

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF OHIO

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In the Matter of W. Hobart :  
Pullins vs. Ohio Edison : Case No.  
Company. : 09-1983-EL-CSS

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PROCEEDINGS

before L. Douglas Jennings, Attorney Examiner,  
held at the Public Utilities Commission of Ohio,  
180 East Broad Street, Hearing Room 11-D,  
Columbus, Ohio, on Wednesday, May 25, 2011, at  
10:00 A.M.

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Armstrong & Okey, Inc.  
222 East Town Street, 2nd Floor  
Columbus, Ohio 43215  
(614) 224-9481 - (800) 223-9481  
Fax - (614) 224-5724

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APPEARANCES:

Jones Day  
By Mr. Grant W. Garber  
325 John McConnell Boulevard  
Suite 600  
Columbus, Ohio 43216-5017

On behalf of Ohio Edison  
Company.

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1                               Wednesday Morning,  
2                               May 25, 2011.

3                               - - -

4                               ATTORNEY EXAMINER: The Public  
5                               Utilities Commission of Ohio has scheduled for  
6                               this date and time a hearing in the matter of  
7                               the complaint of W. Hobart Pullins, Case No.  
8                               09-1983-EL-CSS.

9                               My name is Doug Jennings, I am an  
10                              Attorney Examiner and I have been assigned to  
11                              preside over the case at this time.

12                             I will note for the record that the  
13                             complainant is not in attendance. However,  
14                             counsel for the company is present and I would  
15                             ask that you enter your appearance on  
16                             the record.

17                             MR. GARBER: Yes, Your Honor. From  
18                             the law firm of Jones Day on behalf of the  
19                             company, Grant Garber.

20                             ATTORNEY EXAMINER: Your address?

21                             MR. GARBER: 325 John H. McConnell  
22                             Boulevard, Suite 600, Columbus, Ohio 43215.

23                             ATTORNEY EXAMINER: Okay. It's my  
24                             understanding, Mr. Garber, that you have made  
25                             attempts to contact the complainant.

1                   MR. GARBER: Yes, Your Honor. Over  
2 the last month or so I have attempted to contact  
3 complainant. What I have learned is that  
4 the complainant is currently living in an  
5 assisted living facility, he does not currently  
6 reside in the residence that is at issue in this  
7 case. It's my understanding no one actually  
8 lives there.

9                   I have learned all this through  
10 speaking to a woman named Janice Drake who is a  
11 friend of complainant and who is in fairly  
12 regular contact with him.

13                  My understanding is that complainant  
14 probably will not be able to return to the  
15 residence given his health and his age. And so  
16 the company through Ms. Drake is trying to  
17 determine what we can do with the property going  
18 forward.

19                  In terms of the issue in this  
20 litigation, it's the company's understanding  
21 that the complainant disputes the transfer of  
22 three different -- the transfer of balances from  
23 three different accounts, on to his home  
24 account. The company believes that those  
25 transfers were proper, and that they were done

1 in accordance with the Commission's rules  
2 because complainant actually was a landlord at  
3 certain of those properties and had  
4 responsibility for the electric bills during  
5 the time periods in question.

6 Nonetheless, given the unique, very  
7 unique circumstances in this case, and  
8 complainant's current living situation, the  
9 company intends within the next 10 days,  
10 hopefully sooner than that, to file a motion to  
11 dismiss this case on the grounds that we have  
12 satisfied the complaint by applying a credit to  
13 his home account to in affect reverse  
14 the transfer of those amounts on to his home  
15 account.

16 So, that is how we intend to  
17 proceed.

18 ATTORNEY EXAMINER: Thank you. What  
19 we can do while that is going on is continue  
20 this hearing for let's say a period of 30 days  
21 to allow that motion to be filed and a response  
22 from the complainant either directly or by  
23 someone on his behalf.

24 Let's go off the record for a  
25 moment.

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(DISCUSSION OFF THE RECORD)

ATTORNEY EXAMINER: Briefly,  
consulting a calendar, let's schedule the  
hearing for June, Monday, June 27th. And is  
there anything further?

MR. GARBER: No, Your Honor.

ATTORNEY EXAMINER: Okay. So this  
hearing will be adjourned until June 27th.

MR. GARBER: Thank you.

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

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CERTIFICATE

I do hereby certify that the foregoing  
is a true and correct transcript of the  
proceedings taken by me in this matter on May  
25, 2011, and carefully compared with my  
original stenographic notes.

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Michael O. Spencer,  
Registered Professional  
Reporter.

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

**Commission of Ohio Docketing Information System on**

**6/8/2011 10:20:30 AM**

**in**

**Case No(s). 09-1983-EL-CSS**

Summary: Transcript Transcript of W. Hobart Pullins vs. Ohio Edison Company hearing held on 05/25/11 electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Spencer, Michael O. Mr.