

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of The Dayton Power and Light Company for Approval of Its Market Rate Offer.)))	Case No. 12-426-EL-SSO
In the Matter of the Application of The Dayton Power and Light Company for Approval of Revised Tariffs.)))	Case No. 12-427-EL-ATA
In the Matter of the Application of The Dayton Power and Light Company for Approval of Certain Accounting Authority.))))	Case No. 12-428-EL-AAM
In the Matter of the Application of The Dayton Power and Light Company for Waiver of Certain Commission Rules.)))	Case No. 12-429-EL-WVR
In the Matter of the Application of The Dayton Power and Light Company to Establish Tariff Riders.)))	Case No. 12-672-EL-RDR

**DIRECT TESTIMONY OF
DAVID C. RINEBOLT
ON BEHALF OF OHIO PARTNERS FOR AFFORDABLE ENERGY**

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March 1, 2013

**Counsel for Ohio Partners for
Affordable Energy**

1 Q. PLEASE STATE YOUR NAME, TITLE, AND BUSINESS ADDRESS.

2 A. My name is David C. Rinebolt. My business address is 231 West Lima Street,
3 Findlay, Ohio 45840. I am the Executive Director of Ohio Partners for Affordable
4 Energy (OPAE), and I appear in this case as a witness on its behalf.

5
6 Q. PLEASE DESCRIBE YOUR BACKGROUND AND QUALIFICATIONS FOR
7 YOUR TESTIMONY IN THIS PROCEEDING.

8 A. My career has covered a broad spectrum of activities in human services
9 programs and the energy industry including policy analysis at both the federal
10 and state levels. I served as Deputy Director of the State of Minnesota
11 Washington Office from 1993 through 1995, focusing on human services, energy
12 and environmental issues. Between 1995 and 1998 I served as Senior Research
13 Associate for Energy with the Coalition of Northeastern Governors Policy
14 Research Center, focusing on low income energy assistance programs and new
15 energy technologies. I also served as Legislative Director for Representative
16 Collin Peterson of Minnesota from 1991 through 1993, and was Director of
17 Programs for the National Association of State Energy Officials from 1994
18 through 1996. I became executive director of Ohio Partners for Affordable
19 Energy in 1996.

20
21 I have a Bachelor of Liberal Study degree with concentrations in
22 Communications, Political Science, English, and Russian Literature (1978) and a
23 Juris Doctor degree from the Columbus School of Law at The Catholic University

1 of American (1981). My professional career has focused on the development,
2 operation and funding of low income energy assistance programs and renewable
3 energy development programs. These concentrations have required a broad-
4 based knowledge of the energy and utility sectors of the U.S. economy.

5
6 I attach my resume as Exhibit DR-1.

7
8 Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE OHIO PUBLIC UTILITIES
9 COMMISSION (“PUCO” or “Commission”)?

10 A. Yes. I testified in Duke Energy Ohio Inc.’s Standard Service Offer Case No. 11-
11 3549-EL-SSO, et al, (October 28, 2011) in support of the stipulation and
12 recommendation filed in those cases.

13
14 Q. PLEASE DESCRIBE THE PURPOSE OF YOUR TESTIMONY.

15 A. The purpose of my testimony is to urge the continuation of a fuel fund that has
16 been provided by The Dayton Power and Light Company (DP&L) since 2009. In
17 addition, funding should increase to \$750,000 per year from the existing level of
18 \$400,000 per year because if the increase in poverty and declines in the average
19 household income of poor families in the years since the fund was established.

20
21 Q. PLEASE DESCRIBE THE FUNDING AND OPERATION OF THE EXISTING
22 FUEL FUND.

1 A. The current fuel fund, which distributes \$400,000 per year to assist low income
2 families maintain essential energy service, was originally authorized and funded
3 in Case No. 08-1094-EL-SSO, et.al. The fund was authorized for an additional
4 years at the same funding level in Case No. 11-3002-EL-MER. This will be the
5 final year of the fuel fund if it is not extended.

6

7 Q. PLEASE DESCRIBE THE OPERATION OF THE FUEL FUND.

8 A. DP&L makes an annual contribution Ohio Partners for Affordable Energy
9 (OPAE), a 501(c)(3) nonprofit organization in December prior to the year the fuel
10 fund is made available to families, generally on March 1. Through an agreement
11 between OPAE and the Ohio Development Services Agency (ODSA), formerly
12 the Ohio Department of Development, and an agreement between DP&L and
13 ODSA, funds are made available to eligible customers of DP&L who unable to
14 pay their electric utility bills. Specifically, customers in need of assistance
15 contact one of the community-based nonprofit agencies which receive grant from
16 ODSA to determine eligibility and provide benefits under the Home Energy
17 Assistance Program and the Percentage Income Payment Plan Plus. The
18 customer visits the agency, their household income is verified, and the amount of
19 payment necessary to prevent disconnection or the current bill is authorized.
20 The payment information is entered into the Ohio Community Energy Assistance
21 Network (OCEAN) system, a web-based benefit system utilized to provide
22 assistance for a broad array of social service programs. The client information
23 and payment amount is transferred to ODSA nightly. The information is reviewed

1 and forwarded directly to the DP&L billing system, which credits the payment to
2 the customer's account. ODSA generates a monthly report on the amount
3 benefits provided. OPAE then remits a payment to ODSA in the amount of the
4 benefits. OPAE also pays ODSA an administrative fee of \$8 per client, again on
5 a monthly basis. OPAE receives no funding for its involvement.

6
7 In 2012, over 3,100 customers received assistance from the current fuel fund.
8 The average sum necessary to prevent disconnection was \$129. The benefit
9 has implications far beyond maintaining essential energy services. Beneficiaries
10 are regularly confronted with the need to choose between retaining energy
11 services, eating, or purchasing necessary medicines. It should also be noted
12 that the majority of beneficiaries of bill payment assistance programs are elderly
13 or disabled. A sizeable percentage of the families receiving assistance have
14 children under the age of 5 in the home. And, 90 percent of those obtaining
15 assistance from these programs that can work are working. Unfortunately, the
16 wages they receive are inadequate to cover basic needs.

17
18 Q. CAN YOU PLEASE EXPLAIN WHY THERE IS A CONTINUING NEED TO
19 PROVIDE DP&L CUSTOMERS WITH ASSISTANCE THROUGH A FUEL
20 FUND?

21 A. Poverty remains a significant problem throughout Ohio and in the DP&L service
22 territory. On a statewide basis, poverty increased by 57.7% between 1999 and
23 2011. I have attached a recent publication of the Ohio Association of Community

1 Action Agencies entitled State of Poverty 2012, which provides detailed poverty
2 statistics for each county in the DP&L service territory. Simply put, three years
3 after the beginning of the recession poverty remains a significant problem for
4 families, the elderly and disabled. In most of the counties in the DP&L service
5 territory more than 30 percent of all households are eligible for benefits from the
6 existing fuel fund. The report is attached as Exhibit DR-2.

7
8 Q. WHY IS IT APPROPRIATE TO PROVIDE BILL PAYMENT ASSISTANCE AS A
9 PART OF A STANDARD SERVICE OFFER?

10 A. The Public Utilities Commission of Ohio (Commission) has often issued Orders
11 approving the establishment of fuel funds to assist low income families. All major
12 Ohio utilities are making fuel funds available to their customers this winter,
13 supplementing other federal and state resources. In the case of DP&L, this fuel
14 fund was included and approved by the Commission as a part of the first
15 Standard Service Offer. This is the logical case to continue this important
16 assistance program. In addition, the authorization and funding for the fuel fund is
17 consistent with the policies established by the General Assembly in Am. Sub.
18 S.B. No. 221. Specifically, Sec. 4928.02(L) makes it the policy of the State to
19 “[p]rotect at risk populations, including, but not limited to, when considering the
20 implementation of any new advanced energy or renewable energy resource”.
21 The policies articulated by the General Assembly in the legislation which
22 established the standard service offer should be followed; the continuation of the
23 existing DP&L fuel fund is consistent with those policies and in the public interest.

1 Q. DOES THIS CONCLUDE YOUR TESTIMONY

2 A. Yes.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Testimony of David C. Rinebolt has been served electronically upon the persons listed below this 1st day of March 2013.

/s/Colleen L. Mooney, Attorney
Ohio Partners for Affordable Energy

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Professional Experience

Executive Director and Counsel – Ohio Partners for Affordable Energy.

Head of statewide association providing program management, advocacy, and litigation services to over 60 nonprofit anti-poverty and community development organizations. Oversees education and training activities and the management of six utility-funded energy efficiency programs. Represents the interests of the organization and its members before the PUCO, the Ohio General Assembly, and Congress. Coordinates innovative partnerships between members and other organizations in the energy industry to benefit low-income consumers. Serves on the Demand Side Management Collaboratives of Ohio's seven largest utilities. *April 1996 - present.*

Legislative Liaison – Ohio Association of Community Action Agencies.

Worked to educate the General Assembly on the activities of Ohio's community action agencies. Advocated for adequate funding for critical programs such as state Head Start, the Housing Trust Fund, and other anti-poverty programs. *January 2003 –June 2004.*

Director of Programs - National Association of State Energy Officials.

Developed and provided information on the activities of state energy offices to Congress, the press, and the executive branch. Provided assistance to states in the following areas: legislation and policy development; utility regulation; industrial, commercial and residential energy efficiency programs; renewable energy technologies; and, low-income energy issues. Temporarily posted to the Department of Energy to assist in the design of programs developed to implement the President's *Climate Change Action Plan*. *January 1994 - December 1995. Consultant, January 1996 - June 1996.*

Legislative Director/Counsel - Congressman Collin Peterson (MN-7th).

Organized and managed legislative staff for freshman Congressman. Also served as Associate Counsel to the Government Operations Subcommittee on Employment, Housing and Aviation. *January 1991 - December 1993.*

Director of Research - National Wood Energy Association.

Developed and coordinated public and Congressional education efforts. Assisted in drafting and securing support for federal and state legislative and regulatory initiatives. Represented members in state legislative and regulatory forums. Also served as counsel to the Solar Energy Industries Association and other renewable energy groups. Editor of *BIOLOGUE Magazine*. *September 1987 - December 1990. Served as consultant to successor organization, National BioEnergy Industries Association, January 1996 - September 1996.*

Senior Research Associate, Energy - Coalition of Northeastern Governors Policy Research Center. Project Director for the Northeast Regional Biomass Program, an eleven-state, \$1.4 million annual program designed to promote the commercialization of biomass energy technologies. Also staffed the CONEG Energy Committee and coordinated lobbying of member states on energy issues, including LIHEAP, Weatherization and other state grant programs, and natural gas deregulation. Helped develop a coalition that secured federal legislation requiring expenditure of over \$9 billion in oil overcharge funds through state energy programs. *July 1985 - September 1987.*

Associate Director - State of Minnesota Washington Office.

Coordinated Governor's federal legislative agenda and represented State before government departments and regulatory agencies. Served as staff representative for Governor Perpich to the National Governors' Association (NGA) Executive and Energy and Environment Committees. *November 1983 - July 1985.*

Paralegal Specialist – U.S. Department of Interior, Office of Legislation and Regulatory Management.

Conducted legal research related to public land laws, particularly the Federal Land Policy Management Act of 1976. *January 1980 – July 1981.*

EDUCATION and OTHER ACTIVITIES

Legal: The Columbus School of Law, Catholic University of America, Washington, D.C. Juris Doctor, 1981.

College: Bowling Green State University, Bowling Green, Ohio. Bachelor of Liberal Studies, May 1978. Concentrations in Communications, English, Political Science, and Russian Literature.

Memberships: District of Columbia Bar Association; Ohio Bar - Corporate Status; Hancock County Bar Association.

Boards: Alcohol, Drug Abuse and Mental Health Services Board of Hancock County 1997-2005, serving twice as chair; Ohio Environmental Council Board of Directors – 1999-2005. Energy Cooperative of Ohio –2000-present, past chair; Coalition on Homelessness and Housing in Ohio (COHHIO) – 2009-present; Great Lakes Rural Community Assistance Partnership – 2009-present; Weatherization Assistance Program – Program Advisory Committee – 1998 to present; Public Benefits Advisory Board – 2010 to present.

Guest Lecturer: Case Western Reserve University; Pace University; National Energy and Utility Affordability Conference; Mid-American and National Associations of Regulatory Utility Commissioners; White House Conference on Climate Change and, other national and regional meetings.

Publications: Author, *The Biofuels Industry Data Base*, Solar Energy Research Institute, Golden, Colorado (1990); Editor, *BIOLOGUE Magazine*, National Wood Energy Association, Arlington, Virginia (1987-1990); Reviewer, *Changing by Degrees; Steps to Reduce Greenhouse Gases*, Office of Technology Assessment, OTA-0-482 (1991)

DR Exhibit 2

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Summary: Testimony of David C. Rinebolt electronically filed by Colleen L Mooney on behalf of Ohio Partners for Affordable Energy