

FILE

PUCO EXHIBIT FILING

Date of Hearing: 11/20/2019

Case No.

PUCO Case	In the Matters of the Applications of Duke Energy Ohio, Inc., for Adjustments to Rider MGP Rates.	:	Case No. 14-375-GA-RDR
		:	Case No. 15-452-GA-RDR
		:	Case No. 16-542-GA-RDR
		:	Case No. 17-596-GA-RDR
		:	Case No. 18-283-GA-RDR
		:	Case No. 19-174-GA-RDR

PUCO Case	In the Matters of the Applications of Duke Energy Ohio, Inc., for Tariff Approval. <i>AE Megan Addison</i>	:	Case No. 14-376-GA-ATA
		:	Case No. 15-453-GA-ATA
		:	Case No. 16-543-GA-ATA
		:	Case No. 17-597-GA-ATA
		:	Case No. 18-284-GA-ATA
		:	Case No. 19-175-GA-ATA

2019 DEC -4 PM 2:25
 PUCO

List of exhibits being filed: Volume III

- OCC Exhibit 18
- Staff Exhibit 6
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This is to certify that the images accompanying are an accurate and complete reproduction of a case file document delivered in the regular course of business.
 Technician A Date Processed 12/14/19

Reporter's Signature: *Karen Sue Gibson*
 Date Submitted: _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

	: Case No. 14-375-GA-RDR
In the Matters of the	: Case No. 15-452-GA-RDR
Applications of Duke	: Case No. 16-542-GA-RDR
Energy Ohio, Inc., for	: Case No. 17-596-GA-RDR
Adjustments to Rider MGP	: Case No. 18-283-GA-RDR
Rates.	: Case No. 19-174-GA-RDR

- - -

	: Case No. 14-376-GA-ATA
In the Matters of the	: Case No. 15-453-GA-ATA
Applications of Duke	: Case No. 16-543-GA-ATA
Energy Ohio, Inc.,	: Case No. 17-597-GA-ATA
for Tariff Approval.	: Case No. 18-284-GA-ATA
	: Case No. 19-175-GA-ATA

- - -

PROCEEDINGS

before Ms. Megan J. Addison, Attorney Examiner, at the Public Utilities Commission of Ohio, 180 East Broad Street, Room 11-A, Columbus, Ohio, called at 9:00 a.m. on Wednesday, November 20, 2019.

- - -

VOLUME III

- - -

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

- - -




Michael J. Lynch

Partner

Pittsburgh
+1.412.355.8644
Fax +1.412.355.6501

Primary Practice

Insurance Recovery and
Counseling

Secondary Practices

Appellate Litigation
Complex Commercial Litigation
and Disputes
Mass Tort
Nuclear

Education

- J.D., University of Virginia
School of Law, 1981
- A.B., Colgate University, 1976

Admissions

- Bar of Pennsylvania
- Supreme Court of the United
States
- United States Court of Appeals
for the Federal Circuit
- United States Court of Appeals
for the Third Circuit
- United States District Court for
the Eastern District of
Wisconsin

Mr. Lynch has been a partner in the firm's commercial litigation group for 38 years and in its insurance coverage group for 27 years. He has been lead counsel for policyholders seeking insurance coverage for environmental or toxic tort liabilities in jurisdictions across the country, including Arizona, California, Delaware, Hawaii, Illinois, Maryland, New York, New Jersey, North Carolina, Ohio, Oregon, Pennsylvania, Vermont, and Washington. His experience includes being lead trial counsel in a case in which the jury awarded our firm's client its past and future remediation costs, attorneys' fees, and pre- and post-judgment interest. Mr. Lynch was also lead trial counsel in a successful trial concerning insurance coverage for asbestos-related cancers. Mr. Lynch has represented corporations, utilities and a governmental entity in their efforts to obtain insurance coverage. In addition to his insurance coverage experience, Mr. Lynch was lead trial counsel for a manufacturing client that was sued in over 1,300 asbestos-related cases. He also has trial experience in breach of contract, tax and construction cases and has litigation experience in a number of other substantive areas, including constitutional law.

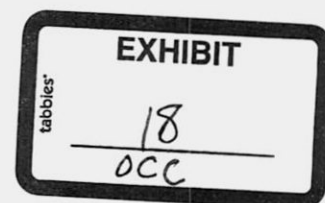
Publications

Identifying and Preserving
Coverage for Alleged Coal Ash
Liability
U.S. Insurance Coverage Alert
Alerts/Updates
20 March 2019

New York Court Rejects Insurer's
Defenses to Coverage for
Asbestos Claims Arising Out of the
Construction of the Original World
Trade Center
U.S. Insurance Coverage Alert
Alerts/Updates
13 December 2017

Insurance Coverage for Emerging
Global Warming Claims
Insurance Coverage Alert
Alerts/Updates
November 18, 2009

Location, Location, Location:
Strategic Considerations for
Selection of Forum
Insurance Coverage Training
Series
Presentations
March 13, 2009



STAFF-DR-01-001 CONFIDENTIAL

REQUEST:

Please provide Staff with the monthly detail/invoices for the following accounts:

East End

- a. Construction Management/Detail Design: January, June
- b. Miscellaneous: July, August, November
- c. Investigation: January, July, October
- d. Duke MGP PM/Construction Oversight: January, November

West End

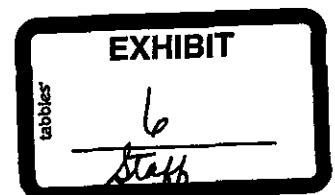
- a. Construction Management/Detail Design: January, April, July, November
- b. Miscellaneous: February, March, August
- c. Investigation: July, September, November
- d. Fuel: January, May, August
- e. Soil Disposal/Landfill: January, March, July, August

RESPONSE:

CONFIDENTIAL TRADE & PROPRIETARY SECRET

East End

- a. See Staff-DR-01-001(a) CONF Attachment for copies of East End construction management invoices for January and June.
- b. See Staff-DR-01-001(b) CONF Attachment for Miscellaneous East End Invoices. The monthly charges of \$9,115.43 in the months of July thru November were incorrectly charged to the MGP project. A correction for \$63,808 was booked in April 2014.
- c. See Staff-DR-01-001(c) CONF for East End investigation charges.
- d. See Staff-DR-01-001(d) CONF Attachment for Duke Oversight charges.



West End

- a. See Staff-DR-01-001(e) CONF Attachment for copies of West End construction management invoices for the selected months.
- b. See Staff-DR-01-001(f) CONF Attachment for copies of West End Miscellaneous.
- c. See Staff-DR-01-001(g) CONF Attachment for copies of West End Investigation.
- d. See Staff-DR-01-001(h) Attachment for West End fuel invoices.
- e. See Staff-DR-01-001(i) CONF attachment for West End disposal invoices.

PERSON RESPONSIBLE: Peggy Laub

DEO MGP Discovery
PUCO Case No. 14-375-GA-RDR
STAFF-DR-01-001
2013

CONFIDENTIAL
ATTACHMENT

West End

e) Construction Mgmt	<u>Period</u>	<u>Invoice / JE #</u>	<u>Amount</u>
	Jan-13	6045828	\$ 801,559.38
	Apr-13	6045831	\$ 1,540,639.42
	Apr-13	719922	\$ 22,456.15
			<u>\$ 1,563,095.57</u>
	Jul-13	6045834	\$ 626,056.61
	Nov-13	6045838	\$ 57,558.87
	Nov-13	6045839	68,992.21
			<u>\$ 126,551.08</u>



Our Mission: Make Our Clients Successful

December 21, 2012

Federal ID: 43-0956142
 Client PO: 64484
 BMcD Bill Group: 60458A
 BMcD Invoice: 60458-28

<p>DUKE ENERGY JESSICA BEDNARCIC PO BOX 37929 STE 25B CHARLOTTE NC 28237</p>	<p>SEND PAYMENT TO: P.O. Box 411883 Kansas City, MO 64141-1883</p> <p>Enclose Invoice Copy with Payment</p> <p>TERMS. PAYABLE UPON RECEIPT - LATE CHARGE AFTER 45 DAYS</p>	<p>WIRE INSTRUCTIONS:</p> <p>Account 9801192345 Routing 101000695</p> <p>UMB Bank, N.A. 1010 Grand P.O. Box 419226 Kansas City, MO 64141 (816) 860-7000</p>
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Professional Services for Planning Design Bidding Procurement for Design Build Remediation of West End Site in Cincinnati, Ohio in accordance with Contract No. 64484 dated August 29, 2010:

SERVICE THROUGH: 12/15/12

LABOR

Labor Classification	Level	Regular Hours	Regular Rate	Amount
General Office	5	21.00	50.33	1,056.93
Assistant	7	245.00	70.25	17,211.25
	9	177.00	104.86	18,560.22
Staff	10	9.00	108.00	972.00
	11	39.75	122.68	4,876.53
Senior	12	40.00	132.12	5,284.80
	13	62.50	144.70	9,043.75
Associate	14	43.25	158.33	6,847.77
		637.50		63,853.25

EXPENSE

See Attached	725,491.13
Invoice Subtotal	789,344.38
General Conditions	12,215.00

TOTAL AMOUNT DUE THIS INVOICE	\$ 801,559.38 USD
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Thank you for your business. We appreciate the opportunity to serve you.

cc. E-mail to: Jessica.Bednarcik@duke-energy.com
 BMcD Project Manager. Tom Helfrich 314-682-1559 thelfrich@burnsmcd.com
 Invoice Inquiry. Mia Lyons 816-822-6295

Engineering, Architecture, Construction, Environmental and Consulting Solutions

425 S Woods Mill Rd Suite 300 ♦ Chesterfield, MO 63017 ♦ Phone: 314-682-1500 ♦ Fax: 314-682-1600 ♦ www.burnsmcd.com



Our Mission: Make Our Clients Successful

Federal ID: 43-0956142

Client PO: 64484

BMcD Bill Group: 60458A

BMcD Invoice: 60458-31

April 11, 2013

EMAXPO * 64484
 CORP

DUKE ENERGY JESSICA BEDNARCIK PO BOX 37929 STE 25B CHARLOTTE NC 28237	SEND PAYMENT TO: P.O. Box 411883 Kansas City, MO 64141-1883 Enclose Invoice Copy with Payment TERMS: PAYABLE UPON RECEIPT - LATE CHARGE AFTER 45 DAYS	WIRE INSTRUCTIONS: Account 9801192345 Routing 101000695 UMB Bank, N.A. 1010 Grand P.O. Box 419226 Kansas City, MO 64141 (816) 860-7000
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Professional Services for Planning Design Bidding Procurement for Design Build Remediation of West End Site in Cincinnati, Ohio in accordance with Contract No. 64484 dated August 29, 2010:

SERVICE THROUGH: 03/16/13

LABOR

Labor Classification	Level	Regular Hours	Regular Rate	Amount
General Office	5	23.75	51.34	1,219.33
Assistant	7	210.00	71.66	15,048.60
	8	2.00	96.26	192.52
	9	186.00	106.96	19,894.56
Staff	10	1.00	110.16	110.16
	11	171.50	125.13	21,459.80
Senior	12	25.00	134.76	3,369.00
	13	31.50	147.59	4,649.09
Associate	14	65.50	161.50	10,578.25
	16	2.00	172.20	344.40
		718.25		76,865.70

EXPENSE

See Attached	1,451,558.71
Invoice Subtotal	1,528,424.42
General Conditions	12,215.00

TOTAL AMOUNT DUE THIS INVOICE \$ 1,540,639.42 USD

Thank you for your business. We appreciate the opportunity to serve you.

cc. E-mail to: Jessica.Bednarcik@duke-energy.com
 BMcD Project Manager: Tom Helfrich 314-682-1559 thelfrih@burnsmcd.com
 Invoice Inquiry: Mia Lyons 816-822-6295

Operating Unit: GD01
 Resp. Center: 8220
 Process: _____
 Project: 02080600
 Activity: REME
 Account #: 0208440
 Resource Type: 1000
 Tax Category: _____
 P.O. #: 64484
 Re: _____
 App'd By: J. Bednarcik 4/11/13

Engineering, Architecture, Construction, Environmental and Consulting Solutions

425 S Woods Mill Rd Suite 300 ♦ Chesterfield, MO 63017 ♦ Phone: 314-682-1500 ♦ Fax: 314-682-1600 ♦ www.burnsmcd.com

CONFIDENTIAL PROPRIETARY TRADE SECRET



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Received

Federal ID: 43-0956142

Client Purchase Order: 566205

Client Contract: 64484

BmCD Invoice: 71992-2

April 11, 2013

APR 15 2013

CORP

CORPORATE ACCOUNT

<p>DUKE ENERGY ACCOUNTS PAYABLE PO BOX 37935 CHARLOTTE NC 28237</p>	<p>SEND PAYMENT TO: P.O. Box 411883 Kansas City, MO 64141-1883</p> <p>Enclose Invoice Copy with Payment</p> <p>TERMS PAYABLE UPON RECEIPT - LATE CHARGE AFTER 45 DAYS</p>	<p>WIRE INSTRUCTIONS:</p> <p>Account 9801192345 Routing 101000695 UMB Bank, N.A 1010 Grand P.O. Box 419226 Kansas City, MO 64141 (816) 860-7000</p>
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Professional Services to Construct Surcharge Embankment in Connection with Substation Construction at West End Site in Cincinnati Ohio:

SERVICE THROUGH: 03/31/13

LABOR

Labor Classification	Level	Regular Hours	Regular Rate	Amount
Staff	11	5.00	125.13	625.65
Associate	14	0.25	161.50	40.38
		5.25		666.03

EXPENSE

See Attached	21,790.12
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TOTAL AMOUNT DUE THIS INVOICE	\$ 22,456.15 USD
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Thank you for your business. We appreciate the opportunity to serve you.

cc: BmCD Project Manager: Tom Helfrich 314-682-1559 thelfrich@burnsmcd.com
 Invoice Inquiry: Dana Swallow 816-823-7539

Engineering, Architecture, Construction, Environmental and Consulting Solutions

425 S Woods Mill Rd Suite 300 ♦ Chesterfield, MO 63017 ♦ Phone: 314-682-1500 ♦ Fax: 314-682-1600 ♦ www.burnsmcd.com

CONFIDENTIAL PROPRIETARY TRADE SECRET

CORP



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June 28, 2013

RECEIVED
 JUL 03 2013
 By ETCEHS2

Federal ID: 43-0956142
 Client PO: 64484
 BMcD Bill Group: 60458A
 BMcD Invoice: 60458-34

DUKE ENERGY JESSICA BEDNARCIK PO BOX 37929 STE 25B CHARLOTTE NC 28237	SEND PAYMENT TO: P O. Box 411883 Kansas City, MO 64141-1883 Enclose Invoice Copy with Payment TERMS PAYABLE UPON RECEIPT - LATE CHARGE AFTER 45 DAYS	WIRE INSTRUCTIONS: Account 9801192345 Routing 101000695 UMB Bank, N A 1010 Grand P.O. Box 419226 Kansas City, MO 64141 (816) 860-7000
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Professional Services for Planning Design Bidding Procurement for Design Build Remediation of West End Site in Cincinnati, Ohio in accordance with Contract No. 64484 dated August 29, 2010:

SERVICE THROUGH: 06/15/13

LABOR

Labor Classification	Level	Regular Hours	Regular Rate	Amount
General Office	5	15.75	51.34	808.61
Assistant	7	188.00	71.66	13,472.08
	8	2.00	96.26	192.52
	9	168.00	106.96	17,969.28
Staff	10	2.50	110.16	275.40
	11	66.00	125.13	8,258.58
Senior	12	14.00	134.76	1,886.64
	13	5.00	147.59	737.95
Associate	14	12.50	161.50	2,018.75
	15	2.00	167.91	335.82
		<u>475.75</u>		<u>45,955.63</u>

EXPENSE

See Attached	567,885.98
Invoice Subtotal	613,841.61
General Conditions	12,215.00

TOTAL AMOUNT DUE THIS INVOICE	\$ 626,056.61	USD
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Thank you for your business. We appreciate the opportunity to serve you.

cc: E-mail to: Jessica.Bednarcik@duke-energy.com
 BMcD Project Manager Tom Helfrich 314-682-1559 thehfrich@burnsmcd.com
 Invoice Inquiry: Dana Swallow 816-823-7539

2013 JUL 9 AM 8 29

Engineering, Architecture, Construction, Environmental and Consulting Solutions



UNCONDITIONAL WAIVER & RELEASE UPON PROGRESS PAYMENT
WAIVER NO. 31

Project: West End Site Remediation
Address: 646 W. Mehring Way
City/State: Cincinnati, Ohio

OWNER: Duke Energy Corp
Client PO: #64484
BMCD Invoice: # 60458-38
Amount: \$57,558.87

Contractor: Burns & McDonnell Engineering Company, Inc.
Scope/Trade: Design/Builder

I, Thomas J. Helfrich, after being duly sworn upon my oath, state that I am an Assistant Project Manager of the above-named CONTRACTOR and I am personally familiar with all the facts stated herein related to the PROJECT and know them to be true:

1. CONTRACTOR has furnished all material, labor, tools, supervision, equipment and any other item required to perform the WORK covered by CONTRACTOR's Invoice # 60458-38, in the amount of \$57,558.87 under the contract Agreement entered into with Duke Energy (hereafter "OWNER"), dated August 28, 2010, pertaining to the above-referenced PROJECT
2. CONTRACTOR certifies there are no known Liens or claims of Lien of Subcontractor's in connection with the WORK outstanding at the date of this Invoice (except those Liens disputed by CONTRACTOR which CONTRACTOR has in its discretion either bonded off and provided OWNER written confirmation of such bond or for which OWNER is withholding an amount equal to the amount of the Lien), all amounts which are due and payable to any third party (including Subcontractors) with respect to the WORK commenced or completed as of the date of this Invoice have been paid or are included in the amount requested in the current application, and, except for those bills not paid but so included and amounts disputed between OWNER and CONTRACTOR, there is no known basis for the filing on any Liens on the property comprising the Site, except in respect to payments to Subcontractors withheld for proper reasons. CONTRACTOR hereby waives and releases, to the extent of the receipt of payment requested in this Monthly Payment Invoice, any rights to any Lien.
3. I am authorized to make this statement and waiver on behalf of CONTRACTOR.

CONTRACTOR:
Burns & McDonnell Engineering Company, Inc
By: [Signature]
Printed Name: THOMAS HELFRICH
Title: PROGRAM MANAGER

NOTARY
Sworn to me and subscribed in my presence this
23rd day of October, 2013
Signature of Notary for State of Missouri
[Signature]
My Commission Expires 8/12/2018



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November 25, 2013

Federal ID 43-0956142
 Client PO 64484
 BMcD Bill Group: 60458A
 BMcD Invoice: 60458-39

<p>DUKE ENERGY JESSICA BEDNARCIK PO BOX 37828 STE 25B CHARLOTTE NC 28237</p>	<p>SEND PAYMENT TO: P.O. Box 411883 Kansas City, MO 64141-1883 Reference Invoice Number with Payment TERMS: PAYABLE UPON RECEIPT - LATE CHARGE AFTER 45 DAYS</p>	<p>WIRE INSTRUCTIONS: Account: 8801182345 Routing: 101000885 SWIFT Code UMKCUS44 United Missouri Bank 1010 Grand KANSAS CITY, MO 64141 (816)-860-7000</p>
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Professional Services for Planning Design Bidding Procurement for Design Build Remediation of West End Site in Cincinnati, Ohio in accordance with Contract No 64484 dated August 29, 2010.

SERVICE THROUGH 31-Oct-2013

LABOR

Labor Classification	Level	Regular Hours	Regular Rate	Amount
General Office	5	14.50	51.34	744.43
Assistant	7	159.75	71.88	11,447.69
Staff	11	98.75	125.13	12,356.59
Senior	12	12.00	134.76	1,617.12
Associate	14	45.25	161.50	7,307.88
		<u>330.25</u>		<u>33,473.71</u>

EXPENSE

(See Attached)

35,518.50

TOTAL AMOUNT DUE THIS INVOICE	\$68,992.21 USD
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Thank you for your business. We appreciate the opportunity to serve you.

E-mail to: DukeRemediation@duke-energy.com
 BMcD Project Manager: Tom Helfrich 314-682-1559 thefrich@burnsmcd.com
 Invoice Inquiry: Karen Ashcraft 618-605-7883 kashcraft@burnsmcd.com