

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the	:
Application of the	:
Significantly Excessive	: Case No.
Earnings Test under Section	: 14-831-EL-UNC
4928.143(F), Ohio Revised	:
Code, and Rule 4901:1-35-(C)(10),	:
Ohio Administrative Code for	:
The Dayton Power and Light	:
Company.	:

- - -

PROCEEDINGS

Before Bryce McKenney, Attorney Examiner, held
at the offices of the Public Utilities
Commission of Ohio, 180 East Broad Street,
Hearing Room 11-A, Columbus, Ohio, on Tuesday,
September 9, 2014, at 10:00 A.M.

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Armstrong & Okey, Inc.
222 East Town Street, 2nd Floor
Columbus, Ohio 43215
(614) 224-9481 - (800) 223-9481
Fax - (614) 224-5724

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APPEARANCES:

Ms. Judi L. Sobecki
Assistant General Counsel - Regulatory
The AES Corporation
1065 Woodman Drive
Dayton, Ohio 45432

On behalf of The Dayton
Power and Light Company.

Mr. Thomas W. McNamee
Principal Attorney
Assistant Attorney General
180 East Broad Street
Columbus, Ohio 43215

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

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DIRECT CROSS

COMPANY WITNESSES

Dona Seger-Lawson

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MARKED ADMT

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1 Tuesday Morning,
2 September 9, 2014.

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4 ATTORNEY EXAMINER: The Public
5 Utilities Commission of Ohio calls for hearing
6 at this time and place Case No. 14-831-EL-UNC
7 being in the matter of the determination of the
8 existence of significantly excessive earnings
9 for 2013 under the Electric Security Plan of The
10 Dayton Power and Light Company.

11 My name is Bryce McKenney, I am the
12 Attorney Examiner assigned by the Commission to
13 hear this case. At this time I will take the
14 appearances of the parties beginning with the
15 Company.

16 MS. SOBECKI: Good morning, your
17 Honor. Judi Sobeki on behalf of The Dayton
18 Power and Light Company, 1065 Woodman Drive,
19 Dayton, Ohio 45432.

20 ATTORNEY EXAMINER: Thank you.
21 Staff.

22 MR. MCNAMEE: On behalf of the Staff
23 of the Public Utilities Commission of Ohio, Mike
24 DeWine, Attorney General of the State of Ohio,
25 William L. Wright, Chief, Public Utilities

1 Section, and I am Thomas W. McNamee, Assistant
2 Attorney General. The address is 180 East Broad
3 Street, Columbus, Ohio.

4 ATTORNEY EXAMINER: Thank you, Mr.
5 McNamee. At this time I would like to note for
6 the record that a stipulation and recommendation
7 was filed in this case. Ms. Sobecki, is the
8 Company ready to proceed?

9 MS. SOBECKI: We are, Your Honor.
10 Your Honor, first I would like to mark some
11 exhibits that I would like to introduce today.

12 First is Joint Exhibit No. 1 will be
13 the stipulation and recommendation. It was
14 filed in this case on July 22nd of this year.

15 The second exhibit would be Company
16 Exhibit No. 1 which is the application in this
17 case. Your Honor, I would note that the
18 application contains as an exhibit the testimony
19 of Craig Forestal, but it also includes in that
20 testimony, or as an exhibit to the testimony, an
21 Exhibit CAF-5. This exhibit was filed under
22 seal subject to a motion for protective order,
23 and we would like to keep this exhibit
24 confidential and kept under seal.

25 And then the last exhibit would be

1 Company Exhibit No. 2 which is the testimony of
2 Dona Seger-Lawson, and that was filed on August
3 29th of 2014.

4 ATTORNEY EXAMINER: Thank you.

5 MS. SOBECKI: And with that, Your
6 Honor, I would call our first witness.

7 ATTORNEY EXAMINER: All right.

8 (WITNESS SWORN)

9 - - -

10 DONA R. SEGER-LAWSON

11 called as a witness on behalf of the Company,
12 being first duly sworn, testified as follows:

13 DIRECT EXAMINATION

14 By Ms. Sobecki:

15 Q. Good morning. Could you please
16 state your name?

17 A. My name is Dona Seger-Lawson.

18 Q. And by whom are you employed and in
19 what capacity?

20 A. I am employed by The Dayton Power
21 and Light Company as the Director of Regulatory
22 Operations.

23 Q. Ms. Seger-Lawson, you have some
24 exhibits in front of you today. Could you
25 please identify those exhibits?

1 A. I have Joint Exhibit 1 which is the
2 stipulation and recommendation.

3 I have Company Exhibit 1 which is
4 the application the Company filed in this case.

5 And I have Company Exhibit No. 2
6 which is my testimony.

7 Q. With respect to Company Exhibit No.
8 2, do you have changes or corrections that you
9 would like to make to your prefiled testimony?

10 A. No, I do not.

11 Q. And if I were to ask you
12 the questions in your prefiled testimony here
13 today would your answers be the same?

14 A. Yes.

15 Q. Would those answers be truthful?

16 A. Yes.

17 MS. SOBECKI: Your Honor, I have
18 nothing further.

19 ATTORNEY EXAMINER: Thank you.
20 Anything from the Staff?

21 MR. MCNAMEE: I have no questions.

22 ATTORNEY EXAMINER: I have just one
23 quick question.

24 Was DP&L's current ESP in effect in
25 2013 at the time this test was taken forward?

1 THE WITNESS: No. DP&L's current
2 ESP took effect January 1st of '14.

3 ATTORNEY EXAMINER: Thank you.
4 Nothing further.

5 THE WITNESS: Thank you.

6 MS. SOBECKI: Your Honor, I have no
7 further witnesses. With that I would move to
8 admit Joint Exhibit No. 1 and Company Exhibits 1
9 and 2.

10 ATTORNEY EXAMINER: Joint Exhibit 1
11 will be so marked. Company Exhibits 1 and 2
12 will also be marked.

13 Any objection from Staff to the
14 admission of the exhibits?

15 MR. MCNAMEE: Not at all, Your
16 Honor.

17 ATTORNEY EXAMINER: They will be so
18 admitted.

19 (EXHIBITS HEREBY ADMITTED INTO
20 EVIDENCE)

21 ATTORNEY EXAMINER: The motion for
22 protective order is noted. It will be ruled on
23 at a subsequent date.

24 Anything further from Staff?

25 MR. MCNAMEE: Nothing.

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ATTORNEY EXAMINER: Thank you.

MS. SOBECKI: Thank you, Your Honor.

ATTORNEY EXAMINER: We are
adjourned.

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(At 10:05 A.M. the hearing was
concluded)

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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 September 9, 2014, and carefully compared with my original stenographic notes.

Michael O. Spencer,
Registered Professional
Reporter.

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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

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in

Case No(s). 14-0831-EL-UNC

Summary: Transcript in the matter of The Dayton Power and Light Company hearing held on 09/09/14 electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Spencer, Michael O. Mr.