

PUBLIC UTILITIES COMMISSION OF OHIO

IN RE:)
)
Case Number 21-595-WW-AIR)
In the matter of the)
Application of Aqua Ohio,)
Inc.)
and)
Case Number 21-596-SC-AIR)
In the matter of the)
application of Aqua Ohio)
Wastewater, Inc.)

- - -

DATE: March 29, 2022 at 6:00 p.m.

PLACE: Harding High School
Community Room
1500 Harding Highway East
Marion, Ohio 43302

REPORTER: Susan J. Martin
Registered Professional Reporter

APPEARANCES:

Mike Williams, Administrative Law Judge
Beth Trombold, Commissioner
Lawrence K. Friedman, Commissioner

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1 MR. WILLIAMS: We're on the record. Good
2 evening, everyone, and welcome. The Public
3 Utilities Commission of Ohio has assigned for public
4 hearing at this time and place, Case Number
5 21-595-WW-AIR, which is captioned "in the matter of
6 the application of Aqua Ohio, Inc. to increase its
7 rates and charges for its waterworks services. And
8 also Case Number 21-596-SC-AIR, which is captioned:
9 In the matter of the application of Aqua Ohio
10 Wastewater, Inc. to increase its rates and charges
11 for its wastewater service.

12 My name is Michael Williams and I am one
13 of the two attorney examiners assigned by the
14 Commission to preside over this hearing. With us
15 tonight are two of our commissioners. We have vice
16 chair, Beth Trombold. We have commissioner, Larry
17 Friedeman. And I'd invite if you'd like to make any
18 comments to make comments prior to the proceedings.

19 MS. TROMBOLD: I just want to say thank you for
20 coming tonight. This is one part of a large process
21 that this case is going through. And we will
22 certainly take your comments into consideration as
23 we consider the final decision in the case. So
24 thank you for being here today. I am here to
25 listen. And we're two of the five commissioners

1 that will be making a decision, a final decision on
2 the case in the coming months.

3 MR. FRIEDEMANN: Thank you. To echo
4 Commissioner Trumbold's comments. A rate case is an
5 in-depth process. That being said, the testimony
6 that you guys provide today is really valuable to
7 the commissioners in the decision-making process.
8 So thank you very much for showing up and we look
9 forward to listening to your perspective.

10 MR. WILLIAMS: Thank you, commissioners. There
11 are also members of the commission staff here
12 tonight. Jill Cokier is there in the blue blazer.
13 And you might have encountered Brad Berner, who's
14 with the service monitoring and enforcement
15 department. He's in the hallway, I believe.

16 PUCO staff members are available to you
17 if you have any questions regarding general utility
18 matters after tonight's event. At this time I would
19 like to take appearances from the parties in this
20 case beginning with the company.

21 MR. MILLER: So, Your Honor, thank you.
22 Christopher L. Miller and Nicole R. Woods with the
23 law firm Ice Miller, 250 West Street, Columbus, Ohio
24 43215.

25 MR. WILLIAMS: Thank you. I also note that two

1 parties have intervened and I'll invite their
2 appearances as well. Is anyone here for Ohio
3 Consumers' Counsel. Seeing none. Is there anyone
4 here from the City of Marion?

5 MR. RUSSELL: Yes. Mark Russell, City Law
6 Director on behalf of the city of Marion.

7 MR. WILLIAMS: Thank you, Mr. Russell.

8 The subject of today's public hearing
9 are the separate applications of Aqua Ohio, Inc.,
10 which I'll refer to at times as Aqua, and Aqua Ohio
11 Wastewater, Inc., which I might refer to as AWI. To
12 increase rates for waterworks and wastewater
13 services.

14 On June 28th, 2021, Aqua filed an
15 application for an increase in rates. Aqua is
16 requesting to increase its annual revenues by
17 approximately \$8,290,405, or 12.1 percent.

18 Also on June 28, 2021, AWI filed a
19 separate application for increase in its rates. AWI
20 is requesting to increase its annual revenues by
21 approximately \$454,404, or 12.77 percent.

22 Relative to Aqua's case, staff filed its
23 report of investigation on February 11th, 2022.
24 Staff recommends lowering Aqua's increase to a range
25 between \$2,264,605 to \$4,119,595, which is between

1 3.28 percent and 5.97 percent above current rates.
2 Staff's report is a recommendation only, and the
3 final decision will ultimately be made by the
4 commission.

5 Relative to the AWI case, staff filed
6 its report of investigation on February 11th, 2022.
7 Staff recommends lowering AWI's increase to a range
8 between \$167,839 to \$256,662, which is between
9 4.72 percent and 7.21 percent above current rates.

10 Again, staff's report is a
11 recommendation only and the final decision will
12 ultimately be made by the Commission.

13 The local public hearings scheduled in
14 this matter are only one aspect of the process. An
15 evidentiary hearing is currently scheduled to
16 convene at the Commission's offices in Columbus on
17 the May the 9th, 2022.

18 The purpose of tonight's hearing is to
19 receive comments from the public regarding the
20 company's application. This evening is not a
21 question-and-answer session. Representatives from
22 the companies and staff may be able to speak to any
23 concerns after the hearing ends. Tonight's hearing
24 is being transcribed by a court reporter, and any
25 testimony given will be incorporated into the

1 official record of this case. And it will be
2 reviewed and considered by the Commission in making
3 their final decision on the applications.

4 If you do plan to testify, please speak
5 clearly so that the court reporter can accurately
6 reflect your comments on the record. If you decide
7 you do not wish to testify, you may submit written
8 comments under Case Number 21-595-WW-AIR and/or
9 21-596-ST-AIR on the Public Utilities Commission of
10 Ohio's website or by mail.

11 In just a minute I'll begin calling
12 witnesses from the list of people who have signed up
13 to testify in this matter. Before you give your
14 comments, I will swear you in and then ask you to
15 state and spell your name for the record and state
16 your address. After you testify, you can have a
17 seat or you're welcome to leave whenever you are
18 ready. Should you decide that you do not want to
19 testify, when I call your name you can merely pass
20 to the next witness.

21 Again, the Commission appreciates your
22 participation in tonight's hearing. At this time
23 I'll be begin by calling witnesses. Our first
24 registered witness is Joshua Feliciano.

25 MR. FELICIANO: Pass.

1 MR. WILLIAMS: Our second witness is Mark
2 Russell.

3 MR. RUSSELL: Good evening again.

4 MR. WILLIAMS: Mr. Russell, I'm going to swear
5 you in. Do you swear or affirm the testimony you're
6 about to give is the truth?

7 MR. RUSSELL: I do.

8 MR. WILLIAMS: Thank you. Could you please
9 state and spell your name for us?

10 MR. RUSSELL: Mark Russell, M-A-R-K,
11 R-U-S-S-E-L-L.

12 MR. WILLIAMS: And your professional address?

13 MR. RUSSELL: 233 West Center Street, Marion,
14 Ohio.

15 MR. WILLIAMS: Thank you. Please proceed.

16 MR. RUSSELL: Thank you. Appreciate the
17 opportunity to speak with you this evening. And my
18 attendance is not to offer testimony but just to
19 thank you for traveling to Marion, Ohio. As you
20 indicated earlier, the city of Marion has intervened
21 in the case and as a participant in the process
22 going forward before the Commission. I just wanted
23 the opportunity to thank you for traveling. It's
24 important for you to hear from our consumers
25 locally, and it has great meaning. And I appreciate

1 that. Thank you.

2 MR. WILLIAMS: Thank you, Mr. Russell. Our
3 next registered individual is Joanne Brooks. Next I
4 have Terry Cline.

5 MR. CLINE: Geez. Come on, people. If I'm
6 going to be the only one. Come on.

7 MR. WILLIAMS: Good evening, Mr. Cline. Could
8 you raise your right hand. Do you swear or affirm
9 the testimony you're about to give is the truth?

10 MR. CLINE: I do.

11 MR. WILLIAMS: Thank you. Would you please
12 state and spell your name for us?

13 MR. CLINE: Terry Cline, T-E-R-R-Y, C-L-I-N-E.

14 MR. WILLIAMS: And your address, sir?

15 MR. CLINE: 400 East George here in Marion.

16 MR. WILLIAMS: Thank you. Please proceed with
17 your testimony.

18 MR. CLINE: Aqua, about 2010 they scared the
19 hell out of the community. They wanted to take
20 chlorine out of the water and use ammonia because it
21 was cheaper. There was no public relations
22 whatsoever. They snuck behind closed doors with the
23 mayor and the county commissioners. It came to
24 light finally when there were public hearings about
25 it. But they literally scared the hell out of

1 people, because they did not extend the courtesy of
2 saying, "Hey, we're the new water company. Here's
3 what we are doing."

4 Not too long ago they had a rate
5 increase. I believe I think it was 2017. But as
6 Mr. Russell mentioned to me earlier, there is a
7 little clause in the law that if they do upgrades
8 they can increase the rates. Well, they acquired
9 the system from Ohio American. I'm concerned what
10 kind of company is this that buys a company knowing
11 there needs to be serious upgrades. As I recall,
12 that was the reason they wanted the first increase
13 back in '17.

14 Why doesn't the leadership of Aqua cut
15 their own salaries, show a leap of faith, put their
16 money where their mouth is and try to contain those
17 costs and get other people's money instead of the
18 consumers and the citizens of Marion. The customer
19 service at Aqua leaves little to be desired. When
20 calling, it's a nightmare. You might as well as be
21 trying to call someone at IBM. That's how
22 ridiculous their customer service is. That to me is
23 an indication of what management at this company how
24 they treat their consumers. They don't care.
25 Otherwise, they would have a good customer service,

1 and you can talk with people. And those people at
2 the other end of the line would instill confidence
3 in you. They don't. They're poor at doing this.

4 The rate increase. If they can't run
5 their own system, work within their own means, just
6 like the consumer has to in these wonderful economic
7 times, too bad. Maybe they should sell to someone
8 else who can do it. If they get their increase, my
9 understanding is a gallon of water will be a dollar
10 29. You can go to the grocery store and buy a
11 gallon of water for a dollar 29 and sometimes less.

12 I think it boils down to an issue of
13 trust. Do we trust Aqua? How in good conscience
14 can the citizens of our community trust Aqua?

15 Furthermore, in light of PUCO's San
16 Randazzo and Larry Householder, how can the citizens
17 of Marion trust PUCO? Thank you.

18 MR. WILLIAMS: Thank you, Mr. Cline. Next we
19 have Patricia Franklin. Good evening Ms. Franklin.

20 MS. FRANKLIN: Good evening.

21 MR. WILLIAMS: Would you raise your right hand.
22 Do you swear or affirm that the testimony you're
23 about to give is truth?

24 MS. FRANKLIN: Yes.

25 MR. WILLIAMS: Could you please state and spell

1 your name for the record?

2 MS. FRANKLIN: Patricia, P-A-T-R-I-C-I-A,
3 A-N-N, Franklin, F-R-A-N-K-L-I-N, 150 Spencer Street
4 Marion, Ohio 43302.

5 MR. WILLIAMS: Thank you. Please proceed.

6 MS. FRANKLIN: And I just wanted to just go on
7 record to voice a complaint against the rate hike.
8 I'm retired so. I'm on a, I know you've probably
9 heard this million times, fixed income. Which when
10 I was in customer service years ago we'd hear that
11 complaint all the time and I didn't -- I didn't
12 think that much about it till now I am on a fixed
13 income. And any little rate increase like this, the
14 way I understand it, it would end up being a total
15 of like \$10.58 combined for the water rate and the
16 sewer rate. And if that, my water bill goes up that
17 much then I'm going to have to try to cut back
18 somewhere else. And with food prices the way
19 everything is going up nowadays, it's gonna -- you
20 know, it will make a little bit hard on all of us
21 senior citizens. And I just wanted to voice my
22 complaint against it. And if there was some way
23 that if they do have to make a rate increase, I
24 think the city would want them to do it by half --
25 half of what they're asking. And if there was some

1 way to give the senior citizens a break, like they
2 give us a break on our property taxes. I just
3 wanted to request that. And that's about -- that's
4 about it. Only it does worry me when I hear about
5 what Mr. Cline was saying, because then I start to
6 think, well, how long has it been since they haven't
7 done anything about water pipes and stuff like that.
8 And then I think all the problems they had in
9 Detroit with the lead. So now that makes me wonder
10 what condition are our pipes in here in Marion.
11 Because I've known had several problems with my
12 sewer line. I've had to have that replaced several
13 times. And I think -- I'm wondering what shape the
14 water pipes that are coming in and the water I'm
15 drinking, if I'm getting any lead. So I just wanted
16 to voice my complaints.

17 MR. WILLIAMS: Thank you for coming out this
18 evening. Thank you for taking the time to testify.
19 I want to make sure that everybody is heard from who
20 would like to be heard from. So Joshua Feliciano?
21 No. Okay, thank you, sir. And then one more time
22 for Joanne Brooks. She left, okay.

23 That's all the testimony that we have
24 signed up to hear tonight. So I want to thank
25 everybody for coming out this evening. This will

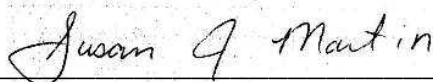
1 conclude this evening's public hearing, and it will
2 be submitted on the record for the Commission's
3 consideration in this case. Staff will be here for
4 a little while in case you have any questions about
5 the commission's process or how to file written
6 comments in this case after tonight's hearing,
7 should you chose to do so. Otherwise I want to
8 thank you everyone again, and encourage you to have
9 a nice evening. We are off the record.

10 (Hearing concluded.)

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1 CERTIFICATION

2 This is to certify that the foregoing
3 is a true and accurate transcript of all
4 matters as taken by me in stenotype and
5 transcribed by a Computer-Aided Transcription
6 System this 10th day of April, 2022.

7
8 

9 SUSAN J. MARTIN

10 Registered Professional Reporter

11 Notary Public - State of Ohio

12 My commission expires: 3/14/2027
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Case No(s). 21-0595-WW-AIR

Summary: Transcript Transcript of Local Public Hearing held on March 29, 2022 at
Harding High School Community Room electronically filed by Heather A. Chilcote
on behalf of Susan J. Martin, Registered Professional Reporter, Legaleze Court
Reporting