

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the :
Application of American :
Transmission Systems, :
Incorporated for a :
Certificate of Environmental: Case No. 11-4711-EL-BSB
Compatibility and Public :
Need for the Construction :
of the Hayes Transmission :
Substation :

- - -

PROCEEDINGS

before Daniel E. Fullin, Hearing Examiner, at the
Public Utilities Commission of Ohio, 180 East Broad
Street, Columbus, Ohio, Room 11-D, Columbus, Ohio,
called at 10:00 a.m. on Tuesday, November 20, 2012.

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APPEARANCES:

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Public Utilities Section
By Mr. John H. Jones
Assistant Attorney General
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On behalf of the Staff of
the Public Utilities Commission of Ohio.

Porter, Wright, Morris & Arthur LLP
By Mr. Robert J. Schmidt
41 South High Street
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Columbus, Ohio 43215-6194

On behalf of the Applicant

First Energy
By Ms. Ann M. Juterbock
76 South Main Street
Akron, Ohio 44308

On behalf of the Applicant.

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1 Tuesday Morning Session,
2 November 20, 2012.

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4 HEARING OFFICER FULLIN: I think we are
5 ready to go on the record.

6 The Ohio Power Siting Board is called for
7 hearing at this time and place, Case No.
8 11-4711-EL-BSB which is the Matter of the Application
9 of American Transmission Systems, Incorporated for
10 certificate of environmental compatibility and public
11 need for the construction of the Hayes Transmission
12 Substation.

13 My name is Dan Fullin. I'm the
14 administrative law judge assigned by the Board to
15 preside over this morning's hearing.

16 May I have the appearances beginning with
17 the Applicants.

18 MS. JUTERBOCK: My name is Anne Juterbock
19 on behalf of American Transmission Systems,
20 Incorporated.

21 HEARING OFFICER FULLIN: Thank you.

22 MR. SCHMIDT: Rob Schmidt, Porter Wright,
23 on behalf of American Transmission Systems,
24 Incorporated.

25 HEARING OFFICER FULLIN: Thank you. And

1 is there an appearance on behalf of Staff?

2 MR. JONES: Yes. Good morning, Your
3 Honor.

4 On behalf of the Staff of the Ohio Power
5 Siting Board, Ohio Attorney General Mike DeWine,
6 Assistant Attorney General, John Jones, 180 East
7 Broad Street, Columbus, Ohio.

8 HEARING OFFICER FULLIN: Thank you. I
9 believe it would be -- well, does anyone have any
10 preliminary matters before we begin the calling of
11 the witnesses?

12 Then I'll allow the Applicants to move
13 forward with that.

14 MS. JUTERBOCK: We have one witness, sir,
15 Mr. Scott Humphrys to support the stipulation and the
16 Applicant's exhibits.

17 - - -

18 SCOTT HUMPHRYS
19 being duly sworn, as prescribed by law, was examined
20 and testified as follows:

21 DIRECT EXAMINATION

22 By Ms. Juterbock:

23 Q. Good morning, Mr. Humphrys.

24 A. Good morning.

25 Q. Would you please state for the record

1 your name.

2 A. Scott Humphrys, H-u-m-p-h-r-y-s.

3 Q. And where do you work?

4 A. First Energy Service Company.

5 Q. And your business address?

6 A. 76 South Main Street, Akron, Ohio 44308.

7 Q. And how long have you worked for First
8 Energy and its subsidiaries or predecessors?

9 A. Since May of 2008.

10 MS. JUTERBOCK: Your Honor, may I
11 approach the witness?

12 HEARING OFFICER FULLIN: Yes.

13 (EXHIBIT IDENTIFIED FOR THE RECORD.)

14 Q. Mr. Humphrys, I have handed you what has
15 been marked for identification purposes as
16 Applicant's Exhibit 1.

17 Have you seen this document before?

18 A. Yes.

19 Q. Can you tell me what Exhibit 1 is?

20 A. It's American Transmission Systems,
21 Incorporated application of the Ohio Power Siting
22 Board for certificate of environmental
23 compatibility and public need for the Hayes
24 Substation Project.

25 Q. Thank you. What is your involvement in

1 the preparation of this document?

2 A. I was the project lead and it was
3 prepared by myself or under my supervision.

4 Q. To the best of your information and
5 belief is the information contained in this
6 application true and accurate?

7 A. Yes.

8 (EXHIBIT IDENTIFIED FOR THE RECORD.)

9 Q. Mr. Humphrys, I'm handing you what has
10 been marked as Applicant's Exhibit Number 2. Have
11 you seen this document before?

12 A. Yes.

13 Q. Do you know what these documents are?

14 A. These are the first and second public
15 notices for the Hayes Substation Project.

16 Q. Does the joint stipulation -- excuse
17 me, does it include affidavits confirming
18 publication of the public notices from the Sandusky
19 Register?

20 A. Yes.

21 Q. And what is the date of publication for
22 the first notice based on the information in front of
23 you?

24 A. The publication date of the first notice
25 is September 21, 2012.

1 Q. And what was the date of the public
2 notice for the second notice of public hearing?

3 A. The publication date for the second
4 notice is October 24, 2012.

5 Q. Are these public notices and
6 affidavits true and accurate to the best of your
7 knowledge?

8 A. Yes.

9 (EXHIBIT IDENTIFIED FOR THE RECORD.)

10 Q. I'm handing you Applicant's Exhibit
11 Number 3. Are you familiar with this document?

12 A. Yes.

13 Q. Can you tell me what this document is.

14 A. It's my initial written testimony for the
15 Hayes Substation Project.

16 Q. Did you prepare this testimony?

17 A. Yes.

18 Q. Was it filed in these proceedings?

19 A. Yes.

20 Q. Is there anything in this initial
21 testimony that has been filed with the Board in these
22 proceedings that you wish to change at this time?

23 A. No.

24 Q. And is your testimony true and accurate
25 to the best of your knowledge?

1 A. Yes.

2 Q. Okay. Mr. Humphrys, are you familiar
3 with the fact that parties have filed a joint
4 stipulation in this case?

5 A. Yes.

6 (EXHIBIT IDENTIFIED FOR THE RECORD.)

7 Q. I'm handing you what's been marked as
8 Joint Exhibit 1.

9 Are you familiar with this document?

10 A. Yes, I am.

11 Q. Can you tell me what this document is?

12 A. This is the joint stipulation and
13 recommended findings of fact and conclusions of law
14 for the Hayes Substation Project.

15 Q. Are you familiar with the recommendations
16 in the joint stipulation regarding the construction
17 of Hayes Transmission Substation?

18 A. Yes.

19 Q. Is American Transmission Systems,
20 Incorporated as the applicant in these proceedings in
21 agreement with the terms and conditions of the joint
22 stipulation?

23 A. Yes.

24 Q. Does the joint stipulation represent a
25 product of serious bargaining among capable

1 knowledgeable parties?

2 A. Yes. At the end the Ohio Power Siting
3 Board Staff actively negotiated the joint stipulation
4 with counsel representing them.

5 Q. Thank you. Does the joint stipulation
6 benefit consumers and the public interest?

7 A. Yes, it does. It reinforces the bulk
8 electric system in the greater Sandusky area.

9 Q. Does the joint stipulation violate any
10 important regulatory principles of practice?

11 A. No.

12 MS. JUTERBOCK: I have no further
13 questions of the witness at this time.

14 HEARING OFFICER FULLIN: Thank you.

15 Does the Staff have any questions of the
16 witness?

17 MR. JONES: No questions, Your Honor.

18 HEARING OFFICER FULLIN: And I note for
19 the record also, maybe I should have earlier, that
20 these are the only parties that are here. And to my
21 knowledge, these are the only parties of record in
22 the case and that there is no one else to ask whether
23 there's any questions of this witness.

24 Did you want to move the Exhibits?

25 MS. JUTERBOCK: I would like to move for

1 the admission of exhibits, Applicant's Exhibit 1, the
 2 application, Applicant's Exhibit 2, the affidavits
 3 confirming publication of the first and second public
 4 notices of the public hearing and adjudicatory
 5 hearings in these proceedings published in the
 6 Sandusky Register, and Applicant's Exhibit 3, the
 7 initial written testimony of Scott Humphrys which I
 8 believe is already filed in these proceedings. And
 9 then also I would like to move for the admission of
 10 Joint Exhibit 1, joint stipulation.

11 HEARING OFFICER FULLIN: Is there any
 12 objection to the admission of these exhibits, all
 13 four of them?

14 MR. JONES: No.

15 HEARING OFFICER FULLIN: Note there's no
 16 objection, and I will admit them into evidence at
 17 this time.

18 (EXHIBITS ADMITTED INTO THE RECORD.)

19 MR. JONES: Your Honor, I have one
 20 additional exhibit I'd like to introduce or have
 21 marked for identification, please.

22 HEARING OFFICER FULLIN: Okay.

23 (EXHIBIT IDENTIFIED FOR THE RECORD.)

24 MR. JONES: And that would be the
 25 Staff report of investigation that was filed on

1 October 24, 2012, in this case marked as Staff
2 Exhibit 1.

3 HEARING OFFICER FULLIN: All right. I'll
4 note that that exhibit's been introduced.

5 MR. JONES: And I'd like to move for its
6 admission, Your Honor.

7 HEARING OFFICER FULLIN: Is there any
8 objection?

9 There's no objection, so it will be
10 admitted into evidence at this time.

11 (EXHIBIT ADMITTED INTO THE RECORD.)

12 MR. JONES: Thank you.

13 HEARING OFFICER FULLIN: Do you have any
14 other questions of this witness?

15 MS. JUTERBOCK: No.

16 HEARING OFFICER FULLIN: You can be
17 excused.

18 Are there any other witnesses that the
19 Applicant wishes to call?

20 MS. JUTERBOCK: No, we do not have any
21 other witnesses.

22 HEARING OFFICER FULLIN: Or that the
23 Staff wishes to call?

24 MR. JONES: No, Your Honor.

25 HEARING OFFICER FULLIN: All right.

1 Then I think -- is there anything further that you
2 wanted to bring to the record, either of the
3 parties?

4 MS. JUTERBOCK: No, sir.

5 MR. JONES: No, Your Honor.

6 HEARING OFFICER FULLIN: In that case, I
7 will -- what's the word I'm trying to come up with --
8 bring this hearing to a close.

9 (Thereupon, the hearing was concluded at
10 10:15 a.m.)

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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 Tuesday, November 20, 2012, and carefully compared with my original stenographic notes.

Deborah J. Guzzo, Registered
Professional Reporter and
Notary Public in and for the
State of Ohio.

My commission expires January 25, 2017.
(2957-DJG)

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This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 11-4711-EL-BSB

Summary: Transcript of American Transmission Systems, Inc. hearing held on 11/20/12.
electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Guzzo,
Deborah Mrs.