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2 PUBLIC UTILITIES COMMISSION OF OHIO

3 PUBLIC HEARING

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5 CASE NUMBERS 14-841-EL-SSO

6 14-842-EL-ATA

7 ~ ~ ~ ~

8 Monday, September 8, 2014

9 ~ ~ ~ ~

10 Public Utilities Commission of Ohio

11 Local Public Hearing, in the Matter of the

12 Application of Duke Energy Ohio, Inc. for

13 authority to establish a standard service offer

14 pursuant to Ohio Revised Code 4928.143 in the

15 form of an electric security plan, accounting

16 modification, and tariffs for generation service

17 and for authority to amend its tariffs.

18

19 Also Present:

20 HEARING OFFICER: Christine Pirik

21 ATTORNEY: Nick Walstra

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1           HEARING OFFICER: The Public  
2           Utilities Commission of Ohio has  
3           assigned for public hearing at this time  
4           and place Case Numbers 14-841-EL-SSO and  
5           14-842-EL-ATA, which is captioned in the  
6           Matter of the Application of Duke Energy  
7           Ohio, Inc. for authority to establish a  
8           standard service offer pursuant to Ohio  
9           Revised Code 4928.143 in the form of an  
10          electric security plan, accounting  
11          modification, and tariffs for generation  
12          service and for authority to amend its  
13          tariffs.

14          My name is Christine Pirik. I'm  
15          the deputy legal director. And with me  
16          is Nick Walstra, an attorney examiner in  
17          the Commissions' legal department. We  
18          will be presiding at this hearing this  
19          evening. In addition, we have some  
20          Commission personnel with us. Sitting  
21          back at the back table is Pam, and she's  
22          with our Service Monitoring Enforcement  
23          Department, as well as Jill right here  
24          in the tan suit. She's with our Public  
25          Affairs Department. If you have any

1           questions with regard to utilities  
2           matters other than the topic that we're  
3           talking about today, in addition to the  
4           topic we're talking about today, feel  
5           free to talk with one of them after the  
6           meeting.

7           At this time I'd like to take  
8           appearance on behalf of the parties. On  
9           behalf of? Duke.

10          MS. SPILLER: Good afternoon, Your  
11          Honor. Amy Spiller, Deputy General  
12          Counsel for Duke Energy Ohio.

13          HEARING OFFICER: Thank you. And I  
14          know -- are you with the Office of  
15          Consumers' Counsel.

16          MALE AUDIENCE MEMBER: No, I am  
17          not.

18          HEARING OFFICER: No. Okay.

19          I wanted to be sure I got everybody  
20          on board here. I didn't know -- there  
21          are a number of interveners that are  
22          represented in this case, including  
23          industrial and consumer advocates. I  
24          have a list of them. If anyone is  
25          interested in those entities, please

1           feel free to come up after the meeting  
2           and I can show them to you. Let's see.

3           As you know, Duke filed an  
4           application on May 29th of this year  
5           requesting authority to establish a  
6           standard service offer for the period  
7           commencing June 1st, 2015. This is one  
8           of several local hearings that have been  
9           scheduled in this matter. In addition  
10          to this local hearing, we will have  
11          another local hearing tomorrow evening  
12          beginning at 6:30 in Union Township  
13          Civic Center Hall. Following that,  
14          Wednesday at 6:30 is another local  
15          hearing in Middletown. And then our  
16          final local hearing will be at  
17          12:30 p.m. on Thursday, September 18th  
18          in City Hall downtown Cincinnati.

19          The evidentiary hearing, which  
20          parties will have the opportunity to  
21          present their witnesses and the evidence  
22          is scheduled to commence on October  
23          22nd, 2014 in Columbus, Ohio at the  
24          Commissions' offices.

25          The purpose of this evening public

1           hearing is to receive comments from the  
2           public regarding Duke's application in  
3           these cases, and unfortunately it's not  
4           a question-and-answer session; however,  
5           there are individuals here this evening  
6           if you have additional questions, I  
7           believe, from the company, that I'm sure  
8           they would be happy to answer those.  
9           And there are fact sheets back on the  
10          back table talking about specific  
11          information with regard to the  
12          application that was filed.

13                When you arrived, you were offered  
14           the opportunity to testify. You're more  
15           than welcome to stay and observe the  
16           hearing. If, after everyone who has  
17           signed up to testify -- we have a couple  
18           individuals -- if you decide at that  
19           time that you would like to testify, you  
20           know, I will ask for individuals from  
21           the audience. So you will have an  
22           opportunity.

23                In addition to that, if later you  
24           find that you would like to submit  
25           something, just a letter in the docket,

1 go to the PUCO web site, look for the  
2 case numbers, 14-841 and 14-842, and you  
3 can mail a letter to the Commission, and  
4 we will put that in the docket as well.  
5 So you will have several opportunities  
6 to state your public comments.

7 At this time I will begin calling  
8 the witnesses. The first witness that  
9 we have on our list is Melissa English.  
10 And I think if you want to stand at the  
11 podium -- this will be sworn testimony,  
12 so I'll ask you to raise your right  
13 hand.

14 - - - - -

15 MELISSA ENGLISH,

16 After having been first duly sworn, as  
17 hereinafter certified, was examined and testified  
18 as follows:

19 HEARING OFFICER: Would you please  
20 state your name and address and the  
21 spelling, for the record.

22 THE WITNESS: Sure. It's Melissa  
23 English, M-E-L-I-S-S-A. English like  
24 the language. And I live at 4209  
25 Brookside Avenue in Northside, about a

1 mile away.

2 HEARING OFFICER: You can proceed  
3 with your comments.

4 THE WITNESS: Okay. Ohio  
5 electricity consumers can choose with  
6 which company they want to do business.  
7 Many of these decisions are made based  
8 on cost alone, but not all of them.  
9 Some of us choose based on access to  
10 renewable energy or companies sound  
11 business decisions.

12 Duke chose to run its oldest, most  
13 polluting coal plants as long as  
14 possible, which was great, as long as  
15 they weren't forced to invest in  
16 upgrades. These plants made money for  
17 decades by polluting my air like the  
18 Clean Air Act didn't even exist. Now  
19 Duke is faced with the possibility that  
20 they bet wrong and that they can't  
21 afford to keep these plants running  
22 without a consumer bailout because they  
23 can't compete on the open market.

24 I refuse to pay for this bailouts  
25 and am offended to be asked to pay to

1 pollute my own air.

2 HEARING OFFICER: Thank you.

3 Karen Nagel, please.

4 - - - - -

5 KAREN NAGEL,

6 After having been first duly sworn, as  
7 hereinafter certified, was examined and testified  
8 as follows:

9 HEARING OFFICER: Thank you.

10 Please state your name and address and  
11 spelling for the record.

12 THE WITNESS: Karen Nagel.

13 K-A-R-E-N, N-A-G-E-L. My address is  
14 1640 Rockford Place, Cincinnati, Ohio,  
15 45223.

16 HEARING OFFICER: Thank you.

17 Please proceed with your comments.

18 THE WITNESS: My name is Karen  
19 Nagel. I live in Northside also, a  
20 Cincinnati neighborhood very close to  
21 here.

22 I oppose paying more on my bills to  
23 bail out Duke's coal plants. In  
24 opposition to Duke's plan, I request  
25 that the Commission reject it. Thank



1           you.

2           HEARING OFFICER: Thank you.

3           Nate Laprairie. Did I say your  
4           name right?

5           THE WITNESS: Yep. One of the  
6           few. I'm proud.

7           HEARING OFFICER: I have a hard  
8           last name, so I'm used to people saying  
9           it wrong.

10                   - - - - -

11           NATE LAPRAIRIE,

12           After having been first duly sworn, as  
13           hereinafter certified, was examined and testified  
14           as follows:

15           HEARING OFFICER: Thank you.

16           Please state your name, spelling and  
17           address for the record.

18           THE WITNESS: Nate Laprairie,  
19           N-A-T-E, L-A-P-R-A-I-R-I-E. I live at  
20           1600 Clairwood Avenue, Cincinnati, Ohio,  
21           45206.

22           HEARING OFFICER: Thank you.

23           THE WITNESS: First off, let's call  
24           this proposal what it is, it is a  
25           bailout. This is Duke wanting its

1 consumers to pull them out of a hole  
2 they've dug for themselves. This is a  
3 company wanting to internalize its  
4 revenue stream and socialize its costs,  
5 costs that could have been avoided if  
6 the company itself would have made  
7 better decisions.

8 This is Duke wanting to spend  
9 another three years, at least, buying  
10 Energy from plants it should have  
11 stopped buying Energy from that should  
12 have faded out and shut down 20 years  
13 ago. This is Duke holding us hostage.

14 I recently moved down here to  
15 Cincinnati from Cleveland, and this is  
16 an area where unfortunately folks are  
17 used to taking the brunt of their Energy  
18 company's bad business decisions, i.e.,  
19 First Energy, spending millions of  
20 dollars building a football stadium and  
21 laying off its workers. Did I think I'd  
22 have to deal with the same backhanded  
23 humor here. No.

24 Am I surprised? No.

25 Of course, now that these companies

1 have lobbied for and obtained a freeze  
2 on renewables, they want us to believe  
3 that this is our only option. And this  
4 is false. We as consumers deserve  
5 better. We deserve more than to spend  
6 more time paying for this company to  
7 pollute us with the same plant that has  
8 been polluting our air for 40 to 50  
9 years. We deserve better than paying  
10 more because this company failed to have  
11 the foresight to see the increased costs  
12 in guzzling a finite resource and  
13 keeping open plants to almost twice  
14 their shelf life.

15 We as consumers, as community  
16 members, as citizens, need to stand up  
17 and say that enough is enough. Business  
18 as usual is not okay anymore. It's time  
19 for companies like Duke, AEP, First  
20 Energy to make progress. It's time for  
21 them to stop feeding us lies by telling  
22 us that this is the answer, when what  
23 they're doing is robbing us not only of  
24 our hard-earned money, but our right to  
25 progress and our right to cleaner, more

1 efficient means of energy. Thank you.

2 HEARING OFFICER: Thank you. Is  
3 there anyone here who hasn't had the  
4 opportunity to testify that would like  
5 to do so at this time?

6 Okay. Well, I think what we'll do  
7 is -- I appreciate everyone who has come  
8 commented, and I appreciate everyone who  
9 is with us this evening. I think we'll  
10 hold the record open until 7:00 p.m., in  
11 case other individuals come who want to  
12 testify. If you hear of others who  
13 would like to have a say in the matter,  
14 feel free to share with them that they  
15 can file their comments with the  
16 Commission at the docket address PUCO  
17 web site. So if you have any questions,  
18 just let us know afterwards. Otherwise  
19 we'll stand down for another 20 minutes  
20 and see if others appear before we close  
21 the record.

22 - - - - -

23 (A brief recess was had.)

24 - - - - -

25 HEARING OFFICER: We'll go back on

1           the record. I believe we have fourth  
2           witness who would like to testify. I  
3           apologize if I say your name wrong.  
4           Matt Trokam.

5           Was I close?

6           THE WITNESS: Yes.

7           HEARING OFFICER: All right. You  
8           can come up here, right here at the  
9           podium. And since this is sworn  
10          testimony, I'll have to ask you to raise  
11          your right hand.

12                   - - - - -

13           MATT TROKAM,

14          After having been first duly sworn, as  
15          hereinafter certified, was examined and testified  
16          as follows:

17           HEARING OFFICER: And will you  
18           please state your name and address and  
19           the spelling for the record?

20           THE WITNESS: Matt Trokam, 743  
21           Terry Street, T-E-R-R-Y, Cincinnati,  
22           Ohio, 45205.

23           HEARING OFFICER: And how do you  
24           spell your last name?

25           THE WITNESS: T-R-O-K-A-M.

1           HEARING OFFICER: Thank you. Go  
2 ahead with your comments.

3           THE WITNESS: Yeah. Well, I was  
4 just here today to testify against the  
5 proposed rider. You know, the electric  
6 bill for me is my third highest bill  
7 and, you know, I don't -- I don't think  
8 Duke necessarily has my best interests  
9 at heart. You know, I think that we  
10 should be investigating in renewable  
11 energy and not bailing out dirty coal  
12 plants. That's pretty much all I had to  
13 say.

14          HEARING OFFICER: Thank you very  
15 much.

16          Thank you. We still have a few  
17 minutes, so we'll wait until  
18 approximately 7:00.

19                 - - - - -

20         (Thereupon, a brief recess was had.)

21                 - - - - -

22          HEARING OFFICER: Back on the  
23 record.

24          Again, I would like to thank  
25 everyone for coming this evening. This

1 will conclude our hearing for this local  
2 hearing. We have three more, as I  
3 mentioned before. And if others would  
4 wish to file comments because they're  
5 not able to come to one of the local  
6 hearings, they can do that at the PUCO  
7 web site under the case numbers of this  
8 evening's hearing.

9 If there are any questions or any  
10 other utility matters that you would  
11 like to talk with our staff about after  
12 the hearing, feel free to do so. And  
13 we'll adjourn for this evening. Thank  
14 you very much.

15 - - - - -

16 (Hearing concluded at 7:03 p.m.)

17 - - - - -  
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22  
23  
24  
25

3 I, Katrina L. Dearborn, Notary Public within  
and for the State of Ohio, duly commissioned and  
4 qualified, do hereby certify that the within-  
named witnesses were first duly sworn to testify  
5 the truth, the whole truth, and nothing but the  
truth in the cause aforesaid; that the testimony  
6 then given by him/her was by me reduced to  
stenotypy in the presence of said witnesses,  
7 afterwards transcribed on a computer, and that  
the foregoing is a true and correct transcript of  
8 the testimony so given by him/her as aforesaid.

9 I do further certify that this arbitration  
was taken at the time and place in the foregoing  
10 caption specified and was completed without  
adjournment.

I do further certify that I am not a  
12 relative, employee of, or attorney for any of the  
parties in the above-captioned action; I am not a  
13 relative or employee of an attorney for any of  
the parties in the above-captioned action; I am  
14 not financially interested in the action; I am  
not, nor is the court reporting firm with which I  
15 am affiliated, under a contract as defined in  
Civil Rule 28(D); nor am I otherwise interested  
16 in the event of this action.

17 IN WITNESS WHEREOF I have hereunto set my  
hand and affixed my seal of office at Cleveland,  
18 Ohio on this 20th day of September, 2015.

*Kenneth O'Neil*

Katrina L. Dearborn, Notary Public  
In and for the State of Ohio.  
my commission expires 11-02-15.



**This foregoing document was electronically filed with the Public Utilities**

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**in**

**Case No(s). 14-0841-EL-SSO, 14-0842-EL-ATA**

Summary: Transcript Testimony from September 8, 2014 hearing in Cincinnati, Ohio  
electronically filed by Ms. Katrina Dearborn on behalf of Dearborn Reporting Services