

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the :
Application of The Dayton :
Power and Light Company to: Case No. 20-1651-EL-AIR
Increase Its Rates for :
Electric Distribution. :
:

In the Matter of the :
Application of The Dayton :
Power and Light Company : Case No. 20-1652-EL-AAM
for Accounting Authority. :
:

In the Matter of the :
Application of The Dayton :
Power and Light Company : Case No. 20-1653-EL-ATA
for Approval of Revised :
Tariffs. :

- - -

PROCEEDINGS

before Ms Patricia Schabo and Mr. Michael Williams,
Attorney Examiners, at the Public Utilities
Commission of Ohio, 180 East Broad Street, Room 11-A,
and via Webex, called at 10:08 a.m. on Tuesday,
October 26, 2021.

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

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APPEARANCES:

Faruki PLL
By Mr. Jeffrey Sharkey,
Mr. D. Jeffrey Ireland,
and Mr. Christopher Hollon
110 North Main Street, Suite 1600
Dayton, Ohio 45402

and

AES Corporation
By Mr. Michael J. Schuler,
Regulatory Counsel
1065 Woodman Drive
Dayton, Ohio 45432

On behalf of the Applicant.

Carpenter Lipps & Leland LLP
By Ms. Angela Paul Whitfield
280 North High Street, Suite 1300
Columbus, Ohio 43215

On behalf of The Kroger Company.

Boehm, Kurtz & Lowry
By Ms. Jody Kyler Cohn,
Mr. Michael L. Kurtz,
and Mr. Kurt J. Boehm
36 East Seventh Street, Suite 1510
Cincinnati, Ohio 45202

On behalf of the Ohio Energy Group.

Carpenter Lipps & Leland LLP
By Ms. Kimberly W. Bojko
280 North High Street, Suite 1300
Columbus, Ohio 43215

On behalf of the Ohio Manufacturers'
Association Energy Group.

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APPEARANCES: (Continued)

Kegler, Brown, Hill & Ritter Co., LPA
By Mr. Robert Dove
65 East State Street, Suite 1800
Columbus, Ohio 43215

On behalf of Ohio Partners for Affordable
Energy.

McNees, Wallace & Nurick LLC
By Mr. Matthew R. Pritchard
and Ms. Rebekah J. Glover
21 East State Street, 17th Floor
Columbus, Ohio 43215

On behalf of the Industrial Energy Users
of Ohio.

Bruce J. Weston, Ohio Consumers' Counsel
By Mr. Christopher Healey,
Ms. Ambrosia E. Wilson,
and Mr. John Finnigan,
Assistant Consumers' Counsel
65 East State Street, 7th Floor
Columbus, Ohio 43215

On behalf of the Residential Customers of
Dayton Power and Light d/b/a AES
Corporation.

Interstate Gas Supply, Inc.
By Mr. Joseph Oliker,
Mr. Michael A. Nugent
and Mr. Evan F. Betterton
6100 Emerald Parkway
Dublin, Ohio 43016

On behalf of the Interstate Gas Supply,
Inc.

Spilman, Thomas & Battle PLLC
By Ms. Carrie H. Grundmann
110 Oakwood Drive, Suite 500
Winston-Salem, North Carolina 27103

On behalf of the Walmart, Inc.

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APPEARANCES: (Continued)

Bricker & Eckler, LLP
By Ms. Rachael Mains
and Mr. Devin D. Parram
100 South Third Street
Columbus, Ohio 43215-4291

On behalf of the Ohio Hospital
Association.

Frost Brown Todd LLC
By Mr. Robert Hartley
and Mr. Darren A. Craig
201 North Illinois Street, Suite 1900
P.O. Box 44961
Indianapolis, Indiana 46204

Frost Brown Todd LLC
By Ms. Christina Wieg
10 West Broad Street, Suite 2300
Columbus, Ohio 43215

On behalf of the Nationwide Energy
Partners and Armada Power.

Whitt Sturtevant LLP
By Mr. Mark A. Whitt
and Mr. Lucas A. Fykes
88 East Broad Street, Suite 1590
Columbus, Ohio 43215

On behalf of the Direct Energy Business,
LLC, and Direct Energy Services, LLC.

Bricker & Eckler, LLP
By Ms. Kara Herrnstein
100 South Third Street
Columbus, Ohio 43215-4291

On behalf of Chargepoint.

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APPEARANCES: (Continued)

Benesch, Friedlander, Coplan & Aronoff, LLP
By Mr. N. Trevor Alexander,
Ms. Kari D. Hehmeyer,
and Ms. Sarah Siewe
41 South High Street, Suite 2600
Columbus, Ohio 43215

On behalf of the City of Dayton.

Ohio Environmental Council
By Ms. Miranda Leppla
and Mr. Christopher Tavenor
1145 Chesapeake Avenue, Suite I
Columbus, Ohio 43212

On behalf of the Ohio Environmental
Council.

Bricker & Eckler, LLP
By Mr. Dylan F. Borchers
and Mr. Matthew W. Warnock
100 South Third Street
Columbus, Ohio 43215-4291

On behalf of the One Energy Enterprises,
LLC.

Dave Yost, Ohio Attorney General
By Ms. Kyle Kern
and Ms. Jodi Bair,
Assistant Attorneys General
Public Utilities Section
30 East Broad Street, 26th Floor
Columbus, Ohio 43215

On behalf of the Staff of the PUCO.

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Tuesday Morning Session,
October 26, 2021.

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EXAMINER SCHABO: Let's go on the record.
Good morning. The Public Utilities
Commission of Ohio has assigned for hearing at this
time and place Case Nos. 20-1651-EL-AIR,
20-1652-EL-AAM, and 20-1653-EL-ATA being in the
Matter of the Application of The Dayton Power and
Light Company for an Increase in Electric
Distribution Rates, for Accounting Authority, and for
Approval of Revised Tariffs.

My name is Patricia Schabo, and with me
is Michael Williams. We are the Attorney Examiners
assigned by the Commission to preside over this
hearing.

Pursuant to several entries that were
issued in this case -- or in these cases, the most
recent being September 23, 2021, and October 19,
2021, today we are opening the record both in Hearing
Room 11-A and via Webex.

I will be taking appearances of the
counsel and then adjourning for the -- and then
adjourning the proceeding until we reconvene on
December 7 at 10:00 a.m. by Webex only.

1 The information to access or observe the
2 hearing beginning on December 7, 2021, as a nonparty
3 can be found in that October 19, 2021, entry and on
4 the Commission's website.

5 Any questions?

6 All right. So we will move on to taking
7 appearances of counsel. Since we are not all in the
8 same room, I will start with those present here with
9 me, and then I will move on and start listing
10 parties. And when you hear your client, if you could
11 make your appearance, I would appreciate it.

12 I will start with go ahead, Ms. Glover.

13 MS. GLOVER: Thank you, your Honor. On
14 behalf of the Industrial -- law firm --

15 EXAMINER WILLIAMS: Trish, we're not able
16 to hear that.

17 EXAMINER SCHABO: Okay. Hold on just a
18 second. I'm going to take my computer over to
19 Ms. Glover.

20 MS. GLOVER: Good morning, everyone. So
21 start over?

22 EXAMINER WILLIAMS: Please.

23 MS. GLOVER: On behalf of the Industrial
24 Energy Users of Ohio, Rebekah Glover and Matt
25 Pritchard of the law firm McNees, Wallace & Nurick,

1 21 East State Street, Columbus, Ohio 43215.

2 EXAMINER WILLIAMS: Thank you.

3 EXAMINER SCHABO: Thank you, Ms. Glover.

4 MR. HEALEY: Good morning, your Honor.

5 On behalf of the Ohio Consumers' Counsel, Christopher
6 Healey, John Finnigan, and Ambrosia Wilson. Thank
7 you.

8 EXAMINER WILLIAMS: Thank you,
9 Mr. Healey.

10 EXAMINER SCHABO: All right. Karen, you
11 were able to hear those?

12 COURT REPORTER: Yes.

13 EXAMINER SCHABO: Yes. All right.
14 Moving on then. Company.

15 MR. SHARKEY: Yes, your Honor. On behalf
16 of the Dayton Power and Light Company which is doing
17 business now as AES Ohio, Jeff Sharkey, Jeff Ireland,
18 and Chris Hollon from the law firm Faruki PLL and
19 also Michael Schuler, Regulatory Counsel to the
20 Company.

21 EXAMINER SCHABO: Thank you.

22 For Staff.

23 MS. BAIR: Thank you, your Honor. On
24 behalf of the Staff of the Public Utilities
25 Commission of Ohio, Jodi Bair, Kyle Kern, Assistant

Attorneys General, 30 East Broad Street, Columbus,
Ohio.

EXAMINER SCHABO: Thank you.

OEG.

MS. COHN: Good morning, your Honor. On
behalf of the Ohio Energy Group, Jody Cohn, Mike
Kurtz, and Kurt Boehm from the law firm of Boehm,
Kurtz & Lowery, 36 East Seventh Street, Suite 1510,
Cincinnati, Ohio 45202.

EXAMINER SCHABO: OMAEG.

MS. BOJKO: Thank you, your Honors. On
behalf of the Ohio Manufacturers' Association Energy
Group, Kimberly W. Bojko with the law firm Carpenter
Lipps & Leland, 280 North High Street, Suite 1300,
Columbus, Ohio 43215.

EXAMINER SCHABO: For Kroger.

MS. WHITFIELD: Good morning, your Honor.
On behalf of The Kroger Company, Angela Paul
Whitfield with the law firm Carpenter Lipps & Leland,
280 North High Street, Suite 1300, Columbus, Ohio
43215.

EXAMINER SCHABO: Thank you. Sorry. I
just cranked up my volume so maybe Ms. Glover and
Mr. Healey can hear it, and I scared the bejesus out
of myself.

1 For the University of Dayton.

2 Okay. For IGS.

3 MR. BETTERTON: Good morning, your
4 Honors. On behalf of Interstate Gas Supply, Inc.,
5 are myself, Evan Betterton; Joseph Olikier; and
6 Michael Nugent, and we are located at 6100 Emerald
7 Parkway, Dublin, Ohio 43016.

8 EXAMINER SCHABO: Thank you.

9 For Ohio Partners for Affordable Energy.

10 MR. DOVE: Good morning, your Honor.
11 This is Robert Dove on behalf of Ohio Partners for
12 Affordable Energy with the law firm of Kegler, Brown,
13 Hill & Ritter, 65 East State Street, Columbus, Ohio
14 43215.

15 EXAMINER SCHABO: Thank you.

16 For Walmart.

17 MS. GRUNDMANN: Good morning, your Honor.
18 This is Carrie Grundmann with the law firm Spilman,
19 Thomas & Battle, 110 Oakwood Drive, Suite 500,
20 Winston-Salem, North Carolina 27103 here on behalf of
21 Walmart, Inc.

22 EXAMINER SCHABO: Thank you.

23 ELPC.

24 Okay. Ohio Hospital Association.

25 MS. MAINS: Good morning, your Honors.

1 On behalf of the Ohio Hospital Association, Rachael
2 Mains and Devin Parram at the law firm of Bricker &
3 Eckler at 100 South Third Street, Columbus, Ohio
4 43215.

5 EXAMINER SCHABO: Thank you.

6 For NEP.

7 MR. HARTLEY: Good morning, your Honor.
8 On behalf of the Intervenor Nationwide Energy
9 Partners and Armada Power, Robert Hartley and Darren
10 Craig of the law firm of Frost Brown Todd in
11 Indianapolis, Indiana, and Christina Wieg of the law
12 firm Frost Brown Todd in Columbus, Ohio.

13 EXAMINER SCHABO: Thank you.

14 For Direct Energy.

15 MR. FYKES: Good morning, your Honor. On
16 behalf of Direct Energy Services, LLC, and Direct
17 Energy Business, LLC, Lucas Fykes and Mark Whitt of
18 the law firm Whitt Sturtevant, LLP, 88 East Broad
19 Street, Suite 1590, Columbus, Ohio 43215.

20 EXAMINER SCHABO: For One Energy.

21 ChargePoint.

22 MS. HERRNSTEIN: Good morning, your
23 Honors. Kara HerrNSTEIN on behalf of ChargePoint of
24 the law firm Bricker & Eckler, 100 South Third
25 Street, Columbus, Ohio 43215.

1 EXAMINER SCHABO: Thank you.

2 City of Dayton.

3 MS. SIEWE: Good morning, your Honor. On
4 behalf of the City of Dayton, Trevor Alexander;
5 sorry, Kari Hehmeyer; myself, Sarah Siewe, from the
6 firm Benesch, Friedlander, Coplan & Aronoff, 41 South
7 High Street, Suite 2600, Columbus, Ohio 43215.

8 EXAMINER SCHABO: And for OEC.

9 MR. TAVENOR: Good morning, your Honor.
10 Chris Tavenor and Randy Leppla on behalf of the Ohio
11 Environmental Council, 1145 Chesapeake Avenue, Suite
12 I, Columbus, Ohio 43212.

13 EXAMINER SCHABO: Thank you. I am going
14 to swing back around real quick and see if we have
15 anyone for the University of Dayton.

16 Okay. For One Energy.

17 Or for ELPC.

18 MS. HERRNSTEIN: Your Honors, Dylan is
19 on. I don't think his mic is working.

20 MR. BORCHERS: Can you hear me, your
21 Honor?

22 EXAMINER SCHABO: Yes.

23 MR. BORCHERS: Okay. Great. I apologize
24 for the technical issue, but on behalf of One Energy
25 Enterprises, Dylan Borchers and Matt Warnock with the

1 law firm of Bricker & Eckler. Thank you.

2 EXAMINER SCHABO: Thank you.

3 All right. Have I missed anyone?

4 All right. Anything else before we
5 adjourn?

6 All right. As I said earlier, we are
7 scheduled to reconvene on December 7 via Webex only
8 at 10:00 a.m.

9 Until then thank you very much. We're
10 adjourned.

11 (Thereupon, at 10:17 a.m., the hearing
12 was adjourned.)

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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 Tuesday, October 26,
2021, and carefully compared with my original
stenographic notes.

Karen Sue Gibson, Registered
Merit Reporter.

(KSG-7177)

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**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

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in

Case No(s). 20-1651-EL-AIR, 20-1652-EL-AAM, 20-1653-EL-ATA

Summary: Transcript October 26th 2021 In the Matter of the Application of The Dayton Power and Light Company to Increase Its Rates for Electric Distribution. In the Matter of the Application of The Dayton Power and Light Company for Accounting Authority. In the Matter of the Application of The Dayton Power and Light Company for Approval of Revised Tariffs. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.