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PUBLIC UTILITIES COMMISSION OF OHIO

PUBLIC HEARING

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CASE NUMBERS 14-841-EL-SSO

14-842-EL-ATA

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Monday, September 8, 2014

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Public Utilities Commission of Ohio

Local Public Hearing, in the Matter of the
Application of Duke Energy Ohio, Inc. for
authority to establish a standard service offer
pursuant to Ohio Revised Code 4928.143 in the
form of an electric security plan, accounting
modification, and tariffs for generation service
and for authority to amend its tariffs.

Also Present:

HEARING OFFICER: Christine Pirik

ATTORNEY: Nick Walstra

1 HEARING OFFICER: The Public
2 Utilities Commission of Ohio has
3 assigned for public hearing at this time
4 and place Case Numbers 14-841-EL-SSO and
5 14-842-EL-ATA, which is captioned in the
6 Matter of the Application of Duke Energy
7 Ohio, Inc. for authority to establish a
8 standard service offer pursuant to Ohio
9 Revised Code 4928.143 in the form of an
10 electric security plan, accounting
11 modification, and tariffs for generation
12 service and for authority to amend its
13 tariffs.

14 My name is Christine Pirik. I'm
15 the deputy legal director. And with me
16 is Nick Walstra, an attorney examiner in
17 the Commissions' legal department. We
18 will be presiding at this hearing this
19 evening. In addition, we have some
20 Commission personnel with us. Sitting
21 back at the back table is Pam, and she's
22 with our Service Monitoring Enforcement
23 Department, as well as Jill right here
24 in the tan suit. She's with our Public
25 Affairs Department. If you have any

1 questions with regard to utilities
2 matters other than the topic that we're
3 talking about today, in addition to the
4 topic we're talking about today, feel
5 free to talk with one of them after the
6 meeting.

7 At this time I'd like to take
8 appearance on behalf of the parties. On
9 behalf of? Duke.

10 MS. SPILLER: Good afternoon, Your
11 Honor. Amy Spiller, Deputy General
12 Counsel for Duke Energy Ohio.

13 HEARING OFFICER: Thank you. And I
14 know -- are you with the Office of
15 Consumers' Counsel.

16 MALE AUDIENCE MEMBER: No, I am
17 not.

18 HEARING OFFICER: No. Okay.

19 I wanted to be sure I got everybody
20 on board here. I didn't know -- there
21 are a number of interveners that are
22 represented in this case, including
23 industrial and consumer advocates. I
24 have a list of them. If anyone is
25 interested in those entities, please

1 feel free to come up after the meeting
2 and I can show them to you. Let's see.

3 As you know, Duke filed an
4 application on May 29th of this year
5 requesting authority to establish a
6 standard service offer for the period
7 commencing June 1st, 2015. This is one
8 of several local hearings that have been
9 scheduled in this matter. In addition
10 to this local hearing, we will have
11 another local hearing tomorrow evening
12 beginning at 6:30 in Union Township
13 Civic Center Hall. Following that,
14 Wednesday at 6:30 is another local
15 hearing in Middletown. And then our
16 final local hearing will be at
17 12:30 p.m. on Thursday, September 18th
18 in City Hall downtown Cincinnati.

19 The evidentiary hearing, which
20 parties will have the opportunity to
21 present their witnesses and the evidence
22 is scheduled to commence on October
23 22nd, 2014 in Columbus, Ohio at the
24 Commissions' offices.

25 The purpose of this evening public

1 hearing is to receive comments from the
2 public regarding Duke's application in
3 these cases, and unfortunately it's not
4 a question-and-answer session; however,
5 there are individuals here this evening
6 if you have additional questions, I
7 believe, from the company, that I'm sure
8 they would be happy to answer those.
9 And there are fact sheets back on the
10 back table talking about specific
11 information with regard to the
12 application that was filed.

13 When you arrived, you were offered
14 the opportunity to testify. You're more
15 than welcome to stay and observe the
16 hearing. If, after everyone who has
17 signed up to testify -- we have a couple
18 individuals -- if you decide at that
19 time that you would like to testify, you
20 know, I will ask for individuals from
21 the audience. So you will have an
22 opportunity.

23 In addition to that, if later you
24 find that you would like to submit
25 something, just a letter in the docket,

1 go to the PUCO web site, look for the
2 case numbers, 14-841 and 14-842, and you
3 can mail a letter to the Commission, and
4 we will put that in the docket as well.
5 So you will have several opportunities
6 to state your public comments.

7 At this time I will begin calling
8 the witnesses. The first witness that
9 we have on our list is Melissa English.
10 And I think if you want to stand at the
11 podium -- this will be sworn testimony,
12 so I'll ask you to raise your right
13 hand.

14 - - - - -

15 MELISSA ENGLISH,

16 After having been first duly sworn, as
17 hereinafter certified, was examined and testified
18 as follows:

19 HEARING OFFICER: Would you please
20 state your name and address and the
21 spelling, for the record.

22 THE WITNESS: Sure. It's Melissa
23 English, M-E-L-I-S-S-A. English like
24 the language. And I live at 4209
25 Brookside Avenue in Northside, about a

1 mile away.

2 HEARING OFFICER: You can proceed
3 with your comments.

4 THE WITNESS: Okay. Ohio
5 electricity consumers can choose with
6 which company they want to do business.
7 Many of these decisions are made based
8 on cost alone, but not all of them.
9 Some of us choose based on access to
10 renewable energy or companies sound
11 business decisions.

12 Duke chose to run its oldest, most
13 polluting coal plants as long as
14 possible, which was great, as long as
15 they weren't forced to invest in
16 upgrades. These plants made money for
17 decades by polluting my air like the
18 Clean Air Act didn't even exist. Now
19 Duke is faced with the possibility that
20 they bet wrong and that they can't
21 afford to keep these plants running
22 without a consumer bailout because they
23 can't compete on the open market.

24 I refuse to pay for this bailouts
25 and am offended to be asked to pay to

1 pollute my own air.

2 HEARING OFFICER: Thank you.

3 Karen Nagel, please.

4 - - - - -

5 KAREN NAGEL,

6 After having been first duly sworn, as
7 hereinafter certified, was examined and testified
8 as follows:

9 HEARING OFFICER: Thank you.

10 Please state your name and address and
11 spelling for the record.

12 THE WITNESS: Karen Nagel.

13 K-A-R-E-N, N-A-G-E-L. My address is
14 1640 Rockford Place, Cincinnati, Ohio,
15 45223.

16 HEARING OFFICER: Thank you.

17 Please proceed with your comments.

18 THE WITNESS: My name is Karen
19 Nagel. I live in Northside also, a
20 Cincinnati neighborhood very close to
21 here.

22 I oppose paying more on my bills to
23 bail out Duke's coal plants. In
24 opposition to Duke's plan, I request
25 that the Commission reject it. Thank

1 you.

2 HEARING OFFICER: Thank you.

3 Nate Laprairie. Did I say your
4 name right?

5 THE WITNESS: Yep. One of the
6 few. I'm proud.

7 HEARING OFFICER: I have a hard
8 last name, so I'm used to people saying
9 it wrong.

10 - - - - -

11 NATE LAPRAIRIE,

12 After having been first duly sworn, as
13 hereinafter certified, was examined and testified
14 as follows:

15 HEARING OFFICER: Thank you.
16 Please state your name, spelling and
17 address for the record.

18 THE WITNESS: Nate Laprairie,
19 N-A-T-E, L-A-P-R-A-I-R-I-E. I live at
20 1600 Clairwood Avenue, Cincinnati, Ohio,
21 45206.

22 HEARING OFFICER: Thank you.

23 THE WITNESS: First off, let's call
24 this proposal what it is, it is a
25 bailout. This is Duke wanting its

1 consumers to pull them out of a hole
2 they've dug for themselves. This is a
3 company wanting to internalize its
4 revenue stream and socialize its costs,
5 costs that could have been avoided if
6 the company itself would have made
7 better decisions.

8 This is Duke wanting to spend
9 another three years, at least, buying
10 Energy from plants it should have
11 stopped buying Energy from that should
12 have faded out and shut down 20 years
13 ago. This is Duke holding us hostage.

14 I recently moved down here to
15 Cincinnati from Cleveland, and this is
16 an area where unfortunately folks are
17 used to taking the brunt of their Energy
18 company's bad business decisions, i.e.,
19 First Energy, spending millions of
20 dollars building a football stadium and
21 laying off its workers. Did I think I'd
22 have to deal with the same backhanded
23 humor here. No.

24 Am I surprised? No.

25 Of course, now that these companies

1 have lobbied for and obtained a freeze
2 on renewables, they want us to believe
3 that this is our only option. And this
4 is false. We as consumers deserve
5 better. We deserve more than to spend
6 more time paying for this company to
7 pollute us with the same plant that has
8 been polluting our air for 40 to 50
9 years. We deserve better than paying
10 more because this company failed to have
11 the foresight to see the increased costs
12 in guzzling a finite resource and
13 keeping open plants to almost twice
14 their shelf life.

15 We as consumers, as community
16 members, as citizens, need to stand up
17 and say that enough is enough. Business
18 as usual is not okay anymore. It's time
19 for companies like Duke, AEP, First
20 Energy to make progress. It's time for
21 them to stop feeding us lies by telling
22 us that this is the answer, when what
23 they're doing is robbing us not only of
24 our hard-earned money, but our right to
25 progress and our right to cleaner, more

1 efficient means of energy. Thank you.

2 HEARING OFFICER: Thank you. Is
3 there anyone here who hasn't had the
4 opportunity to testify that would like
5 to do so at this time?

6 Okay. Well, I think what we'll do
7 is -- I appreciate everyone who has come
8 commented, and I appreciate everyone who
9 is with us this evening. I think we'll
10 hold the record open until 7:00 p.m., in
11 case other individuals come who want to
12 testify. If you hear of others who
13 would like to have a say in the matter,
14 feel free to share with them that they
15 can file their comments with the
16 Commission at the docket address PUCO
17 web site. So if you have any questions,
18 just let us know afterwards. Otherwise
19 we'll stand down for another 20 minutes
20 and see if others appear before we close
21 the record.

22 - - - - -

23 (A brief recess was had.)

24 - - - - -

25 HEARING OFFICER: We'll go back on

1 the record. I believe we have fourth
2 witness who would like to testify. I
3 apologize if I say your name wrong.
4 Matt Trokam.

5 Was I close?

6 THE WITNESS: Yes.

7 HEARING OFFICER: All right. You
8 can come up here, right here at the
9 podium. And since this is sworn
10 testimony, I'll have to ask you to raise
11 your right hand.

12 - - - - -

13 MATT TROKAM,

14 After having been first duly sworn, as
15 hereinafter certified, was examined and testified
16 as follows:

17 HEARING OFFICER: And will you
18 please state your name and address and
19 the spelling for the record?

20 THE WITNESS: Matt Trokam, 743
21 Terry Street, T-E-R-R-Y, Cincinnati,
22 Ohio, 45205.

23 HEARING OFFICER: And how do you
24 spell your last name?

25 THE WITNESS: T-R-O-K-A-M.

1 HEARING OFFICER: Thank you. Go
2 ahead with your comments.

3 THE WITNESS: Yeah. Well, I was
4 just here today to testify against the
5 proposed rider. You know, the electric
6 bill for me is my third highest bill
7 and, you know, I don't -- I don't think
8 Duke necessarily has my best interests
9 at heart. You know, I think that we
10 should be investigating in renewable
11 energy and not bailing out dirty coal
12 plants. That's pretty much all I had to
13 say.

14 HEARING OFFICER: Thank you very
15 much.

16 Thank you. We still have a few
17 minutes, so we'll wait until
18 approximately 7:00.

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20 (Thereupon, a brief recess was had.)

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22 HEARING OFFICER: Back on the
23 record.

24 Again, I would like to thank
25 everyone for coming this evening. This

1 will conclude our hearing for this local
2 hearing. We have three more, as I
3 mentioned before. And if others would
4 wish to file comments because they're
5 not able to come to one of the local
6 hearings, they can do that at the PUCO
7 web site under the case numbers of this
8 evening's hearing.

9 If there are any questions or any
10 other utility matters that you would
11 like to talk with our staff about after
12 the hearing, feel free to do so. And
13 we'll adjourn for this evening. Thank
14 you very much.

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16 (Hearing concluded at 7:03 p.m.)

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1 The State of Ohio,)
) SS: CERTIFICATE
2 County of Cuyahoga.)

3 I, Katrina L. Dearborn, Notary Public within
4 and for the State of Ohio, duly commissioned and
5 qualified, do hereby certify that the within-
6 named witnesses were first duly sworn to testify
7 the truth, the whole truth, and nothing but the
8 truth in the cause aforesaid; that the testimony
9 then given by him/her was by me reduced to
10 stenotypy in the presence of said witnesses,
11 afterwards transcribed on a computer, and that
12 the foregoing is a true and correct transcript of
13 the testimony so given by him/her as aforesaid.

9 I do further certify that this arbitration
10 was taken at the time and place in the foregoing
11 caption specified and was completed without
12 adjournment.

11 I do further certify that I am not a
12 relative, employee of, or attorney for any of the
13 parties in the above-captioned action; I am not a
14 relative or employee of an attorney for any of
15 the parties in the above-captioned action; I am
16 not financially interested in the action; I am
17 not, nor is the court reporting firm with which I
18 am affiliated, under a contract as defined in
19 Civil Rule 28(D); nor am I otherwise interested
20 in the event of this action.

17 IN WITNESS WHEREOF I have hereunto set my
18 hand and affixed my seal of office at Cleveland,
19 Ohio on this 20th day of September, 2015.

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Katrina L. Dearborn, Notary Public
In and for the State of Ohio.
my commission expires 11-02-15.

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

1/14/2015 3:27:07 PM

in

Case No(s). 14-0841-EL-SSO, 14-0842-EL-ATA

Summary: Transcript Testimony from September 8, 2014 hearing in Cincinnati, Ohio electronically filed by Ms. Katrina Dearborn on behalf of Dearborn Reporting Services