

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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

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

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PROCEEDINGS

before Patricia Schabo and Michael Williams, Attorney  
Examiners, conducted via Webex videoconference,  
called at 6:04 p.m. on Tuesday, November 16, 2021.

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

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APPEARANCES:

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

On behalf of The Dayton Power and Light  
Company d/b/a AES Ohio.

Bruce J. Weston, Ohio Consumers' Counsel  
By Mr. Christopher Healey  
Assistant Consumers' Counsel  
65 East State Street, 7th Floor  
Columbus, Ohio 43215

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

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

On behalf of Ohio Partners for Affordable  
Energy.

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Tuesday Evening Session,  
November 16, 2021.

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EXAMINER SCHABO: The Public Utilities Commission of Ohio has assigned for public 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, with me this evening is Michael Williams, and we are the attorney examiners who have been assigned by the Commission to preside over this hearing.

Before we get to appearances of counsel and the substance of the hearing, I would like to address some preliminary issues. Some of this will be a slight repeat of what Mr. Schilling just shared with us, but it bears repeating nonetheless.

First, if your internet connection drops at any point, you can try to rejoin Webex or you can participate by phone. If those options are unsuccessful, please call the Commission's Legal Department at (614)466-6843 for assistance.

1           If you merely wish to listen to the  
2 hearing by phone, instead of accessing via video, you  
3 can enter -- you can dial 1-408-418-8388 and enter  
4 meeting number 23364132985.

5           Alternatively -- alternatively, you can  
6 view the live stream on our YouTube channel which is  
7 [www.youtube.com/user/pucohio](http://www.youtube.com/user/pucohio).

8           For more information about the Webex  
9 technical help options, you may access the chat  
10 feature by clicking on the chat button at any time to  
11 obtain technical assistance or to ask procedural  
12 questions during the hearing.

13           Be aware that chats are recorded and  
14 should not be considered private. They are also not  
15 part of the official record for the case.

16           We are holding this hearing via Webex  
17 pursuant to an entry issued on October the 22nd,  
18 2021. In the entry and in the ordered newspaper  
19 notice, the Commission directed witnesses to register  
20 to testify. Those of you who did register to provide  
21 testimony should be ready to speak when we read your  
22 name from the list.

23           Individuals who are testifying by video  
24 will be unmuted by a Commission staff member when it  
25 is your time for testimony. If you are providing

1 your testimony by phone, a staff member will call you  
2 at the phone number you provided when it is your turn  
3 to testify or will otherwise connect you to us  
4 probably.

5 Please bear with us as we work to queue  
6 up each individual as it can get tricky and may take  
7 some time.

8 To avoid unnecessary background noise, we  
9 do ask all participants to leave their microphones on  
10 mute unless they are commenting.

11 Again, if you have questions about this  
12 process as the hearing proceeds, please use the chat  
13 function.

14 I'm also going to note that you'll hear  
15 me say "Dayton Power and Light Company," "DP&L," "AES  
16 Ohio," and "the Company," interchangeably, as I, as  
17 well as probably all of the customers, get used to  
18 the name change.

19 Are there any questions before we  
20 officially get to the more formal part of tonight's  
21 proceeding? I don't see any amongst those I can see.

22 Okay. All right. Let's move on, and I  
23 will take appearances of the parties, beginning with  
24 the Company.

25 MR. SHARKEY: Yes. Thank you, Your

1 Honor. On behalf of The Dayton Power and Light  
2 Company doing business as AES Ohio, Jeff Sharkey and  
3 Chris Hollon. We're from the Faruki PLL firm.

4 EXAMINER SCHABO: Thank you.

5 And I see a couple other intervenors, if  
6 you would like to make an appearance. I'll start  
7 with Ohio Consumers' Counsel.

8 MR. HEALEY: Good evening, Your Honor.  
9 On behalf of the Ohio Consumers' Counsel, Christopher  
10 Healey. And I'd just like to thank the Commission  
11 and the Attorney Examiners for giving the public an  
12 opportunity to testify remotely today and express  
13 their opinions on the Company's application. Thank  
14 you.

15 EXAMINER SCHABO: Thank you.

16 Mr. Dove.

17 MR. DOVE: Good evening, Your Honor. On  
18 behalf of Ohio Partners for Affordable Energy, this  
19 is Robert Dove with the law firm of Kegler, Brown,  
20 Hill & Ritter, 65 East State Street, Columbus, Ohio  
21 43215.

22 EXAMINER SCHABO: Thank you so much.

23 All right. I do not see any other  
24 intervenors, but if you are counsel for an intervenor  
25 and you are on the call, please speak up.

1 All right. The subject of this public  
2 hearing is AES Ohio's application for an increase in  
3 electric distribution rates, which is accompanied by  
4 an application for approval of accounting authority  
5 and of revised tariffs.

6 AES Ohio filed its application on  
7 November 30, 2020. AES Ohio is requesting to  
8 increase its revenue requirement by approximately  
9 \$121 million.

10 The Commission Staff filed its report and  
11 recommendation on July 26, 2021. In its report,  
12 Staff recommends limiting the increase to a range of  
13 between \$61.1 million and \$66.7 million. Staff's  
14 report is a recommendation only, and the final  
15 decision will ultimately be made by the Commission.

16 This local public hearing, as were the  
17 two held in September in downtown Dayton, is only one  
18 aspect of the process.

19 The evidentiary hearing is currently  
20 scheduled for December 7, 2021, again via Webex. The  
21 evidentiary hearing is where the Company, Staff, and  
22 intervening parties will present testimony and other  
23 evidence regarding the Company's application.

24 Details for observing the evidentiary  
25 hearing are included in an entry dated October 19,

1 2021, and are available on the Commission's website  
2 by viewing the calendar and clicking on "Go To Event  
3 Detail."

4 Our purpose tonight is to receive  
5 comments from the public regarding AES Ohio's  
6 application for increasing rates. This is not a  
7 question-and-answer session; instead, we are here to  
8 listen and take your testimony for inclusion in the  
9 record.

10 The hearing is being transcribed by a  
11 court reporter. And any testimony given will be  
12 incorporated into the official record of the case.  
13 It will be reviewed and considered by the Commission  
14 when making any final decision on the application.

15 When you testify, please speak clearly so  
16 that the court reporter can accurately reflect your  
17 comments on the record.

18 If you wish to supplement your testimony  
19 with an exhibit for the Commission's consideration, a  
20 copy of the document, along with reference to  
21 Case No. 20-1651-EL-AIR, must be provided to the  
22 Commission not later than November the 26th, 2021.  
23 The document may be submitted by e-mail to  
24 contactthepuco, it's all one word,  
25 c-o-n-t-a-c-t-t-h-e-p-u-c-o, @puco.ohio.gov, or by



1 mail to the Public Utilities Commission of Ohio at  
2 180 East Broad Street, Columbus, Ohio 43215.

3 For those of you not testifying, or if  
4 you registered to testify and decide not to, you may  
5 submit a written comment by e-mail to the same  
6 address, [contactthepuco@puco.ohio.gov](mailto:contactthepuco@puco.ohio.gov), or by mail to  
7 the Commission's Docketing Division, again at 180  
8 East Broad Street, Columbus, Ohio 43215. Written  
9 comments must reference the Case No. 20-1651-EL-AIR.

10 In a moment, when I will call the first  
11 person to testify, before you give your testimony, I  
12 will swear you in and ask you to state your name and  
13 your address for the record. After you testify, the  
14 parties and I will be permitted to ask you questions  
15 about your statement. Once your testimony has  
16 concluded, your microphone will be muted again, but  
17 you will be able to stay with us for the duration of  
18 the hearing. You may also leave any time you wish by  
19 clicking on the big red circled "X" at the bottom of  
20 the screen.

21 Now that you've heard well enough from  
22 me, it's time that we hear from you.

23 Our first witness on the list is Ellis  
24 Willis. Could I please have Mr. Willis promoted to  
25 the speaker role.

1 MR. SCHMIDT: Mr. Willis, you've been  
 2 promoted. If you can enable your audio and video.  
 3 Mr. Willis?

4 THE WITNESS: There we go. Can you hear  
 5 me now?

6 EXAMINER SCHABO: Yes. Thank you so  
 7 much.

8 THE WITNESS: Well, thank you for the  
 9 opportunity, Your Honor.

10 EXAMINER SCHABO: Oh, wait just one  
 11 minute. Just one minute. If you could raise your  
 12 right hand for me.

13 (Witness sworn.)

14 EXAMINER SCHABO: All right. Again,  
 15 please state your name and address for the record,  
 16 and then proceed with your testimony.

17 THE WITNESS: It will be quick. My name  
 18 is Ellis, E-L-L-I-S, Willis, W-I-L-L-I-S. I live in  
 19 the city of Dayton. And I'm going to take you up on  
 20 your offer to e-mail my comments and not provide  
 21 verbal testimony this evening.

22 EXAMINER SCHABO: Okay. You do  
 23 understand that e-mailed comments will be part of the  
 24 record, but not part of the formal record that is  
 25 submitted.

1 THE WITNESS: I do. Thank you very much.

2 EXAMINER SCHABO: Okay. Thank you for  
3 joining us this evening.

4 THE WITNESS: Uh-huh.

5 EXAMINER SCHABO: Have a good evening.

6 THE WITNESS: You too.

7 EXAMINER SCHABO: All right. The next  
8 witness on our list is Rachael Renner. Is Ms. Renner  
9 with us this evening yet?

10 MR. SCHILLING: Your Honor, I've tried to  
11 call the witness at the number provided in the  
12 registration and it appeared to be a wrong number.  
13 And we don't see her here on the attendee list.

14 EXAMINER SCHABO: Okay. Thank you.  
15 The next name would be Madonna  
16 Blankenship.

17 MR. SCHILLING: And, similarly, we do not  
18 have her, it appears, on the list. I have, so far,  
19 tried her twice and not reached anyone. So I will  
20 continue trying as you continue on to the next  
21 witness.

22 EXAMINER SCHABO: All right. Thank you.  
23 The last name on our list is Samuel  
24 Shepherd.

25 MS. FISCHER: Mr. Shepherd, are you -- it

1 looks like he just dropped. Let me try giving him a  
2 call.

3 EXAMINER SCHABO: Okay.

4 (Pause in proceedings.)

5 MS. FISCHER: Unfortunately, it appears  
6 he is not answering.

7 EXAMINER SCHABO: Okay. What we're going  
8 to do is we're going to take a quick break. We're  
9 going to go off the record so that our court reporter  
10 doesn't have to worry about stating on the record  
11 everything that we might be saying. We are currently  
12 off the record.

13 (Off the record.)

14 EXAMINER SCHABO: We are back on the  
15 record.

16 We have made several more attempts to  
17 contact Ms. Blankenship, Ms. Renner, and Mr. Shepherd  
18 to no avail. We have not been able to get in touch  
19 with them.

20 I will repeat, if they happen to be  
21 watching, that we invite their comment by e-mail or  
22 by mail. We generally invite public comments. The  
23 Commission is interested in hearing what the  
24 consumers have to say.

25 Thank you if you have joined us this

1 evening.

2 Mr. Willis, thank you. We look forward  
3 to reading your e-mail comment.

4 But that exists the -- that exhausts the  
5 list of individuals we had to testify this evening.

6 Again, we appreciate the participation.  
7 I thank everyone for being with us this evening, but  
8 that concludes our hearing. Enjoy the rest of your  
9 evening. We are adjourned.

10 (Thereupon, the proceedings concluded at  
11 6:22 p.m.)

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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, November 16, 2021, and carefully compared with my original stenographic notes.

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

My commission expires July 17, 2023.

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

**12/2/2021 10:32:19 AM**

**in**

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

Summary: Transcript of The Dayton Power and Light Company hearing held on 11/16/21 electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Burke, Carolyn