

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the :  
Application of Aqua Ohio, : Case No.  
Inc. for Authority to Assess : 18-0337-WW-SIC  
a System Improvement Charge :  
in Lake/Masury/Prior American/ :  
Prior Mohawk/Prior Tomahawk :  
Properties. :

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PROCEEDINGS

Before Anna Sanyal, Attorney Examiner, held at  
the Public Utilities Commission of Ohio, 180  
East Broad Street, Hearing Room 11-D, Columbus,  
Ohio, on Monday, December 17, 2018, at 11:00  
A.M.

- - -

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- - -

APPEARANCES:

Whitt Sturtevant LLP  
By Ms. Rebekah J. Glover  
88 East Broad Street  
Suite 1590  
Columbus, Ohio 43215

On behalf of the Applicant.

Ms. Amy Botschner O'Brien  
Staff Attorney  
65 East State Street  
7th Floor  
Columbus, Ohio 43215

On behalf of the Office  
of Consumers' Counsel.

Mr. Robert Eubanks  
Assistant Attorney General  
30 East Broad Street  
16th Floor  
Columbus, Ohio 43215

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

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1 Monday Morning,  
2 December 17, 2018.

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4 ATTORNEY EXAMINER: The Public  
5 Utilities Commission of Ohio has called for  
6 hearing at this time and place Case No.  
7 18-337-WW-SIC In the Matter of the Application  
8 of Aqua Ohio, Inc. for Authority to Assess a  
9 System Improvement Charge.

10 My name is Anna Sanyal, and I am the  
11 Attorney Examiner assigned to this case. Let's  
12 do appearances starting with Aqua, please.

13 MS. GLOVER: Thank you, your Honor.  
14 On behalf of Aqua Ohio Rebekah Glover and Andrew  
15 Campbell, law firm Whitt Sturtevant, 88 East  
16 Broad Street, Suite 1590, Columbus, Ohio, 43215.

17 ATTORNEY EXAMINER: Thank you.

18 MS. O'BRIEN: Thank you, your Honor.  
19 On behalf of the Office of the Ohio Consumer's  
20 Counsel, Amy Botschner O'Brien, 65 East State  
21 Street, 7th Floor, Columbus, Ohio 43215.

22 ATTORNEY EXAMINER: Thank you.

23 MR. EUBANKS: Thank you, your Honor.  
24 Robert Eubanks, on behalf of Staff, Attorney  
25 General's office, 30 East Broad Street, 16th

1 Floor, Public Utilities Section.

2 ATTORNEY EXAMINER: Thank you.

3 According to the docket we only have one pending  
4 matter before us today, which is the motion  
5 filed by Aqua. So, Ms. Glover, I will just let  
6 you tell us about the motion, briefly, for  
7 the record.

8 MS. GLOVER: Thank you, Your Honor.  
9 On December 12th Aqua filed a motion for an  
10 expedited briefing schedule. All the parties  
11 have agreed to waive cross-examination of the  
12 witnesses who filed testimony on December 10th.  
13 And have also agreed to stipulate to the  
14 admission of that testimony into the record.

15 In addition the parties have agreed  
16 to a briefing schedule that includes one  
17 post-hearing brief to be filed on December 21st.

18 ATTORNEY EXAMINER: And in  
19 the motion has Aqua indicated that there are no  
20 objections to this schedule. Is that still the  
21 case? OCC?

22 MS. O'BRIEN: That is correct.

23 MR. EUBANKS: Yes, your Honor.

24 ATTORNEY EXAMINER: In that case, I  
25 will grant the motion. I will expect,

1 obviously, the briefs to be filed by December  
2 21st.

3 And before we went on the record Mr.  
4 Eubanks brought up an issue about whether  
5 comments should be filed on the docket and I  
6 just want to note on the record that the  
7 specific comments are attached to the testimony  
8 filed already on the docket. Correct?

9 MS. O'BRIEN: Yes, they are. They  
10 are attached to the direct testimony of William  
11 Ross Willis which would be marked as OCC Exhibit  
12 1.

13 ATTORNEY EXAMINER: Sure. It shall  
14 be so marked.

15 (EXHIBIT MARKED FOR IDENTIFICATION)

16 ATTORNEY EXAMINER: And obviously no  
17 objections to it being admitted.

18 MS. GLOVER: Correct.

19 ATTORNEY EXAMINER: Are there any  
20 other matters?

21 MS. GLOVER: Yes, your Honor. I  
22 would like to enter Aqua's exhibits into the  
23 record.

24 I would like to have marked as Joint  
25 Exhibit 1 the Stipulation and Recommendation

1 that was filed on November 8th.

2 ATTORNEY EXAMINER: It shall be so  
3 marked.

4 (EXHIBIT MARKED FOR IDENTIFICATION)

5 MS. GLOVER: Marked as Aqua Exhibit  
6 1 the Application, exhibits and testimony that  
7 were filed on March 1st.

8 ATTORNEY EXAMINER: It shall be so  
9 marked.

10 (EXHIBIT HEREBY MARKED FOR  
11 IDENTIFICATION PURPOSES)

12 MS. GLOVER: Aqua Exhibit 2, the  
13 correspondence and attachments that were filed  
14 in the docket on June 21st.

15 ATTORNEY EXAMINER: It shall be so  
16 marked.

17 (EXHIBIT HEREBY MARKED FOR  
18 IDENTIFICATION PURPOSES)

19 MS. GLOVER: Aqua Exhibit 3, the  
20 Proof of Publication that was filed on  
21 the docket on June 26th.

22 ATTORNEY EXAMINER: It shall be so  
23 marked.

24 (EXHIBIT MARKED FOR THE PURPOSE OF  
25 IDENTIFICATION)

1 MS. GLOVER: And Aqua Exhibit 4, the  
2 supplemental testimony of Richard A. Hideg in  
3 support of the stipulation that was filed in the  
4 docket on December 10th.

5 ATTORNEY EXAMINER: It shall be so  
6 marked.

7 (EXHIBIT HEREBY MARKED FOR  
8 IDENTIFICATION PURPOSES)

9 ATTORNEY EXAMINER: And there are  
10 obviously no objections to them being admitted?

11 MS. O'BRIEN: No objection.

12 ATTORNEY EXAMINER: They shall be  
13 admitted.

14 (EXHIBITS ADMITTED INTO EVIDENCE)

15 ATTORNEY EXAMINER: Are there any  
16 other matters that you would like to put on the  
17 record?

18 Okay. Then we are adjourned.

19 MR. EUBANKS: What was the  
20 stipulation marked as?

21 ATTORNEY EXAMINER: The stipulation  
22 was marked Joint Exhibit 1.

23 MR. EUBANKS: Okay. I just wanted  
24 to make sure. All right.

25 ATTORNEY EXAMINER: This matter



1 shall be submitted to the record. And we have a  
2 record for the shortest hearing.

3 Thank you very much.

4 MR. EUBANKS: Thank you, your Honor.

5 (At 11:06 A.M. the hearing was  
6 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  
December 17, 2018, and carefully compared with  
my original stenographic notes.

Michael O. Spencer  
Michael O. Spencer,  
Registered Professional  
Reporter.

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Summary: Transcript In the Matter of the Application of Aqua Ohio, Inc. for Authority to Assess a System Improvement Charge in Lake/Masury/Prior American/Prior Mohawk/Prior Tomahawk Properties, hearing held at December 17th, 2018. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Spencer, Michael O. Mr.