

RAYMOND A. COLLINS

vs.

THE TOLEDO EDISON COMPANY

PROCEEDINGS OF

May 26, 2022



PRI COURT
REPORTING

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1 BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

2

IN THE MATTER OF:)

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RAYMOND A. COLLINS,)

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Complainant,)

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and) Case No.

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THE TOLEDO EDISON COMPANY,)

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Respondent.)

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PROCEEDINGS

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Before Attorney Examiner David Hicks, taken

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before Rhonda Lawrence, a Notary Public in and

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for the State of Ohio, at the Public Utilities

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Commission, 180 East Broad Street, Columbus,

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Ohio, on May 26, 2022, at 10:15 a.m.

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1 APPEARANCES:
2 John W. Breig, Jr.
3 BENESCH
4 200 Public Square, Suite 2300
5 Cleveland, Ohio 44114-2378
6 216.363.4500
7 jbreig@beneschlaw.com
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9 on behalf of the Respondent.
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1 --0--
2 PROCEEDINGS
3 --0--
4 ATTORNEY EXAMINER: The Public Utilities
5 Commission of Ohio has called for hearing at
6 this time and place Case Number 21-473-EL-CSS,
7 which is captioned in the matter of Raymond A.
8 Collins verse The Toledo Edison Company.
9 My name is David Hicks, and I'm the
10 Attorney Examiner assigned by the Commission to
11 hear this case.
12 We'll go ahead and start by taking
13 appearances.
14 I'll just go ahead and note now on the
15 record that we're starting at around 10:15 this
16 morning. The hearing was scheduled to start at
17 10:00 a.m., but Mr. Collins was not present at
18 that time. So we waited until now to begin the
19 hearing to give him a little more time to see if
20 he was going to appear. So I will go ahead and
21 note for the record now that Mr. Collins still
22 has not appeared and does not appear to be here.
23 To my knowledge, he's not reached out to anyone
24 to indicate an inability to appear or that he

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1 did not plan to.
2 So I'll just note for the record that he
3 is not here, and then go ahead and take
4 appearance on behalf of the company.
5 MR. BREIG: Good morning, Your Honor.
6 John Breig of Benesch Friedlander on behalf of
7 The Toledo Edison Company.
8 ATTORNEY EXAMINER: Thank you.
9 Again, noting that Mr. Collins is not
10 here to present his case or any evidence, I will
11 turn it over to you, Mr. Breig, if you would
12 like to make any motions or put anything on the
13 record.
14 MR. BREIG: In light of Complainant's
15 nonappearance at the hearing today, Toledo
16 Edison would move to dismiss the Complainant's
17 complaint for lack of prosecution.
18 Complainant has failed to show to a
19 hearing that was properly noticed on April 5th,
20 2022.
21 Additionally, my office has served the
22 prefiled testimony of our testifying witness,
23 Mr. John Ahr, on -- it was delivered via
24 overnight FedEx to Mr. Collins last Friday. So

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1 he's had additional notice that a hearing was
2 taking place.
3 Because Mr. Collins has failed to
4 present any proof to support his claims in this
5 complaint, it is the company's position that his
6 complaint should be dismissed.
7 ATTORNEY EXAMINER: Thank you,
8 Mr. Breig. The Commission will take that motion
9 under advisement and issue a decision in due
10 time.
11 Anything else on your end?
12 MR. BREIG: There is a pending motion
13 for a protective order, which I realize, because
14 the hearing did not take place today,
15 technically, under the rule, there is still time
16 to respond to the motion by the Complainant. So
17 the company would simply ask, since it has filed
18 the public version and confidential version of
19 the testimony, that if the Complainant does not
20 respond by the responsive date for that motion
21 that the motion be granted for lack of
22 objection.
23 ATTORNEY EXAMINER: Okay. That will be
24 so noted as well. We'll just clear all that up

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1 when we take care of everything with an opinion.
2 Outside of that, if you don't have
3 anything else?
4 MR. BREIG: Nothing further.
5 ATTORNEY EXAMINER: We are adjourned.
6 --O--
7 Thereupon, the proceedings of May 26,
8 2022, were concluded at 10:18 a.m.
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1 CERTIFICATE
2 I, Rhonda Lawrence, a stenographic
3 court reporter and notary public in and for the
4 State of Ohio, do hereby certify that the
5 foregoing proceedings were taken down by me
6 stenographically and that the foregoing
7 transcript of such proceedings is a full, true,
8 and correct transcript of my stenographic notes
9 as so taken.
10 I do further certify that I was called
11 there in the capacity of a court reporter and am
12 not otherwise interested in this proceeding.
13 In witness whereof, I have hereunto
14 set my hand at Columbus, Ohio, on this 9th` day
15 of June, 2022.
16
17
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19
20 *Rhonda Lawrence*
21 Rhonda Lawrence
22 Notary Public, State of Ohio
23 My commission expires: October 9, 2023
24

<hr/> <p>-</p> <hr/> <p>--0-- 3:1,3</p> <p>--O-- 6:6,9</p> <hr/> <p>1</p> <hr/> <p>10:00 3:17</p> <p>10:15 3:15</p> <p>10:18 6:8</p> <hr/> <p>2</p> <hr/> <p>2022 4:20 6:8</p> <p>21-473-EL-CSS 3:6</p> <p>26 6:7</p> <hr/> <p>5</p> <hr/> <p>5th 4:19</p> <hr/> <p>A</p> <hr/> <p>a.m. 3:17 6:8</p> <p>additional 5:1</p> <p>Additionally 4:21</p> <p>adjourned 6:5</p> <p>advisement 5:9</p> <p>ahead 3:12,14,20 4:3</p> <p>Ahr 4:23</p> <p>appearance 4:4</p> <p>appearances 3:13</p> <p>appeared 3:22</p> <p>April 4:19</p> <p>assigned 3:10</p> <p>Attorney 3:4,10 4:8 5:7, 23 6:5</p> <hr/> <p>B</p> <hr/> <p>begin 3:18</p> <p>behalf 4:4,6</p>	<hr/> <p>Benesch 4:6</p> <p>Breig 4:5,6,11,14 5:8,12 6:4</p> <hr/> <p>C</p> <hr/> <p>called 3:5</p> <p>captioned 3:7</p> <p>care 6:1</p> <p>case 3:6,11 4:10</p> <p>claims 5:4</p> <p>clear 5:24</p> <p>Collins 3:8,17,21 4:9,24 5:3</p> <p>Commission 3:5,10 5:8</p> <p>company 3:8 4:4,7 5:17</p> <p>company's 5:5</p> <p>Complainant 4:18 5:16, 19</p> <p>Complainant's 4:14,16</p> <p>complaint 4:17 5:5,6</p> <p>concluded 6:8</p> <p>confidential 5:18</p> <hr/> <p>D</p> <hr/> <p>date 5:20</p> <p>David 3:9</p> <p>decision 5:9</p> <p>delivered 4:23</p> <p>dismiss 4:16</p> <p>dismissed 5:6</p> <p>due 5:9</p> <hr/> <p>E</p> <hr/> <p>Edison 3:8 4:7,16</p> <p>end 5:11</p> <p>evidence 4:10</p> <p>Examiner 3:4,10 4:8 5:7, 23 6:5</p>	<hr/> <p>F</p> <hr/> <p>failed 4:18 5:3</p> <p>Fedex 4:24</p> <p>filed 5:17</p> <p>Friday 4:24</p> <p>Friedlander 4:6</p> <hr/> <p>G</p> <hr/> <p>give 3:19</p> <p>Good 4:5</p> <p>granted 5:21</p> <hr/> <p>H</p> <hr/> <p>hear 3:11</p> <p>hearing 3:5,16,19 4:15,19 5:1,14</p> <p>Hicks 3:9</p> <p>Honor 4:5</p> <hr/> <p>I</p> <hr/> <p>inability 3:24</p> <p>issue 5:9</p> <hr/> <p>J</p> <hr/> <p>John 4:6,23</p> <hr/> <p>K</p> <hr/> <p>knowledge 3:23</p> <hr/> <p>L</p> <hr/> <p>lack 4:17 5:21</p> <p>light 4:14</p> <hr/> <p>M</p> <hr/> <p>make 4:12</p> <p>matter 3:7</p>	<hr/> <p>morning 3:16 4:5</p> <p>motion 5:8,12,16,20,21</p> <p>motions 4:12</p> <p>move 4:16</p> <hr/> <p>N</p> <hr/> <p>nonappearance 4:15</p> <p>note 3:14,21 4:2</p> <p>noted 5:24</p> <p>notice 5:1</p> <p>noticed 4:19</p> <p>noting 4:9</p> <p>Number 3:6</p> <hr/> <p>O</p> <hr/> <p>objection 5:22</p> <p>office 4:21</p> <p>Ohio 3:5</p> <p>opinion 6:1</p> <p>order 5:13</p> <p>overnight 4:24</p> <hr/> <p>P</p> <hr/> <p>pending 5:12</p> <p>place 3:6 5:2,14</p> <p>plan 4:1</p> <p>position 5:5</p> <p>prefiled 4:22</p> <p>present 3:17 4:10 5:4</p> <p>proceedings 3:2 6:7</p> <p>proof 5:4</p> <p>properly 4:19</p> <p>prosecution 4:17</p> <p>protective 5:13</p> <p>public 3:4 5:18</p> <p>put 4:12</p>
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