

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the
Application of Ohio Edison, :
The Cleveland Electric :Case No.
Illuminating Company, and The :18-857-EL-UNC
Toledo Edison Company for :
Administration of the :
Significantly Excessive Earnings :
Test Under Section 4928:1-143(F), :
Revised Code, and Rule :
4901:1-35-10, Ohio Administrative :
Code. :

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PROCEEDINGS

Before Gregory Price and Megan Addison, Attorney
Examiners, held at the Public Utilities
Commission of Ohio, 180 East Broad Street,
Hearing Room 11-A, Columbus, Ohio, on Thursday,
November 29, 2018, at 10:00 A.M.

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- - -

APPEARANCES:

Mr. Robert M. Endris
76 South Main Street
Akron, Ohio 44308

On behalf of FirstEnergy
Service Company.

Mr. Bryce A. McKenney
Assistant Consumers' Counsel
65 East State Street, 7th Floor
Columbus, Ohio 43215

On behalf of the Office
of Consumers' Counsel.

Boehm, Kurtz & Lowry
By Ms. Jody Kyler Cohn
36 East Seventh Street, Suite 1510
Cincinnati, Ohio 45202

On behalf of the Ohio Energy Group.

Mr. Thomas W. McNamee
Principal Assistant Attorney General
30 East Broad Street, 16th Floor
Columbus, Ohio 43215

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

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Wednesday Morning Session,
November 29, 2018.

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ATTORNEY EXAMINER ADDISON: Good morning. The Public Utilities Commission of Ohio has called for hearing at this time and place Case No. 18-857-EL-UNC being In the Matter of the Determination of the Existence of the Significantly Excessive Earnings for 2017 Under the Electric Security Plans of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company.

We will begin this morning by taking appearances, starting with the company.

MR. ENDRIS: Thank you, your Honor. On behalf of The Cleveland Electric Illuminating Company, Ohio Edison Company, and The Toledo Edison Company, Robert M. Endris, 76 South Main, Akron, Ohio 44308.

ATTORNEY EXAMINER ADDISON: Thank you.

MR. MCNAMEE: On behalf of the Staff of the Public Utilities Commission of Ohio I am Tom McNamee. The address is 30 East Broad Street, 16th Floor, Columbus, Ohio 43215.

1 And I have been asked to put in an
2 appearance for Jody Kyler Cohn, Boehm, Kurtz &
3 Lowry, 36 East Seventh Street, Suite 1510,
4 Cincinnati, Ohio 45202.

5 MR. MCKENNEY: Thank you. On behalf
6 of the Ohio Consumers' Counsel, Bryce McKenney,
7 65 East State Street, 7th Floor, Columbus, Ohio
8 43215.

9 ATTORNEY EXAMINER ADDISON: Thank
10 you. Mr. Endris.

11 MR. ENDRIS: Thank you, Your Honor.
12 The Companies would offer Companies' Exhibit 1
13 comprising the application and the testimony of
14 Jason Petrik and Joanne M. Savage, and exhibits
15 attached thereto.

16 ATTORNEY EXAMINER ADDISON: I am
17 sorry, Mr. Endris. Is the Application
18 Companies' Exhibit No. 1?

19 MR. ENDRIS: Yes.

20 ATTORNEY EXAMINER ADDISON: Perhaps
21 we can mark that testimony as separate exhibits.

22 MR. ENDRIS: Yes, Your Honor. So
23 the testimony of Mr. Petrik would be Exhibit
24 JSP?

25 ATTORNEY EXAMINER PRICE: Let's mark

1 it Company Exhibit 2.

2 MR. ENDRIS: Thank you, Your Honor.

3 And exhibits attached thereto.

4 And Companies' Exhibit 3 would be
5 the testimony of Joanne Savage with schedules
6 attached thereto.

7 ATTORNEY EXAMINER ADDISON: Thank
8 you. They will be so marked.

9 (EXHIBITS HEREBY MARKED FOR
10 IDENTIFICATION PURPOSES)

11 MR. ENDRIS: Thank you, Your Honor.
12 I would also offer the Companies' Exhibit 4,
13 Supplemental testimony of Joanne Savage in
14 support of the Stipulation.

15 ATTORNEY EXAMINER ADDISON: Thank
16 you.

17 (EXHIBIT MARKED FOR THE PURPOSE OF
18 IDENTIFICATION)

19 ATTORNEY EXAMINER ADDISON: Will you
20 also be marking the stipulation?

21 MR. MCNAMEE: That's me.

22 ATTORNEY EXAMINER ADDISON: Thank
23 you, Mr. McNamee.

24 MR. MCNAMEE: All right. Your
25 Honor, I would ask to have marked for

1 identification as the Staff Exhibit 1 the
2 prefiled testimony of Joseph P. Buckley that was
3 filed in this docket on the 16th of October.

4 And also ask to be marked for
5 identification as Joint Exhibit 1 the
6 Stipulation and Recommendation filed in
7 the docket previously.

8 ATTORNEY EXAMINER ADDISON: Thank
9 you, Mr. McNamee. It will be so marked.

10 (EXHIBITS HEREBY MARKED FOR
11 IDENTIFICATION PURPOSES)

12 MR. MCNAMEE: And I believe Mr.
13 McKenney has a document to mark as well.

14 MR. MCKENNEY: Yes, Your Honor,
15 that's correct. I would ask to have marked the
16 testimony of Daniel J. Duann in response to the
17 Stipulation as OCC Exhibit No. 1. That was
18 filed on November 16th, 2018 in the docket.

19 And then we would ask for Dr.
20 Duann's original prefiled direct testimony filed
21 on October 16th to marked as OCC Exhibit No. 2.

22 ATTORNEY EXAMINER ADDISON: They
23 will be so marked.

24 (EXHIBITS MARKED FOR THE PURPOSE OF
25 IDENTIFICATION)

1 MR. MCKENNEY: Thank you. I will
2 also note that we have no objection to the
3 admission of any of the exhibits that have been
4 previously marked.

5 ATTORNEY EXAMINER ADDISON: Thank
6 you very much, Mr. McKenney. Mr. McNamee.

7 MR. MCNAMEE: Yes, Your Honor. By
8 agreement of the parties I think we agreed to
9 stipulate everyone's testimony all in.

10 ATTORNEY EXAMINER ADDISON: Is that
11 correct, Mr. Endris?

12 MR. ENDRIS: Yes, Your Honor.

13 ATTORNEY EXAMINER ADDISON: Thank
14 you.

15 MR. MCNAMEE: And we do so
16 stipulate.

17 ATTORNEY EXAMINER ADDISON: Thank
18 you. At this time we will admit Companies'
19 Exhibits 1 through 4, Staff Exhibit 1, Joint
20 Exhibit No. 1 and OCC Exhibits No. 1 and 2 into
21 the record.

22 (EXHIBITS ADMITTED INTO EVIDENCE)

23 MR. MCNAMEE: And we have nothing
24 further at this time, Your Honor. We would
25 suggest we go directly to briefing.

1 ATTORNEY EXAMINER ADDISON: Thank
2 you.

3 MR. MCKENNEY: Could we go off the
4 record for a minute?

5 ATTORNEY EXAMINER ADDISON: Yes.
6 Let's go off the record.

7 (DISCUSSION OFF THE RECORD)

8 ATTORNEY EXAMINER ADDISON: After a
9 brief discussion with the parties we will be
10 moving straight into the briefing schedule.

11 January 8th is when initial briefs
12 will be due. January 18th is when reply briefs
13 will be due.

14 Do we have anything else to discuss
15 before going off the record?

16 MR. MCNAMEE: Nothing from Staff,
17 Your Honor.

18 MR. ENDRIS: Nothing here, Your
19 Honor.

20 MR. MCKENNEY: Nothing from OCC.

21 ATTORNEY EXAMINER ADDISON: Perfect.
22 Then we are adjourned. Thank you all.

23 (At 10:15 A.M. the hearing was
24 concluded)

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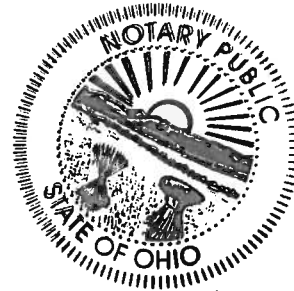
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CERTIFICATE

I do hereby certify that the foregoing
is a true and correct transcript of the
proceedings taken by me in this matter on
November 29, 2018, and carefully compared with
my original stenographic notes.

Michael O. Spencer
Michael O. Spencer,
Registered Professional
Reporter.

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Case No(s). 18-0857-EL-UNC

Summary: Transcript In the Matter of the Application of Ohio Edison, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Administration of the Significantly Excessive Earnings Test Under Section 4928:1-143(F), Revised Code, and Rule 4901:1-35-10, Ohio Administrative Code, hearing held on November 29th, 2018. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Spencer, Michael O. Mr.