

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the	:	
Complaint of Faye E.	:	
Daniels,	:	
	:	
Complainant,	:	
	:	Case No. 15-1288-GA-CSS
vs.	:	
	:	
The East Ohio Gas Company,	:	
d/b/a Dominion East Ohio,	:	
	:	
Respondent.	:	

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PROCEEDINGS

before Ms. Greta See, Attorney Examiner, at the  
Public Utilities Commission of Ohio, 180 East Broad  
Street, Room 11C, Columbus, Ohio, called at 12:31  
p.m. on Monday, February 1, 2016.

- - -

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APPEARANCES:

Ms. Faye E. Daniels  
2505 Crown Place, N.W.  
Canton, Ohio 44708

Pro se.

Whitt Sturtevant, LLP  
By Mr. Andrew J. Campbell, Esq.  
The Key Bank Building  
88 East Broad Street, Suite 1590  
Columbus, Ohio 43215

On behalf of the Respondent.

ALSO PRESENT:

Ms. Margaret Callahan  
Supervisor, Customer Service Center  
Dominion East Ohio

Ms. Barbara A. Smith  
Manager, Dominion East Ohio

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1 Monday Afternoon Session,  
2 February 1, 2016.

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4 ATTORNEY EXAMINER SEE: Let's go on the  
5 record. Scheduled for hearing today is Case No.  
6 15-1288-GA-CSS, being entitled In the Matter of the  
7 Complaint of Faye E. Daniels versus The East Ohio Gas  
8 Company, doing business as Dominion East Ohio.

9 My name is Greta See. I am the Attorney  
10 Examiner assigned to this case by the Commission.

11 At this time I'd like to take  
12 appearances of the parties. On behalf of  
13 Complainant, the Complainant herself, Ms. Daniels,  
14 please state your name and your address for the  
15 record, please.

16 MS. DANIELS: My name is Faye Daniels.  
17 My address is 2505 Crown Place, Northwest, Canton,  
18 Ohio 44708.

19 ATTORNEY EXAMINER SEE: Thank you.

20 And on behalf of Dominion East Ohio.

21 MR. CAMPBELL: Thank you, your Honor.  
22 Andrew Campbell for the Company, with Whitt  
23 Sturtevant, Key Bank Building, 88 East Broad Street,  
24 Suite 1590, Columbus, Ohio 43215. I also have with  
25 me two employees of the Company.

1 ATTORNEY EXAMINER SEE: Okay. Ms.

2 Daniels, would you please take the stand.

3 Ms. Daniels, please raise your right  
4 hand.

5 (Ms. Daniels was sworn.)

6 ATTORNEY EXAMINER SEE: Thank you. Have  
7 a seat. And you can go ahead with your testimony,  
8 Ms. Daniels.

9 - - -

10 FAYE E. DANIELS,  
11 being first duly sworn, as prescribed by law, was  
12 examined and testified as follows:

13 DIRECT TESTIMONY

14 MS. DANIELS: I'd like to -- what my  
15 complaint is, is that after I go to seek help through  
16 different organizations to get payment for my gas  
17 bill, right after that large check comes for the gas  
18 bill, the Winter Crisis Program, they come out and  
19 they shut me off when I make my payment, because  
20 they're saying that the amount I'm paying is not  
21 enough, but my question is -- well, what I'm  
22 wondering is if I pay -- you get \$500 plus my little  
23 \$44 payment. Why do they keep coming and keep  
24 cutting me off? Is that legal? I feel that I'm  
25 cheating the state and I'm an accomplice to fraud,

1 because the program I thought was to help me get my  
2 payment -- get the bill down to pay it off, but if  
3 they're paying all this money out for me and all I  
4 have to offer is the little payment because I'm on a  
5 fixed income, why do they still cut me off in the  
6 dead of winter, when it's the coldest?

7 ATTORNEY EXAMINER SEE: Okay. Ms.  
8 Daniels, before you continue, let me ask you a couple  
9 of questions.

10 MS. DANIELS: Okay.

11 ATTORNEY EXAMINER SEE: In the  
12 information you filed with the Commission, in your  
13 Complaint, you are listed as Faye E. Daniels and then  
14 in some instances Faye E. Daniels Conley?

15 THE WITNESS: Yes.

16 ATTORNEY EXAMINER SEE: Both of those --  
17 that is you?

18 THE WITNESS: That is me.

19 ATTORNEY EXAMINER SEE: And you are a  
20 Percentage of Income Payment Plan participant?

21 THE WITNESS: Yes.

22 ATTORNEY EXAMINER SEE: Also referred to  
23 as PIPP.

24 THE WITNESS: Yes.

25 ATTORNEY EXAMINER SEE: Okay. You are

1 the customer of record at 2505 Crown Place in Canton,  
2 Ohio?

3 THE WITNESS: Yes.

4 ATTORNEY EXAMINER SEE: And how long  
5 have you been -- how long have you resided at 2505  
6 Crown Place?

7 THE WITNESS: Since 2013.

8 ATTORNEY EXAMINER SEE: Okay. Prior to  
9 moving to the Crown Place address, did you have  
10 another account?

11 THE WITNESS: Yes.

12 ATTORNEY EXAMINER SEE: In your name?

13 THE WITNESS: At 1341 20th Street,  
14 Northeast, Canton, Ohio.

15 ATTORNEY EXAMINER SEE: And that account  
16 on 20th Street was also in your name; correct?

17 THE WITNESS: Yes.

18 ATTORNEY EXAMINER SEE: Okay. A few  
19 minutes ago you said that you were aware of the  
20 Winter Reconnect Program; is that correct?

21 THE WITNESS: Yes.

22 ATTORNEY EXAMINER SEE: And you have  
23 attempted to restore your service pursuant to the  
24 Winter Reconnect Program; correct?

25 THE WITNESS: Yes. And --

1                   ATTORNEY EXAMINER SEE: You participated  
2 in the Winter Reconnect to restore your service in  
3 2015?

4                   THE WITNESS: Yes.

5                   ATTORNEY EXAMINER SEE: Your service  
6 with Dominion?

7                   THE WITNESS: With Dominion, yes. I  
8 just made my -- they made the payment for 175, HEAP  
9 did, and the energy people made the payment of 300  
10 and something. Today I'm going to make a payment of  
11 \$88, so my PIPP for the -- for right now from that  
12 program is on point, but there is an arrearage that  
13 they're saying is left over that has to be paid,  
14 which I know it has to be paid, but it leaves -- even  
15 after that 500, \$600 they just got leaves it open for  
16 disconnect, and I'm wondering how I can -- with the  
17 PIPP payment plan, how -- if I'm making a steady  
18 payment to keep that on, to keep it from getting cut  
19 off and them coming -- I'm afraid -- when I get home  
20 and make my payment, they'll still come out within  
21 the next few days and cut my gas off.

22                   So my question -- nope, no questions. I  
23 want to know what is to be done with all this that's  
24 credited here, and Dominion gave me credit, but they  
25 told me they had cut me off and put me off of the



1 PIPP plan because I didn't pay the back -- I think it  
2 was another amount that they were still looking for  
3 besides what they received of I think about 200 and  
4 some odd more dollars.

5 ATTORNEY EXAMINER SEE: When was this,  
6 Ms. Daniels?

7 THE WITNESS: When I went in -- the  
8 first -- in December.

9 ATTORNEY EXAMINER SEE: December 2015?

10 THE WITNESS: Right to -- no -- yes,  
11 yes. This year is going fast. It went fast.  
12 December, when I went and made the other payment,  
13 there was still the 200 and some odd dollars they  
14 were saying that had to be paid, and I paid, like,  
15 the 44. I made the first one, but the second one, I  
16 had got sick, so things got where I didn't get it  
17 paid. That's why I'm making the payment today, but  
18 the 200 and something still is going to be hanging  
19 there even though they just -- I got a letter saying  
20 they just received 300 and some dollars, was paid to  
21 Dominion and -- plus the 175, my 44 payment, and then  
22 I'll make the other 88 payment today, but that other  
23 200, I have to wait before I can put something extra  
24 on, because I still have to pay my other bills, and  
25 I'm on a fixed income. But I don't want my gas shut

1 off, and it's about to get cold again.

2 ATTORNEY EXAMINER SEE: Does that --

3 THE WITNESS: And Dominion had said that  
4 I didn't make a payment until January or that's when  
5 the first payment was due.

6 ATTORNEY EXAMINER SEE: January of what  
7 year?

8 THE WITNESS: Of 2016. I just -- but  
9 that's when the first payment was due. It wasn't --  
10 or due until February, and I made the payment.

11 ATTORNEY EXAMINER SEE: Okay.

12 THE WITNESS: And they were saying it  
13 was -- that's the first payment they had received.

14 ATTORNEY EXAMINER SEE: Ms. Daniels, you  
15 filed this Complaint in July of 2015.

16 THE WITNESS: Right.

17 ATTORNEY EXAMINER SEE: Okay. You  
18 just -- were you referring to --

19 THE WITNESS: Because they was -- they  
20 must have been --

21 ATTORNEY EXAMINER SEE: Just a minute,  
22 Ms. Daniels. You have to let me finish asking the  
23 questions before you answer. Just a few minutes ago  
24 you said January of 2016. Were you intending to  
25 refer to January of 2015 --

1 THE WITNESS: Yes.

2 ATTORNEY EXAMINER SEE: -- when they  
3 paid to Dominion?

4 THE WITNESS: Right. Okay. Yes.

5 ATTORNEY EXAMINER SEE: Go ahead and  
6 take your time and continue your testimony.

7 MS. DANIELS: So when they said that  
8 they had not received their payment, they weren't  
9 supposed to receive it till then. That's when it was  
10 first due. So when they cut me off, they cut me off  
11 when they was supposed to get their second payment.

12 ATTORNEY EXAMINER SEE: When was your  
13 service with Dominion disconnected in 2015, Ms.  
14 Daniels?

15 MS. DANIELS: I think the first --  
16 because they cut it off and cut it back on. They cut  
17 it off in February. I think it was February.

18 ATTORNEY EXAMINER SEE: February of  
19 2015?

20 MS. DANIELS: Yes. It was February or  
21 March, because I had just made the payment, and  
22 they -- when I called Dominion, I was told by the guy  
23 that they had not received a payment until then, in  
24 February, and I told him that's when the first  
25 payment was due, and they -- we had words, and they

1     were, like, you get a medical -- you can get a  
 2     medical or what have you, so I tried to get a medical  
 3     and see if I couldn't get two -- the company, HEAP,  
 4     go back to HEAP, to see what I could do to get this  
 5     taken care of, and HEAP had told me to call them back  
 6     and let them know exactly when the payment was due.  
 7     They said that they were requiring the \$200, also, by  
 8     the time your first payment was made, and I believe  
 9     that's why they cut me off, because I didn't have the  
 10    \$200 along with the \$44 payment. But that's when the  
 11    first payment was due, which was February.

12                   ATTORNEY EXAMINER SEE: Does that  
 13    conclude your testimony, Ms. Daniels?

14                   MS. DANIELS: Yes.

15                   ATTORNEY EXAMINER SEE: Okay. Mr.  
 16    Campbell, do you have any questions for Ms. Daniels?

17                   MR. CAMPBELL: Yes, just a few, your  
 18    Honor.

19                   ATTORNEY EXAMINER SEE: Okay.

20                   - - -

21                   CROSS-EXAMINATION

22    BY MR. CAMPBELL:

23                   Q. I'll start -- my name is Andy Campbell.  
 24    I'll be asking you a few questions. If you can't  
 25    hear or don't understand what I'm saying, just let me

1 know, and I can try to clarify.

2 Starting where you left off, you stated  
3 that your service was disconnected in February 2015;  
4 is that correct?

5 A. It was February or it -- it was right  
6 after I made the payment, February or the -- the end  
7 of February, beginning of March, because the guy came  
8 out and he turned it off. Then they sent him back.  
9 He turned it on, and then they came back and turned  
10 it off, and Dominion said I had -- was receiving --  
11 they also told me I was getting -- had turned my gas  
12 back on, but I didn't do it. Their -- your service  
13 people came out, turned it on, turned it off and --  
14 turned it off, turned it on, and then turned it back  
15 off, and it was off until I went and got the new HEAP  
16 thing.

17 Q. Do you have any documentation or any --  
18 anything that would show that service was actually  
19 off during the month of February besides your  
20 testimony here on the stand?

21 A. Let me see. Where is the shutoff  
22 notice? This one is -- no. That's the second time.  
23 It should be on the bill. Which one is this? That's  
24 May, April, because he came and he turned it right  
25 back on, because I had to get Dr. Gibbons to get me

1 the papers I needed to get it back on. March and  
2 February --

3 Q. You understand, don't you, that a  
4 shutoff notice does not mean that gas was shut off,  
5 but it's giving you a warning --

6 A. No.

7 Q. -- that that may be shut off?

8 A. Right.

9 Q. Do you understand that?

10 A. But it was off. It was off. At the  
11 time I had -- my son had moved, and him and his kids  
12 were there, and I told them they had -- they had to  
13 go somewhere else to stay because we couldn't leave  
14 the kids in the house there with no heat, and that  
15 was in February, and then he got him a place, and I  
16 got mine on, but then they came right back and turned  
17 it off because they said we were having  
18 unnecessary -- or I had turned it on, and mine is  
19 sitting on the street. I didn't even know where it  
20 was. It was on the street in front of the house,  
21 because the house is, like, from this table, to that  
22 table is the street. That's how close the porch is  
23 to the street, so you can't -- you know, there's a  
24 lot of those meter things up and down the street, but  
25 I didn't know which was what and I don't know how to

1 turn it on.

2 Q. Is it possible that your electric  
3 service was shut off in February?

4 A. Electric, they came and got -- AEP  
5 claims that Dominion, when they turned me off, that's  
6 why they shut me off, because I was no longer on AEP.

7 Q. I'm just asking you is it possible that  
8 you're remembering that your electric service was  
9 disconnected in February as opposed to your gas  
10 service?

11 A. Oh, I know my gas service was off. See,  
12 the gas was off first.

13 Q. Okay. That's all I need. Is it  
14 possible you're misremembering the dates? Because  
15 the company's records show that the disconnection in  
16 2015 was in June, not February.

17 A. Oh, that's the second one. This is the  
18 second time (indicating). When they shut me off in  
19 June, I --

20 Q. Okay. I think that answers my question,  
21 so -- but do you have any documentation or other  
22 evidence that would show that service was turned off  
23 in February other than your testimony on the stand?

24 A. HEAP paying it, so I could get it on. I  
25 have the thing where HEAP paid it to get it on.

1 Q. So your HEAP payment would be the only  
2 other --

3 A. Right --

4 Q. -- evidence that you have?

5 A. -- because I had to get a new account  
6 number for HEAP.

7 Q. So the answer is yes, the HEAP payment  
8 would be --

9 A. Yes.

10 Q. -- the only other evidence that you  
11 have?

12 A. That was the -- that was it, the HEAP,  
13 because it was not on and it was so cold in there,  
14 and it was like -- stuff was freezing up. HEAP told  
15 me to just -- because they made a special appointment  
16 for me to come in to get that done because of the  
17 weather.

18 (Discussion off the record.)

19 Q. Now, Miss Daniels, you understand -- if  
20 I say the PIPP program, you know what I'm talking  
21 about --

22 A. Yes.

23 Q. -- correct?

24 You understand that a PIPP program is  
25 set up by the Public Utilities Commission?



1 A. No.

2 Q. And is governed by the Public Utilities  
3 Commission's rules?

4 A. Yes, I know that now. I didn't know it  
5 then.

6 Q. And do you understand that the Company  
7 is required to follow those rules in terms of how it  
8 sets up the program, how it bills customers and so  
9 forth?

10 A. I know that now.

11 Q. And you would agree with me that  
12 whatever the rules require the Company to do  
13 regarding the PIPP program, that's what the Company  
14 should do? Do you agree with that?

15 A. I agree with that.

16 Q. Thanks.

17 A. My question is --

18 Q. There's no question pending, I don't  
19 believe.

20 A. Oh, okay.

21 ATTORNEY EXAMINER SEE: Miss Daniels,  
22 you'll have an opportunity to ask questions of  
23 Dominion's witness. Now is not the time for you to  
24 ask some questions.

25 MS. DANIELS: Okay.

1 MR. CAMPBELL: I have no further  
2 questions, your Honor.

3 - - -

4 EXAMINATION

5 BY ATTORNEY EXAMINER SEE:

6 Q. Ms. Daniels, you asserted that after  
7 Dominion received your assistance payments, that they  
8 disconnect your service; correct?

9 A. That is correct.

10 Q. Okay. And you've been a PIPP customer  
11 for -- since what year?

12 A. 1996, I think, is when I started  
13 applying for PIPP.

14 Q. Okay. Have you been on PIPP  
15 continuously since 1996?

16 A. Well, I came back to Ohio in 1990, so I  
17 was not -- the gas and stuff wasn't in my name, when  
18 I first came back here, so it was, like, '96 before I  
19 started putting it in my name.

20 Q. Okay. But since 1996, have you been  
21 continuously on the PIPP program since that time?

22 A. Yes, off and on.

23 Q. So it hasn't been continuous. It's been  
24 off and on?

25 A. Well, when they cut me off, it's off,

1 and then -- yeah.

2 Q. And then you had to reenroll in the PIPP  
3 program?

4 A. Right.

5 Q. Okay. Periodically since that time?

6 A. Right.

7 Q. Okay. But the service at Crown Place is  
8 currently in your name?

9 A. Yes.

10 Q. Has it always been in your name since  
11 you initiated service at that location?

12 A. No. At one point I had my one son, he  
13 tried to put it in his name, but they told him as  
14 long as I was there, they could not keep it on, so  
15 they turned it off.

16 Q. Okay. When was that, Ms. Daniels,  
17 approximately?

18 A. I think that was back in -- I think it  
19 was April, when I got it back in April.

20 Q. April of what year?

21 A. 2015. I had to put it in my other son's  
22 name, and then they came back and said if I was still  
23 there, it was not going to happen.

24 Q. And the son whose name the account was  
25 in, was he residing at 2505 Crown Place?

1           A.    Not at that time, but he got the  
2   landlord -- that's when he was getting ready to move,  
3   and he got the landlord to -- I asked the landlord --  
4   the landlord even tried to help -- to get him on my  
5   deed with me, on there, so I could get the utilities,  
6   and he agreed to that. That's why he let him stay  
7   there until they moved and got their own place.

8           Q.    Okay. 2505 Crown Place, do you own that  
9   residence --

10          A.    No.

11          Q.    -- or do you rent?

12          A.    No. I rent.

13          Q.    And you indicated that you had used a  
14   medical certificate to maintain your service with  
15   Dominion?

16          A.    Yes.

17          Q.    When was this? When did you use the  
18   medical cert to maintain service?

19          A.    I think it was around the same time,  
20   maybe -- I know I had got one right before --

21          Q.    Now, remember, this is service with  
22   Dominion.

23          A.    Right. I got one for them before I did  
24   AEP, so it might have been in April, March or April.

25          Q.    Of what year?

1           A.     2015.   Because the doctor was saying  
2     that they only allow one a year, and by them doing --  
3     they didn't want to do both places, but when he found  
4     out the heat was off, he went on -- he changed his  
5     policy.

6           Q.     The doctor changed his policy?

7           A.     Yes, to give me the medical.

8           Q.     Not Dominion's policy.   There's only one  
9     med cert -- the doctor's policy?

10          A.     The doctor's policy, yes.

11          Q.     And when you were provided a med cert  
12     for your gas service, did anyone explain to you the  
13     obligations and responsibilities of you, as a  
14     customer, in association with the med cert?

15          A.     Yes.   They were saying that you're only  
16     allowed three a year, and because I had -- was doing  
17     it with the other company, they didn't want to do it.  
18     That's how I used up all of my stuff, because I  
19     hadn't -- they moved it somehow, which actually there  
20     was four in that year instead of the three, because  
21     the one was for the electric and one was for the gas.

22          Q.     Okay.   And who explained to you the med  
23     cert program?   Was it someone with Dominion?   Was it  
24     someone with Stark County Community Action Agency?  
25     Did you call into the Commission?   What entity

1 explained the med cert that --

2 A. It was explained to me by Dominion what  
3 I needed to do, and then the doctor's office  
4 explained to me why they couldn't do no more than  
5 what they had done, because I used up all of my stuff  
6 and I had to wait until December before I could even  
7 attempt -- of this year -- well, of this past year  
8 before I could even attempt to get another one.

9 Q. Okay. And were you required to wait  
10 until December based on whose compliance, the  
11 doctor's?

12 A. They said it was the policy of the  
13 Company.

14 Q. Okay. So you're referring to -- okay.

15 A. Yeah.

16 Q. Dominion.

17 A. They only allow -- you know, you're only  
18 allowed three, and it doesn't matter which company it  
19 is, just the three is all I could get.

20 Q. Okay. And who explained the  
21 requirements of the program to you? You said that  
22 was Dominion?

23 A. That was the doctor's office. The  
24 doctor's office -- that's why they told me they  
25 couldn't do -- they couldn't -- because I had

1 already, you know, applied, and she said you -- from  
2 the year prior, when they cut me off before.

3 Q. Okay. I need you to focus on the  
4 question I'm asking you.

5 A. Right, which --

6 Q. No. Miss Daniels, I need you to focus  
7 on the question I'm asking you. Which utility or the  
8 Community Action Agency, did any of those companies  
9 explain the requirements of the medical certification  
10 program to you?

11 A. All they told me is I was only allowed  
12 three per year.

13 Q. Who told you that?

14 A. Dominion told me that and -- yeah.

15 Q. Did another utility company tell you  
16 that?

17 A. Yes, they did.

18 Q. And what utility company would that be?

19 A. That would be AEP.

20 Q. Do you have any receipts for payments  
21 made on your Dominion account which you believe have  
22 not been reflected on the bill provided to you by the  
23 Company?

24 A. I don't understand that, because they  
25 gave me credit for money that was given to them by

1     HEAP and said I owed them nothing, but I still had  
2     that bill with them, and I asked them to put that on  
3     the bill. They broke it down some way. I don't even  
4     understand how they did it, but they weren't -- they  
5     did it -- they cut me off without giving me credit  
6     for that.

7             Q.     Okay.

8             A.     And when they gave me credit for it,  
9     it's on here differently, but that's not how it was  
10    given to them. So I don't know if this is that money  
11    or if that -- you know, they were saying you don't  
12    owe us nothing, but it was the next month when they  
13    cut me off.

14            Q.     And when you -- what bill are you  
15    referring to?

16            A.     This was -- this came January -- this  
17    one is -- it was due by February 11th, when this --

18            Q.     Of what year?

19            A.     Of 2015.

20            Q.     During the year 2015 you were on -- at  
21    least during some portion of the year 2015 you were  
22    on the PIPP program; correct?

23            A.     Yes.

24            Q.     Do you have receipts for PIPP  
25    installments that you paid to Dominion that were not



1 reflected on your Dominion bill, on a subsequent  
2 Dominion bill?

3 A. No.

4 Q. Ms. Daniels, you indicated that at one  
5 time Dominion stated that there was -- you had  
6 unauthorized usage?

7 A. Yes.

8 Q. When did that occur?

9 A. That was somewhere -- I don't know what  
10 dates they were saying it was, but that's when they  
11 came back in July -- or June and cut it off again.

12 Q. Of what year?

13 A. Of 2015.

14 Q. Were you required to make any payments  
15 to Dominion in association with the unauthorized  
16 usage?

17 A. They didn't say how much -- I guess they  
18 just put it on the bill. They put it on the bill  
19 what it was, but like I told them, it was their  
20 people that came, turned it on. The guy sat out in  
21 the parking lot talking with his company and --  
22 saying what he should do. He came back to the door  
23 and he told me, he said well, I'm -- they're telling  
24 me go ahead and leave it on. If you -- he said you  
25 have 24 hours to show that medical, to send it in for

1     them to do the paperwork, for the doctor to do, so if  
2     it's not done in 24 hours, I'll be back, and he  
3     turned -- he left it on. I didn't turn it on.

4             Q.     Did you have an account with Dominion  
5     prior to moving to 2505 Crown Place?

6             A.     Yes.

7             Q.     Did you indicate that that service on --  
8     go ahead, what's the address?

9             A.     1341 20th Street.

10            Q.     The service at 20th Street was in your  
11     name?

12            A.     Yes.

13            Q.     And when did you move into the 20th  
14     Street address, approximately?

15            A.     I think it was either the end of '10 or  
16     the beginning of '11, because I had just started  
17     college when I moved over there.

18            Q.     Okay. Ms. Daniels, is it the Stark  
19     County Community Action Agency that reverified your  
20     eligibility for the PIPP program; correct?

21            A.     Yes.

22            Q.     And you recognize that you have to  
23     reestablish your eligibility for PIPP annually;  
24     correct?

25            A.     Yes.

1           Q.    And attached to your Complaint you  
2 submitted some documentation from Stark County;  
3 correct?

4           A.    Yes.

5           Q.    And you recognize that on or about  
6 January of 2015 you went to the Stark County  
7 Community Action Agency and reverified for the PIPP  
8 program; correct?

9           A.    Yes.

10          Q.    And in association with that, you  
11 attached that to your Complaint filed with the  
12 Commission against Dominion?

13          A.    Yes.

14          Q.    And on the second page of that you  
15 included documents that indicated you were past the  
16 PIPP Plus amount?

17          A.    Yes.

18          Q.    And as of January 7th, 2015, you  
19 indicated that you still owed Dominion \$583.13?

20          A.    Yes.

21          Q.    So do you currently have gas service at  
22 2505 Crown Place?

23          A.    Yes, I do.

24          Q.    Are you currently enrolled in the  
25 Percentage of Income Payment Plan with Dominion?

1 A. Yes, I am.

2 Q. Thank you very much.

3 A. Thank you.

4 ATTORNEY EXAMINER SEE: You can step  
5 down, Ms. Daniels.

6 (Witness excused.)

7 ATTORNEY EXAMINER SEE: Mr. Campbell.

8 MR. CAMPBELL: Thank you, your Honor.

9 At this time we would call our witness, Margaret  
10 Callahan.

11 ATTORNEY EXAMINER SEE: Miss Callahan,  
12 please raise your right hand.

13 (Ms. Callahan was sworn.)

14 ATTORNEY EXAMINER SEE: I'm going to  
15 need you to speak up.

16 THE WITNESS: Yes.

17 ATTORNEY EXAMINER SEE: Thank you. Have  
18 a seat.

19 Mr. Campbell.

20 MR. CAMPBELL: Thank you.

21 - - -

22 MARGARET CALLAHAN,  
23 being first duly sworn, as prescribed by law, was  
24 examined and testified as follows:  
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DIRECT EXAMINATION

BY MR. CAMPBELL:

Q. Please state your name for the record,  
please.

A. Margaret Callahan.

Q. What's your business address?

A. 2100 Eastwood Avenue, Akron, Ohio  
44305.

MR. CAMPBELL: May I approach, your  
Honor?

ATTORNEY EXAMINER SEE: Yes, you may.

Q. I'm going to present to you a document  
that I'd ask to be marked as DEO Exhibit 1. Do you  
recognize this document?

A. Yes, I do.

ATTORNEY EXAMINER SEE: Mr. Campbell,  
please make sure that Complainant has a copy.

MR. CAMPBELL: I'm giving Complainant a  
copy right now.

Q. Let me ask that again. Do you recognize  
this document?

A. Yes, I do.

Q. Can you tell me what it is?

A. It's the direct testimony I gave in  
November of last year regarding this case.

1           Q.    Was this document prepared by you or  
2 under your supervision?

3           A.    Yes.

4           Q.    If I asked you all the questions in this  
5 document today, would your answers be the same as  
6 given therein?

7           A.    Yes.

8           Q.    I'd like to ask a couple more questions,  
9 too, just based on some things that the Complainant  
10 said during her testimony. The first one is, there  
11 was some discussion between the Complainant and the  
12 Examiner about whether she had received a medical  
13 certificate, and I just wanted to ask you, have you  
14 reviewed the Complainant's account prior to giving  
15 testimony today?

16          A.    Yes.

17          Q.    Do you recall seeing anything in her  
18 account records that she had used a medical  
19 certificate in the time period covered by this  
20 Complaint, say, 2014 to the present?

21          A.    No, I do not.

22          Q.    The Complainant also stated --

23                ATTORNEY EXAMINER SEE: I'm sorry, what  
24 was the last answer?

25                THE WITNESS: I said no, I did not.

1           Q.    The Complainant also stated that she was  
2   in the PIPP program at this time.

3           A.    Uh-huh.

4           Q.    Do you know whether that's true?

5           A.    She is no longer enrolled in the PIPP  
6   program.  She's been removed from the program.

7           Q.    Why was she removed from the program?

8           A.    Not paying her PIPP default after  
9   utilizing the Winter Reconnect Order.

10           MR. CAMPBELL:  Thank you.  That's all  
11   the questions I have.  I'd move for the admission of  
12   DEO Exhibit 1 subject to questions from the Bench and  
13   from the Complainant.

14           ATTORNEY EXAMINER SEE:  Okay.  Miss  
15   Daniels, do you have questions for this witness?

16           MS. DANIELS:  Yes.

17                               - - -

18                               CROSS-EXAMINATION

19   BY MS. DANIELS:

20           Q.    You state I've been removed from the  
21   PIPP program?

22           A.    Correct.

23           Q.    When was that?

24           A.    Your December bill would have -- I'm  
25   sorry.  It would have been your January bill most

1 recently. Do you have the recent bill?

2 Q. Did you receive --

3 ATTORNEY EXAMINER SEE: Just a minute.

4 I'm going to need the witness to speak up. And you  
5 said -- what was your response to that last question?

6 A. Your third bill after your gas was  
7 restored would have showed that you were removed from  
8 the PIPP program.

9 Q. And why was I removed?

10 A. For not paying the PIPP default.

11 Q. Okay. You received the PIPP payment  
12 which was the 44?

13 A. We did receive a payment in December on  
14 your account --

15 Q. Okay.

16 A. -- for 44.

17 Q. Okay. And you removed me after you  
18 received the payment for 300 and whatever it is and  
19 \$175?

20 A. I'm not familiar with the 300 and some  
21 odd dollar payment.

22 Q. I just got a letter in the mail from the  
23 Department of Energy saying they just paid 300 and  
24 some dollars on my Dominion gas bill.

25 A. Okay. I have no knowledge of that.



1 Q. So you have no knowledge of the payment?

2 A. The 300 and some dollar payment you're  
3 referring to?

4 Q. Yes.

5 A. I have no knowledge of that, ma'am.

6 Q. Okay. I believe I have it with me. So  
7 as of December, I was no longer on the -- now, you  
8 know I went -- excuse me.

9 ATTORNEY EXAMINER SEE: Was that your  
10 question, so as of December --

11 Q. As of December I was no longer on the  
12 program for PIPP?

13 A. Your third bill after being -- your gas  
14 restored removed you from the PIPP program.

15 Q. That would be February; right?

16 A. No.

17 Q. January, February -- March bill?

18 A. You're billed October, November,  
19 December, January.

20 Q. Okay. And then you removed me?

21 A. Correct.

22 Q. Are you aware that my first PIPP payment  
23 was due February?

24 A. No, that's not a true statement.

25 Q. Yes, it is, because I -- when I went in

1 December, there was a problem --

2 MR. CAMPBELL: Your Honor, I object to  
3 the argumentative nature of the question at this  
4 point, and another objection would be I introduced  
5 the evidence that she's not in the PIPP program just  
6 to keep the record clear. You had asked her whether  
7 she was in the PIPP program. The Complaint was filed  
8 in July of 2015. We've not prepared testimony -- I  
9 don't think the Complaint could possibly raise issues  
10 regarding service received in the last couple of  
11 months, so we just wanted to make it clear for the  
12 record so there wasn't confusion, she's not in PIPP  
13 today, but I don't believe it's relevant, the  
14 questions about what happened on what bill, what  
15 payments were made and credited in the last couple of  
16 months. There's certainly nothing in our testimony  
17 on that. There's no way we could have testified to  
18 that.

19 ATTORNEY EXAMINER SEE: And the Bench  
20 recognizes that there is no way that you wold --  
21 could have filed testimony back in November about the  
22 state of Miss Daniels' account at this time, but so  
23 that the Commission is clear as to where things  
24 stand, I believe it is appropriate for the Commission  
25 to be apprised of whether the Complainant currently

1 has service, whether she's on the PIPP program or  
2 not. Okay. So I recognize your objection, but the  
3 Bench appreciates answers to those questions to the  
4 best that Miss Callahan can answer those questions.  
5 Okay.

6 MS. DANIELS: Okay.

7 ATTORNEY EXAMINER SEE: Now, Ms.  
8 Daniels, if you can simply ask Miss Callahan a  
9 question. This is not the stage of the proceedings  
10 for you to have a back and forth with the witness --

11 MS. DANIELS: Okay.

12 ATTORNEY EXAMINER SEE: -- about what  
13 you believe the facts to be.

14 MS. DANIELS: Okay. Can I introduce,  
15 before I leave for the record, my paperwork from HEAP  
16 showing that I was put on the program and that I do  
17 have a letter here among my papers showing that the  
18 Department of Energy just sent me -- I got it out of  
19 the mail last week -- that they have paid 300 more  
20 dollars and something on the Dominion only bill.

21 ATTORNEY EXAMINER SEE: Ms. Daniels,  
22 your opportunity to do that was when you were on the  
23 stand a few minutes ago about your Complaint against  
24 Dominion. Okay.

25 Miss Callahan, are you aware of any

1 payment made on Ms. Daniels' account from the HEAP  
2 program recently or at any time since her service has  
3 been restored?

4 THE WITNESS: 175 emergency HEAP.

5 ATTORNEY EXAMINER SEE: And that was  
6 paid to --

7 THE WITNESS: Yes.

8 ATTORNEY EXAMINER SEE: -- the Dominion  
9 account when?

10 THE WITNESS: I don't have the exact  
11 date with me, but it was -- it would have shown up on  
12 her -- I would say the beginning of November. I'm  
13 guessing at this point. That's when we would have  
14 received the intent to pay. We physically would get  
15 the payment later, but that's how she utilized the  
16 Winter Reconnect. As far as any other HEAP money or  
17 state monies, I'm not aware of that right now.

18 ATTORNEY EXAMINER SEE: Are you aware of  
19 any assistance that has been applied to Ms. Daniels'  
20 account since her service was restored? Just what's  
21 in here?

22 THE WITNESS: Just what's in the file.

23 ATTORNEY EXAMINER SEE: Okay.

24 Ms. Daniels, do you have some  
25 documentation that you have any kind of assistance

1 applied to your account since your service was  
2 restored in addition to the 175?

3 MS. DANIELS: Are we talking about the  
4 February of 2015 (indicating)?

5 ATTORNEY EXAMINER SEE: Is that what  
6 you're referring to?

7 MS. DANIELS: I'm asking is that what  
8 she's referring to.

9 ATTORNEY EXAMINER SEE: I'm asking you  
10 is that what you're referring to.

11 MS. DANIELS: I'm -- this is for 2015,  
12 but the other is for now, the -- this is what they  
13 did when they paid the 342 before, but they've paid  
14 it again.

15 ATTORNEY EXAMINER SEE: I need you to  
16 refer to --

17 MS. DANIELS: Now.

18 ATTORNEY EXAMINER SEE: No. I need you  
19 to refer to the month and year that you're referring  
20 to.

21 MS. DANIELS: Oh, okay.

22 ATTORNEY EXAMINER SEE: If you're asking  
23 her about February of 2015, go ahead and ask the  
24 question.

25 MS. DANIELS: Okay.

1 BY MS. DANIELS:

2 Q. Do you have a record of where I paid in  
3 February of 2015, where HEAP paid the 175 and the  
4 342?

5 A. I can't verify right now. I don't have  
6 it in front of me.

7 Q. Okay. Do you have verification of the  
8 175 that was paid this time?

9 A. Yes. The most recent account?

10 Q. Right.

11 A. Yes.

12 Q. And there's no proof of the 300 that was  
13 paid this time?

14 A. I did not see that, no.

15 Q. Okay.

16 Then I'd like -- well, you said I can't  
17 present that now.

18 ATTORNEY EXAMINER SEE: Let's go off the  
19 record.

20 (Discussion off the record.)

21 ATTORNEY EXAMINER SEE: Let's go back on  
22 the record.

23 Ms. Daniels, the documentation that you  
24 just showed me is a letter from Ohio Development  
25 Services Agency, and it is your -- your

1 Reverification Application, and it sets forth your  
2 PIPP installment payment and your arrearage credit  
3 that you will receive for on time and in full PIPP  
4 payments made on your Dominion East Ohio account.

5 MS. DANIELS: Okay.

6 ATTORNEY EXAMINER SEE: Okay?

7 MS. DANIELS: Okay. Now, what my -- I  
8 want to know is if they're sending this -- this is  
9 going from HEAP to Dominion?

10 ATTORNEY EXAMINER SEE: No. Miss  
11 Daniels, do you have any questions of this witness,  
12 the testimony that she has provided or issues with  
13 your account with Dominion?

14 MS. DANIELS: Okay.

15 BY MS. DANIELS:

16 Q. Can you get proof from your company like  
17 today that HEAP reinstated me?

18 A. Reinstated you?

19 Q. For PIPP. Would that be on record or  
20 are you telling me that the PIPP that I just went and  
21 got in December and January -- well, they had to move  
22 it because of the confusion, that it's been cut off  
23 again. So when I make my two PIPP payments today,  
24 they won't be counted as PIPP?

25 A. You will get credit for your payments,

1 absolutely, and it would go towards any PIPP default  
2 or the PIPP amount that you would need to be current,  
3 but it would not reinstate you on the program, the  
4 PIPP program.

5 ATTORNEY EXAMINER SEE: I believe Ms.  
6 Daniels also referred to HEAP reinstating her. Is it  
7 your understanding that HEAP is the administrator of  
8 the gas PIPP program?

9 THE WITNESS: Yes.

10 ATTORNEY EXAMINER SEE: HEAP is the  
11 administrator of the gas heat program? Is that what  
12 you intended to say?

13 THE WITNESS: Of the PIPP program?

14 ATTORNEY EXAMINER SEE: Yes.

15 THE WITNESS: No.

16 ATTORNEY EXAMINER SEE: Who administers  
17 the gas PIPP program?

18 THE WITNESS: ODSA, PUCO.

19 ATTORNEY EXAMINER SEE: Okay. Thank  
20 you.

21 BY MS. DANIELS:

22 Q. So you did not apply -- this wasn't  
23 applied to my bill?

24 ATTORNEY EXAMINER SEE: You need to  
25 provide the witness with the documentation and state



1 the amount that you're referring to so that the  
2 record is clear when she answers your question.

3 Q. This is not -- they did not --

4 MR. CAMPBELL: Your Honor, may I  
5 approach to see what's being --

6 ATTORNEY EXAMINER SEE: Yes.

7 Now what are you asking?

8 MR. CAMPBELL: I would object to the  
9 question, because she's presenting a letter from an  
10 agency and asking whether it would be credited to her  
11 bill, so I don't think that question can really be  
12 answered in a sensible way by the witness. I think  
13 you might need to clarify what you're asking.

14 MS. DANIELS: I --

15 ATTORNEY EXAMINER SEE: I get to rule on  
16 his objection. I'm going to overrule it and ask the  
17 witness to answer the question, to the best of her  
18 ability, with any clarification needed.

19 A. This is a letter advising you that your  
20 PIPP amount is \$44. Okay. Every time you make a  
21 payment of 44, you would get an arrearage credit of  
22 this amount. This is from the State of Ohio advising  
23 you of this. This is not a credit that's going to be  
24 applied to your gas bill as far as, you know, a  
25 payment. That's a credit if you make your payment.

1 Q. Okay. So did you receive a payment last  
2 month for my PIPP --

3 A. What month?

4 Q. For the month -- this is February. For  
5 the month of January.

6 A. No, ma'am. There was no payment made on  
7 your account in January.

8 Q. It was made -- is Wal-Mart a reputable  
9 payment source for Dominion?

10 A. Yes.

11 ATTORNEY EXAMINER SEE: When you say  
12 reputable, are you referring to Wal-Mart has an  
13 authorized payment --

14 MS. DANIELS: Yes.

15 A. Yes, they are.

16 Q. Well, that is where the payment was made  
17 and that is where the receipt is from, from Wal-Mart,  
18 when they put both on the same receipt, but it says  
19 Dominion and it says AEP, whichever payment it is,  
20 and --

21 MR. CAMPBELL: Can you clarify what  
22 month we're talking about a payment being made?

23 MS. DANIELS: January.

24 ATTORNEY EXAMINER SEE: What year?

25 MS. DANIELS: 2016.

1                   ATTORNEY EXAMINER SEE: What is the most  
2 recent bill issued to Ms. Daniels' account, if you  
3 know, Miss Callahan?

4                   THE WITNESS: I do not have the date of  
5 that. We did not pull the most recent bill.

6                   ATTORNEY EXAMINER SEE: Okay. Would she  
7 have received a bill at this point for January, the  
8 bill --

9                   THE WITNESS: I would say yes.

10                  ATTORNEY EXAMINER SEE: And that would  
11 have reflected service in what month? If you're  
12 unsure, please say.

13                  THE WITNESS: I'm unsure.

14                  ATTORNEY EXAMINER SEE: Thank you.

15                  Do you have any other questions, Ms.  
16 Daniels?

17                  MS. DANIELS: Yes. Can I show the  
18 witness this receipt that I -- where I went to  
19 Wal-Mart and paid, and I put that it was the gas bill  
20 on here, to see if she has not -- what's the date on  
21 this? The date this was paid -- this is one of them.  
22 Okay. This was paid -- I should have brought my  
23 glasses. I think these were paid December. Okay.  
24 These were paid in December.

25                  ATTORNEY EXAMINER SEE: Do you have

1 other copies of those receipts, Ms. Daniels?

2 MS. DANIELS: No. These are just ones  
3 the lady gave me when I paid the bill.

4 ATTORNEY EXAMINER SEE: You can show  
5 them to the witness and show them to counsel for  
6 Dominion. You both can approach and determine if  
7 that demonstrates the bill paid by Miss --

8 MS. DANIELS: This is --

9 ATTORNEY EXAMINER SEE: -- and see if  
10 that demonstrates a payment made by Ms. Daniels to  
11 Dominion.

12 MR. CAMPBELL: The receipt is dated  
13 December 4th, 2015.

14 MS. DANIELS: Right.

15 MR. CAMPBELL: It does appear -- it does  
16 reference Dominion East Ohio, but it's not dated in  
17 January.

18 MS. DANIELS: And I had -- remember I  
19 told you I got --

20 ATTORNEY EXAMINER SEE: You need to ask  
21 questions of this witness, and if you want that in  
22 the record, I'm going to need it and we're going to  
23 have copies of it and provide a copy to Mr. Campbell,  
24 on behalf of Dominion, to the court reporter, and  
25 you're going to have to provide it to the witness so

1 she can see it, as well as me.

2 MS. DANIELS: Okay.

3 MR. CAMPBELL: I would object -- I don't  
4 know if this is the right time -- to relevance just  
5 because the question was about whether Dominion  
6 received a payment in January of 2015 and -- or 2016,  
7 pardon me, and the receipt does not pertain to that  
8 month.

9 ATTORNEY EXAMINER SEE: Noted.

10 MS. DANIELS: Now, if I --

11 ATTORNEY EXAMINER SEE: The objection --  
12 your objection is noted, Mr. Campbell, but as I said,  
13 given that we are sitting in the hearing room today  
14 and we're addressing the issues raised on this  
15 account, I would still like to see -- I'm still going  
16 to allow it to be admitted into the record so this  
17 Commission can have up-to-date information on Miss  
18 Daniels' account. Copies will be made immediately  
19 after the hearing, so I suggest you set those items  
20 aside, Ms. Daniels, so that they can be copied after  
21 the hearing and copies provided. Now, I notice you  
22 set two receipts aside. Let's make sure it is the  
23 one that Mr. Campbell referred to.

24 MS. DANIELS: Okay.

25 ATTORNEY EXAMINER SEE: Is that second

1 one proof of an additional payment?

2 MS. DANIELS: Not to him. It was just  
3 one paid the same date --

4 ATTORNEY EXAMINER SEE: Okay.

5 BY MS. DANIELS:

6 Q. Now, you said it would be credited to my  
7 account for me to make those two payments today?

8 ATTORNEY EXAMINER SEE: I'm sorry, what  
9 was that question?

10 A. Can you repeat that?

11 Q. If I make the two payments of \$88 today  
12 to my Dominion account, will that be credited towards  
13 my PIPP payment?

14 A. Yes.

15 Q. Okay. Will I -- even though I won't be  
16 able to reinstatement till next year, the letter  
17 states that I'm on PIPP. Will I be on PIPP when I  
18 make my payment, catch my payment -- put my payment  
19 up to date?

20 A. No. By paying \$88, no.

21 Q. So what do I have to pay?

22 A. I do not have the exact amount at this  
23 time. I have an approximate, but I do not have the  
24 exact amount.

25 Q. Well, my intentions are -- I'm going to

1 make this payment.

2 ATTORNEY EXAMINER SEE: Ms. Daniels,  
3 let's focus. Make the payment, but let's focus on  
4 your Complaint and the reason that brought you to the  
5 Commission.

6 MS. DANIELS: Okay.

7 BY MS. DANIELS:

8 Q. With the letter that -- which I will get  
9 it out of here and give a copy to everybody, would  
10 that payment go -- will that go towards my arrearage,  
11 you called it, for the PIPP?

12 ATTORNEY EXAMINER SEE: I'm sorry, what  
13 payment?

14 MS. DANIELS: The one that's made -- the  
15 other one that is made from them (indicating), not  
16 this.

17 Q. This is saying that they're accrediting,  
18 but the other one said a one-time payment was made to  
19 Dominion for this year's HEAP, the \$300. Will that  
20 put -- when that payment is posted with Dominion,  
21 will that put me back on PIPP? Because that payment  
22 was made before I got here.

23 ATTORNEY EXAMINER SEE: I think you are  
24 discussing a payment for which there is -- no proof  
25 in the record has been made.

1 MS. DANIELS: But I -- I was going to  
2 put it with this (indicating).

3 ATTORNEY EXAMINER SEE: You're going  
4 to --

5 MS. DANIELS: Make copies of it?

6 ATTORNEY EXAMINER SEE: If you had it,  
7 then you need to bring it out now. It needs to be  
8 marked as an exhibit, and I've given you some leeway  
9 on the receipt since you don't have additional  
10 copies, but your opportunity to bring that  
11 information, to put it into the record was at the  
12 time that you were on the stand. Now, I'll give you  
13 some leeway, but that has to be shown to counsel for  
14 Dominion.

15 MS. DANIELS: Okay.

16 ATTORNEY EXAMINER SEE: And if you are  
17 asking questions about it to this witness, she needs  
18 a copy, as well as the Bench and the court reporter.

19 MS. DANIELS: Okay.

20 ATTORNEY EXAMINER SEE: So let's take a  
21 few minutes. We can go off the record. You can find  
22 the letter, and we're going to make copies so that  
23 you can proceed.

24 (Discussion off the record.)

25 ATTORNEY EXAMINER SEE: Let's go back on



1 the record. I'm going to mark the November 19th,  
2 2015, letter as Complainant's Exhibit 1, mark the  
3 January 11, 2016, letter from ODSA as Complainant  
4 Exhibit 2, mark the receipt from Wal-Mart on December  
5 4th, 2015, as Complainant Exhibit 3.

6 (EXHIBITS MARKED FOR IDENTIFICATION.)

7 ATTORNEY EXAMINER SEE: Mr. Campbell,  
8 you have copy of each of these exhibits as well as  
9 the witness?

10 MR. CAMPBELL: That's correct.

11 ATTORNEY EXAMINER SEE: Okay. Ms.

12 Daniels --

13 MS. DANIELS: Yes.

14 ATTORNEY EXAMINER SEE: -- now that  
15 these exhibits have been copied and marked and  
16 provided to counsel for Dominion as well as the  
17 witness, you can proceed with your questions on these  
18 items.

19 BY MS. DANIELS:

20 Q. The letter marked compliance --  
21 Complainant's Exhibit 2, which is for January the  
22 11th, 2006 -- 2016, I am so sorry, for 2016, will  
23 this amount, which you will receive if you haven't  
24 received it already, be considered for my PIPP  
25 payment plan?

1           A.    No.

2           Q.    So what kind of payment plan will be  
3 considered for me even though I'm on HEAP, still on  
4 the PIPP plan with HEAP?

5           A.    I don't understand that question.

6           Q.    I'm on the PIPP program.  HEAP just  
7 notified me that I'm on PIPP.  With this payment and  
8 the payment that will be made today, they will not --  
9 will they reconsider me being on PIPP for Dominion?  
10 Do I continue to make my payment as scheduled, money  
11 provided --

12                   MR. CAMPBELL:  Your Honor, is this --  
13 there's a number of questions I think have been asked  
14 back to back.  Can we clarify what the question is.

15           Q.    Okay.  Question No. 1, would this  
16 amount --

17                   ATTORNEY EXAMINER SEE:  "This amount," I  
18 need you to say what amount, what --

19           Q.    The \$334 that was put forth by HEAP for  
20 my heating bill, will it be considered --  
21 reconsidered since they claim they never received any  
22 payment other than the 175 and the -- will it be  
23 considered as a payment?

24           A.    It will be a payment on the account.  
25 However, it will not apply toward your PIPP.  It does

1 not apply toward your PIPP amount due. It will apply  
2 toward your account balance.

3 Q. So when I pay the \$88 today, which will  
4 bring my PIPP payment up to this month, to February,  
5 will they consider the PIPP plan then?

6 A. No, ma'am.

7 Q. So what you're telling me is I have to  
8 wait till next year?

9 A. No. You would need to pay your PIPP  
10 default in order to reinstate the PIPP program.

11 Q. And how much is the PIPP default?

12 A. I do not know the exact number, because  
13 I didn't know I would need that. At this time I  
14 don't have the billing system.

15 ATTORNEY EXAMINER SEE: I'm sorry, what  
16 was the last part of that?

17 THE WITNESS: I don't have my billing  
18 system. I can't give her an exact number.

19 Q. Will they turn my gas off?

20 A. For nonpayment?

21 Q. After I make the payments.

22 A. If you are in default, yes, you could  
23 very well be turned off. I'm not saying it's going  
24 to be shut off, but, yes, if you do not make the  
25 minimum needed to keep your service on, you could be

1 in danger of disconnection.

2 Q. Well, what I'm -- I'm making the minimum  
3 today.

4 ATTORNEY EXAMINER SEE: I need you to  
5 ask a question. Focus on your Complaint.

6 MS. DANIELS: Okay.

7 Q. When I make the payment today, will that  
8 be considered as the minimum payment as far as my gas  
9 being shut off?

10 A. What amount are you paying?

11 Q. I'm paying the \$88, which will bring my  
12 PIPP amount up to date for today.

13 A. That is not the minimum to maintain your  
14 service at this time.

15 Q. The minimum to maintain my service was  
16 \$44.

17 MR. CAMPBELL: Your Honor, that's  
18 testimony. It's not a question.

19 ATTORNEY EXAMINER SEE: And I would  
20 agree with you, Mr. Campbell. This point is -- the  
21 objection is sustained.

22 Ms. Daniels, you need to ask Miss  
23 Callahan questions in relation to your Complaint that  
24 you filed this past summer or information associated  
25 with the testimony that Miss Callahan --

1 MS. DANIELS: Okay.

2 ATTORNEY EXAMINER SEE: -- filed. The  
3 appropriate time to inquire about questions on the  
4 reinstatement of your account was at the prehearing  
5 conference.

6 MS. DANIELS: Okay.

7 BY MS. DANIELS:

8 Q. Are you telling me that even though you  
9 have -- you will be collecting all the money that  
10 you've asked for except for the amount you don't  
11 know, which you're saying you don't -- because you  
12 don't have it in front of you, you don't know how  
13 much the full amount is, but with the PIPP agreement  
14 that was set up with HEAP, you still will not  
15 reinstate the PIPP. I need to know what is expected  
16 to keep the gas on.

17 MR. CAMPBELL: I have to object. It's a  
18 very compound question. I think a lot of these --  
19 parts of these questions have been asked and answered  
20 numerous times as well, so I -- it doesn't seem like  
21 we're getting anywhere. I just want to know if you  
22 can kind of clarify what item it is you're looking  
23 for.

24 MS. DANIELS: Okay. What --

25 ATTORNEY EXAMINER SEE: Just a moment.

1 The objection is sustained.

2 MS. DANIELS: Okay.

3 ATTORNEY EXAMINER SEE: Let me try this,  
4 Miss Callahan, are you familiar with the Percentage  
5 of Income Payment Plan?

6 THE WITNESS: Yes, I am.

7 ATTORNEY EXAMINER SEE: Do you  
8 administer the program or verify customer compliance  
9 or -- strike that. Are you responsible for insuring  
10 Dominion's compliance with the PIPP program?

11 THE WITNESS: Yes, ma'am.

12 ATTORNEY EXAMINER SEE: Would it be  
13 Dominion's decision to reinstate Miss Daniels to the  
14 PIPP program or is that outside of your jurisdiction?

15 THE WITNESS: It's outside of Dominion.  
16 It's based on the rules of the program.

17 ATTORNEY EXAMINER SEE: And who would  
18 make the decision of whether Miss Daniels is  
19 reinstated on the PIPP program?

20 THE WITNESS: ODSA, PUCO.

21 ATTORNEY EXAMINER SEE: And who would  
22 intake that information to see whether or not Ms.  
23 Daniels could be reinstated on the PIPP program?

24 THE WITNESS: I'm sorry, I didn't hear  
25 the beginning of your question. Who --

1           ATTORNEY EXAMINER SEE: Who does Ms.  
2 Daniels present information to to have -- to be  
3 reconsidered for reinstatement on the PIPP program?

4           THE WITNESS: ODSA.

5           ATTORNEY EXAMINER SEE: And in their  
6 community -- does ODSA have an entity that operates  
7 in her community to take -- intake that information?

8           THE WITNESS: Community Action Council.  
9 Stark County would be hers.

10          ATTORNEY EXAMINER SEE: So Stark County  
11 Community Action Agency would be the entity which she  
12 would present information to to try to be reinstated  
13 on PIPP?

14          THE WITNESS: Yes.

15          ATTORNEY EXAMINER SEE: Is that correct?

16          THE WITNESS: That would be correct.

17          ATTORNEY EXAMINER SEE: Thank you.

18          MS. DANIELS: No more questions.

19          ATTORNEY EXAMINER SEE: No more  
20 questions? Miss Daniels, do you have any more  
21 questions?

22          MS. DANIELS: No.

23          ATTORNEY EXAMINER SEE: Okay.

24                                 - - -

25

EXAMINATION

BY ATTORNEY EXAMINER SEE:

Q. Miss Callahan, on Page 2 of your written testimony, at Line 20, you indicate that Ms. Daniels has had 11 different accounts with Dominion East Ohio; correct?

A. Yes. Since 2001, correct.

Q. Why would there be so many accounts?

A. Multiple reasons, moving. We get new account numbers for -- if you have an active account and you're shut off for nonpayment and it's off for more than ten days, we final the account, and when they reestablish her, they get a new account.

Q. Okay. And what happens with the balance outstanding on the prior account?

A. Whenever they reestablish service, it should be moved to the next account, the most recent.

Q. On Page 3 of your testimony, at Line 3, you state, "On her first bill" -- Dominion East Ohio -- "DEO sought to collect a PIPP default amount from a prior account of \$206.50 plus her current PIPP payment of \$43"; correct?

A. That is correct.

Q. Clarify that, what you mean by -- is this -- were you referring to her first bill at 2505



1 Crown Place when you made that statement or --

2 A. Yes.

3 Q. Okay. And that bill was -- do you know  
4 what month and year that bill was --

5 A. She began service March of '14, so it  
6 could have been prepared within the March or April of  
7 '14. I'm not sure of the exact date.

8 Q. Okay. So at that time she had a prior  
9 account balance of \$206.50?

10 A. A PIPP balance.

11 Q. Okay. A few lines down you cite a  
12 payment of \$87.50?

13 A. Uh-huh.

14 Q. Explain that payment and where it came  
15 from.

16 A. That's a split payment from Stark County  
17 for HEAP. Basically, when you go to get help, they  
18 pay 175. They split it with the gas and the  
19 electric, so we got 87.50.

20 Q. And Ms. Daniels' electric service  
21 provider would have received the other half of that  
22 payment?

23 A. Yes.

24 Q. For a total of \$175?

25 A. Correct.

1           Q.   Miss Callahan, I believe you indicated  
2   that an individual that uses the Winter Reconnect  
3   Order has three payment cycles to pay off the  
4   outstanding balance owed on their account; is that  
5   correct?

6           A.   When --

7           Q.   Is that correct?

8           A.   Correct -- well, no, it's incorrect.  
9   That is incorrect.

10           MR. CAMPBELL: Is it correct that she  
11   stated that in her testimony or is that correct as a  
12   description of the Winter Reconnect Program?

13           Q.   Let's try it this way, did I restate  
14   your testimony correctly?

15           A.   I'm not understanding what you're asking  
16   me. I'm sorry.

17           Q.   Okay. Let me try it this way, a  
18   customer that uses the Winter Reconnect Order to  
19   restore their service in September of 2015, when must  
20   they complete payment on any balance owed on the  
21   account above the \$175 paid pursuant to the Winter  
22   Reconnect Order?

23           A.   On the first bill that's generated after  
24   they utilized -- or used the Winter Reconnect Order.

25           Q.   So they would be -- the bill issued in

1 the example I just gave, they will see the remaining  
2 balance in October, say, 2015?

3 A. That's correct.

4 Q. And they need to make that full payment?

5 A. The PIPP default, whatever the PIPP  
6 default is on that bill in order to maintain the  
7 program.

8 Q. Are they eligible to break that PIPP  
9 default into payments?

10 A. Not and maintain the program, no.

11 Q. When you -- do I recall your testimony  
12 correctly that you referred to three payments after  
13 service is restored?

14 A. She was asking me what bill it would  
15 have been on, and I was trying to explain to her it  
16 would have been her third bill, because she didn't  
17 use it right away.

18 Q. Didn't use what right away?

19 A. The 175 Winter Reconnect. Again, I  
20 don't have her bills in front of me, but the one  
21 initially following the Winter Reconnect Order. I  
22 couldn't give her a specific date, on which bill.

23 Q. Okay. And you're counting the October  
24 date where Winter Reconnect starts past the first,  
25 the initial --

1           A.     Right.

2           ATTORNEY EXAMINER SEE:   Okay.   Well,  
3     recognizing that the witness -- recognizing that the  
4     record doesn't include copies of Miss Daniels' bill,  
5     I am going to request that Dominion provide copies of  
6     Ms. Daniels' Dominion bill starting in -- starting  
7     from January 1, 2013, forward, to the most recent  
8     bill available.

9           MR. CAMPBELL:   Can we go off the record  
10    for a second?

11          ATTORNEY EXAMINER SEE:   Yes, you may.

12          (Discussion off the record.)

13          ATTORNEY EXAMINER SEE:   Let's go back on  
14    the record.   We have discussed that Dominion will be  
15    providing bills to the Bench for January 2013  
16    forward, for the most recent bill issued for Miss  
17    Daniels, whether that is at the 20th Street address  
18    or 2505 Crown Place address, and copies of those  
19    bills or a statement of account will be submitted to  
20    me by February 5th.

21          THE WITNESS:   Yes.

22          MS. DANIELS:   I've got two here that  
23    show that I -- that 1341 20th Street is start -- I  
24    think it's like the end of 2010, and this goes --  
25    this one is for 2011, so I was there -- I moved there

1 in 2010 and moved out in 2013.

2 ATTORNEY EXAMINER SEE: Okay. And I'm  
3 asking the Company for copies of your bills from '13.  
4 I'm not trying to say that's when your service  
5 started in 2013.

6 MS. DANIELS: Oh, okay. Okay.

7 ATTORNEY EXAMINER SEE: Off the record.

8 (Discussion off the record.)

9 ATTORNEY EXAMINER SEE: Okay. With  
10 that, Miss Callahan you can step down.

11 (Witness excused.)

12 MR. CAMPBELL: I have a question about  
13 the late filed exhibit that should be filed in the  
14 docket, and it will be DEO Exhibit 2.0 -- 2?

15 ATTORNEY EXAMINER SEE: Yes, that could  
16 be DEO Exhibit 2.

17 Mr. Campbell, I recognize that some  
18 things were presented somewhat out of order, but I'm  
19 going to ask are there any objections to the  
20 admission of Complainant Exhibit 1, 2, or 3, which  
21 copies were made and provided to you during Miss  
22 Callahan's cross-examination.

23 MR. CAMPBELL: I have no objections to  
24 one or two. Obviously, we can understand -- we don't  
25 necessarily concede to the facts, but they appear to

1 be authentic documents. I just want to clarify on  
2 Exhibit 3 that that's her handwriting at the top that  
3 says "gas" and that we don't necessarily concede to  
4 the truth of her statement or the statements in the  
5 receipt, but, again, I can see they appear to be  
6 authentic; so we don't object to their admission with  
7 that understanding.

8 ATTORNEY EXAMINER SEE: And that's fine.  
9 Complainant Exhibit 3 is admitted into the record.

10 (EXHIBITS ADMITTED INTO EVIDENCE.)

11 ATTORNEY EXAMINER SEE: Miss Daniels,  
12 are there any objections to the admission of Dominion  
13 Exhibit 1 or 2? One is Miss Callahan's written  
14 direct testimony, and two are the Dominion bills  
15 which I requested be submitted into the docket.

16 MS. DANIELS: I'm wondering here on  
17 page -- the fourth page, the question -- I think  
18 that's Q -- what is that?

19 ATTORNEY EXAMINER SEE: What does it  
20 say, Ms. Daniels? A question about what?

21 MS. DANIELS: Where they were asking did  
22 I remain on the PIPP Plus. She said no, which I did  
23 not remain, but I got back on PIPP, but there was,  
24 like, so much confusion with HEAP, you know, that  
25 when I -- I don't get what she's saying why it didn't

1 go, because they wouldn't accept --

2 ATTORNEY EXAMINER SEE: Miss Daniels,  
3 what page are you referring to?

4 MS. DANIELS: On Page 4, Question 12.

5 MR. CAMPBELL: On Page 3.

6 MS. DANIELS: Is that the third page?  
7 No. It's the fourth page -- no. That is the third  
8 page. The first page is the cover page. See on  
9 Question 12?

10 ATTORNEY EXAMINER SEE: I see what  
11 you're referring to, Miss Daniels, and you are  
12 objecting to the admission of this exhibit because  
13 you're confused as to why she -- why Miss Callahan  
14 made that representation or that claim?

15 MS. DANIELS: Right, because they said I  
16 didn't -- like the \$206 and that I didn't pay the  
17 206, and the thing was --

18 ATTORNEY EXAMINER SEE: Now is not time  
19 for you to offer additional testimony or statements.

20 MS. DANIELS: I just don't understand  
21 it.

22 ATTORNEY EXAMINER SEE: Okay. These  
23 issues are going to be addressed by the Commission.  
24 I recognize that you have some concerns about the  
25 statements made here. Dominion East Ohio Exhibit 1

1 is admitted into the record, and we'll wait for  
2 Dominion to file the bills as requested by the Bench.

3 MS. DANIELS: Okay.

4 (EXHIBIT ADMITTED INTO EVIDENCE.)

5 ATTORNEY EXAMINER SEE: Now, do the  
6 parties wish to file a brief in this case?

7 MR. CAMPBELL: We typically do, unless  
8 you think that would be necessary.

9 ATTORNEY EXAMINER SEE: You can waive  
10 it. That's fine. Let's go off the record, and the  
11 parties can make some suggestion as to when they want  
12 to file briefs, when they'll be due.

13 (Discussion off the record.)

14 ATTORNEY EXAMINER SEE: Let's go back on  
15 the record. There's been some discussion off the  
16 record between the parties, and they are proposing  
17 that briefs be due March 16th from both of them  
18 simultaneously. The parties should recognize that --  
19 give a summary of the arguments you think you have  
20 proven or established during the course of the  
21 hearing. It is not an opportunity to file additional  
22 exhibits other than the one requested by the Bench,  
23 and the brief needs to be filed within -- at the  
24 Commission's offices with the docketing division by  
25 the close of business on March 16th, 2016.



1 Is there anything else?

2 MR. CAMPBELL: Nothing from the Company,  
3 your Honor.

4 ATTORNEY EXAMINER SEE: Is there  
5 anything else, Ms. Daniels?

6 MS. DANIELS: No. That's all.

7 ATTORNEY EXAMINER SEE: Okay. Thank  
8 you. The hearing is adjourned.

9 (Thereupon, the hearing was concluded at  
10 2:26 p.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, February 1,  
2016, and carefully compared with my original  
stenographic notes.

\_\_\_\_\_  
Valerie J. Sloas, Registered  
Professional Reporter and  
Notary Public in and for  
the State of Ohio.

My commission expires June 8, 2016.  
(VJS-80169)

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Summary: Transcript in the matter of Faye E. Daniels vs. The East Ohio Gas Company hearing held on 02/01/16 electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Sloas, Valerie J. Mrs.