

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the :
Application of the Ohio :
Development Services :
Agency for an Order :
Approving Adjustments to : Case No. 13-1296-EL-USF
the Universal Service Fund:
Riders of Jurisdictional :
Ohio Electric Distribution:
Utilities. :

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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 10:04 a.m. on
Monday, September 9, 2013.

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- - -

APPEARANCES:

Bricker & Eckler, LLP
By Mr. Dane Stinson
Mr. J. Thomas Siwo
100 South Third Street
Columbus, Ohio 43215

On behalf of the Ohio Development
Services Agency.

Mike DeWine, Ohio Attorney General
Public Utilities Section
By Mr. Thomas W. McNamee
Assistant Attorney General
180 East Broad Street, 6th Floor
Columbus, Ohio 43215

On behalf of the Staff of the Public
Utilities Commission of Ohio.

McNees Wallace & Nurick, LLC
By Mr. Scott E. Elisar
21 East State Street, 17th Floor
Columbus, Ohio 43215

On behalf of Industrial Energy Users -
Ohio.

Ohio Partners for Affordable Energy
By Ms. Colleen L. Mooney
231 West Lima Street
Findlay, Ohio 45840

On behalf of Ohio Partners for Affordable
Energy.

Bruce J. Weston, Consumers' Counsel
Office of the Ohio Consumers' Counsel
By Mr. Joseph P. Serio
Assistant Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, Ohio 43215

On behalf of the Residential Utility
Customers of the State of Ohio.

APPEARANCES (continued):

The Dayton Power and Light Company
Mr. Randall V. Griffin
Ms. Judi L. Sobecki
MacGregor Park
1065 Woodman Avenue
Dayton, Ohio 45432

On behalf of The Dayton Power and Light
Company.

FirstEnergy Corporation
By Ms. Carrie M. Dunn
76 South Main Street
Akron, Ohio 44308

On behalf of the FirstEnergy Companies.

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JOINT EXHIBIT

IDTF'D ADMT'D

1 - Joint Stipulation and
Recommendation

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Monday Morning Session,
September 9, 2013.

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EXAMINER SEE: Scheduled for a hearing at
this time is Case No. 13-1296-EL-USF, being entitled
In the Matter of the Application of the Ohio
Development Services Agency for an Order Approving
Adjustments to the Universal Service Funds -- Fund
Riders of Jurisdictional Ohio Electric Distribution
Utilities.

My name is Greta See. I am the Attorney
Examiner assigned by the Commission to hear this
case. At this time I'd like to take appearances of
the parties, starting with the Ohio Development
Services Agency.

MR. STINSON: Yes, your Honor. On behalf
of the Ohio Development Services Agency, Dane Stinson
and Thomas Siwo, Bricker & Eckler, 100 South Third
Street, Columbus, Ohio 43215.

EXAMINER SEE: And on behalf of the
Staff.

MR. McNAMEE: On behalf of the Staff of
the Public Utilities Commission of Ohio, Mike DeWine,
Attorney General of the State of Ohio, and I am
Thomas McNamee, M-c-N-a-m-e-e, and the address is 180

1 East Broad Street, Columbus, Ohio.

2 MR. ELISAR: Yes, your Honor. Scott
3 Elisar, on behalf of the Industrial Energy Users,
4 from McNees Wallace & Nurick. The address is 21 East
5 State Street, 17th Floor, Columbus, Ohio 43215.

6 EXAMINER SEE: Mr. Elisar, do you happen
7 to have a card with you?

8 MR. ELISAR: Have a card with me?

9 EXAMINER SEE: Yes.

10 MR. ELISAR: Yes.

11 EXAMINER SEE: At the conclusion of the
12 hearing, could you leave one on the bench, please?

13 MR. ELISAR: Absolutely.

14 EXAMINER SEE: Ms. Mooney.

15 MS. MOONEY: Yes, your Honor. Colleen
16 Mooney with Ohio Partners for Affordable Energy, 231
17 West Lima Street, Findlay Ohio.

18 EXAMINER SEE: And Mr. Serio.

19 MR. SERIO: Thank you, your Honor. On
20 behalf of the Residential Utility Customers of the
21 State of Ohio, Bruce J. Weston, Consumers' Counsel,
22 by Joseph P. Serio.

23 EXAMINER SEE: Thank you.

24 Mr. Stinson.

25 MR. STINSON: Yes, your Honor. I have a

1 couple of appearances to make.

2 First, on behalf of The Dayton Power and
3 Light Company, Randall V. Griffin and Judi L.
4 Sobecki, MacGregor Park, 1065 Woodman Avenue, Dayton,
5 Ohio 45432.

6 Also on behalf of FirstEnergy
7 Corporation, Carrie M. Dunn, 76 South Main Street,
8 Akron, Ohio 44308.

9 EXAMINER SEE: So you entered appearances
10 for DP&L and FirstEnergy Companies?

11 MR. STINSON: Correct.

12 EXAMINER SEE: I note that Ohio Power is
13 not present.

14 MR. STINSON: I've had conversations with
15 Ohio Power and I haven't heard back from them.

16 I've had conversations with Duke, with
17 Elizabeth Watts, who indicated she would not be
18 attending today, but Duke did not oppose -- did not
19 sign, but would not oppose the stipulation.

20 EXAMINER SEE: Did you have that same
21 conversation with Ohio Power?

22 MR. STINSON: I haven't had that
23 conversation with Ohio Power yet.

24 EXAMINER SEE: Okay. Let's proceed.

25 Mr. Stinson.

1 (EXHIBIT MARKED FOR IDENTIFICATION.)

2 MR. STINSON: Yes, your Honor. On
3 Friday, we filed a Joint Stipulation. I've marked
4 that as Joint Exhibit No. 1. I've given that to the
5 court reporter. It's a stipulation signed by the
6 majority of the parties in this proceeding and we
7 would move its admission into the record.

8 EXAMINER SEE: Are there any objections
9 to the --

10 MR. MCNAMEE: Your Honor, not an
11 objection, but a clarification. You'll notice, when
12 you review that document, there is no -- the Staff
13 has not -- excuse me -- has not signed it; that does
14 not mean we oppose it. We do not oppose it.

15 As is customary in these cases, the Staff
16 has reviewed the filings in the case for mathematical
17 accuracy. Everything appears to be mathematically
18 accurate. And so, we have no problem in the case,
19 but we do not sign on to the stipulation, so.

20 EXAMINER SEE: Okay. For the parties,
21 the other parties present, are there any objections
22 to the admission of Joint Exhibit 1?

23 MR. SERIO: No objection, your Honor.

24 MS. MOONEY: No objection.

25 MR. ELISAR: No objections, your Honor.

1 EXAMINER SEE: Mr. Stinson, I note that
2 Ohio Power nor Duke have signed on to the
3 stipulation. If you are going to be discussing this
4 with them, let -- I would like for you to contact
5 them and file something in the record indicating
6 whether or not they oppose or are not opposing the
7 stipulation.

8 MR. STINSON: Duke has indicated that
9 they are not signing, but they do not oppose the
10 stipulation.

11 EXAMINER SEE: And I would request that
12 you contact Ms. Watts and have her file a letter --

13 MR. STINSON: Pardon me?

14 MR. McNAMEE: File a letter.

15 EXAMINER SEE: And I would request that
16 you contact Ms. Watts and have her file a letter in
17 the docket, supporting that position, by the end of
18 the week. Okay? And the same with counsel for Ohio
19 Power.

20 MR. STINSON: Thank you, your Honor.

21 EXAMINER SEE: Mr. Serio --

22 MR. SERIO: Yes.

23 EXAMINER SEE: -- I note that you're not
24 opposing.

25 MR. SERIO: That's correct, your Honor.

1 We did not sign; we're not opposing. That's why I
2 came this morning to put that on the record for you.

3 EXAMINER SEE: Okay. Thank you very
4 much.

5 MR. SERIO: You're welcome.

6 EXAMINER SEE: With that, Joint Exhibit 1
7 is admitted into the record.

8 (EXHIBIT ADMITTED INTO EVIDENCE.)

9 MR. STINSON: Thank you, your Honor.

10 EXAMINER SEE: Mr. Stinson.

11 MR. STINSON: Yes, I have one other
12 matter, your Honor. With respect to the application
13 of -- or, the Notice of Intent that was filed
14 May 31st, there is an Exhibit A that was also
15 attached to the Notice of Intent, and on page 3, the
16 first full paragraph, there was a typographical error
17 in the last sentence.

18 The original read: "Thus in the 2013 USF
19 rate case, the EPP allocations for Dayton Power and
20 Light and American Electric Power increased to try to
21 mitigate the increases in costs and the allocations
22 decreased for Dayton Power and Light and American
23 Electric Power due to their reduced costs."

24 Some of the names of the utilities are
25 transposed there and the sentence should read as

1 follows: "Thus in the 2013 USF rate case, the EPP
2 allocations for Dayton Power and Light and American
3 Electric Power increased to try to mitigate the
4 increases in costs and the allocations decreased for
5 the FirstEnergy Companies and Duke Energy Ohio due to
6 their reduced costs."

7 EXAMINER SEE: Okay. Thank you.

8 Is there anything else?

9 MR. STINSON: Nothing, your Honor.

10 EXAMINER SEE: Okay. That being the
11 case, the hearing is adjourned. Thank you all very
12 much.

13 (The hearing adjourned at 10:12 a.m.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Monday, September 9, 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, 2018.

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This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 13-1296-EL-USF

Summary: Transcript in the matter of Ohio Development Services Agency hearing held on 09/09/13 electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Burke, Carolyn M. Mrs.