

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Application :
of The Dayton Power and Light :Case No.
Company for an Increase in its :15-1830-EL-AIR
Electric Distribution Rates. :

In the Matter of the Application :Case No.
of the Dayton Power and Light :15-1831-EL-AAM
Company for Accounting Authority.:

In the Matter of the Application :
of the Dayton Power and Light :Case No.
Company for Approval of :15-1832-EL-ATA
Revised Tariffs. :

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PROCEEDINGS

Before Daniel R. Conway, Commissioner, and
Patricia A. Schabo, Attorney Examiner, held at
the Dayton Municipal Building, Council Chambers,
101 W. Third Street, Dayton, Ohio, on Thursday,
May 10, 2018, at 6:00 P.M.

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APPEARANCES:

Faruki Ireland Cox Rhinehart & Dusing
By Mr. Jeffrey S. Sharkey
110 N. Main Street
Suite 1600
Dayton, Ohio 45402

On behalf of The Dayton Power
and Light Company.

Mr. Christopher Healey
Office of the Ohio Consumers' Counsel
65 East State Street, 7th Floor
Columbus, Ohio 43215

On behalf of the Residential
Ratepayers of the Dayton Power
and Light Company.

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Thursday Afternoon,
May 10, 2018.

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ATTORNEY EXAMINER: The Public
Utilities Commission of Ohio has assigned for
public hearing at this time and place Case
Numbers 15-1830-EL-AIR, 15-1831-EL-AAM, and
15-1832-EL-ATA being in the matter of the
application of The Dayton Power and Light
Company for increase in electric distribution
rates, accounting authority, and for approval of
revised tariffs.

My name is Trish Schabo and I am one
of the Attorney Examiners assigned by the Public
Utilities Commission of Ohio to preside over
this hearing.

This evening we do have Commissioner
Daniel Conway with us. Commissioner, would you
like to make any comments?

COMMISSIONER CONWAY: Thank you,
Your Honor. First welcome to everyone who made
it to the public hearing tonight. I just wanted
to tell you that the Commissioners, the
Commission, and I myself in particular really
appreciate the opportunity to appear before you

1 in your home town here in Dayton, and to listen
2 to what you have to say.

3 It's very poor to us to allow these
4 various interested parties, particularly the
5 consumers of Dayton Power and Light in this
6 instance, to have an opportunity to speak their
7 mind about the proposals that are included in
8 the application. We take your comments
9 seriously and we really appreciate the time
10 and effort that you put in to coming out and
11 speaking up.

12 We understand that it's not an easy
13 thing to do for everyone, and again really
14 appreciate it. So, thank you very much, Your
15 Honor.

16 ATTORNEY EXAMINER: Thank you.
17 It's a real pleasure to have you hear. Along
18 with the Commissioner there is a couple members
19 of the Commission staff here this evening.

20 Andy Schaffer is here with
21 Commissioner Conway. Matt Schilling, Brittany
22 Waugaman came with us from the Commission's
23 Public Affairs Department. And Lee Gary here
24 from the Service Monitoring and Enforcement
25 Department.

1 These PUCO Staff members are
2 available if you have any general questions
3 regarding utility matters other than the
4 application that is the focus of this evening's
5 hearing.

6 At this time we will take
7 appearances on behalf of the parties, beginning
8 with Dayton Power and Light.

9 MR. STARKEY: Yes. Thank you, Your
10 Honor. Jeff Sharkey from the law firm Faruki
11 Ireland Cox Rhinehart & Dusing representing
12 Dayton Power and Light Company.

13 ATTORNEY EXAMINER: Thank you.
14 There are other parties who have intervened in
15 this case. Would you like to make an appearance
16 here this evening?

17 MR. HEALEY: Yes, Your Honor.
18 Christopher Healey on behalf of the Ohio
19 Consumers' Counsel, Bruce Weston, for the
20 residential consumers of The Dayton Power and
21 Light Company. Thank you.

22 ATTORNEY EXAMINER: Thank you. The
23 subject of today's public hearing is Dayton
24 Power and Light Company's application for an
25 increase in electric distribution rates, which

1 is accompanied by an application for approval of
2 accounting authority and revised tariffs.

3 DP&L filed its application on
4 November 30th, 2015. Dayton Power and Light is
5 requesting to increase its revenue requirement
6 by 65.8 million dollars.

7 The Commission's Staff recently
8 filed its Report and Recommendation on May 12th,
9 2018. And in its report Staff recommends
10 limiting the increase to a range of between 23.2
11 million and \$28.1 million.

12 It's worth noting, however, that the
13 Staff Report is recommendation only and
14 the final decision will ultimately be made by
15 the Commission.

16 The local public hearing scheduled
17 in this case is only one aspect of the process.
18 In addition to being here this evening we held a
19 public hearing this past Tuesday and an
20 evidentiary hearing is scheduled to occur at the
21 Commission's offices in Columbus.

22 Notice of that evidentiary hearing
23 was published in local newspapers for
24 the hearing to start on May 14th, 2018. Because
25 that notice was published we will open the

1 record and address some preliminary issues on
2 Monday. However, due to a recent continuance
3 the hearing will start in a substantial way on
4 June 6th, 2018, in Columbus, Ohio.

5 Our purpose tonight is to receive
6 comments from the public regarding DP&L'S
7 application for an increase in rates. This is
8 not a question and answer session, although the
9 representatives from the Company, the Ohio
10 Consumers' Counsel and Staff may be able to
11 speak to any questions you have after
12 the hearing ends.

13 Tonight's hearing is being
14 transcribed by a court reporter. Any testimony
15 that will be given will be incorporated into the
16 official record of the case and will be reviewed
17 and considered by the Commission in making any
18 final decision on the application.

19 If you do plan to testify please
20 speak clearly so that the reporter can
21 accurately reflect comments on the record.

22 Also if you have a prepared written
23 statement it would be helpful if you provide a
24 copy to the court reporter for accuracy.

25 If the written statement is not an

1 actual note of what you are testifying about the
2 court reporter can still take it and we will
3 make it a public comment.

4 If you decide you do not wish to
5 testify you can submit written comments under
6 Case No. 15-1830-EL-AIR on the Commission's
7 website or by mail.

8 When you arrived you were offered
9 the opportunity to sign up to testify. After I
10 finish this introduction I will begin calling
11 witnesses forward in the order that they signed
12 up.

13 Before you give your comments I will
14 ask you to state your name and your address and
15 I will swear you in. After you testify
16 the parties will be permitted to ask questions
17 to clarify any concerns about your statement.

18 Should you decide that you do not
19 want to testify when I call your name you can
20 pass to the next witness. Also once you finish
21 testifying, or if you were just here to observe,
22 please feel free to leave at any time you wish.

23 The Commission does appreciate your
24 participation at tonight's hearing. I want
25 everyone who wishes to make a public statement

1 to have an opportunity to do so.

2 At this time I will begin to call
3 witnesses forward. Kathi Davis.

4 MS. DAVIS: Commissioner, thank you
5 for allowing us to be here to state our concerns
6 concerning this request for DP&L.

7 ATTORNEY EXAMINER: Ms. Davis, can
8 I swear you in, please?

9 (WITNESS SWORN)

10 - - -

11 KATHI DAVIS

12 called as a witness, being first duly sworn,
13 testified as follows:

14 MS. DAVIS: One of the things that I
15 want to say is that there are many things that
16 we don't require in our lives to live
17 comfortably here as Americans in Ohio.

18 An example is transportation. There
19 are buses and things available here in Dayton,
20 fast food restaurants. Those are not required.

21 But one thing is required is
22 electricity. We require that, it is not an
23 option. I have not heard any news nor read that
24 DP&L has an issue with their finances. I have
25 not heard that they are near bankruptcy and,

1 therefore, they need to increase the rates.

2 Therefore, I ask that you truly
3 consider the comments of myself as well as those
4 other consumers that are here tonight. As I
5 say, I think it is not fair that DP&L be allowed
6 to raise our annual rate by almost three times
7 its current amount, or continue to make a profit
8 above what they already have.

9 The paper states that it will be a
10 minimum impact, a minimal impact to consumers.
11 However, there are many minimal impacts to
12 consumers. There are increases in taxes, there
13 are increases in gas prices, there are increases
14 in food. All of these are required of us.

15 This is not something that is
16 required that I have read or have heard of. So
17 I ask that you all consider truly turning down
18 this request and allowing us, the consumer, the
19 ability to live comfortably using those
20 utilities that are required. Thank you.

21 ATTORNEY EXAMINER: Thank you.

22 MS. DAVIS: Thank you.

23 ATTORNEY EXAMINER: Melissa

24 English.

25 (WITNESS SWORN)

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MELISSA ENGLISH

called as a witness, being first duly sworn,
testified as follows:

ATTORNEY EXAMINER: Thank you.

MS. ENGLISH: My name is Melissa
English, and I am the Executive Director of Ohio
Citizen Action Education Fund, a public
education and research advocate on environmental
and consumer issues.

While DP&L's fixed rate increase
proposal may seem to be only a consumer issue,
it touches on more topics of concern to Ohioans
than their own wallets.

Take, for example, fairness. DP&L
and Ohio's other investor-owned utilities
received billions of customer dollars in
stranded recovery costs during electric
deregulation and expected to make billions more
from their coal plants in a competitive market.
They failed to reckon on cheap natural gas,
falling demand or plummeting costs for solar and
wind power and eventually realized those
billions would never materialize.

Unable to access capital from Wall

1 Street and unwilling to tap shareholders, the
2 utility companies have turned again to their
3 captive customer base for another cash infusion.
4 In the interest of fairness alone, DP&L should
5 be denied this rate increase.

6 Consider also poverty and jobs.
7 We heard some great testimony Tuesday afternoon
8 about how local families already stretching to
9 make rent and pay bills each month will be
10 further stressed by what amounts to another
11 electric bill or two each year. It's a shame
12 more of those people aren't here to tell you
13 what they'd rather spend \$114 on each year.

14 With respect to jobs, a snapshot
15 from the 2017 U.S. Energy and Jobs Report,
16 published by the U.S. Department of Energy,
17 illustrates that coal and natural gas plants
18 employ about 19,000 people in Ohio, while
19 renewable energy generating and energy
20 efficiency employs more like 88,000.

21 The report also shows much greater
22 growth nationally for solar and wind related
23 jobs. With our modest renewable energy and
24 energy efficiency standards back in place,
25 Ohio's renewable energy and efficiency sectors

1 can reasonably be expected to grow at a similar
2 pace, provided that is, utilities invest in the
3 energy sources of the future instead of
4 scrambling to support 19th century technology in
5 a 21st century world.

6 In the interest of fighting poverty
7 and creating jobs DP&L should be denied this
8 rate increase.

9 Finally I will turn to the
10 environment and public health. The 2018
11 American Lung Association State of the Air
12 report gives Montgomery County a D grade for
13 ozone pollution. Coal-fired power, especially
14 older ones that were grandfathered into the
15 original Clean Air Act and lack modern pollution
16 controls, contribute the nitrogen oxide and
17 volatile organic compounds that create ozone
18 pollution as well as particulates so small they
19 can pass into the blood stream through the
20 lungs.

21 According to a 2016 Ohio Department
22 Health report 1 in 9 adults in Ohio have asthma
23 and 1 in 7 children do. Of course, both air
24 pollution and asthma are caused by many things,
25 but certainly burning less coal will improve

both air quality and public health. In the interest of clean air and healthy families DP&L should be denied this rate increase.

This decision can either delay or accelerate Ohio's inevitable transition away from coal and towards clean renewable energy. Please deny DP&L's fixed rate increase. Thank you for your consideration.

ATTORNEY EXAMINER: Thank you.

COMMISSIONER CONWAY: Thank you.

ATTORNEY EXAMINER: Chris Kershner.

(WITNESS SWORN)

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CHRIS KERSHNER

called as a witness, being first duly sworn, testified as follows:

ATTORNEY EXAMINER: Thank you.

MR. KERSHNER: Thank you. Good evening, Commissioner Conway, PUCO representatives. My name is Chris Kershner, the Executive Vice President of the Dayton Area Chamber of Commerce.

The Dayton Area Chamber of Commerce represents over 2,500 businesses throughout the greater Dayton region. Those employers

1 represent over 200,000 individuals. We are the
2 25th largest Chamber of Commerce in the nation,
3 which is a true testament to the integrity and
4 health of our region's business community.

5 I am here today to testify in
6 support of DP&L's positive impact on the
7 regional business community. DP&L is one of the
8 most significant employers and corporate
9 philanthropics in the Dayton region. With
10 hundreds of employees DP&L's impact on jobs,
11 families, and our economy permeates throughout
12 the region and right here in the City of Dayton.

13 Companies of the size and their
14 economic impact should not be taken lightly.
15 DP&L is a strong corporate partner that
16 proactively works with the regional business
17 community to spur economic development, grow
18 small businesses and support business services.

19 Over the years DP&L's support of the
20 business community has been outstanding. And
21 their commitment to making Ohio and the Dayton
22 region economically prosperous can be seen in
23 their every day actions.

24 The Dayton area is currently
25 experiencing a strong economic resurgence as new

1 jobs, new companies, and industry are locating
2 to the Dayton region, and DP&L has played a
3 vital role in supporting this economic stimulus.

4 They truly understand that a strong
5 business community, strong economy and strong
6 workforce equal a high quality life for Dayton
7 area residents to live, work and play.

8 DP&L is a model corporate partner
9 who held the community, its employees and its
10 customers as paramount priorities. It is with
11 great pride that I stand here today and speak in
12 favor of this outstanding member of our business
13 community.

14 Thank you for having me today. I
15 would be happy to answer any questions you may
16 have.

17 ATTORNEY EXAMINER: Thank you.

18 COMMISSIONER CONWAY: Thank you.

19 MR. KERSHNER: Thank you.

20 ATTORNEY EXAMINER: Kevin Messer.

21 (WITNESS SWORN)

22 - - -

23 KEVIN MESSER

24 called as a witness, being first duly sworn,
25 testified as follows:

1 ATTORNEY EXAMINER: Thank you.

2 MR. MESSER: It's my opinion, it
3 better be the truth. I oppose the DP&L customer
4 charge increase for the following reasons.

5 It struck me as I was reading about
6 it that because the charge is unavoidable it's
7 like a stealth tax increase on residents. And
8 as I thought about where else would such an
9 increase from 4.25 a month to 13.73 a month be
10 so kind of behind the scenes among people who it
11 would affect.

12 And then I thought about the people
13 that it would affect, and really the predatory
14 impact that it would have on low income and
15 fixed income residents, especially retirees.
16 Regardless of conservation efforts it becomes an
17 unavoidable inflationary affect on that
18 population.

19 And then it's amazing that DP&L is
20 still pursuing this increase at the same time
21 that DP&L and its parent received huge corporate
22 tax decreases in last year's tax bill. And
23 looks like those have not filtered down to its
24 customers.

25 And I strongly oppose the increase

1 and recommend a customer charge decrease,
2 especially for the reason of the corporate tax
3 decrease. Thank you.

4 ATTORNEY EXAMINER: Thank you.
5 Leanne Jablonski.

6 (WITNESS SWORN)

7 - - -

8 SISTER LEANNE JABLONSKI
9 called as a witness, being first duly sworn,
10 testified as follows:

11 SISTER JABLONSKI: Good evening.
12 I am Sister Leanne Jablonski. I direct the
13 Marianist Environmental Education Center at Mt.
14 St. John and serve as Scholar for Faith and
15 Environment at the Hanley Sustainability
16 Institute at the University of Dayton.

17 Thank you for the opportunity for me
18 to share my serious concerns in opposition to
19 DP&L's proposal to more than triple the fixed
20 charges that residents must pay monthly on their
21 electric bills regardless of usage.

22 As a DP&L ratepayer, Catholic
23 Marianist sister and interfaith leader I am
24 dismayed by this direction which causes hardship
25 and unnecessary burden on hard working Ohioans

1 who live month-to-month and can't afford this
2 price increase of over \$110.

3 In any environmental justice work
4 throughout the State I have seen that we take
5 seriously the moral obligation to provide for
6 and care for our families. Any law that makes
7 it harder for us to do so is an unjust and
8 anti-family law.

9 Here in Dayton we live in a
10 beautiful region where innovation built dams
11 and preserved lush riverbank greenery and parks
12 protect us from flooding and build a thriving
13 economy.

14 As a scientist working on climate
15 and energy solutions I am dismayed by a
16 direction which does not reward those who are
17 implementing contemporary innovations of
18 renewable energy and energy conservation.

19 Increased visitors to our Marianist
20 Environmental Education Center, educational
21 events and plant sales are going native with
22 Ohio prairie and woodland herbs and shrubs that
23 reduce mowing pollution and reduce the building
24 heat load and thus conserve energy and
25 contribute to cleaner air.

UD's environmental sustainability and renewable clean energy grads want to stay in our region, and have jobs that promote energy conservation and efficiency.

The proposed price hike discourages residents to implement these and drives jobs away. Indeed, it is unfair that those who are wasting energy are paying the same fixed charge as those who are in small homes who are conserving with green roofs, solar panels or mature shade trees in our beautiful old homes. It is morally unjust.

And the burden of higher electricity costs and not transitioning quickly away from polluting fossil fuels most impacts those who are already disadvantaged. Those low income and already suffering from asthma and other health challenges.

There is a serious moral issue. I am inspired by Pope Francis who calls us to care for common home by considering together the impacts on both the environment and the poor in our decisionmaking, and to find economic solutions that do not damage either.

This price hike is damaging to both

1 our health and well-being of land and people.
 2 This commitment to wise stewards of the earth's
 3 resources and to consider the needs of the poor
 4 is shared by Catholics, other Christian
 5 traditions and all other major world religious
 6 traditions alike. Given our strong religious
 7 identification in Ohio, this means the majority
 8 of us hold this moral value.

9 A feature of good policy is whether
 10 it promotes good stewardship of our resources
 11 and our planet. The proposed increase in fixed
 12 charges fails this moral test. It discourages
 13 conservation, discourages improving energy
 14 efficiency, and penalizes people who are trying
 15 to be more responsible in their energy usage.

16 That makes us less efficient and
 17 more wasteful. It's irresponsible and wrong.
 18 We cannot afford the damages.

19 In summary I believe that a policy
 20 that negatively impacts the environment we all
 21 share is a serious spiritual issue. I believe
 22 that overly burdening the poor for the benefit
 23 of those who have more than enough is a
 24 spiritual issue.

25 It counters our growth as a vibrant,

1 united, diverse community. Do note my prayers
2 that you have wisdom and just decisionmaking to
3 ensure our region's future with clean, renewable
4 energy, efficiency and conservation, and thus
5 healthier air, healthy people and a sustainable
6 job future. Thank you.

7 ATTORNEY EXAMINER: Thank you.

8 COMMISSIONER CONWAY: Thank you.

9 ATTORNEY EXAMINER: I am having
10 trouble reading this last name. M. S. Paine.

11 MS. PAINE: I would like to pass.

12 ATTORNEY EXAMINER: Thank you.

13 Vanessa Ward.

14 (WITNESS SWORN)

15 - - -

16 VANESSA OLIVER WARD

17 called as a witness, being first duly sworn,
18 testified as follows:

19 ATTORNEY EXAMINER: Thank you.

20 MS. WARD: Good evening,
21 Commissioner. My name is Vanessa Oliver Ward,
22 and I am president of the Omega Community
23 Development Corporation, non-profit 501 C 3
24 organization that has focus on economic
25 development, family development and youth

1 development in northwest Dayton, and we have
2 been doing this for the past 20 years.

3 I am pleased to speak today on
4 behalf of Omega CDC in recognition of the
5 philanthropic contributions that the DP&L
6 Foundation has made to the communities such as
7 the one in which I serve.

8 In 2012 the Omega CDC began efforts
9 to develop a 30-acre campus which was formally
10 the home of United Theological Seminary in the
11 heart of the Daytonview neighborhood. This
12 neighborhood was once thriving but, like many
13 neighborhoods in the urban America it has now
14 been struggling with increasing poverty,
15 disparity in education, health and employable
16 citizenry.

17 In efforts to address these issues
18 the Omega CDC at the urging of community and
19 other city stakeholders began planning for a
20 multi-phased development on this campus, with
21 the first project just being the building of a
22 community center, the Hope Center for Families.

23 There will be a community center
24 that does not house recreation, but services,
25 providing education to the youngest of learners

1 and wrap-around social services to their
2 families, all under one roof and in the heart of
3 the poor of this city.

4 The DP&L Foundation when approached
5 saw the vision and worked tirelessly with me
6 offering advise and guidance and solidifying the
7 plans to ensure a model that would be
8 operationally sustainable and they offered
9 dollars to support the hiring of a development
10 professional who would assist us in developing
11 the financial model for the Hope Center.

12 They saw in this vision the
13 opportunity to create jobs, the opportunity to
14 create a better opportunity for families and for
15 children, first giving education to children
16 from infants to age 5, and then support
17 wrap-around services because of the partners who
18 will be housed in this center. Sinclair
19 Community College will provide training for
20 those adults, GED, as well as certificate
21 programs in allied health and hopefully serve
22 as a pathway to get those parents into their
23 institution.

24 The Miami Valley Urban League will
25 be present doing training in that center.

1 Children's Medical Center is going to provide
2 medical attention with a clinic that will serve
3 over 3,500 children providing vaccinations and
4 all kinds of services to prevent all critical
5 and emergency issues that they are facing at the
6 main campus. They wanted to make that available
7 in this community.

8 There is the work that will go
9 forward, and because of DP&L Foundation's
10 leading gifts for this project I am confident
11 today that other foundations, both private and
12 public foundations, took this project more
13 seriously and they committed their support.

14 I am happy to say today we have
15 raised \$2.8 million of a \$3.2 million goal for
16 fund-raising. And I believe it was because of
17 the effort and because of the leadership of the
18 DP&L Foundation that we are in this position.
19 They served as a catalyst for helping to build
20 momentum for this project and now poised to make
21 a difference in Dayton.

22 As a Pastor of a church in this
23 community I wear two hats. I recognize that
24 there are parishioners who will face some
25 difficulty, but we are about the business of

1 helping people learn and work to become stronger
2 and sustainable breadwinners for their families.

3 This will be a catalyst for this
4 particular project. And this Foundation made
5 that possible. And for that I am supportive of
6 the work that they do and hope that more dollars
7 will be raised so that there is opportunity to
8 make a difference in our community. Thank you.

9 ATTORNEY EXAMINER: Thank you.

10 COMMISSIONER CONWAY: Thank you.

11 ATTORNEY EXAMINER: Paul
12 Scholttman.

13 (WITNESS SWORN)

14 - - -

15 PAUL SCHLOTTMAN
16 called as a witness, being first duly sworn,
17 testified as follows:

18 ATTORNEY EXAMINER: Thank you.

19 MR. SCHLOTTMAN: Thank you, Your
20 Honor, and guests and Commissioners for being
21 here tonight. I don't have a prepared
22 statement. I just want to speak from my heart.

23 I am very concerned that this
24 taxation is regressive, I feel that it
25 disproportionately impacts the poor.

1 I am not surprised to hear that
2 companies and large groups are supportive of it
3 because obviously there is a much greater burden
4 to those that have less. I am fortunate to have
5 lived in several states and have seen
6 Commissioners with the courage to push back
7 against regressive taxes. And I do feel greatly
8 that this tax, because it is a baseline
9 increase, will disproportionately impact the poor
10 and the disadvantaged.

11 And so for those reasons I am
12 opposed. I am also opposed due to the fact that
13 it does not encourage the decreased use of those
14 resources.

15 And also concerned that there is no
16 incentive in such a proposal to actually fairly
17 charge for the actual cost of usage. Obviously
18 those that use more energy should pay more. I
19 feel like this is a broad brush approach of
20 trying to raise the funds that DP&L feels is
21 necessary.

22 But in order to do that they are
23 spreading that tax to everyone and not
24 proportionally based upon use.

25 And, so, for those reasoning I am

1 opposed.

2 ATTORNEY EXAMINER: Thank you.

3 Carl Moser.

4 (WITNESS SWORN)

5 - - -

6 CARL MOSER

7 called as a witness, being first duly sworn,

8 testified as follows:

9 ATTORNEY EXAMINER: Thank you.

10 MR. MOSER: My name is Carl Moser,

11 2536 East Aragon.

12 I am little more personally focused.

13 Why I am here, I am 67. I am on fixed income.

14 And I use very little electricity.

15 I am very conservative on all my

16 utility uses. I get my TV from over the air, so

17 I don't have to pay cable or satellite.

18 These fixed rate increases are the

19 major part of my bill. I don't need them to go

20 up. I would like to see if DP&L needs more

21 money to increase rates on the usage rather than

22 these fixed rates.

23 Like the person before me spoke,

24 it's kind of regressive. The less money you

25 have the more money you have to pay because the

1 fixed rate is going up. It's just no incentive
2 to people like me to use less and less. And
3 that means less pollution.

4 And like the sister said, very
5 eloquently, all the reasons that we should need
6 to use less fossil fuels.

7 Somebody else mentioned the tax
8 reduction that DP&L received. That tax decrease
9 for them is much greater than mine. Again, it's
10 unfair. So I am opposed to this fixed rate
11 increase.

12 And, Commissioner, I would like you
13 to consider reducing fixed rates and maybe
14 increasing usage rates.

15 As far as Chris, with the business
16 association, he said he was in favor of it.
17 Well, again, I am sure businesses use a lot more
18 elasticity and they don't mind if the fixed
19 rates go up a little bit. People on fixed
20 incomes do.

21 So, please consider a different way
22 to raise money if it needs to be.

23 Also, extra money should go in to
24 fund for storm and they need to have money set
25 aside to take care of all of the costs involved

1 with power lines down. So, if they need to
2 raise their rates because of that they need to
3 set aside money for that.

4 And maybe most of their money needs
5 to go to the hourly workers. But I hope you do
6 not approve the fixed rate increase. Thank you.

7 COMMISSIONER CONWAY: Thank you.

8 ATTORNEY EXAMINER: Thank you.

9 Clayton Luckie

10 (WITNESS SWORN)

11 - - -

12 CLAYTON LUCKIE

13 called as a witness, being first duly sworn,
14 testified as follows:

15 ATTORNEY EXAMINER: Thank you.

16 MR. LUCKIE: Thank you for the
17 opportunity to speak to you tonight. I am
18 opposed to the flat rate increase to DP&L.

19 I have served as State Legislator
20 and watched utilities across the state promise
21 to keep up with the aging infrastructure of
22 utilities across the State. And what we find
23 out every time a storm comes through we don't
24 have enough money. We don't have enough of
25 this.

1 So, I think if you do decide to
2 increase your rates put caveats on that you must
3 improve the infrastructure in the cities that
4 they are serving, by better power lines, burying
5 power lines in urban communities to make the
6 esthetics look better.

7 Also make sure that when we do
8 increase we increase to the folks that can
9 afford the increase and not the individuals that
10 cannot afford the increase.

11 By saying if, give this example,
12 free reduced lunches for schools for the parents
13 who reside in those households. They can fill
14 out the form to exempt them from the increase,
15 instead of having a flat increase across the
16 board, everybody gets paid whether \$8 a month
17 increase or \$16 a month increase.

18 I think we need to look at income of
19 individuals to make sure that they can afford
20 the increase. More and more times that folks
21 decide whether to pay prescription bills,
22 whether to pay their insurance, whether to pay
23 the car insurance, the house insurance,
24 everything. It puts a burden on those
25 individuals.

1 I am a person that comes from an
2 opportunity where I own a business, where I own
3 two houses that go through DP&L. And sometimes
4 if you look at it when I don't use a certain
5 residence the flat rate fee is sometimes just 2
6 or \$3 less than the actual flat rate I use from
7 the utility company.

8 Also that I have noticed by talking
9 to residents that when they do the Choice
10 program to pick their electric supplier, these
11 people, the information and input that maybe we
12 could pass a rule or regulation that they all --
13 if they don't sign up they automatically get the
14 lowest rate out that is possible, instead of
15 picking one, they could pick and make sure it's
16 the lowest rate that they pick.

17 A lot of individuals don't pick
18 the lowest rate because they don't have a
19 computer. They don't have capabilities of
20 calling. Maybe we can make this a requirement
21 of DP&L to open up sites. And they used to have
22 where you could pay your bills and there is
23 really no sites where you can pay your bills.
24 If they have a site where they can go on there
25 and have a trainer that teaches you how to go

1 through a computer, or how you go through the
2 process to make sure you get the lowest rate as
3 possible.

4 We know times are hard, sometimes
5 corporations that -- we went through several
6 storms in this community and found out the aging
7 infrastructure. And we know things have to be
8 improved. But we also need to make sure when we
9 do improve or do give these increases to the
10 utility companies we need to make sure what they
11 are actually doing with the money, that they
12 shouldn't be doing it with and not saving and
13 giving it through executive payout or golden
14 parachutes and stuff.

15 Because sometime what happens, if
16 you look at individuals or executive and stuff
17 like that this becomes their bottom line. And
18 they get a percentage of what the bottom line is
19 on their salary increase. They could make a
20 flat salary of \$500,000, then with the increase
21 and performance of the company, then get another
22 increase due to that.

23 So we need to look at that to make
24 sure that they are lined up. And the most
25 important part that I think we need to look at,

1 with the tax decrease for corporations, we don't
2 know how it's going to affect them, what the
3 bottom line is going to look like when we go
4 through a whole year of these tax decreases.

5 Let's put a stay on this increase
6 until we find out, until the corporations find
7 out, how does that tax decrease from the federal
8 government, looking at their bottom line. They
9 may not even need it because there is supposed
10 to be a windfall for them as has been said.
11 And they may not need it.

12 So, let's look at it. If you do get
13 an increase, from what I read, is that the Staff
14 has recommended at last half as much so far, did
15 I read that right, or I may have not read that
16 right. It may be another increase that I looked
17 at on the web.

18 COMMISSIONER CONWAY: And I am not
19 sure what the math, you can do the math, divide
20 the request by the Staff recommendation to make
21 your calculation

22 MR. LUCKIE: I think that's the
23 start. We need to make sure that they actually
24 know what they are going to use it for, for
25 infrastructure, going to improve the

1 transmission lines, make sure they are going to
2 improve the transformers in the neighborhood
3 that blow all the time during big storms, that
4 residents at times are out of electric from one
5 day, two days, three days.

6 And also make sure that they hire
7 the staff and not depend on other staff to come
8 from around the country to bail them out. Make
9 sure their staff can adequately take care of
10 just in case when you do get an increase instead
11 of waiting four to five days and have
12 preventative maintenance as they asked us to do
13 in our homes and businesses, preventative
14 maintenance. Thank you.

15 ATTORNEY EXAMINER: Thank you.
16 That brings me to the end of the list of people
17 that signed up to testify. Is there anyone
18 sitting with us currently who would like to give
19 us remarks? Sir. Come up.

20 (WITNESS SWORN)

21 - - -

22 TIM BRUCE

23 called as a witness, being first duly sworn,
24 testified as follows:

25 MR. BRUCE: My name is Tim Bruce.

1 I live at 417 Oterbein Avenue in Dayton.

2 I am against the DP&L proposed rate
3 hike because it's unconnected with the amount of
4 energy that I use. And so it penalizes me for
5 being thrifty as somebody has pointed out.

6 DP&L has encouraged people to make
7 their homes power and energy efficient. This
8 proposal flies in the face of that policy.
9 Utilities across the country are pushing
10 policies to cut CO2 omissions. This rate hike
11 as well as being unfair to those like me on a
12 limited income will be detrimental to the
13 environment. Thank you.

14 ATTORNEY EXAMINER: Thank you. Is
15 there anyone else? Would you like to come back
16 up. I will remind you you are still under oath.

17 - - -

18 PAUL SCHLOTTMAN
19 being previously duly sworn, testified further
20 as follows:

21 MR. SCHLOTTMAN: Thank you.
22 Obviously this hearing format is not necessarily
23 conducive to reaching those that are
24 disadvantaged. And so I wanted to make a point
25 that maybe there would be an opportunity for a

1 open forum format in which people that may not
2 have access to a computer or information or feel
3 comfortable enough to get up in front of a
4 hearing and be sworn in and speak could actually
5 share their thoughts.

6 But I just wanted to make it an
7 acknowledgment that this format is a little bit
8 intimidating for some people.

9 ATTORNEY EXAMINER: Thank you.
10 Anybody else like to speak?

11 It is now 6:45. What we will do is
12 we will close the record for the next 10, 15
13 minutes, around 7:00 o'clock, and if anybody
14 else has joined us we will take their testimony.
15 If not, we will go ahead and close
16 the proceedings for the evening.

17 We will just take a 10 minute break.
18 Thank you.

19 (RECESS TAKEN)

20 ATTORNEY EXAMINER: It's now about
21 7:00 P.M. We took a break around 6:45 to see if
22 anyone else might appear who would like to give
23 testimony.

24 So at this time I will open
25 the floor again and ask is there anyone here who

1 would like to give testimony? Okay.

2 Seeing no one I would just like to
3 thank everybody very much for coming out this
4 evening. The Commission will consider
5 everything that was said. If you wish to submit
6 further comments you may do so online or by
7 mail. Please just be sure to reference Case No.
8 15-1830-EL-AIR on your comments.

9 And with that we are adjourned.
10 Thank you very much. Have a good evening.

11 (At 7:00 P.M. the hearing was
12 concluded)

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CERTIFICATE

I do hereby certify that the foregoing
is a true and correct transcript of the
proceedings taken by me in this matter on May
10, 2018, and carefully compared with my
original stenographic notes.

Michael O. Spencer,
Registered Professional
Reporter.

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Case No(s). 15-1830-EL-AIR, 15-1831-EL-AAM, 15-1832-EL-ATA

Summary: Transcript hearing of The Dayton Power and Light Company taken on 05/10/18. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Spencer, Michael O. Mr.