

THE BEFORE OHIO POWER SITING BOARD

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In the Matter of the :
Application of Vectren :
Energy Delivery of Ohio, :
Inc., for a certificate of :Case No. 13-1651-GA-BTX
Environmental Compatibility :
and Public Need for the :
Dayton Airport Z-167 :
Pipeline Rerouting Project :

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PROCEEDINGS

before Sarah J. Parrot, Administrative Law Judge, held
at the offices of the Public Utilities Commission of
Ohio, 180 East Broad Street, Hearing Room 11-C,
Columbus, Ohio, on Monday, February 24, 2014, at
10:05 a.m.

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APPEARANCES

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On behalf of Vectren Energy Delivery of
Ohio

Mike DeWine, Ohio Attorney General
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On behalf of the Staff of the Ohio
Power Siting Board

IceMiller
Mr. Christopher L. Miller
Arena District
250 West Street, Suite 700
Columbus, Ohio 43215-7509

On behalf of the City of Dayton and City
of Dayton Airport

Also Present:

Thomas Jones
Edward M. Steele

INDEX OF EXHIBITS

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Monday Morning Session,
February 24, 2014.

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ALJ PARROT: The Ohio Power Siting Board
has called for hearing at this time and place, Case No.
13-1651-GA-BTX being in the Matter of the Application
of Vectren Energy Delivery of Ohio, Inc., for a
Certificate of Environmental Compatibility and Public
Need for the Dayton Airport Z-167 Pipeline Rerouting
project.

Good morning, everyone. My name is Sarah
Parrot. I am the Administrative Law Judge assigned by
the Board to hear this case. At this time let's get
started with appearances and we will begin with the
Company.

MS. BLOOMFIELD: Thank you, your Honor. On
behalf of the Company, Sally W. Bloomfield, Dylan
Borchers, Dane Stinson with the law firm of Bricker &
Eckler, 100 South Third Street, Columbus, Ohio 43215.

ALJ PARROT: Thank you. On behalf of
Dayton?

MR. MILLER: Good morning, your Honor.
Christopher L. Miller from the law firm of Ice Miller,
250 West Street, Columbus, Ohio 43215 on behalf of the
City of Dayton and City Dayton Airport.

1 ALJ PARROT: Thank you. On behalf of
2 Board's Staff.

3 MR. JONES: Good morning, your Honor. On
4 behalf of the Board Staff, Ohio Attorney General Mike
5 DeWine, Assistant Attorney General Sarah Anderson with
6 the Environmental Enforcement Section and John Jones,
7 Assistant Attorney General for the Utility Section,
8 Ohio Attorney General's office.

9 ALJ PARROT: Thank you, Mr. Jones. It's my
10 understanding that the parties have filed a stipulation
11 and recommendation for the Board's consideration that
12 was filed on February 14th, 2014, and it's my
13 understanding that that would fully resolve all of the
14 issues in the case, so at this time we can proceed then
15 with marking our exhibits. Ms. Bloomfield.

16 MS. BLOOMFIELD: Thank you. Your Honor, we
17 would like to have marked as Applicant's Exhibit A the
18 amended application of Vectren Energy Delivery of Ohio,
19 Inc. which was -- it's the amended application which
20 was filed on November 15th, 2013, and as usual in this
21 case, if the record will just indicate that that's been
22 marked but there have been plenty of copies filed and
23 it's a huge document.

24 ALJ PARROT: I think consistent with the
25 stipulation, I would like to have that marked Exhibit 1

1 instead of Exhibit A, if that's --

2 MS. BLOOMFIELD: Exhibit 1 is fine.

3 ALJ PARROT: -- all right. So marked.

4 MS. BLOOMFIELD: All right. And then we
5 have Company Exhibit 2 is proof of service of the
6 application, which was served on local officials,
7 libraries, property and adjacent property owners.

8 ALJ PARROT: We'll mark that Applicant
9 Exhibit 2.

10 MS. BLOOMFIELD: And then Applicant Exhibit
11 3 would be the proof of publication, the first proof of
12 publication that we have relative to these hearings
13 which was filed on January 7th, 2014.

14 ALJ PARROT: I think it was actually
15 January 8, just so the record is clear.

16 MS. BLOOMFIELD: I'm sorry?

17 ALJ PARROT: It was January 8th.

18 MS. BLOOMFIELD: January 8th, sorry.

19 ALJ PARROT: At least that's what the
20 docket reflects. All right. Applicant Exhibit 3 so
21 marked. Thank you.

22 MS. BLOOMFIELD: And Applicant Exhibit 4
23 will be the second proof of publication in the Dayton
24 Daily News that was filed on January 27th. That would
25 be Exhibit 4.

1 ALJ PARROT: Okay. So marked.

2 MS. BLOOMFIELD: And Company Exhibit 5
3 would be the testimony of Thomas F. Jones on behalf of
4 the Company. Be Exhibit 5. That was filed on February
5 13th.

6 ALJ PARROT: Okay. So marked.

7 MS. BLOOMFIELD: Your Honor, would you like
8 marked, even though the stipulation has been filed as
9 Joint Exhibit No. 1 --

10 ALJ PARROT: Yes.

11 MS. BLOOMFIELD: That will be the
12 stipulation which was filed on February 14th.

13 ALJ PARROT: So marked. All right. Any
14 further exhibits from Vectren?

15 MS. BLOOMFIELD: No, we don't. Would you
16 like me to move them at this time or to wait?

17 ALJ PARROT: Let's just, we'll go ahead and
18 mark them all and then we'll save that for the end.

19 On behalf of the City of Dayton?

20 MR. MILLER: Your Honor, I want to admit
21 into the record testimony of Terrence G. Slaybaugh
22 which was filed, I believe it was on the 19th day of
23 February.

24 ALJ PARROT: Yep. Let's mark that as
25 Dayton Exhibit 1.

1 MR. MILLER: And that would be the extent
2 of our exhibits.

3 ALJ PARROT: Okay. Thank you. And then
4 finally on behalf of the Board Staff, Mr. Jones?

5 MR. JONES: Yes, your Honor. On behalf of
6 Board Staff I would like to mark as Ohio Power Siting
7 Board Staff Exhibit 1 the Staff Report of Investigation
8 and the Case No. is 13-1651-GA-BTX that was filed
9 January 16th, 2014, in this docket.

10 ALJ PARROT: So marked.

11 MR. JONES: And I'd like to mark as Staff
12 Exhibit 2 a prefiled testimony of Edward M. Steele. It
13 was filed on February 19th, 2014, in this docket.

14 ALJ PARROT: So marked. All right. It's
15 my understanding that per the stipulation, the parties
16 have agreed to stipulate and recommend that the
17 exhibits that we've just marked that they be admitted
18 in the record, so you can go ahead and officially move
19 those at this point. Ms. Bloomfield?

20 MS. BLOOMFIELD: Thank you. I would move
21 Company Exhibits 1 through 5.

22 ALJ PARROT: Are there any objections?
23 Hearing none, Applicant's Exhibits 1 through 5 shall be
24 admitted.

25 With respect to the Joint Stipulation, I

1 think on behalf of all of you we will go ahead and move
2 that at this time. And I'm assuming there are no
3 objections since every party has signed the
4 stipulation, so Joint Exhibit 1 shall be admitted.

5 I believe we've already asked or had asked
6 that Dayton Exhibit 1 be admitted. Are there any
7 objections? All right. Hearing none, it is also
8 admitted. And then finally Staff's exhibits.

9 MR. JONES: Yes, your Honor. Staff would
10 move for the admission of Staff's Exhibits 1 and 2.

11 ALJ PARROT: Are there any objections?
12 Hearing none, Staff's Exhibits 1 and 2 are also
13 admitted. Is there anything else to come before us
14 this morning? All right. Hearing nothing, we are
15 adjourned. Thank you.

16 (Proceedings concluded at 10:08 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 February 24, 2014, and carefully compared with my original stenographic notes.

CATHERINE PASSMORE
 Certified Shorthand Reporter and
 Notary Public in and for the
 State of Ohio

My commission expires July 23, 2018

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in

Case No(s). 13-1651-GA-BTX

Summary: Transcript in the matter of Vectren Energy Delivery of Ohio, Inc. hearing held on 02/24/14 electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Passmore, Cathy