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PUBLIC UTILITIES COMMISSION OF OHIO

PUBLIC HEARING

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CASE NUMBERS 14-841-EL-SSO

14-842-EL-ATA

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Wednesday, September 10, 2014

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Public Utilities Commission of Ohio

Local Public Hearing, in the Matter of the
Application of Duke Energy Ohio, Inc. for
authority to establish a standard service offer
pursuant to Ohio Revised Code 4928.143 in the
form of an electric security plan, accounting
modification, and tariffs for generation service
and for authority to amend its tariffs.

Also Present:

HEARING OFFICER: Nick Walstra

COMMISSIONER: Asim Haque

1 HEARING OFFICER: We've gone on the
2 record here. Thank you guys all for
3 coming. We'll get started.

4 I'm Nick Walstra. I'm an attorney
5 examiner with the Utilities Commission.
6 I'm in the legal department. We're here
7 in the Public Utilities Commission of
8 Ohio public hearing set for this time
9 and place, Case Numbers 14-841-EL-SSO
10 and 14-842-EL-ATA, which is captioned in
11 the Matter of the Application of Duke
12 Energy of Ohio, Incorporated for
13 authority to establish a standard
14 service offer pursuant to Revised Code
15 4928.143 in the form of an electric
16 security plan, accounting modification,
17 and tariff for generation service, and
18 for authority to amend its certified
19 supplier tariff PUCO No. 20.

20 With me here today is one of the
21 Commissioner, Asim Haque. And he will
22 leave us with some remarks.

23 MR. HAQUE: Good evening. As Nick
24 said, my name is Asim Haque. I'm the
25 vice chairman of the Public Utilities

1 Commission of Ohio.

2 Thanks to all of you for coming
3 this evening. The process for how this
4 hearing will proceed will be described
5 by Mr. Walstra here very shortly, but
6 what I wanted to tell you from a
7 Commissioner's perspective is, we really
8 value these local public hearings.
9 They're extremely important to us. What
10 you say -- and Mr. Walstra will tell
11 about this. What you say ends up being
12 part of the record, the full record of
13 the case when we review the case. And
14 so what you say tonight can have a lot
15 of impact. And we very much encourage
16 you to make remarks. We encourage you
17 to testify. We encourage you to try to
18 be as substantive as possible as you can
19 be with your remarks. And I think that
20 again, as a Commissioner who reviews
21 these cases, these remarks can be very
22 helpful. We're really grateful that
23 you're here. And please feel free after
24 the proceedings -- if you're not
25 comfortable getting up and testifying

1 and putting yourself on the record for
2 the case, please feel free to stay
3 after. We would be happy to stay after
4 and try and answer any questions that
5 you might have. If in the event that we
6 can't answer those questions, we'll make
7 sure to get your contact information and
8 get back in touch with you after the
9 hearing to answer those questions.

10 So thank you very much again on
11 behalf of the Public Utilities
12 Commission of Ohio.

13 HEARING OFFICER: Thank you,
14 Commissioner.

15 Also here with us today -- there
16 are a few others from the Commission.
17 Tammy is out front. You signed in with
18 her. And Katie is over here from our
19 Public Affairs. If you have questions,
20 you can talk to both of them as well.
21 You can talk to them after or questions
22 outside if you need to. And there are
23 also parties from that case here today.
24 And I'll have them introduce
25 themselves.

1 On behalf of the company?

2 MS. WATTS: Thank you, Your Honor.

3 On behalf of Duke Energy Ohio, Elizabeth
4 Watts.

5 HEARING OFFICER: Thank you.

6 On behalf of the Ohio Consumers'
7 Counsel?

8 MR. SERIO: Thank you, Your Honor.

9 On behalf of the residential utility
10 customers of Duke Energy, Bruce J.
11 Weston, Consumers' Counsel by Joseph P.
12 Serio.

13 HEARING OFFICER: Thank you. Are
14 there any other parties that are
15 represented here today? Seeing none,
16 I'll move on.

17 There are a number of parties that
18 have intervened in this case that have
19 an interest in the outcome. If people
20 are interested in who those parties are,
21 I can share that with you at the
22 completion of the hearing.

23 Duke filed this application on May
24 29th, 2014 requesting authority to
25 establish a standard service offer for

1 the period commencing June 1, 2015. The
2 local public hearings scheduled in this
3 case are only one aspect of the process
4 in this case. This is our third
5 hearing -- public hearing so far.
6 There's another one next week in
7 Cincinnati on Thursday the 18th at
8 noon. And there's an evidentiary
9 hearing, which is scheduled to commence
10 on October 22nd, 2014. And that takes
11 place at the Commission offices in
12 Columbus.

13 The purpose of tonight's hearing is
14 to receive comments from the public
15 regarding Duke's application in these
16 cases. Unfortunately, this isn't a
17 question-and-answer session. You may
18 have questions. You can save those for
19 us possibly after -- for the parties
20 afterwards, but right now this is your
21 opportunity to let the Commission know,
22 as the Commissioner said, what you think
23 about this case. It will go on the
24 record. It will be shared with the rest
25 of the Commissioners, and they will read

1 it and it will be taken into account
2 when they make their ruling.

3 Tonight's hearing is being
4 transcribed by a court reporter over
5 there. If you plan to testify, please
6 speak clearly so that the court reporter
7 can accurately reflect your comments for
8 the record. If you have a written
9 statement, you can just share that with
10 her, and she'll make sure that gets into
11 the record.

12 When you got here, you were offered
13 the opportunity to sign up to testify.
14 Once I finish, I'll begin calling the
15 witnesses forward who have signed up,
16 ask you to come up. We'll just have you
17 kind of stand in the middle here. We
18 kind of got downgraded from our original
19 room, so we don't have a podium or
20 anything for you to stand at. You can
21 just step forward there.

22 Since this is going into the
23 record, I will have you take an oath or
24 affirmation that what you say is the
25 truth. This, like I said, could be part

1 of the official record. It will be
2 reviewed by the Commission. We -- the
3 parties could ask you questions if they
4 so desire. But we do appreciate your
5 participation in tonight's hearing. We
6 want everyone who wishes to make a
7 statement to have that opportunity to do
8 so. If you decide that you don't want
9 to testify, you can go onto the PUCO web
10 site, look up the case number, which was
11 14-841, and there is ways to submit
12 written statements. You can mail them
13 to the Commission, or I believe you can
14 file those over the Internet.

15 So at this time, I'll begin calling
16 witnesses forward.

17 Danny Cooper.

18 - - - - -

19 DANNY COOPER,

20 After having been first duly sworn, as
21 hereinafter certified, was examined and testified
22 as follows:

23 HEARING OFFICER: Will you state
24 and spell your name for the record and
25 give your address?

1 THE WITNESS: Danny Cooper,
2 D-A-N-N-Y, C, double O, P-E-R. Address
3 10867 Thornveiw in Sharonville, Ohio.

4 HEARING OFFICER: Thank you. Go
5 ahead.

6 THE WITNESS: Okay. I looked over
7 the -- some of the proposals. And what
8 I'm trying to find out is my -- just to
9 get a little background. I'm a retired
10 Air Force Engineer. I worked on
11 military and space systems, and no
12 matter what systems we have, eventually
13 they get to be -- they're obsolete. So
14 I would hope that if there is any
15 decommissioning of any facility that
16 Duke has in the future, that you would
17 have some costs that you have set aside
18 to decommission those facilities. Is
19 that correct?

20 HEARING OFFICER: I can't answer.

21 THE WITNESS: Okay. I understand.
22 But along those lines, to me it looks
23 like the proposal is for this facility
24 to -- for the -- for the customers to
25 bear the cost of this facility of any

1 decommissioning, any kind of work that
2 needs to be done. And to me it should
3 not be born on by the customer by
4 Duke -- by customers, but should be by
5 Duke itself. They shouldn't have costs
6 -- the customer like us shouldn't come
7 to any remediation, have any kind of
8 cost to be born to decommission or to
9 keep that facility within the --
10 whatever the law dictates for the
11 federal clean air act, clean water act.
12 Those costs should be born by the
13 contractor. That's Duke. It shouldn't
14 be by the customer.

15 If I do a military system, I don't
16 go back to the tax payer and say it's
17 going to cost more to decommission
18 this. I have to deduct those costs. I
19 have to budget those costs. I have to
20 pay those costs as a military engineer.
21 So to me, the same thing applies to
22 Duke. And Duke should be the ones
23 paying for any kind of maintenance to
24 keep this within federal guidelines and
25 state, for the clean air act and water

1 act, and it shouldn't be based on --
2 costs shouldn't come back to the
3 customer. That's my opinion.

4 HEARING OFFICER: Thank you.

5 MR. HAQUE: Thank you very much.

6 THE WITNESS: Thank you.

7 HEARING OFFICER: Ken Flick.

8 THE WITNESS: Good evening
9 everyone. Thank you. And thank you for
10 letting me say what I need to say in
11 front of you all. My name is Ken
12 Flick --

13 HEARING OFFICER: Sir, I have to
14 swear you in first to make sure what --

15 THE WITNESS: Yes.

16 - - - - -

17 KEN FLICK,

18 After having been first duly sworn, as
19 hereinafter certified, was examined and testified
20 as follows:

21 HEARING OFFICER: Okay. Now go
22 ahead.

23 THE WITNESS: My name is Ken Flick,
24 K-E-N, f-L-I-C-K. I live at 82 Tecumseh
25 Drive in the village of New Miami,

1 Ohio. We are a small village. And the
2 first thing that I would ask is that, if
3 you all let Duke have these price
4 increases, my village has a lot of folks
5 that are not working. And how will that
6 impact them? Also, twofold, those folks
7 that are not working, how will it affect
8 the tax payers who are subsidizing those
9 folks who are not working? Cyclical, in
10 a sense.

11 The other thing we wanted to know
12 will be, if your village or your entity,
13 say the city of Sharonville has a rate
14 lock in place, how will that go forward
15 and affect the rate lock for what a
16 village or a city entity pays to Duke,
17 or will they also have to shop like a
18 lot of customers have?

19 Thirdly, has the Commission dealt
20 with or are you aware that there are
21 entities out there that are coming door
22 to door, heavy handedly asking folks to
23 switch providers of electrical service
24 based on this opportunity that Duke has
25 made themselves for.

1 Fourthly now, Duke is asking us,
2 the tax payers, their people who are
3 actually paying for their service, to
4 help them deal with the costs of
5 updating their services, their electric
6 lines, their poles, et cetera, et
7 cetera. You would think that with all
8 the subsidies and such that have been
9 given to Duke over the years, they would
10 be able to weigh this out, make changes
11 on a grand scale. And it sounds like
12 that they want to put these changes into
13 effect, be it upgrade poles, wiring,
14 infrastructure within a matter of the
15 time frame in which PUCO will allow them
16 for this next rate generation up.

17 Folks, thank you very much for
18 letting me speak my mind. You all have
19 a great evening. Thank you. Safe ride
20 home.

21 HEARING OFFICER: Thank you.

22 MR. HAQUE0: Thank you.

23 HEARING OFFICER: I believe that's
24 all the witnesses that have come forward
25 right now. We'll go on recess for about

1 ten, 15 minutes until 7:00 to see if
2 anyone else comes forward.

3 Feel free to come and go as you
4 wish. And we'll just wait until 7:00
5 just to wrap up for the record. Thank
6 you.

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8 (Recess had.)

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10 HEARING OFFICER: All right. We'll
11 go back on the record here. I didn't
12 see anyone new walk in, and no one else
13 signed up to testify, so we will wrap
14 up. And this will conclude this
15 evening's public hearing. This will be
16 submitted on the record for the
17 Commission's consideration in this
18 case. Sounds like a lot of you guys
19 have already been taking questions and
20 getting those answered, hopefully.
21 You're welcome to file additional
22 comments if you want to in this case. I
23 will, again, thank you guys all for
24 coming. We really do appreciate you
25 guys taking the time to make your

1 statements into the record and letting
2 us know how you feel. So I hope you
3 guys all have a nice evening, and thanks
4 again.

5 MR. HAQUE: Mr. Cooper, Mr. Flick,
6 thank you.

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8 (Hearing concluded at 7:03 p.m.)

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1 The State of Ohio,)
) SS: CERTIFICATE
2 County of Cuyahoga.)

3 I, Katrina L. Dearborn, Notary Public within
4 and for the State of Ohio, duly commissioned and
5 qualified, do hereby certify that the within-
6 named witnesses were first duly sworn to testify
7 the truth, the whole truth, and nothing but the
8 truth in the cause aforesaid; that the testimony
9 then given by him/her was by me reduced to
10 stenotypy in the presence of said witnesses,
11 afterwards transcribed on a computer, and that
12 the foregoing is a true and correct transcript of
13 the testimony so given by him/her as aforesaid.

9 I do further certify that this arbitration
10 was taken at the time and place in the foregoing
11 caption specified and was completed without
12 adjournment.

11 I do further certify that I am not a
12 relative, employee of, or attorney for any of the
13 parties in the above-captioned action; I am not a
14 relative or employee of an attorney for any of
15 the parties in the above-captioned action; I am
16 not financially interested in the action; I am
17 not, nor is the court reporting firm with which I
18 am affiliated, under a contract as defined in
19 Civil Rule 28(D); nor am I otherwise interested
20 in the event of this action.

17 IN WITNESS WHEREOF I have hereunto set my
18 hand and affixed my seal of office at Cleveland,
19 Ohio on this 20th day of September, 2014.

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Katrina L. Dearborn, Notary Public
In and for the State of Ohio.
my commission expires 11-02-15.