

**BEFORE THE
OHIO POWER SITING BOARD**

In the Matter of the Application of Duke)	
Energy Ohio, Inc., for a Certificate of)	
Environmental Compatibility and Public)	Case No. 16-0253-GA-BTX
Need for the C314V Central Corridor)	
Pipeline Extension Project.)	
)	

**APPLICATION FOR REHEARING
OF
THE CITY OF CINCINNATI AND THE BOARD OF COUNTY COMMISSIONERS OF
HAMILTON COUNTY**

Pursuant to R.C. 4906.12, R.C. 4903.10, and O.A.C. 4906-2-32(A), Intervenor City of Cincinnati (“City”) and the Board of County Commissioners of Hamilton County (“County”) hereby apply for rehearing of the Ohio Power Siting Board’s (“Board”) November 21, 2019 Opinion, Order, and Certificate (“Order”) in this matter granting Duke Energy Ohio, Inc.’s (“Duke”) application for a Certificate of Environmental Compatibility and Public Need (“Certificate”). The specific grounds for this Application for Rehearing are as follows:

1. The Board unreasonably and unlawfully found that Duke demonstrated the basis of need; the Board’s decision unjustifiably relied on a lack of evidence that the proposed pipeline is needed to (1) replace or upgrade aging infrastructure, (2) enable the retirement of propane air peaking plants, or (3) solve the alleged north/south system supply balance problem in the area.
2. The Board unreasonably and unlawfully ratified Duke’s inadequate review of pipeline routes and disregarded less impactful routes proposed by Duke’s own consultants and Intervenor.

3. City/County hereby support all specific grounds set forth in Applications for Rehearing filed by other Intervenors in this matter.

MEMORANDUM IN SUPPORT

The City/County's grounds for this Application for Rehearing are set forth in the Post-Hearing Brief Of The City Of Cincinnati And The Board Of County Commissioners Of Hamilton County ("City/County's Post-Hearing Brief") and said parties' Post-Hearing Reply Brief ("Reply Brief") filed in this matter May 13, 2019 and June 10, 2019, respectively, which are hereby incorporated herein for the sake of brevity and an efficient use of judicial resources. An abbreviated recitation of those grounds and arguments follows.

I. ARGUMENT

A. Duke's Alleged Need for The Pipeline Is Severely Lacking in Evidentiary Support on the Record; It Was Unreasonable and Unlawful for the Board to Rely on Such Evidence in Issuing the Certificate.

Before granting a certificate for the construction, operation, and maintenance of a major utility facility like the Proposed Pipeline, Ohio law requires that the Board must determine there is "need for the facility." R.C. 4906.10(A)(1).

But Duke failed to carry its burden to demonstrate a need despite the Board concluding otherwise.¹ Duke initially stated its need for the Proposed Pipeline to further Duke's "regional expansion plans" and "long-range plan,"² focusing on two goals: 1) to further improve pressures in the area; and 2) to accommodate potential growth.³ But as demonstrated at the hearing,

¹ *In the Matter of the Application of Duke Energy Ohio, Inc., for a Certificate of Environmental Compatibility and Public Need for the C314V Central Corridor Pipeline Extension Project*, Case No. 16-0253-GA-BTX, Opinion, Order, and Certificate ("Order"), Nov. 21, 2019, ¶¶ 54-60.

² Staff Exhibit 9, Prefiled Testimony of Andrew Conway ("Staff Ex. 9"), p. 8; Tr. Vol. III at 664-666; Duke Ex. 3, pp. 3-10, 3-11.

³ Duke Ex. 3, pp. 3-10, 3-11.

population forecasts consistently project a population *decrease* in Hamilton County over the next twenty years.⁴

Consequently, Duke changed course and restated the purpose for the pipeline as falling under three objectives: (1) improve the north/south balance of gas supply to the central Hamilton County area; (2) facilitate the retirement/decommissioning of two propane air peaking plants; and (3) enable the replacement and/or repair of aging infrastructure.⁵ However, there was a sheer lack of evidence supporting Duke's alleged need. Instead, the evidence demonstrated that the Proposed Pipeline will not achieve the first objective and is not needed to achieve the other two. Indeed, there appear to be better, more viable options that would meaningfully address all objectives – something the Board failed to adequately address when it approved the Proposed Pipeline.

1. The Proposed Pipeline does not solve the north/south system supply balance problem in the central Hamilton County area.

Duke's natural gas system is configured so that one gate station, i.e., Foster Station located in Kentucky, supplies 55% of the total natural gas supply to Duke customers in Ohio.⁶ Lummus Consultants, Inc. ("Lummus"), a third-party consultant retained by Duke, concluded that "the major reliability risk in Duke Energy's system at this time is due to the excessive

⁴ See, e.g., Tr. Vol. III at 701-703; City/County Exhibit 44, ODSA Population Projections: County Totals (April 2018) ("City/County Ex. 44"); Tr. Vol. I at 23. The Amended Staff Report cites an outdated, superseded population projection to support the claim that there will be a population increase in Hamilton County over the next twenty years. Staff Ex. 1, p. 30. However, Staff conceded at hearing that more recent population projections show a population decrease and that Staff failed to examine other publicly available data, which consistently forecasts a decline in annual population growth in Hamilton County, as well as a decrease in per-customer energy consumption. See, e.g., Tr. Vol. III at 703-704; NOPE Exhibit 19, Direct Testimony of Jean-Michel Guldmann ("NOPE Ex. 19"), pp. 2-7. Staff confirmed that Duke's "regional expansion plans" assume load growth in Hamilton County even though all relevant indicators conclude otherwise. Tr. Vol. III at 664; NOPE Ex. 19.

⁵ Duke Ex. 3, p. 2-2.

⁶ Duke Ex. 3, p. 3-1.

reliance on gas supplies that enter the system through a single gate station in the south [Foster Station].”⁷ Duke and Staff concede the Proposed Pipeline will not resolve this “major reliability risk.”⁸

The disadvantage of the 20-inch pipeline is that it will not provide the natural gas throughput to significantly change the north/south supply balance that a 30-inch diameter pipeline could, nor does it allow for future growth within the city.⁹

Duke similarly confessed that the 20-inch pipeline will *not* eliminate existing pressure and supply constraints in the Central Corridor.¹⁰ To meaningfully address (and even eliminate) this critical system vulnerability, Duke’s consultant, Lummus, proposed numerous capital expansion projects, but Duke ignored those proposals as well as the legitimate concerns of the local communities impacted by the Proposed Pipeline.¹¹

Duke and Staff agree that the Proposed Pipeline would *not* prevent widespread outages if Foster Station went down on a cold weather peak day.¹² Even after spending an estimated \$160+ million on the Proposed Pipeline,¹³ Duke’s system will remain dangerously exposed to the same major reliability risk, thereby doing almost *nothing* to meaningfully address its north/south balancing problem. The Proposed Pipeline will reduce reliance on Foster Station by only 5% if

⁷ NOPE Ex. 19, Ex. JMG-7, pp. 1, 10

⁸ Duke Initial Post-Hearing Brief (“Duke Brief”), p. 14; Staff Initial Post-Hearing Brief (“Staff Brief”), p. 9; NOPE Ex. 19, Ex. JMG-7, pp. 1, 10.

⁹ Duke Ex. 3, p. 4-27.

¹⁰ Tr. Vol. I at 33-34.

¹¹ NOPE Ex. 19, Ex. JMG-7, p. 5.

¹² Tr. Vol. I at 68-69; Tr. Vol. III at 614.

¹³ Duke estimated that the Preferred Route would cost \$128.2 million while the Alternate Route would cost \$111.7 million. *See* Duke Ex. 7, p. 31. Importantly, however, those costs do not include allowance for funds used during construction or overhead, which Duke has estimated to be an additional \$50 million. Tr. Vol. I at 52-54.

the Alternate Route (recommended by Staff) is selected.¹⁴ Despite its paltry impact, Staff lauded the Alternate Route for providing a “noticeable reduction” (i.e., 5%) to the overreliance on Foster Station.¹⁵ Duke went even further, celebrating the Proposed Pipeline for “greatly reduc[ing]”¹⁶ the dependency on Foster Station and “greatly improv[ing] the balance of supply from north to south.”¹⁷ On the other hand, Duke’s own master plan identified pipeline routes that actually would *eliminate* or *greatly reduce* the dependency on Foster Station in a meaningful way.¹⁸

Duke claims that constructing the Proposed Pipeline “could mean the difference between a widespread outage in the winter-heating months or no outage at all.”¹⁹ But at the hearing, both Duke and Staff acknowledged that even after the Proposed Pipeline is constructed, there would still be widespread outages to Duke customers if Foster Station became non-operational.²⁰ Construction of the Proposed Pipeline will do *nothing* to prevent widespread outages to customers should Foster Station go down; Duke’s system will remain dangerously exposed to the same major reliability risk. The Proposed Pipeline is not needed for the alleged purpose.

The Board glosses over these incontrovertible facts by merely adopting the self-serving declaration of Duke witness Hebbeler that although 5% does not actually resolve the problem, it nonetheless is an improvement.²¹ In fact, the Board never actually addresses the substantive

¹⁴ See City/County Ex. 18.

¹⁵ Staff Brief, p. 9.

¹⁶ Tr. Vol. I at 36.

¹⁷ Tr. Vol. I at 69.

¹⁸ See NOPE Ex. 19, Ex. JMG-7, pp. 61-73.

¹⁹ Duke Brief, p. 15.

²⁰ Tr. Vol. I at 68-69; Tr. Vol. III at 614.

²¹ Order, ¶ 59.

arguments advanced by numerous intervenors, including the City/County, that Duke's stated need for the project would be entirely unmet by the Proposed Pipeline. In so doing, the Board unreasonably and unlawfully ignored compelling evidence that the Proposed Pipeline does not meaningfully address (let alone solve) the north/south system supply balance problem – a problem that even Duke's own consultant describes as a “major reliability risk”²² that will continue to persist even after the Proposed Pipeline is constructed.

2. *The Proposed Pipeline is not needed to replace or upgrade aging infrastructure.*

While the Proposed Pipeline might make it more *convenient* for Duke to replace/upgrade aging infrastructure in certain cases, both Duke and Staff concede that the Proposed Pipeline is not *needed* to achieve that goal.²³ Yet *need* is the appropriate standard that must be met before the Board issues a Certificate to Duke.

The parties agree that Duke does not need the Proposed Pipeline to continue replacing, repairing, and upgrading its aging infrastructure.²⁴ Duke expressly admits in its Initial Brief that it will continue to replace, repair, and upgrade its aging infrastructure whether the Proposed Pipeline is approved or not.²⁵ Duke even concedes that its repair and replacement work “can be made without causing heating-season outages to customers.”²⁶

²² See NOPE Ex. 19, Ex. JMG-7, pp. 1, 10.

²³ See Tr. Vol. III at 648-649; City/County Exhibit 2, AV-INT-01-007 (“City/County Ex. 2”); City/County Exhibit 14, CITY-INT-01-036 (“City/County Ex. 14”); City/County Exhibit 39, STAFF-DR-14-001 (“City/County Ex. 39”).

²⁴ Duke Brief, pp. 12-13; City/County Ex. 2; City/County Ex. 14; Tr. Vol. III at 648-649.

²⁵ Duke Brief, pp. 12-13.

²⁶ *Id.* at 13.

There is no evidence that the Proposed Pipeline would actually make Duke's repair/replacement activities more convenient in the future.²⁷ Even if Duke had provided such evidence (which it did not), Duke must show *need* for the Proposed Pipeline, not mere *convenience*. Accordingly, Duke's justification is insufficient as a matter of law. Duke has failed to meet its burden of proof demonstrating need for the Proposed Pipeline.

Again, the Board never addresses these undisputed facts. Instead, in supporting the Proposed Pipeline, the Board merely restates testimony provided by Duke witness Hebbeler that numerous intervenors, including the City/County, *directly* refuted:

Although Mr. Hebbeler acknowledged the intervenors' contention that Line A could be replaced in short sections, the witness also explained that customers served by each section would experience lengthy outages, whereas, with the CCE in service, Duke expects to replace Line A without customer service interruptions. Staff concurred that the Project will enable Duke to replace Line A while also maintaining service. We agree that Duke must be able to properly inspect, test, and upgrade its existing infrastructure and, as Lummus also recognized, the Company's system must have sufficient flexibility, as well as reliability.²⁸

As explained previously, Duke conceded, contrary to Mr. Hebbeler's assertions, that its repair and replacement work "***can be made without causing heating-season outages to customers.***"²⁹ Further, the record evidence showed that when Duke repaired and replaced segments of Line A (located in the Central Corridor) in 2013, Duke admitted that it did so without causing any interruption in service to customers.³⁰ Likewise, when Duke performed replacement work on Line EE (also in the Central Corridor) in late 2018, Duke admitted that its work had no impact

²⁷ In discovery, the City/County asked Duke to "produce any engineering studies concerning whether or how the construction of the Alternate or Preferred Routes may make it easier to undertake maintenance and replacement work on the existing pipelines in the central corridor area." See City/County Ex. 15. Duke admitted that no such studies existed. *Id.*

²⁸ Order, ¶ 60.

²⁹ Duke Brief, p. 13.

³⁰ Tr. Vol. I at 27.

whatsoever on customers.³¹ Even more broadly, when asked to identify a *single instance* where customers in the Central Corridor experienced lengthy outages due to Duke’s repair or replacement activities in the Central Corridor, Duke could not do so.³² Regrettably, the Board overlooked the substantial and incontrovertible record evidence that Duke is more than capable of repairing and replacing its aging infrastructure, without forcing customers to endure lengthy outages, whether the Proposed Pipeline is approved or not. As such, the Board’s Order is unlawful and unreasonable.

3. *The propane air peaking plants do not need to be retired, but even if they do, the Proposed Pipeline is not needed to address that need.*

The last stated objective of the Proposed Pipeline is to enable the retirement/decommissioning of the two propane air peaking plants and related storage caverns (“Propane Facilities”). But the evidence adduced at the hearing shows that the Propane Facilities not only do *not* need to be retired, but also that Duke intends to continue using the Propane Facilities even after the Proposed Pipeline is constructed – a telling admission that stands in direct conflict with Duke’s claim that the propane peaking plants must be retired immediately because they are at the end of their useful lives. In turn, the Proposed Pipeline is not needed to enable the Propane Facilities’ retirement.

Mr. Adam Long, the Duke witness sponsoring testimony on the issue, candidly revealed that retiring the Propane Facilities is *not* an urgent concern given that Duke continually monitors the facilities to keep them safe and reliable:³³

Q. Is it fair to say Duke considers the retirement of these propane-air peaking plants as an urgent matter?

³¹ Tr. Vol. I at 158.

³² Tr. Vol. I at 32, 158.

³³ Tr. Vol. I at 226-227.

A. It's one of the goals of the Central Corridor Project, and I would say that it is a very important goal of the project.

Q. Would you describe it as an urgent matter?

A. To me "urgent" gives an impending sense that something will go wrong, and Duke continually monitors these to keep them safe, ready to shut them down if there is an issue. So today I will probably hesitate to use the word "urgent", but it is a very important goal of this project.

Q. So today you are not prepared to describe it as an urgent matter; is that fair to say?

A. Yes.³⁴

Mr. Long also acknowledged that retiring the Propane Facilities and constructing the Proposed Pipeline will have *no impact* on the safety of Duke's system.³⁵ Duke echoed that statement, confessing that constructing the Proposed Pipeline and retiring the Propane Facilities will have *no impact* on the safety of Duke's system.³⁶ Duke admits that the Propane Facilities have always provided safe and reliable service to its customers notwithstanding the purported "difficulties inherent" in operating them.³⁷

Furthermore, evidence adduced in this case convincingly illustrates that the Propane Facilities have been, and continue to be, safe and reliable. A third-party consultant *retained by Duke* found that 1) none of the storage caverns were leaking; and 2) the limestone in the caverns showed no pressure loss and was suitable for continued use in propane storage service.³⁸ Without

³⁴ Tr. Vol. I at 226-227. Mr. Long's testimony is further buttressed by Duke's system planning once the Proposed Pipeline is constructed. In particular, Duke admitted that it intends to continue using the Propane Facilities even after the Proposed Pipeline is constructed. *See* City/County Ex. 41.

³⁵ Tr. Vol. I at 157.

³⁶ Tr. Vol. I at 157.

³⁷ Tr. Vol. I at 154-156; City/County Ex. 22; City/County Ex. 37.

³⁸ City/County Ex. 13c.

ever addressing or responding to the foregoing record evidence, the Board inaccurately concluded that “there is nothing in the record that contradicts Mr. Long’s and Mr. Hebbeler’s testimony that the facilities are at the end of their useful lives.”³⁹ Nothing could be further from the truth. By ignoring Duke’s own consultant’s report that none of the storage caverns were leaking and the limestone in the propane storage caverns showed no pressure loss and *was suitable for continued use in propane storage service*, the Board unreasonably and unlawfully concluded that “there is nothing in the record that contradicts [Duke witness] testimony that the facilities are at the end of their useful lives.”⁴⁰ In short, there is no *need* to retire the Propane Facilities, and therefore no need to construct the Proposed Pipeline.

B. By Not Requiring Duke to Seriously Consider More Viable, Less Disruptive Routing Options for the Proposed Pipeline, the Board’s Approval of the Certificate Was Unreasonable and Unlawful.

Duke determined as early as 2014 that the Proposed Pipeline would run through the Central Corridor.⁴¹ Although Duke retained a third-party consultant, CH2M, to assist with the route selection study (“RSS”) for the project, Duke controlled and dictated the material aspects of the RSS. For example, Duke delineated the study area for the RSS,⁴² dictated where the route would specifically start and end (i.e., within the Central Corridor), and refused to consider any route that did not start at the WW Feed Station.⁴³ Moreover, Duke, not CH2M, decided which

³⁹ Order, ¶ 57.

⁴⁰ *Id.*

⁴¹ Tr. Vol. I at 149.

⁴² Duke Ex. 9, p. 6.

⁴³ Tr. Vol. II at 251, 277.

routes would be selected and established the subjective criteria by which routes were evaluated and scored.⁴⁴

Another Duke consultant, Lummus, proposed alternative routes that would have enabled the retirement of the Propane Facilities and substantially reduced reliance on Foster Station, unlike the Preferred and Alternate Routes chosen by Duke.⁴⁵ But Duke ignored those recommendations.

Dr. Nicholas confirmed that an eastern route would impact less residential areas.⁴⁶ He also confirmed that Duke never considered expanding the study area to the west as proposed by Lummus.⁴⁷ And neither did Staff because Duke incorrectly advised Staff that “the western options did not allow for retirement of the propane-air peaking plants or improve reliability in the central core area.”⁴⁸ In fact, Lummus specifically observed that *all* routes proposed in its report, including the western routes, enabled the retirement of the Propane Facilities.⁴⁹ Regrettably, although the Board acknowledged this point when summarizing the arguments of

⁴⁴ Tr. Vol. II at 261-262; Tr. Vol. II at 255, 260, 269-270, 281-282, 300-301.

⁴⁵ NOPE Ex. 19, Ex. JMG-7, pp. 64-73. As described in the City/County’s Initial Brief, Staff never questioned Duke about the viability of western route options because Duke incorrectly represented to Staff that “the western options did not allow for retirement of the propane-air peaking plants or improve reliability in the central core area.” City/County Initial Brief, pp. 12-13. In reality, however, Lummus specifically observed that all routes summarized in its report, including the western route options, enabled the retirement of the Propane Facilities. NOPE Ex. 19, Ex. JMG-7, p. 61 (“Each scenario assumes a system peak demand of 42,462 Mcfh, available Foster pressure of 400 psig, and no contribution from the propane air plants.”), and 69. Despite being made aware of this fact during the hearing, Staff’s Brief incorrectly states that the western route options did not allow for the retirement of the Propane Facilities. See Staff Brief, pp. 16-17.

⁴⁶ Tr. Vol. II at 276.

⁴⁷ Tr. Vol. II at 253, 286.

⁴⁸ Staff Ex. 1, p. 28.

⁴⁹ NOPE Ex. 19, Ex. JMG-7, p. 61 (“Each scenario assumes a system peak sendout of 42,462 Mcfh, available Foster pressure of 400 psig, and no contribution from the propane air plants.”).

the parties,⁵⁰ the Board never responded to it or otherwise addressed this all-important fact in its Order approving the Proposed Pipeline. Even worse, the Board *repeated* this false contention in its Order: “Beyond the study area, Duke's application reflects that three western scenarios outside of the 1-275 loop were part of the system modeling study, although these options were ultimately rejected because they would not allow for retirement of the propane-air facilities or facilitate replacement work in the central core area.”⁵¹ The record evidence shows that the western options did, in fact, allow for the retirement of propane-air facilities.⁵² This is no small matter either given that Staff's recommendation and the Board's Order concerning the validity of the RSS was based, at least in part, on the inaccurate premise that the western route options evaluated by Duke's own consultant were not suitable to meet Duke's stated need for the Proposed Pipeline.⁵³

Despite all of these recommendations to look outside the Central Corridor, Duke persisted in its plan to construct a high-pressure natural gas pipeline in the middle of a dense urban core over the well-founded objections of residents whose lives (and property) will be materially disrupted⁵⁴ and potentially endangered⁵⁵ by a pipeline that could (and should) be

⁵⁰ See Order, ¶ 101 (“Cincinnati and Hamilton County maintain that these western route options would have enabled the retirement of the propane-air facilities and substantially reduced Duke's reliance on Foster Station, contrary to the Company's statement to Staff on this issue.”).

⁵¹ Order, ¶ 120.

⁵² NOPE Ex. 19, Ex. JMG-7, p. 61 (“Each scenario assumes a system peak sendout of 42,462 Mcfh, available Foster pressure of 400 psig, and no contribution from the propane air plants.”).

⁵³ Staff Ex. 1, p. 28; Order, ¶ 120.

⁵⁴ As one of many examples of the materially disruptive nature of the project, construction of the Proposed Pipeline will restrict access to certain residential homes. See Tr. Vol. I at 137-138. More severely, construction of the Proposed Pipeline may result in Duke pursuing condemnation proceedings against individual property owners. *Id.* at 127.

⁵⁵ See, e.g., NOPE Exhibit 15, Pipeline Serious Incident 20 Year Trend (“NOPE Ex. 15”); Blue Ash Exhibit 3, Duke Website “Exposed Duke Energy Pipeline” (“Blue Ash Ex. 3”).

constructed in a less populated, less environmentally-compromised area. Duke dismissed local residents' legitimate concerns about the siting of the Proposed Pipeline, denying that the health and safety risks from pipeline accidents in densely populated areas are significantly greater than the risks in rural areas.⁵⁶ Even CH2M conceded that when considering potential pipeline routes, it is customary to keep pipeline projects away from these types of congested, heavily populated, urban areas.⁵⁷

The City/County, all municipal Intervenors, and the general public unequivocally oppose the construction of the Proposed Pipeline in one of the most heavily populated, developed regions in the entire state of Ohio. Nevertheless, the Board improperly issued a Certificate to Duke despite Duke's failure to seriously explore more viable, less disruptive, and safer options.

The Board ignored evidence that Duke constrained and manipulated the RSS to arrive at a predetermined outcome, and in so doing, disregarded more promising, safer, and less disruptive routes outside of the Central Corridor.⁵⁸ As such, the Board should conduct a rehearing to consider all potential routes, especially the far more compelling eastern and western routes recommended by Duke's own consultants.

II. CONCLUSION

Duke failed to meet its burden to demonstrate need for the Proposed Pipeline, and the Board failed to consider numerous arguments and record evidence demonstrating as much. Most importantly, unlike other potential pipeline routes, the Proposed Project will not materially

⁵⁶ City/County Exhibit 35, NOPE-RFA-01-006 ("City/County Ex. 35").

⁵⁷ Tr. Vol. II at 310-311.

⁵⁸ Although the Board summarized the City/County's argument on this point (*see* Order, ¶ 101), the Board never specifically addressed or responded to it; instead, the Board summarily concluded that "the Company and its consulting team conducted an appropriate RSS and applied reasonable evaluation criteria encompassing a range of impacts and incorporating public feedback." Order, ¶ 118.

address the major reliability risk at Foster Station.⁵⁹ Nor is it needed to replace or repair aging infrastructure or to retire the Propane Facilities. The Board's reliance on Duke's self-serving evidence (or lack thereof), including evidence that is directly refuted by the record, and issuance of the Certificate to Duke was unreasonable and unlawful. The Board should set aside the Order and mandate a rehearing so these important issues can be flushed out on the record and seriously considered by the Board based on the statutory requirements for determining need.

Respectfully submitted,

Joseph T. Deters, Prosecuting Attorney
Hamilton County, OH

/s/ James F. Lang

James F. Lang (0059668)
Steven D. Lesser (0020242)
Mark T. Keaney (0095318)
CALFEE, HALTER & GRISWOLD LLP
The Calfee Building
1405 East Sixth Street
Cleveland, OH 44114
(216) 622-8200
(216) 241-0816 (fax)
jlang@calfee.com
slesser@calfee.com
mkeaney@calfee.com

*Attorneys for the City of Cincinnati and the
Board of County Commissioners of Hamilton
County*

/s/ Roger E. Friedmann

Roger E. Friedmann (0009874)
Michael J. Friedmann (0090999)
Jay R. Wampler (0095219)
Assistant Prosecuting Attorneys
Suite 400
230 E. Ninth Street
Cincinnati, OH 45202
(513) 946-3025
(513) 946-3018 (fax)
roger.friedmann@hcpros.org
michael.friedmann@hcpros.org
jay.wampler@hcpros.org

*Attorneys for the Board of County
Commissioners of Hamilton County*

⁵⁹ Duke Ex. 3, p. 4-27.

CERTIFICATE OF SERVICE

I certify that the foregoing Application For Rehearing of the City of Cincinnati and the Board of County Commissioners of Hamilton County was filed electronically through the Docketing Information System of the Public Utilities Commission of Ohio on this 23th day of December, 2019. The PUCO's e-filing system will electronically serve notice of the filing of this document on counsel for all parties.

/s/ Mark T. Keaney

One of the Attorneys for the City of
Cincinnati and the Board of County
Commissioners of Hamilton County

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Summary: Application for Rehearing electronically filed by Mr. Mark T Keaney on behalf of City of Cincinnati and The Board of County Commissioners of Hamilton County