

FILE

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34

Page 1

THE PUBLIC UTILITIES COMMISSION OF OHIO

PUBLIC HEARING

IN RE: CASE NOS. 08-72-GA-AIR
08-73-GA-ALT
08-74-GA-AAM
08-75-GA-AAM

NOVEMBER 10, 2008

- - - - -

PUCO Local Public Hearing for Electric Security Plan
Applications, taken before me, the undersigned,
Christine Leisure, an RPR and Notary Public in and for
the State of Ohio, at the Athens Community Center, 701
East State Street, Athens, Ohio 45701, commencing at
6:00 p.m. the day and date above set forth.

- - - - -

PUCO

2008 NOV 13 AM 9:36

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Page 2

1 APPEARANCES:

2 On Behalf of PUCO:

3 PAUL DUFFY, Esq.

4 PUBLIC UTILITIES COMMISSION OF OHIO

5 180 East Broad Street

6 Columbus, OH 43215

614-644-8955/614-644-8226

7 On Behalf of Ohio Consumers:

8 LARRY S. SAUER, Esq.

9 Office of the Ohio Consumers' Counsel

10 West Broad Street

11 18th Floor

Columbus, OH 43215

614-466-8574

12 On Behalf of Columbia Gas:

13 DANIEL A. CREEKMUR, Esq.

14 200 Civic Center Drive

Columbus, OH 43215

614-460-4680

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Page 3

1
2 MR. DUFFY: Let's go on the
3 record. The Public Utilities
4 Commission of Ohio has assigned
5 for public hearing at this time
6 and place Case Nos. 08-72, 08-73,
7 08-74 and 08-75, which are
8 captioned in the matter of the
9 Application of Columbia Gas of
10 Ohio for authority to increase
11 rates and charges for its gas
12 distribution service and other
13 related matters.

14 My name is Paul Duffy. I am
15 the legal director for the Public
16 Utilities Commission, and I will
17 be conducting the hearing tonight.

18 In addition to myself and the
19 commission, we also have Matt
20 Shilling here, and at the table
21 out front is Lawrence Hampton. If
22 anybody has any billing problems
23 that they might want to discuss,
24 or service problems, either one of
25 those two can help you.

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Page 4

1 At this time let me take an
2 appearance on behalf the parties
3 present. On behalf of Columbia,
4 please.

5 MR. CREEKMUR: Thank you,
6 Your Honor. On behalf of Columbia
7 Gas of Ohio, Daniel Creekmur, 200
8 Civic Center Drive, Columbus, Ohio
9 43215.

10 May the record also reflect
11 Columbia's other represents that
12 are here tonight. Jack Partridge,
13 our president, Sam Gerhardstein,
14 our member of Governmental
15 Affairs, Kent Stammen and Pam
16 Learman of our Communications
17 Team, Peggy Walker and Carol
18 Wilson of our Customer Service
19 Team, and Bill Allen of our
20 Operations Team.

21 Certainly, if there are
22 customers today that have any
23 questions that we can help answer,
24 we'll direct you to the
25 appropriate representative and get

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Page 5

1 you those answers. Thank you.

2 MR. DUFFY: Thank you. On
3 behalf of the Consumers' Counsel.

4 MR. SAUER: Thank you, Your
5 Honor. On behalf of the
6 residential consumers of Columbia
7 Gas of Ohio, Office of the Ohio
8 Consumers' Counsel, Janine L.
9 Migden-Ostrander, Assistant
10 Consumers' Counsel, Larry S.
11 Sauer, 10 West Broad Street,
12 Columbus, Ohio 43215.

13 MR. DUFFY: Thank you. And
14 in just a minute I will be calling
15 witnesses forward who wish to give
16 statements tonight.

17 For the record, before you
18 begin your statement, I would ask
19 that you provide your name and
20 address to the court reporter.

21 Before presenting testimony
22 tonight, you will be required to
23 take an oath or affirmation
24 stating that what you say is about
25 to be the truth. If you have any

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Page 6

1 written comments, what you're
2 reading from, I would ask that
3 you, before you leave, give a copy
4 to the court reporter.

5 We certainly appreciate your
6 participation in tonight's
7 hearing. And I would ask if we
8 can save a little bit of time, if
9 everybody who intends on
10 testifying, they would please
11 raise your right hand.

12 - - - - -

13 DALE HILEMAN; MIKE TURNER;

14 PEGGY LEE AND ANNE RUBIN

15 After having been first duly sworn, as
16 hereinafter certified, was examined and testified
17 as follows:

18 MR. DUFFY: Are there any
19 questions about the process before
20 we begin?

21 All right. Then I'm going to
22 call the first witness, and it is
23 Dale Hileman.

24 If you would, stand right
25 here. Please start by giving your

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Page 7

1 name and address for the court
2 reporter.

3 MR. HILEMAN: Thank you, Mr.
4 Duffy. I'm Dale Hileman.
5 Actually, the address is 64809
6 Nancy Place, Cambridge, Ohio.

7 I want to thank you for this
8 opportunity to address the PUCO in
9 support of the Columbia Gas
10 efforts to upgrade Ohio's natural
11 gas delivery system.

12 Currently I serve as the
13 executive director of Eastern Ohio
14 Development Alliance, EODA as it's
15 known for short. This
16 organization represents 16
17 counties in Southeastern Ohio.
18 This large region cover from
19 Columbiana County north, to Athens
20 County south, Holmes County west,
21 as well as Jefferson County east.

22 EODA's mission is to
23 stimulate the economic growth of
24 the region through initiation,
25 coordination and promotion of

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Page 8

1 sound development programs
2 resulting in steady improvement of
3 the quality of life throughout the
4 region.

5 The EODA organization works
6 closely with the Governor's Office
7 of Appalachia, as well as the Ohio
8 Department of Development. This
9 summer EODA conducted a survey of
10 economic development directors in
11 the 16-county region to identify
12 priority needs.

13 Of the 12 priority issues
14 identified, infrastructure and
15 energy ranked in the top five.
16 These issues will be addressed at
17 a Legislative Forum. This will be
18 on Friday, November 21st at Salt
19 Fork at 10:00. Invitations have
20 been extended to 14 regional state
21 legislators, Governor Strickland,
22 along with many of his cabinet
23 members and, of course, Chairman
24 Schriber, as well as community
25 leaders throughout the region.

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Page 9

1 This will be a major event.

2 Over the many years in
3 working in economic development, I
4 have learned natural gas plays a
5 vital role in attracting industry
6 to various communities, including
7 industrial parks. In this
8 competitive world market, I have
9 learned you cannot sell from an
10 empty wagon.

11 EODA also supports funding
12 for new natural gas infrastructure
13 through House Bill 338 because
14 there are areas in our region
15 where new development cannot occur
16 since natural gas is not
17 available. Natural gas also plays
18 a critical role in both the
19 retention and the expansion of
20 existing industry, which equates
21 to many new jobs and major
22 investments for the State of
23 Ohio. Quite Frankly, industry is
24 the life blood of our
25 communities.

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Page 10

1 Columbia Gas of Ohio is
2 undertaking a \$2 billion
3 infrastructure replacement program
4 that will replace 4,000 miles of
5 pipeline in Ohio. This program
6 will improve the safety and the
7 reliability of Ohio's clean-
8 burning natural gas delivery
9 system, and will provide new pipe
10 that's better sized to support the
11 future economic development
12 projects across the state.

13 This project will result in
14 nearly \$7 billion of economic
15 activities over the next 25
16 years. Columbia Gas will spend
17 \$73 million per year on this
18 program. More than half of which
19 -- that's \$38 million -- will be
20 in direct payment of labor. The
21 project will generate \$4 billion
22 in gross state product and
23 increase personal income in Ohio
24 by around \$2.4 billion. It will
25 create more than 1,485 well-paying

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Page 11

1 jobs -- jobs that can support a
2 family and our communities over
3 the next 25 years.

4 Many industries will benefit,
5 including two which drive our
6 economy, and that's construction
7 and manufacturing. State and
8 local governments will also
9 benefit from economic development
10 and increased tax revenues. This
11 project will generate more than
12 \$211 million in combined state and
13 local taxes, including \$68 million
14 in increased personal income
15 taxes.

16 Columbia's economic impact
17 isn't limited to the
18 infrastructure replacement
19 program. The company already has
20 a substantial impact on Ohio. It
21 serves more than 1.4 million
22 customers in 60 of the 88
23 counties. In other words, it's
24 the largest natural gas company in
25 Ohio. It employs more than 1,200

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Page 12

1 Ohioans and pays \$116 million in
2 state and local taxes every year,
3 as well as supports numerous
4 charities and cultural events
5 around the state.

6 Columbia has been a very
7 valuable partner in support of the
8 eastern Ohio development lines
9 programs over the years.

10 I would like to share some of
11 the benefits Columbia Gas will be
12 investing in the communities:
13 Assistance with energy efficient
14 programs for residents as well
15 small businesses; repair customer
16 service lines outside the home;
17 make riser repairs outside of the
18 home; create conservation programs
19 which teach getting more use out
20 of less gas; it will generate 500
21 new jobs, not only in Columbia
22 Gas, but with contractors that are
23 involved. Another benefit will be
24 moving meters outside at no cost
25 to the customers. Automated meter

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Page 13

1 reading devices would be
2 installed, which means no
3 calculated bills and, of course,
4 support of economic growth. Very
5 important.

6 So in closing, I would urge
7 the PUCO to support Columbia Gas
8 efforts in improving their program
9 to furnish the EODA region with
10 safe and reliable natural gas
11 services to help grow the economy
12 and to create and retain jobs in
13 Ohio. I thank you.

14 MR. DUFFY: Thank you, sir.

15 All right. Our next witness
16 is Mike Turner. If you can start
17 by giving your name and address.

18 MR. TURNER: My name is Mike
19 Turner. I'm the executive
20 director of United Seniors of
21 Athens County, 701 East State
22 Street, Suite 101, Athens, Ohio,
23 45701.

24 My concern always is with the
25 seniors that we serve. We serve

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Page 14

1 around 1,000 seniors here in
2 Athens County. Many of them are
3 low income, and so whenever we
4 talk about rate increases, we
5 always want to consider exactly
6 what's going on and what impact
7 will it have. There are a number
8 of programs that are initiatives
9 that Columbia Gas may be
10 developing because of this, but we
11 see a lot of the programs already
12 in existence, like HEAP, which is
13 very helpful, but still falling
14 short with our low-income seniors.

15 Obviously costs are up, and
16 so Columbia Gas may need a rate
17 increase, but I think the Public
18 Utilities Commission should make
19 sure that it's no more than is
20 absolutely necessary in order to
21 meet their needs, since it is a
22 regulated utility, and we should
23 make sure that the affect on
24 seniors and low-income people are
25 taken into account with any of

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Page 15

1 these, because we're talking about
2 a large increase to even the
3 low-income people.

4 And on the side, one of the
5 things I think is interesting is,
6 that having that basic amount that
7 each rate payer pays each month
8 increases seems to be counter-
9 productive on several levels,
10 whether you're talking about
11 conservation -- it seems like you
12 just keep raising the price of
13 what they have to pay monthly, no
14 matter what they use. That can be
15 a real disincentive. And also for
16 seniors on a fixed income -- we
17 have a number of seniors that live
18 on \$600 and \$800 a month. That's
19 all they receive. And if you
20 increase a bill, even a slight
21 amount, it makes a big difference
22 in what they're able to do and how
23 they're able to function.

24 So my concern is that if a
25 rate increase is necessary, that

1 it be the minimum amount. I
2 appreciate the fact that the
3 shareholders in the corporation
4 are willing to put dollars into
5 the programs, and as a goodwill
6 gesture, those dollars, maybe,
7 should be the first ones spent,
8 and then maybe you can come back
9 to the public and say, this is
10 what we've done. This is what we
11 need now to continue that program.
12 That concludes what I have to say.

13 MR. DUFFY: Okay. Thank you,
14 sir. Peggy Lee.

15 MS. LEE: Peggy Lee,
16 Southeastern Ohio Legal Services,
17 Staff Attorney, 1005 East State
18 Street, Suite 10, Athens, Ohio,
19 45701.

20 Good evening. Thank you for
21 allowing me the opportunity to
22 speak on the issue of Columbia Gas
23 of Ohio's proposed rate
24 increases. My name is Peggy Lee.
25 I am a staff attorney with the

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Page 17

1 Athens area office of Southeastern
2 Ohio Legal Services, which
3 provides legal assistance in 30
4 counties throughout Southeastern
5 Ohio.

6 Our Athen's office in
7 particular serves low-income
8 clientele in Athens, Meigs, Vinton
9 and Gallia Counties.

10 Based on my experience as a
11 long-time advocate for low-income
12 clientele for over 10 years, I am
13 opposed to the proposed 100
14 percent increase in the flat-rate
15 customer charge, and I do not
16 believe that the PUCO would be
17 acting in the low-income public's
18 best interest in approving such an
19 increase.

20 As we all know from the
21 headlines of recent months, this
22 country's economic health is in
23 critical condition. In my current
24 role as one of two foreclosure
25 defense specialists in my program,

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Page 18

1 I see the extreme economic despair
2 on a daily basis at the homeowner
3 level throughout our 30-county
4 service area. Our foreclosure
5 clients are people with incomes at
6 or below 250 percent of the
7 federal poverty guidelines, often
8 with one or two jobs just to make
9 ends meet, if they haven't been
10 laid off or reduced in hours.

11 I can assure you that none of
12 my clients will see a 100 percent
13 cost of living or other such
14 increase in their wages or in
15 their benefits over the next year
16 or in years thereafter, which is
17 essentially what Columbia Gas is
18 requesting. \$6.50 a month, or \$78
19 per year would be a definite
20 hardship for low-income
21 customers.

22 In fact, I have yet to see
23 how this increase would be in
24 anyone's interesting but that of
25 Columbia Gas of Ohio and/or its

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Page 19

1 shareholders' expectations for
2 yearly profits. It is obvious
3 that paying more for essentially
4 the same service is not of benefit
5 to consumers. It is also clear
6 that Ohio's attempts to be more
7 proactive and environmentally
8 conscious in conserving precious
9 fossil fuels such as natural gas
10 would be thwarted by shifting the
11 usage-based fee to the flat-rate
12 side. The utility
13 conservationists would lose their
14 reward of a lower fee-to-usage
15 ratio.

16 As someone relatively
17 immersed in the world of
18 securitized mortgages, I have come
19 to understand how the desire for
20 increased revenue by institutions
21 led to the displacement of many
22 Ohioans from their homes. I
23 caution the PUCO to consider
24 whether they will be making a
25 similar move by allowing these

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Page 20

1 increases to go forward since
2 shutoffs and possibly homelessness
3 could be consequences of the rate
4 increases. I also urge the PUCO
5 to take a closer look and
6 determine whether or not these
7 increases are truly warranted at
8 this time, in these dire economic
9 circumstance. Thank you for your
10 time and attention.

11 MR. DUFFY: Thank you. Is
12 there anyone else who wishes to
13 testify tonight?

14 Anne Rubin. Good evening.
15 can I get you to begin by giving
16 your name and address?

17 MS. RUBIN: Sure. My name is
18 Anne Rubin. I reside at 88
19 Maplewood Drive in Athens, Ohio,
20 and I'm also the managing attorney
21 of the Southeastern Ohio Legal
22 Services Office in Athens. I want
23 to echo some of the comments that
24 my colleague, Peggy Lee, has
25 talked about regarding the

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Page 21

1 proposed Columbia Gas rate
2 increase.

3 As Peggy stated, our office
4 serves 30 counties that are
5 traditionally thought of as the
6 Appalachian counties in Ohio, and
7 we give a high priority to helping
8 families and individuals who are
9 facing termination or denial of
10 utility services, because those
11 services are so necessary to
12 maintaining a safe and habitable
13 home.

14 As Peggy has stated, our
15 office in Athens covers four
16 different counties in this region,
17 being Athens, and our neighbors,
18 Gallia, Vinton, and Meigs
19 counties. I have been working in
20 this area for about 25 years as a
21 legal aid attorney, and I can tell
22 you that right now our families
23 are facing a great financial
24 crisis that has been the case in
25 those last 25 years. The number

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Page 22

1 of foreclosures, for instance, in
2 Athens county has doubled in the
3 last year. We have crippling
4 unemployment rates in Meigs county
5 where the coal mines were closed
6 down, and the ripple effect
7 through the economy in Meigs
8 county.

9 We have, in Athens county and
10 Vinton county, some of the highest
11 poverty rates in the State of
12 Ohio, so this is the worst
13 possible time for customers in our
14 counties for utility companies,
15 such as Columbia Gas, to be
16 proposing rate hikes.

17 \$6.50 a month sounds kind of
18 like small potatoes to a more
19 affluent household, but I would
20 like you to be aware that for
21 households that are living on the
22 subsistence level incomes of the
23 poverty family, this is a very
24 substantial increase.

25 I did a quick survey from our

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Page 23

1 client base, just to share with
2 you some scenarios as to what this
3 would mean.

4 We have had a case in which
5 Columbia Gas was terminating
6 service for a household that
7 consisted of a parent, a spouse
8 and a child. One of the parents
9 was disabled, and the household
10 income for those three people was
11 a little under \$11,000 a year from
12 Supplemental Security Income and
13 Ohio Works First, which are two
14 needs-based programs in Ohio. And
15 as such, with this income, this
16 family is struggling to pay all
17 its shelter costs, such as rent
18 and all its various utilities and
19 living expenses with an annual
20 income that is essentially 63
21 percent of the federal poverty
22 level. So the rate increase is
23 substantial.

24 We had another case in which
25 Columbia Gas had already

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Page 24

1 terminated the service, and the
2 individual had no income, zero
3 income, and could not raise the
4 \$300 that was requested by the
5 company to restore service. In
6 that household there was an adult
7 and a child.

8 Another case, in looking
9 through our client base, was
10 Columbia Gas had disconnected the
11 service for a disabled pregnant
12 mother who was incapable of
13 handling her own money and had a
14 payee, and the payee had neglected
15 to pay her bill, which was not the
16 fault of the consumer, however,
17 her gas service was being
18 disconnected due to someone else's
19 irresponsibility, and again, her
20 income, 43 percent of federal
21 poverty level. So these are
22 examples I would like the
23 Commission to be aware of where
24 the PIP and the HEAP and the
25 Safety Net procedures simply do

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Page 25

1 not catch all families that are
2 coping with the cost of
3 utilities.

4 We have a social worker
5 volunteering in our office who is
6 currently conducting a study of
7 the utility cost overburden for
8 our office's clients. And most
9 individuals who are asked about
10 what they would do if their
11 utilities bills are increased with
12 rate hikes, the most common answer
13 is, they simply don't know what
14 they will do. And they are
15 already struggling to pay their
16 utilities and other necessary
17 bills. And I would like the
18 Commission to be aware that an
19 increase in rates may do nothing
20 more than push more households
21 over this financial brink rather
22 than actually raising company
23 revenues. Thank you.

24 MR. DUFFY: Is there anyone
25 else who wishes to testify

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Page 26

1 tonight?

2 Then once again, I would like
3 to thank you for your attendance
4 tonight and the testimony you
5 gave. The testimony given tonight
6 will be considered by the
7 Commission when it makes its final
8 decision in the case.

9 The Commission wishes to
10 thank the City of Athens for
11 allowing us to use this facility
12 tonight. And if there is nothing
13 more to be considered, we'll
14 consider this hearing closed, and
15 the record made tonight will be
16 passed to the Commission for its
17 consideration. Thank you.

18 - - - - -
19 (Hearing closed.)

20 - - - - -

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Page 27

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2

The State of Ohio,)

)

SS:

CERTIFICATE

3

County of Cuyahoga.)

4

I, Christine Leisure, RPR and Notary Public within and for the State of Ohio, duly commissioned and qualified, do hereby certify that the within-named witnesses was first duly sworn to testify the truth, the whole truth, and nothing but the truth in the cause aforesaid; that the testimony then given by him/her was by me reduced to stenotypy in the presence of said witness, afterwards transcribed on a computer, and that the foregoing is a true and correct transcript of the testimony so given by him/her as aforesaid.

10

I do further certify that this testimony was taken at the time and place in the foregoing caption specified and was completed.

11

12

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

13

14

15

16

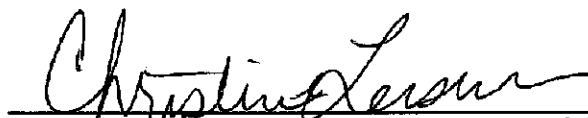
17

IN WITNESS WHEREOF I have hereunto set my hand and affixed my seal of office at Cleveland, Ohio on this 10th day of November, 2008.

18

19

20



21

Christine Leisure, Notary Public
In and for the State of Ohio.
My commission expires April 12, 2012.

22

23

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Page 28

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1375 East Ninth Street
Cleveland, OH 44114

216.298.4888 or 877.777.7828
FAX: 216.298.4880

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<p>A</p> <p>able 15:22,23 above-captioned 27:13,14 absolutely 14:20 account 14:25 acting 17:17 action 27:13,14,14 27:16 activities 10:15 addition 3:18 address 5:20 7:1,5 7:8 13:17 20:16 addressed 8:16 adult 24:6 advocate 17:11 Affairs 4:15 affect 14:23 affiliated 27:15 affirmation 5:23 affixed 27:17 affluent 22:19 aforesaid 27:6,9 aid 21:21 Allen 4:19 Alliance 7:14 allowing 16:21 19:25 26:11 amount 15:6,21 16:1 and/or 18:25 Anne 6:14 20:14 20:18 annual 23:19 answer 4:23 25:12 answers 5:1 anybody 3:22 anyone's 18:24 Appalachia 8:7 Appalachian 21:6 appearance 4:2 APPEARANCES 2:1</p>	<p>Application 3:9 Applications 1:10 appreciate 6:5 16:2 appropriate 4:25 approving 17:18 April 27:21 area 17:1 18:4 21:20 areas 9:14 asked 25:9 assigned 3:4 assistance 12:13 17:3 Assistant 5:9 assure 18:11 Athens 1:12,13 7:19 13:21,22 14:2 16:18 17:1 17:8 20:19,22 21:15,17 22:2,9 26:10 Athen's 17:6 attempts 19:6 attendance 26:3 attention 20:10 attorney 16:17,25 20:20 21:21 27:12,13 attracting 9:5 authority 3:10 Automated 12:25 available 9:17 aware 22:20 24:23 25:18</p> <p>B</p> <p>back 16:8 base 23:1 24:9 Based 17:10 basic 15:6 basis 18:2 behalf 2:2,7,12 4:2 4:3,6 5:3,5</p>	<p>believe 17:16 benefit 11:4,9 12:23 19:4 benefits 12:11 18:15 best 17:18 better 10:10 big 15:21 bill 4:19 9:13 15:20 24:15 billing 3:22 billion 10:2,14,21 10:24 bills 13:3 25:11,17 bit 6:8 blood 9:24 brink 25:21 Broad 2:5,9 5:11 burning 10:8 businesses 12:15</p> <p>C</p> <p>cabinet 8:22 calculated 13:3 call 6:22 calling 5:14 Cambridge 7:6 caption 27:10 captioned 3:8 Carol 4:17 case 1:3 3:6 21:24 23:4,24 24:8 26:8 catch 25:1 cause 27:6 caution 19:23 Center 1:12 2:13 4:8 certainly 4:21 6:5 CERTIFICATE 27:2 certified 6:16 certify 27:5,10,12 Chairman 8:23</p>	<p>charge 17:15 charges 3:11 charities 12:4 child 23:8 24:7 Christine 1:11 27:4,20 circumstance 20:9 City 26:10 Civic 2:13 4:8 Civil 27:15 clean 10:7 clear 19:5 Cleveland 27:17 client 23:1 24:9 clientele 17:8,12 25:8 clients 18:5,12 25:8 closed 22:5 26:14 26:19 closely 8:6 closer 20:5 closing 13:6 coal 22:5 colleague 20:24 Columbia 2:12 3:9 4:3,6 5:6 7:9 10:1,16 12:6,11 12:21 13:7 14:9 14:16 16:22 18:17,25 21:1 22:15 23:5,25 24:10 Columbiana 7:19 Columbia's 4:11 11:16 Columbus 2:5,10 2:14 4:8 5:12 combined 11:12 come 16:8 19:18 commencing 1:13 comments 6:1 20:23 commission 1:1 2:4 3:4,16,19</p>	<p>14:18 24:23 25:18 26:7,9,16 27:21 commissioned 27:4 common 25:12 Communications 4:16 communities 9:6 9:25 11:2 12:12 community 1:12 8:24 companies 22:14 company 11:19,24 24:5 25:22 competitive 9:8 completed 27:11 computer 27:7 concern 13:24 15:24 concludes 16:12 condition 17:23 conducted 8:9 conducting 3:17 25:6 conscious 19:8 consequences 20:3 conservation 12:18 15:11 conservationists 19:13 conserving 19:8 consider 14:5 19:23 26:14 consideration 26:17 considered 26:6 26:13 consisted 23:7 construction 11:6 consumer 24:16 consumers 2:7,8 5:3,6,8,10 19:5 continue 16:11</p>
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Dearborn Reporting Services

Page 2

contract 27:15	D	5:2,13 6:18 7:4	examples 24:22	Fork 8:19
contractors 12:22	daily 18:2	13:14 16:13	executive 7:13	forth 1:14
coordination 7:25	Dale 6:13,23 7:4	20:11 25:24	13:19	Forum 8:17
coping 25:2	Daniel 2:13 4:7	duly 6:15 27:4,5	existence 14:12	forward 5:15 20:1
copy 6:3	date 1:14	E	existing 9:20	fossil 19:9
corporation 16:3	day 1:14 27:18	east 1:13 2:5 7:21	expansion 9:19	four 21:15
correct 27:8	decision 26:8	13:21 16:17	expectations 19:1	Frankly 9:23
cost 12:24 18:13	defense 17:25	eastern 7:13 12:8	expenses 23:19	Friday 8:18
25:2,7	defined 27:15	echo 20:23	experience 17:10	front 3:21
costs 14:15 23:17	definite 18:19	economic 7:23	expires 27:21	fuels 19:9
Counsel 2:8 5:3,8	delivery 7:11 10:8	8:10 9:3 10:11	extended 8:20	function 15:23
5:10	denial 21:9	10:14 11:9,16	extreme 18:1	funding 9:11
counter 15:8	Department 8:8	13:4 17:22 18:1	F	furnish 13:9
counties 7:17	desire 19:19	20:8	facility 26:11	further 27:10,12
11:23 17:4,9	despair 18:1	economy 11:6	facing 21:9,23	future 10:11
21:4,6,16,19	determine 20:6	13:11 22:7	fact 16:2 18:22	G
22:14	developing 14:10	effect 22:6	falling 14:13	Gallia 17:9 21:18
country's 17:22	development 7:14	efficient 12:13	families 21:8,22	gas 2:12 3:9,11 4:7
county 7:19,20,20	8:1,8,10 9:3,15	efforts 7:10 13:8	25:1	5:7 7:9,11 9:4,12
7:21 13:21 14:2	10:11 11:9 12:8	either 3:24	family 11:2 22:23	9:16,17 10:1,8
22:2,4,8,9,10	devices 13:1	Electric 1:9	23:16	10:16 11:24
27:3	difference 15:21	else's 24:18	fault 24:16	12:11,20,22 13:7
course 8:23 13:3	different 21:16	employee 27:12,13	federal 18:7 23:21	13:10 14:9,16
court 5:20 6:4 7:1	dire 20:8	employs 11:25	24:20	16:22 18:17,25
27:14	direct 4:24 10:20	empty 9:10	fee 19:11	19:9 21:1 22:15
cover 7:18	director 3:15 7:13	ends 18:9	fee-to-usage 19:14	23:5,25 24:10,17
covers 21:15	13:20	energy 8:15 12:13	final 26:7	generate 10:21
create 10:25 12:18	directors 8:10	environmentally	financial 21:23	11:11 12:20
13:12	disabled 23:9	19:7	25:21	Gerhardstein 4:13
Creekmur 2:13	24:11	EODA 7:14 8:5,9	financially 27:14	gesture 16:6
4:5,7	disconnected	9:11 13:9	firm 27:15	getting 12:19
crippling 22:3	24:10,18	EODA's 7:22	first 6:15,22 16:7	give 5:15 6:3 21:7
crisis 21:24	discuss 3:23	equates 9:20	23:13 27:5	given 26:5 27:6,8
critical 9:18 17:23	disincentive 15:15	Esq 2:3,8,13	five 8:15	giving 6:25 13:17
cultural 12:4	displacement	essentially 18:17	fixed 15:16	20:15
current 17:23	19:21	19:3 23:20	flat-rate 17:14	go 3:2 20:1
currently 7:12	distribution 3:12	evening 16:20	19:11	going 6:21 14:6
25:6	dollars 16:4,6	20:14	Floor 2:9	Good 16:20 20:14
customer 4:18	doubled 22:2	event 9:1 27:16	follows 6:17	goodwill 16:5
12:15 17:15	drive 2:13 4:8 11:5	events 12:4	foreclosure 17:24	Governmental
customers 4:22	20:19	everybody 6:9	18:4	4:14
11:22 12:25	due 24:18	exactly 14:5	foreclosures 22:1	governments 11:8
18:21 22:13	Duffy 2:3 3:2,14	examined 6:16	foregoing 27:8,10	Governor 8:21
Cuyahoga 27:3				

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FAX: 216.298.4880

Governor's 8:6 great 21:23 gross 10:22 grow 13:11 growth 7:23 13:4 guidelines 18:7 <hr/> H habitable 21:12 half 10:18 Hampton 3:21 hand 6:11 27:17 handling 24:13 hardship 18:20 headlines 17:21 health 17:22 HEAP 14:12 24:24 hearing 1:2,9 3:5 3:17 6:7 26:14 26:19 help 3:25 4:23 13:11 helpful 14:13 helping 21:7 hereinafter 6:16 hereunto 27:17 high 21:7 highest 22:10 hikes 22:16 25:12 Hileman 6:13,23 7:3,4 him/her 27:7,8 Holmes 7:20 home 12:16,18 21:13 homelessness 20:2 homeowner 18:2 homes 19:22 Honor 4:6 5:5 hours 18:10 House 9:13 household 22:19 23:6,9 24:6	households 22:21 25:20 <hr/> I identified 8:14 identify 8:11 immersed 19:17 impact 11:16,20 14:6 important 13:5 improve 10:6 improvement 8:2 improving 13:8 incapable 24:12 including 9:6 11:5 11:13 income 10:23 11:14 14:3 15:16 23:10,12,15,20 24:2,3,20 incomes 18:5 22:22 increase 3:10 10:23 14:17 15:2 15:20,25 17:14 17:19 18:14,23 21:2 22:24 23:22 25:19 increased 11:10 11:14 19:20 25:11 increases 14:4 15:8 16:24 20:1 20:4,7 individual 24:2 individuals 21:8 25:9 industrial 9:7 industries 11:4 industry 9:5,20,23 infrastructure 8:14 9:12 10:3 11:18 initiation 7:24	initiatives 14:8 installed 13:2 instance 22:1 institutions 19:20 intends 6:9 interest 17:18 interested 27:14 27:16 interesting 15:5 18:24 investing 12:12 investments 9:22 Invitations 8:19 involved 12:23 irresponsibility 24:19 issue 16:22 issues 8:13,16 <hr/> J Jack 4:12 Janine 5:8 Jefferson 7:21 jobs 9:21 11:1,1 12:21 13:12 18:8 <hr/> K keep 15:12 Kent 4:15 kind 22:17 know 17:20 25:13 known 7:15 <hr/> L L 5:8 labor 10:20 laid 18:10 large 7:18 15:2 largest 11:24 Larry 2:8 5:10 Lawrence 3:21 leaders 8:25 Learman 4:16 learned 9:4,9	leave 6:3 led 19:21 Lee 6:14 16:14,15 16:15,24 20:24 legal 3:15 16:16 17:2,3 20:21 21:21 Legislative 8:17 legislators 8:21 Leisure 1:11 27:4 27:20 Let's 3:2 level 18:3 22:22 23:22 24:21 levels 15:9 life 8:3 9:24 limited 11:17 lines 12:8,16 little 6:8 23:11 live 15:17 living 18:13 22:21 23:19 local 1:9 11:8,13 12:2 long-time 17:11 look 20:5 looking 24:8 lose 19:13 lot 14:11 low 14:3 lower 19:14 low-income 14:14 14:24 15:3 17:7 17:11,17 18:20 <hr/> M maintaining 21:12 major 9:1,21 making 19:24 managing 20:20 manufacturing 11:7 Maplewood 20:19 market 9:8	Matt 3:19 matter 3:8 15:14 matters 3:13 mean 23:3 means 13:2 meet 14:21 18:9 Meigs 17:8 21:18 22:4,7 member 4:14 members 8:23 meter 12:25 meters 12:24 Migden-Ostran... 5:9 Mike 6:13 13:16 13:18 miles 10:4 million 10:17,19 11:12,13,21 12:1 mines 22:5 minimum 16:1 minute 5:14 mission 7:22 money 24:13 month 15:7,18 18:18 22:17 monthly 15:13 months 17:21 mortgages 19:18 mother 24:12 move 19:25 moving 12:24 <hr/> N name 3:14 5:19 7:1 13:17,18 16:24 20:16,17 Nancy 7:6 natural 7:10 9:4 9:12,16,17 10:8 11:24 13:10 19:9 nearly 10:14 necessary 14:20 15:25 21:11
--	--	---	--	--

Dearborn Reporting Services

Page 4

<p>25:16 need 14:16 16:11 needs 8:12 14:21 needs-based 23:14 neglected 24:14 neighbors 21:17 Net 24:25 new 9:12,15,21 10:9 12:21 north 7:19 Nos 1:3 3:6 Notary 1:11 27:4 27:20 November 1:6 8:18 27:18 number 14:7 15:17 21:25 numerous 12:3</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>oath 5:23 obvious 19:2 Obviously 14:15 occur 9:15 office 2:8 5:7 8:6 17:1,6 20:22 21:3,15 25:5 27:17 office's 25:8 OH 2:5,10,14 Ohio 1:1,12,13 2:4 2:7,8 3:4,10 4:7 4:8 5:7,7,12 7:6 7:13,17 8:7 9:23 10:1,5,23 11:20 11:25 12:8 13:13 13:22 16:16,18 17:2,5 18:25 20:19,21 21:6 22:12 23:13,14 27:2,4,17,21 Ohioans 12:1 19:22 Ohio's 7:10 10:7</p>	<p>16:23 19:6 Okay 16:13 once 26:2 ones 16:7 Operations 4:20 opportunity 7:8 16:21 opposed 17:13 order 14:20 organization 7:16 8:5 outside 12:16,17 12:24 overburden 25:7</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>Pam 4:15 parent 23:7 parents 23:8 parks 9:7 participation 6:6 particular 17:7 parties 4:2 27:12 27:13 partner 12:7 Partridge 4:12 passed 26:16 Paul 2:3 3:14 pay 15:13 23:16 24:15 25:15 payee 24:14,14 payer 15:7 paying 19:3 payment 10:20 pays 12:1 15:7 Peggy 4:17 6:14 16:14,15,24 20:24 21:3,14 people 14:24 15:3 18:5 23:10 percent 17:14 18:6 18:12 23:21 24:20 personal 10:23</p>	<p>11:14 PIP 24:24 pipe 10:9 pipeline 10:5 place 3:6 7:6 27:10 Plan 1:9 plays 9:4,17 please 4:4 6:10,25 possible 22:13 possibly 20:2 potatoes 22:18 poverty 18:7 22:11,23 23:21 24:21 precious 19:8 pregnant 24:11 presence 27:7 present 4:3 presenting 5:21 president 4:13 price 15:12 priority 8:12,13 21:7 proactive 19:7 problems 3:22,24 procedures 24:25 process 6:19 product 10:22 productive 15:9 profits 19:2 program 10:3,5,18 11:19 13:8 16:11 17:25 programs 8:1 12:9 12:14,18 14:8,11 16:5 23:14 project 10:13,21 11:11 projects 10:12 promotion 7:25 proposed 16:23 17:13 21:1 proposing 22:16 provide 5:19 10:9</p>	<p>provides 17:3 public 1:1,2,9,11 2:4 3:3,5,15 14:17 16:9 27:4 27:20 public's 17:17 PUCO 1:9 2:2 7:8 13:7 17:16 19:23 20:4 push 25:20 put 16:4 p.m 1:14</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>qualified 27:5 quality 8:3 questions 4:23 6:19 quick 22:25 Quite 9:23</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>raise 6:11 24:3 raising 15:12 25:22 ranked 8:15 rate 14:4,16 15:7 15:25 16:23 20:3 21:1 22:16 23:22 25:12 rates 3:11 22:4,11 25:19 ratio 19:15 reading 6:2 13:1 real 15:15 receive 15:19 record 3:3 4:10 5:17 26:15 reduced 18:10 27:7 reflect 4:10 regarding 20:25 region 7:18,24 8:4 8:11,25 9:14</p>	<p>13:9 21:16 regional 8:20 regulated 14:22 related 3:13 relative 27:12,13 relatively 19:16 reliability 10:7 reliable 13:10 rent 23:17 repair 12:15 repairs 12:17 replace 10:4 replacement 10:3 11:18 reporter 5:20 6:4 7:2 reporting 27:15 representative 4:25 represents 4:11 7:16 requested 24:4 requesting 18:18 required 5:22 reside 20:18 residential 5:6 residents 12:14 restore 24:5 result 10:13 resulting 8:2 retain 13:12 retention 9:19 revenue 19:20 revenues 11:10 25:23 reward 19:14 right 6:11,21,24 13:15 21:22 ripple 22:6 riser 12:17 role 9:5,18 17:24 RPR 1:11 27:4 Rubin 6:14 20:14 20:17,18</p>
---	--	---	---	---

Rule 27:15	25:13	Suite 13:22 16:18	three 23:10	22:10
S	sir 13:14 16:14	summer 8:9	thwarted 19:10	vital 9:5
S 2:8 5:10	sized 10:10	Supplemental	time 3:5 4:1 6:8	volunteering 25:5
safe 13:10 21:12	slight 15:20	23:12	20:8,10 22:13	W
safety 10:6 24:25	small 12:15 22:18	support 7:9 10:10	27:10	wages 18:14
Salt 8:18	social 25:4	11:1 12:7 13:4,7	today 4:22	wagon 9:10
Sam 4:13	sound 8:1	supports 9:11 12:3	tonight 3:17 4:12	Walker 4:17
Sauer 2:8 5:4,11	sounds 22:17	sure 14:19,23	5:16,22 20:13	want 3:23 7:7 14:5
save 6:8	south 7:20	20:17	26:1,4,5,12,15	20:22
scenarios 23:2	Southeastern 7:17	survey 8:9 22:25	tonight's 6:6	warranted 20:7
Schriber 8:24	16:16 17:1,4	sworn 6:15 27:5	top 8:15	well-paying 10:25
seal 27:17	20:21	system 7:11 10:9	traditionally 21:5	west 2:9 5:11 7:20
securitized 19:18	speak 16:22	T	transcribed 27:7	we'll 4:24 26:13
Security 1:9 23:12	specialists 17:25	table 3:20	transcript 27:8	we're 15:1
see 14:11 18:1,12	specified 27:11	take 4:1 5:23 20:5	true 27:8	we've 16:10
18:22	spend 10:16	taken 1:10 14:25	truly 20:7	WHEREOF 27:17
sell 9:9	spent 16:7	27:10	truth 5:25 27:5,6,6	willing 16:4
seniors 13:20,25	spouse 23:7	talk 14:4	Turner 6:13 13:16	Wilson 4:18
14:1,14,24 15:16	SS 27:2	talked 20:25	13:18,19	wish 5:15
15:17	staff 16:17,25	talking 15:1,10	two 3:25 11:5	wishes 20:12
serve 7:12 13:25	Stammen 4:15	tax 11:10	17:24 18:8 23:13	25:25 26:9
13:25	stand 6:24	taxes 11:13,15	U	within-named
serves 11:21 17:7	start 6:25 13:16	12:2	undersigned 1:10	27:5
21:4	state 1:12,13 8:20	teach 12:19	understand 19:19	witness 6:22 13:15
service 3:12,24	9:22 10:12,22	Team 4:17,19,20	undertaking 10:2	27:7,17
4:18 12:16 18:4	11:7,12 12:2,5	tell 21:21	unemployment	witnesses 5:15
19:4 23:6 24:1,5	13:21 16:17	terminated 24:1	22:4	27:5
24:11,17	22:11 27:2,4,21	terminating 23:5	United 13:20	words 11:23
services 13:11	stated 21:3,14	termination 21:9	upgrade 7:10	worker 25:4
16:16 17:2 20:22	statement 5:18	testified 6:16	urge 13:6 20:4	working 9:3 21:19
21:10,11	statements 5:16	testify 20:13 25:25	usage-based 19:11	works 8:5 23:13
set 1:14 27:17	stating 5:24	27:5	use 12:19 15:14	world 9:8 19:17
share 12:10 23:1	steady 8:2	testifying 6:10	26:11	worst 22:12
shareholders 16:3	stenotypy 27:7	testimony 5:21	utilities 1:1 2:4 3:3	written 6:1
19:1	stimulate 7:23	26:4,5 27:6,8,10	3:16 14:18 23:18	Y
shelter 23:17	Street 1:13 2:5,9	thank 4:5 5:1,2,4	25:3,11,16	year 10:17 12:2
shifting 19:10	5:11 13:22 16:18	5:13 7:3,7 13:13	utility 14:22 19:12	18:15,19 22:3
Shilling 3:20	Strickland 8:21	13:14 16:13,20	21:10 22:14 25:7	23:11
short 7:15 14:14	struggling 23:16	20:9,11 25:23	V	yearly 19:2
shutoffs 20:2	25:15	26:3,10,17	valuable 12:7	years 9:2 10:16
side 15:4 19:12	study 25:6	things 15:5	various 9:6 23:18	11:3 12:9 17:12
similar 19:25	subsistence 22:22	think 14:17 15:5	Vinton 17:8 21:18	18:16 21:20,25
simply 24:25	substantial 11:20	thought 21:5		
	22:24 23:23			

Dearborn Reporting Services

Page 6

Z	1005 16:17	7	
zero 24:2	101 13:22	701 1:12 13:21	
	12 8:13 27:21		
\$	14 8:20	8	
\$11,000 23:11	16 7:16	88 11:22 20:18	
\$116 12:1	16-county 8:11		
\$2 10:2	18th 2:9		
\$2.4 10:24	180 2:5		
\$211 11:12			
\$300 24:4	2		
\$38 10:19	200 2:13 4:7		
\$4 10:21	2008 1:6 27:18		
\$6.50 18:18 22:17	2012 27:21		
\$600 15:18	21st 8:18		
\$68 11:13	25 10:15 11:3		
\$7 10:14	21:20,25		
\$73 10:17	250 18:6		
\$78 18:18	28(D) 27:15		
\$800 15:18			
0	3		
08-72 3:6	30 17:3 21:4		
08-72-GA-AIR	30-county 18:3		
1:3	338 9:13		
08-73 3:6	4		
08-73-GA-ALT	4,000 10:4		
1:3	43 24:20		
08-74 3:7	43215 2:5,10,14		
08-74-GA-AAM	4:9 5:12		
1:4	45701 1:13 13:23		
08-75 3:7	16:19		
08-75-GA-AAM			
1:4	5		
	500 12:20		
1	6		
1,000 14:1	6:00 1:14		
1,200 11:25	60 11:22		
1,485 10:25	614-460-4680 2:14		
1.4 11:21	614-466-8574 2:10		
10 1:6 2:9 5:11	614-644-8955/61...		
16:18 17:12	2:6		
10th 27:18	63 23:20		
10:00 8:19	64809 7:5		
100 17:13 18:12			

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216.298.4888 or 877.777.7828
FAX: 216.298.4880