27  
11 didn't?

12 A. I don't remember telling them, but  
13 their names are there, so I probably did.

14 Q. Okay. Would it be fair to assume  
15 that since you can't really recall much of 15:01:38  
16 having a conversation with Mr. Grendell or Mr.  
17 Patton about filing this, that you don't recall  
18 what reaction they may have had to this?

19 A. Correct.

20 Q. Did you tell John Funk that you 15:01:49  
21 were going to do this?

22 A. I don't remember if I did.

23 Q. Did you receive any response from  
24 the inspector general's office?

25 A. I received no written response, no. 15:02:02

1 Q. Okay. My answer wasn't with  
2 respect to whether you received a written  
3 response. I asked you if you received a  
4 response.

5 Did you understand my question to 15:02:18  
6 include a response?

7 A. Yes, I did.

8 Q. Okay. So now answer the question.

9 A. I received no response.

10 Q. Okay. You received no response at 15:02:23  
11 all?

12 A. Correct.

13 Q. Not in writing, not by e-mail, not  
14 by telephone?

15 A. Not until I called them. 15:02:30

16 Q. Okay.

17 A. They did not respond back to me. I  
18 initiated a call to them.

19 Q. All right. And so when you  
20 called -- when did you call them? 15:02:36

21 A. I don't know. Sometime after -- a  
22 few weeks afterwards.

23 Q. Okay. You filed this in June --  
24 excuse me, in January of 2011, or is that just  
25 when you printed this out? 15:02:48

1 A. January of 2011 is now. So, no,  
2 this was filed earlier.

3 Q. Can you give me an approximate date  
4 as to when you filed this?

5 A. It should be on here. 15:03:03

6 Q. The only date I see, all due  
7 respect, ma'am, is January 14th, 2011.

8 A. I would estimate March, but I don't  
9 know for certain.

10 Q. So you filed this and a few weeks 15:03:38  
11 later you called the inspector general's  
12 office, correct?

13 A. Yes.

14 Q. Did you speak with the inspector  
15 general himself, Mr. Charles? 15:03:49

16 A. No.

17 Q. Who did you speak with?

18 A. A person who answered the phone. A  
19 secretary, I assume.

20 Q. Okay. And tell me the 15:03:58  
21 conversation; what you can recall.

22 A. I asked if there had been any  
23 progress on the case, and she said the decision  
24 was that they would hold the case open until a  
25 final decision on the -- from the PUCO 15:04:12

1 all-electric case was -- was decided, but that  
2 the case would remain open.

3 Q. Okay.

4 A. But they would not pursue or  
5 investigate.

15:04:24

6 Q. Is that the last you heard or had  
7 any contact with the inspector general's  
8 office?

9 A. Yes.

10 Q. Now, would it be fair to say that  
11 you believe that specifically there were two  
12 individuals who committed wrongdoing, correct?

15:04:30

13 A. Two individuals?

14 Q. Yes.

15 A. I believe my complaint was speaking  
16 of the PUCO itself.

15:04:44

17 Q. Well, you say name of --

18 A. Yes, Alan Schriber and Steve  
19 Lesser.

20 Q. So you specifically believe that  
21 Mr. Schriber and Mr. Lesser committed  
22 wrongdoing, correct?

15:04:58

23 A. Yes.

24 Q. You didn't name any other PUCO  
25 commissioners, correct?

15:05:05

1 A. Correct.

2 Q. You didn't -- you also named no  
3 other PUCO staff members?

4 A. Correct.

5 Q. Was it your intention to include in 15:05:16  
6 your complaint all of the then PUCO  
7 commissioners?

8 A. No.

9 Q. Was it your intent only to accuse  
10 Mr. Schriber and Mr. Lesser of wrongdoing? 15:05:29

11 A. And the PUCO organization as a  
12 whole.

13 Q. So that would include all the  
14 commissioners and all the staff?

15 A. Yes. 15:05:40

16 Q. Do you still believe that to be  
17 true?

18 A. Pending a decision, yes.

19 Q. Okay. So if they don't agree with  
20 you, they've committed wrongdoing? 15:05:55

21 A. I believe they have, yes.

22 - - - - -

23 (Thereupon, Deposition Exhibit  
24 Steigerwald 23, Press Release, was  
25 marked for purposes of

1 identification.)

2 - - - - -

3 Q. The court reporter has handed you a  
4 document which is marked Exhibit 23.

5 Do you recognize this? 15:06:45

6 A. Yes.

7 Q. Did you write it?

8 A. Kevin and I wrote it.

9 Q. So this is a press release; is it  
10 not? 15:06:53

11 A. Yes.

12 Q. So would it be fair to say you  
13 wrote it in part and you approved it before it  
14 went out?

15 A. Yes. 15:07:00

16 Q. And at one point in this statement  
17 you say, and I'm now directing you to the  
18 second paragraph, a little more than halfway  
19 down, there's a sentence that says -- well,  
20 I'll back up. 15:07:15

21 This is a press release which is  
22 talking about the filing of an interlocutory  
23 appeal by CKAP -- the CKAP parties and the OCC,  
24 correct?

25 A. Yes. 15:07:29



1 Q. And you're appealing a decision by  
2 the attorney examiner to require you, among  
3 others, to file testimony before the hearing,  
4 correct?

5 A. Yes.

15:07:43

6 Q. And in commenting on that decision,  
7 now directing you to the second paragraph of  
8 this press release, you say, "This decision is  
9 overly burdensome and creates demands upon a  
10 non-expert's time that discourages non-expert  
11 testimony."

15:07:57

12 Do you see that?

13 A. Yes.

14 Q. Was this decision overly burdensome  
15 to you?

15:08:05

16 A. Yes, it would have been.

17 Q. Okay.. You feel that it would be  
18 burdensome to have written down what your  
19 testimony would have been?

20 A. Yes.

15:08:18

21 Q. Isn't it true, ma'am, you have told  
22 others to write their testimony down?

23 A. Yes.

24 Q. You told others to write their  
25 testimony down for purposes of the public

15:08:33

1 hearings, correct?

2 A. Yes.

3 Q. And so you didn't believe that --

4 well, I'll ask you: Was it burdensome for

5 these other people to write testimony down? 15:08:42

6 A. No.

7 Q. But it would have been burdensome

8 for you to do it?

9 A. By a certain date it would have  
10 been. 15:08:49

11 Q. Okay.

12 A. That is the burdensome part. Not  
13 writing it down.

14 Q. What do you mean by a certain date?

15 A. To have it turned in by the date 15:08:55  
16 that was for the expert testimony.

17 Q. Okay. So what you're saying is, by

18 the time you learned of it, it would have been

19 burdensome for you to have prepared it before,

20 I think the date was January 7th? 15:09:08

21 A. Correct.

22 Q. But you believe it is appropriate

23 for witnesses to file or provide written

24 testimony, correct?

25 A. It depends on what kind of witness 15:09:19

1 they are.

2 Q. Well, witnesses like you.

3 A. No. You don't -- I don't have to  
4 pre-file testimony.

5 Q. That's not my question.

15:09:27

6 My question is: You felt for other  
7 CKAP members that it would be appropriate that  
8 they write their testimony down, correct?

9 A. At a public hearing, yes.

10 Q. And so the difference for you is  
11 that you would have had to file testimony at a  
12 certain time, and that was inconvenient to you,  
13 right?

15:09:38

14 A. No.

15 Q. Okay. So you could have filed it  
16 by then?

15:09:45

17 A. No.

18 Q. All right. So it was inconvenient  
19 for you to have done that, right?

20 A. No.

15:09:54

21 Q. Why are you saying no?

22 A. Ask a question.

23 Q. I did.

24 A. Okay. Well, then ask it again.

25 Q. It was inconvenient for you to file

15:09:59

1 testimony by that time, correct?

2 A. It would have been overly  
3 burdensome, as the request asked.

4 Q. Would it have been inconvenient for  
5 you to have done that?

15:10:09

6 MR. CORCORAN: Objection.

7 A. I believe that's what overly  
8 burdensome means, yes.

9 Q. Okay. So it would have been  
10 inconvenient to you, yes?

15:10:15

11 MR. CORCORAN: Objection.

12 A. Yes.

13 Q. Why would it have been overly  
14 burdensome for you to do that?

15 A. It would have been overly  
16 burdensome for myself and for my counsel.

15:10:24

17 Q. Okay. Why would it have been  
18 overly burdensome for yourself and your  
19 counsel?

20 A. Because there were too many people  
21 who had -- who were on the non-expert witness  
22 list, to get all that accomplished before --

15:10:33

23 Q. Could you have filed your testimony  
24 by then?

25 A. No.

15:10:42

1 Q. Why not?

2 A. Because I was doing other things.

3 Q. Like what?

4 A. I don't need to tell you everything  
5 I was doing.

15:10:48

6 Q. Well, tell me why it would be  
7 burdensome, ma'am. I asked you a question --

8 MR. CORCORAN: Objection. She  
9 answered the question.

10 MR. KUTIK: With all due respect,  
11 she did not.

15:10:57

12 Q. You said you were doing other  
13 things.

14 A. Right. I was working on other  
15 aspects of the case.

15:11:02

16 Q. What aspects of the case were you  
17 working on?

18 A. Everything that I do.

19 Q. Which is what?

20 A. I'm not going to sit here and keep  
21 rambling on. I've answered the question.

15:11:10

22 Q. No, you haven't.

23 A. Okay. Well, then ask it in a  
24 different way.

25 Q. No. You said you were doing other

15:11:20

1 things. I've asked you what -- now, tell me  
2 what you were doing that you could not file  
3 testimony for this case. It's a very important  
4 thing about filing testimony. We want to know  
5 why you can't. And generalities aren't going 15:11:32  
6 to cut it.

7 A. That's my answer.

8 Q. No, it isn't your answer.

9 Can you tell me what you were doing  
10 that made it burdensome, or in your words, 15:11:39  
11 overly burdensome, for you to be able to file  
12 testimony?

13 MR. CORCORAN: Objection.

14 A. I was working on other aspects of  
15 the case. 15:11:49

16 Q. Like what?

17 A. Everything.

18 Q. Like what?

19 MR. CORCORAN: Objection.

20 A. I've answered the question. 15:11:56

21 Q. All right. Let's get the attorney  
22 examiner on the phone.

23 A. Do that.

24 (Discussion had off the record.)

25 Q. So at this point in time you're 15:14:04

1 refusing to tell me what you did or what you  
2 were doing that was so -- that made filing  
3 testimony overly burdensome; is that correct?

4 A. No. My answer is that I was  
5 working on other aspects of the case with 15:14:16  
6 Kevin.

7 Q. And you're refusing to tell me  
8 specifically what other aspects you were  
9 working on and the specific work that you were  
10 doing, correct? 15:14:24

11 A. I don't remember the specific work  
12 I was doing.

13 Q. So you can't remember what you were  
14 doing; is that what you're saying?

15 A. I was working on the case. 15:14:30

16 Q. Okay. Can you tell me anything  
17 about what you were doing?

18 A. Specific-wise -- this would have  
19 been in December. I probably was going through  
20 transcripts. I probably was taking a look at 15:14:50  
21 all the exhibits and deciding -- helping Kevin  
22 decide what we may want to do as far as  
23 witnesses were concerned.

24 Q. When you say you were looking at  
25 transcripts, what transcripts were you looking 15:15:32

1 at?

2 A. All of the transcripts filed in the  
3 docket.

4 Q. Are these the transcripts from the  
5 public hearing; is that what you're talking 15:15:39  
6 about?

7 A. Yes.

8 Q. Were you looking at any other  
9 transcripts other than from the public hearings  
10 in this case? 15:15:46

11 A. No, just the public hearing  
12 transcripts.

13 Q. And the exhibits were the exhibits  
14 that folks brought to the public hearing?

15 A. Yes. 15:15:54

16 Q. And other documents that were filed  
17 in this docket?

18 A. Yes.

19 Q. Was there anything else that you  
20 were doing at this time on this case? 15:16:04

21 A. Not that I recall.

22 - - - - -

23 (Thereupon, Deposition Exhibit  
24 Steigerwald 24, E-mail Sent from  
25 Susan Steigerwald to CKAP Members,



1                   was marked for purposes of  
2                   identification.)

3                   - - - - -

4                   Q.     Ms. Steigerwald, the court reporter  
5     has handed you what's been marked as Exhibit           15:17:14  
6     24.

7                   Do you recognize this?

8                   A.     Yes.

9                   Q.     This is a letter you sent out to --  
10    or e-mail you sent out to the members of CKAP?           15:17:23

11                  A.     Yes.

12                  Q.     Okay. And did you write this  
13    e-mail?

14                  A.     Yes, I did.

15                  Q.     Okay. Did you have any assistance   15:17:32  
16    in writing the e-mail?

17                  A.     No.

18                  Q.     So when we talked -- well, I'll  
19    back up.

20                         This is an e-mail that, among other   15:17:42  
21    things, tells people about what they might want  
22    to think about in getting or preparing for  
23    providing testimony at the public hearings,  
24    correct?

25                  A.     Yes.                                   15:17:57

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1 Q. And this has what might be termed  
2 talking points listed on it, correct?

3 A. Yes.

4 Q. Did you receive these talking  
5 points from OCC or were these all your idea? 15:18:08

6 A. They were my idea.

7 Q. Did you send out a separate letter  
8 or e-mail to CKAP members that provided  
9 information on talking points that came from  
10 OCC? 15:18:29

11 A. Yes.

12 Q. And would it be correct to say that  
13 you have not shared with us or produced to us  
14 that e-mail?

15 A. If it was before June 1st, which it 15:18:37  
16 wasn't, but if it was after June 1st, I have  
17 not.

18 Q. Well --

19 A. Well, actually, that one was a CKAP  
20 e-mail, so, no, it hasn't been produced. 15:18:51

21 Q. And it wasn't produced because of  
22 your view that you're not required to produce  
23 communications among the members of CKAP,  
24 correct?

25 A. Correct. 15:19:02

1           Q.     In the third paragraph, it's  
2     correct to say that -- about halfway down you  
3     encourage individuals to write out testimony  
4     and read directly from your statement, correct?

5           A.     Yes.

15:19:15

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2 Q. In this -- at the bottom of the  
3 first page you say that -- in your testimony,  
4 tell whatever you were told or led to believe,  
5 even if you don't have it in writing. In place 15:20:23  
6 of the phrase contract, you can simply use the  
7 term contract, correct?

8 A. No, that's not what it says.

9 Q. Okay. What's it say?

10 A. It says, In place of the word 15:20:34  
11 written contract, you can simply use the term  
12 contract.

13 Q. Right.

14 You say, We either built our homes  
15 to a specific set of requirements and/or later 15:20:44  
16 installed all-electric equipment in our homes  
17 in exchange for a discounted electric rate; is  
18 that what it says?

19 A. Yes.

20 Q. Okay. And did you do that? 15:20:55

21 A. Or acquired the home, yes.

22 Q. Okay. Well, I asked you the  
23 question: Did you either build your home to a  
24 specific set of requirements or -- and/or later  
25 installed specific all-electric equipment in 15:21:20

1 your home in exchange for a discounted rate?

2 Did you do that?

3 A. I did not install the equipment,  
4 no.

5 Q. Nor did you build your house to a 15:21:30  
6 specific set of specifications, correct?

7 A. I did not build the house, correct.

8 Q. Now, in the next paragraph you say  
9 -- about halfway down the paragraph -- and now  
10 we're on the second page of the document, In 15:21:54  
11 order to support the idea of contract mentioned  
12 above, also bring three copies of any documents  
13 that you have that mention anything about  
14 installing specific equipment, building to  
15 specific requirements, et cetera. Remember, 15:22:09  
16 these documents do not need to mention a  
17 discount was permanent.

18 The documents may not say a  
19 discount was permanent, but they also do not  
20 say there was an expiration date. 15:22:23

21 Do you see that?

22 A. I'm actually looking for it --

23 Q. It's in the first full paragraph on  
24 the second page.

25 A. Okay. Yes, I see it. 15:22:37

1 Q. Do you believe that the failure in  
2 FirstEnergy's marketing materials to indicate  
3 that there was an expiration date was a  
4 misrepresentation by FirstEnergy?

5 A. Do I believe that?

15:22:49

6 Q. Yes.

7 A. Yes.

8 Q. Okay. You believe that all of the  
9 marketing materials relating to a discount  
10 should have indicated when the discount was no  
11 longer going to be in effect?

15:22:57

12 A. Or that it had the potential to be  
13 taken away.

14 Q. Okay.

15 A. Would be a better way to say it.

15:23:06

16 Q. That the -- that the discount was  
17 subject to change; they should have said that?

18 A. Yes.

19 Q. Okay. Are you aware of whether any  
20 utility markets rates in that way?

15:23:18

21 A. I do not have that knowledge.

22 Q. So you don't know?

23 A. Correct.

24 Q. Further down the page, again,  
25 slightly above halfway down you have

15:24:05

1 suggestions for what else to include in your  
2 testimony, and these were your ideas, correct?

3 A. Correct.

4 Q. About six bullet points or  
5 asterisks down you say, Mention how the loss of 15:24:25  
6 the AE discount will decimate your property  
7 value by at least 30 percent, thus ruining the  
8 value of most individuals' nest egg investment  
9 -- the value of most individuals' nest egg  
10 investment, dash, your home, correct? 15:24:48

11 A. Correct.

4 Q. Now, you also have a bullet point  
5 that says, Mention how if the all-electric 15:29:45  
6 discount is not reinstated permanently it will  
7 make it impossible to sell your home.

8 Can you give me the name of any  
9 individual who said to you that it was  
10 impossible to sell their home? 15:29:58

11 A. Again, CKAP members who had had  
12 their homes for sale had mentioned the  
13 difficulty, and different realtors had also  
14 mentioned the difficulty.

15 Q. That's not my question. 15:30:12

16 Can you give me the name of any  
17 individual who told you that it was  
18 "impossible" to sell their home?

19 A. I don't remember anybody using  
20 those exact words. 15:30:21

21 Q. So you can't give me the name of  
22 one person who said that?

23 A. As I said, I don't recall the name  
24 of any one person who used those exact words.

25 Q. Okay. So you can't tell me anyone 15:30:35



1 who said that it was impossible to sell their  
2 home, correct?

3 A. Specific words, no.

4 Q. Well, you used the phrase, ma'am.

5 You said, Tell them it would be impossible to 15:30:45  
6 sell your home. And I'm saying, tell me who  
7 told you that it was impossible to sell their  
8 home. Can you give me the name of a single  
9 individual?

10 A. Who told me it was impossible? I 15:30:56  
11 probably could if I went through my CKAP  
12 e-mails, yes.

13 Q. But you can't right now?

14 A. Right.

15 Q. Let me refer you to the last 15:31:23  
16 paragraph.

17 You say --

18 MR. CORCORAN: David, which page  
19 are you on?

20 MR. KUTIK: Third page. 15:31:45

21 Q. CKAP's motion to intervene in  
22 this -- in the all-electric rates was  
23 officially approved by the PUCO this week.  
24 This means CKAP represented by our attorney,  
25 Kevin Corcoran, are official parties to the 15:31:55

1 case.

2 Since my name is specified in the  
3 motion to intervene and Kevin is the attorney,  
4 neither one of us is permitted to testify at  
5 the local public hearings.

15:32:05

6 So that's something you knew by the  
7 time of this letter, correct?

8 A. Correct.

9 Q. But you were encouraging other  
10 members of CKAP to testify, correct?

15:32:14

11 A. Absolutely.

12 Q. It was your view that even though  
13 CKAP was a party, CKAP members could go ahead  
14 and testify at the public hearing, correct?

15 A. Yes.

15:32:27

16 Q. Now, while individuals were  
17 preparing their testimony, did they contact you  
18 before they testified?

19 A. Some did.

20 Q. Okay. Did you help any individual  
21 write their testimony?

15:32:47

22 A. Some people had shown me their  
23 testimony and asked for my opinion on it, yes.

24 Q. Okay. Do you remember who they  
25 were?

15:33:04

1 A. Some I do, some I don't.

2 Q. Tell me who you helped with their  
3 testimony.

4 A. Testimony that I had seen ahead of  
5 time was -- well, I saw Teryl Bishop's ahead of 15:33:13  
6 time and I saw Brian Kurz' ahead of time;  
7 Chester Karchefsky's ahead of time; Bill Sass'  
8 ahead of time.

9 You know, as I said, I know I saw  
10 many that they sent them to me, and those are 15:34:10  
11 the only ones I recall at this time.

12 Q. Okay. I want to go through a list  
13 of names with you, and I'd like you to tell me  
14 two things about each of the names. First, I  
15 want you to tell me whether you believe that 15:34:24  
16 they are a member of CKAP. And second, I'd  
17 like you to tell me whether you saw their  
18 testimony ahead of time.

19 Do you understand what I'm asking  
20 you? 15:34:36

21 A. Yes.

22 Q. Betty Virginia Groover?

23 A. CKAP member, no, I didn't see her  
24 testimony.

25 Q. Roger Kinney, K I N N E Y? 15:34:45

1 A. I recognize the name. I don't  
2 remember if I saw any testimony.

3 Q. John Kempton, K E M P T O N?

4 A. I don't recognize the name.

5 Q. Sue McCartney? 15:35:01

6 A. I don't recognize the name.

7 Q. Jude Theibert?

8 A. I recognize the name, and I  
9 probably did see his testimony ahead of time.

10 Q. Raymond Kasicki? 15:35:12

11 A. I don't recognize the name.

12 Q. Ruth Lawrey?

13 A. I recognize the name, but I don't  
14 remember seeing her testimony.

15 Q. Cora Neill, N E I L L? 15:35:26

16 A. I -- that one, I don't believe  
17 they're a member of CKAP, and I did not see  
18 their testimony ahead of time.

19 Q. Eugene Koch?

20 A. Member of CKAP; I don't remember  
21 seeing the testimony. 15:35:46

22 Q. Bruce Martin?

23 A. Member of CKAP, but I don't  
24 remember seeing the testimony.

25 Q. Richard Pitsinger, P I T S I N G E 15:35:57

1 R.

2 A. I believe he's a member of CKAP,  
3 but I don't remember -- I did not see his  
4 testimony.

5 Q. Okay. Andrew Kocis, K O C I S? 15:36:11

6 A. I recognize him as a member of  
7 CKAP, but I don't remember seeing his  
8 testimony.

9 Q. When you say you don't remember  
10 seeing his testimony, are you saying in these 15:36:22  
11 instances where you've said that, that you  
12 might have, but you just don't recall?

13 A. I don't remember seeing it. I  
14 don't recall seeing it, yes.

15 Q. All right. So to the best of your 15:36:32  
16 recollection you did not see it?

17 A. Correct,

18 Q. I don't know if we had mentioned  
19 this name or not, Louise Lange?

20 A. The name sounds familiar, so I know 15:36:45  
21 it's a CKAP member, but I don't recall seeing  
22 her testimony.

23 Q. Rosemary Reidy, R E I D Y?

24 A. CKAP member; I don't recall seeing  
25 testimony. 15:37:00

1 Q. Robert K. Brown?

2 A. I don't recognize the name.

3 Q. Dick Barnes?

4 A. I recognize the name as a CKAP

5 member, but I don't remember seeing testimony. 15:37:10

6 Q. Edward Cullen?

7 A. I don't recall.

8 Q. Robert L. Smith?

9 A. I don't recognize the name.

10 Q. Sue Clause? 15:37:26

11 A. I recognize the name, so she must  
12 be a CKAP member, but I don't remember seeing  
13 testimony.

14 Q. Steve Raspison?

15 A. I don't recognize the name. 15:37:36

16 Q. Tim Randall, R A N D A L L?

17 A. I recognize the name, and there's a  
18 good chance he probably sent me his testimony.

19 Q. Jim Jankura?

20 A. I do recognize the name, and -- did 15:37:50  
21 I see his ahead of time? It's likely he had  
22 sent me his ahead of time.

23 Q. Okay. Now, is this individual --  
24 one of the individuals you indicated earlier  
25 was at one time a leader of CKAP? 15:38:06

1 A. Yes.

2 Q. Mayor Robert Stefanik?

3 A. Not a member of CKAP, and I didn't  
4 see any testimony.

5 Q. Brock Landers? 15:38:19

6 A. CKAP member; no testimony.

7 Q. William Bruton?

8 A. CKAP member and probably did see  
9 his testimony.

10 Q. Was he one of the leaders of CKAP 15:38:30  
11 at one point in time?

12 A. Not really, no. I wouldn't say he  
13 was a leader.

14 Q. Bill Vassel, V A S S E L?

15 A. CKAP member; I don't remember 15:38:43  
16 seeing his testimony.

17 Q. Carol Nussle, N U S S L E?

18 A. CKAP member; no testimony.

19 Q. Riaz, R I A Z, Ansari, A N S A R I?

20 A. Not a CKAP; don't recognize. 15:38:58

21 Q. Louis Vasconi?

22 A. I recognize the name, but I don't  
23 remember seeing testimony.

24 Q. Gerald Grissom?

25 A. I don't recognize the name. 15:39:10

1 Q. Tim LaSalvia, L A, capital S A L V  
2 I A?

3 A. He is a CKAP member, but I do not  
4 remember seeing his testimony.

5 Q. John Carney?

15:39:22

6 A. CKAP member, and, yes, I saw his  
7 testimony.

8 Q. Was he at any time a leader of  
9 CKAP?

10 A. Yes.

15:39:31

11 Q. Michael Carney?

12 A. Yes, he's a member of CKAP. I did  
13 not see any testimony of his.

14 Q. Was he at one point a leader of  
15 CKAP?

15:39:42

16 A. Yes.

17 Q. Michael Mann, M A N N?

18 A. CKAP member, but I did not see  
19 testimony.

20 Q. Gary Damert?

15:39:49

21 A. CKAP member, but I did not see  
22 testimony.

23 Q. Matt Patton?

24 A. Not a CKAP member. He was a  
25 legislator, and I did not see testimony.

15:40:03



1 Q. Thomas Patton?

2 A. Again, he's a legislator, not a  
3 CKAP member. So I did not see testimony.

4 Q. Diana Sull, S U L L?

5 A. She's a CKAP member. I did not see 15:40:16  
6 testimony.

7 Q. Donald Blankenship?

8 A. He is a CKAP member, but I did not  
9 see his testimony.

10 Q. Were either Ms. Sull or Mr. 15:40:25  
11 Blankenship leaders at any point in time?

12 A. No.

13 Q. Thomas Logan?

14 A. Yes, CKAP member, and I probably  
15 did because it was a version of what he had 15:40:43  
16 testified in the Senate Bill 236.

17 Q. Was Mr. Logan at any point a leader  
18 of CKAP?

19 A. No.

20 Q. Sherry Grivna, G R I V N A? 15:40:57

21 A. I don't recognize the name.

22 Q. Douglas Turnbull?

23 A. I don't recognize the name.

24 Q. Eugene Moore?

25 A. I don't recognize the name. 15:41:07

1 Q. Dale Finley?

2 A. I know who he is, but he was not a  
3 CKAP member.

4 Q. Dennis Kolar, K O L A R?

5 A. CKAP member, but I don't recall 15:41:17  
6 seeing his testimony.

7 Q. Was he ever a leader of CKAP?

8 A. No.

9 Q. Roseanne Cyngier, C Y N G I E R?

10 A. She was -- is a CKAP member, but I 15:41:30  
11 did not see her testimony.

12 Q. Was she ever a leader of CKAP?

13 A. No.

14 Q. Paul Marnecheck, M A R N E C H E C  
15 K? 15:41:44

16 A. I don't recognize the name.

17 Q. Linda Kranak, K R A N A K?

18 A. I recognize the name, but I didn't  
19 see testimony.

20 Q. Recognize the name meaning that you 15:41:55  
21 believe she was a CKAP member?

22 A. Yes.

23 Q. Was she ever a leader of CKAP?

24 A. No.

25 Q. Joe Hayes, Jr.? 15:42:01

1 A. CKAP member, and I did not see  
2 testimony.

3 Q. Was he ever a leader of CKAP?

4 A. No.

5 Q. Caroline -- or Caroline Dragics, D 15:42:11  
6 R A G I C S?

7 A. CKAP member, not a leader, did not  
8 see testimony.

9 Q. Ed Alavaros?

10 A. CKAP member, had some leadership 15:42:31  
11 roles, and I did not see his testimony.

12 Q. Wendy Bower?

13 A. I don't recognize the name.

14 Q. William Imblum?

15 A. Yeah, CKAP member, had a little bit 15:42:50  
16 of leadership responsibility and I did not see  
17 his testimony.

18 Q. Kathleen Lane?

19 A. I don't recognize the name.

20 Q. Don Keen, K E E N? 15:43:00

21 A. I don't recognize the name.

22 Q. Paul Ruic, R U I C?

23 A. I recognize him as a CKAP member,  
24 but I didn't see testimony.

25 Q. Was he in a leadership role at any 15:43:14

1 time?

2 A. No.

3 Q. Michael P. Roetter, R O E T T E R?

4 A. CKAP member, little leadership  
5 responsibility and -- did I see his testimony?

15:43:26

6 I believe he did send me his testimony.

7 Q. James Ehlinger, E H L I N G E R?

8 A. CKAP member, no leadership, no  
9 testimony.

10 Q. When you say no testimony, you  
11 didn't see testimony ahead of time?

15:43:51

12 A. I did not see it ahead of time,  
13 yes.

14 Q. Charles Neshkof, N E S H K O F?

15 A. Not a CKAP member.

15:44:00

16 Q. John D. Hawley, H A W L E Y?

17 A. I don't recognize the name.

18 Q. Lance Whitaker?

19 A. I don't recognize the name.

20 Q. Emmett Beavers, B E A V E R S?

15:44:13

21 A. I don't recognize the name.

22 Q. Joe Morgan?

23 A. I don't recognize the name.

24 Q. Brian Walters?

25 A. I don't recognize the name.

15:44:22

1 Q. Rita Lockhart?

2 A. I recognize the name. She was a  
3 CKAP member, a leader and I probably saw her  
4 testimony ahead of time.

5 Q. Linda Jankura? 15:44:37

6 A. Yes, she is CKAP member, leadership  
7 role and I did see her testimony ahead of time.

8 Q. Jane Pfaff, P F A F F?

9 A. I don't recognize the name.

10 Q. Thomas Sweeney? 15:44:53

11 A. Yes. He is a CKAP member, a  
12 leadership role. I did not see his testimony  
13 ahead of time.

14 Q. Hazel Sferry?

15 THE NOTARY: What is it?

16 MR. KUTIK: Ferry, F E R R Y {sic}.

17 THE NOTARY: I missed the first  
18 name.

19 MR. CORCORAN: It's actually S F E  
20 R R Y.

21 MR. KUTIK: I'm going from the  
22 transcript.

23 A. I don't recognize the name.

24 Q. Franz Jager, J A G E R?

25 A. Yes. He's a CKAP member, and I 15:45:37

1 don't believe he sent me his testimony ahead of  
2 time.

3 Q. Is he a leader?

4 A. No.

5 Q. Edward Bueche, B U E C H E?

15:45:46

6 A. Yes. CKAP member, leadership and  
7 -- I'm trying to think. It was -- it's likely  
8 that he probably sent me his e-mail ahead of  
9 time or his testimony.

10 Q. Mark Lemon?

15:46:09

11 A. I don't recognize the name.

12 Q. Leonard Skuline, S K U L I N E?

13 A. CKAP member, but I did not see  
14 testimony.

15 Q. And a leader?

15:46:23

16 A. No.

17 Q. Eileen Campo?

18 A. CKAP member, not a leader, but --  
19 and I didn't see her testimony, no.

20 Q. Norbert Fox?

15:46:33

21 A. I don't recognize the name.

22 Q. Fred Hickok, H I C K O K?

23 A. I recognize the name as a CKAP  
24 member, but I didn't see testimony and was not  
25 a leader.

15:46:52

1 Q. Mark Griffiths?

2 A. I don't recognize the name.

3 Q. Shirley Yunkers, Y U N K E R S?

4 A. CKAP member, no leadership.

5 Q. Brenda -- did you see her testimony 15:47:02  
6 ahead of time?

7 A. No.

8 Q. Brenda Kocavar, K O C E V A R?

9 A. CKAP member, but no leadership. I  
10 did not see the testimony. 15:47:12

11 Q. Charles Nagy?

12 A. CKAP member, had some leadership  
13 responsibilities and I don't recall seeing his  
14 testimony ahead of time.

15 Q. Carl Silzi? 15:47:23

16 A. I don't recognize the name.

17 Q. David Kennett, K E N N E T T?

18 A. I don't recognize the name.

19 Q. John Plausczck, P L A U C -- U S C

20 Z C K? 15:47:41

21 A. I don't recognize it.

22 Q. Dennis Boose, B O O S E?

23 A. He's a state rep, so he's not a  
24 CKAP member.

25 Q. David Eurig -- 15:47:52

1 A. I don't recognize the name.

2 Q. -- E U R I G?

3 A. I don't recognize the name.

4 Q. Thomas Garvey?

5 A. Yes, he's a CKAP member, not a 15:48:04  
6 leadership. I did not see his testimony.

7 Q. Anthony Klosinski, K L O S I N S K  
8 I?

9 A. I don't recognize it.

10 Q. Kim Kossick, K O S S I C K? 15:48:17

11 A. Yes. She's a CKAP member,  
12 non-leadership and I did not see her testimony.

13 Q. Was Michael Payne a CPAP member?

14 A. Yes.

15 Q. Was he a leader? 15:48:38

16 A. No.

17 Q. Did you see his testimony ahead of  
18 time?

19 A. No.

20 Q. Richard Jordan? 15:48:45

21 A. He is CKAP member, leadership and I  
22 did see his testimony ahead of time.

23 Q. Clifford Shandle, S H A N D L E?

24 A. I don't know if he's a CKAP member.

25 I know who he is, and I did not see his 15:49:03



1 testimony ahead of time.

2 Q. James McMeechan?

3 A. He is a CKAP member, but I did not  
4 see his testimony ahead of time.

5 Q. Is he a leader? 15:49:15

6 A. No.

7 Q. Candace Arcaro?

8 A. CKAP member, non-leadership, did  
9 not see testimony.

10 Q. Eileen Fisco, F I S C O? 15:49:23

11 A. CKAP member, non-leadership, did  
12 not see her testimony.

13 Q. Jerry DeCicca, D E, capital C I C C  
14 A?

15 A. I don't believe he's a CKAP member. 15:49:35

16 Q. Did you see his testimony ahead of  
17 time?

18 A. No.

19 Q. Dale Hayes?

20 A. I don't recognize the name. 15:49:44

21 Q. Thomas Waltermeyer?

22 A. He's a CKAP member, non-leadership,  
23 did not see the testimony.

24 Q. Richard Gift?

25 A. CKAP member, non-leadership, did 15:49:55

1 not see the testimony.

2 Q. Dee Riley?

3 A. CKAP member, non-leadership, did  
4 not see the testimony.

5 Q. Was Brian Kurz a leader at any 15:50:06  
6 time?

7 A. No.

8 Q. J.D. Wardlaw?

9 A. CKAP member, leadership  
10 responsibilities and did not see his testimony. 15:50:18

11 Q. John Trisca?

12 A. I don't recognize the name.

13 Q. Sue Hurd, H U R D?

14 A. I don't recognize the name.

15 Q. Barbara Snow? 15:50:30

16 A. I don't recognize the name.

17 Q. Steve Martony, M A R T O N Y?

18 A. I recognize the name as a CKAP  
19 member, non-leadership, did not see testimony.

20 Q. Patricia Rickettson, R I C K E T T 15:50:44  
21 S O N?

22 A. I recognize the name as CKAP,  
23 non-leadership, did not see testimony.

24 Q. Derrick Loy, L O Y?

25 A. I don't recognize the name. 15:50:55

1 Q. Ruth Amsterdam?

2 A. I don't recognize the name.

3 Q. Felicia Mattress?

4 A. I don't recognize the name.

5 Q. Kathleen Abraham?

15:51:07

6 A. I don't recognize the name.

7 Q. William McLaughlin?

8 A. I don't recognize the name.

9 Q. Michael Bertovich, B E R T O V I C

10 H?

15:51:20

11 A. I don't recognize the name.

12 Q. John Manter, M A N T E R?

13 A. I don't recognize the name.

14 Q. Glenn Stoltz, S T O L T Z?

15 A. Is it Glenn or Len?

15:51:34

16 Q. Well, I have Glenn. It might be --

17 A. I think it's --

18 Q. He lived at 7493 Middle Ridge Road?

19 A. Is that in Madison? There's a

20 Stoltz I know in Madison.

15:51:47

21 Q. This is a gentleman who testified  
22 at the Kirtland hearing.

23 A. Yes, I know him; CKAP member,  
24 non-leadership, did not see testimony.

25 Q. You've identified certain people as

15:52:28

1 leaders. Let me ask you a little bit about  
2 them.

3 Mr. Jankura, what did he do as a  
4 leader?

5 A. Publicity. 15:52:40

6 Q. What do you mean by that?

7 A. He helped promote the CKAP group.

8 Q. Can you be any more specific?

9 A. He helped encourage other  
10 all-electric homeowners to join CKAP. 15:52:51

11 Q. How did he do that?

12 A. By e-mail, by word of mouth, by  
13 flyers.

14 Q. So he was one of the more active  
15 people in publicizing hearings and significant 15:53:00  
16 events for CKAP?

17 A. Yes.

18 Q. John Carney, what did he do as a  
19 leader?

20 A. John Carney was more of a sounding 15:53:12  
21 board for myself, and he met once and we just  
22 discussed strategy ideas.

23 Q. So he was someone who participated  
24 in helping you formulate strategy?

25 A. Yes. 15:53:28

1 Q. Michael Carney, what did he do as a  
2 leader?

3 A. Same thing, formulate strategy.

4 Q. I don't have the first names, but  
5 Oliveros --

15:53:40

6 A. Okay.

7 Q. -- what did that person -- I'm  
8 sorry; I don't know if it's a he or she.

9 A. It's a he.

10 Q. -- do as a leader?

15:53:48

11 A. Formulate strategy on that one,  
12 too.

13 Q. Mr. -- well, can you tell me --  
14 what can you tell me about Mr. -- is it Mr.  
15 Oliveros?

15:53:57

16 A. Um-hum.

17 Q. What does he do?

18 A. He's a political -- he's a person  
19 who helps run political campaigns, like Larry  
20 Frawley's.

15:54:13

21 Q. Pardon?

22 A. Like Larry Frawley's.

23 Q. So he's helping to run Larry  
24 Frawley's political campaign?

25 A. He was at the time, yes. I don't

15:54:19

1 know what he's doing now.

2 Q. Do you know whether Larry Frawley's  
3 political campaign is still active?

4 A. Yes, it is.

5 Q. Do you know whether Mr. Frawley's 15:54:28  
6 political campaign has ended in an election?

7 A. He's not been -- the election  
8 doesn't happen until this coming year.

9 Q. Okay. So as an occupation, Mr.  
10 Oliveros is someone who is involved in 15:54:43  
11 political campaigns?

12 A. Yes.

13 Q. Do you know if he works for a  
14 particular firm?

15 A. I believe he's self-employed. 15:54:51

16 Q. Mr. or Ms. Imblum, what did they do  
17 as a leader?

18 A. He basically was just more active  
19 in getting other people to join via word of  
20 mouth and e-mail. 15:55:07

21 Q. Mr. or Ms. Rotter, what did that  
22 person do as a leader?

23 A. Rotter?

24 Q. Yeah, R O T T E R.

25 A. Okay. He -- he was pretty much our 15:55:19

1 only Toledo member. So he helped spread the  
2 word in Toledo.

3 Q. Mr. or Ms. Lockhart, what did they  
4 do as a leader?

5 A. She helped promote -- she helped 15:55:32  
6 with the bus trip and promoting the CKAP in  
7 North Ridgeville.

8 Q. Mr. or Ms. Sweeney, what did that  
9 person do as a leader?

10 A. Tom Sweeney helped with strategy. 15:55:47

11 Q. And when you say helped with  
12 strategy, same type of thing, met with you, you  
13 bounced ideas off of him, that type of thing?

14 A. Yes.

15 Q. What does Mr. Sweeney do for a 15:55:58  
16 living?

17 A. I believe he is self-employed, too,  
18 as a documentary filmmaker.

19 Q. What type of strategic advice did  
20 you ask Mr. Sweeney about? 15:56:11

21 A. We just discussed general ideas of  
22 where CKAP should head regarding the overall  
23 issue.

24 Q. Can you be any more specific than  
25 that? 15:56:25

1 A. I don't recall.

2 Q. Mr. or Ms. Bueche, B U E C H E,  
3 what did that person do as a leader?

4 A. He provided statistical analysis  
5 help. 15:56:39

6 Q. He was the -- was he the individual  
7 -- he wasn't the individual you referred to  
8 earlier as the brains of the outfit?

9 A. No. We have more than one brain.

10 Q. So Mr. Bueche was one of the brains 15:56:48  
11 of the outfit, too?

12 A. Yes.

13 MR. CORCORAN: We share one brain.

14 A. We pass it around.

15 Q. Since we're on the record, I'll 15:57:01  
16 refrain.

17 Mr. Nagy, what did he do as a  
18 leader?

19 A. He also -- he was a -- he was very  
20 active in getting people to join from the North 15:57:15  
21 Ridgeville area.

22 Q. Mr. Jordan, what did he do as a  
23 leader?

24 A. He was the original person who --  
25 who I contacted. So he was instrumental in 15:57:31



1 getting Senator Grendell involved and in  
2 formulating the beginnings of CKAP.

3 Q. He was one of the founders of the  
4 CKAP?

5 A. Yes. 15:57:47

6 Q. You were one of the founders of  
7 CKAP?

8 A. Yes.

9 Q. Who else was one of the founders of  
10 CKAP? 15:57:52

11 A. Connie Kline and Kevin.

12 Q. Mr. Wardlaw, what did he do as a  
13 leader?

14 A. He was helpful in just spreading --  
15 spreading the word in his area, and also -- and 15:58:06  
16 just bouncing ideas. He would bounce ideas off  
17 of me and I to him.

13 Q. Do you believe today that electric  
14 heating customers are being subsidized by other  
15 customers?

16:28:26

16 A. Under today's rate structure?

17 Q. Yes.

18 A. It's being deferred.

19 Q. Okay.

20 A. So, no, nobody's paying for it at  
21 the moment.

16:28:32

22 Q. So that if that deferral gets  
23 picked up by other customers, is there a  
24 subsidy at that point?

25 A. Yes.

16:28:44

1 (Discussion had off the record.)

2 Q. Before we took a break, Ms.  
3 Steigerwald, you talked about the fact that  
4 there were deferrals, correct?

5 A. Yes. 16:39:41

6 Q. And those deferrals relate to the  
7 discount rising from the rider credit that was  
8 established in this case, correct?

9 A. Yes.

10 Q. Prior to this case, there were 16:39:56  
11 other credits that electric heating customers  
12 enjoyed, correct?

13 A. Correct.

14 Q. Who was paying for those credits?

15 A. I honestly don't know. 16:40:14

16 Q. Okay. Is someone paying for those  
17 credits?

18 A. I don't know.

19 Q. If someone is paying for those  
20 credits, would that be a subsidy of electric 16:40:21  
21 heating customers?

22 A. If another rate payer is paying,  
23 yes.

8 Q. Are the two documents that you're  
9 referring to there the letter produced by Mr.  
10 Willetts and the letter produced by Mr. Logan?

17:06:27

11 A. Yes.

12 Q. And are those the only two  
13 documents that you're aware of today that  
14 provide a promise of a discount?

15 A. Yes.

16  
17  
18  
19  
20  
21  
22  
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24  
25