

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of)
Duke Energy Ohio, Inc., for an) Case No. 15-452-GA-RDR
Adjustment to Rider MGP Rates.)

In the Matter of the Application of) Case No. 15-453-GA-ATA
Duke Energy Ohio, Inc., for Tariff)
Approval.)

DIRECT TESTIMONY OF

TODD L. BACHAND

ON BEHALF OF

DUKE ENERGY OHIO, INC.

March 31, 2015

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I. INTRODUCTION AND PURPOSE

1 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2 A. My name is Todd Leon Bachand, and my business address is 139 East Fourth
3 Street, Cincinnati, Ohio 45202.

4 **Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?**

5 A. I am employed by Duke Energy Business Services LLC (DEBS) as a Lead
6 Environmental Specialist for the Remediation Group, which is part of
7 Environmental Services at Duke Energy Corporation (Duke Energy). DEBS
8 provides various administrative and other services to Duke Energy Ohio, Inc.,
9 (Duke Energy Ohio or Company) and other affiliated companies of Duke Energy.

10 **Q. PLEASE BRIEFLY SUMMARIZE YOUR EDUCATIONAL**
11 **BACKGROUND AND PROFESSIONAL EXPERIENCE.**

12 A. I received my Bachelor of Science degree in Environmental Sciences from
13 Springfield College, located in Springfield, Massachusetts, on May 12, 1985. From
14 1985 to 1992, as an Environmental Scientist with Baystate Environmental
15 Consultants, Inc. (East Longmeadow, MA), I was responsible for conducting site
16 assessments, performing feasibility studies and managing construction, dredging and
17 remediation projects. From 1992 to 1996, as the manager of Technical Services for
18 Nuclear Energy Services, Inc. (Danbury, CT), I was responsible for overseeing and
19 managing a wide variety of site assessments and remediation projects. I was
20 responsible for managing a team of environmental scientists and geologists primarily
21 working on sites throughout the east coast focusing on petroleum impacted
22 properties. From 1996 to 1998, as the Mid-West Operations Manager for Nuclear

1 Energy Services, Inc., Integrated Environmental Services Division (Blue Ash, OH),
2 I was responsible for managing a team of environmental scientists, geologists and
3 engineers. I was responsible for managing projects which dealt with environmental
4 assessments, real estate due diligence (Phase I Site Assessments), risk assessments,
5 underground storage tank remedial actions and remedial actions relating to
6 chlorinated solvents, mercury and PCBs.

7 From 1998 to 2009, as the Vice President of NEES, LLC (West Chester,
8 OH), I managed a team of environmental professionals and I was responsible for
9 projects focusing on site assessments, property transactions, remediation projects,
10 Army Corps of Engineers permitting and compliance, and cultural resources
11 assessments. Projects that I personally managed focused on site assessments (Phase
12 I, Phase II, Phase III), remediation, risk analysis, environmental permitting,
13 environmental auditing and compliance.

14 From 2009 to 2013, as the Director of Environment, FirstGroup America
15 (Cincinnati, OH), I had all environmental responsibility for the company which
16 included the operating companies of Greyhound Bus, Greyhound Canada,
17 Americanos, First Student, First Canada, First Transit, and First Vehicle Services.
18 The occupational foot print included Mexico, Puerto Rico, United States and
19 Canada. My responsibilities focused on ensuring compliance with all regulatory
20 programs from City, County, State and Federal Agencies in the United States and
21 City, Provincial and the Ministry of Environment in Canada. Compliance
22 included over 3,000 storage tanks and issuance of annual permits for each
23 location (1,500+ locations). Additional responsibilities also focused on real estate

1 holdings throughout North America and the due diligence aspect of acquisitions
2 and dispositions for both leased and owned properties. I was also responsible for
3 managing multiple Comprehensive Environmental Response, Compensation, and
4 Liability Act (CERCLA) sites where the company had liabilities, as well as
5 managing multiple environmental remediation projects, focusing on petroleum,
6 chlorinated solvents and PCB impacts to both soils and groundwater. In addition,
7 I was responsible for ensuring that all operating permits were up to date and all
8 federal, state and local Emergency Planning and Community Right to Know
9 (EPCRA) Tier II reports were filed as required.

10 From June 2014 to the present, I have been a Lead Environmental
11 Specialist with Duke Energy in the Remediation Group. I am responsible for
12 managing all remediation projects within the states of Ohio, Kentucky and
13 Indiana. I have extensive experience in site assessments and remediation which I
14 employ while managing the various projects in these states. Currently, I am
15 managing both former manufactured gas plant (MGP) sites for Duke Energy
16 Ohio. I also represent Duke Energy on the Indiana Energy Association – MGP
17 Remediation Work Group and I am a member of the MGP Consortium, which is a
18 group comprised of 28 utilities where lessons learned and best practices are
19 shared among utility project managers on the investigation and cleanup of former
20 MGP sites.

1 **Q. PLEASE DESCRIBE YOUR RESPONSIBILITIES AS A LEAD**
2 **ENVIRONMENTAL SPECIALIST WITHIN THE REMEDIATION**
3 **GROUP.**

4 A. As the Lead Environmental Specialist in the Remediation Group, I provide project
5 management and technical oversight for Duke Energy's environmental liabilities
6 at power plants and other properties that any Duke Energy entity or predecessor
7 company either owned, operated and/or sent material to and that is now subject to
8 remediation obligations.

9 My job responsibilities and those of other project managers in the
10 Remediation Group include interaction and coordination with many different
11 groups within and outside of Duke Energy, including: senior leadership; legal;
12 finance; business units such as gas operations and transmission, power delivery,
13 and generation; ratepayers and community groups; local, state, and federal
14 governmental or regulatory officials; and consultants, contractors, and
15 site/construction workers. We prepare bid documents that detail Duke Energy's
16 requirements and expectations for remedial work and we provide the technical
17 evaluation of the proposals received. During the execution of site work, we
18 actively review, comment on, and approve all plans, scope or design changes, and
19 final documents prepared by environmental consultants. We regularly visit sites
20 during active investigation and remediation activities in order to oversee work and
21 ensure that Duke Energy's expectations are being met.

22 **Q. DID DUKE ENERGY OHIO CONDUCT REMEDIATION ACTIVITIES IN**
23 **2014 AT THE TWO FORMER MGP SITES IDENTIFIED IN ITS**

1 **NATURAL GAS RATE CASE, CASE NO. 12-1685, ET AL. (NATURAL**
2 **GAS RATE CASE)?**

3 A. Yes, the Company conducted remediation activities in 2014 at the two former
4 MGP sites that were identified in the Natural Gas Rate Case and related testimony
5 as the East End and West End sites. Remediation activities are ongoing at these
6 sites as described later in my testimony.

7 **Q. PLEASE DESCRIBE THE CORPORATE STRUCTURE AND**
8 **MANAGEMENT OVERSIGHT OF THESE TWO SITES**

9 A. The remediation projects at these two sites are managed by Environmental
10 Services as part of the Environmental Health and Safety Department in Regulated
11 Utilities. Environmental Services is headed by a Vice President who oversees
12 Directors who are appointed to manage various disciplines/media programs.

13 Within the Remediation Group, I review project scopes and activities with
14 each consultant's individual project manager on a minimum bi-weekly basis,
15 which I then review with my management on a bi-weekly basis. Information on
16 the status and activities on the East End and West End sites is periodically
17 reviewed with higher levels of management and the financial department. Known
18 and anticipated activities, including cost estimates, are reviewed with levels of
19 senior management at least semi-annually and whenever significant decisions are
20 required on strategy or anticipated costs. Each level of management has limited
21 authority to approve activities and authorize the expenditure of funds. For new
22 purchase orders, approval also must be obtained from Duke Energy's sourcing
23 department. Over the course of the year, I meet with a number of members of

1 Duke Energy management to discuss the status of the projects, seek input on
2 certain decisions, and obtain approval of spending requests, as necessary.

3 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THESE**
4 **PROCEEDINGS?**

5 A. I am the project manager for the MGP investigation and remediation projects at
6 the East End and West End sites in Duke Energy Ohio's service territory. The
7 purpose of my testimony is to describe the environmental remediation activities
8 that occurred at the East End and West End site locations in Cincinnati, Ohio, in
9 the calendar year 2014. In so doing, my testimony will support the recovery of
10 such expenditures that are requested in Duke Energy Ohio's update to Rider
11 MGP, as authorized by the Public Utilities Commission of Ohio (Commission).

12 **Q. HAVE YOU TESTIFIED PREVIOUSLY BEFORE THE PUBLIC**
13 **UTILITIES COMMISSION OF OHIO?**

14 A. No.

II. BACKGROUND AND HISTORY OF MGP SITES

15 **Q. THE RECORD IN THE NATURAL GAS RATE CASE DETAILS THE**
16 **HISTORY OF MANUFACTURED GAS, AS WELL AS THE TYPICAL**
17 **INVESTIGATION AND REMEDIATION OF FORMER MGP SITES. IS**
18 **THERE ADDITIONAL INFORMATION TO SUPPLEMENT THAT**
19 **PRIOR DETAIL?**

20 A. No. Information on the background of manufactured gas and its history in
21 southwest Ohio is described at length in the Commission's Opinion and Order in
22 the Natural Gas Rate Case (Commission's Order). Likewise, the Commission's

1 Order provides details of typical investigation and remediation activities and a
2 description of the impact of Ohio law and the Ohio Environmental Protection
3 Agency (Ohio EPA) clean-up programs on the management of the environmental
4 conditions at Duke Energy Ohio's MGP sites, especially Ohio EPA's Voluntary
5 Action Program (VAP). This previous testimony remains accurate today and, as
6 such, I will instead focus my testimony on activities occurring during the period
7 relevant to this proceeding – calendar year 2014.

8 All of the environmental work at the East End and West End sites
9 continues to be performed by environmental consulting firms experienced in
10 MGP site remediation and under the oversight of Ohio EPA VAP Certified
11 Professionals (CPs), whose role is to ensure activities are compliant with Ohio
12 EPA's VAP regulations. The Ohio EPA VAP CPs and environmental consultants
13 hired to perform activities at the two sites continue to work with me to ensure that
14 the work complies with the VAP and meets all applicable local, state, and federal
15 standards, as well as to ensure that the environmental conditions at the sites are
16 protective of human health and the environment.

III. REMEDIATION AT EAST END AND WEST END MGP SITES

17 **Q. PLEASE DESCRIBE THE COMPANY'S ACTIVITIES AT THE EAST**
18 **END AND WEST END MGP SITES SINCE THE 2012 DIRECT AND**
19 **SUPPLEMENTAL TESTIMONY AND 2013 ORAL TESTIMONY**
20 **PROVIDED IN THE NATURAL GAS RATE CASE.**

21 **A.** Both the East End and West End facilities continue to be used as plant in service
22 for utility service by Duke Energy Ohio. At East End, the facility continues to be

1 used as a synthetic natural gas peaking station and headquarters for field
2 operations.

3 At West End, Duke Energy's Transmission and Distribution Group
4 continues to work on the installation of the new substation required due to the
5 anticipated new Brent Spence Bridge (BSB) bridge. In addition, Duke Energy's
6 Transmission and Distribution Group continues to work on the construction of
7 new electrical equipment that will replace equipment impacted by the proposed
8 new BSB corridor project. Such work is ongoing.

9 **Q. PLEASE IDENTIFY THE ACTIVITIES CONDUCTED IN 2014 THAT**
10 **RELATE TO THE REMEDIATION OF ENVIRONMENTAL**
11 **CONDITIONS RESULTING FROM THE FORMER EAST END MGP.**

12 A. All work at the East End site is being conducted under the oversight of an Ohio
13 EPA VAP CP, employed by the firm of Haley & Aldrich. As noted in the
14 Commission's Order, the East End site was initially divided into three smaller
15 identified areas for environmental investigation and remediation purposes that are
16 referred to, for purposes of the VAP, as the "East Parcel," "Middle Parcel," and
17 "West Parcel." Additional work occurred in an area referred to as "the area West
18 of the West Parcel," which has been impacted with MGP residuals. Work
19 commenced in previous years continued into and during 2014. In 2014, Duke
20 Energy Ohio performed the next iteration of quarterly groundwater sampling on
21 all parcels that contained groundwater wells.

22 Duke Energy's consultant, Newfields-Environmental Forensics Practice,
23 LLC, completed a forensic analysis study in 2014 on three samples of dense non-

1 aqueous phase liquid (“DNAPL”). The analysis confirmed that the DNAPL
2 indicated the presence of MGP coal tar.

3 The soil and groundwater sample results collected during previous
4 investigations were compiled into Ohio EPA VAP Phase II reports that were
5 utilized by Duke Energy Ohio, the consultants, and the Ohio EPA VAP CP in
6 2014 as part of a process to identify remedial technologies to be implemented on
7 the Middle Parcel and the portion of the West of the West Parcel where MGP
8 contaminants are present in concentrations that do not meet applicable standards.
9 Consistent with Duke Energy Ohio’s past practice, the following remedial actions
10 (or combinations thereof) were analyzed to address the contamination present at
11 the site: institutional controls (*i.e.*, soil management plan, use restrictions),
12 engineering controls (*i.e.*, caps, fencing, barrier walls, interceptor trenches),
13 removal actions (*i.e.*, excavation, product recovery), and treatment technologies
14 (*i.e.*, in-situ solidification, chemical treatment). Remedial actions chosen in the
15 analysis also took into account site-specific constraints. The results of this
16 evaluation were documented in a Remedial Alternatives Analysis Report prepared
17 by Haley & Aldrich and were used to support decision-making on the remedial
18 strategies to be executed on the Middle Parcel and the area west of the West
19 Parcel that are impacted by MGP constituents.

20 In November of 2014, Duke Energy issued a Request for Proposal to six
21 engineering firms that are experienced in MGP site remediation for the design and
22 oversight of remedial actions for the Middle Parcel and the area west of the West
23 Parcel at the East End former MGP site. All bids were received on December 12,

1 2014. The initial evaluation was conducted during the latter half of December
2 2014 and continued into 2015.

3 **Q. PLEASE IDENTIFY THE ACTIVITIES CONDUCTED IN 2014 THAT**
4 **RELATE TO THE REMEDIATION OF ENVIRONMENTAL**
5 **CONDITIONS RESULTING FROM THE FORMER WEST END MGP**
6 **SITE.**

7 A. The work performed in 2014 included the finalization of the Remedial Action
8 Completion Report (RACR) by Burns & McDonnell, which summarized the
9 remedial actions performed at the West End site during 2013. In addition,
10 monitoring wells MW-6R and MW-7R were installed to replace wells that were
11 removed during the prior remediation activities in 2013. Three quarterly
12 groundwater sampling events were completed by Burns & McDonnell.

13 In addition, a soil assessment was conducted in October 2014 along the
14 eastern side of the existing Brent Spence Bridge right-of-way in the location of a
15 new gas line which is expected to be installed by Duke Energy Ohio in June of
16 2015. This sampling area previously contained tar processing equipment for the
17 former MGP. The assessment included installation of soil borings utilizing direct
18 push technology and the collection of soil samples which were submitted for
19 analytical analysis of MGP constituents.

20 As part of the substation relocation, Duke Energy has been required to
21 install two new poles within the boundary of the northern Front and Rose Parcel.
22 Environmental consultants were used to oversee the installation of the footings for
23 these two new poles which were placed in the area of previous in-situ

1 solidification (ISS) of MGP impacted soils. The excavated MGP impacted ISS
2 soil was transported to a landfill for disposal and all MGP impacted groundwater
3 was collected and treated at an off-site water treatment facility. Costs associated
4 with work directly related to the MGP impacted material is included as part of the
5 MGP Rider Update. Costs associated with the installation of the poles were
6 accounted for as part of the electric relocation project and were not included in the
7 costs sought in the Rider MGP Update. This work took place during November
8 of 2014.

9 The limited sediment investigation initiated in 2013 to evaluate whether
10 MGP impacts may be present in areas of the Ohio River that will be disturbed by
11 the BSB construction project was completed and the report was finalized in 2014.

12 The work conducted at the West End site was performed under the
13 oversight of an Ohio EPA VAP CP employed by Burns & McDonnell and with
14 respect to the work in the involving the river sediments, under the oversight of an
15 Ohio EPA VAP CP with ARCADIS.

16 **Q. PLEASE DETAIL THE 2014 COSTS INCURRED AT BOTH THE EAST**
17 **END AND WEST END SITES FOR WHICH DUKE ENERGY IS**
18 **SEEKING RECOVERY THROUGH RIDER MGP.**

19 **A.** In 2014, Duke Energy Ohio incurred approximately \$686,000 in MGP costs at the
20 East End and West End sites. The recovery mechanism for the costs incurred in
21 2014 is discussed in the Direct Testimony of Duke Energy Ohio witness Peggy A.
22 Laub. The categories of costs that are described at length in the Commission's
23 Order are applicable to the remediation activities that occurred in 2014. External

1 costs included: environmental consultants used for the investigation of the soil,
2 sediment, and groundwater impacts; environmental consultants used to perform
3 oversight during remedial actions; analytical laboratories that analyzed soil,
4 sediment, and groundwater samples.

5 Internal costs included: expenses for Duke Energy employees working on
6 the project; oversight by the Duke Analytical Laboratory located in Huntersville,
7 North Carolina that performed audits of the analytical laboratories and performed
8 quality control and review of analytical data; oversight and coordination by Duke
9 Energy Power Delivery and Gas Operations personnel while working in close
10 proximity to sensitive electrical and/or gas utilities; survey support; and project
11 management oversight.

12 **Q. PLEASE DESCRIBE THE GENERAL PROCESS USED TO ENSURE THE**
13 **REASONABLENESS OF COSTS INCURRED TO REMEDIATE THE**
14 **EAST END AND WEST END SITES.**

15 A. As detailed in the Commission's Order, Duke Energy Ohio employs a number of
16 procedures to ensure that the scope of investigation and cleanup work is
17 appropriate and that the cost to perform that work is reasonable and prudent.
18 Duke Energy project managers work closely with Ohio EPA VAP CPs and
19 experienced environmental consultants to evaluate different options based on
20 various criteria, including: compliance with environmental regulations, protection
21 of human health and the environment, best practices, feasibility, constructability,
22 safety, prior experience, and cost. These considerations are built into the
23 solicitation of bids and estimates through Duke Energy's "Request for Proposal"

1 process. Bids are screened first on their technical merit, and then evaluated for
2 cost. Scope modifications in the field due to new or changing field conditions
3 must be approved by Duke Energy project managers, and may also require
4 approval from Duke Energy management and/or Duke Energy's finance
5 department depending on the extent of the modification and other circumstances.

6 **Q. BASED ON YOUR EXPERIENCE, DID DUKE ENERGY OHIO**
7 **REASONABLY AND PRUDENTLY INCUR APPROXIMATELY \$686,000**
8 **IN COSTS IN 2014?**

9 A. Yes. The activities that occurred at the East End and West End MGP properties
10 related to the remediation of MGP impacts were conducted following the
11 procedures described in 2012 written testimony and 2013 oral testimony in the
12 Duke Energy Ohio Natural Gas Distribution Rate Case by Duke Energy Ohio
13 witness Jessica Bednarcik, activities that were deemed to be reasonable and
14 prudent by the Commission in its Order. Based on my experience with
15 remediating contaminated sites, including MGP sites like East End and West End,
16 the approximate \$686,000 represents reasonable and prudent costs for the work
17 that was performed in 2014.

18 **Q. PLEASE DISCUSS THE TIMING AND PLANNING RELATED TO THE**
19 **WORK THAT WAS PERFORMED IN 2014 AND FUTURE ACTIONS**
20 **PLANNED TO BE PERFORMED AT THE EAST END AND WEST END**
21 **SITES.**

22 A. These types of environmental projects are iterative in nature. That is, each step of
23 the process must be taken in the proper order, and it is not prudent to move to the

1 next step until the necessary information is gathered and decisions are made
2 concerning the results and next steps. It is customary and prudent to move
3 deliberately in order to avoid needless expense and also to avoid having to repeat
4 processes unnecessarily. Typically, therefore, once the areas where the former
5 MGP processes were located have been evaluated and remediated, potential off-
6 site impacts will then be evaluated to determine whether off-site investigation
7 and/or additional remediation will be required. Based upon my experience with
8 MGP site remediation projects and the conditions at the sites, it is often the case
9 that some amount of off-site investigations will be required to address the sites,
10 such as the initial sediment work that has been performed at the West End site.
11 Again, this demonstrates the iterative nature of these projects.

12 Each site is unique and the remedial actions must be sequenced in such a
13 way that remediation can move in a prudent manner without adversely impacting
14 other activities at the site, especially those that ensure the delivery of gas and
15 electricity to Duke Energy Ohio's customers. The actions conducted and planned
16 at the East End and West End sites are being sequenced to minimize disruptions
17 to operations and to facilitate known future construction activities at each site. I
18 agree with the testimony provided in 2012 and 2013 by Duke Energy Ohio
19 witness Jessica Bednarcik in regards to the fact that the uplands areas of
20 environmentally impacted sites are typically addressed first as the remediation of
21 the "source" material, or the impacts in the soil, and that such actions are expected
22 to result in the improvement of groundwater quality and of any down-gradient
23 plumes. Once the impacted soils are addressed, the groundwater is the next area

1 of focus, and then off-site impacts. This is the general sequence that Duke Energy
2 Ohio is implementing on both Ohio MGP sites, initially focusing on the soil and
3 groundwater, and then looking offsite.

4 By performing the remedial actions in a sequenced manner, Duke Energy
5 Ohio is not only addressing environmental impacts, but is also performing the
6 actions in a sequence that would allow gas and electrical service to be
7 uninterrupted and which takes into account future construction activities.

8 At the East End site, the initial remedial activities were conducted in areas
9 where the Duke Energy Ohio Gas Department was planning to install new
10 vaporizers (West Parcel) and where a new gas line was anticipated (East Parcel);
11 the activities were also conducted on those two parcels since they were closest to
12 the anticipated residential developments, a significant change in the adjoining site
13 use. In 2014, the environmental work focused on continuation of groundwater
14 monitoring and performing a remedial alternatives analysis to address the
15 contamination at the Middle Parcel and the area west of the West Parcels. The
16 area west of the West Parcel could not be addressed in earlier remedial efforts
17 since access was only obtained to this area after the West Parcel remedial actions
18 started. Plans for 2015 include making the final selection of the engineering firm
19 to be used for the design and implementation of the remedial actions associated
20 with the Middle Parcel and the area west of the West Parcel.

21 At the West End site, actions completed in 2014 focused on the
22 assessment of the proposed location for the new gas line between Ohio and
23 Kentucky and the continuation of groundwater monitoring at the site. In addition,

1 the sediment sampling report was completed. Future work will involve the
2 assessment of the conditions beneath the eastern substation, which is immediately
3 to the west of the existing Brent Spence Bridge right-of-way and the resulting
4 remedial alternatives analysis. The timing of this work will be dependent on the
5 date of the final switch over from the old substation to the newly installed
6 substation, likely to take place in 2016. The Company plans to install three
7 additional monitoring wells on the northern Front and Rose Parcel in early 2015
8 to further evaluate groundwater impacts in this area of the site.

9 **Q. PLEASE DESCRIBE ANY FACTORS OUTSIDE OF DUKE ENERGY**
10 **OHIO'S CONTROL THAT MAY AFFECT THE TIMING OF THE WORK**
11 **BEING PERFORMED AT THE EAST END AND WEST END SITES.**

12 A. Duke Energy Ohio is diligently working on the two sites, but faces challenges due
13 to the sites' size, operational history, current operational constraints, and factors
14 outside of Duke Energy Ohio's control. For example, there are critical
15 underground structures at the East End site that limit what remedial actions can be
16 accomplished. At the West End site, Duke Energy Ohio cannot investigate and
17 remediate under the western-most substation at this time without impacting the
18 ability of Duke Energy Ohio to provide electricity to downtown Cincinnati.
19 Engineering and institutional controls can be, and most likely will be
20 implemented and maintained in the short term to manage the known or potential
21 impacts, but liability will not be fully addressed until the environmental
22 conditions can be fully investigated, analyzed, and remediated, as required.
23 Potential impact under buildings, or in close proximity to buildings or other

1 structurally sensitive areas (*i.e.*, riverbanks and flood walls) will require short-
2 term remedial actions to maintain their stability.

3 The timing and expense of the remediation efforts at both the East End
4 and West End sites may be influenced by external factors and the actions of third
5 parties over whom Duke Energy Ohio has very little to no control. Examples of
6 external factors include, but are not limited to, weather delays, unforeseen
7 permitting requirements, access restrictions from off-site property owners,
8 changes in environmental regulations, permitting review timeframes, and
9 completion of work by others in order to allow for remediation activities to be
10 completed.

11 **Q. PLEASE EXPLAIN WHAT DUKE ENERGY OHIO IS DOING TO**
12 **PURSUE OTHER MEANS OF FUNDING THE REMEDIATION AT EAST**
13 **END AND WEST END.**

14 **A.** Duke Energy Ohio witness Keith Bone will explain activities related to the
15 Company's efforts to seek insurance coverage for the costs incurred in
16 remediating the two MGP sites, consistent with the Commission's Order.

17 Additionally, Duke Energy Ohio continues to investigate and pursue other
18 potentially responsible parties that may be liable to contribute to the costs of
19 investigating and remediating the East End and West End sites. Duke Energy
20 Ohio provided NiSource, Inc., the alleged successor to Columbia Gas & Electric,
21 a letter setting forth Duke Energy Ohio's belief that Columbia Gas/NiSource has
22 legal responsibility for some of the costs associated with the investigation and
23 cleanup at the East End and West End sites. The parties have continued to engage

1 in discussions and in early March 2014, representatives of Duke Energy Ohio and
2 NiSource met to discuss this issue further. NiSource has asserted that it is not
3 responsible for any costs of the investigation and cleanup at the sites; however,
4 discussions between the parties are ongoing.

5 **CONCLUSION**

6 **Q. DOES THIS CONCLUDE YOUR DIRECT PRE-FILED TESTIMONY?**

7 **A. Yes.**

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

3/31/2015 3:57:50 PM

in

Case No(s). 15-0452-GA-RDR, 15-0453-GA-ATA

Summary: Testimony Direct Testimony of Todd L. Bachand on Behalf of Duke Energy Ohio, Inc. electronically filed by Dianne Kuhnell on behalf of Duke Energy Ohio, Inc. and Spiller, Amy B. and Kingery, Jeanne W. and Watts, Elizabeth H.