

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of the :
Application of Columbia :
Gas of Ohio, Inc., for :
Approval of an Alternative:
Form of Regulation to : Case No. 17-2202-GA-ALT
Establish a Capital :
Expenditure Program Rider :
Mechanism. :

- - -

PROCEEDINGS

before Ms. Patricia Schabo and Ms. Greta See,
Attorney Examiners, at the Public Utilities
Commission of Ohio, 180 East Broad Street, Room 11-D,
Columbus, Ohio, called at 10:02 a.m. on Tuesday,
November 6, 2018.

- - -

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- - -

1 APPEARANCES:

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 3 By Mr. Stephen B. Seiple,
 4 Assistant General Counsel
 290 West Nationwide Boulevard
 Columbus, Ohio 43215

5 Porter, Wright, Morris & Arthur, LLP
 6 By Mr. Eric B. Gallon
 41 South High Street,
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 7 Columbus, Ohio 43215-6194

8 On behalf of the Applicant.

9 Vorys, Sater, Seymour & Pease, LLP
 10 By Mr. Michael Settineri
 and Ms. Gretchen L. Petrucci
 52 East Gay Street
 11 Columbus, Ohio 43215

12 On behalf of the Retail Energy Supply
 Association.

13 Ohio Partners for Affordable Energy
 14 By Ms. Colleen Mooney
 P.O. Box 12451
 15 Columbus, Ohio 43212-2451

16 On behalf of the Ohio Partners for
 Affordable Energy.

17 McNeas, Wallace & Nurick LLC
 18 By Mr. Scott E. Elisar
 21 East State Street, 17th Floor
 19 Columbus, Ohio 43215

20 On behalf of the Industrial Energy
 Users-Ohio.

21 Boehm, Kurtz & Lowry
 22 By Ms. Jody Kyler-Cohn
 Mr. Kurt Boehm
 23 and Mike Kurtz
 36 East Seventh Street, Suite 1510
 24 Cincinnati, Ohio 45202

25 On behalf of the Ohio Energy Group.

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APPEARANCES: (Continued)

Bruce J. Weston,
Ohio Consumers' Counsel
By Mr. Bryce McKenney,
Assistant Consumers' Counsel
65 East State Street, 7th Floor
Columbus, Ohio 43215

On behalf of the Ratepayers of Columbia
Gas of Ohio.

Mike DeWine, Ohio Attorney General
By Mr. William Wright,
Section Chief
Ms. Jodi J. Bair,
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and Mr. Robert Eubanks,
Assistant Attorney General
30 East Broad Street, 16th Floor
Columbus, Ohio 43215

On behalf of the Staff of the PUCO.

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1 Tuesday Morning Session,
2 October 6, 2018.

3 - - -

4 EXAMINER SCHABO: The Public Utilities
5 Commission of Ohio has assigned for hearing Case No.
6 17-2202-GA-ALT in the Matter of the Application of
7 Columbia Gas of Ohio, Inc., for Approval of an
8 Alternative Form of Regulation. My name is Trish
9 Schabo. With me is Greta See. We are the Attorney
10 Examiners assigned by the Commission to hear this
11 case.

12 Let's begin with taking appearances.
13 Start with the Company.

14 MR. GALLON: Thank you, your Honor. Eric
15 Gallon, Porter, Wright, Morris & Arthur, 41 South
16 High Street, Suite 3000, Columbus, Ohio 43215. With
17 me is Steve Seiple with Columbia Gas of Ohio, 290
18 Nationwide Boulevard, Columbus, Ohio 43216.

19 EXAMINER SCHABO: Thank you.

20 And then we will come to this end of the
21 table.

22 MR. SETTINERI: Good morning, your Honor.
23 On behalf of the Retail Energy Supply Association,
24 Michael Settineri and Gretchen L. Petrucci, Vorys,
25 Sater, Seymour & Pease, 52 East Gay Street, Columbus,

1 Ohio 43215.

2 EXAMINER SCHABO: Thank you.

3 MS. MOONEY: On behalf of Ohio Partners
4 for Affordable Energy, I'm Colleen Mooney, Post
5 Office Box 12451, Columbus, Ohio.

6 EXAMINER SCHABO: Thank you.

7 MR. ELISAR: On behalf of the Industrial
8 Energy Users, Scott Elisar, 21 East State Street,
9 17th Floor, Columbus, Ohio 43215, and the law firm
10 McNees, Wallace & Nurick.

11 EXAMINER SCHABO: Thank you.

12 MS. COHN: Good morning. On behalf of
13 the Ohio Energy Group, Jody Cohn, Kurt Boehm, and
14 Mike Kurtz from the firm of Boehm, Kurtz & Lowry, 36
15 East Seventh Street, Cincinnati, Ohio 45202.

16 EXAMINER SCHABO: Thank you.

17 MS. BAIR: Thank you, your Honor. On
18 behalf of the Staff of the Public Utilities
19 Commission of Ohio, Mike DeWine, Attorney General,
20 Jodi Bair and Robert Eubanks, Assistant Attorneys
21 General, 30 East Broad Street, Columbus, Ohio 43215.

22 EXAMINER SCHABO: Thank you.

23 MR. MCKENNEY: Good morning, your Honor.
24 On behalf of the Ohio Consumers' Counsel, Bryce
25 McKenney, 65 East State Street, 7th Floor, Columbus,

1 Ohio 43215. Thank you.

2 EXAMINER SCHABO: Thank you.

3 All right. Mr. Gallon, would you like to
4 proceed.

5 MR. GALLON: Thank you, your Honor. I'm
6 pleased to report that Columbia Gas's staff and every
7 party intervening in this matter have reached a
8 stipulation and recommendation that fully resolves
9 the issues raised in this case.

10 Pursuant to that I would like to
11 introduce into evidence as Joint Exhibit 1, the
12 Stipulation and Recommendation of the parties. May I
13 approach?

14 EXAMINER SCHABO: You may.

15 MR. GALLON: I would like this labeled as
16 Joint Exhibit 1, please.

17 EXAMINER SCHABO: So marked.

18 (EXHIBIT MARKED FOR IDENTIFICATION.)

19 MR. GALLON: And we would move for the
20 introduction of this Stipulation and Recommendation
21 into evidence.

22 EXAMINER SCHABO: Objections?

23 Hearing none, it will be admitted.

24 (EXHIBIT ADMITTED INTO EVIDENCE.)

25 MR. GALLON: Thank you, your Honor. We

1 also have a number of exhibits Columbia Gas of Ohio
2 would like to introduce into evidence, six of them.
3 If you would not mind, I will hand those to you as a
4 pile and walk through them and identify them
5 individually for the court reporter and for
6 yourselves.

7 EXAMINER SCHABO: That will work.

8 MR. GALLON: Thank you.

9 EXAMINER SCHABO: And we'll go ahead and
10 mark them now, but then we will introduce them --

11 MR. GALLON: Yes.

12 EXAMINER SCHABO: -- later.

13 MR. GALLON: Columbia Exhibit 1 is the
14 Notice of Intent dated October 27, 2017. Columbia
15 Exhibit 2 is the letter to the municipalities also
16 dated October 27, 2017. Columbia Exhibit 3 is the
17 Amended Application of Columbia Gas of Ohio.
18 Columbia Exhibit 4 is the Direct Testimony of Melissa
19 L. Thompson dated October 1, 2017. Columbia Exhibit
20 5 is the Amended Direct Testimony --

21 EXAMINER SEE: I'm sorry, Mr. Gallon. Go
22 back. Ms. Thompson's testimony dated what date
23 again?

24 MR. GALLON: December 1, 2017.

25 EXAMINER SEE: Thank you.

1 MR. GALLON: Then Columbia Exhibit 5
2 Amended Direct Testimony of Diana M. Beil dated
3 April 2, 2018. And Columbia Exhibit 6 is the
4 Supplemental Direct Testimony of Melissa L. Thompson
5 dated October 29, 2018.

6 And, your Honor, I would ask relief to
7 introduce these exhibits through our witness Melissa
8 Thompson.

9 EXAMINER SCHABO: Yes. So we'll mark the
10 exhibits as indicated, and then you can identify them
11 through your witness.

12 (EXHIBITS MARKED FOR IDENTIFICATION.)

13 MR. GALLON: Pardon me, your Honors. May
14 I take a moment?

15 EXAMINER SCHABO: Absolutely.

16 MR. GALLON: I apologize, your Honors.
17 We've given you the wrong copies for Columbia Exhibit
18 4. Rather than the Direct Testimony of Melissa
19 Thompson, I meant to give the Amended Direct
20 Testimony of Melissa Thompson dated April 2, 2018.
21 Our associate, Mr. Martin, is going to make copies of
22 those right now and will return in a few minutes with
23 those, and I would like to substitute the Exhibit 4 I
24 have given you for the copies that we are bringing.

25 In the meantime we will introduce the

1 remainder of our exhibits, have Ms. Thompson make
 2 corrections to her Supplemental Direct Testimony and
 3 to the Stipulation that I've already given you, and
 4 then return to address Columbia Exhibit 4 substituted
 5 when Mr. Martin returns. Would that be acceptable,
 6 your Honors?

7 EXAMINER SCHABO: Yes.

8 MR. GALLON: Okay. Thank you, your
 9 Honor.

10 With that I would ask that Ms. Thompson
 11 take the stand.

12 EXAMINER SCHABO: Good morning. Go ahead
 13 and have a seat.

14 (Witness sworn.)

15 EXAMINER SCHABO: Thank you.

16 MR. GALLON: May I hand her your copies
 17 for purposes of examination?

18 - - -

19 MELISSA L. THOMPSON

20 being first duly sworn, as prescribed by law, was
 21 examined and testified as follows:

22 DIRECT EXAMINATION

23 By Mr. Gallon:

24 Q. Ms. Thompson, good morning. Would you
 25 state your full name and business address for the

1 Commission.

2 A. Melissa Lynn Thompson, 290 Nationwide
3 Boulevard, Columbus, Ohio 43215.

4 Q. What is your position at the company?

5 A. Director of Regulatory Policy.

6 Q. I would like to start with the document
7 that has been marked as Joint Exhibit 1. Can you
8 identify that document.

9 A. I can. This is the Stipulation and
10 Recommendation filed in this case on October 25,
11 2018.

12 Q. Is this a true and accurate copy of that
13 Stipulation and Recommendation with the addition of
14 the signature page from Intervenor RESA?

15 A. It is.

16 Q. All right. Do you have any changes or
17 corrections to make to the Stipulation and
18 Recommendation at this time?

19 A. I do.

20 Q. Okay. Could you please identify those
21 corrections.

22 A. On page 8 of the Stipulation, footnote
23 11, the reference to "paragraph 13" in footnote 11
24 should be "paragraph 14."

25 There are three other very minor

1 corrections to make to the Stipulation. They are
2 included in the tariff sheets that are attached as
3 Stipulation Exhibit 4. The first change is to the
4 tariff sheet labeled Sheet Number 30E which is the
5 Federal Tax Reform Credit tariff sheet.

6 EXAMINER SCHABO: Give me just a second
7 to get there, please. Would you repeat the sheet
8 number again.

9 THE WITNESS: Sure. It's on Sheet 30E as
10 in elephant.

11 EXAMINER SCHABO: Thank you.

12 A. Where the tariff sheet references the
13 "Tax Credit and Jobs Act of 2017," it should say the
14 "Tax Cuts and Jobs Act of 2017." And because this
15 tariff sheet is repeated for the three other times in
16 our tariff, it's a similar change.

17 So the next change is on Tariff Sheet No.
18 75A. And on 75A it should read the "Tax Cuts and
19 Jobs Act of 2017" instead of what's currently there,
20 the "Tax Credit and Jobs Act of 2017."

21 And the final change is fourth -- Section
22 7, Fourth Revised Sheet No. 29, page 7 of 11. In
23 looking at the Stipulation it's the fourth to last
24 page. Similar in that tariff sheet the "Acts" should
25 read the "Tax Cuts and Jobs Act of 2017."

1 Q. Ms. Thompson, do we have any other
2 typographical corrections to the Stipulation as well?

3 A. No other changes to the Stipulation.

4 Q. Thank you, Ms. Thompson. Please turn to
5 the document that has been marked as Exhibit --
6 Columbia Exhibit 1. Can you identify Columbia
7 Exhibit 1.

8 A. I can.

9 Q. Please do so.

10 A. This is the Notice of Intent that
11 Columbia filed in this proceeding. It was the first
12 filing we made in this proceeding as is required by
13 the statute.

14 Q. Thank you, Ms. Thompson. Can you
15 identify the document that has been marked as
16 Columbia Exhibit 2.

17 A. I can.

18 Q. Please do so.

19 A. This is the letter that Columbia sent to
20 the municipalities that it serves in its service
21 territory and this letter is also required by
22 statute.

23 Q. Ms. Thompson, would you please identify
24 the document that has been marked as Columbia Exhibit
25 3.

1 A. This is the Amended Application that
2 Columbia filed in this case on April 2 of 2018.

3 Q. Is this document before you a true and
4 accurate copy of that Amended Application as filed?

5 A. Yes, it is.

6 EXAMINER SEE: Mr. Gallon, before you
7 move on there was an addition made to the Amended
8 Application that was filed on April 16. Does this
9 Columbia Exhibit 3 include that amendment?

10 MR. GALLON: No, your Honor. Columbia
11 Exhibit 3 is the Amended Application as filed on
12 April 2 without the addition.

13 EXAMINER SEE: Okay.

14 MR. GALLON: May I approach, your Honor?

15 EXAMINER SCHABO: You may.

16 MR. GALLON: I would like to substitute
17 as Columbia Exhibit 4 the Amended Direct Testimony of
18 Melissa L. Thompson dated April 2, 2018. I have that
19 marked as Columbia Exhibit 4.

20 EXAMINER SCHABO: We will go ahead and
21 substitute those out as requested. Columbia Exhibit
22 4, the document that will be marked as Columbia
23 Exhibit 4 is the Amended Prepared Direct Testimony of
24 Melissa L. Thompson filed April 2, 2018.

25 Q. Ms. Thompson, you have before you a

1 document that has been marked Columbia Exhibit 4.
2 Could you please identify the document in front of
3 you.

4 A. Yes. It's my Amended Prepared Direct
5 Testimony that was filed on April 2 of 2018.

6 Q. Is this a true and accurate copy of that
7 testimony?

8 A. Yes, it is.

9 Q. Was this testimony prepared by you or at
10 your direction?

11 A. Yes, it was.

12 Q. Do you have any changes or corrections to
13 make to your Amended Prepared Direct Testimony at
14 this time?

15 A. I do not.

16 Q. You also have before you a document
17 marked as Columbia Exhibit 5. Could you please
18 identify that document.

19 A. Yes. This is the Amended Prepared Direct
20 Testimony of my colleague Diana Beil.

21 Q. Is Ms. Beil present here today?

22 A. She is not.

23 Q. Why is Ms. Beil not present here today?

24 A. Ms. Beil is currently in Massachusetts
25 assisting with Columbia Gas's affiliate Columbia Gas

1 Massachusetts in response to an incident that
2 happened earlier this year.

3 Q. Is the document labeled Columbia Exhibit
4 5 a true and accurate copy of Ms. Beil's prepared
5 Direct Amended Testimony?

6 A. Yes, it is.

7 Q. You have as well a document in front of
8 you titled -- labeled Columbia Exhibit No. 6. Would
9 you please identify this document.

10 A. Columbia Exhibit 6 is my prepared
11 Supplemental Direct Testimony in support of the
12 Stipulation in this case.

13 Q. Is that document a true and accurate copy
14 of the testimony you prefiled in support of that
15 Stipulation?

16 A. Yes, it is.

17 Q. Was this document prepared by you or at
18 your direction?

19 A. Yes, it was.

20 Q. And do you have any changes or
21 corrections to make to Columbia Exhibit 6 today?

22 A. I do.

23 Q. Please describe those changes.

24 A. On page 2, line 12, where I reference the
25 "Tax Cut and Jobs Act of 2017," "Cut" should be

1 plural.

2 I have another change on page 3, line 15.
3 Strike the word "cease" and insert the words "not be
4 exercised."

5 On page 4 --

6 EXAMINER SCHABO: Sorry. Hold on. I'm
7 slow.

8 THE WITNESS: -- in line 15.

9 EXAMINER SCHABO: Thank you.

10 THE WITNESS: Strike the word "cease" and
11 insert the words "not be exercised." And on page 4
12 to reflect RESA as a signatory party in this case, in
13 line 30 I would like to add after "The Kroger
14 Company," "('Kroger')," after that, insert "Retail
15 Energy Supply Association ('RESA') comma." And on
16 lines 35 through 37 strike my answer in full and
17 insert the word "No."

18 Q. Ms. Thompson, do you have any other
19 changes or corrections to your Supplemental Direct
20 Testimony as filed?

21 A. I do not.

22 MR. GALLON: With that, your Honor,
23 Columbia Gas of Ohio would move for admission into
24 evidence Joint Exhibit 1 and Columbia Exhibits 1
25 through 6.

1 EXAMINER SCHABO: Will anybody be
2 questioning Ms. Thompson?

3 Are there any objections to admitting --
4 are there any objections to admitting any of the
5 marked exhibits?

6 Greta?

7 EXAMINER SEE: Ms. Thompson, or counsel,
8 Mr. Gallon, you indicated you would not be -- that
9 the Amended Application does not include the
10 Supplemental -- the Supplemental Exhibit H filed on
11 April 16, was not a part of Columbia Exhibit 3,
12 correct?

13 MR. GALLON: That is correct, your Honor,
14 and that was an oversight on my part. We do not have
15 copies of the April 16 filing. We would be happy to
16 introduce that as a Columbia Exhibit 7, supplement
17 the evidentiary record subsequent to today's hearing
18 absent objections from the other parties and the
19 Attorney Examiners.

20 EXAMINER SEE: Okay. That's fine. So
21 that's Columbia Exhibit 7, the Supplemental Exhibit H
22 filed on April 16.

23 MR. GALLON: If it would be helpful for
24 the other parties, I could read the cover letter to
25 the April 16 filing just to clarify what is being

1 added to the list.

2 MR. MCKENNEY: I don't think we need
3 that.

4 EXAMINER SEE: It's in the docket.

5 EXAMINER SCHABO: So Columbia Exhibits 1
6 through 7 will be admitted.

7 (EXHIBITS ADMITTED INTO EVIDENCE.)

8 MR. GALLON: Thank you, your Honor.

9 EXAMINER SCHABO: Go off the record for a
10 minute.

11 (Discussion off the record.)

12 EXAMINER SEE: Back on the record.

13 EXAMINER SCHABO: Ms. Thompson, you may
14 step down.

15 Mr. McKenney.

16 MR. MCKENNEY: Yes. OCC would call
17 Mr. Willis to the stand. Your Honor, I have a copy
18 of his testimony. May I approach?

19 EXAMINER SCHABO: Absolutely.

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WILLIAM ROSS WILLIS

being first duly sworn, as prescribed by law, was examined and testified as follows:

DIRECT EXAMINATION

By Mr. McKenney:

Q. Please state your name and address for the record.

A. My name is William Ross Willis. Business address is 65 East State Street, 7th Floor, Columbus, Ohio 43215.

Q. Did you prepare Direct Testimony in this case?

A. Yes.

Q. Do you have a copy of that Direct Testimony with you?

A. I do.

Q. Do you have any corrections to your Direct Testimony?

A. I have one. It's on page 4, first question, question 9, says "Please summarize your opinions regarding the settlement." It should say "Please summary your opinions regarding settlement."

Q. With that correction, if I were to ask you these questions again, would your answers be the same?

1 A. Yes.

2 MR. MCKENNEY: Your Honor, OCC would seek
3 to have marked OCC -- the Direct Testimony of William
4 Ross Willis as OCC Exhibit 1 and move for the
5 admission of the exhibit.

6 EXAMINER SCHABO: Any questions for
7 Mr. Willis?

8 MR. GALLON: No, your Honor.

9 EXAMINER SCHABO: Any objections?

10 MR. GALLON: No, your Honor.

11 EXAMINER SCHABO: All right. So marked
12 and admitted.

13 (EXHIBIT MARKED AND ADMITTED INTO
14 EVIDENCE.)

15 EXAMINER SCHABO: Mr. Ross, you may step
16 down. Mr. Willis, sorry.

17 MR. MCKENNEY: Nothing further from OCC.

18 EXAMINER SCHABO: Thank you. Is there
19 anything from any of the other parties?

20 All right.

21 EXAMINER SEE: Let's go off the record
22 for a second.

23 (Discussion off the record.)

24 EXAMINER SEE: Let's go back on the
25 record.

1 Ms. Bair.

2 MS. BAIR: Thank you, your Honor. Staff
3 would like to call Tammy Turkenton to the stand.

4 (Witness sworn.)

5 EXAMINER SEE: Thank you. Have a seat.

6 Ms. Bair.

7 - - -

8 TAMMY TURKENTON

9 being first duly sworn, as prescribed by law, was
10 examined and testified as follows:

11 DIRECT EXAMINATION

12 By Ms. Bair:

13 Q. Would you please state your name and your
14 position with the Commission.

15 A. Tammy Turkenton. I am the Director of
16 Rates and Analysis of the Public Utilities
17 Commission, 180 East Broad, Columbus, Ohio 43215.

18 Q. Thank you. And did the Commission cause
19 Blue Ridge to do an audit of Columbia Gas in this
20 alternative regulation case?

21 A. They did.

22 MS. BAIR: And, your Honor, I would like
23 to be marked as Staff Exhibit 1 the Blue Ridge report
24 docketed on September 4, 2018.

25 EXAMINER SEE: So marked.

1 (EXHIBIT MARKED FOR IDENTIFICATION.)

2 MS. BAIR: May I approach the witness,
3 your Honor?

4 EXAMINER SEE: Yes.

5 Q. Do you recognize that report as that was
6 docketed by Blue Ridge?

7 A. I do.

8 Q. And subsequent to that report being
9 filed, did the Staff also cause a report to be
10 docketed in this case?

11 A. They did.

12 Q. And was that report docketed on
13 September 14, 2018?

14 A. It was.

15 MS. BAIR: Your Honor, I would like to
16 have the Staff Report docketed on September 18 marked
17 as Staff Exhibit 2.

18 EXAMINER SEE: So marked.

19 (EXHIBIT MARKED FOR IDENTIFICATION.)

20 EXAMINER SEE: I think it was docketed on
21 September 14, 2018.

22 MS. BAIR: September 14, excuse me.

23 Q. And you were responsible for signing that
24 report and docketing that; is that correct?

25 A. Yes.

1 Q. And the Staff Report is accurate as to
2 what the Staff found in this case.

3 A. It is.

4 MS. BAIR: Thank you. Your Honor, I
5 would move Staff Exhibits 1 and 2 into evidence.

6 EXAMINER SEE: Are there any objections
7 to the admission of Staff Exhibit 1 or Staff Exhibit
8 2?

9 MR. GALLON: No objections.

10 EXAMINER SEE: Seeing none, Staff Exhibit
11 1 and Staff Exhibit 2 are admitted into the record.

12 (EXHIBITS ADMITTED INTO EVIDENCE.)

13 EXAMINER SEE: Thank you, Ms. Turkenton.
14 Let's go off the record for a minute.

15 (Discussion off the record.)

16 EXAMINER SEE: Let's go back on the
17 record.

18 The parties were asked if they had a
19 desire to file briefs or reply briefs in this case,
20 and I believe all the parties -- counsel for all the
21 parties present indicated that they did not; is that
22 correct?

23 MR. GALLON: That is correct.

24 MS. MOONEY: Yes.

25 EXAMINER SEE: No briefs will be

1 submitted, and we will go straight to an Opinion and
2 Order.

3 If there is nothing further, hearing is
4 adjourned. Thank you.

5 (Thereupon, at 10:35 a.m., the hearing
6 was adjourned.)

7 - - -

8 CERTIFICATE

9 I do hereby certify that the foregoing is
10 a true and correct transcript of the proceedings
11 taken by me in this matter on Tuesday, November 6,
12 2018, and carefully compared with my original
13 stenographic notes.

14
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16

Karen Sue Gibson, Registered
Merit Reporter.

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18 (KSG-6643)

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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

11/19/2018 8:53:14 AM

in

Case No(s). 17-2202-GA-ALT

Summary: Transcript in the matter of the Columbia Gas of Ohio, Inc. hearing held on 11/06/18 electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.