

FILE

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BEFORE

2008 SEP -4 PM 12:35

THE PUBLIC UTILITIES COMMISSION OF OHIO

PUCO

In the Matter of the ) CASE NOS.  
Application of the East Ohio ) 07-829-GA-AIR  
Gas Company, doing business ) 07-830-GA-ALT  
as Dominion East Ohio, ) 07-831-GA-AAM  
for Authority to Increase ) 08-169-GA-ALT  
Rates For Gas Distribution ) 06-1453-GA-UNC  
Service and Other Related )  
Matters.

ORIGINAL

- - -

BE IT REMEMBERED, that upon the hearing of  
the above-entitled matter, held at the Charles  
Goodyear Memorial Pavilion, Goodyear Heights  
Metro Park, 2077 Newton Street, Akron, Ohio,  
before Ronda Hartman Fergus, Commissioner,  
Cheryl Roberto, Commissioner, Paul J. Duffy,  
Attorney Examiner, and commencing on Thursday,  
the 21st day of August 2008, at 6:01 o'clock  
p.m., at which time the following proceedings  
were had.

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1     **APPEARANCES:**

2

3       On Behalf of the Public Utilities Commission  
4       Of Ohio:

5               PUBLIC UTILITIES COMMISSION OF OHIO

6       BY:       Ronda Hartman Fergus, Commissioner

7               Cheryl Roberto, Commissioner

8               Paul J. Duffy, Attorney Examiner

9               180 East Broad Street

10              Columbus, Ohio 43215

11              800/686-7826

12

13       On Behalf of Ohio Consumers' Counsel:

14              OFFICE OF THE OHIO CONSUMERS' COUNSEL

15       BY:       Rick Reese

16              Assistant Consumers' Counsel

17              10 West Broad Street, Suite 1800

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22

23

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25

1 APPEARANCES (CONTINUED):

2

3 On Behalf of The East Ohio Gas Company  
4 dba Dominion East Ohio:

5 JONES DAY

6 BY: Mark A. Whitt, Attorney at Law  
7 325 John H. McConnell Boulevard  
8 Suite 600  
9 Columbus, Ohio 43215-2673  
10 614/469-3939

11

12 **ALSO PRESENT:** Jeff Murphy, Director of  
13 Rates and Regulatory Affairs, Dominion East Ohio  
14 Gas, Jerri Collins, Sandra Pilcavage, Ethel  
15 Chambers, Clifford Leach, Jean White, Marcel van  
16 den Bosch, Eugene Cooke, Edward Rabatin,  
17 Jacqueline Germano, Daniel Wilson, Sandra Pyles,  
18 Patty Shrecker, Chris Hazen, Gloria Norris, Carl  
19 Palmieri, Alvin Davis, Cathy Gordon, Dave Gordon  
20 and Sharonda Rutledge

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## I N D E X

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4	Akron Local Hearing Exhibit 1	67
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1                   **MS. FERGUS:**           Good evening.   Good  
2   evening.   My name is Ronnie Fergus.   I'm a  
3   Commissioner with the Public Utilities  
4   Commission of Ohio, and with me tonight is my  
5   colleague Cheryl Roberto, who's also a  
6   Commissioner at the PUCO, and our Legal  
7   Director, Paul Duffy is here tonight.

8                   The Public Utilities Commission of  
9   Ohio is the regulatory agency charged with the  
10   responsibility of regulating rates and services  
11   of public utilities operating in Ohio such as  
12   gas, electric, water, sewer and telephone.   Our  
13   mission is to ensure all residential and  
14   business consumers have access to adequate, safe  
15   service at fair rates.

16                  On behalf of my colleagues, I would  
17   like to thank all of you for taking time out of  
18   your busy schedules tonight to come let us know  
19   what you think about Dominion East Ohio's  
20   application to increase its natural gas  
21   distribution service.

22                  Tonight is your opportunity to tell  
23   us your thoughts on Dominion's rate request.  
24   We, as Commissioners, value the statements at  
25   these hearings as it gives us a chance to hear

1 from consumers what they think about their  
2 experience with the Company.

3 Your gas bill has two parts to it;  
4 the cost of the gas itself and the cost of  
5 delivering that gas to your home or business.  
6 The cost of the gas itself is about 80 percent  
7 of your bill and the cost for delivering it to  
8 your home is about 20 percent of your bill.

9 Tonight we're here to talk about  
10 Dominion's application that effects that 20  
11 percent of your bill, which is the cost for  
12 delivering gas to your home.

13 When a utility requests a rate  
14 increase from the PUCO, our staff reviews the  
15 Company's application and they prepare a staff  
16 report which advises the Commission on their  
17 recommendations as to what to do with the rate  
18 case.

19 In this case, staff recommended that  
20 the Company get only about half of what the  
21 Company requested. Also in this case, staff  
22 proposed a different rate design for collecting  
23 those revenues from customers. Under staff's  
24 proposal, customers would be charged nearly all  
25 of the cost of delivering the gas to your home

1 in a flat monthly fee instead of recovering  
2 those costs on a usage-sensitive basis as it is  
3 today.

4 So while on the staff's proposal the  
5 fixed rate would go up, the usage part of the  
6 rate would go down. And depending upon your  
7 usage, some customers' bills would go down, some  
8 customers' bills would go up, some customers  
9 would see a wash and wouldn't see the impact of  
10 the rate increase.

11 The Commission is not bound by  
12 staff's recommendations and we may permit some  
13 of it and we might reject others. So at this  
14 point no decision has been made. We're here to  
15 hear what you have to say before we make that  
16 decision.

17 We'll look at the Company's  
18 application, we'll look at all the comments of  
19 the parties, including the Office of Consumers'  
20 Counsel who's here tonight, and we'll look at  
21 the testimony that's been given at the local  
22 hearings across the state. Your statements are  
23 an important part of this process.

24 I'm going to turn this over to Paul  
25 Duffy now who's going to introduce this. I know

1 it can be a little intimidating because it is a  
2 legal process, but it really is an informal  
3 opportunity to let us know what you think. So  
4 although there is a court reporter and we're  
5 here and there's lawyers in the room, this is  
6 really just an opportunity to get up and say  
7 what you think.

8           You're not going to be, you know,  
9 cross-examined like Perry Mason or anything.  
10 This is going to be informal, so please take  
11 that opportunity. We would really like to hear  
12 what you have to say. And Paul will come up  
13 here now.

14           **MR. DUFFY:**           Give me a couple  
15 minutes. I just have to go through a couple  
16 formalities to get the hearing started.

17           The Public Utilities Commission of  
18 Ohio has assigned for public hearing at this  
19 time and place Case Numbers 829, 830, 831, 169  
20 and 1453, which are captioned, "In the Matter of  
21 the Application of The East Ohio Gas Company,  
22 doing business as Dominion East Ohio, for  
23 Authority to Increase Rates for its Gas  
24 Distribution Service and Other Related Matters."

25           Now, in addition to the two



1 Commissioners and myself, in the back of the  
2 room we have Tammy Mitchell and Andrea Smith.  
3 They were the ladies out in the corridor. We  
4 also have Jay Davis here, who's the gentleman  
5 over by the windows. He's from our Office of  
6 Public Affairs.

7 If you have any issues or questions  
8 which are not concerned with distribution rates,  
9 such as a service matter or you have a billing  
10 issue, if you want to talk to the ladies in the  
11 back of the room, perhaps they could help you.

12 I would mention also the OCC has  
13 individuals here as well as the Company. And  
14 when I call for their appearance in just a  
15 minute, if they want to point out where they are  
16 that's up to them.

17 So at this time I would like to take  
18 an appearance on behalf of the parties, so if I  
19 can get an appearance on behalf of the Company?

20 **MR. WHITT:** Mark Whitt from the  
21 Columbus office of Jones Day, 325 John  
22 H. McConnel Boulevard, Columbus, Ohio 43215.  
23 With me is Jeff Murphy, Director of Rates and  
24 Regulatory Affairs for Dominion East Ohio.

25 **MR. DUFFY:** On behalf of the

1 Consumers' Counsel?

2                   **MR. REESE:**                   Thank you, Your  
3 Honor. On behalf of the residential ratepayers  
4 of Dominion East Ohio, and on behalf of the Ohio  
5 Consumers' Counsel Janine Migden-Ostrander, I'm  
6 Rick Reese, Assistant Consumers' Counsel. We  
7 have two people from our office here, too,  
8 Anthony, and Patty Chang is sitting in the back  
9 over here. So -- in case you would like to talk  
10 to them as well. And please don't tell my --  
11 the Consumers' Counsel that I took my jacket  
12 off. Thank you.

13                   **MR. DUFFY:**                   Okay. Now, there  
14 are interveners in this, so the other  
15 interveners are the Ohio Partners for Affordable  
16 Energy, a group in the Cleveland area consisting  
17 of the Neighborhood Environmental Coalition, the  
18 Empowerment Center of Greater Cleveland, the  
19 Cleveland Housing Network and the Consumers for  
20 Fair Utilities Rates, the Interstate Gas Supply,  
21 Integrys Energy Services, Dominion Retail, Stand  
22 Energy, United -- I'm sorry, Utility Workers  
23 Union of America Local G555, the Ohio Oil and  
24 Gas Association and the City of Cleveland. Each  
25 of these parties represent various constituents

1 in the case before the Commission.

2 This case was filed almost a year  
3 ago, on August 30th, 2007. And as Commissioner  
4 Fergus mentioned, this just concerns their  
5 distribution rates. Because she covered so much  
6 I'm going to skip some of this.

7 She did reference the Company's  
8 application, the staff findings. The OCC also  
9 has turned in some recommendations in the case.  
10 Other parties have made some recommendations in  
11 the case.

12 As Commissioner Fergus did, I have to  
13 emphasize that absolutely no decision has been  
14 made in this case yet. How do I know that?  
15 Because hearings are still going on. Formal  
16 hearings in Columbus started on August 1st.  
17 Those hearings are still going on. We have had  
18 local hearings that have already been held in  
19 the City of Akron once, Canton, Cleveland, the  
20 Cleveland suburb of Garfield Heights, Geneva,  
21 Lima, Marietta and there's also been two  
22 hearings in Youngstown. Tonight is the final  
23 hearing in the local hearing process.

24 Now, we're here to listen to what you  
25 have to say. When you arrived you were given

1 the opportunity out in the corridor to sign up  
2 to testify. If you missed that opportunity, you  
3 may still add your name to the list out in the  
4 corridor.

5 I'm going to call the names in the  
6 order in which they signed up. At this time I'm  
7 going to begin calling the witnesses forward and  
8 they will be giving their statements for the  
9 record. Before we do that, I am going to ask  
10 that everybody who is going to testify, if they  
11 would raise their right hand, even if you think  
12 you may be testifying, I'm going to ask you to  
13 raise your right hand -- not yet. I'm going to  
14 swear you in all at once so that we don't have  
15 to do it individually as you come up.

16 As Commissioner Fergus referenced,  
17 the attorneys for the Company and OCC are  
18 entitled to ask you questions if they want. I  
19 can tell you that at every local hearing we've  
20 had so far there has not been one question of  
21 any consumer. So if you are fearful of that, I  
22 don't think you should have any fear.

23 We certainly appreciate your  
24 participation in the hearing tonight. We want  
25 to hear from everyone who wishes to make a

1 public statement. If you choose to make a  
2 public statement, please be considerate of  
3 others waiting to give their testimony and keep  
4 your statements to a reasonable period of time.

5 Now, before we get started, are there  
6 any questions as to the process we're going to  
7 have tonight? Okay. Then I'm going to call the  
8 first witness. And when I do that -- well,  
9 before I do that, I would ask you if you have  
10 cell phones, if you would either turn them off  
11 now or put them on vibrate.

12 So if I can get everybody who's  
13 signed up to testify or if you think you may  
14 even testify tonight, would you please raise  
15 your right hand? I'm going to ask if you would  
16 affirm that when you come up to the stand and  
17 you testify that what you have to say is the  
18 truth, the whole truth and nothing but the and  
19 you say "yes."

20 (Thereupon, all potential witnesses  
21 present were sworn.)

22 **MR. DUFFY:** Okay. Thank you.  
23 The first witness we have is Jerri Collins.

24 **MS. COLLINS:** I just have a  
25 question on demand metering. I have a gas

1 demand meter and my bill is probably \$10 a  
2 month, probably no more, never has been and I've  
3 had it for 5 years. So in other words, my bill  
4 is \$10 a month. I was paying this flat rate of  
5 17.50 per month plus my \$10, so it actually will  
6 practically double. Is that what you're  
7 alluding to?

8 **MR. DUFFY:** It's -- \$10, is  
9 that your total bill?

10 **MS. COLLINS:** Yes. Because I  
11 have electric except for my water tank. It's  
12 one of those that hangs on the wall, demand  
13 metered.

14 **MR. DUFFY:** The \$17 will not be  
15 added to it. It will be -- the current customer  
16 charge will drop off and then the new customer  
17 charge will be added in. However, I also like  
18 to clarify that that figure they were using for  
19 the staff proposal is based upon if the  
20 Commission granted the Company's higher rate  
21 request.

22 **MS. COLLINS:** Okay.

23 **MR. DUFFY:** If the Commission  
24 does not grant the Company's higher rate  
25 request, that amount will come down.

1                   But the staff, in their  
2 representation, when they did their analysis,  
3 they used the dollar amount to come up with  
4 their request. As Commissioner Fergus stated,  
5 the staff has recommended that the Company only  
6 get about half of what they requested.

7                   **MS. COLLINS:**           Okay. So in other  
8 words, it's saying too that East Ohio Gas  
9 recommended a rate of 5.70 a month, but PUCO  
10 wanted 17.50 for a flat rate. So what you're  
11 saying is the 5.70 a month would be a flexible  
12 rate? That would change? I don't know. That  
13 is confusing to me.

14                  **MR. DUFFY:**           The 5.70 rate of  
15 the Company is equivalent to the staff dollar  
16 amount.

17                  **MS. COLLINS:**           Okay.

18                  **MR. DUFFY:**           If it comes down to  
19 it, the Commissioners have to pick one or the  
20 other. One of them is going to drop off because  
21 they will not be added together.

22                  **MS. COLLINS:**           All right. Thank  
23 you.

24                  **MR. DUFFY:**           Can you hear me  
25 now? Usually people have no trouble hearing me

1 in a room this size as long as I'm speaking this  
2 way. I probably made the mistake of turning  
3 towards you and answering your question. I  
4 apologize for that.

5 The next witness we have is Sandra  
6 Pilcavage?

7 MS. PILCAVAGE: "Pilcavage."

8 MR. DUFFY: Okay.

9 MS. PILCAVAGE: I would just like  
10 to say that I don't agree with this increase.  
11 I -- I'm single and I work and I pay all my  
12 bills myself. It's going to be hard for anybody  
13 to keep having these increases. Everybody's  
14 struggling now with the increases with the gas  
15 and everything.

16 My rate just went up. My budget just  
17 went up \$30-some just within the last month. If  
18 they keep adding these other increases, it's  
19 going to be hard for me to pay my bills. I have  
20 a hard time just getting back and forth to work  
21 now with the price of gas. It's hard to make  
22 house payments and it just makes it harder each  
23 month.

24 They keep increasing all these  
25 things, but they don't consider that, yeah, when



1 we can get a little bit of an increase each year  
2 on our paychecks that's taken out in insurance  
3 or other things you can't do without. I'm sure  
4 nobody in here's able to pay these increases  
5 just because they want to increase it.

6 It's hard on senior citizens. It's  
7 hard on everybody now. If they keep increasing  
8 these things, I don't know how they expect  
9 people to live. Everybody struggles to pay  
10 their gas to go back and forth to work. They  
11 struggle with, you know, their groceries now.  
12 It's just getting harder on people now.

13 There's got to be a stop to it  
14 somewhere. I mean our paychecks don't go up,  
15 and if they do it goes out in insurance or some  
16 other thing that you have to have that you can't  
17 do without. But you can only do without so many  
18 things. And if they keep increasing this and  
19 sticking all these bills or increases on the  
20 little guy, where's the little guy going to be?

21 I mean it is hard and it -- I live  
22 with him and he -- he, you know, has a limited  
23 income. We struggle to pay things together that  
24 you can, but you just can't keep having all  
25 these increases and no money -- more money

1 coming in each month to pay these increases.

2 And, you know, I thought about  
3 selling my home and moving into an apartment,  
4 but, you know, with the economy the way it is,  
5 you can't even afford to do that because people  
6 aren't buying homes now or anything. And it's  
7 just getting harder on the little guy every day.  
8 It's more and more stress on the little guy.

9 And I don't know, with all the  
10 increases they keep putting on the little guy, I  
11 don't know how they expect us to tolerate it.  
12 And then they want to know why we get upset.

13 I work in a hospital. I think that's  
14 why there's more stress with people being sick  
15 because of all these increases being put on  
16 people. And I don't know how much more, you  
17 know, the little guy can be stressed out. We  
18 almost have no option. Our paychecks don't go  
19 up.

20 **MR. DUFFY:** Thank you. Ethel  
21 Chambers? I would say that if -- when I come to  
22 your name, if you decide you do not want to  
23 testify, all you have to do is yell out -- or  
24 not yell out, just say "pass," and I'll go on to  
25 the next name.

1                   **UNIDENTIFIED SPEAKER:** Can you pass  
2 and come back?

3                   **MR. DUFFY:** Pardon?

4                   **UNIDENTIFIED SPEAKER:** Can you pass  
5 and come back?

6                   **MR. DUFFY:** If you want to say  
7 "pass," and you tell me you might want to say  
8 something at the end, I'll come back to you.

9                   **UNIDENTIFIED SPEAKER:** Okay.

10                  **MR. DUFFY:** Okay. And even  
11 when we're all finished, before we leave I will  
12 ask in the audience if there's anybody else that  
13 wants to come up, even if you haven't signed up.

14                  **MS. CHAMBERS:** I brought my bill  
15 with me. This distribution is going up.

16                               (Thereupon, a discussion was held off  
17 the record.)

18                  **MS. CHAMBERS:** Dominion wants to  
19 increase these rates. Does that mean the other  
20 gas suppliers that send out letters to you and  
21 asking you to buy their gas, which is sometimes  
22 cheaper, is that going to increase their rate?  
23 With them buying the gas from you, aren't they?

24                  **MR. DUFFY:** No. What it --  
25 what is at issue tonight is the distribution

1 portion of your bill. Dominion East Ohio is the  
2 only Company that delivers the gas to your  
3 house. The other companies you are referring to  
4 are the suppliers of the gas. You may still  
5 pick any supplier you want, but if you pick  
6 another supplier, Dominion is still going to be  
7 the Company that delivers gas to your house.

8 **MS. CHAMBERS:** Okay. I guess  
9 that's about it then.

10 **MR. DUFFY:** Okay. Now, again,  
11 as you're listening and you have any more  
12 questions, we'll try to answer them at the end.

13 The next person I have is Clifford  
14 Leach.

15 **MR. LEACH:** I have just one  
16 question to ask. I'm a senior citizen, limited  
17 income, and when we ask for assistance they say,  
18 "How much do you make?" Well, there's a set fee  
19 that they'll give you help for, but they don't  
20 consider the mortgage payments and your tax  
21 payments and all that. They don't take that  
22 into consideration.

23 Somewhere down the line is this  
24 Company going to give us a little help or give  
25 us information where we can receive help?

1 Because I know there's going to be a lot of  
2 people that's not going to meet this. And  
3 that's the only question I have. That's the  
4 only answer I want to find out about. I'm  
5 against this raise for right now.

6 **MR. DUFFY:** Okay. Give me your  
7 question one more time just so I'm sure.

8 **MR. LEACH:** I wanted to know is  
9 the Company going to work with us to get  
10 assistance and kind of, you know, tell us where  
11 we can get assistance, or are they just going to  
12 stand there and take the money?

13 **MS. FERGUS:** There are programs  
14 to help pay energy bills. And the Commission  
15 actually has opened another docket in which  
16 there have been proposed changes to those rules  
17 to make them even more favorable to consumers,  
18 but there are programs in place right now.

19 You have to qualify for them. You  
20 have to be income eligible for them. And that  
21 is worked out -- you know, you have to make an  
22 application. You'll have a partner in  
23 development in this Company to get that  
24 assistance. So, yes, there are programs out  
25 there. You have to talk to them to see if you

1 qualify for those.

2 **MR. LEACH:** Are you going to  
3 notify us about the companies and who they are?

4 **MS. FERGUS:** I think there are  
5 all kind of information that goes out right  
6 before the heating season about the availability  
7 of those programs. There's bill inserts. Who's  
8 back there, Tammy?

9 **MS. MITCHELL:** We actually have  
10 someone here from the Stark Community Action  
11 Agency, but the funds are usually administered  
12 through the local community action agencies and  
13 that's by way of the Home Energy Assistance  
14 Program. So there are energy -- there's income  
15 guidelines that you have to be eligible for.

16 The same with the Low Income Payment  
17 Plan, the Percentage of Income Payment Plan, you  
18 have to meet their income requirements. And  
19 that's actually signed up through the community  
20 action agency. We do have a Stark Community  
21 Action Agency representative here tonight.

22 **MR. LEACH:** This is the  
23 question I need asked. Because some of us --  
24 some of us has gotten quite a bit a chunk of  
25 money coming out of our limited income and it

1 eats up our check and everything's raising.  
2 From groceries going up, gasoline and  
3 everything, and that bites into a hundred bucks  
4 and a pretty soon a hundred bucks turns into  
5 two.

6 And you still got to have money to  
7 operate. And here comes the doctors, here comes  
8 your hospital bills and they want the money up  
9 front and then you have to make arrangements to  
10 make them payments. That's where -- that's why  
11 I think I'm against this. Thank you.

12 **MR. DUFFY:** Now, if you want  
13 more details of what Tammy was talking about,  
14 you can see her in the back of the room. The  
15 next person I have is Jean White?

16 **MS. WHITE:** I don't have a  
17 prepared statement, but I'm just going to speak  
18 from the heart. First of all, I want to thank  
19 the Ohio Consumers' Counsel especially for  
20 giving the citizens the opportunity to speak on  
21 this matter, and for defending the consumers'  
22 rights and interests in this case.

23 I think it's really not a good time  
24 for the Dominion East Ohio to be asking for an  
25 increase. You know, in my own life and in the

1 lives of my friends -- my family and my friends,  
2 my associates at work, people are struggling.  
3 They're struggling just to try to keep up.  
4 Nobody's getting ahead. Everybody's struggling.

5 The cost to fill your gas tank just  
6 to get to work, the cost of food is becoming  
7 phenomenal. You know, now families have got to  
8 choose between fill your tank, buy your  
9 medicine, fill your grocery, fill your  
10 refrigerator. It doesn't have to be this way.

11 You know, people should be given the  
12 opportunity to earn a living, earn a decent  
13 living and enjoy what they earn. I know myself  
14 I've worked hard all my life and I see a lot of  
15 senior citizens in here and I'm still working.  
16 I feel like I can't retire.

17 Ten years ago -- well, it was closer  
18 to twelve that I got my house, I put a new roof  
19 on my house, I put insulation, I put new  
20 windows, new doors. I put a lot of money and a  
21 lot of effort because I didn't want to have to  
22 pay a \$200 a month gas bill like the people that  
23 were paying when I moved in.

24 Now, today I'm back having to pay a  
25 huge gas bill after I had done everything to



1     conserve. I'm 70 years old. I'm going to be 71  
2     in September. I would very much like to retire.

3             I think the utility companies should  
4     not make excessive profits on the backs of the  
5     consumers. The oil companies have done it.  
6     They've set a very bad example and our  
7     government has let them get away with it. I  
8     don't think PUCO should let Dominion East Ohio  
9     or any other utility make excessive profits on  
10    the backs of the consumers. And I've spoken  
11    from my heart.

12            **MR. DUFFY:**             Thank you. The  
13    next person I have is Marcel van den Bosch.

14            **MR. van den BOSCH:**    Yep. I also have  
15    a single household, a two bedroom house and I  
16    also did all the possible improvements you can  
17    do to a house. There's double insulation in the  
18    attic, new windows all around the house, new  
19    doors.

20            I keep the house in winter at 58  
21    degrees. You can barely call that heating.  
22    That is basically just keeping the pipes from  
23    freezing. Two years ago, because of prices it  
24    was told that prices were going up dramatically,  
25    I kept the house at 55 degrees. I could see the

1     breath -- my breath in the kitchen. Now, that  
2     is pretty depressing. So basically that  
3     makes -- that cuts my consumption of gas pretty  
4     low.

5                 I think low consumers, consumers with  
6     low gas consumption, will have a higher impact  
7     on this fixed rate. And this chart that's done  
8     very nicely that shows not very much of an  
9     increase because it's based on 10 MCF, I think  
10    the most consumption I have in the coldest month  
11    in winter is 7. And so I think a consumer like  
12    me who tries everything possible and basically  
13    freezes his butt off in his own house and --  
14    will be hit hard by that.

15                I think it is corporate greed that is  
16    rampaging currently. Everyone thinks. This is  
17    a triple increase from \$5 to \$17. My supplier  
18    just sent me a letter about a 50 percent  
19    increase from 10 -- 10.87 per MCF to 15.60 per  
20    MCF. That is 50 percent increase there.

21                I think it is corporate greed. I was  
22    just told by a co-worker of mine that Tony  
23    Alexander, the CEO of FirstEnergy, maintains a  
24    private -- a corporate jet. And I don't even  
25    know what Dominion's CEO has. Thank you.

1                   **MR. DUFFY:**                   Okay. I'm going to  
2   need some help. I think the last name begins --  
3   I think the middle initial is R., the last name  
4   begins with D and they live at 514 or 517 --

5                   **MR. DAVIS:**                   Pass. I pass right  
6   now. Everything I wanted to say has already  
7   been said.

8                   **MR. DUFFY:**                   If you change your  
9   mind at the end, we'll let you come back up.  
10   Eugene Cooke?

11                   **MR. COOKE:**                   I just want to  
12   mention as a side comment I've done a lot of  
13   math in my life and I put a lot of faith in  
14   percentages, but somehow on all these things I'm  
15   reading about the rate increase and the  
16   percentages don't jibe. Right?

17                   **UNIDENTIFIED SPEAKER:** No, they  
18   don't.

19                   **MR. COOKE:**                   I'll give you an  
20   example here. Total monthly bill 112. Increase  
21   over current bill, \$3.05. We're talking 3 to 4  
22   percent. How come I have friends, I can furnish  
23   their names, they get a notice on their bill  
24   they're paying \$8, 9.47, 9.49 and they're  
25   getting notices that their bill is going to be

1 increased? Now, this is more than a thousand  
2 feet per MCF. They're getting notices that  
3 they're going to be paying 13 and 14 and \$15 per  
4 MCF. That does not translate to a 3 percent  
5 increase.

6 **MR. DUFFY:** Why don't you --

7 **MR. COOKE:** That translates to  
8 a 6 or 7 percent increase.

9 **MR. DUFFY:** Why don't you stand  
10 that far away from the mic. They will be able  
11 to hear you better.

12 **MR. COOKE:** Well, I guess I'm  
13 being carried away by myself because something  
14 doesn't jibe when they're saying this. And I  
15 can -- my bill's going to go up from 9.49 to 14  
16 if I stay with that company.

17 Now, that's a \$5 increase. \$5 --  
18 roughly, I'm thinking -- I'm doing this stuff,  
19 that's like a 50 -- more than 50 percent  
20 increase. How can -- is that the total with  
21 these proposed I -- if I only ended up with 3  
22 percent or 4 percent increase over what I'm  
23 paying now or what I paid last winter I would be  
24 happy. I would dance a jig for you people.

25 **MS. FERGUS:** Just so there's --

1                   **MR. COOKE:**           Something's wrong  
2     here.

3                   **MS. FERGUS:**       -- no confusion,  
4     you are talking about the part of the bill that  
5     I said is not the subject of tonight's hearing.  
6     There's two parts to your bill. One is for the  
7     cost of the gas commodity itself, and that's  
8     what you're talking about that. Some of you  
9     have gotten letters from suppliers about the  
10    cost of the gas going up. That's about 80  
11    percent of your bill and that's suppliers of  
12    Dominion that provide that. And actually  
13    Dominion's not allowed to make a profit on that  
14    part of the gas. That's a strict passthrough.

15                  But that's not tonight's hearing.  
16    What Dominion has requested that is the subject  
17    of tonight's hearing is -- relates to the cost  
18    of delivering gas to your home. And that's why  
19    your figures aren't jibing. Because this only  
20    relates to the part of the bill that has to do  
21    with the delivery of your gas to your home. Not  
22    the supply of the gas. That's two different  
23    things.

24                  **MR. COOKE:**           Okay. The "Beacon  
25    Journal" has had articles. I read the "Beacon

1 Journal" every day, and particularly anything  
2 that concerns the cost of living like utility  
3 expenses, and in their figures that they quote  
4 that the average person's bill will go up  
5 anywhere from 60 to 70 percent and that's the  
6 part that scares me and scares a lot of other  
7 people.

8 I don't care what your delivery costs  
9 today. How much the total bill's going to cost  
10 me compared to what it cost last year, and  
11 there's sure going to be a heck of a lot of  
12 difference than what you or anybody else is  
13 telling me. So that's a sore point with me.

14 And if -- and I'll tell you these  
15 percentages somehow don't make sense. I think  
16 what -- I'm not concerned about the delivery  
17 cost, but the high cost per MCF, I guess, is the  
18 part that troubles me. And you explained that  
19 really doesn't enter into tonight's meeting, but  
20 that's the thing that's going to kill us.  
21 Enough said.

22 MS. ROBERTO: And I just wanted  
23 to clarify also, as Ronnie said, that's a  
24 separate matter, the cost of the gas itself.  
25 But I would like you guys to understand that

1 that's not regulated. That doesn't even come to  
2 the Public Utilities Commission. That is out on  
3 the market and it's competitive and it is not  
4 regulated in any way.

5 So when you see a story like that in  
6 the newspaper and they're talking about the gas  
7 portion, the commodity portion of your bill,  
8 that is something that we don't get the  
9 opportunity to review.

10 **MR. RABATIN:** Can I ask you a  
11 question on that?

12 **MS. ROBERTO:** I'll try to answer.

13 **MR. DUFFY:** Are you going to  
14 testify?

15 **MR. RABATIN:** I am going to  
16 testify. Well, pertaining to what she just  
17 said --

18 **MR. DUFFY:** Just give us your  
19 name.

20 **MR. RABATIN:** Ed Rabatin,  
21 R-a-b-a-t-i-n. Ten -- I don't know exactly how  
22 many years ago it was, but is it not a fact that  
23 we did have regulations in the state of Ohio and  
24 that somebody in their great wisdom decided we  
25 should deregulate natural gas prices or natural

1 gas in the state and since that point in time  
2 our rates have skyrocketed on the cost of  
3 natural gas per MCF. Am I not correct?

4 **MS. FERGUS:** Well, the -- the  
5 cost of the gas itself, those are -- those  
6 prices are determined by the commodity market.

7 **MR. RABATIN:** Yeah, but before --

8 **MS. FERGUS:** That's always been  
9 the case. The Commission does review Dominion's  
10 rates to make sure they don't recover anything  
11 other than the cost of the gas. They are not,  
12 by law, even today -- despite the legislation  
13 you're talking about, they're not allowed to  
14 earn a profit on the commodity portion of your  
15 bill, which is the 80 percent part I'm talking  
16 about. And our staff reviews that and makes  
17 sure it shows no profit.

18 What the bill you're talking about  
19 did was legislature decided that there should be  
20 choice in the gas market. That you should be  
21 allowed to choose someone other than Dominion --

22 **MR. RABATIN:** I understand that,  
23 but the problem is --

24 **MS. FERGUS:** -- to supply gas.

25 **MR. RABATIN:** -- once



1 deregulation went into effect, honest to God, I  
2 can show you my bills, for four years they were  
3 a dollar or less per thousand cubic feet of gas  
4 used. Then when deregulation came into being,  
5 the bills have went up to this day around 1,700  
6 percent. From a dollar or less I have a bill  
7 last month it was \$18 and some cents per CFM.  
8 So there's something wrong there.

9                   **MR. DUFFY:**                   I hate to say it,  
10 but it's going just a little longer than she  
11 has. Even she's been doing it a long, long  
12 time. There was a time -- and I started this  
13 back in the '70s, and this may go back to your  
14 era, there was a time when the Federal  
15 government regulated the wellhead price of gas.  
16 There was a time when the Federal government  
17 deregulated the wellhead price of gas.

18                   At that point in time, it became an  
19 open market on what the producers or the  
20 discoverers of that gas could sell it into the  
21 open market. I can equate that to gasoline and  
22 oil. That also is a free market.

23                   The companies and the other  
24 companies -- I'm sorry, Dominion and the other  
25 companies who are on that choice list who are

1 willing to sell you natural gas, they go out  
2 into the market and try to find the cheapest gas  
3 they can so that they can, in fact, sell it to  
4 you and get you as a customer. If they're going  
5 to have the highest priced gas, the smart  
6 consumer will never sign up for that supply.

7                   **MR. RABATIN:**           The problem  
8 being --

9                   **MR. DUFFY:**           So while you may  
10 have six, seven, eight suppliers that are  
11 willing to sell you your gas, you've got to make  
12 the choice of which one you want to go with.

13                   **MR. RABATIN:**       I understand what  
14 you're saying.

15                   **MR. DUFFY:**           Okay?

16                   **MR. RABATIN:**       The problem being  
17 when it was regulated, we didn't have a problem.  
18 Now it's not regulated and we have a serious  
19 problem. You know, in the oil fields they burn  
20 natural gas off because they have so much of it  
21 they don't know what to do with it. They don't  
22 produce natural gas, they don't manufacture it.  
23 It comes out of the earth free to the companies  
24 that drill for oil.

25                   They burn it off in the oil fields.

1 They've been doing that for years. If you go by  
2 any oil field they probably still do it to this  
3 day. I'm not sure. I haven't been by any  
4 recently, but when I was down in Texas the big  
5 old fields, big plumes burning off the natural  
6 gas continuously. They have so much excess they  
7 don't know what the hell to do with it.

8 Why do the consumers have to pay such  
9 a ridiculous price for a commodity that the  
10 companies don't make, they get for free and yet  
11 they found a way to charge the consumers an  
12 exorbitant price for? It needs to be regulated  
13 and it needs to be maintained as a monopoly  
14 because, in fact, that's what it is.

15 **MR. DUFFY:** Okay. All I -- I  
16 can go back to my other answer, and that is the  
17 Federal government has --

18 **MR. RABATIN:** Tell the Federal  
19 government to regulate it. Get it back to where  
20 we were.

21 **MR. DUFFY:** I think it's going  
22 back to the '70s. I don't want to say how old  
23 you are, but --

24 **MR. RABATIN:** Well, yeah. It was  
25 in the '70s and before, but from like the

1 mid-'70s -- deregulation never came in effect in  
2 Ohio until 10 or 12 years ago. I'm not exactly  
3 sure what the date was, but I can show you bills  
4 even before deregulation took place where we had  
5 reasonable bills in the state of Ohio until it  
6 was deregulated in this state.

7 I don't know when the government did  
8 the wellhead thing that you're talking about,  
9 but honest to God I can show you bills that were  
10 a dollar less year after year after year. It  
11 didn't change on a monthly basis, on a yearly  
12 basis. It was the same year after year after  
13 year after year.

14 I have a stack of bills, and I'll  
15 bring them in and show them to you if you like.  
16 I mean today's -- today's system that we have is  
17 completely out of whack with what society  
18 demands and needs. All these people here, the  
19 majority of them are on fixed incomes as well as  
20 I am. I can't afford to pay \$415 a month. Last  
21 month -- one bill last month was \$415 for one  
22 month's use. I have my thermostat turned way  
23 down, too. I have to wear a jacket or coat in  
24 the house because I can't -- I can't afford the  
25 bills.

1                   And these people want to keep raising  
2   them and they do raise them. They have a right  
3   to do it now on a monthly basis if they so  
4   choose. With the price of gas, and now they  
5   want to raise the cost to the consumer to pipe  
6   it to your house or for the use of their lines  
7   or their clerical needs or whatever, that all  
8   should be encompassed and included in whatever  
9   they charge per MCF. We shouldn't be paying  
10  extra charges for any of this.

11                  When you go out and buy a roast, you  
12  don't pay extra charges for somebody to  
13  transport it. It's a part of the cost you pay  
14  for the item. When you buy clothes, whatever  
15  you pay for the clothes, the transportation  
16  charges, the clerical charges, everything is  
17  included in that cost. There's not separate  
18  issues for everything like the utility companies  
19  want.

20                  That's unreasonable. I just don't  
21  understand that. It doesn't make any sense.  
22  And to keep -- to keep increasing the cost on a  
23  commodity that they don't manufacture or they  
24  don't have anything to do with other than  
25  bringing it out of the ground because it comes

1 up with the oil, is unreasonable. It's  
2 unconscionable that they should be able to  
3 charge whatever they want for it. That thing  
4 should be regulated to the max.

5 MR. DUFFY: Jacqueline Germano?

6 MS. GERMANO: Pass.

7 MR. DUFFY: Daniel Wilson?

8 MR. WILSON: I just have one  
9 question. I want to know if somebody can answer  
10 what is the quarterly profit for Dominion?

11 MR. DUFFY: Pardon?

12 MR. WILSON: What is the  
13 quarterly profit for Dominion East Ohio Gas?  
14 What is their quarterly profits?

15 MR. DUFFY: I don't know.

16 MR. WILSON: Can anybody here  
17 answer that question?

18 MR. RABATIN: I can answer that  
19 for you. Not quarterly, but it was just in the  
20 paper this week the president or CEO makes 40 --  
21 makes \$30 million a year and they made \$43  
22 billion last year profit.

23 MR. WILSON: So why does it have  
24 to triple? If it was 5.70, why does it have to  
25 be 17.50? What's the reason they want more?

1                   **MR. DUFFY:**           The Company did not  
2 ask to increase of that amount. The PUCO  
3 staff -- the Company requested to increase other  
4 factors in there, but they did not ask to  
5 increase the 5.70 charge.

6                   **MR. WILSON:**       Well, everything is  
7 increasing. There has to be a reason. They  
8 didn't make enough profit last year? They need  
9 more? What is the reason? The employees are  
10 making more money now? People working for  
11 Dominion make three times than they made last  
12 year so they need more money now? I doubt it.

13                  **MS. FERGUS:**       We are not here to  
14 defend Dominion's proposal. Dominion came in  
15 and requested an increase in its revenue  
16 requirement of about \$70 million to cover  
17 operating expenses. Again, it only has to do  
18 with the 20 percent portion of your bill, not  
19 the price of gas.

20                  **MR. WILSON:**       I understand that.

21                  **MS. FERGUS:**       And they filed  
22 detailed -- a detailed application, financial  
23 data and cost spendings which show that the  
24 costs have gone up since their last rate case  
25 which was 15 years ago. So all that information

1 is analyzed by the staff. The staff made a  
2 proposal to -- they didn't agree with the \$75  
3 million. They agreed it should be half of --  
4 about half of that. But they propose a  
5 different way to collect those revenues, a  
6 different rate design.

7 And that's what the subject of  
8 tonight's hearing is, the proposed rate design  
9 change that would change -- what I said at the  
10 beginning was that most of what you pay out, the  
11 delivery for the cost to your home, is on a  
12 usage-sensitive basis. So you're paying so  
13 much -- for every CCF of gas you use, you're  
14 paying so much, it's like a dollar something, I  
15 think, per CCF for the cost of delivering it.

16 What the staff proposed is that most  
17 of that would go into a flat monthly fee,  
18 substantially reduce the volumetric charge, the  
19 usage basis charge to about -- I think it's like  
20 30 cents instead of a dollar something. That's  
21 just a different way of covering the rates.

22 It's a proposal by the staff. And  
23 all that being said, no decision has been made  
24 by the Commission. We're here tonight to hear  
25 your comments. If we can clarify questions and



1 misunderstandings, we're happy to do that, but  
2 this is not our proposal. We're here to hear  
3 what you have to say about it.

4 **MR. WILSON:** I'm against it.  
5 That's what I have to say.

6 **MS. FERGUS:** Thank you.

7 **MR. DUFFY:** Sandra Pyles?

8 **MS. PYLES:** Hello. My name is  
9 Sandra Pyles, and I'm HEAP Director from the  
10 Stark County Community Action Agency. I just am  
11 going to read my testimony and I have some  
12 comments, and then I have something else that I  
13 wanted to add after hearing everybody's concerns  
14 today.

15 First of all, I just would like to  
16 thank PUCO and Dominion East Ohio Gas for giving  
17 the public this opportunity to testify this  
18 evening and holding this public hearing to alert  
19 and educate the general public and legislation  
20 about the proposed Dominion East Ohio Gas rate  
21 increase.

22 As the HEAP Director at Stark County  
23 Community Action Agency, there is no question  
24 that the proposed rate increase will be passed  
25 on to our customers, which will result in higher

1 bills this winter over last winter. No matter  
2 how you present the rate increase proposal, our  
3 customers know it equates to higher bills for  
4 them. And the customers that we serve can't  
5 afford their bills now, let alone adding on  
6 additional charges.

7 In the past 2007-'08 HEAP season, the  
8 Stark County Community Action Agency has  
9 disbursed a total of \$1,040,720 to assist 5,670  
10 households with utility or bulk fuel assistance.  
11 Out of the 5,670 households, 2,769 were Dominion  
12 East Ohio Gas customers for which we disbursed  
13 \$324,134 directly to Dominion. So you can see  
14 approximately 49 percent, almost half, of the  
15 clients we assisted were Dominion East Ohio Gas  
16 customers who can't afford their gas bills.

17 And along with our low income  
18 customers, increasingly, households with incomes  
19 below the state median of \$44,000 find current  
20 prices unaffordable.

21 In addition, the high customer  
22 charge, also known as the straight-fixed  
23 variable rate design, harms low income customers  
24 that are not on PIPP because they generally have  
25 more usage than other customers. It also harms

1 other residential customers that either through  
2 conservation and/or small homes use less than  
3 the average customer.

4 The only long-term solution to this  
5 problem is to increase investments in low income  
6 weatherization and demand side management  
7 programs targeted to those below the state  
8 median income, particularly those that are  
9 payment troubled.

10 These investments will ultimately  
11 reduce costs to utilities and ratepayers by  
12 reducing bad debt, arrearages, and the PIPP  
13 Rider.

14 To deal with short-term affordability  
15 issues, Dominion should provide funding to  
16 supplement LIHEAP and expand the OPAE Fuel Fund  
17 and work with all community-based organizations  
18 serving low income customers to improve the  
19 impact of the funds provided through Energy  
20 Share.

21 And to put a human face on all of  
22 this, I have an elderly lady who lost her  
23 husband, along with his income. She came to our  
24 office. She was in a total state of panic over  
25 her gas bill. In fact, she was at the point

1 where it was almost impossible to talk to her.  
2 She was upset at her inability to keep up with  
3 her current charges which made her total account  
4 balance increase on a monthly basis, so her only  
5 solution was to keep her thermostat at 58  
6 degrees.

7 She didn't want to go on PIPP because  
8 no matter how I could explain it to her, she  
9 said the arrearages accumulating would just hurt  
10 her even more. So she left out of our office.  
11 After two, three months she returned and she  
12 informed us that she had been hospitalized for  
13 pneumonia.

14 At that point, we got her to realize  
15 that by enrolling on PIPP we would put her on a  
16 fixed payment amount monthly and that she could  
17 turn her thermostat up so she would not cause  
18 herself to be ill. We finally got her to  
19 understand the arrearage crediting program so  
20 that she wouldn't be in a state of panic over  
21 her monthly bills piling up.

22 This is the kind of stuff that we see  
23 every day in Community Action. Vulnerable, low  
24 income people, elderly people, disabled people,  
25 single parent homes, et cetera, making these

1 types of choices because they can't afford their  
2 gas bills. I know everybody in here has heard  
3 it before, but it's very true that if you raise  
4 the rate at all, in any small amount, people are  
5 forced to make real choices between food,  
6 medicine, heat, and sometimes in that exact  
7 order.

8 In closing, when making a final  
9 decision, remember that you are affecting real  
10 people, real homes, real families and that these  
11 people deserve to have better choices than what  
12 they currently have and that they also deserve  
13 to have their voices heard.

14 And in addition to what I wrote, I  
15 just wanted to say that a lot of these people  
16 here talking today, honestly some of these  
17 people probably are not even eligible for the  
18 programs that we offer. Our programs are income  
19 based. They can't even get the assistance. So  
20 to say that there's programs out there is not  
21 really a choice for them because they don't  
22 qualify.

23 So I would propose that, you know, we  
24 ask, you know OCS, ask everybody to look at  
25 possibly taking into account what a person pays

1 for their mortgage and their rent off the top of  
2 that gross income and let us use that to qualify  
3 that person. I think you'll see a real  
4 difference in some of these people being able to  
5 come in and qualify for our programs. Also  
6 you'll see a real difference in the high PIPP  
7 amounts that people have to pay based on their  
8 income.

9           You know, if you take a person right  
10 now with \$2,000 a month coming in, currently the  
11 way the PIPP program operates, it's a 15 percent  
12 plan; 10 percent of that 2,000, which is \$200  
13 gets paid towards their gas bill monthly. They  
14 cannot afford that.

15           Now, if you take that same \$2,000 and  
16 you take into account that this person pays \$600  
17 in rent, now you're down to \$1,400, now you get  
18 a PIPP payment of 140. Maybe they can handle  
19 that. I just say that we look at some ways of  
20 making some of these people out here qualify  
21 right now that don't qualify. Thank you.

22           **MR. DUFFY:**           Edward Rabatin?

23           **MR. RABATIN:**       You can hear me  
24 again? First of all, I would like to say that  
25 I'm definitely opposed to any increases

1    whatsoever in the programs that are initiated by  
2    Dominion or any other gas company because of the  
3    fact people are overburdened at the present time  
4    with the cost of this natural gas. This natural  
5    gas that's estimated beyond all resources.  
6    Absolutely it's intolerable. No one can afford  
7    to pay these bills that are on fixed incomes.

8                   I retired in '98 hoping to have a  
9    nice, peaceful, decent life and my life has been  
10   hell because everything that is evolved in my  
11   life has increased in cost. I mean everything.  
12   I'm talking about the gas I put in my car, and  
13   most assuredly and most importantly the gas I  
14   heat my home with.

15                   I put new windows in that home,  
16   energy efficient furnaces, insulation to cut the  
17   cost of the natural gas, and lo and behold you  
18   put thousands and thousands of dollars into your  
19   home to cut the cost of natural gas and what do  
20   they do? They keep raising the price of that  
21   product to the point where it's just impossible  
22   to keep up with.

23                   You cannot do anything more to the  
24   home to make it more energy efficient, but the  
25   cost of natural gas is going through the

1 ceiling. It is impossible to keep up with.  
2 What are people supposed to do?

3           You know, there doesn't seem to be an  
4 answer other than government has to step in and  
5 take a hard look at this whole situation.  
6 Because I believe there's nothing more than  
7 capitalistic greed in this country that's  
8 driving these prices up. They don't need the  
9 profits. Nobody can justify a \$43 billion  
10 profit for a year and say they need more money.  
11 That's -- that is so unrealistic.

12           Nobody in their right mind can give  
13 them credit and say, "Hey, look, oh, yeah, well,  
14 they're going broke," or "they really need money  
15 to stay in existence." That's bullshit. They  
16 don't need the money. They need to decrease the  
17 cost of these products to the consumers.

18           The consumers are making these people  
19 filthy rich and they're at the consumers'  
20 expense. The consumers are losing out. I have  
21 to go into my savings account to pay these  
22 bills. I can't continue to do that. Soon I'll  
23 be out of savings. What am I supposed to do?  
24 When I don't have any money what am I supposed  
25 to do, go on welfare? I don't think so. I



1 didn't work my life, 30 years in a factory  
2 situation, work all my way up to the top of the  
3 ladder to go on welfare. That doesn't make  
4 sense.

5 I mean what the hell's the country  
6 coming to? It doesn't make sense. That's my  
7 gripe. I don't think we need any more  
8 increases. I seriously think we need to take a  
9 look at ways that these companies need to  
10 decrease their costs to the consumer so that we  
11 can -- so we can start to be able to afford  
12 things like we used to.

13 I mean you can't continue on this  
14 path. We're going to go -- we're going to go  
15 into a society that's going to become completely  
16 lost, where people start robbing one another,  
17 killing one another just to get their few  
18 dollars that they have left because they can't  
19 afford it. It's ridiculous. Thank you.

20 MR. DUFFY: Patty Shrecker?

21 MS. SHRECKER: I'm here to say  
22 that I'm opposed to the rate increase as well.  
23 I'm in the healthcare industry and I've been in  
24 the healthcare industry for over 15 years and  
25 many of the things that I'm hearing in this room

1 about seniors on fixed incomes, I see the  
2 reality of in the hospitals every day. I live  
3 in Cuyahoga Falls in a condominium development  
4 and many seniors chose the option of condominium  
5 development and there are many seniors that live  
6 within the community that I do. Not only have  
7 gas prices gone through the roof for myself as I  
8 travel to Cleveland and then when I get to  
9 Cleveland travel around in order to make my  
10 living, IRS gas rates have not matched what that  
11 cost is and that comes directly out of my check  
12 every time I go to work.

13 But not only that, but everything has  
14 increased. And as far as the condominium  
15 associations, the seniors, like that gentleman  
16 over here can attest who wanted to retire,  
17 they've done everything right, they've saved,  
18 they've done all the energy efficient things  
19 that they're supposed to do as good Americans,  
20 they deserve to have a good retirement.

21 I'm seeing my neighbors now since the  
22 homeowners association in the state of Ohio  
23 released its limits on the condo fees, there's  
24 no limit to those fees. So they can raise those  
25 fees as high as they want. We have people who

1 have retired, they moved to the condo, they  
2 thought they were going to pay a fixed rate and  
3 now those rates are skyrocketing. We have gas  
4 and I think these rates are outrageous I really  
5 do.

6 And I have a couple questions. For  
7 one thing, I think it is so wrong, just as a  
8 statement, that we conserve and we're being  
9 penalized for conserving. That's absolutely  
10 outrageous. And secondly, the part that I don't  
11 understand and I want to try to word -- maybe  
12 you can give me an answer on this.

13 I understand that a portion of the  
14 bill that is an increase is to go to the people  
15 who are having trouble paying their bills. I  
16 empathize with that greatly and I understand  
17 that.

18 Now, in the company where I work, for  
19 instance, there's a loss that the company has  
20 every year for people who can't pay their bills  
21 or whatever. Okay? And that does eventually  
22 reflect on the rate that we charge for our  
23 services. But I don't understand how you can  
24 charge -- how a consumer can be charged  
25 blatantly for someone else's bill that we didn't

1 consume and we didn't have any control over.

2 Now, that's my understanding, and  
3 correct me if I'm wrong, but if a portion of my  
4 bill is going to someone who can't pay their  
5 bill, why is that set up that way? That would  
6 almost be like if I went to the grocery store  
7 and I had my groceries that I was going to  
8 consume for myself and my family and, you know,  
9 I have them there and then they said, "Okay,  
10 write out your check and now you have to write  
11 out another \$20 for the person standing behind  
12 you, that doesn't -- isn't able to pay."

13 And like I said, I do have, you know,  
14 very heartfelt sympathy for, you know, the  
15 seniors on fixed incomes. Once again, I think  
16 this is a shrinking middle class. The people  
17 that are going to be hit the hardest by this are  
18 going to be the people on the low end, not the  
19 people on the high end.

20 But if you can answer my question  
21 about that from a consumer's standpoint, how  
22 that charge fits in and how they can justify  
23 saying that we are paying for someone else's  
24 bill?

25 MR. DUFFY: When you wrote that

1 check -- don't get upset about what I'm going to  
2 say. I just want to give an example. When you  
3 wrote that check at the grocery store, there was  
4 something added in there for any loss that the  
5 grocery store suffered.

6 **MS. SHRECKER:** Correct.

7 **MR. DUFFY:** Okay. Now, when  
8 you go to a retail outlet, a Penney's store or  
9 Sears store, there's something that they add in  
10 to pay for their losses.

11 **MS. SHRECKER:** I understand that.

12 **MR. DUFFY:** By statute, we have  
13 to allow companies to recover their operating  
14 expenses. To the same extent, the grocery store  
15 or the Penney's or the Sears incurs that expense  
16 as an operating expense. By statute we have to  
17 allow the Company to recover that. I understand  
18 what you're saying. The alternative is --

19 **MS. SHRECKER:** Just raising the  
20 rates, I would feel --

21 **MR. DUFFY:** The alternative is  
22 that they tell these people, "We're cutting you  
23 off," and that's it.

24 **MS. SHRECKER:** Well, I don't --  
25 there are programs out there and I do

1 understand, you know, that. And I understand  
2 that the rates -- that the rates overall may  
3 have to go up. I understand that. But I just  
4 don't understand how it can be worded that way.

5 **MR. DUFFY:** Okay. And just  
6 with respect to your grocery store or the Sears  
7 or the Penney's store to do whatever they can to  
8 eliminate those losses, we expect the utilities  
9 to do whatever they can to get the money from  
10 those consumers. If the consumers don't have  
11 those dollars, then we -- the next step is refer  
12 them to the welfare office or some place like  
13 that where we can get them public assistance.  
14 It's not an easy answer, but you talked about  
15 the lady had who had pneumonia. Was that you  
16 or --

17 **MS. SHRECKER:** No, it wasn't me.

18 **MR. DUFFY:** That was the other  
19 lady.

20 **MS. SHRECKER:** I see those things  
21 today. People are making those kinds of  
22 choices.

23 **MR. DUFFY:** It is a delicate  
24 balance of where do we cut somebody off.

25 **MS. SHRECKER:** And I'm not saying

1 you should cut someone off. I'm asking about  
2 the wording of how it is. You know, what it is  
3 you're saying. I mean I understand that that  
4 could be billed again and it could be an overall  
5 increase, but I don't understand how it can be  
6 worded as such that, you know, people would  
7 actually pay that portion, if that makes sense.

8 **MR. DUFFY:** I apologize. I'm  
9 sorry.

10 **MS. SHRECKER:** Okay. I forget  
11 what the charge is on there that it's supposed  
12 to be to cover.

13 **MR. DUFFY:** The uncollectible  
14 charge.

15 **MS. SHRECKER:** Okay. I don't  
16 understand how it can be singled out as such  
17 because, in essence, as a consumer, you know,  
18 this is based, I think, on consuming. I mean  
19 the utilities are based on consumption and  
20 you're asking for people to pay for something  
21 that they themselves didn't consume. I'm not  
22 saying that we shouldn't pay for it or we should  
23 cut people off. I don't understand how it can  
24 be worded like that.

25 **MR. DUFFY:** The topic you raise

1 is a very delicate topic. The further we get to  
2 the north where it's colder, the more impact it  
3 has on more consumers. It's a lot warmer in  
4 Cincinnati than it is up here. I really don't  
5 know how else to address that.

6 **MS. SHRECKER:** Okay. Well, I  
7 just, once again, want to say that I am opposed  
8 to this rate increase and that's all.

9 **MR. DUFFY:** You know, I will  
10 say one other thing. The lady from development  
11 talked about insulation and things like that.  
12 We do expect utilities to be good corporate  
13 citizens and kick in for things like that.

14 The next one I have is Patty  
15 Shrecker, or Patty Shrecker.

16 **MS. SHRECKER:** That was me.

17 **MR. DUFFY:** Okay. Sorry.  
18 Chris Hazen?

19 **MS. HAZEN:** That's me. There's  
20 a couple people that had pertinent things to  
21 say. Number one, there's something wrong.  
22 Nobody -- the gas or electric Company does not  
23 have --

24 (Thereupon, a discussion was held off  
25 the record.)



1                   **MS. HAZEN:**                   One of the things  
2     that we need mostly is -- I live on a very  
3     limited income, but it's just high enough to not  
4     qualify for HEAP, not qualify for anything else  
5     not qualify for the electric company low income  
6     plan in Akron.

7                   The lady that said we would take into  
8     consideration our last payment on our bills,  
9     that is absolutely something that should happen.  
10    But the girl, Patty Shrecker, wherever she is,  
11    she just hit it right on point. The rate would  
12    be fine across for everybody, but we should not  
13    be expected to pay for people who consume more.

14                  I'm with the 3 or 4 or 5 other people  
15    who turn my gas on to 55 degrees. The only time  
16    I turn it up to 57 or 58 is when I have company.  
17    And now I've resorted to go to the thrift store  
18    and buy a lot of heavy sweaters so people can  
19    actually visit me without freezing to death.

20                  But there are people in my  
21    neighborhood who brag because they are on some  
22    kind of assistance, "I turn it up to 84 and take  
23    my shirt off because I don't pay the bill" like  
24    it's, you know, summer. Well, I don't  
25    understand, like Patty says, why we need to

1 subsidize people like that.

2           And you had said -- you know, like  
3 you said, we subsidize people in the grocery  
4 stores. The only way I can buy groceries is  
5 when my friend gives me a grocery card at Acme.  
6 I've never bought anything at Penney's. I don't  
7 go shopping. I buy my clothes at the thrift  
8 store. I'm not paying money to subsidize  
9 anybody at the grocery store or at Penney's  
10 because I can't afford it.

11           I'm low middle class. Low middle  
12 class. And I'm sure everybody else is here  
13 straddling the line between getting any kind of  
14 help and still not being able to survive. And  
15 I'm 65, like the other lady said. I have no  
16 inkling that I'll ever retire, ever. And the  
17 bills keep going up like everybody else said.

18           The thing that Patty brought out,  
19 that is true. That's why I'm here. This flat  
20 rate should be an increase across the board for  
21 everybody. I don't feel people like us really  
22 struggling should have to pay for people who are  
23 not struggling. People who have not put the  
24 types of things in insulation and windows and  
25 they turn their furnaces way up.

1                   And the other category are these darn  
2 landlords. They should be held accountable for  
3 putting insulation in their houses. They should  
4 help some of the people that cannot afford it.  
5 But the way you have your rates set up, we are  
6 going to subsidize everyone else and it's not --  
7 it's not doing anything for us.

8                   I think four or five people said they  
9 had done a lot of things to their houses and  
10 kept their heat down. But we shouldn't  
11 subsidize people that don't do those things.  
12 Because if you decide to lower this consumption  
13 rate, which is no -- there's no meter in this.  
14 There's no meter for us. Why don't we have  
15 something with a meter that says, "Wow, you  
16 really lowered your gas, you did some good  
17 things," and then you get a merit discount.  
18 Except for the opposite way that people keep  
19 spending, spending, spending and getting more  
20 and more and more.

21                   I teach math at Akron University and  
22 I hear students all the time say, "Wow, man, we  
23 just had the greatest party last night. We had  
24 the greatest party. We had the windows open and  
25 our shirts off and we were just boogying down."

1 It's like 10 degrees outside and we're paying  
2 for that. That doesn't make sense. I mean it  
3 really doesn't.

4 The consumer, if you're going to  
5 raise the flat rate you need to raise the  
6 consumption rate, also, while it would be better  
7 to keep the flat rate where it is and raise the  
8 consumption rate so people are forced to  
9 conserve. Because only about 25 percent of us  
10 are conserving and we're paying all the way down  
11 the line for everybody else.

12 The same thing with hospitalization.  
13 Our hospitalization keeps going up because we're  
14 covering people that don't have it. Across the  
15 board, that's why our bills are going up.  
16 That's it.

17 I hope I said everything. I hope  
18 somebody else feels the same about the landlords  
19 because a lot of people that are living in  
20 poverty have landlords that need to put storm  
21 windows and put furnaces and, you know,  
22 insulation in their houses. Thank you.

23 MR. DUFFY: Thank you. Gloria  
24 Norris?

25 MS. NORRIS: I am short. I'll

1 have to push this way down here. Okay. Can you  
2 hear me? Great. Because I got a big mouth.

3 My name is Gloria Norris, and I run  
4 La Raza, and it's a Spanish speaking  
5 organization, but I also work with other  
6 minorities and the elderlies.

7 Like the lady said, the poor, they  
8 got programs. They get Section 8. The  
9 landlords rent these houses and they are not  
10 equipped with -- and they have to pay their own  
11 utilities, their own gas, but these landlords  
12 are not putting efficient, like, heaters or  
13 water heaters, insulation. Okay?

14 They got PIPP, they got all these  
15 wonderful programs for the poor and the less  
16 fortunate, but then you only can use that during  
17 the winter. In the summer they will cut your  
18 gas off. There you are without hot water, so  
19 you have to take a shower with cold water.

20 I deal with a lot of these problems  
21 and it's sad to know that a company as big as  
22 your company would be so biased into thinking  
23 that everyone can afford your rates. Everyone  
24 cannot afford it. Because if everyone was able  
25 to afford it, we wouldn't be complaining about

1 it.

2 I'm also upset that a lot of the  
3 Latinos are not here, that I'm voicing their  
4 opinion through my voice. Because they cannot  
5 speak English are very upset that they cannot  
6 communicate and say, "Hey, okay, we're not all  
7 immigrants, you know. Some of us got great  
8 jobs, bad jobs, but we still pay bills." Even  
9 if they are immigrants, trust me, they got to  
10 pay their gas or they're going to get cut off.  
11 They don't care if you're immigrant or whatever.  
12 You get gas, you don't pay, you get cut off. So  
13 what do they do, as a United States citizen or  
14 not, pay your bill.

15 The rate increase with the people I  
16 have dealt with, not only Latinos, but some poor  
17 whites and some poor blacks, that can't barely  
18 afford food that think, oh, they got food stamps  
19 and they get all these programs and they all  
20 doing fine. But you know what? They're not  
21 doing fine. Otherwise there wouldn't be so many  
22 food banks out here. There wouldn't be so many  
23 kitchens giving away food.

24 With you raising this it's going to  
25 make it worse for them. Especially for the

1 elderly. Have you ever passed out food to the  
2 elderly who are shut in and don't have no heat?  
3 I had. So imagine if you raise this here what's  
4 going to become of them?

5 We shell out millions and millions of  
6 dollars out of our country. I'm a Puerto Rican,  
7 and I say I am proud to be an American, but  
8 sometimes I am not very proud and this is the  
9 time. That big money company has to come to us  
10 and say, you know what, "If they don't show up,  
11 that means it's okay with them and we can just  
12 raise it up." How dare you.

13 And a lot of people, they should all  
14 be fired up and people should be all lined up  
15 out there, but they can't get here on time. In  
16 fact, my letter, I got it three days ago. I  
17 didn't see this message in Canton, Ohio. It  
18 came from Akron.

19 My husband works for Time Warner.  
20 They had showed it because, you know, they think  
21 he's a cable man, he's making a lot of money.  
22 Yeah, we middle class and, oh, my gosh, you  
23 know, we got two cars and a house and we living  
24 it up, we're shopping. Well, I shop also at the  
25 shift shops and, you know, the bakeries, what

1 they call the Wonder Bread Thrift Stores and we  
2 buy the cans that are dented. We have to do  
3 that because we cannot afford the gas.

4 By the way, we just changed our water  
5 heater to an electric heater because we cannot  
6 afford the gas in the winter. It's too  
7 expensive. We should not have had to spend \$400  
8 on an electric heater because they cut off our  
9 gas because we don't do -- what was it, sweetie,  
10 \$300? Yeah, \$300. So we had to go four months  
11 without hot water and it ain't fun taking a  
12 shower with cold water especially when you got  
13 to wash your hair.

14 So we got a new heater, a water  
15 heater and it's electric. And we got a nice gas  
16 one. If anybody wants it, we'll be more than  
17 glad to give it away, a gas heater that is only  
18 two years old. We would be more than happy to  
19 give it to whoever wants it. Thank you.

20 **MR. DUFFY:** I think it's  
21 Sharonda Rutledge?

22 **MS. RUTLEDGE:** Yes, Your Honor.  
23 I'm with Gloria. She said everything for me.

24 **MR. DUFFY:** I have nobody else  
25 on the list. Is there anyone else who wants to



1     testify? Okay. One, two -- if you want to come  
2     back up, you may. Wait. Wait. You're number  
3     two, sir.

4                     You're number one. Can I get you to  
5     begin by saying your name, spelling it and give  
6     us your address?

7                     **MR. PALMIERI:**         Carl Z. Palmieri,  
8     P-a-l-m-i-e-r-i. 2926 Mogadore Road, Akron  
9     44312. Well, I hear a lot about the people -- I  
10    hear a lot about people cannot pay gas bill.  
11    That's true. That's not going to get any  
12    better.

13                    The problem we got is that, first of  
14    all, Dominion is charging too much already for  
15    their delivery and for the 1.44 per thousand  
16    cubic feet that they buy at the AMEX exchange or  
17    the stock exchange for the commodities.

18                    Well, as I find out, the profit to  
19    just move this gas to -- through their pipeline,  
20    they are making a profit. Not only paying all  
21    the expenses, but they're making a profit of 57  
22    percent. That's for 5 years. So today  
23    companies make 1 or 2 percent to stay afloat and  
24    they're happy.

25                    Why we got to give them an increase

1 on the base rate of 5.70 and then increase  
2 possibly for transportation and then we got to  
3 pay for an additional pipeline? How much you  
4 asking, \$12 million, that they got to go into so  
5 many years? Can you tell me how much it is,  
6 sir, you?

7 **MR. DUFFY:** I don't know the  
8 exact dollar amount per year.

9 **MR. PALMIERI:** Okay. But now the  
10 total. Okay. They want us to give them money  
11 so they don't want to lose anything. So how  
12 nice it is to make an investment. Hey, I'm not  
13 going to lose anything. I'm going to make 10  
14 percent now. And they want an increase and I'm  
15 not talking about the open market. I'm talking  
16 about just their services.

17 Now, going on the open market, these  
18 people got the gas fields. They bought these  
19 gas fields for pennies. There was an agency  
20 sometime ago that I was not much aware of  
21 because we never paid much attention to how the  
22 gas bill is. You know, it's all there. We all  
23 work. I'm a plumber. We felt it was okay, it  
24 was okay. That's what they did.

25 Then all of a sudden it was given to

1 private people to generate enough to deliver it  
2 and sell it. And the people -- the gentleman  
3 that talked before me, because this gas comes  
4 from the United States, nobody bought it. It  
5 was there. It was always there. The expenses  
6 are what they are. But the price isn't what  
7 they want. I'm done. Thank you.

8 **MR. DUFFY:** Thank you. Say  
9 your name, spell it and give your address.

10 **MR. DAVIS:** Alvin R. Davis.  
11 Address is 517 Brittain Road, Akron. D-a-v-i-s.  
12 Getting to the rate increase --

13 **MR. DUFFY:** Just a minute. The  
14 previous witness handed me a sheet of paper and  
15 I'm going to mark it as Akron Local Hearing  
16 Exhibit 1.

17 (Thereupon, Akron Local Hearing  
18 Exhibit 1 of the Dominion East Ohio  
19 Gas hearing was marked for purposes  
20 of identification.)

21 **MR. DUFFY:** Mr. Davis, go  
22 ahead.

23 **MR. DAVIS:** I'm against the  
24 rate increase. To start with, I would like to  
25 ask two questions. What's the 5.70 they charge?

1 What does that cover?

2 And the second question, what do they  
3 charge a cubic foot to send it through the lines  
4 at my house?

5 **MR. DUFFY:** Okay. The  
6 distribution cost -- or the distribution rate  
7 \$5 -- 5.70, that pays for what the Company has  
8 to do to deliver the gas to your house.

9 **MR. DAVIS:** You mean, write out  
10 our bills or what?

11 **MR. DUFFY:** That's to maintain  
12 the gas pipelines they put in the streets and  
13 roadways, reading the gas meters, processing the  
14 bills and taking customer service calls.

15 **MR. DAVIS:** They only read  
16 every other month so they're not paying out that  
17 much. They don't read it every month.

18 And as far as a cubic foot to send  
19 the gas through to my house per cubic foot? It  
20 should be the same for everybody, what they send  
21 through the line per cubic foot.

22 **MR. DUFFY:** The current rate  
23 is -- the current rate is \$2.90 per MCF.

24 **MR. DAVIS:** No. It's a lot  
25 higher than that on my last bill I got.

1                   **MR. DUFFY:**                   Pardon?

2                   **MR. DAVIS:**                   It was a lot higher  
3    than that on my July bill I got -- or August --  
4    June bill I got. I paid so much for the gas and  
5    then up at the top it told what the total thing  
6    is. It figured up, what, to send through the  
7    lines is \$3.60-some per foot.

8                   And besides that, another question I  
9    would ask, the CEO makes \$34 million a year,  
10   right? They said approximately, this guy said.  
11   Ain't nobody worth that kind of money. What's  
12   he do sitting behind a desk making \$34 million a  
13   year. I worked my whole lifetime and made less  
14   than a million dollars in 50 years.

15                  And I'm retired and I live on a fixed  
16   income of \$24,500 a year. And now that there, I  
17   pay 7 to \$8,000 of my life insurance and my  
18   supplement for my Social Security -- or for  
19   pension insurance and 20 percent I pay. That  
20   leaves me less than \$16,000 to live on, buy  
21   groceries, medicine and everything else. I  
22   would like to see the CEO come and live on  
23   \$16,000 a year.

24                  **MS. SHRECKER:**           It's Patty  
25   Shrecker. I just wanted to say in response to

1 the woman here in the red that just spoke about  
2 the public meetings, when I first found out  
3 about this, I found out about it in the  
4 Cleveland "Plain Dealer" in the August 2nd  
5 edition, and I was outraged by that when I saw  
6 it. And I sat the paper aside and was talking  
7 to my friend that came here today and I was  
8 going to reference the meeting.

9 So I had to really dig for this  
10 article and I went on the website and I got the  
11 article from the "Plain Dealer," and it said  
12 that the meeting was on the 19th, which was  
13 Tuesday. Okay?

14 Also as I was trying to find out  
15 about this information. I contacted the Mayor  
16 of Cuyahoga Falls and they said they knew  
17 nothing about these meetings. They knew nothing  
18 about them. And they recommended that I write  
19 to PUCO, but failed to mention that I had to  
20 reference this docket in order for it to be  
21 counted and I found that out from the PUCO  
22 website.

23 MR. DUFFY: Give us your name  
24 again.

25 MS. PILCAVAGE: Sandra Pilcavage.

1 I wanted to make a comment about people not  
2 getting notified. The only reason I knew about  
3 it was because he got a postcard, he slowed it  
4 to me, and I came to the meeting. I had to -- I  
5 didn't know anything about it at all until he  
6 showed me the card that he had and that's why I  
7 decided to come to the meeting because he was  
8 coming to the meeting.

9 I don't think most people know about  
10 these meetings. They never hear about them.  
11 They don't get notification in the mail. He  
12 lives in Akron, I live in Akron. Why did he get  
13 notification, a postcard, and I did not?  
14 There's not enough, you know, public knowledge  
15 about this, otherwise, like people said, this  
16 room would be full.

17 **MR. DUFFY:** As you pass by,  
18 give your name to the court reporter and your  
19 address.

20 **MS. GORDON:** Cathy Gordon,  
21 G-o-r-d-o-n, 6120 Hilbish Avenue, Akron 44312.

22 **MR. DUFFY:** Just say your name  
23 when you go up there.

24 **MS. GORDON:** Hi. My name is  
25 Cathy Gordon, and I just have a question. Has

1 the PUCO ever said no to any public utility  
2 increase?

3 MR. DUFFY: Yes.

4 MS. GORDON: When?

5 UNIDENTIFIED SPEAKER: When? What  
6 year?

7 MR. DUFFY: It was a -- it was  
8 a request of Toledo Edison Company. I don't  
9 know if they ever did it for a gas company. But  
10 I can't remember the year. I started working  
11 for the PUCO in 1975. I believe it was -- it  
12 was probably sometime in the '80s. It certainly  
13 has been a while.

14 MS. GORDON: Well, if that's the  
15 case then, and the public utilities basically do  
16 what they want, what is your function?

17 MR. DUFFY: I don't want to  
18 argue here, but we get anywhere from 1,200 to  
19 2,500 cases a year.

20 MS. GORDON: Filed from whom?  
21 What do you do?

22 MR. DUFFY: We get them filed  
23 by utilities, we get them filed by consumers.  
24 We get numerous complaint cases filed by  
25 consumers.



1                   **MS. GORDON:**           That has nothing to  
2 do with raising or lowering prices.

3                   **MR. DUFFY:**           No. Those cases  
4 are -- the cases filed by consumers are  
5 generally service related matters or billing  
6 problems they have with companies that they  
7 cannot resolve on a local basis. Like whenever  
8 they -- we always ask consumers if you have  
9 problems like that to first call your utility  
10 and see if you can work it out. If not, call  
11 into the PUCO and see if we can work it out with  
12 the utility informally.

13                   If those two methods do not work, we  
14 always inform the consumer they have a right to  
15 file a formal complaint and those formal  
16 complaints are handled pretty much like a very  
17 informal court case. The consumer comes in,  
18 gives their testimony, the Company has to return  
19 the testimony and then the Commission has to  
20 make a decision in the case.

21                   **MS. GORDON:**           Now, let me make  
22 sure I understand this right. For Dominion to  
23 raise prices they have to have your okay, right?

24                   **MR. DUFFY:**           For Dominion to  
25 raise the distribution rates.

1                   **MS. GORDON:**           Okay. But I mean  
2 they have to have your okay?

3                   **MR. DUFFY:**           Yes.

4                   **MS. GORDON:**           So if you didn't  
5 give your okay to them and you didn't give your  
6 okay to FirstEnergy and some of the other ones,  
7 might they start cutting some CEO salaries?

8                   How many millions of dollars profit  
9 did you say they made last year.

10                  **UNIDENTIFIED SPEAKER:** Thirty  
11 billion.

12                  **MS. GORDON:**           Billion. And they  
13 need money to recover their losses? Even a  
14 fifth grader knows that's not right. Somebody's  
15 got some really mixed up priorities here and  
16 it's not your average people that are trying to  
17 live. Thank you.

18                  **MR. DUFFY:**           Just say your name  
19 again.

20                  **MR. van den BOSCH:** Marcel van den  
21 Bosch. Actually I just have a question directly  
22 to the topic of the rate increase. Why does the  
23 PUCO propose the fixed rate compared to the  
24 variable rate? What are the criteria for that?

25                  **MR. DUFFY:**           Well, I don't want

1 to respond to that because I'm not part of that  
2 group that made the recommendation. I can give  
3 you a reference where you can find documents on  
4 the web that explains why they made that  
5 recommendation. I don't have those here  
6 tonight.

7 **MR. van den BOSCH:** I understand that  
8 you are representatives from the Public  
9 Utilities Commission of Ohio and you proposed  
10 the fixed rate, but you're not prepared to  
11 answer this question?

12 **MS. FERGUS:** We are the  
13 decision --

14 **MR. van den BOSCH:** I think that  
15 is -- isn't that the very point why we gather  
16 here tonight, the variable rate compared to the  
17 fixed rate? And for this very issue you don't  
18 know the answer?

19 **MR. DUFFY:** You want to try?

20 **MS. ROBERTO:** Okay.

21 **MR. DUFFY:** We'll try.

22 **MS. ROBERTO:** I want to try to be  
23 clear again about what our role is here. We are  
24 with the Public Utilities Commission. Ronnie  
25 and I are Commissioners. We're two of the five

1 Commissioners that this case will eventually  
2 come before. Paul is the hearing examiner, the  
3 judge on this case. None of this had anything  
4 to do with the PUCO staff's report.

5 PUCO staff is a party to the case  
6 before us, just like the Consumers' Counsel is  
7 and just like the Company is. They all three  
8 come before us along with all the other folks  
9 who wanted to intervene and make their best case  
10 and we decide.

11 Now, the reason that we're here this  
12 evening is because while this case is in front  
13 of us and all of these folks are making their  
14 best points, we wanted to hear from you. We  
15 wanted to hear directly from you as consumers  
16 what do you think about these various proposals.  
17 So we're sitting here as judges. Not as anyone  
18 advancing or advocating anyone's position in  
19 particular.

20 **MR. van den BOSCH:** I thought I was  
21 just coming up with a very simple question here  
22 when I stepped up. I did not mean to corner  
23 you.

24 So my -- my opinion is that a  
25 consumer of low consumption will automatically

1 have a higher impact with the fixed rate  
2 compared to the variable rate. As has been said  
3 before, consumers with a high consumption,  
4 people in like mansions, big houses with high  
5 consumption, well, naturally then with this  
6 fixed rate they will benefit out of that.

7 Consumers -- low income consumers  
8 that try everything, the people that keep their  
9 house cold like me, I will still see an increase  
10 in my bill and I think that's why the fixed rate  
11 is not a good idea.

12 **MS. ROBERTO:** Thank you.

13 **MR. Van den BOSCH:** Thank you.

14 **MR. DUFFY:** Again, I have  
15 nobody else on my list. Do you want to come up  
16 again? Give your name for the record again when  
17 you come up.

18 **MS. HAZEN:** I hope you can hear  
19 me, and I don't want to ramble on, but some  
20 people before me, somebody asked what exactly  
21 that rate entailed and you said sending the  
22 bills out, reading the meters, you had about  
23 five things that that bill entailed. Can you  
24 tell me what those are again? Fixed rates.

25 **MR. DUFFY:** Okay. It's in the

1 handout in the back of the room. It's  
2 maintaining and repairing the pipelines, it's  
3 meter reading, sending bills out, there's  
4 service charges entered in to answer your call.

5 **MS. HAZEN:** Why would that  
6 triple? Why would that triple, especially since  
7 you're going to be doing -- you're going to ask  
8 for new pipelines anyhow and you're also going  
9 to ask for new meters. I mean even if you  
10 weren't asking for new meters and pipelines, why  
11 would you be tripling these costs? Why don't  
12 you add a dollar or two, because certainly those  
13 things aren't going to triple.

14 **MR. DUFFY:** I don't think  
15 anybody has said they were going to triple.  
16 Part of the staff proposal is that that fixed  
17 charge will go up, but then the usage charge,  
18 which is also part of the distribution charge,  
19 would come down.

20 **MS. HAZEN:** That's why we're  
21 all here. We don't want our fixed rate to go  
22 up.

23 **MR. DUFFY:** We hear that  
24 message. We understand what you're saying.

25 **MS. HAZEN:** And if you do --

1 like, add up all things -- because I teach math.  
2 If you go from 5.70 to 6 and you round 17.80 up  
3 to 18, that is triple. That is triple. 3 times  
4 6 is 18.

5 **MS. FERGUS:** There is a usage  
6 component. And, again, we're not defending  
7 that. I just want to make sure you understand.

8 **MS. HAZEN:** I understand.

9 **MS. FERGUS:** There's a flat rate  
10 and there's expenses. One's going down, one's  
11 going up. Some customers will see an offset and  
12 some customers will see a rate increase under  
13 the proposal.

14 Also as Paul said at the very  
15 beginning, the 17.50 assumes that Dominion would  
16 be granted its entire revenue requirement  
17 increase. The staff in its own staff report  
18 only recommended about half of the revenue  
19 requirement that Dominion requested. So the  
20 17.50 was just an example of how the rate design  
21 would work. That's not the way -- if the  
22 Commission accepted the staff proposal, that's  
23 not the rate that it would use, just so  
24 everybody understands.

25 **MS. HAZEN:** That's really

1 interesting. That's good. And some of the  
2 people aren't listening to us about the flat  
3 rate. I always felt that nobody was listening  
4 to us about a flat rate. So you are?

5 **MR. DUFFY:** I am. Like I said  
6 before, since 1975 I've listened to every word  
7 that was said.

8 **MS. HAZEN:** We'll watch careful  
9 and see if you comply with what we ask for.

10 **MR. DUFFY:** Anyone else? Sir,  
11 you're up.

12 **MR. GORDON:** Dave Gordon,  
13 G-o-r-d-o-n.

14 **MR. DUFFY:** Say your name so  
15 everybody knows who you are.

16 **MR. GORDON:** I'm Dave Gordon.  
17 What did you say they made last year?

18 **UNIDENTIFIED SPEAKER:** Forty-three  
19 billion.

20 **MR. GORDON:** Okay. If they made  
21 \$43 billion last year, what was their operating  
22 costs for the maintenance? Do you know?

23 **MR. DUFFY:** No.

24 **MR. GORDON:** They don't give  
25 that information to you when they're asking for



1 money? \$43 billion, and they're wanting a  
2 raise?

3 **MR. DUFFY:** Okay. I was going  
4 to let it go, but I've got to ask. The \$43  
5 billion was made by who?

6 **UNIDENTIFIED SPEAKER:** I believe it  
7 was Dominion.

8 **MR. DUFFY:** Dominion Ohio or  
9 the Dominion parent company?

10 **UNIDENTIFIED SPEAKER:** It's only one  
11 company.

12 **MR. DUFFY:** It was not the  
13 Dominion Ohio Company. And I can't even verify  
14 that \$43 billion you represent.

15 **MR. GORDON:** That's awful high  
16 for Ohio. I would say that's the whole company.

17 **MR. DUFFY:** That is what I  
18 assumed the first time you said it. Otherwise  
19 there is no way this company could come in and  
20 even ask for a dollar.

21 **MR. GORDON:** That's my question.  
22 Well, that's -- anyone that makes \$43 billion  
23 doesn't need a rate increase. I'm sorry. I  
24 understand. I work in construction and I'm  
25 retired and I've worked on a gas line for East

1 Ohio and now Dominion and that's a lot of money.  
2 And I can't see the raise. And especially since  
3 the CEO's making a killing, you know. I'm  
4 sorry. That's common sense.

5 There's people out here that can't  
6 pay their gas bill. And even if it's 5 or 6 or  
7 whatever it's going to, they've got a lot of  
8 places now that don't have people living in them  
9 and we'll have a lot more.

10 And I give every month to the winter  
11 fund or whatever they call it. So they're  
12 planning off of that. And the bad thing about  
13 that is when East Ohio or Dominion, they took  
14 the cream of the crop because they got the  
15 transmission lines and then they talked people  
16 into buying their gas and it was higher than  
17 anyone. So if you guys give them this raise,  
18 that's the wrong -- you better go back and look  
19 at it because it's -- it's out of sight.

20 **MR. DUFFY:** Thank you. Just  
21 say your name again.

22 **MR. COOKE:** Eugene. I'm Eugene  
23 Cooke again. And first of all, before I forget  
24 I want to mention the lady that diverted from  
25 gas to electricity. I got bad news for her.

1 The electrical rate is shooting up.

2 But what I wanted to mention is --  
3 am I too close to the mic? It's obvious that  
4 I'm looking and listening to the hearing the  
5 testimony and getting information from you folks  
6 that most of these people that are here are  
7 concerned based on, not the Dominion levy on us,  
8 but what the cost is going to be per MCF.

9 Now, if I'm paying 9.49 and it's  
10 going up to 14, which is possible, that's what  
11 I've been told it could go up to 14, but  
12 definitely 13, so we're talking about -- well,  
13 let's see, anywhere from a 35, 40 percent  
14 increase. Now, that's on this bill and it was  
15 better last winter.

16 Obviously the PUCO has their  
17 jurisdiction to have some regulation on how much  
18 a supplier can jump the rate per thousand cubic  
19 feet, per MCF. Is that a "yes" or "no"? That's  
20 the important thing, I think, it appears to me.  
21 That's going to -- if it jumps up, goes from 9,  
22 what I'm paying now, up to 13 and that's 4 over  
23 9, that's almost 40 percent. My bill got up to  
24 being 150 a month. I'm going to be paying over  
25 200. So I don't care how you hold this part

1 here, the fixed charges and everything, I'm  
2 still going to be paying a big bill and that  
3 bothers me.

4 The second thing is -- the last thing  
5 I wanted to mention while I'm on my soapbox  
6 here, it seems to me, from what I've heard and  
7 read, that most of the people, if not almost all  
8 of the people from the PUCO either come from big  
9 industry in the past, from oil companies,  
10 telephone companies, gas companies and that kind  
11 or -- and I think they stay a while with the  
12 PUCO and then they go back to the private  
13 industry.

14 I don't think some of them -- I think  
15 it's -- they're selected by the Governor, but I  
16 don't think it's a permanent thing. Needless to  
17 say, there's a fold of personnel between private  
18 industry and -- I mean the big industry and  
19 PUCO.

20 Now, if you -- if I were in the PUCO  
21 and I knew that when my term goes through I'm  
22 going to get back with the gas company or  
23 electric company, I would do a little head  
24 scratching and say, "Well, I guess I better  
25 watch what I do here because I got to look for

1 my future." Now, isn't this like the fox  
2 guarding the hen house?

3 **MR. DUFFY:** Wait a minute. I  
4 do have to clarify something. There is a state  
5 statute that says an employee of a public  
6 utility may not be chosen to be a Commissioner  
7 at the PUCO. The Governor cannot appoint an  
8 employee of a public utility or an officer in a  
9 public utility.

10 **MR. COOKE:** But he has  
11 appointed people that have been in there, but  
12 they're not in it now.

13 **MS. ROBERTO:** Sir, I can tell you  
14 that Ronnie and I are two of the Governor's  
15 appointments. We've never worked for a public  
16 utility.

17 **MR. COOKE:** Oh, you say you  
18 haven't, but you have worked for them.

19 **MS. ROBERTO:** No, we have not.

20 **MS. FERGUS:** Everyone at the  
21 PUCO has been in public service their entire  
22 career.

23 **MR. COOKE:** Not according to  
24 the "Akron Beacon Journal." They weren't  
25 working then, but they had worked for utilities

1 and they go --

2 MR. DUFFY: Okay. I don't want  
3 to argue with you.

4 MR. COOKE: I'll send you  
5 clippings of it.

6 MR. DUFFY: I just want to know  
7 anybody who hasn't testified at all yet who  
8 wants to testify.

9 (Thereupon, a discussion was held off  
10 the record.)

11 MR. DUFFY: State your name  
12 again.

13 MS. NORRIS: Gloria Norris,  
14 330/456-7893. I just want to give you this.  
15 Like, when you keep getting your rates, when you  
16 go to see your CEOs and you sit down in your  
17 meetings and I don't -- I cannot believe I'm  
18 trying to think what possibly does the kids  
19 needs in life. You have them go through college  
20 and having send all your kids -- because the  
21 people that's struggling, including myself, I  
22 have still two younger ones, we still have to  
23 pay for college.

24 Aren't you all jumping onto the  
25 bandwagon of the gas prices and food prices

1 going up, so it sticks it again to them and  
2 punching them in their stomach and let them feel  
3 like they're great, great, great, hard working  
4 Americans, let's make them even more poorer.

5 When Christmas comes, which is right  
6 around the corner, by the way, and a lot of  
7 these families are not going to be getting their  
8 kids the Christmas presents that they need and  
9 they want, you just remember how many poor  
10 people you're making poorer if you raise these  
11 prices.

12 And remember how many parents that  
13 are struggling, including this lady right there,  
14 that's right now struggling, and I don't mean to  
15 point at you or make you stand out, but  
16 Christmas is right around the corner and she can  
17 barely afford having four kids going to school  
18 working hard and now she got to pay another  
19 higher bill on gas. (Indicating.)

20 So Christmas is around the corner.  
21 When you have your nice, big Christmas tree and  
22 your kids that get all these wonderful, great,  
23 expensive gifts and your wife and your husband  
24 or whatever and all your CEOs, you can send some  
25 money, you got my address, you got my telephone

1 number, you can tell your CEOs so they feel a  
2 whole lot better to call me up and send me some  
3 money. And I can help these parents and the  
4 elderlies that have been shut in too, by the  
5 way, and we can help them get some extra  
6 blankets and extra sweaters because they're  
7 going to be pretty cold. Thank you.

8 **MS. GORDON:** Cathy Gordon. It's  
9 just me again, Cathy Gordon, and I have another  
10 question for you. Don't look so happy.

11 How can you even consider letting  
12 them go ahead with an increase when you don't  
13 know the profits or their operating expenses?

14 **MR. DUFFY:** The Company filed  
15 an application. By law we have to give them a  
16 hearing. That is what we're doing. It doesn't  
17 mean we've decided any issue in the case yet.

18 **MS. GORDON:** Well, that's  
19 totally wrong.

20 **MS. FERGUS:** No, it's our  
21 staff's recommendation. As Commissioner Roberto  
22 said --

23 **MS. GORDON:** They should have to  
24 supply that information first up front.

25 **MR. DUFFY:** Okay. The Company



1 has filed an application with the Public  
2 Utilities Commission. In that application there  
3 are requirements they have to include. There is  
4 a lot of financial information. The Company's  
5 application was that big. (Indicating.)

6 All that financial information comes  
7 in. Anybody who intervenes in the case is  
8 entitled to a copy of that. They can go through  
9 all that. They can do discovery upon the  
10 Company just like they could in any civil case  
11 in court.

12 They can ask the Company, "You've got  
13 a figure here. Can you give us some backup  
14 information to that?" Then the interveners use  
15 that information to come to the Commission at  
16 the hearing to put on their side of the case and  
17 try to show why the Company is not entitled to  
18 their increase.

19 When the entire case is over, the  
20 matter then comes before the Commission for its  
21 decision.

22 **UNIDENTIFIED SPEAKER:** Are you the  
23 Commission or the --

24 **MS. FERGUS:** Commissioners.

25 **UNIDENTIFIED SPEAKER:** Where do I get

1 that information?

2 MS. FERGUS: It's on the  
3 internet.

4 UNIDENTIFIED SPEAKER: I don't have a  
5 computer and I don't know how to use one.

6 MR. WHITT: Well, the  
7 application's also on file at the Company's  
8 business office. We're required to keep it  
9 there. And as you had mentioned, it's also  
10 available on line.

11 MS. FERGUS: And that's why  
12 we're here tonight, to hear what you say. We  
13 actually haven't seen -- we haven't reviewed any  
14 of the evidence yet because the hearings are  
15 still going on in Columbus on the financials  
16 part. We're here to hear what the public has to  
17 say. That's one of the first steps of the  
18 process that Commissioners get involved in.

19 The other stuff hasn't come before us  
20 yet. When it comes before us in the form of a  
21 recommendation from our staff in an opinion and  
22 order, then we will dig in and read everything.  
23 The staff report, OCC has filed and taken a  
24 position and they take a part in the evidentiary  
25 hearings that are going on, all the parties that

1 Paul mentioned at the beginning, there's like,  
2 what, eight different parties who are all  
3 presenting their case, all of that will get  
4 reviewed at the end. We're not there yet.  
5 We're here tonight to hear what you've got to  
6 say. This is just one step in the process and  
7 that's as far as we've gotten so far.

8 **UNIDENTIFIED SPEAKER:** But it's --  
9 since you're the ones here talking to the public  
10 people that don't know where to go to get all  
11 this information, don't have access to this  
12 information easily, then that's something --  
13 those two things in particular are something you  
14 should have for people like us to ask questions.

15 **MS. FERGUS:** That's what our --  
16 we did try to put together in plain English. As  
17 he said, the application is this thick. The  
18 staff report's this long. (Indicating.)

19 **UNIDENTIFIED SPEAKER:** But I'm  
20 referring basically to the profits and their  
21 operating expenses. I wouldn't care about all  
22 the reasons.

23 **MR. DUFFY:** That information --  
24 the Company's view of their profits and expenses  
25 is contained in their application. The staff's

1 review and summarization of that is included in  
2 the staff report which has been filed in the  
3 case. By statute, the staff of the Public  
4 Utilities Commission has to do an investigation  
5 and review of the Company's application and must  
6 produce a staff report.

7 **UNIDENTIFIED SPEAKER:** Okay.

8 **MS. ROBERTO:** Everything in this  
9 case is public record.

10 **MR. DUFFY:** I'm going to have  
11 to give the court reporter --

12 **MS. FERGUS:** Let's go off the  
13 record.

14 **MR. DUFFY:** Go off the record.  
15 (Thereupon, a recess was taken.)

16 **MR. DUFFY:** Again, we can come  
17 back at the end of the hearing, we'll talk to  
18 anybody and answer any questions you want, but  
19 since I said we were going to take a short break  
20 I want to keep that to a short break. And I can  
21 honestly say that in all the hearings I've been  
22 at in my entire career, I have never had as many  
23 questions as I've had tonight.

24 Some of you people may be thinking  
25 you don't know a whole lot. I think you would

1 be surprised at how intelligent your questions  
2 are.

3 UNIDENTIFIED SPEAKER: I think so,  
4 too.

5 MR. DUFFY: Now, we've heard a  
6 lot of things on a lot of topics. Is there  
7 anybody who thinks we've left something out that  
8 they want to bring up?

9 UNIDENTIFIED SPEAKER: When are you  
10 going to talk about the electric and the water  
11 and the sewers and everything that our  
12 electric's doing?

13 MR. DUFFY: Come on up. Name?

14 MR. RABATIN: Ed Rabatin.  
15 There's a couple things that concern that 5.70  
16 fee that people should know. When this fee -- I  
17 don't know when that went into effect, but it's  
18 been several years ago. That included the  
19 service of the meter readers who used to come  
20 out every month and read those meters.

21 According to the PUCO, I believe they  
22 only have to do that once a year now. They  
23 don't do that every month. And the gas company  
24 will tell you they don't even read the meters  
25 but every two months, and if they so desire they

1     only have to do it but once a year.

2                   And the other thing is the gas  
3     company used to provide a service. If you had a  
4     leak in your gas line, in their service line  
5     from your street to your house, they used to  
6     provide service at a reasonable cost.

7                   I had a line put in. It cost me  
8     \$120. And they quit that service here about  
9     maybe four or five years ago, and now you have  
10    to have a contractor do that and it's anywhere  
11    from \$1,200 and up. And the point I'm trying to  
12    make is they decreased the amount -- number of  
13    meter readers because they don't read the meters  
14    every month, they decreased the service they  
15    provide to the public, they're paying for that  
16    service for the 5.70.

17                   At the same time, they're asking you  
18    to approve increases in that 5.70 for less  
19    services and less people that they employ. I  
20    just thought that should be information that  
21    should be brought out.

22                   **MR. DUFFY:**           Thank you.

23                   **THE WITNESS:**       Thank you.

24                   **MR. DUFFY:**           All right. I'm not  
25    seeing any other hands.

1                   **MS. HAZEN:**                   I'm Chris Hazen,  
2     and I'm not very happy, but now that I realize  
3     that you're not the enemy, that you are here to  
4     take care of us, she did read back to me  
5     everything that was said, they listen, so I  
6     wanted to thank you for putting your heads on.  
7     You're probably between a rock and a hard place.  
8     So we do appreciate it. We know you're not  
9     CEOs.

10                  **MR. DUFFY:**                   Thank you.

11                  **MS. RUTLEDGE:**               Sharonda Rutledge,  
12     S-h-a-r-o-n-d-a. My name is Sharonda Rutledge.

13                         My question is to the representatives  
14     from the Company. Help me understand this  
15     process. This is a hearing and those are the  
16     representatives, right? Correct?

17                  **MR. DUFFY:**                   Keep going.

18                  **MS. RUTLEDGE:**               Correct? Am I  
19     right so far, because this is my very first  
20     meeting. I'm trying to understand the process  
21     here. Right?

22                  **MR. DUFFY:**                   Well, the intent of  
23     this hearing is to allow consumers to express  
24     their comments.

25                  **MS. RUTLEDGE:**               So my comment is as

1 a representative from the Company they're here  
2 just to hear us and what we say. So when they  
3 have their hearing, will we as consumers be able  
4 to speak at their hearing?

5 **MR. DUFFY:** If you intervene in  
6 the case you would be entitled to it. I can  
7 tell you the Office of Consumers' Counsel by  
8 statute is the representative of the residential  
9 customers of the Company and they are putting on  
10 a case on your behalf. They are your legal  
11 representative. That is why they are here  
12 tonight.

13 **MS. RUTLEDGE:** Okay. So these are  
14 going to be the people that's representing us?

15 **MR. DUFFY:** Not these people.  
16 (Indicating.)

17 **MS. FERGUS:** Stand up, Rick.  
18 Rick is your lawyer.

19 **MS. RUTLEDGE:** I'm trying to  
20 understand the process. And me as a single mom  
21 that's just working, living enough to make my  
22 bills, taking care of all of my kids by myself,  
23 I know that I speak for myself, but I also  
24 represent those people that are at that level in  
25 their life.



1 I know Gloria so we do know people  
2 that are poverty level. These people who are  
3 living day to day, check to check are going to  
4 be in poverty. They're going to be right here  
5 where we're at right now. We're going to go  
6 down, because that's where it is right now just  
7 to live and maintain.

8 The common people or the people that  
9 I heard everybody say middle class, lower class,  
10 everybody here is well dressed, very well  
11 spoken, but what about the people who are not  
12 able to do that? What about the people who are  
13 in poverty or homeless now? You know, we're not  
14 going to be able to take care of our bills and  
15 handle our lives if we have this increase in  
16 just utilities.

17 Because -- I live in subsidized  
18 housing. Thank God I live in subsidized housing  
19 because just my utilities alone is just enough  
20 to keep me going. That's where everything's at,  
21 where my money's going. I'm upset with the  
22 utility companies because I'm not just dealing  
23 with an increase with gas now. I've dealt with  
24 an increase with electric as well as the water  
25 company.

1                   Now I'm hearing this about the gas  
2   and I'm upset. Because people who are barely  
3   maintaining their lives are not going to be able  
4   to do this with this increase. Thank you.

5                   **MR. DUFFY:**           Okay. Not seeing  
6   anybody else, I do, for the record, want to  
7   admit into the file Akron Local Hearing Exhibit  
8   Number 1.

9                   I want to thank you all for coming  
10   tonight. I want to thank the Summit County  
11   Metro Parks for letting us use the facility.  
12   This is one of the better facilities we've been  
13   to recently. And if there's nothing further, I  
14   will consider this hearing submitted on the  
15   record. Thank you.

16                   **UNIDENTIFIED SPEAKER:** Thank you.

17                   **MR. DUFFY:**           We're off the  
18   record.

19                   (Thereupon, the proceedings were  
20   concluded at 8:12 o'clock p.m.)

21                   - - -

22

23

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25

## C E R T I F I C A T E

STATE OF OHIO, )  
 ) SS:  
SUMMIT COUNTY, )

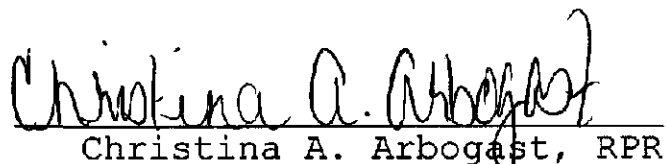
I, Christina A. Arbogast, a Registered Professional Reporter and Notary Public within and for the State of Ohio, duly commissioned and qualified, do hereby certify that these proceedings were taken by me and reduced to Stenotypy, afterwards prepared and produced by means of Computer-Aided Transcription and that the foregoing is a true and correct transcription of the proceedings so taken as aforesaid.

I do further certify that these proceedings were taken at the time and place in the foregoing caption specified.

I do further certify that I am not a relative, employee of or attorney for any party or counsel, or otherwise financially interested in this action.

I do further certify that I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28(D).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Akron, Ohio on this 2nd day of September, 2008.

  
Christina A. Arbogast, RPR

My commission expires December 7, 2010.

- - -

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# EXHIBIT

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Betty J. Wilmoth  
3249 Samuel Rd  
Akron Oh 44312

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increase in rates.

Betty J. Wilmoth

8-21-88

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Lois Woodroff

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Shirley Cody  
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Mogadore, Oh. 44260

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increase

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**NEW**  
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**pre-op ceforanide**

Dan Tucker

I oppose this  
Peter

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## Dominion Resources, Inc. (D)

On 9:37AM ET: 43.10  $\uparrow$  0.01 (0.02%)

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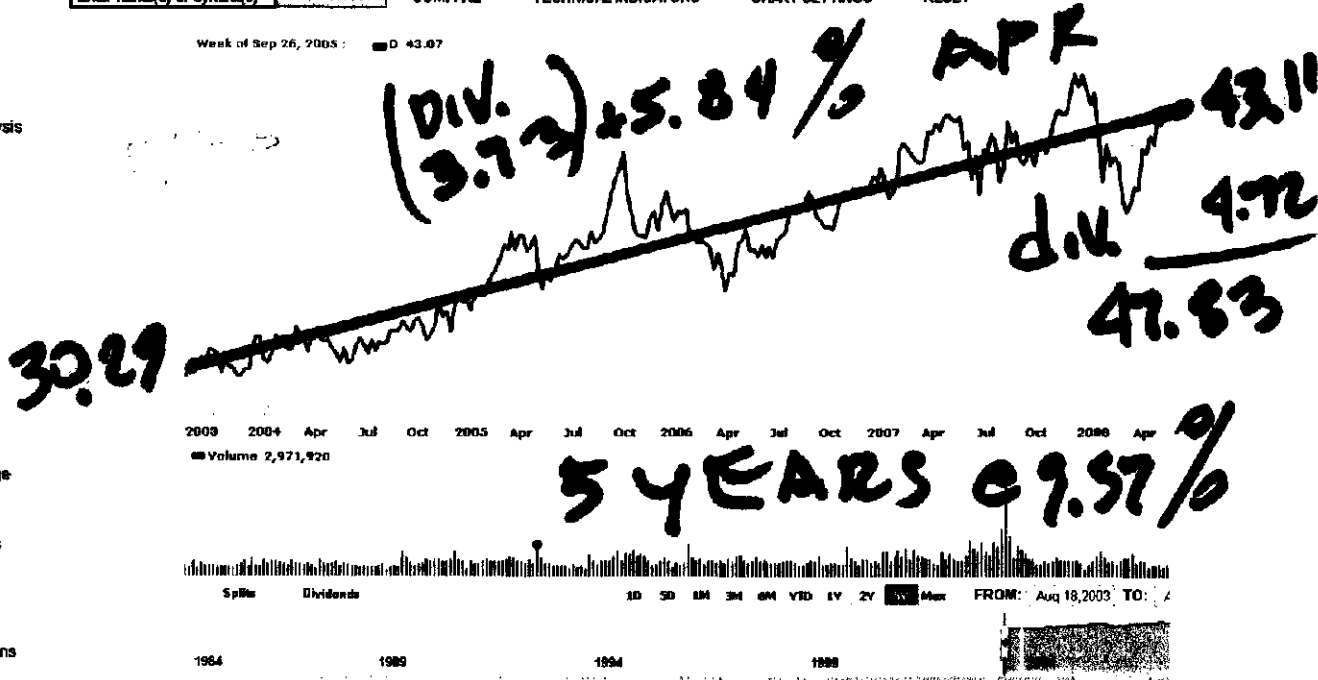
## Ownership

Major Holders  
Insider Transactions  
Insider Roster

## Financials

Income Statement  
Balance Sheet  
Cash Flow

Week of Sep 26, 2005: D 43.07



Spills

Dividends

1D

5D

1M

3M

6M

YTD

1Y

2Y

5Y

Max

FROM: Aug 18, 2003 TO: 4

1984

1989

1994

1999

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## DOMINION RES NEW (NYSE: D)

NEW Real-time: 43.10  $\uparrow$  0.01 (0.02%) 9:52AM EThelp

Last Trade:	43.10	Day's Range:	N/A - N/A
Trade Time:	9:37AM ET	52wk Range:	38.63 - 49.38
Change:	$\uparrow$ 0.01 (0.02%)	Volume:	53,884
Prev Close:	43.11	Avg Vol (3m):	2,443,780
Open:	N/A	Market Cap:	25,008
Bid:	N/A	P/E (tm):	7.12
Ask:	N/A	EPS (tm):	6.06
1y Target Est:	47.85	Div & Yield:	1.65 (3.70%)

Quotes delayed, except where indicated otherwise. For consolidated real-time quotes (incl. pre/post market data), sign up for a free trial of Real-time Quotes.

## HEADLINES

Virginia project aims to store greenhouse gases **AP** (Tue, Aug 19)  
 Dominion seeks DOE loan guarantee for new reactor at **Reuters** (Mon, Aug 18)  
 Dominion Virginia Power Applies for Federal Loan Guarantee for Potential New Nuclear Unit **PR Newswire** (Fri, Aug 15)  
 Dominion Applies for Kewaunee Power Station License Renewal **PR Newswire** (Thu, Aug 14)  
 Energy producer Dominion to buy Cirro Energy **AP** (Thu, Aug 14)  
**BUSINESS BRIEFS** at **Richmond Times-Dispatch** (Wed, Aug 13)  
 Dominion Retail Acquires Cirro Energy **PR Newswire** (Wed, Aug 13)  
 NRC OKs Dominion Conn. Millstone 3 reactor up-rate at **Reuters** (Wed, Aug 13)  
 50 protesters urge energy regulation at **Richmond Times-Dispatch** (Mon, Aug 11)  
 Pros Seek Safety Among Utilities; Exelon the Top Pick **Indie Research** (Fri, Aug 8)

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*copy of testimony*

# **Stark County Community Action Agency**

217 Second Street N.W., 4<sup>th</sup> Floor Canton, Ohio 44702 • (330) 454-1676 • Fax (330) 454-6850

---

**Rodney R. Reasonover**  
Chief Executive Officer

**Ben Bradley**  
Chair

**TO : THE PUBLIC UTILITY COMMISSION OF OHIO**

Thank you to PUCO and Dominion East Ohio Gas for giving the public the opportunity to testify this evening and holding this public hearing to alert and educate the general public and legislation about the proposed Dominion East Ohio Gas rate increase.

As the HEAP Director at Stark County Community Action Agency, there is no question that the proposed rate increase will be passed on to our customers which will result in higher bills this winter over last winter. No matter how you present the rate increase proposal – our customers know it equates to higher bills for them. And – the customers that we serve can't afford their bills now – let alone – adding on additional charges.

In the past 2007-08 E-HEAP season; Stark County CAA disbursed a total of \$1,040,720 to assist 5,670 households with utility or bulk fuel assistance. Out of the 5,670 households, 2,769 were Dominion East Ohio Gas customers for which we disbursed \$324,134 directly to Dominion. So you can see approximately 49% - almost half of the clients we assisted were Dominion East Ohio Gas customers who can't afford their gas bills!

And along with our low income customers, increasingly, households with incomes below the state median (\$44,000) find current prices unaffordable.

In addition, the high customer charge, also known as the straight-fixed variable rate design, harms low income customers that are not on PIPP because they generally have lower usage than other customers. It also harms other residential customers that either through conservation and/or small homes uses less than the average customer.

The only long-term solution to this problem is to increase investments in low income weatherization and demand side management programs targeted to those below the state median income, particularly those that are payment troubled.

These investments will ultimately reduce costs to utilities and ratepayers by reducing bad debt, arrearages, and the PIPP Rider.

To deal with short-term affordability issues, Dominion should provide funding to supplement LIHEAP and expand the OPAE Fuel Fund and work with all community-based organizations serving low income customers to improve the impact of funds provided through Energy Share.

And to put a human face on all of this, I have an elderly lady who lost her husband (along with his income) who came to our offices and was in a total state of panic over her gas bill. In fact, she was at the point where it was almost impossible to talk to her. She was upset at her inability to keep up with her current charges which made her total account balance increase on a monthly basis so her only solution was to keep her thermostat at 58 degrees. She didn't want to go on PIPP due to the arrearages accumulating and no matter how we attempted to explain this to her she insisted that she would just keep her thermostat at 58 degrees. After 2-3 months, she returned and informed me that she had been hospitalized for pneumonia. At that point, I got her to realize that by enrolling on PIPP – she would be on a fixed payment amount – and that she could turn up her thermostat and not cause herself to become ill. I got her to understand the arrearage crediting program so she wouldn't be in a state of panic over her monthly bills piling up.

But this is what we see everyday – vulnerable – low-income people – elderly, disabled, single parent homes, etc. making these types of choices because they can't afford their gas bills. I know you have heard it before but its true that with rate increases – people are forced to make choices between food, medicine and heat - and - in that exact order.

In closing, when making your final decisions – remember that you are affecting real people – real homes – real families – and, these people deserve to have better choices than what they are currently facing and they also deserve to have their voices heard!

Thank you,

Sandra Pyles, Stark County CAA HEAP Director  
Stark County CAA  
201 5<sup>th</sup> St NW  
Canton, OH 44702  
PH# (330) 454-1850  
FAX# (330) 454-9833



AKRON

**PUCO**

Case No.

8-21-08 Pg 1 of 3  
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Akron Ohio8. EUGENE J COOKE1790 MARKS AVEAKRON, OH 44305

9.

10.

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Akron

8-21-08 pg 2 of 3

DOMINION EAST OHIO GAS07-829-GA-AIR

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201 5th St NW CANTON OH 44702

4. EDWARD BABATIN

590 HARRINGTON

BARBERTON, OHIO 44203

5. PATTY STRECKER

3405E PRESCOTT CR

FALLS, OH 44223

6. Chris Hazen

73 Muel Ave 44313

7.

8.

9.

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AKRON 8-21-08  
DOMINION EAST OHIO GAS Pg 3 of 3  
07 829-GA-AIR

ANYONE WANTING TO TESTIFY IN THE ABOVE CASE, PLEASE PRINT YOUR NAME AND ADDRESS BELOW:

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1. Gloria E Morris 2359 E. Tusco Canton, 44707

2. Shonda Rutledge 13638 Fairmount Blvd  
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