

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of Application for :
Approval of Energy Efficiency and :
Peak Demand Reduction Program : Case Nos.
Portfolio Plans for the Years : 12-1290-EL-POR
2013-2015 of Ohio Edison Company, : 12-1291-EL-POR
The Cleveland Electric : 12-2192-EL-POR
Illuminating Company, and the :
Toledo Edison Company :

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Deposition of DR. DENNIS W. GOINS

Washington, DC

Tuesday, October 16, 2012

11:02 a.m.

Reported by: Debra A. Whitehead

1 Deposition of DR. DENNIS W. GOINS, held at the
2 offices of:

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4
5
6 BRICKFIELD BURCHETTE RITTS & STONE PC
7 1025 Thomas Jefferson Street NW
8 8th Floor West Tower
9 Washington, DC 20007
10 (202) 342-0800

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17 Pursuant to Notice, before Debra A. Whitehead,
18 an Approved Reporter of the United States District
19 Court and Notary Public.

A P P E A R A N C E S

ON BEHALF OF NUCOR STEEL MARION:

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(Present via telephone)

ON BEHALF OF THE OHIO ENVIRONMENTAL COUNCIL:

CATHRYN N. LOUCAS, ESQUIRE

THE OHIO ENVIRONMENTAL COUNCIL

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(Present via telephone)

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E X H I B I T S

(None marked)

P R O C E E D I N G S

DR. DENNIS W. GOINS,

having been duly sworn, testified as follows:

MR. LANG: Since we're doing this telephonically, I'm Jim Lang from Calfee, Halter & Griswold, representing FirstEnergy Utilities. Can you identify yourself and the other folks on the phone, if you want to, who are attorneys. If you want to make an appearance, you can go ahead, too.

Go ahead, Mike.

MR. LAVANGA: This is Michael Lavanga of the law firm Brickfield, Burchette, Ritts & Stone, representing Nucor Steel Marion.

MR. LANG: All right. Anyone else?

MS. KYLER: This is Jody Kyler, with the firm of Boehm, Kurtz & Lowry, on behalf of the Ohio Energy Group.

MS. LOUCAS: This is Cathy Loucas, Cathy with a C, last name spelled L-O-U-C-A-S, on behalf of the Ohio Environmental Council.

MR. LANG: I think that's it. Good morning, Jody and Cathy.

EXAMINATION BY COUNSEL FOR FIRSTENERGY UTILITIES
BY MR. LANG:

Q Dr. Goins, good morning.

1 A Good morning.

2 Q I know you've done many depositions, and I
3 think I have taken at least one of your depositions.

4 A Yes, you have.

5 Q So I think we'll start with what you have,
6 what you brought with you today for the deposition in
7 terms of your testimony and supporting materials.

8 A I have the -- in front of me I have a hard
9 copy of my direct testimony and exhibits, a copy of
10 Nucor's objections in this case, a copy of my
11 testimony in the 2010 case, 09-1947-EL-POR, et al. I
12 have a copy of the Energy Efficiency Program rules
13 from the PUC; and I have a copy of Rider ELR with me.
14 And I have my computer, or I have a computer.

15 Q Now, when you were preparing your testimony
16 for this proceeding, did you have any assistance from
17 others in preparing that testimony, other than legal
18 counsel?

19 A No, I did not.

20 Q So in terms of materials that you reviewed
21 in preparing your testimony, could you please give me
22 a list of what materials you reviewed?

23 A I reviewed the -- FirstEnergy's
24 application, the testimony. I reviewed objections
25 filed by the various parties in this case. I reviewed

1 commission decisions related to FirstEnergy's ESP and
2 some prior orders -- I can't remember the names of the
3 dockets -- that dealt with energy efficiency programs.
4 Some of those I may have referenced in the testimony;
5 I'm not sure.

6 I know I went to the websites of the
7 companies and reviewed various pieces of information
8 there, but I didn't make a list of it while I was
9 doing it.

10 Q Anything else that you can think of?

11 A Not specifically for this case, no.

12 Q Now, your testimony addresses in part the
13 rate design for the DSE2 charge for the Rider DSE.

14 Is that fair?

15 A It is.

16 Q Now, you are not offering an opinion on the
17 rate design for the DSE1 charge. Is that correct?

18 A No. That's correct.

19 Q And you're also not offering an opinion on
20 the rate design that's generally applicable to
21 FirstEnergy's other rate schedules, or specifically to
22 the GP, GSU, or the GT schedules. Is that correct?

23 A It is.

24 Q Now, well, do you agree that FirstEnergy
25 does not propose any changes to the DSE2 charge in

1 this proceeding?

2 A Yes.

3 Q And what FirstEnergy's portfolio plan is
4 about is the design of an energy efficiency and energy
5 reduction program for 2013 through 2015?

6 A Yes.

7 Q Are you aware that the DSE2 charge was
8 first approved in the FirstEnergy Utilities' 2009
9 electric security plan?

10 A Yes.

11 Q And that would have been FirstEnergy's
12 first electric security plan?

13 A Yes, I think it was. Yes. Because it --
14 yes.

15 Q And the DSE2 charge was modified in the
16 FirstEnergy Utilities first EE/PDR portfolio plan
17 proceeding in which you also testified, that's the one
18 back in 2010. Is that right?

19 A It was the 2010 case. I think the date I
20 show is that it was implemented in May of 2011.

21 Q And are you aware that the DSE2 charge was
22 continued in its current form in the FirstEnergy
23 Utilities most recent electric security plan
24 proceeding, what I think a lot of people call the
25 ESP3?

1 A I'm not aware of any changes that were made
2 to it, yes.

3 Q Did you have any involvement in the
4 FirstEnergy Utilities ESP3?

5 A No.

6 Q Have you had occasion to review any of the
7 testimony that was filed in the most recent electric
8 security plan proceeding -- let me just ask you that.
9 Have you had any occasion to review testimony that was
10 filed in that most recent electric security plan
11 proceeding?

12 A I did not.

13 Q Do you know whether Nucor Steel or the Ohio
14 Energy Group sought to revise Rider DSE in the most
15 recent electric security plan proceeding?

16 A I do not.

17 Q Now, part of your testimony discusses the
18 GT class of customers. What's a shorthand description
19 for what the GT class of customers is?

20 A It would generally, shorthand, be a large
21 industrial-type load served at transmission, served
22 voltage.

23 Q And how would that be differentiated from
24 the GP and GSU customer classes?

25 A The GP I believe is a primary service, and

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Case No(s). 12-2190-EL-POR, 12-2191-EL-POR, 12-2192-EL-POR

Summary: Exhibit to Motion to Strike Portions of the Direct Testimony of Dr. Dennis W. Goins and Memorandum in Support electronically filed by Mr. James F Lang on behalf of Ohio Edison Company and The Cleveland Electric Illuminating Company and The Toledo Edison Company