

PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the :
Significantly Excessive : Case No.
Earnings Test under Section : 16-920-EL-UNC
4928.143(F), Ohio Revised Code:
and Rule 4901:1-35-03(C) (10) :
Ohio Administrative Code for :
The Dayton Power and Light :
Company. :

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PROCEEDINGS

Before Nick Walstra and Patricia Schabo,
Attorney Examiners, held at the Public Utilities
Commission of Ohio, 180 East Broad Street,
Hearing Room 11-C, Columbus, Ohio, on Tuesday,
June 14, 2017, at 10:00 A.M.

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APPEARANCES:

Mr. Michael Schuler
The AES Corporation
1065 Woodman Drive
Dayton, Ohio 45432

On behalf of The Dayton
Power and Light Company.

Mr. Thomas W. McNamee
Assistant Attorney General
30 East Broad Street
16th Floor
Columbus, Ohio 43215

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

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Tuesday Morning,
June 14, 2017.

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ATTORNEY EXAMINER WALSTRA: The Public Utilities Commission of Ohio has called for hearing at this time and place Case No. 16-920-EL-UNC being in the Matter of the Application of The Dayton Power and Light Company for Administration of the Significantly Excessive Earnings Test.

My name is Nick Walstra. With me is Trish Schabo, we are the Attorney Examiners assigned by the Commission to hear this case.

We will begin by taking appearances of the parties.

MR. SCHULER: Your Honor, Mike Schuler on behalf of Dayton Power and Light Company. My address has been provided to the court reporter.

ATTORNEY EXAMINER: Thank you.

MR. MCNAMEE: On behalf of the Staff of the Public Utilities Commission of Ohio, Thomas McNamee. The address is 30 East Broad Street, 16th Floor, Columbus, Ohio 43215.

ATTORNEY EXAMINER: Thank you. I

1 understand we have a stipulation.

2 MR. SCHULER: We do, your Honor.
3 If I can go ahead and proceed. If I can start
4 by marking four exhibits, your Honor.

5 ATTORNEY EXAMINER: That works.

6 MR. SCHULER: May I approach?

7 ATTORNEY EXAMINER: You may.

8 MR. SCHULER: As Joint Exhibit 1 I
9 would like to have marked the Stipulation and
10 Recommendation.

11 ATTORNEY EXAMINER: So marked.

12 (EXHIBIT MARKED FOR PURPOSES OF
13 IDENTIFICATION)

14 MR. SCHULER: I would like to have
15 marked as DP&L Exhibit 1, document entitled
16 Application of the Dayton Power and Light
17 Company for Administration of the Significantly
18 Excessive Earnings Test.

19 ATTORNEY EXAMINER: So marked.

20 (EXHIBIT HEREBY MARKED FOR
21 IDENTIFICATION PURPOSES)

22 MR. SCHULER: I would like to have
23 marked as DP&L Exhibit 2 the confidential
24 version of Exhibit CAF-7 filed with
25 the Company's application.

1 ATTORNEY EXAMINER: So marked.

2 (EXHIBIT MARKED FOR THE PURPOSE OF
3 IDENTIFICATION)

4 MR. SCHULER: And finally I would
5 like to have marked as DP&L Exhibit No. 3 the
6 testimony of Dona Seger-Lawson.

7 ATTORNEY EXAMINER: So marked.

8 (EXHIBIT HEREBY MARKED FOR
9 IDENTIFICATION PURPOSES)

10 MR. SCHULER: Thank you, Your Honor.
11 At this time the Company would like to call Dona
12 Seger-Lawson to the stand, your Honor.

13 ATTORNEY EXAMINER: Okay. You may
14 approach.

15 (WITNESS SWORN)

16 - - -

17 DONA SEGER-LAWSON
18 called as a witness, being first duly sworn,
19 testified as follows:

20 DIRECT EXAMINATION

21 By Mr. Schuler:

22 Q. Good morning, Ms. Seger-Lawson.

23 A. Good morning.

24 Q. Could you please identify your name
25 and business address for the record?

1 A. My name is Dona Seger-Lawson. My
2 address is 1065 Woodman Drive, Dayton, Ohio
3 45432.

4 Q. Thank you. You heard me mark 4
5 exhibits this morning. Do you have copies of
6 all four exhibits in front of you?

7 A. Yes, I do.

8 Q. Just walk through those really
9 quickly. Do you recognize what has been marked
10 as Joint Exhibit No. 1?

11 A. Yes. Joint Exhibit No. 1 is the
12 Stipulation and Recommendation filed in this
13 case.

14 Q. And do you recognize what has been
15 labeled as DP&L Exhibit No. 1?

16 A. DP&L Exhibit 1 would be the
17 application of the Dayton Power and Light
18 Company for Administration of its Significantly
19 Excessive Earnings Test.

20 Q. Thank you. Do you recognize what
21 has been marked as DP&L Exhibit No. 2 in this
22 case?

23 A. Yes. DP&L Exhibit 2 is the
24 confidential version of the Exhibit CAF attached
25 to Craig Forestal's testimony.

1 Q. Thank you. Do you recognize DP&L
2 Exhibit No. 3?

3 A. That is my testimony in support of
4 the stipulation.

5 Q. Was that testimony prepared by you
6 or at your direction?

7 A. Yes, it was.

8 Q. Do you have any corrections to your
9 testimony today?

10 A. No, I don't.

11 Q. If I asked you the same questions
12 under oath today would your answers be the same?

13 A. Yes.

14 MR. SCHULER: I have no further
15 questions, your Honor. We proffer Ms.
16 Seger-Lawson for cross-examination.

17 ATTORNEY EXAMINER: Thank you.

18 MR. MCNAMEE: No questions.

19 ATTORNEY EXAMINER: Thank you. You
20 are excused.

21 THE WITNESS: Thank you.

22 MR. SCHULER: At this time, your
23 Honor, the Company would move for admission of
24 Joint Exhibit 1 and DP&L Exhibits 1, 2 and 3.

25 ATTORNEY EXAMINER: Any objection?

1 MR. MCNAMEE: No objection, your
2 Honor.

3 ATTORNEY EXAMINER: They will be
4 admitted.

5 (EXHIBITS HEREBY ADMITTED INTO
6 EVIDENCE)

7 ATTORNEY EXAMINER: Anything
8 further?

9 MR. SCHULER: Nothing further, your
10 Honor. Thank you.

11 ATTORNEY EXAMINER: Mr. McNamee.

12 MR. MCNAMEE: Nothing further, your
13 Honor. The Staff has reviewed the application
14 as they normally do and found no problems with
15 it. That's what the stipulation indicates.
16 That resolves all the issues in the case from
17 our perspective.

18 ATTORNEY EXAMINER: Okay. Thank
19 you. We are adjourned.

20 (At 10:08 A.M. the hearing was
21 concluded)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on June 14, 2017, and carefully compared with my original stenographic notes.

Michael O. Spencer,
Registered Professional
Reporter.

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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

6/23/2017 10:15:41 AM

in

Case No(s). 16-0920-EL-UNC

Summary: Transcript In the Matter of the Significantly Excessive Earnings Test under Section 4928.143(F), Ohio Revised Code and Rule 4901:1-35-03(C)(10) Ohio Administrative Code for The Dayton Power and Light Company, hearing held on June 14, 2017. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Spencer, Michael O. Mr.