

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the	:	
Complaint of:	:	
	:	
Boyce Parker,	:	
	:	
Complainant,	:	
	:	
vs.	:	Case No. 21-1157-GA-CSS
	:	
The East Ohio Gas Company	:	
D/B/A Dominion Energy	:	
Ohio,	:	
	:	
Respondent.	:	

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PROCEEDINGS

before Mr. James Lynn, Attorney Examiner, at the
Public Utilities Commission of Ohio, via Webex,
called at 10:21 a.m. on Monday, April 4, 2022.

- - -

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- - -

1 APPEARANCES:

2 Mr. Boyce Parker
3 9505 St. Catherine Avenue
4 Cleveland, Ohio 44104

5 On his own behalf.

6 Whitt Sturtevant LLP
7 By Mr. Christopher Kennedy
8 and Mr. Lucas Fykes
9 88 East Broad Street, Suite 1590
10 Columbus, Ohio 43215

11 On behalf of the Respondent.

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INDEX		
- - -		
WITNESS		PAGE
Boyce Parker		
Direct Testimony		5
Angela Zeisig		
Direct Examination by Mr. Fykes		14
- - -		
RESPONDENT EXHIBIT	IDENTIFIED	ADMITTED
1 Direct Testimony of		
Angela Zeisig	14	--
- - -		

Monday Morning Session,
April 4, 2022.

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EXAMINER LYNN: The Public Utilities
Commission has called for a hearing at this time Case
No. 21-1157-GA-CSS concerning the Complaint of Boyce
Parker versus The East Ohio Gas Company doing
business as Dominion Energy Ohio.

At this time we will have the appearances
of the parties.

Mr. Parker, if you just state your name
and address, please.

MR. PARKER: 9 -- name and address, Boyce
Parker, address 9505 St. Catherine Avenue, Cleveland,
Ohio 44104.

EXAMINER LYNN: Thank you.

And for Dominion, please.

MR. KENNEDY: Good morning, Mr. Parker;
good morning, Mr. Lynn. On behalf of The East Ohio
Gas Company D/B/A Dominion Energy Services, appearing
are Christopher Kennedy and Lucas Fykes. We are with
the law firm Whitt Sturtevant, Sturtevant is
S-T-U-R-T-E-V-A-N-T. Our address is 88 East Broad
Street, Suite 1590, Columbus, Ohio 43215.

EXAMINER LYNN: All right. Thank you,

1 Mr. Kennedy.

2 Mr. Parker, given that you filed the
3 complaint, we will let you go ahead and explain, you
4 know, what -- the reasons behind your complaint and
5 what you're complaining about. So, Mr. Parker, go
6 ahead, please.

7 - - -

8 BOYCE PARKER

9 was examined and testified as follows:

10 DIRECT TESTIMONY

11 THE WITNESS: Okay. When they sent me --
12 okay. I was on PIPP at first because I was just on
13 SSI. Then once I called the Social Security
14 Administration and told them that I am a disabled
15 veteran, now they cut me off, so I had to let PIPP
16 know that I am not on SSI any more so they cut me off
17 of PIPP.

18 So I did not sign a 2021. I did not --
19 was it 2020? 2020 I did not sign the PIPP
20 application because I can't. So I'm not on SSI any
21 more, so I did not send it in, but you all kept me
22 on -- Dominion kept me on PIPP anyway. And I said,
23 well, I am not going to bother them because it's
24 still the same way it's always been, so I left it
25 alone.

1 Then the next year in 2021, they sent me
2 an application, at the end of 2020 for 2021, and I
3 didn't sign that one either. So I didn't send it in
4 either, but they still -- Dominion still kept me on
5 PIPP.

6 When they finally found out about it in
7 2021, they come sending me a letter telling me about
8 some NOPEC. I don't want any NOPEC. I don't want to
9 join nothing. I want everything like it was.

10 So anyway I did not join NOPEC, but then
11 you -- Dominion sent me a -- a bill telling me to pay
12 \$92 or \$46. I said why would I want to pay 46 twice?
13 92 is twice. I am not going to do that either. So I
14 paid the 46.

15 Then they sent me another bill the next
16 month telling me to join graduate PIPP, and I am
17 going to pay \$132 a month. I said why would I pay
18 \$132 a month when in the summer I be way down to \$30?
19 Why would I pay you \$100 extra every month? I am not
20 doing that, so I didn't do that.

21 So it says on the bill to pay the other
22 amount, so I paid that amount, saying that I didn't
23 want graduate PIPP. I didn't want to join that.

24 Then they come sending me another letter
25 telling me that I automatically been enrolled in some

1 Barracuda. I don't know who Barracuda is. It's
2 against the law to automatically enroll me to another
3 organization. You can't do that. I did not sign
4 anything. I did not authorize no Barracuda. You are
5 talking about I have a choice. I did not have a
6 choice. It says that it automatically enrolled me in
7 it. You can't automatically enroll me in nothing.

8 So now they sent me bills, and Barracuda
9 is sending me 10 times the amount that my bill --
10 here's my bill through them attorneys. I don't know
11 why I am talking to them anyway. Where is Barracuda?
12 That's what I want to know. What is my account
13 number? Can they tell me what my account number with
14 Barracuda is?

15 EXAMINER LYNN: I don't think we have
16 that information right now, Mr. Parker. But your
17 complaint was against Dominion, correct? I mean,
18 that was who you filed the complaint against?

19 THE WITNESS: My bill it says Boyce
20 Parker and this is Dominion's bill and Barracuda is
21 on the bill so Dominion is Barracuda.

22 EXAMINER LYNN: Okay.

23 THE WITNESS: Okay. Dominion don't send
24 me a bill but -- I mean, Barracuda don't send me a
25 bill, but Dominion sends me a bill with Barracuda on

1 it. I can't pay two companies for one service.

2 EXAMINER LYNN: Sure. Okay. Mr. Parker,
3 I just want to back up a minute and make sure for our
4 court reporter for the record we know what you were
5 saying. Basically you are saying then you were
6 enrolled in PIPP for a time and then --

7 THE WITNESS: I was enrolled in PIPP for
8 like 30 years.

9 EXAMINER LYNN: Okay. And then you went
10 off of PIPP, am I correct? Oh, I know. You were no
11 longer eligible for PIPP at a certain point in time;
12 is that right?

13 THE WITNESS: Right. I'm a certified
14 100 percent disabled veteran.

15 EXAMINER LYNN: Okay. So at any rate you
16 were on PIPP for 30 some years. And then through
17 some discussion it sounds like with the Social
18 Security Administration, you learned that you were no
19 longer eligible for PIPP; am I right?

20 THE WITNESS: Right. And I am not
21 eligible for SSI any more.

22 EXAMINER LYNN: Okay. And I think then
23 you also said that when you got some paperwork for
24 what's called graduate PIPP, you decided you were not
25 going to sign up for that; am I correct?

1 THE WITNESS: How can I sign up for
2 graduate PIPP when I am not on PIPP?

3 EXAMINER LYNN: Okay. Honestly -- I just
4 wanted to make sure what you were saying, okay? And
5 so, you know, you mentioned then that at some point
6 in time you noticed Barracuda Energy appearing on
7 your bill. And you're saying you never -- you know,
8 you never wanted to go with Barracuda at all,
9 correct?

10 THE WITNESS: I didn't know -- everybody
11 that I talked to in my -- Lewis was just here when I
12 was trying to sign in. It won't let me sign in. He
13 stood here until he had to get to work. And he keeps
14 saying -- he looked at my bill. He said ain't none
15 of that on my bill. I pay -- as soon as I got off
16 PIPP, they got mad, and now they are going to try to
17 double charge me 10 times the amount. I am not going
18 to pay when I was paying 30 or 40 dollars a month,
19 now I am paying 300 dollars. I am not doing that.

20 EXAMINER LYNN: So there's a point where
21 you saw Barracuda appearing on your bill, and you say
22 you didn't want to have anything to do with Barracuda
23 in large part because I guess because of the price it
24 involves, am I correct, the cost?

25 THE WITNESS: Right. But they said --

1 look, the NOPEC said I would have a choice. And if
2 you go to the NOPEC, you go sign in, they tell you to
3 call somebody. You got to call for them to talk to
4 them to give you a choice. Wait a minute. You
5 can't -- I don't want all this crap.

6 I called Dominion when I got the first
7 thing saying that something about some Next Era.
8 When they came in, I called Dominion and told them I
9 don't want anything but to leave it alone. Just stay
10 the same as I am, and they changed it. How you --
11 when I ask you on the phone not to change anything,
12 you changed it anyway?

13 EXAMINER LYNN: Okay. So even though
14 then there was a point where you -- even though there
15 was a point -- even though there was a point in time
16 where you were no longer on PIPP, you still wanted to
17 just, you know, be paying Dominion as far as your gas
18 services; am I right about that?

19 THE WITNESS: I am paying now. I said,
20 look, I paid three times the extra amount, 189 or 200
21 and something. I paid all that. Then I said, no, I
22 am not going to keep paying a company that I don't
23 have a bill from. The only bill I got is Dominion's
24 bill, so the bill that's on -- on my bill the amount
25 for Dominion is all I am paying. I am not paying

1 Barracuda. If they want to pay Barracuda, you pay
2 Barracuda. I'm not. Okay.

3 EXAMINER LYNN: Okay. All right. You
4 were on PIPP for a time. Then you learned you were
5 no longer eligible, but you don't want any connection
6 with Barracuda, and you still just want to be paying
7 Dominion for your gas service.

8 THE WITNESS: That's what -- remember
9 when I had the hearing with the Magistrate, I asked
10 that attorney why call -- they supplied my gas all
11 these years ever since I was 20 years old, and now I
12 am 64, now you going to tell me you are not my
13 supplier. Why -- I am going to ask them why they
14 can't be my supplier. If you look it up on the
15 internet, Dominion on the internet says gas supplier.
16 Well, how come you supplied gas to everybody on this
17 street but me? Get out of here with that.

18 EXAMINER LYNN: Okay.

19 THE WITNESS: This is a sting.

20 EXAMINER LYNN: Okay. All right.

21 THE WITNESS: They say -- it's a scam
22 when they add another company on your bill. That's
23 what this is.

24 EXAMINER LYNN: All right. Okay. Thank
25 you, Mr. Parker, for that.

1 THE WITNESS: Are you aware of the Ohio
2 law 2913 for fraud and theft, misrepresentation?

3 EXAMINER LYNN: Okay. Thanks,
4 Mr. Parker. Okay. Thank you for your comment.

5 THE WITNESS: Asked the lawyer about
6 2913, what do the Ohio law O -- Ohio Revised Code
7 2913.

8 EXAMINER LYNN: Well, I can't answer that
9 question.

10 THE WITNESS: No person shall charge
11 another person for monetary gain. That's what they
12 are doing. They are charging me to get extra money.
13 How do they send my bill? When I send them this
14 money, how do they pay Barracuda? If I don't have an
15 access code. I have no case with them. The way --
16 there is no -- if I don't have an account number, I
17 want to know -- like this one here has my account
18 number on it. Dominion has my account number. Well,
19 look, Barracuda does not have no account number. It
20 has nowhere that you call the number. It just stays
21 busy all the time. I don't even think the number
22 works.

23 EXAMINER LYNN: Okay. Well, thank you
24 for your comments. We'll -- we'll go to Mr. Kennedy
25 right now to see if he has any questions for you.

1 And then we'll also hear from -- what Dominion has to
2 say, and they have a witness too.

3 Mr. Kennedy, do you have any questions
4 for Mr. Parker at this point in time?

5 MR. KENNEDY: Thank you, Mr. Lynn. No.
6 Dominion does not have any cross-examination or
7 questions for Mr. Parker.

8 EXAMINER LYNN: Okay. All right. Thank
9 you.

10 Mr. Parker, then if you would just pause
11 and we'll hear from what the Dominion folks and
12 then -- then we'll proceed from there.

13 So, Mr. Kennedy, I understand you do have
14 a witness and that person apparently is present. I
15 see her on the screen so that's good. And if you
16 would like to proceed then, go ahead.

17 MR. KENNEDY: Yeah. Good morning, Mr.
18 Lynn. I am going to turn it over to Mr. Fykes, and
19 he is going to be defending Dominion's witness. I
20 will stay on in case there's any questions. I am
21 going to turn this part over to Mr. Fykes.

22 EXAMINER LYNN: Mr. Fykes, if you would
23 like to proceed then.

24 MR. FYKES: Sure. Thank you, your Honor.
25 At this time we would call our witness Angela Zeisig.

1 EXAMINER LYNN: Okay.

2 (Witness sworn.)

3 EXAMINER LYNN: All right. Okay. I am
4 hearing you loud and clear.

5 Thank you, Mr. Fykes. Go ahead.

6 MR. FYKES: Thank you, your Honor.

7 - - -

8 ANGELA ZEISIG

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

11 DIRECT EXAMINATION

12 By Mr. Fykes:

13 Q. Ms. Zeisig, please state your name for
14 the record.

15 A. Angela Zeisig.

16 Q. Thank you. And what is your business
17 address?

18 A. It is 1201 East 55th Street, Cleveland,
19 Ohio 44103.

20 Q. Thank you. And do you have in front of
21 you the document marked as DEO Exhibit 1 including
22 attached Exhibits 1.1, 1.2, and 1.3 which was filed
23 with the PUCO on March 28?

24 A. I do.

25 Q. And do you recognize this document?

1 A. I do.

2 Q. Was this document prepared by you or
3 under your supervision?

4 A. Yes, sir.

5 Q. Okay. And if I ask you all the questions
6 in this document today, would your answers be the
7 same?

8 A. They would.

9 MR. FYKES: All right. That's all the
10 questions I have, your Honor. With that I would move
11 for the admission of DEO Exhibit 1 including Exhibits
12 1.1, 1.2, and 1.3 that was attached, subject to your
13 questions and cross-examination.

14 EXAMINER LYNN: Okay. Thank you,
15 Mr. Fykes.

16 Mr. Parker, as was just mentioned,
17 Dominion has one witness and there was some written
18 testimony filed by Dominion prior to their witness,
19 you know, appearing today. Mr. Parker, did you have
20 any questions for the witness? Were you able to read
21 through that testimony?

22 MR. PARKER: Yes. The lady Angela, she's
23 asking the question here that you all asked her.
24 Question No. 28, it says "Was Mr. Parker ever charged
25 twice -- twice for the same gas or service during

1 this time period?" She said "No." How come
 2 Barracuda is charging me a price for 19.2 and
 3 Dominion is charging that twice, isn't it? I am
 4 being -- two times being charged. But she lied.
 5 That's perjury. She said no. And how she going to
 6 say that I'm not going to be charged because on the
 7 bill it shows I am being charged.

8 EXAMINER LYNN: Okay. Mr. Fykes, do you
 9 want to ask your witness?

10 MR. FYKES: Your Honor, I am unsure
 11 exactly what question Mr. Parker was asking. If
 12 perhaps he could repeat the question or clarify
 13 exactly what he was asking.

14 MR. PARKER: Am I being -- am I being
 15 charged two times for one bill for one usage, gas
 16 usage? Am I being charged twice for one gas usage?

17 EXAMINER LYNN: Okay. I think what
 18 Mr. Parker is asking is this, on his most recent
 19 bills he's seeing --

20 MR. PARKER: No, the bills I sent to you.
 21 They got them in here. They should -- let me go --
 22 all them bills, you should have it.

23 EXAMINER LYNN: It's there. It's there,
 24 Mr. Parker.

25 MR. PARKER: Somebody --

1 EXAMINER LYNN: Well, how about I will
2 ask my question?

3 MR. PARKER: Isn't that perjury in your
4 face? It shows that Dominion is charging me for gas
5 usage and Barracuda is charging me for gas usage?

6 EXAMINER LYNN: Okay. I think -- I
7 believe what Mr. Parker is saying -- what you are
8 saying is this, okay, thankfully, I'm grateful you
9 got a chance to look at the testimony and the
10 exhibits for Dominion's witness.

11 And I think what Mr. Parker is saying is
12 that starting with the bills, and I am looking at
13 them in front of me, in August of 23, 2021, that's
14 when Barracuda Energy began to appear on the bills.
15 Okay. This is in Exhibit 1.1 and it is in the bill
16 that was -- says date prepared August 23 of 2021.

17 And at that point in time, that's when
18 Mr. Parker begins to see the bills that mention not
19 only Dominion but also Barracuda.

20 And, Mr. Parker, it sounds as though you
21 are saying -- you are asking the question from your
22 perspective why am I being charged twice; am I right,
23 Mr. Parker? In other words, you are saying why do I
24 have, you know, charges for Dominion and charges for
25 Barracuda both on my bill? That's your question; am

1 I correct?

2 MR. PARKER: Yes.

3 EXAMINER LYNN: Okay.

4 MR. PARKER: Looking at the bill that's
5 the 23rd.

6 EXAMINER LYNN: Right. That's the one I
7 was looking at just as an example. That was the
8 first bill.

9 MR. PARKER: Okay. Sir, your Honor,
10 look, when you said Dominion Energy, how come they
11 change it to distribution charges? How come you can
12 tell me that -- in the ground my house -- I am
13 looking out my window, never been torn up. How do
14 Barracuda supply me gas if they are not Dominion?
15 Dominion gas lines been in -- this house 100 years
16 old -- for 100 years, and they have been supplying my
17 gas all this time.

18 Now you going to tell me you mean the gas
19 coming through that line, that big pipe in the
20 ground, and it branches off to everybody's house has
21 one line for Boyce Parker? You tell me they
22 supplying me gas? No, they're not. You are going to
23 tell me they know exactly which house I live in to
24 make gas come to just Boyce Parker?

25 MR. FYKES: Your Honor, we would object

1 to the argumentative nature of the question. If he
2 has a question for Ms. Zeisig, if he could ask it and
3 let her answer.

4 EXAMINER LYNN: Well, okay. Okay.
5 Mr. Parker, again, if you could just state your
6 question. Basically I think maybe I can phrase it.
7 And, Mr. Parker, you could agree or disagree, but you
8 are asking why on the bills that appears starting
9 in -- or prepared August 23 of 2021, Mr. Parker, you
10 are asking why you see charges for Dominion as well
11 as for Barracuda; am I right? That's why you were
12 wondering why you are seeing charges for two
13 companies?

14 MR. PARKER: Right. It says Dominion has
15 me at .6 cubic feet and Barracuda has me at .6 cubic
16 feet. But why in the world is their amount 10 times
17 the amount of Dominion? Why are they charging me 10
18 times? Supposed to be lowering gas but they are
19 charging me -- whatever Dominion charging they are
20 charging 10 times the amount?

21 EXAMINER LYNN: Okay. Ms. Zeisig, if you
22 could help explain to Mr. Parker the matter of there
23 being two companies on his bill and why -- why that's
24 the case and, you know, what each company does
25 separately.

1 THE WITNESS: Sure. Mr. Parker is not
2 being charged twice for the same service. When
3 Mr. Parker was no longer eligible for the PIPP plus
4 plan and transitioned from SSO gas costs to the SCO,
5 there's two parts to his bill at that -- at that
6 point. The top part is for the distribution charges
7 from Dominion to get the gas to his home and then the
8 bottom portion --

9 MR. PARKER: Supplying -- I'm not trying
10 to cut you off but that is the same thing as supply.
11 You can't dispute -- distribute something and supply
12 too. You are doing one thing. You are supplying
13 gas. My next-door neighbor, you're supplying her
14 gas. Across the street their bills is not on there.
15 I am the only one that you are making pay.

16 EXAMINER LYNN: Okay. Mr. Parker, let
17 her finish even if you disagree with the explanation.
18 Just let her finish.

19 Go ahead, Ms. Zeisig.

20 THE WITNESS: The Barracuda Energy
21 pertains to the natural gas commodity itself. That's
22 the rate that Mr. Parker is paying for the actual
23 product of natural gas.

24 EXAMINER LYNN: Okay. So, Ms. Zeisig,
25 you are saying that the distribution charges are to

1 get the gas to Mr. Parker, if I am understanding you
2 correctly, and the Barracuda charges are the price
3 for not to get the gas to him but the price for the
4 gas itself; am I correct in that? Am I saying it
5 correctly?

6 THE WITNESS: That would be correct.

7 EXAMINER LYNN: Okay.

8 MR. PARKER: Okay. Can I ask -- can I
9 say something, sir?

10 EXAMINER LYNN: Yes. Go ahead,
11 Mr. Parker.

12 MR. PARKER: Okay. Ms. Angela, whatever,
13 if I go to the store and I buy a dozen eggs, I put
14 that on my bill, and I pay the store for the eggs.
15 Do I get charged by the chicken? The chicken is the
16 supplier. The chicken makes the egg. The chicken is
17 the supplier. Do I get -- do I have to pay the
18 chicken too?

19 MR. FYKES: Your Honor, I would object.

20 MR. PARKER: Their pipe in the ground and
21 I am paying for you to have your bill -- you mean to
22 tell me the other people I talked to, nobody has this
23 on their bill. So I'm the only person that has to
24 pay for a service but nobody else. So you mean to
25 tell me the one price that's coming to my house, it

1 says Barracuda on it? No, it does not. You cannot
2 tell that gas which -- it's distributed on the whole
3 street, and you are going to take -- just cut my gas
4 off just for -- I want Barracuda to come cut it off.
5 If I owe them money, have them come cut me off, not
6 Dominion. If Dominion shows up on my yard to cut my
7 gas off, I am suing you.

8 EXAMINER LYNN: Okay. Well --

9 MR. PARKER: You all just get my money
10 back. I already paid Barracuda because I am not
11 paying two companies.

12 EXAMINER LYNN: Okay. Well, then, you
13 know, apparently -- okay. So, Mr. Parker, then
14 you -- you are disagreeing with the matter of -- the
15 explanation that Ms. Zeisig gave and you are saying,
16 well, you know, if the gas is sent to me, you know,
17 it's coming from Dominion, I just want to pay
18 Dominion.

19 MR. PARKER: Okay. Sir, let's go back
20 before 2021. Who was my supplier? Ask the Dominion
21 lady. I don't hear you, Angela. Who was my
22 supplier?

23 MR. FYKES: Your Honor, objection. You
24 know, we have the bills that have been put into this
25 docket for 2021. So access to those 2020 bills to

1 look at --

2 MR. PARKER: Sir, you are not going to
3 try to be a lawyer. I want -- I want to know who was
4 the supplier before Dominion. Who was my supplier?
5 You can answer that question. I had the bills here.

6 EXAMINER LYNN: Well, Mr. Parker, I
7 believe actually if you would go to what was included
8 with Ms. Zeisig's testimony in the exhibits, the
9 bills, if you were to go before -- prior to the bill
10 or before the bill that was date prepared August 23
11 of 2021 and you just see Dominion on the bill. I
12 think that would likely answer your question.

13 MR. PARKER: But I asked this before when
14 we had that mediator hearing, how come Dominion
15 cannot be my supplier? They are my next-door
16 neighbor's supplier. They are my across the street
17 neighbor's supplier. Louis was just standing here
18 when I tried to sign up. They are his supplier. But
19 the only person -- I have been up and down the
20 street. The only person on this whole block is me
21 with Barracuda, any other company. They supply
22 everybody's gas but me. Why you all pick me because
23 they took me off PIPP? Then you are going to pull me
24 out the air, just pick me? Why you messing with me?
25 Do Dominion supply gas, ma'am? Do Dominion supply

1 the gas?

2 EXAMINER LYNN: Go ahead, Ms. Zeisig.

3 MR. PARKER: Can she answer that?

4 EXAMINER LYNN: Let her answer,
5 Mr. Parker.

6 THE WITNESS: Mr. Parker, we do supply
7 gas to PIPP customers, PIPP plus, and graduate PIPP
8 plus customers while you are enrolled in that
9 program. And then the trans --

10 MR. PARKER: Ma'am --

11 EXAMINER LYNN: Mr. Parker, let her
12 finish, please.

13 MR. PARKER: Ma'am, Ms. Rachael, I would
14 call her on this other phone and have her tell you
15 she was a nurse and her husband was an 18 -- was a
16 truck driver. He died two years ago and they have
17 never been on PIPP and she said I never been.
18 Dominion has always been my gas. She said they don't
19 charge me for nothing extra. She said I never been
20 on PIPP so how come you supply her gas and I can't do
21 mine?

22 EXAMINER LYNN: Ms. Zeisig, were you part
23 way through an explanation and you needed to finish
24 it?

25 THE WITNESS: I was only going to add

1 that there is a transition period after coming off
2 PIPP plus where a customer would still be on the SSO
3 rate.

4 EXAMINER LYNN: In other words, for a
5 time after coming off PIPP or PIPP plus, you are
6 saying for a time, maybe a few months' worth of
7 bills, a customer would still just see Dominion on
8 the bill; am I right about that?

9 THE WITNESS: That is correct.

10 EXAMINER LYNN: Okay.

11 THE WITNESS: It gives the customer the
12 ability to choose their own supplier going forward if
13 they would like, or they would transition to the
14 Standard Choice Offer if they did not choose their
15 own supplier.

16 EXAMINER LYNN: I see.

17 MR. PARKER: Okay. Thank you for saying
18 that. I am going to click on it right now, have my
19 computer still on, and I am going to show you that
20 they do not show any company. They are going to tell
21 you to talk to somebody or call the company you
22 choose for me. If I have got a choice, have you ever
23 gave me a choice? All you gave me was Barracuda.
24 Did I have any company that I could choose from? I
25 didn't see you send me a letter, a bill saying here

1 is all the companies you can choose from. The ones
2 when I looked up suppliers in Ohio, gas suppliers in
3 Ohio, there is Dominion. Dominion is a gas supplier.
4 So how come you all never sent me a choice? If I had
5 a choice, what choice did you give me? You gave me
6 no choice.

7 EXAMINER LYNN: I have a question for Ms.
8 Zeisig. When Mr. Parker was no longer on PIPP plus
9 and you are saying that, you know, there was a couple
10 months period where the customer could actually
11 choose who their supplier will be for gas, how do
12 they choose, or are they supposed to go on the
13 internet? Do they get a letter? Is it like some of
14 the choices you mentioned in their bill that they
15 get? Help me out on that.

16 THE WITNESS: Sure. There are two bill
17 notices or like language on the bill like a big
18 paragraph explaining that you are on SSO and you will
19 soon transition to SCO. If you are interested in
20 shopping for a supplier, there's information for our
21 internal or like our Dominion website about Energy
22 Choice to learn about the different programs.

23 EXAMINER LYNN: I see.

24 THE WITNESS: You can then go to the
25 Public Utilities Commission of Ohio Apples to Apples

1 chart to shop around, or if you do not have internet
2 access, we would mail a chart directly to the
3 customer.

4 EXAMINER LYNN: I see. So --

5 MR. PARKER: You didn't mail me one.

6 EXAMINER LYNN: Well, but, Ms. Zeisig,
7 would -- so what you are indicating then is that
8 there is some mention on the bills about a customer
9 who, you know, they are in a position where they need
10 to choose who their supplier will be. Their status
11 has changed. They are no longer on PIPP. They need
12 to choose who their supplier will be. And that's
13 mentioned on the bills but beyond that then the
14 customer would either have to check on the internet
15 or, I guess, call into Dominion and request that
16 information be mailed to them. Did I summarize that
17 correctly?

18 THE WITNESS: Yes. In addition, we did
19 send out a postcard to Mr. Parker letting him know
20 that he would be transitioning to the SCO under
21 Barracuda and that was included in the information.

22 EXAMINER LYNN: Right. Exhibit 1.2.
23 Okay. Let's see --

24 MR. PARKER: Ms. Angela, can I ask you a
25 question? When I got this first bill with Barracuda

1 on it, did I call you? Yes or no? Did I talk to a
 2 service representative, tell them I don't want -- I
 3 choose my supplier. I choose my supplier. Dominion
 4 is my supplier. So why are you going to tell me -- I
 5 did not choose, and you all sent me a letter when I
 6 asked you that question. You all sent me a letter
 7 saying that 92,000 people in my community voted for
 8 Barracuda. Not -- everybody I ask nobody ever heard
 9 of Barracuda so that's a lie. Nobody didn't vote for
 10 that. I never voted for it, and I vote for every
 11 election. I never seen anything Barracuda is your
 12 energy supplier. So why do you all say 92,000 people
 13 voted for this company when I never heard of it?

14 EXAMINER LYNN: Ms. Zeisig, was there any
 15 record that Mr. Parker did call in with any inquiries
 16 about Barracuda at all or what was appearing on his
 17 bill?

18 THE WITNESS: I do not have his exact
 19 account record in front of me, so I can't answer that
 20 question with exactly what date he would have called
 21 in.

22 EXAMINER LYNN: All right. Okay.

23 MR. PARKER: So you don't have no -- when
 24 I'm telling you truth. You have no record of that,
 25 but I'm telling you I called you all and gave my

1 confirmation number where I jumped out of the
2 program. I did not want to be on no program. You
3 all put me on it anyway. I called Dominion and told
4 them that I just opted out of the program, and I gave
5 them my confirmation number and said I don't want
6 anything to change, but you changed it anyway.

7 EXAMINER LYNN: Okay. So, Mr. Parker,
8 when you say you opted out of the program, you are
9 referring to PIPP or PIPP plus; am I right?

10 MR. PARKER: No. I am talking about the
11 letter they sent me, the first one -- wait a minute.
12 Wait a minute. I got it. Let me find -- where is
13 it? I got so many papers.

14 EXAMINER LYNN: Mr. -- okay, Mr. Parker.

15 MR. PARKER: Anyway it says you -- my
16 first formal complaint, it has my complaint code on
17 it. I can look it up.

18 EXAMINER LYNN: Well, Mr. Parker, I think
19 what you are saying opting out of the program, you
20 were referring to maybe that letter you received, I
21 think it was NOPEC or something, N-O-P-E-C?

22 MR. PARKER: Right. It says going to
23 give me Next Era as a supplier, and I opted out of
24 the program. I opted out of it, Next Era, so they
25 automatically put me on Barracuda. You are not going

1 to keep making me pay and pay more money. The first
2 up \$92. Then you went up \$132. Now you went to
3 Barracuda, and I am paying \$200 a month. No. I am
4 not doing it.

5 EXAMINER LYNN: Okay. So you mentioned
6 opting out of a program. You are referring to that
7 NOPEC, that governmental aggregation program, I
8 believe.

9 MR. KENNEDY: Mr. Lynn, this is Mr.
10 Kennedy for the company. Just to make it clear for
11 the record and for Mr. Parker, the Company's position
12 is that if he is not eligible for PIPP and does not
13 want to be in grad PIPP, that he has been assigned --
14 under the terms of the program that the Commission
15 has approved, he has to be assigned to some supplier.
16 And if he does not pick a supplier --

17 MR. PARKER: What program?

18 EXAMINER LYNN: Let Mr. Kennedy finish.

19 MR. KENNEDY: Under the --

20 MR. PARKER: Wait a minute. I am in a
21 program. I am under what program?

22 MR. KENNEDY: Under the terms and
23 conditions of the Dominion Energy Choice Program a
24 supplier must be selected.

25 MR. PARKER: You didn't give me a choice.

1 I opted out of your choice. I did not opt -- I did
2 not join your program. Dominion can't tell me what I
3 can do. This is my life and you can't tell me that I
4 am going to be in this program and you want me to be
5 in this program. You can't do that.

6 EXAMINER LYNN: Mr. Kennedy, can you
7 explain a little bit about that Energy Choice
8 program, you know, what you mean by that?

9 MR. KENNEDY: That's just the program
10 where a customer who is not eligible for PIPP and
11 grad PIPP can -- is assigned a supplier to be the
12 supplier for his account and that is referred to as
13 the Choice Program for Dominion.

14 EXAMINER LYNN: Okay.

15 MR. PARKER: Can I say something now? I
16 am going to tell you my choice, and I have told you
17 over and over again. Dominion is my supplier. I do
18 not want Barracuda. I want Dominion. Now, you deny
19 me the right to supply my gas. And you's a gas
20 company.

21 EXAMINER LYNN: Okay. Certainly we
22 understand your per -- or the court understands your
23 perspective, Mr. Parker.

24 I have a question for Ms. Zeisig too just
25 having looked through your testimony. On page 5, it

1 would be question 15, question 15 and answer 15.
 2 Okay? And it asks does the SCO, Standard Choice
 3 Offer, rate differ from the SSO, I guess standard
 4 service rate. And you are saying your understanding
 5 is each month the two rates are the same. So, Ms.
 6 Zeisig, then are you saying that even though
 7 Mr. Parker was changed from -- how should I say the
 8 question? Even though Mr. Parker was changed from
 9 Dominion to Barracuda as far as the Company supplying
 10 his gas, you're saying it would be your understanding
 11 the two rates, say if Dominion had been supplying his
 12 gas, the rate would still be the same as what
 13 Barracuda would be charging?

14 THE WITNESS: That is correct, Mr. Lynn.

15 EXAMINER LYNN: I see. Okay.

16 MR. PARKER: Then, sir, if that is their
 17 answer, why did they switch me to Barracuda? If you
 18 could charge me the same price they are charging, I
 19 don't need no supplier. You are my supplier.

20 THE WITNESS: I believe, as Mr. Kennedy
 21 explained previously, Mr. Parker, that the SSO rate
 22 where Dominion would do the supplying --

23 MR. PARKER: I don't have a choice.
 24 Ma'am, what choice did you give me? What choice?
 25 You just put it on my bill. You did never gave me a

1 choice and don't you sit there and lie to me to my
2 face you gave me a choice.

3 EXAMINER LYNN: Mr. Parker, you can --

4 MR. PARKER: Lying. You can look at
5 this. You tell me, this one here says Dominion
6 charged me 10 times as much but she said our
7 questionnaire which is forgery do -- does the SCO
8 rates differ from the SSO rate. She said no. Yes,
9 it is. You lie.

10 EXAMINER LYNN: Mr. Parker, you can
11 disagree with Ms. Zeisig but let her answer -- finish
12 her answer, please.

13 MR. PARKER: She's lying. She is lying
14 to you, Judge.

15 EXAMINER LYNN: Mr. Parker, again --

16 MR. PARKER: How are you going to swear
17 to tell the truth when you are lying? Wait a minute.
18 This paper shows that on the SCO is a different rate
19 than the Barracuda's rate. Wait a minute. Get out
20 of here, woman.

21 EXAMINER LYNN: Mr. Parker, you know, you
22 have your opportunity to state your case, which you
23 have done, but let Ms. Zeisig finish her answer.
24 And, frankly, I can't recall where she was in the
25 answer.

1 Ms. Zeisig, if you could try to rewind
2 and recall what you were saying.

3 THE WITNESS: I believe I was just
4 stating that the rates to my -- to my -- you know,
5 best of my knowledge, they are the same so whether
6 you are a -- on the SCO program or the SSO, you would
7 be paying the same rate.

8 EXAMINER LYNN: And with that in mind,
9 are you saying that if Mr. Parker, for example, had
10 still been on PIPP all the time, would his bills
11 have, you know, increased the way they did when
12 Barracuda was added to the bill?

13 THE WITNESS: He would have been paying
14 the same gas cost.

15 EXAMINER LYNN: Okay. I see. And then,
16 of course, there is a distribution charge too, right?

17 THE WITNESS: And he would have been
18 paying that as well.

19 EXAMINER LYNN: Okay. All right. Well,
20 this is certainly informative to me so thank you for
21 your explanation.

22 Okay. Mr. Parker, again, we
23 understand -- the court understands your perspective
24 as well and we -- I understand why you are asking
25 those questions. Mr. Parker, you know, you have

1 definitely explained your position very well. Were
2 there any other thoughts?

3 MR. PARKER: Yes. I want them to
4 explain -- I want them to explain my current bill.
5 It says balance from last bill. This is Dominion's
6 bill balance from last bill, \$186. Because I paid
7 them 95. I did this on purpose, sir. I sent them
8 \$56. Not this payment, the payment last month. I
9 sent them \$56.46, another -- I paid -- I paid
10 Dominion's price and only paid their price, but I
11 paid it twice.

12 I wanted to see which company is going to
13 give me credit. Dominion gave me credit, and then
14 they say the last payment I only paid 95 cents. You
15 take the \$57 they charged me minus the 56, come to 95
16 cents, so I paid the 95 cents and they have got me at
17 previous balance of I am back -- I owe \$186 off
18 Barracuda's bill. So who is sending me this bill?
19 Barracuda, if you gave me credit and you -- you said
20 my bill to Barracuda -- I mean my bill to Dominion is
21 \$186, then you are the one that charged me all this
22 money. How come Barracuda ain't complaining about
23 it?

24 MR. FYKES: Your Honor, I am unsure
25 exactly which bill that Mr. Parker is referring to

1 and if that --

2 MR. PARKER: My previous --

3 MR. FYKES: -- bill was in the last
4 month --

5 EXAMINER LYNN: Time out.

6 MR. PARKER: You came to court without
7 the bills?

8 EXAMINER LYNN: Mr. Parker, are you
9 referring to your most recent bill?

10 MR. PARKER: My bill that came Friday.

11 EXAMINER LYNN: Okay.

12 MR. PARKER: March 26.

13 MR. FYKES: That is not in the record and
14 we don't have it in front of the witness.

15 EXAMINER LYNN: Mr. Parker --

16 MR. PARKER: You are supposed to come
17 prepared. You knew I would have it, but you don't
18 have it, and you are the gas company? You sent it to
19 me.

20 MR. FYKES: Your Honor, Mr. Parker had
21 the opportunity to file testimony as well including
22 any additional bills that he would like to have
23 entered into the record and didn't take that
24 opportunity.

25 EXAMINER LYNN: Mr. Parker, I think, you

1 know, to answer your question about your most current
 2 bill, you know, as Dominion said, they don't have
 3 that in front of them today. They were focused on
 4 the bills -- Mr. Parker -- Mr. Parker, let me finish.
 5 Dominion today was focused on the bills that involved
 6 the period of time where, you know, you were not on
 7 Barracuda and then it changed and you are on
 8 Barracuda. You know, they are -- Dominion today was
 9 focused on bills that were issued around the time
 10 that transition, that change occurred. They
 11 didn't -- they didn't -- you know, weren't -- weren't
 12 examining your most current bill for this hearing
 13 today. And that would be -- you are asking a
 14 question, but I think that would be, you know,
 15 something that maybe if you were to call in to
 16 customer service representatives for Dominion, they
 17 might be better able to answer because they look at
 18 the most current bill.

19 MR. PARKER: Okay. Well, Ms. Angela, if
 20 you look back, since you have my old bills, look back
 21 where I sent you the extra \$56.47. I wanted to
 22 see -- I told the bank. They said they will send it
 23 back to you because you paid it already, but you
 24 didn't send it back. You cashed the check, check
 25 No. 9010. Look and see that you cashed that check

1 9010 for \$56.47.

2 EXAMINER LYNN: Well, again, I think
3 Mr. Parker, that, you know, you are asking a question
4 I think if you were to call into Dominion with your
5 most recent bill, call customer service, they would
6 probably --

7 MR. PARKER: Yeah. I have the check here
8 and it's -- I did not write Dominion. I wrote
9 another name on it. They didn't have no right to
10 cash that. The bank said, well, you can send a check
11 to whoever you want to, but they can't cash it. They
12 are going to send your money back to you, but they
13 cashed it, and they kept it.

14 EXAMINER LYNN: Okay.

15 MR. PARKER: Look at the check, sir. You
16 all go back and look at the check and see that I put
17 you all in a new fold. I caught you. You stole my
18 money.

19 EXAMINER LYNN: Let's go off the record
20 for a moment, please.

21 (Discussion off the record.)

22 EXAMINER LYNN: But we'll go back on the
23 record now.

24 MR. PARKER: Yes or? Isn't that the same
25 thing as First Solutions -- FirstEnergy Solutions,

1 isn't that how they got caught, Householder and the
2 rest of them, they are all going to jail? Isn't that
3 the same thing? Wait a minute. Dominion is saying
4 their solution they got Barracuda as a supplier.
5 It's the same thing.

6 EXAMINER LYNN: All right then. You
7 know, that's your perspective. I will ask our court
8 reporter, is it about maybe two weeks after today the
9 transcript will be filed? Three weeks?

10 COURT REPORTER: Yes. It will be two
11 weeks.

12 EXAMINER LYNN: Two weeks. Okay. Let me
13 look at a calendar here.

14 MR. PARKER: Sir, can you ask Dominion in
15 their brief, can they supply the check 9010? I want
16 that in my brief, so when I go to court, I want to
17 see the check.

18 EXAMINER LYNN: Well, let's back up.

19 MR. PARKER: I already seen -- I already
20 seen it here. It's on my statement and on my
21 computer. I looked. I even seen the date you cashed
22 it.

23 EXAMINER LYNN: First, we are going to
24 look at dates for the brief, okay? So if the
25 transcript is filed in approximately two weeks, when

1 we get that back, that will be around April 18
2 roughly.

3 Mr. Kennedy, would you want maybe until
4 like May 6? That will give you a total of about
5 three weeks to file a brief. Or does that conflict
6 with something else you have going on?

7 MR. KENNEDY: What was that date?

8 EXAMINER LYNN: For example, May 6. If
9 the transcript is filed approximately April 18, May 6
10 would give you, you know, about two-and-a-half to
11 three weeks for a brief, or does that conflict with
12 some other deadlines that you have?

13 MR. KENNEDY: Checking. That should be
14 fine, your Honor.

15 EXAMINER LYNN: Okay. Great.

16 And then, let's see, it sounds as though
17 Mr. Parker will not be filing a brief and that's
18 certainly your choice, you know, not to do so,
19 Mr. Parker.

20 Okay. Well, thank you. I want to thank
21 everyone for -- for attending today. Electronic
22 connections are not always easy. Mr. Parker,
23 thankfully we still had the option of doing this
24 electronically because as -- as the number of COVID
25 cases has fallen, and we will see how long that

1 lasts, the Commission is returning to in person
2 hearings. So, Mr. Parker, I am grateful that, you
3 know, you were able to do so electronically today.

4 But I want to thank everyone for
5 participating. I want to thank Micah Schmidt, our IT
6 expert, our internet guru, Webex expert for getting
7 everybody connected to and working through any
8 difficulties and to Karen Gibson, our court reporter,
9 as well trying to follow a lot of conversation which
10 sometimes went back and forth rather quickly.

11 With that being said, I will wish
12 everyone a safe day, healthy -- healthy day, avoid
13 COVID, avoid the annual flu, and hopefully we'll get
14 into spring and have better conditions to come as far
15 as medical conditions and weather conditions too.

16 So thank you, everyone. Have a good
17 morning and that good rest of the week.

18 (Thereupon, at 11:11 a.m., the hearing
19 was adjourned.)

20 - - -

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, April 4, 2022,
and carefully compared with my original stenographic
notes.

Karen Sue Gibson, Registered
Merit Reporter.

(KSG-7261)

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Case No(s). 21-1157-GA-CSS

Summary: Transcript April 4th, 2022 In the Matter of the Complaint of: Boyce Parker, Complainant, vs. The East Ohio Gas Company D/B/A Dominion Energy Ohio, Respondent. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.