

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the	:	
Complaint of:	:	
	:	
Michael S. Roote,	:	
	:	
Complainant,	:	
	:	
vs.	:	Case No. 21-11-EL-CSS
	:	
The Cleveland Electric	:	
Illuminating Company,	:	
	:	
Respondent.	:	

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PROCEEDINGS

before Mr. Matthew Sandor, Attorney Examiner, at the
Public Utilities Commission of Ohio, via Webex,
called at 10:00 a.m. on Monday, December 20, 2021.

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VOLUME II

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- - -

1 APPEARANCES:

2 Mr. Michael S. Roote

3 On his own behalf.

4 Benesch, Friedlander, Coplan & Aronoff, LLP
5 By Mr. Christopher Rogers
6 200 Public Square, Suite 2300
Cleveland, Ohio 43215

7 On behalf of the Respondent.

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1 Monday Morning Session,
2 December 20, 2021.

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4 EXAMINER SANDOR: Let's go on the record.

5 At this time we'll go back on the record.

6 Good morning, everyone. Today is Monday,
7 December 20, 2021. It is the second day of the
8 hearing in Case No. 21-11-EL-CSS. We will dispense
9 taking appearances today.

10 So, CEI, please proceed with Mr. Ingram.

11 MR. ROGERS: Thank you, your Honor.

12 MR. ROOTE: Your Honor, before we begin,
13 excuse me.

14 EXAMINER SANDOR: Yes.

15 MR. ROOTE: Before we begin I had a
16 couple of motions I wanted to put forward.

17 EXAMINER SANDOR: Okay. Go ahead.

18 MR. ROOTE: Thank you. I have a motion
19 to supplement my testimony regarding my experience.
20 During my examination, I remembered my work on the
21 BART System, automatic reclosing system, and that
22 caused me to recall another significant project
23 involving utilities in the form of rail transport.
24 And I would like to introduce that to supplement my
25 work history.

1 EXAMINER SANDOR: Oh, on -- on the stand,
2 okay.

3 Mr. Rogers?

4 MR. ROGERS: Your Honor, I don't believe
5 that was ever disclosed in the work history that we
6 asked him to describe in his interrogatories which I
7 will have to pull up to confirm. So that would be
8 completely new information to us and was not
9 disclosed when we asked him specifically for his work
10 history on this subject.

11 EXAMINER SANDOR: Okay. Well, in the
12 meantime, while you look for that, let's -- since I
13 would prefer starting today with Mr. Ingram, I think
14 we can defer ruling on the motion until after he is
15 off the stand.

16 MR. ROGERS: Very good, your Honor.

17 EXAMINER SANDOR: Anything else,
18 Mr. Roote, before we move on to the witness?

19 MR. ROOTE: Yes. A motion requesting
20 that the testimony of -- my testimony in response to
21 Mr. Rogers' FU question be stricken from the record
22 as well as his question. It was irrelevant. It was
23 unnecessary and in my opinion falls in the category a
24 cheap trick and reflects poorly on Mr. Rogers'
25 profession and poorly on the Commission.

1 EXAMINER SANDOR: You'll -- Mr. Rogers,
2 if you would like to respond.

3 MR. ROGERS: I mean, your Honor, that was
4 in response to the first phone call that he made to
5 the CEI to report the wire down. It is relevant and
6 I wanted to see why he said fuck you to an automated
7 commuter system and it goes to his frame of mind as
8 well as any ulterior motives he has for this case.

9 MR. ROOTE: And I would argue attempt to
10 embarrass me and that was the sole purpose for asking
11 the question, your Honor.

12 EXAMINER SANDOR: Well, what -- what I am
13 going to do is, Mr. Roote, I am going to deny the
14 motion because you did clarify your response after he
15 asked the question.

16 MR. ROOTE: Actually I'm not upset with
17 that, your Honor. It's more embarrassing for him
18 than it is for me.

19 All right. One more motion, your Honor.

20 EXAMINER SANDOR: Okay.

21 MR. ROOTE: I have a motion for a
22 mistrial based on the fact that I was denied the
23 opportunity to present a witness as we talked about
24 off the record at the last hearing. I requested the
25 address of Mr. Robert Allen directly of Mr. Rogers.

1 He never responded. And as you know from the record,
2 I attempted to secure that subpoena via another
3 route, although that was as you ruled incorrectly
4 delivered, but that doesn't change the fact that I
5 was denied the fact -- denied the opportunity to hear
6 a witness. And I realize that the PUCO rules nor the
7 civil -- civic rules in Ohio speak about -- speak of
8 mistrials, but I believe that means we defer to
9 common law, and you have the inherent right to
10 declare a mistrial.

11 EXAMINER SANDOR: Mr. Rogers.

12 MR. ROGERS: Mr. Allen's testimony is
13 completely irrelevant to this matter. Mr. Allen went
14 to Mr. Roote's premises after the power had been
15 turned off, after Mr. Roote restored -- repaired his
16 service conduit and the attachment point, and that's
17 all he did was turn the power back on. It has
18 absolutely nothing to do with CEI's action before
19 that date.

20 MR. ROOTE: Your Honor, I believe both of
21 Mr. -- it occurred to me to subpoena Mr. Allen after
22 reading the expert testimony supplied by CEI of
23 Mr. Ingram and Mr. Kozak. They both refer to
24 Mr. Allen and his visit on December 8.

25 EXAMINER SANDOR: Okay. So my ruling on

1 this is I am going to deny the motion. A few things,
2 the subpoena rules, which if I remember correctly
3 from what you are asking, Mr. Roote, was asking for
4 an expedited -- it was an expedited motion for
5 issuance of a subpoena for Mr. Allen. You requested
6 it via electronic means, via e-mail. However, the
7 Commission rules do require an expedited motion to be
8 provided in person. I did advise you to try to seek
9 the address from Mr. Rogers and then file a revised
10 subpoena.

11 I understand that you were waiting for
12 Mr. Rogers' response for an address. However, when
13 we are getting even nearer to the hearing, it is
14 incumbent upon the Complainant to then file a motion
15 requesting that such address be -- be provided and
16 that was not filed.

17 On top of that I did allow leeway in
18 questioning of Mr. Henry with regard to I believe it
19 was pictures of reinstallation of the meter, and I
20 believe a question or two acknowledging that you did
21 not receive this address, so I did provide you a
22 little bit of leeway with that earlier. And -- okay.
23 And that is my ruling.

24 MR. ROOTE: All right. Well, I will for
25 the record state my objection to your ruling. I

1 respect it. And while we are on that subject, I want
2 to make sure that the record clearly reflects my
3 objection to your rulings on allowing some other
4 evidence into -- some of my other exhibits into
5 evidence, specifically my evidence on the Public
6 Utilities records request, my Exhibits A, AP, AQ, and
7 AN.

8 EXAMINER SANDOR: You said AN or AM?

9 MR. ROOTE: AN as in Nancy.

10 EXAMINER SANDOR: Okay.

11 MR. ROOTE: I also -- I'll -- also my
12 request to enter into Exhibit -- into evidence
13 Exhibit P, the NFPA report and my request to enter
14 into evidence Exhibits BE and BD. That's Baker
15 Edward, Baker David, Allstate versus CEI.

16 EXAMINER SANDOR: Those objections are
17 noted.

18 MR. ROOTE: Thank you.

19 EXAMINER SANDOR: Noted for the record.
20 Okay. Anything further, Mr. Roote?

21 MR. ROOTE: No, sir.

22 EXAMINER SANDOR: Thank you.

23 MR. ROGERS: And, your Honor, for the
24 record to -- regarding his initial motion, I do not
25 see anywhere in his discovery responses where he

1 mentioned working on the train system.

2 EXAMINER SANDOR: Okay. Okay. Either
3 way I hear both your responses. I will rule on that
4 after Mr. Ingram comes down. Just it seems a more
5 appropriate time to have Mr. Ingram come up and down,
6 and then I'll issue a ruling.

7 MR. ROGERS: Okay. Thank you, your
8 Honor.

9 EXAMINER SANDOR: Okay. Please proceed,
10 Mr. Rogers.

11 MR. ROGERS: Your Honor, at this time the
12 Company would like to call Mr. Brent Ingram to the
13 stand.

14 MR. SCHMIDT: Mr. Ingram, you have been
15 promoted. If you can enable your audio and video.

16 EXAMINER SANDOR: I think we are just
17 waiting for your video, Mr. Ingram. I think you're
18 muted still.

19 MR. INGRAM: Can you hear me now?

20 EXAMINER SANDOR: Yes, I can. Can you
21 raise your right hand, please.

22 (Witness sworn.)

23 EXAMINER SANDOR: Thank you.

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BRET INGRAM

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

DIRECT EXAMINATION

By Mr. Rogers:

Q. Good morning, Mr. Ingram. Thank you for
taking your time out today to continue with this
hearing. Can you please state and spell your full
name for the record.

A. Yes. First name is Bret, B-R-E-T; last
name is Ingram, I-N-G-R-A-M.

Q. Who are you currently employed by?

A. I'm employed by the Illuminating Company,
part of the FirstEnergy family.

Q. And what capacity are you employed?

A. I'm the Manager of Operation Services for
Concord and Middlefield line shops.

MR. ROGERS: Your Honor, at this time I
would like to mark Company Exhibit 1 for the record.
It is the direct prefiled testimony of Mr. Ingram.

EXAMINER SANDOR: So marked.

(EXHIBIT MARKED FOR IDENTIFICATION.)

Q. (By Mr. Rogers) Mr. Ingram, do you have a
copy of what has been marked as Company Exhibit 1,
your prefiled testimony?

1 A. Yes, I do.

2 Q. Do you recognize this document?

3 A. Yes, I do.

4 Q. What is it?

5 A. It's testimony provided by myself in this
6 matter.

7 Q. And did you prepare this document or
8 cause it to be prepared at your direction?

9 A. Yes, I did.

10 Q. If you were asked the same questions that
11 are in this document today, would your answers be the
12 same?

13 A. Yes, they would.

14 MR. ROGERS: And, your Honor, at this
15 time I would like to have permission to do some
16 additional direct examination based on some of the
17 topics that came up last week in the hearing.

18 EXAMINER SANDOR: I'll grant that because
19 I did mention in my ruling on -- Mr. Roote's ruling
20 on expert testimony that I would allow you some
21 leeway with the experts.

22 MR. ROGERS: Thank you, your Honor.

23 Q. (By Mr. Rogers) Mr. Ingram, you sat
24 through testimony last week on December 14; is that
25 accurate?

1 A. That's correct. With the exception I did
2 not hear Bob Kozak's testimony.

3 Q. Understandable. But you heard the
4 testimony of Mr. Tyler Henry.

5 A. Correct.

6 Q. Do you recall Mr. -- allegations that
7 Mr. Henry was not trained in the National Electric
8 Safety Code, the NESC?

9 A. Yes, I do.

10 Q. Does CEI follow the NESC?

11 A. Yes, they do.

12 Q. Does CEI train its employees to follow
13 the NESC?

14 A. Yes, we do.

15 Q. And which department is responsible for
16 that training and ensuring compliance with the NESC?

17 A. There are multiple departments. We have
18 an Engineering Standards Department. We have a
19 Workforce Development Department. We have Corporate
20 Engineering as well as Corporate Safety.

21 MR. ROGERS: Thank you, Mr. Ingram.

22 Your Honor, at this time I have no
23 further questions.

24 EXAMINER SANDOR: Okay. Mr. Roote,
25 please go ahead.

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CROSS-EXAMINATION

By Mr. Roote:

Q. Well, first, in response to the additional testimony that Mr. Rogers just elicited, ask Mr. Ingram, he heard Mr. Henry's responses, did it seem to you that he was familiar with the NESC?

MR. ROGERS: Objection, your Honor. It calls for speculation.

EXAMINER SANDOR: I will allow the question.

A. No, he did not seem like he had knowledge of it, no.

MR. ROOTE: Thank you. As far as redirect, your Honor, that would conclude that.

Q. (By Mr. Roote) All right. Thank you again, Mr. Ingram. I didn't start by thanking you for being here today and thank you for being here last Tuesday, making yourself available.

And as -- I'm going to take a few minutes to do some background things, if it's all right with you, Mr. Ingram. We had a considerable number of objections on Tuesday regarding lack of background, so if everyone will bear with me for just a moment, I would like to establish some background before I begin.

1 So you are presenting yourself today as
2 an expert. You are providing expert testimony; is
3 that correct?

4 A. Correct.

5 Q. Thank you. Are you an expert in
6 everything CEI does?

7 A. No, I am not.

8 Q. Please identify some of the areas where
9 you do consider yourself to be an expert.

10 A. From the line operations standpoint I
11 have multiple years of hands-on experience both in
12 the field and in the office, metering as well, so I
13 have considerable knowledge.

14 Q. Okay. So do you consider yourself an
15 expert on the advanced meters?

16 A. No, no. I am not an expert in advanced
17 metering.

18 Q. Are you familiar with advanced meters?

19 A. I am familiar, yes, familiar.

20 Q. And does your operations maintain records
21 or have access to where -- which residences are --
22 have advanced meters installed?

23 A. Yes, we do.

24 Q. Does the -- does the -- FirstEnergy
25 Illuminating Company, do they maintain a SCADA

1 system? Are you familiar with the term?

2 A. Yes, we do. Uh-huh.

3 Q. And are the advanced meters fulfilling
4 the role of a -- what's referred to as an RTU as part
5 of the SCADA system?

6 A. That would be beyond my capacity. I
7 don't know.

8 Q. Are you knowledgeable about electrical
9 fires?

10 A. Electrical fires?

11 Q. Fires created by electricity.

12 A. Have I seen fires created by electricity,
13 yes.

14 Q. Okay. Have you studied about how fires
15 are created by electricity?

16 A. Studied, no.

17 Q. Are you responsible for being aware of
18 when events involving your employees result in a fire
19 or they respond to an event that was the result --
20 that resulted in a fire?

21 A. I'm sorry. Repeat that question again,
22 please.

23 Q. Are part of your responsibilities to be
24 aware of when fire is the end result of a problem
25 with your distribution lines?

1 A. If you are asking am I aware of when a
2 line causes an incident or is potentially causing an
3 incident, yes, I am made aware of it.

4 Q. Thank you. Are you knowledgeable
5 about -- knowledgeable about arc flash?

6 A. I understand the premise behind arc
7 flash, yes.

8 Q. Have you yourself taken the NESC
9 training?

10 A. I have been involved in multiple training
11 sessions that the Company has provided, yes.

12 Q. As you testified, the basis of those
13 trainings is the NESC?

14 A. Amongst other institutions, yes.

15 Q. Are your employees required to wear a
16 certain type of clothing that are -- are arc flash
17 resistant?

18 A. Yes, they are.

19 Q. Do you equip them with additional
20 equipment for when they en -- when they work on
21 situations where they might encounter arc flash?

22 A. Personal protective equipment, yes.

23 Q. Yes. Thank you. And you have a -- your
24 education is in finance and a Master's in business;
25 is that correct?

1 A. That's correct.

2 Q. Did that course of study include a lot of
3 courses in statistics?

4 A. Yes, it did.

5 Q. So -- all right. You stated you never
6 testified at a PUCO -- PUCO hearing; is that correct?

7 A. That's correct.

8 Q. Have you ever been questioned by a member
9 of the PUCO?

10 A. I get questions often from PUC Staff,
11 yes.

12 Q. Okay. And you supply answers for PUCO
13 investigations?

14 A. I don't know if they resulted in
15 investigation or not. Sometimes it's an informal or
16 formal complaint that the PUCO follows, and they ask
17 questions of our organization.

18 Q. When did you first become aware of my
19 complaint?

20 A. The exact date I don't know.

21 Q. When you became -- became -- when you
22 became aware of my complaint, was it -- was it the
23 formal complaint or the preliminary complaint
24 investigation conducted by the PUCO?

25 A. No. I recall getting an e-mail from the

1 PUC asking questions. I don't know if it was in a
2 formal capacity at that time or not.

3 Q. Okay. Do you recall what those questions
4 were?

5 A. Verbatim, no, I do not.

6 Q. They don't have to be verbatim. In a
7 general --

8 A. They were questions -- I'm sorry. Go
9 ahead, please.

10 Q. Well, in a general way, what were the
11 questions?

12 A. There was a question about -- again, I
13 don't recall exactly. I am trying to think back to
14 the question. It was a number of questions that were
15 just asked of how we were routed to a job during a
16 storm and did we have any knowledge of you contacting
17 the office.

18 Q. By the office --

19 A. Very high level questions.

20 Q. Okay. So you are aware that the PUCO
21 conducted their own investigation of my issue before
22 I filed my formal complaint.

23 A. Yes.

24 Q. Were you ever shown --

25 MR. ROOTE: Your Honor, would you clarify

1 whether my Exhibit A was ever admitted into evidence,
2 or was it disallowed?

3 EXAMINER SANDOR: It was disallowed.

4 Q. (By Mr. Roote) Have you ever seen a
5 summary of the PUCO investigation that they
6 conducted?

7 A. A summary, no, I have not.

8 MR. ROGERS: Your Honor, I would like to
9 object. What's the relevance of this line of
10 questioning?

11 MR. ROOTE: Well, as I have stated, your
12 Honor, I am trying to establish that background
13 familiarity Mr. Ingram has with my case and
14 familiarity of the operations of CEI.

15 EXAMINER SANDOR: I will let you proceed
16 for now with the questioning as long as we begin
17 moving on to the more -- the formal complaint side of
18 things here shortly.

19 MR. ROOTE: Okay. Thank you, your Honor.

20 Q. (By Mr. Roote) I think you have already
21 answered this, but I will state it because it's
22 stated a little different way, before being asked to
23 help with my complaint, were you aware the PUCO
24 investigates customer complaints?

25 A. Yes.

1 Q. Okay. And again, from your testimony
2 already I think you've answered this, have you ever
3 met anyone from the PUCO personally?

4 A. No, I have not.

5 Q. So your communications with the PUCO have
6 been via e-mail and/or telephone. You never met
7 anyone in person.

8 A. Correct.

9 Q. Okay. Thank you. Thank you for the
10 clarification. Thank you. All right. Move on to
11 another area we're on. CEI disclosed that you and
12 Mr. Kozak assisted with the preparations of
13 Mr. Rogers' discoveries; is that correct?

14 A. That is correct.

15 Q. Are you aware that CEI provided answers
16 as to a previous request for discovery in March of
17 2021?

18 A. No, I am not familiar with that, no.

19 MR. ROOTE: Your Honor, I would like to
20 admit my Exhibit AW.

21 EXAMINER SANDOR: One moment. You would
22 like to mark it and present it now; is that what you
23 are saying?

24 MR. ROOTE: Yes, sir.

25 EXAMINER SANDOR: Okay. Let me bring it

1 up. And what is the title of this exhibit, please,
2 for marking purposes?

3 MR. ROOTE: The Cleveland Illuminating
4 Company's responses to Complainant's discovery
5 requests.

6 EXAMINER SANDOR: Okay.

7 MR. ROGERS: And, your Honor, we would
8 object to the hearsay court -- out-of-court
9 statement.

10 EXAMINER SANDOR: Mr. Roote, are you
11 going to be pointing to a specific response within?

12 MR. ROOTE: That was my intention, your
13 Honor.

14 EXAMINER SANDOR: I'm sorry. What did
15 you say?

16 MR. ROOTE: That was my intention, your
17 Honor. Excuse me.

18 EXAMINER SANDOR: Okay. I will allow you
19 what -- what part are you pointing to, are you going
20 to point to?

21 MR. ROOTE: The response to one of the
22 interrogatories.

23 EXAMINER SANDOR: Can you go ahead and
24 give me that point just so we can --

25 MR. ROOTE: Give me a moment, your Honor,

1 and I will.

2 EXAMINER SANDOR: Sure.

3 MR. ROOTE: Okay. I'm sorry, your Honor.
4 It should be in Request for Production of Documents
5 and that would be request No. 1.

6 EXAMINER SANDOR: I'm sorry. Can you
7 give me a page number on that?

8 MR. ROOTE: Certainly. The pages aren't
9 numbered. Sorry, sir. The pages aren't numbered.
10 It's about --

11 MR. ROGERS: I believe it's page 6 on the
12 PDF, your Honor.

13 MR. ROOTE: Yes, page 6.

14 EXAMINER SANDOR: Page 6. And that
15 number again? I'm sorry.

16 MR. ROOTE: Request No. 1.

17 EXAMINER SANDOR: Okay. I will allow him
18 to ask the witness about this.

19 MR. ROOTE: Has Mr. Ingram been provided
20 a copy of this, your Honor?

21 EXAMINER SANDOR: Oh, Mr. Rogers. If you
22 could forward him this exhibit.

23 MR. ROGERS: Bret, do you have access to
24 this?

25 THE WITNESS: What exhibit is it?

1 MR. ROGERS: Exhibit Roote Exhibit AW.

2 THE WITNESS: AW. Bear with me a second,
3 please.

4 Okay. I have it in front of me.

5 Q. (By Mr. Roote) That page 6, Mr. Ingram,
6 is what we are referring to.

7 A. 6, okay.

8 Q. As you can see there in response to
9 request No. 1, the answer was "See documents
10 previously produced by CEI on March 18, 2021." Is
11 that an accurate --

12 MR. ROGERS: Objection, your Honor. Your
13 Honor, the request for production are not required to
14 be verified or reviewed by the verifying witness.
15 These are generally responses drafted by counsel in
16 terms of requests for production, not an
17 interrogatory.

18 EXAMINER SANDOR: Mr. Roote, I do agree
19 with Mr. Rogers.

20 MR. ROOTE: All right, your Honor.

21 Q. (By Mr. Roote) So, Mr. Ingram -- if you
22 will allow, your Honor -- did you review the
23 documents that -- that are referred to in request
24 No. 1?

25 A. This is the first time I am seeing this

1 document. I don't know what it pertains to.

2 Q. Okay. So -- you've already answered you
3 weren't aware of them so. Did you suggest any of the
4 questions then asked and answered in your direct
5 testimony?

6 A. I'm sorry. I don't understand that.

7 Q. Well, you were asked if you responded to
8 a number of questions in your direct testimony that
9 was introduced earlier this morning.

10 A. Yes.

11 Q. In -- were those questions offered to you
12 at your suggestion?

13 MR. ROGERS: Objection, your Honor. That
14 calls for -- to delve into attorney-client privilege,
15 communications between counsel and the client.

16 EXAMINER SANDOR: I'll allow him to ask
17 if he prepared his testimony.

18 A. Did I prepare the entire testimony? No.
19 Did we talk about questions? Yes.

20 Q. Thank you. Moving on to a new topic, on
21 December 1, 2020, what was the cause of the area
22 power outage that occurred along Rockhaven Road?

23 A. We had a considerable snowstorm at that
24 time.

25 Q. Okay. And --

1 A. Primary lines in front of your house, I
2 believe.

3 Q. What was the cause of the primary lines
4 in front of my house coming down?

5 A. Primary lines, trees.

6 Q. And who is responsible for the vegetation
7 control on Rockhaven Road?

8 A. CEI.

9 Q. And a few houses away were the primary
10 wires interacting with another tree?

11 A. I believe they were, yes.

12 Q. Thank you. That doesn't mean that CEI is
13 responsible for the power outage, does it?

14 A. No, it does not.

15 MR. ROOTE: Your Honor, we have already
16 entered into the record Exhibit R.

17 EXAMINER SANDOR: Yes. Well, actually
18 double-check. I am pretty sure we have but let me
19 double-check. Yes.

20 MR. ROOTE: All right. Does Mr. Ingram
21 have access to Exhibit R?

22 EXAMINER SANDOR: Once you have it up,
23 Mr. Ingram, let us know.

24 THE WITNESS: I do have it.

25 Q. (By Mr. Roote) Do you see the entry dated

1 December 4 by Ms. Crystal Brady on the bottom of page
2 3?

3 A. I do, yes.

4 Q. Do you see where that continues on --
5 EXAMINER SANDOR: One moment.

6 Q. -- the bottom of page 1?

7 EXAMINER SANDOR: Okay. Thank you.

8 MR. ROOTE: Thank you, your Honor.

9 Q. (By Mr. Roote) I'm on page 1, the entry
10 by Ms. Brady. Do you see that continues onto page 2?

11 A. That's correct.

12 Q. Now, reading her entry does this appear
13 to be her entry requesting repair service?

14 A. The entry reads customer-owned equipment,
15 replace same size service, mast, service cable, FE to
16 disconnect/reconnect.

17 Q. So that seems to be her indicating that
18 there is -- I've requested service to repair my
19 service entry.

20 MR. ROGERS: Objection, your Honor, to
21 his testifying.

22 Q. (By Mr. Roote) What is your
23 interpretation of what she's written there,
24 Mr. Ingram?

25 A. That's -- it's what she gathered from the

1 phone call, I assume.

2 Q. And what is your assessment of what she
3 gathered from the phone call?

4 A. Well, obviously she -- there is some
5 request for disconnect at your property.

6 Q. Thank you. Can you read the second to
7 last line of her entry, please.

8 A. Second to last line where it says
9 "Confirmation e-mail sent to partner e-mail address."

10 Q. That's exactly, yes, sir. Thank you.
11 You testified you had an MBA. In a business context
12 what is a business partner?

13 A. Partner would be someone within your
14 organization.

15 Q. So her reference to this partner is an
16 indication to you it's another group or division
17 within CEI?

18 A. I don't know. I'm not familiar with
19 their systems.

20 Q. So you don't know if the partner she is
21 referring to is owned by CEI or FirstEnergy or not.

22 A. No, because actually on line 4 above it
23 says "Partner E-mail," and it lists your e-mail
24 address now that I am looking at it.

25 Q. It lists whose e-mail address?

1 A. M_roote@yahoo.com. It says "Partner
2 E-mail" address. So partner e-mail would have been
3 sent back to you, confirmation.

4 Q. Why would she consider me to be a partner
5 with CEI?

6 A. I can't answer that.

7 Q. Is the company that does and handles CEI
8 construction owned by CEI?

9 A. I'm not sure I follow your question.

10 Q. Well, as directed by Crystal, the
11 services I required for my property were to be done
12 by the construction people rather than your people
13 who do repair. So my question is is the group that
14 performs construction for CEI part of CEI, or are
15 they a separate company?

16 A. No. They are one and the same.

17 MR. ROOTE: Thank you. That concludes my
18 opening questions, your Honor. I am going to move on
19 to questions specifically regarding CEI Exhibit 1,
20 Mr. Ingram's testimony.

21 EXAMINER SANDOR: Please proceed.

22 Q. (By Mr. Roote) So referring to your
23 testimony, page 1, line 15, you state "In my current
24 position I oversee all the distribution line crews
25 for the region that includes Chesterland, Ohio." Is

1 that an accurate reading?

2 A. That is correct.

3 Q. Approximately how many people is that?

4 A. I have two line shops, approximately 65
5 people.

6 Q. Are they all employees and/or does this
7 number include contractors?

8 A. No, employees only.

9 Q. And Mr. Tyler Henry reports up to you,
10 not directly but up to you through a supervisor.

11 A. That's correct.

12 Q. Turning to page 2, you state on line 7
13 continuing onto line 8 "I also reviewed some of the
14 exhibits filed by Mr. Roote, including the Affidavit
15 of Jeffrey Roote"; is that a correct reading?

16 A. Yes.

17 Q. Did what Mr. Roote stated in his
18 affidavit appear to be -- to you to be the correct
19 steps to replace a conduit?

20 A. I would have to go back and review it. I
21 don't remember exactly what he said.

22 Q. Your Honor didn't allow that into
23 evidence. I can't ask you to look at it. So I am
24 going to have to depend on your memory. In your
25 memory did anything in Jeffrey's affidavit appear

1 incorrect or not professional as far as --

2 A. I can't answer without reviewing it.

3 Q. Okay. That's why I wanted it entered
4 into evidence. But you heard his testimony, and we
5 can speak to that. You listened to Jeffrey Roote's
6 testimony yesterday?

7 A. Yes, I did.

8 Q. Did anything he said sound like he
9 performed something that would have been
10 inappropriate in repairing a conduit?

11 A. Again, I don't remember the details of
12 his testimony.

13 Q. Do you remember him saying that he had to
14 reattach the neutral wire?

15 A. I do recall that, yes.

16 Q. Did he -- did he violate any -- as far as
17 your understanding of the tariff, any of the tariff
18 rules by connecting the neutral wire?

19 A. Not to my knowledge, no.

20 Q. Thank you. Looking at line 18, you make
21 a reference to -- in that line you make a reference
22 to the -- to "crew." And just as a clarification --

23 A. Sorry. What page are we on?

24 Q. It's on page 2, line -- line 18, sir.
25 You included the word "crew." I just wanted to

1 clarify, as we heard in Mr. -- I believe you heard in
2 Mr. Kozak's testimony that CEI has two groups that
3 they refer to as crews. One is hazard. He talked
4 about the hazard crew that comes out and -- and tours
5 the probable site where a problem might be in the
6 distribution service and then the repair crews that
7 then follow up on hazard crews and do the actual
8 repairs. So my own question is simply in your use of
9 the word crew, are you referring in this case to the
10 repair crew or the hazard crew?

11 A. Just let me read this.

12 Q. Certainly.

13 A. In this regard this would be a hazard
14 crew.

15 Q. Thank you. And then on that same line it
16 reads "After customers report outages, a regional
17 dispatcher then sends a crew to the probable trouble
18 location." Is that a correct reading?

19 A. That is correct.

20 Q. So along -- when customers report
21 outages, do they also sometimes include reports of
22 wires down?

23 A. Yes, they do.

24 Q. When the regional dispatcher -- excuse
25 me. Does the regional dispatcher take into account

1 when deciding where to send crews to customers
2 reports of wires down?

3 A. I don't know how they rack and stack
4 those orders. I am not familiar enough with that
5 side of the business.

6 Q. But these are -- but it is the
7 dispatchers that are issuing the orders for your
8 crews to respond to, correct?

9 A. Correct.

10 Q. I guess it's asked and answered so. I am
11 trying to rephrase it. So your -- you just stated
12 you're not really aware of how the dispatchers
13 reached the decision as to where to send crews. Did
14 I understand you correctly?

15 A. Yes, that's correct.

16 Q. Do customers sometimes -- I believe it
17 was recommended by CEI also contact first responders
18 by dialing 911 in the case of wires down?

19 A. Do they? Yes, they do.

20 Q. I don't -- well, let's see, you said you
21 had limited knowledge of what the dispatcher's
22 decision is. Are you aware of whether when the
23 dispatchers advise hazards crews to go to a location,
24 whether they differentiate between primary,
25 secondary, and service drop wires when they report

1 wires down?

2 A. I can't answer that. I don't know.

3 Q. So to your knowledge, the hazard crews
4 are dispatched to investigate reports of power
5 outage. They have no knowledge that wires are also
6 down.

7 A. I don't know if they have knowledge or
8 not.

9 Q. So to your knowledge, the reports I made
10 of wires down on my property was not transmitted to
11 the hazard crew.

12 A. I can't answer that. I don't know if it
13 was provided to them or not.

14 Q. All right. To your knowledge, you don't
15 know if they were provided that or not.

16 A. I don't know.

17 Q. All right. We'll move on. Moving on to
18 page 3, line 22, you state that "the fuses will melt
19 almost instantly"; is that correct?

20 A. Yes, that's what it says here.

21 Q. By "almost instantly," do you mean to say
22 that if I were holding the wire when it was
23 energized, I would not receive an -- an electric
24 shock?

25 A. I can't say you would or would not.

1 Q. So you haven't personally tested that
2 theory, have you?

3 A. No, I have not.

4 Q. Would you?

5 A. Would I? No, I would not.

6 MR. ROOTE: Your Honor, if I would be
7 allowed, this is a public hearing. And in the
8 interest of safety, I would like to let anyone who
9 might be hearing know they should never attempt to be
10 holding a down power wire assuming that the fuses
11 will protect them from electrocution.

12 EXAMINER SANDOR: Okay.

13 MR. ROOTE: Thank you.

14 EXAMINER SANDOR: Thank you, Mr. Roote.

15 Q. (By Mr. Roote) You stated that the -- I'm
16 on line 17 now, going backwards here a little bit,
17 but at the -- the answer to the question on line 16
18 "What does a closed fuse indicate," your response is
19 "That the line is operating within its parameters";
20 is that correct?

21 A. That is correct.

22 Q. Which parameters did you include in that
23 reference?

24 A. Meaning there is no fault indication.

25 Q. By "no fault," what -- what parameters

1 would be out of range that a fuse would detect?

2 A. If the voltage went to ground, it would
3 trip the fuse.

4 Q. Then that would be a result of the
5 current and -- exceeding the capacity of the wire and
6 the fuse and that's why the fuse melts?

7 A. That's one possibility, yes.

8 Q. Yeah. Thank you. So if a fuse holds, is
9 that an assurance there are no issues with the
10 connections of the wires?

11 A. Not necessarily, no.

12 Q. Pardon me?

13 A. Not necessarily, no.

14 Q. Thank you. And by -- and by -- and by
15 wires, that would include service wires, service drop
16 wires, service entrance wires?

17 A. What do you mean by "service drop" and
18 "service entrance wires"? I am not sure.

19 Q. We just covered the fact a fuse will not
20 necessarily guarantee there are no issues with a wire
21 and/or its connections, and I am just --

22 A. The fuse indicates that it is indicating
23 properly.

24 Q. Properly meaning the parameters of
25 current that the conductor is rated for have not been

1 exceeded.

2 A. That is one indication, yes.

3 Q. Why else would a fuse blow?

4 A. Again, if the voltage went to ground, the
5 fuse would blow.

6 Q. Doesn't the voltage going to ground
7 result in the current and the conductor exceeding the
8 setting of the fuse?

9 A. Not necessarily.

10 Q. So your testimony is that a fuse can
11 detect problems with the voltage.

12 A. It would pick up an overage of voltage,
13 or it can pick up a phase-to-phase grounding.

14 Q. I'm going to refer to your testimony how
15 a fuse operates on page 3, line 19 -- well, the
16 question is on line 18, "How does a fuse work?" Your
17 answer on line 19 is "In general, a fuse has a metal
18 element designed to only carry a limited electrical
19 current. When a short circuit or voltage overload
20 occurs, the excess heat melts the metal element,
21 creating an air gap in the circuit that electricity
22 can't pass through." What generates the heat in the
23 metal element?

24 A. A short, circuit board overload.

25 Q. So when you say it's designed only to

1 carry a limited electrical current, the implication
2 is a short circuit results in excessive current. A
3 fuse only responds and melts under excessive current;
4 is that correct or is it incorrect?

5 A. No. A fuse -- a short circuit could be a
6 grounding as well. If closed the circuit, you have
7 blown the fuse.

8 Q. Okay. I accept your testimony. I may
9 have asked a similar question, but I think you have
10 already said that the fuse not blowing is not a
11 certainty that there are not other issues with the
12 wire and/or connections of that wire; is that your
13 testimony?

14 A. I believe it is; yes, it is.

15 Q. Thank you. Turning to page 4 in the
16 answer beginning on line 1 which reads "When
17 performing storm restoration during a wide-spread
18 outage like the one that occurred on December 1,
19 2020, do crews walk each individual customer's
20 service drop before energizing the service?" And
21 first -- first two sentences of your answer reads
22 "No. That would be impossible"; is that correct?

23 A. Correct.

24 Q. How many customers lost power as a result
25 of the primary wire being down on Rockhaven Road?

1 A. I believe there is approximately 420 to
2 30 customers.

3 Q. Okay. And how many of those customers
4 reported damages to their service drop?

5 A. I don't know.

6 Q. So to your knowledge, you know one,
7 correct?

8 A. If you are referring to you, yes.

9 Q. Yeah. Would 420 customers lose power
10 because of problems with my service drop?

11 A. No, they would not.

12 Q. And did you also hear in testimony
13 isolating one customer's service drop would take
14 approximately 10 minutes?

15 A. If I recall correctly, yes.

16 Q. So to your knowledge, it would have taken
17 10 minutes to inspect the one service drop that you
18 are aware of that reported damage; is that correct?

19 A. Yes.

20 Q. And from your experience, when 420
21 customers lose power that's associated with one
22 primary wire, how many of those customers would
23 typically also experience damage to their service
24 drop?

25 A. I have no idea. I have no way of

1 knowing.

2 Q. You can't even estimate a percentage
3 because it would take you -- you agree it would take
4 a separate incident at each customer's property to
5 result in damage to their service entry.

6 A. Are you --

7 Q. Well, we've already established that a
8 single customer service entry damage will not result
9 in multiple customers losing power; do you agree with
10 that?

11 A. Yes. Well, I should rephrase. Let me
12 rephrase. If you are asking me if one service drop
13 being pulled down could affect more than one
14 customer, yes, it could.

15 Q. Can you explain that because we heard
16 testimony from Mr. Kozak that can't happen.

17 A. Well, if you have a fuse that goes to
18 more than one location, then more than one service
19 drop -- more than one customer could be affected by
20 that. In your instance you have a fuse at the street
21 that provides your secondary, a single fuse. It does
22 not provide service to any other customer. If that
23 fuse was not there, then it would go back to the next
24 device, and any customers associated with service
25 from that device would be affected.

1 Q. Is my property also equipped with fuses
2 at the pole that -- where the transformer is you
3 mounted?

4 A. Yes, it is.

5 Q. Did any of the fuses associated with my
6 service drop ever blow?

7 A. No, they have not.

8 Q. I know you can't estimate it, but I will
9 give you some numbers to guess at. Of the 420
10 customers -- well, of the 420 customers that lost
11 power due to the primary wire, do you have any
12 estimate of how many of those customers might have
13 also experienced damage to their service drop?

14 MR. ROGERS: Objection, your Honor.
15 Asked and answered.

16 EXAMINER SANDOR: Sustained. I believe
17 he said he does not know. He only knew of yours.

18 Q. We've also testified that the hazard
19 crews that -- to your knowledge, the hazard crews
20 that are sent out aren't even aware of who has
21 reported a power damage -- damage to their service
22 drop or not; is that correct?

23 MR. ROGERS: Objection, your Honor. I
24 believe that misstates his prior testimony. He said
25 he didn't know what information was provided, not

1 that it wasn't provided.

2 MR. ROOTE: All right.

3 EXAMINER SANDOR: Mr. Roote, if you could
4 rephrase.

5 Q. (By Mr. Roote) So you've provided
6 testimony previously that you are unaware of whether
7 the hazard crews are advised as to whether damage --
8 any customer has reported damage to their service
9 entrance.

10 A. That's correct.

11 Q. Thank you. All right. So I'm -- based
12 on all of that, you stated that it -- it would take
13 an unreasonable amount of time -- I'm sorry. Turning
14 again to page 4, line 5 and 6, "To do so would add an
15 unreasonable amount of time to the restoration of the
16 system." Wouldn't that depend on how many people
17 reported that its service drop was down?

18 MR. ROGERS: Objection, your Honor. I
19 don't believe that is referring to the service drop
20 itself or reports of service drops.

21 MR. ROOTE: Well, the question -- it says
22 in the question, your Honor, "Do crews walk each
23 individual customer's service drop."

24 EXAMINER SANDOR: I will allow -- I will
25 allow the question, and then Mr. Ingram can qualify

1 his answer as he sees fit.

2 A. Could you repeat the question again for
3 me, please?

4 Q. Well, in your answer to the question, you
5 said it would add an unreasonable amount of time to
6 the restoration of the system, but you also stated --
7 we've also clarified that you don't know, and it's
8 not reported to the hazard crews how many properties
9 have reported a damaged service drop. So you
10 can't -- so you -- the question was since you don't
11 know how many people would have a service drop or
12 have reported a service drop down, can you say -- can
13 you say that it would be -- isolating those service
14 drops would require an unreasonable amount of time?
15 That was a very poorly stated question. You want me
16 to restate it? Give it another try? All right. Let
17 me do that.

18 EXAMINER SANDOR: Please do.

19 MR. ROOTE: I see your Honor's smile on
20 his face up there. Thank you.

21 Q. (By Mr. Roote) So we've established
22 that --

23 MR. ROOTE: Can I ask the recorder to
24 repeat the question I originally asked for me? I am
25 having difficulty recovering my question.

1 (Record read.)

2 Q. (By Mr. Roote) Can you answer that,
3 Mr. Ingram?

4 A. Yes, I do.

5 Q. That's the question I would like you to
6 answer.

7 A. I have no idea how much time it would
8 take. It would be -- I mean, I can't estimate the
9 time it would take. I have no idea.

10 Q. All right. Well, we've agreed that 10
11 minutes is a reasonable amount of time to disconnect
12 a customer's service.

13 MR. ROGERS: Objection, your Honor. I
14 don't think we have agreed. That's previous
15 testimony.

16 MR. ROOTE: Yeah. The previous testimony
17 is, and I thought it was an agreement between
18 Mr. Rogers and I when he was examining me that 10
19 minutes was a reasonable amount of time to allow for
20 disconnection of a customer's service drop. So my
21 question is if that's a reasonable amount of time and
22 it's a limited number of people that have reported
23 damage to their service drop, is it impossible to
24 examine each customer's service drop before
25 energizing the circuit?

1 A. Again, based on what I know of the storm
2 at the time, I don't know. I can't answer that
3 question.

4 Q. So you don't know if it's impossible or
5 not.

6 A. I can't answer it. I don't have the
7 statistics to back up.

8 Q. Okay. Thank you. This is further down
9 the page on page 4, you referred -- you state rather
10 "it was hanging low because the mast anchor was
11 pulled from the house and the mast conduit was bent."
12 And that "hanging low" is in reference to my service
13 drop; is that correct?

14 EXAMINER SANDOR: That's line 18,
15 correct?

16 MR. ROOTE: Yes, line 18 on page 4.
17 Thank you, your Honor.

18 A. Yes, that's correct.

19 Q. On line 19 you state that "This is all
20 customer owned equipment" referring to the hanging
21 low wires, the mast anchor, and the mast conduit; is
22 that correct?

23 A. Correct.

24 Q. Just for clarification of the property
25 listed -- of the equipment listed on line 18, is that

1 all customer-owned equipment?

2 A. Well --

3 MR. ROGERS: Objection, your Honor. I
4 believe that question is vague.

5 MR. ROOTE: Well, we've clarified that
6 the hanging low reference was a reference to the
7 service drop, so by my reading the sentence on line
8 18 makes reference to the service drop, the mast
9 anchor, and the mast conduit. Those are the three
10 listed.

11 MR. ROGERS: He is misleading based on
12 what that statement actually says.

13 MR. ROOTE: Well, your Honor, I will
14 leave it to you, your Honor. Am I misstating?

15 MR. ROGERS: I don't believe it refers to
16 the service wires themselves. It says the mast anchor
17 and the mast conduit.

18 MR. ROOTE: Your Honor, I just asked him
19 if the hanging low reference was a reference to the
20 service drop wires.

21 EXAMINER SANDOR: I will allow him to
22 answer the question with the clarification that he
23 added the wires that he is referring to, that Mr.
24 Roote is referring to. And if you need that
25 repeated, Mr. Ingram, we can repeat that.

1 THE WITNESS: Yes, please.

2 EXAMINER SANDOR: Karen, if you could
3 repeat his last question.

4 (Record read.)

5 EXAMINER SANDOR: I will allow Mr. Ingram
6 to answer if that's what he was referring to on line
7 18.

8 A. Yes, that is customer owned.

9 Q. So it's your testimony the service drop
10 is customer owned.

11 A. Correct.

12 MR. ROOTE: All right. I would like to
13 refer again to Exhibit BA, your Honor.

14 EXAMINER SANDOR: One moment. BA, okay.

15 MR. ROOTE: It says "CEI Customer Guide
16 for Electric Service."

17 EXAMINER SANDOR: Yes. I believe that's
18 been admitted already. So, Mr. Ingram, if you could
19 bring up Exhibit BA.

20 THE WITNESS: B as in boy?

21 EXAMINER SANDOR: Yes, by as in boy, A as
22 in apple.

23 THE WITNESS: Okay.

24 EXAMINER SANDOR: When you are ready, let
25 us know.

1 THE WITNESS: Yep. I'm ready.

2 Q. (By Mr. Roote) I'll refer you to page --
3 Exhibit 1 in that document. It should be after page
4 33.

5 A. Exhibit 1, where it says "Overhead
6 Service," list of materials?

7 Q. Yes.

8 A. Okay.

9 EXAMINER SANDOR: One moment. Let me get
10 there too.

11 Okay. Go ahead.

12 Q. (By Mr. Roote) Under service drop with
13 connectors, supplied by and installed by, what is
14 listed there?

15 A. "Supplied by company. Installed by
16 company."

17 Q. Okay. Those are reference of -- if it's
18 supplied by the company, installed by the Company, is
19 it owned by the company?

20 A. That would be correct.

21 Q. So when you stated previously it was
22 owned by the customer, that was incorrect.

23 A. Well, you indicated the mast, the anchor,
24 and the conduit.

25 Q. No, no. I believe my question is

1 directly -- was directly -- included the word service
2 drop.

3 A. Well, again, we reference back -- I mean,
4 I'm sorry. Maybe I am a little confused here. When
5 you indicated those three items, those three items
6 are owned by the customer.

7 Q. Well, the three items listed are the
8 service drop, the conduit, and the anchor.

9 A. That is the service entrance. The
10 service drop itself would be the wire that leads from
11 the can to the weather head.

12 Q. So was the service entrance wire hanging
13 low?

14 A. The service entrance wire -- no. The
15 service drop wire was hanging low.

16 Q. Correct. So the reference to hanging low
17 was the service drop wire, so the three items are
18 service drop wire, mast anchor, and mast conduit.
19 Are those all customer-owned property?

20 A. No, they are not.

21 Q. Okay. So you are correcting your
22 previous testimony they were as a result of your
23 confusion as to which wires I was referring to; is
24 that correct?

25 A. Yes.

1 Q. Thank you. All right. In your answer to
2 the question starting on line 21, "Does CEI have a
3 record of the calls Roote made to CEI between
4 December 1, 2020, and December 8, 2020," the response
5 was "It does."

6 MR. ROOTE: Sorry, your Honor. I
7 attempted this question earlier.

8 Q. (By Mr. Roote) Have you listened to those
9 calls?

10 A. I have listened to calls that were
11 provided during this hearing, yes.

12 Q. Okay. Does that include all the calls?

13 A. I don't know if I have listened to all.
14 I listened during the testimony provided.

15 Q. Did you listen to the call where I --
16 where I -- where I used -- where I used the phrase
17 fuck you since your Honor has allowed that's okay?

18 A. Yes, I heard that during the testimony.

19 Q. That wasn't played during the testimony,
20 I don't believe. Are you sure you heard that during
21 the testimony? You heard reference to it but --

22 A. Maybe it was reference. I have not heard
23 of it myself, no.

24 Q. And then you go on to say "the relevant
25 portions of the Customer Contact History attached as

Exhibit A." Now, that's a reference to the exhibit attached to your testimony not -- but that -- is Exhibit A that you reference in your testimony the same as or is it exactly the exhibit that we have entered into the -- as evidence, Exhibit R?

A. Give me a second here.

Q. Yeah.

A. Yes, it is.

Q. Thank you. Turning to Exhibit A -- R then, do you see this --

MR. ROGERS: Are you referring to Exhibit A and Exhibit R or Exhibit AR?

MR. ROOTE: No. I am referring to the court's record of Exhibit R which in your attachment to his testimony you've listed as Exhibit A. And we just clarified that they are one and the same reference. I will try not to use them interchangeably and instead refer to Exhibit R since that's the one that has been entered into evidence officially.

Q. Do you see there where it says in Exhibit R "Wire down to structure"? If you want me to tell you exactly where that shows up, I have got to get Exhibit R open again. Just give me a minute.

There it is. Okay. It's on 12-1 on page

1 2. There is an entry at 12-1-2020 at 16:29 by
2 Crystal G. Brady saying "No Lights-Wire Down to
3 Structure." Do you see that?

4 A. I do.

5 Q. Thank you. Would you agree that the
6 reference to structure -- that the reference to
7 structure is a reference to my house?

8 A. I would agree.

9 Q. Could that reference to the wire to my
10 structure possibly be the primary wire on Rockhaven
11 Road?

12 A. No. I would assume not.

13 Q. So this record that CEI has clearly
14 identifies that I reported the wire down to my
15 structure and with -- and that would -- that would
16 not be a reference to the primary wires out on the
17 street. It would be a reference to the service drop
18 from the pole to the structure.

19 A. Correct.

20 Q. And in that -- in that same entry
21 about -- further down, do you see where it says
22 "Please pull meter so he can repair the damage and
23 will call"?

24 A. Yes, I do.

25 Q. And again, on the line below another

1 reference to "line down from pole to structure."

2 Would pulling the meter isolate my service entrance
3 wires from the primary?

4 A. Pulling the meter would disconnect the
5 service to your panel.

6 Q. Yes. But my question was will it isolate
7 my service entrance wires from the primary?

8 A. Isolate, no.

9 Q. So -- all right. Thank you. Would my
10 requesting that CEI pull the meter indicate to you I
11 understood the meter was CEI's property?

12 A. No.

13 Q. Well, why would I ask you to pull the
14 meter?

15 MR. ROGERS: Objection, your Honor,
16 speculation.

17 EXAMINER SANDOR: Sustained. Please
18 rephrase.

19 Q. (By Mr. Roote) In this entry, this entry
20 indicates that I requested CEI pull a meter.

21 A. Is that a question?

22 Q. Yes. Does this entry -- does "Please
23 pull the meter so he can repair the damage and will
24 call," does that indicate to you I am requesting CEI
25 pull the meter?

1 A. From this notification, yes.

2 Q. Thank you. Does CEI utilize any other
3 method to prevent customers from removing their
4 meters?

5 A. Yes.

6 Q. Can you describe what that is?

7 A. We have a lock, and we also have a tag.

8 Q. Okay. So in previous testimony we
9 referred to those as the wire tag, as the wire meter
10 tag. And the lock you are referring to we've
11 referred to as the meter box clasp.

12 A. No, that's incorrect. We have a
13 second -- a barrel lock -- we can attach to a meter
14 box.

15 Q. Do you normally depend on just the wire
16 tag, or do you -- or most installations include this
17 barrel lock?

18 A. Mostly just the tag.

19 Q. Thank you. You've heard testimony that
20 when my power was restored by Mr. Robert Allen, that
21 there was no wire tag installed on the meter box.

22 A. Yes, I recall hearing that.

23 Q. Is it CEI policy that your repair crews
24 after reinstalling a meter reinstall a wire tag?

25 A. That is policy.

1 Q. Do you have any reason to doubt the
2 testimony there is no wire tag installed?

3 A. I can't speculate on that, no.

4 Q. Do you have any reason to doubt the
5 testimony offered that there is no wire tag
6 installed?

7 MR. ROOTE: Your Honor, did you ever make
8 a ruling on my exhibit BT?

9 EXAMINER SANDOR: Yes. It was -- we
10 allowed the photo in but -- and I will have to refer
11 back to the record of what exactly the ruling is I
12 made, but it was limited purely for the purpose of
13 identifying that the object in the image was a
14 FirstEnergy tag. I believe that was -- it was
15 allowed for that purpose only.

16 MR. ROOTE: Well, I'm sorry, your Honor.
17 I think you might be confusing the picture of the
18 service tag and the photo of the meter box.

19 EXAMINER SANDOR: Oh. Oh, okay. It was
20 the same ruling. I was actually looking -- I made
21 the same ruling on that, that we allowed that in for
22 a limited purpose.

23 MR. ROOTE: Thank you, your Honor.

24 Q. (By Mr. Roote) All right. Is the
25 intention of installing the meter tag -- is part of

1 its intent to be a reminder to the customer they
2 shouldn't be opening the door to the meter box?

3 A. My understanding is the purpose of the
4 tag is to identify that meter box has been opened.

5 Q. All right. Fair enough. And a meter box
6 cannot be opened without removing that tag; is that
7 correct?

8 A. That's correct.

9 Q. And without opening the door, is it
10 possible to remove the meter?

11 A. It would be based on the manufacturer of
12 the meter pan.

13 Q. Of the meter panels approved by CEI for
14 use with their meters, is it possible to remove the
15 meter without removing the meter -- without opening
16 the door?

17 A. Again, it would be based on because some
18 meter pans do not have doors.

19 Q. Oh, okay. Then excluding those, the ones
20 that are equipped with doors, is it possible --

21 A. If it's equipped with a door, you would
22 need to remove the seal in order to remove the door
23 in order to remove the meter.

24 Q. Thank you. All right. Referring now to
25 page 5 of your testimony on line 12, actually

1 beginning on line 11 -- well, on line 12, "The crew
2 noted that one span of primary wire was down at pole
3 No. 171275, which is located in front of 12935
4 Rockhaven Road"; is that a correct reading?

5 A. Yes, it is.

6 Q. We've already covered the fact that that
7 primary wire was pulled down by a tree. And in your
8 experience when a wire pulls down -- when a tree
9 pulls down a wire, excuse me, have you ever
10 experienced the tree catching fire as a result of
11 coming in contact with the primary wire?

12 A. It has occurred, yes.

13 Q. And in your previous testimony, you
14 indicated that -- would that indicate that the fuse
15 had to remain intact long enough to set the tree on
16 fire?

17 A. I can't speculate on that. I don't know.

18 Q. Well, the primary wire is fused, correct?

19 A. Correct.

20 Q. So if a tree caught fire, can't we --
21 can't we reason that it caught fire in spite of the
22 fuse?

23 MR. ROGERS: Objection, your Honor.

24 Asked and answered.

25 MR. ROOTE: I don't think he answered the

1 question, your Honor. I think he said he didn't
2 have -- he couldn't speculate on it.

3 EXAMINER SANDOR: I will -- I will allow
4 the question, and he can -- the witness may qualify
5 his answer as he sees fit. Could you repeat the
6 question, please?

7 Q. (By Mr. Roote) We've established that a
8 tree can catch fire when coming in contact with a
9 primary wire in spite of the fuse being present. Or
10 another way to say a fuse will not prevent a tree
11 from catching fire when it comes into contact with
12 the primary wire.

13 EXAMINER SANDOR: Is there a question in
14 there, Mr. Roote?

15 MR. ROOTE: Yes.

16 Q. (By Mr. Roote) Is that correct? Will a
17 fuse prevent a tree from catching fire?

18 A. No. We cannot guarantee that.

19 Q. Thank you. In the same way, a fuse could
20 not protect a person from being electrocuted that
21 came in contact with a primary wire; is that correct?

22 A. I can't say it would prevent, no.

23 Q. Well, if the fuse will not prevent a tree
24 from catching fire, is it reasonable to presume that
25 it would not prevent a person from catching fire?

1 EXAMINER SANDOR: You cut out, Mr.
2 Ingram, for a second. If you could repeat your
3 answer.

4 THE WITNESS: Can you hear me okay?

5 EXAMINER SANDOR: Yeah.

6 THE WITNESS: Okay. I cannot guarantee
7 that a fuse would prevent an electric shock to an
8 individual.

9 Q. (By Mr. Roote) Thank you. Referring to
10 what you've attached in your document and you called
11 Exhibit B, look at that again. I think that's been
12 entered into evidence as well with a different
13 reference. I guess I'll just collect everybody's
14 help to figure out which one that is.

15 EXAMINER SANDOR: Mr. Roote, I actually
16 looked at this beforehand. It was introduced -- I
17 think it was Exhibit U., but I don't think it was
18 formally moved into evidence.

19 MR. ROOTE: All right.

20 EXAMINER SANDOR: So -- or no. It was
21 not introduced. I'm sorry. So --

22 MR. ROOTE: Well, then I would like to
23 introduce into evidence Exhibit U., your Honor, for
24 the same purposes as before, so we can all be
25 referring to the same references.

1 EXAMINER SANDOR: Let's check to see if
2 Exhibit U matches this Exhibit B because I would
3 prefer if they are the same document, just to keep it
4 as the Company has marked it, if that makes sense.

5 MR. ROOTE: Well, won't that cause
6 confusion, your Honor, because they have marked it as
7 Exhibit B, and we already have Exhibit B probably
8 somewhere in the record.

9 MR. ROGERS: Your Honor, I have also
10 marked it as Exhibit 1.B on my -- extracted in our
11 previous filings and included it in his testimony.

12 EXAMINER SANDOR: Okay. So -- so we will
13 refer to it -- Mr. Roote, the way we can
14 differentiate in the record is it will be referred to
15 as Exhibit -- Company Exhibit 1.B.

16 MR. ROOTE: Okay. And it's a copy of the
17 hazard report.

18 Q. (By Mr. Roote) So, Mr. Ingram, if you
19 could refer to Exhibit 1.B, 1.B, and I'll try and
20 catch up.

21 A. I have it in front of me.

22 Q. You will have to forgive me. Some of
23 this may -- may have been ground we've already
24 covered, and I am trying to review my question to
25 eliminate as much of it as possible.

1 EXAMINER SANDOR: I appreciate that since
2 we are on the second day. Any time you can eliminate
3 something we have already covered, it would be
4 greatly appreciated.

5 MR. ROOTE: Give me a moment. I will
6 abbreviate some of this because you've already ruled
7 some of it out, your Honor, and some of it is also
8 redundant.

9 Q. (By Mr. Roote) So I would just ask that
10 we note for the record and by asking Mr. Ingram under
11 the entry under 12-1-2020 at 16:30, this is another
12 reference to "Wire down to structure." Do you see
13 that, Mr. Ingram?

14 A. Yes, I do.

15 Q. And looking at the comments at the bottom
16 of that exhibit, there is another reference to the
17 primary wire being down to the southeast and in an
18 abbreviated form so -- and once again, Mr. Ingram, do
19 those two references reference two different wires?

20 A. Yes.

21 Q. Thank you. I'll move on. And referring
22 to line 10 on page 5, you've clarified that it was a
23 hazard crew that was first assigned to investigate
24 the report, Mr. Roote's report of a wire down. But
25 is there any evidence that they were informed as to

1 which wire I reported down?

2 A. Yes.

3 Q. I think the previous testimony is pretty
4 well established the hazard crew is not notified of
5 which wires are down.

6 MR. ROGERS: Objection, your Honor,
7 misstates prior testimony.

8 MR. ROOTE: I don't think it does, your
9 Honor. I think we established that the hazard
10 crew -- as far as Mr. Ingram knows, hazard crews are
11 not notified about what wires are down. They are
12 dispatched to research an area where power outages
13 are reported.

14 MR. ROGERS: I believe his testimony was
15 he doesn't -- he doesn't know.

16 EXAMINER SANDOR: I do believe
17 Mr. Ingram's testimony was he didn't know.

18 Q. (By Mr. Roote) Okay. But here it states
19 that the hazard crew was assigned to investigate
20 Mr. Roote's report of a wire down. So I guess my
21 question is do you wish to change your testimony that
22 the -- that the hazard crew was not aware -- or you
23 are not aware that the hazard crew was notified that
24 a wire was down, specifically my report of a wire
25 being down?

1 A. I can't answer whether the crew knew your
2 wire was down or not.

3 Q. Okay. So your statement then the crew
4 was assigned to investigate Mr. Roote's report of a
5 wire down is not correct; is that true?

6 A. Again, I can't -- I can't say whether
7 they were or were not instructed as to whether you
8 had a wire down on your property.

9 Q. Here you're apparently assuming they were
10 informed. It seems apparent to a reasonable mind
11 that you -- at this point you are assuming they were
12 informed.

13 MR. ROGERS: Objection, your Honor,
14 argumentative.

15 MR. ROOTE: All right. The testimony
16 stands, your Honor.

17 EXAMINER SANDOR: Please proceed,
18 Mr. Roote.

19 MR. ROOTE: Turn to page 6 and a
20 reference to Exhibit C, same issue, your Honor. I
21 assume you want to enter this as 1C because it's a
22 replication of one of the other documents?

23 EXAMINER SANDOR: Well, this one is -- I
24 believe matched Complainant Exhibit X which has been
25 admitted, so I -- unless there is a preference on the

1 Company's point, I think we can just understand and
2 cross-reference that Exhibit C matches the already
3 admitted Complainant Exhibit X, subject to check, if
4 anyone wants to check first.

5 MR. ROGERS: And the Company does prefer
6 to use reference -- for their documents references to
7 their exhibits, but I do believe it is the same
8 document.

9 EXAMINER SANDOR: Okay. Let's do this,
10 think here for a second. Karen, is there a way to
11 cross-reference in the record if one was admitted
12 earlier it can be mentioned that Exhibit -- Company
13 Exhibit C with a -- I will rephrase the proper title,
14 can that be mentioned next to Complainant Exhibit X
15 or no? Do you just report the one title?

16 COURT REPORTER: I just report the one.
17 In the index I can show that they match.

18 EXAMINER SANDOR: Okay. Is that fair,
19 Mr. Rogers?

20 MR. ROGERS: I believe so, your Honor.

21 Q. (By Mr. Roote) All right. So turning to
22 Exhibit 1.C, in the entry of 12-1 22:59, the work
23 description now reads "No lights-wire down pole to
24 pole." Do you see that, Mr. Ingram?

25 A. Yes, I do.

1 Q. But in a previous Exhibit B, 1.B, 1.B, it
2 read "Wire down to structure."

3 A. Correct.

4 Q. So between order created on 12-1 at 16:30
5 which is Exhibit 1.B and the order created on 12-3
6 15:29, reported as Exhibit 1.C, the work description
7 changed from "wire down to structure," the "wire down
8 to pole"; would you agree with that?

9 A. These are two separate orders.

10 Q. All right. So it's your understanding
11 one order had nothing to do with the other order?

12 A. The first order, 1.B, references your
13 point it has one customer affected. The second order
14 has 429 customers affected.

15 Q. And that would be further evidence that
16 one service drop entry will not take 420 customers,
17 that they have to be addressed as two separate
18 issues?

19 A. I'm not sure I follow your questioning.

20 Q. Well, you say the work order for one the
21 wire -- the primary wire being down affected 420
22 customers. The -- I thought your testimony was the
23 order 1.B "wire down to structure" affected only one
24 customer.

25 A. 1.B does affect one customer. The hazard

1 crew that was dispatched indicated that there was --
2 they had a primary down which then rolled into these
3 larger customer orders.

4 Q. All right. And it appears that the
5 hazard crew was dispatched to investigate the wire
6 down to structure and came across the wire down pole
7 to pole.

8 A. That's what 1.B indicates, yes.

9 Q. So that's a reasonable conclusion.

10 A. Based on the notes evidenced by the
11 hazard crew, yes.

12 MR. ROOTE: Again, your Honor, this goes
13 to my attempt to interject Exhibit A where it goes
14 directly to that one. I know you've already ruled on
15 it but this is the problem I have with that ruling.

16 EXAMINER SANDOR: Okay. Your objection
17 has been noted.

18 MR. ROOTE: Thank you.

19 Q. (By Mr. Roote) So at the bottom of page
20 6, line 21, "Had the hazard crew identified
21 Mr. Roote's service drop to be hazardous, it would
22 have reported the condition in its report." My
23 interpretation of that sentence assumes the service
24 crew inspected my service drop; is that correct? Do
25 you agree with that interpretation?

1 A. I can't say they did or did not.

2 Q. All right. So you couldn't be sure that
3 they would have reported that condition in the report
4 if you don't know whether they looked at it or not,
5 could you?

6 A. If they had looked at it, they would have
7 reported it.

8 Q. Well, again, your sentence implies they
9 did look at it, but they didn't identify it as being
10 hazardous. Otherwise, they would have reported it.
11 But your testimony, and correct me if I am wrong,
12 don't let me put words in your mouth, your testimony
13 appears to be you have no knowledge that they ever
14 inspected the service drop; is that correct?

15 A. I can't speak to the mindset of the crew
16 on-site at the time. If they had deemed it was
17 hazardous, they would have produced something in the
18 report to indicate so.

19 Q. But in order to deem it was hazardous,
20 they would have had to have inspected it; isn't that
21 true?

22 A. I would assume, yes.

23 Q. Thank you.

24 MR. ROOTE: Again, your Honor, some of
25 this may be repetitious, so I am trying -- I am

1 trying to make sure I don't waste -- waste the
2 court's time here.

3 EXAMINER SANDOR: Thank you.

4 Q. (By Mr. Roote) All right. The primary
5 wire that we are referring to, the one that was
6 pulled down in front of my house, do you know where
7 that primary wire originates?

8 MR. ROGERS: Your Honor, we may have just
9 lost connection with Bret.

10 EXAMINER SANDOR: Oh, yes. Let's go off
11 the record for a second.

12 (Discussion off the record.)

13 EXAMINER SANDOR: Let's go back on the
14 record.

15 After a brief hiatus, we resolved
16 Mr. Ingram's technology issues. Karen, if you could
17 please read back Mr. Roote's question.

18 (Record read.)

19 A. Where it originates, it's part of our
20 grid. It's fed from State Route 322.

21 Q. All right. Thank you, Mr. Ingram. I
22 meant to have you walk through the path that that
23 wire follows. I think I can shortcut that
24 questioning if we can just agree that that wire runs
25 in a loop that services 420 homes.

1 A. That's correct.

2 Q. Thank you. So I'll ask the question.
3 You can decide whether you are qualified to answer or
4 not. If I am the dispatcher and the system is
5 reporting outages along the route of my primary wire,
6 all along the route of my primary wire, can I deduce
7 that the primary is down somewhere along that route?

8 A. If it were that large of an outage, yes,
9 there would be an interruption of some sort. It does
10 not mean that the primary wire itself is down. It
11 could be the main fuses connecting your circuit are
12 down.

13 Q. And if instead the dispatcher only has
14 reports of two customers being without power along
15 that same route, can he deduce it's not a problem
16 with the primary wires?

17 A. No. He would have to check the mapping
18 and determine whether or not those customers are say
19 at the end of a radial line which means that
20 something occurred and the last two customers are
21 down because the primary is down. There's numerous
22 different scenarios there.

23 Q. Okay. Does CEI depend on the customers'
24 reports of outages alone to deduce where the problems
25 are, what the problems might be in order to dispatch

1 crews?

2 A. No, we do not.

3 Q. Okay. Do you depend on the -- on the
4 reporting from the advanced meters?

5 A. Not at this time.

6 Q. So you still need or are dependent upon
7 callers informing you via the internet or by phone
8 call by the 1-800 number that they have outages to
9 help you determine where the problems are or know
10 where to dispatch crews.

11 A. Yes, yes, we do.

12 Q. Okay. Thank you. I'm on page 7, your
13 Honor -- or Mr. Ingram. Yes. On line 7 you state --
14 this is in reference to the fuses on the primary
15 disconnect and the secondary fuse. I will just read
16 that line starting with line 6 then, "Here, both the
17 primary disconnect and the secondary fuse leading
18 directly to Mr. Roote's residence held. This
19 indicated that there was no further damage or fault
20 on that line to be addressed." Is that a correct --
21 accurate reading?

22 A. Yes.

23 Q. In your opinion, would the fuse blow if
24 the neutral wire inside the meter were disconnected?

25 A. No, not necessarily.

1 Q. Would the fuse blow if a hot wire inside
2 the meter box were disconnected?

3 A. With the assumption it made contact, yes.

4 Q. But if it did not make contact, it was
5 just removed from its terminal, would the fuse blow?

6 A. No, not necessarily.

7 Q. If the hot wire momentarily came in
8 contact and then disconnected from the neutral wire
9 or from the neutral connection or any other grounded
10 portion of the meter box, could that generate arc
11 flash?

12 A. Inside the cabinet, potentially, yes.

13 Q. Would you consider a neutral wire pulled
14 out of its connector unrestrained, unrestrained with
15 the -- with the bare part of the wire that's been --
16 well, I should do some foundational questions. Do
17 you know if the neutral wire on my customer service
18 wires was insulated or not?

19 A. The neutral wire on a triplex is normally
20 not insulated.

21 Q. Okay. But the portion of the neutral
22 wire that goes into the connection, in order to make
23 a connection, would have to be stripped bare of any
24 insulation if it were present?

25 A. Correct.

1 Q. Once the neutral wire pulled out of the
2 connector, is there anything to restrain it from
3 moving around inside the meter box?

4 A. No, there is not.

5 Q. And you've already testified that if it
6 were to come in contact momentarily with a hot wire,
7 that might generate arc flash.

8 A. Correct.

9 Q. And you've already testified that arc
10 flash might cause a fire. Or did you testify to
11 that?

12 A. There's a potential.

13 Q. There is a potential. So would you
14 consider a neutral wire pulled out of its connector
15 with its bare wire unrestrained in close proximity to
16 hot wires a danger?

17 A. Yes.

18 Q. Thank you. The next question was -- I
19 think already covered, your Honor.

20 All right. I'm on page 8. And to the
21 question on line 5, "Was Mr. Roote's low hanging wire
22 a safety issue," you responded "All electrical lines
23 should be treated with caution and be considered
24 dangerous, even standard household -- household
25 extension cords." You have looked at the photos of

1 my damaged service drop and my conduit, correct?

2 A. I have, yes.

3 Q. Do you know -- do you know the diameter
4 of the conduit?

5 A. No, I do not.

6 Q. Can you characterize the conduit as to
7 what it's made out of and its -- and -- what it's
8 made out of?

9 A. Without going back and looking at the
10 pictures, I don't recall what it was.

11 Q. All right. Is it -- is it the typical
12 service mast rigid steel conduit? We could look --

13 A. Some are. Some aren't. Again, I would
14 have to look at the picture.

15 MR. ROOTE: All right. Can we call up
16 the picture, your Honor, the photographs? They have
17 already been entered.

18 EXAMINER SANDOR: You may.

19 MR. ROOTE: I think those were early
20 exhibits.

21 Q. (By Mr. Roote) Exhibit B is a good one.
22 Now I can't find it. Okay. I don't know if you have
23 zoom capabilities or not, but it might be helpful to
24 zoom in a little bit.

25 A. I do.

1 Q. All right. So now that you can see the
2 photograph, does that appear to be to you what is
3 referred to as rigid steel conduit?

4 A. Yes, it does.

5 Q. Do you have any idea of the force
6 required to create that kind of a bend as a piece of
7 rigid steel conduit?

8 A. No, I do not.

9 Q. Would you believe it to be considerable?

10 A. Again, I don't know what would be
11 considered considerable.

12 Q. Could you bend a piece of rigid steel
13 conduit with your bare hands?

14 A. No. Not necessarily, no.

15 Q. In addition to the damage on there of the
16 rigid steel conduit being bent, I think you can also
17 see that the anchor that the neutral wire was
18 attached to that was once on the house has been
19 pulled out. Do you see that?

20 A. I can see a house knob that's in the
21 siding of the house which I'm assuming is porcelain.

22 Q. Yeah. But if you look further along the
23 service line there, I think you can identify the
24 one --

25 A. The strap, you mean?

1 Q. No. I think if you look at the wires
2 extending out in the weather head, follow that line
3 out. Follow that line down. I think you can see
4 that there is an attachment with a screw hanging out
5 of it what -- the screw is part of it?

6 A. I can't see it that clearly, no.

7 Q. Okay. Maybe Exhibit C would give us a
8 better representation. Let's take a look at C.
9 Yeah. It's a little better there. Yeah, I think you
10 can make that out. Do you have a copy of Exhibit C?

11 A. Yes, I see that now.

12 Q. Okay. And so that -- you know, in your
13 experience and would it be your estimation that it
14 took, I am going to use the word considerable, I
15 think it's fair, considerable force to pull out both
16 that anchor from the siding on my house and bending
17 the rigid steel conduit to the extent that conduit is
18 bent?

19 A. Again, it would require a force, yes.
20 Was the anchor in soft wood? I can't comment on
21 that. I don't know what the force would be.

22 Q. All right. Okay. All right. You've
23 already testified that it's unlikely a single human
24 being could bend that conduit or pull that anchor out
25 of the siding of the -- well, you said the conduit.

1 Could a human -- one human being yanking on that cord
2 pull that anchor out of the side of the house?

3 A. I would assume, yes.

4 Q. You think one person could do that. Then
5 how does that anchor meet CEI's requirement of a
6 substantial attachment to the house if it could be
7 pulled out by one person? Because per the -- that's
8 your approved anchor, is it not?

9 A. I assume, yes, it is. It looks like it.

10 Q. Go ahead.

11 A. No. Go ahead. It is our anchor, yes.

12 Q. Okay. And per the tariff the customer is
13 required to supply a substantial anchor.

14 MR. ROGERS: Objection, your Honor. I am
15 not sure that's in the tariff.

16 MR. ROOTE: I'm sorry, in the Customer
17 Guide to Installation published by CEI which is
18 largely based on the tariff. We could take time to
19 go look it up, your Honor, if we have to.

20 EXAMINER SANDOR: I will allow the
21 witness to answer if he knows with the clarification
22 that it's the consumer guide.

23 A. I do not know what the standard is, no.

24 Q. All right. Can we open the consumers
25 guide, your Honor?

1 EXAMINER SANDOR: Bring it up.

2 MR. ROOTE: I think it would be under
3 Section 5, but I don't have -- I don't immediately
4 know the reference. I'll take a look.

5 EXAMINER SANDOR: Which? Is it Exhibit
6 BA, I believe?

7 MR. ROOTE: Yes, it's Exhibit BA.

8 EXAMINER SANDOR: Okay. Yes, if you
9 could please find the specific cite you are referring
10 to.

11 MR. ROOTE: Yes. I'm looking. There it
12 is, your Honor, in Section 5.1, second paragraph.

13 EXAMINER SANDOR: Please go ahead.

14 Q. (By Mr. Roote) "The customer shall
15 provide and maintain a safe, substantial support for
16 the Company's" overhead service conduct -- I mean
17 "overhead service conductors." Do you see that,
18 Mr. Ingram?

19 A. I do.

20 Q. All right. So this is an interpretation
21 thing but I think reasonable people might agree that
22 a substantial support meant to -- meant to hold up to
23 150 feet of fairly heavy wire could not be pulled out
24 of the side of a house by one person. Do you agree
25 with that?

1 A. No. I can't agree with that.

2 Q. Okay.

3 A. Substantial to me, there is no number
4 here supporting what that substantial support is nor
5 can I speak to the size of the individual or the
6 strength that they have nor the length and distance
7 of wire. There's too many different variables here.

8 Q. Okay. But it is meant to hold up the
9 service drop, is it not?

10 A. Yes. And it had up until the tree landed
11 on it.

12 Q. Yes, it did. How substantial would it
13 have to be to hold up the service drop?

14 A. I don't know. I can't answer that
15 question.

16 Q. Well, what is the weight of the service
17 drop? And it would have to accommodate the
18 largest -- the longer service drop, wouldn't it?

19 A. At times we put two, three house knobs in
20 to hold up that service drop, also straps on that
21 pole.

22 Q. I understand. It needs to be
23 substantial. I rec -- I agree with that.

24 MR. ROGERS: Objection, your Honor. He's
25 testifying.

1 EXAMINER SANDOR: Mr. Roote, please
2 continue.

3 MR. ROOTE: All right.

4 Q. (By Mr. Roote) Okay. If the wire --
5 would you -- where did the force come from to create
6 that damage?

7 A. I would assume the tree falling on the
8 wire.

9 Q. And then subsequently the wire pulling on
10 the anchor mount and then pulling on the conduit.

11 A. Yes.

12 Q. Now we go back to your comparison with
13 the extension cord. If the wire that had been used
14 to -- if the wire had been -- that had been used to
15 pull that anchor out of the side of the house and
16 bend the conduit been an extension cord, would you
17 use that extension cord without inspecting it?

18 A. I don't know.

19 Q. Would a reasonable person use an
20 extension cord that had been subjected to that kind
21 of force?

22 A. A reasonable person wouldn't have put an
23 extension cord in the air.

24 Q. Would you reuse that service drop without
25 an inspection?

1 A. We would test the service drop if
2 necessary. We would look at where the tree landed.
3 If there were burn marks on that location, we would
4 splice the wire. If there were no burn marks, we
5 would move on.

6 Q. Okay. But you wouldn't reuse it without
7 inspecting it; is that your testimony?

8 A. I just said we would inspect the wire to
9 see if it was damaged.

10 Q. Okay.

11 A. We would inspect the ends of the wire to
12 see if it was damaged.

13 Q. Would you inspect the splices which are
14 subjected to the same force between service drop
15 wires and the customer's service entrance wires?

16 A. There were no service splices.

17 Q. How are the -- how is the service drop
18 connected to the customer's service entrance wires?

19 A. On the loop, yes, there are splices there
20 but not in the loop itself, from the drop itself.

21 Q. Well, the loop can be part of the drop --

22 A. If you could clarify, please. Are you
23 talking mid-span splicing or splicing where the
24 weather head meets?

25 Q. Yeah. I am talking about the splicing

1 where the weather head is at.

2 A. Okay.

3 Q. There are --

4 A. Inspection, we would do a visual
5 inspection.

6 Q. Okay. Before applying power was a visual
7 inspection done for those connections before power
8 was applied?

9 A. I don't know.

10 Q. Is there any evidence there was a visual
11 inspection done?

12 A. Not to my knowledge, no.

13 Q. Would that have appeared in the record
14 kept by CEI if such an inspection had occurred?

15 A. Not necessarily.

16 Q. Where are the other ends of the service
17 supply wires attached, service drop wires? Where are
18 they attached?

19 A. One side is attached to the weather head.
20 The other is attached to the primary.

21 Q. To the primary.

22 A. Well, to the can that feeds from the
23 primary, yes.

24 Q. By can you are making a reference to the
25 transformer?

1 A. Yes, I am.

2 Q. Any evidence that the connections on that
3 wire were inspected?

4 A. I don't know if they were or not.

5 Q. To your knowledge there is no evidence
6 that they were inspected.

7 A. I was not present. I don't know whether
8 they were inspected or not.

9 Q. Well, if we look at Mr. Henry's report,
10 if we look at Mr. Henry's report, I am not sure what
11 exhibit that would be, your Honor. Take a minute.
12 But I think you recall his testimony where he said I
13 was unable to access the pole because of snow and
14 branches being down, et cetera.

15 A. I do recall that, yes.

16 Q. Okay. Would there be any way for
17 Mr. Henry to have inspected those connections if he
18 had no access to the pole?

19 A. Other than visually, no.

20 Q. Well, visually from what distance? If
21 you can't access the pole, how many feet away was --
22 you certainly would be several feet away from those
23 connections because aren't they mounted well up the
24 pole?

25 A. Yes.

1 Q. At least 15 feet or so? Okay. So
2 without access and able to bring his truck and his
3 bucket elevator over there, there is no way he could
4 have inspected those wires, is there?

5 MR. ROGERS: Objection, your Honor,
6 argumentative.

7 MR. ROOTE: Okay.

8 EXAMINER SANDOR: I believe he answered.

9 Q. (By Mr. Roote) All right. Okay. Now,
10 while we are talking about the can, the transformer,
11 you described for us in your testimony the basic
12 operating principles of a fuse. As a matter of fact,
13 you did a good job of doing that succinctly. Can you
14 do the same for a transformer?

15 MR. ROGERS: Objection, your Honor,
16 relevance.

17 EXAMINER SANDOR: Mr. Roote?

18 MR. ROOTE: It's relevant, your Honor,
19 because Mr. Ingram has given testimony that, in fact,
20 in his description of a fuse that the electricity
21 cannot cross an air gap.

22 EXAMINER SANDOR: And how is that
23 relevant to?

24 MR. ROOTE: Well, if you understand how a
25 transformer works, you will know why I am asking the

1 question.

2 EXAMINER SANDOR: I will allow the
3 question.

4 A. I'm sorry. What is the question?

5 Q. Well, you gave a description of how a
6 fuse works. Can you give the same kind of
7 description on the basic operating principles of a
8 transformer?

9 A. Yes. A transformer has a -- what they
10 call a high side bushing which attaches to the
11 primary. It continues through a coil inside the can
12 or transformer itself which then reduces the voltage
13 down to another nominal voltage that's used on the
14 lower side terminal. Inside that can would be
15 impedance like oil or fluids of some sort in order to
16 avoid overheating of that coil.

17 Q. All right. Thank you. And was the first
18 coil you referred to the primary coil?

19 A. The primary bushing, yes.

20 Q. Okay. And is the second coil you
21 referred to commonly referred to as the secondary
22 coil?

23 A. Secondary bushing. The coil is inside
24 the can itself.

25 Q. Yes. That's what I am referring to is

1 the coils inside the can itself. So are we talking
2 about the primary coil and the secondary coil; is
3 that correct?

4 A. No. There is one coil. It's a
5 single-phase can.

6 Q. How does it reduce the voltage?

7 A. The number of windings dissipates the
8 voltage.

9 Q. Is the primary bushing directly connected
10 to the secondary bushing?

11 A. No.

12 Q. So how does the electricity flow from the
13 primary bushing to the secondary bushing?

14 A. Through the fluids. It's my
15 understanding. Again, I am not an expert. I am not
16 an electrical engineer.

17 MR. ROOTE: All right. Well, we'll let
18 his testimony stand, your Honor.

19 Q. (By Mr. Roote) Back to your testimony you
20 indicated on line 7 of page 8, probably do page first
21 but probably with me, "However, because service drops
22 connect to residences, they are insulated to prevent
23 accidental electrocution." How many conductors make
24 up a service drop?

25 A. There are three wires, two hot, one

1 neutral.

2 Q. And how many of those -- those wires are
3 insulated?

4 A. Two of them.

5 Q. Can the third wire conduct electricity,
6 and isn't it there to conduct electricity?

7 A. It can conduct electricity, yes.

8 Q. And, in fact, it does conduct
9 electricity, does it not?

10 A. During a fault, yes.

11 Q. And its purpose is to return -- complete
12 the connection back to the source, isn't it, which is
13 the transformer?

14 A. That's correct, uh-huh.

15 Q. So it is a current carrying conductor.

16 A. Can carry current, yes.

17 Q. Sorry. You have answered that. On line
18 12 you testify that "I understand Mr. Roote's
19 complaint to be that CEI reenergized the line without
20 disconnecting his meter." Is that still your
21 understanding of my complaint after hearing the
22 testimony from Tuesday and discussions we've had
23 today?

24 A. At the time this testimony was prepared,
25 that's what my understanding was.

1 Q. All right. Has your understanding
2 changed?

3 A. No. I don't think so.

4 Q. Would disconnecting the meter isolate my
5 service drop, my service entry wires, and my meter
6 box from the primary?

7 A. No.

8 Q. And on my phone call, thinking back, of
9 April 1, did you or did you not hear me say two or
10 three times you need to disconnect your service and
11 pull your meter so I can do repairs to my damaged
12 conduit? If we can after -- we can replay the phone
13 call.

14 A. You reference April 1. I don't know what
15 that reference is for.

16 Q. I'm sorry. Did I say April 1? I meant
17 December.

18 A. Yes, you did.

19 Q. Excuse me for that. I am referring to
20 the second call that occurred at some time around --

21 A. Yes. Based around the comment from the
22 customer notes, you asked for the meter to be pulled
23 and bear with me a second. I can't find it. I'm
24 sorry. I am referencing --

25 Q. It's okay.

1 A. "Please pull the meter so he can repair
2 the damage. Needs power turned off so he can make
3 repairs," yes, correct.

4 Q. "Needs power turned off so he can make
5 repairs." Okay. Thank you. You saved us from
6 having to listen to those recordings again. So would
7 your understanding now be that in addition to having
8 my meter disconnected, I requested that the service
9 be disconnected as well?

10 A. On the 8th, yes. Not on the 1st. The
11 1st you asked for the meter to be pulled. On the
12 8th, you asked for the meter to be turned off.

13 MR. ROOTE: Your Honor, I guess we will
14 have to listen to the phone calls to clarify this
15 issue.

16 EXAMINER SANDOR: Mr. Roote, I don't
17 think we are going to be replaying the calls. It
18 stands on the record that you know what was played.

19 MR. ROOTE: All right.

20 EXAMINER SANDOR: So you are free to
21 reference it if you need to in your brief.

22 MR. ROOTE: Yeah. Well, Mr. Ko --
23 Mr. Ingram is not recollecting them, and I thought to
24 refresh his memory would be in order to play them
25 again, but if we can refer to the record -- well, you

1 will be able to refer to the record when you do your
2 adjudication so that should be sufficient.

3 EXAMINER SANDOR: Right.

4 Q. (By Mr. Roote) All right. This has been
5 asked and answered, I think, your Honor, but on page
6 9, the response to the question at line 1 "Was there
7 a fire hazard from a low hanging wire with a
8 disconnected neutral at the meter box, as Mr. Roote
9 asserts?" And his testimony was "even if the neutral
10 wire were disconnected, there would not necessarily
11 be a fire hazard."

12 But in the previous questioning, he has
13 testified that there -- and this would indicate the
14 same thing really. It doesn't change his testimony
15 that there is the possibility of a fire being created
16 if that neutral wire comes in contact with a hot
17 wire.

18 MR. ROGERS: Objection, argumentative and
19 asked and answered to the extent there is a question.

20 MR. ROOTE: Asked and answered. I was
21 just wanting recognition that that question has been
22 asked and answered.

23 EXAMINER SANDOR: Sustained. And we can
24 look back at the record to clarify his testimony and
25 his -- the prefiled testimony and the testimony he

1 has provided today.

2 MR. ROOTE: Thank you.

3 Q. (By Mr. Roote) Line 9, your Honor,
4 question "Was Mr. Roote required to wait for CEI to
5 disconnect his power before making repairs?" The
6 testimony is "The service line is 120/240-volt
7 insulated line, so a qualified electrician is able to
8 work on the line, even while energized." Is that a
9 correct reading of your testimony?

10 A. Yes, it is.

11 Q. Are customers permitted to make their own
12 repairs?

13 A. Yes, if they act as their own and provide
14 inspections.

15 Q. Were inspections required?

16 A. Based on your locality, no, I do not
17 believe they are.

18 Q. Are all CEI customers qualified
19 electricians?

20 A. No.

21 Q. Based on the testimony of myself and
22 Mr. Jeffrey Roote -- well, let me ask this question
23 first, what's your definition of a qualified
24 electrician?

25 A. Qualified electrician for me is someone

1 that understands the principles and has some
2 knowledge or past history of doing the work.

3 Q. Thank you. How is that different than a
4 licensed electrician?

5 A. A licensed electrician would be bonded,
6 probably have a business, insurance.

7 Q. Understood. Based on the testimony of
8 myself and Jeffrey Roote, would you consider either
9 one of us or both of us to be qualified electricians?

10 A. You are able to do the work?

11 Q. Yes?

12 A. I would say yes, if you are able and you
13 had done it in the past.

14 Q. Well, that's what I am referring to.
15 You've heard the testimony of our qualifications and
16 our work experience. So in your estimation would we
17 qualify -- would we be qualified electricians?

18 A. Yes.

19 Q. Thank you. On page 9, the bottom of that
20 page, line 22, and then continuing onto page 10, "The
21 Company's records show he called to request a
22 disconnect to replace his service mast and service
23 cable," and this is ground we've already covered, I
24 think, your Honor. He's already testified it was not
25 just to remove the meter but also to disconnect

1 power. I guess I would have to ask that question.
2 When you say the Company record shows he called to
3 request a disconnect, that's a reference to the -- to
4 the -- to disconnecting the power from CEI.

5 A. Yes, that would be my understanding of
6 it.

7 Q. Okay. Thank you. Line 4, page 10, in
8 answer -- well, line 3, in answer to the question
9 "What did CEI do with this information," his response
10 includes "Nothing in his call indicated that the need
11 for repairs were urgent." It is -- and we listened
12 to that call as well. That would have been the call
13 on the 8th -- or on the 4th, excuse me, on the 4th,
14 December 4 call I made to CEI, and I know -- it
15 was -- and on that call do you remember hearing me
16 say it was lucky I didn't burn my house down?

17 A. I remember you saying that. I don't know
18 in what call it was, yes.

19 Q. All right. Thank you. Your Honor can
20 verify which call it was. Would that be an
21 indication I was concerned that what you had done by
22 reconnecting my power was a danger?

23 A. Yes.

24 Q. Thank you. Line 4 on page 11 -- we've
25 covered that, your Honor. That was -- I think. Give

1 me a minute. I think that's been asked and answered,
 2 your Honor. Line -- in response to that same
 3 question which was "What did CEI do next," and
 4 that -- I guess -- are we all following along here?
 5 We can -- we can all understand what CEI did next is
 6 a question?

7 EXAMINER SANDOR: I think you can proceed
 8 with your question.

9 MR. ROOTE: Thank you.

10 Q. (By Mr. Roote) On line 8 and 9, "Because
 11 of the condition of Mr. Roote's driveway and the cars
 12 and trees in the way, Mr. Henry was not able to drive
 13 to the -- up to the residence and did not report that
 14 he disconnected Mr. Roote's meter. Had he
 15 disconnected the meter, it would have been in his
 16 report." Is that still your testimony, Mr. Ingram?

17 A. Yes, it is.

18 Q. Do you recall Mr. Henry's testimony
 19 regarding the removal of meters?

20 A. Yes, I do.

21 Q. Did he or did he not state that he is not
 22 required to report the disconnecting of the meter if
 23 it doesn't leave the premises?

24 A. No, I don't recall that.

25 Q. Okay. We can check the record.

1 MR. ROOTE: Your Honor, can we have Karen
2 read back Mr. Henry's testimony?

3 EXAMINER SANDOR: No. I think we have --
4 like you mentioned, we can refer back to the record
5 so you can --

6 MR. ROOTE: Well, I am asking -- my next
7 question was, you know -- you know, will Mr. Ingram
8 stand behind his statement that had he disconnected
9 the meter, it would have been in his report.

10 A. Yes. If Mr. Henry had disconnected that
11 meter, he would have indicated so by a read and a
12 meter number in the report.

13 Q. Whether the meter was intended to leave
14 the premises or not.

15 A. Regardless.

16 Q. I'm sorry?

17 A. Regardless.

18 Q. All right. So if he did not report it,
19 that testimony that he may have pulled the meter --
20 we've had three people make testimony that -- I --

21 MR. ROGERS: Objection, argumentative.

22 MR. ROOTE: Excuse me, your Honor.
23 Forget that.

24 EXAMINER SANDOR: Please refrain from
25 summarizing prior testimony unless it's leading to

1 the question.

2 MR. ROOTE: I understand. Thank you,
3 your Honor.

4 Q. (By Mr. Roote) All right. Well, then
5 referring to number -- to line 18, there was no
6 mention of reinstalling Mr. Roote's meter which would
7 have been included in -- had it been done by CEI; is
8 that still your testimony?

9 A. That's correct.

10 Q. So you have trained all of your crew that
11 whenever they uninstall a motor -- a meter or
12 reinstall a meter, that they remove it from the
13 premises or not or whether it was still at the
14 premises when they got there, they are required to
15 include that in the report.

16 A. That's correct.

17 Q. Okay. Sounds like some training is in
18 order. Page 12. I guess we have to start a little
19 bit on page 11 just to get the question. Line 21 on
20 page 11, "Did CEI employees remove the meter?" Asked
21 and answered. Thank you. Don't need to go over it.
22 In answer to the question on line 12, "Why would CEI
23 state that an inspection was not required?" As part
24 of your reply on line 18, you say "An inspection
25 generally would have been required if there was an

1 issue with the neutral connection to the meter, as
 2 that deals with the actual wiring." I think we've
 3 clarified through your testimony that in my case even
 4 though as qualified electricians, you did deal with
 5 the connection, the neutral connection to the meter,
 6 there was no inspection required. You say it
 7 generally would be required, but in my case it was
 8 not required. I think you've testified to that
 9 already.

10 MR. ROGERS: Objection, argumentative.

11 MR. ROOTE: Well, I am just asking him to
 12 clarify the discrepancies. He says an inspection is
 13 generally required, but he testified previously that
 14 in my instance an inspection was not required. I am
 15 just asking him to clarify the two statements.

16 EXAMINER SANDOR: I will allow the
 17 question.

18 A. That's correct.

19 Q. Thank you. All right. Question 20 on
 20 page -- on page 12, question on line 20 on page 12,
 21 "Do you know whether the neutral was pulled from the
 22 meter box," on line 23 beginning onto line 24, state
 23 "The Company's records show that Mr. Roote never
 24 reported an issue with his neutral wire at his meter
 25 base in his customer service calls." Is that a fair

1 reading of your testimony?

2 A. Yes, it is.

3 Q. When is the neutral wire inside the meter
4 box visible?

5 A. Depends on the meter box.

6 Q. You've seen a picture of my meter box.

7 MR. ROOTE: Is that in evidence
8 yesterday, your Honor?

9 EXAMINER SANDOR: If you are referring to
10 Exhibit BT, yes. It was limited just to show it's a
11 picture of your meter box.

12 MR. ROOTE: All right.

13 Q. (By Mr. Roote) So do we want to take a
14 look at Exhibit BT? That is a picture of a meter
15 box.

16 A. Correct.

17 Q. Can you see the neutral wire connection?
18 Is that visible?

19 A. No, we cannot.

20 Q. Okay. So given that the meter box was
21 not opened until December 8, is there any way for
22 anyone to have known that the neutral wire was
23 disconnected prior to that?

24 A. No.

25 Q. So that would explain why there was no

1 reports by me of an issue with the neutral wire.

2 A. Correct.

3 Q. Thank you. All right. Referring to line
4 5 and 6, this would include the connection as well so
5 beginning on line 4, to put some context to it, your
6 Honor, Mr. Ingram, you testified "His reports to
7 customer service specifically noted that the meter
8 base was undamaged. This would include the
9 connections as well."

10 But under the same logic that we just
11 used that there was no way for me to know the neutral
12 had been pulled out prior to December 8, there was no
13 way to know the condition of the connection inside
14 the meter box until December 8. So since -- and
15 after 10 o'clock in the morning on December 8. And I
16 had only one phone -- and -- well, I can't testify,
17 so I would just ask the question. So using the same
18 reasoning before, is there any way I could have known
19 the condition of the connections prior to pulling the
20 meter on December 8?

21 A. No.

22 Q. Thank you. So my reports to CEI that I
23 was unaware of any damage to my meter base would have
24 been correct to my knowledge at that point.

25 MR. ROGERS: Objection, your Honor,

1 misstates prior testimony. He never stated he was
2 unaware of any damage. The report states that meter
3 base was undamaged.

4 Q. (By Mr. Roote) Is there any way I could
5 have reported damage to my meter base if I had not
6 been able to inspect the wires in my meter base? Let
7 me rephrase that question. I will withdraw that.

8 Your testimony involves a conclusion that
9 I could not have possibly reported that my meter base
10 was undamaged -- again, I will have to rephrase, your
11 Honor. Well, any reports I made to CEI as to the
12 condition of my meter would not have involved the
13 connections because those would have been unknown to
14 me at the time.

15 MR. ROGERS: Objection, argumentative.

16 MR. ROOTE: Your Honor.

17 EXAMINER SANDOR: Mr. Roote -- Mr. Roote,
18 I'm sorry. I will allow the question.

19 Mr. Ingram, if you could answer to the
20 best of your knowledge of.

21 A. Can you repeat the question, please?

22 Q. I was afraid you would ask that.

23 EXAMINER SANDOR: Let's have Karen repeat
24 the question real quick.

25 MR. ROOTE: Thank you.

1 (Record read.)

2 A. My assumption is that's correct.

3 Q. Thank you. In the answer to the question
4 on line 13, the question is "Whose responsibility is
5 it to maintain the height of the service drop?" And
6 you've answered "It is the customer's
7 responsibility." Who attaches the service drop to
8 the home?

9 A. The Company does.

10 Q. So we -- you've testified to the fact
11 that one end of the service drop is supported by
12 attachment of the super -- service neutral to the
13 customer's house by way of the neutral anchor; would
14 you agree?

15 A. Yes.

16 Q. And we've already -- you've already
17 testified that the other end of the service drop is
18 connected to the transformer or the pole that
19 supports the transformer; is that correct?

20 A. Correct.

21 Q. Who's responsible for maintaining the
22 attachment of the service drop at the pole?

23 A. The Company is.

24 Q. So if the end of the service drop
25 detaches from the pole or the transformer, is it

1 possible for the customer to maintain the height of
2 the service drop?

3 A. I'm sorry. I don't follow your question.

4 Q. Can the customer maintain the height of
5 the service drop if the service drop comes -- becomes
6 disconnected from its connection to the -- to the CEI
7 pole or transformer?

8 A. If it's disconnected at the pole, then it
9 would drop to the ground.

10 Q. Thank you. So is it entirely -- so in
11 order to maintain the height of the service drop,
12 doesn't it require CEI to maintain their connection
13 at the transformer and the service pole?

14 A. On one side, yes. On the second side
15 your house mast would determine that height as well.

16 Q. That's correct. You know, your testimony
17 was it's the customer's responsibility.

18 A. To maintain the height of the mast at the
19 house providing enough clearance.

20 Q. The answer -- the question was asked who
21 is responsible to maintain the height of the service
22 drop.

23 MR. ROGERS: Objection, argumentative and
24 asked and answered.

25 EXAMINER SANDOR: Sustained, Mr. Roote.

1 I think we have established what he means by his
2 answer in response to that question.

3 Q. (By Mr. Roote) Okay. In -- on line 17,
4 "The service drop support shall be installed in such
5 a manner to maintain the clearance specified in
6 Section 5.2 and Exhibit 2." That's a reference again
7 to the customer for installation which is Exhibit BA
8 as I recall. So looking at Exhibit BA, "Section 5.2
9 Clearances."

10 EXAMINER SANDOR: Page 14, correct?

11 MR. ROOTE: Yes. Give me a moment, your
12 Honor, please.

13 EXAMINER SANDOR: Take a moment.

14 Q. (By Mr. Roote) So looking at the last
15 sentence of paragraph 1, I will read that, "The
16 Company shall provide, own, install, maintain the
17 service drop conductors from the overhead
18 distribution system to the point of service."

19 MR. ROGERS: Objection, your Honor. I am
20 not sure what he is referencing.

21 EXAMINER SANDOR: Mr. Roote, you might be
22 on a different page. I don't see that either.

23 MR. ROOTE: Okay. I'm at page 14 of the
24 customer service guide. That is Exhibit BA. Did I
25 mix up the exhibits?

1 EXAMINER SANDOR: No. BA is correct. I
2 just -- at least at the -- the last sentence of
3 Section 5.2 of the first paragraph I don't believe
4 says that.

5 MR. ROOTE: Section 5.1, your Honor. I'm
6 sorry.

7 EXAMINER SANDOR: Okay.

8 MR. ROOTE: First paragraph of section
9 5.1 "The Company shall provide, own, install,
10 maintain service drop conductors from the overhead
11 distribution system to the point of service." Okay.

12 MR. ROGERS: Is there a question pending?

13 MR. ROOTE: Yeah. Your Honor, I am just
14 checking my records. I may move on here in just a
15 moment. I need another moment.

16 EXAMINER SANDOR: Okay.

17 MR. ROOTE: Your Honor, I will hold on.

18 Q. (By Mr. Roote) Mr. Ingram, what is the
19 drip loop?

20 A. The drip loop was on the secondary, would
21 be the lowest point of that line above the ground.

22 Q. Wouldn't the lowest point in a service
23 drop be midway between the connections at the house
24 and the pole?

25 A. Not necessarily, depends on the height of

1 both sides.

2 Q. Where is the drip loop located?

3 A. At the lowest point.

4 MR. ROOTE: All right. Your Honor, if we
5 could refer to Exhibit probably 5 or 6 in the same
6 document. Give me a moment.

7 EXAMINER SANDOR: Within Exhibit BA you
8 are saying?

9 MR. ROOTE: Yes. Exhibit 6.

10 EXAMINER SANDOR: What page is that or?

11 MR. ROOTE: Well, it's Exhibit 6, so it's
12 at the end after -- after all the pages. It's not a
13 numbered page. It's an exhibit. So after page 33 at
14 the end, that's where the text ends, I think.

15 A. I apologize. You are referring to the
16 connection drip loop.

17 Q. Yes.

18 A. Okay.

19 Q. That's correct. I'm sorry if I confused
20 you, yes. You see, Mr. Ingram, yes, I am referring
21 to the -- yeah, the drip -- it's only described as a
22 drip loop on the drawing on Exhibit 6, but yes.

23 Where it points to the drip loop, that's the point I
24 am referring to.

25 A. Okay.

1 Q. All right. Thank you for bearing with me
2 on that. What is the purpose of that drip loop?

3 A. Well, to keep condensation away from the
4 crimps or the connection points.

5 MR. ROGERS: Your Honor, I am going to
6 object. What's the relevance of this line of
7 questioning?

8 MR. ROOTE: As to the connections inside
9 the meter box, your Honor.

10 MR. ROGERS: These are the above the
11 meter box. I do not see the connection between the
12 meter box and the drip loop connection.

13 Q. (By Mr. Roote) Mr. Ingram, is it possible
14 for water to travel --

15 EXAMINER SANDOR: One moment. I will
16 allow the question as soon as we can connect it to.

17 MR. ROOTE: Okay.

18 Q. (By Mr. Roote) Mr. Ingram, is it possible
19 for water to travel down the service loop and make
20 its way into the conduit and isn't that one of the
21 purposes of the drip loop, to prevent that from
22 happening?

23 A. Yes. The weather head and drip loop both
24 prevent moisture or water to get down there, yes.

25 Q. Now, why is it important to keep water

1 from entering the customer's mast?

2 A. A number of reasons, corrosion --

3 Q. Connections inside the meter box?

4 A. Correct.

5 Q. Because -- and isn't that because
6 degradation of those connections could result in a
7 safety issue?

8 A. It could.

9 MR. ROGERS: Objection, argumentative.

10 EXAMINER SANDOR: Sorry. He answered the
11 question.

12 MR. ROOTE: All right. Thank you, your
13 Honor.

14 All right. Just a few more questions.
15 Again, some of these have been asked and answered so
16 give me a minute.

17 EXAMINER SANDOR: Okay.

18 Q. (By Mr. Roote) Have I -- question I think
19 I have asked you about the danger that arc flash
20 presents.

21 A. Yes.

22 Q. Are you familiar with arc fault circuit
23 interruptors?

24 A. I am.

25 Q. Now, what is their purpose?

1 A. It opens the circuit, ceases the power to
2 that circuit.

3 Q. And if there is a presence of arc flash?

4 A. If there was a preference of any
5 grounding.

6 Q. Okay. Does arc flash occur only between
7 the live wire and ground?

8 A. No.

9 Q. Thank you. To your knowledge does CEI
10 purchase any arc flash -- any products from Rockwell
11 Automation that have arc flash protection?

12 MR. ROGERS: Objection, relevance.

13 EXAMINER SANDOR: Mr. Roote?

14 MR. ROOTE: I am asking whether -- you
15 know, part of the issue is the danger created by arc
16 flash. And I am asking if they -- if he is aware of
17 them purchasing any products that prevent arc flash
18 or detect arc flash.

19 EXAMINER SANDOR: I will allow the
20 question to the extent he knows.

21 A. I don't know if Rockwell Automation is
22 one of our vendors or not, and I'm not sure what type
23 of device he is speaking about from the CEI side.

24 Q. All right. Are you aware that the NFPA
25 70E covers arc flashing calculations?

1 A. No.

2 EXAMINER SANDOR: Mr. Roote, what is
3 NFPA?

4 MR. ROOTE: Oh, National Fire Prevention
5 Association, your Honor. Mr. Ingram seemed to
6 understand the relevance, so I'll move on.

7 Q. (By Mr. Roote) Are you aware Rockwell
8 Automation offers training courses covering NFPA 73?

9 MR. ROGERS: Objection, relevance.

10 EXAMINER SANDOR: Mr. Roote, I am going
11 to sustain that.

12 MR. ROOTE: All right. Okay. Your
13 Honor, some of this may be redundant. Give me a
14 moment. Hang on. This expands on some earlier
15 testimony, your Honor, but it is an expansion.

16 Q. (By Mr. Roote) Again, Exhibit BA -- I
17 mean -- yes, Exhibit BA, at this time what they
18 referred to in that document as Exhibit 8,
19 Mr. Ingram --

20 MR. ROGERS: Your Honor, this deals with
21 underground installation which is not what Mr. Roote
22 had.

23 MR. ROOTE: I'm making specific reference
24 to the drawings in the top left-hand corner. I think
25 Mr. Ingram can testify to the fact that aboveground

1 or underground, those are the typical connections
2 inside of a meter box.

3 EXAMINER SANDOR: I will allow the
4 question if he knows if that's the case or not.

5 A. Yes, I'm familiar with these two
6 pictures.

7 Q. All right. And would you agree that's a
8 fair representation of the connections inside of a
9 meter box?

10 A. Yes.

11 Q. Of those three wires labeled as source in
12 the drawing, could you identify what would be the
13 neutral?

14 A. The one in the center going to the center
15 terminal.

16 Q. Okay. And the ones to either side of it,
17 what would be connected to those?

18 A. Those would be hot legs.

19 Q. Thank you. Some of this is already
20 entered into evidence, your Honor. Just a minute.
21 Just could verify if that neutral wire between those
22 two hot wires is pulled from its connector, is there
23 anything else in the drawing that indicates that
24 neutral wire is otherwise restrained?

25 MR. ROGERS: Objection, asked and

1 answered.

2 MR. ROOTE: All right.

3 EXAMINER SANDOR: Sustained.

4 MR. ROOTE: Your memory is better than
5 mine.

6 I think that's also asked and answered.
7 All right. Move on. I am near the end, your Honor.
8 Just a moment.

9 Q. (By Mr. Roote) You listened to a -- with
10 us a number of the automated phone calls that I made
11 to CEI; is that correct?

12 A. Correct.

13 Q. On any of those calls, did you hear the
14 system announce the option of being transferred to a
15 live agent?

16 MR. ROGERS: Objection, your Honor,
17 relevance. That's outside the scope of his
18 complaint.

19 MR. ROOTE: Your Honor, I supplied when
20 asked under discovery what topics I would be
21 covering. I included this topic.

22 MR. ROGERS: I do not believe he did,
23 your Honor. If he could reference the actual code
24 violation again, it's outside the scope of his
25 complaint.

1 EXAMINER SANDOR: I think I have -- to be
2 consistent with my prior ruling, if I remember
3 correctly, is I would defer to ruling on the scope of
4 these questions, I believe, if the parties would like
5 to brief them. I will allow the question but let's
6 keep this range of questioning brief, please.

7 MR. ROOTE: It is brief.

8 Q. (By Mr. Roote) So, Mr. Ingram, do you
9 need to hear the question again?

10 A. No. I understand the question. And, no,
11 I don't recall whether or not one of the options was
12 for an associate or not.

13 Q. Okay. Are you familiar with the stop,
14 look, and live campaign that CEI is running?

15 A. I know there is a public campaign, but
16 I'm not real familiar with it, no.

17 Q. You haven't heard any of those
18 advertisements?

19 A. I don't get to watch much T.V., and I am
20 usually here when storms are rolling through.

21 Q. Well, they are pretty ubiquitous. If you
22 have never heard them, I can't ask you to tell me
23 what's in them. Are you aware somewhat of what's in
24 them from other than hearing them or seeing them?
25 Either poster boards mounted around your facilities

1 with those -- with those brochures on it?

2 A. No.

3 MR. ROGERS: Objection, irrelevant.

4 MR. ROOTE: All right.

5 Q. (By Mr. Roote) Do you recall any instance
6 in your work experience where damage to a service
7 entrance resulted in a fire?

8 A. No, not to my recollection, no.

9 Q. And you were working with CEI in 2005?

10 A. CEI, no. I was over in Pennsylvania at
11 the time.

12 Q. That's at the Penelec meter division as
13 you testified?

14 A. Correct.

15 Q. Are they owned -- are they owned by
16 FirstEnergy?

17 A. Yes, one of two operating companies.

18 Q. Okay. How about in 2008?

19 A. Again, I was in Pennsylvania at that
20 time.

21 Q. Penelec, okay. Thank you. Does CEI keep
22 track of cases where fire results from a downed wire?

23 A. Yes. We have a Claims Department that
24 would handle that.

25 Q. Do you know of any instance where a

1 person was electrocuted by a downed wire?

2 A. I've heard of it in the news, yes.

3 MR. ROGERS: Objection, your Honor.

4 What's the relevance to this line of questioning?

5 EXAMINER SANDOR: Mr. Roote?

6 MR. ROOTE: We are talking about the
7 risks of CEI wires, and I am asking if he's heard of
8 instances where people have been -- or property have
9 been damaged or been injured as a result of downed
10 wires.

11 MR. ROGERS: Your Honor, this is outside
12 the scope of the specific one at issue here.

13 EXAMINER SANDOR: Mr. Roote, I would
14 agree. I think if we could wrap up the questioning
15 here now, wrap up with the line of questioning.

16 Q. (By Mr. Roote) Let me move on. We were
17 discussing your experience at Penelec. Was Penelec
18 ever engaged in investigating the cause of a meter
19 suffering fire damage?

20 MR. ROGERS: Objection, your Honor,
21 relevance.

22 EXAMINER SANDOR: Mr. Roote, yeah. I
23 think this falls in line with the previous lines of
24 questioning, the previous line of questioning you
25 just discussed so.

1 MR. ROOTE: Well, your Honor, we've
2 had -- we've had a lot of testimony about the meter
3 boxes and the potential damage that can result and
4 the fires that might occur as a result of that
5 damage. I am asking in his experience working at a
6 meter company is he aware of meters being returned
7 and investigated as to their -- as to the cause of
8 the fire damage. I guess --

9 MR. ROGERS: Your Honor, it's irrelevant.

10 MR. ROOTE: All right. All right.
11 Again, this may be asked and answered. It's been a
12 long day.

13 Q. (By Mr. Roote) Would only pulling the
14 meter have isolated my service drop?

15 MR. ROGERS: Objection, asked and
16 answered.

17 EXAMINER SANDOR: Sustained. It was,
18 Mr. Roote. It was answered.

19 MR. ROOTE: Thank you. Thank you. One
20 last -- okay. That concludes my questions, your
21 Honor.

22 EXAMINER SANDOR: Thank you, Mr. Roote.
23 Any redirect for Mr. Rogers?

24 MR. ROGERS: I believe so. Can we take a
25 5- to 10-minute break so I can gather all my notes

1 together?

2 EXAMINER SANDOR: Yes. Let's take a
3 10-minute break. Actually let's go back at 1:40.

4 (Recess taken.)

5 EXAMINER SANDOR: Let's go back on the
6 record.

7 Any redirect for Mr. Rogers?

8 MR. ROGERS: Yes. I do have a few
9 redirect questions.

10 - - -

11 REDIRECT EXAMINATION

12 By Mr. Rogers:

13 Q. Mr. Ingram, you testified that you
14 believe that in your opinion Mr. Roote was -- was
15 considered a qualified electrician; is that correct?

16 A. Yes.

17 Q. Were you aware of any of his
18 qualifications prior to this hearing?

19 A. No, I was not.

20 Q. We also heard a lot of testimony
21 regarding arc flashing; is that accurate?

22 A. Yes.

23 Q. Was there any evidence of arc flashing on
24 Mr. Roote's residence?

25 A. No, there is not.

1 Q. And what evidence would you be looking
2 for?

3 A. Burn, scorch marks on the side of the
4 building and the meter pan, marks on the meter pan
5 itself, possible damage to the meter, cloudy glass,
6 smoke filled glass.

7 MR. ROGERS: Thank you, your Honor. I
8 have no further questions.

9 EXAMINER SANDOR: Thank you.

10 Mr. Roote, any recross within that very
11 limited redirect scope? You're on mute, Mr. Roote.

12 MR. ROOTE: Your Honor, good job.

13 - - -

14 REXCROSS-EXAMINATION

15 By Mr. Roote:

16 Q. Regarding the arc flash, did anybody
17 inspect any of my equipment for the presence of arc
18 flash?

19 A. I'm sorry. Is the question --

20 Q. Did anyone from CEI inspect my service
21 entrance, my meter box for the presence or absence of
22 arc flash?

23 A. I can't answer that on behalf of the
24 troubleman, no.

25 Q. I'm sorry. I missed the last part of

1 your answer.

2 A. I can't answer that on behalf of the
3 troubleman that came to your residence.

4 Q. So you have no knowledge that anybody has
5 looked at my -- or whether there is or is not
6 presence of arc flash damage on my equipment, do you?

7 A. They are trained individuals to look for
8 things like that.

9 MR. ROOTE: All right. Thank you.

10 EXAMINER SANDOR: Thank you, Mr. Roote.
11 Anything, Mr. Rogers, follow-up?

12 MR. ROGERS: Nothing to follow up with,
13 your Honor.

14 EXAMINER SANDOR: Okay. All right.
15 Thank you.

16 Mr. Ingram, thank you very much for your
17 time today. You are excused.

18 MR. ROOTE: Thank you, Mr. Ingram.

19 EXAMINER SANDOR: Happy holidays.

20 THE WITNESS: Thank you, everyone. Merry
21 Christmas.

22 EXAMINER SANDOR: I will note that it
23 looks like I think the only new exhibit that
24 Mr. Roote attempted to introduce was the AW which was
25 the request for production of documents, and we

1 allowed him to -- I allowed him to mark it, but we
2 are not going to be admitting it per the prior
3 objection and ruling.

4 So that leads us to --

5 MR. ROOTE: Am I on the record objecting
6 to that ruling, your Honor?

7 EXAMINER SANDOR: Did you object right --
8 I believe you are but feel free to object at the
9 moment.

10 MR. ROOTE: My objection, thank you, your
11 Honor.

12 EXAMINER SANDOR: Thank you. Okay. So,
13 Mr. Rogers, if you would like to --

14 MR. ROGERS: Your Honor, Company
15 Exhibit 1 to be moved into evidence.

16 EXAMINER SANDOR: Any objections from
17 Mr. Roote?

18 MR. ROOTE: No, your Honor.

19 EXAMINER SANDOR: Okay. So I will note
20 right before I admit it that I do believe we had
21 referenced -- so there are a few exhibits inclusive
22 of Company Exhibit 1 and those would be Company
23 Exhibit 1.A, 1.B, 1.C, 1.D, 1.E, 1.F, and 1.G which
24 are named within the testimony. And let me just
25 mention that to dovetail with our cross-reference

1 numbering convention that we referenced earlier we've
 2 covered Exhibits 1.A through 1.C in that
 3 cross-referencing, but I will note that Exhibit 1.D
 4 matches Complainant Exhibit Y which has already been
 5 admitted. And Complainant's Exhibit -- I'm sorry,
 6 Company Exhibit 1.E matches Complainant Exhibit AA
 7 which is already admitted. And Company Exhibit 1.F
 8 matches Complainant Exhibit AB which is already
 9 admitted. And Company Exhibit 1.G does not have a
 10 corresponding Complainant exhibit.

11 Given all that, all of those exhibits,
 12 Company Exhibit 1 and the inclusive exhibits just
 13 mentioned, are admitted into the record

14 (EXHIBIT ADMITTED INTO EVIDENCE.)

15 EXAMINER SANDOR: I believe at this point
 16 then we just have the motion -- the deferred motion
 17 that -- Mr. Roote to supplement his testimony. I
 18 want to ask first, Mr. Roote, do you still intend to
 19 follow through with that after the testimony provided
 20 today?

21 MR. ROOTE: Yes. It would only take a
 22 very few minutes, your Honor.

23 EXAMINER SANDOR: Okay. I'll note -- I
 24 have already noted -- or we've already noted
 25 Mr. Rogers' objection to this. I am going to allow

Mr. Roote to be recalled for the very limited purpose of just mentioning this piece of his history, and the Commission will give it the weight that it deserves.

MR. ROOTE: Thank you, your Honor.

EXAMINER SANDOR: So, Mr. Roote, I will go ahead and do it just in case.

(Witness sworn.)

EXAMINER SANDOR: Thank you. Please go ahead.

- - -

MICHAEL S. ROOTE

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

DIRECT EXAMINATION

THE WITNESS: While working for Rockwell Automation, I previously testified that I worked on the -- I served as a project manager. One project I neglected to mention is a project done for United Streetcar. I was a project manager for that project. It was for the city of Portland where railroad streetcar -- I will just give you a brief description and scope of supply. The power was supplied to the car by 740 -- 750 volt DC overhead wire. Our scope of supply on that project included four 700 horsepower variable frequency drives powering the

1 wheel AC traction drivers on the streetcar. And for
2 ventilation and air conditioning systems on the
3 streetcar, the main programmable application
4 controller which ran the -- controlled the doors and
5 other equipment on the car, two safety programmable
6 live application controllers, two low voltage power
7 supplies, and one human machine interface reference
8 to the panel.

9 I was responsible for all technical --
10 final decisions on all technical decisions, final
11 decision, and all the commercial and financial
12 decisions on that project. Some of the technical
13 issues that were involved were the groundings of our
14 equipment, the dielectric strength of all of our
15 connectors and cable systems that we supplied, which,
16 of course, would include iPod testing of all -- of
17 all of those elements. The -- the Rockwell was a
18 very high profile project which I was highly
19 complimented for my work on that project and that's
20 all I wanted to mention, your Honor.

21 EXAMINER SANDOR: Thank you.

22 Mr. Rogers, do you have any questions?

23 MR. ROGERS: Yes, your Honor.

24 - - -

CROSS-EXAMINATION

By Mr. Rogers:

Q. Did you have any direct involvement on the actual installation of the overhead wires?

A. No.

Q. You said you were responsible for the technical aspects of it. What do you mean by that?

A. Well, to put variable frequency drives on a street car requires a huge amount of technical considerations regarding the wiring, the programming, the powering. You mentioned the overhead wires, the interface of the overhead wires. You want to see a demonstration of arc flash, watch a streetcar travel down the road with -- powered by electricity, and you will get a very good example of arc flash.

So all of those issues, many of which were relevant to this -- this hearing, were addressed and I made all the final technical decisions regarding all of those issues, and I did travel to the site. I attended test sessions of dielectric strengths. I tested over current testing of the equipment and many of the other issues involved with it.

Q. Do you recall responding to discovery requests submitted by CEI?

1 A. I listed my work history with Rockwell
2 Automation.

3 Q. Did you list this specific project?

4 A. Not this one, no, because -- frankly, its
5 relevance to utilities didn't occur to me at the time
6 until you were examining me and my other experience
7 with a utility of which I testified to when you asked
8 me of the Bay Area Rapid Transit and the programming
9 I did for the automatic reclosing systems. That's
10 what got me thinking about what other railroad or
11 transit programs I have worked on involving the
12 public in particular and that's one I wanted to
13 supplement my testimony.

14 MR. ROGERS: And we will move to strike
15 this entire testimony as it was not disclosed during
16 discovery in response to an interrogatory.

17 EXAMINER SANDOR: Thank you, Mr. Rogers.
18 In light of my previous ruling, I will deny the
19 motion, but the clarification and objection are
20 noted, and the Commission will give the weight of the
21 testimony he just provided, this specific testimony,
22 the weight it deserves.

23 MR. ROOTE: Thank you, your Honor.

24 MR. ROGERS: No further questions, your
25 Honor.

1 EXAMINER SANDOR: Thank you.

2 Okay. With that let's go off the record.

3 (Discussion off the record.)

4 EXAMINER SANDOR: Let's go back on the
5 record.

6 After a brief discussion with the
7 parties, initial briefs for this case will be due on
8 February 16, 2022, and reply briefs will be due by
9 March 9, 2022.

10 Is there anything else from the parties
11 before we adjourn for the day?

12 MR. ROOTE: I would just like to thank
13 the stenographer and Mr. Schmidt for their efforts
14 today in helping with the hearing and thank
15 Mr. Rogers as well and, of course, your Honor.

16 EXAMINER SANDOR: Thank you everybody
17 else as well, Mr. Schmidt, Karen, Mr. Rogers, and
18 Mr. Roote.

19 Happy holidays. The case is now
20 adjourned and is submitted on the record. Thank you.

21 (Thereupon, at 1:56 p.m., the hearing was
22 adjourned.)

23 - - -

24

25

CERTIFICATE

I do hereby certify that the foregoing is
a true and correct transcript of the proceedings
taken by me in this matter on Monday, December 20,
2021, and carefully compared with my original
stenographic notes.

Karen Sue Gibson, Registered
Merit Reporter.

(KSG-7205)

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Case No(s). 21-0011-EL-CSS

Summary: Transcript December 20th 2021 In the Matter of the Complaint of:
Michael S. Roote, Complainant, vs. The Cleveland Electric Illuminating Company,
Respondent. electronically filed by Mr. Ken Spencer on behalf of Armstrong &
Okey, Inc. and Gibson, Karen Sue Mrs.