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BEFORE THE
PUBLIC UTILITIES COMMISSION

CASE NOS. 12-1685-GA-AIR
12-1682-EL-AIR

In the Matter of the Application of Duke Energy Ohio
for an increase in its Electric Distribution Rates,
for Tariff Approval to Change Accounting Methods, and
Case Nos. 12-1685, 1686, 1687, and 1688, in the Matter
of the Application of Duke Energy Ohio for an increase
in its Natural Gas Distribution Rates, for Tariff
Approval, for Approval of an Alternative Rate Plan for
Gas Distribution Service, and for Approval to Change
Accounting Methods.

The above-public hearing was held

before the Public Utilities Commission of Ohio, at the
City Building, City Council Chambers, Lower Level, 1
Donham Plaza, Middletown, Ohio 45042,
before Christine Pirik, Attorney Examiner with the
Public Utilities Commission of Ohio, on Monday,
February 25, 2013, at 6:30 p.m., before Terence M.
Holmes, professional court reporter, and notary public
within and for the State of Ohio.

HOLMES REPORTING & VIDEO
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1 APPEARANCES:

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3 On Behalf of the Public Utilities Commission of
4 Ohio:

5

6 Christine Pirik
7 Attorney Examiner
8 180 East Broad Street
9 Columbus, Ohio 43266-0573

8

On Behalf of Company, Duke Energy:

9

10 Elizabeth Watts
11 Associate General Counsel
12 Duke Energy
13 139 East Fourth Street/1303-Main
14 P.O. Box 960
15 Cincinnati, Ohio 45202

13 On Behalf of the Intervener, Office of the
14 Ohio Consumers' Counsel:

14

15 (Representative)
16 Assistant Consumers' Counsel
17 10 West Broad Street, Suite 1800
18 Columbus, Ohio 43215-3485

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C O N T E N T S

1		
2		
3	<u>SPEAKERS:</u>	<u>PAGE</u>
4	Pierre DeBrosse	10
5	Courtney E. Combs	13
6	David Kern	17
7	Steve Jensen	19
8	Adriana Inman	21
9	Kenda Gammell	22
10	Glenn Gammell	24
11	Walter Leap	27

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1 P R O C E E D I N G S

2 ATTORNEY EXAMINER: We'll go ahead and
3 get started with the formal part of the hearing. We
4 do have a court reporter, so I'm gonna read some
5 things into the record that are kind of procedural,
6 just so that everyone kind of knows what this is all
7 about and has a little bit of introductory as to what
8 our process will be this evening. So, let's get
9 started.

10 The Public Utilities Commission has
11 assigned for public hearing at this time and place
12 Case Nos. 12-1682, 12-1683, and 12-1684, which are
13 captioned In the Matter of the Application of Duke
14 Energy Ohio Incorporated for an Increase in its
15 Electric Distribution Rates. As well as Case Nos.
16 12-1685, 12-1686, 12-1687, and 12-1688, which is
17 Duke's application for an Increase in its Natural Gas
18 Distribution Rates.

19 My name is Christine Pirik. I am an
20 Attorney Examiner with the Public Utilities Commission
21 of Ohio and I will be conducting this hearing along
22 with Commission Chairman Snitchler, here on my right.
23 Also with us from the Commission are Jason Gilham and
24 Lauren Smalley. They're up there at the doors
25 upstairs, as well as Darita Patterson and Dan

1 Harrington out at the front doors here. They're
2 available for any questions you have, either with
3 Public Affairs or consumer individual issues.
4 In addition, we have representatives of the company
5 here and the Office of Consumers' Counsel. The
6 gentleman over here for residential customers. After
7 the hearing, if you have any questions for them, feel
8 free to approach them with those questions.

9 At this time, I'm gonna take what we
10 call the "appearances of the hearing." I know that
11 the company has an attorney here. Would you like to
12 make an appearance?

13 MS. WATTS: Yes, thank you, Your Honor.
14 On behalf of Duke Energy Ohio in both of the cases,
15 the gas and electric cases, I'm Elizabeth Watts.

16 HEARING EXAMINER: Are there any other
17 parties here who have their attorneys that would like
18 to make an appearance? I did not think so, but I
19 wanted to be sure.

20 Duke filed these applications on July
21 9, 2012. In the Electric rate Case, Duke is seeking a
22 rate increase that would generate approximately \$86.5
23 million dollars of additional revenue. The staff
24 report was issued in January, and after its review of
25 Duke's record and application, the staff of the

1 Commission has recommended a revenue increase of
2 between \$37.1 to \$46.1 million dollars with regard to
3 the electric rate. The staff report itself is only a
4 recommendation, and the Commission will review the
5 total record at the conclusion of these local hearings
6 as well as the evidentiary hearings before making its
7 decision. In addition, even though they're separate
8 cases, the electric case and the gas case, we put them
9 together for the local hearing so that customers would
10 have an easier time, coming one time to give their
11 testimony about the gas, the electric or both.

12 In the gas case, Duke seeks a rate
13 increase that would generate approximately \$44.6
14 million dollars of additional revenue. Staff, after
15 its review of the application, recommends a revenue
16 decrease from the current revenue of between 10.7
17 million and 3.3 million or a decrease of between 2.8%
18 and .88%.

19 The local hearing scheduled in this
20 matter, these matters, is there are only one aspect of
21 the process in the case. There is one more local
22 hearing that will be held in downtown Cincinnati, this
23 Thursday, beginning at 12:30 p.m. The evidentiary
24 hearing at which time we will take witness testimony
25 from the parties in the case will commence on March

1 25th, 2013, at the Commission offices.

2 The purposes of this evening public
3 hearing is to receive comments from the public
4 regarding Duke's application. It's not a
5 question-and-answer period, however if you do have
6 questions for the staff regarding your service itself
7 or the company regarding any matters with the company
8 or the application, as well as the Office of
9 Consumers' Counsel, as I said previously, you can
10 address them to those individuals after the hearing.

11 We are being transcribed by a court
12 reporter. And if you plan to testify, we would ask
13 that you speak clearly and accurately so that all of
14 your comments will be on the record. If you have
15 something that you've written that you would like to
16 read, it is helpful if you could give that to the
17 court reporter, so that when he's transcribing, he's
18 certain to get everything that you have said in the
19 record.

20 When you came in, either upstairs or
21 downstairs this evening, there was an opportunity for
22 you to sign up. However, if you did miss the sign-up
23 sheets, I will be asking at the conclusion of the
24 hearing if there is anyone else who would like to
25 testify. If it comes to your name and you decide that

1 you changed your mind or things have already been
2 covered, you may pass your turn, you don't necessarily
3 have to come forward.

4 At this time, I'd like to ask the
5 Chairman if he has any comments that he would like to
6 make before we start witnesses.

7 CHAIRMAN SNITCHLER: Thank you, Your
8 Honor. I just want to take a minute to thank you for
9 taking time to come out. I have made it a practice,
10 along with the other Commissioners since I took over
11 in about two years, ah, oh, two years ago now, to come
12 out to attend these hearings. I think it's important
13 for us to hear directly from folks that are gonna be
14 affected by the decisions that we make, and so each of
15 the Commissioners attends one of these meetings during
16 the course of any of the rate cases that come before
17 us. So I appreciate the time that it's taken you to
18 come out. We welcome your comments and they will be
19 considered as part of the record. As Chris had said,
20 there is a voluminous amount of documents and things
21 that go into the record, but I know these public
22 hearings are certainly part of the information that we
23 take into consideration as we make our decision. And
24 so with that, I appreciate your willingness to make
25 comments and put 'em on the record and to inform us

1 and to help us make good decisions as we go forward in
2 our case. So with that, Chris, I'll turn it back over
3 to you.

4 HEARING EXAMINER: I will be calling
5 the witnesses on the list. I apologize if I
6 mispronounce any names. With the name of Pirik, I get
7 mispronounced so many times, but I can tell you I can
8 certainly appreciate that. Also, I will asking you to
9 take an oath, and then I'll be asking you to state for
10 the record. I appreciate the fact that you designated
11 whether you're a gas or electric or both customer, and
12 we want to be sure that we get you in the appropriate
13 docket. So I'll be asking that, also.

14 So the first witness that I have on my
15 list is Pierre DeBrosse. Mr. DeBrosse, you were
16 extremely patient and you came at an early time, so I
17 appreciate your patients in the matter.

18 MR. DeBROSSE: Good evening.

19 ATTORNEY EXAMINER: Can you raise your
20 right hand?

21 (Sworn by Attorney Examiner)

22 MR. DeBROSSE: I do.

23 Whereupon,

24 PIERRE J. DeBROSSE

25 of lawful age, a witness herein, having been duly

1 sworn, as hereinafter certified, was examined and
2 testified as follows:

3 ATTORNEY EXAMINER: Could you please
4 state your name and spelling of your name, as well as
5 your address for the record?

6 MR. DeBROSSE: My name is Pierre J.
7 DeBrosse. That is spelled P-i-e-r-r-e, middle initial
8 J, last name D-e-B-r-o-s-s-e.

9 ATTORNEY EXAMINER: And your address?

10 MR. DeBROSSE: 2901 Wildwood Road, City
11 of Middletown, counties of Butler and Warren, State of
12 Ohio.

13 ATTORNEY EXAMINER: And it says on the
14 list that you're testifying as both a gas and electric
15 customer?

16 MR. DeBROSSE: Yes, I have comments.
17 All of my comments will be directed toward both.

18 ATTORNEY EXAMINER: Okay. You may
19 proceed.

20 MR. DeBROSSE: Thank you. Good
21 evening. And thank you for the opportunity to be
22 heard on the situation today, on the agenda today. I
23 am up here because I oppose both the gas and electric
24 rate increases, and I have various reasons why, which
25 I will be brief because size. My first reason falls

1 under taxes, the word everybody loves. Currently our
2 federal taxes, we've avoided the Fiscal Cliff or did
3 we, because now they're stating through media outlets
4 that we have a sequester facing us the 1st of next
5 month, which I believe that's gonna mean additional
6 cuts in federal taxes, federal funding.

7 State taxes, state budget has been cut.
8 Additional taxes are gonna be increased. That is yet
9 to be seen. What additional taxes are gonna be
10 increased within the State of Ohio. That's going to
11 fall down, trickle down into your local taxes,
12 moreover in the form of levies. Couple examples, your
13 school levies, seniors, disabilities, infrastructure,
14 public safety. It's currently a hotbed of taxes right
15 now, from the federal level, all the way down to the
16 local level. I wanted to get that put on the record.

17 The second item is the seniors who are
18 currently living on a fixed income who are probably
19 patiently waiting for a cost of increase of income.

20 My third reason are gasoline prices.
21 Today, about 3:00 o'clock this afternoon I filled up
22 my vehicle at \$3.42 a gallon, and when I drove by the
23 same gas station at 5:30 this evening, it had
24 increased to \$3.56 a gallon. The gasoline prices is
25 also a hot-bed topic.

1 Finally, the last item I have is the
2 streetcar project associated with the City of
3 Cincinnati. Now, from what I have been able to
4 gather, through various media outlets, the City of
5 Cincinnati and the Duke Energy Corporation are
6 currently in litigation with the Hamilton County
7 Common Relations (sic) Court to see who is responsible
8 for relocating utilities due to the streetcar project.

9 Now, WLWT News 5 Cincinnati ran a story
10 back on the 21st of February where one of their local
11 reporters was in conversation with a Duke
12 representative by the name of Blair Schroeder, and he
13 was asked, could the monies necessary to provide for
14 the relocation of utilities for the Cincinnati
15 streetcar project be forced upon all customers,
16 consumers within this Duke region. And I quote his
17 answer was, "There is a scenario that will allow Duke
18 Energy to pass relocation fees for streetcar projects
19 to the customer, but will be avoided as much as
20 possible." And again that, that -- you can Google
21 that and actually see it for yourself, 'cause I did it
22 again this afternoon. I wanted to make sure I had my
23 facts right, being that I was quoting somebody.

24 In closing, I realize that the last
25 time Duke Energy received a rate hike was in 2007. I

1 would request as a citizen of Ohio and as a consumer
2 with Duke Energy, that the Commission deny the current
3 request before the Commission due to the fact that the
4 current litigation between City of Cincinnati and Duke
5 Energy has not been ruled on, it's still an open item,
6 and also the fact that the current tax situation that
7 all taxpaying Americans today is just a hotbed, and we
8 have no idea where this is gonna go.

9 Again, I thank you for your time, and
10 will take any questions you may have.

11 CHAIRMAN SNITCHLER: Thank you.

12 ATTORNEY EXAMINER: Thank you very
13 much. Courtney Combs.

14 MR. COMBS: Hello.

15 ATTORNEY EXAMINER: Please raise your
16 right hand.

17 (Sworn by Attorney Examiner)

18 MR. COMBS: I do.

19 Whereupon,

20 COURTNEY E. COMBS

21 of lawful age, a witness herein, having been duly
22 sworn, as hereinafter certified, was examined and
23 testified as follows:

24 ATTORNEY EXAMINER: Could you please
25 state your name and address and spelling for the

1 record?

2 MR. COMBS: My name is Courtney Combs,
3 C-o-u-r-t-n-e-y C-o-m-b-s. 311 Nilles Road,
4 Fairfield, Ohio 45014.

5 ATTORNEY EXAMINER: And the list says
6 that you'll be testifying to both gas and electric?

7 MR. COMBS: That's correct. First off,
8 Todd, Chairman Snitchler, welcome to Butler County,
9 it's good to see you. I have served for 30 years in
10 local politics here in Butler County, four years as
11 Hamilton City Council, 18 years, plus years, as County
12 Commissioners, and nine years as State Representative,
13 and in the time I've had a long history of working
14 with Duke and their subsidiaries here in the county,
15 and it has been a very good relationship.

16 In the county we ran or and still do
17 run our water and sewer, and I'm very familiar with
18 utility operations and how they work. So basically
19 what we look at here is how does the county prosper.
20 Butler County has been one of the fastest growing
21 counties in the State of Ohio that's dwindled as our
22 previous speaker said, we're in some economic
23 downturn, but it'll come back. And I know that in
24 utilities you have to make investments. And you make
25 investments in the infrastructure, and you make those

1 investments, and then you come back and ask that you
2 get paid back for those investments; that's the way it
3 works, and Duke has been at the forefront of investing
4 in Butler County.

5 Just down the road here we built Miller
6 Brewing Company. That company would not have and
7 could not have come to Butler County without the
8 investment made for the electric in this county. So,
9 that's just an example of how it works.

10 Duke has always been good to us. Many
11 years ago we had Economic Development Corporation of
12 Butler County, and basically what that was for was to
13 generate economic development and keep the economic
14 development on track.

15 One of the very first, if not the first
16 contributors to cash money that went into Economic
17 Development Corporation of Butler County came from
18 Duke Energy. They became our partners. Public,
19 private working relationship with the county, and it
20 worked very well. If I may say, it needs to be redone
21 today. We need economic development, we need jobs
22 bad.

23 These types of things are what creates
24 jobs. Companies, big companies, small companies, they
25 can't relocate within your jurisdiction if they don't

1 have utilities, and that's what it's all about.

2 Smaller point, but I think it needs to
3 be said, our area representative here, Mr. Tim Abbot,
4 is very involved in United Way. Just shows how the
5 company ties in with the community. He will be
6 Chairman of the United Way campaign this year.

7 So, what I'm saying is that Duke has
8 been, in the past, and I'm fully confident that in the
9 future, they will be good partners with us here in
10 this county. And I've never seen them ask for
11 anything that's outrageous. They always been able to
12 stand up for what they thought was right. And I've
13 been to many of these hearings, I've conducted these
14 hearings, sometimes pleasant, sometimes not, but it's
15 a necessary thing to do, and I think you need to look
16 at what has been accomplished here and what has been
17 accomplished by Duke Energy.

18 So I recommend that we go along with
19 Duke Energy and what they need to continue the
20 progress that has been made here in Butler County.
21 Thank you very much.

22 ATTORNEY EXAMINER: Thank you. David
23 Kern. Please raise your right hand?

24 (Sworn by Attorney Examiner)

25 MR. KERN: I do in deed.

1 Whereupon,

2 DAVID E. KERN

3 of lawful age, a witness herein, having been duly
4 sworn, as hereinafter certified, was examined and
5 testified as follows:

6 ATTORNEY EXAMINER: Please state your
7 name and address and spelling for the record?

8 MR. KERN: David Kern, K-e-r-n. The
9 address is 6099 Millikin, M-i-l-l-i-k-i-n Road,
10 Liberty Township, Ohio 45011.

11 ATTORNEY EXAMINER: And the list here
12 says that you'll be testifying for both gas and
13 electric?

14 MR. KERN: Actually I think I need to
15 correct that, if I may. The small portion that I'm
16 concerned with this is so-called FRT, which I assume
17 comes under the electric only.

18 ATTORNEY EXAMINER: It is under the
19 electric.

20 MR. KERN: So I may correct that. Mr.
21 Chairman, Your Honor, I appreciate the opportunity to
22 address you. I am a Trustee of Liberty Township in
23 Butler County here. I'm also Chairman of the Butler
24 County Republican Party and I'm here speaking as an
25 individual and I'm speaking on behalf of those

1 organizations, but I cite that too as a way to try to
2 let you know that I think I have a -- know the mind of
3 the people here in Butler County.

4 As Mr. Combs -- I too appreciate what
5 Duke Energy has done for Butler County, however, this
6 small portion, the streetcar relocation in Cincinnati
7 is not desired one whit by the people of Butler
8 County. If they want to move that, build that
9 streetcar, they should pay for it. No one in Butler
10 County will benefit from it. It's unfair.

11 It's a different matter -- I recognize
12 the importance of where the company being able to
13 deliver in a timely manner its energy, whether it be
14 electric, electricity or gas and the need to repair
15 things after storms and to be prepared in advance for
16 growth and economic development. That's not the case
17 here in Butler County, that portion.

18 Now, it's been said, well, it's just a
19 thread, it's just a small portion that conceivably
20 would be passed onto those people in Cincinnati who
21 don't pay their electric bills. That portion would be
22 distributed amongst all the entire Duke area. That
23 may be the case and probably is a relatively small
24 amount, but it's the principle of it. We don't want
25 it. Thank you very much.

1 ATTORNEY EXAMINER: Thank you. Steve
2 Jensen.

3 MR. JENSEN: Hello.

4 ATTORNEY EXAMINER: Will you please
5 raise your right hand?

6 MR. JENSEN: Yes.

7 (Sworn by Attorney Examiner)

8 MR. JENSEN: Yes.

9 Whereupon,

10 STEVE JENSEN

11 of lawful age, a witness herein, having been duly
12 sworn, as hereinafter certified, was examined and
13 testified as follows:

14 ATTORNEY EXAMINER: Could you please
15 state your name and address and the spelling for the
16 record?

17 MR. JENSEN: Well, my name is Steve
18 Jensen, J-e-n-s-e-n. I live at 3108 Plymouth Street,
19 Middletown, Ohio. That's P-l-y-m-o-u-t-h.

20 ATTORNEY EXAMINER: And it says here
21 that you'll be testifying for both gas and electric?

22 MR. JENSEN: Ah, yes. I was basically
23 just wanting to go on the record to say that I'm
24 totally opposed to any type of extra riders for the
25 simple fact that -- which I have my bill with me.

1 Last month I used a total of 8 CCF's in gas at .26
2 cents. My actual gas bill was 39.42.

3 And then as far as like with the
4 electric, the same thing. Sorry about the wait. Pays
5 1465 kilowatts at 32.41, and that was 7708. So it
6 seems like every time you try to save a little bit of
7 gas or electric, then you have, they just ask for
8 another rider and it just keeps costing you more and
9 more. So that's why I'm opposed to any type of
10 increase.

11 ATTORNEY EXAMINER: Is there anything
12 else?

13 MR. JENSEN: No, that's it.

14 ATTORNEY EXAMINER: Okay.

15 MR. JENSEN: Thank you.

16 ATTORNEY EXAMINER: Thank you. The
17 last person I have on our list is Adriana Inman.
18 Perhaps you won't be the last, we have more.

19 (Sworn by Attorney Examiner)

20 MS. INMAN: Oh, yes.

21 Whereupon,

22 ADRIANA INMAN

23 of lawful age, a witness herein, having been duly
24 sworn, as hereinafter certified, was examined and
25 testified as follows:

1 ATTORNEY EXAMINER: Please state your
2 name, spelling and address for the record?

3 MS. INMAN: Adriana, A-d-r-i-a-n-a,
4 Inman, I-n-m-a-n. Address is 3924 Winter Hill, two
5 words, Drive, and that's Hamilton, Ohio.

6 ATTORNEY EXAMINER: And it says here
7 that you're testifying to both the gas and electric
8 cases?

9 MS. INMAN: Yes, that's fine.

10 ATTORNEY EXAMINER: All right.

11 MS. INMAN: Thank you for listening. I
12 wanted to actually come to you so that you could speak
13 for the little person. As I'm told we're the ones
14 that are paying not just the taxes, but also been
15 making the sacrifices to live within their means.

16 Duke Energy is a great company. We
17 actually have you know both gas and electric with
18 them. So nothing, nothing to do with the company and
19 who they are what they stand for. My biggest concern
20 right now is the economy. It is our seniors who are
21 living on a -- and my parents included who are living
22 on a fixed income, and then of course the riders. I
23 think everybody has obviously stated the issues with
24 the riders, more importantly the streetcar in
25 Cincinnati. I do not believe that is good policy. I

1 think it sets a bad precedent. It'll open the door
2 for anybody else to come in and do that to us, doesn't
3 matter who they are. We do not and cannot afford that
4 and cannot continue to do that.

5 And I really think -- everybody said,
6 this what I heard said already, we're gonna ask for
7 you to take into consideration the economy and the
8 people and the riders and precedent it will set.
9 Thank you.

10 ATTORNEY EXAMINER: Thank you. Mike
11 Barnett.

12 MR. BARNETT: Pass.

13 ATTORNEY EXAMINER: That's fine. Kenda
14 Gammell. Please raise your right hand?

15 (Sworn by Attorney Examiner)

16 MS. GAMMELL: Yes, ma'am.

17 Whereupon,

18 KENDA GAMMELL

19 of lawful age, a witness herein, having been duly
20 sworn, as hereinafter certified, was examined and
21 testified as follows:

22 ATTORNEY EXAMINER: Please state your
23 name and address and spelling for the record?

24 MS. GAMMELL: Kenda Gammell, K-e-n-d-a
25 G-a-m-m-e-l-l.

1 ATTORNEY EXAMINER: And it says --

2 MS. GAMMELL: 5880 Reigart Road,
3 Hamilton, Ohio.

4 ATTORNEY EXAMINER: Thank you.

5 MS. GAMMELL: I'm sorry.

6 ATTORNEY EXAMINER: Now, I don't know,
7 are you testifying in the gas or the electric or both?

8 MS. GAMMELL: The electric.

9 ATTORNEY EXAMINER: The electric case?
10 Okay.

11 MS. GAMMELL: I have a problem with
12 Duke Energy. I -- Actually I have a problem with the
13 board. I don't want this rider approved because it
14 sets a precedent for any time there's any
15 infrastructure change, the powers are gone, 'cause you
16 give them permission to always raise the rate, even
17 without a review. That is very scary, and I don't
18 think this is about the 15,000,000 or the streetcar.
19 I think this is about the \$44,000,000 parachute that
20 they've given Bill Johnson, and there was no complaint
21 about what they gave him as his retirement settlement
22 at all. They go kicking and screaming when it's a
23 \$15,000,000. They actually put people to work. Bill
24 Johnson only worked for four hours that day. This
25 streetcar is gonna put people to work building it.

1 Actually labor, not just sitting around and retiring,
2 and that's all I have to say.

3 ATTORNEY EXAMINER: Thank you. Glenn,
4 would you like to testify? Raise your right hand.

5 (Sworn by Attorney Examiner)

6 MR. GAMMELL: I do.

7 Whereupon,

8 GLENN GAMMELL

9 of lawful age, a witness herein, having been duly
10 sworn, as hereinafter certified, was examined and
11 testified as follows:

12 ATTORNEY EXAMINER: Please state your
13 name and address and spelling for the record?

14 MR. GAMMELL: Glenn Gammell, 5880
15 Reigart Road. That's spelled Glenn, two N's, Gammell,
16 G-a-m-m-e-l-l.

17 ATTORNEY EXAMINER: Now, on this list
18 it looks like you're saying you're testifying in both
19 the gas and electric?

20 MR. GAMMELL: Both. If people will
21 allow me to speak for just a moment on something that
22 sounds like I'm going on a tangent, I will bring it
23 back to make sense.

24 A 100 years ago City of Cincinnati
25 started on building a public transit system. They

1 started a subway. They went into cost overruns,
2 mismanagement, and finally corruption, I guess, and
3 they pulled the plug on it when there was a regime
4 change at City Hall. It left the taxpayers with an
5 enormous bill that did not get paid off till 1966. In
6 my lifetime and probably in the lifetime of a lot of
7 people in this room. Who paid the bill? The
8 taxpayers did. What did they get? Nothing.

9 CG&E, as I still like to call it, some
10 30, 40 years ago, went in to build a nuclear power
11 plant. It was so mismanaged that the NRC did not give
12 them a license to operate it. They had to convert it
13 over to coal, and who ended up paying the bill?
14 Again, here we are looking at a city that we do not
15 live in, have no control over, we're not vote, where
16 most of us are not voters in it, now looking at them
17 building a new mass-transit system, and there's a
18 viable candidate running for office who wants to pull
19 the plug on it. Where is our say in all of this?
20 And, again, CG&E built this power plant and they have
21 a history of not finishing it as it was intended.
22 Where do we have a vote in that? I don't sit on the
23 board. The PUCO is the only voice I have, and we see
24 city and a company in a battle right now as to who's
25 gonna pay for this, and ultimately it's all of us.

1 I'm gonna ask the PUCO, since they have
2 -- both these have a history of incompleteness to deny
3 them a rate increase and deny the rider. It sets a
4 bad precedent for us who have no other voice than you
5 people right here. Thank you.

6 ATTORNEY EXAMINER: Now, those, those
7 are all the names that I have on the list. Is there
8 anyone who's here tonight who did not get a chance to
9 testify that would like to testify? I think we'll
10 keep the record open until 7:15 in case other
11 individuals arrive. Sometimes people wonder if it's
12 more of an open house that they can come in or whether
13 we start right at 6:30. So we want to make sure
14 everyone has an opportunity, although there is another
15 hearing-opportunity in Cincinnati on Thursday at 12:30
16 in the afternoon if any of your friends or neighbors
17 ask if they can have an opportunity, we would like to
18 hear from them then, that would be very nice, or they
19 can mail in their comments using the case number that
20 I think is the handout you have with them. So with
21 you, technically they handed them to you when you came
22 in. Just put the -- they can put the case number on
23 it or you all can put your, the case number on it and
24 mail it into the Public Utilities Commission, address
25 on that form, or I think you can also do that on the

1 web, file a comment in the case itself. So we will
2 stand down for about seven minutes. Feel free to
3 leave if you need to, that's fine and have a nice
4 evening. Thank you for coming.

5 (Off the record)

6 (Sworn by Attorney Examiner)

7 Whereupon,

8 WALTER LEAP

9 of lawful age, a witness herein, having been duly
10 sworn, as hereinafter certified, was examined and
11 testified as follows:

12 ATTORNEY EXAMINER: Now, if you can
13 state your name and address and spell them for the
14 record, I would appreciate that?

15 MR. LEAP: Okay. My name is Walter
16 Leap, and my address is 2024 Central Avenue,
17 Middletown, Ohio 45044.

18 ATTORNEY EXAMINER: And how do you
19 spell your last name?

20 MR. LEAP: L-e-a-p as in Paul.

21 ATTORNEY EXAMINER: Okay. And are you
22 here to testify for the gas case or the electric case
23 or both of them?

24 MR. LEAP: Sounds like both.

25 ATTORNEY EXAMINER: Okay. All right.

1 Well, go ahead.

2 MR. LEAP: I guess initially, as I
3 understand it, this is being put on as a rider, I'm
4 not sure about that, I think that's what I read some
5 place. I'm just not sure of actually what the
6 ramifications are of the rider versus on the billing,
7 directly.

8 It seems like there are numerous riders
9 on your bills, and I don't know if there is more
10 flexibility to the company by doing it that way or
11 not. I think we've had some substantial increases in
12 the utility cost. I have a number of properties since
13 I own and rent a few in the Middletown area, plus my
14 own personal property, and it's difficult for the
15 people that are on fixed incomes to keep up with these
16 rate increases, so that where I sort of take issue
17 with the increases at this particular time, with our
18 economy being in such a state that it is.

19 So, that's really my statement, and I
20 thank you for your time.

21 ATTORNEY EXAMINER: Thank you very
22 much.

23 CHAIRMAN SNITCHLER: Thank you.

24 ATTORNEY EXAMINER: Wait another minute
25 or two and we'll see if there is anyone else.

1 (Off the record)

2 ATTORNEY EXAMINER: It's 7:25 and I
3 believe that we've had our last witness. So, we would
4 like to thank everyone for coming tonight and we will
5 close the record for this evening's public hearing.
6 Thank you.

7 - - -
8 (At 7:25 p.m., the public hearing was adjourned)
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1 C E R T I F I C A T E

2

3 STATE OF OHIO :
4 : SS:
5 COUNTY OF BUTLER :

6

7 I, Terence M. Holmes, a duly qualified
8 and commissioned notary public within and for the
9 State of Ohio, do hereby certify that at the time and
10 place stated herein, and in the presence of the
11 persons named, I recorded in stenotypy and tape
12 recorded the proceedings of the within-captioned
13 matter, and that the foregoing pages constitute a
14 true, correct and complete transcript of the said
15 proceedings.

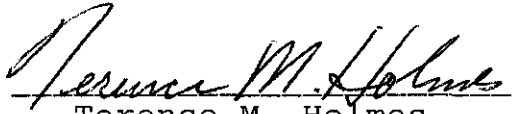
16 I further certify that I am not
17 counsel, attorney, relative or employee of any of the
18 parties hereto, or their counsel, nor am I financially
19 re in any way interested in the within action.

20 IN WITNESS WHEREOF, I have hereunto set
21 my hand at Cincinnati, Ohio, the 31st day of January,
22 2013.

23

24

25 My Commission Expires:
July 28, 2017


Terence M. Holmes
Notary Public -State of Ohio