

Before
THE SUPREME COURT OF OHIO

The City of Garfield Heights, Ohio)
5407 Turney Road)
Garfield Heights, Ohio 44125)

Supreme Court No. 95-2141

Appellant,)

The Cleveland Electric Illuminating Co.)
6300 Oak Tree Blvd., Room I-455)
Independence OH 44131)

Supreme Court No. 95-2157

Appellant,)

VS.)

The Public Utilities Commission)
of Ohio)
180 East Broad Street)
Columbus, Ohio 43266-0573)

Appellee.)

Being Before
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint and)
Appeal of The Cleveland Electric Illumi-))
nating Company from Ordinance 21-1994 of))
the Council of the City of Garfield)
Heights, Ohio passed March 10, 1994,)
Entitled "An Emergency Ordinance to Es-))
tablish and Fix a Schedule of Rates,)
Terms and Conditions for Electric)
Service Being provided by the Cleveland)
Electric Illuminating Company to its)
Electric Customers in the City of)
Garfield Heights, Ohio".)

Case No. 94-578-EL-CMR

In the Matter of the Complaint and)
Appeal of The Cleveland Electric)
Illuminating Company from Ordinance No.)
32-1994 of the Council of the City of)
Garfield Heights, Ohio, passed)
May 9, 1994.)

Case No. 94-1176-EL-CMR

In the Matter of the Complaint and)
Appeal of The Cleveland Electric)
Illuminating Company from Ordinance)
No. 35-1994 of the Council of the City)
of Garfield Heights, Ohio, passed)
May 9, 1994.)

Case No. 94-1177-EL-CMR

This is to certify that the images appearing are an
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94-578-EL-CMR, et al

Pleadings: Vols: 1 - 4 of 11
Transcripts: Vols: 5 - 7 of 11

Exhibits: Vols: 8 - 10 of 11
Confidential: Vol. 11 of 11

1994

ENTRIES AND DOCKET INDEX

ICN

30-MAR-1994	In the matter of the application for waiver of certain portions of the standard filing requirements required prior to a filing of a complaint and appeal of The Cleveland Electric Illuminating Company from Ordinance No. 21.1994 of the council of the City of Garfield Heights, Ohio, passed March 10, 1994.	1
1-APR-1994	Notice of appearance filed on behalf of the City of Garfield Heights, Ohio by H. Eckhart.	2
4-APR-1994	Memorandum contra application for waiver, filed on behalf of the City of Garfield Heights, Ohio by H. Eckhart.	3
7-APR-1994	Entry ordering that the request to file the schedules, direct testimony, and additional data required by the Standard Filing Requirements by September 30, 1994 is denied; applicant shall file this information no later than June 30, 1994; that the request for waivers made by the applicant is granted or denied to the extent set forth in Finding 5.	4
8-APR-1994	Complaint and appeal from municipal rates filed on behalf of applicant by M. Regulinski.	5
27-APR-1994	Entry ordering that 30 days' notice of the filing and pendency of CEI's complaint and appeal is hereby given to the mayor of the City of Garfield Heights, Ohio pursuant to Section 4909.34, Revised Code.	6
6-JUN-1994	Motion to set test year and date certain filed on behalf of applicant by M. Regulinski.	7
8-JUN-1994	Memorandum contra filed on behalf of the City of Garfield Heights, Ohio by H. Eckhart.	8
16-JUN-1994	Reply brief filed on behalf of applicant by M. Regulinski.	9
30-JUN-1994	Exhibit 1, standard filing requirements, Schedules A, B, C, D, E, F, I and S filed on behalf of applicant by M. Regulinski.	10
30-JUN-1994	Exhibit 2, cost of service, Schedule E-3.2, filed on behalf of applicant by M. Regulinski.	11

ICN

30-JUN-1994	Exhibits 3 - 8, prefiled testimony of the following persons, filed on behalf of applicant by M. Regulinski:	12
	1. Robert J. Cantwell	
	2. Andrew M. Haus	
	3. Kurt E. Turosky	
	4. Gary M. Hawkinson	
	5. Margaret G. Fix Sieboldt	
	6. John P. Wack	
30-JUN-1994	Entry ordering that the test period of the applicant shall begin January 1, 1993 and end December 31, 1993, and that the date certain shall be March 31, 1994; that the Commission's staff shall determine if there is a material impact on revenue requirements due to the applicant's request for a date certain of March 31, 1994; that the City of Garfield Heights' motion to establish a test year and date certain is denied.	13
8-JUL-1994	Motion to consolidate proceedings and memorandum in support filed on behalf of applicant by M. Regulinski.	14
8-JUL-1994	In the Matter of the Complaint and appeal of The Cleveland Electric Illuminating Company from Ordinance No. 32-1994 of the Council of the City of Garfield Heights, Ohio, passed May 9, 1994. (94-1176-EL-CMR)	15
8-JUL-1994	In the Matter of the Complaint and appeal of The Cleveland Electric Illuminating Company from Ordinance No. 35-1994 of the Council of the City of Garfield Heights, Ohio, passed May 9, 1994. (94-1177-EL-CMR)	16
10-AUG-1994	Exhibit 7A, additional direct testimony of Margaret G. Fix Seboldt, filed on behalf of applicant by E. Mikkelsen.	17
1-SEP-1994	Entry ordering that the complaint and appeal of CEI is accepted for filing as of June 30, 1994. Case No. 94-1176-EL-CMR and Case No. 94-1177-EL-CMR are accepted for filing as of July 8, 1994. (3 pgs.)	18
1995		
23-JAN-1995	Staff report filed. (201 pgs.)	19
26-JAN-1995	Entry ordering prehearing conference on March 8, 1995, at 10:00 a.m. at the offices of the Commission and public hearing on March 15, 1995 at 10:00 a.m. at the offices of the Commission. (3 pgs.)	20

ICN

13-FEB-1995	Letter entering Richard W. McLaren, Jr. as trial attorney for CEI and correcting his address, filed on behalf of respondent, CEI, by R. McLaren, Jr. (1 pg.)	21
22-FEB-1995	Objections to the staff report filed on behalf of CEI by R. McLaren, Jr. (11 pgs.)	22
22-FEB-1995	Direct testimony of Anthony J. Yankel filed on behalf of the City of Garfield Heights. (93 pgs.)	23
22-FEB-1995	Exhibits 3A-5A, Exhibit 7B, Exhibit 8A, Exhibits 9-10, post staff report testimony of the following persons, filed on behalf of applicant by R. McLaren, Jr: (86 pgs.) 1. Robert J. Cantwell 2. Andrew M. Haus 3. Kurt E. Turosky 4. Margaret G. Fix Seboldt 5. John P. Wack 6. Kimberly Lane 7. Terrence R. Moran	24
22-FEB-1995	Objections to the staff report and summary of major issues filed on behalf of the City of Garfield Heights, Ohio by H. Eckhart. (16 pgs.)	25
24-FEB-1995	Entry scheduling local public hearings at 4:30 p.m. and 7:00 p.m. on 4/18/95 at the Garfield Hts. Civic Center, Garfield Hts., Ohio. (AE) (3 pgs.)	26
1-MAR-1995	Motion to strike objections to the staff report of investigation submitted by the staff of the Public Utilities Commission of Ohio filed by P. Colbert. (41 pgs.)	27
1-MAR-1995	Cleveland Electric Illuminating's motion to strike objections to the staff report of investigation filed by R. McLaren, Jr. (17 pgs.)	28
7-MAR-1995	Motion to strike testimony of Anthony J. Yankel and memorandum in support filed on behalf of applicant by R. McLaren, Jr. (13 pgs.)	29
8-MAR-1995	List of exhibits filed on behalf of the City of Garfield Heights by H. Eckhart. (2 pgs.)	30
8-MAR-1995	Memorandum contra motion to strike objections filed by CEI, filed on behalf of the City of Garfield Heights by H. Eckhart. (19 pgs.)	31

ICN

8-MAR-1995	Memorandum contra motion to strike objections filed by the PUCO staff, filed on behalf of the City of Garfield Heights by H. Eckhart. (8 pgs.)	32
13-MAR-1995	CEI's agreement with the City's extension request filed by R. McLaren, Jr. (2 pgs.)	33
13-MAR-1995	Memorandum contra CEI's motion to strike testimony of Anthony J. Yankel filed on behalf of the City of Garfield Heights by H. Eckhart. (11 pgs.)	34
13-MAR-1995	Motion for continuance of hearing and memorandum in support filed on behalf of the City of Garfield Heights by H. Eckhart. (3 pgs.)	35
13-MAR-1995	Resolution No. 81-95 filed on behalf of the City of Parma, Ohio by M. Hughes. (3 pgs.) (94-1177-EL-CMR)	36
13-MAR-1995	Resolution No. 95-11 adopted by Berea City Council, filed by K. Olmeda. (3 pgs.) (94-1177-EL-CMR)	37
14-MAR-1995	Entry ordering that the hearing be continued until 3/16/95. (AE) (2 pgs.)	38
14-MAR-1995	Motion to quash the issuance of subpoena and memorandum in support filed on behalf of applicant by R. McLaren, Jr. (28 pgs.)	39
17-MAR-1995	Entry ordering that the hearing be continued until 3/20/95. (AE) (2 pgs.) (ISSUED 3/15/95)	40
20-MAR-1995	Subpoena issued to The Cleveland Electric Illuminating Company, Richard W. McLaren, Esq., filed on behalf of the PUCO staff by D. Nodes. (6 pgs.)	41
20-MAR-1995	Transcript filed for hearing held 3/15/95, (DN), 6 pgs., (SEE TRANS.) Con't.	
20-MAR-1995	Prepared testimony of Christopher Kotting filed on behalf of the PUCO staff by P. Colbert. (6 pgs.)	42
20-MAR-1995	Prepared testimony of Carlos J. Garcia filed on behalf of the PUCO staff by P. Colbert. (8 pgs.)	43
20-MAR-1995	Prepared testimony of Stephen E. Puican filed on behalf of the PUCO staff by P. Colbert. (6 pgs.)	44
20-MAR-1995	Prepared testimony of Donald L. Howard filed on behalf of the PUCO staff by P. Colbert. (10 pgs.)	45

		ICN
20-MAR-1995	Prepared testimony of Patrick R. Sarver filed on behalf of the PUCO staff by P. Colbert. (4 pgs.)	46
20-MAR-1995	Prepared testimony of Ibrahim Soliman filed on behalf of the PUCO staff by P. Colbert. (20 pgs.)	47
20-MAR-1995	Prepared testimony of J. Edward Hess filed on behalf of the PUCO staff by P. Colbert. (11 pgs.)	48
20-MAR-1995	Prepared testimony of John Tucker filed on behalf of the PUCO staff by P. Colbert. (12 pgs.)	49
20-MAR-1995	Prepared testimony of Kerry Adkins filed on behalf of the PUCO staff by P. Colbert. (5 pgs.)	50
22-MAR-1995	Prepared testimony of Ned Maxwell filed on behalf of the PUCO staff by P. Colbert. (7 pgs.)	51
23-MAR-1995	Late-filed attachments to the prepared testimony of Christopher Kotting filed on behalf of the PUCO staff by A. Hammerstein. (6 pgs.)	52
27-MAR-1995	Prepared testimony of Richard C. Cahaan filed on behalf of the PUCO staff by A. Hammerstein. (18 pgs.)	53
30-MAR-1995	Resolution No. 95-11 filed on behalf of the Berea City Council by K. Olmeda. (94-1176-EL-CMR) (6 pgs.) (Filed 3/30/95)	54
10-APR-1995	Transcript filed for hearing held 3/20/95, (DN), 170 pgs., Con't. (Volume I) (SEE TRANS.)	
10-APR-1995	Transcript filed for hearing held 3/21/95, (DN), 164 pgs., Con't. (Volume II) (SEE TRANS.)	
10-APR-1995	Transcript filed for hearing held 3/22/95, (DN), 175 pgs., Con't. (Volume III) (SEE TRANS.)	
10-APR-1995	Transcript filed for hearing held 3/23/95, (DN), 101 pgs., Con't. (Volume IV) (SEE TRANS.)	
10-APR-1995	Transcript filed for hearing held 3/25/95, (DN), 177 pgs., Con't. (Volume V) (SEE TRANS.)	
10-APR-1995	Transcript filed for hearing held 3/27/95, (DN), 203 pgs., Con't. (Volume VI) (SEE TRANS.)	
10-APR-1995	Transcript filed for hearing held 3/28/95, (DN), 190 pgs., Con't. (Volume VII) (SEE TRANS.)	

ICN

10-APR-1995 Transcript filed for hearing held 3/29/95, (DN), 132 pgs.,
Submitted. (Volume VIII) (SEE TRANS.)

10-APR-1995 Composite Index for hearings March 20, 1995 through March
29, 1995, Volumes I through VIII. (SEE TRANS.)

10-APR-1995 Company's Late Filed Exhibit filed by R. McLaren, Jr. (2
pgs.) 55

11-APR-1995 Confidential portion of the transcript, Volume IV, filed.
(FILED 4/10/95 UNDER SEAL)

11-APR-1995 Garfield Heights Exhibit No. 7 & 9 filed with transcript,
Volume VI. (FILED 4/10/95 UNDER SEAL)

12-APR-1995 Resolution No. 1995-49 filed on behalf of the City of
Strongsville by L. Seefried. (3 pgs.) 56

5-MAY-1995 Post hearing brief filed on behalf of the PUCO staff by
P. Colbert. (15 pgs.) 57

5-MAY-1995 Post hearing brief filed on behalf of the City of Garfield
Heights, Ohio by H. Eckhart. (43 pgs.) 58

5-MAY-1995 Post-hearing brief filed on behalf of applicant by
M. Regulinski. (41 pgs.) 59

8-MAY-1995 Errata sheet to post hearing brief of the City of Garfield
Heights filed by H. Eckhart. (2 pgs.) 60

9-MAY-1995 Transcript filed for hearing held 4/18/95 at 4:30 p.m.,
(CG), 105 pgs. (Garfield Hts., Ohio) (SEE TRANS.)

9-MAY-1995 Transcript filed for hearing held on 4/18/95 at 7:00 p.m.,
(CG) 88 pgs. (Garfield Hts., Ohio) (SEE TRANS.)

15-MAY-1995 Resolution No. 7032-95 filed on behalf of the City of
Lakewood by K. Schaser. (1 pg.) 61

17-MAY-1995 Post hearing reply brief filed on behalf of the PUCO staff
by P. Colbert. (7 pgs.) 62

17-MAY-1995 Post hearing reply brief filed on behalf of applicant by
R. McLaren, Jr. (32 pgs.) 63

17-MAY-1995 Reply brief filed on behalf of the City of Garfield Heights,
Ohio by H. Eckhart. (25 pgs.) 64

ICN

- 5-JUN-1995 Response to issues raised at the public hearing concerning brownouts, filed on behalf of applicant by R. McLaren, Jr. (1 pg.) 65
- 26-JUN-1995 Exhibit A, agreement to the total curtailable/interruptible revenue for CEI in 1993, filed on behalf of City of Garfield Heights by H. Eckhart. (4 pgs.) 66
- 29-JUN-1995 Opinion and Order granting application to the extent and for the reasons set forth in this opinion and order, and to the extent set forth above in footnote 1, CEI's current tariff rates shall remain in effect for Garfield Heights, pending the outcome of CEI's rate case. (24 pgs.) 67
- 28-JUL-1995 Application for rehearing of the Cleveland Electric Illuminating Company filed by R. McLaren, Jr. (18 pgs.) 68
- 31-JUL-1995 Application for rehearing filed on behalf of the City of Garfield Heights, Ohio by H. Eckhart. (33 pgs.) 69
- 10-AUG-1995 Memorandum contra filed on behalf of applicant by R. McLaren, Jr. (18 pgs.) 70
- 24-AUG-1995 Entry denying the applications for rehearing filed by CEI and the City of Garfield Heights. Concurring Opinion of Commissioner Richard M. Fanelly. (6 pgs.) 71
- 20-OCT-1995 Notice of Appeal of the City of Garfield Heights, Ohio. Submitted by: Henry W. Eckhart. (19 pgs.) (S.C.# 95-2141) 72
- 23-OCT-1995 Notice of Appeal filed on behalf of applicant by R. McLaren, Jr. (36 pgs.) (S.C.# 95-2157) 73

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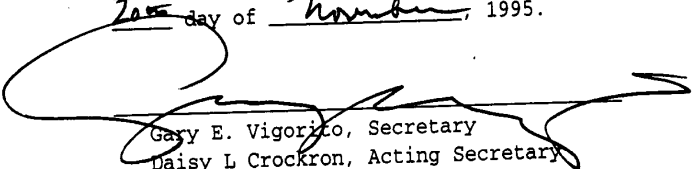
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C E R T I F I C A T I O N

I, Gary E. Vigorito, the duly appointed and qualified Secretary of The Public Utilities Commission of Ohio, in whose custody the books, records, and files of said Commission are kept, do hereby certify there is transmitted herewith the docket entries of the Commission, ICN No. 1-73, the **Opinion & Order dated June 29, 1995**, and the **Entry On Rehearing dated August 24, 1995** inclusive; and the Certification of the record in **Case No. 94-578-EL-CMR, 94-1176-EL-CMR & 94-1177-EL-CMR**.

IN WITNESS THEREOF, I have thereunto set my hand and affixed the official seal of The Public Utilities Commission of Ohio this 20th day of November, 1995.

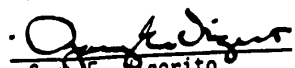

Gary E. Vigorito, Secretary
Daisy L Crockron, Acting Secretary
Ronald D. Rose, Acting Secretary

THE PUBLIC UTILITIES COMMISSION OF OHIO

Entered in the Journal

NOV 20 1995

A True Copy


Gary E. Vigorito
Secretary