

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the	:
Complaint of:	:
	:
Janice L. Guess,	:
	:
Complainant,	:
	:
vs.	: Case No. 14-2313-EL-CSS
	:
Ohio Power Company, D/B/A	:
AEP Ohio,	:
	:
Respondent.	:

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PROCEEDINGS

before Mr. Daniel Fullin, Attorney Examiner, at the Public Utilities Commission of Ohio, 180 East Broad Street, Room 11-C, Columbus, Ohio, called at 9:55 a.m. on Thursday, March 9, 2017.

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ARMSTRONG & OKEY, INC.
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1 APPEARANCES:

2 American Electric Power
3 By Mr. Mike Benza
4 1 Riverside Plaza, 29th Floor
5 Columbus, Ohio 43215

6 On behalf of the Respondent.

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1 Thursday Morning Session,
2 March 9, 2017.

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4 EXAMINER FULLIN: The Commission has
5 assigned for hearing at this time and place Case No.
6 14-2313-EL-CSS which is the Complaint of Janice L.
7 Guess versus American Electric Power.

8 My name is Daniel E. Fullin, the Attorney
9 Examiner assigned to this case. May I have
10 appearances on behalf of the parties beginning with
11 the Complainant which means I am asking you to
12 identify your name and address for the record.

13 MR. BENZA: Your Honor, Mike Benza on
14 behalf of Respondent Ohio Power Company doing
15 business as AEP Ohio named in the complaint as
16 American Electric Power Company. Complainant Janice
17 L. Guess is not present here today.

18 EXAMINER FULLIN: Oh, okay. I thought
19 the mediating Attorney Examiner had been in touch
20 with Ms. Guess and had indicated I might expect that
21 she wasn't going to be here today. So I guess we can
22 wait about 10 minutes before we find out if she is
23 coming even though based on that I am not necessarily
24 expecting her.

25 And then at that point if she doesn't

1 show within the next 10 minutes, then I would bring
2 the hearing to a close based on the fact she didn't
3 appear.

4 Let's go off the record for a minute.

5 (Discussion off the record.)

6 EXAMINER FULLIN: Let's go back on the
7 record.

8 We are back on the record. Mr. Benza has
9 indicated he has heard from the Complainant as early
10 as Monday of this week, this is Thursday, that the
11 Complainant had informed him that the -- that she
12 wasn't going to be in attendance today.

13 Also, I don't know if I said this earlier
14 on the record or not, but the mediating Attorney
15 Examiner has been in discussions with the
16 Complainant, and he had told -- she had told him that
17 she wasn't expecting to be here today.

18 So based on both of those -- based on
19 that information and the fact she isn't here, I am
20 not going to wait to see if she shows up in the next
21 few minutes. I am going to go ahead and allow the
22 Respondent to make a motion at this time.

23 MR. BENZA: Thank you, your Honor. AEP
24 Ohio would like to move to dismiss for failure to
25 prosecute. I can make this motion in writing and

1 file it in the docket by tomorrow afternoon, Friday,
2 March 10, 2017, by 5 p.m., or if your Honor would
3 prefer, or if your Honor is satisfied, we can submit
4 this motion as we have on the record here today.

5 EXAMINER FULLIN: Well, I would be okay
6 with just ruling on it as an oral motion made at the
7 hearing. If there was something -- if you put it in
8 writing or there was something more you would add
9 that you didn't just say, then you can do it that
10 way, and I am not going to be ruling on it before
11 tomorrow afternoon anyway.

12 So I will leave it to you if you want to
13 make a written motion but there's already a motion
14 before me that's based on the fact she's not here,
15 and she is not here, so I would be -- you wouldn't
16 necessarily have to make such a filing. I intend to
17 rule based on the oral motion and/or motion if you
18 submit one tomorrow.

19 MR. BENZA: Okay. Thank you, your Honor.
20 We are satisfied with our oral motion.

21 EXAMINER FULLIN: Okay. I am too, so I
22 am going to bring this hearing to a close at this
23 time, and we will be adjourned.

24 (Thereupon, at 10:00 a.m., the hearing
25 was concluded.)

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, March 9,
2017, and carefully compared with my original
stenographic notes.

Karen Sue Gibson, Registered
Merit Reporter.

(KSG-6329)

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in

Case No(s). 14-2313-EL-CSS

Summary: Transcript in the matter of Janice L. Guess vs. Ohio Power Company hearing held on 03/09/17 electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.