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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

#0121

In the Matter of the Short :  
Form Application of the :  
Cincinnati Gas and Electric :  
Company for Amendment of : Case No. 88-1447-EL-BGN  
the Certificate for the :  
Woodsdale Electric :  
Generation Station in :  
Butler County, Ohio :

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PUBLIC UTILITIES COMMISSION  
FORECASTING & SITING

PROCEEDINGS

Before Honorable R. Russell Gordon, Attorney Examiner, at  
the Offices of the Public Utilities Commission of Ohio,  
180 East Broad Street, Columbus, Ohio, on Friday,  
November 30, 1990, at 10:00 a.m.

## 1 APPEARANCES:

2 Cincinnati Gas & Electric Company  
3 By Mr. David T. Musselman  
4 P.O. Box 960  
Cincinnati, Ohio 45201

5 On behalf of the Cincinnati Gas & Electric Co.

6 Anthony J. Celebrezze  
7 Attorney General, State of Ohio  
8 By Ms. Margaret A. Malone  
and Mr. Shane E. Farolino  
9 Assistant Attorneys General  
30 East Broad Street, 25th Floor  
Columbus, Ohio 43266-0410

10 On behalf of the Ohio Power Citing Board.

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Friday Morning Session,

November 30, 1990.

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EXAMINER GORDON: We'll go on the record. The Ohio Power Citing Board has set for hearing at this place and time Case No. 88-1447-EL-PGN being in the Matter of the Short Form Application of the Cincinnati Gas and Electric Company for Amendment of the Certificate for the Woodsdale Electric Generation Station in Butler County, Ohio. May I have the appearances of the parties.

MR. MUSSELMAN: David T. Musselman for CG&E.

EXAMINER GORDON: For the staff.

MS. MALONE: Appearing on behalf of the staff of the Ohio Power Citing Board, Margaret A. Malone and Shane A. Farolino, Assistant Attorney Generals.

EXAMINER GORDON: Did you give the address for the company?

MR. MUSSELMAN: No, I did not. The address for the company is P.O. Box 960, Cincinnati, Ohio, 45201-0960.

EXAMINER GORDON: Thank you. I am R. Russell Gordon. I'm the Attorney Examiner assigned to this proceeding. Are there any motions to be made at this time?

MS. MALONE: Yes. At this time the staff and the company would make a joint motion that the hearing in

1 this matter be continued and that this hearing be  
2 converted into a prehearing.

3 As you're aware from the docketed filings in  
4 this matter, the staff report which was issued  
5 recommended a denial of the application because the  
6 application failed to provide information necessary to  
7 enable the staff to determine the nature of the  
8 environmental impact and that the proposed alternatives  
9 represented minimal adverse environmental impact.

10 Subsequent to the issuance of the staff report,  
11 parties have engaged in discussions about the development  
12 of additional information, and that information will take  
13 some extended period of time to develop, and the parties  
14 do want to have that information available to them so they  
15 can then determine whether or not they can reach agreement  
16 with regard to this matter or be prepared to go forward  
17 with the hearing with all of the evidence in front of  
18 them.

19 For that reason we would ask that the case be  
20 continued and that in the process of the prehearing we  
21 establish a schedule to hear this case that allows for  
22 this additional information after its development, its  
23 evaluation, and some period of time for the parties to  
24 also conduct discovery if there's not an agreement.

25 EXAMINER GORDON: That will be done following

1 this proceeding and at that time you will suggest a  
2 hearing date?

3 MS. MALONE: I contemplated that we could  
4 discuss that and arrive at a hearing date during the  
5 prehearing itself if you convert this into a prehearing.

6 EXAMINER GORDON: Motion to convert this into a  
7 prehearing granted and we will continue the case and put  
8 out an entry setting the hearing at a further date.

9 Let the record also show that there is no other  
10 interveners at this time other than the company and the  
11 staff while your motion is granted for prehearing  
12 conference.

13 (Off the record discussion.)

14 EXAMINER GORDON: While off the record we had a  
15 discussion on a time for extending the hearing and with  
16 the submittal of additional testimony by the company with  
17 regards to information that the staff believes they need,  
18 we've reached an agreement between the parties that we  
19 will have a prehearing conference at 10:00 on March 4th,  
20 and the parties will have their issues -- if things are  
21 not resolved or if there is something that needs to be  
22 discussed, they'll have their issues at that time which  
23 will be -- testimony will be brought on in the hearing if  
24 need be. So they should have their issues prepared at  
25 that time. We will schedule a hearing in this matter for

1 March 25th at 10:00.

2 If there's nothing further, we will recess until  
3 the March 4th prehearing conference.

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5 Thereupon, at 10:20 a.m., the hearing was  
6 adjourned.

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter before the Public Utilities Commission of Ohio on November 30, 1990, and carefully compared with my original stenographic notes.

Jacqueline E. Nelson  
Jacqueline E. Nelson,  
Registered Professional Reporter.

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