

1 BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

2 - - -

3 In the Matter of the :  
Application of Ohio :  
4 American Water Company :  
to Increase its Rates : Case No. 071112-WS-AIR  
5 for Water and Sewer :  
Service to its Entire :  
6 Service Area. :

7 - - -

8

9 PROCEEDINGS

10 Before Dick Bulgrin, Hearing Examiner, in the  
11 offices of the Marion City Building, 233 West  
12 Center Street, Marion, Ohio, on Monday, August  
13 4, 2008, at 7:00 p.m.

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17 PUBLIC STATEMENTS - MARION, OHIO

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24           - - -

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1 APPEARANCES:

2 Office of the Ohio Consumers' Counsel  
3 By Gregory J. Poulos  
4 10 West Broad Street  
Suite 1800  
Columbus, Ohio 43215-3485

5 On behalf of Ohio Consumers'  
6 Counsel.

7 Bricker & Eckler, LLP  
8 By Sally W. Bloomfield  
100 South Third Street  
Columbus, Ohio 43215-4291

9 On behalf of Ohio American Water  
10 Company.

11 Mark Russell  
12 Law Director, City of Marion  
233 West Center Street  
Marion, Ohio 43302

13 On behalf of Intervenor City of  
14 Marion.

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1 Monday Evening Session,

2 August 4, 2008.

3 - - -

4 ATTORNEY EXAMINER BULGRIN: The

5 Public Utilities Commission of Ohio has assigned

6 for hearing at this time and place Case No.

7 071112-WS-AIR being the matter of the

8 application of Ohio American Water Company to

9 increase its rates for water and services

10 provided to its entire service area.

11 My name is Dick Bulgrin. I'm the

12 Attorney Examiner assigned by the Commission to

13 conduct this hearing. With me are some of the

14 Commission's personnel from our service

15 monitoring enforcement department. And there

16 were sign-up lists if you want to testify;

17 please see them in the back. There is a sign-up

18 list and what I'm going to be doing is basically

19 going off these sheets and calling people up.

20           Additionally, there are people from  
21   the Office of Consumers' Counsel and I guess if  
22   we could take the appearances for the company.  
23   Ms. Bloomfield?

24           MS. BLOOMFIELD: Sure. My name is

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1 Sally W. Bloomfied. I'm with the law firm of

2 Bricker & Eckler and I represent the company.

3 ATTORNEY EXAMINER BULGRIN: Thank

4 you. Would you state which company?

5 MS. BLOOMFIELD: Yes. I represent

6 Ohio American.

7 UNIDENTIFIED SPEAKER: Could you

8 repeat that?

9 MS. BLOOMFIELD: My name is Sally W.

10 Bloomfied. I'm with the law firm of Bricker &

11 Eckler in Columbus, Ohio, and I represent the

12 company, Ohio American Water Company.

13 ATTORNEY EXAMINER BULGRIN: Mr.

14 Poulos?

15 MR. POULOS: Thank you. My name is

16 Greg Poulos. I'm with Ohio Consumers' Counsel.

17 Janine Migden-Ostrander is Consumers' Counsel.

18 I'm one of the representatives. We also have

19 three representative with me. Barb Mullins is

20 in the back, Anita Bolin, and Beth  
21 Gianforcaro is over there, and we represent  
22 residential consumers in this process, so if you  
23 have any questions let them know or let me know  
24 afterward. Thank you.

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1           MR. RUSSELL: Thank you. I'm Mark  
2 Russell, law director in the City of Marion.  
3 The City of Marion is the intervenor in the  
4 application for rate increase.

5           ATTORNEY EXAMINER BULGRIN: Ohio  
6 American Water filed an application with the  
7 Public Utilities Commission to increase its  
8 rates for water and waste water service on  
9 November 13, 2007. As part of the rate case  
10 proceedings, the staff of the Public Utilities  
11 Commission inspected portions of the company's  
12 plant and equipment, interviewed company  
13 personnel and government officials, reviewed  
14 company records, performed analysis of data  
15 including financial information collected from  
16 the company, and the staff filed its report on  
17 May 28, 2008. The staff report summarizes the  
18 staff's findings regarding the company's  
19 financial situation and service performance and

20 sets forth staff's recommendations in the case.

21           There are four local public hearings

22 scheduled in this case, but there's also an

23 evidentiary hearing scheduled for August 14,

24 2008 at the Commission offices. And the purpose

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1 of that hearing is to allow Ohio American staff  
2 and the intervenors to present witnesses and  
3 evidence in support of positions in their  
4 cases. The Office of Consumers' Counsel, which  
5 opposes the rate increase, will represent the  
6 residential customers at the hearing.

7 But the purpose of tonight's public  
8 hearing is to receive comments from the public,  
9 that is, you, and this is your opportunity to  
10 let the Commission know what you think about the  
11 company's request to increase rates.

12 As I said, if you wish to testify,  
13 please sign up if your name isn't already on  
14 here. There's sign-up sheets in the back. When  
15 I call your name, if you'd come up and speak at  
16 the microphone stand over there, and I will  
17 swear you in and ask you to state your name,  
18 spell your last name for us and your address,  
19 and please speak clearly because we have a Court

20 Reporter transcribing your testimony. If you  
21 have prepared a written statement, you can  
22 provide us with a copy of that. That would be  
23 helpful. Okay. Any questions? Then I think  
24 we'll start with the first person here, Jay

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1 Shoup.

2 MR. SHOUP: I have no comment.

3 Thank you

4 ATTORNEY EXAMINER BULGRIN: Thank  
5 you. Joseph Suarez? Raise your right hand.

6 - - -

7 JOSEPH SUAREZ

8 presented himself as a public witness, and being  
9 first duly sworn, testified as follows:

10 ATTORNEY EXAMINER BULGRIN: State  
11 your name.

12 MR. SUAREZ: Joseph Suarez,  
13 S-u-a-r-e-z.

14 ATTORNEY EXAMINER BULGRIN: Your  
15 address?

16 MR. SUAREZ: 953 Fairwood Avenue,  
17 Marion, Ohio.

18 ATTORNEY EXAMINER BULGRIN: Thank  
19 you.

20 MR. SUAREZ: I oppose this rate  
21 increase. It seems, once again, the Ohio  
22 American Water Company is asking for monies  
23 undeservingly. I have lived in Marion since  
24 1992 and I have not seen really any significant

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1 change in the quality of the water or the  
2 quality of the service. All I see is the same  
3 thing, different day. The drinking quality of  
4 the water is very, very poor. When you try to  
5 wash things with the water, it leaves spots.  
6 This is just another example of a utility  
7 company trying to get more money out of us, and  
8 certainly with the way everybody's wallets are  
9 today with money being tight, not only is this  
10 going to have a bad effect on us as residents,  
11 our own personal finance, but also the local  
12 businesses too. As an increase in their cost of  
13 doing business, that's going to eventually cause  
14 them to raise their prices, therefore, leaving  
15 less money in our pockets. So I strongly oppose  
16 any increase for Ohio American Water Company.

17 ATTORNEY EXAMINER BULGRIN: Thank  
18 you. Ralph Cumston?

19 - - -

20                   RALPH CUMSTON

21   presented himself as a public witness, and being

22   first duly sworn, testified as follows:

23               MR. CUMSTON: Ralph Cumston, Marion

24   City Council, 1st Ward. I would like to state

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1 my opposition to the rate increase. We  
2 continually face double-digit rate increases.  
3 Even before the economy took a downturn, we have  
4 been opposing these rates. It far outpaces  
5 inflation and I think it far outpaces what the  
6 local investment means. We're lumped together  
7 in with a service district that is outside our  
8 community. We think this rate case should be  
9 confined to our local community where these  
10 dollars stay here.

11 I understand the business aspect of  
12 it where they have lumped us all together and  
13 other communities could benefit from our rate  
14 increase and likewise we could too. However, we  
15 feel it should be separate and very distinct and  
16 that their financial reporting should be  
17 distinct in that manner too because we don't get  
18 a true picture of what we want.

19 Here's the other thing, especially

20 with this economy, and it appears to be about a  
21 15 percent increase request again this year.  
22 You know, I vehemently oppose it, and as a  
23 member of this committee if this rate increase  
24 happens, I'm definitely going to -- if council

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1 don't vote to adverse -- I can't think of the  
2 term I'm trying to state, purchase of the water  
3 company, I think we're going to take it to the  
4 street and put it on the ballot, let the people  
5 decide, because, you know, this is -- every year  
6 we have asked for, I have been on council 14  
7 years, at least every other year we're asking  
8 for a double-digit rate increase. I don't think  
9 it's fair to the community.

10           When it comes to economic  
11 development, some utilities come into question  
12 and that's been questioned in the past, you  
13 know. We have similar situations with Ohio  
14 Edison and AEP which is just right outside the  
15 county -- or right outside the city corporation  
16 who have different rates than we have with that.  
17 I think really the Commission needs to take a  
18 look at a broad-blanket view, what's going on in  
19 some of these communities and take a look at

20 this rate increase, especially here and just  
21 looking back at the history of what we're trying  
22 to oppose here.  
23 The other thing that I really  
24 dislike about this process is that whatever

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1 money that they spend on the rate case, gets  
2 included in this. They get reimbursed. I think  
3 that's totally unfair. Why not ask for 30  
4 percent every year if you're going to get that  
5 money back, and I would request that the  
6 Commission remove that amount from this process  
7 and deduct it from whatever total you decide is  
8 fair. I would ask for a decrease.

9       If the Commission allows them to  
10 recover their financial costs for attorney fees,  
11 I request you grant the same thing for the City  
12 of Marion and I believe that the City of Tiffin  
13 would also like to join in that process as  
14 well. I think that's totally one-sided. It  
15 puts a strain on us. We feel a moral obligation  
16 to voice our concerns for our constituents and  
17 we're more than happy to do so, but every year  
18 it cost us a fair amount of money. We've tied  
19 up with the City of Tiffin in the past to try to

20 keep some of those costs down. We do some of  
21 the leg work in-house but there's only so much  
22 we can do, and we really feel that's an unfair  
23 advantage and they should not be reimbursed  
24 anything for their rate request. Thank you.

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1           ATTORNEY EXAMINER BULGRIN: Thank  
2 you. Mr. Russell?

3           MR. RUSSELL: I'd like to reserve my  
4 opportunity for a later time.

5           ATTORNEY EXAMINER BULGRIN: Dean  
6 Huffman?

7           - - -

8           DEAN HUFFMAN  
9 presented himself as a public witness, and being  
10 first duly sworn, testified as follows:

11          ATTORNEY EXAMINER BULGRIN: Would  
12 your state your name.

13          MR. HUFFMAN: My name is Dean M.  
14 Huffman. Last name is spelled H-u-f-f-m-a-n.

15          ATTORNEY EXAMINER BULGRIN: Your  
16 address?

17          MR. HUFFMAN: My address is 1203  
18 Colonial Avenue here in Marion, Ohio.

19          ATTORNEY EXAMINER BULGRIN: Thank

20 you.

21 MR. HUFFMAN: I do have some copies

22 of the information that I'm going to present

23 this evening. If someone would like to

24 distribute those, I apologize for a few of those

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1 copies. I have a new all-in-one that's just  
2 getting used to me. I'd like to extend my  
3 greetings to the members of the Ohio Public  
4 Utilities Commission, members of our city and  
5 governments, Mr. Mayor and representatives of  
6 Ohio American Water, as well as everyone else  
7 who is here this evening.

8       Thank you for providing this  
9 hearing. I would also like to thank the Marion  
10 Star for informing citizens of Marion that their  
11 input was needed on review of the request for a  
12 rate increase.

13       I resided in Marion since 1990,  
14 resided in my current residence since 1994. I  
15 believe that the increases requested by the Ohio  
16 American Water Company is totally unjustified.  
17 The Ohio Consumers' Counsel has determined by  
18 examining water rates across the State that the  
19 increase that the Ohio American Water is

20 requesting is too high. The OCC has filed  
21 objections with PUCO regarding a request to  
22 consider a change in the requested increase to a  
23 1.8 percent increase in our city and lower  
24 increases in other areas being affected. Any

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1 requested increase is a financial burden on all  
2 residents in the area serviced by Ohio American  
3 Water especially in these difficult economic  
4 times. The last increase by Ohio American Water  
5 was 11.7 percent in March of 2007 and there have  
6 been other increases within the last several  
7 years.

8         In July of this year, my last water  
9 bill, I paid \$105.44 for 1788 cubic feet of  
10 water which is approximately 13,464 gallons of  
11 water, plus I have a five-eighths inch meter  
12 plus water softening charges. In comparison,  
13 and I just have a few comparisons because I just  
14 became aware of this hearing and, unfortunately  
15 for me, wasn't able to gather any additional  
16 information, Delco water that services the City  
17 of Delaware, Powell, Ohio and other  
18 municipalities, if I were in an area serviced by  
19 them my bill would have only been \$89.70. If I

20 had been a resident of my home town, which is  
21 Piqua, Ohio which has a municipal water company,  
22 I would have paid \$89.92 for a comparable period  
23 of time and for comparable usage. At the  
24 present rate being charged by Ohio American

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1 Water they were 17.5 percent higher than Delco.  
2 They're 17.3 percent higher than the municipal  
3 water system in Piqua or Delco. Neither Piqua  
4 or Delco charge their customers for water  
5 softening. If Ohio American Water is granted  
6 this increase for water rates and service  
7 charges on meters and water softening, they  
8 would then be 31.7 percent higher than both  
9 Piqua, Ohio and Delco.

10 My wife and I and our family have  
11 lived in seven different cities in three  
12 different states in the past 30 years. When we  
13 moved to Marion, Ohio in 1990 we were absolutely  
14 flabbergasted with the rates that Ohio American  
15 Water Company charges. We requested a water  
16 leak test and a new meter. Neither of those  
17 services provided decreases in our water bill.  
18 We were shocked with the rates here. I cannot  
19 imagine that Ohio American Water Company has a

20 greater operational expense than many other  
21 water providers. I feel that this increase is  
22 unwarranted and, if anything else, Ohio American  
23 Water Company should be taken to task for  
24 overcharging the citizens of Marion millions of

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1 dollars over the years.

2       The quality of water here is  
3 frequently very poor. We have never encountered  
4 this poor of a quality of water in the many  
5 different cities that we have lived in. Several  
6 times, the odor of the water has prompted us to  
7 boil our drinking and cooking water just out of  
8 concern for the water's content. We have had  
9 numerous outages without adequate repairs being  
10 made over the years. And yet, if we were to  
11 request proper repairs and new mains and service  
12 lines, we could possibly face up to 30 percent  
13 increase like other communities.

14       There are frequent boil alerts  
15 announced in the Ohio American Water Company's  
16 service areas due to undated mains and lines not  
17 being capable of providing consistent, quality  
18 service. When repairs are effected by Ohio  
19 American Water, our streets are left in a

20 totally unacceptable condition. The initial  
21 resurfacing of the area above the mains or lines  
22 is uneven, lower and causes undue wear and tear  
23 on our vehicles. Over time, the pavement sinks  
24 and potholes develop that can cause damage to

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1 our cars and trucks alike.

2       The cost of repairing or replacing  
3 water mains and water lines is a cost of doing  
4 business that should be primarily absorbed by  
5 Ohio American Water and not solely passed on to  
6 us as consumers.

7       In my opinion, Ohio American Water  
8 is a corporate concern which has no  
9 consideration for the customers subjected to  
10 being forced to subscribe to their services for  
11 the simple reason that there are obviously no  
12 competitors, and customers are basically held  
13 captive by a monopoly. Ohio American Water  
14 Company has no concern for the City of Marion  
15 due to its lackluster performance in effecting  
16 repairs properly. I would consider Ohio  
17 American Water Company to be a bad neighbor.

18       Ohio American Water Company is  
19 receiving a rate of return in profits unequaled

20 by many companies in the United States of  
21 America at this time and in the past, whether  
22 they are in the same business or trading in  
23 other concerns. A thorough examination of their  
24 financial statement and operating practices

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1 would probably reveal that Ohio American Water  
2 is indeed overly profitable at the expense of  
3 consumers.

4 I implore the Public Utilities  
5 Commission of Ohio to decline any rate increase  
6 whatsoever to the Ohio American Water Company.  
7 If at all possible, I would prefer that the PUCO  
8 investigate this company for overcharges to  
9 consumers in all past years. Thank you.

10 ATTORNEY EXAMINER BULGRIN: Thank  
11 you. Rosemary Waddell?

12 - - -

13 ROSEMARY WADDELL  
14 presented herself as a public witness, and being  
15 first duly sworn, testified as follows:

16 MS. WADDELL: My name is Rosemary  
17 Waddell, and that's spelled W-a-d-d-e-l-l, and I  
18 live at 314 Chestnut Street, Marion, Ohio, and I  
19 oppose the water increase. The people in Marion

20 cannot afford anymore utility increases every  
21 year now, and the elderly, they can't even buy  
22 their food, their medicine or see their doctor  
23 if they're going to pay these high utilities  
24 because they're on a fixed income, and I'm on

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1 Social Security and SSI and I'm lucky to even  
2 make it from month to month. And that goes for  
3 all utilities. It's not only the water, because  
4 the water leaks ain't fixed.

5 We had one on our street that run  
6 for two weeks and the water company was  
7 notified, which was a responsibility of the  
8 owner of the house, but I guess they didn't make  
9 them or anything. They finally got it fixed,  
10 you know, and just it's not right what they're  
11 doing. It's unfair and we got to live just like  
12 you got to live, and the water company can't  
13 live off us, and that's all I got to say and  
14 we're the people of Marion County and we all got  
15 to stand together or we ain't going to have no  
16 more Marion, Ohio. Thank you.

17 ATTORNEY EXAMINER BULGRIN: Thank  
18 you. Jackie Cumbie?

19 - - -

20 JACKIE CUMBIE

21 presented herself as a public witness, and being

22 first duly sworn, testified as follows:

23 MS. CUMBIE: My name is Jackie

24 Cumbie, C-u-m-b-i-e. I oppose the water being

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1 billed up because I'm on Social Security --  
2 well, I ain't on it yet, but I'm going on Social  
3 Security and I'm going to have a rough time as  
4 it is because I ain't going to have the full  
5 amount and it's hard on the elderly, middle  
6 class, and on everybody because it's not fair  
7 because everything is going so high; and that's  
8 all I got to say right now. Thank you.

9 ATTORNEY EXAMINER BULGRIN: Thank  
10 you. Elizabeth Hoffman?

11 - - -

12 ELIZABETH HOFFMAN  
13 presented herself as a public witness, and being  
14 first duly sworn, testified as follows:

15 ATTORNEY EXAMINER BULGRIN: Would  
16 you state your name and address for the record.

17 MS. HOFFMAN: Elizabeth Hoffman,  
18 H-o-f-f-m-a-n, and I live on Bermuda Drive and  
19 have since in '87, and I oppose the water

20 company increase, and I think a lot about the  
21 water. I got disabled in '72. Nationwide  
22 Insurance never paid a cent. I had to go on SSI  
23 in the early part of '74 and if I drink city  
24 water I get deathly sick with a little drink for

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1 over 24 hours, and I cannot drink it and my  
2 utility anymore is bigger than my direct deposit  
3 which Social Security said could never happen  
4 because we get cost of living, okay.

5 I can't afford the cost of living in  
6 January and they took \$6 of my food stamps away  
7 because I got it and I'm not even getting most  
8 of my food stamps. They said they're paying, my  
9 Medicaid is. Well, the state is paying my  
10 Medicare premium and so they're taking that  
11 money out to pay what food stamps I should have  
12 got and I'm lucky to get \$28 a month and my  
13 utilities anymore is bigger than my check, and I  
14 do not have the money for it, and I have had the  
15 water company try to turn my water off when I  
16 didn't even owe a bill, and not too long ago I  
17 got a bill for \$1145 which I didn't owe, and  
18 four or five days later I got one for \$1200  
19 some, said if I didn't pay it or make

20 arrangements to pay it they were going to shut

21 my water off, and they said they had put it

22 under the protest file. I didn't even know it.

23 So they put it under protest.

24 A week later I got a letter that

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1 said the full bill had been cancelled and I  
2 said, I'll wait to see what happens when I get  
3 the next bill, okay. They cancelled the whole  
4 water bill but they wouldn't cancel \$245 of some  
5 late charges I had, and I had to pay that and  
6 they're all the time wanting to turn your  
7 utility off when you don't even owe a bill, or  
8 they won't even give you a chance to get the  
9 second bill to try and get things straightened  
10 up, and something needs to be done.

11 In a few years ago I got messed up  
12 again and they're trying, not too long ago,  
13 there trying to go clear back in '01 and make me  
14 pay all that again, and I had all my bills, when  
15 I moved there in '87 I started saving all the  
16 bills. I put a bunch of them with some other  
17 mail I want to keep in plastic bags and am  
18 keeping it, and I had all those bills, and it's  
19 not bad enough I can't drink the water without

20 getting deathly sick and they're trying to turn  
21 my water off when I don't even owe a bill and I  
22 told Scott not too long ago, I said, my utility  
23 bills, they're so high I never have -- I don't  
24 have money to pay sanitation any more.

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1           Well, when the water come, they  
2   doubled billed me. They said they double billed  
3   me or more because I wasn't home reading the  
4   meter, and I had a witness to read the meter and  
5   the city double billed me sewer and more and now  
6   they're trying to put the thing in collection  
7   because I don't have money to pay it and they  
8   owe me, I don't owe them. Better than 20 years  
9   I have been doubled billed and they go by what  
10   the water company charges me not by what the  
11   water I use, and I had been on vacation out of  
12   state for four to six weeks, which has been a  
13   long time ago, and my friend said to me, did  
14   your water bill go down any while you're on  
15   vacation? And I said no.

16           And I used to have to pay because I  
17   was messed up in a car wreck, I had at least ten  
18   blood clots in my brain almost two years later,  
19   and I just kept paying the bills and one Sunday

20 I had my brother take me to the drugstore to get  
21 my medicine. I told him I'd give him some money  
22 on Sunday after I got my direct deposit, and so  
23 all I did is paid \$15 for disabled bus pass and  
24 paid my utility bills and when he got, took me

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1 to the drugstore, I knew he wouldn't take me if  
2 I said I got to borrow money from you. So I  
3 waited and when he got to the drug store and he  
4 had the motor shut off on the truck, I said can  
5 I borrow \$10 off you so I got enough money to go  
6 pay my medicine? And he said no. And then I  
7 said, well, I'm going in and tell them I'll get  
8 my medicine later. Then that was when Henry  
9 Cooper was still up town and then he follows me  
10 in --

11 ATTORNEY EXAMINER BULGRIN: Let me  
12 just ask you, what's your address, ma'am?

13 MS. HOFFMAN: Bermuda Drive. I'd  
14 rather not give the address for my safety. I  
15 got people trying to find out where I'm living  
16 at.

17 ATTORNEY EXAMINER BULGRIN: Okay.

18 MS. HOFFMAN: Since I said that they  
19 should try, they're trying to take my house when

20 I die to pay back the State and Federal  
21 government, the money it cost them for me, and I  
22 said Nationwide Insurance didn't pay anything.  
23 They should get it from them if they want to get  
24 it. And now Nationwide is trying to find out

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1 where I'm at again.

2 ATTORNEY EXAMINER BULGRIN: Okay.

3 Well, thank you very much

4 MS. HOFFMAN: But anyway, my brother

5 lent me the money for that then and here it was

6 the last penny I had.

7 MS. BLANKENSHIP: You're done,

8 Elizabeth, you're done.

9 MS. HOFFMAN: Thank you.

10 ATTORNEY EXAMINER BULGRIN: Jeri

11 Ward?

12 - - -

13 JERI WARD

14 presented herself as a public witness, and being

15 first duly sworn, testified as follows:

16 ATTORNEY EXAMINER BULGRIN: State

17 your name and address.

18 MS. WARD: I'm Jeri Ward. J-e-r-i,

19 last name Ward, W-a-r-d. I live at 283 Johnson

20 Street here in Marion. I don't have much of an  
21 agenda except to say I can't imagine anybody in  
22 this room wants the rate increase, we don't.  
23 And we had an issue not on our street but on a  
24 street that I go by on my way to work, and I

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1 noticed, I think I noticed it on a Wednesday,  
2 and this was May or June, early June probably,  
3 and water was coming out of the street. So when  
4 I got back to work I called the water company.  
5 I reported it. Found out that someone else had  
6 already reported it that day, but also the  
7 Monday before Wednesday. And I really wanted to  
8 talk to someone that could really do something,  
9 but I never really got satisfied in that effort.  
10 But all in all, they finally fixed it, I guess  
11 on a Saturday, and I'm thinking there was a lot  
12 of water that came out of that street for all  
13 that period of time. And I know other people  
14 made calls because the lady that I did talk to  
15 told me that other people had called about it,  
16 but she couldn't tell me anything. She said she  
17 couldn't.  
18       Anyways, I figured if it was a  
19 Saturday they fixed it, it was probably time and

20 a half and I think why is the water company  
21 doing this when I told the girl, I says, you  
22 know, I'm a consumer. We're going to end up  
23 paying for all this water that was lost, if  
24 that's the way it works. So anyway, I think it

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1 is ridiculous. I have never really taken a  
2 stand on anything and been serious about it but  
3 today I am. Thank you.

4 ATTORNEY EXAMINER BULGRIN: Thank  
5 you. Steve Ward?

6 - - -

7 STEVE WARD

8 presented himself as a public witness, and being  
9 first duly sworn, testified as follows:

10 ATTORNEY EXAMINER BULGRIN: State  
11 your name and address.

12 MR. WARD: My name is Steve Ward. I  
13 live at 283 Johnson Street. I'm Jeri's  
14 husband. Mine goes -- I am totally against the  
15 rate increase because in January or February of  
16 2007 we had a water leak in front of our house.  
17 We live on a street that has a turn-around at  
18 the end of it. Well, a leak ended up being  
19 under the turn-around. The neighbors in the

20 neighborhood had went together and built this  
21 turn-around up. We had planted flowers, planted  
22 trees. We had a nice flower bed there. It all  
23 looked nice; okay. It goes on till in May.  
24 Nothing had been done. They still just had

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1 gravel and the turn-around had not been fixed.

2 There had been no curb built back up, nothing;

3 okay.

4 I took it upon myself to rebuild the

5 curb, to rebuild the flower bed and make it look

6 right. No one came out from the water company.

7 They had been -- I had called them several times

8 myself wanting to know when they were going to

9 do something with this. I could get no

10 answers. It will be taken care of; okay.

11 This went on till after Labor Day

12 and I come home from work, I had been working on

13 it myself slowly putting the curb back in,

14 rebuilding the flower bed, taking care of it. I

15 come home from work one afternoon and here's the

16 city or a contractor or somebody blacktopping

17 the flower bed and everything. So I had them,

18 to make them go right back, take the blacktop

19 out. Of course, I was a little hot. But the

20 guys were telling me, hey, we were told to do  
21 this. We weren't told to fix this flower bed  
22 up. The only thing we're supposed to do is  
23 patch the hole and we're going to patch over the  
24 flowers and concrete and everything here.

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1           So there again, I say I am against  
2 any rate hikes for the way that we were treated  
3 because no one ever did come out that I knew of  
4 from the water company to take care of this.  
5 Thank you.

6           ATTORNEY EXAMINER BULGRIN: Thank  
7 you.

8           - - -

9           CROSS-EXAMINATION

10 By Mr. Poulos:

11       Q. If I may ask you a question. Did  
12 you try to reach the PUCO or the Consumers'  
13 Counsel with your issues?

14       A. No.

15       Q. If you grab one of these handouts,  
16 our information is on here. If you have  
17 problems, try and reach them at the company  
18 first, but if you can't reach them, let us know.

19       A. Well, I mean, if you call the

20 company, you would think that you would get some  
21 kind of response from the company. You  
22 shouldn't have to call the PUCO, the government  
23 to come in and take the place of the water  
24 company on getting this work done. This is the

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1 water company's place not the State of Ohio, the  
2 government or anybody else. It is the water  
3 company's place to take care of this and repair  
4 it, do the repairs, to repair the streets and  
5 everything. And I will tell you, it's been  
6 very, very bad in Marion with the repairs by the  
7 water company. Thank you.

8 MR. POULOS: Thank you.

9 ATTORNEY EXAMINER BULGRIN: Delores  
10 Millison?

11 MS. MILLISON: No comment.

12 ATTORNEY EXAMINER BULGRIN: Brad  
13 Hall?

14 - - -

15 BRAD HALL

16 presented himself as a public witness, and being  
17 first duly sworn, testified as follows:

18 MR. HALL: My name Bradley Hall,  
19 H-a-l-l. I live at 659 Wood Street, Marion,

20 Ohio. I just moved in there, I'd say, nine  
21 months and I oppose the water company. Some  
22 people are low income and we have -- I try to  
23 pay house payment and I can't pay this and house  
24 payment both; and I oppose of this. Thanks.

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1           ATTORNEY EXAMINER BULGRIN: Thank  
2 you. Rosalie Marvin?

3           - - -

4           ROSALIE MARVIN  
5 presented herself as a public witness, and being  
6 first duly sworn, testified as follows:

7           MS. MARVIN: Rosalie Marvin,  
8 M-a-r-v-i-n, 490 Toledo Avenue, Marion

9           ATTORNEY EXAMINER BULGRIN: Thank  
10 you.

11          MS. MARVIN: I just want to say no  
12 to the water company. I want to see industry  
13 come in and to give us jobs so we can pay the  
14 bills, not leave because of high cost. And I  
15 think I speak for quite a few people that live  
16 on my street. I just say no. Thank you.

17          ATTORNEY EXAMINER BULGRIN: Thank  
18 you. Sandra Mitchell?

19          MS. MITCHELL: Those are tough acts

20 to follow because they make me cry

21 ATTORNEY EXAMINER BULGRIN: Let me

22 swear you in first.

23 - - -

24

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1           SANDRA MITCHELL

2   presented herself as a public witness, and being  
3   first duly sworn, testified as follows:

4           ATTORNEY EXAMINER BULGRIN: Would  
5   you state your name and address for the record.

6           MS. MITCHELL: Sandra Mitchell, 844  
7   Uhlar Road, Marion, Ohio and I just want to say,  
8   no disrespect to you, I don't know who you are,  
9   but we have a great community, but we are  
10   overwhelmed with all these increases. It's only  
11   going to get worse. I'm opposed to this. I'm a  
12   homeowner but I have apartments too and the cost  
13   comes back to me when I have one renter after  
14   the other. They don't work at big corporations  
15   that make a lot of money, and so when they move  
16   out, as they usually do, I get stuck with all  
17   the costs, and you know, I don't -- you know,  
18   I'm not wealthy. I'm blessed but I'm not  
19   wealthy, and I just think I don't know how in

20 good conscience, I'm sorry, that the water  
21 company could even ask for the raises we have  
22 gotten.  
23 I mean, I used to be a liaison for  
24 the older people, just like these people here.

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1 I mean, you never saw people like dig into their  
2 purses. I was doing their medicine, trying to  
3 coordinate that, and they want to just stay in  
4 their homes and just stay there and live and  
5 die, and my heart goes out to them and now that  
6 I'm medically retired early due to some -- I'm  
7 one of these, becoming one of these people, and  
8 I don't think that, like I said, in good  
9 conscience, that it should even ask for it and  
10 we better stand together because I call  
11 everybody. I take stands, I write letters, I  
12 make the calls. People need to make a stand.

13 I'm real glad for this turnout  
14 because I called a lot of people. They will  
15 complain. They usually don't show up so I have  
16 to applaud all of you too. But just as for me,  
17 like I said, I'm totally against it and I just  
18 don't think in good conscience you should even  
19 ask this community. We don't have a lot of big

20 industry, you know, to, you know, give you this  
21 money. I mean, everything else is going to go  
22 up and up and who knows, you know. It just goes  
23 up, so I don't know, I just would ask that  
24 everybody say no.

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1           And PUCO, thank you for taking my  
2   calls and I have called the consumer advocates  
3   and they have taken the calls, but usually they  
4   go up anyway, so I don't know why I make the  
5   call but everybody make the calls and say no.

6           ATTORNEY EXAMINER BULGRIN: Thank  
7   you. Mr. Kelley?

8                       - - -

9           SULU KELLEY  
10   presented himself as a public witness, and being  
11   first duly sworn, testified as follows:

12          MR. KELLEY: Sulu Kelley, first  
13   name is S-u-l-u, last name is Kelley,  
14   K-e-l-l-e-y, 365 East Farming Street here in  
15   Marion.

16          ATTORNEY EXAMINER BULGRIN: Thank  
17   you.

18          MR. KELLEY: There was an informal  
19   meeting, I don't know the date, I believe it was

20 last fall, you could check the public records to  
21 find the actual date, with the water company  
22 present and the water rate hike, I believe, was  
23 announced at that time or was about to be  
24 announced and they were here to gauge some of

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1 the community reaction. I spoke at that meeting  
2 and I had three complaints about service that I  
3 had previously had from the water company.

4 My curb stop did what they call blew  
5 out where it started leaking profusely and they  
6 come out and repaired it but they left the curb  
7 stop for the shutoff too high. They left the  
8 curb meter box for the meter too low, below  
9 grade, and the sealing on the street where they  
10 dug the street and repatched it, the seal was  
11 deteriorated or non-existence. I believe it  
12 was non-existent. Anyway, I complained about  
13 those things and the manager for the local water  
14 company was present and surprisingly within a  
15 couple days they were fixed.

16 So my real question is why wasn't it  
17 done the first time? Why do I have to pay  
18 through my water bill for the water company to  
19 do a job twice? I'm self-employed. When I go

20 do a job for a customer, I can't go back a  
21 second time and bill them a second time to do  
22 the job that I should have done right the first  
23 time. It's a big complaint of mine. I'm  
24 self-employed. I try to give good service. You

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1 don't get good service from the water company.

2           Now, also another observation, a few  
3 months ago there was a few blips in the news  
4 about water company towers being inspected  
5 internally and all the things that they found  
6 inside of them. So my question is, as they're  
7 proposing this rate hike increase, has this been  
8 done? No. 2, has it been done by a third party?  
9 And No. 3 are there internal pictures of the  
10 water tower available for us to see what it  
11 looks like inside there? That might explain why  
12 we have such poor water. I don't want pictures  
13 taken by the water company. I want a third  
14 party to do this, and I want it done before and  
15 after cleaning.

16           Another thing, another observation,  
17 my last observation, they want to talk about the  
18 outdated mains failing. Well, if you have  
19 outdated mains, you made an investment decision

20 not to replace them when they were of age that  
21 they should have been replaced to try to save  
22 money and keep it in your pocket. So right now  
23 that's not a valid reason to ask for a rate  
24 increase because that's a regular cost of doing

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1 business. It should have been done before they  
2 were outdated. Thank you.

3 ATTORNEY EXAMINER BULGRIN: Thank  
4 you. Hazel Blankenship?

5 - - -

6 HAZEL BLANKENSHIP  
7 presented herself as a public witness, and being  
8 first duly sworn, testified as follows:

9 MS. BLANKENSHIP: My name is Hazel  
10 Blankenship, last name is spelled  
11 B-l-a-n-k-e-n-s-h-i-p. I'm the local director  
12 of the community action agency for Ohio  
13 Heartland. Our offices are located at 1183  
14 Bellefontaine Avenue. We are the primary agency  
15 in Marion that serves the low income elderly and  
16 handicapped of this community. We service  
17 approximately 300 senior citizens every day with  
18 hot lunches. The majority of these senior  
19 citizens are living on a very low income. The

20 majority of those people that we are serving  
21 that are passport are around \$650 a month. Many  
22 of these people are the last ones of their  
23 family. They have no one that really takes care  
24 of them. My drivers are probably the main

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1 contact that they have.

2 We also operate the HEAP program  
3 here in Marion County which helps with utility  
4 bills, primary heat and secondary in the  
5 wintertime. We also have what is called a  
6 summer crisis for electric and that program was  
7 drastically cut and they're telling us that they  
8 were going to cut the HEAP program for the  
9 utilities for winter.

10 So my plea is for all of these  
11 people that I see every day. Do not grant this  
12 company an increase. We all have to tighten up  
13 our belts. We all have to live. Many of us are  
14 fortunate that we are employed and we are making  
15 a wage, but I see too many people that aren't  
16 and they are on fixed incomes.

17 We also service many people through  
18 a medication program that we operate that are,  
19 what I call, the working poor. Many of these

20 people are working two or three part-time jobs.  
21 They have kids. They are not receiving any  
22 assistance from jobs and family because they are  
23 trying to support themselves. I just see so  
24 much need in this community.

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1           We do have a small program that we  
2   operate for Ohio American Water and we get, this  
3   is a contribution program that they established  
4   where if a customer gives a dollar, the company  
5   matches it. Unfortunately, we do not see very  
6   much money in that program. I still get plenty  
7   of calls asking for help in paying water bills,  
8   and unfortunately, the funds are not there and  
9   there never has been a governmental program to  
10   support paying water.

11           One thing that I would like to throw  
12   in personally about customer service, not only  
13   for the water but the electric and the gas and  
14   every other one that I deal with, I don't think  
15   they should call them customer service because  
16   they're not. They're bill collectors. And you  
17   know, it's just -- and I have contacts and  
18   they're still bill collectors and I just think  
19   that when they took the offices out of the local

20 community and you dialed 1-800 you do not get a  
21 person that's interested. You do not get a  
22 person that cares about you. And in this  
23 community we care about each other and we need  
24 to support this and support our elderly and our

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1   handicap. We very much oppose it for all of  
2   these people that I serve daily. Thank you.

3           ATTORNEY EXAMINER BULGRIN: Thank  
4   you. Doris Shoewalter?

5           MS. SHOEWALTER: I decline.

6           ATTORNEY EXAMINER BULGRIN: Joan  
7   McCaulley?

8           - - -

9           JOAN MCCAULLEY

10   presented herself as a public witness, and being  
11   first duly sworn, testified as follows:

12          ATTORNEY EXAMINER BULGRIN: State  
13   your name and address.

14          MS. MCCAULLEY: Joan McCaulley, 478  
15   Delaware Avenue, Marion.

16          ATTORNEY EXAMINER BULGRIN: Thank  
17   you.

18          MS. MCCAULLEY: I have never been to  
19   one of these meetings, never. I'm a little

20 nervous. But at Christmastime, I received a  
21 gift to go back to Montana for a visit, and I  
22 didn't pay for anything. It was all given to me  
23 by the children, and that's where we had lived  
24 for so long. And then we came back -- I'm

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1 originally from Marion and so was my husband,  
2 who is now deceased. So I thought, oh, boy. I  
3 will be gone almost a month and my utilities  
4 will be down. And they didn't budge a penny.  
5 And that's the reason why I'm here for the first  
6 time. I couldn't figure. I live alone. I live  
7 in a duplex, and I just can't figure this out  
8 but I feel so sorry for these people who are  
9 less fortunate than I am. And I don't know what  
10 it's going to come to. I think people are just  
11 going to get so rebellious that they're not  
12 going to pay, and if they say come get me, well,  
13 come get me.  
14       It's just getting -- it's just going  
15 up higher and higher and higher and I often  
16 wondered if I could bring my water meter  
17 outside, because I'm gone a lot and then they  
18 can't get in and then I get this notice, you  
19 know, if you don't let us in, which I can

20 understand, but if I had a schedule of when they

21 would be there I would leave the basement door

22 unlocked. So that's all.

23 As I said, first time. I'm not too

24 good at this but at least you know how I feel.

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1           ATTORNEY EXAMINER BULGRIN: Thank  
2 you. Carolyn Milligan?

3           - - -

4           CAROLYN MILLIGAN

5 presented herself as a public witness, being  
6 first duly sworn, testified as follows:

7           ATTORNEY EXAMINER BULGRIN: State  
8 your name and address.

9           MS. MILLIGAN: My name is Carolyn  
10 Milligan, 840 Wodrow Avenue, Marion.

11          ATTORNEY EXAMINER BULGRIN: Thank  
12 you.

13          MS. MILLIGAN: I have lived in  
14 Marion all my life. My husband and I have lived  
15 at 840 ever since June of '75. We'd love to be  
16 able to move to something in a one floorplan  
17 because of health problems. There's no way.  
18 Everybody wants their money. We are both  
19 opposed to this water plan. Like Elizabeth

- 20 said, the water is not fit for drinking. I
- 21 take my pills with something else because water
- 22 really upsets my stomach at times.
- 23 I deal with five chronic illnesses.
- 24 My husband's had heart problems plus a few

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1 others. I'm supposed to see my doctor every two  
2 months but I don't. Can't afford it. The only  
3 insurance I have is Medicare that pays 80  
4 percent. I'm left with 20 percent. Right now I  
5 owe quite a bit with three doctors because of  
6 extensive treatments I have had to have on my  
7 eyes because I'm a diabetic and they're trying  
8 to save my eyesight. I don't know where I'll  
9 get the extra money to pay for water. It's just  
10 not fair, and I know I'm not the only senior  
11 citizen here, and we need a break. We would  
12 like to take a vacation once in a while. We'd  
13 like to be able to enjoy life more than we do,  
14 but we can't.

15 Medicare gives us -- Social Security  
16 gives us a raise every year but Medicare takes  
17 it to pay for the insurance. I need the health  
18 insurance. So I'm asking you please don't raise  
19 our rates. We can't pay anymore. Thank you.

20 ATTORNEY EXAMINER BULGRIN: Thank

21 you. Clifford Fleming?

22 - - -

23

24

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1           CLIFFORD FLEMING

2   presented himself as a public witness, and being  
3   first duly sworn, testified as follows:

4           ATTORNEY EXAMINER BULGRIN: State  
5   your name and address.

6           MR. FLEMING: Clifford Fleming, 367  
7   Avondale Avenue, Marion. I oppose it. You  
8   know, I'm here and see all my citizens and the  
9   city here complaining. You know, our heat bills  
10   ain't even came this year yet. When it starts  
11   getting cold, that bill is going up too.  
12   There's going to be increases everywhere. I  
13   look at it as you kind of play God because we  
14   need the water. We're supposed to drink eight  
15   glasses a day. If every one of us drank eight  
16   glasses a day, you guys would already be in  
17   retirement. We're opposed to it.

18           I want to thank Mark for the little  
19   ad he put in the payer to invite the citizens

20 out. I want to thank all you guys for coming  
21 out. It's when we stand and give our word like  
22 this, that I can see the increase going up 3 or  
23 4 percent but 13 is like the gas company. It's  
24 not Exxon. I seen where they were making

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1 \$14,000 a second or something there last week.

2 It's ridiculous. The common citizen has to deal

3 with this and then come out and fight for the

4 right just to drink water. I mean, it's crazy.

5 That's all I got to say. I want to thank

6 everybody for coming out.

7 ATTORNEY EXAMINER BULGRIN: Thank

8 you. I have skipped over somebody and I can't

9 really read the name. Is it Shelton?

10 MS. SHELTON: Yes.

11 - - -

12 DEBBIE WEBB SHELTON

13 presented herself as a public witness, and being

14 first duly sworn, testified as follows:

15 MS. SHELTON: My name is Debbie

16 Webb Shelton. I live at 400 Mount Vernon

17 Avenue. I was on vacation and when I arrived

18 home this morning the paper was at my door in

19 regards to the meeting tonight, so I apologize

20 for not being more ready, but I did jot some  
21 things down on my drive here after pulling off.  
22 I have been a Marion resident for 35  
23 years. I'm a divorced single mother. I am in  
24 graduate school. I have college expenses, have

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1 a 14 year old girl who's in braces. How can I  
2 absorb a 12 percent increase? I don't wish to  
3 marry again for a dollar just to be able to pay  
4 my water bill. I like being single. I'm not  
5 uneducated. I have a degree in economics. I  
6 know that necessities are going up. I know the  
7 economy is in sad shape. Your water tastes and  
8 smells bad. It smells fishy and it's spoiled.  
9 More chemicals are scary. That decreases human  
10 development and decreases life spans. I'm  
11 surprised you didn't see this coming.

12       What I don't understand is how do  
13 you justify your increase and how can it meet a  
14 standard rate increase provision? Perhaps  
15 better accountability on your part? I have a  
16 Bachelor's in psychology too. I don't feel your  
17 action is appropriate, nor should I think anyone  
18 in Marion considers this acceptable. Maybe you  
19 need to have an in-house audit to see where our

20 money has been going and where yours is going.

21 Your action will cause economic strife to many.

22 I'm a consumer. I love Marion. I

23 love this community. I'm sure I run into you

24 all every day. But what bothers me is how can I

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1 continue to work hard and play by the rules when

2 it seems that you are not? I'm done.

3 ATTORNEY EXAMINER BULGRIN: Thank

4 you. Anja Merchant?

5 MS. MERCHANT: Anja, by the way

6 ATTORNEY EXAMINER BULGRIN: I'm

7 sorry.

8 MS. MERCHANT: We're good.

9 - - -

10 ANJA MERCHANT

11 presented herself as a public witness, and being

12 first duly sworn, testified as follows:

13 MS. MERCHANT: When I first came

14 here, I really didn't think this meeting was all

15 that important. I live in the county, but as

16 I'm listening to you guys and your stories it's

17 utterly ridiculous, I think. All of my family

18 lives in Marion, and I stay with my grandmother

19 pretty much all week, through the week day,

20 through school, over the weekends. I'm there  
21 every Saturday night so I can go to church and I  
22 wash my white clothes there because we have a  
23 well and our water is awful. But I go to her  
24 house. She has a brand-new washer. So the only

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1 reason why I have water stains on my clothes is  
2 because of your guy's water. That's the only  
3 reason that I can think of that my white clothes  
4 have spots on them. It's ridiculous. You guys  
5 have bottles of water in here. Why isn't it  
6 cups? I'm just --

7 UNIDENTIFIED SPEAKER: City water.

8 MS. MERCHANT: You know, why isn't  
9 it -- I mean, we're supposed to be green. Why  
10 isn't it glasses of water you guys are  
11 recycling? I'm sure that's a sealed bottle of  
12 water you had to buy at Kroger because our water  
13 is disgusting, and we're paying for our water.  
14 Why can't it just be that cheap to drink eight  
15 glasses in the day instead of drinking eight  
16 bottles?

17 And I'm 17. I don't realize the  
18 prices of things. And I'm planning on going to  
19 the military in '09 after I graduate. In either

20 two, four, six years, it's not going to matter,  
21 but when I come back, prices are going to be  
22 higher. I'm cheap. That's plain. I don't want  
23 to buy bottled water. The water should taste  
24 the same when it comes out of that bottle as

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1 when it comes out of my tap, and it doesn't,  
2 believe me. Maybe not my tap, it's my  
3 grandmother's tap. My dad's house, I got that  
4 Pur water filter. It nearly tastes the same.  
5 It has taste. Water is not supposed to have  
6 taste. It tastes like copper, it tastes like  
7 metal, it's nasty, it's ridiculous. And when I  
8 come back from the military, I want to be able  
9 to live my life not have my check to keep me  
10 from being able to do recreational things. When  
11 I have a family, I want to be able to do those  
12 things and not have to get my check to pay on  
13 the water bill. There's sanitation, there's  
14 gas, there's electric and water. It rains.  
15 We're paying for water and it rains every day  
16 and you should not, no one should ever have to  
17 pay the prices that I'm hearing right now for  
18 the water that you guys are giving us, which  
19 it's not quality water, and it used to be.

20           People used to tell me all the time  
21   that water used to takes better, and I'm  
22   probably one of the youngest people, if not --  
23   no, never mind, not the youngest maybe. And the  
24   older that I get, the worse the water is going

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1 to get, and it sounds like it's going to be the  
2 worse the water gets, the more I'm going to have  
3 to pay and that doesn't sound too good with me.  
4 I'm sure I'm going to live in the  
5 county all my life and I'm sure I'm going to be  
6 living in Marion where I grew up all my life,  
7 and I don't want my family to drink copper  
8 water. That's it.

9 ATTORNEY EXAMINER BULGRIN: Thank  
10 you. Mike McKenney?

11 - - -

12 MIKE MCKENNEY  
13 presented himself as a public witness, and being  
14 first duly sworn, testified as follows:

15 ATTORNEY EXAMINER BULGRIN: State  
16 your name and address for the record.

17 MR. MCKENNEY: Mike McKenney,  
18 M-c-k-e-n-n-e-y. I live at 270 Olney Avenue,  
19 Marion, Ohio. I have been listening to

20 everybody testify. I wasn't going to testify,  
21 but what's going on is ridiculous. I have lived  
22 in a whole lot of states. I lived in Maryland,  
23 D.C., Virginia, Florida, visited a whole lot of  
24 other ones. This is the most God-awful water I

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1 have ever seen in my life. You come to my  
2 house, I got to cut out about a 3-foot section  
3 of copper pipe when I change my water heater. I  
4 got crust that big around in the pipes. I  
5 haven't seen water form that much crust around a  
6 pipe. Get up at 6:00 in the morning, 5:00 in  
7 the morning, turn on the shower, sometimes the  
8 chlorine will rip your nose out. I might as  
9 well go in the swimming pool where somebody  
10 over-chlorinates. Same thing. It's terrible.

11       You can't justify any kind of rate  
12 increase. It's like paying for a Lexus and  
13 getting a Hugo. That's how the water is around  
14 here. You're getting zippy. If you're going to  
15 charge us, give us something. I can't drink  
16 this water here. I spend more money on bottled  
17 water than I do gasoline. It's sad. If you  
18 want to give us something, you're not going to  
19 give us the money, give us what we pay for.

20 Don't charge us just because you want to make  
21 more money. Somebody is going to get a raise  
22 out of this. It's not going to be us. All we  
23 want is clean water that we can drink, then we  
24 can get rid of bottled water. We'll be happy,

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1 we'll pay you, but you got to give us what we  
2 pay for. Thank you.

3 ATTORNEY EXAMINER BULGRIN: Thank  
4 you. Nick Clarke?

5 - - -

6 NICK CLARKE  
7 presented himself as a public witness, and being  
8 first duly sworn, testified as follows:

9 MR. CLARKE: Nick Clarke, 369  
10 Bellefontaine Avenue, C-l-a-r-k-e.

11 ATTORNEY EXAMINER BULGRIN: Thank  
12 you.

13 MR. CLARKE: As I have listened to  
14 everybody tonight, there's one area that hasn't  
15 been touched on, which is really my hot button.  
16 I'm sure a few of us had an opportunity to walk  
17 our neighborhood announcing a picnic we were  
18 going to have this weekend, and we have in our  
19 neighborhood many people, as in this audience,

20 that cannot pay their bill. The budgetary  
21 demand that they have before them does not  
22 permit an increase in any fashion, let alone a  
23 necessity which water is.  
24 And I have heard the quality issue.

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1 I work for a contractor. I personally put in  
2 many, many miles of water line. Our repair  
3 crews that I see are not adequate. And one  
4 thing I would like to clear up that I have heard  
5 a couple people say, that in almost all cases,  
6 and I can't speak for this company, there's a  
7 repair crew and there's a restoration crew.  
8 They're not the same. When they come out to fix  
9 your water line, don't expect those people to  
10 put your grass back, but at the same time I'm  
11 working with the city on an area that was  
12 disturbed over two years ago that still has not  
13 been repaired. So their service is  
14 inexcusable.

15 But I think the area that really  
16 takes me to my core is the monopoly aspect.  
17 Even though the PUCO does a very good job of  
18 monitoring when they can, I think it's  
19 inadequate that when we allow systems to be set

20 up as a monopoly, they get to do whatever they

21 want to with very little accountability. That's

22 the thing that I dislike most. Thank you.

23 ATTORNEY EXAMINER BULGRIN: Thank

24 you. Anyone else? Mr. Russell?

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1           MR. RUSSELL: Thank you, Mr.  
2 Bulgrin. I too want to thank everybody for  
3 taking time out of everyone's busy life to be  
4 with us this evening, especially you, Mr.  
5 Bulgrin, and hearing the people of the City of  
6 Marion, and for the most part, their opposition  
7 to the unjustified request.

8           As many have referenced, the request  
9 of the company is 12 percent and this is a  
10 request that we haven't gone more than a year  
11 and a half since their last increase. And, in  
12 fact, if we study the numbers, it would indicate  
13 that the last six years they have requested 42  
14 percent in a rate increase, and if you look at  
15 what they received, they received almost 23  
16 percent in six years. There's little  
17 justification for the increase.

18           Obviously, we couldn't deny the fact  
19 that energy costs increased in the last twelve

20 months, and so would the water company's.

21 However, it's not 12 percent. And many citizens

22 have spoken out about accountability. When I

23 have attended the hearings and pre-hearings in

24 Columbus, a lot of what the PUCO does and has

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1 done is to monitor and ensure that there's some  
2 accountability with the numbers that the water  
3 company has used, and it's really indicated in  
4 the request numbers that I talked about.

5 When the company files for a  
6 request, they'll file for a request in the 42  
7 percent range, and when in the end it's only  
8 justified at near half that.

9 So my last closing remark would be,  
10 just to complete the record, there's close to  
11 50, if not 50, persons from our community that  
12 are asking you as the Attorney Examiner to give  
13 the proper merits to their comments as you find  
14 and seek what a reasonable amount would be, and  
15 I would argue that the reasonable amount is  
16 closer to the three to four percent range.  
17 Thank you.

18 ATTORNEY EXAMINER BULGRIN: Thank  
19 you. One last shot. Anybody else?

20 MR. CUMSTON: May I readdress that?

21 ATTORNEY EXAMINER BULGRIN: Sure.

22 Would you state your name one more time?

23 MR. CUMSTON: Ralph Cumston, 1st

24 Ward. There's a lot of first-time speakers here

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1 tonight and I'd like the Commission to consider  
2 something else. When people that's never spoke  
3 in public before that are just good every-day  
4 hard-working citizens, they really represent the  
5 core of our city that are pretty nervous to come  
6 up and speak, it's very much a heart-felt issue,  
7 and I don't know how you quantify that or even  
8 put a price on that. But it certainly indicates  
9 the magnitude of all the rate increases, whether  
10 not just the water company but the other  
11 utilities. This is certainly compounding the  
12 issue. And we had spoken about the rate  
13 increases before, so I won't deliberate on that  
14 but I would like to at least weigh that, and we  
15 have seen a very diverse population that's come  
16 up to speak and have really taken that extra  
17 time. Thank you.

18 ATTORNEY EXAMINER BULGRIN: Thank  
19 you. Yes, sir?

20                   - - -

21                   RALPH HALE

22   presented himself as a publi witness, and being

23   first duly sworn, testified as follows:

24               MR. HALE: Ralph Hale, 608

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1 Jefferson Street, Marion, Ohio. I received a  
2 letter -- first off, I should say in March or  
3 April of this year I got a letter from the water  
4 company which said that I had to put a loop in.  
5 I didn't know what a loop was. Well, anyway, my  
6 meter is on the street so they come out, they  
7 put the loop in for me and a new meter.

8       Well, I got a letter the other day,  
9 a very nasty letter from the water company  
10 stating that they couldn't get into the house to  
11 read my meter. All right. So I called the lady  
12 up, customer service, and I said I don't quite  
13 understand this. I said I got a letter in April  
14 that said that you was going -- I was going to  
15 have to put a new loop in, which is out in the  
16 street that you was supposed to be able to scan  
17 it and read it. Now I'm getting a letter from  
18 you people saying that I have to be at home so  
19 that you can get into my house to read the

20 meter. So I said, I asked her, I said, well,  
21 would you tell me what's going on? Well, not  
22 only that. When I received my bill, my bill was  
23 up 30 more dollars than it normally run, by the  
24 way. So she tells me that I must have had a

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1 broken wire on the meter, see.

2           So I really am tired of the ploys  
3 that they do and the way they pick your pockets  
4 any way that they want to. And I feel that the  
5 PUCO should be held accountable a little bit for  
6 them to just continue giving them the raises.

7           When you people were down on Spring  
8 Street you did actually work for the citizens of  
9 the State of Ohio, but when you moved downtown  
10 across from the State House, you kind of sit  
11 down on your job. Maybe it was because you was  
12 hobnobbing with the bigshots down there in  
13 Columbus. I don't know. But I feel you should  
14 go back the way you were when you was down on  
15 Spring Street because you did a job then, and I  
16 feel that's what's needed done now. There's not  
17 a whole bunch of stuff. And you people  
18 placating the utility companies all the time,  
19 you're always placating them, you're always

20 giving into them. I never once seen a no;

21 never.

22 We was here a few years ago, you was

23 here, and you was, on the natural gas. The

24 comment they brought up, the comment that they

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1 was getting our gas from -- I'm sorry, this is  
2 water, I realize, but I have to tell you what  
3 the PUCO did. They was telling the PUCO that we  
4 have to pay for our gas to come from Tennessee  
5 and Oklahoma. So I asked them, I said, well,  
6 what about the gas well that's right down here  
7 on Route 4, which has 1.23 trillion cubic feet  
8 of gas? Are you using that? They said, oh,  
9 yes, we're using that. But yet still the PUCO  
10 gave them an increase and they're using the gas  
11 that's only 6 miles from here. Tell us about  
12 that. How can you guys relate to us on things  
13 such as that? Thank you.

14 ATTORNEY EXAMINER BULGRIN: Thank  
15 you. Anyone else? Okay. If not -- yes, ma'am?

16 MS. WADDELL: Well, all I can say,  
17 people of Marion cannot afford anymore increases  
18 because it's been afforded for a long time and  
19 Marion won't be no more because people is going

20 to be moving out and they can't raise their kids

21 and the old people is going to die off and

22 that's what's going to happen. That's all I got

23 to say.

24 ATTORNEY EXAMINER BULGRIN: Okay.

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1 If there's nothing further, then this hearing  
2 will be concluded. The evidentiary hearing is  
3 scheduled for August 14 and at that time we'll  
4 see what happens. Basically, though, to give  
5 you some indication of what you can expect in  
6 terms of the process, if the parties have  
7 settled, they will submit a settlement. If not,  
8 if it has to go to hearing, they will put on  
9 witnesses and then we actually have two more  
10 hearings down in Columbus, two more local  
11 hearings.

12       After all that is done, the record  
13 will be submitted to the Commission and the  
14 Commission will issue an opinion. So the timing  
15 on that kind of depends on what happens with the  
16 parties, how many witnesses they have to put on,  
17 briefing schedules and that kind of thing. But  
18 I would imagine sometime in the next several  
19 months, there will probably be an opinion

20 issued, so you guys can look for that. Is there  
21 anything further? Okay. If not, this hearing  
22 is concluded. Thank you very much.

23 - - -

24 Thereupon, at 8:15 p.m. the public

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1 hearing was concluded.

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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  
Monday, August 4, 2008, and carefully compared  
with my original stenographic notes.

---

Iris I. Dillion,  
Notary Public in and for  
the State of Ohio.

My commission expires February 4, 2013.

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