

FILE

Case Nos. 09-315-HT-ATA
09-414-HT-AIS
09-441-HT-AEC
09-442-HC-AEC
09-453-HT-AEM

2



July 14, 2009

The Honorable Alan R. Schriber
Chairman
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215

PUCO

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RECEIVED-DOCKETING DIV

Re: Case No 09-453-HT-AEM, et al.

Dear Chairman Schriber:

I am writing this letter on behalf of The Community Hall Foundation, Inc. dba The Akron Civic Theatre ("Civic Theatre") to provide the Commission some information related to the negative impact of the emergency request of Akron Thermal, Limited Partnership ("Akron Thermal"). The Civic Theatre fully supports the position of the City of Akron and it witnesses and counsel in these proceedings.

The Civic Theatre, known also as "The Jewel on Main Street," was built in 1929 and has been used as an entertainment facility for over seventy-five (75) years. The Community Hall Foundation, Inc. was incorporated in the State of Ohio on April 20, 1965 and has done business as Akron Civic Theatre at its present location, 182 South Main Street, Akron, Ohio 44308 since its incorporation.

The cost to heat and cool the 75 year old historic theater is a significant portion of the Civic Theater's overhead cost. The Civic Theatre currently expends over 17% of its overhead budget to pay Akron Thermal related entities for steam heat and chilled water. The Civic Theatre projects declining income from key donors in amounts in excess of \$100,000.00. The Civic Theatre operates on extremely tight gross profit margins, and any proposed rate increase will severely impact the Civic Theatre's ability to serve the greater Akron community. The current 2009 forecast has a loss in Civic Theatre revenues and funds resulting in a budget deficit of \$50,000.00. While Akron Thermal cites financial difficulties as the reason for its emergency rate request, the Civic Theatre is also incurring financial difficulties with a projected 2009 budget deficit of \$50,000.00. In accordance with O.R.C. § 4905.22, Akron Thermal is required to charge a rate that is just and reasonable. The projected rate increase will significantly raise the Civic Theatre's expenses and cause a deficit in excess of \$120,000.00. The Civic Theatre

187 W. 10TH STREET AKRON, OHIO 44308-1158 F 330.535.4179 E 330.535.9828 www.akroncivic.com

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asserts that the proposed rate increase is not just and reasonable and will have a severe negative impact on the Civic Theatre and its ability to operate. The Civic Theatre respectfully requests that the rate increase be denied.

Very truly yours,



Howard C. Parr
Akron Civic Theatre
182 South Main Street
Akron, Ohio 44308

**Executive Director of The Community
Hall Foundation, Inc., dba The Akron
Civic Theatre**

HCP