

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of the	:	
Complaint of Gwendolyn	:	
Tandy,	:	
	:	
Complainant	:	
	:	
v.	:	Case No. 12-2102-EL-CSS
	:	
Cleveland Electric	:	
Illuminating Company,	:	
	:	
Respondent	:	

- - -

PROCEEDINGS

before Ms. Greta See, Hearing Examiner, at the Public Utilities Commission of Ohio, 180 East Broad Street, Room 11-D, Columbus, Ohio, called at 11:57 a.m. on Tuesday, January 15, 2013.

- - -

ARMSTRONG & OKEY, INC.
222 East Town Street, 2nd Floor
Columbus, Ohio 43215-5201
(614) 224-9481 - (800) 223-9481
Fax - (614) 224-5724

- - -

1 APPEARANCES:

2 Whitt Sturtevant, LLP
3 By Mr. Gregory L. Williams
4 Mr. Andrew J. Campbell
5 The KeyBank Building
6 88 East Broad Street, Suite 1590
7 Columbus, Ohio 43215

8 On behalf of the Cleveland Electric
9 Illuminating Company.

10 First Energy
11 By Ms. Carrie M. Dunn
12 76 South Main Street
13 Akron, Ohio 44308

14 On behalf of First Energy.

15 - - -
16
17
18
19
20
21
22
23
24
25

1	INDEX		
2	- - -		
3	WITNESSES	PAGE	
4	Gwendolyn Tandy		
	Direct Testimony	7	
5	Cross-Examination by Mr. Williams	38	
6	Deborah Reinhart		
	Direct Examination by Mr. Campbell	83	
7	Cross-Examination by Ms. Tandy	85	
	Examination by Examiner See	88	
8	Recross-Examination by Ms. Tandy	94	
	Further Examination by Examiner See	95	
9	Redirect Examination by Mr. Campbell	97	
10	- - -		
11	CEI EXHIBITS	IDF'D	ADMT'D
12	1 - Direct Testimony of D. Reinhart	83	100
13	4 - Letter from DOD, dated 11/14/11	41	81
14	5 - Letter from DOD, dated 12/12/11	42	81
15	6 - Letter from DOD, dated 2/5/12	43	81
16	7 - Bills for account ending 0079	47	81
17	8 - Final bill for account ending 7153	70	81
18	- - -		
19	COMPLAINANT EXHIBITS	IDF'D	ADMT'D
20	1 - Summary of Statement, dated 7/29/12	9	80
21	2 - Summary of Statement, dated 3/5/12	16	--
22	3 - Summary of Statement, dated 4/4/12	16	--
23	4 - Notice of Determination	21	80
24	5 - Summary of Statement, dated 6/28/12	35	80
25	- - -		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Tuesday Morning Session,
January 15, 2013.

- - -

EXAMINER SEE: Scheduled for hearing
today before the Public Utilities Commission of Ohio
is Case No. 12-2102-EL-CSS, entitled In the Matter of
the Complaint of Gwendolyn Tandy versus The Cleveland
Electric Illuminating Company.

At this time I'd like to take appearances
of the parties. On behalf of the Complainant,
Ms. Tandy, if you could please state and spell your
name for the record and your address.

MS. TANDY: Gwendolyn Tandy. I live at
1439 Sulzer Avenue, Euclid, Ohio 44132.

EXAMINER SEE: And on behalf of the
Respondent, Cleveland Electric Illuminating Company.

MR. CAMPBELL: Yes. On behalf of the
Respondent, Andrew Campbell and Gregory Williams with
Whitt Sturtevant, LLP, The KeyBank Building, 88 East
Broad Street, Suite 1950, Columbus, Ohio 43215. And
also in the room is Carrie Dunn who is in-house.

EXAMINER SEE: Okay. Ms. Tandy.

MS. TANDY: Yes.

EXAMINER SEE: We previously briefly went
through the process for today's hearing, correct?

1 MS. TANDY: Yes.

2 EXAMINER SEE: You and I did.

3 MS. TANDY: Uh-huh.

4 EXAMINER SEE: I'm sorry. Let me
5 introduce myself. My name is Greta See.

6 MS. TANDY: You did say that when you
7 came in; you said that.

8 EXAMINER SEE: But I wasn't on the
9 record.

10 MS. TANDY: Oh.

11 EXAMINER SEE: My name is Greta See. I'm
12 the attorney examiner assigned by the Commission to
13 preside over this case. I work for the legal
14 department. As I said before, Ms. Tandy, you and I
15 discussed the process for the hearing today prior to
16 going on the record.

17 MS. TANDY: Yes, that's right.

18 EXAMINER SEE: Okay. So you are aware at
19 this time I'm going to call you forward, ask you to
20 raise your right hand, and swear or affirm that the
21 information you're about to give is true, okay? You
22 want to come and take the witness seat? That means
23 you need to take your stuff with you.

24 MS. TANDY: I got to move over there and
25 stay over there?

1 EXAMINER SEE: I'll tell you what, if
2 nobody doesn't have a problem with it, which they
3 shouldn't, so long as the court reporter can hear
4 you, you can stay right there. I just need you to
5 raise your right hand.

6 (Witness sworn.)

7 MS. TANDY: I'm not quite ready though.

8 EXAMINER SEE: How much time do you think
9 you're going to need?

10 MS. TANDY: About five minutes.

11 EXAMINER SEE: Okay. We'll take a --
12 let's go off the record.

13 (Recess taken.)

14 EXAMINER SEE: Let's go back on the
15 record.

16 Ms. Tandy.

17 MS. TANDY: Yes.

18 EXAMINER SEE: Go ahead with your
19 testimony. I remind you that you continue to be
20 under oath.

21 Ms. Tandy?

22 MS. TANDY: Yes.

23 - - -

24 GWENDOLYN C. TANDY

25 being first duly sworn, as prescribed by law, was

1 examined and testified as follows:

2 DIRECT TESTIMONY

3 MS. TANDY: I have several complaints
4 with the Illuminating -- I have several complaints
5 against the Illuminating Company. I talk about the
6 balance, the February 1st, 2012, I had a credit of
7 \$12.29, and March 3rd, I had a balance of \$443.98.

8 I'll talk about -- the statement, it has
9 misleading -- it's misleading and I can't understand
10 it. It looks like 18 months of adding my payment
11 rather than subtracting it.

12 EXAMINER SEE: Ms. Tandy, let me stop you
13 right there. Because this is in writing, I need to
14 know which statement you are referring to. Are you
15 looking at the summary of statements that were sent
16 to you by Cleveland Electric Illuminating Company?

17 MS. TANDY: Right now I'm looking at my
18 complaint.

19 EXAMINER SEE: Okay. But I need to know
20 which -- okay, what bill would you be referring to?
21 Any idea?

22 MS. TANDY: Yes, I have an idea. I said
23 March the 2nd, 2012.

24 EXAMINER SEE: March the 2nd, 2012.

25 MS. TANDY: There was a transfer balance

1 on February the 17th, 2012, of \$269, which made my
2 balance \$420.51.

3 EXAMINER SEE: Okay.

4 MS. TANDY: Another -- I'm looking at the
5 statement from the Illuminating Company, it's dated
6 from March 28th, 2011, and this page ends on August
7 the 7th, 2012. There are -- on payments from
8 May 4th, 2011, there's no date of when my payment was
9 received.

10 EXAMINER SEE: You're looking at a
11 horizontal detail of the accounts?

12 MS. TANDY: Right. The page I'm looking
13 at is March 28th, 2011, ends on August the 7th, 2012.
14 Like I said, on February -- I mean, not February.
15 Yes, February 17th, there's a transfer balance from
16 an account number that I don't recognize and it's
17 \$269.

18 Also July 29th, 2012, I had an ending
19 balance of zero. Did I say 2012? Okay. I have the
20 statements here in just a second.

21 EXAMINER SEE: Ms. Tandy, are you
22 referring to a Summary of Statement?

23 MS. TANDY: No. The actual Illuminating
24 Company statements.

25 EXAMINER SEE: Is this what you're

1 looking at or is this what you're referring to?

2 MS. TANDY: Right. The Illuminating
3 Company statements.

4 EXAMINER SEE: You want to mark this as
5 an exhibit, Ms. Tandy?

6 MS. TANDY: Yes.

7 EXAMINER SEE: Let's make that
8 Complainant Exhibit 1.

9 (EXHIBIT MARKED FOR IDENTIFICATION.)

10 EXAMINER SEE: You need a copy,
11 Mr. Williams?

12 MR. WILLIAMS: Yes.

13 MS. TANDY: I'm looking at the statement
14 February --

15 EXAMINER SEE: Let's finish with -- were
16 you finished with this statement dated July 29th,
17 2012, that had an ending balance of zero?

18 MS. TANDY: Well, I'm looking at the
19 statements now, so I might as well give -- right now
20 I'm looing at February 1st to March the 2nd, 2012.

21 EXAMINER SEE: So you're looking at the
22 bill.

23 MS. TANDY: Yes. Everybody have that
24 bill, that statement? February 1st to March 2nd,
25 2012. I have another copy if they need it. Or they

1 got a copy? Okay, you got it.

2 EXAMINER SEE: Mr. Williams,
3 Mr. Campbell, do you have a copy of that bill?

4 MR. WILLIAMS: We do, your Honor.

5 It's the bill dated March 5th, 2012; is
6 that correct?

7 MS. TANDY: Uh-huh. This says a total
8 payment adjustment that was added, \$256.79. I don't
9 have an explanation as to where that adjustment came
10 from.

11 EXAMINER SEE: You said \$256.79; is that
12 correct?

13 MS. TANDY: It says a total payment
14 adjustment of \$256.79, and they say my previous
15 balance -- January 31st, 2012, there was a payment,
16 my PIPP payment is \$29, but I paid 30, also another
17 payment of \$34.48. All these payments, though, some
18 of them have dates, they do have dates, but that's a
19 transfer I question.

20 MR. WILLIAMS: I'm sorry, your Honor.
21 It's unclear which document she's referring to now.

22 MS. TANDY: This one now, but I do have
23 the statement from March 5th, 2012.

24 EXAMINER SEE: Ms. Tandy, let's see what
25 you have.

1 MS. TANDY: They said they had this one.
2 He got it on the screen. Wait a minute before you
3 take that.

4 EXAMINER SEE: I'm not going to take it.
5 Ms. Tandy, you were given this during the settlement
6 conference; is that correct?

7 MS. TANDY: Yes.

8 EXAMINER SEE: The document you're
9 looking at.

10 MS. TANDY: And it was also mailed to me.
11 I requested it.

12 EXAMINER SEE: This is a detailed summary
13 of Ms. Tandy's account ending in 0079, commencing on
14 September 8th, 2009 and running through March 28th,
15 2011. It goes through -- details the meter read,
16 meter date, kilowatt hours used, total bill, PIPP due
17 date, amount due, provides the payment amount, and
18 any adjustments going over to a balance in the far
19 right-hand column. I'm pretty sure this is what was
20 provided to Ms. Tandy and probably discussed during
21 the settlement conference.

22 MR. WILLIAMS: We do not have a copy of
23 that document. Does Ms. Tandy intend to mark that as
24 an exhibit?

25 MS. TANDY: No. I mean, I could, but

1 this is what I want to go into exhibit.

2 Ms. See?

3 EXAMINER SEE: Yes.

4 Let's go off the record for a minute.

5 (Off the record.)

6 EXAMINER SEE: Let's go back on the
7 record.

8 MS. TANDY: Okay.

9 EXAMINER SEE: Ms. Tandy, let me see if I
10 can kind of guide you through some of this.
11 Referring to the bill dated --

12 MS. TANDY: I want this to go in as an
13 exhibit.

14 EXAMINER SEE: Hold on just a minute.
15 Referring to the bill dated May, you had some
16 question as to the source of the transfer of your
17 account in the amount of \$269.08; is that correct?

18 MS. TANDY: \$269.08, yes, that's correct.

19 EXAMINER SEE: You also had some concern
20 as to the source of the three credits that also
21 appear on that same bill, dated February 1st, 2012,
22 and February 20th, 2012, each in the amount of
23 \$12.29?

24 MS. TANDY: Uh-huh. Well, no. I
25 understand what those are, but the actual bill, the

1 total charges . . .

2 Okay. April 3rd -- I mean, March 3rd to
3 April 3rd.

4 EXAMINER SEE: So you're looking at the
5 next bill in the month that would have been prepared?

6 MS. TANDY: Uh-huh. Yes.

7 EXAMINER SEE: Let me see if there's a
8 preparation date, April 4th, 2012.

9 MS. TANDY: Uh-huh. The balance from
10 March 19 was \$29.61.

11 EXAMINER SEE: What bill? Okay, you're
12 back on the March 5th, bill?

13 MS. TANDY: Well, this -- no.

14 EXAMINER SEE: This says total charges,
15 \$29.61, correct?

16 MS. TANDY: This is March 19th, so it's
17 part of the March 3rd to April 3rd bill. I moved on
18 from February.

19 EXAMINER SEE: Okay.

20 MS. TANDY: This is March. On this
21 statement, there's a 256 -- oh, they subtracted
22 \$12.29, my credit that I had. Now that's February
23 and the total charges are 29.61, so that means I had
24 -- I paid --

25 MR. WILLIAMS: I'm sorry, your Honor, I'm

1 not following Ms. Tandy's testimony.

2 MS. TANDY: Once again, I state this is
3 March the 3rd through to April 3rd, 2012. It's the
4 April bill that I'm speaking of now.

5 MR. WILLIAMS: Okay. So the bill dated
6 April 4th, 2012 is what you're referring to?

7 MS. TANDY: Excuse me?

8 MR. WILLIAMS: The bill dated April 4th,
9 2012.

10 EXAMINER SEE: No. The previous bill,
11 Mr. Williams.

12 MS. TANDY: March 3rd through April 3rd.

13 MR. WILLIAMS: Right. That's the billing
14 period.

15 MS. TANDY: Yes. This is another -- this
16 is the actual . . .

17 MR. WILLIAMS: Okay. So you're referring
18 to the April 4th, 2012 bill. Are you on page 1 or
19 page 2 of that bill?

20 MS. TANDY: I'm on page 3.

21 MR. WILLIAMS: I'm sorry, page 3.

22 MS. TANDY: Page 3. That's where my
23 total charges were 29.61. 29.61. And they got \$29,
24 March the 7th. And it's two credits on my bill in
25 March, \$29 and \$30, both on the same day, March 7th.

1 Therefore, I had no previous balance on April -- from
2 -- from -- for the April 4th, 2012 bill. I had no
3 previous balance, but yet they saying my balance is
4 \$459.21. And yes, I would like to add these two --
5 these two documents.

6 EXAMINER SEE: And you're talking about
7 the two bills you've been referring to, prepared --

8 MS. TANDY: March 3rd -- March 3rd --

9 EXAMINER SEE: Prepared March 5th, 2012
10 and April 4th, 2012, that's the preparation date, and
11 they go from February 1st of service through -- let
12 me find the date.

13 MS. TANDY: And there's a payment
14 adjustment also on there.

15 EXAMINER SEE: Okay.

16 MS. TANDY: The payment was made March
17 the 7th, \$59.

18 EXAMINER SEE: So you're --

19 MR. WILLIAMS: I'm sorry. To which bill
20 are you referring to when you say on "there"?

21 MS. TANDY: Here they are, Ms. See.

22 EXAMINER SEE: She's referring to the
23 bill dated April 4th, prepared April 4th, 2012, due
24 date April 18th, 2012, and you want each of those
25 marked as an exhibit?

1 MS. TANDY: Yes, ma'am.

2 EXAMINER SEE: The one dated -- prepared
3 March 5th, 2012 would be marked Complainant Exhibit
4 2.

5 (EXHIBIT MARKED FOR IDENTIFICATION.)

6 MS. TANDY: Do you want me to give it to
7 you?

8 EXAMINER SEE: Yes, please. And the one
9 prepared April 4th, due April 18th, 2012, will be
10 marked as Complainant Exhibit 3.

11 (EXHIBIT MARKED FOR IDENTIFICATION.)

12 EXAMINER SEE: Ms. Tandy, the bills
13 you've handed me are -- you've only handed me one
14 page from each of the bills that you were referring
15 to, correct? Correct?

16 MS. TANDY: Well, you can have this page
17 also, the front page.

18 EXAMINER SEE: And the handwriting
19 appearing on the bills is your handwriting, what you
20 filed here on the docket here at the Commission,
21 correct?

22 MS. TANDY: Let me see.

23 EXAMINER SEE: The writing appearing on
24 there is your writing and what you filed with the
25 Commission when you filed your complaint? These are

1 copies.

2 MS. TANDY: Well, I have the actual
3 complaint here.

4 EXAMINER SEE: But this is your writing.

5 MS. TANDY: That is my handwriting.

6 EXAMINER SEE: That's all I'm --

7 MS. TANDY: And here is the complaint.

8 EXAMINER SEE: That's okay.

9 What is the next issue that you raised
10 with your service? What is the next issue that you
11 raised with regard to your service from CEI?

12 MS. TANDY: There was several bills that
13 -- where my payment -- well, they added my PIPP
14 payment rather than subtracted.

15 EXAMINER SEE: Okay. In that regards,
16 Ms. Tandy, before you continue, let me ask you a few
17 questions.

18 MS. TANDY: Okay.

19 EXAMINER SEE: Do you recall when you
20 became a PIPP customer? And by "PIPP," you mean the
21 Percentage of Income Payment Plan, correct?

22 MS. TANDY: I was on PIPP --

23 EXAMINER SEE: Approximately.

24 MS. TANDY: When I was working I was even
25 on PIPP.

1 EXAMINER SEE: Can you give me some idea
2 about what year you went on PIPP?

3 MS. TANDY: Maybe 2000.

4 EXAMINER SEE: Okay.

5 MS. TANDY: The percentage of income
6 plan?

7 EXAMINER SEE: Correct, that's what I'm
8 referring to when I say "PIPP."

9 MS. TANDY: I believe one of those years,
10 my PIPP payment was \$72, I think that was 2008. My
11 PIPP payment was \$72. I was working then.

12 EXAMINER SEE: Now, the \$72 PIPP payment,
13 was that for your electric service as you recall?
14 Are you on PIPP for both gas and electric?

15 MS. TANDY: Now I am.

16 EXAMINER SEE: Okay.

17 MS. TANDY: I mean, back then I don't
18 think I had for electric, just the gas.

19 EXAMINER SEE: When did you move into
20 your current address?

21 MS. TANDY: 2006. June of 2006.

22 EXAMINER SEE: Okay. And your residence
23 is one part of a duplex?

24 MS. TANDY: Uh-huh.

25 EXAMINER SEE: And you have been -- am I

1 understanding you correctly that you represent that
2 you've been on PIPP ever since you moved into your
3 current address? You've been on PIPP since 2006?

4 MS. TANDY: I have to look at one of my
5 bills, because I don't remember. I mean, not for the
6 Illuminating Company, I don't think.

7 EXAMINER SEE: Okay. Do you own the
8 duplex, the entire unit?

9 MS. TANDY: Yes, ma'am, I do.

10 EXAMINER SEE: You're saying that CEI has
11 failed to account for your PIPP payments properly on
12 your account?

13 MS. TANDY: Yeah.

14 EXAMINER SEE: Do you recall receiving
15 any documentation that you were being removed or no
16 longer eligible for PIPP?

17 MS. TANDY: Yes. And I believe it said
18 on that same letter that I needed to provide my proof
19 of income, which I did, and I -- and my PIPP was
20 reinstated.

21 EXAMINER SEE: And approximately when did
22 you receive that statement, do you recall, that you
23 were being removed until you provided additional
24 information?

25 MS. TANDY: When did I receive that

1 letter?

2 EXAMINER SEE: Approximately.

3 MS. TANDY: I believe it was in November
4 of 2011.

5 EXAMINER SEE: And you said you provided
6 the necessary information to be reinstated on PIPP
7 Plus?

8 MS. TANDY: Yes. They wanted proof of my
9 income, I believe. I'm not looking at that letter,
10 but . . .

11 EXAMINER SEE: Do you have documentation
12 that you were reinstated on PIPP with you today?

13 MS. TANDY: Yes.

14 EXAMINER SEE: Okay.

15 MS. TANDY: Would you like a copy of it?

16 EXAMINER SEE: I need that to go into the
17 record, Ms. Tandy.

18 MS. TANDY: Okay. This is the State of
19 Ohio, Department of Development, this is my
20 application for assistance dated November 3rd, 2011,
21 and has the following determination.

22 EXAMINER SEE: Mr. Williams, do you
23 happen to have this?

24 MR. WILLIAMS: No, we do not.

25 EXAMINER SEE: Would you like to see it?

1 MR. WILLIAMS: Yes.

2 (EXHIBIT MARKED FOR IDENTIFICATION.)

3 MR. CAMPBELL: Were there no copies of
4 Complainant's Exhibits 2 and 3 to share with the
5 company? I'm just concerned to keep things clear on
6 the record.

7 EXAMINER SEE: As I said before,
8 Complainant Exhibit 2 is the March 5th bill.
9 Complainant Exhibit 3 is the subsequent bill.

10 MR. CAMPBELL: These are the handwritten?

11 EXAMINER SEE: These are portions of
12 Ms. Tandy's complaint filed in the docket in this
13 case.

14 MR. CAMPBELL: Okay.

15 EXAMINER SEE: Do you need copies,
16 Mr. Campbell?

17 MS. TANDY: This is also from --

18 EXAMINER SEE: Hold on for a minute,
19 Ms. Tandy.

20 MR. CAMPBELL: I'm wondering if maybe at
21 the conclusion of direct, if we could run a copy for
22 ourselves just to make sure we're -- I'm just afraid
23 we're going to get confused as to who's referring to
24 what. And to let things keep going, we can wait
25 until the end of direct testimony.

1 EXAMINER SEE: The direct testimony of
2 Complainant.

3 MR. CAMPBELL: Yes.

4 EXAMINER SEE: Thank you.

5 Go ahead, Ms. Tandy.

6 MS. TANDY: This letter is from Dominion.
7 The subject is my PIPP Plus enrollment.

8 EXAMINER SEE: I'm sorry. Tell me the
9 date.

10 MS. TANDY: The date is February 24th,
11 2011. It states that my reverification date is
12 February 23rd, 2012. My anniversary date for PIPP
13 is --

14 EXAMINER SEE: Let me see what you're
15 looking at, please.

16 MS. TANDY: It also tells me that for
17 that year my PIPP payment is \$43.

18 EXAMINER SEE: Ms. Tandy, if you look at
19 this letter again, please. Could you tell me what
20 company that's referring to?

21 MS. TANDY: Dominion.

22 EXAMINER SEE: Okay. At this point we're
23 talking about --

24 MS. TANDY: I know.

25 EXAMINER SEE: -- Cleveland Electric

1 Illuminating Company.

2 MS. TANDY: I know, but --

3 EXAMINER SEE: We're going to handle that
4 part in just a minute.

5 MS. TANDY: Okay. I think that's all I
6 have as far as my PIPP payment for --

7 EXAMINER SEE: For CEI.

8 MS. TANDY: I have in my notes that
9 January the 4th, 2011, my PIPP payment was added,
10 February 1st, 2011, my PIPP payment was added rather
11 than subtracted. Then April 4th, 2011, I guess this
12 is when they took care of me because April 4th, 2011
13 I have a \$12.29 credit.

14 If we go back to June 5th, 2012, I have a
15 previous balance of \$425.59.

16 EXAMINER SEE: Okay. Tell me again which
17 bill you're looking at, Ms. Tandy.

18 MS. TANDY: June 5th, 2012. Let me see
19 that letter again from the electric company about the
20 -- because they paid something on my electric bill.

21 EXAMINER SEE: Which bill are you
22 referring to?

23 MS. TANDY: The one that verified the
24 PIPP.

25 EXAMINER SEE: Those are sitting back

1 over there because they refer to --

2 MS. TANDY: Dominion.

3 EXAMINER SEE: Yeah.

4 MS. TANDY: But I gave you something
5 else. The one where they made a PIPP payment for the
6 Illuminating Company. It just had those two little
7 -- one they paid on Illuminating Company and one they
8 paid on Dominion.

9 EXAMINER SEE: Is that your eligibility
10 letter you were thinking of?

11 MS. TANDY: No. It was a payment they
12 made on there.

13 EXAMINER SEE: Let's go off the record
14 for a minute.

15 (Off the record.)

16 EXAMINER SEE: Let's go back on the
17 record.

18 MS. TANDY: I paid them with a \$59
19 payment. Let me get this bill.

20 EXAMINER SEE: Ms. Tandy, were you
21 referring to a November 3rd, 2011, letter --

22 MS. TANDY: Right, that's the one. Do
23 you see the payments?

24 EXAMINER SEE: -- from the Department of
25 Development --

1 MS. TANDY: Do you see those payments?

2 EXAMINER SEE: -- for 2012 Winter Crisis
3 Program and it indicates a \$29 PIPP payment for
4 Dominion East Ohio, and a \$29 payment due for PIPP to
5 The Cleveland Electric Illuminating Company.

6 MS. TANDY: Yes, that's the one I was
7 referring to.

8 MR. WILLIAMS: Your Honor, so is this
9 Complainant's Exhibit 4?

10 EXAMINER SEE: Yes.

11 MS. TANDY: This is what the actual
12 balances were at that time, that's why they paid me.
13 It wasn't whatever they have my balance at, \$450 --

14 EXAMINER SEE: Okay.

15 MS. TANDY: -- for the November 3rd,
16 2011.

17 EXAMINER SEE: Ms. Tandy, you understand
18 this PIPP payment amount over here to be \$29?

19 MS. TANDY: That's my monthly PIPP
20 payment for the --

21 EXAMINER SEE: For each.

22 MS. TANDY: Right. But they paid these
23 amounts at that time because as --

24 EXAMINER SEE: When you say "these"
25 amounts, you're talking about the \$117.10 to

1 Dominion, and the \$57.90 to CEI?

2 MS. TANDY: That was what my balance was.
3 That's November 2011.

4 EXAMINER SEE: That's Complainant Exhibit
5 4 you're referring to?

6 MS. TANDY: See how it jumps?

7 EXAMINER SEE: And that's Complainant
8 Exhibit 4 you're referring to?

9 MS. TANDY: Is that the same one? Right.
10 That is what exactly the Department of Development
11 determined was my balance at that time. And then
12 just three months later they added a transfer balance
13 of 269.08. Even that doesn't make sense to me how
14 they got this \$420.51.

15 EXAMINER SEE: You're talking about --
16 you said "three months later." Tell me the date of
17 the bill you're referring to.

18 MS. TANDY: On March -- five months
19 later. I mean, that was in November.

20 EXAMINER SEE: If you look --

21 MS. TANDY: Yeah, three months later on
22 February 17th -- no, no.

23 March the 3rd, 2012, a \$269.08 transfer
24 which brought my balance to \$420.51. Now, that
25 doesn't make sense to me at all. That doesn't add up

1 at all.

2 EXAMINER SEE: Okay. Have you addressed
3 all the issues you raised in your complaint,
4 Ms. Tandy, or is there --

5 MS. TANDY: I don't believe I addressed
6 them all.

7 EXAMINER SEE: Okay.

8 MS. TANDY: Because I have here one more.
9 For over 18 months, from January 5th, 2011, all my
10 statements have incorrect information. For example,
11 previous bill amounts, they added my payments rather
12 than subtract them, no credit for payments on time,
13 that means that when I made my PIPP payments on time
14 I was supposed to get a credit. I think I got one
15 for the whole 18 months.

16 EXAMINER SEE: When you say "18," tell me
17 again what time period.

18 MS. TANDY: For over 18 months --

19 EXAMINER SEE: When would that time
20 period have begun?

21 MS. TANDY: From January 5th, 2011.

22 EXAMINER SEE: Okay.

23 MS. TANDY: All my statements have
24 incorrect information. The statements themselves are
25 deceiving and make it impossible to know what my

1 balances are and when the payments are received.

2 Bills were also sent to collection agencies. So they
3 was billing me and billing collection companies also.

4 On November 2nd, 2011, this demonstrates
5 how they added one of my PIPP payments rather than
6 subtracted. October 1st to November 1st, November
7 2nd to November 29th, and I would like these to go --
8 you have these, right? You still want mine?

9 EXAMINER SEE: I need to know which one
10 you're looking at.

11 MS. TANDY: Okay.

12 EXAMINER SEE: I'm looking at bills that
13 cover the period November 2nd to November 29th, 2011,
14 and the subsequent bill that covers the billing
15 period December 31st through January 31st, 2012.
16 Those are the two documents that you were referring
17 to, Ms. Tandy?

18 MS. TANDY: Yes. Yes, ma'am.

19 EXAMINER SEE: And you have provided me a
20 single page from each of these bills, correct?

21 MS. TANDY: Well, I believe I have the
22 other page if you would like it.

23 EXAMINER SEE: Well, we -- if I could
24 just use them as reference at this point. And the
25 handwriting appearing on the copies that you provided

1 me is your handwriting --

2 MS. TANDY: That's right.

3 EXAMINER SEE: -- and what you filed on
4 the docket.

5 MS. TANDY: That's correct.

6 EXAMINER SEE: Okay.

7 MS. TANDY: Okay. I have all those
8 bills. That balance of \$400, it went all the way
9 through January 2012 up until now.

10 EXAMINER SEE: Okay. Do you currently
11 have electric service, Ms. Tandy?

12 MS. TANDY: Yes, ma'am.

13 June and July 2012, these balances for
14 over \$400.

15 EXAMINER SEE: Okay. And you contend
16 that because your bills are incorrect that CEI owes
17 you a refund; is that correct?

18 MS. TANDY: Yes, I do.

19 EXAMINER SEE: Is there anything else in
20 regard to your complaint that you want to offer
21 testimony on, Ms. Tandy? Only in relation to CEI.

22 MS. TANDY: Uh-huh. Did I give you
23 June 6th, 2011?

24 EXAMINER SEE: No, I don't think we've
25 discussed --

1 MS. TANDY: This is another example of
2 them adding my payment rather than subtracting.

3 EXAMINER SEE: For ease of reference,
4 Ms. Tandy, I have complete copies of the bills
5 commencing with the bill dated December 2nd, 2010,
6 through, I believe, November 2012 in the record
7 excluding March, and I'm going to use those to refer
8 to so I can see your entire bill. Is that okay?

9 MS. TANDY: The ones that go from -- to
10 March 2011?

11 EXAMINER SEE: They begin December 2010.

12 MS. TANDY: Okay.

13 EXAMINER SEE: All right. And I have all
14 the pages of the bill, so that makes it easier for me
15 to move through.

16 MS. TANDY: Okay.

17 EXAMINER SEE: Okay. Is there anything
18 else in regards to your complaint against CEI that
19 you want to offer testimony on?

20 MS. TANDY: Yes. I have . . .

21 This is November 2nd to November 29th,
22 2011. The HEAP credit that I was speaking of, \$57.90
23 was paid in full because my balance was actually
24 \$56.82.

25 EXAMINER SEE: Okay. Tell me again which

1 statement.

2 MS. TANDY: The statement is
3 November 2nd, 2011, to November 29th, 2011.

4 EXAMINER SEE: You're referring to the
5 HEAP credit.

6 MS. TANDY: Right. Because when they
7 made that adjustment, they called and they find out
8 how much you owe and then they --

9 EXAMINER SEE: I'm sorry. When you say
10 "they made that adjustment," you're talking about the
11 agency --

12 MS. TANDY: The Department of Development
13 made that PIPP -- I believe that was summer crisis
14 payment. I don't know. Now I'm getting mixed up
15 now, but anyway. I want to offer these into, you
16 probably have them, but these are the ones from
17 November.

18 EXAMINER SEE: Okay. And I'm looking at
19 the November bill, prepared November 30th that covers
20 November 2nd through November 29th, 2011, and on the
21 third page of that bill indicates an energy -- I'm
22 sorry, an emergency HEAP credit adjustment of \$57.90.

23 MS. TANDY: Because my total charges at
24 the time were \$56.82.

25 EXAMINER SEE: You're referring to the

1 total charges for that month?

2 MS. TANDY: Month, right.

3 EXAMINER SEE: Okay.

4 MS. TANDY: If it was any more, they
5 would have paid it.

6 EXAMINER SEE: And when you say "any
7 more, they would have paid it," you mean DOD would
8 have paid it?

9 MS. TANDY: The HEAP program is under
10 Department of Development, right?

11 EXAMINER SEE: Yes.

12 MS. TANDY: So it was a HEAP credit. It
13 says emergency HEAP credit 57.90, because my bill was
14 56.82.

15 EXAMINER SEE: Okay. Is there anything
16 else, Ms. Tandy?

17 MS. TANDY: Let the record state that
18 there probably is more, but at the moment . . .

19 HEAP credit on February 24th, 2011,
20 brought my balance to zero. That's on -- wait a
21 minute. Oh, yes. Yeah, this is the Illuminating
22 Company. On February 24th, 2011, I have a emergency
23 HEAP credit for \$146.48 that brought my balance to
24 zero on February.

25 On August 8th --

1 MR. WILLIAMS: I'm sorry, your Honor,
2 what document is Ms. Tandy referring to now?

3 MS. TANDY: This is the printout that I
4 requested from 2009 to September 7th, 2012. The
5 balance of \$422.58.

6 EXAMINER SEE: Ms. Tandy, do you have any
7 documentation, other than the documents you're
8 referring to, that substantiate the HEAP credit in
9 February 2011 that you're referring to?

10 MS. TANDY: Yes, it's on the statement.

11 EXAMINER SEE: It's on which statement?

12 MS. TANDY: The printout.

13 EXAMINER SEE: And you received that
14 statement from Dominion -- I mean, I'm sorry --

15 MS. TANDY: Illuminating Company.

16 EXAMINER SEE: Wrong company. Cleveland
17 Electric Illuminating Company? And is it included in
18 the information that you filed in the docket in
19 support of your complaint?

20 MS. TANDY: I think it was.

21 EXAMINER SEE: Mr. Williams.

22 MR. WILLIAMS: Yes, ma'am.

23 EXAMINER SEE: Do you have a copy of that
24 document?

25 MR. WILLIAMS: An electronic copy, yes,

1 your Honor.

2 MS. TANDY: It starts September 8th, 2009
3 and the second page goes to September 7th, 2012. So
4 there are two pages to the exhibit. It's the balance
5 I'm questioning. I'm missing a page.

6 EXAMINER SEE: Okay. Does that cover all
7 the issues you've raised formally in your complaint
8 that was docketed with the Commission against
9 Cleveland Electric Illuminating Company?

10 MS. TANDY: No. I have two more. This
11 letter --

12 MR. WILLIAMS: Your Honor, before she
13 continues, the company will stipulate to an E-HEAP
14 credit of \$146.48 that was applied on her account
15 ending in 0079 on February 24th, 2011.

16 EXAMINER SEE: Thank you.

17 MS. TANDY: Which brought my balance to
18 zero. Then March the 7th --

19 EXAMINER SEE: Ms. Tandy, what are the
20 other two issues that you wanted to raise?

21 MS. TANDY: This summary statement from
22 the Illuminating Company --

23 EXAMINER SEE: Dated?

24 MS. TANDY: Dated June 28th, 2012.

25 EXAMINER SEE: Okay.

1 MS. TANDY: It has my beginning balance
2 of \$11.73 and then the next line says total for first
3 energy billing. Do you all have that letter? It's
4 June --

5 EXAMINER SEE: Mr. Williams, do you have
6 a copy of the letter?

7 MS. TANDY: -- June 28th, 2012.

8 MR. WILLIAMS: I've accessed her
9 complaint in the docket.

10 Ms. Tandy, are you referring to a letter
11 that you filed as a part of your --

12 MS. TANDY: No. This letter came
13 directly from the Illuminating Company.

14 EXAMINER SEE: And you included it in
15 there?

16 MS. TANDY: Right.

17 EXAMINER SEE: That's the letter you're
18 referring to?

19 MS. TANDY: Yes, ma'am.

20 EXAMINER SEE: Mark it Complainant
21 Exhibit 5.

22 (EXHIBIT MARKED FOR IDENTIFICATION.)

23 EXAMINER SEE: Ms. Tandy, is the issue
24 you're raising in regard to Complainant Exhibit 5,
25 the beginning balance that's shown on this summary of

1 statement in comparison to your bill that you
2 received on or about June 28th, 2012, and the ending
3 balance on that statement and the bill that you
4 received on or about that time?

5 MS. TANDY: Yes. It has on here that a
6 total payment of 308 -- \$308.90. A payment was made.

7 EXAMINER SEE: Okay.

8 MS. TANDY: None of this, you see how
9 they don't have any dates when it was received?

10 EXAMINER SEE: Okay.

11 MS. TANDY: So if an adjustment of
12 \$308.90 was made on June 28th, 2012 --

13 EXAMINER SEE: Overall, you're wondering
14 why the ending balance of this statement -- the
15 ending balance of the statement for the letter dated
16 June 28th, 2012, doesn't match what you're seeing on
17 your bills; is that correct?

18 MS. TANDY: Right. They still have my
19 balance --

20 EXAMINER SEE: Okay. I understand,
21 Ms. Tandy.

22 MS. TANDY: I mean, just the balances,
23 like I said, are incorrect for 18 months even though
24 this letter states there was a payment of \$308.90.
25 Then this "Total Adjustments," 242, what does that

1 mean? Nothing, you know, there's no dates here, but
2 it does say a payment of \$308.09.

3 EXAMINER SEE: Okay. You said you had
4 another issue you wanted to raise or to discuss?

5 MS. TANDY: No, your Honor, I mean,
6 Ms. See.

7 EXAMINER SEE: "Your Honor" is correct.

8 MS. TANDY: Oh, okay. That's right. No,
9 not at this time.

10 EXAMINER SEE: Okay.

11 MS. TANDY: My bills continue to have
12 incorrect balances as of today of January 2013 which
13 I just mailed another complaint. My balances are
14 still incorrect. And I believe -- well, that's
15 Dominion. That's all I have to say, your Honor.

16 EXAMINER SEE: Okay.

17 MR. WILLIAMS: Your Honor, may we take a
18 brief recess, five minutes?

19 EXAMINER SEE: Very brief because we're
20 going to have to follow with Dominion. We're off the
21 record.

22 (Recess taken.)

23 EXAMINER SEE: Let's go back on the
24 record.

25 Cross-examination of the witness.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

- - -

CROSS-EXAMINATION

By Mr. Williams:

Q. Good afternoon, Ms. Tandy. My name is Greg Williams and I'll be asking you a few questions today.

A. Sure.

Q. Before I begin that, there are a few preliminary things I'd like to go over with you before I start. Okay?

A. Uh-huh.

Q. If, at any point, you don't understand me, if you don't understand a question or if you can't hear me, please stop me and let me know, okay?

I'm going to be asking you a series of yes or no questions. Just so the record is clear, please respond to the questions with either a "yes" or a "no," whichever is appropriate. Okay?

A. (Witness nods.)

MR. WILLIAMS: Let the record reflect that the Complainant has nodded.

EXAMINER SEE: I need you to give --

A. Yes.

Q. Thank you.

I will refer to the Cleveland Electric

1 Illuminating Company as either "CEI" or "the
2 Illuminating Company," okay?

3 A. Uh-huh.

4 Q. And, finally, I will refer to the
5 Percentage of Income Payment Plan Plus as either
6 "PIPP" or "PIPP Plus." Okay?

7 A. Uh-huh.

8 Q. Ms. Tandy, you testified that you
9 currently own the property at 1439 Sulzer Avenue,
10 Euclid, Ohio 44132, correct?

11 A. Yes.

12 Q. You've also testified that you've owned
13 that property since at least 2009, correct?

14 A. Yes.

15 Q. You've testified that you currently live
16 at 1439 Sulzer Avenue, correct?

17 A. Yes.

18 Q. You've also testified that you've lived
19 at that property since at least 2009, correct?

20 A. Yes.

21 Q. You also currently own the property at
22 1441 Sulzer Avenue, Euclid, Ohio 44132, correct?

23 A. Yes.

24 Q. And you've owned that property from at
25 least 2010, correct?

1 A. Yes.

2 Q. Ms. Tandy, I'm going to ask you a couple
3 of questions about PIPP.

4 A. Uh-huh.

5 Q. You understand that according to the
6 rules of PIPP, your electric payment is determined as
7 a percentage of your income, don't you?

8 A. Yes.

9 Q. You also understand that if you're not on
10 the PIPP program, your electric payments are
11 determined by how much electricity you consume and
12 not as a percentage of your income, correct?

13 A. Yes.

14 Q. Ms. Tandy, isn't it true that you are no
15 longer enrolled in the PIPP program as of
16 February 2012?

17 A. February 2012, yes.

18 MR. WILLIAMS: Your Honor, I have what's
19 been marked as CEI Exhibit 4.0, which is a letter
20 dated November 14th, 2011, from the Ohio Department
21 of Development, addressed to Ms. Tandy, requesting
22 that Ms. Tandy submit complete income information in
23 order to continue her participation in the PIPP
24 program.

25 EXAMINER SEE: What you're referring to

1 is included -- what you want marked?

2 MR. WILLIAMS: No, ma'am. I had it
3 premarked as an exhibit. May I approach?

4 EXAMINER SEE: You may. You may give one
5 to Ms. Tandy and you may provide one to the Bench as
6 well as the court reporter. And, sir, you want this
7 exhibit marked as CEI Exhibit 4?

8 MR. WILLIAMS: Yes, your Honor.

9 EXAMINER SEE: The exhibit is so marked.

10 (EXHIBIT MARKED FOR IDENTIFICATION.)

11 Q. (By Mr. Williams) Ms. Tandy, could you
12 please read the highlighted portions of the document
13 that I just handed you?

14 A. "November 14th, 2011."

15 "Please submit to this office by
16 November 30th, 2011, a signed copy of your 2009 and
17 2010 business and personal income tax returns to
18 support your declaration of income for 2010, 2011 and
19 2012 benefit years."

20 "Failure to respond to this letter will
21 stop the processing of your application and any
22 payment of benefits being delayed or discontinued.
23 Any PIPP Plus approvals will be reversed and your
24 entire delinquent balances will come due. Any HEAP
25 benefit received from the State of Ohio will be

1 reversed."

2 Q. Thank you, Ms. Tandy.

3 MR. WILLIAMS: Your Honor, I have what's
4 been marked as CEI Exhibit 5.0 which is a letter
5 dated December 12th, 2011, from the Ohio Department
6 of Development, addressed to Ms. Tandy, that due to
7 her undisclosed rental income at 1430 Sulzer Avenue
8 that they consider her emergency assistance
9 noncompliant. May I approach, your Honor?

10 EXAMINER SEE: Yes. CEI Exhibit 5 is so
11 marked.

12 (EXHIBIT MARKED FOR IDENTIFICATION.)

13 Q. Ms. Tandy, could you please read the
14 highlighted portions of the document I just handed
15 you?

16 A. "December 12th, 2011."

17 "A certified letter was mailed to you on
18 November 14, 2011, requesting additional income
19 documentation to support your claim of income for
20 2010, 2011 and 2012 benefit years. You failed to
21 provide the additional documentation."

22 "If you do not have the documentation
23 showing our records are in error, this letter serves
24 as notice that the Office of Community Assistance
25 considers your past energy assistance for the 2010,

1 2011 and 2012 heating seasons to be noncompliant. We
2 therefore demand payment of restitution for benefits
3 improperly received as follows."

4 MR. WILLIAMS: Thank you, Ms. Tandy.

5 We have CEI Exhibit 6.0 which is a letter
6 dated February 5th, 2012, addressed to Ms. Tandy,
7 informing her that she had been, quote, dropped from
8 PIPP Plus, end quote. This letter was also submitted
9 as part of Ms. Tandy's complaint in this docket. May
10 I approach, your Honor?

11 EXAMINER SEE: Yes. CEI Exhibit 6 is so
12 marked.

13 (EXHIBIT MARKED FOR IDENTIFICATION.)

14 Q. Ms. Tandy, would you agree with me that
15 the mailing date of this letter is February 5th,
16 2012?

17 A. Yes.

18 Q. And would you also agree with me that
19 this letter informs you that you have been dropped
20 from PIPP Plus?

21 A. Yes.

22 Q. Thank you.

23 Ms. Tandy, you would agree with me that
24 February 5th, 2012 is later than November 3rd, 2011,
25 correct?

1 A. Yes.

2 Q. Thank you.

3 Ms. Tandy, isn't it true that you are no
4 longer enrolled in the PIPP program?

5 A. I was -- I never agreed to the PIPP Plus
6 payment. I never signed that. It was converted to
7 PIPP Plus and I never signed the documents that I
8 would be a part of a program that would double your
9 balance.

10 Q. So is your answer yes, you are not
11 currently enrolled in PIPP Plus.

12 A. That's correct.

13 Q. Thank you.

14 Ms. Tandy, we have reason to believe that
15 you've submitted a complaint to the Ohio Development
16 Services Agency, which was formerly the Ohio
17 Department of Development, in June of 2012,
18 complaining about your not being enrolled in the PIPP
19 program; is that correct?

20 A. My not being enrolled?

21 Q. That's correct.

22 A. That's true; I was not enrolled. I
23 didn't enroll in it from the beginning. It was
24 converted and I have a letter stating that the PIPP,
25 Percentage of Income Program, was converted to the

1 PIPP Plus program.

2 Q. I'm sorry, Ms. Tandy, that's not exactly
3 what I'm asking you. I'm asking you if you submitted
4 a letter to the Ohio Development Services Agency, in
5 June 2012, complaining about your not being enrolled
6 in the PIPP program. Is that true?

7 A. June 2012? I need to see the letter. Do
8 you have it? If I wrote it.

9 Q. So then is your answer yes, you did
10 submit the letter?

11 A. I need to see it. I don't remember. I
12 don't remember.

13 Q. Okay.

14 A. Do you have it?

15 Q. I'm sorry, I'll be asking the questions.

16 EXAMINER SEE: If you don't know the
17 answer to the question, your answer is fine and it
18 stands. Go ahead.

19 Q. Ms. Tandy, assuming your electric bill is
20 calculated correctly, you would agree with me,
21 wouldn't you, that you should pay the amount CEI says
22 that you owe.

23 A. Yes.

24 Q. Thank you.

25 Ms. Tandy, would you agree with me that

1 since May 2011 you have not in fact paid the amounts
2 CEI said you've owed.

3 A. Since 2011?

4 Q. Since May 2011.

5 A. I can't answer that because I don't have
6 May of 2011.

7 Q. So is your answer you don't know?

8 A. I do know a lot of my PIPP payments were
9 more than my actual bill; I do know that much. The
10 answer to that question is -- I forgot your question.

11 EXAMINER SEE: I think the witness has
12 already stated that she can't answer that because she
13 said "I don't have May 2011." Go on.

14 MR. WILLIAMS: Your Honor, I have what's
15 been premarked as CEI 7.0, which are copies of bills
16 from Ms. Tandy's account ending 0079, from
17 December 2010 through December 2012. This is
18 identical to what's been submitted along with
19 Ms. Reinhart's testimony as Attachment D. May I
20 approach the witness, your Honor?

21 EXAMINER SEE: Yes.

22 MS. TANDY: Could you give me the dates
23 again?

24 EXAMINER SEE: The exhibit is so marked,
25 CEI Exhibit 7.

1 (EXHIBIT MARKED FOR IDENTIFICATION.)

2 EXAMINER SEE: Mr. Williams, this
3 includes all of the bills sent to Ms. Tandy at 1439
4 Sulzer Avenue, December 10th through what period?

5 MR. WILLIAMS: December 2012. All except
6 the March 2011 bill.

7 EXAMINER SEE: All right.

8 MS. TANDY: Well, if you would start at
9 January, you would notice that my PIPP payment was
10 \$72.

11 MR. WILLIAMS: Ms. Tandy, I'll be asking
12 you the questions. You'll have an opportunity to
13 explain or clarify on redirect once I complete my
14 examination.

15 Q. (By Mr. Williams) Do you review your
16 electric bills when you receive them?

17 A. Unless I have automatic payments set up,
18 if I have automatic payment set up, which a lot of
19 times I do, but mostly I do go over the bills when I
20 get them.

21 Q. Ms. Tandy, I'd like to draw your
22 attention to the document that I just gave you, CEI
23 Exhibit 6.0. Referring to page 1 of your December
24 2nd, 2010 bill, which is marked in the lower
25 right-hand corner as --

1 EXAMINER SEE: I believe you mean CEI
2 Exhibit 7.0.

3 MR. WILLIAMS: I'm sorry. Yes, your
4 Honor.

5 A. December 2nd, 2010, page 1?

6 Q. Yes. Page 1 of your December 2nd, 2010
7 bill, which has been marked in the lower right-hand
8 corner as CEI Exhibit Page 1. Are you with me so
9 far?

10 A. Yes.

11 Q. You see that this bill is addressed to
12 you at 1439 Sulzer Avenue, correct?

13 A. Yes.

14 Q. Referring you to the top of CEI Exhibit
15 Page 1, you see it refers to you, Gwendolyn C. Tandy,
16 as the customer of record in the "Bill for" section,
17 correct?

18 A. Yes.

19 Q. You see that service was consumed at 1439
20 Sulzer Avenue in the "Bill for" section also,
21 correct?

22 A. Could you repeat that, please?

23 MR. WILLIAMS: Would you read the
24 question back.

25 (Record read.)

1 MS. TANDY: The bill what?

2 THE COURT REPORTER: The "Bill for"
3 section.

4 A. The "Bill for"? Is that a number?

5 Q. "Bill for." F-o-r. It's toward the top
6 of the bill. It's the address listed immediately
7 below your name, Gwendolyn C. Tandy.

8 A. 1439 Sulzer Avenue.

9 Q. Thank you.

10 You see on this bill whether or not it
11 shows you if you're on a payment arrangement beneath
12 the "Bill Based on" section, correct? And I have it
13 highlighted for you on your document.

14 A. The Percentage of Income Payment Plan?

15 Q. Thank you.

16 Referring you again to the bottom half of
17 CEI Exhibit Page 1, you see that it shows you the
18 amount CEI says you owe in the "Please Pay" section.
19 In the case of page 1 of your December 2nd bill, it
20 says please pay \$86, correct?

21 A. Yes.

22 Q. Referring now to page 3 of your next
23 month's bill, which is January 5th, 2011, you'll find
24 it on CEI Exhibit Page 7. You'll see that it shows
25 any payments you've made against the previous bill

1 amount on the PIPP Plus side of the account balance
2 information section, correct?

3 A. "PIPP Plus Account Balance."

4 Q. And you agree with me that it says
5 directly beneath PIPP Plus Account Balance, previous
6 bill was \$86, correct?

7 A. No, that's not correct. It says previous
8 bill was 102.35. Previous bill was 102.35.

9 Q. And are you looking at CEI Exhibit 7 on
10 the lower right-hand corner of the document I gave
11 you?

12 A. No. You said page 7? This bill doesn't
13 have a page 7. It ends at page 4.

14 Q. In the lower right-hand corner of the
15 entire packet of information I gave you, in red all
16 of the pages are numbered. It says CEI Exhibit Page
17 7.

18 A. I got the wrong thing. You jumping over
19 from December to January 2011 now.

20 MR. WILLIAMS: Your Honor, may I
21 approach?

22 EXAMINER SEE: Yes.

23 A. That's not even the same bill. I got it.

24 Q. Ms. Tandy, again, you'll have an
25 opportunity to clarify or raise any points on

1 redirect, but as of right now I'm going to ask you
2 just a few questions, simple yes or no answers will
3 suffice.

4 I will ask again. You agree with me that
5 in the Account Balance Information section in the
6 PIPP Plus Account Balance side of that section, it
7 says that your previous bill was \$86, correct?

8 A. Yeah, but this bill is a different bill.

9 Q. Thank you.

10 A. Okay.

11 Q. And you also agree with me it says total
12 payment/adjustments, \$0, correct?

13 A. It makes no sense. You're jumping
14 around. The December bill got \$59.

15 EXAMINER SEE: Ms. Tandy, I need you to
16 answer the question that's been posed to you.

17 A. The total charges? 29.13? What did you
18 say?

19 MR. WILLIAMS: Could you repeat the
20 question, please?

21 (Record read.)

22 A. On CEI Exhibit Page 7, it has previous
23 bill was 112.53.

24 Q. On the left side of that section, where
25 it says PIPP Plus Account Balance.

1 A. Uh-huh.

2 Q. It's been highlighted for you. You agree
3 with me that it says previous bill was \$86, correct?

4 A. I agree that you talking about two
5 different bills.

6 MR. WILLIAMS: Your Honor, would you
7 instruct the witness to please answer the question.

8 EXAMINER SEE: Do you see the information
9 that he has on that particular page, Ms. Tandy?

10 A. Which one did you want me to read?

11 Q. It's highlighted for you.

12 A. Oh. Previous bill was \$86. Total
13 payment/adjustments, zero.

14 Q. Thank you.

15 And you would agree with me that the
16 previous bill of \$86, as indicated on CEI page 7, is
17 the same as the "Please Pay Amount" on CEI Exhibit 1,
18 correct? \$86.

19 A. Yes.

20 Q. Thank you.

21 Could you please turn to page 2 of your
22 June 6th, 2011 bill, which is at CEI Exhibit Page 23.
23 Are you with me?

24 A. Yes.

25 Q. You agree with me that according to the

1 Account Balance Information section, you made no
2 payment since your May 5th, 2011, please pay amount
3 of \$30.71, correct?

4 A. Excuse me? Say that again?

5 MR. CAMPBELL: Could you repeat the
6 question?

7 (Record read.)

8 MS. TANDY: I made no payment since May
9 what?

10 THE COURT REPORTER: May 5th, 2011.

11 A. I made no payments from May 5th, 2011
12 until this bill which is --

13 Q. Ms. Tandy, let me ask it a different way.
14 On CEI Exhibit page 23, do you agree with me that in
15 the Account Balance Information section on the PIPP
16 Plus Account Balance side of that section, it says
17 previous bill was \$30.71. And, again, I'm on CEI
18 Exhibit Page 23.

19 A. 23 is June 5th, 2011. So I made no
20 payments from May for 1 month.

21 Q. Again, Ms. Tandy --

22 A. No, that's not correct.

23 Q. So then on page --

24 A. I --

25 EXAMINER SEE: Wait just a minute. Let

1 her complete her answer. Go ahead.

2 A. Just before that you said my balance was
3 \$86 and now the balance is \$30.71. That does not
4 demonstrate that I did not pay a payment and, if it
5 was, it would only be one.

6 EXAMINER SEE: Go ahead.

7 Q. Ms. Tandy, again, you'll have an
8 opportunity to clarify --

9 A. Okay.

10 Q. -- anything that you don't understand on
11 redirect. As of right now, simple "yes" or "no"
12 answers will suffice.

13 Again, I would like to direct your
14 attention to CEI Exhibit Page 23. You agree with me
15 that it says your previous bill was \$30.71, correct?

16 A. Yes.

17 Q. You agree with me that it says total
18 payments/adjustments, \$0, correct?

19 A. Yes.

20 Q. Thank you.

21 Could you please turn to CEI Exhibit Page
22 28 which is page 4 of your July 5th, 2011 bill.

23 A. Which page again?

24 Q. CEI Exhibit Page 28.

25 You agree with me that it says your

1 previous bill was \$73.71, correct?

2 A. That's what it says, yes.

3 Q. You also agree with me that it says total
4 payments/adjustments, \$43, correct?

5 A. Yes.

6 Q. You agree with me \$43 is less than
7 \$73.71, correct?

8 A. Yes.

9 Q. Could you please turn to CEI Exhibit Page
10 31, which is page 3 of your August 3rd, 2011 bill.
11 You agree with me that your previous bill was \$73.71,
12 correct?

13 A. What page again?

14 Q. 31.

15 A. That's what it says.

16 Q. You also agree with me that it says total
17 payments/adjustments, \$0, correct?

18 A. Yes.

19 Q. Would you please turn to CEI Exhibit Page
20 35, which is page 3 of your September 1st, 2011 bill.
21 Would you agree with me that it says your previous
22 bill was \$116.71?

23 A. Yes.

24 Q. Would you also agree with me that it says
25 total payments/adjustments, \$0?

1 A. Yes, that's what it says.

2 Q. Thank you.

3 Would you please turn to CEI Exhibit page
4 40, which is page 4 of your October 5th, 2011 bill.

5 A. Page 40?

6 Q. Page 40.

7 You agree with me that it says previous
8 bill was \$159.71, correct?

9 A. That's what it says.

10 Q. You agree with me that it says total
11 payments/adjustments, \$43, correct?

12 A. Yes.

13 Q. You also agree with me \$43 is less than
14 \$159.71, correct?

15 A. Yes.

16 Q. Would you please turn to CEI Exhibit Page
17 43, which is page 3 of your November 2nd, 2011 bill.
18 You agree with me that it says your previous bill was
19 \$159.71, correct?

20 A. Yes.

21 Q. You agree with me that it says total
22 payments/adjustments \$0, correct?

23 A. Yes.

24 Q. Would you please turn to CEI Exhibit Page
25 47, which is page 3 of your November 30th, 2011 bill.

1 A. 47?

2 Q. Yes.

3 You agree with me that it says your
4 previous bill was \$202.71, correct?

5 A. That's what it says.

6 Q. You agree with me that it says total
7 payments/adjustments, \$79.90, correct?

8 A. Yes.

9 Q. You also agree with me --

10 EXAMINER SEE: I'm sorry.

11 MR. WILLIAMS: I'm sorry. Could I --

12 EXAMINER SEE: What did you just say?

13 Q. It's \$57.90, correct?

14 A. That was the payment, right.

15 Q. You agree with me that \$57.90 is less
16 than \$202.71, correct?

17 A. Yes.

18 Q. Would you please turn to CEI Exhibit Page
19 51 which is page 3 of your January 3rd, 2012 bill.
20 You agree with me that it says your previous bill was
21 \$173.81, correct?

22 A. Yes.

23 Q. You agree with me that it says your total
24 payments/adjustments, \$29, correct?

25 A. Yes.

1 Q. You agree with me that \$29 is less than
2 \$173.81, correct?

3 A. Yes.

4 Q. Would you please turn to CEI Exhibit Page
5 55, which is page 3 of your February 1st, 2012 bill.

6 A. Uh-huh.

7 Q. You agree with me it says your previous
8 bill was \$173.81, correct?

9 A. What page?

10 Q. 55.

11 A. What was the question again?

12 MR. WILLIAMS: Can you please read the
13 question?

14 (Record read.)

15 A. Yes.

16 Q. You also agree with me that it says total
17 payments/adjustments, \$30, correct?

18 A. It says your current PIPP Plus is \$29.

19 Q. Again --

20 A. Which was added, rather than subtracted.

21 Q. Ms. Tandy, again, you'll have an
22 opportunity to make that point on redirect. My
23 question is --

24 A. Okay. Which page are you on now?

25 Q. 55. It says total payments/adjustments,

1 \$30, correct?

2 A. Yes.

3 Q. You agree with me that \$30 is less than
4 \$173.81, correct?

5 A. Yes.

6 Q. Would you please turn to CEI Exhibit Page
7 59.

8 A. The total charges were only \$19.91. I
9 paid 30. That means I should have had a credit.

10 Okay. What page we going to now?

11 Q. 59. Page 59 is page 3 of your March 5th,
12 2012 bill. You agree with me that according to the
13 Detail Payment and Adjustment Information section,
14 that you made no payments toward your February 1st,
15 2012 bill.

16 A. That's not true.

17 Q. Do you see any section that says total
18 payments/adjustments in the Detail Payment and
19 Adjustment Information section?

20 A. Okay. You're going to have to come back
21 to this one, because I disagree with this page. I
22 have the actual bill. I have the actual statement.

23 EXAMINER SEE: Can you answer the
24 question, Ms. Tandy, or are you saying you cannot
25 answer the question?

1 MR. WILLIAMS: I'll withdraw the
2 question, your Honor.

3 EXAMINER SEE: Thank you.

4 Q. Will you please turn to CEI Exhibit Page
5 61, Ms. Tandy, which is page 1 of your April 4th,
6 2012 bill.

7 A. 61, page 1, April 4th, 2012.

8 Q. Do you see near the top of the bill where
9 it says Account Summary?

10 A. Previous balance, payments/adjustments,
11 which one?

12 Q. Thank you.

13 Do you agree with me that it says your
14 previous balance was \$459.21?

15 A. That's what it says.

16 Q. Thank you.

17 Do you agree with me that the payments
18 and adjustments section says that you paid \$59?

19 A. Yes.

20 Q. Do you agree with me that \$59 is less
21 than \$459.21?

22 A. The bill itself is \$43.

23 Q. Again --

24 A. I've already disputed the balance.

25 Q. Ms. Tandy, again, as I said, you'll have

1 an opportunity to make these points on redirect. My
2 question was: Is \$59 less than \$459.21?

3 A. Yes.

4 Q. Thank you.

5 Would you please turn to page 63, which
6 is page 1 of your May 3rd, 2012 bill.

7 A. 63.

8 Q. You agree with me that it says previous
9 balance \$443.99?

10 A. Yes. That's what it says.

11 Q. You also agree with me that it says
12 payments/adjustments, \$30.

13 A. Because the total charges are only 11 --

14 Q. Ms. Tandy, again --

15 A. I already disputed the balance of 400.

16 EXAMINER SEE: Ms. Tandy, you've made
17 your case --

18 MS. TANDY: Okay.

19 EXAMINER SEE: -- that you dispute the
20 bill, but I need you to answer the questions posed to
21 you by Mr. Williams.

22 MS. TANDY: I can only say "yes" or "no"?

23 EXAMINER SEE: You can explain your
24 answer --

25 MS. TANDY: He told me --

1 EXAMINER SEE: -- but I need you to
2 respond to the question.

3 MS. TANDY: Oh, okay.

4 Q. (By Mr. Williams) Do you agree with me
5 that it says payments/adjustments, \$30?

6 A. Yes.

7 Q. You'd also agree with me that \$30 is less
8 than \$443.99, correct?

9 A. I have a question about this.

10 Q. Ms. Tandy --

11 EXAMINER SEE: Now is not the time.

12 MS. TANDY: You said I can ask a question
13 if I didn't understand.

14 EXAMINER SEE: No, no, no. I need you to
15 respond to the question.

16 MS. TANDY: Oh.

17 EXAMINER SEE: We understand that you are
18 disputing the amount of the bill, but I need you to
19 answer the question posed to you.

20 MS. TANDY: Okay.

21 Q. Is that a "yes"?

22 A. Oh. The previous balance \$443.99, but
23 the actual total charge is only \$11, and I paid 30.

24 Q. Again, Ms. Tandy, you agree with me that
25 it says --

1 A. I answered your question. I said yes.

2 Q. And you also agree with me that \$30 --

3 A. You're reading off the previous balance,
4 though.

5 Q. You also --

6 A. And, like I said, my payments are --

7 MR. WILLIAMS: Your Honor --

8 A. -- more than the actual bills.

9 Q. You also agree with me that \$30 is less
10 than \$443.99?

11 A. Yes, I agree --

12 Q. Thank you.

13 A. -- that \$30 is less than 400, but the
14 actual bill was only \$11. Total charges, total
15 current charges, \$11.80, and I paid \$30.

16 Q. Ms. Tandy, toward the bottom of page 63,
17 where it says amount due.

18 A. Page 63?

19 Q. Yes.

20 A. Amount due.

21 Q. This is your May 3rd, 2012 bill. You
22 would agree with me that the amount due, as of your
23 May 3rd, 2012 bill, is \$425.59, correct?

24 A. That's correct. That's what it says.

25 Q. Would you please turn to page 65, which

1 is page 1 of your June 5th, 2012 bill.

2 A. Page 65, June 5th, 2012.

3 Q. You agree with me that your previous
4 balance was \$425.59, correct?

5 A. No, I don't agree with you that's what my
6 previous balance was, but that's what it says on this
7 bill.

8 Q. So then you agree with me that that's
9 what the bill says. The bill says your amount due --

10 A. It says not amount due. Previous
11 balance.

12 Q. Again, referring you back to CEI Exhibit
13 page 63.

14 A. You was on page 65, now you want to go
15 back to 63?

16 Q. Yes.

17 You agree with me that as of your
18 May 3rd, 2012 bill, which is here at page 63, that
19 the amount due is \$425.59, correct?

20 A. That's not true and that's not what it
21 says. It says your previous balance was \$423.99.
22 The total current is \$11 and I paid 30.

23 Q. Ms. Tandy, referring you to the bottom of
24 page 63, in the amount due section, you agree with me
25 that it says the amount due is \$425.59, correct?

1 A. That's what it says.

2 Q. Thank you.

3 Turning now to CEI Exhibit Page 65, which
4 is page 1 of your June 5th, 2012 bill. Toward the
5 top of this bill, you agree with me that it says your
6 previous balance was \$425.59, correct?

7 A. Yes, that's what it says.

8 Q. You also agree with me that payments and
9 adjustments, it says \$30, correct?

10 A. Yes. That was my payment.

11 Q. Right. You agree with me that \$30 is
12 less than \$425.59, correct?

13 A. It says previous balance, but the actual
14 total current charges were \$28, and I paid 30.

15 Q. Ms. Tandy, do you agree with me that \$30
16 is less than \$425.59?

17 A. That's true, but it's not more than the
18 total current of \$26 when I paid 30.

19 Q. Referring you to the bottom of CEI
20 Exhibit Page 65. You agree with me that the amount
21 due, as of your June 5th, 2012 bill, was \$423.82,
22 correct?

23 A. No, I don't agree with you that that was
24 the balance, but that's what it says.

25 Q. So you agree with me that the bill says

1 your amount due is \$423.82.

2 A. Do I agree with you? No, I don't agree
3 with you or that balance.

4 Q. But you agree that the bill says the
5 amount due, that the bill reads your amount due is
6 \$423.82.

7 A. Like I said, no, I don't agree with the
8 balance, but that's what it says on this bill.

9 Q. Thank you.

10 Turning now to CEI Exhibit Page 67, which
11 is page 1 of your July 6th, 2012 bill. Referring you
12 to the top of that page or near the top, you agree
13 with me that it says your previous balance was
14 \$423.82, correct?

15 A. No, I do not agree with the balance, the
16 previous balance.

17 Q. Do you agree with me that the bill reads
18 that your previous balance is \$423.82?

19 A. The bill reads \$423.82.

20 Q. Thank you.

21 You also agree with me that the bill
22 reads payments and adjustments, \$30?

23 A. Yes.

24 Q. You agree with me that \$30 is less than
25 \$423.82, correct?

1 A. My payment of \$30 is less than \$423, yes,
2 I agree.

3 Q. Thank you.

4 Referring you to the bottom of CEI
5 Exhibit Page 67. You agree with me that the bill
6 reads that your amount due is \$439.88.

7 A. I don't agree with the previous balance
8 of \$439.

9 Q. Do you agree with me that the bill reads
10 the amount due is \$439.88?

11 A. The bill reads previous balance was \$439.

12 Q. Directing your attention toward the
13 bottom of CEI Exhibit Page 67. I have these items
14 highlighted for you. You agree with me that the bill
15 reads amount due, \$439.88.

16 A. I don't agree with the balance of
17 \$484.04.

18 Q. Ms. Tandy, do you agree with me that the
19 bill reads --

20 A. The bill reads \$4 -- \$464.04.

21 EXAMINER SEE: Ms. Tandy, are you
22 referring to CEI Exhibit Page 69?

23 MS. TANDY: Yes.

24 Q. I'm sorry, I'm on page CEI Exhibit Page
25 67.

1 A. Back to 67. Previous balance 423. I
2 don't agree with that balance, no.

3 Q. Referring you to the bottom of CEI
4 Exhibit Page 67. Do you agree with me that the bill
5 reads amount due, \$439.88?

6 A. That's what the bill says.

7 Q. Thank you.

8 Turning now to CEI Exhibit Page 69, which
9 is page 1 of your August 7th, 2012 bill. Near the
10 top of that document, you agree with me that it --

11 A. Page 71? Did you say 71?

12 Q. Page 69.

13 A. Oh. Why you going back and forth? This
14 is not making any sense to me. I don't know why you
15 going back and forth like that.

16 Q. So are you on --

17 A. You on page 69?

18 Q. Yes.

19 A. Yes.

20 Q. Near the top of that page, you agree with
21 me that it says previous balance, \$439.88, correct?

22 A. I do not agree with that balance, but
23 that's what it says.

24 EXAMINER SEE: So that we can move this
25 along, Ms. Tandy. Let's note for the record that you

1 are disputing the previous balance amount on your
2 bills as well as the amount due based on the fact
3 that you dispute the previous balance. The only
4 thing we're addressing is what the bill actually
5 says. You'll have an ongoing note in the record that
6 you dispute that amount.

7 MS. TANDY: Yes, that's perfectly fine.

8 Q. So then you agree with me that your bill
9 says the previous balance was \$439.88, correct?

10 A. That's what it says.

11 Q. You also agree with me that your bill
12 says your payments/adjustments were \$30, correct?

13 A. That's my payment, yes.

14 Q. You agree with me that \$30 is less than
15 \$439.88, correct?

16 A. Yes, that's correct.

17 EXAMINER SEE: Mr. Williams, let's assume
18 that the Bench can do the math and let's move it
19 along.

20 MR. WILLIAMS: Yes, ma'am.

21 Q. Ms. Tandy, you would agree with me that
22 once you've established service at an account, that
23 if you want to cancel service that you should contact
24 the company, correct?

25 A. Sure. Yes. If I want to -- what did you

1 say? If I want to cancel my service, I should
2 contact the company? Is that what you said?

3 Q. Yes.

4 A. Yes. Why would I want to cancel my
5 utility bills?

6 Q. That's fine. Thank you for your answer.

7 A. Unless I move or something.

8 MR. WILLIAMS: Your Honor, I have with me
9 premarked as CEI Exhibit 8.0, which is a copy of the
10 final bill for account ending 7153, for service
11 consumed at 1441 Sulzer Avenue. May I approach the
12 witness, your Honor?

13 EXAMINER SEE: Yes.

14 MS. TANDY: Could you gave me those dates
15 again?

16 EXAMINER SEE: Which dates are you
17 referring to, Ms. Tandy?

18 MS. TANDY: He said August the 3rd, 2011,
19 up until . . .

20 EXAMINER SEE: CEI Exhibit 8 is so
21 marked.

22 (EXHIBIT MARKED FOR IDENTIFICATION.)

23 MS. TANDY: So this is just August 3rd,
24 2011. One bill, right?

25 MR. WILLIAMS: Yes.

1 Q. (By Mr. Williams) And you agree with me
2 that at the top of this bill, in the "Bill for"
3 section, it says Gwendolyn C. Tandy, 1441 Sulzer
4 Avenue Euclid, Ohio 44132, correct?

5 A. I've already established that I own 1441
6 Sulzer Avenue, yes.

7 Q. Thank you, Ms. Tandy.

8 A. That's all you want to know?

9 Q. Yes.

10 A. That's all you want to know from this
11 bill?

12 Q. Yes.

13 Ms. Tandy, in your complaint you request
14 a refund from CEI of \$5,015.79; how did you calculate
15 that amount?

16 A. Could you repeat that again?

17 MR. WILLIAMS: Could you please reread
18 the question?

19 (Record read.)

20 A. I came up, just like I already stated, I
21 disagree with 18 bills and the balance, the previous
22 balance of all the bills, and all the infractions
23 that were made on each bill. For example, balance
24 from last bill, current charges, and the total
25 account balance, that's how I came to it. Each

1 infraction that was on my bill.

2 Q. In your complaint, you request \$1,000 for
3 alleged pain and suffering, fraud, theft, and
4 disconnection notices. How did you calculate that
5 amount?

6 A. That's right. There's no disconnection
7 of the electric bill; that was Dominion, right?

8 Q. No, ma'am.

9 A. There was no disconnection for the
10 Illuminating Company, was there?

11 Q. Disconnection notices.

12 A. That was I just wanted -- you said how
13 did I come up with it? That's how I came up with it.
14 For each bill, I think I said it was 18 bills that
15 had previous balance due.

16 Q. So isn't it true, Ms. Tandy, you really
17 don't know how you calculated that \$1,000 amount.

18 A. I know how I calculated it. For each
19 infraction of my balance due --

20 Q. And by "infraction" --

21 A. -- and my previous balance for 18 months,
22 \$200 for each infraction, that's what the law says
23 that I'm entitled to.

24 Q. Which law are you referring to,
25 Ms. Tandy?

1 A. I don't have that in front of me right
2 now. It says when you make a complaint --

3 Q. What says?

4 A. The law.

5 Q. Which law?

6 A. When you make a written complaint to a
7 company, they have 30 days to acknowledge your
8 complaint, 60 days for a solution. This is not --
9 I've been complaining about this for over two years
10 and the problem is still going on.

11 Q. Does that law say anything about \$1,000
12 for alleged pain and suffering, fraud, theft, and
13 disconnection notices?

14 A. You're talking about the gas bill now.

15 Q. No, ma'am. This is your complaint case
16 against The Cleveland Electric Illuminating Company.

17 A. Let me see it.

18 Q. I'm asking about --

19 A. Can I have a copy of that, please?

20 Q. I'm sorry. I'm asking you very directly.
21 Does the law that you're referring to, whichever law
22 that is, say that you're entitled to \$1,000 for pain
23 and suffering, fraud, theft, and disconnection
24 notices, and did that law help you calculate that
25 amount?

1 A. I need to see that complaint notice,
2 because I don't know what you're referring to.

3 Q. This is your complaint and you were given
4 a copy of it at the outset of this hearing. Do you
5 not remember how you calculated \$1,000 in damages?

6 A. I think that if I got a disconnection
7 notice and I was paying my payments on time, the PIPP
8 program states that my bill is not supposed to be
9 disconnected. And even though we're talking now
10 about Dominion --

11 Q. No, ma'am.

12 A. -- which disconnected my gas. Okay. My
13 electric has never been off, so I don't know what
14 you're talking about.

15 Q. So then you don't know how you calculated
16 \$1,000 for pain and suffering, fraud, theft, and
17 disconnection notices.

18 A. You're talking about Dominion, because my
19 electric was never disconnected, only my gas.

20 Q. So then you are not requesting, from CEI,
21 \$1,000 for pain and suffering, fraud, theft, and
22 disconnection notices.

23 A. Yes, I am.

24 Q. You are.

25 A. Yes.

1 Q. Based on what?

2 A. Based on, like I said, all the incorrect
3 balances and disconnection notices, but the electric
4 was never cut off. It's been very time consuming. I
5 had to copy each one of these, just each page of my
6 complaint, I had to copy 10 pages, I had to pay for
7 stamps, I had to buy a bus ticket here and get back
8 home.

9 If somebody is pressuring you for money
10 and committing fraud by doing it and theft, that's a
11 lot of pain and suffering. And I think, what did I
12 say, \$1,000? That doesn't even compare to the time I
13 had to go through this and do it, time away from my
14 children and my grandchildren while I'm looking at
15 this mess. I think \$1,000 is -- is -- is --
16 actually, I think that is -- that's minimum. If I
17 would get an attorney, he would go through all of
18 this.

19 Q. So you just sort of pulled that number
20 out of the air.

21 A. Pain and suffering, what is pain and
22 suffering based on?

23 Q. What is pain and suffering --

24 A. What is pain and suffering based on?

25 Q. My question is how did you calculate

1 \$1,000. Based on what law --

2 A. I just told you.

3 Q. Based on what --

4 MS. TANDY: You want to read it back,
5 what I said.

6 EXAMINER SEE: Hold it just a minute.

7 I think the question has been asked and
8 answered. Let's move on, Mr. Williams.

9 MR. WILLIAMS: Nothing further, your
10 Honor.

11 EXAMINER SEE: Any redirect, Ms. Tandy?

12 MS. TANDY: Your Honor -- what did you
13 say your name was again? Your name. Last name.

14 EXAMINER SEE: Mr. Williams is counsel
15 for Cleveland Electric Illuminating Company.

16 MS. TANDY: Mr. Williams jumped all
17 around in this, and the bottom, he referred to the
18 bottom of these bills.

19 EXAMINER SEE: Are you talking about when
20 he referred to the page numbers?

21 MS. TANDY: This page 1, for example, I
22 tear off the bottom -- that's the part -- he read
23 from the part of the bill that I tear off and send to
24 the Illuminating Company. The bills look like this.
25 He read off my amount paid, please pay. So therefore

1 I don't have that part of the bill that he read off
2 from because that's the part that you send in with
3 your payment.

4 EXAMINER SEE: Okay.

5 MS. TANDY: That's number one.

6 And then he skipped around. All -- he
7 went from December 2010 to May 2011. I mean -- and
8 then asked me about my balance. If you going to ask
9 me about a balance, you need to ask me what that
10 balance is, what was the previous balance. You're
11 jumping around and then asking me what was the
12 previous balance.

13 That didn't even make any sense to me
14 because if you want to go with the balance, you got
15 to start with the month before and then go to the
16 next month. You can't just jump all around wherever
17 you want to jump and then say what's the previous
18 balance. I've already disagreed with all of these
19 balances because of the transfer credit that you
20 ignored of 200, whatever it was.

21 EXAMINER SEE: \$269.08.

22 MS. TANDY: Something like that.

23 Plus, this down here --

24 EXAMINER SEE: "This" is --

25 MS. TANDY: The bottom part of the bill.

1 EXAMINER SEE: Uh-huh.

2 MS. TANDY: I already have some stuff
3 from CEI that I'm sure was fraudulent, so I can't --
4 he's reading from stuff that, you know, just the
5 whole process just don't make any sense to me.

6 EXAMINER SEE: Okay.

7 MS. TANDY: The infractions I was
8 speaking of was previous balance due.

9 EXAMINER SEE: Okay.

10 MS. TANDY: He started with December
11 2010, but if he would have started in January 2010, I
12 had February right here. My previous balance for
13 January -- I mean, February 2000 -- I mean
14 February 4th, 2010 was \$36.

15 EXAMINER SEE: Ms. Tandy, we've already
16 gone through --

17 MS. TANDY: And the payment was added --

18 EXAMINER SEE: Ms. Tandy, we have already
19 gone through your case in chief and you've had an
20 opportunity to tell us the infractions that you
21 believe CEI has made. The purpose of you giving
22 redirect is only to tell where you disagree with the
23 questions that Mr. Williams has asked of you. Have
24 you covered that?

25 MS. TANDY: I disagree with him starting

1 with December 2nd, 2010, because I have from January.

2 EXAMINER SEE: Now is not the time for
3 you to resubmit.

4 MS. TANDY: Oh, okay.

5 EXAMINER SEE: I understand that you
6 disagree with the amounts that were read on the bill.
7 Is there anything else? Only as to the questions
8 posed to you by Mr. Williams.

9 MS. TANDY: All I'm saying is . . .

10 The -- the previous bill amounts and I
11 believe some of these bills were estimated so
12 therefore the previous bill could -- is not always
13 accurate. This bill that he gave started with
14 December 2nd, 2010. And then it looks like to me
15 what goes on is when they get a real reading then
16 they change the balance. So that's where I don't
17 believe -- I disagree with all the balances.

18 EXAMINER SEE: Okay.

19 MS. TANDY: Starting -- him starting from
20 December 2010, did not present all the evidence of my
21 complaint.

22 EXAMINER SEE: Okay. Thank you.

23 Are there any objections -- first, let me
24 note that the complete bills have been -- let's start
25 this way: Are there any objections to the admission

1 of Complainant's Exhibits 1, 4, 5?

2 MR. CAMPBELL: No objection.

3 MR. WILLIAMS: No objection.

4 (EXHIBITS ADMITTED INTO EVIDENCE.)

5 EXAMINER SEE: I would note that
6 Ms. Tandy also moved to admit bills, specific pages
7 from her bills, some of which were submitted in the
8 docket for her complaint case. Given that they're
9 all incorporated in what will likely be admitted as
10 CEI Exhibit 6, I'm going to refer to the complete
11 bill that's submitted on the record.

12 MR. CAMPBELL: Your Honor, I'm sorry, one
13 point of clarification on the Complainant exhibits.

14 EXAMINER SEE: Go ahead.

15 MR. CAMPBELL: We're conceding that they
16 can be admitted into the record as what she put into
17 the record. We're obviously not conceding to the
18 truth of any of the handwritten assertions on the
19 bill. Just to make that clear.

20 EXAMINER SEE: Okay. That is so noted.

21 Now, are there any objections to
22 admission of CEI Exhibits 4, 5, 6, 7, and 8?

23 Ms. Tandy?

24 MS. TANDY: You mean page 4?

25 EXAMINER SEE: No. I'm looking at the

1 exhibits that are marked in the upper left-hand
2 corner in red for CEI. There's CEI Exhibit 4, which
3 is a letter from Ohio Department of Development,
4 dated November 14th. Another letter dated
5 December 15th, from Ohio Department of Development,
6 that's marked as CEI Exhibit 5, CEI Exhibit 6, and
7 CEI Exhibit 8.

8 MS. TANDY: I have Exhibit 7. Did you
9 say, what was --

10 EXAMINER SEE: I'm sorry, and Exhibit 7
11 which is the larger exhibit of the bills that you
12 discussed at length.

13 CEI Exhibits 4, 5, 6, 7, 8 are admitted
14 into the record.

15 (EXHIBITS ADMITTED INTO EVIDENCE.)

16 EXAMINER SEE: Your witness.

17 MR. CAMPBELL: Thank you, your Honor.

18 Do we -- would it make any sense to
19 discuss timing? I don't know what Ms. Tandy's travel
20 plans are. I don't want the hearing to carry beyond
21 what her return time is.

22 EXAMINER SEE: Given that it's 2:26 and
23 we need to conclude this, I think we need to just
24 move on.

25 MR. CAMPBELL: Okay.

1 EXAMINER SEE: Because we also have --

2 MS. TANDY: What time is it?

3 EXAMINER SEE: 2:26.

4 MS. TANDY: My bus leaves at 3:00. I
5 probably need to get going.

6 EXAMINER SEE: Ms. Tandy, you realize
7 that means we'll have to continue the hearing to
8 another day.

9 MS. TANDY: Will this be for just
10 Dominion?

11 EXAMINER SEE: This is -- we have not
12 finished CEI.

13 MS. TANDY: Oh. Well, okay, as long as
14 it's a month -- I mean, let me see. The first week
15 in February.

16 EXAMINER SEE: We can look at that date,
17 but let's see if we can wrap CEI up quickly. How
18 long does it take you to get to the --

19 MS. TANDY: Just a few minutes to walk
20 over there.

21 EXAMINER SEE: Okay. Let's move it.

22 MR. CAMPBELL: The company would call Deb
23 Reinhart to the stand. May I approach, your Honor?

24 EXAMINER SEE: You may.

25 As you move to the stand, Ms. Reinhart,

1 please raise your right hand.

2 (Witness sworn.)

3 EXAMINER SEE: Please have a seat.

4 (EXHIBIT MARKED FOR IDENTIFICATION.)

5 - - -

6 DEBORAH REINHART

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

9 DIRECT EXAMINATION

10 By Mr. Campbell:

11 Q. Ms. Reinhart, I'm setting before you
12 what's been marked as CEI Exhibit 1.0. Do you
13 recognize this document?

14 A. Yes, I do.

15 Q. Is this the testimony that was prepared
16 by you or under your direction?

17 A. Yes, it was.

18 Q. Can you state briefly your name and title
19 for the record?

20 A. Deborah Reinhart. Customer compliance
21 lead.

22 Q. If I asked you all the questions that are
23 contained in CEI Exhibit 1 today, would your answers
24 be the same?

25 A. Yes, they would.

1 Q. And I'm going to ask you one additional
2 question based on something that came up in
3 Ms. Tandy's case. She stated and it was pointed out
4 that on a June 28th, 2012 statement, a total balance
5 was shown of \$384.73. It was also noted that on the
6 July 6th, 2012 bill, it showed a balance, of about
7 \$9.09 more, of \$393.82. Can you explain the
8 difference between the two balances?

9 A. Yes. That was actually, the 9.09, when
10 the customer came off PIPP, the difference between
11 her PIPP amount and her current charges was 9.09. It
12 was actually -- her current charges were less than
13 what her PIPP amount would have been. So that \$9.09
14 would have been that difference that would have shown
15 as an amount due which, actually, I think it was
16 corrected in, like, September at a later time. But
17 the actual account balance was correct.

18 Q. Right. So to the extent that there was
19 any error in the \$9.09, it was corrected by the
20 company.

21 A. That's correct.

22 MS. TANDY: What year?

23 EXAMINER SEE: Hold on just a minute,
24 Ms. Tandy. You'll have an opportunity to
25 cross-examine this witness.

1 MR. CAMPBELL: We'll move her exhibit
2 after cross, so she's available for
3 cross-examination.

4 EXAMINER SEE: Do you have questions for
5 this witness, Ms. Tandy?

6 MS. TANDY: Yes.

7 - - -

8 CROSS-EXAMINATION

9 By Ms. Tandy:

10 Q. Could you state the year and month of
11 that again? You said something about June and July
12 had a \$9.09 balance, which I didn't hear the year.

13 MR. CAMPBELL: I'm not sure it's clear
14 what the question is.

15 Q. The year of this.

16 A. June 28th.

17 Q. June 28th of what year?

18 EXAMINER SEE: You referred to the
19 June 28th, 2012 summary of statements and the balance
20 on that statement. Then you also referred to a 9
21 dollar, I believe, and 9 cent credit or charge that
22 was later corrected. What month was that \$9.09
23 correction made?

24 MS. TANDY: She said July 6th, but I --

25 EXAMINER SEE: I'm sorry, Ms. Tandy, let

1 the witness answer the question.

2 THE WITNESS: In September is when we
3 actually made that.

4 EXAMINER SEE: September of what year?

5 THE WITNESS: 2012.

6 Q. (By Ms. Tandy) I'm sorry, I didn't hear
7 it.

8 A. September of 2012.

9 Q. What happened in September 2012?

10 A. The 9.09. The \$9.09.

11 Q. You said you made a correction of some
12 sort?

13 EXAMINER SEE: Can you explain the
14 correction?

15 A. Yes. The \$9.09 basically was--

16 EXAMINER SEE: Point to a bill, please,
17 Ms. Reinhart, if you can.

18 Can you direct --

19 MR. CAMPBELL: I believe it's the
20 October 8th, 2012 bill, which is towards the back of
21 your testimony packet. Maybe 15 pages from the back
22 or so or less.

23 A. It would be the bill that was dated
24 October the 8th. The correction was made on
25 September the 24th and that was \$9.09, and basically

1 that was made so that we could correct, so that we
2 could equal -- your total account balance was correct
3 and the adjustment was made to show the current
4 amount due to be the same amount.

5 Q. Well, I'm looking at that bill right now,
6 October 8th, 2012.

7 A. Right. Underneath the "Detail Payment
8 and Adjustment Information" section.

9 Q. Yes.

10 A. Do you see there's a September 24th, HS,
11 Human Services, Deferred Arrears Adjustment of \$9.09.

12 Q. What does that mean?

13 A. Basically what that is that 9.09
14 difference was from a bill that when we had taken
15 you, had removed your account from PIPP, okay, the
16 difference between your actual bill for that month
17 and your PIPP amount, that difference was \$9.09. In
18 other words, your PIPP amount was higher than what
19 your current charges were.

20 So basically what happened is, at a later
21 date, we're correcting that 9.09 to show instead of
22 leaving it on as amount due, we're removing it off to
23 show that that was not due -- that's not a current
24 amount, no longer a current charge. Your actual
25 account balance was correct.

1 Q. \$423.87?

2 A. That's correct.

3 Q. Is that a minus in front of there?

4 A. No. The 423.87?

5 Q. Uh-huh.

6 A. No, it's not. That's a dollar sign.

7 MS. TANDY: Do I get to say anything?

8 EXAMINER SEE: You get to ask this
9 particular witness questions.

10 Ms. Tandy, I have questions for the
11 witness. Do you mind if I go ahead and proceed and
12 ask her questions?

13 MS. TANDY: Sure. Please.

14 EXAMINER SEE: Okay.

15 - - -

16 EXAMINATION

17 By Examiner See:

18 Q. Going through your testimony,
19 Ms. Reinhart, if you go to page 3.

20 A. Yes.

21 Q. You refer to Account B which is 1441
22 Sulzer Avenue --

23 A. Correct.

24 Q. -- Euclid, Ohio.

25 A. Yes.

1 MS. TANDY: Which page is that?

2 EXAMINER SEE: I'm on page 3 of
3 Ms. Reinhart's testimony which is where they're in
4 question and answer form.

5 Q. To your knowledge, that's not Ms. Tandy's
6 residence, is it?

7 A. No, it's not.

8 Q. Okay. Do you have any idea when that
9 account was placed in Ms. Tandy's name?

10 A. It would have been, I think, September of
11 -- I don't have it in front of me. I have to go --

12 Q. I'm sorry, I can't hear you.

13 A. I don't have it in front of me. Let me
14 check my testimony because I think I have it later.
15 September 9th of 2010.

16 Q. Is when the account was placed in her
17 name.

18 A. Right.

19 Q. Okay. And in your testimony you also
20 discuss PIPP enrollment or PIPP Plus.

21 A. Yes.

22 Q. Who notifies CEI of PIPP enrollment or
23 reinstatement?

24 A. ODOD, the Ohio Department of Development.

25 Q. How would CEI be notified?

1 A. We get an electronic file that comes
2 directly to us from them.

3 Q. And did you receive notification from
4 Ohio Department of Development of Ms. Tandy's removal
5 from PIPP?

6 A. Yes, we did.

7 MS. TANDY: What was the date of that?

8 EXAMINER SEE: Just a minute, Ms. Tandy.

9 Q. Referring to the June 28th, Summary of
10 Statement, that was marked as Complainant Exhibit 5.
11 Do you have a copy of that?

12 A. No.

13 Q. To move things along, I will give you my
14 copy so you can look at it and we can continue to
15 discuss it. Are you familiar with this statement of
16 summary?

17 A. Yes.

18 Q. I'm sorry, Summary of Statement.

19 A. Yes, I am.

20 Q. Would you agree that the statement of
21 accounts, that the information provided does not
22 allow the customer to determine, by subtracting the
23 balance of the statement and the payments made, down
24 to what is the ending balance of the statement?

25 A. Well, this is a cover sheet --

1 Q. Okay.

2 A. -- of the account statement -- account
3 summary.

4 Q. Okay. So there's additional detail that
5 would have been provided to the customer along with
6 this?

7 A. That's right, yes.

8 Q. Okay.

9 MS. TANDY: Excuse me, what are you
10 talking about?

11 EXAMINER SEE: I'm looking at what was
12 marked as Complainant Exhibit 5. It is dated
13 June 28th, 2012.

14 MS. TANDY: Is that the one with the two
15 payments on there that I gave you?

16 EXAMINER SEE: Right.

17 Q. And is it correct that the amount that's
18 shown has the ending --

19 MS. TANDY: This is --

20 EXAMINER SEE: Hold on, Ms. Tandy.

21 Q. Is it correct that the amount that's
22 shown as the ending balance on the summary statement,
23 does not necessarily tie to the bill that the
24 customer would receive?

25 A. That's correct.

1 MS. TANDY: I don't know why she called
2 this a cover page. I don't believe this came --

3 Q. The exhibit that I just showed you,
4 Ms. Reinhart, is only one page; is that correct?

5 A. That's correct.

6 MS. TANDY: That's a cover sheet.

7 EXAMINER SEE: Wait just a minute,
8 Ms. Tandy. It's my turn to ask questions.

9 MS. TANDY: That's --

10 EXAMINER SEE: Ms. Tandy, it's my turn to
11 ask questions, okay?

12 MS. TANDY: Okay.

13 Q. Can someone unfamiliar, such as a
14 customer, understand what the "Adjustment Type Key"
15 means, in your opinion, Ms. Reinhart?

16 A. It gives the definition below, yes, of
17 what those are.

18 Q. And it states in general what they are; a
19 late payment charge or a transfer?

20 A. Correct.

21 Q. It does not provide a date, does it?

22 A. Not on the cover sheet.

23 Q. Okay. Where would that information be
24 found?

25 A. On the account summary.

1 Q. Okay. And would it also give an
2 indication of what "61000035 HS Current Bill Arrears
3 Credit" is?

4 A. It would give that number and it would
5 give the dollar amount or cent amount of whatever
6 that credit is provided and the date that it was
7 applied.

8 Q. Would you agree with me that during the
9 time that a customer is a PIPP customer that the only
10 payment due is their PIPP payment?

11 A. That's correct.

12 Q. Once a customer is no longer PIPP
13 eligible, then they are immediately responsible for
14 the existing account balance on the account?

15 A. Correct.

16 EXAMINER SEE: Ms. Tandy, did you have
17 any questions for this witness?

18 MS. TANDY: I had a question about the
19 PIPP. The only reason I don't have PIPP now is --
20 well, actually, I have until February the 13th to
21 reapply. But up until -- right. Up until February
22 13th, I'm still on PIPP.

23 EXAMINER SEE: Are you asking
24 Ms. Reinhart if you're currently on PIPP?

25 MS. TANDY: Excuse me?

1 EXAMINER SEE: You're posing questions to
2 the witness.

3 MS. TANDY: Right. The only reason I'm
4 not on there is because I have not reapplied.

5 EXAMINER SEE: You're telling her? Are
6 you asking her?

7 MS. TANDY: Oh, I have to ask questions?

8 EXAMINER SEE: Yes.

9 - - -

10 RECROSS-EXAMINATION

11 By Ms. Tandy:

12 Q. When you say a customer is off PIPP then
13 that balance becomes immediate -- well, according to
14 the paperwork that I have, I'm on PIPP until I
15 reapply in February. That's what this letter of
16 February 5th, 2012 states.

17 EXAMINER SEE: Is that your
18 understanding, Ms. Reinhart?

19 A. No. Our records show that we did receive
20 a drop from PIPP, February 1st of 2012.

21 Q. That's what I just said, ma'am.

22 A. A drop.

23 Q. Withdrawal?

24 A. A drop. Dropping you from PIPP.

25 Q. February 2012?

1 A. Correct.

2 Q. Oh, you mean the letter from the
3 Illuminating Company, not the Department of
4 Development, because that's what . . .

5 If you wish to reenroll in PIPP Plus --

6 EXAMINER SEE: Ms. Tandy --

7 MS. TANDY: Oh --

8 EXAMINER SEE: -- so that we can keep it
9 moving --

10 MS. TANDY: Okay.

11 EXAMINER SEE: -- do you have other
12 questions for Ms. Reinhart?

13 MS. TANDY: Not at this time, but I
14 reserve the right to reexamine, ask questions of her
15 at the next hearing.

16 EXAMINER SEE: We are going to conclude
17 CEI today, Ms. Tandy. If it took this long for us to
18 get through CEI, there's no way we could do CEI and
19 Dominion in another day.

20 Just for the record, let me note that the
21 hearing was scheduled to start at 11. It's now 2:44.

22 MS. TANDY: No more questions.

23 - - -

24 FURTHER EXAMINATION

25 By Examiner See:

1 Q. Ms. Reinhart, according to CEI records --
2 let me try that again.

3 Ms. Tandy has admitted that she owns 1439
4 and 1444 Sulzer Avenue, correct?

5 MS. TANDY: 41.

6 EXAMINER SEE: 41?

7 MS. TANDY: Uh-huh.

8 Q. Sulzer Avenue.

9 A. Yes.

10 Q. Correct?

11 A. Yes.

12 MS. TANDY: That's correct.

13 Q. Do CEI records indicate that that is a
14 duplex?

15 A. Yes, it does say duplex.

16 Q. Okay. Do you have a landlord reversion
17 agreement by Ms. Tandy for --

18 A. Not at this time, no.

19 MS. TANDY: Does the Illuminating Company
20 do that?

21 Q. Have you had one in the past?

22 MS. TANDY: Do they do that?

23 EXAMINER SEE: Wait just a minute.

24 A. I don't know that.

25 MS. TANDY: She said she didn't know

1 about that or --

2 THE WITNESS: I don't know today.

3 EXAMINER SEE: She doesn't know if you
4 have one right now as she sits here on the stand.

5 Any redirect, Mr. Campbell?

6 MR. CAMPBELL: Yes. I have a couple of
7 questions.

8 - - -

9 REDIRECT EXAMINATION

10 By Mr. Campbell:

11 Q. Ms. Reinhart, the Examiner asked you
12 whether a PIPP customer only owes the PIPP amount due
13 and you answered yes. However, if a customer misses
14 a PIPP amount due, do they continue to owe that
15 payment in addition to any other new PIPP payments?

16 A. That's correct.

17 MS. TANDY: And we can make it up if we
18 just miss one.

19 EXAMINER SEE: Just a minute, Ms. Tandy.

20 MS. TANDY: Okay. That's a question.

21 EXAMINER SEE: You had your opportunity
22 to ask questions.

23 Go ahead, Mr. Campbell.

24 Q. (By Mr. Campbell) Regarding the
25 June 28th, 2012, Summary of Statement, the Examiner

1 asked you a few questions about certain codes and
2 information on the key and whether customers will
3 understand it. If a customer didn't understand
4 something on a document that the company sent them,
5 would the customer be able to call the company and
6 ask them for an explanation or for additional
7 information?

8 A. Yes.

9 Q. Finally, Account A refers to 14 -- in
10 your testimony Account A refers to 1439 Sulzer;
11 Account B refers to 1441.

12 A. Correct.

13 Q. Does the Company consider Account A and
14 Account B to be for like service?

15 A. Yes.

16 Q. Has the company ever confirmed with staff
17 its understanding of how those sorts of accounts are
18 categorized?

19 A. Yes.

20 MR. CAMPBELL: Okay. That's all I have,
21 your Honor. So at this time, I move for -- oh, I'm
22 sorry.

23 EXAMINER SEE: Thank you very much,
24 Ms. Reinhart.

25 MR. CAMPBELL: At this time we move for

1 admission of CEI Exhibit 1.

2 EXAMINER SEE: Are there any objections
3 to the admission of Ms. Reinhart's testimony,
4 Ms. Tandy?

5 MS. TANDY: Yes.

6 EXAMINER SEE: On what grounds,
7 Ms. Tandy?

8 MS. TANDY: I never talked to her, so why
9 was her testimony needed? I mean, I don't even --

10 EXAMINER SEE: As the Company who is --

11 MS. TANDY: They didn't even -- I --

12 EXAMINER SEE: The Company has to have an
13 opportunity to present their case and that's what
14 they use the testimony of Ms. Reinhart for.

15 MS. TANDY: I have objections because she
16 didn't know dates, she didn't know months, and she
17 didn't know balances. She doesn't know how -- I
18 don't think the Illuminating Company has where you
19 revert to landlord, like, back to landlord. I don't
20 think they have that.

21 EXAMINER SEE: Okay.

22 MS. TANDY: She said she didn't know
23 whether I -- whether or not that I had that, so I
24 don't think they --

25 EXAMINER SEE: That's not grounds to

1 object to the entirety of her testimony, Ms. Tandy.
2 With that, CEI Exhibit 1 is admitted into the record.

3 (EXHIBIT ADMITTED INTO EVIDENCE.)

4 MS. TANDY: Her testimony?

5 EXAMINER SEE: Yes.

6 MS. TANDY: Let the record -- I say I
7 disagree.

8 EXAMINER SEE: And it's noted in the
9 record, Ms. Tandy.

10 MR. WILLIAMS: Your Honor?

11 EXAMINER SEE: Mr. Williams.

12 MR. WILLIAMS: Yes, ma'am. One point.
13 We understand Ms. Tandy's exhibits were admitted into
14 the record, and my co-counsel, Mr. Campbell, made
15 this point earlier, but we'd just like to reiterate
16 for clarity in the record that we object to the
17 handwritten portions --

18 EXAMINER SEE: He already made that --

19 MR. WILLIAMS: Yes, ma'am.

20 EXAMINER SEE: -- notation in the record;
21 it's there.

22 Would the parties like an opportunity to
23 file a brief?

24 MR. CAMPBELL: If that would be helpful
25 to the Commission, we'd be glad to file a brief.

1 MS. TANDY: A what?

2 EXAMINER SEE: It's where you write a
3 written summary of what you think you've proven of
4 the testimony submitted today. I'm going to give you
5 the option, Ms. Tandy. Do you want to write a paper
6 on what you think you've established here today?

7 MS. TANDY: Do I have to do it today? Do
8 I have to write it today?

9 EXAMINER SEE: No, you do not.

10 MS. TANDY: Can I write it and mail it?

11 EXAMINER SEE: Yes. And it will be due
12 in two weeks.

13 MS. TANDY: Okay.

14 EXAMINER SEE: So you want to file
15 briefs?

16 MS. TANDY: Yes.

17 MR. CAMPBELL: We think that would be
18 best, too, your Honor.

19 EXAMINER SEE: The Company is also going
20 to file briefs. They're due -- I'm sorry. The
21 transcript will not be issued for two weeks. It's
22 going to be -- your brief is going to be due two
23 weeks after the transcript is put into the docket. I
24 can't tell you that exact date as I sit here now, but
25 that's when your briefs will be due. We will only do

1 briefs; we will not do reply briefs.

2 MS. TANDY: We will do briefs, not what?

3 EXAMINER SEE: Reply briefs. And I'll
4 put together an entry describing what that is and
5 what the dates are. The reply brief would be your
6 response to their brief. You'll get an entry setting
7 forth the dates shortly. With that, this hearing is
8 adjourned.

9 (Thereupon, the proceedings concluded at
10 2:50 p.m.)

11 - - -

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Tuesday, January 15, 2013, and carefully compared with my original stenographic notes.

Carolyn M. Burke, Registered
Professional Reporter, and
Notary Public in and for the
State of Ohio.

My commission expires July 17, 2013.

- - -

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

1/29/2013 3:17:32 PM

in

Case No(s). 12-2102-EL-CSS

Summary: Transcript Of Gwendolyn Tandy v Cleveland Electric Illuminating Company hearing held on 01/15/13 electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Burke, Carolyn M. Mrs.