

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of the :
Application of Ohio Power :
Company for Administration :
of the Significantly :
Excessive Earnings Test : Case No. 18-0989-EL-UNC
for 2017 Under Section :
4928.143(F), Revised Code, :
and Rule 4901:1-35-10, :
Ohio Administrative Code. :

- - -

PROCEEDINGS

before Ms. Greta See, 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 Tuesday, June 4, 2019.

- - -

ARMSTRONG & OKEY, INC.
222 East Town Street, 2nd Floor
Columbus, Ohio 43215-5201
(614) 224-9481 - (800) 223-9481

- - -

APPEARANCES:

American Electric Power Service Corporation
By Mr. Steven T. Nourse
1 Riverside Plaza, 29th Floor
Columbus, Ohio 43215

On behalf of Ohio Power Company.

Dave Yost, Ohio Attorney General
Public Utilities Section
John Jones, Section Chief
By Mr. Thomas W. McNamee,
Principal Assistant Attorney General
30 East Broad Street, 16th Floor
Columbus, Ohio 43215

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

Bruce J. Weston, Consumers' Counsel
Office of the Ohio Consumers' Counsel
By Mr. Christopher Healey
Assistant Consumers' Counsel
65 East Street, Suite 700
Columbus, Ohio 43215

On behalf of the Ohio Consumers' Counsel.

- - -

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

INDEX

- - -

WITNESS

PAGE

Andrea E. Moore
Direct Examination by Mr. Nourse

7

- - -

COMPANY EXHIBITS

IDENTIFIED ADMITTED

1 - 6/25/2018 Cover Letter

6

10

2 - Direct Testimony of
Andrea E. Moore

6

10

3 - Direct Testimony of
William A. Allen

6

10

4 - Direct Testimony of
Tyler H. Ross

6

10

- - -

JOINT EXHIBIT

IDENTIFIED ADMITTED

1 - Stipulation and
Recommendation

6

12

- - -

STAFF EXHIBIT

IDENTIFIED ADMITTED

1 - Prefiled Testimony of
Joseph P. Buckley

11

12

- - -

Tuesday Morning Session,
June 4, 2019.

- - -

EXAMINER SEE: Scheduled before the
Public Utilities Commission on this day at this time
is Case No. 18-989-EL-UNC, being entitled In the
Matter of the Application of Ohio Power Company for
Administration of the Significantly Excessive
Earnings Test for 2017, Pursuant to Revised Code
Section 4928.143(F) and Ohio Administrative Code Rule
4901:1-35-10.

My name is Greta See. I am the Attorney
Examiner assigned to this proceeding by the
Commission.

At this time, I'd like to take
appearances of the parties.

On behalf of Ohio Power Company.

MR. NOURSE: Thank you, Your Honor. On
behalf of Ohio Power Company, Steven T. Nourse,
1 Riverside Plaza, Columbus, Ohio 4323 -- 215.

EXAMINER SEE: On behalf of Ohio
Consumers' Counsel.

MR. HEALEY: Good morning, Your Honor.
On behalf of the Consumers' Counsel, Christopher
Healey, 65 East State Street, Suite 700, Columbus,

1 Ohio 43215. Thank you.

2 EXAMINER SEE: And on behalf of the Staff
3 of the Public Utilities Commission.

4 MR. McNAMEE: On behalf of the Staff of
5 the Public Utilities Commission of Ohio, I am Thomas
6 W. McNamee. The address is 30 East Broad Street,
7 16th Floor, Columbus, Ohio 43215.

8 EXAMINER SEE: Okay. Mr. Nourse.

9 MR. NOURSE: Thank you, Your Honor. The
10 parties -- the Staff and the Company have reached a
11 settlement. I'd like to pre-mark a couple of
12 exhibits and then call our witness in support of the
13 Stipulation.

14 EXAMINER SEE: Okay.

15 MR. NOURSE: So, for simplicity, I'm
16 going to mark AEP Ohio Exhibit 1 as our June 25th,
17 2018 filing in this docket which consists of a cover
18 letter and the testimony of -- Direct Testimony of
19 Andrea E. Moore, and --

20 EXAMINER SEE: Is it your intention to
21 mark it as a single exhibit?

22 MR. NOURSE: Do you want me to separate
23 them?

24 EXAMINER SEE: Yeah, let's separate them,
25 Mr. Nourse.

1 MR. NOURSE: Yeah, sure, I can do it that
2 way. The only problem is I have two-sided copies
3 that are kind of strung together, but I can mark them
4 separately.

5 EXAMINER SEE: No problem.

6 MR. NOURSE: So I'll mark the cover
7 letter of June 25th as AEP Ohio Exhibit No. 1.

8 EXAMINER SEE: Okay.

9 MR. NOURSE: The Testimony of Andrea E.
10 Moore, Exhibit No. 2; the Testimony of William A.
11 Allen, Exhibit No. 3; and the Testimony of Tyler H.
12 Ross, AEP Ohio Exhibit No. 4.

13 (EXHIBITS MARKED FOR IDENTIFICATION.)

14 MR. NOURSE: And let me give you copies
15 of those if you need them.

16 EXAMINER SEE: I do not. Make sure the
17 court reporter has a copy and we're good.

18 MR. NOURSE: Okay. And then I also want
19 to mark the Stipulation and Recommendation, that was
20 docketed on June 3rd in this case, as Joint Exhibit
21 No. 1.

22 EXAMINER SEE: Okay.

23 (EXHIBIT MARKED FOR IDENTIFICATION.)

24 MR. NOURSE: And I'll give you that.
25 Do you need a copy?

1 EXAMINER SEE: No, the Bench is fine.

2 MR. NOURSE: The Company would call
3 Andrea E. Moore to the stand.

4 I'm sorry, go ahead. Mr. McNamee, did
5 you want to mark Mr. Buckley's testimony at this
6 time?

7 MR. McNAMEE: I just thought we'd take
8 care of it after she's done.

9 MR. NOURSE: Okay.

10 EXAMINER SEE: Ms. Moore, if you'd raise
11 your right hand.

12 (Witness sworn.)

13 EXAMINER SEE: Thank you. Have a seat
14 and --

15 THE WITNESS: Turn on my mic.

16 EXAMINER SEE: -- cut on your mic.

17 - - -

18 ANDREA E. MOORE

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

21 DIRECT EXAMINATION

22 By Mr. Nourse:

23 Q. Good morning, Ms. Moore.

24 A. Good morning.

25 Q. You are the same Andrea Moore that filed

1 direct testimony in the docket that we just marked as
2 AEP Ohio Exhibit No. 2, correct?

3 A. Correct.

4 Q. Okay. For the record, could you state
5 and spell your name?

6 A. My name is Andrea E. Moore. A-n-d-r-e-a
7 M-o-o-r-e.

8 Q. And by whom are you employed and in what
9 capacity?

10 A. I'm employed as the Director of
11 Regulatory Services for Ohio Power Company.

12 Q. And are you familiar with the Stipulation
13 and Recommendation that was docketed in this
14 proceeding on June 3rd, 2019?

15 A. Yes.

16 Q. Are you familiar with the three-part test
17 that the Commission often utilizes to evaluate
18 settlements?

19 A. Yes.

20 Q. And is it your opinion that this
21 Stipulation satisfies that three-part test?

22 A. Yes.

23 Q. And let me ask you more specifically.

24 No. 1: Is the Stipulation the product of
25 serious arm's-length bargaining among knowledgeable

1 and capable parties in your opinion?

2 A. Yes. All of the parties are experienced,
3 have knowledge about the issues in this proceeding,
4 and were provided the opportunity to participate in
5 settlement discussions.

6 Q. And, secondly, is it your opinion that
7 the Stipulation, as a package, benefits ratepayers
8 and is in the public interest?

9 A. Yes. The Stipulation looks at the SEET
10 test and confirms that Ohio Power Company did not
11 have excessive earnings in 2017.

12 Q. And then is it your opinion that the
13 Stipulation violates any important regulatory
14 policies or principles?

15 A. No. The Stipulation is consistent with
16 the Commission's previous orders in SEET hearings.

17 Q. So, Ms. Moore, is it your recommendation
18 that the Commission adopt the Stipulation as an Order
19 in this case to resolve the issues presented in the
20 Company's Application?

21 A. Yes, it is.

22 MR. NOURSE: Thank you, Your Honor.
23 That's all I have.

24 EXAMINER SEE: Mr. Healey.

25 MR. HEALEY: Your Honor, I have no

1 questions for this witness, though I would note for
2 the record that our agreement not to cross-examine
3 the witness should not be interpreted as OCC's
4 agreement or disagreement with anything in this
5 witness's testimony or with the Stipulation. Thank
6 you.

7 EXAMINER SEE: Okay. Mr. McNamee.

8 MR. McNAMEE: No questions, Your Honor.
9 Thank you.

10 EXAMINER SEE: And the Bench has no
11 questions for you. With that, thank you.

12 MR. NOURSE: Thank you. I don't know if
13 you want me to wait, Your Honor, but I was going to
14 remove -- move for the admission of AEP Exhibits 1,
15 2, 3, and 4.

16 EXAMINER SEE: That's fine.

17 Are there any objections to the admission
18 of AEP Ohio Exhibits 1 through 4?

19 MR. McNAMEE: No objection, Your Honor.

20 EXAMINER SEE: Mr. Healey?

21 MR. HEALEY: No, Your Honor.

22 EXAMINER SEE: Okay. With that, AEP
23 Exhibits 1 through 4 are admitted into the record.

24 (EXHIBITS ADMITTED INTO EVIDENCE.)

25 EXAMINER SEE: We'll do Mr. Buckley.

1 Mr. McNamee.

2 MR. McNAMEE: Your Honor, I would ask to
3 have marked for identification, Staff Exhibit 1, the
4 Prefiled Testimony of Joseph P. Buckley filed in this
5 docket on May 8th, 2019.

6 (EXHIBIT MARKED FOR IDENTIFICATION.)

7 MR. McNAMEE: We have Mr. Buckley here,
8 should the Bench have any questions. If the Bench
9 has no questions, I would simply move for the
10 admission of Mr. Buckley's testimony, Staff
11 Exhibit 1.

12 EXAMINER SEE: Did either of the parties,
13 did the Company or OCC have questions for
14 Mr. Buckley?

15 MR. NOURSE: No, Your Honor.

16 MR. HEALEY: No, Your Honor, subject to
17 the same qualification I made for Ms. Moore.

18 EXAMINER SEE: Okay. The Bench doesn't
19 have any questions for Mr. Buckley. So, with that,
20 are there any objections to the admission of Staff
21 Exhibit 1?

22 MR. NOURSE: No, Your Honor.

23 MR. HEALEY: No, Your Honor.

24 EXAMINER SEE: Staff Exhibit 1 is
25 admitted into the record.

1 (EXHIBIT ADMITTED INTO EVIDENCE.)

2 EXAMINER SEE: And I take it there are no
3 objections to Joint Exhibit 1, the Stipulation and
4 Recommendation?

5 MR. HEALEY: No, Your Honor.

6 MR. McNAMEE: No objection.

7 MR. NOURSE: No.

8 EXAMINER SEE: Hearing none, Joint
9 Exhibit 1 is admitted into the record.

10 (EXHIBIT ADMITTED INTO EVIDENCE.)

11 EXAMINER SEE: Is there anything further?

12 MR. HEALEY: If I may briefly, Your
13 Honor?

14 EXAMINER SEE: Please do.

15 MR. HEALEY: I've already largely made
16 the point with Ms. Moore, but OCC is taking no
17 position in this case on the Stipulation. Obviously,
18 we reserve our rights for future SEET cases, and our
19 non-opposition, non-support for the Stipulation
20 should not be interpreted as OCC conceding to
21 anything in future cases.

22 I would also note that I believe our
23 Motion to Intervene is still pending. I don't know
24 if you just want to leave that for the Order, but
25 just a reminder. That's all. Thank you.

1 EXAMINER SEE: So noted and it will be
2 taken care of in the Order.

3 If there's nothing further, with that the
4 hearing is adjourned.

5 (Thereupon, the proceedings concluded at
6 10:10 a.m.)

7 - - -

8 CERTIFICATE

9 I do hereby certify that the foregoing is a
10 true and correct transcript of the proceedings taken
11 by me in this matter on Tuesday, June 4, 2019, and
12 carefully compared with my original stenographic
13 notes.

14
15
16 Carolyn M. Burke, Registered
17 Professional Reporter, and
Notary Public in and for the
State of Ohio.

18
19 My commission expires July 17, 2023.

20 - - -
21
22
23
24
25

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

6/18/2019 8:46:30 AM

in

Case No(s). 18-0989-EL-UNC

Summary: Transcript in the matter of the Ohio Power Company hearing held on 06/04/19.
electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Burke,
Carolyn