

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the 2009 :
Long-Term Electric :
Forecast Report of Duke : Case No. 09-503-EL-FOR
Energy Ohio, Inc., and :
Related Matters. :

— — —

PROCEEDINGS

before Katie Stenman, Attorney Examiner, at the
Public Utilities Commission of Ohio, 180 East Broad
Street, Room 11-C, Columbus, Ohio, called at 10 a.m.
on Thursday, January 21, 2010.

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1 APPEARANCES:

2 Duke Energy Ohio, Inc.
3 By Ms. Amy B. Spiller,
4 Associate General Counsel,
5 and Ms. Elizabeth H. Watts,
6 Assistant General Counsel,
7 155 East Broad Street
8 Columbus, Ohio 43215

9 On behalf of the Applicant.

10 Richard Cordray,
11 Ohio Attorney General
12 By Mr. Duane W. Luckey
13 Senior Deputy Attorney General
14 Mr. Thomas W. McNamee,
15 and Ms. Sarah Parrot,
16 Assistant Attorneys General
17 Public Utilities Section
18 180 East Broad Street
19 Columbus, Ohio 43215

20 On behalf of the Staff of the PUCO.

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1 Thursday Morning Session,
2 January 21, 2010.

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4 ATTORNEY EXAMINER: Let's go on the
5 record. The Public Utilities Commission of Ohio has
6 called for hearing at this time and place Case No.
7 09-503-EL-FOR, being in the Matter of the 2009
8 Electric Long-Term Forecast Report of Duke Energy
9 Ohio. My name is Katie Stenman, and I am the
10 Attorney Examiner assigned by the Commission to hear
11 this case.

12 At this time I would like to take the
13 appearances of the parties.

14 MS. PARROT: Good morning, your Honor.
15 On behalf of the Public Utilities Commission of Ohio
16 Staff, Thomas W. McNamee and Sarah J. Parrot,
17 Assistant Attorneys General, Public Utilities
18 Section, 180 East Broad Street, Columbus, Ohio 43215.

19 And, your Honor, I am also authorized
20 today to proceed on behalf of and enter appearances
21 on behalf of Duke Energy Ohio, Inc., by Amy B.
22 Spiller, Associate General Counsel, and Elizabeth H.
23 Watts, Assistant General Counsel, 155 East Broad
24 Street, Columbus, Ohio 43215.

25 ATTORNEY EXAMINER: Thank you very much.

1 I would like to note for the record that there are no
2 members of the public here to testify at this time.

3 I understand the parties have docketed a
4 stipulation?

5 MS. PARROT: Yes, that's correct, your
6 Honor. The Stipulation and Recommendation was filed
7 in the docket of this case on January 7, 2010, and I
8 would like to mark that as Joint Exhibit No. 1 at
9 this time for identification purposes.

10 ATTORNEY EXAMINER: It will be so marked.

11 (EXHIBIT MARKED FOR IDENTIFICATION.)

12 MS. PARROT: Also the Staff is prepared
13 to offer the testimony of Daniel Johnson in support
14 of this stipulation, and we would call him at this
15 time, if necessary.

16 ATTORNEY EXAMINER: Go ahead.

17 (Witness sworn.)

18 ATTORNEY EXAMINER: Ms. Parrot.

19 MS. PARROT: Thank you, your Honor.

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1 DANIEL JOHNSON

2 being first duly sworn, as prescribed by law, was
3 examined and testified as follows:

4 DIRECT EXAMINATION

5 By Ms. Parrot:

6 Q. Good morning, Mr. Johnson.

7 A. Good morning.

8 Q. Would you please state your full name and
9 your businesses address for the record.

10 A. My name is Daniel R. Johnson. My place
11 of business is the Public Utilities Commission of
12 Ohio at 180 East Broad Street.

13 Q. And what is your role with the Public
14 Utilities Commission?

15 A. I am the chief of the planning and market
16 analysis division of the energy environment
17 department. That division is responsible for
18 reviewing the electric utility forecast filings.

19 Q. Thank you. Could you please give us a
20 brief description of your education and other
21 relevant work experience.

22 A. I have been the chief of this particular
23 division for approximately 10 or 11 years. My
24 education includes a Master's in business
25 administration from the University of Pittsburgh and

1 Master's in energy resources also from the University
2 of Pittsburgh.

3 Q. Thank you very much. Are you familiar
4 with the Stipulation and Recommendation that's been
5 marked as Joint Exhibit No. 1 in this proceeding?

6 A. I am indeed.

7 Q. And are you also familiar with the
8 three-part test for evaluating stipulations that the
9 Commission uses?

10 A. Yes, I am.

11 Q. And let's have you please refer to Joint
12 Exhibit No. 1 at this time. Do you believe that this
13 settlement is the product of serious bargaining among
14 capable, knowledgeable parties?

15 A. Yes, I believe that is the case. There
16 was notice to all parties and to the public that this
17 matter was set for hearing and that the filing has
18 been posted on the Docketing Information System and
19 the stipulation, and so the public is aware through
20 our normal channels that all -- the forecast has been
21 filed and that the stipulation has been filed.

22 Q. Thank you. Were all parties represented
23 by able counsel to your knowledge?

24 A. Yes, ma'am.

25 Q. And are there any parties that oppose the

1 stipulation?

2 A. There are no parties known to me at all
3 who oppose this stipulation.

4 Q. And, in fact, all of the parties to this
5 proceeding have signed on to the stipulation; is that
6 correct?

7 A. That is correct.

8 Q. And based on your experience, do you
9 believe that the settlement as a package benefits
10 ratepayers and is in the public's interest?

11 A. I absolutely believe that. The package
12 avoids unnecessary litigation and associated costs.

13 Q. And, finally, do you believe that the
14 settlement package violates any important regulatory
15 principle or practice?

16 A. No, ma'am. The -- the settlement -- the
17 forecast process is governed by Chapter 4935.04 of
18 the Ohio Revised Code. And there in Section F is
19 contained seven criteria for evaluating the
20 reasonableness of forecasts submitted by electric
21 utilities. Based upon review by the Staff -- by
22 Staff under my supervision, we believe that none of
23 the criteria for having a reasonable forecast is
24 violated.

25 This filing was occasioned by a

1 significant change from prior forecasts, and we
2 believe that that significant change is caused by
3 current economic conditions.

4 Q. Thank you very much. Based on your
5 experience do you recommend that the Commission adopt
6 this Stipulation and Recommendation that's marked as
7 Joint Exhibit 1?

8 A. Yes.

9 MS. PARROT: Thank you very much.

10 I have no further questions for the
11 witness, your Honor.

12 ATTORNEY EXAMINER: Seeing as I have
13 none, please step down.

14 THE WITNESS: Thank you.

15 MS. PARROT: At this time I would move
16 for the admission of Joint Exhibit No. 1.

17 ATTORNEY EXAMINER: Joint Exhibit No. 1
18 will be admitted.

19 (EXHIBIT ADMITTED INTO EVIDENCE.)

20 ATTORNEY EXAMINER: Is there anything
21 else to come before us today?

22 MS. PARROT: I do not believe so, your
23 Honor.

24 ATTORNEY EXAMINER: All right. If there
25 is nothing further, that concludes this hearing and

1 the case will be submitted on the record. We're
2 adjourned.

3 (Thereupon, the hearing was concluded at
4 10:08 a.m.)

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6 CERTIFICATE

7 I do hereby certify that the foregoing is
8 a true and correct transcript of the proceedings
9 taken by me in this matter on Thursday, January 21,
10 2010, and carefully compared with my original
11 stenographic notes.

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Karen Sue Gibson, Registered
Merit Reporter.

15 (KSG-5154)

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This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 09-0503-EL-FOR

Summary: Transcript Transcript of Duke Energy Ohio hearing held on 01/21/10. electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.