

1 APPEARANCES:

2 Ms. Judy Alexander

3 On her own behalf.

4 Whitt Sturtevant LLP
5 By Ms. Melissa L. Thompson
6 PNC Plaza, Suite 2020
155 East Broad Street
Columbus, Ohio 43215

7 On behalf of The East Ohio Gas Company
8 d/b/a Dominion East Ohio.

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1 Thursday Morning Session,
2 June 21, 2012.

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4 EXAMINER PARROT: Let's go on the record.
5 The Public Utilities Commission of Ohio has called
6 for hearing at this time and place Case No.
7 11-5601-GA-CSS, being in the Matter of the Complaint
8 of Judy Alexander versus The East Ohio Gas Company
9 d/b/a Dominion East Ohio. My name Sarah Parrot, and
10 I am the Attorney Examiner assigned by the Commission
11 to hear this case.

12 Let's begin with appearances from the
13 parties and we will start with the Complainant.
14 Ms. Alexander, if you would please state your full
15 name and address for the record.

16 MS. ALEXANDER: Judy L. -- Judy L.
17 Alexander, and I reside at 4391 East 86th Street,
18 Cleveland, Ohio 44105.

19 EXAMINER PARROT: And, Ms. Alexander, are
20 you proceeding with counsel representing you today?

21 MS. ALEXANDER: No, I am not.

22 EXAMINER PARROT: And do you understand
23 you have the right to retain counsel to represent you
24 if you -- if you wish?

25 MS. ALEXANDER: Yes, I do.

1 EXAMINER PARROT: But you have elected to
2 proceed today without counsel.

3 MS. ALEXANDER: Yes, I have.

4 EXAMINER PARROT: Okay. Very good.
5 Thank you.

6 And on behalf of the Respondent Dominion
7 East Ohio.

8 MS. THOMPSON: Thank you. On behalf of
9 the East Ohio Gas Company doing business as Dominion
10 East Ohio, Mark Whitt and Melissa Thompson, Whitt
11 Sturtevant, 155 East Broad Street, Columbus, Ohio
12 43215. Thank you, your Honor.

13 EXAMINER PARROT: Thank you. Do we have
14 any preliminary matters we need to address before we
15 get started?

16 If not, then Ms. Alexander, you may call
17 your first witness, or if you are testifying first
18 yourself, you may take the witness stand.

19 MS. ALEXANDER: No. My first witness
20 will be Joseph Cooper to establish that he did
21 purchase the property that we're speaking of.

22 EXAMINER PARROT: All right. Mr. Cooper,
23 you may please take the witness stand.

24 (Witness sworn.)

25 EXAMINER PARROT: Please be seated. And

1 if you could begin by stating your name and address
2 for the record, please.

3 THE WITNESS: Joseph Cooper, 12 Llewellyn
4 Avenue, Bloomfield, New Jersey.

5 EXAMINER PARROT: All right.

6 THE WITNESS: 07003.

7 EXAMINER PARROT: Thank you.

8 Ms. Alexander, you may proceed.

9 MS. ALEXANDER: There's a question. When
10 I question, do I stand?

11 EXAMINER PARROT: You don't have to,
12 that's up to you, but you may but you do not need to.

13 - - -

14 JOSEPH COOPER

15 being first duly sworn, as prescribed by law, was
16 examined and testified as follows:

17 DIRECT EXAMINATION

18 By Ms. Alexander:

19 Q. Joseph, would you state to the Judge as
20 to -- as to what relation are we and would you
21 establish -- I mean tell them when did you buy or
22 purchase this property.

23 A. This is my sister. I purchased the
24 property in '010, I want to say September. Upon
25 purchasing the property there was nothing in the

1 house. What else do you want?

2 Q. I wanted to ask you the question as to
3 when you purchased the property, would you tell them
4 as to what condition this house was in.

5 A. It was an abandoned home at the time. So
6 it had to be totally renovated, electrical,
7 everything, plumbing. It was abandoned as far as I
8 know of.

9 MS. ALEXANDER: Okay. That's all the
10 questions that I have.

11 EXAMINER PARROT: Ms. Thompson?

12 MS. THOMPSON: No questions, your Honor.

13 EXAMINER PARROT: Okay. Very good. I
14 have none either. Thank you, Mr. Cooper.

15 MS. ALEXANDER: My next witness is going
16 to be Bertha Boyd.

17 EXAMINER PARROT: Let's go off the record
18 for a minute.

19 (Discussion off the record.)

20 EXAMINER PARROT: We are back on the
21 record.

22 (Witness sworn.)

23 EXAMINER PARROT: Please be seated.

24 MS. ALEXANDER: Bertha, could you state
25 to the Judge as to --

1 EXAMINER PARROT: I'm sorry. Before we
2 do please state your full name and your address.

3 THE WITNESS: Bertha Boyd, my address
4 9013 Grand Division, Cleveland, Ohio 44125.

5 EXAMINER PARROT: Thank you.

6 - - -

7 BERTHA BOYD
8 being first duly sworn, as prescribed by law, was
9 examined and testified as follows:

10 DIRECT EXAMINATION

11 By Ms. Alexander:

12 Q. Okay. Bertha.

13 A. Yes.

14 Q. Would you tell -- would you state to the
15 Judge that you were employed by me as an employer
16 to -- to help refurbish the property that we're
17 speaking of.

18 A. Yes.

19 Q. Talk to the Judge.

20 A. Yes.

21 Q. Okay. At that time could you tell them
22 as to what condition the property was in when we
23 first started.

24 A. It was totally abandoned. There wasn't
25 nothing there.

1 Q. Were there any gas?

2 A. No, no gas.

3 Q. Was there any furnace in the place?

4 A. No.

5 Q. No furnaces?

6 A. No, not in there.

7 Q. Would you state to them as electricity,
8 was there any electricity?

9 A. The only electricity -- downstairs we
10 never had.

11 Q. When you looked into this property,
12 what -- explain to them, describe to them what you
13 seen as far as your eyes. What did you see?

14 A. Well, I seen a lot of things torn out
15 from under the sink. There was nothing there and
16 downstairs there was nothing in the bathroom, wasn't
17 nothing there and we had to redo the basement over
18 because there was nothing there.

19 Q. And to the electricity condition could
20 you state to them as what you seen as far as
21 electric.

22 A. Well, all I seen wires in the wall but it
23 wasn't fixed. There wasn't no electricity there at
24 all. We didn't have any.

25 Q. Was there any gas stoves in the place?

1 A. No. We had no stoves at all, no stoves,
2 no gas on period.

3 MS. ALEXANDER: I have nothing else.

4 EXAMINER PARROT: Okay. Ms. Thompson.

5 - - -

6 CROSS-EXAMINATION

7 By Ms. Thompson:

8 Q. I just have one quick follow-up,
9 Ms. Boyd. You stated during your examination that
10 there was no gas on.

11 A. No, there wasn't.

12 Q. How do you know there was no gas on? Did
13 you test the meters?

14 A. No, but I worked there with her and we
15 were painting. You can't have heat if there was no
16 gas on.

17 Q. Are you saying there was no heat on?

18 A. There was no heat on.

19 Q. And that's how you know there was no gas
20 on.

21 A. That's right.

22 Q. And that's the only reason you know.

23 A. No stove to put no heat on. I mean heat
24 could come out from the furnace, but it wasn't
25 working.

1 Q. But it's only based on your experience in
2 the home, not you actually looking at the gas lines.

3 A. Yes, in the home.

4 MS. THOMPSON: Thank you. I have no
5 further questions.

6 EXAMINER PARROT: Thank you, Ms. Boyd.

7 THE WITNESS: You're welcome.

8 MS. ALEXANDER: I have another witness
9 just to verify that as to what condition the house
10 really were in.

11 EXAMINER PARROT: Okay. And your next
12 witness is? Her name?

13 MS. ALEXANDER: And my next witness is
14 Yvonne Lawrence --

15 EXAMINER PARROT: Okay. Thank you.

16 MS. ALEXANDER: -- from Cleveland, Ohio.

17 (Witness sworn.)

18 EXAMINER PARROT: Please be seated. And
19 please state your name and full address for the
20 record.

21 THE WITNESS: My name is Yvonne Lawrence,
22 I stay at 3675 East 49th Street, Cleveland, Ohio
23 44105.

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YVONNE LAWRENCE

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

DIRECT EXAMINATION

By Ms. Alexander:

Q. Ms. Lawrence, could you state to the
Judge as to what condition of the property as to what
you seen.

MS. ALEXANDER: I employed Yvonne. She
was much later than Bertha so she -- the conditions
was just a little bit better because some work had
been done.

Q. But, Yvonne, with your eyes what did you
see as far as the electric, the gas, the gas lines?
And I wanted to ask you was there odor in this -- on
this property as far as the gas was concerned.

A. When I -- when I first started working
there, there wasn't no furnace in there but one and
that was the upstairs. Downstairs they had took it
out. It wasn't no furnace at all so he put the
downstairs furnace in first. Then he did the
upstairs furnace later on and it wasn't no gas
upstairs or down because neither one of the furnaces
was in then.

Q. Yvonne, tell them as to what month was it

1 that you were hired. What month did you came in as a
2 worker?

3 A. Well, I started in -- it was in November.
4 It was in November I started.

5 EXAMINER PARROT: And what year are we
6 talking about?

7 THE WITNESS: 2011.

8 MS. ALEXANDER: That's all.

9 EXAMINER PARROT: Okay. Ms. Thompson?

10 - - -

11 CROSS-EXAMINATION

12 By Ms. Thompson:

13 Q. Yeah. I just have a quick follow-up.
14 Good morning, Ms. Lawrence.

15 A. Uh-huh.

16 Q. You had stated on your direct examination
17 there was no gas in the house.

18 A. There wasn't.

19 Q. And do you base that on the fact that you
20 didn't feel heat in the house?

21 A. No. See, what I said there wasn't no gas
22 because I turned the -- that little button downstairs
23 you turn on to get the heat, there wasn't no heat in
24 there.

25 Q. And when you say button, do you mean the

1 fitting on the gas?

2 A. The thing you turn, the thermostat, you
3 turn it on.

4 Q. Oh, the thermostat button.

5 A. Right, and there wasn't nothing come on.

6 Q. But you didn't look at the gas pipe that
7 was in the house.

8 A. No, I didn't look at the pipes.

9 Q. And you didn't deal with any valves on a
10 pipe or anything like that?

11 A. No. It was just the button.

12 Q. Just the thermostat button.

13 A. Thermostat.

14 MS. THOMPSON: That's all my questions.
15 Thank you.

16 EXAMINER PARROT: Thank you very much,
17 Ms. Lawrence.

18 THE WITNESS: Okay.

19 (Witness sworn.)

20 EXAMINER PARROT: Please be seated.

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JUDY ALEXANDER

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

DIRECT EXAMINATION

EXAMINER PARROT: We already have your
name and address for the record so at this point if
you could just tell your side of the story basically
in a narrative fashion. Obviously you don't have
counsel present to question you so you just speak
freely and tell us anything you think the Commission
should know. And then when you've concluded,
Ms. Thompson may ask any questions that she has.

THE WITNESS: Okay, okay. I was placed
by my brother to be the one to make sure that the
house was up to a part to live in, okay? Under
his -- he's going to make sure that I receive
everything that I needed to have this house repaired.
So at that time it was up -- in October.

In September it was up to me to find
employees that was going to do the work as far as
doing -- putting back the electricity, as far as
doing drywall, as far as -- I have to be the one to
find the people that's going to do this work. And so
I had quite a few estimates on how much it would
cost. So people were coming in and they was running

1 through checking everything as to what needed to be
2 did. So some of the repairers came in to give me a
3 price and they did some work but all of this time I
4 could smell an odor of gas so I questioned one of
5 my -- one of the parties that came out as to did he
6 smell gas and he said I do. I smell gas but it's
7 faint.

8 So he said I can check that for you and
9 he had this little thing that went off and he checked
10 it and it was really faint. And he went to the meter
11 and he says, well, he said it's close here. It seems
12 as though you have gas on. Do you want me to cut
13 the -- to mess with it? And I told him, no, not to
14 mess with this because he -- you know, I wasn't sure
15 whether I was going to get him to do the work as to
16 doing what he is supposed to do. So he left it
17 alone. We didn't have any problem.

18 And November there were already heaters
19 there but they was unworkable so we had to tear those
20 out and put the new heaters in. Mr. Dailide, the
21 witness that I had that wrote the letter that is the
22 deceased, he did most of the work because we chose
23 him as the person to do the repairs. He put the
24 water back in, and he had an electric man to come in
25 and put boxes in. And as far as the man got, I have

1 some pictures here that I would like to -- should I
2 give them to her or you first?

3 EXAMINER PARROT: Do you have copies of
4 them with you?

5 THE WITNESS: I just have the regular
6 pictures.

7 EXAMINER PARROT: Okay.

8 THE WITNESS: I don't have copies.

9 EXAMINER PARROT: Photos? In that case I
10 don't know if you maybe want to describe them to us.
11 That might be the best. I think that might be just
12 the easiest way to go, to give opposing counsel a
13 chance to look at them, first of all, so that she can
14 ask any questions but if you could maybe just
15 describe them for us.

16 THE WITNESS: As I pick them up?

17 EXAMINER PARROT: As you kind of flip
18 through.

19 Why don't you give them to Ms. Thompson
20 first. Let's start there. Give her a chance to flip
21 through them and see what you have.

22 THE WITNESS: Okay. The picture that she
23 is looking at now, this is the boxes that was put in
24 the home by the electrician. He put in boxes. These
25 are new boxes that he put in into the home. None of

1 this stuff was here. All of this was gone and that
2 was the electrician that Mr. -- that Mr. Dailide
3 hired the man to do this work. In the ceiling on
4 this picture is the work that Mr. Dailide done as far
5 as the water was concerned. He had -- they had took
6 all of the copper pipes out of the house. Everything
7 was gone. So he had to replace that with PVC.

8 EXAMINER PARROT: Let's go off the record
9 for a minute.

10 (Discussion off the record.)

11 EXAMINER PARROT: Let's go back on the
12 record.

13 THE WITNESS: We did not have to replace
14 the water tanks because it seemed as though they were
15 in good condition so we didn't replace the water
16 tanks at all. The pipes to the water tank was
17 already there. But there was one gas line that we
18 did have to replace which it doesn't have a picture
19 for that one because at the time everything started
20 the furnace was already in so we had done put the
21 furnace in.

22 And as you can see, we have new -- in one
23 area we have new furnaces. They are already in here,
24 new furnaces on both ends. And around November, the
25 latter part of November, he did have the furnaces in.

1 So both furnaces was in. But only one furnace was
2 used at that time, and it was used in March
3 between -- between March of 2010 -- 20 -- March,
4 2011, this is when we was able to use the heat but
5 downstairs.

6 Okay. Now, the only thing that I brought
7 as far as upstairs was the fact that there were no
8 stoves in the house at all. And these pictures show
9 you just the area as to where the stoves would have
10 been if we would have had and this is the gas lines
11 that were going to the stoves but there was no stove
12 there so that there was no one to even turn gas on
13 because they wouldn't have turned the gas on if they
14 didn't have the electricity or the lines.

15 So I used that as to the evidence to show
16 that this house was in deplorable condition. There
17 was no gas. The gas was already on at the time that
18 I had the gas turned off into my name. I took
19 pictures of the meters, but it was unnecessary
20 because the meters only could show as to the readings
21 as to what was -- you know, they could only show the
22 readings so it's really not necessary to show the
23 pictures of the meters.

24 But this is to verify the fact that at
25 the time we had no gas. My witnesses stated that.

1 We painted drywalls. I have statements that Melissa
2 have that come from -- it was statements that I made
3 because you can get people to -- how you -- you can
4 ask people to come and you can ask people to witness,
5 but they don't want to get involved with things. So
6 most of my witnesses was things that I have that
7 repeat that was said to me by them.

8 And so the only one I could get was from
9 Dailide, and he did write the letter stating that
10 when he finished the furnace, when they was on. He
11 couldn't tell you as to who turned the gas on, but I
12 know that no one came to turn any gas on in April of
13 2011, May of 2011.

14 I kept smelling this faint odor. It had
15 gotten stronger by that time, so I called in Dominion
16 to tell them that there were gas -- I could smell
17 odor of gas. So when Dominion came in, they run
18 the -- to find out where the gas was leaking. They
19 found that the leak was in the area of the water
20 tank. That's where it was leaking at. There was a
21 valve that were on the meter on -- I think it was the
22 upstairs meter.

23 It was on this meter, the blue meter. It
24 was on the upstairs meter that he had to repair
25 because it was broken. It's the blue one on the

1 right. He had to repair that because it was broken
2 so he repaired it at that particular time. He cut
3 off the water -- I mean the gas saying I had to get
4 the pipes to the water -- hot water heaters fixed
5 before I could get it turned back on.

6 So, therefore, when they charged me the
7 bill, they charged me from November of 2010 to May of
8 2011. The dispute was because -- the dispute was I
9 only used gas from March to April, and the bill that
10 came was \$1,500 with a bill to upstairs for 500 and
11 some odd dollars. And we never -- the tanks -- the
12 furnace was there but it was electrical start. You
13 had to start it with electrical in order to light it,
14 but we had no electricity at this particular time.

15 We still don't have no electricity
16 upstairs at all. I have a bill here from Alliance
17 One with -- for \$397 for upstairs which I haven't
18 paid it. Haven't paid any bills because I didn't
19 feel that I should pay a bill where there was no gas
20 going. There was no usage of gas at all.

21 And I'm in this now Alliance One for \$379
22 for a gas bill where there is no gas, no use of gas
23 at all, so the dispute is the amount of the gas bill.
24 Not the gas bill, not the gas at all but the amount
25 of the gas bill. I really don't think that it should

1 be \$1,500, and I shouldn't be paying for gas upstairs
2 at all. That at this very moment it's not on. You
3 can't turn it on. Don't have electricity to turn it
4 on.

5 I have pictures of that, but
6 unfortunately the pictures didn't come back in time
7 enough for me to prove that I did not have -- that
8 there is no electricity upstairs to even turn the gas
9 on.

10 EXAMINER PARROT: Does that conclude your
11 statement?

12 THE WITNESS: Yes.

13 EXAMINER PARROT: Ms. Thompson.

14 MS. THOMPSON: Thank you, your Honor.

15 - - -

16 CROSS-EXAMINATION

17 By Ms. Thompson:

18 Q. I have a few questions for you this
19 morning, Ms. Alexander. Okay. During your direct
20 testimony you stated that you smelled gas in
21 September of 2010; is that correct?

22 A. Uh-huh.

23 Q. And when you smelled gas, did you call
24 Dominion East Ohio Gas to report the gas?

25 A. No.

1 Q. And the person you were talking to about
2 the gas that you suspected was a leak, was that a
3 Dominion East Ohio employee?

4 A. No.

5 Q. Okay. You also stated that there was no
6 gas on at any time at some point in your testimony.

7 A. No. I stated that there was no gas on
8 upstairs.

9 Q. Oh, upstairs, okay.

10 A. At the upstairs' unit.

11 Q. And you believe there is no gas on
12 because you couldn't feel heat and you couldn't --
13 you didn't have any appliances on and that's what you
14 base that on.

15 A. No.

16 Q. Okay.

17 A. I know there is no gas on upstairs at all
18 because the furnaces that were in the house -- that
19 was put in the house runs by electricity. You have
20 to turn the electric on the heater in order for the
21 heater to light and there is no electricity upstairs,
22 in the upstairs unit at all. There's no -- there's
23 nothing there upstairs in the upstairs' unit.

24 Q. Okay. And because there is nothing up
25 there in your mind there is no gas on.

1 A. No. I know for a fact. This is a fact
2 that there is no gas on upstairs. I know that it's
3 not by my mind. It's a fact there is no gas
4 upstairs. There's nothing up there at all.

5 Q. And you also mentioned that you had heard
6 some testimony from others, but they couldn't come in
7 and you had to repeat it; is that correct?

8 A. Yes.

9 Q. And would that be located in your
10 complaint on several pages that are not signed that
11 are dated September 29, 2011?

12 A. Yes.

13 Q. Okay. Are any of those statements
14 contained in those pages your own from your own
15 personal knowledge, or was that all from other
16 people?

17 A. I didn't understand the question.

18 Q. Sorry. I'll try it this way, so did you
19 make those statements only based on what other people
20 told you?

21 A. Yes.

22 Q. Okay. And none of that was based on you
23 being at the property --

24 A. Well, the statement that the wall -- the
25 drywall I was there so I know that this guy could not

1 do this work, this drywall work, because -- he
2 couldn't use -- the heaters was not on. He was not
3 even employed until February. And he did not have
4 any heat in order to fix up the area in the -- fix
5 up -- all the fix up the ceiling. He had to have a
6 certain amount of heat in order for the mud that he
7 was using to dry and he could not start that work
8 until March because of -- because there was no heat
9 and this is not only upstairs, this was downstairs.

10 Q. For both upstairs and downstairs.

11 A. Yes.

12 Q. Okay. You also said that no one came to
13 turn on the gas. Was that in November of 2010?

14 A. In 2010, nobody.

15 Q. So no Dominion East Ohio employee came to
16 your property.

17 A. No, no.

18 Q. And that's -- that's your testimony
19 today. I mean, that's what you just stated, no
20 Dominion East Ohio employee came --

21 A. No, nobody.

22 Q. -- to your understanding in November of
23 2010. Okay. And just to clarify one last point you
24 also testified that you only believe that you should
25 be billed for gas that was used between March and

1 April and that's it.

2 A. Yes. Because we only used the furnace at
3 that -- the downstairs unit, that's all that we could
4 use --

5 Q. Okay.

6 A. -- between March and April.

7 MS. THOMPSON: I have no further
8 questions.

9 EXAMINER PARROT: Thank you very much.

10 Ms. Alexander, do you have any further
11 witnesses today?

12 MS. ALEXANDER: No, I don't.

13 EXAMINER PARROT: Okay. And so does that
14 conclude the presentation --

15 MS. ALEXANDER: That concludes my
16 presentation.

17 EXAMINER PARROT: -- of your case? Okay.
18 All right.

19 Ms. Thompson.

20 MS. THOMPSON: Thank you, your Honor.
21 Dominion East Ohio would call Roxie A. Edwards to the
22 stand.

23 (Witness sworn.)

24 EXAMINER PARROT: Be seated.

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ROXIE A. EDWARDS

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

DIRECT EXAMINATION

By Ms. Thompson:

Q. Good morning, Ms. Edwards.

A. Good morning.

Q. Would you please introduce yourself to
the court today.

A. My name is Roxie Edwards. I am a
Customer Relations Support Manager for Dominion East
Ohio in the Cleveland, Ohio.

Q. And did you cause direct testimony to be
filed in this case?

A. Yes.

Q. Was that direct testimony prepared by you
or under your supervision?

A. Yes, it was.

Q. And do you have any additions or
corrections to that testimony today?

A. No.

Q. If I asked you the same questions that
were contained in your direct testimony that was
prefiled, would your answers be the same today?

A. Yes, they would.

1 MS. THOMPSON: Your Honor, I offer
2 Ms. Edwards for cross-examination.

3 EXAMINER PARROT: Thank you.
4 Ms. Alexander?

5 - - -

6 CROSS-EXAMINATION

7 By Ms. Alexander:

8 Q. Roxie, when I called to have the gas
9 transferred into my name, were there any setup for
10 anybody to come out to turn gas on?

11 A. As noted in the testimony, the gas
12 service was already on. We transferred the gas
13 service into your name as you requested in September.

14 MS. ALEXANDER: That's all. That's it.
15 That's the only question I had.

16 EXAMINER PARROT: Okay. Thank you very
17 much.

18 THE WITNESS: Thank you.

19 MS. THOMPSON: Sorry, your Honor.
20 Dominion East Ohio would next call Michael Kazmer to
21 the stand.

22 (Witness sworn.)

23 EXAMINER PARROT: Please be seated.

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MICHAEL A. KAZMER

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

DIRECT EXAMINATION

By Ms. Thompson:

Q. Good morning, Mr. Kazmer. Would you
please introduce yourself.

A. Michael A. Kazmer, I am a Gas Operations
Manager with Dominion East Ohio.

Q. And did you cause direct testimony to be
filed in this case?

A. Yes, I did.

Q. And that was direct testimony prepared by
you or under your supervision?

A. Yes, it was.

Q. And do you have any additions or
corrections to that testimony today?

A. Not on the direct testimony.

Q. Okay. And if I asked you the same
questions on your direct testimony, would they be the
same answers?

A. For my supplemental testimony?

Q. No, sorry. So if I asked you the same
answers in your direct testimony, would your answers
be the same today?

1 A. Yes, they would.

2 Q. And did you also cause to file
3 supplemental direct testimony?

4 A. Yes, I did.

5 Q. And was that supplemental direct
6 testimony prepared by you or under your supervision?

7 A. Yes, it was.

8 Q. Do you have any additions or corrections
9 to the supplemental testimony?

10 A. Yes, I do.

11 Q. What are those correction, Mr. Kazmer?

12 A. It is on tab 5, page 3, line 6. It says
13 there "The average variability of the check load was
14 1.6 percent." That should be "1.8 percent." Same
15 farther down in that same line again where it says
16 "running fast by 1.6"; that should be "1.8 percent."

17 EXAMINER PARROT: I'm sorry. I just want
18 to make sure I am in the right spot. You mentioned a
19 tab. So you are on page 3?

20 THE WITNESS: Of supplemental testimony.

21 EXAMINER PARROT: Right.

22 THE WITNESS: It's question 13, answer
23 13.

24 EXAMINER PARROT: On page 3.

25 THE WITNESS: Yes.

1 EXAMINER PARROT: And instead of -- you
2 said it's "1.8"?

3 THE WITNESS: Yes. The fast speed error
4 was 1.8 percent.

5 EXAMINER PARROT: All right. Thank you
6 very much.

7 THE WITNESS: And then go down to line
8 18, the average would be "1.6 percent" instead of
9 "1.5 percent."

10 EXAMINER PARROT: Okay.

11 A. And following through then on page 4,
12 line 4, where it says "The Downstairs Meter tested a
13 variability of 1.4 percent to 1.6," that should be
14 "1.4 percent to 1.8 percent."

15 One last one in line 3, right above
16 there, it was just a typographical error where it
17 says "variability of -.05 to -.06," that should be
18 "0.5 to 0.6." That's consistent with what's on the
19 previous page.

20 Q. And just to confirm, Mr. Kazmer, you made
21 two changes in line 16 on page 3.

22 A. Correct.

23 Q. You made two changes in line 18 of page
24 3.

25 A. Correct.

1 Q. And you made two changes in line 3 of
2 page 4.

3 A. Correct.

4 Q. And you made one change in line 4 on page
5 1.

6 A. Correct.

7 Q. Okay. And with those changes in your
8 supplemental testimony, if I asked you the same
9 questions today, would the -- with the revised
10 answers, would your answers be the same?

11 A. Yes, they would.

12 Q. During the direct testimony -- were you
13 here during the direct testimony of Ms. Alexander?

14 A. Yes, I was.

15 Q. And did you hear her give any testimony
16 regarding whether Dominion East Ohio came to her
17 property in November of 2010?

18 A. Yes, I did.

19 Q. And did you hear her say no Dominion
20 employee came to turn on gas?

21 A. Yes, I did.

22 Q. Do you agree with that statement?

23 A. No, I do not.

24 MS. THOMPSON: Your Honor, may I approach
25 the witness?

1 EXAMINER PARROT: You may.

2 MS. THOMPSON: I would like to have
3 marked as Dominion East Ohio 3.0, if that's okay.

4 (EXHIBIT MARKED FOR IDENTIFICATION.)

5 Q. Mr. Kazmer, I am handing you DEO Exhibit
6 3. Are you familiar with this document?

7 A. Yes, I believe.

8 Q. And what is that?

9 A. This is a copy of a service order. This
10 particular case it was a transfer order that was
11 worked. You can see the arrival date, the completion
12 date of 11-19-2010 and for the address of 8207 Beman
13 Avenue.

14 Q. And can you -- there's some remarks on
15 that page. Can you explain what those are and what
16 those mean?

17 A. Yes. The service rep says "party" --
18 I'll try to translate the abbreviations, "Party
19 claims no heat. Good furnace. Checked main burner.
20 Flames and draft okay." Let's see, "LOOC," I'm not
21 sure what that would have been. "Advised Mrs."
22 "334.1" is the meter reading.

23 Q. And on that page there's also some
24 comments regarding how the meter was found and its
25 status. What is that statement?

1 A. Yes. That says it was a forced air
2 furnace. The status found was off meaning when he
3 got this, the furnace was off and he left it off and
4 check by cycle means he cycled the furnace.

5 Q. Okay. And to cycle the furnace, what
6 does that entail?

7 A. You have to actually get the furnace to
8 do a complete cycle to kick on, if they have the main
9 burner come on, to have your -- the blower come on
10 and have heat generate. He checks the flames, makes
11 sure all that's working, turns the thermostat down
12 then, and the furnace turns off. So it's a complete
13 cycle of the furnace going on and coming off.

14 Q. And does this paper also indicate the
15 status of the meter when he arrived? What is that
16 status?

17 A. Says meter found status was on so the
18 meter was on when he got there.

19 Q. And when the meter was on, what does that
20 mean?

21 A. That means that the gas valve to the
22 meter is in the on position, and gas is able to flow
23 through the meter and into the house lines.

24 Q. Okay. And when the Dominion East Ohio
25 Gas person left, how did he leave the meter?

1 A. He left it in the same condition.

2 Q. Based on this Dominion East Ohio record,
3 did the Dominion East Ohio go out to the property on
4 November 19, 2010?

5 A. Yes, they did. They arrived at 12:18
6 p.m.

7 MS. THOMPSON: Your Honor, I have no
8 further questions for this witness and tender him for
9 cross-examination.

10 EXAMINER PARROT: Thank you.

11 Ms. Alexander.

12 MS. ALEXANDER: I have quite -- I have
13 some questions to ask, okay?

14 - - -

15 CROSS-EXAMINATION

16 By Ms. Alexander:

17 Q. From -- you said that someone came out on
18 November 19.

19 A. Yes.

20 Q. Of?

21 A. 2010.

22 Q. 2010. Were they into -- did they get
23 into the property?

24 A. Yes, they did.

25 Q. How did they get in? Who let them in?

1 A. He says "advised Mrs." so there was
2 apparently a woman there who let him in.

3 Q. No one, the property was vacant. I mean
4 no one is living in this house so how did they get
5 in?

6 A. I can only tell you that someone let him
7 in and said they didn't have any heat so he lit the
8 furnace for them.

9 Q. Okay. You made some corrections on
10 the --

11 A. Yes, I did.

12 Q. Okay. Those -- the corrections that you
13 made, do they have anything to do with the uses of
14 the gas at that time?

15 A. No. They are simply when we typed this
16 up, I didn't realize we didn't have the correct
17 numbers from the witness test that you and I were
18 there for where we said on the fast speed it was
19 registering 1.4 percent and on the checked speed it
20 was 1.8 percent. And we inadvertently typed in 1.6
21 instead of 1.8. That was the correction.

22 Q. Would that have any effect on the bill?

23 A. If a meter is 1.8 percent fast, that
24 means it's registering more gas than is actually
25 being used, 1.8 percent more. 1.8 percent more,

1 check 1.4 percent more at fast speed.

2 Q. I am getting back to this house because I
3 can't understand how you got into the property when
4 there was no one -- no one to let you in. And also I
5 have another question. If someone came November 19
6 to turn gas on in the house, now, wouldn't they
7 notice that these leaks were there from the beginning
8 and would have not turned the gas on because of those
9 leaks?

10 A. Gas was already on. There was no reason
11 for us to test the house lines at that time.

12 Q. Well, wouldn't the householder that
13 opened the door, would she have already been informed
14 of this, that the leaks are there and that they
15 wouldn't -- they could have cut it off from the
16 beginning? Why didn't they cut it off? Why didn't
17 they red tag it? They did it in May -- April when
18 they came out. When they came out in May, they cut
19 it, everything, shut everything down. Why couldn't
20 they have done that in November?

21 A. Because gas was already on and a transfer
22 order when gas is already on, what we do is we come
23 in and we read the meter, get a meter reading to
24 establish the service for the new customer and that's
25 usually all.

1 This particular case the person that was
2 there asked them to turn on the furnace for her. He
3 did that. Normally we wouldn't do that unless we are
4 asked.

5 Q. Okay. I really don't understand it
6 because I called -- as I testified that I called the
7 gas company in May with a smell of gas odor and they
8 came out. They tested it, and the first thing they
9 did was cut it off and told me that they couldn't
10 turn it back on until --

11 MS. THOMPSON: Your Honor.

12 EXAMINER PARROT: Ms. Alexander, could
13 you hold for just a second.

14 MS. THOMPSON: Your Honor, I understand
15 this is a pro se claim, but I am going to have to
16 object. Ms. Alexander had her chance to testify, and
17 if she feels the need to rebut anything on direct,
18 she has that opportunity.

19 EXAMINER PARROT: Okay. At this point
20 you do need to limit what you're doing here to
21 questioning the witness. If we need to -- as we
22 mentioned earlier, if you need to recall a witness to
23 rebut Mr. Kazmer's testimony, you may then do that,
24 but at this point you need to pose questions to the
25 witness rather than offering your statements.

1 MS. ALEXANDER: So in order for me I have
2 to requestion myself.

3 EXAMINER PARROT: That might be what we
4 need to do, right. So at this point limit what
5 you're doing to questions and then if we need to,
6 right, then you may.

7 MS. ALEXANDER: So just question him?

8 EXAMINER PARROT: Question, questions
9 only at this point.

10 Q. (By Ms. Alexander) So the question is why
11 did you leave the gas on at that particular time
12 instead of shutting the whole unit down on November
13 19?

14 A. Like I say, the gas service was already
15 on, and it was a transfer order. What we do is we
16 come on a transfer where gas is already on, we
17 basically just read the meter to establish a new
18 account for the new customer. If our rep who goes
19 there does smell gas, he will react to that, but if
20 he doesn't smell any gas, we are not going to shut
21 down the entire building or in this case both up and
22 down and test all the lines. There is no reason to
23 do that. Gas service has already been established.
24 Gas is flowing through the pipes. The gas meter has
25 been on.

1 MS. ALEXANDER: No further questions.

2 EXAMINER PARROT: Okay. Anything
3 further?

4 MS. THOMPSON: No further redirect.

5 EXAMINER PARROT: Thank you.

6 MS. ALEXANDER: So I can call my --

7 EXAMINER PARROT: Just a moment.

8 Thank you, Mr. Kazmer.

9 MS. THOMPSON: Your Honor, at this time
10 Dominion East Ohio would like to move into the record
11 DOE Exhibit 1.0 which is the direct testimony of
12 Roxie Edwards.

13 EXAMINER PARROT: It's so marked.

14 (EXHIBIT MARKED FOR IDENTIFICATION.)

15 MS. THOMPSON: Similarly DEO 2.0 and 2.1
16 and D.O. Exhibit 3.

17 EXAMINER PARROT: And DEO Exhibit 2.0 is
18 marked. That's the Kazmer direct testimony. And DEO
19 2.1 is marked as well. That's the Kazmer
20 supplemental testimony.

21 (EXHIBITS MARKED FOR IDENTIFICATION.)

22 EXAMINER PARROT: Ms. Alexander, do you
23 have any objections to the admission of any of the
24 exhibits that Ms. Thompson has presented today?

25 MS. ALEXANDER: Yes, I do. I re-call

1 myself.

2 EXAMINER PARROT: No. Do you have any
3 objections to her exhibits --

4 MS. ALEXANDER: No.

5 EXAMINER PARROT: -- specifically being
6 admitted as part of the record in the case?

7 MS. ALEXANDER: No.

8 EXAMINER PARROT: Okay. Very good.
9 Exhibits DEO Exhibits 1.0, 2.0, 2.1, and 3.0 are
10 admitted into the record.

11 (EXHIBITS ADMITTED INTO EVIDENCE.)

12 EXAMINER PARROT: Anything further from
13 the company?

14 MS. THOMPSON: Not at this time, your
15 Honor. We would rest.

16 EXAMINER PARROT: Thank you.

17 Ms. Alexander, I believe you would like
18 to take the stand again to rebut Mr. Kazmer's
19 testimony, and you may do that at this time.

20 EXAMINER PARROT: And I remind you you
21 are still under oath. Please be seated.

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JUDY ALEXANDER

being previously duly sworn, as prescribed by law,
was examined and testified on rebuttal as follows:

DIRECT EXAMINATION

EXAMINER PARROT: All right. At this
point you may testify in response to Mr. Kazmer's
testimony.

THE WITNESS: Okay. In the response to
his testimony is that the house was vacant -- this is
in response to someone letting the gas man in is that
at this time there was no one living in this house in
order to open these doors.

At that time my workers is coming in --
at that time my workers is coming in like they
didn't -- the house was cold so we had to wait for
warm days, and warm days did not start until after
January of 2011. It's the only time that they could
have workers in there except for Mr. Dailide because
Mr. Dailide was the only one that could take the cold
weather. He just worked whenever he felt like he
wanted to work. And he had written his statement
that he was going in and out.

And so, therefore, he did not let a gas
man in. My workers didn't let a gas man in. So I
can't -- my thing is I can't understand how a gas man

1 got on the premise -- in the premises to cut gas -- I
2 mean to even check anything at that -- in November
3 19.

4 Also to state that after I had made the
5 call -- emergency call to Dominion to state the gas
6 odor that I had smelled, okay, they came and they cut
7 it off, cut everything off, shut everything down.
8 And in May, 2011, I received the gas bill. That was
9 the very first bill that I ever received for that
10 house. So what I can't understand is how someone let
11 someone in. I can't understand how someone could not
12 turn gas off if they could -- and I smelled it in May
13 and these things was leaking all the time. That's my
14 rebuttal.

15 EXAMINER PARROT: Okay. Thank you.

16 Ms. Thompson?

17 - - -

18 CROSS-EXAMINATION

19 By Ms. Thompson:

20 Q. I just have a few questions,
21 Ms. Alexander. In your rebuttal testimony you stated
22 that the workers didn't let anyone from Dominion in
23 the house. How do you know that?

24 A. Well, it was stated. There was no one
25 else working but Mr. Dailide and he stated on his

1 statement that he never let a gas man in.

2 Q. Okay.

3 A. And he was the only worker that was
4 working at that time.

5 Q. You also mentioned that the May bill was
6 the first bill you ever received.

7 A. May 5.

8 Q. But in your complaint you attached bills
9 from April; isn't that correct?

10 A. I don't remember the April bill. I got
11 bills May 5 of 2011. If I got a bill from April, I
12 don't -- I don't know. All I -- like I said is any
13 bill and the reason why this one was not paid was
14 because I didn't receive it. I didn't receive it.
15 The people called me and said Alliance One. I said
16 who is Alliance One? You got a bill that wasn't paid
17 against Dominion. I don't know. The upstairs unit
18 on Beman, there is no gas in that place at all so how
19 can I get a bill?

20 Q. And what was --

21 A. I haven't received this bill at all.

22 Q. And what is the date of that letter that
23 you have?

24 A. I am so sorry. I don't see. I got the
25 actual bill. I got another letter from Alliance. I

1 don't see a date on here at all.

2 MR. COOPER: Your Honor.

3 A. I don't see a date on here at all. This
4 is just a letter from Alliance One.

5 MS. THOMPSON: May I approach, your
6 Honor?

7 EXAMINER PARROT: You may.

8 A. April 30. Oh, this one is much later.
9 It come June 30 on here. This is what I got before
10 Alliance One sent me the letter. They also made a
11 couple of telephone calls to me about the bill, okay,
12 and I was like a bill for what and he said the
13 apartment. He gave me the apartment number, and I
14 told him, I said, I'm not aware of this bill. And he
15 said, well, you has been sent by Dominion to us for
16 collection.

17 Q. And when did you file your complaint with
18 the PUCO? Do you remember?

19 A. The complaint paper's here too. In
20 November -- April.

21 MR. COOPER: Excuse me, your Honor.

22 A. I'm thinking it was around May, after I
23 had got the May bill, so it was after the bill,
24 May 5.

25 Q. Did you file your complaint on

1 November 2, 2011? Does that date sound familiar?

2 A. November 2. Let me see, I just had that.

3 Q. Would it help if I refreshed your
4 recollection?

5 MS. THOMPSON: May I approach, your
6 Honor?

7 EXAMINER PARROT: You may.

8 Q. Ms. Alexander, I am handing you the first
9 page of your complaint. There's a date here. It's a
10 little hard to read. Would you please read that.

11 A. The date is -- it says -- I know it's the
12 2nd.

13 Q. It's also at the bottom of the page too,
14 if that helps. It's written.

15 A. Yeah, because this is my handwriting,
16 11-2, 11-2-11.

17 Q. So your complaint was filed on
18 November --

19 A. I know it was after May.

20 Q. Just to confirm so your complaint was
21 filed on November 2, 2011.

22 A. Yes, November 2, 2011.

23 Q. And since filing your complaint have you
24 received any other letters from Alliance to collect
25 the bill that you have with you today or to the best

1 of your knowledge?

2 A. June, they sent me one in June, and I
3 haven't sent -- haven't gotten a letter, but I have
4 gotten telephone calls and I told them that we were
5 in dispute and they stopped calling me until we
6 resolve this matter.

7 Q. So they are no longer contacting you
8 until this matter is resolved.

9 A. No, they are no longer contacting me.

10 MS. THOMPSON: Your Honor, I have no
11 further questions.

12 EXAMINER PARROT: Ms. Alexander, do you
13 have anything further to add after having gone
14 through those questions with Ms. Thompson?

15 MS. ALEXANDER: As far as the --

16 EXAMINER PARROT: Anything to follow-up
17 on her questions.

18 MS. ALEXANDER: No. That's it.

19 EXAMINER PARROT: Okay. Thank you very
20 much.

21 Ms. Alexander, do you have any further
22 rebuttal testimony to offer?

23 MS. ALEXANDER: No. Rebuttal means I
24 have to call her witnesses and not mine.

25 EXAMINER PARROT: Anything to follow up

1 in response to her like you just did yourself.

2 MS. ALEXANDER: No.

3 EXAMINER PARROT: Okay. Very good. All
4 right. Let's go off the record for a moment.

5 (Discussion off the record.)

6 EXAMINER PARROT: Let's go back on the
7 record. The parties have agreed upon a briefing
8 schedule. Initial briefs will be due on August 2.
9 Those should be filed with the Commission's Docketing
10 Division. Reply briefs will be due on August 16 and
11 those as well should be filed with the Docketing
12 Division of the Commission.

13 Is there anything further to come before
14 us today?

15 MS. THOMPSON: Nothing, your Honor.

16 EXAMINER PARROT: All right. Hearing
17 nothing then we are adjourned and this matter will be
18 submitted for consideration by the Commission subject
19 to receipt of the briefs. Thank you.

20 (Thereupon, the hearing was concluded at
21 11:05 a.m.)

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CERTIFICATE

I do hereby certify that the foregoing is
a true and correct transcript of the proceedings
taken by me in this matter on Thursday, June 21,
2012, and carefully compared with my original
stenographic notes.

Karen Sue Gibson, Registered
Merit Reporter.

(KSG-5549)

- - -

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Case No(s). 11-5601-GA-CSS

Summary: Transcript of Judy Alexander vs. The East Ohio Gas Company hearing held on 06/21/12 electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.