

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of	:	
	:	
Jenny Kenderes,	:	
	:	
Complainant,	:	
	:	
vs.	:	Case No. 18-922-EL-CSS
	:	
The Cleveland Electric	:	
Illuminating Company,	:	
	:	
Respondent.	:	

- - -

PROCEEDINGS

before James Lynn, Hearing Examiner, at the Public Utilities Commission of Ohio, 180 East Broad Street, Room 11-D, Columbus, Ohio, called at 11:00 a.m. on Thursday, October 17, 2019.

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ARMSTRONG & OKEY, INC.
222 East Town Street, Second Floor
Columbus, Ohio 43215-5201
(614) 224-9481 - (800) 223-9481

- - -

1 APPEARANCES:

2 Jenny Kenderes
3 4116 Parkside Drive
4 Brooklyn, Ohio 44144

5 On her own behalf.

6 FirstEnergy Corp.
7 By Emily V. Danford
8 76 South Main Street
9 Akron, Ohio 44308
10 330-384-5849

11 On behalf of the Respondent.

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Thursday Morning Session,
October 17, 2019.

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THE EXAMINER: Let's go on the record at
this time. The Public Utilities Commission of Ohio
has assigned for time and place Case No.
18-922-EL-CSS, In the Matter of Jenny Kenderes versus
the Cleveland Electric Illuminating Company.

I'm Jim Lynn. I'm the Attorney Examiner
assigned to hear this case. At this time we'll have
the appearances of the parties. We'll start with
Miss Kenderes, if you'd indicate your name and
address, please.

MS. KENDERES: My name is Jenny Kenderes.
My address is 4116 Parkside Drive, Brooklyn, Ohio,
44144.

THE EXAMINER: For the Cleveland Electric
Illuminating Company.

MS. DANFORD: Good morning, your Honor,
Emily Danford, FirstEnergy Service Company, 76 South
Main Street, Akron, Ohio, 44308 on behalf of the
Cleveland Electric Illuminating Company.

THE EXAMINER: Miss Kenderes, if you
would come up to the witness stand and I'll swear you
in. Bring whatever documents you might need.

1 MS. KENDERES: Certainly.

2 THE EXAMINER: If you'd raise your right
3 hand, please.

4 (Witness placed under oath.)

5 - - -

6 JENNY KENDERES

7 being first duly sworn, as prescribed by law, was
8 examined and testified as follows:

9 DIRECT TESTIMONY

10 THE EXAMINER: Please have a seat and
11 give us some details about what brought you here
12 today, when it began and what has happened since it
13 began and so forth.

14 MS. KENDERES: Certainly. I'm not sure
15 how in depth or detailed you'd like initially, but
16 basically the complaint for high usage for
17 electricity in my home between a certain date, period
18 in time I did not notice at first, to be honest,
19 through fault of my own because I was delayed with
20 paying the bill. That wasn't something that occurred
21 right away.

22 And then the process of which I've been
23 through with trying to submit a formal complaint,
24 some of the investigative pieces I've done on my end
25 and really just trying to find a resolution. I'm not

1 sure how detailed you want me to get right away.

2 THE EXAMINER: Sure. Can you tell me,
3 you mentioned a high usage or what you feel was
4 incorrect high usage. Can you tell me when that
5 began or when you first noticed it.

6 MS. KENDERES: Well, I didn't notice it
7 right away. It began in October of 2017. And then a
8 new meter was installed in April of 2018. So between
9 those periods, especially January -- I'm sorry,
10 January and December of those years were the
11 excessive high usage.

12 Because I was behind on my bill and had
13 paid several hundred, I don't know what month it was,
14 March perhaps, it didn't again register. I wasn't
15 really looking at the full detail of my bill. So
16 that's when I really noticed, you know, April, May,
17 and that's when I started to really investigate
18 things knowing that the usage could not for various
19 reasons have been on my end.

20 THE EXAMINER: Looking back on it then,
21 you're indicating that the -- looking back, I assume
22 prior bills and so forth, you noticed that the higher
23 usage began in October of 2017?

24 MS. KENDERES: Correct.

25 THE EXAMINER: And it went on into early

1 2018. And you had the meter replaced was it March of
2 2018?

3 MS. KENDERES: May of 2018.

4 THE EXAMINER: And you're indicating that
5 for a time you didn't notice the higher usage, you
6 were somewhat behind in paying your bills and when
7 you paid them, were you paying part of what was owed?
8 The full amount?

9 MS. KENDERES: Correct. Probably at that
10 point, either the past due amount to avoid shut-off
11 or just the last payment I had made prior to
12 realizing something was wrong to the tune of 2- or
13 \$300.

14 THE EXAMINER: Okay. And when you became
15 aware that this usage was higher than you felt was
16 true from your perspective, what did you end up
17 doing?

18 You indicated you contacted CEI, there
19 was a meter replaced and so on, but what other steps?
20 What else was going on during those months?

21 MS. KENDERES: Certainly. Prior to
22 contacting CEI, I immediately thought that it was
23 something on my end because it was so unusual in the
24 history of the home, less occupants, less people
25 during the day, so I immediately did think it was

1 something inside the home which is why first I had my
2 dad come over, do a bunch of voltage amp tests,
3 things like that. We did everything; couldn't find
4 anything.

5 Spoke to my uncle. Everybody was sort of
6 stumped. Then had two electricians that live in the
7 same city as myself come over, sort of all with the
8 same conclusion there's nothing on the inside of the
9 house that we can find.

10 My appliances are new which I have
11 pictures of. We try to be very energy efficient,
12 change the filters, things of that nature. So I did
13 think it was initially an internal issue just because
14 it seemed so odd. Once I realized it was not
15 according to the people that were in my home --

16 MS. DANFORD: I'm going to object on the
17 basis of hearsay grounds. This is testimony from
18 Miss Kenderes. I would think personal knowledge is
19 one thing, but I think we're starting to creep into
20 statements made by third parties who aren't here for
21 cross-examination.

22 MS. KENDERES: Yes.

23 THE EXAMINER: I'll let her statement
24 stand for now, and I'll circle back to that later.

25 MS. DANFORD: Thank you.

1 MS. KENDERES: Those statements, having
2 multiple statements, which is what led me to realize,
3 okay, this is not an issue in my home, my first
4 thought was to contact an electrician. Then
5 realizing there was many other things possibly going
6 on is when I contacted CEI.

7 THE EXAMINER: You indicated, for
8 example, you had electricians come into the home. Do
9 you have any sort of written results from them?

10 MS. KENDERES: Not from them. It was
11 done very informally. Being a single mother and
12 knowing I was very cost conscious, it was friends of
13 friends that were certified and offered to come in
14 and sort of do it not through their company.

15 THE EXAMINER: I see.

16 MS. KENDERES: The one is actually
17 deceased now, one of the electricians that came in,
18 but they just both came in as an informal basis sort
19 of to help me out.

20 THE EXAMINER: Is there anything else you
21 want to add at this point, for example, any documents
22 you want to introduce as evidence?

23 MS. KENDERES: For what we've spoken
24 about thus far?

25 THE EXAMINER: Yes, or for that matter,

1 if you have more to say, address it when you've
2 gotten to that point of your presentation.

3 I'll also ask this question before you go
4 further, tell me a little bit about your appliances
5 in your home, furnace, dryer, hot water tank, stoves,
6 if there were any space heaters used and so forth.

7 MS. KENDERES: Absolutely. So -- and I
8 do have a copy of the home inspection which I believe
9 Miss Danford does as well. When I purchased the home
10 in 2015, the hot water tank was I believe eight years
11 old at the time, the furnace I want to say 10 or 12,
12 those have not been replaced. Everything else has,
13 not necessarily because they needed to be, I just
14 wanted to upgrade them a little bit.

15 I do have pictures of the appliances.
16 The dishwasher, stove, microwave, refrigerator, those
17 were all purchased early 2017, I believe.

18 THE EXAMINER: Were those items that I
19 mentioned, that is, furnace, dryer, hot water tank,
20 stove, were those gas or electric?

21 MS. KENDERES: They're gas.

22 THE EXAMINER: Every one of those is gas?

23 MS. KENDERES: Furnace, gas, yes --
24 washer, dryer, yes.

25 THE EXAMINER: Dryer, of course, and the

1 hot water is heated with gas?

2 MS. KENDERES: Yes.

3 THE EXAMINER: Were there any space
4 heaters in use during that period of time?

5 MS. KENDERES: No. In fact, I've always
6 been fearful of them for safety reasons, and my
7 boyfriend is a 20-year veteran of the Cleveland Fire
8 Department, a lieutenant, and he actually has fallen
9 through a second story home from an electrical fire,
10 so, no, there would never be space heaters in my
11 home.

12 THE EXAMINER: Please continue. You
13 apparently have some other things to add.

14 MS. KENDERES: Certainly, if I may. So
15 kind of going back a little bit before I get into
16 more of the electrical readings and things like that,
17 the first thing I want to point out is I did pull the
18 bill of rights off the PUCO website.

19 And as we confirm the original date, the
20 informal complaint was April 16th and the gas was
21 still shut off May 9th -- or I'm sorry, May 10th.
22 According to the bill of rights, basically the
23 electric was terminated illegally, so I just want to
24 mention that.

25 THE EXAMINER: Let's back up. April 16th

1 of what year?

2 MS. KENDERES: 2018.

3 THE EXAMINER: That was when you called
4 them with a -- oh, an informal complaint?

5 MS. KENDERES: Correct, correct.

6 MS. DANFORD: I would like to just assert
7 an objection on the record right now. This is not
8 part of the complaint that was brought in this case.

9 THE EXAMINER: I'll agree there, good
10 point.

11 MS. DANFORD: This is well outside the
12 scope of the complaint.

13 THE EXAMINER: Just focus on what you
14 wrote in your formal complaint that was filed here.

15 MS. KENDERES: I do think it's worth
16 noting but okay. Well, in terms of the electric
17 usage, a couple of things: One, as we know, I had
18 questioned the validity of the electric meter. As I
19 understand, it was tested with the lab and the
20 results came back, et cetera.

21 I did find also online that apparently
22 customers are able to be allowed to be there during
23 the testing. I wasn't aware of that. I'm assuming,
24 again, that's not public knowledge but it is
25 something that I wasn't able to be present at.

1 I was told that I would not be able to
2 have the meter retested at my own expense because it
3 had been destroyed already --

4 MS. DANFORD: We object on hearsay
5 grounds. I'm not sure who was doing the telling
6 here.

7 MS. KENDERES: That was told to me in my
8 last -- actually on a conference call and then our
9 hearing last time.

10 MS. DANFORD: I believe -- I'm sorry,
11 your Honor.

12 THE EXAMINER: Anything as far as what
13 went on during the mediations cannot be brought up
14 here. That's a whole separate process. We start
15 over here. But I did want to ask, you mentioned
16 something about you being present at the testing.
17 Are you referring to when they came -- when CEI came
18 to your home?

19 MS. KENDERES: No, when they do it at
20 their lab.

21 THE EXAMINER: I see.

22 MS. KENDERES: Again, this was not spoken
23 about in detail because I wasn't aware of it, but I
24 did find out on Ohio.gov, I mean on the website, that
25 not only would I have been allowed to be present, but

1 any subsequent testing could be done at my charge
2 which I had been told no.

3 MS. DANFORD: I'm just going to again
4 object on hearsay grounds. This is talking about
5 documents that I don't even have in front of me. I
6 mean, this is objection on hearsay grounds.

7 THE EXAMINER: Documents, what do you
8 mean exactly?

9 MS. DANFORD: Miss Kenderes is talking
10 about something that she read on a website. At this
11 point, it's very difficult to cross-examine on the
12 voracity of the something that -- I don't have a
13 website address to look at.

14 THE EXAMINER: Miss Kenderes, we
15 understand the direction you're coming from, I do.
16 Can you sum it up in this way: As far as being
17 present for the testing, you were interested or had
18 the interest in doing so but you were unaware that
19 that was a possibility?

20 MS. KENDERES: Sure, or even paying -- I
21 would have loved -- and I kind of expressed this
22 several times, I would have loved to pay
23 out-of-pocket for an additional test to sort of
24 corroborate the results.

25 THE EXAMINER: That leads me to this

1 question: When you indicated that you would be
2 willing to pay for a test on your own, out of your
3 own pocket, was that done after you got results with
4 CEI's test or do you recall at what point in time
5 you --

6 MS. KENDERES: It would have been after,
7 sure.

8 THE EXAMINER: Thank you.

9 MS. KENDERES: So a couple of things with
10 the wattage that was being registered in my home
11 because, again, this was kind of baffling this could
12 even be a possibility, even in the hottest months of
13 the summer there was never any kind of -- in the
14 history of the home, any kind of readings this high.

15 When I did first speak to FirstEnergy, it
16 was blamed on the cold temperatures per their rep and
17 then per everything I found, which I do have with me,
18 the average daily temperatures were actually warmer
19 than the year in question than the year subsequent to
20 that. So that kind of doesn't make sense with their
21 story.

22 The other thing is I have a 15 amp
23 typical circuit in the home. And when looking up the
24 capacity, because someone had mentioned to me from
25 CEI when we did a phone call and she was sort of

1 going through my appliances, what do you use on a
2 daily basis, I'm assuming a regular thing they do
3 with customers, adding up the wattages, you know,
4 microwave, et cetera, et cetera, it was coming up
5 maybe to a thousand in total. And she says, "I don't
6 see how your home can handle this." And I said --

7 MS. DANFORD: Objection on hearsay.

8 THE EXAMINER: We understand.

9 MS. KENDERES: I'm redirecting my
10 statement.

11 THE EXAMINER: She's representing
12 herself. Nonetheless, repeating what someone else
13 said, well, they're not here. But these last couple
14 of comments, it was your understanding based on
15 research you had done, that the alleged usage was,
16 what, beyond the capacity of what your home could
17 handle or something?

18 MS. KENDERES: Absolutely. I don't
19 understand how it would not have overloaded.

20 THE EXAMINER: And it overloaded maybe
21 your breaker box or something?

22 MS. KENDERES: No. It's very concerning
23 to me. Actually, when I started doing the research,
24 I mean, for a 15 amp circuit, a safe capacity is 1440
25 in wattage --

1 MS. DANFORD: I'm going to object again.
 2 I mean, I don't know where this information is coming
 3 from. Miss Kenderes has not qualified herself as an
 4 expert witness. This seems to be getting into expert
 5 witness territory. I don't know -- I don't know
 6 where these safety standards are coming from.

7 THE EXAMINER: Well....

8 MS. DANFORD: There was no expert
 9 testimony prefiled in this case.

10 THE EXAMINER: Sure. She wouldn't think
 11 of that representing herself, but....

12 MS. KENDERES: I'm just really trying to
 13 show that there's not -- trying to get from A to Z
 14 and explain why it's not possible.

15 THE EXAMINER: Well, we'll let those
 16 statements stand and take into account what
 17 Miss Danford said, that you're not testifying as an
 18 expert witness, but basically it was your belief that
 19 based on the way your home is wired, for lack of a
 20 better term, I'm not an electrician, that it would
 21 have been not possible to use that much power unless
 22 running into some sort of difficulties overloading
 23 the system or something?

24 MS. KENDERES: Correct, or a massive fire
 25 for that matter. I'll move on from that then. I

1 guess a lot of my -- I do have questions too in
2 regards to testimony that will be given later too, so
3 I'm trying to weed out the things that would not be
4 appropriate now as far as the testing and different
5 things like that.

6 You know, I don't know, there was the
7 statement in the line of questioning regarding that
8 initially in October when someone came out, the meter
9 was checked, connections, things like that. I
10 understand I would be responsible for the base.

11 MS. DANFORD: I'm going to object. What
12 is the line of questioning that we're talking about?

13 MS. KENDERES: Your testimony -- or your
14 questions that you asked for testimony.

15 THE EXAMINER: A question concerning....

16 MS. KENDERES: Which I can wait on.

17 MS. DANFORD: I will object and say that
18 that is a misrepresentation of the testimony. I will
19 say to my recollection, the October date is not the
20 date that was provided in the testimony.

21 MS. KENDERES: That's when the first CEI
22 representative came out and looked at the meter.

23 MS. DANFORD: Again, I'm going to object.
24 That was not consistent with the testimony that was
25 filed in this case.

1 THE EXAMINER: Let's back up a minute
2 here. Miss Kenderes --

3 MS. DANFORD: Which is currently not in
4 the record.

5 THE EXAMINER: Again, you're saying the
6 period of time that you are questioning is October of
7 2017 to April of 2018?

8 MS. KENDERES: Correct.

9 THE EXAMINER: And you probably said this
10 again earlier in your testimony, but when was it you
11 contacted CEI when you noticed that the bills were
12 from your perspective higher than usual?

13 MS. KENDERES: In regards to noticing the
14 bills, I did not contact anybody regarding billing
15 concerns until February of 2018.

16 THE EXAMINER: February of '18, okay. As
17 far as the bills go, had someone from -- but had you
18 contacted CEI prior to that?

19 MS. KENDERES: Yes, I did.

20 THE EXAMINER: Tell me about that. I'm
21 just trying to get a timeline of what happened.

22 MS. KENDERES: Sure. Actually, at that
23 point it was not related to any -- I was not calling
24 for excessive usage or billing at that point. I had
25 called in October of 2017 because I had noticed, it

1 seemed to me that the meter was making a very loud
2 noise when I would walk past it to the garage. For
3 me to notice that, I thought that was kind of odd.
4 That wouldn't normally be something I would pick up
5 on.

6 I happened to be speaking to my neighbor
7 and he said, "I was actually going to come and speak
8 to you." That's kind of odd and really interesting
9 because that's when he mentioned to me I was going to
10 talk to you, my son was, for lack of a better term, a
11 shock or a jolt or something when he -- so I said
12 okay --

13 THE EXAMINER: Understand what the
14 neighbor said to you, we couldn't really admit it
15 here, but you're indicating it was October of '17 you
16 noticed the meter was making noises which were out of
17 the ordinary from your perspective?

18 MS. KENDERES: Correct.

19 THE EXAMINER: And you contacted CEI
20 then?

21 MS. KENDERES: Correct. I was not
22 concerned or even thinking about excessive charges at
23 that point.

24 THE EXAMINER: Sure. And CEI, what did
25 they end up doing once you contacted them about these

1 noises?

2 MS. KENDERES: They dispatched someone to
3 come out and look at the meter. They said call in a
4 few days. I didn't call back for a week. I only
5 remember speaking to someone because the verbiage
6 they used at that point, they said, "Everything
7 checked out okay," and I remember thinking what an
8 odd thing to say, just comparing it to my line of
9 work. I think if I said that to a client --

10 THE EXAMINER: You're saying CEI did send
11 someone out?

12 MS. KENDERES: They did. I was not home.

13 THE EXAMINER: I see. And they contacted
14 you at some point, I assume maybe by telephone or
15 something after that?

16 MS. KENDERES: I called them --

17 THE EXAMINER: You called them.

18 MS. KENDERES: -- to find out the
19 results.

20 THE EXAMINER: You were told that
21 everything tested out, nothing abnormal.

22 MS. KENDERES: And I said okay. I moved
23 on. I wasn't overly concerned since they looked at
24 the meter.

25 THE EXAMINER: Basically you contacted

1 them in October of 2017 concerning the noise --

2 MS. KENDERES: Correct.

3 THE EXAMINER: -- but as far as the
4 billing issue, you contacted them in February of
5 2018?

6 MS. KENDERES: Correct.

7 THE EXAMINER: Interesting. All right.
8 What else would you like to continue with?

9 MS. KENDERES: Well, like I said, a lot
10 of it is kind of pertaining to the testimony that
11 we're going to hear in a little bit, but again,
12 looking at the history of the home from the time I
13 purchased it, comparing it with all my neighbors and
14 the energy consumption right on the website for CEI,
15 again, using probably 260 more percent than my
16 neighbors of energy and no one is home during the
17 day, like I said initially, I truly thought that
18 maybe it was something on my end initially, hence
19 having people come out to look at the home.

20 Something to draw that much wattage, A, I
21 thought would have caused a fire; or B, quite
22 honestly, as I told the gentleman that came to my
23 home, no joking aside, I said, "Wouldn't this trigger
24 some kind of alert that somebody was growing pot or
25 something?" I mean, those are the things I think of

1 because it's such an excessive amount of usage.

2 THE EXAMINER: Was it, for example, like
3 double prior usage for that time of year?

4 MS. KENDERES: Oh, yes. And I also just
5 for comparison's sake, I had looked at my dad's
6 bills, his home is 4,500 square feet compared to my
7 1,300, mine was exorbitant compared to his.
8 Everything is energy efficient in my home.

9 So no space heaters. There would have
10 been nothing to draw that much. Appliances were
11 updated. Filters were changed. LED lighting is
12 used. We try to be energy efficient. Like I said,
13 there's no one home.

14 Even when I first did move into the home
15 and was married at the time and had our stepson,
16 there was still nowhere near the amount of usage.
17 And then the biggest concern was once the meter was
18 switched out, everything started registering
19 correctly and has to this day. I checked it the
20 other night, you know, and have a picture of the
21 reading and it averages out to what's to be expected.

22 THE EXAMINER: And you're indicating then
23 that during those months, that you're questioning
24 that through the day at least, there was no one at
25 the residence at all?

1 MS. KENDERES: Correct.

2 THE EXAMINER: Not yourself?

3 MS. KENDERES: No.

4 THE EXAMINER: Children, nobody?

5 MS. KENDERES: No, school. Even in the
6 summer, no one was home, the kids were at day camp.
7 There was nobody there.

8 THE EXAMINER: Thank you.

9 MS. KENDERES: You're welcome.

10 THE EXAMINER: Any other thoughts?

11 MS. KENDERES: Will I be allowed to
12 respond because I think a lot of my --

13 THE EXAMINER: What we'll do is this,
14 once CEI's witness takes the stand, you can certainly
15 ask them questions of that person, too.

16 MS. KENDERES: Thank you. I think that
17 would be helpful.

18 THE EXAMINER: Miss Danford, questions on
19 your part?

20 MS. DANFORD: Yes, your Honor, just a
21 few.

22 - - -

23 CROSS-EXAMINATION

24 By Ms. Danford:

25 Q. Miss Kenderes, what do you do for a

1 living?

2 A. I own and operate a senior living
3 placement agency.

4 Q. What's your highest level of education?

5 A. High school.

6 Q. Are you an electrician?

7 A. No.

8 Q. Have you received any electrician
9 training or education?

10 A. No, I have not.

11 Q. Have you received any engineering
12 training or education?

13 A. No, I have not.

14 Q. And you're not an engineer?

15 A. No.

16 Q. You indicated that your dad and some
17 electricians came over to your home after you noticed
18 your high usage. Do you recall when approximately
19 that was?

20 A. It was right after I noticed it, so that
21 would have been... I believe it was early March.

22 THE EXAMINER: Of 20....

23 A. I'm sorry, yeah, late 2018, early March
24 of 2018.

25 Q. I also wanted to turn to the meter test

1 itself. Did you request to be present for the meter
2 test?

3 A. No, I did not know that was an option.

4 Q. That's not the question I asked. I asked
5 if you asked to be present.

6 A. No, I did not.

7 MS. DANFORD: Your Honor, may I approach
8 the witness?

9 THE EXAMINER: You certainly can.

10 MS. DANFORD: I would ask this be marked
11 as CEI Exhibit 1.

12 (EXHIBIT MARKED FOR IDENTIFICATION.)

13 Q. Miss Kenderes, do you recognize the
14 document I handed you?

15 A. Yes, I do.

16 Q. What is this document?

17 A. Interrogatories.

18 Q. So let's start with Page 1 of this
19 document. This Page 1 is an e-mail from me to you;
20 is that correct?

21 A. Yes.

22 Q. And what's the date on this e-mail?

23 A. November 5th.

24 Q. Of what year?

25 A. 2018.

1 Q. And is this including -- is this e-mail
2 attaching CEI's first set of discovery requests in
3 this case to you?

4 A. I believe so. Looks like the PDFs were
5 attached to this one, so yes.

6 Q. Do you recall receiving this document?

7 A. I do.

8 Q. Could you please turn to Page 6 of the
9 attached PDF. Do you see Interrogatory No. 8 on that
10 page?

11 A. Yes.

12 Q. Could you please read Interrogatory No. 8
13 into the record.

14 A. "For the period of time beginning on
15 October 1st, 2017 and ending on April 30th, 2018,
16 please identify the utility company providing natural
17 gas to the property."

18 Q. What is the name of that utility company?

19 A. Sorry, I'm drawing a blank for the gas.
20 I have it with me.

21 THE EXAMINER: Take your time.

22 A. May I look it up? I'm drawing a blank.
23 Dominion Energy.

24 Q. Thank you. Could you please turn to Page
25 10 of that same PDF. And on Page 10, do you see

1 Request No. 9?

2 A. Yes.

3 Q. Could you read Request No. 9 into the
4 record?

5 A. Yes. "Provide copies of all natural gas
6 bills and correspondence to or from the natural gas
7 utility identified in your response to Interrogatory
8 No. 8 during the period of time beginning
9 October 1st, 2017 and ending on April 30th, 2018."

10 Q. Thank you.

11 MS. DANFORD: Your Honor, may I approach
12 the witness again?

13 THE EXAMINER: Yes, you can.

14 MS. DANFORD: Your Honor, I would ask
15 this Exhibit be marked as CEI No. 2.

16 (EXHIBIT MARKED FOR IDENTIFICATION.)

17 Q. Miss Kenderes, do you recognize this
18 document I've handed to you?

19 A. Yes, I do.

20 Q. What is this document?

21 A. This is a statement that was provided by
22 Dominion Energy on usage and billing for the time
23 period I requested.

24 Q. So let's start again on Page 1. This is
25 an e-mail from you to me, and Attorney-Examiner Lynn

1 is also on this e-mail; is that correct?

2 A. Yes, it is.

3 Q. And this e-mail, like you said, is
4 attaching some information that you received from
5 Dominion Energy; is that correct?

6 A. Yes.

7 Q. And what is the date of this e-mail?

8 A. August 2nd, 2019.

9 Q. And had you provided this information
10 prior to August 2nd, 2019?

11 A. No.

12 Q. To CEI?

13 A. No, I did not.

14 Q. Thank you.

15 MS. DANFORD: Your Honor, may I approach
16 the witness?

17 THE EXAMINER: Yes, you may.

18 (EXHIBITS MARKED FOR IDENTIFICATION.)

19 Q. (By Ms. Danford) My next line of
20 questioning is going to relate to two exhibits, so
21 I'm going to hand them to you both at this time. I'm
22 going to start with the one-page document, if I could
23 have that marked as CEI No. 3. So looking at the
24 one-page exhibit, Miss Kenderes, do you recognize
25 this document?

1 A. The e-mail?

2 Q. Yes.

3 A. Yes, I do.

4 Q. Do you know what this e-mail is about?

5 A. Yes, I do.

6 Q. Would you agree with me that in this
7 e-mail you reached an agreement with me that certain
8 documents that you had provided to a colleague of
9 mine during the settlement conference in this case
10 could be used for purposes of evidence in this case?

11 A. Yes, correct.

12 Q. And you waived any claim of
13 confidentiality with respect to those documents; is
14 that correct?

15 A. Yes.

16 Q. Okay, thank you. I'd like you to turn
17 now to the three-page document that I handed you. Do
18 you recognize this document -- I apologize, I'd like
19 to have this marked as CEI Exhibit 4.

20 THE EXAMINER: Miss Danford, is that a
21 two-page document or am I missing something?

22 MS. DANFORD: It printed out double
23 sided. I apologize for the confusion.

24 (EXHIBIT MARKED FOR IDENTIFICATION.)

25 Q. (By Ms. Danford) Miss Kenderes, do you

1 recognize this document?

2 A. Yes, I do.

3 Q. Were these documents provided to my
4 colleague during the settlement conference?

5 A. Yes.

6 Q. Okay. And Page 3 of this document, so
7 it's the one page that is not double sided, I
8 apologize, the pages aren't numbered, is this
9 document showing your energy usage at your home, your
10 CEI electric usage between October -- actually, it
11 looks like September of 2017 and September of 2018?

12 A. Yes.

13 Q. Along with average daily temperatures?

14 THE EXAMINER: Miss Danford, this is gas
15 usage then?

16 MS. DANFORD: No, this is her electric
17 usage.

18 Q. (By Ms. Danford) Miss Kenderes, did you
19 pull this information off of CEI's website?

20 A. Yes, I did, off of my account.

21 Q. From your account. And that is your CEI
22 account?

23 A. Correct.

24 MS. DANFORD: At this time I have no
25 further questions for the witness.

1 THE EXAMINER: Thank you.

2 Miss Kenderes, if you have nothing more
3 to say at this point, you can take your seat, and
4 I'll let the witness for CEI take the stand.

5 MS. KENDERES: Thank you. At this point
6 I do not.

7 MS. DANFORD: Your Honor, I do have a
8 question before we get started with CEI's witness.
9 The entries scheduling this hearing had directed the
10 company to bring certain information.

11 THE EXAMINER: You are correct.

12 MS. DANFORD: Some of that information is
13 protected customer energy use data, Miss Kenderes's
14 billing statements. I just wanted to remind you that
15 we have that information, but that there are some
16 confidentiality concerns from that perspective that
17 would need to be addressed with Miss Kenderes.

18 THE EXAMINER: Thank you for mentioning
19 that. Let's see, it was prior billing records, also
20 some record of when the meter was tested and what was
21 done with it after the testing?

22 MS. DANFORD: That's correct, your Honor.

23 THE EXAMINER: Okay, that's fine. I
24 figure you will introduce those when your witness is
25 on the stand.

1 MS. DANFORD: Your Honor, CEI had not
2 intended to necessarily include those in their
3 defense of this case, but if your Honor would like to
4 include them for purposes of questioning CEI's
5 witness, we would be happy to do so. I would simply
6 ask for the opportunity for a redirect examination of
7 the witness.

8 THE EXAMINER: I think we would like that
9 to be part of the record in this case. We'll talk to
10 Miss Kenderes about the confidentiality issues,
11 whether some of that should be under seal or
12 something. Thank you for bringing that up, though.
13 All right, I believe you have a witness and that
14 person can take the stand whenever they're ready.

15 MS. DANFORD: Yes, your Honor, the
16 Cleveland Electric Illuminating Company calls Robert
17 Perkins to the stand.

18 (Witness placed under oath.)

19 MS. DANFORD: Your Honor may I approach
20 the witness?

21 THE EXAMINER: Yes, you may.

22 (EXHIBIT MARKED FOR IDENTIFICATION.)

23 MS. DANFORD: Your Honor, I've handed
24 Mr. Perkins an Exhibit that I've marked as CEI
25 Exhibit 5.

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ROBERT PERKINS

being first duly sworn, as prescribed by law, was
examined and testified as follows:

DIRECT EXAMINATION

By Ms. Danford:

Q. Mr. Perkins, can you tell me what this
document is?

A. This is my testimony for this case.

Q. And it's on behalf of the Cleveland
Electric Illuminating Company?

A. Yes, it is.

Q. Was that Direct Testimony prepared by you
or at your direction?

A. Yes, it was.

Q. Do you have any changes to make to your
Direct Testimony today?

A. Not at this time.

Q. If I were to ask you the questions in
your Direct Testimony today, would your answers
remain the same?

A. Absolutely.

MS. DANFORD: The witness is available
for cross-examination, your Honor.

THE EXAMINER: Okay.

1 Miss Kenderes, do you have some questions
2 of Mr. Perkins?

3 MS. KENDERES: I do.

4 THE EXAMINER: Please go ahead.

5 - - -

6 CROSS-EXAMINATION

7 By Ms. Kenderes:

8 Q. Mr. Perkins, I appreciate all the
9 testimony you provided and your testimony here. Just
10 a few questions for you if you don't mind, just some
11 basic information that I not as an electrician am not
12 aware of. With the meters similar to the one that
13 was in my house, how often are those supposed to be
14 replaced, if at all?

15 MS. DANFORD: I'm going to object on that
16 to the extent it calls for a legal conclusion as CEI
17 is a regulated company. If Mr. Perkins knows the
18 answer, but again, that may call for a legal
19 conclusion.

20 THE EXAMINER: Well, I don't know if that
21 necessarily is a legal conclusion. I think perhaps
22 Mr. Perkins, what we need to know is, is there a
23 schedule for any sort of replacement of meters or do
24 you simply wait until a customer will contact you and
25 say, hey, there may be something wrong with this?

1 A. Good question. So there is no defined
2 schedule of meter replacement. What we do for the
3 meters that are in our residential population is we
4 statistically sample those meters every year for the
5 Commission requirements to gain an average accuracy
6 over particular lots of meters.

7 You can think a lot of a meter similar to
8 a particular brand of car and a model of car. There
9 are many of those. So we group those into lots and
10 we statistically sample those lots every year, send
11 those to our test laboratory for statistical sampling
12 purposes.

13 What we do then is when we see meters
14 that are starting to drop off in accuracy -- and when
15 I say that, meters almost always slow down as they
16 age -- then we deem that meter retirable, if you
17 will, and we go out and exchange those retirable
18 meters to replace them.

19 It's our job to maintain the accuracy of
20 the meter population at the Illuminating Company, so
21 we take that very seriously and that's how we manage
22 the lots of meters. That's for residential. We do
23 something a little different for commercial which I
24 don't think you need to know about here because this
25 is a residential meter.

1 Q. Thank you. Is there an average age that
2 you find of the meter when you're statistically
3 testing them?

4 A. So we have meters that are still in our
5 population that go back to the 1930s that are still
6 accurate. It just depends on the manufacturer. Just
7 like a car, if you can think of a car, a model of a
8 car, a lot of times a model is built and they have
9 particular issues that result from those models of
10 cars, right.

11 I remember we had a fleet of Chevy
12 Blazers in our fleet at work, and they all rusted in
13 the same spot, right. Same thing holds true with a
14 meter, an electric meter. A lot of times you would
15 find a particular issue with a particular meter and
16 it's our job obviously to recognize when those issues
17 through our accuracy testing show up and to replace
18 those meters. We want to keep the entire population
19 of meters at the Illuminating Company accurate so
20 customers are getting accurate bills, okay.

21 Q. How is that data compiled? Just --

22 A. So I don't compile it. It's compiled at
23 our test lab which is the same place your electric
24 meter was tested at. About 25 years ago I did work
25 there and I actually did put some of that data

1 together.

2 I couldn't speak if it's done exactly the
3 same way it is today, but we used the sampled testing
4 from a certain amount of meters in each lot to
5 compile the accuracy, and we would compile that over
6 a certain number of years to look at the accuracy of
7 a meter over its -- over a timeframe.

8 Q. Okay, thank you.

9 THE EXAMINER: Miss Kenderes, I have a
10 question here. Mr. Wilson, you might have addressed
11 this. When a meter isn't taken to the lab for
12 testing, how do you confirm that accuracy?

13 THE WITNESS: Well, we don't -- obviously
14 we don't test every meter.

15 THE EXAMINER: Sure.

16 THE WITNESS: We do that through testing
17 the meter lots.

18 THE EXAMINER: Testing the meter lots
19 involves....

20 THE WITNESS: Sampling each lot. Every
21 year a lab comes up with a list of meters to go out
22 and pull and send to our test lab for testing. They
23 do that through a statistical sample.

24 THE EXAMINER: A sampling.

25 THE WITNESS: At CEI we pull probably

1 around 2,000, 2,500 meters every year. Our lab then
2 takes those test results from those tests and uses
3 that again to look at and determine which meters
4 might need to be replaced.

5 THE EXAMINER: So when you say pulling a
6 meter, that could be from a residence where, say, no
7 one has complained about usage, but you just go out
8 there and you change the meter and test the old one?

9 THE WITNESS: That's correct. That's
10 correct. We do that every year and it's part of our
11 process that we do every year.

12 THE EXAMINER: All right. Thank you.

13 Q. (By Ms. Kenderes) Thank you. In terms of
14 the actual testing that was done in your lab prior,
15 when the technician came to the home and removed the
16 meter, was there any documentation or notation of
17 loose sockets, any hot sockets, anything that could
18 have been perceived as something malfunctioning? Is
19 there any documentation?

20 A. There was not.

21 Q. There was not documentation or not any
22 issues?

23 A. No record that when I looked at the
24 notifications that the employee completed, I looked
25 at the comments, there were no comments back that

1 indicate any of that. Also I looked at the -- when
2 our trouble men went out from the call in May of
3 2017, there were no notes in the documents that said
4 that there was any issues seen by our employees, and
5 they are very highly trained. They do this every
6 day.

7 We train them about hot sockets. We
8 train them about -- a hot socket is a condition where
9 you might have a loose connection, a high resistant
10 connection and when you push current through or try
11 to push a load through a hot connection, it looks
12 just like a heater, it heats up and looks like a
13 load.

14 And they can either result -- most often
15 that is seen in an underground electric service most
16 often because what happens is the conductors that
17 serve that home feed underground and sweep up into
18 the bottom of the meter box. And if you think about
19 when a house is built, the earth around the house was
20 all backfill after the house was built and it
21 settles, and I realize you did not have an
22 underground service.

23 This is what is commonly referred to as a
24 hot socket. And those conductors pull inside that
25 socket and cause high resistance conditions resulting

1 in situations that need to -- that is all customer
2 owned equipment.

3 THE EXAMINER: Is a hot socket you're
4 referring to -- I'm certainly not an electrician, so
5 you're enlightening me -- is this on CEI's side or
6 the customer's side?

7 MS. DANFORD: It can be on either side.
8 So there's two stabs that the meter plugs into on the
9 line side that belong to CEI -- that is on CEI's side
10 of the meter, if you will. There's two prongs that
11 the meter plugs into that would be considered the
12 load side.

13 So once the energy -- once the current
14 goes through, the electric current goes through the
15 meter, it's registered in the meter. So anywhere --
16 so when that passes through the meter, from that
17 point it's seen as a load to the meter. So it's seen
18 as consumption to the meter.

19 Q. (By Ms. Kenderes) And then obviously as
20 you mentioned because your technicians are so
21 trained, when they went to pull the meter off, you're
22 saying they would have noticed that or an issue with
23 a spring or the blade or anything like that, that
24 would have been observed at the time they removed it?

25 A. That's correct, they would have noted

1 that.

2 Q. Thank you. As far as the lab, and I only
3 ask this question because I do have a background in
4 interventional radiology, so some of this is
5 somewhat -- I understand it, how often are the
6 machines calibrated?

7 A. So I believe it's every year. Like I
8 say --

9 Q. Once a year?

10 A. -- I have not worked there in many years,
11 so at the time when I did work there, I worked at our
12 lab from 1991 through 1997, I believe it was. I was
13 actually responsible for the standards in those. I
14 actually calibrated the test boards and worked on all
15 of those test boards at our lab and they're different
16 today. So the process, the exact process with the
17 calibration, I'm not at that location any longer.

18 Q. So it's different than what you were --

19 A. I don't know. I don't know.

20 Q. Okay. I believe it's every year.

21 Obviously we're regulated by the Commission, so the
22 Commission certifies or visits our lab or provides --
23 we provide documentation that we are up to standard
24 and our test boards are giving accurate results.

25 THE EXAMINER: You mentioned test boards.

1 Help me out on what those are.

2 THE WITNESS: So a test board is a device
3 that we plug the meter into, and it provides a very
4 accurate represented voltage and a current through
5 the meter and it provides that voltage and current
6 through the test meter, and it provides the voltage
7 and current through the standard meter.

8 And that standard meter has certifiable
9 test results with it traceable back to the National
10 Institute of Standards. That meter, you can -- you
11 can almost say the accuracy of that meter is
12 complete, nearly 100 percent, right. So we then
13 compare the results of the two meters to determine
14 the accuracy of the meter under test.

15 So this meter is considered 100 percent
16 with correction factors to that meter. We know what
17 the corrections are because it's been calibrated and
18 certified by someone. And then we compare the two
19 and that gives us -- that's what determines and gives
20 us the accuracy of the meter under test.

21 THE EXAMINER: So the calibration then is
22 something else you would do when you're doing a
23 random pulling of meters at homes?

24 THE WITNESS: Exactly. It's the exact
25 same process.

1 THE EXAMINER: Very interesting.

2 Q. (By Ms. Kenderes) When you said you were
3 in the lab from '91 to 1997, with the protocols that
4 you oversaw and the testing and things of that
5 nature, did you find -- did you ever, in fact, find
6 faulty meters out of any of your testing?

7 MS. DANFORD: I'm going to object on
8 relevance grounds. That was nearly 20 years ago he
9 was in the meter lab. I don't know how relevant that
10 is to today's case.

11 THE EXAMINER: Miss Kenderes, I would
12 agree. I understand your question, but let's focus
13 on the current situation.

14 Q. (By Ms. Kenderes) Other questions I have
15 are pertaining to -- from your statement, you said
16 that a load was introduced to the meter to test the
17 accuracy of it. What is a known load? That's the
18 term that was used, known load. What kilowattage?
19 What is the amount I guess is what I'm asking?

20 A. So everything you turn on, plug in is a
21 load, it's considered what we consider a load. And
22 when you turn that device on to do something in the
23 form of heat, light or mechanical output of some
24 sort, turning the motor, turning the blower in your
25 furnace, those are all load.

1 What it registers on the meter is based
2 on how much work you want to do by whatever is being
3 turned on or plugged in at the time. So did I answer
4 your question?

5 Q. No. The actual -- when you removed the
6 meter from the home and tested it, it says there was
7 a known load introduced into the meter to test it.
8 Did I read that correct?

9 A. The known loan was that standard I was
10 talking about.

11 Q. Which is?

12 A. The known load is the voltage and current
13 that go through the meter. Voltage and current is
14 integrated over time to show up as kilowatt hours on
15 your meter. So that known load is the voltage and
16 current that was sent through your meter -- or CEI
17 owns it, when I say yours, the meter that was plugged
18 into your house -- through the test meter, and it's
19 the same voltage and current that gets sent through a
20 standard meter to compare the results.

21 Q. So can that be translated to kilowatts
22 then, just so I understand?

23 A. It's watt hours is what we measure. Watt
24 hours is what the electric meter measures. The dials
25 on the meter are what are converted into kilowatt

1 hours. The meter that -- the disk that spins on that
2 meter is a measurement of watt hours.

3 Q. So when you're testing then how much
4 voltage, I guess, if I have to reask the question
5 then, how much voltage is going through it then?
6 What is your standard?

7 A. So the voltage that would have been
8 applied to the meter, the meter that was plugged into
9 your house and the test meter would have been
10 240 volts because your meter or the meter at your
11 house was a 240-volt meter.

12 There are three test points that we take
13 on that meter to test it, okay. One is called a
14 light load test, one is called a full load test and
15 one is called an inductive load test, okay. Each
16 test has a purpose in determining the accuracy of the
17 meter, okay.

18 We then take the test results from those
19 three points and compute a weighted average of the
20 meter. It's kind of an overall help with the meter,
21 if you will, and that is actually what is provided to
22 you and provided to all customers whenever we go out
23 and test the meters.

24 Q. So since we're not comparing apples to
25 apples with voltage and kilowatts or things like

1 that, I don't know if this next question is
 2 appropriate or not, based on the readings that were
 3 coming up, especially the ones that were over
 4 2,000 kilowatts, would a reading that high show up
 5 during a test? For instance, would you be able to
 6 introduce that same amount of power in a test?

7 A. Well, keep in mind that your kilowatt
 8 hours were used over, let's say, a billing month was
 9 30 days, right. So what I can tell you, based on the
 10 tests that we do is that the meter tested accurately
 11 which is a basis and always been our basis to say we
 12 are billing you correctly based on the test results
 13 of the meter.

14 Q. I understand what you're saying about the
 15 30 days. Obviously it's not all happening on one
 16 day, I understand that. The reason that I was
 17 thinking about that question too is because as my
 18 reasoning earlier, no one is really home in the day,
 19 we're really home in the evenings now, but when we
 20 are home, it's everything, that's when we use full
 21 power and most of it is electronics.

22 MS. DANFORD: I'm going to object. This
 23 is testimony, not a cross-examination.

24 THE EXAMINER: Is there a question you
 25 can ask out of this?

1 Q. (By Ms. Kenderes) Yes. So would the
2 equivalent of what is supposedly being used had been
3 applied during this test, this same -- the same
4 intensity I guess is what I'm asking?

5 A. Well, no, because we would have had to --
6 so I think you're confused. There's two things. The
7 accuracy of the meter is an accuracy of its ability
8 to measure watt hours which is what we measure,
9 right. So watt hours is the disc that spins based on
10 the voltage and current that goes through it.

11 What we bill you on is the kilowatt
12 hours, that as that disc spins, it turns gears up
13 above that are meshed with the disc that goes around
14 that shows how many kilowatt hours over time. So the
15 test is a -- it's been the way we -- we've been
16 metering electricity since the late 1800s and done
17 this same way even back to then, believe it or not.
18 So, no we don't run the test over 30 days.

19 Q. Right, I understand that.

20 A. So we would not be able to test it or we
21 would not have tested it over a 30-day period, no.

22 Q. With the same intensity?

23 A. That's correct.

24 Q. I do want to ask about the dial you
25 mentioned. In my particular case, the dial was

1 spinning pretty rapidly. From what I understand and
2 explained to me --

3 MS. DANFORD: I'll object again. This is
4 testimony. Miss Kenderes had the opportunity to give
5 her testimony.

6 MS. KENDERES: I'm going to ask a
7 question.

8 THE EXAMINER: Is there a way you can
9 phrase that into a question?

10 Q. (By Ms. Kenderes) Yes, absolutely. So
11 contrary to -- have you ever seen as a result of wear
12 and tear from heat, sun, the magnets being affected
13 on that dial so it would actually speed up and not
14 slow down to cause inaccuracy?

15 A. So we were aware of one meter lot that
16 had that issue at CEI. We had about 75 meters in our
17 meter population. So, yes, there is what's called a
18 retarding magnet that is in the electric meters. You
19 can think of it as a governor, if you will, to make
20 sure the meter wouldn't spin out of control, if you
21 will.

22 That is something that we would see in
23 our testing procedure or testing process. Even when
24 we tested your meter, we would see that condition.
25 And so I've been doing this 28 years, I've been doing

1 it a long time. In all of those years, I've only
2 seen one meter lot show up with that condition, and
3 we very expeditiously removed those meters.

4 I can also tell you that those meters
5 that we saw with that condition never got outside of
6 the Commission's two percent. So we just saw the
7 meter creeping up in that particular lot of meters
8 when we decided we needed to pull those out of the
9 field.

10 Again, I'll say again, almost always
11 mechanical meters slow down due to age and friction,
12 they very rarely speed up. The meter that you had
13 that was plugged into your house, on the side of your
14 house, for example, we have over 30,000 of those
15 meters plugged in at the Illuminating Company, that
16 particular meter is not -- although we call all
17 mechanical meters today at the Illuminating Company
18 retirable, we were not going out to harvest your
19 meter because it never seemed to be one -- that was
20 seen as an accurate meter still in our meter
21 population.

22 Q. So even though the technician would have
23 seen it speeding up rapidly, it's still okay because
24 it tested okay?

25 MS. DANFORD: Objection. There is no

1 evidence that the technician in this case saw
2 Miss Kenderes's meter spinning rapidly.

3 MS. KENDERES: I'll move on.

4 THE EXAMINER: I agree with that
5 objection.

6 Q. (By Ms. Kenderes) I have one last
7 question. Basically, again, in your testimony, you
8 stated that you believe the electric consumption at
9 the time in question was true and you stated several
10 things such as a possible space heater which we've
11 addressed, being cold temperatures which we've
12 addressed.

13 Is there any other reason that would
14 lead you to believe or any other circumstances would
15 lead you to believe with a history of the house and
16 just those several months having a spike in usage
17 that monumental?

18 A. I based my conclusion based on the test
19 results of the test of the accuracy testing your
20 meter to say what the meter measured is what it saw
21 on the load side of the meter. What caused that,
22 without ever going into your house, I really can't
23 tell you for sure. Just a -- I mean, what we did see
24 in your consumption, though, is the temperature
25 change and an increasing consumption and it's very,

1 very common.

2 Q. Absolutely.

3 A. Every year people plug things in, they
4 turn on warming blankets. Everybody uses electricity
5 differently, and that's why sometimes even comparing
6 neighbor to neighbor is not always....

7 Q. Or year over year when it's warmer
8 than --

9 A. It's not always -- people change. Things
10 change. They turn things on, they plug something in.
11 Sometimes what I've seen, you know, when a customer
12 starts realizing that their bill has increased, you
13 start looking around, you may have even unplugged
14 something that you didn't even realize was the
15 culprit in the house to be what was adding to the
16 consumption.

17 Again, without being there, I really
18 can't -- I've seen lots of things. I've seen
19 customers in the middle of summer, I've gone to their
20 homes and we look up and they have at the front of
21 the house gutter heaters plugged in 24 hours a day at
22 the front of the house and the back of the house in
23 the middle of the summer and they didn't even -- they
24 forgot all about it. I've just seen those types of
25 things.

1 I saw one customer at one -- just to give
2 you an idea, I've seen a customer who moved into a
3 house, he was not familiar with the house, there was
4 an addition onto the house and it was electrically
5 heated with space heating around the house. It was
6 in the middle of summer. He was trying to air
7 condition the house and was trying to heat that space
8 at the exact same time just because he didn't know.
9 He thought there was a thermostat on the wall and it
10 was actually for the space heater, this control for
11 the space heater. I hope I answered your question.

12 Q. Sure. I know I said this is the last
13 one, but just to confirm, the meter has been tested
14 and there's no way for me to obtain an additional lab
15 to pay for another test at my cost; is that correct?

16 A. That's correct.

17 MS. KENDERES: Thank you. I appreciate
18 it.

19 - - -

20 EXAMINATION

21 By The Examiner:

22 Q. I have a question on that. When a meter
23 tests accurately, is it standard practice that it is
24 later destroyed, scrapped, whatever?

25 A. Yes.

1 Q. And I don't really understand why. I
2 figure you maybe can refurbish or return it to the
3 field or something. If it's accurate, why destroy
4 it?

5 A. Yeah, that's a great question. We -- I
6 don't make that decision. It's not in my
7 decision-making. What I do know is in order to
8 repurpose a mechanical meter, it costs more to
9 repurpose the meter today than it does to buy a new
10 meter. That's probably the best answer to your
11 question.

12 Q. Repurpose as in refurbish it or whatever?

13 A. Yeah. So we would have to employ -- and
14 when I was at the lab in 1991 or '96, I think it was,
15 5 or 6, we did do that at the time and we employed
16 people that took the meters apart. We had to clean
17 them.

18 Then you had to dry them. You've got to
19 put them back together. Then you had to test them.
20 And with all the labor costs to do all that, to send
21 the meter back out when we can buy -- is it public?
22 Can I -- well, maybe I shouldn't tell you how much we
23 paid for a meter, but it's cheaper to buy the meter
24 than it is to repurpose a meter that we have today.

25 Q. And that's the standard policy?

1 A. For mechanical meters. Those meters are
2 being converted into digital. Obviously everything
3 is digital. In fact, there's no manufacturer in the
4 United States that makes a mechanical meter anymore.

5 Q. Interesting.

6 A. The digital meters that we do buy today,
7 if we would have to exchange that meter for whatever
8 reason, like the meter that's on your house today, we
9 would send it back to the lab and it would be
10 recalibrated and repurposed back out into the field,
11 so yes.

12 Q. In your testimony, you mentioned several
13 times you say there were possible explanations for
14 this higher usage. You mentioned a ground condition.
15 And, again, I'm not an electrician, ground condition
16 of the wiring on the property, is this grounding
17 again on the customer's side of what the customers
18 are responsible for?

19 A. It is. It is. It's something that -- so
20 the most commonplace that you see what happens is --
21 and I know there's a lamp post in the front of your
22 house, right?

23 MS. KENDERES: Uh-huh.

24 A. The wire that goes from your house to
25 feed that lamp post and it's not very common, this is

1 not a very common situation, but it can happen, the
 2 insulation degrades over time in the ground. It's
 3 all based on how well that electrician put that wire
 4 in, whether they put a new conduit or used an
 5 appropriate weather tight. As that insulation
 6 degrades, it can start leaking, if you will. And
 7 current leaking current from that wire looks like a
 8 load to the meter.

9 MS. KENDERES: I never use it. Since
 10 I've moved in, it doesn't work. I appreciate knowing
 11 that. It's never worked.

12 THE WITNESS: So when that happens, it's
 13 most often seen when it rains because the earth
 14 becomes a better conductor when it's wet, but you
 15 might -- we also have seen things where you'll see
 16 worms start coming out of the ground because they're
 17 starting to feel the effects of that current that's
 18 in the earth, right. So those are some common things
 19 that we've seen. Again, it's not a -- I don't think
 20 it was the situation in this case.

21 MS. KENDERES: No, I never used it, but I
 22 definitely won't.

23 THE WITNESS: But that's what we're
 24 talking about when we say a ground condition and a
 25 possible load. Again, a load like that could look

1 just like a heater, that heater I talked about, the
2 gutter heater. It's plugged in 24 hours a day, never
3 goes away. So it shows up as usage on the meter and
4 a ground condition could look the same way.

5 MS. KENDERES: Thank you. I appreciate
6 it.

7 THE EXAMINER: Anymore questions?

8 MS. KENDERES: I do not have anymore at
9 this point, thank you.

10 THE EXAMINER: Miss Danford?

11 MS. DANFORD: May I have an opportunity
12 for a brief redirect?

13 THE EXAMINER: I'm sorry, for what?

14 MS. DANFORD: I'm sorry, just to address
15 some of the cross-examination.

16 THE EXAMINER: Certainly. Go ahead,
17 sure.

18 - - -

19 REDIRECT EXAMINATION

20 By Ms. Danford:

21 Q. So thank you, Mr. Perkins. Just a few
22 quick questions for you. Just to be clear, there is,
23 again, no evidence of a hot socket in this case as
24 far as any of the records associated with
25 Miss Kenderes's old meter; is that true?

1 A. That is correct. And we have multiple,
2 highly trained people look at it, the trouble men, my
3 meter men, and the meter man that was there is a very
4 highly trained meter man at the top of his class. He
5 indicated in no situation was there a hot socket.

6 Q. You mentioned that in your years of
7 experience, you're aware of one meter lot of about 75
8 meters that sped up or were observed to speed up.
9 Just so I understand, that speeding up was within the
10 two percent tolerance in the Commission's
11 regulations; is that correct?

12 A. It was. And we provided -- and we're
13 given this guidance. Our testing lab is the group
14 that manages that testing, and that's the group that
15 provides guidance to us as an operating company of
16 what to do with that meter lot, yes.

17 Q. Miss Kenderes asked you if there was any
18 other reason that you can think of to cause the load
19 on her meter. Is it true it could have been anything
20 on her side of the meter?

21 A. It could have been. Typically during
22 winter months, it's usually to heat a house or a
23 source of heat to stay warm, is typical of that time
24 of year.

25 Q. Final question for you. We talked a

1 little bit about the grounding and you gave the
2 example of a light post in front of a home. Isn't it
3 true that there could be multiple sources of
4 grounding? In other words, let me rephrase, that's
5 not the only possible source of grounding?

6 A. No, because you could -- I don't know if
7 you have wires going to a garage, but it's typical
8 wires that are in the ground, okay, are the cause of
9 those, and again, I don't know your property and
10 whether that's the situation, but that's typically
11 the situation that we call a ground situation or a
12 leakage current, if you will. Does that help?

13 MS. DANFORD: Yes. Thank you very much.
14 I have no further questions.

15 THE EXAMINER: Thank you.

16 Miss Kenderes, anything more on your
17 part?

18 - - -

19 RECROSS-EXAMINATION

20 By Ms. Kenderes:

21 Q. Just one more question, your Honor.
22 Could there be any additional explanation why when
23 the smart meter was installed, readings have since
24 been accurate and similar to the previous years and
25 right in line with heating as they should be for my

1 house, a house that size?

2 A. That's a good question. So just to say,
3 the meter that's on your house is an electronic
4 meter, it's not a smart meter. They're a little bit
5 different.

6 Q. I'm sorry.

7 A. That's okay, just so you understand. You
8 will one day get a smart meter but yours is not a
9 smart meter. So I guess I'll go back to my previous
10 statement which is we have to stand by the accuracy
11 of our test results to say that the meter that was on
12 your house previous to the existing meter was
13 measuring your energy consumption accurately. The
14 test results prove that, right.

15 When someone becomes focused on trying to
16 find a solution and goes around and maybe starts
17 unplugging and plugging things in, again, I really
18 believe when you went through the house to do those
19 things, you may have unplugged something that was
20 plugged in or looked at something you didn't need to
21 have plugged in any longer and it really reduced your
22 consumption as a result of that.

23 So, again, it's not -- it wouldn't have
24 anything to do with the previous meter and the new
25 meter showing a difference in consumption. I really

1 believe it's a result of what was plugged into the
2 meter.

3 Q. So you're saying that, and I don't recall
4 doing this, but for the sake of your testimony, if I
5 would have unplugged anything, that one thing alone,
6 regardless of how small it was or how big it was,
7 even though it hadn't been a problem previously would
8 have been enough just those several months to
9 increase usage; is that what you're saying?

10 MS. DANFORD: Objection. This calls for
11 speculation.

12 MS. KENDERES: I'm just trying to
13 understand.

14 THE EXAMINER: I have a question that's
15 similar. You're indicating during that period of
16 time, based on your experience of heating a home, it
17 could cause the increase in electrical usage.

18 Miss Kenderes has indicated that she had
19 a gas furnace, gas dryer, hot water was heated by gas
20 and so forth. So in that home, well, presumably of
21 course the blower fan for the furnace would be
22 electric powered. The only other items as far as
23 heating I assume I imagine could be space heaters,
24 maybe electric blankets, something of that nature.

25 Is it your experience that dealing with

1 other customers, you mentioned going out to a
2 customer's house and they had heaters on the gutters,
3 something I'm not familiar with but then I don't live
4 in northern Ohio, is it your experience that even
5 things, say, space heaters, electric blankets and so
6 forth over time could significantly increase electric
7 usage?

8 THE WITNESS: Yes, yes. Just to add
9 another example, personally Christmas time, we put a
10 lot of lights on in our house, my bill was -- my
11 January bill is always more just because of that.
12 Again, I don't know particularly what you might have
13 done, I'm only telling you based on experience what
14 typical increases in usage during the winter months
15 is.

16 Q. (By Ms. Kenderes) I don't know how to
17 phrase this into a question. I'm going to try. To
18 your point, it was interesting that I've added way
19 more since the new meter has been installed --

20 MS. DANFORD: Objection.

21 THE EXAMINER: I'm sorry, you did what?

22 Q. I added more power over the course of the
23 year. I'm trying to phrase this in a question. To
24 give you an example, a graduation party, I had a DJ
25 with extra power --

1 MS. DANFORD: I'm going to object.
2 Again, this is a cross-examination and this is
3 testimony that Miss Kenderes is offering.

4 THE EXAMINER: Again, too, we want to
5 focus on what occurred during that period of time
6 that's at issue really.

7 MS. KENDERES: I was doing a comparison,
8 but that's fine. Okay.

9 THE EXAMINER: Sure. Thank you. We
10 understand you're trying your best, and Miss Danford
11 likewise. Did you have any other questions?

12 MS. DANFORD: I would like to ask two
13 very brief questions.

14 THE EXAMINER: And I have some additional
15 ones myself. Go ahead.

16 - - -

17 FURTHER REDIRECT EXAMINATION

18 By Ms. Danford:

19 Q. Mr. Perkins, Miss Kenderes's meter was
20 replaced in April of 2018; is that correct?

21 A. That's correct.

22 Q. In your experience, does April tend to be
23 the end of the winter heating period for northeast
24 Ohio?

25 A. Yeah, I would say sometimes it gets into

1 May. Sometimes we have cold Mays, but April, May,
2 somewhere in there generally tends to be that time.
3 Our last snow generally is, what, April 15th, right.
4 Dick Goddard always said April 15th was the last
5 snowfall. So typically it's the end of that really,
6 really cold season. Obviously those coldest months,
7 January and February are when we get hit with some
8 pretty cold temperatures.

9 Q. One more question. Miss Kenderes
10 testified she had some electricians come out to her
11 house to check things. Could it have been something
12 in her breaker box, for instance, that could have
13 been causing this load and could an inspection by an
14 electrician possibly have corrected it in some way?

15 A. That's really hard to say. If they did
16 an inspection in the electric box, you know,
17 hopefully tightened everything down and made sure,
18 you know... Anything that would be a high resistance
19 connection point can look like a load on the meter, a
20 loose wire.

21 But typically you're going to see, if
22 that would be the situation, you would see some
23 visual effects of that such as a conductor that looks
24 like it's melting or something like that. Again,
25 what was your -- I don't know where I'm going with

1 this. I kind of lost my train of thought.

2 Q. That's all right. I just was asking if,
3 again, whether during the course of an electrical
4 inspection something that could have been corrected
5 that may have been a condition in the first place?

6 A. If that's the same question you asked,
7 yes, yes, something could have been unplugged, turned
8 off. When I say unplugged, right, things can be
9 plugged in and they don't look like load until
10 they're turned on.

11 When I say generally plugged or
12 unplugged, I also mean turned on and plugged in just
13 to clarify, right. A lamp that's not on is not a
14 load on the meter. It's a load on the meter when you
15 turn the switch on on the light.

16 Again, back to when you focus on -- in my
17 experience, when you focus on a situation like that
18 and you start looking at every piece of what's
19 plugged in and on inside the house, you could have
20 removed something at that time and, again, without
21 being direct, I can't tell you what all --

22 MS. KENDERES: I wish the electrician
23 would have fixed it because I don't think we would
24 have been here, but I appreciate the insight.

25 MS. DANFORD: I move to strike

1 Miss Kenderes's statement. That was testimony. This
2 isn't a conversation. It's a cross-examination.

3 THE EXAMINER: I think it's just a remark
4 that we can let stand. I don't really give that much
5 weight, to be honest.

6 MS. DANFORD: Thank you, your Honor.

7 THE EXAMINER: A few other things.
8 Earlier in Miss Kenderes's testimony, Miss Danford,
9 you had raised issues about what Miss Kenderes was
10 saying, she had been told by whoever from CEI visited
11 the home, and so I understand your concerns about
12 hearsay and so on, we'll give that the appropriate
13 weight.

14 I think what she was saying might have
15 been appropriate here because in a few parts of your
16 witness's testimony, he's mentioning the meter
17 technician who came to the home has no recollection
18 of the meter spinning fast or the technician has no
19 indication of saying why Miss Kenderes inherited the
20 situation.

21 So I think we'll take into account and
22 give it the appropriate weight, but there are a few
23 references to in here in the testimony of your
24 witness to what was said by the technician to
25 Miss Kenderes. So I think under those circumstances,

1 she has some opportunity to indicate what was said to
2 her.

3 Nonetheless, I think the focus on the
4 case is the bulk of the testimony here and what was
5 done, what occurred when the meter was tested, how
6 did they test the meter, that kind of thing, what
7 might have caused usage, that sort of thing. Go off
8 the record for just a minute.

9 (Off the record.)

10 THE EXAMINER: We'll go back on the
11 record. Miss Kenderes, if you could look at document
12 2. Maybe since you were paying the bill, some of
13 this will come back to you.

14 MS. KENDERES: Here it is, okay.

15 THE EXAMINER: So the column that has
16 Bill Amount, for example, let's look at October of
17 2017, October 6th, 2017, it has Bill Amount at \$20.60
18 and then below that it has \$7.01. That was the part
19 that confused me as to what was going on.

20 MS. KENDERES: Well, it says Broker, and
21 I'm wondering if it would be third party... I'm at a
22 loss for what the word is, the --

23 THE EXAMINER: Yes, I already
24 mentioned --

25 MS. KENDERES: The energy plan -- I can't

1 think of the exact verbiage.

2 THE EXAMINER: The carrier meter.

3 MS. KENDERES: Yes, I'm wondering if
4 that's what that was.

5 THE EXAMINER: In other words, a charge
6 from that person, a charge from Dominion. I'm just
7 trying to track what the charges were over that
8 period of time. I realize you don't work for
9 Dominion. Again off the record for a second.

10 (Off the record.)

11 THE EXAMINER: We'll go back on the
12 record. I just had wanted to break here to clarify
13 CEI Exhibit No. 4 which was provided to Miss Kenderes
14 to CEI, that on Exhibit 4, the blue line on this
15 chart represents her usage and this is October '17 to
16 September of '18.

17 We also have then the third page, I
18 guess, which is that bar graph which on the left side
19 is September '17 to September of '18; am I right,
20 Miss Kenderes?

21 MS. KENDERES: Correct.

22 THE EXAMINER: Let's see. Go off the
23 record just a minute.

24 (Off the record.)

25 THE EXAMINER: Back on the record. I had

1 asked CEI to provide records of electrical usage for
2 Miss Kenderes for the past three years prior to
3 today's hearing date, also any record of testing of
4 the meter, what happened to the meter after it was
5 tested and so forth.

6 Miss Danford had indicated, and just
7 wanted to raise the issue of any confidentiality
8 concerns with Miss Kenderes. Again, Miss Kenderes,
9 do you have any confidentiality concerns?

10 MS. KENDERES: I do not, thank you.

11 THE EXAMINER: It will have your name and
12 address on there, I assume.

13 MS. KENDERES: That's okay.

14 THE EXAMINER: I'm just giving you the
15 opportunity to object.

16 MS. KENDERES: I appreciate it, thank
17 you.

18 THE EXAMINER: With that being said, in
19 that regard you could bring it up.

20 MS. DANFORD: Certainly, your Honor. We
21 mark these Exhibit 6 and 7, two different documents.
22 Maybe Exhibit 6 for the meter test information,
23 Exhibit 7 for the bills.

24 (EXHIBITS MARKED FOR IDENTIFICATION.)

25 THE EXAMINER: Thank you. That's much

1 appreciated.

2 Miss Kenderes, then do you want a chance
3 to look over this to make sure you're concerned about
4 any confidentiality issues or so on?

5 MS. KENDERES: No, I'm fine with it.
6 Thank you for asking, though. I do appreciate that.

7 THE EXAMINER: With that being said then,
8 Miss Danford, I assume you'll make a motion to have
9 these admitted into evidence.

10 MS. DANFORD: Your Honor, that's not my
11 intention at this time. If there is an examination
12 on these documents -- again, these were not
13 considered part of CEI's defense of this case. We
14 brought them in compliance with the Commission's
15 entry scheduling the hearing.

16 If there will be examination on these
17 documents, I would request an opportunity to have
18 examination of my own with the CEI witness on these
19 documents, but at this time, CEI does not necessarily
20 intend to introduce them into evidence.

21 THE EXAMINER: I guess I'll say it
22 differently. CEI Exhibits 1 through 5, you would
23 move to have those admitted into evidence?

24 MS. DANFORD: That's correct, your Honor.

25 THE EXAMINER: Miss Kenderes, do you have

1 any objections to that? That's all the exhibits
2 other than the very last two we have.

3 MS. KENDERES: Correct. No, I do not
4 have any.

5 THE EXAMINER: Those will all be admitted
6 into evidence.

7 (EXHIBITS ADMITTED INTO EVIDENCE.)

8 THE EXAMINER: Go off the record for just
9 a minute. I want to check on something and I'll be
10 back. Thank you.

11 (Recess taken.)

12 THE EXAMINER: Back on the record.
13 Thanks everyone for your patience. CEI has some
14 additional documents. One of them will be Kenderes
15 Exhibit 1, the record of Miss Kenderes's billing and
16 usage with CEI. Goes back to three years up to
17 today's date. Thanks to CEI for obtaining that, but
18 since it's Miss Kenderes's, it will be considered
19 Kenderes Exhibit 1.

20 (EXHIBIT MARKED FOR IDENTIFICATION.)

21 THE EXAMINER: And CEI also provided a
22 document introducing the testing of the meter. We
23 still have CEI's witness Mr. Perkins up here on the
24 stand. Miss Danford, did you have any questions for
25 Mr. Perkins based on CEI Exhibit 6, anything you

1 wanted to highlight or whatever?

2 MS. DANFORD: Yes, your Honor.

3 - - -

4 FURTHER REDIRECT EXAMINATION

5 By Ms. Danford:

6 Q. Mr. Perkins, you have in front of you a
7 copy of CEI Exhibit 6. Could you identify the
8 document for me?

9 A. Yes, so the first page -- you're talking
10 the three-page document, right? The first page is
11 the letter that was sent to Miss Kenderes concerning
12 the results of the accuracy test of the electric
13 meter that we exchanged to do the test on. That was
14 in April of 2018.

15 The second page is the results of the
16 test, the accuracy test of the electric meter. And
17 the third page is a snapshot from our SAP records
18 system showing the serial number of the meter and
19 some various other information about the meter in
20 addition to it being retired which means it was
21 scrapped. Is that what you were looking for?

22 Q. Thank you, Mr. Perkins. Starting with
23 Page 1 of this document, you indicated that this is a
24 letter that CEI sent to Miss Kenderes in April of
25 2018. Does this letter provide the average accuracy

1 of the meter that was on Miss Kenderes's home
2 following the meter test in CEI's meter lab?

3 A. Yes, that was.

4 Q. What was that average accuracy?

5 A. 99.76 percent.

6 Q. I'd like you to turn to Page 2 of this
7 document. I see here there are a number of columns
8 on this page. I'm focusing on the column that
9 says -- that's entitled Short Text For The Inspection
10 Charac. Could you tell us briefly what each of these
11 types of tests or annotations in that column means
12 starting with Standard Test Equipment?

13 A. Yeah, so the first line item there,
14 Standard Test Equipment, is just a reference to the
15 referenced standard that was used to compare the
16 meter run test which was the meter at your house,
17 comparing it to a meter with no test results.

18 The next series of tests, I guess I can
19 maybe lump them together, a couple of them, the next
20 one is the As Found Index, so when the meter showed
21 up at the test lab, the tester at the lab takes the
22 reading off of the dials of the meter, okay, which
23 should be exactly the same readings that were
24 recorded when you removed it, but as you can see,
25 it's done by a different person. It's also done in

1 our lab.

2 So the As Found and As Left means how we
3 found it when we received it and how we left it when
4 we did whatever with it. In this case the meter was
5 held and then finally retired.

6 So the Test Reason is referenced over in
7 a couple of other columns. It tells us why the meter
8 was tested. In this case it was a customer request.

9 And then the next four lines are the As
10 Found test results, and those refer to the individual
11 tests that are performed on the meter, the Series
12 Light Load test, a Series Full Load test, a Series
13 Power Factor test and a Weighted Average Value which
14 is actually the value that is weighted -- it's a
15 weighted value of the first two of those tests, the
16 Series Light Load and Full Load to provide an overall
17 help and accuracy of the meter, okay.

18 And then in this case, the As Left
19 results are exactly the same as the As Found because
20 obviously there was no recalibration or anything
21 performed on this meter. So those are exactly the
22 same. The last comment there is a comment by the
23 tester performing the test and is actually a comment
24 that is required or necessary whenever a test falls
25 outside of the specified accuracy limitations. And

1 in this case, those limitations are set at
2 FirstEnergy, and they're more stringent than the
3 Commission, plus or minus two percent.

4 Q. So Mr. Perkins, I'd like to -- thank you
5 for that explanation. I would like to go through and
6 just look at the results of each one of these tests.
7 So it appears that the As Found 1 Series Light Load
8 test tested at 99.25 percent accuracy; is that
9 correct?

10 A. That is correct.

11 Q. What is the Light Load test?

12 A. The Light Load test provides -- so on
13 every meter, it shows a value called TA or Test Amps
14 on it. And it's the test amps that we are to apply
15 to the meter to determine its accuracy. The Light
16 Load test is a ten percent of what's stated on the
17 faceplate as a test amps value for the meter.

18 So in this case, the meter had a test
19 amps of 30. The Light Load test was 10 percent of
20 that or three amps for that particular test. So we
21 run three amps at 240 volts through the meter to
22 determine the meter's Light Load accuracy.

23 Q. Thank you, Mr. Perkins. Now I'm seeing
24 the As Found 1 Series Full Load test result, and I
25 see that as 99.880; is that correct?

1 A. That's correct.

2 Q. What is that Full Load test?

3 A. So the Full Load test is performed at the
4 testing that's on the main plate of the meter, and in
5 this case it would be 240 volts and 30 amps through
6 the meter, 30 amps of current through the meter to
7 determine its accuracy.

8 Q. So that test amp and test volt level was
9 applied to the meter during the test; is that
10 correct?

11 A. Yes.

12 Q. Moving down below that, I see As Found 1
13 Series Power Factor test. I'm seeing that as
14 99.780 percent; is that correct?

15 A. That's correct.

16 Q. What is the Power Factor test?

17 A. The Power Factor test is a test performed
18 at Full Load, so it's 30 amps at 240 volts. But what
19 we do is we apply, and this is a hard term to
20 explain, so bear with me a little bit, but what we're
21 doing is we're looking at the meter's accuracy with
22 inductive load applied to the meter.

23 And so inductive loads are things like --
24 things that have windings in them like motors, a
25 ballast in your lighting fixtures. Those all have

1 inductive loads. So an inductive load, an example in
2 a home would be the blower motor in the furnace. The
3 motors on your washing machine, those have inductive
4 effects on the meter. We do the standard test which
5 is standard across the industry at 50 percent when we
6 do that.

7 To be honest with you, there are not
8 very -- there's not a lot of inductive loads in
9 residential. Most inductive loading starts to
10 present itself when you look into commercial and
11 industrial side, but it's still a test point, again,
12 to measure the accuracy of the meter and how well
13 it's performing.

14 Q. And right below that, Mr. Perkins, I see
15 the As Found 1 Weighted Average, that's
16 99.760 percent; is that correct?

17 A. That's correct.

18 Q. That's the number that the Illuminating
19 Company provided to Miss Kenderes as the weighted
20 average test result for her meter?

21 A. That's correct.

22 Q. So the next line down from that, I see As
23 Left 1 Series Light Load, and I see that at
24 99.250 percent; is that correct?

25 A. That is correct.

1 Q. Now, next to that, and I'll note for the
2 record that so far there has been a little green
3 check mark next to entry on this chart, but on this
4 entry, there's a red X, and to the right of that red
5 X, there's an annotation that says Major Defect.

6 So let me just start with, this is the As
7 Left Series Light Load test. Is the As Left Light
8 Load test the same as the As Found Light Load test in
9 terms of the amps and volts applied to the meter?

10 A. Yes. It's actually the same test.
11 They're both referring to the same test that was
12 performed on the Series Light Load. Again, both
13 numbers are exactly the same because there was never
14 anything done with the meter to change its accuracy.
15 So As Found is how it left the test board. There was
16 no adjustments made to them.

17 Q. So for this 99.250 percent accuracy for
18 the As Left 1 Series Light Load test, why does that
19 register as a Major Defect? What does that mean?

20 A. What that means it's outside of
21 FirstEnergy's or the Illuminating Company's guideline
22 for where we expect that test to be which is if you
23 looked in the standard column there, it says 99.5 to
24 100.5, so we allow a .5 percent deviation from
25 100 percent in that case. That's above and beyond

1 the Commission's 2 percent. So that's why that test,
2 that 99.25 showed outside of our range but it still
3 shows within the Commission's range of accuracy.

4 Q. Just so I understand that, Mr. Perkins,
5 when you say the Commission's range of accuracy,
6 that's plus or minus two percent of 100 percent,
7 correct?

8 A. That's correct, so that would be
9 98 percent to 102 percent.

10 Q. So for a 99.250 percent accuracy, that's
11 well within the Commission's specifications?

12 A. That's correct.

13 Q. So this Major Defect annotation, is there
14 any significance to the phrase Major Defect?

15 A. All it indicates, it didn't pass the
16 test. The word major was determined by -- we never
17 decided -- these are dropdown menus and menus that
18 flag the test. It didn't pass the test, First
19 Energy's random test.

20 Q. So in other words, there wasn't something
21 about this test that was majorly bad or majorly
22 defective, this is just default results that happens
23 when a test is not within the specified range?

24 A. That's correct.

25 Q. Again, that is the Illuminating Company's

1 specified range?

2 A. That is correct.

3 Q. So, again, below that I see the As Left 1
4 Series Full Load test at 99.88 percent accuracy; is
5 that correct?

6 A. That's correct.

7 Q. The As Left 1 Series Power Factor test
8 which is at 99.78 percent accuracy; is that correct?

9 A. That is correct.

10 Q. And then the As Left Weighted Average
11 which is again the same as the As Found Weighted
12 Average at 99.760 percent, correct?

13 A. That is correct.

14 Q. Now, moving down to the very last column
15 on the Short Text For The Inspection column, this is
16 the column -- I'm sorry, the comment line. If I go
17 all the way over to the right side of that line, I
18 see under a column that's marked Additional Info, it
19 says Damaged Plates. What does that mean?

20 A. So whenever there is a -- whenever there
21 is a test that does not pass in any of those test
22 results, it requires the tester to pick from a
23 dropdown menu of items to try to represent what might
24 be causing or what they saw when they observed the
25 meter.

1 In this case since the meter was as old
2 as it was, damaged blades could mean a number of
3 things. It could be -- it could mean that there's a
4 coating on -- so the blades are copper, they're solid
5 copper, but they have coating on them. It could be
6 that the coating doesn't look pristine or it could
7 mean that they're scraped.

8 There's just a whole host of things that
9 that could mean, but they're forced into providing or
10 selecting from this dropdown menu. It's just in this
11 case with a particular tester observed in the meter,
12 but I don't really put any significance into what
13 that comment is. It's just a result of -- it's just
14 a comment that is forced on that tester to put in
15 there.

16 Q. Could damaged blades conceivably cause a
17 customer's usage to be higher than what the customer
18 expects?

19 A. So there would be more -- so if there
20 were damaged blades, so they would have to have been
21 the blades on the load side of the meter.

22 Q. Does that mean the customer's side of the
23 meter?

24 A. Well, yes, so the customer's wires feed
25 into the load side, right. But if that's the case,

1 there's almost always observed damage when that
2 result happens, observed damage that is present in
3 the meter socket as well because it's not the blades
4 that cause the damage, it's almost always the socket
5 creates heat and light damages the blades. So I hope
6 that makes sense.

7 The other thing that we see sometimes
8 with damaged blades would be -- and it wouldn't be in
9 your case -- would be an underground service I
10 mentioned earlier about these underground wires that
11 feed into the sockets. Well, those underground wires
12 can tend to -- can pull tight enough to actually take
13 those blades and twist those blades, right.

14 If they do that, though, most of the time
15 it's on the line side of the meter, not the load
16 side, and that would not show up as consumption on
17 the meter per se, but did I answer your question? I
18 think I did.

19 THE EXAMINER: Mr. Perkins --

20 MS. DANFORD: I'm sorry, your Honor.

21 Q. (By Ms. Danford) You did, Mr. Perkins.

22 THE EXAMINER: I just have a couple
23 questions.

24 Q. I'm sorry, your Honor, I just have a
25 couple of questions to wrap up. So Mr. Perkins, you

1 indicated the damaged blades could be a symptom of
2 some sort of issue with the meter socket. In this
3 case, was there any evidence from the trouble man
4 visit, from the meter man visit or any other records
5 that would indicate that there was damage to the
6 meter socket?

7 A. No. The reason I can say that is if
8 damage was observed inside that socket, even when the
9 trouble man came out to do their trouble tests, I
10 think it was May 18th of 2017, they would have
11 indicated it on the trouble report. They would have
12 exchanged the meter if they saw something wrong and
13 they didn't.

14 My meter technician who exchanged the
15 meter for this test in April of 2018 also made no
16 notes or notations of any issues in the socket or on
17 the meter at that time. And, again, these are two
18 very highly qualified, highly trained employees that
19 are trained to observe and look for these types of
20 things when they do their work.

21 Q. Thanks, Mr. Perkins. One final question
22 for you, the customer is responsible for the meter
23 socket; is that correct?

24 A. That's correct.

25 MS. DANFORD: Okay. Thank you, I have no

1 further direct examination for the witness.

2 - - -

3 FURTHER EXAMINATION

4 By The Examiner:

5 Q. Mr. Perkins, just to sort of follow up on
6 Miss Danford's questioning, you mentioned observed
7 damage and so forth on the meter socket, that would
8 be something that would be apparently noticed by your
9 trouble man as he's called when he comes out to
10 respond to a call?

11 A. That's correct, yes. He would have
12 noticed that as he was there. In fact, that trouble
13 man to do the test that he performed, he put a device
14 called a beast of burden on the device.

15 Q. That's in your testimony.

16 A. He had to pull the meter out in order to
17 plug this device in.

18 Q. He took it off the wall of the house?

19 A. He pulled the meter out of the socket in
20 order to plug the other device in. It would have
21 been obvious or evident at that time not only the
22 back of the meter that he pulled out, but there would
23 have been something observed inside the socket at the
24 time, and there was no notations from that employee
25 either.

1 Q. Just again as an electrician, answer me
2 this: The parts of the electrical system CEI is
3 responsible for are up to and including the meter,
4 and then after that, there's this meter socket as you
5 call it that is the customer's responsibility and
6 from there on inward into the home?

7 A. So the Illuminating Company is
8 responsible for the wire that comes to your house and
9 attaches to your house. And there is a connection
10 from that wire to the wires that go down the line
11 side house pipe that go into the meter socket. You
12 can think of that as the demarcation of the
13 changeover responsibility.

14 Q. Where is it exactly, the changeover?

15 A. Where that connection is made at, it's
16 called the weather head or the connection point at
17 the top most portion of that service mast that comes
18 down the house. So CEI owns the wire. We maintain
19 those connections, okay. But everything beyond that
20 is all customer-owned, including the wires coming
21 down the house.

22 Q. Down to the meter?

23 A. Down to the meter, the meter socket
24 itself owned by the customer.

25 Q. Interesting.

1 A. And all of the wiring beyond that because
2 that is all customer owned. We obviously do own the
3 meter. That's the only other part that we own. So
4 that's part of that demarcation.

5 Q. So the meter on inward, of course, that's
6 after the meter and then inward, that's all the
7 customer's responsibility?

8 A. Yes, it is.

9 Q. Interesting. Okay.

10 THE EXAMINER: Miss Danford, do you have
11 anymore questions on this exhibit?

12 MS. DANFORD: I don't, not on direct,
13 although I would reserve the right for brief redirect
14 if necessary.

15 Q. (By The Examiner) Mr. Perkins, on the
16 final page there, where is the date indicated as
17 scrap, for lack of a better term?

18 A. What date was that?

19 Q. Is there a date on here? Maybe I
20 misunderstood.

21 A. No, there's no date on here.

22 Q. Oh.

23 A. There's no date on here.

24 Q. I was just thinking about that, okay.

25 A. When our supervisor said that the test

1 lab is -- we hold onto those meters for ten days
2 after the tests and they're discarded.

3 Q. The test date is April 5th of '18 that's
4 on here; am I correct?

5 A. The test date is April 10th of '18.

6 Q. Oh, April 10th, okay.

7 A. So that little box on the second page....

8 Q. Let me get to that page.

9 A. See the little box that overlays the big
10 box?

11 Q. I see it.

12 A. 4-10 of '18, start time and stop time.

13 Q. All right, thank you. Then after the
14 test, you're saying CEI would hold the meter, put it
15 in storage or whatever for ten days or something like
16 that?

17 A. Yes.

18 Q. I see. Okay.

19 Miss Kenderes, do you have any questions?

20 MS. KENDERES: I do have a few of
21 Mr. Perkins. I appreciate it.

22 - - -

23 FURTHER RECROSS-EXAMINATION

24 By Ms. Kenderes:

25 Q. In regards to you just mentioned that the

1 start date, which is listed, the date the meter was
 2 tested, and I did notice earlier and I wanted to ask,
 3 the start time and the end time are the same time.
 4 So why is that and what is the normal time that it
 5 actually would take? Or I guess I should start with
 6 why is it listed as the same time?

7 A. I don't know. That's a good question. I
 8 don't know the answer to your questions there.

9 Q. Okay.

10 A. Yeah, I don't know for sure. I would be
 11 guessing.

12 Q. Okay. Fair enough. Based on your
 13 experience, do you know how long it would normally
 14 take to run a test?

15 A. Five minutes.

16 Q. Okay.

17 A. It doesn't take a long time to test the
 18 meter. It's a pretty quick process.

19 Q. We just don't know why the times are
 20 inaccurate?

21 A. I don't know. It's probably --

22 MS. DANFORD: I'm going to object and say
 23 I don't know that it has been demonstrated that the
 24 time is inaccurate on here. I would represent that
 25 these test results come from a system that is not

1 easily conducive to printing out. These are screen
2 grabs indicating that the information that the
3 Commission requested in the entry scheduling this
4 hearing, so....

5 THE EXAMINER: I understand the
6 objection, but I understand your explanation as well.
7 So it is a good question, though. I was going to
8 point out the same thing. I don't think it was
9 highly significant but it is a good question.

10 Q. (By Ms. Kenderes) I was just curious. I
11 thought it was interesting. In regards to the
12 additional information, there's a notation of 3224 on
13 standard test equipment. Is that anything of
14 relevance or can you tell us about that, what that
15 means?

16 MS. DANFORD: I'm going to object again,
17 a question of relevance. Calls for a legal
18 conclusion.

19 THE EXAMINER: Hold on, Miss Danford.
20 Where are you looking at?

21 MS. KENDERES: I'm sorry, under the very
22 last column to the right, if you look at Standard
23 Test Equipment and follow it all the way across, I
24 just wondered what that was.

25 THE EXAMINER: What is it you were

1 wondering?

2 Q. It says under Additional Information, it
3 has a series of numbers, 3224.

4 A. So my best answer to that would be that
5 that's a reference to the standard that's inside that
6 test board as a record of tracking that standard
7 because each test board has its own standard in it,
8 so we have to have a way to track those to keep -- to
9 maintain their accuracy.

10 Q. Like a serial number. Just two more
11 questions then. When you answered the question about
12 the As Left 1 Series Power Factor, that you had
13 indicated could be, even though it isn't very common
14 in residential homes, a blower motor with a furnace
15 was the example you gave, is that the same reference
16 that you were using earlier which could have been a
17 possible reason for the surge? I just want to make
18 sure it's the same thing.

19 MS. DANFORD: Objection. There has been
20 no evidence presented in this case that there was a
21 surge.

22 THE EXAMINER: Could you rephrase your
23 question.

24 Q. (By Ms. Kenderes) Earlier as a reason for
25 possible increased kilowattage, you had listed a

1 blower motor fan could be one of those. Is that the
2 same type of example you gave in this scenario, this
3 one that tested within normal limits?

4 MS. DANFORD: I object to the form of the
5 question.

6 THE EXAMINER: Miss Kenderes, I think I
7 understand what you're trying to ask. It's just a
8 matter of how it's being asked. You're looking at
9 this exhibit and you're tying it somehow to
10 Mr. Perkins' earlier comments that the blower fan on
11 a furnace, which in your case is a gas powered
12 furnace, could have been running continuously during
13 cold weather, but how are you tying that to this
14 page? I'm not quite understanding.

15 MS. KENDERES: With this particular test,
16 the accuracy was well within the specified range.

17 THE EXAMINER: Okay, sure.

18 MS. KENDERES: So I was just trying to
19 make sure that, in fact, the same blower motor he was
20 saying earlier could have been -- because in this
21 case it may not have been a blower motor then as he's
22 indicating. Maybe I'm not phrasing it correctly.

23 MS. DANFORD: May I just insert an
24 objection?

25 THE EXAMINER: Sure.

1 MS. DANFORD: This test was not done on
2 Miss Kenderes's blower motor. This test was done on
3 a CEI meter that was removed from her home.

4 MS. KENDERES: I understand that. It was
5 used as an example earlier which is why -- that's
6 fine.

7 THE EXAMINER: I think what you're asking
8 is if there were issues with the blower motor, could
9 that somehow have had -- was there some relation to
10 that in relation in connection to these test results.

11 MS. KENDERES: Only because it was
12 brought up earlier is what made me think of it.

13 THE EXAMINER: Mr. Perkins, basically,
14 again, you're indicating everything tested out well
15 within the range that the Commission allows for
16 accuracy?

17 THE WITNESS: That's correct.

18 THE EXAMINER: So any matters of what
19 caused electrical usage really, you suggested some
20 possibilities, but you don't really know, you weren't
21 inside the home?

22 THE WITNESS: That's correct.

23 THE EXAMINER: Does that sound
24 reasonable?

25 MS. KENDERES: That's fair, absolutely.

1 Q. (By Ms. Kenderes) One last question. I
2 don't know if we have the date accurate before. The
3 two times the technicians were out, would you agree
4 that it was October 2017 and April 2018 for various
5 reasons, different reasons but they both had an eye
6 on the meter at that point?

7 A. When I looked at the account records, it
8 was May 18th of 2017 was the trouble man visit.
9 That's when our trouble man came out.

10 Q. To replace the meter?

11 A. No, that was the trouble man visit for
12 the buzzing sound that was heard.

13 Q. I thought it was earlier. Okay. Let me
14 look at my notes real quick.

15 THE EXAMINER: What was what?

16 A. I think it was May 18th of 2017.

17 Q. Regardless, I was just trying to make the
18 point and ask the question that there would have been
19 two sets of eyes on there, so there would have been
20 two opportunities if, in fact, things were not
21 correct to be seen at that point even though you
22 explained the damaged blades, why it's on here later
23 on, but you're saying there would have been
24 absolutely no question, two people looked at it
25 earlier?

1 A. That's correct.

2 MS. KENDERES: Thank you.

3 THE EXAMINER: Mr. Perkins, you're
4 indicating that, again, you received a call about
5 this loud noise from -- you didn't personally receive
6 a call, CEI received a call about the alleged louder
7 than usual meter that was May of 2017?

8 THE WITNESS: That's correct.

9 THE EXAMINER: Miss Kenderes, though,
10 you're still under oath, you indicated that you
11 contacted them about the loud noise in October of
12 2017?

13 MS. KENDERES: Yes.

14 THE EXAMINER: We have some discrepancy
15 in the dates. That's why I'm trying to understand
16 what happened.

17 MS. KENDERES: Like I said, at that point
18 I wasn't -- when I called about the loud noise, I
19 wasn't even aware or thinking about any kind of
20 billing discrepancy at that point. So it was prior
21 to that in the fall.

22 THE EXAMINER: Help me out again just for
23 the record here, so to your recollection, when you
24 first mentioned that noise issue to CEI, was it in
25 May of '17 or October; do you recall?

1 MS. KENDERES: I have October of 2017.

2 THE EXAMINER: And your records,

3 Mr. Perkins, you got a call in May of 2017?

4 THE WITNESS: That's correct.

5 THE EXAMINER: Miss Danford?

6 MS. DANFORD: May I have an opportunity
7 to redirect?

8 THE EXAMINER: Sure.

9 - - -

10 FURTHER REDIRECT EXAMINATION

11 By Ms. Danford:

12 Q. In preparation for your testimony in this
13 case, did you review the Customer Contact Notes
14 associated with Miss Kenderes's account?

15 A. I did.

16 Q. And you've testified that the call that
17 Miss Kenderes has indicated regarding a buzzing sound
18 from her meter and a possible electric shock from a
19 spigot on her house I believe is what is in the
20 complaint, that that call happened in May of 2017;
21 that's correct?

22 A. That's correct.

23 Q. Is there any record of Miss Kenderes
24 calling the Illuminating Company in October of 2017
25 regarding the loud noise for that electric shock

1 incident?

2 A. No.

3 MS. DANFORD: Thank you.

4 THE EXAMINER: I was just trying to
5 reconcile dates.

6 MS. KENDERES: I mean, when I -- this was
7 months ago that I had tried to comprise the dates. I
8 thought I was pretty accurate. I'm not saying -- I
9 mean, I could be wrong, that I will say. If
10 something is wrong, it could be that.

11 THE EXAMINER: Sure. We understand at
12 the time you weren't really concerned about billing,
13 so you might not have the right dates. Thank you.
14 Miss Danford, do you have any other questions or
15 Miss Kenderes about this witness on this particular
16 exhibit?

17 MS. DANFORD: No, your Honor.

18 MS. KENDERES: No, thank you.

19 THE EXAMINER: Some very good questions
20 asked by both of you on this, thank you. That takes
21 care of CEI Exhibit 6.

22 Miss Kenderes, the other document, of
23 course, was the record of your billing records, a
24 compilation of your billing records actually. It's
25 month-to-month, the last three years. I realize, of

1 course, you haven't looked at this prior to coming
2 here, but if the Commission asked for additional
3 background for everything going on in this case, is
4 there anything in particular that you wanted to
5 highlight here? Do you want a few minutes to look it
6 over?

7 MS. KENDERES: I paged through it quickly
8 on our short break and nothing stood out to me really
9 except that for the time period in question.
10 Everything has been pretty consistent over the year
11 since I bought the house.

12 THE EXAMINER: So really you feel the
13 document speaks for itself?

14 MS. KENDERES: I do. Even with variables
15 potentially each year that you mentioned or changes
16 or what have you, they're still consistent enough
17 that I do feel they speak for themselves.

18 THE EXAMINER: Thank you.

19 Miss Danford, did you have any questions
20 at all concerning this?

21 MS. DANFORD: I have no questions about
22 this document, your Honor.

23 THE EXAMINER: Thank you. Again, thank
24 you for providing it.

25 MS. DANFORD: Certainly.

1 THE EXAMINER: With that being said, I
2 don't believe you have officially admitted all the
3 exhibits into evidence for CEI or Miss Kenderes, so
4 I'm assuming that neither party has any objection to
5 either of the exhibits.

6 MS. KENDERES: No.

7 THE EXAMINER: Miss Danford?

8 MS. DANFORD: The Exhibits we're talking
9 about are CEI Exhibits 1 through 7 and Kenderes
10 Exhibit 1?

11 THE EXAMINER: You're correct.

12 MS. DANFORD: No objections.

13 THE EXAMINER: Those all will be admitted
14 into evidence. Thank you.

15 (EXHIBITS ADMITTED INTO EVIDENCE.)

16 THE EXAMINER: Let's see if I have any
17 other questions. Miss Kenderes, you indicated you
18 eventually got that letter to indicate when the meter
19 was tested and it came up with the normal results or
20 within limits.

21 I think also in your testimony you had
22 said it was only after you got those results you
23 said, well, could I pay to have the meter tested
24 myself. Do you recall after you got that letter, did
25 you call like the next day or you were busy with

1 other things and it took a while to call?

2 MS. KENDERES: So the letter would have
3 been sent out in April of 2018. I don't think I
4 would have called immediately, no. I had the kids
5 and I had been out of town right after that, so I
6 think I was more worried about that to be honest, and
7 I sort of set it aside to deal with later, being very
8 honest. I honestly do not recall when I would have
9 initiated that.

10 THE EXAMINER: It was quite a while ago.

11 MS. KENDERES: Yeah, I apologize, I don't
12 want to give a false answer I really don't know.

13 THE EXAMINER: I appreciate that. Just
14 wanted to know. I believe we've covered just about
15 everything. I want to thank everyone for showing up
16 today and certainly you gave long testimony.

17 MS. KENDERES: Yes, thank you.

18 THE EXAMINER: Also some very good
19 questions asked by both sides too. With that being
20 said, unless anybody -- oh, the only thing I would
21 ask is this: we do give the opportunity for briefs if
22 parties want to file them. It's basically a written
23 summary of what your arguments were made at the
24 hearing; however, it's not required.

25 Indeed, if one party files a brief, the

1 other party doesn't have to file anything if they
2 don't want to. Miss Danford, did you feel you wanted
3 to do a brief on this case? I'm not promoting the
4 idea, but I wanted to give you the opportunity.

5 MS. DANFORD: Yes, your Honor.

6 THE EXAMINER: You do want to do that?

7 MS. DANFORD: Yes, your Honor.

8 THE EXAMINER: Miss Kenderes, you don't
9 have to file anything in writing. Again, it would
10 basically be a summary of what your contentions were
11 made at the hearing. You don't have to file that at
12 all, or for that matter, if CEI files a brief, then
13 you could. You could do a reply brief if you wanted
14 to.

15 MS. KENDERES: So just to make sure I
16 understand, so if I don't do one, there would be an
17 opportunity to reply to Miss Danford's.

18 MS. DANFORD: If you wish. And what we
19 would do then is set up a timetable for filing all
20 those things, deadlines. None of it would be done --

21 MS. KENDERES: Is the brief heavily
22 weighed upon?

23 THE EXAMINER: Not heavily weighed. We
24 would take it into account.

25 MS. KENDERES: I'll submit one.

1 THE EXAMINER: It would summarize things
2 of what was said at the hearing, whatever your
3 comments were. You couldn't really bring up anything
4 new in the brief. We would look it over and perhaps
5 it would tie things together in a way that isn't
6 evident from looking at the transcript or something.

7 MS. KENDERES: I'll submit one, sure.
8 I'd like to, thank you.

9 THE EXAMINER: Do you want to go off the
10 record. We can come up with a schedule for doing so.

11 (Off the record.)

12 THE EXAMINER: Back on the record then.
13 So briefs in the case then, the return of the
14 transcript will be roughly November 1st, so the
15 briefs, let's say, November 15th, that's the third
16 Friday in November, and we'll allow another
17 three-week period given the holidays, the reply
18 briefs will be December 13th. So briefs on
19 November 22nd, reply briefs on December 13th.

20 Incidentally, I'll add this, too, if
21 either parties, of course, you can't foresee what
22 comes up, if anyone needs additional time to file
23 something, please contact us in writing and that most
24 likely will be granted. Things can come up
25 unexpectedly. Any more questions by either one of

1 you?

2 MS. KENDERES: No.

3 MS. DANFORD: No.

4 THE EXAMINER: Thanks so much for your
5 time.

6 (The hearing was concluded at 1:22 p.m.)

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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 Thursday, October 17,
2019, and carefully compared with my original
stenographic notes.

Cynthia L. Cunningham

Cynthia L. Cunningham



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in

Case No(s). 18-0922-EL-CSS

Summary: Transcript In the Matter of Jenny Kenderes vs. The Cleveland Electric Illuminating Company, hearing held on October 17th, 2019. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Cunningham, Cindy