

1 PUBLIC UTILITIES COMMISSION OF OHIO

2 STATE OF OHIO

3 (CASE NUMBER: 12-426-EL-SSO)

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5 IN RE: IN THE MATTER OF: The Application
6 of the Dayton Power & Light Company for
7 Authority to Establish a Standard Service
8 Offer in the form of an Electric Security
9 Plan pursuant to Section 4928.143 of the
10 Ohio Revised Code.

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11 The above-entitled cause came on for
12 hearing before the Public Utilities Commission of
13 Ohio, at the Council Chambers of the Dayton Municipal
14 Building, 101 West Third Street, 2nd Floor, Dayton,
15 Ohio, on Tuesday, January 29, 2013, at 1:00 p.m.,
16 before Bryce A. McKenney, Attorney Examiner, and
17 Terence M. Holmes, professional court reporter, and
18 notary public within and for the State of Ohio.

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3 On Behalf of the Public Utilities Commission
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On Behalf of the Intervener:

17

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On Behalf of the Intervener:

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1 C O N T E N T S

2

3	SPEAKERS:	PAGE	EXAMINATION
4	Gene Krebs	9	Mr. Faruki - 12
5	S. Ted Bucaro	18	Mr. Sauer - 23
6	Sampson Wright	27	-
7	Michael Roediger	29	Mr. Sauer - 32

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1 P R O C E E D I N G S

2 ATTORNEY EXAMINER: Let's go ahead and
3 get started at this time. At this time we'll go on
4 the record. Good Afternoon. The Public Utilities
5 Commission of Ohio has assigned for public hearing at
6 this time and place, case Number 12-426-EL-SSO, which
7 is in the Matter of the Application of the Dayton
8 Power & Light Company to Establish a Standard Service
9 Offer in the form of an Electric Security Plan,
10 pursuant to Section 4928.143 of the Ohio Revised Code.

11 My name is Bryce McKenney, and I'm an
12 Attorney Examiner with the Public Utilities Commission
13 of Ohio. With me are representatives of the
14 Commission. You'll find them at the back of the room.
15 You also passed them when you walked in. Their names
16 are Matt Shilling and Lee Gary. They will help you
17 with any questions that you might have on issues other
18 than what is the purpose of today's hearing.

19 There are also a number of parties
20 participating in the case regarding Dayton Power &
21 Light's application.

22 At this time, we'll take appearances
23 from the parties. Will counsel please stand and
24 address the court, beginning with the applicant.
25 Thank you.

1 MR. FARUKI: Thank you, Your Honor. My
2 name is Charlie Faruki from Faruki, Ireland & Cox in
3 Dayton. We represent the application, The Dayton
4 Power & Light Company. With me today is Donna Seager
5 Lawson who is head of the Regulatory Department at the
6 company, and as I informed you before we went on the
7 record, we've got a couple of people here. If I can
8 designate them? Both Judi Blair and Mark Vest, if
9 they could stand up and wave. If there are any
10 customers of the company here who have a question
11 about service or a question about their bill as
12 opposed to something that's an issue in this case,
13 they would glad to assist them. Thank you.

14 ATTORNEY EXAMINER: Thank you. Are
15 there other interveners here present today?

16 MR. SAUER: Thank you, Your Honor.
17 With the Office of the Ohio Consumers' Counsel. We
18 represent the Residential Utility Customers of Dayton
19 Power & Light Company. My name is Larry Sauer, the
20 consumers' counsel and Bruce J. Westin. With me today
21 is Michael Schuler and Ray Fuller is also here with
22 our communications department. Thank you.

23 ATTORNEY EXAMINER: Thank you. Other
24 interveners here present today?

25 MR. MILLER: Your Honor, Chris Miller

1 on behalf of the law firm Ice Miller representing the
2 City of Dayton as an intervener. My address is 250
3 West Street, Columbus, Ohio 43215.

4 ATTORNEY EXAMINER: Thank you. Are
5 there any other interveners here today? Thank you.
6 On March 30, 2012, the Dayton Power & Light Company
7 filed an application for a Standard Service Offer in
8 the form of a Market Rate Offer pursuant to Section
9 4928.141 of the Ohio Revised Code. On September 7,
10 2012, the Dayton Power & Light Company withdrew its
11 application and subsequently filed an application for
12 a Standard Service Offer in the form of an Electric
13 Security Plan pursuant to Section 4928.143 of the Ohio
14 Revised Code, which is commonly known as an ESP.

15 On December 12, 2012, the Dayton Power
16 & Light amended its application to establish its ESP.
17 Filed concurrently with the applications were
18 applications for approval of revised tariffs, approval
19 of certain accounting authority, waiver of certain
20 Commission rules, and an application to establish
21 tariff riders.

22 This local hearing is just one aspect
23 of the case process. There is another local hearing
24 scheduled for this evening at 6:00 o'clock at this
25 same place. If you provide testimony this afternoon,

1 you will not be provided an opportunity to testify a
2 second time at tonight's hearing.

3 The evidentiary hearing for this case
4 is scheduled to begin on March 11, 2013, at 10:00
5 o'clock at the offices of the Public Utilities
6 Commission of Ohio.

7 The purpose of the evidentiary hearing
8 is to allow the Company, Commission Staff, The Ohio
9 Consumers' Counsel, and other interveners to offer
10 expert witness testimony and to advocate their
11 positions in the case.

12 The purpose of today's hearings are to
13 hear from the public. We want to hear from you about
14 the Dayton Power & Light Company's proposal, and we
15 will not be hearing from the Company this afternoon.

16 When you arrived, you were given the
17 opportunity to sign a sheet to offer your testimony.
18 If you haven't already signed the sheet and would like
19 to testify, you may add your name to the list or wait
20 until we've finished with everyone who has signed up.
21 If you signed the sheet and do not wish to testify,
22 just let me know that you wish to pass.

23 Before you give testimony, you will be
24 asked to swear an oath or affirmation that what you're
25 about to say is the truth. You will then need to

1 state your name and address for the record. Please
2 remember to speak loud and clear for the court
3 reporter who is sitting next to me.

4 If you have written comments or a copy
5 of the statement that you wish to give, we would ask
6 that you please provide it to the court reporter when
7 you are finished.

8 Before we begin, does anyone have any
9 questions? Yes, sir.

10 MR. WRIGHT: The last part which you
11 just said, couldn't hear?

12 ATTORNEY EXAMINER: If you have a
13 written copy of the comments that you will be
14 providing today, if you would please provide those to
15 the court reporter so that he has a copy of them, we
16 would appreciate it. Thank you.

17 I'll now begin by reading the names of
18 the people who have signed up to testify this
19 afternoon. I apologize if I mispronounce your names
20 or cannot read any. First name appears to me to be
21 Jim Kuhn (Gene Krebs.)

22 MR. KREBS: Gene Krebs.

23 ATTORNEY EXAMINER: Gene Krebs. Excuse
24 me.

25 MR. KREBS: That's okay.

1 ATTORNEY EXAMINER: Would you like to
2 testify?

3 MR. KREBS: Yes.

4 ATTORNEY EXAMINER: Please step forward
5 to the podium.

6 MR. KREBS: Thank you, Your Honor.

7 ATTORNEY EXAMINER: Thank you. You
8 said it was Gene Krebs?

9 MR. KREBS: Yes.

10 ATTORNEY EXAMINER: Mr. Krebs, I'm
11 gonna ask you to please raise your right hand.

12 MR. KREBS: Yes, I do.

13 Whereupon,

14 GENE KREBS

15 of lawful age, a witness herein, having been duly sworn,
16 as hereinafter certified, was examined and testified as
17 follows:

18 ATTORNEY EXAMINER: Thank you. Please
19 state your name and address for the record?

20 MR. KREBS: Gene Krebs, 12173 State
21 Route 732, Camden, Ohio 45311. You'll also find it on
22 the bottom there, too. Thank you, Your Honor. I am
23 here today -- I am -- I'm sorry. Let me back up. I
24 am not here today in my role as Chair of the Ohio
25 Consumer's Counsel Governing Board. I am also not

1 here today as a previous member of the Ohio House or a
2 member of the Public Utilities Committee of that
3 chamber. I am here though as someone who is a
4 customer of DP&L, and more importantly and relevantly,
5 as a former Preble County Commissioner.

6 About a decade ago when I was a
7 commissioner, we had a storm ravage the county and
8 many citizens complained about the length of time the
9 power was out. To perform due-diligence, I suggested
10 and the other commissioners agreed to hold a meeting
11 where DP&L, Darke Rural Electric and Butler Rural
12 electric, along with both PUCO and OCC, were invited
13 to attend. As the public meeting continued, it became
14 very evident that while customers and staff of both
15 Darke Rural Electric and Butler Rural Electric
16 indicated their power outages were scattered and of
17 short duration, DP&L customers experienced long
18 outages and service loss seemed to be widespread. As
19 a result of that examination, I was very disturbed by
20 the lack of service quality in the DP&L territory.

21 As I reflect back on the 10 years since
22 then and Hurricane Ike and other problems, such as
23 lights dimming, even in good weather, farmers
24 discovering that DP&L has changed the billing
25 structure to their extreme economic disadvantage

1 compared to other farmers in other areas and states,
2 and such mounting concerns that one neighbor even
3 explored how to bring rural cooperative power lines
4 over from the back of their property and replace DP&L
5 as the provider, we rural people, not just farmers or
6 agri-business, but also those living in
7 "countryburbia," feel like second-class citizens.

8 Rural Ohioans feel that they are
9 second-class citizens subject to benign neglect by the
10 regulated utilities, and in this day and age it hurts
11 economic development in the state. On my next
12 appearance on the talk show circuit, I will be
13 confirming that this problem of rural Ohio feeling
14 left behind will be an emerging issue in the 2014
15 gubernatorial campaign.

16 The idea that citizens will be paying
17 DP&L money if people switch from DP&L to another
18 electric company, including the subsidiary of DP&L, is
19 insulting to us. The proposal that as more people
20 switch, the more money DP&L gets from the current
21 customer base is bizarre. There is nothing in this
22 proposal currently to benefit the consumers by
23 improving service and making Ohio more economically
24 competitive. Thank you, Your Honor.

25 ATTORNEY EXAMINER: Thank you. Do any

1 parties have any questions?

2 MR. KREBS: I do.

3 ATTORNEY EXAMINER: You may proceed.

4 EXAMINATION

5 BY MR. FARUKI:

6 Q. Mr. Krebs, I'm Charlie Faruki and I
7 represent the Company, a couple of questions. Have
8 you examined the filing in this case?

9 MR. KREBS: Your Honor.

10 ATTORNEY EXAMINER: You may proceed.

11 A. Thank you. I have reviewed a document
12 under the PUCO website. I believe that's what you're
13 referring to.

14 MR. KREBS: Your Honor, I am not an
15 attorney, nor do I pretend to be one, so when he asked
16 me about the filing, I'm a little bit unsure.

17 Q. Well --

18 A. That I have not read.

19 Q. Okay. Well, let me ask you my
20 question.

21 ATTORNEY EXAMINER: Let the record
22 reflect that the counsel has handed the application of
23 the Dayton Power & Light Company's application for a
24 Standard Service Offer in the form of an Electric
25 Security Plan to the person testifying here today.

1 Q. Now, Mr. Krebs, I'll represent to you
2 that I've given you or put in front of you the three
3 volumes --

4 A. Um-hum.

5 Q. -- that comprise the filing that is the
6 subject of this hearing. My question is: Have you
7 looked at any of the material in any of the volumes?

8 MR. KREBS: Your Honor.

9 ATTORNEY EXAMINER: You may answer the
10 question.

11 MR. KREBS: Thank you, Your Honor.

12 A. I have not read the application as
13 presented to me here today. I have though looked at
14 what is available on line in a more condensed format.

15 Q. What did you look at on line?

16 A. I looked at on line material from the
17 OCC website, I believe also from the PUCO website.

18 Q. What did you look at from the PUCO
19 website, because all of this is available on line?

20 A. I looked at a summary.

21 Q. Of what part of the filing?

22 A. Of the filing that was on the website
23 or the material that was on the website.

24 Q. So, you haven't looked at any of the
25 charts or schedules that comprise the company's filing

1 in these volumes, is that right?

2 A. That is true.

3 Q. You talk about some storm activity,
4 which I take it was 10 years ago, is that right?

5 A. Yes.

6 Q. And have you approached DP&L about the
7 concerns, and if you have your prepared remarks in
8 front of you, the concerns that you discuss in the
9 third and fourth paragraphs here?

10 A. Yes. That was brought up to DP&L
11 representatives during the commission meeting.

12 Q. What meeting was this?

13 A. This was held 10 years ago.

14 Q. Okay. Have you talked to DP&L in the
15 last 10 years about these concerns?

16 A. In the past --

17 MR. FARUKI: Your Honor.

18 A. In the past 10 years we have been
19 neighbors and I have -- I can't vouch if they have
20 talked about to DP&L about all their concerns, I
21 believe they have, and I believe especially on the one
22 where DP&L without any notice has come through and
23 changed the billing terms with respect --

24 Q. And my question is: Did you talk to --

25 ATTORNEY EXAMINER: Counsel, please

1 allow him to continue to answer the question.

2 MR. FARUKI: I would move to strike.
3 He's not answering my question.

4 A. They have discussed with me their
5 concerns regarding -- You opened up the door. They
6 have discussed their concerns with me regarding DP&L's
7 changing of their billing. So that all of a sudden
8 they are being billed for their highest month of
9 electrical usage, October on a 12-month basis, rather
10 than how they traditionally been billed.

11 MR. FARUKI: I would move to strike. I
12 asked him, "Has he talked to DP&L?" And he's talking
13 about hearsay from neighbors, and that was not my
14 question.

15 ATTORNEY EXAMINER: I will take it
16 under advisement.

17 MR. FARUKI: All right.

18 Q. Next question: Have you talked to
19 DP&L, you personally, not some neighbors they may have
20 talked to you?

21 A. I have not talked to DP&L for 10 years.

22 Q. You talked about going on the talk show
23 circuit --

24 A. Um-hum.

25 Q. -- but in the last 10 years, despite

1 these supposed concerns, you haven't contacted DP&L,
2 is that right?

3 A. In the past 10 years my neighbors have
4 contacted DP&L, and I will also tell you that the
5 concerns that we have, we have complained to DP&L
6 about lights dimming, other problems at our home for
7 which we've gotten no response.

8 Q. Who's "we?"

9 A. My wife and myself.

10 Q. And who did you talk to?

11 A. That was some time ago.

12 Q. How many years?

13 A. I would say in the past year or so,
14 maybe two years, maybe three years.

15 Q. Did you write to the company?

16 A. No.

17 MR. FARUKI: Okay. That's all I have,
18 Your Honor. Thank's.

19 ATTORNEY EXAMINER: Counselor. Would
20 interveners have any questions?

21 MR. SAUER: No questions.

22 MR. MILLER: No questions.

23 ATTORNEY EXAMINER: Thank you. You may
24 proceed.

25 MR. KREBS: And to get further -- Your

1 Honor, to give further information as to when that
2 conversation occurred between DP&L and my wife
3 regarding our lights dimming, you'd have to talk to
4 her. I am finished.

5 ATTORNEY EXAMINER: Thank you. Thank
6 you, Mr. Krebs. Next person signed up to testify this
7 afternoon is Danny Armstrong.

8 MR. ARMSTRONG: Danny Armstrong.

9 ATTORNEY EXAMINER: Would you please
10 step to the podium if you wish to testify?

11 MR. ARMSTRONG: Your Honor, I think I'm
12 going to pass on this one, because I plan on coming in
13 this evening at 6:00 o'clock and I would like to
14 testify then. I do not have a prepared statement at
15 this time. I would like to prepare a statement for
16 the 6:00 o'clock meeting.

17 ATTORNEY EXAMINER: You may prepare a
18 statement for the 6:00 o'clock meeting and we will
19 take your testimony at that time if you wish.

20 MR. ARMSTRONG: Very well.

21 ATTORNEY EXAMINER: Is that all?

22 MR. ARMSTRONG: That's all.

23 ATTORNEY EXAMINER: Thank you. Next
24 person I have signed up to testify is Ted Bucaro.

25 MR. BUCARO: Yes.

1 ATTORNEY EXAMINER: Did I pronounce that
2 correctly?

3 MR. BUCARO: Yes, you did.

4 ATTORNEY EXAMINER: Please raise your
5 right hand.

6 MR. BUCARO: Yes, I do.

7 Whereupon,

8 S. TED BUCARO

9 of lawful age, a witness herein, having been duly sworn,
10 as hereinafter certified, was examined and testified as
11 follows:

12 ATTORNEY EXAMINER: Would you please
13 state your name and address for the record?

14 MR. BUCARO: My name is Ted Bucaro, I'm
15 the Government & Regional Relations Director for the
16 University of Dayton, located at 300 College Park,
17 Dayton, Ohio.

18 ATTORNEY EXAMINER: You may proceed.

19 MR. BUCARO: Thank you very much. As I
20 said, my name is Ted Bucaro, I'm the Government and
21 Regional Relations Director for the University of
22 Dayton. We're a top-tier Catholic university, and
23 ever since our founding in 1850 we've been strongly
24 committed to the well-being of the Dayton community,
25 not just educationally, but socially and economically,

1 as well.

2 That's one reason I'm pleased to share
3 with you the impact of the decades-long partnership
4 the University of Dayton has had with the Dayton Power
5 & Light Company in serving the educational, economic
6 and social interests of the region.

7 The focus of my remarks today is not on
8 this particular document right here, rather I'll focus
9 on the areas where DP&L and the university have worked
10 together to make a difference and DP&L's strong part
11 of being a strong community partner.

12 The areas I'll hit on are: Work Force
13 Development, improving primary and secondary education
14 for at-risk students, and promoting environmental
15 education and stewardship.

16 With regard to Work Force Development.
17 More than 20 years ago, DP&L joined the University of
18 Dayton's School of Engineering as a sponsor of our
19 Women in Engineering Program. This program entails a
20 summer camp that promotes the engineering profession
21 to female high school students through experiments,
22 innovation modules, a day with industry, and dinners
23 with engineers.

24 DP&L has also been a longtime partner
25 in our Minority Engineering Program, which provides

1 scholarships, academic support, focused advising,
2 mentors and internships to students from
3 under-represented and at-risk minority populations.

4 Besides providing financial support to
5 these programs, DP&L encourages its employees to take
6 part as mentors, professional advisors and networking
7 contacts.

8 DP&L has also been a longtime partner
9 for the University's Center for Leadership, which
10 trans emerging managers and executives to be effective
11 and principled business leaders.

12 These three examples demonstrate a
13 commitment on DP&L's part to creating outstanding
14 educational opportunities, developing strong business
15 leaders, promoting diversity and building a great work
16 force -- not just for Dayton Power & Light, but for
17 the entire region.

18 DP&L has also been a partner in
19 improving urban education. I'd like to talk a little
20 bit about some of the educational opportunities,
21 particularly for children affected by poverty and
22 other barriers for learning.

23 DP&L was an early and significant
24 partner in launching the innovative and highly
25 successful Dayton Early College Academy. This

1 alternative public high school on the UD campus
2 consistently achieves 100 percent college placement
3 for its graduates, many of whom are the first in their
4 families to go to college.

5 DP&L has also contributed to the Urban
6 Teacher Academy, a special program in our School of
7 Education and Allied Professions that trains new
8 teachers to become highly effective educators in
9 inner-city schools.

10 Finally, with regard to environmental
11 educational and stewardship. DP&L most -- One of the
12 most exciting collaborations with the University of
13 Dayton has been what we call The Rivermobile.

14 DP&L was the first major financial
15 contributor to this project, more than a year ago.
16 It's a mobile interactive educational unit, converted
17 from a 53-foot semi-trailer, into its current state,
18 educational state yet. In essence, the Rivermobile
19 will "bring the river" to about 3,000 middle school
20 and high school students each year. It teaches area
21 young people about the recreational, ecological and
22 economic importance of our region's water resources
23 and how to be good stewards of our rivers and aquifer.

24 Once we received DP&L support, we were
25 able to attract a wide range of additional partners

1 from the public, private and nonprofit sectors. This
2 great idea has now become a reality. We unveiled the
3 Rivermobile in November. This spring, as we mark the
4 100th anniversary of the Great Flood of Dayton, the
5 students in the Rivers Institute -- That's UD group
6 through the Center for Leadership will start taking
7 bookings for school visits.

8 I hope -- And I would like to share
9 with you the opportunity to come and see the
10 Rivermobile. It will be shown at this years Rivers
11 Summit at the University of Dayton on March 15th.
12 It's a great example of what the University of Dayton
13 has been able to do in partnership with the support of
14 Dayton Power & Light.

15 In closing, on behalf of the University
16 of Dayton, I thank you for the opportunity to address
17 this commission. It has been a pleasure on behalf of
18 all of my colleagues. It's been a pleasure and
19 privilege to provide testimony and share with you some
20 of the positive and lasting impacts Dayton Power &
21 Light has been on the Dayton community. Thank you,
22 sir.

23 ATTORNEY EXAMINER: Thank you. Does
24 the company have any further questions?

25 MR. FARUKI: No, Your Honor.

1 ATTORNEY EXAMINER: Do any interveners
2 have any questions?

3 MR. SAUER: Couple, Your Honor.

4 ATTORNEY EXAMINER: Yes, you may
5 proceed.

6 EXAMINATION

7 BY MR. SAUER:

8 Q. Mr. Bucaro.

9 A. Yes, sir.

10 Q. Did you talk to anyone from DP&L before
11 you testified today?

12 A. In government, the Government Relations
13 Director for UD, so I spent a fair amount of time
14 bumping into Steve Blake and Tom Bracket who are my
15 counterparts with their company.

16 Q. Did they ask you to testify today?

17 A. They have asked that we testify and
18 provide testimony.

19 Q. And programs that you mentioned, do you
20 know how much DP&L contributes to those programs?

21 A. Offhand I do not know that number.

22 Q. Do you know how much that contributes
23 to what they filed in this case today?

24 MR. FARUKI: I'll object to the form of
25 that.

1 Q. Which one of them puts on this case
2 today?

3 MR. FARUKI: Wait till I object. I
4 think the question is unintelligible, I guess. If
5 he's asking if the dollars in the program relate to
6 the case? Well, I object. I don't think the question
7 is intelligible.

8 ATTORNEY EXAMINER: Will you read --

9 MR. SAUER: I'll restate.

10 ATTORNEY EXAMINER: Restate the
11 question, please. Thank you.

12 Q. Now, Mr. Bucaro, do you know -- You say
13 you don't know how much the company contributes to the
14 various programs you were discussing today, your
15 education, your teachers, your Rivermobile, any of
16 those?

17 A. That is correct, I don't have that
18 information on-hand with me today.

19 Q. And so you don't know how much the cost
20 of those programs contribute to being collected as
21 part of these cases here?

22 MR. FARUKI: Objection. For lack of
23 foundation.

24 ATTORNEY EXAMINER: Counsel, there's no
25 pre-filed testimony in this case and been no

1 discovery. I'll have some leeway with the questions.

2 Overruled.

3 MR. FARUKI: Okay. Just so my record
4 is clear, I'm objecting to the assumption in the
5 question that those costs are in this case.

6 ATTORNEY EXAMINER: Counsel, you may
7 proceed.

8 Q. Do you know if any of the costs that
9 you --

10 A. What costs exactly are you referring
11 to, sir?

12 Q. Costs I'm speaking to are the programs
13 that you have been mentioning here, the Rivermobile,
14 your and education, teacher programs that DP&L
15 supports?

16 MR. BUCARO: You know, with all due
17 respect, Your Honor, I'm just not understanding the
18 question or the language he's trying to be drawn.

19 Q. Do you understand that DP&L collects
20 costs from its customers?

21 A. I understand they're a utility company
22 and they -- yeah, they charge for their services.

23 Q. And you understand that as part of
24 those programs that they're contributing to, maybe
25 asking customers to pay those costs?

1 MR. FARUKI: Objection. Speculation.
2 No foundation.

3 ATTORNEY EXAMINER: You don't have to
4 answer. Can you restate the question?

5 MR. SAUER: Yes. That's all right,
6 I'll withdraw the question, Your Honor.

7 ATTORNEY EXAMINER: All right. Thank
8 you. Are there any other interveners who have any
9 questions for the witness? Thank you. At this time
10 you may be seated.

11 At this time the next person I have
12 signed up to testify this afternoon is Sampson Wright.
13 Mr. Wright, are you present here today?

14 MR. WRIGHT: Yeah.

15 ATTORNEY EXAMINER: Do you wish to give
16 testimony?

17 MR. WRIGHT: Yes.

18 ATTORNEY EXAMINER: Please step forward
19 to the podium.

20 MR. FARUKI: May I ask a question. Are
21 people allowed to -- I thought they were allowed to
22 give un-sworn testimony if they liked; in other words,
23 an un-sworn statement?

24 ATTORNEY EXAMINER: We're taking sworn
25 testimony at this public hearing.

1 MR. FARUKI: Only?

2 ATTORNEY EXAMINER: Thank you. Yes.

3 MR. FARUKI: Okay.

4 MR. WRIGHT: I don't have a written
5 statement.

6 ATTORNEY EXAMINER: That's all right.

7 Mr. Wright, please raise your right hand.

8 MR. WRIGHT: Yes.

9 Whereupon,

10 SAMPSON WRIGHT

11 of lawful age, a witness herein, having been duly
12 sworn, as hereinafter certified, was examined and
13 testified as follows:

14 ATTORNEY EXAMINER: Thank you. Please
15 state your name and address for the record?

16 MR. WRIGHT: Sampson Wright, 3052
17 Jewelstone Drive, Apartment 201.

18 ATTORNEY EXAMINER: You may proceed.

19 MR. WRIGHT: I've been a DP&L customer
20 on and off ever since 2002. My experiences overall
21 have been great. My only complaint with the recent
22 request that I believe for additional funds is through
23 charging the customer is the justification in my eyes
24 as a customer of the rate going up. And due to the
25 economic times for me personally have been really hard

1 for multiple years, and when I saw the email that said
2 that the proposing, you know, for this amount, that
3 amount because of this and that, pretty soon it goes
4 on my bill is going up. So from my understanding from
5 what I've read my bill is going up. So I had to come
6 down here and say, if you're gonna raise my bill, what
7 have you done to cut costs on your end? So that
8 instead of affecting the customer from what I've seen,
9 you're making sure that your cost are down to the
10 point where you ask for more funds because you have
11 already cut cost. So that's the reason why I came
12 down here today just so say that.

13 I think it makes sense that if they're
14 gonna raise rates, that they could show us what they
15 have done previous to today or whenever they filed to
16 ask for more money. That's all I have.

17 ATTORNEY EXAMINER: Thank you. Does
18 the company have any questions for the witness?

19 MR. FARUKI: No, Your Honor.

20 ATTORNEY EXAMINER: Do any interveners
21 have any questions for the witness?

22 MR. SAUER: No, Your Honor.

23 MR. MILLER: No, Your Honor.

24 ATTORNEY EXAMINER: Thank you. You may
25 be seated. Next name I have signed up to testify this

1 afternoon is Michael Roediger. Mr. Roediger, please
2 raise your right hand.

3 MR. ROEDIGER: I do.

4 Whereupon,

5 MICHAEL ROEDIGER

6 of lawful age, a witness herein, having been duly sworn,
7 as hereinafter certified, was examined and testified as
8 follows:

9 ATTORNEY EXAMINER: Thank you. Please
10 state your name and address for the record?

11 MR. ROEDIGER: Michael Roediger. Do
12 you want business or residence?

13 ATTORNEY EXAMINER: Ah.

14 MR. ROEDIGER: That's my business that
15 I put on there, but I didn't know.

16 ATTORNEY EXAMINER: Whichever one is
17 affected by the application, I suppose.

18 MR. ROEDIGER: 456 Belmonte North Park
19 -- Belmonte North Parkway, Dayton, 45405. Good
20 afternoon, I am Michael Roediger. I am the Executive
21 Director of The Dayton Art Institute, which is a
22 world-class museum for nearly 95 years right here in
23 Dayton that has more than 25,000 objects in its
24 collection, and I am the former Vice President of
25 Development for Victoria Theater Association, which is

1 Dayton's professional Broadway presenting theater
2 company. I have spent my entire career in nonprofit
3 and more than 15 years in Dayton's rich arts
4 community.

5 Over the past few years, Dayton as a
6 community, has been hit hard by major companies who
7 have moved their headquarters from the region while we
8 endured one of the toughest economic times in our
9 nation's history.

10 Through it all, there have been a few
11 companies which have held strong and provided ongoing
12 support to Dayton's rich arts community. The Dayton
13 Power & Light Company has been a leader and a friend
14 to the arts for decades. I know from personal
15 experience that there have often been programs and
16 projects that simply would not have been able to have
17 happened if it were not for DP&L. More than a utility
18 company, DP&L is a change agent.

19 DP&L invests in quality of life in the
20 regions in which it serves by providing significant
21 financial support and also by providing talented
22 employees who serve on our boards, committees, and are
23 present at our community events.

24 I have worked with many different DP&L
25 representatives over the last 20 years, and although

1 the people change, the philosophy of making the
2 community a better place to live, work and raise a
3 family does not. DP&L is such an important partner
4 and understands the value of the nonprofit arts
5 community.

6 In just the past year, DP&L has
7 supported the Dayton Art Institute by sponsoring the
8 hugely successful Light Paintings exhibit; hosted a
9 reception for the film premier for the important
10 documentary "The Invisible War" which investigates the
11 difficult issues of physical and sexual assault in the
12 military; consulted on energy savings in our museum
13 and our galleries; and committed to having its CEO --
14 its new CEO Phil Herrington to join The Board of
15 Directors of DAI. As you can see, DP&L is important
16 to me and to our community.

17 It is an honor to stand here today to
18 support the company that has been so supportive of the
19 Dayton Region. I know I speak for many when I say
20 thank you, thank you, thank you, to the Dayton Power &
21 Light Company, and thank you to all of you for
22 allowing me to share just a little bit of what DP&L
23 means to me and to the Dayton Art Institute and to
24 Dayton.

25 ATTORNEY EXAMINER: Thank you. Does

1 the Company have any further questions?

2 MR. FARUKI: No, Your Honor.

3 ATTORNEY EXAMINER: Do any interveners
4 have any further questions for the witness?

5 MR. SAUER: A couple, Your Honor.

6 ATTORNEY EXAMINER: You may proceed.

7 EXAMINATION

8 BY MR. SAUER:

9 Q. Mr. Roediger.

10 A. Yes.

11 Q. Did you have any discussions with
12 employees of DP&L about coming here to testify today?

13 A. I know them and work with them often,
14 so, yes, I was asked to come today. I was not asked
15 of what would be speaking of. I didn't share what I
16 would say.

17 Q. Who asked you to speak today?

18 A. I worked with Tom Raga and Holly
19 Wiggins at DP&L.

20 Q. And are you familiar with the
21 application in this case?

22 A. I am not.

23 Q. And do you know approximately how much
24 in financial support DP&L --

25 A. I do not know that because it goes back

1 decades, so I don't know what that would be.

2 MR. SAUER: No further questions.

3 Thank you.

4 ATTORNEY EXAMINER: Thank you. At this
5 time that's all the people that have signed up to
6 testify this afternoon. Is there anyone else here who
7 did not sign up who wishes to testify? Seeing no one
8 at this time, we will adjourn this afternoon's
9 hearing. Thank you. Go off the record.

10

11 (At 1:30 p.m. the hearing adjourned)
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C E R T I F I C A T E

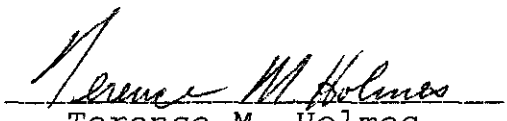
STATE OF OHIO :
: SS:
COUNTY OF MONTGOMERY:

I, Terence M. Holmes, a duly qualified
and commissioned notary public within and for the
State of Ohio, do hereby certify that at the time and
place stated herein, and in the presence of the
persons named, I recorded in stenotypy and tape
recorded the proceedings of the within-captioned
matter, and that the foregoing pages constitute a
true, correct and complete transcript of the said
proceedings.

I further certify that I am not
counsel, attorney, relative or employee of any of the
parties hereto, or their counsel, nor am I financially
re in any way interested in the within action.

IN WITNESS WHEREOF, I have hereunto set
my hand at Cincinnati, Ohio, the 4th day of January,
2013.

My Commission Expires:
July 28, 2017


Terence M. Holmes
Notary Public -State of Ohio

**PUCO public hearing on DP&L's Electric Security Plan
City of Dayton Commission Chamber
January 29, 2013**

Testimony of: *S. Ted Bucaro*
 Government & Regional Relations Director
 (937) 229-4158 / ted.bucaro@udayton.edu

On behalf of: *The University of Dayton*

My name is Ted Bucaro and I am the Government and Regional Relations Director for the University of Dayton. We're a top-tier Catholic university, and ever since our founding in 1850, we've been strongly committed to the well-being of the Dayton community — not just educationally, but socially and economically, too.

That's one reason I'm pleased to share with you the impact of the decades-long partnership the University of Dayton has had with Dayton Power and Light Company in serving the educational, economic and social interests of the region. Today, I'll focus on three areas where DP&L and the University of Dayton have made a difference together:

- Work force development;
- Improving primary and secondary education for at-risk communities;
- Promoting environmental education and stewardship.

WORK FORCE DEVELOPMENT

More than twenty years ago, DP&L joined the University of Dayton's School of Engineering as a sponsor of our Women in Engineering program. This entails a summer camp that promotes the engineering profession to female high school students through experiments, innovation modules, a day with industry, and dinner with an engineer.

DP&L also has been a longtime partner in our Minority Engineering Program, which provides scholarships, academic support, focused advising, mentors and internships to students from underrepresented at-risk minority populations.

Besides providing financial support to these programs, DP&L encourages its employees to take part as mentors, professional advisors and networking contacts.

DP&L also is a longtime partner of the University's Center for Leadership, which trains emerging managers and executives to be effective and principled business leaders.

These three examples demonstrate a commitment on DP&L's part to creating outstanding educational opportunities, developing strong business leaders, promoting diversity and building a great work force — not just for DP&L, but for the entire region.

IMPROVING URBAN EDUCATION

Next, I'd like to highlight DP&L's involvement in programs that improve educational opportunities, particularly for children affected by poverty and other barriers to learning.

DP&L was an early and significant partner in launching the innovative and highly successful Dayton Early College Academy. This alternative public high school on the UD campus consistently achieves 100 percent college placement for its graduates, many of whom are the first in their families to go to college.

DP&L also has contributed to the Urban Teacher Academy, a special program in our School of Education and Allied Professions that trains new teachers to become highly effective educators in inner-city schools.

ENVIRONMENTAL EDUCATION AND STEWARDSHIP

Third, I'll share DP&L's most recent and, in my opinion, the most exciting, collaboration with the University: The Rivermobile.

DP&L was the first major financial contributor to this project more than a year ago. It's a mobile interactive educational unit, converted from a 53-foot semi-trailer. In essence, the Rivermobile will "bring the river" to about 3,000 middle school and high school students a year. It teaches area young people about the recreational, ecological and economic importance of our region's water resources and how to be good stewards of our rivers and aquifer.

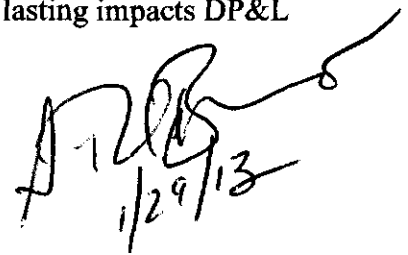
Once we received DP&L's support, we were able to attract a wide range of additional partners from the public, private and nonprofit sectors. Now, this great idea has become a reality. We unveiled the Rivermobile in November. This spring, as we mark the 100th anniversary of the Great Flood of Dayton, the students in the Rivers Institute will start taking bookings for school visits.

I hope some of you will take the opportunity to come see the Rivermobile at this year's Rivers Summit at UD on March 15. It's a great example of what the University of Dayton has been able to do with the support of Dayton Power & Light.

IN CLOSING:

Thank you for the opportunity to address the Public Utilities Commission of Ohio today. It is a pleasure and privilege to provide testimony in favor of the positive and lasting impacts DP&L provides for the Dayton community. Thank you.

###

A handwritten signature in black ink, followed by the date 1/29/13 written below it.

Public Utilities Commission of Ohio - Docketing Division
ATTN: Case No. 12-0426
180 E. Broad Street, 11th Floor
Columbus, OH 43215-3793

January 29, 2013

I am not here today in my role as Chair of the Ohio Consumers' Counsel Governing Board. I am also not here today as a previous member of the Ohio House or member of the Public Utilities Committee of that chamber. I am here though as someone who is a customer of DP&L and more importantly and relevantly, as a former Preble County Commissioner.

About a decade ago when I was a commissioner, we had a storm ravage the county and many citizens complained about the length of time the power was out. To perform due diligence I suggested and the other commissioners agreed to hold a meeting where DP&L, Darke Rural Electric and Butler Rural Electric, along with both PUCO and OCC, were invited to attend. As the public meeting continued, it became very evident while customers and staff of both Darke Rural Electric and Butler Rural Electric indicated that their power outages were scattered and of short duration, DP&L customers experienced long outages and service loss seemed to be wide spread. As a result of that examination, I was very disturbed by the lack of service quality in the DP&L territory.

As I reflect back on the ten years since then and Hurricane Ike and other problems, such as lights dimming even in good weather, farmers discovering that DP&L has changed the billing structure to their extreme economic disadvantage compared to other farmers in other areas and states, and such mounting concerns that one neighbor even explored how to bring rural cooperative power lines over from the back of their property and replace DP&L as the provider, we rural people, not just farmers or agri-business, but also those living in "countryburbia", feel like second class citizens.

Rural Ohioans feel that they are second class citizens subject to benign neglect by the regulated utilities, and in this day and age it hurts economic development in the state. On my next appearance on the talk show circuit I will be confirming that this problem of rural Ohio feeling left behind will be an emerging issue in the 2014 gubernatorial campaign.

The idea that citizens will be paying DP&L money if people switch from DP&L to another electric company, including a subsidiary of DP&L, is insulting to us. The proposal that as more people switch, the more money DP&L gets from the current customer base is bizarre. There is nothing in this proposal currently to benefit the consumers by improving service and making Ohio more economically competitive.

Gene Krebs

12173 St Rt 732
Camden Ohio 45311

DP&L's PUCO Public Hearings

January 29, 2013

Good afternoon, I am Michael Roediger. I am the Executive Director of The Dayton Art Institute --Dayton's world-class art museum for nearly 95 years with a collection of more than 25,000 objects. I also am the former Vice President of Development for Victoria Theatre Association, Dayton's professional Broadway presenting theatre company. I have spent my entire career in nonprofit and more than 15 years working in Dayton's arts community.

Over the past few years, the Dayton community has been hit hard as major companies have moved their headquarters from the region while we endured one of the toughest economic times in our nation's history.

Through it all, there have been a few companies which have held strong and provided ongoing support to Dayton's rich arts community. The Dayton Power and Light Company has been a leader and friend to the arts for decades. I know from personal experience that there have often been programs and projects that simply would not have happened without the support of DP&L. More than a utility company, DP&L is a change agent.

DP&L invests in the quality of life in the regions it serves by providing significant financial support and also by providing talented employees to serve on our boards, committees, and being present at our community events.

I have worked with many different DP&L representatives over the last 20 years and although people change, the philosophy of making the community a better place to live, work and raise a family does not. DP&L is such an important partner and understands the value of the nonprofit arts community.

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It is an honor to stand here today to support the company that has been so supportive of the Dayton Region. I know I speak for many when I say thank you, thank you, thank you Dayton Power and Light. And thank you to all of you for allowing me to share just a little bit about what DP&L means to me and many others.

COMPANY: DP&L
DATE: 1-29-13

CASE NO.: 12-426-EL-SSO
LOCATION: Dayton 1 PM

If you would like to provide testimony,
please **PRINT** your name and address below.

No.	NAME	ADDRESS
	JUDITH BLAIR	DP&L
✓ Team Krebs	Sam Kuh	12173 ST RT 732 CAMDEN OH 45311
✓	Danny Armstrong	1921 Sunny Ridge Rd. N. Dayton 45414
✓	Ted Bucara	300 College Park Dayton, Ohio
✓	Sampson Wright	3052 Jewellstone dr. apt. 201 Dayton OH

COMPANY: DP+LCASE NO.: 12-426-EL-SSODATE: 1-29-13LOCATION: Dayton

If you would like to provide testimony,
please **PRINT** your name and address below.

No.	NAME	ADDRESS
✓	MICHAEL ROEDIGER	456 Belmonte N Dayton