

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the :
Application of The Dayton :
Power and Light Company : Case No. 12-1832-EL-ESS
for Establishing New :
Reliability Targets. :

- - -

PROCEEDINGS

before Mr. Bryce McKenney, Attorney Examiner, at the
Public Utilities Commission of Ohio, 180 East Broad
Street, Room 11-D, Columbus, Ohio, called at 10 a.m.
on Thursday, August 8, 2013.

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- - -

APPEARANCES:

The Dayton Power and Light Company
By Mr. Randall V. Griffin
1065 Woodman Drive
Dayton, Ohio 45432

On behalf of the Applicant.

Mike DeWine, Ohio Attorney General
By Mr. William L. Wright,
Section Chief
and Mr. Thomas W. McNamee,
Principal Attorney
Public Utilities Section
180 East Broad Street, 6th Floor
Columbus, Ohio 43215

On behalf of the Staff of the PUCO.

Bruce E. Weston, Ohio Consumers' Counsel
By Mr. Joseph P. Serio,
Assistant Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215-3485

On behalf of the Residential Customers of
The Dayton Power and Light Company.

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Company Exhibit	Identified	Admitted
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OCC Exhibit	Identified	Admitted
1 Comments by OCC	11	13
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Thursday Morning Session,
August 8, 2013.

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ATTORNEY EXAMINER MCKENNEY: Let's go on the record. At this time the Public Utilities Commission of Ohio calls for hearing at this time and place Case No. 12-1832-EL-ESS, being in the Matter of the Application of The Dayton Power and Light Company for Establishing New Reliability Targets.

My name is Bryce McKenney, and I am the Attorney Examiner assigned by the Commission to hear this case.

At this time we will take appearances of the parties beginning with the company.

MR. GRIFFIN: Yes. My name is Randall V. Griffin. I am counsel for The Dayton Power and Light Company, and I have given my address and phone number to the court reporter.

ATTORNEY EXAMINER MCKENNEY: Thank you.
Staff.

MR. McNAMEE: On behalf of the staff of the Public Utilities Commission of Ohio, Mike DeWine, Attorney General of the State of Ohio, I am Thomas W. McNamee, Assistant Attorney General. The address is 180 East Broad Street, Columbus, Ohio 43215.

1 ATTORNEY EXAMINER McKENNEY: Thank you,
2 Mr. McNamee.

3 Mr. Serio.

4 MR. SERIO: Thank you, your Honor. On
5 behalf of the residential utility customers of Dayton
6 Power and Light, Bruce J. Weston, Consumers' Counsel,
7 by Joseph P. Serio.

8 ATTORNEY EXAMINER McKENNEY: Thank you.
9 It is my understanding there is a stipulation in this
10 case; is that correct?

11 MR. GRIFFIN: Yes, there is, your Honor.

12 ATTORNEY EXAMINER McKENNEY: All right.
13 Mr. Griffin, I will allow you to proceed.

14 MR. GRIFFIN: Thank you. I think I would
15 request that we first mark for identification the
16 stipulation and recommendation, and if the staff does
17 not oppose this, I have this marked as Joint Exhibit
18 No. 1.

19 MR. McNAMEE: That's fine.

20 ATTORNEY EXAMINER McKENNEY: It will be
21 marked Joint Exhibit 1.

22 (EXHIBIT MARKED FOR IDENTIFICATION.)

23 MR. GRIFFIN: And as per the stipulation,
24 there are certain pieces of things filed in this case
25 that we were going to move into evidence, and the

1 first of which is the application that Dayton filed,
2 and I would request this be marked as Company Exhibit
3 1 or, if you would prefer, DP&L 1.

4 ATTORNEY EXAMINER MCKENNEY: Company
5 would be good.

6 MR. GRIFFIN: Company Exhibit 1.

7 ATTORNEY EXAMINER MCKENNEY: It will be
8 marked Company Exhibit 1.

9 (EXHIBIT MARKED FOR IDENTIFICATION.)

10 MR. GRIFFIN: The second exhibit will be
11 reply comments we filed. OCC had filed comments in
12 this case; perhaps staff did. I have to look at
13 them.

14 It's actually staff had filed some
15 comments and we replied to those comments and I would
16 request that these reply comments be marked as
17 Company Exhibit 2.

18 ATTORNEY EXAMINER MCKENNEY: It will be
19 so marked as Company Exhibit 2.

20 (EXHIBIT MARKED FOR IDENTIFICATION.)

21 MR. GRIFFIN: And then last but not least
22 we have prefiled testimony in this case by Mr. Robert
23 J. Adams who is present today and will take the
24 stand. I would request that his prefiled testimony
25 be marked as Company Exhibit 3.

1 ATTORNEY EXAMINER MCKENNEY: It will be
2 marked Company Exhibit 3.

3 (EXHIBIT MARKED FOR IDENTIFICATION.)

4 MR. GRIFFIN: That closes the evidentiary
5 presentation that the company was planning to make,
6 although I will put Mr. Adams on the stand. Is it
7 your preference I move everything into the evidence
8 at this point or wait until Mr. Adams takes the
9 stand?

10 ATTORNEY EXAMINER MCKENNEY: After the
11 witness, please.

12 MR. GRIFFIN: Okay. I would then call to
13 the stand Mr. Adams.

14 (Witness sworn.)

15 ATTORNEY EXAMINER MCKENNEY: Please state
16 your name and address for the record.

17 THE WITNESS: My name is Robert J. Adams.
18 My business address is 1065 Woodman Drive, Dayton,
19 Ohio 45432.

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ROBERT J. ADAMS

being first duly sworn, as prescribed by law, was
examined and testified as follows:

DIRECT EXAMINATION

By Mr. Griffin:

Q. Thank you, Mr. Adams. And could you also
state your title.

A. I'm a rate analyst.

Q. Thank you. And are you the same
Mr. Adams that prepared or caused to be prepared
prefiled testimony in this case consisting of four
pages?

A. Yes.

Q. Do you have any changes or corrections or
modifications to make to that testimony?

A. No, I don't.

Q. And if I asked you today the same
questions that were there, would you state under oath
the same answers?

A. Yes, I would.

Q. Does your testimony briefly describe the
key provisions of the stipulation?

A. Yes, it does.

Q. And does it then discuss the criteria the
Commission uses for evaluating stipulations?

1 A. Yes, it does.

2 Q. And could you state what your final
3 conclusion and recommendation was.

4 A. I recommend that the Commission approve
5 the stipulation and recommendation in its entirety
6 without modification.

7 MR. GRIFFIN: Thank you. That concludes
8 my direct examination of Mr. Adams and he is
9 available for cross.

10 ATTORNEY EXAMINER MCKENNEY: Thank you.

11 Mr. Serio, you have an opportunity to
12 cross-examine. Do you wish to?

13 MR. SERIO: I have no questions, your
14 Honor.

15 ATTORNEY EXAMINER MCKENNEY: All right.

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17 EXAMINATION

18 By Attorney Examiner McKenney:

19 Q. Thank you, Mr. Adams. I just have two
20 quick questions for clarification of the record, very
21 basic. I am sure you will have no problem answering
22 them. These standards are you indicate more
23 stringent than the previous standards; is that
24 correct?

25 A. Correct.

1 Q. All right. And they would, therefore,
2 benefit customers, correct?

3 A. Correct.

4 Q. Can you explain just the impact of
5 reliability of having more -- more stringent
6 standards than were previously there, how it benefits
7 customers?

8 A. DP&L's current reliability standards in
9 regard to SAIFI is 1.07. The stipulation and
10 recommendation recommends a SAIFI standard of .88.
11 And as far as CAIDI is concerned, that DP&L's current
12 standard is 125 minutes -- 125.51 minutes and the
13 proposed standard is 125.04 minutes, both of which
14 are under our current standards, those standards that
15 are within the stipulation.

16 ATTORNEY EXAMINER MCKENNEY: All right.
17 Thank you, Mr. Adams. I have nothing further. You
18 are excused from the stand.

19 MR. GRIFFIN: Your Honor, at this time I
20 would move into evidence Company Exhibits 1, 2, and
21 3.

22 ATTORNEY EXAMINER MCKENNEY: Company
23 Exhibits 1, 2, and 3 will be admitted into the
24 record.

25 (EXHIBITS ADMITTED INTO EVIDENCE.)

1 MR. GRIFFIN: And I would also move into
2 evidence Joint Exhibit 1.

3 ATTORNEY EXAMINER McKENNEY: And Joint
4 Exhibit 1 will be admitted into the record.

5 (EXHIBIT ADMITTED INTO EVIDENCE.)

6 ATTORNEY EXAMINER McKENNEY: Anything
7 further, Mr. Griffin?

8 MR. GRIFFIN: No, your Honor. That
9 closes the company's evidentiary presentation.

10 ATTORNEY EXAMINER McKENNEY: Okay,
11 Mr. Griffin.

12 Staff?

13 MR. McNAMEE: Staff has nothing, your
14 Honor.

15 ATTORNEY EXAMINER McKENNEY: Okay. Thank
16 you.

17 Mr. Serio.

18 MR. SERIO: Your Honor, we have
19 previously filed comments in this case on
20 November 20, 2012. I would like to mark that as OCC
21 Exhibit 1.

22 ATTORNEY EXAMINER McKENNEY: It will be
23 so marked.

24 (EXHIBIT MARKED FOR IDENTIFICATION.)

25 MR. SERIO: And we filed reply comments

1 on December 20, 2012. I would like to mark that as
2 OCC Exhibit 2.

3 ATTORNEY EXAMINER MCKENNEY: It will be
4 so marked.

5 (EXHIBIT MARKED FOR IDENTIFICATION.)

6 MR. SERIO: And then this morning OCC
7 docketed a letter on August 8 indicating that we
8 would not be litigating this proceeding, and I would
9 like to have that marked as OCC Exhibit 3.

10 ATTORNEY EXAMINER MCKENNEY: It will be
11 marked.

12 (EXHIBIT MARKED FOR IDENTIFICATION.)

13 ATTORNEY EXAMINER MCKENNEY: Mr. Serio,
14 do you have a copy for the court reporter?

15 MR. SERIO: I have copies of all three
16 documents for the court reporter. I did not bring
17 copies for all the parties since all the other copies
18 have been prefiled, and I did pass out a copy of the
19 letter to the parties this morning.

20 ATTORNEY EXAMINER MCKENNEY: All right.
21 Are you seeking to move for admission of those?

22 MR. SERIO: I would like to move OCC
23 Exhibits 1, 2, and 3 into the record.

24 ATTORNEY EXAMINER MCKENNEY: OCC 1 and 2
25 will be admitted into the record.

1 (EXHIBITS ADMITTED INTO EVIDENCE.)

2 ATTORNEY EXAMINER MCKENNEY: I have some
3 questions for you regarding OCC Exhibit 3.

4 Mr. Serio, you indicate in this letter that you will
5 not be litigating this case, but it looks like on
6 page 2 of your letter OCC's position is that the
7 CAIDI standard is not consistent with the PUCO's
8 rules and guidelines; is that correct?

9 MR. SERIO: Yes, your Honor.

10 ATTORNEY EXAMINER MCKENNEY: Do you have
11 a witness you wish to call in this case?

12 MR. SERIO: No, your Honor.

13 ATTORNEY EXAMINER MCKENNEY: Do you need
14 time for a witness, or do you plan to call one in the
15 future?

16 MR. SERIO: Well, your Honor, it is our
17 understanding there is nothing in the stipulation to
18 reopen the company's reliability standards so unless
19 the Commission were to at some point in the future
20 reopen the record, we would not be calling a witness
21 in the reliability case.

22 ATTORNEY EXAMINER MCKENNEY: Do you plan
23 to file briefs in this case?

24 MR. SERIO: No, your Honor. We believe
25 the letter indicates that although we don't support

1 we are not litigating the case.

2 ATTORNEY EXAMINER McKENNEY: Mr. Serio,
3 this letter is just a letter that was filed in the
4 docket indicating your notice. However, I don't
5 believe it needs to be entered into -- admitted into
6 evidence so OCC Exhibit 3 will not be admitted into
7 the record.

8 MR. SERIO: Thank you, your Honor.

9 ATTORNEY EXAMINER McKENNEY: Is there
10 anything further from the parties?

11 MR. McNAMEE: Nothing.

12 MR. GRIFFIN: No, your Honor.

13 ATTORNEY EXAMINER McKENNEY: Thank you.
14 At this time we are adjourned.

15 (Thereupon, the hearing was adjourned at
16 10:10 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 Thursday, August 8,
2013, and carefully compared with my original
stenographic notes.

Karen Sue Gibson, Registered
Merit Reporter.

(KSG-5738)

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This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 12-1832-EL-ESS

Summary: Transcript in the matter of The Dayton Power and Light Company hearing held on 08/08/13 electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.