

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the :
Application of Northeast Ohio : Case No.
Natural Gas Corp. for Approval : 20-1427-GA-ALT
of Alternative Regulation. :

- - -

PROCEEDINGS

Before Greta See, Attorney Examiner, held at the
Public Utilities Commission of Ohio, 180 East
Broad Street, Hearing Room 11-C, Columbus, Ohio,
on Tuesday, August 10, 2020, at 10:00 A.M.

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- - -

APPEARANCES:

Benesch Friedlander Copland & Aronoff
By Mr. Mark T. Keaney
41 South High Street, Suite 2600
Columbus, Ohio 43215

On behalf of the Applicant.

Mr. Werner L. Margard
Assistant Attorney General
30 East Broad Street, 16th Floor
Columbus, Ohio 43215

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

Ms. Amy Botschner O'Brien
Staff Attorney
65 East State Street, 7th Floor
Columbus, Ohio 43215

On behalf of the Office of
Consumers' Counsel.

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1 Tuesday Morning,
2 August 10, 2021.

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4 ATTORNEY EXAMINER: Scheduled for
5 hearing today at this time is Case No.
6 20-1427-GA-ALT being entitled In the Matter of
7 the Application of Northeast Ohio Natural Gas
8 Corporation for Approval of an Alternative Form
9 of Regulation.

10 My name is Greta See, I am
11 the Attorney Examiner assigned to this case by
12 the Commission. At this time I would like to
13 take appearances of the parties. On behalf of
14 Northeast Ohio Natural Gas.

15 MR. KEANEY: Good morning, Your
16 Honor. On behalf of Northeast Ohio National Gas
17 Corp., Mark Keaney from the Benesch law firm,
18 41 South High Street, Suite 2600, Columbus, Ohio
19 43215.

20 ATTORNEY EXAMINER: And on behalf of
21 Ohio Consumers' Counsel.

22 MS. O'BRIEN: Good morning, Your
23 Honor. My name is Amy Botschner O'Brien
24 appearing on behalf of the Office of the Ohio
25 Consumers' Counsel, 65 East State Street, 7th

1 Floor, Columbus, Ohio 43215.

2 ATTORNEY EXAMINER: And on behalf of
3 the Staff of the Public Utilities Commission.

4 MR. MARGARD: Thank you. Good
5 morning, Your Honor. On behalf of the Staff of
6 the Public Utilities Commission of Ohio, Dave
7 Yost, Ohio Attorney General, John Jones, Section
8 Chief Public Utilities Section, by Assistant
9 Attorneys General Werner L. Margard and Kyle L.
10 Kern, 30 East Broad Street, 26th Floor,
11 Columbus, Ohio.

12 ATTORNEY EXAMINER: And I see in the
13 docket that there has been a stipulation filed
14 in the case. Is that correct?

15 MR. KEANEY: Yes, Your Honor.

16 ATTORNEY EXAMINER: Okay. My
17 understanding is that it is not opposed. Is
18 that correct, Ms. O'Brien?

19 MS. O'BRIEN: That's correct, Your
20 Honor.

21 ATTORNEY EXAMINER: Okay. Would you
22 like to call your first and only witness of
23 the day?

24 MR. KEANEY: Yes, Your Honor.

25 Before we do that can I do some exhibit

1 identification?

2 ATTORNEY EXAMINER: Yes. That's
3 fine.

4 MR. KEANEY: We just have two
5 exhibits, Your Honor. And I will be marking for
6 identification a copy of the Stipulation and
7 Recommendation filed in this proceeding on July
8 13th, 2021. The Stipulation and Recommendation
9 will be marked -- I would like to be marked NEO
10 Exhibit 1.

11 ATTORNEY EXAMINER: The Stipulation
12 and Recommendation, let's mark it Joint Exhibit
13 1, if that's okay.

14 MR. KEANEY: Joint Exhibit 1 sounds
15 good.

16 (EXHIBIT MARKED FOR PURPOSED OF
17 IDENTIFICATION)

18 MR. KEANEY: And, Your Honor, the
19 parties have agreed to stipulate to the
20 admission of the Stipulation which was marked
21 today as Joint Exhibit 1.

22 ATTORNEY EXAMINER: Okay.

23 MR. KEANEY: And then additionally
24 marking a copy of NEO witness and his prefled
25 testimony in support of the unopposed

1 Stipulation, which was filed on or around July
2 27th, 2021, and we will label that NEO Exhibit
3 1.

4 (EXHIBIT HEREBY MARKED FOR
5 IDENTIFICATION PURPOSES)

6 ATTORNEY EXAMINER: The exhibits are
7 so marked.

8 MR. KEANEY: Your Honor, Northeast
9 Ohio Natural Gas Corp. calls Ken Oostman to the
10 stand, please.

11 (WITNESS SWORN)

12 MR. KEANEY: Your Honor, may I
13 approach?

14 ATTORNEY EXAMINER: Yes.

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16 KEN OOSTMAN
17 called as a witness, being first duly sworn,
18 testified as follows:

19 DIRECT EXAMINATION

20 By Mr. Keaney:

21 Q. Could you please state your name and
22 address for the record?

23 A. My name is Kenneth Lee Oostman, Jr.
24 And my address 5640 Lancaster-Newark Road,
25 Pleasantville, Ohio 43148.

1 Q. And, Mr. Oostman, do you have in
2 front of you a document marked NEO Exhibit 1?

3 A. I do.

4 Q. And what is NEO Exhibit 1?

5 A. It is the mutually agreed upon
6 stipulation for this case, the alternate rate
7 case.

8 Q. So I meant NEO Exhibit 1, not Joint.

9 A. I am sorry. No. That is my direct
10 testimony in support of this case.

11 Q. And that is again marked NEO Exhibit
12 1; correct?

13 A. Yes.

14 Q. And is NEO Exhibit 1 a true and
15 accurate copy of the testimony that you filed in
16 support of the stipulation in this proceeding?

17 A. Yes, it is.

18 Q. Did you prepare that testimony, or
19 was it prepared under your direction?

20 A. I did.

21 Q. And do you have any corrections to
22 make to your testimony?

23 A. I have none.

24 Q. If I were to ask you the same
25 questions that appear in your direct testimony

1 today could your answers be the same?

2 A. Yes.

3 MR. KEANEY: Your Honor, I would
4 move for the admission of Mr. Oostman's
5 testimony subject to cross-examination.

6 ATTORNEY EXAMINER: Any
7 cross-examination for this witness, Ms.
8 Botschner O'Brien?

9 MS. O'BRIEN: We have no cross.
10 Thank you.

11 ATTORNEY EXAMINER: Mr. Margard.

12 MR. MARGARD: No cross. Thank you,
13 Your Honor.

14 ATTORNEY EXAMINER: The Bench
15 doesn't have any questions for the witness
16 either.

17 With that, Mr. Oostman, you may step
18 down.

19 THE WITNESS: Thank you.

20 ATTORNEY EXAMINER: I believe
21 counsel has already moved for the admission of
22 NEO Exhibit 1 and the parties have agreed to the
23 admission of the Joint Stipulation and
24 Recommendation, Joint Exhibit 1. Are there any
25 objections to the admission of either exhibit?

1 MS. O'BRIEN: No, Your Honor.

2 MR. MARGARD: No, Your Honor.

3 ATTORNEY EXAMINER: With that Joint
4 Exhibit 1 and NEO Exhibit 1 are admitted into
5 the record.

6 (EXHIBITS ADMITTED INTO EVIDENCE)

7 MR. MARGARD: Your Honor, if you
8 please, for purposes of completeness of the
9 record, Staff would propose marking the Staff
10 Report of Investigation filed in this proceeding
11 on March 30th, 2021 as Staff Exhibit No. 1, and
12 move for its admission.

13 And I will represent to the Bench
14 that the parties have agreed, stipulated to the
15 admission of this exhibit as well.

16 ATTORNEY EXAMINER: Okay. The Staff
17 Report is Staff Exhibit 1. So marked.

18 (EXHIBIT HEREBY MARKED FOR
19 IDENTIFICATION PURPOSES)

20 ATTORNEY EXAMINER: And is it true
21 that the parties have agreed to the admission of
22 the Staff Report?

23 MS. O'BRIEN: That's correct.

24 MR. KEANEY: Yes, Your Honor.

25 ATTORNEY EXAMINER: With that Staff

1 Exhibit 1 is admitted into the record.

2 (EXHIBIT HEREBY ADMITTED INTO
3 EVIDENCE)

4 ATTORNEY EXAMINER: Is there
5 anything further from the parties?

6 MR. KEANEY: Nothing from
7 the Company, Your Honor.

8 MS. O'BRIEN: No, Your Honor,
9 nothing from OCC.

10 MR. MARGARD: No, Your Honor.

11 ATTORNEY EXAMINER: Thank you. With
12 that the hearing is adjourned. Thank you all.

13 (At 10:10 A.M. the hearing was
14 adjourned)

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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 August
10, 2021, and carefully compared with my
original stenographic notes.

Michael O. Spencer,
Registered Professional
Reporter.

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in

Case No(s). 20-1427-GA-ALT

Summary: Transcript August 10th 2021

In the Matter of the Application of Northeast Ohio Natural Gas Corp. for Approval of Alternative Regulation. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Spencer, Michael O. Mr.