

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the :
Application of Duke Energy :
Ohio, Inc., for an Increase :
In Electric Distribution : Case No. 17-32-EL-AIR
Rates. :

- - -

PROCEEDINGS

Before Nick Walstra and Stacie Cathcart, Attorney
Examiners, and Commissioner Friedeman and
Commissioner Conway, at the Cincinnati City Hall
Council Chambers, 801 Plum Street, Cincinnati, Ohio,
called at 12:30 p.m. on Thursday, November 2nd, 2017.

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PUBLIC HEARING - CINCINNATI, OHIO

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APPEARANCES:

Jeanne Kingery, Esq.
Amy Spiller, Esq.
Elizabeth Watts, Esq.
Rocco D'Ascenzo, Esq.
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On behalf of Duke Energy.

Office of the Ohio Consumer's Counsel
Bruce Weston, Consumer's Counsel
By Terry Etter, Esq.
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On behalf of the Ohio Consumers.

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1 Thursday Afternoon Session,
2 November 2nd, 2017.

3 - - -

4 ATTORNEY EXAMINER WALSTRA: All right,
5 everyone. We'll get started here. Thank you all for
6 coming out.

7 The Public Utilities Commission of Ohio
8 has assigned for public hearing at this time and
9 place Case No. 17-32-EL-AIR, being in the Matter of
10 the Application of Duke Energy Ohio Inc. for an
11 increase in its electric distribution rates.

12 My name is Nick Walstra, and to my right
13 is Stacie Cathcart. We're the Attorney Examiners
14 assigned by the Commission to hear this case.

15 We also have two Commissioners here with
16 us today; Commissioner Friedeman to my far left, and
17 Commissioner Conway to my immediate left.

18 Additionally, there are staff members
19 from the PUCO here today that you may have met coming
20 in. Zachary Hoffman is here from our Public Affairs
21 department, as well as Michael Cody, an increase
22 staff member with the Commission. Andy Shaffer,
23 staff member also to our left here.

24 PUCO staff members are available if you
25 have a question concerning a utility matter, other

1 than the application which is the focus of tonight's
2 hearing.

3 At this time I'll take appearances on
4 behalf of the parties. On behalf of the company.

5 MS. KINGERY: Thank you, your Honor. On
6 behalf of Duke Energy Ohio my name is Jeanne Kingery,
7 also Amy Spiller, Elizabeth Watts, and Rocco
8 D'Ascenzo, 139 East Fourth Street, Cincinnati, Ohio.

9 ATTORNEY EXAMINER WALSTRA: Thank you.
10 There have been a number of parties that filed
11 intervention in this case. I know Ohio Consumers'
12 Counsel here, if you'd like to make an appearance.

13 MR. ETTER: Thank you, your Honor. On
14 behalf of residential utility consumers, the Office
15 of Ohio Consumers' Counsel, Bruce Weston, Consumer
16 Counsel, I'm Terry Etter, 10 West Broad, Columbus,
17 Ohio 43215.

18 And also with me today is Rick Fuller
19 from our communications department, and he'd be glad
20 to answer any questions that anyone would have.

21 ATTORNEY EXAMINER WALSTRA: Thank you.
22 Are there any other intervening parties here today
23 that would like to make an appearance?

24 (No response.)

25 Okay. Duke filed this application on

1 March 2nd, 2017. Duke is requesting an approximate 3
2 percent rate increase in order to generate over \$15
3 million in additional revenue.

4 The staff filed its report and
5 recommendation on September 26th, 2017. In its
6 report, staff recommends a 3 to 6 percent rate
7 decrease. Staff's report is a recommendation only,
8 and the final decision will ultimately be up to the
9 Commission.

10 The local public hearings scheduled in
11 this case are only one aspect of the process in this
12 case. An additional public hearing took place this
13 past Monday, and an evidentiary hearing is scheduled
14 to commence on December 11, 2017, at the Commission
15 offices in Columbus.

16 With the Commissioners here today, I'll
17 ask if you guys have any comments.

18 COMMISSIONER CONWAY: Thank you,
19 Attorney-Examiner Walstra.

20 Again, my name is Dan Conway. I'm one
21 of five Commissioners that comprise the Commission.
22 And with us today is Commissioner Friedman also, as
23 Attorney-Examiner Walstra mentioned.

24 I wanted to start by saying thank you
25 very much to each and every one of you for attending

1 the public hearing today. Mr. Walstra is our
2 Attorney-Examiner, along with Ms. Cathcart who is --
3 who are presiding over this hearing, and they will
4 manage the process of providing testimony, and
5 describe that to you shortly, I'm sure.

6 But what I wanted to tell you is from
7 our perspective, the Commissioners' perspective, is
8 that we really value these local public hearings and
9 the input that we receive from you. It's extremely
10 important to us.

11 Whatever you say, if it's provided under
12 oath, is actually evidence that can be considered by
13 the Commission in its deliberations on this -- on the
14 matters involved in this case, and it can have an
15 impact. So we very much encourage you to participate
16 by providing testimony.

17 And I think I can say based on my
18 experience at the Commission, I've only been a
19 Commissioner for six months, but I did spend a number
20 of years practicing before the Commission, public
21 hearings are impactful.

22 So again, very grateful, very pleased
23 that you are in attendance, and we urge you to
24 participate. Commissioner Friedeman?

25 COMMISSIONER FRIEDEMANN: I'd just like

1 to echo Commissioner Conway's comments. Thank you
2 very much for taking the time to participate. And
3 your participation is truly an important element of
4 the process. Thanks again for coming.

5 ATTORNEY EXAMINER WALSTRA: Thank you,
6 Commissioners. The purpose of this evening's public
7 hearing is to receive comments from the public
8 regarding Duke's application for an increase in
9 rates.

10 We note that Duke does have other cases
11 pending before the Commission, including an
12 application for an electric security plan, but
13 today's hearing is only for comments regarding this
14 case.

15 This is not a question-and-answer
16 session, although Duke, the Ohio Consumers' Counsel,
17 and Staff, are available to talk separately after the
18 hearing.

19 Mainly, however, this is your
20 opportunity to let the Commission know what you think
21 about Duke's application.

22 Today's hearing is being transcribed by
23 the Court Reporter. Your testimony will be
24 considered part of the official record in this case,
25 and it will be reviewed by the Commission before they

1 make their final decision on the application.

2 If you plan to testify, please speak
3 clearly so that the Court Reporter can accurately
4 reflect your comments on the record.

5 Also, if you have prepared an increase
6 written statement, it would be helpful if you provide
7 it to the Court Reporter all the way to my left, so
8 we can make sure everything is as you stated.

9 Additionally, if you do not wish to
10 testify at this time, written comments may be
11 submitted on the PUCO website, or by mail, under this
12 case number, which is 17-32.

13 When you arrived, you were offered the
14 opportunity to sign up to testify. Once we get
15 started I'll begin calling the witnesses forward in
16 the order they signed up. Before you give your
17 comments I'll ask you to state your name and address
18 and I'll swear you in.

19 The Commission appreciates your
20 participation in tonight's hearing as the Commission
21 stated, and we want anyone who wishes to make a
22 public statement to have the opportunity to do so.

23 So please be considerate of others and keep
24 statements to a reasonable period of time.

25 At this time we'll begin calling

1 witnesses forward. We have -- please use the center
2 seat there which has the microphone already set up.

3 Kris Flaska.

4 MR. FLASKA: Yes. I'd like to just
5 comment on -- but before I start I'd just like to
6 ask, if I understand the rate increase correctly, is
7 to establish a rate of return. 7.8 percent, is that
8 after tax or before tax?

9 ATTORNEY EXAMINER WALSTRA: I don't have
10 a lot of the specific facts. I'm sure --

11 MR. FLASKA: Well, I would hope you
12 wouldn't end up with that number, because that's
13 why -- that's why you're asking for that increase,
14 because if it's after tax, that then comes out to
15 about 12 percent, and that's -- I work in the private
16 industry, and I'd like to be guaranteed a 20 percent
17 return, and I think it would be your duty to know
18 this. But the second part would be --

19 ATTORNEY EXAMINER WALSTRA: Sir, could
20 we get your name and address for the record?

21 MR. FLASKA: Kris Flaska, 5840 Charter
22 Oak, Cincinnati, Ohio.

23 ATTORNEY EXAMINER WALSTRA: Could you
24 raise your right hand?

25 - - -

1 Kris Flaska,
2 presented himself as a public witness, and being
3 first duly sworn, testified as follows:

4 TESTIMONY

5 MR. FLASKA: Anyway, I just -- I think I
6 just would like to have more effort understanding
7 this.

8 And my next point is, if they want a
9 rate of return, you're going to base it on your cost,
10 and I would like to see more effort reducing the cost
11 so they can then achieve the rate of return. And I
12 think that's a much better way to do it than asking
13 for more money all the time.

14 And then also part two is -- the way I
15 understand is the reason you're asking for more money
16 is to -- for upgraded technology.

17 And as a private businessman, when I
18 upgrade my technology, my costs go down, they don't
19 go up. And I don't get -- if I ask my customers to
20 pay for my new technology as a surcharge, they
21 would -- they would not accept it. But that's my
22 understanding of it.

23 Last point is that Duke already has a
24 fixed amount of money they charge for electricity and
25 gas. This is part of that charge. And you wanted to

1 go up from \$6 to 22 a month, and my contention would
 2 be that it's already \$40 give or take for
 3 electricity, it's another \$40 for gas, so you're
 4 already -- if I don't even use any gas, if I don't
 5 even use any electricity, I'm already paying a
 6 thousand dollars to Duke even if I don't use it.

7 So I'm recommending -- since we're
 8 talking about this \$6 fee, I would recommend it goes
 9 to zero. You don't need this money. That's my
 10 comment.

11 ATTORNEY EXAMINER WALSTRA: Thank you.

12 Joseph Salvato.

13 MR. SALVATO: Good afternoon.

14 ATTORNEY EXAMINER WALSTRA: Good
 15 afternoon. Give your name and your address.

16 MR. SALVATO: Name is Joseph Salvato, I
 17 live at 234 Centerbury Court, Springdale, Ohio.

18 ATTORNEY EXAMINER WALSTRA: Raise your
 19 right hand.

20 (Witness sworn.)

21 - - -

22 Joseph Salvato,
 23 presented himself as a public witness, and being
 24 first duly sworn, testified as follows:

25 TESTIMONY

1 MR. SALVATO: Mr. Chairperson and
2 Committee, I am not in favor of Duke Energy
3 increasing the fixed customer charge \$6 to \$22.77.

4 Duke Energy banked on coal-produced
5 energy, electricity, remaining cheap, but when other
6 generation became competitive, Duke's profitability
7 decreased, and now is looking for a customer bailout
8 for this bad business assumption.

9 It is therefore important to understand
10 the significance of coal mining in our nation's
11 history. The work environment of the coal miner has
12 already been dangerous and dirty, and coal miners
13 managed to keep the lights on for a long time.

14 The miners' work has been vital to our
15 nation. Because of their importance our miners must
16 be remembered for their sacrifice, hard work, and
17 dedication.

18 However, the number of coal miners have
19 been trending down for the last 100 years. There
20 were nearly 700,000 miners in 1919, 450,000 when
21 World War II began, fewer than 200,000 when
22 Eisenhower took office, and by 2000, the number was
23 down to about 70,000. And it keeps falling.

24 Now is the time to retrain our
25 unemployed coal miners in the renewable energy

1 industry, where there are good-paying, long-term
2 jobs.

3 From my family's perspective, my mother,
4 who is 96, talks about how coal was a part of her
5 everyday life as a child. Born in 1921 in the small
6 town of West Liberty, Kentucky, she remembers and was
7 fascinated by the dark gray smoke which hovered above
8 her small town. Her family even had a small seam of
9 coal on the property, allowing them to keep the coal
10 for heating and cooking.

11 In the 1970s, as a social worker in
12 Mingo County in southwest West Virginia, I too
13 observed the same dark gray smoke coming from the
14 fireplaces, pot-bellied stoves, and coal furnaces,
15 hovering over the hollows. Not much had changed
16 since my mother was a child in 1920s.

17 Then in 1977 southern West Virginia
18 experienced unprecedented rains in the upstream of
19 the Tug River region. The rains, combined with the
20 Tug River, filled up with silt from strip and deep
21 mines, created a once-in-every-500-year flood.

22 We expected some minor flooding at my
23 office in Williamson, West Virginia. What we did not
24 expect was the waters to reach almost the second
25 story floor ceiling.

1 The water, then mud, and then dust and
2 other destruction was like living in a war zone. I
3 will never forget the human impact on the elderly.

4 It is now 2017. We know coal is in a
5 downward spiral, and it's well documented that
6 Cincinnati has some of the dirtiest air in the United
7 States.

8 The increases in the incidences of
9 pulmonary disease and short life expectancies from
10 this pollution are also well documented.

11 It is time to move away from our
12 unsustainable past practices. The transition to
13 renewables represents the largest business
14 opportunity in the history of the world.

15 It's important to think about this
16 growth in terms of the industrial revolution, but
17 exponentially more powerful in today's technological
18 environment.

19 Duke would be better served -- Duke
20 would better serve its shareholders by pursuing a
21 comprehensive energy generation package, including
22 solar, wind, and energy efficiency.

23 Personally, I go to great lengths to
24 budget and make prudent financial decisions. Why
25 should I not expect the same behavior from Duke

1 Energy?

2 If I were to make a bad choice to invest
3 in automobile carburetors at a time when everybody
4 else was moving towards electronic fuel injection,
5 how could I reasonably ask to be bailed out when I
6 lose a ton of money on my outdated carburetors?

7 Duke Energy's increase proposal will
8 cost me an additional \$201 a year over my current
9 annual charges. Monthly, Duke sends me "My Home
10 Energy Report" explaining how I am doing better.

11 It compares my home to the average home,
12 as well as efficient homes, so I practice energy
13 conservation and efficiency, including the
14 installation of new energy efficient windows,
15 insulation, hot water heater, and LED bulbs to reduce
16 my electricity consumption.

17 My goal is to match or better efficient
18 homes. These savings should not be -- these savings
19 should be a return on my personal investments, and
20 not passed to Duke Energy's shareholders in the form
21 of a customer fixed fee bailout estimated at \$15
22 million. Thank you.

23 ATTORNEY EXAMINER WALSTRA: Mary Rivers.
24 Give your name and address.

25 MS. RIVERS: Mary Rivers. I live at

1 1232 Westminster Drive, Cincinnati, 42322.

2 - - -

3 Mary Rivers,

4 presented herself as a public witness, and being
5 first duly sworn, testified as follows:

6 TESTIMONY

7 MS. RIVERS: As I said, my name is Mary
8 Rivers. I'm a citizen of Cincinnati, and member of
9 Affordable Housing Advocates and director of Over the
10 Rhine Community Housing.

11 There's a deep need for affordable
12 housing in our community. Did you know that for
13 every 100 of the lowest income households in Hamilton
14 County there are only 28 units of housing that are
15 both affordable and available? This equates to an
16 approximate gap of about 40,000 units.

17 What does this have to do with Duke's
18 proposed rate increase? Everything. Housing
19 affordability is determined by how much of your
20 income you spend on housing costs, including
21 utilities.

22 It is commonly understood that spending
23 more than 30 percent of your income on housing costs
24 puts an extreme burden on your monthly budget and
25 leads to housing instability.

1 Housing affordability at its core is a
2 math problem. People can't afford to pay what it
3 costs to operate a unit of housing responsibly.

4 Who can't afford housing in our
5 marketplace? It's people we come in contact with
6 every day. According to salary.com, the average
7 salary of a certified nursing assistant working in a
8 nursing home in Cincinnati is \$25,582. With that
9 salary he or she could afford \$640 a month rent and
10 utilities.

11 The average salary of a child care
12 worker in Cincinnati is \$9.40 an hour, or \$19,552
13 annually. He or she could afford \$490 a month rent
14 and utilities.

15 According to a website called Glass
16 Door, the average salary of a Queen City metro bus
17 driver is \$27,325 annually. He or she could afford
18 \$680 a month for rent and utilities.

19 Work in the warehouse in Amazon at \$16
20 an hour? That's \$33,280 per year. You could afford
21 \$832 per month in rent and utilities.

22 Then there are seniors who have worked
23 for their 40 to 50 years and are living on Social
24 Security, or those of us who are disabled and unable
25 to work and on a fixed income.

1 The affordable housing challenge is a
2 math problem. As of December 2017, the average rent
3 for one bedroom in Cincinnati is \$913, and for a two
4 bedroom it's \$1,115. The people I just described who
5 you come in contact with every day can't afford the
6 average rent for a one bedroom in Cincinnati.

7 The lack of affordable housing is at a
8 crisis level. It may not feel like a crisis to many
9 of us because we have housing and we don't know
10 anyone who doesn't have access to affordable housing.

11 But our public schools know that it's a
12 crisis because they see it in their students and in
13 their families. Our healthcare system knows that
14 it's a crisis because their patients can't recover
15 because of lack of housing, or even become safe
16 because of lack of decent affordable housing.

17 Our homeless shelter system knows it
18 because shelters that serve both families and
19 individuals are over capacity and log jammed as
20 people cannot move from a shelter because there are
21 no housing options.

22 I'm passionate today, because in this
23 instance it feels like there's something that we can
24 do to prevent a negative impact on the affordable
25 housing crisis. The long-term sustainable solutions

1 to the affordable housing crisis, though sample, just
2 address the math problem, often seems out of reach.

3 Today, however, you can do something.
4 You have the power to not add additional burden, to
5 not increase the number of households that become at
6 risk of the downward spiral of eviction.

7 I suspect that you might be thinking
8 really? What will an additional \$16 a month due to
9 someone's budget. That's the \$200 additional fee
10 that they are requesting divided by 12. I can tell
11 you that an additional \$16 a month makes a big
12 difference.

13 As far as I can tell, you have a choice
14 here. Duke is not hurting for profits. This
15 increase is not necessary. Don't be part of the
16 problem.

17 I encourage to you take the time tonight
18 when you are tucking in your children or when you're
19 climbing into bed, to think about the hundreds of
20 people each night in Cincinnati who will be bedding
21 down in homeless shelters or will be wrapping
22 themselves in a blanket in preparation for sleep on a
23 piece of cardboard, or the mom who tries to sleep
24 knowing that utilities may be cut off tomorrow, or
25 that an eviction is days away and she has nowhere to

1 I'm PG Sittenfeld. I'm a member of
2 Cincinnati City Council, and I'm speaking today on
3 behalf of my constituents, those who are living on
4 fixed incomes, those who are elderly and use limited
5 electricity, and those who have invested and wish to
6 invest in energy efficient upgrades like solar and
7 geothermal to make our city more sustainable.

8 I should also note that the City of
9 Cincinnati has officially intervened in this case,
10 although, again, my testimony is on behalf of my
11 constituents.

12 I do commend Duke for seeking to make
13 infrastructure improvements, especially those that
14 move away from dirtier sources of energy that have
15 adverse impacts on our climate and on our city's
16 environmental health, and to instead invest in solar,
17 especially here in Ohio.

18 But making these improvements on the
19 backs of Cincinnatians, people I represent, is unduly
20 burdensome and will have negative consequences on the
21 average ratepayer.

22 Quite simply, raising distribution rates
23 will hurt my constituents in the City of Cincinnati,
24 and specifically the raising of the flat distribution
25 rate does three negative things.

1 Number one: It is a regressive formula
2 that hurts the poorest and most vulnerable residents
3 by raising their rates.

4 As you heard some previous speakers say,
5 especially Mary, there is not just a number on a
6 spread sheet, it's real dollars that go toward
7 groceries and medications.

8 Number two: It punishes those who
9 conserve energy either because they simply choose to
10 use less, because they are on a fixed income and
11 therefore are used to using less, or because they
12 have invested their own money in making their homes
13 more energy efficient.

14 And number three: It disincentivizes
15 future investment in energy efficiency improvements,
16 which is something that we as a city council
17 unanimously have pushed for through our CRA program,
18 through our Solarize Cincinnati program, and through
19 numerous investments and partnerships with the
20 Greater Cincinnati Energy Alliance.

21 I urge the PUCO, including those
22 Commissioners who are not with us today, to at least
23 take the recommendation of the Staff Report and to
24 advance a decrease -- a decrease -- in distribution
25 rates, and a decrease in the overall electricity

1 cost.

2 Please select a system that rewards
3 those who conserve, not waste, and that doesn't
4 disproportionately punish the poor or the elderly.
5 Thank you very much.

6 ATTORNEY EXAMINER WALSTRA: Thank you.
7 Richard Blumberg.

8 MR. BLUMBERG: I'm Richard Blumberg. We
9 live at 3528 Mooney Avenue, Cincinnati, 45208, Hyde
10 Park.

11 - - -

12 Richard Blumberg,
13 presented himself as a public witness, and being
14 first duly sworn, testified as follows:

15 TESTIMONY

16 MR. BLUMBERG: Jen and I live on a fixed
17 income. She has a pension from the city, I have
18 Social Security, and we take a little bit out of our
19 savings every year to supplement those sources.

20 We live well, we live comfortably.
21 She's got a good pension. We have got enough
22 savings. We have been thrifty, and we're careful
23 about our use of energy.

24 We use Energy Star appliances. When we
25 remodeled our 45-year-old -- or the house we lived in

1 for the past 45 years, about two years ago, we made
2 certain that it was carefully insulated in all of the
3 walls, and so that all windows and doors were
4 efficient.

5 We keep our house warm in the winter --
6 or in the summer, and we keep our house cool in the
7 winter to conserve energy. We try to keep our energy
8 costs down.

9 We're very fortunate. There are people
10 that cannot do what we can do. There are people that
11 can't afford Energy Star appliances. There are
12 people who have older family members living with them
13 who can't keep their home as cool as we keep it in
14 the winter. And I am concerned that those people are
15 going to suffer if energy costs go up.

16 I'm particularly concerned about the
17 consumer fee, the fixed fee that we're charged every
18 year for the privilege of receiving bills from Duke
19 Energy.

20 As far as I can tell, as I understand
21 it, Duke wants to raise that consumer fee
22 substantially, and I would urge against that.

23 It's a classic example of what I
24 understand a common economist calls rent seeking
25 behavior by monopolies. They can basically find

1 areas where they can increase their income without
 2 delivering anything more in the way of services and
 3 without it costing them anymore.

4 The Public Utilities Commission has been
 5 chartered by the citizens of the State, partly, to
 6 restrain such rent seeking behavior, and I would urge
 7 the Public Utilities Commission to do all they can to
 8 restrict Duke in this regard. Thank you very much.

9 ATTORNEY EXAMINER WALSTRA: Thank you.

10 Rachael Belz. State your name and
 11 address.

12 MS. BELZ: Rachael Belz. I live at 3152
 13 Pickbury Drive, Cincinnati, Ohio 45211.

14 - - -

15 Rachael Belz,
 16 presented herself as a public witness, and being
 17 first duly sworn, testified as follows:

18 TESTIMONY

19 MS. BELZ: My name is Rachael Belz. I'm
 20 the Executive Director of Ohio Citizen Action. Ohio
 21 Citizen Action organizes and mobilizes people
 22 throughout Ohio to advocate for public interests on
 23 consumer and environmental issues.

24 I speak today on behalf of the over
 25 12,000 Ohio Citizen Action members who live in the

1 Duke Energy service territory, as well as 20,000 OCA
2 members living in territories served by FirstEnergy,
3 AEP, and Dayton Power & Light.

4 All our members are closely watching
5 whether the Public Utilities Commission of Ohio
6 approves or denies these huge increases.

7 The fixed charge, or customer charge of
8 our electric bill applies regardless of the volume of
9 electricity used. Increasing it typically
10 disadvantages those who use the least energy,
11 lower-income families who can least afford to pay
12 more, and households investing in efficiency upgrades
13 or solar.

14 Duke Energy proposes a 280 percent hike
15 in its fixed charge, from \$6 a month to \$22.77 a
16 month, or an additional \$201 a year. For most
17 residential ratepayers this amounts to a 13th or even
18 a 14th bill every year.

19 While Duke Energy and the other Ohio
20 utilities argue that they are also offering a
21 compensating volumetric discount for customers using
22 1,000 kilowatt-hours per month or more, the truth is
23 that no matter what, if this request is approved, the
24 people who can least afford it will only see an
25 increase in their bill. That's why the proposal is

1 particularly egregious.

2 Duke Energy wants to pick winners and
3 losers among their own customers, and they are
4 looking for approval from the PUCO to do so.

5 We have been speaking with Duke
6 residential customers at their door and on the phone
7 all year about this, so please let me take you on a
8 little tour of what we have been hearing. These are
9 excerpts from personal letters already sent to PUCO
10 and already in the docket.

11 Duke customer Geraldine S. wrote, "I am
12 a widow living on a fixed income. Any increase in my
13 utilities would be a hardship between buying
14 groceries and paying for medicine, at the end of the
15 month I have very little to live on. My stove needs
16 to be replaced, and I would like to get an energy
17 saving one, however if my utilities continue to
18 increase, this will become impossible."

19 Duke customer Linda J. from West Chester
20 wrote", "I am writing you today to express my
21 concerns about your proposed increase in residential
22 fixed fees for your customers. My husband and I are
23 both retired and live on a fixed income. We work
24 hard to stay within our monthly budget, but have
25 recently experienced unexpected medical expenses that

1 will be ongoing. This proposed increase will
2 certainly stress our budget and our ability to pay
3 for necessary medications."

4 Dr. Richard Y. from Amberley Village,
5 and a Duke customer says, "After the decision by PUCO
6 to allow Duke Energy to purchase Cincinnati Gas &
7 Electric, we have had a serious erosion of service;
8 Duke Energy is about profit. They do not care about
9 the customers. This new rate increase from Duke
10 Energy is about their profit, it's not about the
11 welfare of the citizens of our community. We urge
12 the PUCO to hold Duke Energy accountable as the
13 public utility they are functioning as. Protect the
14 citizens against the high rates we are already
15 paying, and protect us from another money grab from
16 Duke Energy. We get no extra service from them, we
17 only get higher rates. We would love to see
18 investment in solar, rebates for installing solar,
19 and no penalties from Duke when we want to sell our
20 excess power back to the grid. Please protect us
21 from Duke Energy."

22 Kath K, Cincinnati Duke customer writes,
23 "I pay \$214 a month on even billing for a house that
24 holds one person. I've tried too save energy by
25 unplugging unused electrical appliances and anything

1 else to help save energy. To hit customers in the
2 pocket in today's economy isn't the answer.

3 Education, making landlords invest in upgrades to
4 help save needs to be voiced so people know. You
5 need to work for the people to help them reduce
6 costs, not increase them."

7 Mason Duke customer Colleen P. wrote,
8 "As an Ohio resident, homeowner and family of 8, this
9 type of increase has a major effect on our monthly
10 budget. And as a family with two medically fragile
11 children we're already cutting back to the extreme to
12 meet the health cost of our children's medical
13 attention. There is absolutely no room for us to cut
14 in our budget unless it directly effects the medical
15 bills, which would include medication to control
16 seizures for our child, or reduce the amount of money
17 available for our son's special dietary needs due to
18 an autoimmune disease. Please do not approve this
19 proposal to increase the customer charge as it will
20 greatly affect the budgets of people like our family
21 who just do not have the wiggle room to cover this
22 type of increase."

23 And lastly, Cincinnati Duke customer
24 Maura C. wrote, "Like so many other families, we have
25 a budget that we must live within. The proposed

1 increase of nearly four times the current fixed rate
2 will totally handcuff our family by decreasing the
3 amount of so-called disposable income we have at the
4 end of each month, all while Duke Energy reported net
5 profits of over 2.12 billion dollars in 2016. While
6 that number is down from 2015, executive salaries
7 went up, including a staggering \$13.5 million
8 increase for the CEO alone. Any increase is
9 unwarranted, but any increase authorized by the PUCO
10 should be earmarked for expenditures toward renewable
11 and sustainable alternative energy sources. This
12 request is unfair, unsubstantiated, and will put the
13 onus of their bad business practices squarely on the
14 shoulders of Ohio families."

15 I really can't say it better than all of
16 these people, and many more who have written to you
17 or have showed up for the public hearings. Clearly,
18 Duke Energy's customers have a lot more important
19 things they need to spend their money on than to pad
20 the pockets of Duke and their shareholders. Please
21 deny Duke Energy's request, Case No. 17-0032-EL-AIR.
22 Thank you.

23 ATTORNEY EXAMINER WALSTRA: Thank you.

24 Marie Kocosh.

25 MS. KOCOSH: I think that's me. It's

1 Marie Kocosh.

2 ATTORNEY EXAMINER WALSTRA: Yes, it is.

3 MS. KOCOSH: That's all right. I have
4 to say I'm used to it. I am Marie Kocosh. I'm a
5 Duke ratepayer, obviously, and I live at 7813 Hopper
6 Road, Cincinnati, Ohio 45255.

7 ATTORNEY EXAMINER WALSTRA: Thank you.
8 Raise your right hand.

9 - - -

10 Marie Kocosh,
11 presented herself as a public witness, and being
12 first duly sworn, testified as follows:

13 TESTIMONY

14 MS. KOCOSH: I'd like to say that I am
15 in opposition of this rate increase for the negative
16 impact it will have on our low and mixed income
17 citizens in the State of Ohio, and in particular, in
18 the City of Cincinnati as has already been stated.

19 I think that if a corporation like Duke
20 Energy, which is a for-profit company, not a
21 nonprofit -- that they have many other ways to raise
22 the money for the technology upgrades that they are
23 seeking.

24 I would say that they could follow the
25 lead of one of our corporate giants here in

1 Cincinnati, Procter & Gamble, and do some kind of
 2 financial exploration into what -- if they actually
 3 need this \$15 -- \$15 million increase, there are
 4 financial benefits and ways that you can certainly
 5 explore and not put this on the back of low and fixed
 6 income folks in the State of Ohio. Thank you.

7 ATTORNEY EXAMINER WALSTRA: Thank you.

8 Monica McGloan.

9 MS. MC GLOAN: Good afternoon. I am
 10 Monica McGloan. I live at 1806 Andina Avenue, 45237.

11 - - -

12 Monica McGloan,
 13 presented herself himself as a public witness, and
 14 being first duly sworn, testified as follows:

15 TESTIMONY

16 MS. MC GLOAN: Yes. Thank you for
 17 letting us testify today. I'm here not only for --
 18 on my own behalf, but I'm here on behalf of the Nuns
 19 On the Bus, which is a coalition of Catholic Sisters.
 20 I happen to be a Dominican Sister, and we advocate on
 21 behalf of the common good, but we have particular
 22 concerns for the people in our midst who have the
 23 least. And this is why we're objecting to this rate
 24 increase.

25 We feel this will most severely effect

1 low income families, and Mary River's testimony gave
2 you all the documentation about that. I don't have
3 all those facts in front of me, but I wouldn't feel
4 the need to repeat them.

5 But one of the things that we're aware
6 is that this -- this will not benefit people who make
7 efforts to save energy.

8 So in the house I live in, we recently
9 invested some money in insulating the attic because
10 the old insulation was no longer effective. We did
11 that not because we wanted to save money, but because
12 we wanted to save energy because we are concerned
13 about the planet and the future of the next
14 generations. And we feel that this now will penalize
15 us for doing that because we'll have to pay more in
16 our utilities.

17 But also it's not helping not to
18 encourage people to save energy, and to care about
19 the rest of the population and future generations.
20 So we are objecting to it for that reason, too.

21 And we believe that policies -- that
22 companies have to be called upon to have policies
23 that support families and the members and residents
24 of the community.

25 These companies are benefitting from our

1 purchasing their services, and they have to be called
2 to care about the community as a whole.

3 Right now in Cincinnati we have over 50
4 percent of our children who live in poverty, and our
5 City Council has invested time and energy and created
6 a task force that is trying to eliminate poverty.

7 This will just contradict all the work
8 that they are doing because this will place more
9 families in poverty. So we ask you to say no to this
10 policy change. And we ask you to follow the
11 direction of your staff and ask for a decrease.

12 Thank you.

13 ATTORNEY EXAMINER WALSTRA: Thank you.

14 Jeni Jenkins. Give your name and
15 address.

16 MS. JENKINS: My name is Jeni Jenkins
17 and I live at 4128 Langland Street, Cincinnati Ohio
18 45223. I am here on behalf of myself as a resident
19 of Duke, and a Duke Energy customer, as well as I'm
20 also here on behalf of our Daily Bread Soup Kitchen.
21 I'm not sure if you're aware of what --

22 ATTORNEY EXAMINER WALSTRA: Let me swear
23 you in first.

24 - - -

25 Jeni Jenkins,

1 presented herself as a public witness, and being
2 first duly sworn, testified as follows:

3 TESTIMONY

4 MS. JENKINS: I'm not sure if you know
5 of our Daily Bread, but our Daily Bread is
6 Cincinnati's largest soup kitchen, and we serve
7 between 300 and 400 meals every single day, Monday
8 through Friday.

9 And I'm here to basically discuss the
10 fact that we have social workers who provide
11 emergency assistance to those guests. In the last
12 year we provided 1,151 families with emergency
13 assistance, and the number one expense covered was
14 utilities bills.

15 Even though we do our best to provide
16 relief, the amounts that we help cover is a drop in
17 the bucket compared to what these families owe.

18 In addition, we also turn hundreds of
19 families away because we do not have enough funding
20 to cover everyone.

21 When we open up our waiting list, it
22 literally fills up within 15 minutes. We have people
23 calling to get on the waiting list to get utility
24 assistance, so then they have to wait another three
25 months before they can get back in and get on a

1 waiting list.

2 This is a huge problem. We see families
3 that have been evicted or are at risk of eviction due
4 to the inability to pay utilities. Utility expenses
5 are one of the leading causes of homelessness, second
6 only to the lack of affordable housing as already
7 addressed, and also under employment.

8 Ohio utilities especially effect
9 families with children. Cincinnati's homeless
10 shelters are filled with people who already can't pay
11 their Duke Energy bill, so any rate increase will
12 lead to significant numbers in our already crowded
13 system.

14 Energy bills are often one of the
15 highest bills in the household when people are
16 already struggling to make ends meet living paycheck
17 to paycheck or on a fixed income, an increase in
18 expenses can have a damaging effect.

19 Utility bills are often bills that get
20 postponed, which can lead to an eviction and affect a
21 person's ability to get services turned on in their
22 name in the future.

23 This is something that we deal with on a
24 regular basis where we have people who could get
25 apartments, could get housing, but can't because they

1 have utility bills that are past due, they can't pay
2 because they can't afford it.

3 Not only do utility bills cause
4 homelessness, they often prolong it for those that
5 need to pay back utility bills before securing new
6 housing.

7 While everyone understands that Duke
8 Energy provides this service to the community, it
9 must be understood that in a modern society we cannot
10 live without power, without electricity, without
11 utilities.

12 While an increase in rates may be
13 inconvenient to those with middle and upper incomes,
14 a rate increase will increase the burden for low and
15 fixed income users already struggling to pay their
16 bills. So that's all I have to say. Thank you so
17 much for listening to my comments.

18 ATTORNEY EXAMINER WALSTRA: Thank you.

19 Len Smith.

20 MR. SMITH: My name is Leonard Smith, I
21 live at 1810 Hewitt Avenue, Cincinnati, 45207.

22 - - -

23 Len Smith,

24 presented himself as a public witness, and being
25 first duly sworn, testified as follows:

1 TESTIMONY

2 MR. SMITH: I've come here to -- I don't
3 usually get a chance to talk very much, not in charge
4 of anything. But I'm against a fixed charge, is what
5 I'm really fighting against.

6 It seems like kind of a punishment for
7 any of those that are trying to conserve, trying to
8 save, anything like that. It rewards those that have
9 to sit there and squander electric, leave the lights
10 on, leave the heat up, open the window when it's too
11 hot.

12 And I just -- I keep wondering what does
13 the system -- excuse me when I'm rambling, but the
14 other question I have, while you're here, is how come
15 there's so many paper corporations out here that keep
16 calling on me and saying oh, I can save you
17 electricity, I can save money on your electric, I can
18 save money on your gas?

19 Those people don't have nothing but a
20 paper corporation that they are sitting there, and
21 you're supporting somebody else, and then Duke
22 Energy, for what they are worth, at least they got a
23 generator, wires, repair crews and all that other
24 stuff, where these paper corporations is just sitting
25 out there with nothing except probably three

1 supervisors and one guy pounding away on a hot
2 computer somewhere.

3 So that's my complaint. And especially
4 about the -- especially about the cover charge on
5 that. Like you go to a bar, before you even got to
6 buy you a drink you had to pay them \$5, \$10, at this
7 point it's \$20. And it's three times.

8 I mean, few people there are that can go
9 raise their rates. If I went to buy gas right now,
10 instead of 2.50, I was paying 7.50? I mean, you
11 could -- you still have to pay it.

12 With Duke it's the same way. If they
13 get their reward of hitting up the small guys on the
14 bottom, and rewarding those that consume a lot,
15 that's my complaint.

16 Like I said, I'm irritated at the fact
17 that I keep getting calls from paper corporations,
18 and then now Duke trying to cover themselves. These
19 guys say I can save you \$200 and here comes Duke that
20 says we need \$200. So that's it. Thank you.

21 ATTORNEY EXAMINER WALSTRA: Thank you.

22 Lana Gallop.

23 MS. GALLOP: I'm Lana Gallop, I live at
24 581 Chardonnay Ridge, Cincinnati, 45226.

25 - - -

1 Lana Gallop,
2 presented herself as a public witness, and being
3 first duly sworn, testified as follows:

4 TESTIMONY

5 MS. GALLOP: I'm here to talk about the
6 rate increase for Duke, which is part of the problem.
7 The other thing that I don't think people are looking
8 at, either, it's the other issues that go along with
9 what Duke's upgrading the system.

10 It's the privacy issues that these new
11 meters that they are going to put on cause, the fire
12 issues that are caused by some of these meters that
13 they have put on homes.

14 And I think that the increase, the new
15 technology that they want to use, is a health problem
16 as well as a financial burden, and I think we need to
17 take into consideration the health implications for
18 the population, as well as the financial burden,
19 which is definitely a situation that is -- needs to
20 be addressed.

21 So I appeal to you all on health as well
22 as financial burdens to see that this is generally
23 not in the best interest of anybody or everybody for
24 the community. Thank you.

25 ATTORNEY EXAMINER WALSTRA: Thank you.

1 Tina Odom.

2 MS. ODOM: Tina Odom, I'm at 3853 Arbor
3 Green Drive in Cincinnati 45255.

4 - - -

5 Tina Odom,
6 presented herself as a public witness, and being
7 first duly sworn, testified as follows:

8 TESTIMONY

9 MS. ODOM: I just have two statements
10 that really kind of spurred me to come, and I do
11 appreciate that the media was here and kind of make
12 this public or I wouldn't be here today.

13 And I did appreciate you guys coming --
14 coming down to give us an increased voice.

15 My experience with Duke Energy, and I
16 have recently purchased and helped some very
17 disadvantaged people to own a piece of property, is
18 the difference in the billing, okay?

19 And when I start looking at the billing
20 and the rates, and I thought let me just give Duke a
21 call and see what this billing is all about.

22 If you call Duke Energy -- and I advise
23 everyone to call customer service and ask them for a
24 line-by-line calculation on your bill. It cannot be
25 done. It cannot be done. I have called.

1 I have spent numerous hours trying to
2 get to the spreadsheets, trying to get to the
3 calculations on an itemized bill, okay?

4 Everyone understands what a kilowatt per
5 hour charge is. And that's what we are looking at
6 when we're saying I'll choose Duke, I'll choose
7 Constellation, but what we're talking about today is,
8 we'll call them fixed fees, the cost of doing
9 business, as Duke wants to say.

10 And do you know who they refer us to?
11 To you guys and gal. So the PUCO is the one that is
12 responsible for explaining my bill, item by item.
13 There is not a person -- and I'm telling you I can
14 bring up call logs and tell you the hours I've spent
15 on the phone.

16 So for me, if I went to go get a home
17 loan or something, I would be asked everything that I
18 have ever spent, where my expenses are, what my
19 income is. And I wouldn't get qualified for that,
20 right?

21 But yet I am paying bills that are truly
22 based on calculations, so I'm getting billed for
23 something that is not being represented to me as
24 someone in just paying a bill.

25 So I say no to a rate increase until the

1 fees with proper representation are provided. They
2 need to be sample. I mean, come on people. I look
3 at one -- I've got one guy, I tell you, he must only
4 put on one light bulb a month, and his bill is \$25 a
5 month. His carrying fees -- yeah, it's all pay as
6 you go, but the difference of someone who I have in a
7 condo that is one person that is rarely home and
8 professional of \$100 a month fixed fees? Come on.
9 Where is the calculations? They are not there.

10 And the second thing we heard over and
11 over today is that Ohio has made a choice, and that
12 truly is for you guys to do this, and gal -- the PUCO
13 has made a choice, and we penalize those that
14 conserve.

15 Now, I understand we got fixed fees and
16 we have got to pay for the grid, and we want jobs, we
17 want to have a community that's thriving and bring in
18 those jobs and have that peak demands, that's an
19 awesome thing to have.

20 But if I am conserving because I want
21 to, or because I have to, I don't get the benefit. I
22 don't get the benefit. I am still on the same fee as
23 everyone else on that peak demands. And again, when
24 you call Duke Energy, they refer back to you.

25 So there's not good information out

1 there. It's not easy. So I say no to a rate hike
 2 until we streamline this process. Keep it simple.
 3 To me it looks exactly like what happened in the
 4 truth and lending, okay? It's the fine print and
 5 nobody knows what the calculation is. That's
 6 ridiculous. And that's my comments. And thanks for
 7 your time.

8 ATTORNEY EXAMINER WALSTRA: Appreciate
 9 it.

10 Dan Clark.

11 MR. CLARK: My name is Reverend Dan
 12 Clark, I'm at 633 South Cassingham Road, Bexley,
 13 Ohio, 43209.

14 - - -

15 Reverend Dan Clark,
 16 presented himself as a public witness, and being
 17 first duly sworn, testified as follows:

18 TESTIMONY

19 MR CLARK: Thank you for the opportunity
 20 today to share my concern regarding Duke Energy's
 21 proposal to more than triple the customer charge
 22 residents must pay on their electric bills each
 23 month.

24 As a faith leader I have worked
 25 throughout the State of Ohio leading a network of

1 over 3,000 faith leaders concerned with matters of
2 justice, compassion, and the common good.

3 Over 300 of these faith leaders live in
4 Duke's service area here in southwest Oho. The tens
5 of thousands of people they serve in their faith
6 communities every week are predominantly working Ohio
7 families who will be nickeled and dimed to death by
8 these kinds of charges.

9 Ohioans take seriously the moral
10 obligation to provide for and care for our families,
11 and any law that makes it harder for us to do so is
12 an unjust, anti-family policy. This policy proposals
13 fits the bill.

14 If you're a Duke Energy Ohio customer
15 you'd see your monthly fixed charge go up to 22.77,
16 more than triple the current rate. When you're a low
17 wage family, every penny counts. I know this from
18 experience.

19 And as a Christian, I believe it is
20 wrong to take money out of poor people's pockets to
21 enrich powerful special interests. A mark of good
22 policy is whether it promotes good stewardship of our
23 resources and our planet.

24 By this measure, the proposed increase
25 in fixed charges fails the moral test. It

1 discourages conservation, discourages improving
2 energy efficiency, and penalizes people who are
3 trying to be more responsible in their energy usage.
4 That makes us less efficient and more wasteful. It
5 is irresponsible and it is wrong.

6 If you think this rate increase won't
7 have moral consequences, then you are wrong. I'm not
8 a technician or an economist or legislator or
9 government official. I'm a Pastor, and I believe
10 that a policy that negatively impacts the environment
11 we all share is a serious spiritual issue.

12 And I believe as a Pastor that overly
13 burdening the poor for the benefit of those who have
14 more than enough is also a spiritual issue.

15 This is why I implore you, the PUCO
16 Commissioners, to reject Duke Energy Ohio's proposal
17 of an exorbitant, unnecessary, and immoral fixed
18 charge hike, just as they did -- just as you did for
19 Duke's competitor, AEP Ohio. Thank you.

20 ATTORNEY EXAMINER WALSTRA: Thank you.

21 Pamela Rosengard.

22 MS. ROSENGARD: Hello. My name is
23 Pamela Rosengard. My address is 3563 Mooney Avenue,
24 Cincinnati 45208.

25 - - -

1 Pamela Rosengard,
2 presented herself as a public witness, and being
3 first duly sworn, testified as follows:

4 TESTIMONY

5 MS. ROSENGARD: First of all, I would
6 like to thank my co-citizens who have so eloquently
7 presented arguments for how this fixed rate increase
8 is going to negatively impact our lower income
9 citizens and people living on a fixed income.

10 I would like to address another
11 situation. For those of us who have the luxury of
12 being in a better income situation, middle class
13 income situation, where maybe technically this
14 wouldn't hit us so hard, I would like to present this
15 scenario.

16 I am retired. My husband is facing
17 retirement. We are looking at our home and very
18 seriously considering an update buying insulation,
19 updating the windows, and updating the boiler.

20 I look at this rate increase. It would
21 cost us at least \$200 a year, as I see it. And I can
22 do the math, I'm figuring out, well, would I recoup
23 my financial investment that I would put in making
24 these energy saving investments, big new appliances,
25 et cetera, and what I already mentioned in particular

1 is windows and boilers?

2 The fact of the matter is, I would not.
3 It would take me many, many years in order to recoup
4 that investment. So I would say that that's not a
5 very good incentive.

6 I do not look at that as a good business
7 model to take away my incentive to do that. This
8 also has a ripple effect on my community, because
9 obviously, should I choose to make those investments,
10 I would be employing local people to do that.

11 I would be paying people for those
12 windows, I would be paying people for those boilers.
13 And if I choose not to do that, that in turn has a
14 negative impact on those individuals who carry out
15 those services.

16 So I really ask you to look very
17 seriously at this, how this could affect, indeed,
18 people of all income levels in a very negative way in
19 our city. I thank you for your time.

20 ATTORNEY EXAMINER WALSTRA: Thank you.

21 Anne Froelich.

22 MS. FROELICH: Hello. My name is Ann
23 Froelich. I live at 3621 Hyde Park Avenue, 45208.

24 - - -

25 Anne Froelich,

1 presented herself as a public witness, and being
2 first duly sworn, testified as follows:

3 TESTIMONY

4 MS. FROELICH: First of all, I'm a
5 retiree and I've been retired since 2004. But I've
6 always had part-time job.

7 And I live in a small house, and I only
8 see rates going up. And it's a big feeling of
9 insecurity. I still work, and I have -- before I
10 retired, I got windows for my home, I had my attic
11 insulated, and I just -- my bill's going up. And
12 that includes Duke Energy.

13 I'm one person. I don't keep my house
14 in the 70s in the winter. And what's the idea of
15 being frugal or how am I going to survive after a
16 while. That's my concern. Thank you.

17 (Witness excused.)

18 ATTORNEY EXAMINER WALSTRA: Ben Green.

19 MR. GREEN: Hi. I'm Ben Green. I live
20 at 551 McAlpin Avenue, Cincinnati. ZIP code is
21 45220.

22 - - -

23 Ben Green,

24 presented himself as a public witness, and being
25 first duly sworn, testified as follows:

1 TESTIMONY

2 MR. GREEN: I am a case manager at a
3 local family homeless shelter, and I work with
4 families who are struggling with, or in past have
5 struggled with homelessness.

6 So I can tell you that every family that
7 I've worked with in the last two years -- well, not
8 every -- almost every family has struggled with their
9 Duke Energy bill.

10 This represents a huge obstacle to
11 finding them housing, and not only finding housing,
12 but sustaining housing once they get into it.

13 A lot of these people are living on the
14 edge of homelessness, and any little thing can send
15 them spiraling back into homelessness and back into
16 the shelters, and therefore placing more burden on
17 the taxpayer.

18 To triple the customer fee on these
19 people would only represent a larger barrier to not
20 only getting them into housing, sustaining housing,
21 but also maintaining their positions as productive
22 members of the society.

23 On top of all that, I did a quick Google
24 search and found that the Charlotte Observer states
25 that Duke's profits for 2016 were \$2.1 billion, the

1 CEO of Duke made \$13.8 million, and a couple of
2 executives below her made 4.9 and 4.2 million.

3 Now, the families that I see are
4 families struggling to survive on around a thousand
5 dollars a month for families of four. Their rent
6 takes up about 70 percent of that.

7 To -- I know a \$16 increase in a monthly
8 bill doesn't seem like a lot to you or me, but that's
9 a big deal. Really what Duke is doing here is an
10 attempt to increase their profit margins on the backs
11 of people that are living in poverty.

12 This feels like a corporate money grab,
13 and it makes me question why, the wisdom, of having a
14 for-profit business running a utility that has --
15 that we all depend on.

16 We depend on it to keep our families
17 warm in the winter, cool in the summer, we depend on
18 it to cook our food, and in, sum I'm absolutely
19 opposed to increase in the customer fee. Thanks.

20 ATTORNEY EXAMINER WALSTRA: Nancy Laird.

21 MS. LAIRD: I'm Nancy Laird, I live at
22 4830 Prosperity Place and that's 45238.

23 - - -

24 Nancy Laird,
25 presented herself as a public witness, and being

1 first duly sworn, testified as follows:

2 TESTIMONY

3 MS. LAIRD: Thank you all for being here
4 and for listening. I'm a social worker, and I
5 work -- I'm retired, 70 years old, working three
6 jobs, trying to keep people off the streets.

7 I work for Santa Maria, Urban
8 Appalachian Community Coalition and the rec center.
9 In order to do this, there is always the Duke bill.

10 And I'm here to explain to you -- you
11 got the facts. I'm not here alone. Behind me right
12 here are children and seniors and families, and they
13 are the ones who this really effects.

14 And it's hard to understand if you're in
15 an economic situation where that would be that much
16 money, but it's huge. And you've heard that from a
17 lot of people.

18 But what you also need to understand is
19 when they talk about the big back bills sometimes
20 come from being on PIPP and HEAP -- not HEAP, but
21 PIPP. PIPP is Percentage of Income Plan, payment
22 plan, and it really helps a lot of families. But if
23 they move to another place, that backfill comes into
24 play.

25 And then sometimes if they don't move

1 fast enough, then they have this big bill and they
2 have to pay the big bill before they can get back on
3 the Percentage of Payment Plan.

4 Duke is not amenable for making payment
5 plans for that money. It's very difficult to work
6 with them. I do this daily, as does some of the
7 other people here have.

8 And that's what needs to be understood,
9 is that if you're on any other gas company, you can't
10 get PIPP. So Duke has that -- the income challenged
11 folks tied in, and I don't know if you understood
12 that or not, because that's really where the
13 difference is.

14 They can't go to any of the other little
15 companies and get PIPP. So it has to be Duke. So
16 it's really important to understand why it impacts
17 the income challenged so much.

18 And that -- and then the rules change
19 and then I know several seniors who have their gas
20 turned off for the whole -- early in the spring and
21 go through all the summer so they don't have to pay
22 that charge.

23 So it's really interesting how folks
24 have learned, who understand how it works, to avoid
25 those charges, but then there's a lot of folks who

1 can't do that because they have got children and they
2 have got things that work and they can't afford the
3 five star things. I'm just here for all these people
4 here behind me and with me. And thank you so much,
5 and please consider this for them.

6 ATTORNEY EXAMINER WALSTRA: Thank you.

7 Liz Taylor.

8 MS. TAYLOR: Hi. My name is Elizabeth
9 Taylor. I live at 393 Elberon Avenue, 45215.

10 - - -

11 Elizabeth Taylor,
12 presented her as a public witness, and being first
13 duly sworn, testified as follows:

14 TESTIMONY

15 MS. TAYLOR: I'm here for me. But
16 there's a lot of mes that need this help. And for me
17 personally, the Duke bill, that is one of my number
18 one bills that I have to pay. Everything else, you
19 know, rent and Duke, okay, those -- that's two. I'm
20 sorry.

21 But anyway, if for any reason I can't
22 pay that whole bill, then I pay half of it. The next
23 month it's doubled, okay? And then once you get just
24 one time on you at Duke, it's get behind.

25 And from that point on for me has been

1 nothing but stressful, because every day I wake up --
2 I haven't eaten in a restaurant, I can't even tell
3 you when. And every morning I wake up, I'm not
4 happy, because in my mind I'm clicking, how am I
5 going to pay this, how am I going to get this bill
6 paid.

7 And then they want more money from me?
8 Take more money from me? But then I'm going to be
9 one of these people under this bridge, because I
10 can't possibly -- I'm on disability, I have health
11 problems, and anything else is just going to push me
12 over the edge.

13 And I don't know anything about the
14 percentage of this and that, I'm just here telling
15 you how it is with me, and how it is for a lot of
16 people.

17 And, you know, Christmas is coming. I
18 can't buy any Christmas presents this year because of
19 the simple fact that it is growing and growing and
20 now they want more; Duke wants more.

21 And, frankly, I'm sick of it because I
22 should not have to be going through my life day after
23 day worried and struggling. And if it isn't stopped,
24 there's so many people just like me that they are not
25 going to have a Christmas, or maybe not a

1 Thanksgiving, who knows. I can only speak for
2 myself.

3 But I can tell you that I'm not a happy
4 person in this case. How can you be happy when you
5 never know what day is your last day with a roof over
6 your head or with gas and electric being turned off,
7 cut off.

8 And all I do -- I'm by myself. I'm the
9 same as these other people. I turn my lights down, I
10 try to -- haven't even turned on the heat yet just
11 because I don't want to have to worry about that
12 payment.

13 And that's what I'm doing, I go from
14 room to room making sure all the lights are out. If
15 something is on, I turn it off because -- I'll leave
16 my living room light on so I can watch TV.

17 But that's my life. And I'd like to
18 have a better life because, you know, the people that
19 are proposing this, I'll bet you they got a better
20 life. I'll guarantee you they do. I'll guarantee
21 they don't have to worry about anything. So that's
22 that. That's what I have to say. Thank you.

23 ATTORNEY EXAMINER WALSTRA: Thank you.

24 Tom Navin.

25 MR. NAVIN: Good afternoon. Tom Navin,

1 4058 Glenmary Trace, Fairfield, Ohio 45014.

2 - - -

3 Tom Navin,

4 presented himself as a public witness, and being
5 first duly sworn, testified as follows:

6 TESTIMONY

7 MR. NAVIN: I serve as the Director of
8 the Commission on Justice and Peace for Glen Mary
9 Home Missionaries. The priests, brothers and other
10 workers at Glen Mary have been serving the poor
11 individuals and families for the last 78 years. I
12 speak on their behalf.

13 The proposed distribution charge poses
14 an unreal burden for those who fall in low income and
15 fixed income categories. Demands in their resources
16 are burdensome.

17 We know of families that don't use their
18 air conditioning during the hot summer days in order
19 to keep the utility bills down. The most requested
20 aid or help that we're -- that's made of us and other
21 social service agencies is help for utility bills.

22 I'm sure Duke is aware of this by the
23 number of checks they receive each month from social
24 service agencies.

25 This unusual increase will impact a

1 poverty family of four by 14 percent of their weekly
2 food budget. Every retired citizen living alone will
3 be impacted by 45 percent of one week's food budget.
4 That's a lot of money to the poor person.

5 Of course Duke's entitled to a fair
6 profit to operate and serve their stockholders, we
7 realize that. Our plea is to ask for an examination
8 of company practices and policies. Someone mentioned
9 earlier today to allow a fair profit and reduce the
10 impact to the end user, especially the low income
11 customer. Thank you.

12 ATTORNEY EXAMINER WALSTRA: Thank you.

13 Howard Plevyak.

14 MR. PLEVYAK: Good afternoon. My name
15 is Howard Plevyak, I live at 218 Orchard Street,
16 Cincinnati, Ohio 45202.

17 - - -

18 Howard Plevyak,
19 presented himself as a public witness, and being
20 first duly sworn, testified as follows:

21 TESTIMONY

22 MR. PLEVYAK: I want to open up my
23 comments with an article I read online about
24 mandatory fixed fees and what are the impacts.

25 I think Samantha Williams summarized it

1 incredibly well. Number one, what's the first
2 impact. Well, it comes down to a question of three
3 things; control, cost and conservation.

4 Number one; control. When a utility
5 increases its fixed cost, at the same time typically
6 decreases the variable per kilowatt-hour charge that
7 goes up and down as customers change their energies.

8 This variable charge is the only, the
9 only, portion of the bill that customers have the
10 ability to control. Removing this ability
11 disempowers customers leaving them with fewer options
12 to cut their bills.

13 Number two; cost. Higher mandatory fees
14 also force higher costs disproportionately on to the
15 people who use the least electricity. The result?
16 Those who consume less energy end up paying more,
17 while the energy hogs get a break on their
18 electricity bills.

19 Number three; conservation. As if this
20 wasn't enough, these proposals are like kryptonite
21 for clean energy. They remove the incentive for
22 people to conserve energy, lengthening payback
23 periods on energy efficient appliances and solar
24 panels, water heaters.

25 Adding to this dynamic, lower per

1 kilowatt-hour charges implicitly tells a consumer
2 we'll reward you for using more energy and penalize
3 you for using less.

4 I think those three great points that
5 she makes summarizes the problem with fixed fees as a
6 public policy.

7 Now, let me tell you a little bit about
8 myself. I'm an Air Force Veteran. I'm a citizen
9 that votes. I'm not a democrat, I'm not a
10 republican. I'm an American and I'm deeply concerned
11 about the future of our country.

12 I'm currently both a renter in Pendleton
13 district downtown, and a homeowner in Over the Rhine
14 working on a rehab.

15 I believe in freedom of choice and that
16 includes how we as citizens support production and
17 consumption of energy. I'm a firm believer in
18 distributed energy resources like solar, wind, home
19 batteries, and the efficiencies and cost savings that
20 a homeowner can realize.

21 I'm also an electric vehicle owner. I
22 own a Nissan LEAF, thanks to Duke Energy. Why? They
23 provided a \$10,000 cash rebate. I bought a car that
24 was \$37,000, minus 10,000, down to \$27,000, minus
25 \$7,500 for federal tax rebate. I bought a brand-new

1 car for 20 grand. It's a wonderful thing. It's the
2 right futuristic vision that I expect from a great
3 utility company like Duke Energy.

4 I haven't bought gasoline for
5 four-and-a-half months, but instead I'm purchasing
6 Duke electricity to recharge my electric vehicle
7 daily. It costs me \$2.40 to recharge my car; \$2.40.
8 That's it.

9 My automobile operating expenses are at
10 least 40 percent cheaper than when I operated an
11 internal combustion vehicle. I plan to own and
12 operate a second electric vehicle, with a hundred
13 kilowatt-hour battery.

14 Duke Energy is going to benefit from my
15 purchase with increased demands in electric
16 consumption to recharge both of those cars.

17 I also want thank to the City of
18 Cincinnati for it's Solarize Cincinnati and their
19 friendly electric vehicle parking programs.

20 Those are both futuristic and innovative
21 leadership that I expect from my city government.
22 I'm taking advantage of both of these as well.

23 My wife and I are homeowners as I
24 mentioned, working on a rehab. It's an 1885
25 four-story structure down on Orchard Street.

1 We committed to this only after living
2 downtown Cincinnati for one-and--half years as a
3 trial test period. As I mentioned, I rent in the
4 Pendleton, about two blocks north of the Jack's
5 Casino.

6 We initially learned about city
7 council's and 3CDC's vision for the city and we
8 bought into it. More importantly, we experienced
9 that vision coming to life daily. As we walked in
10 the parks, we saw kids playing in the streets again,
11 the wonderful night life, the restaurants, bars and
12 entertainment.

13 I love downtown Cincinnati and I'm proud
14 of the direction our Mayor, City Council members,
15 3CDC and the business owners have taken the city. It
16 is incredible, it's tremendous. And continues to
17 improve every single day.

18 But it's not enough. That vision has
19 got to continue, otherwise we won't attract, retain
20 young people like software developers, engineers and
21 entrepreneurs by staying on this path of innovation
22 and implementing family, community, and business
23 friendly policies.

24 So what are these policies? They are
25 clean and safe neighborhoods, free of garbage and

1 crime. My back street, I picked up three needles in
2 the back alley the other day from junkies shooting
3 up.

4 I've had people breaking into cars, four
5 cars broken into my back alley in the last seven days
6 busting windows. We're going to do something about
7 that. We need bike paths that encourage walking and
8 healthy living. We need a transportation policy that
9 encourages public transportation like streetcars and
10 electric buses. And personal electric vehicle
11 adoption, like Duke Energy incentivized with that
12 \$10,000 cash rebates for my Nissan LEAF.

13 We need energy policies that incentivize
14 investments and distributes energy resources that
15 reduce clean energy, like wind, solar, and home
16 batteries.

17 We need building policies like the City
18 of Cincinnati has implemented for tax abatement for
19 those that pursue Lead certification.

20 I've lived abroad, I worked for IBM,
21 worked in the military, I've lived in India, I've
22 lived in China. I know firsthand what poor public
23 policy produces; pollution that creates unhealthy
24 air, polluted water that's poisoned creating a
25 society riddled with cancer and birth defects. I've

1 experienced it firsthand as I walked to work downtown
2 Beijing, China, gagging and trying to gasp for
3 breath, arriving at work with a headache that I just
4 couldn't kick for the entire day.

5 And then when I came home after the
6 shock with the realization of how critical clean air
7 and water were to my health, and that those two
8 things, clean air and clean water, are not
9 guaranteed, we had to fight for them. So I decided
10 to do my part.

11 As I mentioned, I'm working on this
12 rehab in downtown Cincinnati. I'm installing solar
13 on my roof, a ten kilowatt solar. I have plans to
14 increase that with 5 kilowatt rate, giving the right
15 investment incentives provided by the Public
16 Utilities Commission.

17 I made other investments in order to
18 produce cleaner energy and hopefully reduce my
19 electric bill. I've installed a geothermal system,
20 probably one of the few in downtown Cincinnati.

21 You get to drill six holes vertically,
22 200 feet a piece, to produce that geothermal system.
23 I'm installing all new energy efficient windows
24 throughout my house. New foam installation in all
25 the exterior walls. I purchased new high-efficiency

1 water heater, new Energy Star efficient appliances.

2 I'm working towards lead certification,
3 if not gold, maybe platinum, to pursue tax abatement.
4 These are all public policies that bring people into
5 the city and want us to live downtown.

6 My historical utility level billing is
7 266 a month, I hope to get that down under a hundred
8 dollars a month, but now I don't know if that's going
9 to be possible. Why? Because of these fixed
10 charges.

11 My last bill for my rehab -- I'm not
12 even living in this place, I rent another place. And
13 this is rehab, so nobody is living there. It was
14 only \$67.42; 144 kilowatt hours of electricity
15 consumed.

16 My distribution fix charges, \$59.
17 That's 88 percent of my bill; 88 percent. That's
18 total loss of control. I can't do anything about
19 that.

20 I'm wondering how do I disconnect from
21 the grid, how do I get out from underneath this crazy
22 policy of fixed charges that we should not be headed
23 towards as a state nor as a city.

24 So I'm a proponent of Duke Energy's
25 Green Energy Vision, and I support it. I think they

1 are one of the few utilities that are doing a number
2 of things right.

3 But I'm opposed to any policy change
4 that's going to take away my control, that's going to
5 eliminate my ability to reduce costs, and that's
6 going to be a major disincentive for me to want to
7 conserve energy, and fixed charges do that.

8 Please, please, do not approve these
9 fixed charges. Thank you.

10 ATTORNEY EXAMINER WALSTRA: Tina
11 Hutchins.

12 MS. HUTCHINS: My name is Tina Hutchins.
13 I live at 2510 Ridgeland Place, Apartment 1, in
14 Cincinnati 45212.

15 - - -

16 Tina Hutchins,
17 presented herself as a public witness, and being
18 first duly sworn, testified as follows:

19 TESTIMONY

20 MS. HUTCHINS: Like I said, my name is
21 Tina Hutchins. My family and I, we live in a suburb
22 call Pleasant Ridge. I am -- I'm originally from
23 Georgia, so I am a daughter of a retired mechanic.
24 My father, he worked for Georgia Power a long time
25 ago. He'd been retired for over 15 years, and I tell

1 you, it's not easy for me to see that -- I want to
2 thank those who have spoke ahead, you know.

3 I have listened intensively, you know,
4 about problems that we all are facing. I admit that
5 I, as an example, we are low income. We are
6 struggling to pay our bill. It's not just only the
7 Duke Energy bill, but also our rent.

8 We, you know, try hard to decide on
9 whether we should pay the Duke Energy bill or should
10 we try and catch up on our rent.

11 My husband has to work at least four or
12 five part-time jobs just to make ends meet. And we
13 have a 24 year old autistic daughter who is also
14 working at one of the supermarkets here in Hyde Park
15 Plaza.

16 And we have to struggle each day trying
17 to figure out, you know, how can we lower our bill.
18 But every time we do that, the more we try to lower
19 our bill, the more it seems to get higher, and that
20 our bill this month is over a thousand dollars.

21 We're months behind on our rent, and it
22 seems like our landlord will be coming knocking on
23 our door, when are we going to catch up on our rent,
24 when we're trying to figure out how we're going to
25 try to lower our Duke Energy bill.

1 I mean, it's a daily struggle. I mean,
2 I'm trying to work with my family, asking them, you
3 know, to work on how I'm going to get paid in order
4 to pay a little bit at a time. But it seems like
5 that didn't even work.

6 We were on a program for a long time,
7 and yet even PIPP has been giving us problems. PIPP
8 to me is -- it seems like is a joke. I mean, I hear
9 from people saying they have been on PIPP, but then
10 they didn't like it because now it seems like it's a
11 struggle.

12 I mean, I see now that, you know, we
13 seen over a hundred dollars has been added on to our
14 bill every month.

15 And let me tell you what happened last
16 week. Okay. Last week we were trying to work with
17 Duke Energy to try to keep our lights and gas on,
18 which they did, they give an extra two days.

19 We tried to work with them on that until
20 I had to go to the clinic to ask them, you know,
21 could they send my medical certification to pay for
22 the -- I mean not pay for, but actually to extend
23 our -- extend our due date.

24 On Wednesday they turned off our lights
25 and -- I mean, they turned off our lights and turned

1 off our gas just because they wasn't patient, they
2 didn't wait.

3 So I had to go to my appointment at the
4 clinic. I'm a Type 2 diabetic and I have high blood
5 pressure. It took me a while for them to ask them --
6 to either ask my nurse or ask my doctor to -- to fill
7 out the paper. They -- I thought they faxed it, but
8 instead they mailed it. And it took them a while for
9 them to do that.

10 And the manager of the clinic called,
11 and called Duke Energy, and she turned the lights
12 back on for me, which I am thankful for. But yet it
13 seems to me that I've heard from others who have
14 spoken here, it's hard. And it seems to me, you
15 know, Duke Energy don't seem to care about the lower
16 class.

17 I mean, it's like they don't want to
18 hear us. I mean, it seems like we have to ask over
19 and over again, please repeat what you're trying to
20 tell us. And yet like here before, Duke is getting
21 rich on other people's back.

22 There are many who are retired, many who
23 are on fixed income, many who have to do so many
24 jobs, it's sad. And I wish somebody from Duke could
25 see that, because I know back then when I first came

1 here to Cincinnati, when I lived with my aunt, her
2 bill wasn't that bad, and she was only one person
3 living in a big old house by herself. She only paid
4 like maybe a hundred something dollars.

5 But now this, I mean, it's just -- it's
6 just crazy. And I really would like to come to you
7 all, and not only on behalf of my husband,
8 Christopher Olga, but on behalf of those who live on
9 lower income, and try to make ends meet, to please,
10 please don't pass this rate hike, because all they
11 are doing is just getting rich off our backs.

12 And it's bad enough as we're suffering
13 now, we just, you know, really want Duke to see, you
14 know, how we are. And I just want to say thank you
15 for your time.

16 ATTORNEY EXAMINER WALSTRA: Thank you.

17 Loa Bennett.

18 MS. BENNETT: Loa Bennett, 2636 Stanton
19 Avenue, 45206.

20 - - -

21 Loa Bennett,
22 presented herself as a public witness, and being
23 first duly sworn, testified as follows:

24 TESTIMONY

25 MS. BENNETT: I would imagine that not

1 many people are familiar with the knowledge that
2 there are Indian reservations within the United
3 States that have absolutely no children in them.

4 There are no children in Indian
5 reservations because our kind state, or each state,
6 our government, has taken the children from the
7 families because of substandard housing; namely,
8 electricity, that people can't afford their
9 electricity, their children will be taken by the
10 state.

11 Is it the intent of Duke Energy to
12 actually decrease the fabric of our society? Right
13 now in Cincinnati you are one in 108 people will be a
14 victim of a violent crime. The state has a ratio of
15 one to 343. So we're really dealing with some issues
16 here in Cincinnati already.

17 We're two times as likely to be a victim
18 of property crime, and in Cincinnati there are 245
19 crimes per square mile, while the national median
20 is 33 crimes per square mile. 98 percent of the
21 cities in the United States are safer than
22 Cincinnati. These statistics are gotten from
23 neighborhoodscout.com.

24 A single parent with two dependents must
25 work 109 hours a week at minimum wage to reach

1 self-sufficiency. This is from cincinnati.com.

2 Does Duke and the Energy Commission
3 truly mean to cause further entanglement in human
4 lives as people are working to find more help through
5 these church agencies, these ministries?

6 They have got child protective services
7 breathing down their back, you know, trying to run
8 through the government hoops. I would imagine people
9 that have money have no idea what it's like to deal
10 with Job and Family Services.

11 Oh, it's like going to the DMV, but the
12 line is five times longer and you get nothing
13 accomplished. You have to wait a few months to find
14 out if anything will actually happen to make your
15 life better.

16 When people get so severely stressed
17 out, that's when drugs increase. And I don't know
18 any dealer in my neighborhood that has got a visa to
19 get into a foreign country where our American
20 military is guarding the heroin. I'm talking dozens
21 of ex-military that said they guarded it there, or
22 when it came into the U.S. and then this eventually
23 all leads down to prison.

24 So if Duke approves this, or the energy,
25 they are actually going to be outright saying that

1 they are putting a war on people, that their profits
2 override human rights to exist, because we do not
3 have the right in this American society to live
4 without electricity. It's not like, you know, the
5 Internet service where we can say no, I refuse to pay
6 \$40 for a base fee.

7 Greed, lust, envy, pride, gluttony,
8 anger, being slow to change. \$2.1 billion profit is
9 not enough, but you need to steal from a city that
10 has such a low access to grocery and nutrition.

11 I'm really appalled that this would even
12 be presented to the public. But I am very thankful
13 that you are offering this open session to hear from
14 the public.

15 I myself am a low energy user. I use
16 about 7 kilowatt-hours per month. That's low income,
17 or low use. I never get my gas turned on because I
18 don't believe in fracking. And I'm not going to pay
19 the base foot bill to support it.

20 I have put myself, for five years since
21 I've been here in Cincinnati, in dealing with the
22 winter without that gas heat. I live in a
23 one-bedroom apartment in a low income part of town.

24 And I know my neighbors are struggling.
25 When they have to live as reserved as I do, it puts

1 their children at danger, which means they are going
2 to be out on the street waiting for the bus to get to
3 the doctor.

4 And I know people with money don't
5 really have to think about the travesty of a single
6 mother carrying three children to a doctor's office
7 with an over-hour bus ride to get there.

8 I mean, it's really a sick system that
9 we're currently dealing with, and I really hope that
10 there would be mercy to all of these people. Money
11 is a false power and a false principal that we all
12 bit into.

13 There is no other creature in the known
14 universe willing to enslave itself to exist to have
15 food, to have shelter. And do we really want to
16 enslave humanity further for the aforementioned
17 greed; 7 cents? Please, do not allow this rate hike
18 to pass. Thank you.

19 ATTORNEY EXAMINER WALSTRA: Thank you.

20 Stephen Fortson.

21 (No response.)

22 ATTORNEY EXAMINER WALSTRA: Roger Davis.

23 MR. DAVIS: Good afternoon. First of

24 all I'd like to say I am not --

25 Name and address first.

1 MR. DAVIS: I am not a one percenter.
 2 My name is Roger Davis and I live at 2889 Autobahn,
 3 Fairfield, Ohio 45011.

4 ATTORNEY EXAMINER WALSTRA: Thank you.

5 - - -

6 Roger Davis,
 7 presented himself as a public witness, and being
 8 first duly sworn, testified as follows:

9 TESTIMONY

10 MR. DAVIS: First of all, I'm a member
 11 of a group called CUFA, Communities United For
 12 Action, and we're a Hamilton County grass root
 13 organization, and we work with residents and the
 14 people in it, low and medium income.

15 I'm also retired with the Cincinnati
 16 Police Department. I'm also a property owner at 1119
 17 Yale, Cincinnati, Ohio, Walnut Hills.

18 I normally give that vacant piece of
 19 property about three hours a day each week. It's
 20 vacant, and the cost of a vacant building, when I get
 21 a bill, is going up and up and up. It's vacant.

22 I do go in, I do have gas and electric.
 23 I am also retired and I am on Social Security. I
 24 also believe since there is no raises that we're
 25 getting, I want to use that property as a raise to

1 keep a lifestyle.

2 But so many times, so many times when
3 I'm driving, when I'm waking up in the morning, I'm
4 wondering what is actually our representatives are
5 doing for me, I'm really -- I need to really know.

6 Our councilman came in and did an
7 excellent presentation. I hear people talking about
8 been down to downtown Cincinnati, but my vacant
9 property is in a low income area, which is actually
10 improving because certain people are moving back
11 toward town.

12 But I keep seeing this bill. No one is
13 living in the property other than when I come there
14 to do some vacuuming and things of that sort. I'm
15 asking you guys not to, with all respect -- not to
16 vote yes for that. I'm voting no, if there's any
17 chance at all. This is not a long speech, I don't
18 need long speeches.

19 I just believe in simple speeches or
20 trying to develop a narrative that everyone can
21 understand. So when we see \$6 and then we go up to
22 22.77, I'm not a one percent person, and I hope you
23 understand that with all understanding. And we can't
24 afford that. We can't even believe that we can
25 continue to grow with these rates; robbing Peter to

1 pay Paul. Thank you.

2 ATTORNEY EXAMINER WALSTRA: Thank you.

3 Dorothy Bush.

4 MS. Bush: Dorothy Bush, 1729 Westwood
5 Avenue, 45214.

6 - - -

7 Dorothy Bush,
8 presented herself as a public witness, and being
9 first duly sworn, testified as follows:

10 TESTIMONY

11 MS. Bush: I'm disabled, I'm on a fixed
12 income. I heard someone earlier discussing that your
13 rent or mortgage and your utility bills should not be
14 more than a third of your income.

15 I was playing around with the numbers in
16 my head. My mortgage and my utility bills come to
17 about \$600 a month. My total income is 1,491 per
18 month on disability. That's the only income I have.

19 That's almost half of my income for
20 those two things. I have to pay everything else out
21 of the little bit that's left, all of my other bills.

22 I have medical bills. I had surgery
23 last summer on my neck because my arthritis is so
24 bad. This comes at a bad time. And I've noticed
25 that I -- or rather I read that if you use over a

1 thousand kilowatt-hours a month, that you'll get a
 2 decrease.

3 Well, that's wonderful for the one
 4 percent. I'm not part of the one percent. I have
 5 one question for you, and I don't expect you to
 6 answer it.

7 I thought public utilities were for the
 8 public. When did public utilities become for the one
 9 percent? When did that happen? I didn't vote for
 10 it. I know I didn't vote for it. Don't make it for
 11 the one percent, make it for all of the public.
 12 Thank you for your time.

13 ATTORNEY EXAMINER WALSTRA: Thank you.
 14 Lenore Newman.

15 MS. NEWLAND: Lenore Newland, 4566 Innis
 16 Avenue, Cincinnati 45223.

17 - - -

18 Lenore Newland,
 19 presented herself as a public witness, and being
 20 first duly sworn, testified as follows:

21 TESTIMONY

22 MS. NEWLAND: Very briefly. For 200,000
 23 rate paying households at a base rate increase of
 24 16.77 per month, the yield would be \$3,354,000 a
 25 month. As a CUFA -- Community United For Action, as

1 a CUFA member, and also a Duke shareholder, my
2 feelings are that Duke should deduct the charges from
3 dividends. Customers first, shareholders later.
4 That's what my T shirt will say. That's all. Thank
5 you.

6 ATTORNEY EXAMINER WALSTRA: Thank you.
7 Erica Black Johnson.

8 MS. JOHNSON: Good afternoon everyone.
9 Thank you so much for holding this and allowing
10 everyone to just be open and unlimited in their
11 responses, and truly being engaged in listening to
12 the people. A lot has been said here and I agree
13 with everything that's been said here.

14 ATTORNEY EXAMINER WALSTRA: We need your
15 name and address.

16 MS. JOHNSON: Erica Black Johnson, 2737
17 Westonridge Drive, 45239.

18 - - -

19 Erica Black Johnson,
20 presented herself as a public witness, and being
21 first duly sworn, testified as follows:

22 TESTIMONY

23 MS. JOHNSON: Sorry about that. Thank
24 you. A lot has been said here, but I'll choose to
25 focus on the fact that all the issues that we're

1 talking about just really adds to the fact that we
2 are experiencing a wider gap in our income between
3 our haves and have nots, and this issue about fixed
4 charges is really getting out of hand.

5 As you know, we're also -- the consumers
6 are also battling it with our sewer rates. So we
7 really need to focus on that.

8 So first of all, I am in total
9 opposition of this rate increase. I think it's
10 selfish. I think it's very predatory, and just down
11 right unfair.

12 While the costs -- while the cost of
13 living continues to rise because big corporations and
14 creditors seek opportunities to increase costs of
15 citizen consumers and debtors, household incomes
16 remain stagnant and even decrease due to layoffs, pay
17 cuts and decreases, and loss of jobs.

18 Big corporations and creditors already
19 receive more from struggling citizen consumers and
20 debtors by way of such things as late fees,
21 penalties, interest. So why do they think they can
22 continue to take from the very people who put and
23 keep them in business.

24 Why do they even need more, when the
25 people aren't getting more? Whatever the excuse,

1 it's not enough to justify extending the gap between
2 the wealthy and poor by continuing to take from those
3 who are the easiest to rob and the most
4 disadvantaged.

5 So what I would propose to do is that
6 you scale back if you need to, or better yet, cut the
7 pay off the top, you know, reduce the benefits to the
8 executives and leaders who merely sit back and just
9 reap insurmountable benefits of the money making
10 wheel.

11 No more increases upon the people,
12 please, without reparations and/or increases to the
13 people. You know, we can't even get an increase in
14 our minimum wage. And if by the time we do get an
15 increase in minimum wage we're going to be at the
16 same situation, \$15 an hour, that's going to be poor,
17 especially at this rate when we continue to be milked
18 and chained and just sought after for every little
19 penny that we have.

20 Do you know how hard it is to live in
21 poverty, or even how hard it is to get out of
22 poverty? With predatory tactics like this, it's even
23 harder to stay out of poverty.

24 So until all of the people are doing
25 good, we will continue to experience this imbalance

1 in economic policies and this imbalanced, unfair,
2 widening gap between economic income levels.

3 So again, I ask you, I ask you and I
4 plead with you, stand up to Duke, and for the people,
5 by not supporting this rate increase -- increased
6 rate. I appreciate your time, and thank you for
7 having us.

8 ATTORNEY EXAMINER WALSTRA: Thank you.
9 Julie Jones.

10 MS. JONES: My name is Julie Jones. I
11 live at 315 Whitthorne Drive, Wyoming, Ohio, 45215.

12 - - -

13 Julie Jones,
14 presented herself as a public witness, and being
15 first duly sworn, testified as follows:

16 TESTIMONY

17 MS. JONES: I just want to talk about
18 two different things. First, that this increase
19 definitely effects those that can't afford it the
20 most.

21 I think that all the testimony here has
22 made that pretty clear. To put a front end surcharge
23 or sort of front load all the charges, you really are
24 incentivizing the power hog.

25 And personally, you know, I'm in a

1 situation where \$16 a month isn't going to make a
2 huge difference, but my mother was a teacher for
3 almost 35 years. She had a stroke the year before
4 she was going to retire, and she now lives on a very
5 fixed income, and I manage that.

6 So the one thing that we don't know, as
7 people who can handle that \$16, is that any upset to
8 her budget has ripple effects. So if property taxes
9 are due, that creates problems. Any \$16 is really
10 \$16 that comes out of food budget.

11 And this is a woman who gave her life
12 to, you know, helping kids. So that part is
13 absolutely true.

14 Now, on the other hand, I'm a person who
15 works for renewable energy, I sell solar panels. And
16 so I want to talk about how this will affect that
17 industry and those people who have invested in those
18 types of energy efficiency technologies and renewable
19 technologies.

20 Now, people do this for a lot of
21 reasons. People do this because they believe that we
22 need to move toward renewable energy, that energy
23 efficiency conservation is very important, and so
24 they make investments.

25 And while they may do it for altruistic

1 reasons, it does need to pay for itself, so they need
2 to be able to lower their energy use. And if you
3 front end the costs of just being connected to Duke,
4 they cannot do that.

5 It also -- if it disincentivizes people
6 to do that, it's going to effect people in those
7 industries, like me. If people can no longer afford
8 or see an investment in solar paying back, I can't
9 sell the solar panels, and now maybe I don't have a
10 job.

11 And so the first part of that effects me
12 more, but you're looking at people who are in the
13 energy efficiency industries, installers, engineers,
14 sales people, marketers. These mostly come from
15 small companies, not large corporations like Duke,
16 but the smaller companies that are investing in this
17 future technology. There are my thoughts. Thank
18 you.

19 ATTORNEY EXAMINER WALSTRA: Thank you.
20 Sue Morgan.

21 MS. MORGAN: My name is Sue Morgan, 3769
22 Ault Park Avenue, Cincinnati, 45208. And I promise
23 to tell the truth.

24 ATTORNEY EXAMINER WALSTRA: I have to do
25 it for you.

1 It's very questionable and doubtful that
2 the consumer will benefit anyway from this charge.
3 It feels like each Ohio family is being forced to
4 make a \$273 annual donation to Duke so that they can
5 improve their profit margins.

6 Struggling families can't afford to be
7 used this way. Executive pay is disproportionately
8 high. Utilities accounting to shareholders needs to
9 be realistic.

10 You can't improve that accounting on the
11 backs of those who can afford it the least. A 5,000
12 square foot home would pay the same flat rate charge
13 as a 500 square foot efficiency apartment.

14 A 280 percent flat rate increase is
15 really outrageous. People in Ohio need that money to
16 make energy more efficient and cost effective.

17 It's an abuse of power to force a
18 surcharge on people to pay for the mistakes of the
19 industry. Before asking the consumers to increase
20 their payments, Duke needs to look internally and
21 find cost savings in their hierarchy.

22 They need to commit to renewable energy
23 investments, and they need to show a good faith
24 effort to learn from their over reliance on the dying
25 coal industry.

1 It would be unconscionable to allow this
2 flat rate increase to pass. As you've heard here
3 today, these are real people who struggle, and you
4 only heard a tiny, tiny minority of the people who
5 would be so seriously hurt by this.

6 So take it to heart and do the right
7 thing for the people of Ohio, and deny Duke's
8 request.

9 ATTORNEY EXAMINER WALSTRA: Thank you.
10 Mary Rook.

11 MS. ROOK: My name is Mary Rook, 2945
12 Massachusetts Avenue, Cincinnati, Ohio 45225.

13 - - -

14 Mary Rook,
15 presented herself as a public witness, and being
16 first duly sworn, testified as follows:

17 TESTIMONY

18 MS. ROOK: Well, the first question I
19 have is who is in favor of this raise for fixed
20 rates? I don't think it's the people in this state
21 that have to pay it.

22 The other thing I wanted to say is I do
23 a lot of reading about alternative energy. I see
24 what other countries are doing to improve their use
25 of energy using alternative energies, and it's not

1 that the knowledge isn't there, the capacity isn't
2 there, but it seems that the will isn't there.

3 We have a company that on one side is
4 actually doing some progressive things as the
5 gentleman that lives on Orchard Street mentioned, but
6 on the other side is clinging very hard to very
7 old-fashioned ways of producing energy that are not
8 cost efficient, that destroy our environment, and
9 destroy communities and families.

10 And I truly feel that this is a huge
11 mistake. If this money was being invested to improve
12 the alternative energy infrastructure, that might be
13 one thing. But our government isn't supporting it at
14 any level right now, and I think that's a huge
15 problem.

16 I don't understand why it is that
17 profits are coming before people. I think that this
18 country was originally built to support people, a
19 government of the people, by the people, for the
20 people, and that is not what's occurring anymore.

21 Now it's like the haves are not
22 considering the have nots. I come from a background
23 where I believe the leadership is supposed to be
24 trusted, it's supposed to provide service to the
25 people that don't have what they have. And that

1 doesn't seem to be the case anymore.

2 So my request would be that in this
3 instance, thank you for listening to all these people
4 that have poured their hearts out to you, myself
5 included, I think what Duke is doing is
6 unconscionable, and I think that this rate needs to
7 be refused.

8 ATTORNEY EXAMINER WALSTRA: Thank you.
9 James O'Reilly.

10 MR. O'REILLY: James O'Reilly, 24 Jewett
11 Drive, Wyoming, Ohio 45215.

12 - - -

13 James O'Reilly,
14 presented himself as a public witness, and being
15 first duly sworn, testified as follows:

16 TESTIMONY

17 MR. O'REILLY: Before beginning I'd like
18 to give a disclaimer. I'm not speaking on behalf of
19 the city council of the City of Wyoming, I'm not
20 speaking on behalf of the executive committee, I'm
21 not speaking for the leadership team of the Regional
22 Counsel of Suburbs, which we call the Southwest Ohio
23 First Suburb Consortium. I'm not speaking for the
24 Department of Health, the Environmental Health,
25 College of Medicine, University of Cincinnati.

1 As a longtime elected official and as an
2 expert in the administrative process nationally, I
3 read a lot of proposals and administrative agency
4 actions.

5 It's what I do. It's what my 52
6 textbooks, my 219 articles do, so I'm a wonk in this
7 area.

8 I'm very appalled at what I read in the
9 document entitled objections, particularly the
10 October 26th, page 11, paragraph 3, section 21 of
11 Duke's submission to the Public Utilities Commission.

12 I urge the Commissioners to please send
13 a message to Charlotte, North Carolina and say that
14 the predatory actions being taken by Duke, and the
15 arrogance of that objections document deserves to be
16 flatly rejected.

17 You as Commissioners should speak for
18 us, you represent all of us in Ohio, but please
19 consider us as you write your final decision.

20 I'm going to address myself to the
21 increase which quadruples the fixed charges up to 273
22 per year per connection. That would definitely
23 benefit shareholders in North Carolina, but it would
24 put in our calendars in Ohio something we have never
25 had before; a 13th month. It would be the 13th month

1 of Duke as our electric bill.

2 Each of us would lose the ability to
3 control our bills by reducing our energy use because
4 that \$273 contravenes prudent energy policy. It
5 dissuades consumer incentive choices to move Ohio
6 homes towards solar, to insulation and the like, as a
7 means of reducing energy spending.

8 If every resident had to spend this
9 13-month Duke, the quadrupling of the fixed bill
10 would mean people would have less incentive to invest
11 in energy efficiency.

12 I believe, along with what Governor
13 Kasich has said, I believe we need to, as a
14 government, listen to the little guy. That's the way
15 he phrased it. Quadrupling the fixed charges on the
16 little guy every month is undeniably regressive.
17 It's an unfair burden, particularly on the low and
18 fixed income members who have spoken to you today.

19 It matters especially here in Hamilton
20 County because we are about on the edge of a major
21 increase in our sewer bill, and the likely increase
22 in our water utility increases. These are utilities
23 that cannot be simply shut off.

24 Adding insult to energy is the Duke way
25 of doing business, and the approaches taken by their

1 gas pipeline managers.

2 I recognize the Public Utilities
3 Commission and the Ohio Power siting Board are
4 separate for purposes of the statute, but I'm one of
5 the 83 people who testified on June 15th. None of
6 the members of the Ohio Power Siting Board came, and
7 we were not listened to.

8 Let me go specifically to Section 21,
9 Paragraph 3, page 11 of Duke's objections document.
10 Translated into English, it means that the North
11 Carolina managers of Duke refuse to allow a
12 subsidiary of Ohio's poor and middle class in favor
13 of Duke's commercial customers.

14 They cry crocodile tears, they are
15 bemoaning the subsidies that they say, quote, would
16 come at the expense of all other rate classes, close
17 quote.

18 Please recognize that we are residents
19 and you are residents, who will be paying this
20 additional money. It's nontax deductible for us.
21 The energy costs of all these other rate classes Duke
22 speaks of are routinely deductible as a business
23 expense for those who are operating a business.

24 These other rate classes can deduct it, we cannot.

25 The 273 comes out of our money, and not

1 our commercial account. So I believe when we add
2 this extra month to our accounting, the 13th month of
3 Duke, it does not come off the payments of the Ohio
4 Tax Commissioner, it does not come off the payments
5 of the IRS, it does not effect Duke's overall view,
6 but it increases the profitability that's passed
7 along to shareholders of Duke and to the people in
8 North Carolina overseeing such enormous rewards.

9 I urge the Commission, please follow
10 your staff recommendation. Leave the customer charge
11 unchanged. And if Section 21 is accurate, if it
12 means that Duke wants to get this money for
13 residential customers, Duke says that the PUCO staff,
14 quote, is contravening a prior Commission directive,
15 close quote.

16 Well, if you are contravening a prior
17 Commission directive, please do what every other
18 administrative body does; reconsider that directive
19 and its wisdom in today's environment.

20 Revisit the directive and affirm your
21 Staff's view that the base customer charge remain at
22 no more than \$6, should not be quadrupled and should
23 not come out of the 273 from the consumers. I
24 appreciate your time. Thank you.

25 ATTORNEY EXAMINER WALSTRA: Thank you.

1 Jeanne Genson.

2 MS. GENSON: My name is Jeanne Genson,
3 I'm at 7714 Stonehinge Drive, Montgomery, Ohio 45242.

4 - - -

5 Jeanne Genson,
6 presented herself as a public witness, and being
7 first duly sworn, testified as follows:

8 TESTIMONY

9 MS. GENSON: Thank you for this
10 opportunity, and I appreciate all of the people who
11 have come before me, and I concur with what they have
12 had to say.

13 I have served in the past as Planning
14 Commissioner for the City of Montgomery on numerous
15 government related committees, and as such, I
16 appreciate your task to provide guidance and
17 authorization regarding this request that's affecting
18 the citizens of Ohio.

19 I'm here to express opposition to the
20 Duke Energy fixed rate hike proposal. I agree with
21 all of the -- and sympathize with all of the people
22 who have come to you talking about the burden it
23 places on them to pay.

24 I want to bring to you another
25 perspective. We have an obligation to the public to

1 encourage environmental sustainability practices. A
2 fixed rate hike reduces the opportunity and
3 incentives for these programs.

4 If they -- if people are able to include
5 energy efficiency and upgrade practices, it's a
6 win-win for Duke Energy.

7 As a homeowner and citizen, I understand
8 the importance of reducing my carbon footprint to
9 protect our environment for future generations.

10 To achieve this, my husband and I did
11 the following: We had, through Greater Cincinnati
12 Energy Alliance, a complete energy audit with a
13 blower door test. The results of that was a thorough
14 report which we followed through on.

15 We added insulation, changed our roof
16 ventilation design, changed all our bulbs and
17 fixtures to LEDs, installed solar panels, and battery
18 backup for some of the panels, added geothermal,
19 which not only heats our home and cools our home, but
20 also heats our water. We recycle, we compost, we
21 both drive efficient cars.

22 The City of Cincinnati has put together
23 an amazing plan to solarize the city. This program
24 reaches beyond the borders of the city to the
25 suburbs. I've been active in various organizations

1 promoting that program.

2 With CO2 over 400 parts per million, the
3 highest in 800,000 years, Duke Energy and the PUCO
4 needs to lead utility companies to reduce burning
5 fossil fuels, to increase renewables, to produce
6 energy through renewable energy, and to encourage
7 their customers to do the same, to reduce their
8 energy consumption and their carbon footprints.

9 By adding a fixed rate, a burden to
10 most, it's the middle income class that's most likely
11 to participate in these energy programs. It would
12 benefit the lower income class the most because it
13 would reduce their bills.

14 We have paid zero in our energy bills
15 for the wattage. We only pay the fixed rate, and at
16 that, frequently it's reduced because of net
17 metering, so we get a credit. Wouldn't it be
18 wonderful if this opportunity would be available for
19 everybody to not have to pay and to be able to
20 produce their own electricity?

21 If we continue the use of current energy
22 produced by fossil fuels at this rate, we are dooming
23 our children and our grandchildren. They will not
24 enjoy the same quality of life that we enjoy.

25 I'm Founder and President of Shomrei

1 Olam Jewish Environmental Advocates of Cincinnati.
2 We use our organization to reach out to the Jewish
3 Cincinnati community to encourage families and
4 homeowners to adopt energy efficiency policies and
5 upgrades and practices to reduce their carbon
6 footprint.

7 Many of these homeowners rely on
8 incentives in order for them to spend the money up
9 front to make the investment needed. The Duke Energy
10 rate increase discourages homeowners from investing
11 in these upgrades.

12 So in closing, I want to say that after
13 researching the Duke Energy fixed rate increase and
14 reading your staff recommendations, I don't see any
15 convincing arguments supporting the need for this
16 rate increase.

17 One has to question their motive. Is it
18 to create higher dividends for their stockholders, or
19 is it to fund the unpopular Duke Energy pipeline
20 proposals in Ohio and Virginia? Please do not
21 support this rate increase. Thank you. Appreciate
22 your time.

23 ATTORNEY EXAMINER WALSTRA: Thank you.
24 Last but not least, Heather Stirgil.

25 MS. STIRGIL: Hi. My name is Heather

1 Stirgil, and I live at 4304 Hamilton Avenue,
2 Cincinnati, Ohio 45223.

3 - - -

4 Heather Stirgil,
5 presented herself as a public witness, and being
6 first duly sworn, testified as follows:

7 TESTIMONY

8 MS. STIRGIL: Okay. Duke's energy
9 profits in 2016 were 2.1 billion, and a gentleman
10 earlier spoke about how much each of the CEOs were
11 getting and it was millions of dollars a year.

12 I'd like to point out that the average
13 salary increase for the average person has remained
14 flat, wages have remained flat for throughout the
15 decades, yet according to the website, your website,
16 this increase would be about 15 percent over a
17 six-year period.

18 That is better than most of the stocks
19 are doing. And this rate increase is on the backs of
20 the poorest people that can least afford it, the ones
21 whose rate increases for their income are flat, and
22 have remained so for a long time.

23 I would recommend tying rate increases
24 for utilities to the minimum wage. If minimum wage
25 goes up, then allow rate increases to go up, because

1 then the least-able have at least a little chance of
2 being able to afford it without like getting hungrier
3 and hungrier because of taking the money out of
4 either their healthcare or their food. Thank you.

5 ATTORNEY EXAMINER WALSTRA: Thank you.
6 That is everyone I have on the list. Is there anyone
7 here who did not sign up that wishes to testify?

8 (No response.)

9 ATTORNEY EXAMINER WALSTRA: Okay. I do
10 want to thank everyone for coming out. Thank you for
11 your patience. I know this was a long afternoon.
12 Commissioners, do you have anything to add?

13 COMMISSIONER CONWAY: I just want to say
14 thank you to everyone who attended. We appreciate
15 the effort, and the information you provided to us.
16 Thank you very much.

17 ATTORNEY EXAMINER WALSTRA: So again,
18 thank you all for coming out. The evidentiary
19 hearing is scheduled for December 11th, which takes
20 place in Columbus. Nothing else? We are adjourned.
21 Thank you all.

22 (Thereupon, the hearing was
23 adjourned at 2:50 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 Thursday, November 2nd, 2017, and carefully compared with my original stenographic notes.

Valerie J. Grubaugh
Valerie J. Grubaugh,
Registered Merit
Reporter and Notary Public
in and for the State of
Ohio.

My commission expires August 11, 2021.



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11/17/2017 2:19:10 PM

in

Case No(s). 17-0032-EL-AIR

Summary: Transcript In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase In Electric Distribution Rates, hearing held on November 2nd, 2017. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Grubaugh, Valerie