

FILE

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio)	
American Water Company to Increase Its)	Case No. 11-4161-WS-AIR
Rates for Water and Sewer Service.)	

**MEMORANDUM CONTRA
REQUEST FOR PUBLIC HEARING**

On February 24, 2012, the Blendon Township Board of Trustees filed a request for a public hearing in Blendon Township, Franklin County. Although it has not moved to intervene as a party in this proceeding, the trustees request that the Commission order another public hearing because the township has "approximately 2200 homes affected by the Ohio American Water rate case." The Commission should deny this request and adhere to the scheduled public hearings in its February 13, 2012 Entry.

R.C. 4903.083 requires that the Commission hold a public hearing "in each municipal corporation in the affected service area having a population in *excess of one hundred thousand persons*, provided that, at least one public hearing shall be held in each affected service area." R.C. 4903.083(A) (emphasis added). Further, once a public hearing is scheduled, the public utility must publish the notice of the public hearing once a week for two consecutive weeks in a newspaper of general circulation. *Id.*

The February 13, 2012 Entry satisfies the statutory requirement. The Entry schedules two public hearings in Franklin County: the March 5 hearing in Galloway and the March 19 hearing in Groveport. Both hearings are within close proximity to Blendon Township. Contrary to the township's position, its constituents have *two* opportunities to "comment about their water issues including the proposed rate increases that directly affect them."

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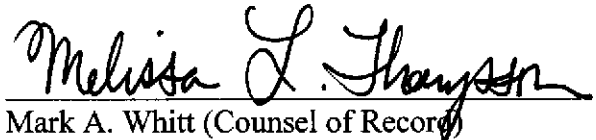
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Aside from the redundancy of holding a third public hearing in Franklin County, the Company would be incurring an unnecessary cost. Rate case expense, in the past, has been an issue in OAW's proceedings. *See, e.g.*, Case No. 09-391-WS-AIR, Opinion and Order (May 5, 2010) at 24 – 27. If another hearing is scheduled, OAW would incur the additional expense of publishing legal notice and sending personnel to the hearing. For this reason alone, the Commission should not order another public hearing in Franklin County.

The Commission has scheduled a sufficient number of public hearings in this proceeding. Therefore, the Commission should deny the Blendon Township Trustee's request to schedule a public hearing in Blendon Township.

Dated: February 24, 2012

Respectfully submitted,

A handwritten signature in black ink, reading "Melissa L. Thompson". The signature is written in a cursive, flowing style. The first name "Melissa" is written in a larger, more prominent script, followed by "L." and "Thompson". The signature is positioned above a horizontal line.

Mark A. Whitt (Counsel of Record)

Melissa L. Thompson

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CERTIFICATE OF SERVICE

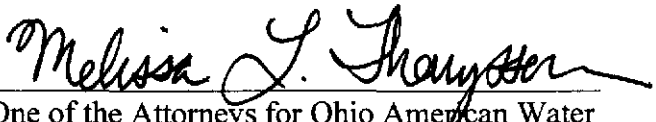
I hereby certify that a copy of the foregoing Memorandum Contra Request for Public Hearing was served by electronic mail on the 24th day of February, 2012, to the following:

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