

that observation are true in this case as well. As in the *Duke* case, the rates of Dominion/East Ohio Gas Company recover most of the company's fixed distribution costs through a variable rate component dependent on the volume of natural gas consumed and only a small portion is recovered through a fixed rate component. While such a rate design may have been satisfactory in a period of increasing natural gas use, such a rate design impedes the company's recovery of its revenue requirement in a period of declining natural gas usage such as the period that exists now. A change in rate design is necessary and the only question is what the change should be.

Staff recommends the solution the Commission chose in the *Duke* case; that is, a rate design, called the *straight-fixed-variable* here, that recovers the company's fixed, distribution costs primarily through the fixed rate component. This rate design aligns fixed costs and fixed rate components more appropriately than the other rate design advocated by some that relies on a rider and annual true-ups to make-up for the deficiencies of the current, traditional rate design. The *straight-fixed-variable* is a straightforward, economically logical concept that eliminates the need for expensive, time-consuming, and potentially contentious annual true-ups. The *straight-fixed-variable* approach has a level of certainty the traditional approach with its necessary rider does not. The *straight-fixed-variable* eliminates the need for carrying charges associated with deferred recoveries such as those required by the rider. The *straight-fixed-variable* approach is easier for customers to understand. Simply, the *straight-fixed-variable* rate design is the better approach and Staff recommends it to the Commission.

STATEMENT OF FACTS

Most distribution-related costs of a natural gas distribution utility, such as Dominion/East Ohio Gas Co., are fixed. Staff Ex. 1 at 34 (Staff Report). The distribution facilities required to serve a small residence are the same, typically, as those required to serve a larger residence. *Id.*

The distribution facilities required to serve a minimum number of gas appliances in a residential unit are the same as those required to serve a residence with multiple gas appliances. The costs Dominion, or any other distribution utility, incurs to provide the service vary only slightly, if at all, by the volume of gas used. *Id.*

Despite that fact, Staff, traditionally, has recommended a rate design for the natural gas distribution component that consisted of a minimal fixed charge and a relatively high volumetric rate or block of rates. Staff Ex. 1 at 34 (Staff Report). This rate design requires recovery of a significant portion of fixed costs in a usage charge and “significantly understates the amount of costs that do not vary with usage.” DEO Ex. 1.0 at 42 (J. Murphy Dir. Test). While this structure was not truly cost-reflective, it sufficed to allow the utility the opportunity to recover the recommended revenue requirement as long as gas consumption remained level or increased. *Id.*

But, the trend of gradually increasing gas consumption per customer has reversed. As Dominion witness Mr. Murphy described, “DEO’s average weather-normalized use per customer (“UPC”) declined at a moderate rate of 1-2% per year ... culminating in a year-over-year UPC decline of 6% when prices reached their all-time peak during the 2005-2006 winter in the aftermath of hurricanes Katrina and Rita.” DEO Ex. 1.0 at 41-42 (J. Murphy Dir. Test.). This continued deterioration in consumption, in turn, results in the company under recovering revenues associated with its fixed costs. Staff Ex. 1 at 34 (Staff Report); DEO Ex. 1.0 at 41-42 (J. Murphy Dir. Test.) The solution to this under-recovery problem lies in *decoupling* the link between gas consumption and the company’s ability to meet its revenue requirement. Staff Ex. 3 at 7-8. (S. Puican Prefiled Test.); DEO Ex. 1.0 at 40 (J. Murphy Dir. Test.).

One method of *decoupling* is a rider allowing the company to recoup funds lost through conservation. DEO Ex. 1.0 at 40 (J. Murphy Dir. Test.); see also, *In re Duke Energy Ohio*, Case

No. 07-589-GA-AIR, (Opinion and Order at 17-19)(May 28, 2008). The company originally proposed such a rider in its application that, as Mr. Murphy explained, provided “the company the opportunity to collect the revenue requirement that will be ordered by the Commission in this rate case.” DEO Ex. 1.0 at 40 (J. Murphy Dir. Test.). The proposed rider permitted recovery of the difference between the company’s weather-normalized actual base revenues and those approved in this case, as adjusted for customer additions. *Id.* Under this method, rates originally paid by customers would be increased through a true-up if the company could not recover the revenue requirement. The true-up process involves an annual review proceeding before the Commission. This method exacerbates the under-recovery problem by sending the wrong price signal. Mr. Puican explained:

Artificially inflating the volumetric rate beyond its cost basis [with fixed costs] skews the [conservation payback] analysis and will cause over-investment in conservation. This exacerbates the under-recovery of fixed costs that the utility must then recover from all other customers.

Staff Ex. 3 at 5 (S. Puican Prefiled Test.).

A straight-fixed-variable rate design is another method of *decoupling*. *In re Duke Energy Ohio*, Case No. 07-589-GA-AIR, (Opinion and Order at 18)(May 28, 2008). It more appropriately aligns revenues and costs. Staff Ex. 1 (Staff Report) at 34. The straight-fixed-variable rate design reflects cost causation better than the prior rate design that relied principally on a variable, volumetric rate. Staff Ex. 1 at 34 (Staff Report); Staff Ex. 3 at 4-5 (S. Puican Prefiled Test.). Beyond that advantage, the straight-fixed-variable rate design provides additional rate certainty by levelizing the distribution component of a customer’s bill. *Id.* While doing that, it also reduces the revenue deterioration in a time of reduced consumption; thus, reducing the need for frequent rate cases. *Id.* As a result, the straight-fixed-variable rate design also alleviates the need for a decoupling mechanism which requires frequent controversial reconciliations and

weather adjustments. Staff Ex. 1 at 34(Staff Report); Staff Ex. 3 at 4-5 (S. Puican Prefiled Test.); DEO Ex. 1 at 42 (J.Murphy Dir. Test.). Also, “from the companies point of view, it eliminates the natural disincentive to promote energy conservation which, when rates are volume-based, causes revenue erosion.” Staff Ex. 3 at 7-8 (S. Puican Prefiled Test.). It is the method recommended by Staff, Dominion and the Ohio Oil and Gas Association (OOGA) . Jt. Ex. 1 at 4 (Stipulation and Recommendation).

DISCUSSION

I. The Straight-Fixed-Variable Rate Design Is The Best Method For Decoupling The Link Between Gas Consumption and Dominion/East Ohio Gas Company’s Ability To Recover Its Revenue Requirement.

A. Decoupling the link between gas consumption and Dominion’s ability to recover its revenue requirement is appropriate.

Most natural gas distribution costs are fixed costs. Staff Ex. 1 at 34 (Staff Report). Nevertheless, natural gas distribution companies, such as Dominion, historically recovered these costs primarily through a variable, usage-sensitive rate component. Staff Ex. 1 at 34 (Staff Report); DEO Ex. 1.0 at 41-42 (J. Murphy Dir. Test.). The Commission has found that under such a rate design, the ability of a natural gas company to recover its fixed cost of providing service “hinges in large part on its actual sales, even though the company’s costs remain fairly constant regardless of how much gas is sold.” *In re Duke Energy Ohio*, Case No. 07-589-GA-AIR (Opinion and Order at 17) (May 28, 2008). While this structure was not truly cost-reflective, it permitted the utility the opportunity to recover the recommended revenue requirement as long as gas consumption remained level or increased. Staff Ex. 1 at 34 (Staff Report); DEO Ex. 1.0 at

41-42 (J. Murphy Dir. Test.). But, conditions in the natural gas industry have changed markedly. *In re Duke Energy Ohio*, Case No. 07-589-GA-AIR (Opinion and Order at 17) (May 28, 2008).

In recent years, the trend of gradually increasing gas consumption per customer has reversed. Staff Ex. 1 at 34 (Staff Report). As the Commission has already recognized, the natural gas industry is now characterized by volatile and sustained price increases, causing customers to increase their efforts to conserve gas. *In re Duke Energy Ohio*, Case No. 07-589-GA-AIR (Opinion and Order at 17) (May 28, 2008). Mr. Murphy described: “Like other utilities, DEO’s average weather-normalized use per customer (“UPC”) declined at a moderate rate of 1-2% per year ... culminating in a year-over-year UPC decline of 6% when prices reached their all-time peak during the 2005-2006 winter in the aftermath of hurricanes Katrina and Rita.” DEO Ex. 1.0 at 41-42 (J. Murphy Dir. Test.).

As a result of that change in sales, Dominion’s recovery of distribution costs has deteriorated. Staff Ex. 1 at 34 (Staff Report); DEO Ex. 1.0 at 41-42 (J. Murphy Dir. Test.). This negative sales trend results in the company under recovering revenues associated with its fixed costs and creates a disincentive for the company to promote and fund conservation measures – demand side management. *Id.* The Commission also recognized that such a negative sales trend “has a corresponding negative effect on the utility’s ongoing financial stability, its ability to attract new capital to invest in its network, and its incentive to encourage energy efficiency and conservation.” *In re Duke Energy Ohio*, Case No. 07-589-GA-AIR (Opinion and Order at 17) (May 28, 2008).

The solution to this problem lies in *decoupling* the link between gas consumption and the company’s ability to meet its revenue requirement. *In re Duke Energy Ohio*, Case No. 07-589-GA-AIR (Opinion and Order at 18) (May 28, 2008); See also, Staff Ex. 1 at 34 (Staff Report);

Staff Ex. 3 at 5-6 (S. Puican Prefiled Test.); DEO Ex. 1.0 at 40 (J. Murphy Dir. Test.). The Commission endorsed *decoupling*, stating:

The Commission ... concludes that a rate design which separates or “decouples” a gas company’s recovery of its costs of delivering the gas from the amount of gas customers actually consume is necessary to align the new market realities with important regulatory objectives. We believe it is in the interest of all consumers that ... [the natural gas company] has adequate and stable revenues to pay for the costs of its operations and capital and to ensure the continued provision of safe and reliable service. We further believe that there is a societal benefit to removing from rate design the current built-in incentive to increase gas sales. A rate design that prevents a company from embracing energy conservation efforts is not in the public interest.

In re Duke Energy Ohio, Case No. 07-589-GA-AIR (Opinion and Order at 18) (May 28, 2008). For these same reasons, decoupling is appropriate in this case.

B. The straight-fixed-variable rate design is the better means to decouple the link between gas consumption and Dominion’s ability to recover its revenue requirement.

The principal decoupling issue in this case is one the Commission determined in *In re Duke Energy Ohio*, Case No. 07-589-GA-AIR; that is *how* to decouple. The options in this case are also the same as those the Commission evaluated in the *Duke* case. The Commission described the choices when it stated:

Having determined that a new decoupling rate design is appropriate, we must decide the better choice of two methods: a levelized rate design, which recovers most fixed cost up front in a flat monthly fee [the straight-fixed-variable rate design] or a decoupling rider, which maintains a lower customer charge and allows the company to offset lower sales through an adjustable rider.

In re Duke Energy Ohio, Case No. 07-589-GA-AIR (Opinion and Order at 18) (May 28, 2008).

As the Commission knows well, it chose the levelized rate design in the *Duke* case. *In re Duke Energy Ohio*, Case No. 07-589-GA-AIR (Entry on Rehearing) (date); *In re Duke Energy Ohio*, Case No. 07-589-GA-AIR (Opinion and Order) (May 28, 2008). Staff recommends the Commission adopt that same option here – the straight-fixed-variable rate design.

Rather than adopting a rate structure dependent upon a minimal customer charge and a relatively high volumetric charge, Staff “recommends the Commission approve a rate structure based on a fixed distribution charge.” Staff Ex. 1 at 34 (Staff Report). The straight-fixed-variable rate proposed by Staff, Dominion and OOGA, better reflects the fixed cost nature of the underlying distribution costs than the traditional rate design associated with a sales reconciliation rider that relies principally on a variable, volumetric rate. Staff Ex. 1 at 34 (Staff Report); Staff Ex. 3 at 5 (S. Puican Prefiled Test.).

Aligning rate components with associated costs is a principle of proper rate design. Tr. V at 25. *Most distribution costs are fixed costs.* Staff Ex. 1 at 34 (Staff Report). As the Staff Report states:

In reality, most distribution-related costs are fixed. The distribution facilities required to serve a small residence are most likely the same as those required to serve a larger residence. The distribution facilities to serve a minimum number of gas appliances in a residential unit are most likely the same as those required to serve a residence with multiple gas appliances. The costs to the utility vary only slightly, if at all, by the volume of gas used.

Id. at 34 (Staff Report). Because most distribution costs are fixed, they are most appropriately recovered through a fixed rate component. Staff Ex. 3 at 4-5 (S. Puican Prefiled Test.) As Mr. Puican explained:

The variable component of rates should reflect a utility’s true avoided costs, *i.e.* the costs that a utility does not incur with a unit reduction in sales. The SFV [straight-fixed-variable] rate design satisfies this condition by more closely matching fixed and variable cost recovery to those actual costs incurred.

Id. at 5. The Commission also has recognized that a levelized rate design, such as the straight-fixed-variable, more closely matches fixed and variable cost recovery to actual costs incurred than the traditional rate design with a decoupling rider. *In re Duke Energy Ohio*, Case No. 07-589-GA-AIR (Opinion & Order at 17-19) (May 28, 2008).

Because a levelized rate design more appropriately matches fixed costs with fixed rate components, the Commission has noted the levelized rate was fairer than the traditional rate design with a decoupling rider such as that advocated by some parties in this case. *Id.* In *Duke*, the Commission adopted a levelized rate, the straight-fixed-variable rate design, in part, because the levelized rate design “promotes the regulatory objective of providing a more equitable cost allocation among customers regardless of usage.” *In re Duke Energy Ohio*, Case No. 07-589-GA-AIR (Opinion & Order at 19) (May 28, 2008). The Commission explained the levelized rate design was more equitable because it “apportions the fixed costs of service, which do not change with usage, among all customers, so that everyone pays his or her fair share.” *Id.* Accordingly, the Commission observed “[c]ustomers who use more energy for reasons beyond their control, such as abnormal weather, large number of persons sharing a household, or older housing stock, will not longer have to pay their own fair share plus someone else’s fair share of those costs.” *Id.*

Because the straight-fixed-variable rate design more closely matches fixed and variable cost recovery to the actual costs incurred than the existing rate design with a decoupling rider, the straight-fixed-variable rate design also provides better price signals to consumers. This results in more reliable information for consumers to act upon. For example, consumers may analyze the payback time involved in energy-conservation investments. Staff Ex. 3 at 4-5 (S. Puican Prefiled Test.). If the factual basis of that analysis is wrong, consumers may draw conclusions contrary to their own welfare and the public good. Mr. Puican explained that “[a]rtificially inflating the volumetric rate beyond its cost basis [as in traditional rate design] skews the [payback] analysis and will cause over-investment in conservation.” *Id.* at 5. This, in turn, “exacerbates the under-recovery of fixed costs that the utility must then recover from all other customers.” *Id.*

In addition to the better reflection of cost causation, the straight-fixed-variable rate design accomplishes other rate objectives. It provides for the timely recovery of costs without annual true-up proceedings. *Id.* at 6. It provides greater rate certainty because of the leveled distribution component for both the company and residential consumers. Staff Ex. 1 at 34 (Staff Report). The greater recovery of fixed costs through fixed rate components avoids the necessity for annual true-ups and carrying charges associated with deferred recoveries under a decoupling rider. Staff Ex. 3 at 6-7 (S. Puican Prefiled Test.). Avoiding the necessity for annual true-ups also avoids the necessity for the potentially contentious proceedings, with their attendant risks and costs, “as parties argue about such things as the details of weather-normalization methodologies” and other concessions such as restrictions on full recovery. *Id.* at 6; *See also*, DEO Ex. 1 at 42 (J. Murphy Dir. Test). Movement to a straight-fixed-variable rate design removes this uncertainty and potential for confusion, giving consumers a clearer price signal.

Additionally, the straight-fixed-variable rate design reduces the company’s revenue deterioration in a time of reduced consumption. Staff Ex. 1 at 34 (Staff Report); Staff Ex. 3 at 4-6 (S. Puican Prefiled Test). For this reason, it reduces the need for frequent rate cases. *Id.* For this reason also, the straight-fixed-variable rate design eliminates the company’s natural disincentive to promote energy conservation; energy conservation causing revenue erosion when most fixed costs are recovered through variable, volumetric rates. Staff Ex. 3 at 5 (S. Puican Prefiled Test.); DOE Ex. 1 at 42 (J. Murphy Dir. Test.). As Mr. Murphy noted, “DEO would be ill-served by continuing its current DSM [demand side management] spending levels, much less increase it...” without some method of obtaining the revenues lost from demand reduction. DEO Ex. 1 at 42 (J. Murphy Dir. Test.). Mr. Puican echoed this sentiment, stating: “To artificially

require the Company to recover its fixed costs through the volumetric rate creates a disincentive for the Company to promote energy efficiency.” Staff Ex. 3 at 5 (S. Puican Prefiled Test.).

Staff believes the straight-fixed-variable rate design will relieve that disincentive without adversely effecting the consumers incentive to conserve. Consumers base conservation decisions on the total bill. Staff Ex. 3 at 3-4 (S. Puican Prefiled Test.); Tr.V at 23. The largest component of that bill and, accordingly, the largest driver of natural gas cost for the consumer is the cost of the commodity – natural gas. *Id.* For this reason, conservation efforts will continue to benefit consumers. Staff Ex. 3 at 4 (S. Puican Prefiled Test.).

The straight-fixed-variable rate design is more straight-forward than the decoupling rider and easier for consumers to understand. Staff Ex. 3 at 6. (S. Puican Prefiled Test.). Even OCC witness Radigan acknowledged the decoupling rider was more difficult for consumers to understand. Tr. V. at 21. Moreover, a decoupling rider is more likely to be distrusted by consumers. A decoupling rider, such as the sales reconciliation rider involved in this case, is a type of surcharge. *Id.* at 18. OCC witness Radigan has found customers do not like surcharges because they think it results from something devious. *Id.* at 17.

Mr. Puican summed-up Staff’s belief that the straight-fixed-variable rate design is more appropriate at this time than the traditional rate design with a decoupling rider in stating:

The SFV [straight-fixed-variable rate design] is a straightforward solution that removes the inherent disincentives under traditional rate design for LDCs [local distribution companies such as Dominion] to promote energy-efficiency. It is an economically logical concept that eliminates the need for the annual true-ups required by the Rider SD approach [traditional rate design with a decoupling rider]. The SFV approach has a level of certainty that the Rider SD approach does not. It recovers costs incurred by the LDC and eliminates the need for carrying costs associated with deferred recoveries... . [T]he straightforward application of the SFV is easier for customers to understand and it promotes timely recovery of costs without the need for annual true-up proceedings.

Staff Ex. 3 at 5-6 (S. Puican Prefiled Test.). For all these reasons the straight-fixed-variable rate design is the better means to decouple the link between gas consumption and Dominion's ability to recover its revenue requirement.

Finally, Staff notes that it, Dominion and OOGA recommend a *gradual* change in rates. First, the straight-fixed-variable rates will be phased-in over two years. DEO Ex. 1.4 at 7 (J. Murphy Fourth Supp. Dir. Test.). Second, only 84% of fixed costs will be phased into a fixed rate over the two years; 16% will remain in variable volumetric rates. *Id.* at 7-8.. Accordingly, the proposed plan to implement the straight-fixed-variable rate encompasses the gradualism principle.

II. A Straight-Fixed-Variable Rate Design Does Not Disproportionately Affect Low-Income Customers.

As the Commission previously acknowledged, any change in rate design results in "some customers who will be better off and some customers who will be worse off, as compared with the existing rate design." *In re Duke Energy Ohio*, Case No. 07-589-GA-AIR (Opinion & Order at 19) (May 28, 2008). The Commission has noted also that a levelized rate design, such as the straight-fixed-variable rate design, will increase the rates paid by low usage customers because "they have not been paying the entirety of their fixed costs under the existing rate design." *Id.* Conversely, the Commission stated that "higher usage customers who have been overpaying their fixed costs will ... experience a rate reduction." *Id.* Finally, the Commission has noted that average usage customers will not see much of a difference. *Id.* They were paying most, if not all of their fixed costs under the traditional rate design. These effects result from rate mathematics and apply to the present case as well.

The average residential customers usage in the test year was 99.1 Mcf. Tr. IV at 17-18. This is only slightly below 100 Mcf, the usage at which the increased fixed cost of the straight-fixed-variable rate design was almost completely offset by the decrease in the volumetric component. Tr. IV at 20-21; Staff Ex. 3B at SEP-1A&B (S. Puican Second Supp. Dir. Test.). Consumers at this latter usage level would experience a \$0.10 reduction in the first year of the phase-in and a \$0.43 monthly increase after the complete phase-in. DEO Ex. 1.5 at 3-4 (J. Murphy Surrebut. Test.); Staff Ex. 3B at SEP-1A&B (S. Puican Second Supp. Dir. Test.). Customers below 100 Mcf would experience greater fixed-rate increases and customers above this level would experience greater fixed-rate decreases. Tr. IV at 20-21.

Most low-income customers¹ on the company's system consumed natural gas close to or above the approximate breakeven point, 100 Mcf. DEO Ex. 1.5 at 2-3 (J. Murphy Sur. Rebut). For example, average PIPP customer usage for the test year exceeded 130 Mcf, above the breakeven point. Tr. IV at 19-20. The average of the non-PIPP low-income accounts was 95 Mcf, almost at the break-even point. *Id.* The data also showed that the average 12 month usage of the largest 90% of these non-PIPP low-income customers was 103 Mcf and the largest 80% of these non-PIPP low-income customers was 110 Mcf. *Id.* Accordingly, the data shows the large majority of non-PIPP, low-income customers usage was above the breakeven point. This data is consistent with past usage. Staff Ex. 3 at 7 (S. Puican Prefiled Test.). Data for PIPP and non-PIPP customers on Dominion's system in the 2000 through 2007 period showed the average

¹ Staff submits that reasonable surrogates for "low-income customers" are PIPP customers, 150% of the federal poverty level, and non-PIPP customers participating in the HEAP program or on a Ohio Department of Development listing of HEAP eligible accounts. The company identified accounts on its system that represented customers at or below 175% of the federal poverty level for the size of household and relied on that identification to comply with the Commission's disconnections moratorium. The criteria to identify the accounts for that moratorium were: 1) the account was billed as a PIPP account; 2) the account received a HEAP payment at some time during the prior two years; or, 3) the account was included in a listing of HEAP-eligible accounts provided by the Ohio Department of Development. DEO Ex. 1 at 2 (J. Murphy Sur. Rebut). There were 167, 351 total accounts. The largest portion, 108,167 accounts, were PIPP accounts. The non-PIPP accounts totaled 59,184. *Id.* at 2 & JAM-1.8.

consumption of PIPP customers was 144 Mcf/year and the average usage of non-PIPP customers was approximately 110 Mcf/year. *Id.*

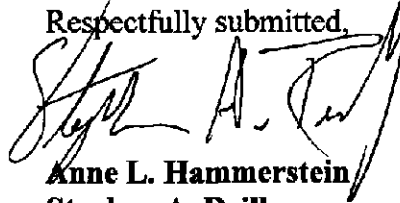
Accordingly, the data shows that on average low-income customers are not low-usage customers. As Mr. Puican noted, this may be due to these customers residing in older, less-efficient homes; renting rather than owning; and, lacking the discretionary income to invest in energy-efficiency. *Id.* Whatever the reason, the evidence particular to Dominion's system shows the vast majority of low-income customers will not suffer a negative impact by a change to a straight-fixed-variable rate and most may benefit from it. It also suggests that many of these customers may have paid higher rates than justified by their system usage under the traditional rate structure.

This data suggests the negative effects of a change in rate structure will not negatively affect low-income customers disproportionately.

CONCLUSION

For all the above stated reasons, Staff recommends the Commission adopt a straight-fixed-variable rate design.

Respectfully submitted,



Anne L. Hammerstein

Stephen A. Reilly

Assistant Attorneys General

Public Utilities Section

180 East Broad Street

Columbus, Ohio 43214

Telephone: (614) 466-4395

FAX: (614) 644-8764

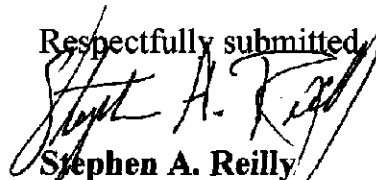
anne.hammerstein@puc.state.oh.us

stephen.reilly@puc.state.oh.us

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **Merit Hearing Brief** submitted on behalf of the Staff of the Public Utilities Commission of Ohio was served via regular U.S. mail, postage prepaid, upon the following parties this 10th day of September, 2008.

Respectfully submitted,



Stephen A. Reilly
Assistant Attorney General

Parties of Record:

Joseph P. Serio
Assistant Consumers Counsel
Office of the Ohio Consumers Counsel
10 West Broad Street, Suite 1800
Columbus, OH 43215

John M. Disker
General Counsel
Stand Energy Corporation
1077 Celestial Street Suite 110
Cincinnati, OH 45202-1629

David A. Kutik
Jones Day
North Point 901 Lakeside Avenue
Cleveland, OH 44114-1190

Joseph P. Meissner
Legal Aid Society of Cleveland
1223 West Sixth Street
Cleveland, OH 44113

Barth E. Royer
Bell & Royer Co.
33 South Grant Avenue
Columbus, OH 43215-3900

Todd M. Smith
Schwartzwald and McNair
616 Penton Media Bldg.
1300 East Ninth Street
Cleveland, OH 44114

Mark A. Whitt
Andrew J. Campbell
Jones Day
PO Box 165017
Columbus, OH 43216-5017

W. Jonathan Airey
Gregory D. Russell
Vorys Sater Seymour and Pease
52 East Gay Street PO Box 1008
Columbus, OH 43216-1008

M. Howard Petricoff
Stephen Howard
Vorys Sater Seymour & Pease
52 East Gay Street
PO Box 1008
Columbus, OH 43216-1008

Steve Beeler
City of Cleveland
Cleveland City Hall
601 Lakeside Avenue, Room 206
Cleveland, OH 44114-1077

David Rinebolt
Colleen Mooney
Ohio Partners for Affordable Energy
PO Box 1793
Findlay, OH 45839-1793

Samuel C. Randazzo
Daniel J. Nielsen
Joseph Clark
McNees Wallace & Nurick
21 East State Street, Suite 1700
Columbus, OH 43215

David F. Boehm
Michael L. Kurtz
Boehm Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, OH 45202