

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

MONIQUE MOORE

Complainant,

v.

**THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY,**

Respondent.

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Case No. 17-1563-EL-CSS

**DIRECT TESTIMONY OF DEBORAH REINHART ON BEHALF OF
THE CLEVELAND ELECTRIC ILLUMINATING COMPANY**

INTRODUCTION

Q. PLEASE INTRODUCE YOURSELF.

A. My name is Deborah Reinhart. I am employed by FirstEnergy Service Company as a Senior Customer Services Compliance Specialist. FirstEnergy Service Company provides corporate support, including customer service, to FirstEnergy Corp.'s regulated public utility subsidiaries. In Ohio, these subsidiaries are Ohio Edison Company ("OE" or the "Company"), The Cleveland Electric Illuminating Company ("CEI"), and The Toledo Edison Company ("TE").

Q. PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND AND WORK EXPERIENCE.

A. I have worked at either FirstEnergy Service Company or the Pennsylvania Power Company ("Penn Power") in a customer service capacity for the last 40 years. I have held my current title since March 2015. I previously served as a Customer Compliance Lead for four years, and in that position, I supervised the Customer Compliance Department, which investigates complaints by customers to the Public Utilities Commission of Ohio. Before my work as a Customer Compliance Lead, I served as a Business Analyst for six years in the Customer Compliance Department. Prior to that, for approximately three years, I was responsible for credit and collections functions in the eastern region of OE and also supervised meter readers for Penn Power. Prior to that, I supervised the customer contact center for Penn Power for four years, before which I worked as a call taker and customer service representative for commercial accounts. I have also completed coursework in a business administration program at Pennsylvania State University.

1 **Q. WHAT ARE YOUR CURRENT JOB RESPONSIBILITIES?**

2 A. My job responsibilities include reviewing and responding to complaints made by
3 customers of FirstEnergy Corp.’s regulated public utility subsidiaries to the Public Utilities
4 Commission of Ohio (“Commission”). I also have responsibility for reviewing and
5 responding to customer complaints in West Virginia.

6 **Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE COMMISSION?**

7 A. Yes, I testified in: *Campbell v. OE*, Case No. 17-520-EL-CSS; *Adkins v. CEI*, Case No.
8 16-1543-EL-CSS; *Hayes v. CEI*, Case No. 15-1662-EL-CSS; *Spooner, et al. v. OE, et al.*,
9 Case No. 13-1583-EL-CSS; *Tandy v. CEI*, Case No. 12-2102-EL-CSS; *Brock v. OE*, Case
10 No. 11-6085-EL-CSS; and *Wielicki v. CEI*, Case No. 10-2329-EL-CSS.

11 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THE PRESENT CASE?**

12 A. My testimony addresses several of the allegations raised in the Complaint pertaining to the
13 electric service at 12727 Benwood Avenue, Cleveland, OH 44105 (the “Property”)
14 provided by CEI. Specifically, my testimony addresses the history of service to the Upper
15 and Lower Units of the Property for the period between 2010 through 2017, and the
16 assessment of theft usage charges for unmetered electric services.

17 **Q. DID YOU REVIEW ANY RECORDS RELATED TO THIS CASE?**

18 A. Yes, I have reviewed numerous business records related to this case maintained and
19 preserved within FirstEnergy’s SAP System. These records, all of which were kept in the
20 course of regularly conducted business activity, include customer contact notes, various
21 bills associated with the Property, and CEI’s Commission-approved tariff. It is the regular
22 practice of FirstEnergy and CEI to make and preserve these business records, and I
23 regularly rely upon such documents when investigating customer complaints in accordance

1 with my duties as a Senior Customer Services Compliance Specialist. I also reviewed
2 publicly available records on the Cuyahoga County Auditor's website, the Complaint, and
3 the transcript of Ms. Moore's deposition taken in this proceeding.

4 **HISTORY OF MONIQUE MOORE'S SERVICE**

5 **Q. CAN YOU PLEASE BRIEFLY DESCRIBE THE INITIAL CIRCUMSTANCES OF**
6 **MS. MOORE'S SERVICE?**

7 A. Jwone Moore established residential service in his name as of January 29, 2010 at the multi-
8 family dwelling that consisted of a Lower and Upper unit which were metered separately
9 and Monique Moore, mother, was listed on the account as a person authorized to discuss
10 billing related matters, and is listed in the Cayuga County Auditor's records as the joint
11 owner of the Property. Both units are served from a single service line to a meter base with
12 two sockets located on either end approximately two feet apart. Company records indicate
13 that Mr. Moore was enrolled on the Percentage of Income Payment Plan Plus ("PIPL") for
14 the Lower unit between January 29, 2010 and April 18, 2011, and also for the Upper unit
15 between January 29, 2010 and April 7, 2010. Company records indicate numerous
16 disconnection notices and calls from Ms. Moore about past due amounts throughout 2011
17 and in 2012 for both the Lower and Upper unit.

18 In June 2011, Ms. Moore called to inquire as to why the Lower unit was removed from
19 PIPL and was provided the phone number to contact ODSA. Ms. Moore then called in July
20 2011 to discuss payment arrangements and the one-ninth extended payment plan was
21 established on the balance of \$386.23. Records show Ms. Moore then contacted CEI in
22 February 2012 stating the account at 12727 Benwood Avenue, Lower should be on PIPL
23 and the account at 3106 E 99th Street, Cleveland, OH should not be. Ms. Moore was advised

1 that Jwone needed to contact ODSA to be enrolled on PIPL at 12727 Benwood Avenue,
2 Lower and the account at 3106 99th Street was removed from PIPL at that time.

3 **Q. WHAT DO THE COMPANY'S RECORDS SHOW ABOUT TERMINATION OF**
4 **SERVICE TO THE PROPERTY?**

5 A. The Company's records show that on February 4, 2012, a meter reader on his normal route
6 encountered an open socket, i.e., a missing meter, at the Property associated with the Lower
7 unit. However, Company records also include a note that the meter and/or meter base was
8 burnt due to a fire at the Property. Robert Perkins will provide testimony regarding the
9 meter shop activity regarding discovery of the open socket. On February 11, 2012, Ms.
10 Moore made her first call asking why the meter was removed, and she was told the meter
11 was removed due to a fire and that she must have her meter base inspected by the City of
12 Cleveland before a new meter could be placed in the socket to restore service.

13 **Q. WHO WAS RESIDING AT THE PROPERTY AT THE TIME?**

14 A. That's not clear. PIPL eligibility requires the customer on record to reside at the Property
15 and Ms. Moore had insisted as recently as December 2011 that the account should be on
16 PIPL however, Ms. Moore testified in her deposition that she didn't begin "rehabbing" the
17 Property until 2011, and that she couldn't remember when her son, Jwone Moore, lived at
18 the Property. Ultimately, she testified that to her knowledge no one was living at the
19 Property when the meter was removed.

20 **Q. WHAT HAPPENED NEXT?**

21 A. The Company never received a letter from the City of Cleveland indicating that the
22 Property had been inspected as needed to restore electric service. On February 29, 2012,
23 the final debit balance of \$471.70 for the Lower unit account was transferred to the account

1 for the Upper unit; on March 2, 2012, Ms. Moore called and was advised that \$35.35 was
2 still owed on the account. On April 27, 2012, Ms. Moore called and advised that the power
3 was still off for the Lower unit. The next contact the Company received on the Lower unit
4 account was a call on January 10, 2014 from Jeff Buchanan requesting service in his name.
5 When he was advised that an inspection was needed, he stated that the power was on and
6 that he would contact Cleveland Public Power.

7 **Q. HAD SERVICE BEEN RESTORED BY THE COMPANY?**

8 A. No. The Company's records indicate that no inspection has ever been received as required,
9 and so the Company did not restore service to the Lower unit.

10 **Q. WHEN DID MR. BUCHANAN HAVE SERVICE ESTABLISHED IN HIS NAME**
11 **FOR THE LOWER UNIT?**

12 A. On November 6, 2014, Mr. Buchanan again called to have service established in his name;
13 however, he was advised that the Property needed an inspection and he would need to pay
14 \$115.00 deposit. In May 2015, the Company ascertained that a meter was present in the
15 Lower unit but not the Upper unit, and the Company adjusted its records to reflect this
16 information. On July 6, 2015, Mr. Buchanan established service in his name for the Lower
17 unit. Mr. Buchanan requested service be taken out of his name April 11, 2017.

18 **Q. WHAT ACTIVITY WAS OCCURRING DURING THIS TIME WITH RESPECT**
19 **TO THE UPPER UNIT?**

20 A. On May 4, 2015, "Jwone" Moore [believed to be Ms. Moore] called to request that service
21 be restored to the Upper unit, claiming that her son had spray painted the meters and that
22 the Company had removed the meter. Ms. Moore subsequently repeated her spray-painted
23 meter story to another Company representative, and further explained that her electrician

1 had switched the meter from Upper unit to the Lower unit. On May 27, 2015, Jwone Moore
2 again called to request a meter for the Upper unit. This discrepancy as to which unit was
3 metered and which unit was missing the meter caused significant confusion that resulted
4 in the Company sending someone to the Property to verify. Also contributing to the
5 confusion is that sometimes Ms. Moore called regarding these accounts under her own
6 name, other times a woman called claiming to be Jwone Moore; and still other times Jwone
7 Moore may have called on his own behalf.

8 **Q. HOW DID THE COMPANY DISCOVER THAT TAMPERING HAD TAKEN**
9 **PLACE?**

10 A. On April 13, 2017, Mr. Henry Duncan¹ called the Company to request service be
11 established in his name for the Lower unit at the Property, which was completed April 19,
12 2017. When the Company's service technician arrived in response to a move-in process
13 request for the Lower unit, he reported that he found "jumpers" had been installed in the
14 empty meter socket associated with the Upper unit. The "jumpers" connected the
15 Company's incoming electric service to the dwelling unit's internal wiring without going
16 through a meter, allowing theft of electricity from the Company. The service technician
17 then tagged the meter socket. The testimony of Robert Perkins describes the jumpers and
18 theft in more detail.

19 **CHARGES FOR THEFT OF ELECTRICITY**

¹ Ms. Moore claimed in her deposition that "Henry" was a prospective tenant who requested service for the Upper unit, and that when he was denied because of the inspection requirement that he was "long gone." Ms. Moore also claimed that Mr. Buchanan: moved back into the Lower unit in August 2017; is currently residing there; and that service had never been terminated in his name. Later, Ms. Moore confirmed that "Henry" is Henry Duncan.

1 **Q. HOW DID THE COMPANY DETERMINE THE AMOUNT OF UNMETERED**
2 **USAGE TO CHARGE MS. MOORE FOR THE TAMPERING-RELATED THEFT**
3 **OF ELECTRICITY?**

4 A. While the entire history of this Property suggests an even longer period of tampering and
5 potential theft, the Company considered the May 27, 2015 request for service for the Upper
6 unit as the appropriate indication of when the Upper likely was receiving electric service
7 illegally. Notably, after the May 2015 request there were no further requests to restore
8 service to the Upper unit until the illegal jumpers were discovered April 19, 2017. As is
9 the usual practice at CEI for determining unmetered usage, I used the Company's system-
10 wide average daily usage for residential customers of 25 kWh per day to estimate the
11 consumption bill for this time period at \$2,425.50. The standard tampering fee of \$125.00
12 was also assessed to Ms. Moore.

13 **Q. HOW DOES THE ENTIRE HISTORY OF THIS PROPERTY SUGGEST TO YOU**
14 **THAT THEFT MAY HAVE OCCURRED OVER AN EVEN LONGER PERIOD**
15 **THAN THE AMOUNT YOU BILLED MS. MOORE?**

16 A. The entire history includes many anomalies regarding service to the Property. First, Ms.
17 Moore called beginning in summer 2011 insisting that PIPL be applied to the Lower unit
18 account in Jwone's name, despite not ever having lived there herself. Second, it is
19 questionable whether Jwone Moore ever lived in the Property during the time he was on
20 PIPL for either account. Notably, Ms. Moore cannot remember the relevant dates that her
21 son lived there. Third, Ms. Moore's decision to move the Company's meter from Upper
22 to Lower without permission or notification is both a violation of the Company's tariff and
23 caused a great deal of confusion during communications about the Property. Fourth, Ms.

1 Moore responded in discovery that her tenant, Jeff Buchanan, agreed to pay the tampering
2 fee for placing the jumpers, but in her deposition, she testified that Mr. Buchanan recanted
3 his admission that he placed the jumpers in the empty socket for the Upper unit. Fifth, it
4 seems Ms. Moore does not even know who is living in the Property now; which unit
5 initially experienced termination of service; cannot recall key dates or produce documents
6 such as leases or rental records; repeatedly provided illogical explanations for events; and
7 did not want to let the City of Cleveland be involved in restoring the terminated service.
8 While any one of these anomalies and others I have not listed do not, alone, clearly indicate
9 when theft began occurring, together they raise suspicions and cast doubt as to the veracity
10 of Ms. Moore's explanations and timeline of events. Interestingly, even though CEI
11 informed Ms. Moore several months ago that it would waive pre-payment of the theft
12 charges as a condition for restoring service to the Upper unit, she still has not provided an
13 inspection letter nor requested the new meter to be set.

14 **Q. WHY DID YOU ASSESS THE THEFT CHARGES TO MS. MOORE INSTEAD OF**
15 **HER TENANT IN THE LOWER UNIT, MR. BUCHANAN?**

16 A. As the owner of the Property, Ms. Moore is responsible for the meter base and the behind
17 the meter wiring into the house. If, in fact, it was her tenant who installed the jumpers
18 connecting the Company's incoming service to the house wiring, it is up to Ms. Moore to
19 pursue restitution from Mr. Buchanan according to any applicable terms of their lease
20 agreement. Furthermore, the Commission's rules state "there shall be a rebuttable
21 presumption that the person in possession or control of the meter, conduit, or attachment
22 at the time the tampering or reconnection occurred is the party obligated to pay for the
23 service rendered through the meter, conduit, or attachment." Ohio Adm. Code 4901:1-18-

1 07(E)(1). Here, Ms. Moore has testified through discovery and in her deposition that she
2 has never had a tenant in the Upper unit since owning the Property. Therefore, Ms. Moore
3 is responsible for the unmetered usage arising from the tampering.

4 **Q. MS. MOORE CLAIMS THE ONLY REASON THE COMPANY DISCOVERED**
5 **THE TAMPERING IS BECAUSE OF A REQUEST FOR SERVICE FOR THE**
6 **UPPER UNIT. HOW DO YOU RESPOND?**

7 A. Ms. Moore simply is incorrect about key facts and so the inferences she draws from them
8 are also incorrect. As I mentioned earlier, and contrary to Ms. Moore's deposition
9 testimony, Mr. Buchanan requested that service be terminated in his name on April 11,
10 2017. Also contrary to her deposition testimony, Mr. Duncan requested service in his name
11 for the Lower unit on April 13, 2017, and his account is currently active and on PIPL at
12 this address. If Ms. Moore is correct that Mr. Duncan is "long gone," and that Jeff
13 Buchanan is the sole tenant there, then someone is likely guilty of PIPL fraud. Thus, Ms.
14 Moore's argument that it would be counterintuitive to request service for the Upper unit
15 where it was already being illegally obtained simply doesn't match the facts.

16 **CONCLUSION**

17 **Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?**

18 A. Yes; however, I reserve my right to supplement my testimony.

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Summary: Testimony Direct Testimony of Deborah Reinhart on Behalf of The Cleveland Electric Illuminating Company electronically filed by Mr Robert M Endris on behalf of Endris, Robert Mr.