

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the :
Application of Aqua Ohio, : Case No.
Inc., to Increase its Rates : 13-2124-WW-AIR
and Charges for its :
Waterworks Service. :

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PROCEEDINGS

Before James Lynn and Jay Agranoff, Attorney
Examiners, held at the Public Utilities
Commission of Ohio, 180 East Broad Street,
Hearing Room 11-D, Columbus, Ohio, on Tuesday,
August 12, 2014, at 2:00 P.M.

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- - -

APPEARANCES:

Whitt Sturtevant LLP
By Mr. Mark A. Whitt
and
Mr. Andrew Campbell
88 East Broad Street, Suite 1596
Columbus, Ohio 43215

On behalf of the Applicant.

Mr. Ryan O'Rourke
Assistant Attorney General
180 East Broad Street
Columbus, Ohio 43215

On behalf of the Staff of the Public
Utilities Commission of Ohio.

McNees Wallace & Nurick LLC
By Mr. Matthew R. Pritchard
21 East State Street, 17th Floor
Columbus, Ohio 43215

On behalf of the City of Tiffin.

Mr. Michael J. Schuler
Assistant Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215

On behalf of the Residential
Consumers of Aqua Ohio.

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INDEX TO EXHIBITS

- - -

MARKED ADMT

JOINT EXHIBITS

1.0	Stipulation and Recommendation	10
2.0	Stipulation Schedules	10
3.0	Revised Tariffs	10
4.0	Customer Notices	10

AQUA EXHIBITS

1.0	Direct Testimony of Edmund Kolodzieg	10
1.1	Supplemental Direct Testimony of Edmund Kolodzieg	10
2.0	Direct Testimony of Robert Kopas	10
3.0	Direct Testimony of Theodore Russell	10
4.0	Direct Testimony of Richard Hideg	10
5.0	Direct Testimony of Peter Kusky	10
6.0	Direct Testimony of Pauline Ahern	10
7.0	Direct Testimony of David Monie	10
8.0	Direct Testimony of Daniel Franceski	10
9.0	Application	10

- - -

INDEX TO EXHIBITS CONTINUED

- - -

MARKED ADMT

STAFF EXHIBITS

1.0 Staff Report 10

2 Direct Testimony of Ross Willis 10 10

TIFFIN EXHIBITS

1.0 Direct Testimony of J. Edward Hess 10

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Tuesday Afternoon,
August 12, 2014.

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ATTORNEY EXAMINER LYNN: The Public Utilities Commission of Ohio has assigned for evidentiary hearing at this time and place Case No. 13-2124-WW-AIR being in the matter of the application of Aqua Ohio Incorporated to increase its rate and charges for its Waterworks Service.

I am Jim Lynn and with me is Jay Agranoff. We are the Attorney Examiners assigned to hear this case.

At this time we will begin with the appearances of the parties, and we will start with Aqua Ohio.

MR. WHITT: Thank you, your Honor. On behalf of the Company from the law firm of Whitt Sturtevant LLP, Mark A. Whitt and Andrew Campbell, 88 East Broad Street, Suite 1596, Columbus, Ohio 43215.

ATTORNEY EXAMINER LYNN: Thank you. And for Staff, please.

MR. O'ROURKE: Thank you, your Honor. Ryan O'Rourke and Devin Parram, with the

Ohio Attorney General's Office. Address is 180
East Broad Street, 6th Floor, Columbus, Ohio
43215.

ATTORNEY EXAMINER LYNN: Thank you.
And for the Office of the Ohio Consumers'
Counsel.

MR. SCHULER: Thank you, your Honor.
Michael Schuler, the Ohio Consumers' Counsel, 10
West Broad Street, Suite 1800, Columbus, Ohio
43215.

ATTORNEY EXAMINER LYNN: And finally
for City of Tiffin.

MR. PRITCHARD: Matt Pritchard on
half of the City of Tiffin. I am with the law
firm of McNees, Wallace & Nurick, 21 East State
Street, Columbus, Ohio 43215.

ATTORNEY EXAMINER LYNN: Thank you,
everyone. I will note for the record also
the City of Marion which is a party to this
proceeding is not present here today.

Going on with our proceedings as I
understand there will admission of a number of
exhibits, including different testimonies and
stipulation and what I will call sponsored
testimony for Mr. Willis and the Staff.

1 Mr. Whitt, would you like to go
2 first?

3 MR. WHITT: Yes, your Honor. The
4 parties, all parties except office of the Ohio
5 Consumers' Counsel, filed Joint Exhibit 1.0 on
6 July 21st, 2014. Joint Exhibit 1.0 is a
7 stipulation signed by all parties, again except
8 the office of Ohio Consumers' Counsel.

9 It is our understanding that OCC is
10 withdrawing its objections to the stipulation
11 and will not be offering testimony that was
12 filed on August 4th, 2014.

13 Likewise Aqua will not be offering
14 into the record the rebuttal testimony that it
15 filed on August 7th, 2014.

16 I would note that Joint Exhibit 1.0,
17 paragraph 2, contains a provision for Aqua to
18 file an updated Schedule C-10 of rate case
19 expense in the event of a contested hearing.
20 Given that today's hearing is not contested Aqua
21 will not be filing an updated C-10.

22 Furthermore, Joint Exhibit 1.0,
23 paragraph 8, lists a number of exhibits that the
24 stipulating parties would offer into the record.
25 I am happy to read that list, or we can simply

1 refer to paragraph 8 of the stipulation.

2 ATTORNEY EXAMINER AGRANOFF: Why
3 don't you go ahead and enumerate each of them.

4 MR. WHITT: Certainly, your Honor.
5 The signatory parties agree that the following
6 exhibits should be admitted:

7 Joint Exhibit 1.0 has previously
8 been identified as the stipulation and
9 recommendation.

10 Joint Exhibit 2.0 are
11 the stipulation schedules.

12 Joint Exhibit 3.0 are the revised
13 tariffs.

14 Joint Exhibit 4.0 are customer
15 notices.

16 Aqua Exhibit 1.0, direct testimony
17 of Edmund Kolodzieg.

18 Aqua Exhibit 1.1, supplemental
19 direct testimony of Edmund Kolodzieg.

20 Aqua Exhibit 2.0, direct testimony
21 of Robert Kopas.

22 Aqua Exhibit 3.0, direct testimony
23 of Theodore Russell.

24 Aqua Exhibit 4.0, the direct
25 testimony of Richard Hideg.

1 Aqua Exhibit 5.0, direct testimony
2 of Peter Kusky.

3 Aqua Exhibit 6.0, direct testimony
4 of Pauline Ahern.

5 Aqua Exhibit 7.0, direct testimony
6 of David Monie.

7 Aqua Exhibit 8.0, direct testimony
8 of Daniel Franceski.

9 Aqua Exhibit 9.0, application filed
10 on December 2nd, 2013.

11 Staff Exhibit 1.0, the Staff Report
12 filed on May 20th, 2014.

13 And Tiffin Exhibit 1.0, the direct
14 testimony of J. Edward Hess.

15 I would note that each of the
16 exhibits that I just identified have been
17 previously filed on DIS. It's my understanding
18 that no party has corrections to the identified
19 exhibits.

20 And on behalf of the stipulating
21 parties Aqua would move at this time for the
22 admission of those exhibits.

23 ATTORNEY EXAMINER LYNN: Hearing
24 there are no objections to that we will admit
25 those exhibits into evidence.

1 (EXHIBITS ADMITTED INTO EVIDENCE)

2 ATTORNEY EXAMINER LYNN: And I would
3 like to ask Mr. O'Rourke, will you be offering
4 into evidence the prefled testimony of Ross
5 Willis?

6 MR. O'ROURKE: We would, Your Honor.
7 Staff has marked as Exhibit 1 the prefled
8 testimony of Ross Willis in support of the joint
9 stipulation and recommendation. That was filed
10 on DIS on July 21st, 2014.

11 ATTORNEY EXAMINER LYNN: Thank you.
12 And again I am sure there are no objections to
13 that being admitted into evidence. So we will
14 admit that into evidence as well.

15 (EXHIBIT ADMITTED INTO
16 EVIDENCE)

17 ATTORNEY EXAMINER AGRANOFF: That
18 will be Staff Exhibit 1; correct?

19 MR. O'ROURKE: Correct. Actually,
20 maybe to make a correction, in the stipulation
21 the Staff Report is identified as Staff Exhibit
22 1. So perhaps we should amend that and call Mr.
23 Willis' testimony Staff Exhibit 2.

24 ATTORNEY EXAMINER LYNN: Very good
25 point. Thank you for noting that. The list

1 that was read by Mr. Whitt, Staff Report filed
2 May 20th, 2014 is actually Staff Exhibit 1. So
3 the testimony of Mr. Willis will be Staff
4 Exhibit 2.

5 Mr. Agranoff reminded me that
6 because of prior discussion here before we began
7 the hearing there will be no briefs that will
8 need to be submitted given that the stipulation
9 is not being challenged.

10 All right. We have already admitted
11 all the exhibits into evidence. I want to thank
12 everyone for their hard work on this case in
13 coming to a resolution and for showing up today
14 as well.

15 And with that having been said that
16 will draw our hearing to a close.

17 MR. SCHULER: Sorry. I didn't mean
18 to interrupt, your Honor, I just wanted to
19 clarify something for the record. I thought I
20 heard Mr. Whitt state that OCC would be
21 withdrawing our objections. And I don't think
22 we intended to withdraw them. We don't
23 obviously plan to move them into evidence, as we
24 have not moved anything today. I just wanted to
25 clarify that for the record. Mark, is that your

1 understanding?

2 MR. WHITT: I am not sure what words
3 I used, but what I intended to say is that
4 the testimony previously filed would not be
5 offered into the record. It will be on
6 E-docket, but it hasn't been moved, and
7 therefore, is not part of the record.

8 MR. SCHULER: Yes. I just wanted to
9 make sure.

10 ATTORNEY EXAMINER LYNN: I think we
11 are all agreed on that. Thank you then. Have a
12 good afternoon.

13 (At 2:10 P.M. the hearing was
14 concluded)

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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 August
12, 2014, and carefully compared with my
original stenographic notes.

Michael O. Spencer,
Registered Professional
Reporter.

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in

Case No(s). 13-2124-WW-AIR

Summary: Transcript in the matter of the Aqua Ohio, Inc. hearing held on 08/12/14 electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Spencer, Michael O. Mr.