

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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Frances M. Stevenson, :
Complainant, :
vs. : Case No.
Vectren Energy Delivery : 20-0590-GA-CSS
of Ohio, Inc., DBA :
Centerpoint Energy of :
Ohio, :
Respondent. :

- - -

PROCEEDINGS

Before Daniel Fullin, Attorney Examiner, held at
the offices of the Public Utilities Commission
of Ohio, 180 East Broad Street, Hearing Room
11-D, Columbus, Ohio, on Tuesday, August 3,
2021, at 10:00 A.M.

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- - -

1 APPEARANCES:

2 Whittsturtevant, LLP
3 By Mr. Lucas A. Fykes
4 88 East Broad Street
5 Suite 1590
6 Columbus, Ohio 43215

7 On behalf of the Respondent.
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Tuesday Morning,
August 3, 2021.

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ATTORNEY EXAMINER: The Commission
has assigned for hearing at this time and place
Case No. 20-590-GA-CSS which is the complaint of
Frances M. Stevenson versus Vectren Energy of
Ohio, Inc.

My name is Daniel E. Fullin, I am
the Attorney Examiner assigned to hear this
case. And I will begin by asking for
appearances. I will note no one is appearing on
behalf of the Complainant. And appearance on
behalf of the Respondent.

MR. FYKES: Thank you, Your Honor.
On behalf of Vectren Energy Delivery of Ohio,
doing business as Centerpoint Energy of Ohio,
the law firm of Whittsturevant, LLP, by Lucas
Fykes, 88 East Broad Street, Suite 1590,
Columbus, Ohio 43215.

ATTORNEY EXAMINER: Thank you.
Because the complainant isn't here, normally we
have them go first, I am going to give you a
chance to put on your case in chief even though
the complainant isn't here in terms of

1 presenting your case and make any motions that
2 you want to make.

3 MR. FYKES: Thank you, Your Honor.
4 If you like I can call a witness and enter her
5 testimony on the record.

6 ATTORNEY EXAMINER: Yes. Have to
7 swear her in, but you can stay where you are and
8 provide the testimony you are going to provide.

9 (WITNESS SWORN)

10 MR. FYKES: I call Michelle D. Quinn
11 to the stand.

12 - - -

13 MICHELLE D. QUINN
14 called as a witness, being first duly sworn,
15 testified as follows:

16 DIRECT TESTIMONY

17 By Mr. Fykes:

18 Q. Good morning. Can you please state
19 your name for the record?

20 A. Yes. Michelle D. Quinn.

21 Q. And can you please tell us your
22 business address?

23 A. Yes. 101 West Ohio Street in
24 Indianapolis, Indiana 46204.

25 MR. FYKES: At this time, Your

1 Honor, I would like to mark as CEOH Exhibit 1
2 the direct testimony of Ms. Quinn that was filed
3 in this docket on July 27th, 2021, along with
4 the accompanying Exhibit No. MDQ-1.

5 ATTORNEY EXAMINER: I am so marking
6 my copy. That way it will be marked for the
7 record that way.

8 Q. Ms. Quinn, do you have in front of
9 you what has been marked as Company Exhibit 1?

10 A. Yes.

11 Q. Is this your direct testimony?

12 A. Yes.

13 Q. Was this testimony prepared by or at
14 your correction?

15 A. Yes.

16 Q. Do you have any updates or changes
17 to your testimony?

18 A. No, I do not.

19 Q. So if you were asked the same
20 questions that are in your filed testimony today
21 would your answers be the same?

22 A. Yes.

23 MR. FYKES: With that, Your Honor,
24 we would like to move CEOH Exhibit 1 and Company
25 Exhibit MDQ-1 into the record.

1 And she can answer any questions
2 that you may have.

3 ATTORNEY EXAMINER: Okay. I don't
4 have any questions. And I will allow the
5 exhibit to be admitted into the record as
6 evidence in the case.

7 (EXHIBIT HEREBY ADMITTED INTO
8 EVIDENCE)

9 MR. FYKES: Thank you, Your Honor.
10 We have no further witnesses here. We would, if
11 this is the proper time, like to make a motion.

12 ATTORNEY EXAMINER: Yes.

13 MR. FYKES: Thank you, Your Honor.
14 At this time the Company thinks it's appropriate
15 to make a motion to dismiss for failure to
16 prosecute with prejudice on the record. And if
17 the Bench would indulge me I have a few
18 arguments I would like to make on the record as
19 well.

20 ATTORNEY EXAMINER: Yes. Please go
21 ahead.

22 MR. FYKES: This complainant has
23 demonstrated a complete lack of willingness from
24 the very beginning to follow through on her
25 complaint or work with the company to try to

1 resolve it.

2 Starting about a month after she
3 filed the complaint she was not responding to
4 any contact from the Company or the Commission.
5 She moved out of state and did not provide the
6 Company with a forwarding address.

7 She also failed to appear for
8 the first and second settlement conferences that
9 were set in this case with the mediating
10 Attorney Examiner.

11 Additional settlement conferences
12 were held and the Company provided what
13 information it had available to Ms. Stevenson
14 that she had requested during the conferences.

15 At this point there is only so much
16 the Company can do in providing assistance to
17 the complainant, which we have done in a timely
18 manner. While certainly there is some
19 consideration allowed for complainants who take
20 the time to alert the Commission and the Company
21 to their inability to appear ahead of time
22 rather than just simply to not showing up,
23 the fact of the matter is that every time that
24 this proceeding is delayed it costs the Company
25 thousands of dollars in legal fees and lost work

1 time in preparation for a hearing that is not
2 going to occur. While again we are sympathetic,
3 everyone has to get to places, the Company's
4 witness had to travel from out of state today to
5 be here.

6 And everybody has to arrange their
7 own transportation. This was not a sudden
8 occurrence that Ms. Stevenson was not able to
9 handle. Ms. Stevenson had plenty of notice.

10 So for those reasons, Your Honor,
11 the Company would move to dismiss with
12 prejudice.

13 ATTORNEY EXAMINER: Thank you. I
14 will take the oral motion under advisement. I
15 don't plan on ruling on it from the Bench as
16 the Examiner on the case. I am waiting for the
17 Commission to make the ruling on it. But, it's
18 now made of record and I expect that the
19 Commission will take some kind of action on the
20 motion.

21 And if they choose to do something
22 besides, next do something besides rule on the
23 motion itself, you will be apprised of that and
24 given an opportunity to defend the case in
25 whatever means is most fair. But I am expecting

1 the next thing will be the Commission decision
2 based on the motion to dismiss.

3 MR. FYKES: That's all we can ask.

4 ATTORNEY EXAMINER: Thank you. That
5 is all I have too. Thank you. We will bring
6 this to a close.

7 (At 10:15 A.M. the hearing was
8 concluded)

9 - - -

CERTIFICATE

I do hereby certify that the foregoing
is a true and correct transcript of the
proceedings taken by me in this matter on August
3, 2021, and carefully compared with my original
stenographic notes.

Michael O. Spencer,
Registered Professional
Reporter.

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in

Case No(s). 20-0590-GA-CSS

Summary: Transcript August 3rd 2021

Frances M. Stevenson, Complainant, vs. Vectren Energy Delivery of Ohio, Inc., DBA Centerpoint Energy of Ohio, Respondent. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Spencer, Michael O. Mr.