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THE PUBLIC UTILITIES COMMISSION OF OHIO

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IN THE MATTER OF:

OHIO EDISON COMPANY, THE CLEVELAND  
ELECTRIC ILLUMINATING COMPANY, AND THE  
TOLEDO EDISON COMPANY FOR AUTHORITY TO  
ESTABLISH A STANDARD SERVICE OFFER  
PURSUANT TO SECTION 4928.143, REVISED  
CODE, IN THE FORM OF AN ELECTRIC SECURITY  
PLAN.

Case No. 10-388-EL-SSO

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PUBLIC HEARING

April 27, 2010
6:00 p.m.

Taken at:
Lakeland Community College
7700 Clocktower Drive
Kirtland, Ohio

Charles L. Butera, Notary Public



RENNILLO

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<p>THE PUBLIC UTILITIES COMMISSION OF OHIO ~~~~~</p> <p>IN THE MATTER OF: OHIO EDISON COMPANY, THE CLEVELAND ELECTRIC ILLUMINATING COMPANY, AND THE TOLEDO EDISON COMPANY FOR AUTHORITY TO ESTABLISH A STANDARD SERVICE OFFER PURSUANT TO SECTION 4928.143, REVISED CODE, IN THE FORM OF AN ELECTRIC SECURITY PLAN.</p> <p>Case No. 10-388-EL-SSO</p> <p>~~~~~</p> <p>PUBLIC HEARING</p> <p>April 27, 2010 6:00 p.m. Taken at: Lakeland Community College 7700 Clocktower Drive Kirtland, Ohio</p> <p>Charles L. Butera, Notary Public</p>	<p>3</p> <p>1 APPEARANCES/continued: 2 3 JODY M. KYLER, ESQ. 4 Assistant Consumers' Counsel 5 Office of the Ohio Consumers' Counsel 6 10 West Broad Street 7 Suite 1800 8 Columbus, Ohio 43215 9 (614)466-9601 10 kyler@occ.state.oh.us 11 ~~~~~</p> <p>12 13 14 15 18:08:28 16 17 18 19 20 21 22 23 24 25</p>
<p>2</p> <p>1 APPEARANCES: 2 3 KIMBERLY W. BOJKO, ESQ. 4 Attorney Examiner 5 Public Utilities Commission of Ohio 6 180 East Broad Street 7 Columbus, Ohio 43215 8 (614)752-7999 9 Kim.Bojko@puc.state.oh.us 10 11 PAUL A. Centolella 12 Commissioner 13 Public Utilities Commission of Ohio 14 180 East Broad Street 15 Columbus, Ohio 43215 16 (614)644-8226 17 Paul.Centolella@puc.state.oh.us 18 19 EBONY L. MILLER, ESQ. 20 FirstEnergy 21 76 South Main Street 22 Akron, Ohio 44308 23 (330)384-5969 24 elmiller@firstenergycorp.com 25</p>	<p>4</p> <p>1 INDEX 2 3 Fisco Exhibit 1 was marked 107 20 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>

<p>1 MS. BOJKO: The Public Utilities 2 Commission of Ohio has assigned for public 3 hearing at this time and place. Case No. 4 10-388-EL-SSO, being captioned in the matter of 5 the application of Ohio Edison, the Cleveland 18:08:41 6 Electric Illuminating Company, and the Toledo 7 Edison Company for authority to establish a 8 standard service offer pursuant to section 9 4928.143 of the Revised Code in the form of an 10 Electric Security Plan. 18:08:57 11 My name is Kim Bojko and with me 12 this evening is commissioner Centolella and 13 Beth Trombold. I am one of the attorney 14 examiners that has been assigned to preside 15 over this proceeding. And I also presided over 18:09:09 16 the evidentiary hearing in Columbus that 17 occurred last week and lasted approximately -- 18 it lasted four days of hearing from numerous 19 witnesses on this case. 20 But at the hearing tonight, we are 18:09:22 21 going to hear from you. There are 22 representatives from the company here and there 23 are representatives from interveners, but 24 tonight, this is the opportunity to hear from 25 you. So if you have a question other than the 18:09:33</p>	<p>1 describe a little bit more about the case. On 2 March 23, 2010, FirstEnergy filed with the 3 Commission an application along with the signed 4 agreement among several parties to establish 5 its next Electric Security plan, and this plan 18:10:46 6 is commonly called an ESP Plan. And this will 7 be for the supply and pricing of electric 8 service from June 1, 2011 through May 31, 2014. 9 Electric generation rates under the new plan 10 would again be determined through a competitive 18:11:03 11 bid process, conducted by an independent bid 12 manager, as it was done in the companies' last 13 Electric Security Plan. And under the proposed 14 ESP, FirstEnergy's base distribution rates 15 would remain frozen through May 31, 2014. The 18:11:18 16 company would also establish a mechanism in 17 2012 to recover improvements to the company's 18 distribution system. And this cost recovery 19 would be subject to quarterly filings and 20 annual audits by the commission. FirstEnergy 18:11:32 21 would also continue to promote economic 22 development, job retention, energy efficiency, 23 conservation and low-income programs. 24 As has been stated this evening, 25 there have been eight local public hearings 18:11:47</p>
<p>1 proceeding before us today, feel free to speak 2 with one of the individuals, either us or the 3 company representatives or the Consumers' 4 Counsel that's here. I'm not sure if other 5 interveners are here, but feel free to talk to 18:09:48 6 them as well and they will be happy to answer 7 your questions. 8 And at this time I would like to 9 take appearances of the parties. Let's begin 10 with the company, FirstEnergy. 18:09:59 11 MS. MILLER: Good evening. My name 12 is Ebony Miller. I'm here on behalf of the 13 Cleveland Electric Illuminating Company, the 14 Toledo Edison Company and Ohio Edison Company. 15 MS. BOJKO: And then the office of 18:10:11 16 the Consumers' Counsel. 17 MS. KYLER: On behalf of the 18 residential consumers of FirstEnergy, Janine 19 Migden-Ostrander, Ohio Consumers' counsel by 20 Jody Kyler, Assistant Consumers' counsel. 18:10:22 21 MS. BOJKO: Do we have any other 22 intervening parties present tonight that would 23 like to make an appearance? Seeing none, we 24 will continue. 25 First of all, I would like to 18:10:31</p>	<p>1 scheduled in this case, and those local public 2 hearings are only one aspect of the entire 3 process. The evidentiary hearing began, which 4 is just explained, on April 20 and it concluded 5 on April 23. And the purpose of that hearing 18:12:00 6 was to allow the companies, the staff of the 7 commissions, the interveners -- such as 8 Consumers' Counsel and the companies -- to 9 present witnesses regarding the company's 10 proposal. And they were to support their 18:12:15 11 positions in the case at the evidentiary 12 hearing. 13 So the purpose of tonight's public 14 hearing is to move away from the parties that 15 normally practice before the Commissions and 18:12:24 16 it's to hear from the public. So today, this 17 is your opportunity, so please feel free to 18 come up and testify before us and tell us your 19 opinions about the case that's pending before 20 us. 18:12:36 21 When you arrived you were offered 22 an opportunity to sign up to testify. But if 23 you missed that opportunity, that's okay. It's 24 not too late. Just go back to the back, the 25 table is still back there and you can sign up, 18:12:46</p>

<p>1 and then we will take the witnesses in the 2 order in which they have signed in. 3 Before you begin your statement, I 4 will ask for your name and address for the 5 record. You must state it clearly so the court 18:12:59 6 reporter will be able to take down your name 7 and address. And your testimony will be 8 considered part of the official record of the 9 case, and it will be reviewed, as Commissioner 10 Centolella has explained, by all of the 11 commissioners, not just him here tonight, but 12 will be reviewed by the other four 13 commissioners, as well as the examiners that 14 will be making the decision in the case. The 15 commissioners ultimately have the five-member 18:13:23 16 vote that was explained to you. 17 Your statement will be under oath, 18 so we will ask you to take an oath when you 19 come up to testify. And the other parties, the 20 other interveners to the case that have made 18:13:36 21 appearances before you tonight, are allowed to 22 ask you questions, on the record, about your 23 testimony. So should you decide that you do 24 not want to testify when your name is called, 25 that's fine, just say pass and we'll move on to 18:13:46</p>	<p>1 sign-up sheets out on the table where you 2 signed in, and it asks you to note that if you 3 would like to oppose the application before us, 4 and you can also note if you support the 5 application before us. If you would like to 18:15:05 6 just sign your name on the document out on the 7 table instead of testifying if you need to 8 leave, or if you just are in agreement with 9 everybody else, what they said, and you feel 10 like you do not want to be repetitious, that's 18:15:17 11 fine as well, just go ahead and sign. And your 12 name will be part of the official record in 13 this case that either opposes or supports the 14 proposal that's before us tonight. 15 I am presiding over this hearing 18:15:31 16 and I am unable to answer any substantive of 17 questions that you may have, because the case 18 is pending before the Commissions. So we are 19 not able to answer questions for you. However, 20 you may direct those questions, as we stated 18:15:45 21 previously, to either the company 22 representatives that are here as well as the 23 Consumers' Counsel. And I believe there are 24 other parties of interest here that might be 25 able to answer questions as well. I also know 18:15:59</p>
<p>1 the next person. 2 Again, tonight's hearing is being 3 transcribed by a court reporter, so you need to 4 speak clearly, slowly, so that they are able to 5 accurately reflect your comments on the record. 18:14:00 6 And if you have prepared written statements, it 7 would be very helpful if you could provide that 8 to the court reporter after your testimony is 9 given. 10 We appreciate your participation in 18:14:12 11 tonight's hearing, and we want everyone who 12 wishes to make a public statement to be able to 13 do so. Therefore, please keep your comments 14 brief and to the point; we have a number of 15 people already signed up to testify. So if at 18:14:24 16 all possible, we would like to try to keep your 17 comments to five minutes, if at all possible, 18 in order to allow everybody else a chance to 19 testify. We want to give everyone an 20 opportunity that wants to speak to speak 18:14:39 21 tonight. 22 Also, if you have been here a while 23 and you've heard people testify and you agree 24 with what they're saying and you need to leave, 25 that is fine as well. We have now placed 18:14:51</p>	<p>1 that there is literature out there that will 2 help answer your questions. 3 But before we get started, does 4 anybody have any questions about the process? 5 Not substantive questions about the 18:16:09 6 application, but any questions about what is 7 going to happen tonight with regard to this 8 local hearing? Yes. 9 MEMBER OF THE AUDIENCE: Just for 10 verification, in fact, this hearing has nothing 18:16:22 11 -- doesn't really address the all-electric 12 rates, right? 13 MS. BOJKO: That is correct. 14 MEMBER OF THE AUDIENCE: Okay. 15 Thank you. 18:16:31 16 MS. BOJKO: Are there any other -- 17 I should say, you said this hearing, the 18 proposal before us does not address the 19 all-electric -- 20 MEMBER OF THE AUDIENCE: What we're 21 talking about here tonight is not going to be 22 about the all-electric rates. 23 MS. BOJKO: That's correct. Are 24 there any other questions? Seeing none, let's 25 get started. 18:16:54</p>

<p>1 First of all on our list, we have</p> <p>2 Representative Fende. Would you please come up</p> <p>3 to the podium. Could you please raise your</p> <p>4 right hand.</p> <p>5 LORRAINE FENDE, of lawful age,</p> <p>6 having been first duly sworn, testified as</p> <p>7 follows:</p> <p>8 MS. BOJKO: Please state your name</p> <p>9 and address for the record.</p> <p>10 MS. FENDE: It's State 18:17:17</p> <p>11 Representative Lorraine Fende. 372 East 328th</p> <p>12 Street, Willowick, Ohio, 44095. And before I</p> <p>13 start my testimony, I want to thank everybody</p> <p>14 for coming this evening and welcome you to the</p> <p>15 62nd District. 18:17:32</p> <p>16 I'm testifying today to oppose</p> <p>17 FirstEnergy's Electric Security Plan</p> <p>18 application and stipulations.</p> <p>19 On March 23, 2010, FirstEnergy</p> <p>20 filed an application Case No. 10-388-EL-SSO 18:17:44</p> <p>21 along with the stipulation agreement to set its</p> <p>22 generation rates under an Electric Security</p> <p>23 Plan known as the ESP.</p> <p>24 The ESP also proposes to set new</p> <p>25 delivery or distribution charges as well as 18:18:01</p>	<p>15</p> <p>1 giving the average Ohioan little time to learn</p> <p>2 about these complicated issues.</p> <p>3 \$390 million. This charge allows</p> <p>4 FirstEnergy to collect up to \$390 million from</p> <p>5 its customers over two and a half years. 18:19:26</p> <p>6 FirstEnergy would be allowed to make quarterly</p> <p>7 adjustments to the charge to obtain recovery of</p> <p>8 and the return on capital investments made to</p> <p>9 this electric distribution system. These costs</p> <p>10 have not been carefully reviewed. There has 18:19:43</p> <p>11 been no determination that they are just,</p> <p>12 reasonable or prudent. This is the big</p> <p>13 problem, as my constituents could be paying</p> <p>14 FirstEnergy for expenses that are unnecessary</p> <p>15 and that they cannot afford. 18:19:57</p> <p>16 I especially think this proposal is</p> <p>17 a problem because of the results of the last</p> <p>18 distribution rate case. In 2007, FirstEnergy</p> <p>19 requested an annual distribution rate increase</p> <p>20 of about \$340 million. After the application 18:20:10</p> <p>21 was fully studied, PUCO granted less than half</p> <p>22 of the percentages requested by rate increase.</p> <p>23 At the end of the process, FirstEnergy was</p> <p>24 approved to collect \$137 million from its</p> <p>25 customers, not the initial 340. This is a 18:20:27</p>
<p>14</p> <p>1 settle a number of cases and issues pending</p> <p>2 before the PUCO. In FirstEnergy's application,</p> <p>3 they ask for PUCO's decision by May 5, 2010.</p> <p>4 I am concerned about this case</p> <p>5 because it will allow FirstEnergy to recover 18:18:16</p> <p>6 hundreds of millions of dollars of expenses</p> <p>7 from consumers and this decision will be made</p> <p>8 in what I feel is a relatively short period of</p> <p>9 time. And this will be too short of a time to</p> <p>10 adequately review and analyze increases of this 18:18:28</p> <p>11 size.</p> <p>12 As I previously stated, FirstEnergy</p> <p>13 filed its application and stipulated agreement</p> <p>14 at the same time. When I voted in support of</p> <p>15 Senate Bill 221 in 2008, I voted in support of 18:18:43</p> <p>16 the thorough process for rate cases of this</p> <p>17 magnitude. Senate Bill 221 included a 275-day</p> <p>18 process, which would allow all interested</p> <p>19 parties to review an application before an</p> <p>20 electric utility tries to settle those parties. 18:19:01</p> <p>21 The law allows for a process of up to nine</p> <p>22 months, and in this case it should be adhered</p> <p>23 to.</p> <p>24 These public hearings were</p> <p>25 scheduled in a relatively short period of time, 18:19:10</p>	<p>16</p> <p>1 clear example of why the PUCO should allow more</p> <p>2 time to review this expensive rate proposal.</p> <p>3 Without this proposal, FirstEnergy's customer</p> <p>4 bills could possibly decrease.</p> <p>5 This added rider takes away the 18:20:44</p> <p>6 benefits that consumers deserve. This would be</p> <p>7 equal to a tax cut because we would put more</p> <p>8 money in the pockets of consumers to pay bills</p> <p>9 or buy products to stimulate the economy. I</p> <p>10 urge the PUCO to reject this proposal. 18:20:57</p> <p>11 Payments of the transmission</p> <p>12 expansion costs. FirstEnergy has applied to</p> <p>13 move its transmission assets from one Regional</p> <p>14 Transmission Organization, which is known as an</p> <p>15 RTO, to another. Regional Transmission 18:21:11</p> <p>16 Organizations manage utilities transmission</p> <p>17 systems in the specific regions to ensure the</p> <p>18 fair flow of electricity from power plants to</p> <p>19 customers. FirstEnergy should not recover the</p> <p>20 cost of this switch from its consumers. 18:21:27</p> <p>21 FirstEnergy has made a business decision to</p> <p>22 move all of its transmission operations into a</p> <p>23 new Regional Transmission Organization, and its</p> <p>24 shareholders should be responsible for the cost</p> <p>25 associated with that change. I have not heard 18:21:42</p>

4 (Pages 13 to 16)

<p>17</p> <p>1 that there will be any benefits to my 2 constituents because of this move. 3 The Federal Energy Regulatory 4 Commission, which is known as the FERC -- a 5 federal agency that regulates the transmission 18:21:55 6 of electricity, natural gas and oil -- in a 7 December 17, 2009 order, stated, "Transmission 8 owners seek to change RTOs should be prepared 9 to assume the costs attributable to their 10 decision." The PUCO, in my opinion, should 18:22:14 11 enforce this principle to protect Ohioans. 12 Under the agreement, several organizations have 13 struck deals with FirstEnergy related to its 14 economic development and job retention. While 15 I wholeheartedly support economic development, 18:22:28 16 I am hard-pressed to ask my constituents to pay 17 for these investments without assurances that 18 the benefits will follow. This should be 19 addressed in a separate proceeding. 20 If FirstEnergy wants to expand 18:22:41 21 their sales in our area, they should contribute 22 to the funding of this economic development 23 from their shareholders' money, not my 24 constituents'. Thank you for your time. 25 And I would like to reiterate my 18:22:51</p>	<p>19</p> <p>1 MS. NEWCOMB: Thank you. Deborah 2 Newcomb, 392 Residence Street in Conneaut, 3 Ohio. 4 MS. BOJKO: I'm sorry, could you 5 please raise your right hand? 6 DEBORAH NEWCOMB, of lawful age, 7 having been first duly sworn, testified as 8 follows: 9 MS. BOJKO: Please proceed. 10 MS. NEWCOMB: Again, my name is 18:24:14 11 Deborah Newcomb, 392 Residence Street, 12 Conneaut, Ohio. I'm a state representative for 13 Ashtabula, for Northern Trumbull County, 99th 14 District of Ohio. And I will provide a written 15 copy to the court reporter after my testimony. 18:24:26 16 MS. BOJKO: Thank you. 17 MS. NEWCOMB: I am here today to 18 express my concerns regarding the recent filing 19 of FirstEnergy's Electric Security Plan and its 20 potential impact on many residents in my 18:24:36 21 communities. 22 Senate Bill 221 just passed in 23 2008, by a large bi-partisan margin, to ensure 24 electricity price stabilization, modernize 25 energy efficiency standards, encourage future 18:24:49</p>
<p>18</p> <p>1 concerns for my constituents or customers of 2 FirstEnergy. They simply cannot afford these 3 rate increases. And I strongly urge the PUCO 4 to reject this plan. And before I turn this 5 over, I again would like to thank everybody for 18:23:05 6 coming. 7 And Representative Deborah Newcomb 8 and myself, and we have our aide out in Bath, 9 that if you wouldn't mind before you leave this 10 evening to sign in with your names and 18:23:15 11 addresses. And we also have complaint forms 12 that we will -- if you would like to fill out 13 -- we have those there, that we will forward on 14 to the OCC and also the PUCO. 15 And we're asking you to do this 18:23:27 16 after the fact because we didn't want to 17 confuse anybody with signing up for people who 18 wanted to testify this evening, or people who 19 just wanted to put their names down because 20 they were in attendance. So again, we do have 18:23:37 21 those documents out front -- or back, if you 22 would please sign in or sign out before you 23 leave. Thank you. 24 MS. BOJKO: Thank you. 25 Representative Newcomb. 18:23:47</p>	<p>20</p> <p>1 economic development in advanced energy and new 2 technologies, and provide accountability and 3 transparency provisions for utility customers 4 based on significant evidence that Ohio 5 customers would actually pay less under these 18:25:03 6 plans in comparison to market-based prices. 7 Senate Bill 221 stipulates that 8 Ohio's electric utility companies must file 9 these rate stabilization plans to eliminate 10 market uncertainty. As a result, FirstEnergy 18:25:18 11 filed their plan with the PUCO to offer 12 long-term rate stability and support for 13 economic development. 14 My understanding is the plan would 15 use a competitive bidding process to establish 18:25:27 16 generation supply and pricing, determining 17 generation rates for FirstEnergy customers from 18 June 2011 to May 2014. In addition, the plan 19 would also allow the utility to collect up to 20 390 million through quarterly increases, while 21 investing millions of dollars in local economic 22 development arrangements. 23 The additional request that has 24 been filed along with the competitive bidding 25 process proposal is imprudent, especially with</p>

<p>21</p> <p>1 the May 5 PUCO ruling deadline. While I 2 understand that the competitive bidding process 3 is the best cost-savings measure for 4 FirstEnergy customers, and investment in local 5 economic development is critical to the 18:26:08 6 Northeast Ohio region, the approval of this 7 plan, as presented, could negatively impact 8 customers who are already struggling during 9 this tough economic situation and further 10 impact their ability to pay monthly electric 18:26:23 11 bills.</p> <p>12 The bidding process, I know, is 13 fast approaching and that is the reason for the 14 expedited PUCO ruling on the stipulated plan. 15 However, with most recent experiences with 18:26:32 16 FirstEnergy, the PUCO and over 4,000 17 all-electric homeowners in my district, I 18 believe fast-tracking this review process could 19 prove to be irresponsible and yield unintended 20 consequences. This ruling holds a great 18:26:48 21 significance to my area and my communities and 22 many FirstEnergy customers. Therefore, I want 23 to ensure that the public, PUCO, the Ohio 24 Consumers' Counsel and FirstEnergy are working 25 together, thoroughly participating in this 18:27:02</p>	<p>23</p> <p>1 aspects of this plan may be to certain groups. 2 And I thank you for your time. 3 MR. CENTOLELLA: Thank you. 4 MS. BOJKO: Thank you. Senator 5 Grendell. Sir, could you please raise your 6 right hand. 7 TIMOTHY J. GRENDALL, of lawful age, 8 having been first duly sworn, testified as 9 follows: 10 MS. BOJKO: Please state your name 18:28:36 11 and address for the record. 12 MR. GRENDALL: Timothy J. Grendell, 13 G-r-e-n-d-e-H. 7413 Tattersall, 14 T-a-t-t-e-r-s-a-H, Drive, Chesterland, Ohio, 15 44026. 18:28:48 16 MS. BOJKO: Please proceed. 17 MR. GRENDALL: Thank you. First of 18 all, let me thank everyone for coming to the 19 18th Senate District, because you're also in 20 the 18th Senate District. And thank you PUCO 18:28:57 21 for bringing this hearing to the 18th Senate 22 District. 23 When Senate Bill 221 was passed, 24 the PUCO review of the ESP was a critical 25 component. It was a component to assure that 18:29:11</p>
<p>22</p> <p>1 procedure, to understand the impact of these 2 rates could have on the community. 3 SB 221 provides a mechanism for 4 deliberating fair and just decisions, 5 particularly when it comes to dealing with 18:27:12 6 utility companies. The consumers of 7 FirstEnergy must be provided some assurances 8 that increases will not significantly impact 9 their bills and that they remain a part of this 10 process. 11 I urge the PUCO Commissioners and 12 staff to carefully consider the concerns of the 13 Ohio Consumers' Counsel, the FirstEnergy 14 customers, and our people in the 99th District 15 when making your final decision regarding this 18:27:36 16 case. 17 Unemployment is over 14 percent and 18 people are struggling like never before during 19 this toughest economy ever, and they need our 20 help and consideration -- even though I know 18:27:48 21 these are probably not part of the things you 22 have to consider. 23 But FirstEnergy customers simply 24 cannot accommodate any more significant 25 increases, no matter how important other 18:27:57</p>	<p>24</p> <p>1 these folks, the people who will pay for the 2 electric service, are properly protected from 3 the re-regulation process embodied in Senate 4 Bill 221. So I ask the PUCO, do not rush the 5 process. 18:29:29 6 And while I understand why 7 FirstEnergy has requested this decision, 8 they're asking you to make a decision in 9 one-sixth of the time that was provided for in 10 Senate Bill 221. 18:29:40 11 And as Representative Newcomb has 12 so correctly pointed out, when -- as we look at 13 the all-electric discount debacle, we 14 understand that we should all learn that there 15 is a price to be paid when we rush to make 18:29:54 16 decisions. 17 Now I agree and I applaud the Ohio 18 consumers' counsel on their position on this 19 application and fully agree with and support 20 their position. I think the consumers here all 18:30:03 21 know that on this one, the Consumers' Counsel 22 is standing up for you and is fighting a good 23 fight to try to make sure you are protected in 24 this process. I commend Representatives Fende 25 and Newcomb for also standing up for their 18:30:18</p>

6 (Pages 21 to 24)

<p>1 constituents. 25</p> <p>2 On behalf of my constituents of the</p> <p>3 18th Senate District, I oppose the proposed</p> <p>4 FirstEnergy Electric Security Plan for the</p> <p>5 following reasons: 18:30:27</p> <p>6 With respect to the replacement for</p> <p>7 the current delivery system improvement charge</p> <p>8 with a new larger delivery capital recovery</p> <p>9 charge. The new proposal would allow</p> <p>10 FirstEnergy to collect up to \$390 million 18:30:37</p> <p>11 through quarterly increases over approximately</p> <p>12 two and a half years. In case they haven't</p> <p>13 noticed, we are still in a down economy in</p> <p>14 Northeast Ohio. This will unduly burden our</p> <p>15 consumers, our fledgling small businesses, and 18:30:53</p> <p>16 those on fixed incomes. Upon the document I</p> <p>17 have had a chance to review, it is my opinion</p> <p>18 that these are not yet justified, and I agree</p> <p>19 with Representative Fende in the numbers that</p> <p>20 she gave to the Commission, that further review 18:31:07</p> <p>21 and justification has to be provided before</p> <p>22 that kind of increase would be permitted.</p> <p>23 Secondly, FirstEnergy has</p> <p>24 incorrectly claimed that the benefit of its</p> <p>25 agreement; that it will not charge customers</p>	<p>1 certainly don't think that's what was 27</p> <p>2 contemplated in transparency when we passed</p> <p>3 Senate Bill 221.</p> <p>4 I also object to the procedure and</p> <p>5 the short time frame that the PUCO has 18:32:27</p> <p>6 followed, as a result of this, to try to reach</p> <p>7 this agreement. The Ohio law allows up to 275</p> <p>8 days of processing these cases. And with the</p> <p>9 intricacy involved with the ESP, a longer</p> <p>10 process with sufficient and proper review 18:32:41</p> <p>11 should be permitted so that the best interests</p> <p>12 of these folks, the residents and consumers who</p> <p>13 already paid for this electric, are covered.</p> <p>14 Just remember, this was filed on</p> <p>15 March 23. FirstEnergy is asking for an answer 18:32:54</p> <p>16 in about 43 days, May 5. When we spent 275</p> <p>17 days with appearance, we didn't rush to</p> <p>18 judgment and have to embarrassingly undo a</p> <p>19 decision that wasn't justified in the first</p> <p>20 place. 18:33:09</p> <p>21 And again, with talking about rates</p> <p>22 that would kick in June 1, 2011, which is over</p> <p>23 a year from now, a major concern I also have is</p> <p>24 that under the pending market offer rate case</p> <p>25 proposal, FirstEnergy can raise these rates 18:33:20</p>
<p>1 for certain future transmission-related costs. 26</p> <p>2 But I agree with the Ohio Consumers' Counsel</p> <p>3 that the cost are a direct result of</p> <p>4 FirstEnergy's business decision to switch from</p> <p>5 one Regional Transmission Organization to 18:31:29</p> <p>6 another, which also dovetails into that</p> <p>7 discussion about all-electric homes for another</p> <p>8 day. And I agree with Ohio Consumers' Counsel</p> <p>9 that the customer should not be held</p> <p>10 responsible for those costs. Representative 18:31:40</p> <p>11 Fende hit the nail on the head there with</p> <p>12 respect to economic development arrangements</p> <p>13 that would cost customers million of dollars in</p> <p>14 additional charges.</p> <p>15 These deals should be reviewed in 18:31:50</p> <p>16 separate proceedings that allow for full</p> <p>17 disclosure of information and complete PUCO</p> <p>18 review process.</p> <p>19 Frankly, as a legislator who voted</p> <p>20 for Senate Bill 221, I am greatly disturbed by 18:32:03</p> <p>21 this pre-process where some folks have a chance</p> <p>22 to sit down, read some sort of prior agreement,</p> <p>23 that is apparently not even in the full public</p> <p>24 forum, stipulate to it and present it to the</p> <p>25 PUCO before the process even gets started. I 18:32:16</p>	<p>1 automatically without going through the PUCO 28</p> <p>2 process, with each increase that will affect</p> <p>3 the consumer. This should not be an acceptable</p> <p>4 process and there should be a separate proposal</p> <p>5 or process that would provide full disclosure, 18:33:32</p> <p>6 accountability and proper review for the</p> <p>7 requests. The idea that they're going to raise</p> <p>8 it and make quarterly filings that you're going</p> <p>9 to audit at the end of the year is backwards.</p> <p>10 They should have to justify any rate increases 18:33:45</p> <p>11 to you before those increases are approved. I</p> <p>12 just don't think this is a process that was</p> <p>13 contemplated to protect the consumers, the</p> <p>14 homeowners and the small business people in my</p> <p>15 district.</p> <p>16 I respectfully request that you</p> <p>17 take the following actions with respect to the</p> <p>18 ESP: disapprove FirstEnergy's pending ESP</p> <p>19 proposal. It's too fast, it's too hot.</p> <p>20 Secondly, have FirstEnergy resubmit a new 18:34:14</p> <p>21 proposal and go through the required process,</p> <p>22 follow Ohio law of 275-day procedure with</p> <p>23 consideration of more time and when such</p> <p>24 complex requests are made that are going to</p> <p>25 cost the consumers hundreds of millions of 18:34:26</p>

<p>29</p> <p>1 dollars in additional money out of their 2 pocket. If FirstEnergy really respects its 3 customers, it would not try to ram through a 4 \$390 million process increase in six weeks. 5 And finally, I would ask FirstEnergy to supply 18:34:42 6 each time they want a rate increase not to tell 7 you after the fact or just justify after the 8 fact why they've already charged these people 9 more money, which they would have to justify 10 before they charge these people more money why 18:34:56 11 they are doing that. And you should thoroughly 12 review that and approve it before they have the 13 ability to raise the cost to these fine folks 14 and my constituents throughout my district. 15 I am troubled by the stipulation of 18:35:08 16 advanced process because the parties who didn't 17 have a chance to sit with FirstEnergy and 18 stipulate in advance are the consumers, are the 19 people who have to pay, who work to take care 20 of their families and pay their taxes. They 18:35:22 21 don't get to hire the lawyers, they don't get 22 to hire the lobbyist, they don't get to sit 23 with FirstEnergy and cut special deals that 24 then get submitted in the form of a 25 stipulation. They got to go through the 18:35:34</p>	<p>31</p> <p>1 case 10176. 2 Let me give you the negative 3 effects that the last distribution rate 4 increase had on the all-electric customers just 5 12 short months ago. This increase totaled 18:37:16 6 \$157 million, and counted as a first 7 distribution rate increase for CEI in the last 8 12 years. This seemed to be FirstEnergy's 9 primary justification for this increase. As 10 the Ohio Consumers' Counsel found justification 18:37:30 11 for the last \$157 million increase, besides \$25 12 million need for Toledo Edison. In fact, this 13 case 07551 opposing last year's distribution 14 rate increase is still open. And on March 18, 15 2009, the PUCO granted the Consumers' Counsel a 18:37:53 16 new hearing. 17 So the point here being that 18 there's still considerable disagreement whether 19 the last distribution rate increase was even 20 necessary. And yet, FirstEnergy is here asking 18:38:05 21 for another one in the meantime. The effects 22 of the last \$157 million increase was 23 devastating to the all-electric customer. 24 I have personally examined several 25 all-electric customer bills, comparing what 18:38:17</p>
<p>30</p> <p>1 process and hope that PUCO protects them. I am 2 counting on PUCO in doing that because that was 3 the critical part of Senate Bill 221. I ask 4 that you take the time at the latest process 5 and get it right and please protect my 18:35:48 6 constituents. 7 I thank you very much for the 8 opportunity to say a few words this evening. 9 MS. BOJKO: Thank you, Senator. 10 Sue Steigerwald. Please raise your right hand. 18:36:12 11 SUE STEIGERWALD, of lawful age, 12 having been first duly sworn, testified as 13 follows: 14 MS. BOJKO: Please state your name 15 and address for the record. 18:36:31 16 MS. STEIGERWALD: Sue Steigerwald, 17 10731 Beechwood Drive, Kirtland, Ohio, 44094. 18 Hi, I am one of the leaders of 19 CCAP, the all-electric group. And while I 20 fully understand this hearing is dealing with 18:36:46 21 FirstEnergy's new ESP and not the all-electric 22 case, it would be a myth in this testimony not 23 to at least mention the impact that this 24 particular ESP could have to the 100,000 25 all-electric customers awaiting a decision in 18:37:04</p>	<p>32</p> <p>1 their January through March '09 bill looks like 2 in relation to their '10. And I can report 3 that at least half of the total increase to the 4 all-electric customers' all-electric bill is 5 due to the distribution increase that happened 18:38:32 6 last time. 7 It's important to mention the 8 effects of this distribution increase because 9 the new ESP proposed by FirstEnergy includes a 10 delivery capital recovery charge of up \$390 18:38:45 11 million more. The net amount of the increase 12 is debatable, with FirstEnergy stating that 13 with certain existing riders expiring, the 14 total amount of the increase is really 90 15 million. So even if we believe that 18:39:00 16 FirstEnergy's assessment, that the net effect 17 is really \$90 million, the question to be asked 18 is still, why is this necessary on top of the 19 137 million that just went into effect last 20 year? FirstEnergy is trying to call a public 18:39:14 21 outcry over this plan by saying the net 22 increase is only 90 million because the other 23 300 million is simply replacing the existing 24 rider. The problem with that logic is that we 25 were done paying on those -- the debt on those 18:39:29</p>

<p>33</p> <p>1 existing \$300 million in riders. And our bills 2 were scheduled to go down. 3 Before this new ESP was proposed, 4 according to Consumers' Counsel, the average 5 750-kilowatt customer was scheduled to receive 18:39:42 6 a 10 percent decrease in their bill. However, 7 instead of letting our bills go down, 8 FirstEnergy is implementing \$300 million of new 9 riders to replace the ones that we have already 10 paid off and then adding 90 million on top of 18:39:55 11 this. 12 In addition to the distribution 13 system riders, the other new riders include 14 economic development arrangements that will 15 cost FirstEnergy customers millions in 18:40:04 16 additional charges. For instance, the Ohio 17 Consumers' -- the Ohio Energy Group 18 representing automakers will receive \$8.2 19 million, the Ohio Partners for Affordable 20 Energy 15 million, and then Cleveland Clinic 70 18:40:18 21 million. While economic development is good, 22 the problem with this proposed funding is that 23 it is solely funded through Ohio customers, not 24 FirstEnergy shareholders. Why should Ohio 25 customers fund these projects that will only 18:40:33</p>	<p>35</p> <p>1 The only way to approve this ESP would be to 2 trust FirstEnergy that they have the best 3 interest of their customers at heart. 4 Just hours ago, I spoke at length 5 with a very knowledgeable FirstEnergy lawyer, 18:41:54 6 Jim Burk. He spent a considerable amount of 7 time with me, answering my questions about this 8 ESP. I greatly appreciate his time and really 9 wish that I could believe all of the positive 10 things he said about this ESP. Well, Jim 18:42:06 11 certainly appears to be genuine to me, 12 unfortunately FirstEnergy's credibility has 13 taken a beating in the last six months. Who 14 can forget the elimination of the all-electric 15 discount, which actually caused the Consumers' 18:42:22 16 Counsel the need to file a declaration of 17 emergency -- economic emergency. The 18 government had to intervene and instruct the 19 PUCO to order FirstEnergy to stop what they 20 were doing. So we have serious mistakes that 18:42:37 21 have been made in the last six months, and are 22 we willing to go for another? I'm not. 23 So in closing, I ask the PUCO to 24 learn from the past mistakes and deny 25 FirstEnergy's request to approve this proposal 18:42:48</p>
<p>34</p> <p>1 increase FirstEnergy's profit potential? It is 2 no surprise that many of these customers came 3 out early in support of this new ESP that they 4 had negotiated behind closed doors. 5 FirstEnergy is trying to bully its way in 18:40:46 6 requesting an approval of this ESP in six short 7 weeks rather than the allowable nine-month 8 process. 9 The PUCO allows this to happen -- 10 if the PUCO allows this to happen, a dangerous 18:40:56 11 precedent is going to be set that will allow 12 FirstEnergy to request ridiculous shortened 13 time frames and future filings as well. The 14 timetable allows a full nine months because 15 rate cases and ESPs are very complicated and 18:41:11 16 effect 1.9 million customers for decades. Is 17 it not worth proper diligence to get it right? 18 The current ESP does not expire 19 until May 2011. If FirstEnergy is so confident 20 that this ESP is so good for the average 18:41:27 21 consumer, then why rush it? Why not handle it 22 with the same procedures a real rate case has, 23 for the complete review of what is prudent and 24 reasonable can take place? How can this ESP be 25 approved when there are so many open questions? 18:41:43</p>	<p>36</p> <p>1 on fast track by May 5. The mission of the 2 PUCO is to assure all customers access to 3 reliable utility services at fair prices. 4 There is no way that PUCO could fully 5 understand all the ramifications of this 18:43:05 6 complex ESP within the six short weeks. 7 Therefore, the PUCO must stand up against 8 FirstEnergy's bullying and deny the ESP request 9 until such time so that it could be fully 10 imbedded. Thank you. 18:43:19 11 MS. BOJKO: Thank you. Joe Hays. 12 If we could hold the applause until the end, I 13 think that we can move this along a little 14 quicker. There are a lot of people that would 15 like to have an opportunity tonight to talk. 18:43:42 16 Mr. Hays, please raise your right hand. 17 JOE HAYS, of lawful age, having 18 been first duly sworn, testified as follows: 19 MS. BOJKO: Please state your name 20 and address for the record. 18:43:54 21 MR. HAYS: It's Joe Hays, H-a-y-s, 22 21707 Cedar Branch Trail, Strongsville, Ohio, 23 44149. 24 MS. BOJKO: Thank you. 25 MR. HAYS: I don't have several 18:44:10</p>

<p>1 pages of anything to address, but I have some 2 quick points that I would like to make on 3 behalf of consumers, of which I happen to be 4 one. 5 First off, I stand before you to 18:44:22 6 say that I am standing here in favor of the 7 OCC's position with regard to FirstEnergy's 8 current ESP. And I'm also here in opposition 9 to FirstEnergy's ESP. A couple of points I 10 would like to make that are contained within 18:44:45 11 this proposal is -- and I'll start with the 12 very best one -- is the recovery of loss 13 revenues. This has to do with the fact that if 14 we as consumers happen to somehow be able to 15 consume less energy, then FirstEnergy is 18:45:04 16 looking to receive money in lieu of what was 17 actually used in electricity. That makes no 18 sense. If I cut back, I believe FirstEnergy 19 should cut back. 20 Second, our replacement of the 18:45:22 21 current delivery system, I think the current 22 delivery system is just fine. And although 23 this is expiring in 2011, a renewal might be 24 more in order than a replacement. 25 And finally, I don't believe as 18:45:39</p>	<p>37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000</p>
<p>1 consumers that we should be bared of the 2 responsibility of covering the cost of the 3 transmission-related costs. That should be 4 part of the FirstEnergy business plan. And if 5 money is the issue, then I would like to 18:45:59 6 suggest to FirstEnergy, if they're strapped for 7 the cash, they perhaps shouldn't have purchased 8 Allegheny Power. Okay. 9 The most recent winter rate 10 increase fiasco should only go to serve not 18:46:15 11 only the PUCO, but we as consumers of 12 FirstEnergy's product. That we should look 13 with at least an eye-stance on what in the 14 world they are possibly trying to do because 15 they weren't to be trusted. It was deceptive 18:46:36 16 advertising and they pulled the wool over 17 PUCO's eyes first, where you had to go back and 18 retract. And you should look at this one in 19 the same light. Thank you. 20 MS. BOJKO: Thank you. Jerry 18:46:56 21 DeCicca. Please raise your right hand. 22 JERRY DECICCA, of lawful age, 23 having been first duly sworn, testified as 24 follows: 25 MS. BOJKO: Please state and spell 18:47:22</p>	<p>1 your name and your address for the record, 2 please. 3 MR. DECICCA: My name is Jerry 4 DeCicca. It's spelled, D-e-C-i-c-c-a. My 5 address is 8276 Deepwood Boulevard, Mentor, 18:47:32 6 Ohio. 7 My testimony is not going to be as 8 good as some of the others. I have to find my 9 glasses first. You know, like I said, I live 10 in Deepwood condominiums in Mentor and all 170 18:47:51 11 homes in Deepwood are all-electric with no 12 option for natural gas heat. 13 For 23 years I worked in the 14 electric utility business -- primarily in the 15 steam generation side -- and I gained a lot of 18:48:10 16 respect for their engineering staff that they 17 used. You know, after reading the information 18 on this Electric Security Plan, the rate plan, 19 I wonder if our electric supplier puts more 20 importance on financial scammers than it does 18:48:27 21 on engineering, and here's why I believe 22 this -- you know, I believe our electric bills 23 are way too confusing and complicated. You 24 know, the real cost of electric is our total 25 bill divided by the kilowatts used. My cost is 18:48:43</p>

10 (Pages 37 to 40)

<p>41</p> <p>1 for FirstEnergy to spend their money on new 2 utility? You know, I personally believe a lot 3 of my concerns are a result of this 4 deregulation, however it works. You know, in 5 the old days, our electric supplier loved all 18:50:20 6 these electric homeowners because we used more 7 electricity during the winter months and kept 8 the plants running. You never heard of a 9 brownout in the wintertime. And also, where 10 did all the extra money go when they dropped 18:50:35 11 their all-electric rates -- when they dropped 12 all-electric rates for last winter? Are we 13 ever going to get that money back? You know, 14 as a customer, I want reliable electricity at 15 the lowest possible cost. You know, 18:50:49 16 electricity is something that's a necessity and 17 we can't go out and purchase it like shopping 18 around like we do for a car. You know, we need 19 to trust our supplier and our state officials 20 that oversee our necessity. And I believe 18:51:03 21 there is work to be done to establish this 22 trust and I hope this rate plan will be 23 revisited. Thank you. 24 MS. BOJKO: Thank you. 25 MR. CENTOLELLA: Thank you. 18:51:15</p>	<p>43</p> <p>1 we seemed to have an abundance of electricity. 2 And many of these homeowners out here, homes 3 were built -- as the last individual stated -- 4 we do -- I do live on an all-electric street, 5 no gas lines, no duct work in our homes, no 18:53:07 6 furnaces. So it's going to cost us a bundle if 7 we want to go to an alternate source. But 8 we're not here to discuss the all-electric home 9 right now, we're here to discuss ways of 10 controlling our cost. 18:53:24 11 Thirty years ago plus, why did we 12 have an abundance of energy? Was it because 13 the Perry Nuclear Plant was coming into 14 existence? Was that the reason deals were made 15 for builders to build? Possibly yes. However, 18:53:42 16 since that period of time, the second reactor 17 at Perry Nuclear Plant has never been fired up. 18 How many millions of dollars were spent on the 19 cooling tower? How much of the second reactor 20 is completed? How much would it take to 18:54:09 21 complete the rest of the reactor? 22 Last weekend the paper, Plain 23 Dealer, showed an energy company, I think in 24 Columbus -- like I said, I didn't bring that 25 with me tonight because I didn't think I would 18:54:28</p>
<p>42</p> <p>1 MS. BOJKO: Bill Sass. Please 2 raise your right hand. 3 BILL SASS, of lawful age, having 4 been first duly sworn, testified as follows: 5 MS. BOJKO: Please state your name 18:51:37 6 and address for the record. 7 MR. SASS: My name is Bill Sass, 8 S-a-s-s. I'm located at 1400 Erieview Drive, 9 Madison, Ohio. I'll even give you my phone 10 number, (440)428-1610. 18:51:53 11 I too did not come with a prepared 12 statement, so I have nothing to drop on the 13 podium. So I would appreciate the chance to 14 ask a few questions or present some ideas. It 15 seems like -- I would like to say first, on 18:52:10 16 behalf of many of the customers and residents 17 here, we appreciate you being here. 18 Again, I would like to say that 19 over the past year, when Mr. Rudolph was 20 chairman of CEI, he was very congenial to work 18:52:28 21 with. I don't feel we have that kind of 22 togetherness today where the customer can 23 communicate with the heads of the CEI and 24 FirstEnergy. It would be nice if we did, but 25 unfortunately we don't. So 30 years ago plus, 18:52:47</p>	<p>44</p> <p>1 be speaking -- they showed that they don't have 2 a high demand for your electricity now. Is 3 this the same thing that FirstEnergy and CEI is 4 facing right now? Have things toned down? Is 5 that why they're coming to the residents and 18:54:46 6 trying to charge more money? Is it another 7 form of gouging? Is FirstEnergy living within 8 their means? You look around and see some of 9 their workers -- okay -- must be a nice company 10 to work for with the homes and the automobiles. 18:55:11 11 If they would treat their customers as they 12 treat their employees, I think we would all be 13 better off and we could communicate and we 14 could get things accomplished a lot more. 15 If we learned to downsize with the 18:55:29 16 times, we wouldn't be facing many of these 17 problems we are today. As the constituent 18 said, we're out of work, we're facing a 19 recession. We have a retiree here, we have 20 people on fixed incomes, these people are 18:55:50 21 hurting. These people don't have the luxuries 22 that those employees have. If we have to sell 23 our home at 35 to 40 percent loss -- if you 24 have a home, \$200,000, that's \$80,000 you take 25 out of your -- let's say for retirement. Is 18:56:09</p>

<p>1 the PUCO or FirstEnergy or CEI willing to make 2 these kinds of sacrifices? I don't think so. 3 We got to all learn to live within 4 our means. And if they have to downsize, so be 5 it. And if they want to expand and make more 18:56:29 6 electricity, I would like to know how much 7 money was spent on cooling tower number two, 8 how close it is to completion, and if there is 9 a demand out there for more energy, fire it up, 10 cut our costs, don't increase them. Thank you. 18:56:48</p> <p>11 MS. BOJKO: Connie Kline. 12 CONNIE KLINE, of lawful age, having 13 been first duly sworn, testified as follows: 14 MS. BOJKO: Please state your name 15 and address for the record. 18:57:29 16 MS. KLINE: My name is Connie 17 Kline. 38531 Dodds Landing, Willoughby Hills, 18 Ohio. 19 I do have written testimony. I 20 guess great minds think alike because much of 18:57:44 21 what I have written has already been said. 22 We'll lighten things up just a little bit, it's 23 like a cave in here. It's so dark. First, I 24 will show this to the PUCO because they'll 25 appreciate it. 18:58:05</p>	<p>47</p> <p>1 them, the City of Cleveland, the Cleveland 2 Clinic, the Industrial Energy Users of Ohio, 3 the Morgan Stanley Capital Group, the Ohio 4 Manufacturers' Association, the Ohio Hospital 5 Association, domestic automakers, and the Ohio 6 Association of Independent Colleges and 7 Universities, to name a few. Frivolity aside, 8 I am deeply disturbed by both the procedural 9 and substantive aspects of this case including, 10 but not limited to: 11 The so-called economic development 12 arrangements; in other words, the 13 multi-million-dollar backroom deal crafted 14 between FirstEnergy and the above-mentioned 15 entities as well as other beneficiaries. As 19:00:12 16 usual, it appears that residential ratepayers 17 will shoulder most of the burden of these deals 18 and will reap few, if any, benefits. 19 FirstEnergy shareholders will not fund any of 20 these deals. Mr. Amr Ibrahim of the Ohio 19:00:26 21 Consumers' Counsel says in his April 5, 2010 22 testimony, "FirstEnergy states that it shall 23 collect \$13.7 million from consumers for the 24 Cleveland Clinic deal, of which \$7.9 million 25 will be collected from residential customers." 19:00:58</p>
<p>46</p> <p>1 You don't remember me, Mr. 2 Centolella, but I remember you. 3 MR. CENTOLELLA: Okay. 4 MS. KLINE: You're actually one of 5 the better Commissioners on the board. 18:58:13 6 You guys can't see this. I'm going 7 to actually leave it right here. There we go. 8 Thank you for conducting these public hearings 9 and for the opportunity to address the PUCO in 10 the matter of FirstEnergy's case 10-388-EL-SSO. 18:58:36 11 I prefer to call it "Utilities Gone Wild." 12 Perception is sometimes greater 13 than reality as illustrated by this famous 1982 14 Cleveland Press editorial cartoon. You can see 15 how long these types of issues have been going 18:58:58 16 on. This cartoon, that I enlarged, was from 17 1982, which shows the Cleveland Electric 18 Illuminating Company and the Public Utilities 19 Commission of Ohio, cuddling. That's the 20 G-rated version, and motel room bed. 18:59:14 21 Fast forward 28 years, CEI is now 22 part of FirstEnergy or as some call it 23 FirstEnemy, but the public's perception remains 24 unchanged, and there's a vast new cast of 25 characters waiting in the motel lobby. Among</p>	<p>48</p> <p>1 It's 57 percent. "FirstEnergy shall collect 2 \$2.7 million in recovered revenues for the 3 arrangement offered to the domestic automakers, 4 of which \$1.1 or approximately 41 percent will 5 be collected from the residential customers." 19:01:20 6 All of these economic development supports 7 should be reviewed individually in separate 8 proceedings. 9 The attorney examiner's granting of 10 FirstEnergy's motion for waiver of rules and 19:01:30 11 the unprecedented fast-tracking of this case in 12 six weeks from March 23, 2010 filing date to 13 the May 5 date by which FirstEnergy wants PUCO 14 approval. A case as complex and far-reaching 15 as this one should be afforded the full 275 19:01:46 16 days provided by Ohio law. This ridiculously 17 short time frame alone should be sufficient for 18 PUCO denial of this case. 19 FirstEnergy wants approval of its 20 Electric Security Plan by May 5 so that a 19:01:59 21 wholesale generation auction can be conducted 22 in July of 2010 to supposedly lock in low 23 prices. However, as the Ohio Consumers' 24 Counsel has pointed out, FirstEnergy's own 25 witness, Mr. Schmitzer, testified in Case 19:02:16</p>

12 (Pages 45 to 48)

<p>1 09-906-EL-SSO that "forward market prices for 2 power to be delivered in future years already 3 reflect the market's judgment that electric 4 prices will increase." Further, Mr. Wilson 5 Gonzalez's April 15, 2010, testimony on behalf 19:02:35 6 of the OCC addresses the uncertainty in 7 connection with FirstEnergy's switch from the 8 Midwest Independent System Operator, MISO, to 9 the East Coast-based PJM transmission authority 10 in Philadelphia and the possible price risk 11 associated with excessive lead time between a 12 July 2010 auction and the start of actual 13 delivery on June 1, 2011, when the Electric 14 Security Plan will take effect. 15 FirstEnergy's exaggerated claims of 19:03:10 16 millions of dollars in savings by not passing 17 along to customers fees associated with leaving 18 MISO and entering PJM. According to FERC, the 19 transmission owner, in this case the American 20 Transmission Systems, Inc., ATSI, is 21 responsible for these fees, not the customers 22 served by American Transmission Systems. The 23 ESP does not guarantee that FirstEnergy 24 customers will be protected from incurring 25 extra charges associated with FirstEnergy's</p>	<p>1 increases in ordinary distribution rates do not 2 fit the description of an increase is absurd." 3 Delivery issues should be handled in a separate 4 distribution rate case. 5 Collection of lost revenues 19:05:18 6 proposed in stipulation. These are charges to 7 customers for revenue that a utility is not 8 realized due to implementation of energy 9 efficiency programs and conservation. A recent 10 example of this was FirstEnergy's fiasco 11 "giveaway" compact of fluorescent bulbs that 12 would cost customers quadruple the amount they 13 would pay in stores. FirstEnergy's lost 14 revenue is not capped either by a dollar amount 15 or a time period, which has the potential to 16 cost residential customers tens of millions of 17 dollars and actually cause them to pay more in 18 lost revenue collection than they would in 19 energy efficiency programs. In the 1990s, 20 Minnesota's lost revenue program permitted 21 electric utilities to recover more than they 22 actually spent on conservation, which doubled 23 the cost of energy efficiency for ratepayers. 24 As a result of this, the Minnesota lost revenue 25 recovery program was discontinued. As noted in</p>
<p>1 business decision to switch from MISO to PJM. 2 The stipulation delivery capital 3 recovery charge Rider DCR, which would permit 4 FirstEnergy to collect \$390 million through 5 quarterly increases over a 30-month period 6 subject only to FirstEnergy's "burden of proof 7 to demonstrate the accuracy of the quarterly 8 filings," which requires considerably less 9 verification and review of the accuracy and 10 reasonableness of these filings than would 11 occur under a separate distribution rate 12 proceeding. FirstEnergy has claimed in various 13 Plain Dealer and News Herald articles that 14 since Rider DCR "replaces an existing rider, in 15 most cases customers wouldn't see any 16 additional impact" or "an increase of, only, 17 \$90 million." 18 Page 15 of the stipulation states, 19 "Quarterly Rider DCR will not be an application 20 to increase rates within the meaning of Revised 21 Code 4909.18." In his April 15, 2010 22 testimony, the OCC's Mr. Gonzalez characterizes 23 FirstEnergy's semantic shenanigans as 24 ridiculous. He said, "The stipulation 25 provision that proposes that quarterly</p>	<p>1 Mr. Gonzalez's April 15 testimony, Connecticut 2 electric utilities are "only allowed recovery 3 of lost revenues if their earnings are below 4 their allowed rate of return for six months." 5 I know you can't answer any questions, but it's 19:06:40 6 my understanding that the current rate of 7 return is about eight and a half percent. 8 Which is nice. Nice for the company. 9 Apparently, FirstEnergy has also audaciously 10 demanded assurance that the PUCO will not 19:06:55 11 oppose its purchase of Allegheny Energy in 12 Pennsylvania. And FirstEnergy also wants this 13 case approved as a total package, which 14 presumably means that they do not want the PUCO 15 to separate out any parts of the case for 16 denial. 17 Given the rush to resolution 18 imposed by this ridiculously short timeline, 19 it's remarkable that the OCC and other 20 non-signatory -- people that the interveners 19:07:23 21 that didn't sign on the stipulation -- were 22 able to provide such comprehensive valuable 23 testimony. It is incredible that ordinary 24 citizens have submitted testimony; I heartily 25 commend them. All of you. 19:07:37</p>

<p>1 I support the application for 2 rehearing, filed April 19 by the OCC, Citizen 3 Power, Environmental Law & Policy Center, the 4 Natural Resources Defence Council, the 5 Northwest Ohio Aggregation Coalition, the 6 Northeast Ohio Public Energy Council, and the 7 Ohio Environmental Council, particularly Part A 8 which states, "The PUCO's entry is unreasonable 9 and unlawful because it took administrative 10 notice of the record in the pending Market Rate 11 Offer Case without any basis in law and thereby 12 unlawfully eliminated a portion of 13 FirstEnergy's burden of proof." 14 The PUCO should deny this case. 15 However, I disagree with the OCC that the PUCO 19:08:22 16 should decide the pending MRO Case 09-09-EL-SSO 17 instead. The MRO would statutorily mandate -- 18 due to Senate Bill 221 -- FirstEnergy 19 henceforth use auctions that would not be part 20 of a rate plan submitted and subject to some 19:08:43 21 PUCO control. I fear this would expose 22 ratepayers to potentially volatile wholesale 23 prices without the option of returning to a 24 PUCO-negotiated process, as flawed as that 25 process may be. 19:09:00</p>	<p>53 55 1 all of the previous people that have spoken. 2 I'm not even going to bring up that my November 3 electric bill was \$100, when the equal payment 4 plan was \$187. I don't know why they reduced 5 it to 100, but they made up for it in December 19:11:22 6 when my bill was \$438. And then the following 7 month was \$440, but I realize that's not part 8 of this meeting. But I will state that I am in 9 total agreement with all of the things that 10 have been brought up by the previous speakers. 19:11:42 11 Thank you. 12 MS. BOJKO: Thank you. Connie 13 Luhta. Again, we have approximately 30 people 14 that would like to testify, so if we could 15 maybe hold the applause until the end, it would 19:12:05 16 be appreciated. Thank you. 17 CONNIE LUHTA, of lawful age, having 18 been first duly sworn, testified as follows: 19 MS. LUHTA: My name is Connie 20 Luhta, L-u-h-t-a. 12361 Concord Hambden Road, 19:12:20 21 Concord Township, 44077. 22 I just want to thank 23 Representatives Newcomb and Fende and Senator 24 Grendell for their testimony. I agree 25 completely with them and I do support the OCC's 19:12:38</p>
<p>54 1 Absent blanket denial of this, the 2 PUCO should require that a separate 3 distribution rate case be filed and all 4 economic development supports be reviewed 5 individually in separate proceedings. 19:09:09 6 FirstEnergy customers must be 7 protected from any extra charges associated 8 with FirstEnergy's business decision to switch 9 transmission grid authorities from MISO TO PJM. 10 The issue of lost revenue must be 19:09:24 11 resolved in a manner favorable to customers, 12 especially residential ratepayers. Thank you. 13 MS. BOJKO: Al Clough, C-l-o-u-g-h. 14 Ralph Miller. On deck is Connie Luhta. 15 RALPH MILLER, of lawful age, having 16 been first duly sworn, testified as follows: 17 MS. BOJKO: Please state your name 18 and address for the record. 19 MR. MILLER: My name is Ralph 20 Miller, address is 7191 South Meadow Drive, 19:10:42 21 Concord Township, Ohio. 22 I am the owner of an all-electric 23 home and have been for 31 years. I'm not here 24 -- I didn't know that that was part of this 25 meeting. But I want to say that I agree with 19:11:06</p>	<p>56 1 decision. 2 But I just wanted to add one little 3 thing. It may be small, but it's important to 4 us. For as long as I can remember, FirstEnergy 5 would pay for light poles. And early this 19:12:52 6 year, they changed the policy. And now, if we 7 ask in the township for a light pole, the 8 township has to pay for the pole. We always 9 paid for the electric, but now we have to pay 10 for the installation of the pole itself? And 19:13:11 11 that then is the cost that is assumed by the 12 taxpayers of Concord Township. I didn't know 13 whether that came under the PUCO jurisdiction 14 or not. You do that and you approved that. 15 MR. CENTOLELLA: Let me just get a 19:13:29 16 clarification. These are light poles for 17 street lighting -- 18 MS. LUHTA: Yes, street lights. 19 When it's an intersection of a township road 20 and a county road and it's for safety purposes, 19:13:39 21 we ask that these street lights be installed. 22 Before, it was an automatic thing, they did it, 23 but now we pay for the pole. 24 MR. CENTOLELLA: Okay. 25 MS. BOJKO: Thank you. Kathy 19:13:52</p>

<p>1 Miller. And on deck is Bill Zoller.</p> <p>2 KATHY MILLER, of lawful age, having</p> <p>3 been first duly sworn, testified as follows:</p> <p>4 MS. BOJKO: Please proceed. State</p> <p>5 your name and address for the record. 19:14:15</p> <p>6 MS. MILLER: Kathy Miller, 7191</p> <p>7 South Meadow Drive, Concord Township, Ohio. I</p> <p>8 track and report on federal and state</p> <p>9 health-care legislation and regulations for my</p> <p>10 present job. This work has made me keenly 19:14:31</p> <p>11 aware that time frames and deadlines, comment</p> <p>12 periods and the like, are to be respected and</p> <p>13 adhered to. Therefore, I have to say that I</p> <p>14 see a big difference between 43 days and the</p> <p>15 275 days specified in Ohio Senate Bill 221. I 19:14:52</p> <p>16 urge the PUCO to, at the very minimum, take the</p> <p>17 time to thoroughly explore and give full and</p> <p>18 careful consideration to FirstEnergy's</p> <p>19 proposal.</p> <p>20 As a second point, I would like to 19:15:10</p> <p>21 impress upon PUCO that caution must be</p> <p>22 exercised in raising rates and setting new</p> <p>23 standards. I currently live with my parents --</p> <p>24 you just heard from my dad -- In an</p> <p>25 all-electric home, I might add. And I've seen 19:15:27</p>	<p>57</p> <p>1 for the kilowatts I haven't used.</p> <p>2 I am an all-electric homeowner, as</p> <p>3 many people are here. But the relevance of</p> <p>4 that is that we've become a large consumer of</p> <p>5 electric. My house uses probably 6,000 19:17:11</p> <p>6 kilowatts in the winter. My sister has an</p> <p>7 all-electric house, which is larger than mine;</p> <p>8 she uses approximately 8,000 kilowatts in the</p> <p>9 winter months. So we are very large -- our</p> <p>10 family is very large users of power. 19:17:27</p> <p>11 There used to be a rate scheduled</p> <p>12 called "time of day," which both of us took</p> <p>13 advantage of. What was nice there is that we</p> <p>14 could make decisions about our lifestyle and</p> <p>15 choose when we used our power, and the result 19:17:40</p> <p>16 would be substantial discounts. But I have</p> <p>17 been affected by this recession as everyone</p> <p>18 else has here.</p> <p>19 I have been hearing from these</p> <p>20 people on fixed incomes, I would love to be on 19:17:52</p> <p>21 a fixed income. The recession has caused my</p> <p>22 income to drop by about 30 percent in the last</p> <p>23 couple of years. My electrical usage has gone</p> <p>24 down by about 10 percent, but my cost of</p> <p>25 electricity has gone up by over 120 percent. 19:18:06</p>
<p>58</p> <p>1 firsthand how devastating higher electricity</p> <p>2 rates can be on two people who are retired, and</p> <p>3 their daughter, who I must point out is losing</p> <p>4 her job in August due to her company's</p> <p>5 outsourcing to India and China. So please all 19:15:45</p> <p>6 PUCO Commissioners, think twice before making</p> <p>7 any rash decisions, before agreeing on</p> <p>8 FirstEnergy's ESP. And just one question</p> <p>9 before I close, are we really talking about an</p> <p>10 Electric Security Plan here? Maybe not. Thank 19:16:03</p> <p>11 you.</p> <p>12 MS. BOJKO: Bill Zoller. Fritz</p> <p>13 Harrell.</p> <p>14 FRITZ HARRELL, of lawful age,</p> <p>15 having been first duly sworn, testified as</p> <p>16 follows:</p> <p>17 MS. BOJKO: Please state and spell</p> <p>18 your name for the record.</p> <p>19 MR. HARRELL: Okay. Fritz Harrell, 19:16:45</p> <p>20 H-a-r-r-e-l-l, 5329 East Heisley Road in</p> <p>21 Mentor.</p> <p>22 I would like to thank you for the</p> <p>23 opportunity to speak here tonight. I would say</p> <p>24 I've been using compact fluorescents for ten</p> <p>25 years, so I must owe FirstEnergy an awful lot</p>	<p>59</p> <p>1 So I'm using less and paying considerably more.</p> <p>2 The case before the commission is</p> <p>3 relative to transmission distribution of</p> <p>4 electricity. You know, we look around this</p> <p>5 room, we can see the results of the 19:18:19</p> <p>6 electricity. We see the lights on, I can feel</p> <p>7 the air conditioning, I can hear the sound</p> <p>8 system; and that's the power portion of it in</p> <p>9 use. The transmission distribution is getting</p> <p>10 the power to here. I see that as being similar 19:18:31</p> <p>11 to the highways. What FirstEnergy is asking</p> <p>12 for is money so that they could repave their</p> <p>13 electrical highway and add more lanes to their</p> <p>14 electrical highway. But what I haven't seen is</p> <p>15 the plan is for exactly how they're -- where 19:18:47</p> <p>16 they want to add these lanes and where they</p> <p>17 want to do the repaving. And being a former</p> <p>18 "time of day" person, I know that I used to use</p> <p>19 the highway in the off-hours.</p> <p>20 Those of you who drove here tonight 19:19:00</p> <p>21 on Interstate 90 saw the three lanes at the</p> <p>22 Route 306 exit and saw heavy traffic, all three</p> <p>23 lanes were in use. If you go through there at</p> <p>24 3:00 in the morning, you don't even need one</p> <p>25 lane. And our electrical grid has similar 19:19:13</p>

<p>1 peaks and valleys. And part of the federal 2 policy that's been implemented in this country, 3 encouraging alternative sources of energy, and 4 also encourage hybrid vehicles or plug-in 5 vehicles. Part of that is based on premise 19:19:32 6 that off-peak power will be less expensive. 7 As I said, FirstEnergy had this 8 time of day plan for over 20 years. And did 9 away with it about two years ago. It's 10 interesting to note that at the same time that 19:19:45 11 Ohio did away with time of day, the FirstEnergy 12 subsidiary in Pennsylvania started a time of 13 day program. It's also interesting to note 14 that the FirstEnergy subsidiary in New Jersey 15 currently has a very sophisticated time of day 19:19:58 16 program, where there is a readout in the 17 individual's home that tells them what this 18 hour's kilowatt cost them. And so the consumer 19 can make an informed decision, 24 hours a day, 20 and say, "Oh my gosh, it's 30 cents a kilowatt 19:20:11 21 because it's July and everybody's air 22 conditioner is on. I'm not going to turn on 23 the oven. I'm not going to run my clothes 24 dryer." But at 9 o'clock at night they could 25 look at the same readout and say, "Oh, it's</p>	<p>1 arms around this \$390 million number. That's 2 an awful lot of money. And I guess the best 3 analogy I can think of was looking at last 4 week's lottos. \$390 million would equal 5 getting the jackpot in the Mega Millions and 19:21:52 6 the jackpot in the Powerball at the same time. 7 An awful lot of money. I thank the commission 8 for their time this evening. 9 MS. BOJKO: Anita Vlcek, and Anne 10 Roffe will be on deck. Anita Vlcek. 19:22:09 11 ANITA VLCHEK, of lawful age, having 12 been first duly sworn, testified as follows: 13 MS. BOJKO: Could you please state 14 and spell your name for the record. 15 MS. VLCHEK: Anita Vlcek, 6298 16 Dewey Road, Madison, Ohio. 17 I'm a simple person. I don't have 18 a lot of flowery words. I just have a few 19 comments. The word "fast track" scares me. 20 The amount of time that FirstEnergy wants this 19:22:57 21 pushed through implies to me shadiness and 22 underhandedness. There's some things wrong 23 about all of this, just based on this time 24 thing that FirstEnergy has requested. The 25 quarterly increase -- I'm 55 years old, I'm 19:23:19</p>
<p>1 only two and a half cents a kilowatt, I'm going 2 to dry some clothes." And so they reward the 3 consumer for good behavior and as a result, 4 they don't need to make the investment in the 5 infrastructure to move that power because the 6 infrastructure is already there. 7 So Ohio went from being a 8 progressive leader in transmission distribution 9 through their time of day program, by dropping 10 it. They haven't even become a follower, 19:20:50 11 they're not even in the game any longer. And 12 that I find to be very disturbing. 13 As I said, I haven't really seen a 14 good plan for what they're going to do with 15 this \$390 million. I heard some references to 19:21:03 16 smart grid and similar things. I would 17 encourage the Consumers' Counsel and the Public 18 Utilities Commission to pursue smart grid and 19 also to give preferential admission to smart 20 grid programs to the heavy residential users, 19:21:21 21 which would be all-electric homes and former 22 time of day users. Where people who have 23 already made adjustments in our lifestyles, it 24 would maximize the benefit of such plans. 25 Now, I have a hard time getting my 19:21:36</p>	<p>1 lucky enough to have a job, even though my 2 income has been cut in half in the last eight 3 years. 4 Quarterly increase -- I'm never 5 going to have another pay increase for the rest 19:23:33 6 of my life and yet, I have to somehow find more 7 money and more money and more money. This is 8 terrorizing me. I can't live my life anymore. 9 I'm so worried about what everybody is trying 10 to suck out of my bank account. I haven't even 19:23:51 11 recovered yet from January's electric bill. 12 And now they're asking for more. 13 And the lost revenues -- when my 14 January bill hit, I was so frightened, I called 15 FirstEnergy and she said to me, "Well, ma'am, 19:24:11 16 you use too much electricity. We raised our 17 rates so that you could start to conserve." 18 Now I find out with this new Electric Security 19 Plan that my reward for conservation of 20 electricity is to have my rates yet increased 19:24:25 21 again. This is never-ending. This is -- it's 22 not right. It's just not right. And I so 23 oppose this. And especially the time frame 24 that they want to push this through because 25 there's something underhanded going on here, 19:24:44</p>

16 (Pages 61 to 64)

<p>1 just based on the time frame alone. Thank you. 2 MS. BOJKO: Thank you. Anne Roffe. 3 MS. ROFFE: Pass. 4 MS. BOJKO: Richard Huber. 5 MR. HUBER: Pass. 19:25:06 6 MS. BOJKO: Gail Larson. Please 7 raise your right hand. 8 GAIL LARSON, of lawful age, having 9 been first duly sworn, testified as follows: 10 MS. BOJKO: Please state your name 19:25:25 11 and address for the record. 12 MS. LARSON: Gail Larson, G-a-i-l, 13 L-a-r-s-o-n. 3200 State Road, Rock Creek, 14 Ohio. I agree with everything that people have 15 said tonight and this is my personal take on 19:25:37 16 how this situation is affecting our home. 17 Our provider is the Illuminating 18 Company owned by FirstEnergy. We own an 19 all-electric home which we purchased in 2008. 20 We are currently billed at the standard rate. 21 In January 2009, we paid \$445 for 5,215 22 kilowatt hours. In January 2010, we paid \$556 23 for 4,545 kilowatt hours. We used 670 kilowatt 24 hours less due to our conservation measures 25 that we put in place last year after the high</p>	<p>67 1 their website, "We advocate for affordable 2 energy policies for moderate and low-income 3 Ohioans." FirstEnergy clearly finds this 4 classic mission worthy of their \$15 million, so 5 they must support that mission. 6 We ask that any rate plans that the 7 Public Utility Commission approves, going 8 forward, include a commitment to provide all 9 homeowners of Northeast Ohio affordable 10 electric power to our homes based on 11 reasonable, transparent and accountable 12 requests for increases. Thank you very much. 13 MS. BOJKO: Pat Sommer. Joe 14 Fioriante. I may be mispronouncing it. They 15 live in Deepwood Boulevard. Representative 19:28:21 16 Schneider. 17 MARK SCHNEIDER, of lawful age, 18 having been first duly sworn, testified as 19 follows: 20 MS. BOJKO: Please state your name 19:29:08 21 and address for the record. 22 MR. SCHNEIDER: My name is Mark 23 Schneider. My address is 8914 Trotter Lane, 24 Unit D, Mentor, 44060. 25 MS. BOJKO: Please proceed. 19:29:23</p>
<p>66 1 bill we got in January, and yet we paid \$111 2 more this year for the same time period. Why? 3 Because the distribution-related component 4 charge went up 129 percent due to the 2009 5 rider. 19:26:32 6 FirstEnergy's Electric Security 7 Plan makes us very anxious because of the 8 unknowns about the distribution charges. What 9 will FirstEnergy use as a formula this time to 10 charge us for the \$390 million they want to 11 collect from us? 12 The formula which it appears 13 FirstEnergy wants to use to bill us include, 14 but is not limited to: \$15 million for Ohio 15 Partners for Affordable Energy (OPAE), plus \$70 19:27:00 16 million for the Cleveland Clinic's expansion, 17 plus increasingly higher billing for kilowatts 18 hours used over 500 because we are an electric 19 home. 20 All of these components and 19:27:10 21 additional unknowns will price us out of our 22 home. How much does it really cost FirstEnergy 23 to deliver their product to my home? 24 Please take note: The Ohio 25 Partners for Affordable Energy mission says on</p>	<p>68 1 MR. SCHNEIDER: I would like to 2 take this opportunity to first off, apologize 3 for my tardiness for this hearing, I was 4 speaking and testifying with a number of 5 charities in Lake County today down in Columbus 19:29:35 6 and the hearing ran late. It's important work, 7 but luckily I was able to make it back here in 8 time. I would like to also go forward and 9 thank the Public Utilities Commission for 10 holding this very important public hearing and 19:29:47 11 doing so at the request of Representative 12 Fende, Newcomb, myself and so many other 13 representatives that asked that in light of the 14 circumstances around us in dealing with utility 15 issues, that we bring this type of forum to the 19:30:00 16 people of our communities, rather than make 17 them travel to Columbus to give their opinions. 18 And this kind of access is to be commended in 19 this level of transparency that hopefully it 20 brings to the process. 19:30:13 21 So I want to commend the Public 22 Utilities Commission and thank them for their 23 participation in this matter. 24 Also, I would like to thank 25 FirstEnergy, who I know has representatives 19:30:22</p>

<p>69</p> <p>1 here this evening, for also being attentive and 2 wanting to be a part of this process, and in 3 doing so, creating a more open environment to 4 discuss these matters.</p> <p>5 And formally, I would like to thank 19:30:37 6 so many of my constituents. The constituents 7 throughout Lake County in our region for taking 8 part, not only in this evening's process, but 9 in so many other forums that have taken place 10 throughout our state on this issue. 19:30:50</p> <p>11 I wanted to speak on behalf of the 12 numerous constituents that I represent in the 13 63rd District, which is comprised of all of 14 Mentor and eastern Lake County in the House of 15 Representatives. And out of these 19:31:03 16 constituents, we recently had approximately 17 4,000 homes that were involved in the 18 all-electric discount. And as such, that 19 served as a beginning to start discussing these 20 utility issues in the numerous forums that I 19:31:18 21 tried to present for my constituents.</p> <p>22 And I thought of more than anything 23 else I wanted to make sure that this process 24 was an open one, and that it's an ongoing 25 process. I urge the Public Utilities 19:31:33</p>	<p>71</p> <p>1 However, when I try to take a look at the kind 2 of paperwork that sometimes these rate plans 3 are spelled out in or when I try to go through 4 these different bills to figure out the pricing 5 schemes, I certainly have difficulty in reading 19:33:08 6 through that. And I know if I'm having 7 difficulty in that regard, the citizens in this 8 room most likely are feeling the same way. I 9 can't emphasize enough the importance. And I 10 get so many calls from constituents and 19:33:23 11 correspondences from constituents and I meet 12 with constituents at these meetings telling me 13 that they don't understand how the rate system 14 works. They can't follow the rate systems or 15 the changes in the rate system and their bills 19:33:35 16 are at times unintelligible to them.</p> <p>17 So I urge and I plead with the 18 Public Utilities Commission that when a finding 19 is made, that we take great efforts on behalf 20 of these people here today and throughout our 19:33:48 21 region to do some of the plain-spoken manner 22 that can be interpreted and understood by our 23 citizens to again create a level of 24 transparency in this process.</p> <p>25 In addition, as a representative 19:34:00</p>
<p>70</p> <p>1 Commission to take the full time allotted to 2 them to conduct these hearings. In light of 3 recent developments that we've all read about 4 and some of us have experienced firsthand, in 5 light of, you know, the very feelings right now 19:31:49 6 towards government and towards regulations, I 7 want to make sure that the Public Utilities 8 Commission takes every opportunity to 9 investigate these rate plans, this proposed 10 system and also takes the time and does not 19:32:06 11 make any kind of rash decisions or decisions 12 that could even appear to be quickly motivated 13 or quickly executed.</p> <p>14 Furthermore, I plead with the 15 Public Utilities Commission that when a 19:32:19 16 decision is made in this matter, when a ruling 17 is handed down, and when a rate structure is 18 contemplated, that it be put forward to these 19 people in this room and the people of my 20 communities and throughout the State of Ohio, 19:32:35 21 and it's very clear and in plain-spoken manner.</p> <p>22 I consider myself a man of 23 education, a man who has had real-world 24 experience in dealing with issues involving 25 utilities as well as a myriad of other issues. 19:32:50</p>	<p>72</p> <p>1 who has numerous constituents that have been 2 affected by utility issues that have been 3 brought up tonight as well as utility issues in 4 the near past, I ask that the Public Utilities 5 Commission give special attention and ensure to 19:34:16 6 these folks that this is not a meek attempt to 7 recoup any cost that may have been involved in 8 the all-electric discount plan and that special 9 scrutiny is given in that regard.</p> <p>10 We have folks here from throughout 19:34:37 11 my district, we have folks here representing 12 every walk of life and every age range 13 possible. We have folks here from the Public 14 Utilities Commission representing our citizens 15 and our consumers. We have folks here from 19:34:54 16 FirstEnergy representing the distributors and 17 producers of our energy. And each of us has a 18 responsibility to the people of our state. 19 Each of us is entrusted in different parts 20 of this process. And it's by working together 19:35:12 21 in this way and by holding these open forums 22 and by remembering that responsibility we have 23 to the consumers of this region -- the 24 consumers of this region, which I would argue 25 there is no greater responsibility that we 19:35:31</p>

<p>73</p> <p>1 have -- that in keeping all of these things in 2 mind, if we follow these steps in the process, 3 then I am sure we will reach a just result and 4 we will do so in a contemplative way, and we 5 will do so in a way that is fair to all, in a 19:35:47 6 way that -- we can point to someone's future 7 when studying on how to make decisions in the 8 realm of utilities and decisions beyond that in 9 our state government.</p> <p>10 And most of all, I want to thank 19:35:59 11 everybody for participating in their state 12 government this evening. Thank you.</p> <p>13 MS. BOJKO: Thank you. 14 MR. CENTOLELLA: Thank you. 15 MS. BOJKO: Brian Humphrey. 16 MR. HUMPHREY: I'll Pass. 17 MS. BOJKO: Deborah Newcomb. 18 MS. NEWCOMB: I'll pass. 19 MS. BOJKO: Fred Schoemig. 20 FRED SCHOEMIG, of lawful age, 21 having been first duly sworn, testified as 22 follows: 23 MS. BOJKO: Please state your name 24 and spell your last name and your address for 25 the record please.</p>	<p>75</p> <p>1 customers and they have lost our trust. Why? 2 There are many reasons, some of which are the 3 following: 4 One, mismanaging their nuclear 5 power plants, radioactive leaks, fuel failures, 6 cracks in critical components are common 7 occurrences. 8 Two, they bamboozled the state 9 legislature into passing Senate Bill 221. 10 Three, they conned PUCO into 19:39:01 11 accepting the energy-efficient light bulb 12 fiasco. 13 Four, they effectively hid the 14 all-electric rate changes, so far in the 15 details of their proposal, that neither the 19:39:14 16 PUCO nor the Ohio Consumers' Counsel knew what 17 was happening. 18 Five, FirstEnergy's corporate 19 strategy seems to be to confuse both their 20 customers and PUCO with overly complicated 19:39:31 21 corporate structure, proposals to PUCO that 22 PUCO can't understand, and very confusing 23 electric bills. 24 What's wrong with Electric Security 25 Plan? First of all, the name. Whose security? 19:39:48</p>
<p>74</p> <p>1 MR. SCHOENIG: My name is Fred 2 Schoenig, S-c-h-o-e-n-i-g. My wife Margaret 3 and I live at 12527 Concord Hambden Road in 4 Concord Township, 44024. 5 First of all, I would like to thank 19:37:14 6 you for having these hearings. I would like to 7 especially thank you for publicizing them. I 8 understand there was an all-electric hearing 9 last summer, but neither myself nor many, many 10 other people ever knew about it. So thanks for 19:37:29 11 having this well-publicized. 12 My wife and I came to Lake County 13 about 20 years ago, and we moved into an 14 all-electric rated home. And at the time we 15 were told by the electric Illuminating Company 19:37:46 16 that the all-electric rate was permanent. Our 17 January bill this year was almost \$900. That's 18 about three times higher than it was last year 19 for less electric. 20 Prior to coming to Lake County, I 19:38:05 21 was an engineering manager for GE Nuclear 22 Energy. In my opinion, the real issue is 23 trust. We've heard that word several times 24 from other speakers. Over the past five years, 25 FirstEnergy has lost the confidence of their 19:38:29</p>	<p>76</p> <p>1 Certainly not ours. We don't understand the 2 proposal. I hope that PUCO does. Some issues 3 in my mind are the following: the \$390 million 4 increase is proposed without critical reviews. 5 Consumers should not be paying for special 19:40:17 6 economic development deals. Consumers should 7 not be paying for FirstEnergy internal 8 organizational changes and the cost of which. 9 Consumers should not be paying for FirstEnergy 10 setting up separate profit centers, whose major 19:40:43 11 purpose seems to be to confuse their customers 12 and PUCO as to what the real cost and profits 13 are. 14 The proposed Electric Security Plan 15 will increase our all-electric rate, no doubt 19:40:57 16 in my mind. I think the PUCO has to reject 17 this proposal and they have to encourage 18 FirstEnergy to take steps to regain the 19 public's confidence and trust. Thank you. 20 MS. BOJKO: Tom Waltermire. 19:41:31 21 TOM WALTERMIRE, of lawful age, 22 having been first duly sworn, testified as 23 follows: 24 MS. BOJKO: Please state your name 25 and address for the record. 19:41:50</p>

<p>1 MR. WALTERMIRE: Thomas Waltermire, 2 W-a-l-t-e-r-m-i-r-e. I live at 1009 State 3 Route 45 in Austinburg, Ohio. 4 All I want to say is that we have a 5 lot of people here from the state legislation 19:42:08 6 (sic). You have the authority to deregulate 7 the electric utility company and I would 8 believe that you have the right and the -- to 9 re-regulate it. I would certainly believe that 10 we were much better off in the '70s and '80s 19:42:26 11 with regulated electricity. 12 I need to tell you I worked for 35 13 years for the Illuminating Company. 14 Twenty-nine of those years was in the 15 management. I can tell you that all of those 19:42:39 16 years I was working for them, I never worried 17 about reliability of my electric service. 18 Since that, I now have a whole-house generator 19 because the service that I received was 20 terrible. I can go out, and because I worked 19:43:02 21 in the overhead lines department, drive down 22 the road and I can look up and I can notice the 23 problems that they have. They don't do 24 anything about it. They would much rather have 25 the poles burn off, have the wires come down 19:43:17</p>	<p>1 what we're going to do is, we're going to 2 change this from the regulated portion -- state 3 legislature, I want to do it -- over into 4 FirstEnergy Solution, which is unregulated. 5 You the ratepayer, the customer, paid for those 19:45:02 6 generators. Paid all of them. And what 7 happens? FirstEnergy Solution is now going out 8 on the open market with the idea that these 9 companies that have started and bought out all 10 of these generators to generate electricity, 19:45:20 11 and they want to take and get the same kind of 12 profits that they can on the open market. It's 13 a monopoly, folks. They are ripping you off. 14 And I think that the only way we're going to 15 change this is if the Public Utilities 16 Commission and the state legislature says, 17 "Enough is enough." 18 So that's what I have to say and I 19 would hope that it gets back to Mr. Alexander, 20 because he really needs to know it. 19:45:47 21 MS. BOJKO: Dean Dabson. 22 MR. DABSON: Dean Dabson, 23 D-a-b-s-o-n. 7132 Enfield, Mentor, Ohio. 24 MS. BOJKO: Please raise your right 25 hand, sir. 19:46:27</p>
<p>1 and then we'll fix it. I wholeheartedly think 2 that the Public Utilities Commission should 3 reject this proposal and tell them to go back 4 to it. 5 The other thing that I was thinking 19:43:31 6 about is that, you know, we have a CEO -- if I 7 remember correctly -- \$18.5 million last year 8 in compensation. I would propose that the 9 Public Utilities Commission, the state 10 legislature, whoever, would put in a provision 19:43:52 11 that the CEO and any vice presidents and so 12 forth that work for the company, can make no 13 more than say 300 times the lowest paid 14 full-time employee, which would mean that your 15 CEO could only make \$1.5 million; anything over 19:44:11 16 that should be charged to the stockholders. So 17 that's my proposal for this meeting. 18 I certainly reject the idea of this 19 ESP. I think that it's blown out of 20 proportion. And I don't believe that they have 19:44:29 21 used their money correctly. 22 The other thing is folks, think 23 about this, all of the generating stations, 24 other than Perry, were written off over the 25 years in depreciation. FirstEnergy decided, 19:44:46</p>	<p>1 DEAN DABSON, of lawful age, having 2 been first duly sworn, testified as follows: 3 MS. BOJKO: Please proceed. 4 MR. DABSON: Okay. I've heard a 5 lot about -- from representatives of large 19:46:36 6 companies, including their attorneys -- about 7 making a profit and they need to make a decent 8 profit. But I think there's a difference 9 between making a decent profit and making a 10 living versus gouging and making a killing, and 19:46:50 11 the difference is collateral damage to the 12 consumer. And I also think the whole electric 13 system suffers as well, because greed tends to 14 be blind in terms of serious money, and I think 15 we have seen that on Wall Street with billions 19:47:11 16 and billions of dollars invested and perhaps 17 not wisely. Yet \$16 billion and FirstEnergy 18 goes on a shopping spree to enlarge its market 19 share. Now shouldn't they have used a portion 20 of that money to upgrade the electrical grid 19:47:28 21 first before spending money on acquisitions? 22 And I think they're going to try to get out of 23 that one by saying that they're pretty much in 24 a position of a parent or holding company and 25 they're not responsible for the individual 19:47:48</p>

<p>1 components, like Illuminating Company, etc. 2 But I think that those things are being 3 challenged in other areas, yet a recent example 4 of American Financial and American Trust cases. 5 Okay. 19:48:08 6 Another issue is population is 7 declining in Northeast Ohio, and shouldn't the 8 electric usage be declining? So that's another 9 one of my issues. Not only when the consumer 10 cuts its energy consumption, but the population 19:48:31 11 would cut their energy consumption, shouldn't 12 there be some sort of reduction in the rates 13 due to the fact that the energy supply 14 requirements of FirstEnergy should also be cut? 15 Another area is the Cleveland 19:48:48 16 Clinic. The Cleveland Clinic has a number of 17 very wealthy patrons and contributors, Saudi 18 Arabians, OPEC cartel members, energy 19 suppliers. And the actual status of the clinic 20 is a nonprofit organization and that has been 19:49:13 21 questioned. 22 So when should FirstEnergy charge 23 its customers in that expansion in terms of the 24 electrical needs? So those are my comments. 25 Thank you.</p>	<p>1 digress and talk about how that impacted my 2 family personally. My mother-in-law lost her 3 house, so we moved her into our house and put 4 her in an in-law suite. She's 75 and she likes 5 the building temperature to be her age, which 19:52:01 6 is about 10 degrees higher than we keep the 7 rest of the house. So she moved in last year 8 and I kept saying, "Well, you know, mom, you 9 know, we got to figure something out, our 10 electric bill went up" -- I'm thinking it must 19:52:18 11 be her. Well, no, it wasn't her, it was 12 FirstEnergy. We actually consumed two percent 13 less energy. Now, that's not a lot, but that's 14 a little bit. And this is before we even knew 15 what was going on with these rates; I was just 19:52:34 16 thinking it was my mother-in-law. In spite of 17 the fact that we now have a second stove and a 18 second refrigerator, we have electric heaters 19 because our all-electric house -- you know, 20 that's the only way we can heat it. But we 19:52:48 21 have special extra electric heaters to keep her 22 warm. We consume about 47,000 BTUs a year. 23 According to what I understand, there used to 24 be a declining scale as you consume more 25 electric, now with the new rate it's less, 13, 19:53:10</p>
<p>1 MR. CENTOLELLA: Thank you. 2 MS. BOJKO: Thank you. Jerry 3 Kayser. 4 JERRY KAYSER, of lawful age, having 5 been first duly sworn, testified as follows: 6 MS. BOJKO: Please state your name 7 and address for the record. 8 MR. KAYSER: Jerry Kayser, 9 K-a-y-s-e-r. 14885 Durkee Road, Burton, Ohio, 10 44021. 19:50:33 11 I would like to start by thanking 12 the PUCO for having these hearings in open 13 public for an opportunity to speak. It's 14 refreshing. 15 I happen to have been one of those 19:50:52 16 lost souls that bought an all-electric house in 17 early 2007. My seller told me, "Ah, you got 18 this great discounted rate." Well, with the 19 new increases, we now pay 13 cents a kilowatt. 20 My January bill was "only" \$1,151. I oppose 19:51:14 21 this new ESP and I suggest to you that you wait 22 until May 5 -- I think that's the date -- and 23 just tell them that we reject it. 24 \$390 million is almost three times 25 as large as the last increase. Now, let me 19:51:43</p>	<p>1 whether you buy one unit or 1,000 units. 2 That's not correct. I certainly appreciate the 3 idea of, you know, timeliness and some of the 4 other things that used to be in place. 5 To allow something like this to 19:53:28 6 even go into consideration at this time, when 7 you haven't really figured out how to sort out 8 the issues about conservation and what to do 9 with the all-electric people who -- and to turn 10 around and fast track it. No. Just decline. 19:53:45 11 They still have plenty of time before the 12 current program, or time to revise the program. 13 I want to share with you a trust 14 issue with FirstEnergy, because you're dealing 15 with them. And I think you need to know about 19:54:00 16 this. In the Plain Dealer on the 16th of 17 April, reporting on your ruling to them on 18 Thursday April 15, the PUCO ruled Thursday that 19 anyone who buys or rents a home that has had 20 the low rates in the past will get them again 19:54:19 21 "at a minimum," through next winter. And 22 tonight we have the information about the 23 temporary rollback. The article further 24 clarifies a March 3 ruling that requires 25 FirstEnergy temporarily restored low rates to 19:54:37</p>

<p>85</p> <p>1 customers who have been with them before 2 January 1, 2009. Still doesn't include me. 3 It's okay. But thank you PUCO, your new ruling 4 orders FirstEnergy to extend the rates within 5 one week -- one week would be April 22 -- to 19:54:52 6 people who bought all-electric homes or rented 7 all-electric apartments even after FirstEnergy 8 began phasing out the program, which was the 9 2006 adjustment that you made. 10 Well, on April 22 I called 19:55:10 11 FirstEnergy -- well, actually, I called them on 12 the 16th and I called them back on the 22nd and 13 I asked them -- first on the 16th I asked if 14 they were aware that our house and our property 15 was all-electric. They said, yes, they were 19:55:22 16 aware of it and it's in their records. I said 17 that's good. So I said, "I'm calling just to 18 make sure that you've got us set up and we're 19 now getting -- because it's now one week -- 20 getting this new rate." And I was told that 19:55:35 21 order is pending. I was told it will take a 22 while before it goes into effect. And I was 23 told that FirstEnergy will not credit back to 24 the date that PUCO said that they had to 25 provide that new rate. 19:55:54</p>	<p>87</p> <p>1 44041. 2 I didn't really come prepared with 3 a testimony or statement, but I do want to 4 speak. What I am concerned about is when 5 FirstEnergy says that they had support of a 19:57:59 6 broad diverse number; parties including PUCO 7 Staff, Ohio Schools Council, the City of 8 Cleveland, and competitive electric suppliers. 9 Well, they didn't ask every person. So when 10 they say they have support of what they are 19:58:16 11 going to do, they didn't ask everyone here. So 12 that's what concerns me. What also concerns me 13 is I do not have an all-electric home. I guess 14 you can consider it an all-gas home. I have 15 gas stove, gas water heater, gas air, forced 19:58:29 16 air, gas dryer, and my electric bill was \$103 17 and they charged me \$168 to deliver it -- 18 distribution charges. When I called to ask 19 why, I was told I could always go somewhere 20 else if I didn't like it by FirstEnergy. And I 19:58:49 21 said "Well, unless I'm stupid I can get a 22 different supplier, but first FirstEnergy 23 distribution is charging me the same." 24 And also, another gentleman here 25 tonight said, you know, that FirstEnergy is 19:59:01</p>
<p>86</p> <p>1 I'm sorry, but how can we trust 2 these guys? And you know the back -- you know, 3 I understand the whole thing about economic 4 development, I'm a businessman, but for it to 5 go at the expense of the residential customers. 19:56:12 6 You've got a proposal from them that's asking 7 for three times as much as the last one, that 8 quite frankly -- just to let you know, even 9 though we are consuming a little bit less 10 energy at this point, I'm sure it will be a lot 19:56:26 11 less. We're paying 70 percent higher because 12 of the price change from the rate that we paid 13 in 2009. 70 percent higher on 137 million, you 14 want that to be three times as large -- I'm 15 sorry, they want it to be three times as large. 19:56:46 16 I'm sorry, FirstEnergy, but to more than double 17 my utility cost is outrageous. Thank you for 18 allowing me to speak. 19 MS. BOJKO: Debbie Caranci. Please 20 raise your right hand. 19:57:37 21 DEBBIE CARANCI, of lawful age, 22 having been first duly sworn, testified as 23 follows: 24 MS. CARANCI: Debbie Caranci, 25 C-a-r-a-n-c-i. 4055 Austin Road, Geneva, Ohio. 19:57:42</p>	<p>88</p> <p>1 going to be -- largest in the nation, but then 2 we're supposed to be not upset that our rates 3 are going sky-high. 4 I also feel for the all-electric 5 people that keep saying don't bring that up, 19:59:13 6 but I have a daughter that rents a home for 7 \$400 a month and her electric bill was \$500 and 8 the \$204 was the electric part, the rest of it 9 was distribution charges. So I'm helping her 10 pay her electric, plus I'm paying my electric 19:59:27 11 bill because she's going to college. 12 Again, I don't want to waste 13 anybody's time here tonight. I just feel that 14 this is wrong. I also called the Public 15 Utility Commission, I know you hire other 19:59:37 16 people to take on the extra calls, but the lady 17 informed me, "Do you know how many times you've 18 called to question or to complain?" Yes, I 19 could tell her. I called every month to ask 20 what was going on. And I think that is my 19:59:50 21 right as a United States citizen. So thank you 22 for your time. 23 MS. BOJKO: Sal Russo. Please 24 raise your right hand. 25 SAL RUSSO, of lawful age, having</p>

<p>1 been first duly sworn, testified as follows:</p> <p>2 MS. BOJKO: Please state your name</p> <p>3 and address for the record.</p> <p>4 MR. RUSSO: My name is Sal Russo</p> <p>5 and my address is 3025 Edgewood Road, Pepper 20:00:29</p> <p>6 Pike, 44124.</p> <p>7 My background is in the grocery</p> <p>8 business. It was started by my</p> <p>9 great-grandfather Sam Russo. And we had our</p> <p>10 original store in Cleveland Heights. And we 20:00:49</p> <p>11 were fortunate enough, we had a good</p> <p>12 relationship with the adjacent property owner,</p> <p>13 that in 1998 we bought a mixed-use building.</p> <p>14 It has retail on the first floor and the</p> <p>15 mezzanine level, it has two floors of offices. 20:01:10</p> <p>16 The building was built in 1918. And the</p> <p>17 offices on the second and third floor are</p> <p>18 small. And I could sympathize with the people</p> <p>19 that are here this evening that have spoken</p> <p>20 about the impact of the removal of the 20:01:29</p> <p>21 all-electric discount on their residences. But</p> <p>22 I am here to talk about the impact that it's</p> <p>23 had on a commercial account at this particular</p> <p>24 building that I own. A lot of the tenants are</p> <p>25 social workers, therapists, counselors, 20:01:49</p>	<p>1 costly to maintain and it was impossible to</p> <p>2 provide consistent heat across the wide range</p> <p>3 of offices. Some on the south side, some on</p> <p>4 the north side. So we purchased electric</p> <p>5 furnaces. We had all of the rooftop 20:03:38</p> <p>6 air-conditioning units converted to have</p> <p>7 electric heat. We paid the expense for that.</p> <p>8 And it worked out well and everyone -- every</p> <p>9 individual tenant had, you know, regular heat</p> <p>10 during the winter months. The rate increase 20:03:55</p> <p>11 that came about in the summer of 2009 -- this</p> <p>12 gets to what the previous speaker mentioned --</p> <p>13 the service plans were flattened, so that was</p> <p>14 the first negative impact that I experienced.</p> <p>15 I was no longer able to buy in bulk because the 20:04:18</p> <p>16 tenants were now the same rate, even though</p> <p>17 they had much smaller units.</p> <p>18 But the bigger impact for us was</p> <p>19 the -- was the removal of the all-electric</p> <p>20 discount. And as far as that impact, I looked 20:04:39</p> <p>21 at from January 7th of 2010 through April 5th</p> <p>22 of 2010 the cost -- and this is just on the</p> <p>23 meter for the electric heat -- I paid 11.3</p> <p>24 cents per kilowatt hour versus from January 9,</p> <p>25 2009 through April 6, 2009, I paid 3.5 cents 20:05:12</p>
<p>1 psychologists, psychiatrists, dentists,</p> <p>2 writers, consultants, they're small-business</p> <p>3 owners. And quite a few of them when they</p> <p>4 inquired about our building, I asked them, you</p> <p>5 know, "Where are you leasing now?" And it's 20:02:05</p> <p>6 very common for them to say that, "Well, you</p> <p>7 know, I'm working out of my house right now and</p> <p>8 I want to get out and you know establish</p> <p>9 myself. I need a commercial address." And</p> <p>10 because we have smaller offices, it's seems to 20:02:18</p> <p>11 be a good fit. So you know, just like owning</p> <p>12 -- affording a home is part of the American</p> <p>13 dream, so is owning your own business. The</p> <p>14 previous owner of my building, decades ago,</p> <p>15 purchased sub-meters and had them installed. 20:02:37</p> <p>16 And he would buy his electricity in bulk and</p> <p>17 then the sub-meters were read and the tenants</p> <p>18 paid a standard charge under the Illuminating</p> <p>19 Company. Same rate that they would have if</p> <p>20 they had an account directly with the 20:02:56</p> <p>21 Illuminating Company based on their usage.</p> <p>22 I would say six years ago or so, we</p> <p>23 made a strategic decision to abandon a central</p> <p>24 boiler that heated the second and third floor</p> <p>25 offices. The boiler was old and it was very 20:03:16</p>	<p>1 per kilowatt hour. So that's an increase of</p> <p>2 3.23 times, over 300 percent.</p> <p>3 And to give you an example, when</p> <p>4 the typical tenant is looking at my building</p> <p>5 and he says, "Well, what's it going to cost me, 20:05:34</p> <p>6 I'm in my house now, so I'm sharing utilities."</p> <p>7 You say, Your rent's going to be X and your</p> <p>8 electric is based on the past year they had</p> <p>9 used, should be about \$150 a month. And he</p> <p>10 gets his first bill for January and it's close 20:05:51</p> <p>11 to \$500 a month. And as a building owner it</p> <p>12 makes me look foolish. I didn't provide him</p> <p>13 with accurate information.</p> <p>14 So I'm happy to hear that the</p> <p>15 Commission has ordered the temporary 20:06:08</p> <p>16 reinstatement of the all-electric discount.</p> <p>17 And I have tried to follow it with regard to</p> <p>18 what's been written in the Plain Dealer. I've</p> <p>19 had some correspondences with Governor</p> <p>20 Strickland's office, but I haven't heard 20:06:23</p> <p>21 anything about the reinstatement of the</p> <p>22 discount applying to commercial accounts. And</p> <p>23 that's the main reason I came here is to let</p> <p>24 everyone know that it's not just residential</p> <p>25 users; there are commercial accounts, there are 20:06:38</p>

<p>1 small businesses that are being impacted. 2 So my questions are, does the 3 temporary reinstatement of the all-electric 4 discount apply to commercial accounts? And 5 then regarding what I read in the flyer that 20:06:55 6 the Commission has ordered PUCO staff to 7 conduct an investigation and submit a report, 8 will commercial accounts such as my mine be 9 considered in that investigation? 10 And I know that this pertains to 20:07:10 11 the Illuminating Company -- but since this is 12 the Public Utilities Commission of Ohio -- I 13 was very -- I was shocked to read in the Plain 14 Dealer a month or so ago regarding Dominion 15 Gas -- that there was 56 and a half cents per 20:07:34 16 MCF that was going to fund homes where the 17 homeowners could not afford their natural gas. 18 And that that charge was going from 56 and a 19 half cents to like a \$1.71 per MCF. I took 20 that cost and divided it over my gas cost per 20:07:59 21 MCF. And it amounted to a 26 percent tax on my 22 gas to subsidize other people's gas charges. 23 And I was shocked and I -- I'm speechless on 24 that. How that gets passed. Anyway, thank you 25 for your time. 20:08:22</p>	<p>1 left and as they retire, they're not 2 replaceable. They're going to outsource the 3 repair work, and if you have two storms that 4 hit at the same time, you better have a 5 generator. And you think you're going to be 20:09:58 6 mad at the facilities, no, just wait until 7 then. 8 Also, you know, like I said, I 9 worked there -- this is going back memory 10 lane -- but I worked in CEI from '63 to '69. 20:10:07 11 You know, back then, you know, we would put a 12 -- 12, 8, 16 boxes, you know, we would put you 13 from here and put you all the way down to the 14 -- put a new main point, give you new breakers. 15 It's all a matter of greed today, what these 20:10:26 16 companies want. I mean, they still made a 17 profit, they made a big profit back then. Now, 18 you have to do everything yourself. They don't 19 do anything for the money, all they do is 20 collect it, and the reason for that is 20:10:46 21 stockholders. They don't care about you, they 22 care about one thing, stockholders. You know, 23 they have the gall, CEI -- you know, in the 24 paper, in the news article, when they stated -- 25 referring to where it says artificially low 20:11:04</p>
<p>1 MS. BOJKO: Rosemary Bailer. Ralph 2 Chetnik. Please raise your right hand. 3 RALPH CHETNIK, of lawful age, 4 having been first duly sworn, testified as 5 follows: 6 MS. BOJKO: Please state your name 7 and -- 8 MR. CHETNIK: Ralph Chetnik, 9 C-h-e-t-n-i-k. 8021 Eagle Road, Kirtland, 10 Ohio. I just want to expand a little bit about 20:08:58 11 what Mr. Waltermire said. You know, I believe 12 that if you want to know what's going on in the 13 country you talk to the workers. And I worked 14 for CEI for five years. But if you think 15 you're mad at the utilities companies now -- 20:09:15 16 the power men are the men that do the repairs 17 after a storm. And I had a lot of friends -- I 18 still talk to them -- they pointblank told me, 19 you better get a generator because they said if 20 we have a storm, what they're doing is phasing 20:09:31 21 out -- if you call FirstEnergy, they won't tell 22 you this. They won't talk. It's not their 23 department. They won't get to telling you 24 who's doing what. But from Ashtabula to 25 Cuyahoga County, there's very few power men 20:09:48</p>	<p>1 electric rates also work against Ohio efforts 2 to encourage energy conservation. And they 3 actually stated in the paper, FirstEnergy 4 stated that, if you give all-electric rates, 5 people will abuse the electric. And how many 20:11:20 6 of us are barely paying our bills and we're 7 going to abuse the electric? I shut my rooms 8 off to try to keep the heat. And they have the 9 gall to say that. This is their excuse. This 10 is the best excuse they can give for not 20:11:38 11 keeping the all-electric rates? You know, 12 there's representatives here, you know, but you 13 can't get any answers from these people. You 14 can't get anything at all. 15 And they actually at PUCO -- guess 20:11:53 16 who pays PUCO's wages? If you don't know, 17 FirstEnergy. Okay. They actually were stupid 18 enough, I should say, to put in this paper, if 19 you look at the statement here on the white 20 paper you had. When do these rates change -- 20:12:12 21 it says that the RCPs, which is the 22 FirstEnergy's rates certainty plan -- when 23 necessary because of strong electricity 24 generation, market cannot be built to allow 25 rates to move to a free market structure. 20:12:27</p>

24 (Pages 93 to 96)

<p>97</p> <p>1 Therefore, you have the rate certainty plan, 2 which guaranteed them at a certain rate. And 3 then down the road -- which other people 4 iterated on this -- down the road the 5 artificially low interest rates also work 20:12:42 6 against Ohioans' efforts to encourage 7 conservation. They were stupid enough to put 8 this in there. What they don't tell you is, if 9 you conserve, you're not going to have strong 10 enough electricity generation markets to 20:13:00 11 develop a free-market plan. So if you conserve 12 electricity, you get charged more. If you 13 don't conserve electricity, you get charged 14 more. So who is helping you out in this? 15 They're not helping you out at all. I think 20:13:12 16 that's about it. 17 I also would like to say that I 18 think they should look over this program and 19 try to do what's right for the consumer and 20 give the people some answers. If you call 20:13:35 21 FirstEnergy, let the people -- don't give the 22 people some answers, don't treat them like 23 they're nobody, because that's what FirstEnergy 24 does. Thank you. 25 MS. BOJKO: Mary Lambert.</p>	<p>99</p> <p>1 your energy partner to assist you in making the 2 best energy decision possible for your 3 construction projects. The following proposal 4 is based on" -- okay. It's got names and stuff 5 in here -- "featuring the electric/heat pumps 20:15:30 6 and installing this HVAC equipment package will 7 create a win-win situation for you as a builder 8 and for each of your future tenants." Now 9 they're starting to say that when the account 10 name changes, the discount shouldn't carry 20:15:44 11 forward. And this is a letter promising it to 12 tenants. And am I supposed to pay my tenants' 13 electric bills? Good thing I'm not. I'm 14 sorry, I didn't mean to target you with that. 15 But it seems to me that there has been a real 20:16:01 16 betrayal of the very people that supported 17 FirstEnergy or supported the Illuminating 18 Company in building their market. 19 You know, when I go to sell a home 20 and I say this is an all-electric home, it's a 20:16:20 21 wonderful thing to have an all-electric home, 22 you know, it's going to be a one-utility bill, 23 and it's very reasonably priced, it's 24 competitive with gas, we've gone -- it took 25 years to get people to believe that 20:16:33</p>
<p>98</p> <p>1 MARY LAMBERT, of lawful age, having 2 been first duly sworn, testified as follows: 3 MS. LAMBERT: Okay. I live in 4 Burton, too. I live on Claridon Troy Road. 5 And I have lived in Geauga County for 35 years. 20:14:18 6 I have been almost exclusively in new 7 construction for most of that. And I remember 8 back in 1978 when this all-electric promise 9 started. I was working for a builder in 10 Chagrin Falls and, I mean, he would come take 20:14:29 11 us to lunch at least once a week and try to get 12 us to build all-electric homes because this 13 promise of this all-electric discount. And 14 over the years I have encouraged people to 15 build all-electric homes because of this 20:14:43 16 wonderful discount that was promised. 17 In 1994 when my husband and I 18 started our own construction company, we were 19 solicited by the Illuminating Company at that 20 time. In August of 2000, we started a rental 20:14:58 21 project. A little number of suites. We have 22 eight rental suites that are all-electric. And 23 we got a letter from FirstEnergy promising us 24 the all-electric discount on our rentals. It 25 said, "FirstEnergy is interested in becoming 20:15:14</p>	<p>100</p> <p>1 all-electric could compete with gas. Now, 2 these very people that have bought an 3 all-electric home, you know, they're not going 4 to have that advantage in the resale market. 5 You know, as when I rent to 20:16:45 6 tenants, I estimate the electric bill, like Mr. 7 Russo was saying. They say, "How much is it 8 going to cost me to heat my apartment? What's 9 my budget bill going to be?" And then they 10 move in and it's over twice as much as I 20:16:57 11 promised them. And I'm feeling bad. So now I 12 have tenants that are behind in their rent. 13 And when I go to get new tenants, I probably 14 will get less income and it's because I 15 believed in the all-electric promise. 20:17:13 16 I have a little problem with their 17 estimates. My husband and I were out of town 18 for a good part of the winter and our driveway 19 wasn't plowed, so they chose to estimate. My 20 last two months, since they read the meter, 20:17:27 21 have been zero because they estimated so much 22 more than we actually used, or could have used. 23 They estimated more than we have ever used. 24 So I don't know how this process 25 works. And I understand that this discount 20:17:43</p>

<p>1 goes back to a specific date. Well, I won't 2 get any discount because they figure that I 3 used all this year's electricity last year and 4 they just pre-billed me for it, you know, so I 5 don't know what I should have done different 20:17:58 6 there. 7 But you know, I don't want to 8 repeat things that other people have said, but 9 my tenants, my eight tenants, are either -- all 10 of them are either retired, underemployed or 20:18:10 11 unemployed at this time. This is not an easy 12 time for people. And the doubling of their 13 utility bills is just -- not only untimely but 14 just unfair. 15 I also want to say this: there's a 20:18:30 16 program out for free gas for people that are in 17 the poverty level. They don't have to pay for 18 their gas. I wonder about not having to pay 19 for it. I have seen situations -- I am aware 20 of situations where people actually leave the 20:18:48 21 window open and leave the heat on because it 22 doesn't cost them anything. And it just kind 23 of -- it's just a little bit more of spreading 24 the wealth, I guess. So that's it. 25 MR. CENTOLELLA: Thank you. We 20:19:04</p>	<p>1 MS. BOJKO: Please state your name 2 and address for the record. 3 MR. MOBASSERI: John Mobasseri, 4 8430 Riverside Drive. I moved into my home -- 5 I actually bought my home in 2007. I called 20:19:53 6 FirstEnergy beforehand to make sure -- because 7 it was an oil home, we don't have gas lines on 8 our street -- I said that I wanted to put an 9 all-electric furnace in my home. Of course, 10 they told me, go ahead. You'll have the -- 20:20:08 11 you'll have the right. No problem. I moved in 12 there in December, 25th, 26th, almost Christmas 13 of December of 2007. I got my first bill in 14 January of \$1,800 to heat my home. Oh, it gets 15 better. It gets a lot better. Over that next 20:20:27 16 period from December of '08 (sic) to April of 17 '08, I spent close to \$8,000 on electricity. 18 This month, this year -- this month actually, I 19 got a \$2,500 bill in the mail for electricity, 20 when I have used less this year. So now I have 20:20:44 21 to clean out my daughter's college funds to pay 22 that. 23 I'm just wondering why when I 24 actually called the PUCO, I said, you know, 25 "What can I do about this?" They told me my 20:20:58</p>
<p>1 would like to have copies of the letters 2 that -- 3 MS. LAMBERT: I sent them to you. 4 MR. CENTOLELLA: Okay. Very good. 5 MS. LAMBERT: I can give you 6 another copy tonight, but this is my original. 7 MR. CENTOLELLA: Okay. I don't 8 want to take your original but if you have an 9 extra copy, we can include it in the record of 10 the proceeding as an exhibit. 11 MS. LAMBERT: Is there a copy 12 machine here? 13 MR. CENTOLELLA: I don't know, but 14 we can make arrangements if you would like to 15 send them to us. 20:19:23 16 MS. LAMBERT: Okay. All right. 17 Yeah, I will. 18 MR. CENTOLELLA: Okay. 19 MS. BOJKO: John Mobasseri. 20 MR. MOBASSERI: Mobasseri. 21 MS. BOJKO: Please raise your right 22 hand. 23 JOHN MOBASSERI, of lawful age, 24 having been first duly sworn, testified as 25 follows:</p>	<p>1 option was to move. Move. I said, "That's the 2 best option for me is to move?" So now I have 3 to pay and clean out my daughter's education to 4 pay a bill that's due on my birthday. 5 So I'm just wondering what is PUCO 20:21:16 6 doing to really help us? And why isn't -- why 7 aren't we getting anything done with our 8 senators or anybody else to try and help us? 9 When I called FirstEnergy they told 10 me that I was going to be grandfathered in. 20:21:29 11 But when I went in there, I got slammed. I 12 have no savings now. My daughter's college 13 fund is going to be gone. So I'm just 14 wondering, who's really benefitting from this, 15 me or you? Who's really going to get anything 20:21:43 16 out of this? I think that FirstEnergy is 17 scamming the people. I was told that I had an 18 all-electric home, that I should be able to 19 live in my house and have heat. This winter, 20 we had to leave for three to four weeks just to 20:21:59 21 get out. I had to go rent a hotel room. And I 22 still had heat bills through the roof. I mean, 23 it's just -- it's crazy. I hope PUCO or 24 whatever does something. 25 MS. BOJKO: Eileen Fisco. Could 20:22:54</p>

<p>105</p> <p>1 you please raise your right hand.</p> <p>2 EILEEN FISCO, of lawful age, having</p> <p>3 been first duly sworn, testified as follows:</p> <p>4 MS. BOJKO: Please state your name</p> <p>5 and address for the record. 20:22:59</p> <p>6 MS. FISCO: Eileen Fisco. P.O. Box</p> <p>7 445, Gates Mills. I want to make a couple of</p> <p>8 comments. The first one is that the electric</p> <p>9 discount, the all-electric discount, was not</p> <p>10 restored. I'll give you the information as to 20:23:19</p> <p>11 why. Public Utilities wrote me a letter and I</p> <p>12 also called them and they said even if it</p> <p>13 wasn't fully restored, it was still restored.</p> <p>14 You can't be half pregnant; you're either</p> <p>15 pregnant or you're not pregnant. We either 20:23:36</p> <p>16 have a full discount or we don't have a</p> <p>17 discount. And we don't have our full electric</p> <p>18 discount. Now, I understand the situation like</p> <p>19 this. We have a teeter-totter and the</p> <p>20 government has to try to help corporations make 20:23:49</p> <p>21 money, but they also have to help consumers not</p> <p>22 go broke. And I feel it's your job to balance</p> <p>23 that teeter-totter.</p> <p>24 So is there a solution to this</p> <p>25 problem? I think there is. You're going to 20:24:04</p>	<p>107</p> <p>1 rates. And they can't guarantee that they're</p> <p>2 going to have their customers. So work out a</p> <p>3 compromise, guarantee an X amount for all of</p> <p>4 the discounted people and work out something.</p> <p>5 There's got to be a compromise. There are 20:25:35</p> <p>6 other solutions to these problems. Don't cut</p> <p>7 off the people that are counting on our</p> <p>8 government to help us in situations where -- we</p> <p>9 were founded as a country, on the basis that</p> <p>10 you have corporations if you ever need help, 20:25:51</p> <p>11 and you have the government regulate so that</p> <p>12 the consumer gets helped. So neither suffers.</p> <p>13 It's all I'm asking you to do. Please restore</p> <p>14 the all-electric discount.</p> <p>15 MS. BOJKO: We will mark your 20:26:09</p> <p>16 letter -- your example -- sample billing as</p> <p>17 Fisco Exhibit 1 and that will be attached to</p> <p>18 the record.</p> <p>19 - - - - -</p> <p>20 (Thereupon, Deposition Fisco Exhibit</p> <p>21 1 was marked for purposes of</p> <p>22 identification.)</p> <p>23 - - - - -</p> <p>24 MS. BOJKO: Do we have any other</p> <p>25 members of the public that did not sign up that 20:26:23</p>
<p>106</p> <p>1 have to come up with something to help people</p> <p>2 who live in all-electric homes, instead of</p> <p>3 taking the attitude that down the line we're</p> <p>4 not going to get any kind of discount. We lose</p> <p>5 real estate value, people don't get pay 20:24:18</p> <p>6 increases like they used to. Meanwhile, you</p> <p>7 have corporations with the power of lobbyists</p> <p>8 that can make these changes and de-regulations</p> <p>9 that came in the roughness about and we don't</p> <p>10 have that power. We just have the power to 20:24:31</p> <p>11 come here and talk to you. We don't have</p> <p>12 lobbyists. So it's your duty, I feel, to</p> <p>13 balance that teeter-totter. Maybe you</p> <p>14 represent corporations, but we're still the</p> <p>15 United States of America and you still have an 20:24:47</p> <p>16 obligation to help middle-class in this</p> <p>17 country. And I feel you're not doing that</p> <p>18 right now. And whatever they come up with -- I</p> <p>19 understand their position. If you could</p> <p>20 guarantee CEI X number of customers and have 20:25:02</p> <p>21 them work the way they're supposed to, we could</p> <p>22 get our discount. But their lobbyists took</p> <p>23 away regulation, now we have a de-regulated</p> <p>24 situation. And they want to go out in the open</p> <p>25 market and compete every day for electric 20:25:23</p>	<p>108</p> <p>1 wishes to testify at this point? We have</p> <p>2 concluded the list. Yes, sir, would you like</p> <p>3 to testify?</p> <p>4 MR. CLOUGH: I thought I did sign</p> <p>5 up. 20:26:37</p> <p>6 MS. BOJKO: I may have tried to</p> <p>7 pronounce your name and you just didn't</p> <p>8 recognize it. What is your name, sir?</p> <p>9 MR. CLOUGH: Al Clough.</p> <p>10 MS. BOJKO: I did call Al Clough. 20:26:45</p> <p>11 Could you please proceed to the podium.</p> <p>12 Mr. Clough, could you please raise your right</p> <p>13 hand?</p> <p>14 ALLEN CLOUGH, of lawful age, having</p> <p>15 been first duly sworn, testified as follows:</p> <p>16 MR. CLOUGH: I do. The last time I</p> <p>17 said that, I was married 60 years ago. I came</p> <p>18 here basically --</p> <p>19 MS. BOJKO: Could you please state</p> <p>20 your name and address for the record. 20:27:21</p> <p>21 MR. CLOUGH: Yeah. Alan Clough,</p> <p>22 C-I-o-u-g-h.</p> <p>23 MS. BOJKO: And your address.</p> <p>24 MR. CLOUGH: 7774 Fairview Avenue,</p> <p>25 Kirtland.</p>

<p>109</p> <p>1 MS. BOJKO: Thank you. Now please 2 proceed. 3 MR. CLOUGH: Okay. I came here -- 4 basically I was hoping something was going to 5 be said about the all-electric residential 20:27:37 6 cost. And I agree with several of the other 7 ones that stood here and said in January it was 8 like -- my house was like \$180. It was \$450 9 two months later. I don't know why it should 10 be so high. I don't know why it should gain so 20:27:57 11 much. But basically, this is what I came to 12 say. It's the only thing I'm going to say. 13 When I came to the meeting here, it was a month 14 ago or two months ago or whatever it was -- I 15 don't remember when it was, but I was here. 20:28:15 16 And somebody asked a question to the 17 Illuminating Company representative -- who pays 18 PUCO fees for being on the board? He said, we 19 do, the Illuminating companies. How can we 20 trust them? How can we trust them to 20:28:34 21 accurately and faithfully make any 22 recommendations when they're being paid by the 23 ones asking for the increase? I say they 24 can't. But somebody has got to push that on 25 them to get a regulated fee that's going to be 20:28:58</p>	<p>111</p> <p>1 Ohio for that? 2 MR. CENTOLELLA: Well, as in any 3 state expenditure, it's raised through fees and 4 taxes and we have a specific fee that is for 5 the budget of the Public Utilities Commission. 20:30:09 6 MR. CLOUGH: Well, when I was here 7 the last time, the man sitting in your 8 position, very deathly said the Illuminating 9 companies in Ohio pay -- not the Illuminating, 10 but the -- the utilities pay for the salaries 20:30:23 11 of the people on the board. 12 MR. CENTOLELLA: Well, if he said 13 that, then he's speaking incorrectly. We're 14 state employees and we work for all of you. 15 MEMBER OF THE AUDIENCE: I wish 20:30:43 16 that was true, otherwise you wouldn't have told 17 me to move. 18 MR. CENTOLELLA: I want to find out 19 a little bit more about that. I appreciate you 20 telling us about that. I do want to say that I 20:30:51 21 appreciate all of the testimony that we've 22 heard tonight. And we want to thank you and I 23 will certainly consider what I've heard and I'm 24 sure my colleagues will look at the record and 25 consider it as well. 20:31:03</p>
<p>110</p> <p>1 honest and fair. That's it. 2 MS. BOJKO: Thank you. 3 THE COURT: I want to just briefly 4 respond to the comment that was made twice now. 5 I don't have what was said by FirstEnergy at 20:29:19 6 the prior meeting. But the way the Public 7 Utilities Commission is funded, it's funded 8 based upon a budget that is approved by the 9 state legislature that is then collected in an 10 assessment that -- it does appear on the 20:29:33 11 utility bills, but it is not determined by the 12 utility and we are paid from state funds, not 13 from utility funds. And it's simply a matter 14 of assessment that is charged through the 15 utility bills. It's not money that comes from 20:29:50 16 the utility. 17 MR. CLOUGH: Are you on the PUCO 18 board? 19 MR. CENTOLELLA: Yes. I'm a 20 commissioner on the Public Utilities. 21 MR. CLOUGH: And who pays your 22 wage? 23 MR. CENTOLELLA: The State of Ohio 24 pays them. I'm a state employee. 25 MR. CLOUGH: Who pays the State of</p>	<p>112</p> <p>1 MS. BOJKO: At this time, that 2 concludes the Public Utilities Commission local 3 hearing. We do again appreciate you all for 4 coming and we will close the meeting. Thank 5 you. 20:31:19 6 (Hearing concluded.) 7 ----- 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>

113

CERTIFICATE

I, Charles L. Butera, do hereby
certify that as such Reporter I took down in
Stenotypy all of the proceedings had in the
foregoing transcript; that I have transcribed
my said Stenotype notes into typewritten form
as appears in the foregoing transcript; that
said transcript is the complete form of the
proceedings had in said cause and constitutes a
true and correct transcript therein.

Charles L. Butera, Notary Public
within and for the State of Ohio

My commission expires December 23, 2013.

A	actual 49:12 81:19	after 10:8 15:20	20:19 25:9 26:16	analogy 63:3
abandon 90:23	actually 20:5	18:16 19:15 29:7	34:11 84:5 96:24	analyze 14:10
ability 21:10 29:13	35:15 37:17 46:4	29:7 39:17 65:25	allowable 34:7	Anita 63:9,10,11
able 9:6 10:4,12	46:7 51:17,22	85:7 94:17	allowed 9:21 15:8	63:15
11:19,25 37:14	83:12 85:11 96:3	again 7:10 10:2	52:2,4	Anne 63:9 65:2
52:22 68:7 91:15	96:15,17 100:22	18:5,20 19:10	allowing 86:18	annual 7:20 15:19
104:18	101:20 103:5,18	27:21 42:18	allows 14:21 15:3	another 16:15
about 7:1 8:19	103:24	55:13 64:21	27:7 34:9,10,14	26:6,7 31:21
9:22 12:4,5,6,21	add 56:2 57:25	71:23 84:20	all-electric 12:11	35:22 44:6 64:5
12:22 14:4 15:2	60:13,16	88:12 112:3	12:19,22 21:17	81:6,8,15 87:24
15:20 26:7 27:16	added 16:5	against 36:7 96:1	24:13 26:7 30:19	102:6
27:21 35:7,10	adding 33:10	97:6	30:21,25 31:4,23	answer 6:6 11:16
52:7 58:9 59:14	addition 20:18	age 13:5 19:6 23:7	31:25 32:4,4	11:19,25 12:2
59:22,24 61:9	33:12 71:25	30:11 36:17	35:14 39:11	27:15 52:5
63:23 64:9 66:8	additional 20:23	38:22 42:3 45:12	41:11,12 43:4,8	answering 35:7
70:3 74:10,13,18	26:14 29:1 33:16	54:15 55:17 57:2	54:22 57:25 59:2	answers 96:13
77:17,24 78:6,23	50:16 66:21	58:14 63:11 65:8	59:7 62:21 65:19	97:20,22
80:5,6 83:1,6,22	address 9:4,7	67:17 72:12	69:18 72:8 74:8	anxious 66:7
84:8,15,22 86:3	12:11,18 13:9	73:20 76:21 80:1	74:14,16 75:14	anybody 12:4
87:4 89:20,22	23:11 30:15	82:4 83:5 86:21	76:15 82:16	18:17 104:8
90:4 91:11 92:9	36:20 37:1 39:1	88:25 94:3 98:1	83:19 84:9 85:6	anybody's 88:13
92:21 94:10	39:5 42:6 45:15	102:23 105:2	85:7,15 87:13	anymore 64:8
95:21,22 97:16	46:9 54:18,20	108:14	88:4 89:21 91:19	anyone 84:19
101:18 103:25	57:5 65:11 67:21	agency 17:5	92:16 93:3 96:4	anything 37:1
106:9 109:5	67:23 73:24	Aggregation 53:5	96:11 98:8,12,13	69:22 77:24
111:19,20	76:25 82:7 89:3	ago 31:5 35:4	98:15,22,24	78:15 92:21
above-mentioned	89:5 90:9 103:2	42:25 43:11 61:9	99:20,21 100:1,3	95:19 96:14
47:14	105:5 108:20,23	74:13 90:14,22	100:15 103:9	101:22 104:7,15
Absent 54:1	addressed 17:19	93:14 108:17	104:18 105:9	anyway 40:16,19
absurd 51:2	addresses 18:11	109:14,14	106:2 107:14	93:24
abundance 43:1	49:6	agree 10:23 24:17	109:5	apartment 100:8
43:12	adequately 14:10	24:19 25:18 26:2	all-gas 87:14	apartments 85:7
abuse 96:5,7	adhered 14:22	26:8 54:25 55:24	almost 74:17	apologize 68:2
acceptable 28:3	57:13	65:14 109:6	82:24 98:6	apparently 26:23
accepting 75:11	adjacent 89:12	agreeing 58:7	103:12	52:9
access 36:2 68:18	adjustment 85:9	agreement 7:4	alone 48:17 65:1	appear 70:12
accommodate	adjustments 15:7	11:8 13:21 14:13	along 7:3 13:21	110:10
22:24	62:23	17:12 25:25	20:24 36:13	appearance 6:23
accomplished	administrative	26:22 27:7 55:9	49:17	27:17
44:14	53:9	Ah 82:17	already 10:15	appearances 2:1
according 33:4	admission 62:19	ahead 11:11	21:8 27:13 29:8	6:9 9:21
49:18 83:23	advance 29:18	103:10	33:9 45:21 49:2	APPEARANCES...
account 64:10	advanced 20:1	aid 18:8	62:6,23	3:1
89:23 90:20 99:9	29:16	air 60:7 61:21	alternate 40:5,7	appears 35:11
accountability	advantage 59:13	87:15,16	43:7	47:16 66:12
20:2 28:6	100:4	air-conditioning	alternative 61:3	113:9
accountable	advertising 38:16	91:6	although 37:22	applaud 24:17
67:11	advocate 67:1	Akron 2:22	always 56:8 87:19	applause 36:12
accounts 92:22	affect 28:2	Al 54:13 108:9,10	America 106:15	55:15
92:25 93:4,8	affected 59:17	Alan 108:21	American 49:19	application 5:5
accuracy 50:7,9	72:2	Alexander 79:19	49:22 81:4,4	7:3 11:3,5 12:6
accurate 92:13	affecting 65:16	alike 45:20	90:12	13:18,20 14:2,13
accurately 10:5	afford 15:15 18:2	Allegheny 38:8	among 7:4 46:25	14:19 15:20
109:21	93:17	52:11	amount 32:11,14	24:19 50:19 53:1
acquisitions	affordable 33:19	ALLEN 108:14	35:6 51:12,14	applied 16:12
80:21	66:15,25 67:1,9	allotted 70:1	63:20 107:3	apply 93:4
across 91:2	afforded 48:15	allow 8:6 10:18	amounted 93:21	applying 92:22
actions 28:17	affording 90:12	14:5,18 16:1	Amr 47:20	appreciate 10:10

35:8 42:13,17 45:25 84:2 111:19,21 112:3 appreciated 55:16 approaching 21:13 approval 21:6 34:6 48:14,19 approve 29:12 35:1,25 approved 15:24 28:11 34:25 52:13 56:14 110:8 approves 67:7 approximately 5:17 25:11 48:4 55:13 59:8 69:16 April 1:17 8:4,5 47:21 49:5 50:21 52:1 53:2 84:17 84:18 85:5,10 91:21,25 103:16 Arabians 81:18 area 17:21 21:21 81:15 areas 81:3 argue 72:24 arms 63:1 around 41:18 44:8 60:4 63:1 68:14 84:10 arrangement 48:3 arrangements 20:22 26:12 33:14 47:12 102:14 arrived 8:21 article 84:23 95:24 articles 50:13 artificially 95:25 97:5 Ashtabula 19:13 94:24 aside 47:7 asked 32:17 68:13 85:13,13 90:4 109:16 asking 18:15 24:8 27:15 31:20 60:11 64:12 86:6 107:13 109:23 asks 11:2 aspect 8:2 aspects 23:1 47:9 assessment 32:16 110:10,14	assets 16:13 assigned 5:2,14 assist 99:1 Assistant 3:4 6:20 associated 16:25 49:11,17,25 54:7 Association 47:4 47:5,6 assume 17:9 assumed 56:11 assurance 52:10 assurances 17:17 22:7 assure 23:25 36:2 ATSI 49:20 attached 107:17 attempt 72:6 attendance 18:20 attention 72:5 attentive 69:1 attitude 106:3 attorney 2:4 5:13 48:9 attorneys 80:6 attributable 17:9 auction 48:21 49:12 auctions 53:19 audaciously 52:9 AUDIENCE 12:9 12:14,20 111:15 audit 28:9 audits 7:20 August 58:4 98:20 Austin 86:25 Austinburg 77:3 authorities 54:9 authority 1:7 5:7 49:9 77:6 automakers 33:18 47:5 48:3 automatic 56:22 automatically 28:1 automobiles 44:10 Avenue 108:24 average 15:1 33:4 34:20 awaiting 30:25 aware 57:11 85:14 85:16 101:19 away 8:14 16:5 61:9,11 106:23 awful 58:25 63:2,7	18:21 37:18,19 38:17 41:13 68:7 78:3 79:19 85:12 85:23 86:2 95:9 95:11,17 98:8 101:1 background 89:7 backroom 47:13 backwards 28:9 bad 100:11 Bailer 94:1 balance 105:22 106:13 bamboozled 75:8 bank 64:10 bared 38:1 barely 96:6 base 7:14 based 20:4 61:5 63:23 65:1 67:10 90:21 92:8 99:4 110:8 basically 108:18 109:4,11 basis 53:11 107:9 Bath 18:8 beating 35:13 become 59:4 62:10 becoming 98:25 bed 46:20 Beechwood 30:17 before 6:1 8:15,18 8:19 9:3,21 11:3 11:5,14,18 12:3 12:18 13:12 14:2 14:19 18:4,9,22 22:18 25:21 26:25 28:11 29:10,12 33:3 37:5 56:22 58:6 58:7,9 60:2 80:21 83:14 84:11 85:1,22 beforehand 103:6 began 8:3 85:8 begin 6:9 9:3 beginning 69:19 behalf 6:12,17 25:2 37:3 42:16 49:5 69:11 71:19 behavior 62:3 behind 34:4 100:12 being 5:4 10:2 31:17 42:17 60:10,17 62:7 69:1 81:2 93:1	109:18,22 believe 11:23 21:18 32:15 35:9 37:18,25 39:21 39:22 41:2,20 77:8,9 78:20 94:11 99:25 believed 100:15 below 52:3 beneficiaries 47:15 benefit 25:24 62:24 benefits 16:6 17:1 17:18 47:18 benefitting 104:14 besides 31:11 best 21:3 27:11 35:2 37:12 63:2 96:10 99:2 104:2 Beth 5:13 betrayal 99:16 better 44:13 46:5 77:10 94:19 95:4 103:15,15 between 47:14 49:11 57:14 80:9 beyond 73:8 bld 7:11,11 bidding 20:15,24 21:2,12 big 15:12 57:14 95:17 bigger 91:18 bill 14:15,17 19:22 20:7 23:23 24:4 24:10 26:20 27:3 30:3 32:1,4 33:6 39:25 42:1,3,7 53:18 55:3,6 57:1,15 58:12 64:11,14 66:1,13 74:17 75:9 82:20 83:10 87:16 88:7 88:11 92:10 99:22 100:6,9 103:13,19 104:4 billed 65:20 billing 66:17 107:16 billion 80:17 billions 80:15,16 bills 16:4,8 21:11 22:9 31:25 33:1 33:7 39:22 71:4 71:15 75:23 96:6 99:13 101:13	104:22 110:11 110:15 birthday 104:4 bit 7:1 45:22 83:14 86:9 94:10 101:23 111:19 bi-partisan 19:23 blanket 54:1 blind 80:14 blown 78:19 board 46:5 109:18 110:18 111:11 boiler 90:24,25 Bojko 2:3 5:1,11 6:15,21 12:13,16 12:23 13:8 18:24 19:4,9,16 23:4 23:10,16 30:9,14 36:11,19,24 38:20,25 41:24 42:1,5 45:11,14 54:13,17 55:12 56:25 57:4 58:12 58:17 63:9,13 65:2,4,6,10 67:13,20,25 73:13,15,17,19 73:23 76:20,24 79:21,24 80:3 82:2,6 86:19 88:23 89:2 94:1 94:6 97:25 102:19,21 103:1 104:25 105:4 107:15,24 108:6 108:10,19,23 109:1 110:2 112:1 both 47:8 59:12 75:19 bought 79:9 82:16 85:6 89:13 100:2 103:5 Boulevard 39:5 67:15 Box 105:6 boxes 95:12 Branch 36:22 breakers 95:14 Brian 73:15 brief 10:14 briefly 110:3 bring 43:24 55:2 68:15 88:5 bringing 23:21 brings 68:20 broad 2:6,14 3:6 87:6
--	---	---	--	---

broke 105:22 brought 55:10 72:3 brownout 41:9 BTUs 83:22 budget 100:9 110:8 111:5 build 43:15 98:12 98:15 builder 98:9 99:7 builders 43:15 building 83:5 89:13,16,24 90:4 90:14 92:4,11 99:18 built 43:3 89:16 96:24 bulb 75:11 bulbs 40:18 51:11 bulk 90:16 91:15 bully 34:5 bullying 36:8 bundle 43:6 burden 25:14 47:17 50:6 53:13 Burk 35:6 burn 77:25 Burton 82:9 98:4 business 16:21 26:4 28:14 38:4 39:14 50:1 54:8 89:8 90:13 businesses 25:15 93:1 businessman 86:4 Butera 1:25 113:4 113:17 buy 16:9 40:14 84:1 90:16 91:15 buying 40:23 buys 84:19	108:17 109:3,11 109:13 capital 15:8 25:8 32:10 40:24 47:3 50:2 capped 51:14 captioned 5:4 car 41:18 Caranci 86:19,21 86:24,24 care 29:19 95:21 95:22 careful 57:18 carefully 15:10 22:12 carry 99:10 cartel 81:18 cartoon 46:14,16 case 1:13 5:3,19 7:1 8:1,11,19 9:9 9:14,20 11:13,17 13:20 14:4,22 15:18 22:16 25:12 27:24 30:22 31:1,13 34:22 46:10 47:9 48:11,14,18,25 49:19 51:4 52:13 52:15 53:11,14 53:16 54:3 60:2 cases 14:1,16 27:8 34:15 50:15 81:4 cash 38:7 cast 46:24 cause 51:17 113:11 caused 35:15 59:21 caution 57:21 cave 45:23 CCAP 30:19 Cedar 36:22 CEI 31:7 42:20,23 44:3 45:1 46:21 94:14 95:10,23 106:20 Center 53:3 centers 76:10 Centoletta 2:11 5:12 9:10 23:3 41:25 46:2,3 56:15,24 73:14 82:1 101:25 102:4,7,13,18 110:19,23 111:2 111:12,18 central 90:23	cents 40:1,1 61:20 62:1 82:19 91:24 91:25 93:15,19 CEO 78:6,11,15 certain 23:1 26:1 32:13 97:2 certainly 27:1 35:11 76:1 77:9 78:18 84:2 111:23 certainly 71:5 96:22 97:1 CERTIFICATE 113:1 certify 113:5 Chagrin 98:10 chairman 42:20 challenged 81:3 chance 10:18 25:17 26:21 29:17 42:13 change 16:25 17:8 79:2,15 86:12 96:20 changed 56:6 changes 71:15 75:14 76:8 99:10 106:8 characterizes 50:22 characters 46:25 charge 15:3,7 25:7,9,25 29:10 32:10 44:6 50:3 66:4,10 81:22 90:18 93:18 charged 29:8 78:16 87:17 97:12,13 110:14 charges 13:25 26:14 33:16 49:25 51:6 54:7 66:8 87:18 88:9 93:22 charging 87:23 charities 68:5 Charles 1:25 113:4,17 Chesterland 23:14 Chetnik 94:2,3,8,8 China 58:5 choose 59:15 chose 100:19 Christmas 103:12 circumstances 68:14 citizen 53:2 88:21	citizens 52:24 71:7,23 72:14 City 47:1 87:7 claimed 25:24 50:12 claims 49:15 Claridon 98:4 clarification 56:16 clarifies 84:24 classic 67:4 clean 103:21 104:3 clear 16:1 70:21 clearly 9:5 10:4 67:3 Cleveland 1:5 5:5 6:13 33:20 46:14 46:17 47:1,1,24 66:16 81:15,16 87:8 89:10 clinic 33:20 47:2 47:24 81:16,16 81:19 Clinic's 66:16 Clocktower 1:21 close 45:8 58:9 92:10 103:17 112:4 closed 34:4 closer 40:1 closing 35:23 clothes 61:23 62:2 Clough 54:13 108:4,9,9,10,12 108:14,16,21,21 108:24 109:3 110:17,21,25 111:6 Coalition 53:5 Coast-based 49:9 coats 40:13 Code 1:10 5:9 50:21 collateral 80:11 colleagues 111:24 collect 15:4,24 20:19 25:10 47:23 48:1 50:4 66:11 95:20 collected 47:25 48:5 110:9 collection 51:5,18 college 1:20 88:11 103:21 104:12 Colleges 47:6 Columbus 2:7,15	3:8 5:16 43:24 68:5,17 come 8:18 9:19 13:2 42:11 77:25 87:2 98:10 106:1 106:11,18 comes 22:5 110:15 coming 13:14 18:6 23:18 43:13 44:5 74:20 112:4 commend 24:24 52:25 68:21 commended 68:18 comment 57:11 110:4 comments 10:5 10:13,17 63:19 81:24 105:8 commercial 89:23 90:9 92:22,25 93:4,8 commission 1:1 2:5,13 5:2 7:3,20 17:4 25:20 46:19 60:2 62:18 63:7 67:7 68:9,22 70:1,8,15 71:18 72:5,14 78:2,9 79:16 88:15 92:15 93:6,12 110:7 111:5 112:2 113:20 commissioner 2:12 5:12 9:9 110:20 commissioners 9:11,13,15 22:11 46:5 58:6 commissions 8:7 8:15 11:18 commitment 67:8 common 75:6 90:6 commonly 7:6 communicate 42:23 44:13 communities 19:21 21:21 68:16 70:20 community 1:20 22:2 compact 51:11 58:24 companies 7:12 8:6,8 20:8 22:6 79:9 80:6 94:15
---	---	--	---	--

C

call 32:20 46:11
 46:22 94:21
 97:20 108:10
called 7:6 9:24
 59:12 64:14
 85:10,11,12
 87:18 88:14,18
 88:19 103:5,24
 104:9 105:12
calling 85:17
calls 71:10 88:16
came 34:2 56:13
 74:12 91:11
 92:23 106:9

44:3 45:1 46:21
 94:14 95:10,23
 106:20
Center 53:3
centers 76:10
Centoletta 2:11
 5:12 9:10 23:3
 41:25 46:2,3
 56:15,24 73:14
 82:1 101:25
 102:4,7,13,18
 110:19,23 111:2
 111:12,18
central 90:23

charging 87:23
charities 68:5
Charles 1:25
 113:4,17
Chesterland
 23:14
Chetnik 94:2,3,8,8
China 58:5
choose 59:15
chose 100:19
Christmas 103:12
circumstances
 68:14
citizen 53:2 88:21

collateral 80:11
colleagues
 111:24
collect 15:4,24
 20:19 25:10
 47:23 48:1 50:4
 66:11 95:20
collected 47:25
 48:5 110:9
collection 51:5,18
college 1:20 88:11
 103:21 104:12
Colleges 47:6
Columbus 2:7,15

common 75:6
 90:6
commonly 7:6
communicate
 42:23 44:13
communities
 19:21 21:21
 68:16 70:20
community 1:20
 22:2
compact 51:11
 58:24
companies 7:12
 8:6,8 20:8 22:6
 79:9 80:6 94:15

<p>95:16 109:19 111:9 company 1:5,6,7 5:6,7,22 6:3,10 6:13,14,14 7:16 11:21 43:23 44:9 46:18 52:8 65:18 74:15 77:7,13 78:12 80:24 81:1 90:19,21 93:11 98:18,19 99:18 109:17 company's 7:17 8:9 58:4 comparing 31:25 comparison 20:6 compensation 78:8 compete 100:1 106:25 competitive 7:10 20:15,24 21:2 87:8 99:24 complain 88:18 complaint 18:11 complete 26:17 34:23 43:21 113:10 completed 43:20 completely 55:25 completion 45:8 complex 28:24 36:6 48:14 complicated 15:2 34:15 39:23 75:20 component 23:25 23:25 66:3 components 66:20 75:6 81:1 comprehensive 52:22 comprised 69:13 compromise 107:3,5 concern 27:23 concerned 14:4 87:4 concerns 18:1 19:18 22:12 41:3 87:12,12 concluded 8:4 108:2 112:6 concludes 112:2 Concord 54:21 55:20,21 56:12 57:7 74:3,4 conditioner 61:22</p>	<p>conditioning 60:7 condominiums 39:10 conduct 70:2 93:7 conducted 7:11 48:21 conducting 46:8 confidence 74:25 76:19 confident 34:19 confuse 18:17 75:19 76:11 confusing 39:23 75:22 congenial 42:20 Conneaut 19:2,12 Connecticut 52:1 connection 49:7 connections 40:3 conned 75:10 Connie 45:11,12 45:16 54:14 55:12,17,19 consequences 21:20 conservation 7:23 51:9,22 64:19 65:24 84:8 96:2 97:7 conserve 64:17 97:9,11,13 consider 22:12,22 70:22 87:14 111:23,25 considerable 31:18 35:6 considerably 50:8 60:1 consideration 22:20 28:23 57:18 84:6 considered 9:8 83:9 consistent 91:2 constituent 44:17 constituents 15:13 17:2,16,24 18:1 25:1,2 29:14 30:6 69:6 69:6,12,16,21 71:10,11,12 72:1 constitutes 113:11 construction 98:7 98:18 99:3 consultants 90:2 consume 37:15 83:22,24</p>	<p>consumed 83:12 consumer 28:3 34:21 59:4 61:18 62:3 80:12 81:9 97:19 107:12 consumers 3:4,5 6:3,16,18,19,20 8:8 11:23 14:7 16:6,8,20 21:24 22:6,13 24:18,20 24:21 25:15 26:2 26:8 27:12 28:13 28:25 29:18 31:10,15 33:4,17 35:15 37:3,14 38:1,11 47:21,23 48:23 62:17 72:15,23,24 75:16 76:5,6,9 105:21 consuming 86:9 consumption 81:10,11 contained 37:10 contemplated 27:2 28:13 70:18 contemplative 73:4 continue 6:24 7:21 contribute 17:21 contributors 81:17 control 53:21 controlling 43:10 converted 91:6 cooling 43:19 45:7 copies 102:1 copy 19:15 102:6 102:9,11 corporate 75:18 75:21 corporations 105:20 106:7,14 107:10 correct 12:13,23 84:2 113:12 correctly 24:12 78:7,21 correspondences 71:11 92:19 cost 7:18 16:20,24 26:3,13 28:25 29:13 33:15 38:2 39:24,25 40:2 41:15 43:6,10 51:12,16,23</p>	<p>56:11 59:24 61:18 66:22 72:7 76:8,12 86:17 91:22 92:5 93:20 93:20 100:8 101:22 109:6 costly 91:1 costs 15:9 16:12 17:9 26:1,10 38:3 45:10 cost-savings 21:3 Council 53:4,6,7 87:7 counsel 3:4,5 6:4 6:16,19,20 8:8 11:23 21:24 22:13 24:18,21 26:2,8 31:10,15 33:4 35:16 47:21 48:24 62:17 75:16 counselors 89:25 counted 31:6 counting 30:2 107:7 country 61:2 94:13 106:17 107:9 county 19:13 56:20 68:5 69:7 69:14 74:12,20 94:25 98:5 couple 37:9 59:23 105:7 course 103:9 court 9:5 10:3,8 19:15 110:3 covered 27:13 covering 38:2 cracks 75:6 crafted 47:13 crazy 40:11 104:23 create 71:23 99:7 creating 69:3 credibility 35:12 credit 85:23 Creek 65:13 critical 21:5 23:24 30:3 75:6 76:4 cuddling 46:19 current 25:7 34:18 37:8,21,21 52:6 84:12 currently 57:23 61:15 65:20 customer 16:3 26:9 31:23,25</p>	<p>33:5 41:14 42:22 79:5 customers 15:5 15:25 16:19 18:1 20:3,5,17 21:4,8 21:22 22:14,23 25:25 26:13 29:3 30:25 31:4 32:4 33:15,23,25 34:2 34:16 35:3 36:2 42:16 44:11 47:25 48:5 49:17 49:21,24 50:15 51:7,12,16 54:6 54:11 75:1,20 76:11 81:23 85:1 86:5 106:20 107:2 cut 16:7 29:23 37:18,19 45:10 64:2 81:11,14 107:6 cuts 81:10 Cuyahoga 94:25 C-a-r-a-n-c-i 86:25 C-h-e-t-n-i-k 94:9 C-l-o-u-g-h 54:13 108:22</p> <hr/> <p style="text-align: center;">D</p> <p>D 4:1 67:24 Dabson 79:21,22 79:22 80:1,4 dad 57:24 damage 80:11 dangerous 34:10 dark 45:23 date 48:12,13 82:22 85:24 101:1 daughter 58:3 88:6 daughter's 103:21 104:3,12 day 26:8 59:12 60:18 61:8,11,13 61:15,19 62:9,22 106:25 days 5:18 27:8,16 27:17 41:5 48:16 57:14,15 DCR 50:3,14,19 deadline 21:1 deadlines 57:11 deal 47:13,24 Dealer 43:23 50:13 84:16</p>
---	---	--	---	--

<p>92:18 93:14 dealing 22:5 30:20 68:14 70:24 84:14 deals 17:13 26:15 29:23 43:14 47:17,20 76:6 Dean 79:21,22 80:1 deathly 111:8 debacle 24:13 debatable 32:12 Debbie 86:19,21 86:24 Deborah 18:7 19:1,6,11 73:17 debt 32:25 decades 34:16 90:14 December 17:7 55:5 103:12,13 103:16 113:20 decent 80:7,9 deceptive 38:15 DeCicca 38:21,22 39:3,4 decide 9:23 53:16 decided 78:25 decision 9:14 14:3,7 16:21 17:10 22:15 24:7 24:8 26:4 27:19 30:25 50:1 54:8 56:1 61:19 70:16 90:23 99:2 decisions 22:4 24:16 58:7 59:14 70:11,11 73:7,8 deck 54:14 57:1 63:10 declaration 35:16 decline 84:10 declining 81:7,8 83:24 decrease 16:4 33:6 deeply 47:8 Deepwood 39:5 39:10,11 67:15 Defence 53:4 degrees 83:6 deliberating 22:4 deliver 66:23 87:17 delivered 49:2 delivery 13:25 25:7,8 32:10 37:21,22 49:13</p>	<p>50:2 51:3 demand 44:2 45:9 demanded 52:10 demonstrate 50:7 denial 48:18 52:16 54:1 dentists 90:1 deny 35:24 36:8 53:14 department 77:21 94:23 Deposition 107:20 depreciation 78:25 deregulate 77:6 deregulation 41:4 describe 7:1 description 51:2 deserve 16:6 details 75:15 determination 15:11 determined 7:10 110:11 determining 20:16 devastating 31:23 58:1 develop 97:11 development 7:22 17:14,15,22 20:1 20:13,22 21:5 26:12 33:14,21 47:11 48:6 54:4 76:6 86:4 developments 70:3 Dewey 63:16 de-regulated 106:23 de-regulations 106:8 difference 57:14 80:8,11 different 71:4 72:19 87:22 101:5 difficulty 71:5,7 digress 83:1 diligence 34:17 direct 11:20 26:3 directly 90:20 disagree 53:15 disagreement 31:18 disapprove 28:18 disclosure 26:17</p>	<p>28:5 discontinued 51:25 discount 24:13 35:15 69:18 72:8 89:21 91:20 92:16,22 93:4 98:13,16,24 99:10 100:25 101:2 105:9,9,16 105:17,18 106:4 106:22 107:14 discounted 82:18 107:4 discounts 59:16 discuss 43:8,9 69:4 discussing 69:19 discussion 26:7 distribution 7:14 7:18 13:25 15:9 15:18,19 31:3,7 31:13,19 32:5,8 33:12 50:11 51:1 51:4 54:3 60:3,9 62:8 66:8 87:18 87:23 distribution-rel... 66:3 distributors 72:16 district 13:15 19:14 21:17 22:14 23:19,20 23:22 25:3 28:15 29:14 69:13 72:11 disturbution 88:9 disturbed 26:20 47:8 disturbing 62:12 diverse 87:6 divided 39:25 93:20 document 11:6 25:16 documents 18:21 Dodds 45:17 doing 29:11 30:2 35:20 68:11 69:3 94:20,24 104:6 106:17 dollar 51:14 dollars 14:6 20:21 26:13 29:1 43:18 49:16 51:17 80:16 domestic 47:5 48:3</p>	<p>Dominion 93:14 done 7:12 32:25 41:21 101:5 104:7 doors 34:4 double 86:16 doubled 51:22 doubling 101:12 doubt 76:15 dovetails 26:6 down 9:6 18:19 25:13 26:22 33:2 33:7 44:4 59:24 68:5 70:17 77:21 77:25 95:13 97:3 97:4 106:3 113:5 downsize 44:15 45:4 dream 90:13 drive 1:21 23:14 30:17 42:8 54:20 57:7 77:21 103:4 driveway 100:18 drop 42:12 59:22 dropped 41:10,11 dropping 62:9 drove 60:20 dry 62:2 dryer 61:24 87:16 duct 43:5 due 32:5 40:10 51:8 53:18 58:4 65:24 66:4 81:13 104:4 duly 13:6 19:7 23:8 30:12 36:18 38:23 42:4 45:13 54:16 55:18 57:3 58:15 63:12 65:9 67:18 73:21 76:22 80:2 82:5 86:22 89:1 94:4 98:2 102:24 105:3 108:15 during 21:8 22:18 41:7 91:10 Durkee 82:9 duty 106:12 D-a-b-s-o-n 79:23 D-e-C-i-c-c-a 39:4</p>	<p>earnings 52:3 East 2:6,14 13:11 49:9 58:20 eastern 69:14 easy 101:11 Ebony 2:19 6:12 economic 7:21 17:14,15,22 20:1 20:13,21 21:5,9 26:12 33:14,21 35:17 47:11 48:6 54:4 76:6 86:3 economy 16:9 22:19 25:13 Edgewood 89:5 Edison 1:5,7 5:5,7 6:14,14 31:12 editorial 46:14 education 70:23 104:3 effect 32:16,19 34:16 49:14 85:22 effectively 75:13 effects 31:3,21 32:8 efficiency 7:22 19:25 51:9,19,23 efficient 40:10 efforts 71:19 96:1 97:6 eight 7:25 52:7 64:2 98:22 101:9 Eileen 104:25 105:2,6 either 6:2 11:13 11:21 51:14 101:9,10 105:14 105:15 electric 1:6,10 5:6 5:10 6:13 7:5,7,9 7:13 13:17,22 14:20 15:9 19:19 20:8 21:10 24:2 25:4 27:13 39:14 39:18,19,22,24 40:10,12,16,21 40:23 41:5,6 46:17 48:20 49:3 49:13 51:21 52:2 55:3 56:9 58:10 59:5 64:11,18 66:6,18 67:10 74:15,19 75:23 75:24 76:14 77:7 77:17 80:12 81:8 83:10,18,21,25 87:8,16 88:7,8</p>
--	---	--	---	--

88:10,10 91:4,7 91:23 92:8 96:1 96:5,7 99:13 100:6 105:8,17 106:25 electrical 59:23 60:13,14,25 80:20 81:24 electricity 16:18 17:6 19:24 37:17 40:8 41:7,14,16 43:1 44:2 45:6 58:1 59:25 60:4 60:6 64:16,20 77:11 79:10 90:16 96:23 97:10,12,13 101:3 103:17,19 electric/heat 99:5 eliminate 20:9 eliminated 53:12 elimination 35:14 elmiller@firsten... 2:24 embarrassingly 27:18 embodied 24:3 emergency 35:17 35:17 emphasize 71:9 employee 78:14 110:24 employees 44:12 44:22 111:14 encourage 19:25 61:4 62:17 76:17 96:2 97:6 encouraged 98:14 encouraging 61:3 end 15:23 28:9 36:12 55:15 energy 7:22 17:3 19:25 20:1 33:17 33:20 37:15 43:12,23 45:9 47:2 51:8,19,23 52:11 53:6 61:3 66:15,25 67:2 72:17 74:22 81:10,11,13,18 83:13 86:10 96:2 99:1,2 energy-efficient 75:11 energy-saving 40:18 Enfield 79:23 enforce 17:11	engineering 39:16 39:21 74:21 enlarge 80:18 enlarged 46:16 enough 64:1 71:9 79:17,17 89:11 96:18 97:7,10 ensure 16:17 19:23 21:23 72:5 entering 49:18 entire 8:2 entities 47:15 entrusted 72:19 entry 53:8 environment 69:3 Environmental 53:3,7 equal 16:7 55:3 63:4 equipment 99:6 Erievue 42:8 ESP 7:6,14 13:23 13:24 23:24 27:9 28:18,18 30:21 30:24 32:9 33:3 34:3,6,18,20,24 35:1,8,10 36:6,8 37:8,9 49:23 58:8 78:19 82:21 especially 15:16 20:25 54:12 64:23 74:7 ESPs 34:15 ESQ 2:3,19 3:3 establish 1:8 5:7 7:4,16 20:15 41:21 90:8 estate 106:5 estimate 100:6,19 estimated 100:21 100:23 estimates 100:17 etc 81:1 even 22:20 26:23 26:25 31:19 32:15 42:9 55:2 60:24 62:10,11 64:1,10 70:12 83:14 84:6 85:7 86:8 91:16 105:12 evening 5:12 6:11 7:24 13:14 18:10 18:18 30:8 63:8 69:1 73:12 89:19 evening's 69:8 ever 22:19 41:13 74:10 100:23	107:10 every 70:8 72:12 72:12 87:9 88:19 91:8 106:25 everybody 10:18 11:9 13:13 18:5 64:9 73:11 everybody's 61:21 everyone 10:11 10:19 23:18 59:17 87:11 91:8 92:24 everything 65:14 95:18 evidence 20:4 evidentiary 5:16 8:3,11 exactly 60:15 exaggerated 49:15 examined 31:24 Examiner 2:4 examiners 5:14 9:13 examiner's 48:9 example 16:1 51:10 81:3 92:3 107:16 excessive 49:11 exclusively 98:6 excuse 96:9,10 executed 70:13 exercised 57:22 exhibit 4:3 102:10 107:17,20 existence 43:14 existing 32:13,23 33:1 50:14 exit 60:22 expand 17:20 45:5 94:10 expansion 16:12 66:16 81:23 expedited 21:14 expenditure 111:3 expense 86:5 91:7 expenses 14:6 15:14 expensive 16:2 61:6 experience 70:24 experienced 70:4 91:14 experiences 21:15 expire 34:18 expires 113:20	expiring 32:13 37:23 explained 8:4 9:10,16 explore 57:17 expose 53:21 express 19:18 extend 85:4 extra 41:10 49:25 54:7 83:21 88:16 102:9 eyes 38:17 eye-stance 38:13 F facilities 95:6 facing 44:4,16,18 fact 12:10 18:16 29:7,8 31:12 37:13 81:13 83:17 failures 75:5 fair 16:18 22:4 36:3 73:5 110:1 Fairview 108:24 faithfully 109:21 Falls 98:10 families 29:20 family 59:10 83:2 famous 46:13 far 75:14 91:20 far-reaching 48:14 fast 21:13 28:19 36:1 46:21 63:19 84:10 fast-tracking 21:18 48:11 favor 37:6 favorable 54:11 fear 53:21 featuring 99:5 federal 17:3,5 57:8 61:1 fee 109:25 111:4 feel 6:1,5 8:17 11:9 14:8 42:21 60:6 88:4,13 105:22 106:12 106:17 feeling 71:8 100:11 feelings 70:5 fees 49:17,21 109:18 111:3 Fende 13:2,5,10 13:11 24:24 25:19 26:11	55:23 68:12 FERC 17:4 49:18 few 30:8 42:14 47:7,18 63:18 90:3 94:25 fiasco 38:10 51:10 75:12 fight 24:23 fighting 24:22 figure 71:4 83:9 101:2 figured 84:7 file 20:8 35:16 filed 7:2 13:20 14:13 20:11,24 27:14 53:2 54:3 filing 19:18 48:12 filings 7:19 28:8 34:13 50:8,10 fill 18:12 final 22:15 finally 29:5 37:25 financial 39:20 81:4 find 39:8 62:12 64:6,18 111:18 finding 71:18 finds 67:3 fine 9:25 10:25 11:11 29:13 37:22 Fiorante 67:14 fire 45:9 fired 43:17 first 6:25 13:1,6 19:7 23:8,17 27:19 30:12 31:6 36:18 37:5 38:17 38:23 39:9 42:4 42:15 45:13,23 54:16 55:18 57:3 58:15 63:12 65:9 67:18 68:2 73:21 74:5 75:25 76:22 80:2,21 82:5 85:13 86:22 87:22 89:1,14 91:14 92:10 94:4 98:2 102:24 103:13 105:3,8 108:15 FirstEnemy 46:23 FirstEnergy's 7:14 13:17 14:2 16:3 19:19 26:4 28:18 30:21 31:8 32:16 34:1 35:12 35:25 36:8 37:7
---	---	--	---	--

37:9 38:12 46:10 48:10,24 49:7,15 49:25 50:6,23 51:10,13 53:13 54:8 57:18 58:8 66:6 75:18 96:22 firsthand 58:1 70:4 Fisco 4:3 104:25 105:2,6,6 107:17 107:20 fit 51:2 90:11 five 10:17 74:24 75:18 94:14 five-member 9:15 fix 78:1 fixed 25:16 44:20 59:20,21 flattened 91:13 flawed 53:24 fledgling 25:15 floor 89:14,17 90:24 floors 89:15 flow 16:18 flowery 63:18 fluorescent 51:11 fluorecents 58:24 flyer 93:5 folks 24:1 26:21 27:12 29:13 72:6 72:10,11,13,15 78:22 79:13 follow 17:18 28:22 71:14 73:2 92:17 followed 27:6 follower 62:10 following 25:5 28:17 55:6 75:3 76:3 99:3 follows 13:7 19:8 23:9 30:13 36:18 38:24 42:4 45:13 54:16 55:18 57:3 58:16 63:12 65:9 67:19 73:22 76:23 80:2 82:5 86:23 89:1 94:5 98:2 102:25 105:3 108:15 food 40:14 foolish 92:12 forced 87:15 foregoing 113:7,9 forget 35:14 form 1:10 5:9	29:24 44:7 113:8 113:10 formally 69:5 former 60:17 62:21 forms 18:11 formula 66:9,12 forth 78:12 fortunate 89:11 forum 26:24 68:15 forums 69:9,20 72:21 forward 18:13 46:21 49:1 67:8 68:8 70:18 99:11 found 31:10 founded 107:9 four 5:18 9:12 75:13 104:20 frame 27:5 48:17 64:23 65:1 frames 34:13 57:11 frankly 26:19 86:8 Fred 73:19,20 74:1 free 6:1,5 8:17 96:25 101:16 free-market 97:11 friends 94:17 frightened 64:14 Fritz 58:12,14,19 Frivolity 47:7 from 5:18,21,22 5:23,24 7:8 8:14 8:16 14:7 15:4 15:24 16:13,18 16:20 17:23 20:17 24:2 26:4 27:23 35:24 46:16 47:23,25 48:5,12 49:7,24 50:1 54:7,9 57:24 59:19 62:7 64:11 66:11 71:10,11 72:10 72:13,15 74:24 77:5 79:2 80:5 86:6,12 91:21,24 93:18 94:24 95:10,13 96:13 98:23 103:16 104:14 110:12 110:13,15 front 18:21 frozen 7:15 fuel 75:5 full 26:16,23 28:5	34:14 48:15 57:17 70:1 105:16,17 fully 15:21 24:19 30:20 36:4,9 105:13 full-time 78:14 fund 33:25 47:19 93:16 104:13 funded 33:23 110:7,7 funding 17:22 33:22 funds 103:21 110:12,13 furnace 103:9 furnaces 43:6 91:5 further 21:9 25:20 49:4 84:23 Furthermore 70:14 future 19:25 26:1 34:13 49:2 73:6 99:8	107:12 getting 60:9 62:25 63:5 85:19,20 104:7 give 10:19 31:2 42:9 57:17 62:19 68:17 72:5 92:3 95:14 96:4,10 97:20,21 102:5 105:10 giveaway 51:11 given 10:9 52:17 72:9 glving 15:1 glasses 39:9 go 8:24 11:11 28:21 29:25 33:2 33:7 35:22 38:10 38:17 40:18 41:10,17 43:7 46:7 60:23 68:8 71:3 77:20 78:3 84:6 86:5 87:19 99:19 100:13 103:10 104:21 105:22 106:24 goes 80:18 85:22 101:1 going 5:21 12:7 12:21 28:1,7,8 28:24 34:11 39:7 40:15 41:13 43:6 46:6,15 55:2 61:22,23 62:1,14 64:5,25 67:7 79:1,1,7,14 80:22 83:15 87:11 88:1,3,11 88:20 92:5,7 93:16,18 94:12 95:2,5,9 96:7 97:9 99:22 100:3 100:8,9 104:10 104:13,15 105:25 106:4 107:2 109:4,12 109:25 gone 46:11 59:23 59:25 99:24 104:13 Gonzalez 50:22 Gonzalez's 49:5 52:1 good 6:11 24:22 33:21 34:20 39:8 40:25 62:3,14 85:17 89:11 90:11 99:13	100:18 102:4 gosh 61:20 gouging 44:7 80:10 government 35:18 70:6 73:9 73:12 105:20 107:8,11 Governor 92:19 grandfathered 104:10 granted 15:21 31:15 granting 48:9 great 21:20 45:20 71:19 82:18 greater 46:12 72:25 greatly 26:20 35:8 great-grandfather 89:9 greed 80:13 95:15 Grendell 23:5,7 23:12,12,17 55:24 grid 54:9 60:25 62:16,18,20 80:20 grocery 89:7 group 30:19 33:17 47:3 groups 23:1 guarantee 49:23 106:20 107:1,3 guaranteed 40:22 97:2 guess 40:20 45:20 63:2 87:13 96:15 101:24 guys 46:6 86:2 G-a-i-l 65:12 G-rated 46:20 G-r-e-n-d-e-l-l 23:13
G				
Gail 65:6,8,12 gain 109:10 gained 39:15 gall 95:23 96:9 game 62:11 gas 17:6 39:12 43:5 87:15,15,15 87:16 93:15,17 93:20,22,22 99:24 100:1 101:16,18 103:7 Gates 105:7 gave 25:20 GE 74:21 Geauga 98:5 generate 79:10 generating 78:23 generation 7:9 13:22 20:16,17 39:15 48:21 96:24 97:10 generator 77:18 94:19 95:5 generators 79:6 79:10 Geneva 86:25 gentleman 87:24 genuine 35:11 gets 26:25 79:19 91:12 92:10 93:24 103:14,15				
H				
half 15:5,21 25:12 32:3 52:7 62:1 64:2 93:15,19 105:14 Hambden 55:20 74:3 hand 13:4 19:5 23:6 30:10 36:16 38:21 42:2 65:7 79:25 86:20 88:24 94:2 102:22 105:1				

108:13 handed 70:17 handle 34:21 handled 51:3 happen 12:7 34:9 34:10 37:3,14 82:15 happened 32:5 happening 75:17 happens 79:7 happy 6:6 92:14 hard 62:25 hard-pressed 17:16 Harrell 58:13,14 58:19,19 having 13:6 19:7 23:8 30:12 36:17 38:23 42:3 45:12 54:15 55:17 57:2 58:15 63:11 65:8 67:18 71:6 73:21 74:6,11 76:22 80:1 82:4,12 86:22 88:25 94:4 98:1 101:18 102:24 105:2 108:14 Hays 36:11,16,17 36:21,21,25 head 26:11 heads 42:23 health-care 57:9 hear 5:21,24 8:16 60:7 92:14 heard 10:23 16:25 41:8 57:24 62:15 74:23 80:4 92:20 111:22,23 hearing 1:16 5:3 5:16,18,20 8:3,5 8:12,14 10:2,11 11:15 12:8,10,17 23:21 30:20 31:16 59:19 68:3 68:6,10 74:8 112:3,6 hearings 7:25 8:2 14:24 46:8 70:2 74:6 82:12 heart 35:3 heartily 52:24 heat 39:12 83:20 91:2,7,9,23 96:8 100:8 101:21 103:14 104:19 104:22 heated 90:24	heater 87:15 heaters 83:18,21 heavy 40:13 60:22 62:20 Heights 89:10 Heisley 58:20 held 26:9 help 12:2 22:20 104:6,8 105:20 105:21 106:1,16 107:8,10 helped 107:12 helpful 10:7 helping 88:9 97:14,15 henceforth 53:19 her 58:4,4 83:2,3 83:4,5,11,11,21 88:7,9,10,19 Herald 50:13 HI 30:18 hid 75:13 high 44:2 65:25 109:10 higher 58:1 66:17 74:18 83:6 86:11 86:13 highway 60:13,14 60:19 highways 60:11 Hills 45:17 him 9:11 92:12 hire 29:21,22 88:15 hit 26:11 64:14 95:4 hold 36:12 55:15 holding 68:10 72:21 80:24 holds 21:20 home 40:4 43:8 44:23,24 54:23 57:25 61:17 65:16,19 68:19 66:22,23 74:14 84:19 87:13,14 88:6 90:12 99:19 99:20,21 100:3 103:4,5,7,9,14 104:18 homeowner 59:2 homeowners 21:17 28:14 40:13 41:6 43:2 67:9 93:17 homes 26:7 39:11 43:2,5 44:10 62:21 67:10	69:17 85:6 93:16 98:12,15 106:2 honest 110:1 hope 30:1 41:22 76:2 79:19 104:23 hopefully 68:19 hoping 109:4 Hospital 47:4 hot 28:19 hotel 104:21 hour 91:24 92:1 hours 35:4 61:19 65:22,23,24 66:18 hour's 61:18 house 59:5,7 69:14 82:16 83:3 83:3,7,19 85:14 90:7 92:6 104:19 109:8 Huber 65:4,5 Humphrey 73:15 73:16 hundreds 14:6 28:25 hurting 44:21 husband 98:17 100:17 HVAC 99:6 hybrid 61:4 H-a-r-r-e-l-l 58:20 H-a-y-s 36:21	implementation 51:8 implemented 61:2 implementing 33:8 implies 63:21 importance 39:20 71:9 important 22:25 32:7 56:3 68:6 68:10 imposed 52:18 impossible 91:1 impress 57:21 improvement 25:7 improvements 7:17 40:25 Imprudent 20:25 Inc 49:20 include 33:13 66:13 67:8 85:2 102:9 included 14:17 includes 32:9 including 47:9 80:6 87:6 Income 59:21,22 64:2 100:14 incomes 25:16 44:20 59:20 incorrectly 25:24 111:13 increase 15:19,22 25:22 28:2 29:4 29:6 31:4,5,7,9 31:11,14,19,22 32:3,5,8,11,14 32:22 34:1 38:10 40:9 45:10 49:4 50:16,20 51:2 63:25 64:4,5 76:4,15 82:25 91:10 92:1 109:23 Increased 64:20 Increases 14:10 18:3 20:20 22:8 22:25 25:11 28:10,11 50:5 51:1 67:12 82:19 106:6 increasingly 66:17 incredible 52:23 Incurring 49:24 Independent 7:11 47:6 49:8	India 58:5 individual 43:3 80:25 91:9 individually 48:7 54:5 individuals 6:2 individual's 61:17 Industrial 47:2 information 26:17 39:17 84:22 92:13 105:10 Informed 61:19 88:17 infrastructure 62:5,6 Initial 15:25 Inquired 90:4 inside 40:14 installation 56:10 Installed 56:21 90:15 installing 99:6 instance 33:16 instead 11:7 33:7 40:23 53:17 106:2 instruct 35:18 Interest 11:24 35:3 97:5 Interested 14:18 98:25 interesting 61:10 61:13 Interests 27:11 internal 76:7 interpreted 71:22 Intersection 56:19 Interstate 60:21 intervene 35:18 Interveners 5:23 6:5 8:7 9:20 52:20 Intervening 6:22 intricacy 27:9 invested 80:16 investigate 70:9 Investigation 93:7 93:9 Investing 20:21 Investment 21:4 62:4 Investments 15:8 17:17 Involved 27:9 40:3 69:17 72:7 involving 70:24 in-law 83:4 Irresponsible
---	--	--	---	--

21:19 issue 38:5 54:10 69:10 74:22 81:6 84:14 issues 14:1 15:2 46:15 51:3 68:15 69:20 70:24,25 72:2,3 76:2 81:9 84:8 iterated 97:4	103:23 104:5,13 104:20,23 106:10 108:7 110:3 justification 25:21 31:9,10 40:20 justified 25:18 27:19 justify 28:10 29:7 29:9 justifying 40:9	86:2,2,8 87:25 88:15,17 90:5,7 90:8,11 91:9 92:24 93:10 94:11,12 95:8,11 95:11,12,22,23 96:11,12,16 99:19,22 100:3,5 100:24 101:4,5,7 102:13 103:24 109:9,10 knowledgeable 35:5 known 13:23 16:14 17:4 Kyler 3:3 6:17,20 kyler@occ.stat... 3:10 K-a-y-s-e-r 82:9	28:22 48:16 53:3 53:11 lawful 13:5 19:6 23:7 30:11 36:17 38:22 42:3 45:12 54:15 55:17 57:2 58:14 63:11 65:8 67:17 73:20 76:21 80:1 82:4 86:21 88:25 94:3 98:1 102:23 105:2 108:14 lawyer 35:5 lawyers 29:21 lead 49:11 leader 62:8 leaders 30:18 leaks 75:5 learn 15:1 24:14 35:24 45:3 learned 44:15 leasing 90:5 least 30:23 32:3 38:13 98:11 leave 10:24 11:8 18:9,23 46:7 101:20,21 104:20 leaving 49:17 left 95:1 legislation 57:9 77:5 legislator 26:19 legislature 75:9 78:10 79:3,16 110:9 length 35:4 less 15:21 20:5 37:15 50:8 60:1 61:6 65:24 74:19 83:13,25 86:9,11 100:14 103:20 let 23:18 31:2 56:15 82:25 86:8 92:23 97:21 letter 98:23 99:11 105:11 107:16 letters 102:1 letting 33:7 let's 6:9 12:24 44:25 level 68:19 71:23 89:15 101:17 lieu 37:16 life 64:6,8 72:12 lifestyle 59:14 lifestyles 62:23 light 38:19 40:2,3	40:18 56:5,7,16 68:13 70:2,5 75:11 lighten 45:22 lighting 56:17 lights 56:18,21 60:6 like 6:8,23,25 10:16 11:3,5,10 17:25 18:5,12 22:18 32:1 36:15 37:2,10 38:5 39:9 40:16,21 41:17,18 42:15 42:15,18 43:24 45:6,23 55:14 57:12,20 58:22 68:1,8,24 69:5 74:5,6 81:1 82:11 84:5 87:20 90:11 93:19 95:8 97:17,22 100:6 102:1,14 105:18 106:6 108:2 109:8,8 likely 71:8 likes 83:4 limited 47:10 66:14 line 106:3 lines 43:5 77:21 103:7 list 13:1 108:2 literature 12:1 little 7:1 15:1 36:13 45:22 56:2 83:14 86:9 94:10 98:21 100:16 101:23 111:19 live 39:9 43:4 45:3 57:23 64:8 67:15 74:3 77:2 98:3,4 104:19 106:2 lived 98:5 living 44:7 80:10 lobby 46:25 lobbyist 29:22 lobbyists 106:7 106:12,22 local 7:25 8:1 12:8 20:21 21:4 112:2 located 42:8 lock 48:22 logic 32:24 long 46:15 56:4 longer 27:9 62:11 91:15 long-term 20:12
J J 23:7,12 jackpot 63:5,6 Janine 6:18 January 32:1 64:14 65:21,22 66:1 74:17 82:20 85:2 91:21,24 92:10 103:14 109:7 January's 64:11 Jerry 38:20,22 39:3 82:2,4,8 Jersey 61:14 Jim 35:6,10 job 7:22 17:14 57:10 58:4 64:1 105:22 Jody 3:3 6:20 Joe 36:11,17,21 67:13 John 102:19,23 103:3 judgment 27:18 49:3 juice 40:4 July 48:22 49:12 61:21 June 7:8 20:18 27:22 49:13 jurisdiction 56:13 just 8:4,24 9:11,25 11:6,8,11 12:9 15:11 18:19 19:22 22:4 27:14 28:12 29:7 31:4 32:19 35:4 37:22 40:11,17 45:22 55:22 56:2,15 57:24 58:8 63:18 63:23 64:22 65:1 73:3 82:23 83:15 84:10 85:17 86:8 88:13 90:11 91:22 92:24 94:10 95:6 101:4 101:13,14,22,23	K Kathy 56:25 57:2 57:6 Kayser 82:3,4,8,8 keenly 57:10 keep 10:13,16 83:6,21 88:5 96:8 keeping 73:1 96:11 kept 41:7 83:8 kick 27:22 killing 80:10 kilowatt 40:1 61:18,20 62:1 65:22,23,23 82:19 91:24 92:1 kilowatts 39:25 59:1,6,8 66:17 Kim 5:11 KIMBERLY 2:3 Kim.Bojko@pu... 2:9 kind 25:22 42:21 68:18 70:11 71:1 79:11 101:22 106:4 kinds 45:2 Kirtland 1:22 30:17 94:9 108:25 Kline 45:11,12,16 45:17 46:4 knew 74:10 75:16 83:14 know 11:25 21:12 22:20 24:21 39:9 39:17,22,24 40:5 40:9,11,16,20,21 40:25 41:2,4,13 41:15,18 45:6 52:5 54:24 55:4 56:12 60:4,18 68:25 70:5 71:6 78:6 79:20 83:8 83:9,19 84:3,15	L L 1:25 2:19 113:4 113:17 lady 88:16 Lake 68:5 69:7,14 74:12,20 Lakeland 1:20 Lambert 97:25 98:1,3 102:3,5 102:11,16 Landing 45:17 lane 60:25 67:23 95:10 lanes 60:13,16,21 60:23 large 19:23 59:4,9 59:10 80:5 82:25 86:14,15 larger 25:8 59:7 largest 88:1 Larson 65:6,8,12 65:12 last 5:17 7:12 15:17 31:3,7,11 31:13,19,22 32:6 32:19 35:13,21 41:12 43:3,22 59:22 63:3 64:2 65:25 73:24 74:9 74:18 78:7 82:25 83:7 86:7 100:20 101:3 108:16 111:7 lasted 5:17,18 late 8:24 68:6 later 109:9 latest 30:4 law 14:21 27:7		

38:18 44:8 60:4 61:25 71:1 77:22 92:12 96:19 97:18 111:24 looked 91:20 looking 37:16 63:3 92:4 looks 32:1 Lorraine 13:5,11 lose 106:4 losing 58:3 loss 37:12 44:23 lost 40:10 51:5,13 51:18,20,24 52:3 54:10 64:13 74:25 75:1 82:16 83:2 lot 36:14 39:15 40:19 41:2 44:14 58:25 63:2,7,18 77:5 80:5 83:13 86:10 89:24 94:17 103:15 lottos 63:4 love 59:20 loved 41:5 low 48:22 84:20 84:25 95:25 97:5 lowest 41:15 78:13 low-income 7:23 67:2 luckily 68:7 lucky 64:1 Luhita 54:14 55:13 55:17,19,20 56:18 lunch 98:11 luxuries 44:21 L-a-r-s-o-n 65:13 L-u-h-t-a 55:20	95:14 maintain 91:1 major 27:23 76:10 make 6:23 10:12 15:8 24:8,15,23 28:8 37:2,10 45:1,5 59:14 61:19 62:4 68:7 68:16 69:23 70:7 70:11 73:7 78:12 78:15 80:7 85:18 102:14 103:6 105:7,20 106:8 109:21 makes 37:17 40:8 66:7 92:12 making 9:14 22:15 58:6 80:7 80:9,9,10 99:1 man 70:22,23 111:7 manage 16:16 management 77:15 manager 7:12 74:21 mandate 53:17 manner 54:11 70:21 71:21 Manufacturers 47:4 many 19:20 21:22 34:2,25 40:3 42:16 43:2,18 44:16 59:3 68:12 69:6,9 71:10 74:9,9 75:2 88:17 96:5 March 7:2 13:19 27:15 31:14 32:1 48:12 84:24 Margaret 74:2 margin 19:23 mark 67:17,22 107:15 marked 4:3 107:21 market 20:10 27:24 49:1 53:10 79:8,12 80:18 96:24,25 99:18 100:4 106:25 markets 97:10 market's 49:3 market-based 20:6 married 108:17 Mary 97:25 98:1	matter 1:4 5:4 22:25 40:15,22 46:10 68:23 70:16 95:15 110:13 matters 69:4 maximize 62:24 may 7:8,15 11:17 11:20 14:3 20:18 21:1 23:1 27:16 34:19 36:1 48:13 48:20 53:25 56:3 67:14 72:7 82:22 108:6 maybe 55:15 58:10 106:13 ma'am 64:15 MCF 93:16,19,21 Meadow 54:20 57:7 mean 78:14 95:16 98:10 99:14 104:22 meaning 50:20 means 40:12 44:8 45:4 52:14 measure 21:3 measures 65:24 mechanism 7:16 22:3 meek 72:6 meet 71:11 meeting 54:25 55:8 78:17 109:13 110:6 112:4 meetings 71:12 Mega 63:5 MEMBER 12:9,14 12:20 111:15 members 81:18 107:25 memory 95:9 men 94:16,16,25 mention 30:23 32:7 mentioned 40:17 91:12 Mentor 39:5,10 58:21 67:24 69:14 79:23 meter 91:23 100:20 mezzanine 89:15 middle-class 106:16 Midwest 49:8 Migden-Ostran...	6:19 might 11:24 37:23 57:25 Miller 2:19 6:11,12 54:14,15,19,20 57:1,2,6,6 million 15:3,4,20 15:24 20:20 25:10 26:13 29:4 31:6,11,12,22 32:11,15,17,19 32:22,23 33:1,8 33:10,19,20,21 34:16 47:23,24 48:2 50:4,17 62:15 63:1,4 66:10,14,16 67:4 76:3 78:7,15 82:24 86:13 millions 14:6 20:21 28:25 33:15 43:18 49:16 51:16 63:5 Mills 105:7 mind 18:9 73:2 76:3,16 minds 45:20 mine 59:7 93:8 minimum 57:16 84:21 Minnesota 51:24 Minnesota's 51:20 minutes 10:17 mismanaging 75:4 MISO 49:8,18 50:1 54:9 mispronouncing 67:14 missed 8:23 mission 36:1 66:25 67:4,5 mistakes 35:20,24 mixed-use 89:13 Mobasseri 102:19 102:20,20,23 103:3,3 moderate 67:2 modernize 19:24 mom 83:8 money 16:8 17:23 29:1,9,10 37:16 38:5 40:14 41:1 41:10,13 44:6 45:7 60:12 63:2 63:7 64:7,7,7 78:21 80:14,20	80:21 95:19 105:21 110:15 monopoly 79:13 month 55:7 88:7 88:19 92:9,11 93:14 103:18,18 109:13 monthly 21:10 months 14:22 31:5 34:14 35:13 35:21 41:7 52:4 59:9 91:10 100:20 109:9,14 more 7:1 16:1,7 22:24 28:23 29:9 29:10 32:11 37:24 39:19 40:10 41:6 44:6 44:14 45:5,9 51:17,21 60:1,13 64:6,7,7,12 66:2 69:3,22 78:13 83:24 86:16 97:12,14 100:22 100:23 101:23 111:19 Morgan 47:3 morning 60:24 most 21:15 38:9 47:17 50:15 71:8 73:10 98:7 motel 46:20,25 mother-in-law 83:2,16 motion 48:10 motivated 70:12 move 8:14 9:25 16:13,22 17:2 36:13 62:5 96:25 100:10 104:1,1,2 111:17 moved 74:13 83:3 83:7 103:4,11 MRO 53:16,17 much 30:7 43:19 43:20 45:6,20 64:16 66:22 67:12 77:10,24 80:23 86:7 91:17 100:7,10,21 109:11 multi-million-do... 47:13 must 9:5 20:8 22:7 36:7 44:9 54:6,10 57:21 58:3,25 67:5 83:10
---	--	--	--	---

myriad 70:25 myself 18:8 68:12 70:22 74:9 90:9 myth 30:22 <hr/> N <hr/> N 4:1 nail 26:11 name 5:11 6:11 9:4,6,24 11:6,12 13:8 19:10 23:10 30:14 36:19 39:1 39:3 42:5,7 45:14,16 47:7 54:17,19 55:19 57:5 58:18 63:14 65:10 67:20,22 73:23,24 74:1 75:25 76:24 82:6 89:2,4 94:6 99:10 103:1 105:4 108:7,8,20 names 18:10,19 99:4 nation 88:1 natural 17:6 39:12 53:4 93:17 near 72:4 necessary 31:20 32:18 96:23 necessity 41:16 41:20 need 10:3,24 11:7 22:19 31:12 35:16 41:18 60:24 62:4 77:12 80:7 84:15 90:9 107:10 needs 79:20 81:24 negative 31:2 91:14 negatively 21:7 negotiated 34:4 neither 74:9 75:15 107:12 net 32:11,16,21 never 22:18 41:8 43:17 64:4 77:16 never-ending 64:21 new 7:9 13:24 16:23 20:1 25:8 25:9 28:20 30:21 31:16 32:9 33:3 33:8,13 34:3 40:2 41:1 46:24 57:22 61:14 64:18 82:19,21	83:25 85:3,20,25 95:14,14 98:6 100:13 Newcomb 18:7,25 19:1,2,6,10,11 19:17 24:11,25 55:23 68:12 73:17,18 news 50:13 95:24 next 7:5 10:1 84:21 103:15 nice 42:24 44:9 52:8,8 59:13 night 61:24 nine 14:21 34:14 nine-month 34:7 nobody 97:23 none 6:23 12:24 nonprofit 81:20 non-signatory 52:20 normally 8:15 north 91:4 Northeast 21:6 25:14 53:6 67:9 81:7 Northern 19:13 Northwest 53:5 Notary 1:25 113:17 note 11:2,4 61:10 61:13 66:24 noted 51:25 notes 113:8 nothing 12:10 42:12 notice 53:10 77:22 noticed 25:13 November 55:2 nuclear 43:13,17 74:21 75:4 number 10:14 14:1 42:10 45:7 63:1 68:4 81:16 87:6 98:21 106:20 numbers 25:19 numerous 5:18 69:12,20 72:1 <hr/> O <hr/> oath 9:17,18 object 27:4 obligation 106:16 obtain 15:7 OCC 18:14 49:6 52:19 53:2,15	occur 50:11 occurred 5:17 occurrences 75:7 OCC's 37:7 50:22 55:25 off 33:10 37:5 44:13 68:2 77:10 77:25 78:24 79:13 96:8 107:7 offer 1:8 5:8 20:11 27:24 53:11 offered 8:21 48:3 office 3:5 6:15 92:20 offices 89:15,17 90:10,25 91:3 official 9:8 11:12 officials 41:19 off-hours 60:19 off-peak 61:6 Oh 61:20,25 103:14 Ohio 1:1,5,22 2:5 2:7,13,15,22 3:5 3:8 5:2,5 6:14,19 13:12 19:3,12,14 20:4 21:6,23 22:13 23:14 24:17 25:14 26:2 26:8 27:7 28:22 30:17 31:10 33:16,17,19,23 33:24 36:22 39:6 42:9 45:18 46:19 47:2,3,4,5,20 48:16,23 53:5,6 53:7 54:21 57:7 57:15 61:11 62:7 63:16 65:14 66:14,24 67:9 70:20 75:16 77:3 79:23 81:7 82:9 86:25 87:7 93:12 94:10 96:1 110:23 111:1,9 113:18 Ohioan 15:1 Ohioans 17:11 67:3 97:6 Ohio's 20:8 oil 17:6 103:7 okay 8:23 12:14 38:8 44:9 46:3 56:24 58:19 80:4 81:5 85:3 96:17 98:3 99:4 102:4 102:7,16,18 109:3	old 41:5 63:25 90:25 once 98:11 one 5:13 6:2 8:2 16:13 24:21 26:5 30:18 31:21 37:4 37:12 38:18 40:24 46:4 48:15 56:2 58:8 60:24 69:24 75:4 80:23 81:9 82:15 84:1 85:5,5,19 86:7 95:22 105:8 ones 33:9 109:7 109:23 one-sixth 24:9 one-utility 99:22 ongoing 69:24 only 8:2 32:22 33:25 35:1 38:10 38:11 50:6,16 52:2 62:1 69:8 78:15 79:14 81:9 82:20 83:20 101:13 109:12 OPAE 66:15 OPEC 81:18 open 31:14 34:25 69:3,24 72:21 79:8,12 82:12 101:21 106:24 operations 16:22 Operator 49:8 opinion 17:10 25:17 74:22 opinions 8:19 68:17 opportunity 5:24 8:17,22,23 10:20 30:8 36:15 46:9 58:23 68:2 70:8 82:13 oppose 11:3 13:16 25:3 52:11 64:23 82:20 opposes 11:13 opposing 31:13 opposition 37:8 option 39:12 53:23 104:1,2 order 9:2 10:18 17:7 35:19 37:24 85:21 ordered 92:15 93:6 orders 85:4 ordinary 51:1 52:23	organization 16:14,23 26:5 81:20 organizational 76:8 organizations 16:16 17:12 original 89:10 102:6,8 other 5:25 6:4,21 9:12,19,20 11:24 12:16,24 22:25 32:22 33:13 40:23 47:12,15 52:19 68:12 69:9 70:25 74:10,24 78:5,22,24 81:3 84:4 88:15 93:22 97:3 101:8 107:6 107:24 109:6 others 39:8 otherwise 111:16 out 11:1,6 12:1 18:8,12,21,22 24:12 29:1 34:3 41:17 43:2 44:18 44:25 45:9 48:24 52:15 58:3 64:10 64:18 66:21 69:15 71:3,4 77:20 78:19 79:7 79:9 80:22 83:9 84:7,7 85:8 90:7 90:8 91:8 94:21 97:14,15 100:17 101:16 103:21 104:3,16,21 106:24 107:2,4 111:18 outcry 32:21 outrageous 86:17 outsource 95:2 outsourcing 58:5 oven 61:23 over 5:15,15 11:15 15:5 18:5 21:16 22:17 25:11 27:22 32:21 38:16 42:19 50:5 59:25 61:8 66:18 74:24 78:15,24 79:3 92:2 93:20 97:18 98:14 100:10 103:15 overhead 77:21 overly 75:20 oversee 41:20
--	---	--	--	---

owe 58:25 own 48:24 65:18 89:24 90:13 98:18 owned 65:18 owner 49:19 54:22 89:12 90:14 92:11 owners 17:8 90:3 owning 90:11,13 o'clock 61:24	72:4 74:24 84:20 92:8 Pat 67:13 patrons 81:17 PAUL 2:11 Paul.Centolella... 2:17 pay 16:8 17:16 20:5 21:10 24:1 29:19,20 40:15 51:13,17 56:5,8 56:9,23 64:5 82:19 88:10 99:12 101:17,18 103:21 104:3,4 106:5 111:9,10 paying 15:13 32:25 60:1 76:5 76:7,9 86:11 88:10 96:6 payment 55:3 Payments 16:11 pays 96:16 109:17 110:21,24,25 peaks 61:1 pending 8:19 11:18 14:1 27:24 28:18 53:10,16 85:21 Pennsylvania 52:12 61:12 people 10:15,23 18:17,18 22:14 22:18 24:1 28:14 29:8,10,19 36:14 44:20,20,21 52:20 55:1,13 58:2 59:3,20 62:22 65:14 68:16 70:19,19 71:20 72:18 74:10 77:5 84:9 85:6 88:5,16 89:18 96:5,13 97:3,20,21,22 98:14 99:16,25 100:2 101:8,12 101:16,20 104:17 106:1,5 107:4,7 111:11 people's 93:22 Pepper 89:5 per 91:24 92:1 93:15,19,20 percent 22:17 33:6 44:23 48:1 48:4 52:7 59:22 59:24,25 66:4	83:12 86:11,13 92:2 93:21 percentages 15:22 perception 46:12 46:23 perhaps 38:7 80:16 period 14:8,25 43:16 50:5 51:15 66:2 103:16 periods 57:12 permanent 74:16 permit 50:3 permitted 25:22 27:11 51:20 Perry 43:13,17 78:24 person 10:1 60:18 63:17 87:9 personal 65:15 personally 31:24 41:2 83:2 pertains 93:10 phasing 85:8 94:20 Philadelphia 49:10 phone 42:9 Pike 89:6 PJM 49:9,18 50:1 54:9 place 5:3 27:20 34:24 65:25 69:9 84:4 placed 10:25 Plain 43:22 50:13 84:16 92:18 93:13 plain-spoken 70:21 71:21 plan 1:11 5:10 7:5 7:5,6,9,13 13:17 13:23 18:4 19:19 20:11,14,18 21:7 21:14 23:1 25:4 32:21 38:4 39:18 39:18 41:22 48:20 49:14 53:20 55:4 58:10 60:15 61:8 62:14 64:19 66:7 72:8 75:25 76:14 96:22 97:1,11 plans 20:6,9 62:24 67:6 70:9 71:2 91:13 Plant 43:13,17	plants 16:18 41:8 75:5 plead 70:14 71:17 please 8:17 10:13 13:2,3,8 18:22 19:5,9 23:5,10 23:16 30:5,10,14 36:16,19 38:21 38:25 39:2 42:1 42:5 45:14 54:17 57:4 58:5,17 63:13 65:6,10 66:24 67:20,25 73:23,25 76:24 79:24 80:3 82:6 86:19 88:23 89:2 94:2,6 102:21 103:1 105:1,4 107:13 108:11 108:12,19 109:1 plenty 84:11 plowed 100:19 plug-in 61:4 plus 42:25 43:11 66:15,17 88:10 pocket 29:2 pockets 16:8 podium 13:3 42:13 108:11 point 10:14 31:17 57:20 58:3 73:6 86:10 95:14 108:1 pointblank 94:18 pointed 24:12 48:24 points 37:2,9 pole 40:2 56:7,8 56:10,23 poles 40:3 56:5,16 77:25 policies 67:2 policy 53:3 56:6 61:2 population 81:6 81:10 portion 53:12 60:8 79:2 80:19 posltion 24:18,20 37:7 80:24 106:19 111:8 positions 8:11 positive 35:9 possible 10:16,17 41:15 49:10 72:13 99:2 possibly 16:4 38:14 43:15	potential 19:20 34:1 51:15 potentially 53:22 poverty 101:17 power 16:18 38:8 49:2 53:3 59:10 59:15 60:8,10 61:6 62:5 67:10 75:5 94:16,25 106:7,10,10 Powerball 63:6 practice 8:15 precedent 34:11 prefer 46:11 preferential 62:19 pregnant 105:14 105:15,15 premise 61:5 prepared 10:6 17:8 42:11 87:2 present 6:22 8:9 26:24 42:14 57:10 69:21 presented 21:7 preside 5:14 presided 5:15 presidents 78:11 presiding 11:15 Press 46:14 presumably 52:14 pretty 80:23 previous 55:1,10 90:14 91:12 previously 11:21 14:12 pre-billed 101:4 pre-process 26:21 price 19:24 24:15 49:10 66:21 86:12 priced 99:23 prices 20:6 36:3 48:23 49:1,4 53:23 pricing 7:7 20:16 71:4 primarily 39:14 primary 31:9 principle 17:11 prior 26:22 74:20 110:6 probably 22:21 59:5 100:13 problem 15:13,17 32:24 33:22 100:16 103:11 105:25
--	--	--	--	--

problems 44:17 77:23 107:6 procedural 47:8 procedure 22:1 27:4 28:22 procedures 34:22 proceed 19:9 23:16 57:4 67:25 80:3 108:11 109:2 proceeding 5:15 6:1 17:19 50:12 102:10 proceedings 26:16 48:8 54:5 113:6,11 process 7:11 8:3 12:4 14:16,18,21 15:23 20:15,25 21:2,12,18 22:10 24:3,5,24 26:18 26:25 27:10 28:2 28:4,5,12,21 29:4,16 30:1,4 34:8 53:24,25 68:20 69:2,8,23 69:25 71:24 72:20 73:2 100:24 processing 27:8 producers 72:17 product 38:12 66:23 products 16:9 40:11 profit 34:1 40:22 76:10 80:7,8,9 95:17,17 profits 76:12 79:12 program 51:20,25 61:13,16 62:9 84:12,12 85:8 97:18 101:16 programs 7:23 51:9,19 62:20 progressive 62:8 project 98:21 projects 33:25 99:3 promise 98:8,13 100:15 promised 98:16 100:11 promising 98:23 99:11 promote 7:21 pronounce 108:7	proof 50:6 53:13 proper 27:10 28:6 34:17 properly 24:2 property 85:14 89:12 proportion 78:20 proposal 8:10 11:14 12:18 15:16 16:2,3,10 20:25 25:9 27:25 28:4,19,21 35:25 37:11 57:19 75:15 76:2,17 78:3,17 86:6 99:3 proposals 75:21 propose 78:8 proposed 7:13 25:3 32:9 33:3 33:22 51:6 70:9 76:4,14 proposes 13:24 50:25 protect 17:11 28:13 30:5 protected 24:2,23 49:24 54:7 protects 30:1 prove 21:19 provide 10:7 19:14 20:2 28:5 52:22 67:8 85:25 91:2 92:12 provided 22:7 24:9 25:21 48:16 provider 65:17 provides 22:3 provision 50:25 78:10 provisions 20:3 prudent 15:12 34:23 psychiatrists 90:1 psychologists 90:1 public 1:1,16,25 2:5,13 5:1,2 7:25 8:1,13,16 10:12 14:24 21:23 26:23 32:20 46:8 46:18 53:6 62:17 67:7 68:9,10,21 69:25 70:7,15 71:18 72:4,13 78:2,9 79:15 82:13 88:14 93:12 105:11	107:25 110:6,20 111:5 112:2 113:17 publicizing 74:7 public's 46:23 76:19 PUCO 14:2 15:21 16:1,10 17:10 18:3,14 20:11 21:1,14,16,23 22:11 23:20,24 24:4 26:17,25 27:5 28:1 30:1,2 31:15 34:9,10 35:19,23 36:2,4 36:7 38:11 45:1 45:24 46:9 48:13 48:18 52:10,14 53:14,15,21 54:2 56:13 57:16,21 58:6 75:10,16,20 75:21,22 76:2,12 76:16 82:12 84:18 85:3,24 87:6 93:6 96:15 103:24 104:5,23 109:18 110:17 PUCO's 14:3 38:17 53:8 96:16 PUCO-negotiated 53:24 pulled 38:16 pumps 99:5 purchase 41:17 52:11 purchased 38:7 65:19 90:15 91:4 purpose 8:5,13 76:11 purposes 56:20 107:21 pursuant 1:9 5:8 pursue 62:18 push 64:24 109:24 pushed 63:21 put 16:7 18:19 65:25 70:18 78:10 83:3 95:11 95:12,13,14 96:18 97:7 103:8 puts 39:19 p.m 1:18 P.O 105:6	15:6 20:20 25:11 28:8 50:5,7,19 50:25 63:25 64:4 question 5:25 32:17 58:8 88:18 109:16 questioned 81:21 questions 6:7 9:22 11:17,19,20 11:25 12:2,4,5,6 12:24 34:25 35:7 42:14 52:5 93:2 quick 37:2 quicker 36:14 quickly 70:12,13 quite 86:8 90:3	54:12 rates 7:9,14 12:12 12:22 13:22 20:17 22:2 27:21 27:25 40:18 41:11,12 50:20 51:1 57:22 58:2 64:17,20 81:12 83:15 84:20,25 85:4 88:2 96:1,4 96:11,20,22,25 97:5 107:1 rather 34:7 68:16 77:24 RCPs 96:21 reach 27:6 73:3 reactor 43:16,19 43:21 read 26:22 70:3 90:17 93:5,13 100:20 reading 39:17 71:5 readout 61:16,25 real 34:22 39:24 74:22 76:12 99:15 106:5 reality 46:13 realize 55:7 realized 51:8 really 12:11 29:2 32:14,17 35:8 58:9 62:13 66:22 79:20 84:7 87:2 104:6,14,15 realm 73:8 real-world 70:23 reap 47:18 reason 21:13 43:14 92:23 95:20 reasonable 15:12 34:24 67:11 reasonableness 50:10 reasonably 99:23 reasons 25:5 75:2 receive 33:5,18 37:16 received 77:19 recent 19:18 21:15 38:9 51:9 70:3 81:3 recently 69:16 recession 44:19 59:17,21 recognize 108:8 recommendatio...
--	--	---	--	--

109:22 record 9:5,8,22 10:5 11:12 13:9 23:11 30:15 36:20 39:1 42:6 45:15 53:10 54:18 57:5 58:18 63:14 65:11 67:21 73:25 76:25 82:7 89:3 102:9 103:2 105:5 107:18 108:20 111:24 records 85:16 recoup 72:7 recover 7:17 14:5 16:19 51:21 recovered 48:2 64:11 recovery 7:18 15:7 25:8 32:10 37:12 50:3 51:25 52:2 reduced 55:4 reduction 81:12 references 62:15 referring 95:25 reflect 10:5 49:3 refreshing 82:14 refrigerator 83:18 regain 76:18 regard 12:7 37:7 71:7 72:9 92:17 regarding 8:9 19:18 22:15 93:5 93:14 region 21:6 69:7 71:21 72:23,24 Regional 16:13,15 16:23 26:5 regions 16:17 regular 91:9 regulate 107:11 regulated 77:11 79:2 109:25 regulates 17:5 regulation 106:23 regulations 57:9 70:6 Regulatory 17:3 rehearing 53:2 reinstatement 92:16,21 93:3 reiterate 17:25 reject 16:10 18:4 76:16 78:3,18 82:23 related 17:13	relation 32:2 relationship 89:12 relative 60:3 relatively 14:8,25 relevance 59:3 reliability 77:17 reliable 36:3 41:14 remain 7:15 22:9 remains 46:23 remarkable 52:19 remember 27:14 46:1,2 56:4 78:7 98:7 109:15 remembering 72:22 removal 89:20 91:19 renewal 37:23 rent 100:5,12 104:21 rental 98:20,22 rentals 98:24 rented 85:6 rents 84:19 88:6 rent's 92:7 repair 95:3 repairs 94:16 repave 60:12 repaving 60:17 repeat 101:8 repetitious 11:10 replace 33:9 replaceable 95:2 replacement 25:6 37:20,24 replaces 50:14 replacing 32:23 report 32:2 57:8 93:7 reporter 9:6 10:3 10:8 19:15 113:5 reporting 84:17 represent 69:12 106:14 representative 13:2,11 18:7,25 19:12 24:11 25:19 26:10 67:15 68:11 71:25 109:17 representatives 5:22,23 6:3 11:22 24:24 55:23 68:13,25 69:15 80:5 96:12 representing 33:18 72:11,14	72:16 request 20:23 28:16 34:12 35:25 36:8 68:11 requested 15:19 15:22 24:7 63:24 requesting 34:6 requests 28:7,24 67:12 require 54:2 required 28:21 requirements 81:14 requires 50:8 84:24 resale 100:4 Residence 19:2 19:11 residences 89:21 residential 6:18 47:16,25 48:5 51:16 54:12 62:20 86:5 92:24 109:5 residents 19:20 27:12 42:16 44:5 resolution 52:17 resolved 54:11 Resources 53:4 respect 25:6 26:12 28:17 39:16 respected 57:12 respectfully 28:16 respects 29:2 respond 110:4 responsibility 38:2 72:18,22,25 responsible 16:24 26:10 49:21 80:25 rest 43:21 64:5 83:7 88:8 restore 107:13 restored 84:25 105:10,13,13 resubmit 28:20 result 20:10 26:3 27:6 41:3 51:24 59:15 62:3 73:3 results 15:17 60:5 retail 89:14 retention 7:22 17:14 retire 95:1 retired 58:2 101:10 retiree 44:19	retirement 44:25 retract 38:18 return 15:8 52:4,7 returning 53:23 revenue 40:10 51:7,14,18,20,24 54:10 revenues 37:13 48:2 51:5 52:3 64:13 review 14:10,19 16:2 21:18 23:24 25:17,20 26:18 27:10 28:6 29:12 34:23 50:9 reviewed 9:9,12 15:10 26:15 48:7 54:4 reviews 76:4 revise 84:12 Revised 1:9 5:9 50:20 revisited 41:23 reward 62:2 64:19 re-regulate 77:9 re-regulation 24:3 Richard 65:4 rider 16:5 32:24 50:3,14,14,19 66:5 riders 32:13 33:1 33:9,13,13 ridiculous 34:12 50:24 ridiculously 48:16 52:18 right 12:12 13:4 19:5 23:6 30:5 30:10 34:17 36:16 38:21 42:2 43:9 44:4 46:7 64:22,22 65:7 70:5 77:8 79:24 86:20 88:21,24 90:7 94:2 97:19 102:16,21 103:11 105:1 106:18 108:12 ripping 79:13 risk 49:10 Riverside 103:4 road 55:20 56:19 56:20 58:20 63:16 65:13 74:3 77:22 82:9 86:25 89:5 94:9 97:3,4 98:4 Rock 65:13	Roffe 63:10 65:2,3 rollback 84:23 roof 104:22 rooftop 91:5 room 46:20 60:5 70:19 71:8 104:21 rooms 96:7 Rosemary 94:1 roughness 106:9 Route 60:22 77:3 RTO 16:15 RTOs 17:8 Rudolph 42:19 ruled 84:18 rules 48:10 ruling 21:1,14,20 70:16 84:17,24 85:3 run 61:23 running 41:8 rush 24:4,15 27:17 34:21 52:17 Russo 88:23,25 89:4,4,9 100:7
S				
sacrifices 45:2 safety 56:20 Sal 88:23,25 89:4 salaries 111:10 sales 17:21 Sam 89:9 same 14:14 34:22 38:19 44:3 61:10 61:25 63:6 66:2 71:8 79:11 87:23 90:19 91:16 95:4 sample 107:16 Sass 42:1,3,7,7 Saudi 81:17 save 40:14 savings 49:16 104:12 saw 60:21,22 saying 10:24 32:21 80:23 83:8 88:5 100:7 says 47:21 66:25 79:16 87:5 92:5 95:25 96:21 SB 22:3 scale 83:24 scammers 39:20 scamming 104:17 scares 63:19 scheduled 8:1				

59:11 schemes 71:5 Schmitzer 48:25 Schneider 67:16 67:17,22,23 68:1 Schoemig 73:19 73:20 Schoenig 74:1,2 Schools 87:7 scrutiny 72:9 second 37:20 43:16,19 57:20 83:17,18 89:17 90:24 Secondly 25:23 28:20 section 1:9 5:8 security 1:10 5:10 7:5,13 13:17,22 19:19 25:4 39:18 48:20 49:14 58:10 64:18 66:6 75:24,25 76:14 see 40:2 44:8 46:6 46:14 50:15 57:14 60:5,6,10 Seeing 6:23 12:24 seek 17:8 seemed 31:8 43:1 seems 42:15 75:19 76:11 90:10 99:15 seen 57:25 60:14 62:13 80:15 101:19 sell 44:22 99:19 seller 82:17 semantic 50:23 Senate 14:15,17 19:22 20:7 23:19 23:20,21,23 24:3 24:10 25:3 26:20 27:3 30:3 53:18 57:15 75:9 Senator 23:4 30:9 55:23 senators 104:8 send 102:15 sense 37:18 sent 102:3 separate 17:19 26:16 28:4 48:7 50:11 51:3 52:15 54:2,5 76:10 serious 35:20 80:14 serve 38:10 served 49:22	69:19 service 1:8 5:8 7:8 24:2 77:17,19 91:13 services 36:3 set 13:21,24 34:11 85:18 setting 57:22 76:10 settle 14:1,20 several 7:4 17:12 31:24 36:25 74:23 109:6 shadiness 63:21 share 80:19 84:13 shareholders 16:24 17:23 33:24 47:19 sharing 92:6 sheets 11:1 shenanigans 50:23 shocked 93:13,23 shopping 41:17 80:18 short 14:8,9,25 27:5 31:5 34:6 36:6 48:17 52:18 shortened 34:12 shoulder 47:17 show 45:24 showed 43:23 44:1 shows 46:17 shut 96:7 sic 77:6 103:16 side 39:15 91:3,4 sign 8:22,25 11:6 11:11 18:10,22 18:22 52:21 107:25 108:4 signed 7:3 9:2 10:15 11:2 significance 21:21 significant 20:4 22:24 significantly 22:8 signing 18:17 sign-up 11:1 similar 60:10,25 62:16 simple 63:17 simply 18:2 22:23 32:23 110:13 since 43:16 50:14 77:18 93:11 100:20	sir 23:5 79:25 108:2,8 sister 59:6 slt 26:22 29:17,22 sitting 111:7 situation 21:9 65:16 99:7 105:18 106:24 situations 101:19 101:20 107:8 six 29:4 34:6 35:13,21 36:6 48:12 52:4 90:22 size 14:11 sky-high 88:3 slammed 104:11 slowly 10:4 small 25:15 28:14 56:3 89:18 93:1 smaller 90:10 91:17 small-business 90:2 smart 62:16,18,19 social 89:25 solely 33:23 solicited 98:19 solution 79:4,7 105:24 solutions 40:7 107:6 some 22:7 26:21 26:22 37:1 39:8 42:14 44:8 46:22 53:20 62:2,15 63:22 70:4 71:21 75:2 76:2 81:12 84:3 91:3,3 92:19 97:20,22 somebody 109:16 109:24 somehow 37:14 64:6 someone 40:17 someone's 73:6 something 41:16 64:25 83:9 84:5 104:24 106:1 107:4 109:4 sometimes 46:12 71:2 somewhere 87:19 Sommer 67:13 soon 40:2 sophisticated 61:15 sorry 19:4 86:1,15 86:16 99:14	sort 26:22 81:12 84:7 souls 82:16 sound 60:7 source 43:7 sources 61:3 south 2:21 54:20 57:7 91:3 so-called 47:11 speak 6:1 10:4,20 10:20 58:23 69:11 82:13 86:18 87:4 speaker 91:12 speakers 55:10 74:24 speaking 44:1 68:4 111:13 special 29:23 72:5 72:8 76:5 83:21 specific 16:17 101:1 111:4 specified 57:15 speechless 93:23 spell 38:25 58:17 63:14 73:24 spelled 39:4 71:3 spend 41:1 spending 80:21 spent 27:16 35:6 43:18 45:7 51:22 103:17 spite 83:16 spoke 35:4 spoken 55:1 89:19 spreading 101:23 spree 80:18 stability 20:12 stabilization 19:24 20:9 staff 8:6 22:12 39:16 87:7 93:6 stand 36:7 37:5 standard 1:8 5:8 65:20 90:18 standards 19:25 57:23 standing 24:22,25 37:6 Stanley 47:3 start 13:13 37:11 49:12 64:17 69:19 82:11 started 12:3,25 26:25 61:12 79:9 89:8 98:9,18,20 starting 99:9	state 9:5 13:8,10 19:12 23:10 30:14 36:19 38:25 41:19 42:5 45:14 54:17 55:8 57:4,8 58:17 63:13 65:10,13 67:20 69:10 70:20 72:18 73:9 73:11,23 75:8 76:24 77:2,5 78:9 79:2,16 82:6 89:2 94:6 103:1 105:4 108:19 110:9,12 110:23,24,25 111:3,14 113:18 stated 7:24 11:20 14:12 17:7 43:3 95:24 96:3,4 statement 9:3,17 10:12 42:12 87:3 96:19 statements 10:6 states 47:22 50:18 53:8 88:21 106:15 stating 32:12 stations 78:23 status 81:19 statutorily 53:17 steam 39:15 Steigerwald 30:10 30:11,16,16 Stenotype 113:8 Stenotypy 113:6 steps 73:2 76:18 still 8:25 25:13 31:14,18 32:18 84:11 85:2 94:18 95:16 104:22 105:13 106:14 106:15 stimulate 16:9 stipulate 26:24 29:18 stipulated 14:13 21:14 stipulates 20:7 stipulation 13:21 29:15,25 50:2,18 50:24 51:6 52:21 stipulations 13:18 stockholders 78:16 95:21,22 stood 109:7 stop 35:19 store 89:10
---	--	--	--	--

stores 51:13 storm 94:17,20 storms 95:3 stove 83:17 87:15 strapped 38:6 strategic 90:23 strategy 75:19 street 2:6,14,21 3:6 13:12 19:2 19:11 43:4 56:17 56:18,21 80:15 103:8 Strickland's 92:20 strong 96:23 97:9 strongly 18:3 Strongsville 36:22 struck 17:13 structure 70:17 75:21 96:25 struggling 21:8 22:18 studied 15:21 studying 73:7 stuff 99:4 stupid 87:21 96:17 97:7 subject 7:19 50:6 53:20 submit 93:7 submitted 29:24 52:24 53:20 subsidiary 61:12 61:14 subsidize 93:22 substantial 59:16 substantive 11:16 12:5 47:9 sub-meters 90:15 90:17 suck 64:10 Sue 30:10,11,16 suffers 80:13 107:12 sufficient 27:10 48:17 suggest 38:6 82:21 suite 3:7 83:4 suites 98:21,22 summer 74:9 91:11 supplier 39:19 40:7,16 41:5,19 87:22 suppliers 40:5,21 81:19 87:8 supply 7:7 20:16	29:5 40:17 81:13 support 8:10 11:4 14:14,15 17:15 20:12 24:19 34:3 53:1 55:25 67:5 87:5,10 supported 99:16 99:17 supports 11:13 48:6 54:4 supposed 88:2 99:12 106:21 supposedly 48:22 sure 6:4 24:23 69:23 70:7 73:3 85:18 86:10 103:6 111:24 surprise 34:2 switch 16:20 26:4 49:7 50:1 54:8 sworn 13:6 19:7 23:8 30:12 36:18 38:23 42:4 45:13 54:16 55:18 57:3 58:15 63:12 65:9 67:18 73:21 76:22 80:2 82:5 86:22 89:1 94:4 98:2 102:24 105:3 108:15 sympathize 89:18 system 7:18 15:9 25:7 33:13 37:21 37:22 49:8 60:8 70:10 71:13,15 80:13 systems 16:17 49:20,22 71:14 S-a-s-s 42:8 S-c-h-o-e-n-i-g 74:2	talk 6:5 36:15 83:1 89:22 94:13,18 94:22 106:11 talking 12:21 27:21 58:9 tardiness 68:3 target 99:14 Tattersall 23:13 tax 16:7 93:21 taxes 29:20 111:4 taxpayers 56:12 technologies 20:2 teeter-totter 105:19,23 106:13 tell 8:18 29:6 77:12,15 78:3 82:23 88:19 94:21 97:8 telling 71:12 94:23 111:20 tells 61:17 temperature 83:5 temporarily 84:25 temporary 84:23 92:15 93:3 ten 58:24 tenant 91:9 92:4 tenants 89:24 90:17 91:16 99:8 99:12,12 100:6 100:12,13 101:9 101:9 tends 80:13 tens 51:16 terms 80:14 81:23 terrible 77:20 terrorizing 64:8 testified 13:6 19:7 23:8 30:12 36:18 38:23 42:4 45:13 48:25 54:16 55:18 57:3 58:15 63:12 65:9 67:18 73:21 76:22 80:2 82:5 86:22 89:1 94:4 98:2 102:24 105:3 108:15 testify 8:18,22 9:19,24 10:15,19 10:23 18:18 55:14 108:1,3 testifying 11:7 13:16 68:4 testimony 9:7,23 10:8 13:13 19:15 30:22 39:7 45:19 47:22 49:5 50:22	52:1,23,24 55:24 87:3 111:21 thank 12:15 13:13 17:24 18:5,23,24 19:1,16 23:2,3,4 23:17,18,20 30:7 30:9 36:10,11,24 38:19,20 41:23 41:24,25 45:10 46:8 54:12 55:11 55:12,16,22 56:25 58:10,22 63:7 65:1,2 67:12 68:9,22,24 69:5 73:10,12,13 73:14 74:5,7 76:19 81:25 82:1 82:2 85:3 86:17 88:21 93:24 97:24 101:25 109:1 110:2 111:22 112:4 thanking 82:11 thanks 74:10 their 8:10 17:9,21 17:23 18:19 20:11 21:10 22:9 24:18,20,25 29:1 29:20,20 32:1,2 33:6 35:3 39:16 41:1,11 44:8,9 44:11,12 52:3,4 55:24 58:3 60:12 60:13 62:9 63:8 66:23 67:1,4 68:17,22 71:15 73:11 74:25 75:4 75:15,19 76:11 78:21 80:6 81:11 85:16 89:21 90:21 93:17 94:22 96:9 99:18 100:12,16 101:12,18 106:19,22 107:2 therapists 89:25 thing 44:3 56:3,22 63:24 78:5,22 86:3 95:22 99:13 99:21 109:12 things 22:21 35:10 44:4,14 45:22 55:9 62:16 63:22 73:1 81:2 84:4 101:8 think 15:16 24:20 27:1 28:12 36:13 37:21 43:23,25	44:12 45:2,20 58:6 63:3 76:16 78:1,19,22 79:14 80:8,12,14,22 81:2 82:22 84:15 88:20 94:14 95:5 97:15,18 104:16 105:25 thinking 78:5 83:10,16 third 89:17 90:24 Thirty 43:11 Thomas 77:1 thorough 14:16 thoroughly 21:25 29:11 57:17 though 22:20 64:1 86:9 91:16 thought 69:22 108:4 three 60:21,22 74:18 75:10 82:24 86:7,14,15 104:20 through 7:8,10,15 20:20 25:11 28:1 28:21 29:3,25 32:1 33:23 50:4 60:23 62:9 63:21 64:24 71:3,6 84:21 91:21,25 104:22 110:14 111:3 throughout 29:14 69:7,10 70:20 71:20 72:10 Thursday 84:18 84:18 time 5:3 6:8 14:9,9 14:14,25 15:1 16:2 17:24 23:2 24:9 27:5 28:23 29:6 30:4 32:6 34:13 35:7,8 36:9 43:16 48:17 49:11 51:15 57:11,17 59:12 60:18 61:8,10,11 61:12,15 62:9,22 62:25 63:6,8,20 63:23 64:23 65:1 66:2,9 68:8 70:1 70:10 74:14 84:6 84:11,12 88:13 88:22 93:25 95:4 98:20 101:11,12 108:16 111:7 112:1
---	--	--	---	---

timeline 52:18 timeliness 84:3 times 44:16 71:16 74:18,23 78:13 82:24 86:7,14,15 88:17 92:2 timetable 34:14 Timothy 23:7,12 today 6:1 8:16 13:16 19:17 42:22 44:17 68:5 71:20 95:15 together 21:25 72:20 togetherness 42:22 told 74:15 82:17 85:20,21,23 87:19 94:18 103:10,25 104:9 104:17 111:16 Toledo 1:7 5:6 6:14 31:12 Tom 76:20,21 toned 44:4 tonight 5:20,24 6:22 9:11,21 10:21 11:14 12:7 12:21 36:15 43:25 58:23 60:20 65:15 72:3 84:22 87:25 88:13 102:6 111:22 tonight's 8:13 10:2,11 top 32:18 33:10 total 32:3,14 39:24 52:13 55:9 totaled 31:5 tough 21:9 toughest 22:19 towards 70:6,6 tower 43:19 45:7 town 100:17 township 54:21 55:21 56:7,8,12 56:19 57:7 74:4 track 36:1 57:8 63:19 84:10 traffic 60:22 Trail 36:22 transcribed 10:3 113:7 transcript 113:7,9 113:10,12 transmission 16:11,13,14,15	16:16,22,23 17:5 17:7 26:5 49:9 49:19,20,22 54:9 60:3,9 62:8 transmission-re... 26:1 38:3 transparency 20:3 27:2 68:19 71:24 transparent 67:11 travel 68:17 treat 44:11,12 97:22 tried 69:21 92:17 108:6 tries 14:20 Trombold 5:13 Trotter 67:23 troubled 29:15 Troy 98:4 true 111:16 113:12 Trumbull 19:13 trust 35:2 41:19 41:22 74:23 75:1 76:19 81:4 84:13 86:1 109:20,20 trusted 38:15 try 10:16 24:23 27:6 29:3 71:1,3 80:22 96:8 97:19 98:11 104:8 105:20 trying 32:20 34:5 38:14 44:6 64:9 turn 18:4 61:22 84:9 Twenty-nine 77:14 twice 58:6 100:10 110:4 two 15:5 25:12 45:7 58:2 61:9 62:1 75:8 83:12 89:15 95:3 100:20 109:9,14 type 68:15 types 46:15 typewritten 113:8 typical 92:4 T-a-t-t-e-r-s-a-l-l 23:14	unchanged 46:24 under 7:9,13 9:17 13:22 17:12 20:5 27:24 50:11 56:13 90:18 underemployed 101:10 underhanded 64:25 underhandedne... 63:22 understand 21:2 22:1 24:6,14 30:20 36:5 71:13 74:8 75:22 76:1 83:23 86:3 100:25 105:18 106:19 understanding 20:14 52:6 understands 40:6 understood 71:22 undo 27:18 unduly 25:14 unemployed 101:11 Unemployment 22:17 unfair 101:14 unfortunately 35:12 42:25 unintelligible 71:16 unintended 21:19 unit 67:24 84:1 United 88:21 106:15 units 84:1 91:6,17 Universities 47:7 unknowns 66:8 66:21 unlawful 53:9 unlawfully 53:12 unless 87:21 unnecessary 15:14 unprecedented 48:11 unreasonable 53:8 unregulated 79:4 until 34:19 36:9 36:12 55:15 82:22 95:6 untimely 101:13 upgrade 80:20 upset 88:2 urge 16:10 18:3	22:11 57:16 69:25 71:17 usage 59:23 81:8 90:21 use 20:15 53:19 60:9,18,23 64:16 66:9,13 used 37:17 39:17 39:25 40:24 41:6 59:1,11,15 60:18 65:23 66:18 78:21 80:19 83:23 84:4 92:9 100:22,22,23 101:3 103:20 106:6 users 47:2 59:10 62:20,22 92:25 uses 59:5,8 using 58:24 60:1 usual 47:16 utilities 1:1 2:5,13 5:1 16:16 46:11 46:18 51:21 52:2 62:18 68:9,22 69:25 70:7,15,25 71:18 72:4,14 73:8 78:2,9 79:15 92:6 93:12 94:15 105:11 110:7,20 111:5 111:10 112:2 utility 14:20 20:3 20:8,19 22:6 36:3 39:14 40:23 41:2 51:7 67:7 68:14 69:20 72:2 72:3 77:7 86:17 88:15 101:13 110:11,12,13,15 110:16	62:12 66:7 67:12 68:10 70:5,21 75:22 81:17 90:6 90:25 93:13 94:25 99:16,23 100:2 102:4 111:8 vice 78:11 Vichek 63:9,10,11 63:15,15 volatile 53:22 vote 9:16 voted 14:14,15 26:19
W				
W 2:3 wage 110:22 wages 96:16 wait 82:21 95:6 waiting 46:25 waiver 48:10 walk 72:12 Wall 80:15 Waltermire 76:20 76:21 77:1,1 94:11 want 9:24 10:11 10:19 11:10 13:13 18:16 21:22 29:6 41:14 43:7 45:5 52:14 54:25 55:22 60:16,17 64:24 66:10 68:21 70:7 73:10 77:4 79:3 79:11 84:13 86:14,15 87:3 88:12 90:8 94:10 94:12 95:16 101:7,15 102:8 105:7 106:24 110:3 111:18,20 111:22 wanted 18:18,19 56:2 69:11,23 103:8 wanting 69:2 wants 10:20 17:20 40:17 48:13,19 52:12 63:20 66:13 warm 83:22 wasn't 27:19 83:11 100:19 105:13 waste 88:12 water 87:15				
V				
valleys 61:1 valuable 52:22 value 106:5 various 50:12 vast 46:24 vehicles 61:4,5 verification 12:10 50:9 version 46:20 versus 80:10 91:24 very 10:7 30:7 34:15 35:5 37:12 42:20 57:16 59:9 59:10 61:15				
U				
ultimately 9:15 unable 11:16 uncertainty 20:10 49:6				

way 34:5 35:1 36:4 39:23 71:8 72:21 73:4,5,6 79:14 83:20 95:13 106:21 110:6 ways 43:9 wealth 101:24 wealthy 81:17 wearing 40:13 weather 31:18 website 67:1 week 5:17 85:5,5 85:19 98:11 weekend 43:22 weeks 29:4 34:7 36:6 48:12 104:20 week's 63:4 welcome 13:14 well 6:6 9:13 10:25 11:11,22 11:25 13:25 34:13 35:10 47:15 64:15 70:25 72:3 80:13 82:18 83:8,11 85:10,11 87:9,21 90:6 91:8 92:5 101:1 111:2,6,12 111:25 well-publicized 74:11 went 32:19 62:7 66:4 83:10 104:11 were 8:10,21 14:24 18:20 32:25 33:2 35:20 40:13 43:3,14,18 52:21 60:23 69:17 74:15 77:10 78:24 85:14,15 89:11 90:17 91:13,16 96:17 97:7 98:18 100:17 107:9 weren't 38:15 West 3:6 we'll 9:25 45:22 78:1 we're 12:20 18:15 40:15 43:8,9 44:18,18 79:1,1 79:14 85:18 86:11 88:2 96:6 106:3,14 111:13 we've 59:4 70:3	74:23 99:24 111:21 while 10:22 17:14 20:20 21:1 24:6 30:19 33:21 85:22 white 96:19 whole 80:12 86:3 wholeheartedly 17:15 78:1 wholesale 48:21 53:22 whole-house 77:18 wide 91:2 wife 74:2,12 Wild 46:11 willing 35:22 45:1 Willoughby 45:17 Willowick 13:12 Wilson 49:4 window 101:21 winter 38:9 40:13 41:7,12 59:6,9 84:21 91:10 100:18 104:19 wintertime 41:9 wln-win 99:7 wires 77:25 wisely 80:17 wish 35:9 111:15 wishes 10:12 108:1 witness 48:25 witnesses 5:19 8:9 9:1 wonder 39:19 101:18 wonderful 98:16 99:21 wondering 103:23 104:5,14 wool 38:16 word 63:19 74:23 words 30:8 47:12 63:18 work 29:19 41:21 42:20 43:5 44:10 44:18 57:10 68:6 78:12 95:3 96:1 97:5 106:21 107:2,4 111:14 worked 39:13 77:12,20 91:8 94:13 95:9,10 workers 44:9 89:25 94:13 working 21:24	72:20 77:16 90:7 98:9 works 41:4 71:14 100:25 world 38:14 worried 64:9 77:16 worth 34:17 worthy 67:4 wouldn't 18:9 44:16 50:15 111:16 writers 90:2 written 10:6 19:14 45:19,21 78:24 92:18 wrong 40:19 63:22 75:24 88:14 wrote 105:11 W-a-l-t-e-r-m-i-r-e 77:2 <hr/> X X 4:1 92:7 106:20 107:3 <hr/> Y Yeah 102:17 108:21 year 27:23 28:9 32:20 42:19 56:6 65:25 66:2 74:17 74:18 78:7 83:7 83:22 92:8 101:3 103:18,20 years 15:5 25:12 31:8 39:13 42:25 43:11 46:21 49:2 54:23 58:25 59:23 61:8,9 63:25 64:3 74:13 74:24 77:13,14 77:16 78:25 90:22 94:14 98:5 98:14 99:25 108:17 year's 31:13 101:3 yield 21:19 <hr/> Z zero 100:21 Zoller 57:1 58:12 <hr/> \$ \$1,151 82:20 \$1,800 103:14 \$1.1 48:4	\$1.5 78:15 \$1.71 93:19 \$100 55:3 \$103 87:16 \$111 66:1 \$13.7 47:23 \$137 15:24 \$15 66:14 67:4 \$150 92:9 \$157 31:6,11,22 \$16 80:17 \$168 87:17 \$18.5 78:7 \$180 109:8 \$187 55:4 \$2,500 103:19 \$2.7 48:2 \$200,000 44:24 \$204 88:8 \$25 31:11 \$300 33:1,8 \$340 15:20 \$390 15:3,4 25:10 29:4 32:10 50:4 62:15 63:1,4 66:10 76:3 82:24 \$400 88:7 \$438 55:6 \$440 55:7 \$445 65:21 \$450 109:8 \$500 88:7 92:11 \$556 65:22 \$7.9 47:24 \$70 68:15 \$8,000 103:17 \$8.2 33:18 \$80,000 44:24 \$90 32:17 50:17 \$900 74:17 <hr/> 0 07551 31:13 08 103:16,17 09 32:1 09-09-EL-SSO 53:16 09-906-EL-SSO 49:1 <hr/> 1 1 4:3 7:8 27:22 49:13 85:2 107:17,21 1,000 84:1 1.9 34:16 10 3:6 32:2 33:6 40:1 59:24 83:6	10-388-EL-SSO 1:13 5:4 13:20 46:10 100 55:5 100,000 30:24 1009 77:2 10176 31:1 107 4:3 10731 30:17 11.3 91:23 12 31:5,8 95:12 120 59:25 12361 55:20 12527 74:3 129 66:4 13 82:19 83:25 137 32:19 86:13 14 22:17 1400 42:8 14885 82:9 15 33:20 49:5 50:18,21 52:1 84:18 16 95:12 16th 84:16 85:12 85:13 17 17:7 170 39:10 18 31:14 18th 23:19,20,21 25:3 18:08:28 3:15 18:08:41 5:5 18:08:57 5:10 18:09:09 5:15 18:09:22 5:20 18:09:33 5:25 18:09:48 6:5 18:09:59 6:10 18:10:11 6:15 18:10:22 6:20 18:10:31 6:25 18:10:46 7:5 18:11:03 7:10 18:11:18 7:15 18:11:32 7:20 18:11:47 7:25 18:12:00 8:5 18:12:15 8:10 18:12:24 8:15 18:12:36 8:20 18:12:46 8:25 18:12:59 9:5 18:13:23 9:15 18:13:36 9:20 18:13:46 9:25 18:14:00 10:5 18:14:12 10:10
--	--	---	--	--

18:14:24 10:15	18:28:48 23:15	18:42:22 35:15	1800 3:7	19:21:21 62:20
18:14:39 10:20	18:28:57 23:20	18:42:37 35:20	19 53:2	19:21:36 62:25
18:14:51 10:25	18:29:11 23:25	18:42:48 35:25	19:00:12 47:15	19:21:52 63:5
18:15:05 11:5	18:29:29 24:5	18:43:05 36:5	19:00:26 47:20	19:22:09 63:10
18:15:17 11:10	18:29:40 24:10	18:43:19 36:10	19:00:58 47:25	19:22:57 63:20
18:15:31 11:15	18:29:54 24:15	18:43:42 36:15	19:01:20 48:5	19:23:19 63:25
18:15:45 11:20	18:30:03 24:20	18:43:54 36:20	19:01:30 48:10	19:23:33 64:5
18:15:59 11:25	18:30:18 24:25	18:44:10 36:25	19:01:46 48:15	19:23:51 64:10
18:16:09 12:5	18:30:27 25:5	18:44:22 37:5	19:01:59 48:20	19:24:11 64:15
18:16:22 12:10	18:30:37 25:10	18:44:45 37:10	19:02:16 48:25	19:24:25 64:20
18:16:31 12:15	18:30:53 25:15	18:45:04 37:15	19:02:35 49:5	19:24:44 64:25
18:16:54 12:25	18:31:07 25:20	18:45:22 37:20	19:03:10 49:15	19:25:06 65:5
18:17:17 13:10	18:31:29 26:5	18:45:39 37:25	19:05:18 51:5	19:25:25 65:10
18:17:32 13:15	18:31:40 26:10	18:45:59 38:5	19:06:40 52:5	19:25:37 65:15
18:17:44 13:20	18:31:50 26:15	18:46:15 38:10	19:06:55 52:10	19:26:32 66:5
18:18:01 13:25	18:32:03 26:20	18:46:36 38:15	19:07:23 52:20	19:27:00 66:15
18:18:16 14:5	18:32:16 26:25	18:46:56 38:20	19:07:37 52:25	19:27:10 66:20
18:18:28 14:10	18:32:27 27:5	18:47:22 38:25	19:08:22 53:15	19:28:21 67:15
18:18:43 14:15	18:32:41 27:10	18:47:32 39:5	19:08:43 53:20	19:29:08 67:20
18:19:01 14:20	18:32:54 27:15	18:47:51 39:10	19:09:00 53:25	19:29:23 67:25
18:19:10 14:25	18:33:09 27:20	18:48:10 39:15	19:09:09 54:5	19:29:35 68:5
18:19:26 15:5	18:33:20 27:25	18:48:27 39:20	19:09:24 54:10	19:29:47 68:10
18:19:43 15:10	18:33:32 28:5	18:48:43 39:25	19:10:42 54:20	19:30:00 68:15
18:19:57 15:15	18:33:45 28:10	18:49:03 40:5	19:11:06 54:25	19:30:13 68:20
18:20:10 15:20	18:34:14 28:20	18:49:19 40:10	19:11:22 55:5	19:30:22 68:25
18:20:27 15:25	18:34:26 28:25	18:49:34 40:15	19:11:42 55:10	19:30:37 69:5
18:20:44 16:5	18:34:42 29:5	18:49:51 40:20	19:12:05 55:15	19:30:50 69:10
18:20:57 16:10	18:34:56 29:10	18:50:04 40:25	19:12:20 55:20	19:31:03 69:15
18:21:11 16:15	18:35:08 29:15	18:50:20 41:5	19:12:38 55:25	19:31:18 69:20
18:21:27 16:20	18:35:22 29:20	18:50:35 41:10	19:12:52 56:5	19:31:33 69:25
18:21:42 16:25	18:35:34 29:25	18:50:49 41:15	19:13:11 56:10	19:31:49 70:5
18:21:55 17:5	18:35:48 30:5	18:51:03 41:20	19:13:29 56:15	19:32:06 70:10
18:22:14 17:10	18:36:12 30:10	18:51:15 41:25	19:13:39 56:20	19:32:19 70:15
18:22:28 17:15	18:36:31 30:15	18:51:37 42:5	19:13:52 56:25	19:32:35 70:20
18:22:41 17:20	18:36:46 30:20	18:51:53 42:10	19:14:15 57:5	19:32:50 70:25
18:22:51 17:25	18:37:04 30:25	18:52:10 42:15	19:14:31 57:10	19:33:08 71:5
18:23:05 18:5	18:37:16 31:5	18:52:28 42:20	19:14:52 57:15	19:33:23 71:10
18:23:15 18:10	18:37:30 31:10	18:52:47 42:25	19:15:10 57:20	19:33:35 71:15
18:23:27 18:15	18:37:53 31:15	18:53:07 43:5	19:15:27 57:25	19:33:48 71:20
18:23:37 18:20	18:38:05 31:20	18:53:24 43:10	19:15:45 58:5	19:34:00 71:25
18:23:47 18:25	18:38:17 31:25	18:53:42 43:15	19:16:03 58:10	19:34:16 72:5
18:24:14 19:10	18:38:32 32:5	18:54:09 43:20	19:16:45 58:20	19:34:37 72:10
18:24:26 19:15	18:38:45 32:10	18:54:28 43:25	19:17:11 59:5	19:34:54 72:15
18:24:36 19:20	18:39:00 32:15	18:54:46 44:5	19:17:27 59:10	19:35:12 72:20
18:24:49 19:25	18:39:14 32:20	18:55:11 44:10	19:17:40 59:15	19:35:31 72:25
18:25:03 20:5	18:39:29 32:25	18:55:29 44:15	19:17:52 59:20	19:35:47 73:5
18:25:18 20:10	18:39:42 33:5	18:55:50 44:20	19:18:06 59:25	19:35:59 73:10
18:25:27 20:15	18:39:55 33:10	18:56:09 44:25	19:18:19 60:5	19:37:14 74:5
18:26:08 21:5	18:40:04 33:15	18:56:29 45:5	19:18:31 60:10	19:37:29 74:10
18:26:23 21:10	18:40:18 33:20	18:56:48 45:10	19:18:47 60:15	19:37:46 74:15
18:26:32 21:15	18:40:33 33:25	18:57:29 45:15	19:19:00 60:20	19:38:05 74:20
18:26:48 21:20	18:40:46 34:5	18:57:44 45:20	19:19:13 60:25	19:38:29 74:25
18:27:02 21:25	18:40:56 34:10	18:58:05 45:25	19:19:32 61:5	19:39:01 75:10
18:27:12 22:5	18:41:11 34:15	18:58:13 46:5	19:19:45 61:10	19:39:14 75:15
18:27:36 22:15	18:41:27 34:20	18:58:36 46:10	19:19:58 61:15	19:39:31 75:20
18:27:48 22:20	18:41:43 34:25	18:58:56 46:15	19:20:11 61:20	19:39:48 75:25
18:27:57 22:25	18:41:54 35:5	18:59:14 46:20	19:20:50 62:10	19:40:17 76:5
18:28:36 23:10	18:42:06 35:10	180 2:6,14	19:21:03 62:15	19:40:43 76:10

19:40:57 76:15 19:41:31 76:20 19:41:50 76:25 19:42:08 77:5 19:42:26 77:10 19:42:39 77:15 19:43:02 77:20 19:43:17 77:25 19:43:31 78:5 19:43:52 78:10 19:44:11 78:15 19:44:29 78:20 19:44:46 78:25 19:45:02 79:5 19:45:20 79:10 19:45:47 79:20 19:46:27 79:25 19:46:36 80:5 19:46:50 80:10 19:47:11 80:15 19:47:28 80:20 19:47:48 80:25 19:48:08 81:5 19:48:31 81:10 19:48:48 81:15 19:49:13 81:20 19:50:33 82:10 19:50:52 82:15 19:51:14 82:20 19:51:43 82:25 19:52:01 83:5 19:52:18 83:10 19:52:34 83:15 19:52:48 83:20 19:53:10 83:25 19:53:28 84:5 19:53:45 84:10 19:54:00 84:15 19:54:19 84:20 19:54:37 84:25 19:54:52 85:5 19:55:10 85:10 19:55:22 85:15 19:55:35 85:20 19:55:54 85:25 19:56:12 86:5 19:56:26 86:10 19:56:46 86:15 19:57:37 86:20 19:57:42 86:25 19:57:59 87:5 19:58:16 87:10 19:58:29 87:15 19:58:49 87:20 19:59:01 87:25 19:59:13 88:5 19:59:27 88:10 19:59:37 88:15	19:59:50 88:20 1918 89:16 1978 98:8 1982 46:13,17 1990s 51:19 1994 98:17 1998 89:13 <hr/> 2 20 4:3 8:4 61:8 74:13 20:00:29 89:5 20:00:49 89:10 20:01:10 89:15 20:01:29 89:20 20:01:49 89:25 20:02:05 90:5 20:02:18 90:10 20:02:37 90:15 20:02:56 90:20 20:03:16 90:25 20:03:38 91:5 20:03:55 91:10 20:04:18 91:15 20:04:39 91:20 20:05:12 91:25 20:05:34 92:5 20:05:51 92:10 20:06:08 92:15 20:06:23 92:20 20:06:38 92:25 20:06:55 93:5 20:07:10 93:10 20:07:34 93:15 20:07:59 93:20 20:08:22 93:25 20:08:58 94:10 20:09:15 94:15 20:09:31 94:20 20:09:48 94:25 20:09:58 95:5 20:10:07 95:10 20:10:26 95:15 20:10:46 95:20 20:11:04 95:25 20:11:20 96:5 20:11:38 96:10 20:11:53 96:15 20:12:12 96:20 20:12:27 96:25 20:12:42 97:5 20:13:00 97:10 20:13:12 97:15 20:13:35 97:20 20:14:18 98:5 20:14:29 98:10 20:14:43 98:15 20:14:58 98:20	20:15:14 98:25 20:15:30 99:5 20:15:44 99:10 20:16:01 99:15 20:16:20 99:20 20:16:33 99:25 20:16:45 100:5 20:16:57 100:10 20:17:13 100:15 20:17:27 100:20 20:17:43 100:25 20:17:58 101:5 20:18:10 101:10 20:18:30 101:15 20:18:48 101:20 20:19:04 101:25 20:19:23 102:15 20:19:53 103:5 20:20:08 103:10 20:20:27 103:15 20:20:44 103:20 20:20:58 103:25 20:21:16 104:5 20:21:29 104:10 20:21:43 104:15 20:21:59 104:20 20:22:54 104:25 20:22:59 105:5 20:23:19 105:10 20:23:36 105:15 20:23:49 105:20 20:24:04 105:25 20:24:18 106:5 20:24:31 106:10 20:24:47 106:15 20:25:02 106:20 20:25:23 106:25 20:25:35 107:5 20:25:51 107:10 20:26:09 107:15 20:26:23 107:25 20:26:37 108:5 20:26:45 108:10 20:27:21 108:20 20:27:37 109:5 20:27:57 109:10 20:28:15 109:15 20:28:34 109:20 20:28:58 109:25 20:29:19 110:5 20:29:33 110:10 20:29:50 110:15 20:30:09 111:5 20:30:23 111:10 20:30:43 111:15 20:30:51 111:20 20:31:03 111:25 20:31:19 112:5	2000 98:20 2006 85:9 2007 15:18 82:17 103:5,13 2008 14:15 19:23 65:19 2009 17:7 31:15 65:21 66:4 85:2 86:13 91:11,25 91:25 2010 1:17 7:2 13:19 14:3 47:21 48:12,22 49:5,12 50:21 65:22 91:21,22 2011 7:8 20:18 27:22 34:19 37:23 49:13 2012 7:17 2013 113:20 2014 7:8,15 20:18 21707 36:22 22 85:5,10 22nd 85:12 221 14:15,17 19:22 20:7 22:3 23:23 24:4,10 26:20 27:3 30:3 53:18 57:15 75:9 23 7:2 8:5 13:19 27:15 39:13 48:12 113:20 24 61:19 25th 103:12 26 93:21 26th 103:12 27 1:17 275 27:7,16 48:15 57:15 275-day 14:17 28:22 28 46:21 <hr/> 3 3 84:24 3.23 92:2 3.5 91:25 3:00 60:24 30 42:25 55:13 59:22 61:20 30-month 50:5 300 32:23 78:13 92:2 3025 89:5 306 60:22 31 7:8,15 54:23 3200 65:13 328th 13:11	330)384-5969 2:23 340 15:25 35 44:23 77:12 98:5 372 13:11 38531 45:17 390 20:20 392 19:2,11 <hr/> 4 4,000 21:16 69:17 4,545 65:23 40 44:23 4055 86:25 41 48:4 43 27:16 57:14 43215 2:7,15 3:8 440)428-1610 42:10 44021 82:10 44024 74:4 44026 23:15 44041 87:1 44060 67:24 44077 55:21 44094 30:17 44095 13:12 44124 89:6 44149 36:23 44308 2:22 445 105:7 45 77:3 47,000 83:22 4909.18 50:21 4928.143 1:9 5:9 <hr/> 5 5 14:3 21:1 27:16 36:1 40:1 47:21 48:13,20 82:22 5th 91:21 5,215 65:21 500 66:18 5329 58:20 55 63:25 56 93:15,18 57 48:1 <hr/> 6 6 91:25 6,000 59:5 6:00 1:18 60 108:17 614)486-9601 3:9 614)644-8226 2:16 614)752-7999 2:8 62nd 13:15 6298 63:15
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63 95:10 63rd 69:13 670 65:23 69 95:10 <hr/> 7 <hr/> 7th 91:21 70 33:20 86:11,13 70s 77:10 7132 79:23 7191 54:20 57:6 7413 23:13 75 83:4 750-kilowatt 33:5 76 2:21 7700 1:21 7774 108:24 <hr/> 8 <hr/> 8 95:12 8,000 59:8 80s 77:10 8021 94:9 8276 39:5 8430 103:4 8914 67:23 <hr/> 9 <hr/> 9 61:24 91:24 90 32:14,22 33:10 60:21 99th 19:13 22:14				
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Ap. 27-10

Fisco Ex. 1

All Electric Discount MUST have these 2 readings. CEI did NOT restore the full discount. They use only the bottom (or lower) number to calculate bills. This gives a far smaller discount. Therefore, the all electric discount was NEVER restored.

$$\frac{33597 \text{ kWh}}{031.51 \text{ kW}} = \text{Meter Reading Sample}$$

The 2 readings appear on all electric discount meters called non-time-a-day-meter or a demand meter. Both terms are used by CEI.

The upper no. measures kWh

The lower no. measures the highest kW load used every 30 minutes.

Later-filed
Exhibit
Lambert Ex. 1



PROJECT ASSISTANCE PROGRAM

For Residential Builders and Developers

Promoting Energy Efficiency in the Residential home marketplace through partnerships with Builders and Energy Partners.

Project Letter of Agreement

Lambert Sales and Leasing

August 24, 2000

Heather S. Pennington

August 24, 2000

Lambert Sales & Leasing
Richard Lambert
15580 Route 700
Barton, OH 44021

Dear Mr. Lambert:

FirstEnergy is very interested in becoming your Energy Partner to assist in making the best energy decisions possible for your construction projects. The following proposal is based on Lambert Sales & Leasing offering an Apartment Complex featuring Total Electric Heat Pumps. I believe that installing this HVAC equipment package will create a win-win situation for you as the builder and for each of your future tenants.

Builder's Values:

- **Minimal additional cost for a significantly higher HVAC equipment package –** Differentiate yourself as a builder in the competitive new construction market by providing more value to your customers with a unique, sophisticated heating and cooling package.

Tenant Values:

- **Discounted electric heating rate –** By using heat pumps, you qualify for a discount electric rate. You save on your total energy usage each month.
- **Even temperature –** consistent comfort. Heat pumps provide evenly distributed heating and cooling. Even temperatures throughout the apartment provide consistent comfort year round.

If you would like to sign on as an Energy Partner, and agree to the attached Agreement, please sign this letter below where indicated.

Sincerely,
The Illuminating Company


Heather S. Pennington, FirstEnergy Services Corp.
Agent for The Illuminating Company

The Public Utilities Commission of Ohio has assigned for public hearing at this time and place Case No. 10-388-EL-SSO, which is captioned "In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and the Toledo Edison Company for Authority to Establish a Standard Service Offer Pursuant to Section 4928.143, Revised Code, in the Form of an Electric Security Plan."

I was present at the local public hearing held in Kirtland, Ohio, on April 27, 2010, at 6:00 pm. I am opposed to the proposal for the reasons expressed by those who have already testified.

Name (Please print)	Address
JAMES VINCIGUERRA	10909 WILSON MILLS ROAD CHAMBERLAIN, OH 44024
William D. Dervay	8901 DORAL DR. MENTOR, OHIO 44060
Lewis E. Cook	4309 Mill Pond Circle Perry, Oh. 44081
Roger A. Hard	7686 Puddingstone Dr CHESTERLAND OH 44026
R. E. Christman	11475 Sperry Rd CHESTERLAND, Ohio 44026-1625
Charles V. Pike	16455 Lucky Bell Lane Chagrin Falls, Ohio 44023
Jerome Palumbo	9034 ALARD CT MENTOR OHIO 44060
Frank Cottino	7450 LEROY THOMPSON RD THOMPSON, OHIO 44086
William F. Kuast	5339 E. HEISLEY RD MENTOR OH. 44060
Eileen Lisco	PO BOX 445 PO BOX 445 Gates Mills OH 44040

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Name (Please print)	Address
Suzanne Pappas	9713 Smith Road White Hill OH 44094
William A. Pappas	9713 Smith Rd. WHITE HILL OH 44094
Robert Schuler	7996 Buckthorn Drive Mentor, OH 44060
Barbara Schuler	7996 Buckthorn Dr Mentor, OH 44060
John Hagan	10655 Rockwood Dr. Kirtland, OH 44094
Dan & Beth Lederer	13491 Woodin Rd Chardon OH 44024
Cheryl Ann Birch	1388 Chapel Rd. P.O. Box 183 Jefferson, OH 44047
Beth Lockitski	10576 Hemlock Ridge Chardon, Ohio 44024
Stanley Klosinski	8593 Columbia Rd Orwell, Ohio 44076
Jane Stowe	424 Washington Blvd Jefferson OH 44047
Jerry Kayser	14885 Dunker Rd Burton, OH 44021

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Name (Please print)	Address
Ken Kovach	1360 Chapel Rd Jefferson OH 44042
Christina Delaney	9018 Perkins Dr Mentor, OH 44060
Mary Stokes	11865 County line ^{crossed} Gate Mills
Jay Rowles	12084 Heath Rd CHESTERLAND OH 44026
JANET JODLOWSKI	9150 FLORENCE RD KIRTLAND OH 44094
Janet Jodlowski	
Ralph Chulnick	8021 Eagle Rd Kirtland 44094

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Name (Please print)	Address
Thomas M Plot	12000 AUBURN RD CLEVELAND OH 44024
MARY BETH Plot	12000 AUBURN RD CLEVELAND OH 44024
Ed R. Klapal	7235 Regal Dr. Conneaut OH 44030
Tom Stober	11865 COUNTRY LANE - LAKES MILLS OH
John Ollila	7466 Southwood Rd., Mentor, Ohio 44060
RICHARD BASICH	1230 DOROTHEA DR., PAINESVILLE OH 44077
John Mobasser	6430 Riverside Drive, Novelty, OH, 44072

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[illegible]