

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of the	:	
Complaint of:	:	
	:	
Erin Dahl,	:	
	:	
Complainant,	:	Case No. 17-1822-GA-CSS
	:	
vs.	:	
	:	
East Ohio Gas Company	:	
d/b/a Dominion Energy	:	
Ohio,	:	
	:	
Respondent.	:	

- - -

PROCEEDINGS

before Ms. Lauren Augostini, Attorney Examiner, at the Public Utilities Commission of Ohio, 180 East Broad Street, Room 11-C, Columbus, Ohio, called at 10:00 a.m. on Monday, February 25, 2019.

- - -

ARMSTRONG & OKEY, INC.
222 East Town Street, Second Floor
Columbus, Ohio 43215-5201
(614) 224-9481 - (800) 223-9481

- - -

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES:

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

On behalf of the East Ohio Gas Company
d/b/a Dominion Energy Ohio.

- - -

1 Monday Morning Session,
2 February 25, 2019.

3 - - -

4 EXAMINER AUGOSTINI: The Public Utilities
5 Commission of Ohio has assigned for hearing at this
6 time and place Case No. 17-1822-GA-CSS being in the
7 Matter of the Complaint of Erin Dahl, Complainant,
8 versus the East Ohio Gas Company d/b/a Dominion
9 Energy Ohio, Respondent.

10 Good morning. My name is Lauren
11 Augostini. I am the Attorney Examiner assigned by
12 the Commission to hear this case.

13 At this time I would like to take
14 appearances of the parties. I would like to note on
15 the record that the Complainant, Ms. Erin Dahl, is
16 not currently in attendance this morning.

17 Let's begin with the Company.

18 MS. GLOVER: Good morning, your Honors.
19 On behalf of the East Ohio Gas Company doing business
20 as Dominion Energy Ohio, the law firm of Whitt
21 Sturtevant, Rebekah Glover, 88 East Broad Street,
22 Suite 1590, Columbus, Ohio 43215. And I would also
23 like to note we have on behalf of the Company
24 Margaret Callahan, Charles Resnik, and Angela Zizic.

25 EXAMINER AUGOSTINI: Thank you.

1 I would like to note on the record that
2 the witnesses are here today. Thank you.

3 At this time I think we'll go off the
4 record.

5 (Discussion off the record.)

6 EXAMINER AUGOSTINI: Let's go back on the
7 record.

8 Please proceed.

9 MS. GLOVER: Thank you, your Honor. At
10 this time the Company would make a motion to dismiss
11 for failure to prosecute with prejudice. And if the
12 Bench would indulge me, I have a few arguments I
13 would like to make on the record.

14 This Complainant has demonstrated a
15 complete lack of willingness from the very beginning
16 to follow through on her complaint or work with the
17 Company to try to resolve it. Starting about a month
18 after she filed the complaint, she was not responding
19 to any contact from either the Company or the
20 Commission. She had moved out of state, did not
21 provide a forwarding address. Missed the first
22 settlement conference that was scheduled entirely.

23 When she did six months later reach back
24 out to the Commission, there were three additional
25 settlement conferences scheduled. She only was in

1 attendance for the final one.

2 After that point when she was granted a
3 hearing, she has now been given, I believe today
4 would mark the fifth hearing date that has been
5 scheduled for this Complainant. You know, the
6 Company does understand that things happen, things
7 come up.

8 And while certainly there is some
9 consideration allowed for Complainants who take the
10 time to alert the Commission and the Company to their
11 inability to appear ahead of time rather than just
12 simply not showing up, the fact of the matter is that
13 every time that this proceeding is delayed, it costs
14 the Company hundreds of thousands of dollars in legal
15 fees and lost work time in preparation for a hearing
16 that is not going to occur.

17 And as to Ms. Dahl's assertions that the
18 delays have been the fault of the Company, that is
19 simply untrue. She argued that we've not provided
20 documents which is an unfounded allegation, and she
21 actually even admits in one of her multiple filings
22 that she received documentation from the Company,
23 just wasn't what she had wanted or expected
24 therefore, she has been receiving mail from us.

25 Whether or not she actually received the

1 billing statements that we say we have sent and we
2 did is -- there's only so much we can do in providing
3 the assistance to the Complainant that we have done.
4 You know, we can't control the post office or the
5 fact that mail has to be forwarded, you know, back
6 and forth across the country.

7 And with the specific most recent motion
8 for continuance that she's made, I would just note
9 for the record that by her own admission she had over
10 a week of notice that she was going to be having
11 transportation issues. And while, again, we're
12 sympathetic, everybody has to get places. We've
13 had witnesses that have come down from the Cleveland
14 area today to be here. Everybody has to arrange
15 their own transportation and this was not a sudden
16 occurrence that she was not able to handle. She had
17 plenty of notice.

18 So for all those reasons the Company
19 would move to dismiss with prejudice. Thank you.

20 EXAMINER AUGOSTINI: Thank you. At this
21 time I'll reserve my ruling on the motion to dismiss
22 for a later time.

23 All right. At this point in time this
24 matter shall be considered submitted on the record.

25 We are adjourned. Thank you.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(Thereupon, at 10:21 a.m., the hearing was concluded.)

- - -

CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Monday, February 25, 2019, and carefully compared with my original stenographic notes.

Karen Sue Gibson

Karen Sue Gibson, Registered Merit Reporter.

(KSG-6702)

- - -



This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

3/8/2019 11:14:18 AM

in

Case No(s). 17-1822-GA-CSS

Summary: Transcript In the matter of the Complaint of: Erin Dahl vs. East Ohio Gas Company d/b/a Dominion Energy Ohio, hearing held on February 25th, 2019. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.