

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Ohio)
Power Company to Initiate its gridSMART) Case No. 19-1475-EL-RDR
Phase 3 Project.)
)

**DIRECT TESTIMONY IN SUPPORT OF THE SETTLEMENT
BY
JAMES D. WILLIAMS**

On Behalf of
Office of the Ohio Consumers' Counsel
65 East State Street, Suite 700
Columbus, Ohio 43215-4213

November 3, 2021

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ATTACHMENTS

Attachment JDW-01 List of Previous Testimony Filed at the PUCO by James Williams

I. INTRODUCTION

Q1. PLEASE STATE YOUR NAME, BUSINESS ADDRESS, AND POSITION.

A1. My name is James D. Williams. My business address is 65 East State Street, 7th Floor, Columbus, Ohio 43215. I am employed by the Office of the Ohio Consumers' Counsel ("OCC") as a Utility Consumer Policy Expert.

Q2. PLEASE BRIEFLY SUMMARIZE YOUR EDUCATION AND PROFESSIONAL EXPERIENCE.

A2. I am a 1994 graduate of Webster University, in St. Louis, Missouri, with a Master of Business Administration, and a 1978 graduate of Franklin University, in Columbus, Ohio, with a Bachelor of Science, Engineering Technology. My professional experience includes a career in the United States Air Force and 25 years of utility regulatory experience with the OCC.

Initially, I served as a compliance specialist with the OCC and my duties included the development of compliance programs for electric, natural gas, and water industries including competitive suppliers of natural gas and electric service.

Later, I was designated to manage all of the agency's specialists who were developing compliance programs in each of the utility industries. My role evolved into the management of OCC's consumer hotline, the direct service provided to consumers to resolve complaints and inquiries that involved Ohio utilities and competitive suppliers of retail natural gas and electric services. More recently, my

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1 role expanded as a Utility Consumer Policy Analyst to include among other items,
2 the examination of grid modernization initiatives proposed by the electric
3 industry. This includes the development of consumer impacts, cost-benefit
4 analysis, bill impacts, projected and actual operational savings, projected and
5 actual energy savings, reliability improvements, and promoting consumers
6 receiving the full financial and other benefits from deployment of these programs.

7

8 Related to this proceeding, I have been directly involved in the review of the
9 Application of Ohio Power Company's ("AEP Ohio" or "Utility") and the
10 supporting testimony filed by AEP Ohio personnel.¹ In addition, I helped prepare
11 and review the initial and reply comments filed by the OCC in this proceeding.²
12 My participation has also included review of the more recently filed supplemental
13 testimony filed by AEP Ohio.³ Finally, my involvement in this case included
14 participation in numerous settlement discussions and in review of the Joint
15 Stipulation and Recommendation ("Settlement") filed in this proceeding.⁴

¹ *In the Matter of the Application of Ohio Power Company to Initiate its gridSMART® Phase 3 Project*, Case No. 19-1475-EL-RDR Application (July 26, 2019), Direct Testimony Dona Seger-Lawson and Scott Osterholt (July 26, 2019).

² Case 19-1475-EL-RDR, Initial OCC Comments (September 9, 2020) and Reply OCC Comments (September 25, 2020).

³ Case 19-1475-EL-RDR, Supplemental Testimony of Lisa Kelso, Stacey Gabbard, and Scott Osterholt (October 15, 2021).

⁴ *In the Matter of the Application of Ohio Power Company to Initiate its gridSMART® Phase 3 Project*, Case No. 19-1475-EL-RDR, Joint Stipulation and Recommendation (October 27, 2021).

1 ***Q3. HAVE YOU PREVIOUSLY SUBMITTED TESTIMONY OR TESTIFIED***
2 ***BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO?***

3 ***A3.*** Yes. The cases in which I have submitted testimony and/or have testified before
4 the PUCO can be found in Attachment JDW-1.

5
6 **II. PURPOSE**

7
8 ***Q4. WHAT IS THE PURPOSE OF YOUR TESTIMONY?***

9 ***A4.*** The purpose of my testimony is to recommend that the PUCO should approve this
10 Settlement that was reached among the OCC, PUCO Staff, AEP Ohio and other
11 parties.⁵ My recommendation is based on the benefits that are provided to
12 consumers, considering the three-part test that the PUCO uses to evaluate
13 settlements.

14
15 ***Q5. CAN YOU PROVIDE A BRIEF OVERVIEW OF THIS CASE?***

16 ***A5.*** Yes. AEP Ohio filed an Application to continue and expand upon its existing
17 gridSMART deployment with a Phase 3 set of programs.⁶ Under Phase 3, AEP
18 proposed deploying Distribution Automation Circuit Reconfiguration (“DACR”)
19 technology on an additional 416 distribution circuits. The Utility also sought to

⁵ Signatory Parties to the Settlement include AEP Ohio, PUCO Staff, OCC, Ohio Energy Group, Industrial Energy Users – Ohio, Ohio Manufacturers’ Association Energy Group, Ohio Environmental Council, Ohio Partners for Affordable Energy, Ohio Hospital Association, Kroger Co., Interstate Gas Supply, Smart Thermostat Coalition, and Mission:data. Parties supporting specific provisions in the Settlement include the Ohio Cable Association, Ohio Telecom Association, and AT&T Ohio.

⁶ *In the Matter of the Application of Ohio Power Company to Initiate its gridSMART® Project*, Case No. 19-1475-EL-RDR, Application (July 26, 2019).

1 deploy Supervisory Control and Data Acquisition (“D-SCADA” or more recently
2 “DA-Lite”) on 160 distribution circuits. The Application also included plans to
3 expand the deployment of Volt-Var Optimization (“VVO”) technology on an
4 additional 190 substations and 492 distribution circuits as well as a pilot program
5 to evaluate Dynamic Voltage Controllers. Furthermore, the Phase 3 Application
6 called for completing the installation of Advanced Metering Infrastructure
7 (“AMI” or “Smart Meters”) across the AEP Ohio service territory. The
8 Application also called for deploying fiber optics infrastructure, installing
9 distribution line sensors, additional deployment of the It’s Your Power
10 Application, and added functionality to provide AMI usage data through
11 electronic data interchange (“EDI”) with CRES providers.
12

13 **III. EVALUATION OF THE SETTLEMENT REGARDING THE THREE-**
14 **PRONG TEST USED BY THE PUCO FOR EVALUATING**
15 **SETTLEMENTS**
16

17 ***Q6. WHAT CRITERIA DOES THE PUCO RELY UPON IN***
18 ***CONSIDERING WHETHER TO ADOPT A SETTLEMENT?***

19 ***A6.*** It is my understanding that the PUCO will adopt a stipulation only if it meets all
20 the three criteria delineated below. The PUCO must evaluate the Settlement and
21 decide the following:

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- 1 1. Is the settlement a product of serious bargaining among capable,
- 2 knowledgeable parties?
- 3 2. Does the settlement, as a package, benefit customers and the public
- 4 interest?
- 5 3. Does the settlement package violate any important regulatory
- 6 principle or practice?⁷

7

8 ***Q7. IS THE SETTLEMENT A PRODUCT OF SERIOUS BARGAINING AMONG***

9 ***CAPABLE, KNOWLEDGEABLE PARTIES?***

10 ***A7.*** Yes. The Settlement is a product of serious bargaining among capable,

11 knowledgeable parties. There were multiple settlement meetings and discussions

12 where there was ample opportunity for parties to advocate for the interests of their

13 clients. In my opinion, full inclusion of all intervening parties in these discussions

14 encouraged the development of a settlement that represented a more fair and

15 equitable resolution to the issues for all parties.

16

17 The Settlement signatories – which include the residential consumer advocate,

18 OCC – reflects a diversity of interests. This result is important because the PUCO

19 sometimes considers (and in OCC's view should consider) whether the parties to

20 a settlement represent diverse interests.⁸

⁷ *Consumers' Counsel v. Pub. Util. Comm'n.* (1992), 64 Ohio St.3d 123, 126.

⁸ *See: In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Authority to Establish a Standard Service Offer, Case No. 10-388-EL-SSO, Opinion and Order at 48 (August 25, 2010).*

1 **Q8. DOES THE SETTLEMENT, AS A PACKAGE, BENEFIT CUSTOMERS AND**
2 **THE PUBLIC INTEREST?**

3 **A8.** Yes. The Settlement as a package benefits customers and the public interest in
4 several ways including:

- 5 • Reduces the overall gridSMART Phase 3 costs that will be charged
6 to consumers from over \$906 million (in AEP's Application)⁹ to
7 approximately \$332 million.¹⁰
- 8 • Allocates the Phase 3 gridSMART costs that will be charged to
9 residential customers at a more equitable and appropriate 45
10 percent level.¹¹
- 11 • Affirms that the authorized rate of return will be updated at the
12 time when quarterly gridSMART Rider filings are made to account
13 for changes in the rate of return that are pending before the
14 PUCO.¹²
- 15 • Delays the deployment of the gridSMART Phase 3 Distribution
16 Automation Circuit Reconfiguration ("DACR") technology until
17 the potential value to consumers of the DACR technology and its
18 deployment is better known.¹³

⁹ Supplemental Testimony of Scott Osterholt (October 15, 2021) at 5.

¹⁰ Settlement (October 27, 2021) at 3.

¹¹ Settlement at 9.

¹² Settlement at 3. Referring to: *In the Matter of the Application of Ohio Power Company for an increase in Electric Distribution Rates*. Case No. 20-585-EL-AIR, Joint Stipulation and Recommendation (May 11, 2021).

¹³ Settlement at 3.

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- 1 • Supports investment in circuit ties and reconductoring that
2 provides the opportunity for the DACR deployment to provide
3 more reliability benefits.¹⁴
- 4 • Saves energy usage and provides bill reductions through additional
5 cost-effective deployment of Volt-Var Optimization (“VVO”)
6 technology.¹⁵
- 7 • Completes the deployment of approximately 475,000 Advanced
8 Metering Infrastructure (“AMI” or “Smart Meters”) across the
9 remainder of the AEP Ohio service territory.¹⁶
- 10 • Ensures that an operational benefits assessment is performed and
11 that operational savings are credited to consumers in advance of
12 the next distribution rate case.¹⁷
- 13 • Establishes a collaborative process to discuss opportunities to
14 further enhance the customer benefits associated with AMI as well
15 as further data access requirements.¹⁸
- 16 • Eliminates the AEP Ohio proposed inclusion and funding
17 associated with DA Lite, Intelligent Line Sensors, expansion of the

¹⁴ Settlement at 4.

¹⁵ Settlement at 4.

¹⁶ Settlement at 5.

¹⁷ Settlement at 7.

¹⁸ Settlement at 7.

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1 It's Your Power App, and broadband fiber optics from the
2 gridSMART Phase 3.¹⁹

- 3 • Eliminates a proposal by AEP Ohio to reduce the required amount
4 of time that customers have to pay their electric bill for bills that
5 are processed /distributed from outside of Ohio from 21 days to 14
6 days.²⁰

- 7 • Provides for a one-time shareholder funded contribution to the
8 Neighbor-to-Neighbor bill payment assistance program to help
9 customers with bill payment assistance.²¹

10
11 ***Q9. DOES THE SETTLEMENT AMONG THE OCC, PUCO STAFF, AEP OHIO***
12 ***AND OTHER PARTIES VIOLATE ANY IMPORTANT REGULATORY***
13 ***PRINCIPLES OR PRACTICES?***

14 ***A9.*** No. The Settlement helps support an objective that costs under the gridSMART
15 Rider, that ultimately may be charged to consumers, will be just and reasonable.
16 In addition, the Settlement supports important state policies regarding the
17 provision of safe and reliable retail electric services to consumers and cost-
18 effective smart grid programs.²²

¹⁹ Settlement at 4 and 6.

²⁰ Settlement at 4.

²¹ Settlement at 9.

²² Ohio Revised Code 4928.02(A) and (D).

1 **IV. RECOMMENDATION**

2

3 ***Q10. WHAT IS YOUR RECOMMENDATION REGARDING THE SETTLEMENT***
4 ***IN THIS CASE?***

5 ***A10.*** As I discuss in my testimony, the Settlement meets the PUCO's three criteria for
6 approving stipulations. The PUCO should adopt the Settlement without
7 modifications.

8

9 **V. CONCLUSION**

10

11 ***Q11. DOES THIS CONCLUDE YOUR TESTIMONY?***

12 ***A11.*** Yes. However, I reserve the right to incorporate new information that may
13 subsequently become available through outstanding discovery or otherwise.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing *Direct Testimony of James D. Williams on Behalf of the Office of the Ohio Consumers' Counsel*, was served via electronic transmission to the persons listed below on this 3rd day of November 2021.

/s/ William Michael
Assistant Consumers' Counsel

The PUCO's e-filing system will electronically serve notice of the filing of this document on the following parties:

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Testimony of James D. Williams
Filed at the Public Utilities Commission of Ohio

1. *In the Matter of the Application of the Cincinnati Gas and Electric Company for an Increase in Its Rates for Gas Service to All Jurisdictional Customers, Case No. 95-0656-GA-AIR (August 12, 1996).*
2. *In the Matter of the Application of the Cincinnati Gas and Electric Company for an Increase in Its Rates for Gas Service to All Jurisdictional Customers, Case No. 01-1228-GA-AIR (February 15, 2002).*
3. *In the Matter of the Commission's Investigation into the Policies and Procedures of Ohio Power Company, Columbus Southern Power Company, The Cleveland Electric Illuminating Company, Ohio Edison Company, The Toledo Edison Company and Monongahela Power Company regarding installation of new line extensions, Case No. 01-2708-EL-COI (May 30, 2002).*
4. *In the Matter of the Application of The East Ohio Gas Company d/b/a Dominion East Ohio for an Increase in Its Rates for Gas Service to All Jurisdictional Customers, Case No. 07-0829-GA-AIR (June 23, 2008).*
5. *In the Matter of the Application of the Columbia Gas of Ohio, Inc. for Authority to Amend Filed Tariffs to Increase the Rates and Charges for Gas Distribution, Case No. 08-072-GA-AIR (September 25, 2008).*
6. *In the Matter of a Settlement Agreement Between the Staff of the Public Utilities Commission of Ohio, The Office of the Consumers' Counsel and Aqua Ohio, Inc. Relating to Compliance with Customer Service Terms and Conditions Outlined in the Stipulation and Recommendation in Case No. 07-564-WW-AIR and the Standards for Waterworks Companies and Disposal System Companies, Case No. 08-1125-WW-UNC (February 17, 2009).*
7. *In the Matter of the Application of the Ohio American Water Company to Increase its Rates for water and Sewer Services Provided to its Entire Service Area, Case No. 09-391-WS-AIR (January 4, 2010).*
8. *In the Matter of the Application of Aqua Ohio, Inc. for Authority to Increase its Rates and Charges in its Masury Division, Case No. 09-560-WW-AIR (February 22, 2010).*
9. *In the Matter of the Application of Aqua Ohio, Inc. for Authority to Increase its Rates and Charges in Its Lake Erie Division, Case No. 09-1044-WW-AIR (June 21, 2010).*

- IO. *In the Matter of the Application of The Ohio American Water Company to Increase its Rates/or Water Service and Sewer Service, Case No. 11-4161-WS-AIR (March 1, 2012).*
11. *In the Matter of/Columbus Southern Power Company and Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to Section 4928.143, Ohio Rev. Code, in the Form of an Electric Security Plan, Case No. 11-346-EL-SSO, et al (May 4, 2012).*
12. *In the Matter of the Application of/The Dayton Power and Light Company for Approval of its Market Rate Offer, Case No. 12-426-EL-SSO (June 13, 2012).*
13. *In the Matter of the Application of Ohio Power Company to Establish Initial Storm Damage Recovery Rider Rates, Case No. 12-3255-EL-RDR (December 27, 2013).*
14. *In the Matter of the Application of Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to Section 4928.143, Ohio Rev. Code, in the Form of an Electric Security Plan, Case No. 13-2385-EL-SSO (May 6, 2014).*
15. *In the Matter of the Application of Duke Energy Ohio/or Authority to Establish a Standard Service Offer Pursuant to Section 4928.143, Revised Code, in the Form of an Electric Security Plan, Accounting Modifications and Tariffs for Generation Service, Case 14-841-EL-SSO (May 29, 2014).*
16. *In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company and The Toledo Edison Company for Authority to Provide for a Standard Service Offer Pursuant to R.C. 4928.143 in the Form of an Electric Security Plan, Case No. 14-1297-EL-SSO (December 22, 2014).*
17. *In the Matter of the Application of Duke Energy Ohio, Inc., to Adjust Rider DR- IM and Rider AU for 2013 Grid Modernization Costs, Case No. 14-1051-EL-RDR (December 31, 2014) and (February 6, 2015).*
18. *In the Matter of the Application Not for an Increase in Rates Pursuant to Section 4901:18, Revised Code, of Ohio Power Company to Establish Meter Opt-Out Tariff, Case No. 14-1158-EL-ATA (April 24, 2015).*
19. *In the Matter of the Application of Duke Energy of Ohio, Inc., for Approval of a Grid Modernization Opt-out Tariff and for a Change in Accounting Procedures Including a Cost Recovery Mechanism., Case 14-1160-EL-UNC and 14-1161-EL-AAM (September 18, 2015).*

20. *In the Matter of the Application of Duke Energy Ohio, Inc., for Approval of an Alternative Rate Plan Pursuant to Section 4929.05, Revised Code, for an Accelerated Service Line Replacement Programs*, Case No. 14-1622-GA-ALT (November 6, 2015).
21. *In the Matter of the Complaint of Jeffrey Pitzer, Complainant, v. Duke Energy Ohio, Inc. Respondent.*, Case No. 15-298-GE-CSS (December 30, 2015).
22. *In the Matter of the Application of Ohio Power Company to Initiate Phase 2 of Its gridSMART Project and to Establish the gridSMART Phase 2 Rider*, Case No. 13-1939-EL-RDR (July 22, 2016).
23. *In the Matter of the Application of Columbia Gas of Ohio, Inc. for Approval of Demand Side Management Program for Its Residential and Commercial Customers*, Case No. 16-1309-GA-UNC (September 13, 2016).
24. *In the Matter of the Application of the Dayton Power and Light Company for Approval of Its Electric Security Plan*, Case No. 16-0395-EL-SSO (November 21, 2016). Supplemental Testimony, (March 29, 2017).
25. *In the Matter of the Application of Aqua Ohio, Inc. to Increase Its Rates and Charges for Its Waterworks Service.*, Case No. 16-0907-WW-AIR (December 19, 2016).
26. *In the Matter of the Application of Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to R.C. 4928.143, in the Form of an Electric Security Plan*, Case No. 16-1852-EL-SSO, (May 2, 2017).
27. *In the Matter of the Application of the Ohio Development Services Agency for an Order Approving Adjustments to the Universal Service Fund Riders of Jurisdictional Ohio Electric Distribution Utilities*, Case No. 17-1377-EL-USF, (August 11, 2017).
28. *In the Matter of the Application of Duke Energy Ohio, Inc. to Adjust Rider AU for 2016 Grid Modernization Costs*, Case No. 17-690-GA-RDR, (August 18, 2017).
29. *In the Matter of the Application of Duke Energy Ohio, Inc., for an Adjustment to Rider AMRP Rates*, Case No. 17-2318-GA-RDR, (April 5, 2018).
30. *In the Matter of the Application of Dayton Power and Light Company for an Increase in Electric Distribution Rates*, Case No. 15-1830-EL-AIR, (April 11, 2018).
31. *In the Matter of the Application of Duke Energy Ohio, Inc. for an Increase in Electric Distribution Rates*, Case No. 17-032-EL-AIR, et al, (June 25, 2018).

32. *In the Matter of the Complaint of Citizens Against Clear Cutting, et al., Complainants, v. Duke Energy Ohio, Inc. Respondent*, Case No. 17-2344-EL-CSS (August 27, 2018). Supplemented Direct Testimony (November 9, 2018).
33. *In the Matter of the Application of Vectren Energy Delivery of Ohio, Inc. for Approval of an Increase in Gas Rates*, Case No. 18-0298-GA-AIR (November 7, 2018). Supplemental Testimony (January 22, 2019).
34. *In the Matter of the Application of Ohio Power Company to Update Its Enhanced Service Reliability Rider*, Case No. 17-1914-EL-RDR (May 3, 2019).
35. *In the Matter of the Application of the Review of Duke Energy Ohio, Inc.'s Distribution Capital Investment Rider*, Case No. 18-1036-EL-RDR, (July 8, 2019).
36. *In the Matter of the Review of the Distribution Investment Rider Contained in the Tariff of Ohio Power Company*, Case No. 17-38-EL-RDR (August 20, 2019).
37. *In the Matter of the Commission's Investigation into Verde Energy USA Ohio, LLC's Compliance with the Ohio Administrative Code and Potential Remedial Actions for Non-Compliance*, Case No. 19-958-GE-COI, (October 2, 2019).
38. *In the Matter of the Review of the Operational Benefits Assessment of the gridSMART® Deployment of Ohio Power Company. Case No. 18-1618-EL-RDR* (October 25, 2019).
39. *In the Matter of the Application of Columbia Gas of Ohio, Inc. for an Adjustment to Rider IRP and Rider DSM Rates*, Case No. 19-1940-GA-RDR, (April 20, 2020).
40. *In the Matter of the Application of Vectren Energy Delivery of Ohio, Inc. for Approval to Continue Demand Side Management Program for its Residential, Commercial, and Industrial Customers*, Case No. 19-2084-GA-UNC (August 11, 2020).
41. *In the Matter of the Application of The Dayton Power and Light Company for Approval of Its Plan to Modernize Its Distribution Grid*, Case No. 18-1875-EL-GRD (December 14, 2020).
42. *In the Matter of the Application of The Dayton Power and Light Company to Increase Its Rates for Electric Distribution*, Case No. 20-1651-EL-AIR (August 25, 2021).
43. *In the Matter of the Application of Ohio Power Company to Initiate its gridSMART® Phase 3 Project*, Case No. 19-1475-EL-RDR (November 3, 2021)

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Summary: Testimony Direct Testimony in Support of the Settlement by James D. Williams on Behalf of the Office of the Ohio Consumers' Counsel electronically filed by Ms. Deb J. Bingham on behalf of Michael, William J. Mr.