

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

BAYYINAH A. BROOKS,

Complainant,

vs.

THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY,

Respondent.

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CASE NO. 21-0824-EL-CSS

**DIRECT TESTIMONY OF PRINCESS DAVIS ON BEHALF OF
THE CLEVELAND ELECTRIC ILLUMINATING COMPANY**

INTRODUCTION

Q. PLEASE INTRODUCE YOURSELF.

A. My name is Princess Davis. I am employed by FirstEnergy Service Company as an Advanced Customer Services Compliance Specialist. FirstEnergy Service Company provides corporate support, including customer service, to FirstEnergy Corp.'s regulated public utility subsidiaries. In Ohio, those subsidiaries are Ohio Edison Company, The Cleveland Electric Illuminating Company ("CEI" or "Company"), and The Toledo Edison Company.

Q. PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND AND WORK EXPERIENCE.

A. I received a Bachelor of Science, Criminal Justice degree from Fairmont State University in December 1999, majoring in criminal justice with a minor in psychology. I have worked at either FirstEnergy Service Company or Allegheny Power Company in a customer service capacity for the last 22 years. Beginning in 2010, I was a Business Analyst for Allegheny Power Company. After the merger, I continued in my role for FirstEnergy Service Company, but the job title was changed to Customer Services Compliance Specialist. In May 2021, I was promoted to my current position.

Q. WHAT ARE YOUR CURRENT JOB RESPONSIBILITIES?

A. My job responsibilities include reviewing and responding to complaints made by customers of FirstEnergy Corp.'s regulated public utility subsidiaries to the Public Utilities Commission of Ohio ("Commission"), which includes investigating facts and gathering information from subject matter experts. I also have responsibility for reviewing and responding to customer complaints in Maryland and West Virginia. Among other customer

1 service-related duties, I also provide training to new hires and to my peers within
2 FirstEnergy Service Company regarding various state compliance requirements.

3 **Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE COMMISSION?**

4 A. Yes, I have testified multiple times before the Commission, including Case No. 18-0082-
5 EL-CSS on behalf of The Toledo Edison Company; Case Nos. 17-2121-EL-CSS, 18-0785-
6 EL-CSS, 19-1594-EL-CSS, 20-1355-EL-CSS, and 21-1017-EL-CSS on behalf of CEI; and
7 Case Nos. 18-1734-EL-CSS, 21-0236-EL-CSS, and 21-225-EL-CSS on behalf of Ohio
8 Edison Company.

9 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THE PRESENT CASE?**

10 A. My testimony addresses the allegations raised in the Complaint, specifically that Ms.
11 Brooks was inaccurately billed for her electric service.

12 **Q. DID YOU REVIEW ANY RECORDS RELATED TO THIS CASE?**

13 A. Yes, I have reviewed numerous business records related to this case maintained and
14 preserved within FirstEnergy's SAP System. These records, all of which were kept in the
15 course of regularly conducted business activity, include customer contact notes, recorded
16 customer calls, claims letter responses, and CEI's Commission-approved tariff. It is the
17 regular practice of FirstEnergy and CEI to make and preserve these business records, and
18 I regularly rely upon such documents when investigating customer complaints in
19 accordance with my duties as a Customer Services Compliance Specialist. I also reviewed
20 the Complaint in this proceeding.

21 **RESPONSE TO MS. BROOKS' COMPLAINT**

22 **Q. WHAT IS YOUR UNDERSTANDING OF MS. BROOKS' COMPLAINT IN THIS**
23 **CASE?**

1 A. CEI estimated Ms. Brook's bills from December 7, 2020 through May 6, 2021. When CEI
2 obtained an actual read of her meter after she terminated services on May 28, 2021, she
3 had a usage amount of 12,706 kWh, which resulted in a large final bill.

4 **Q. WHY DID CEI ESTIMATE MS. BROOKS' BILLS FROM DECEMBER 7, 2020**
5 **THROUGH MAY 6, 2021?**

6 A. Due to efforts to comply with COVID-19 social distancing criteria and manpower issues
7 stemming from COVID-19, CEI did not obtain actual reads of Ms. Brooks' meter from
8 December 7, 2020 through May 6, 2021.

9 **Q. HOW FREQUENTLY DOES THE COMMISSION REQUIRE CEI TO OBTAIN**
10 **ACTUAL READS?**

11 A. The version of the Ohio Administrative Code in effect at the time only required CEI to
12 obtain an actual meter read once per calendar year. Additionally, an actual meter read is
13 required at the termination of services if an actual read was not obtained within 60 calendar
14 days of termination.

15 The current provision of Ohio Administrative Code 4901:1-10-05(I)(1) now
16 requires an actual meter read at least once each quarter. This provision was not in effect
17 until November 1, 2021.

18 **Q. WAS AN ACTUAL METER READ OBTAINED WHEN MS. BROOKS'**
19 **TERMINATED SERVICE AT THE SERVICE ADDRESS?**

20 A. Yes. An actual read was obtained on June 4, 2021, which was the basis for the estimated
21 read for the move out date of May 28, 2021.

22 **Q. DID CEI OBTAIN AN ACTUAL READ AT LEAST ONCE EACH CALENDAR**
23 **YEAR?**

1 A. Yes.

2 **Q. WERE THERE ANY MIXED OR MASTER METER READINGS?**

3 A. No. Ms. Brooks' service address was separately metered. Her meter only registered
4 electricity used in her apartment.

5 **Q. DID MS. BROOKS USE OVER 12,000 KWH THE LAST MONTH SHE WAS IN**
6 **RESIDENCE?**

7 A. Likely not. This amount is likely due to an underestimate of Ms. Brooks' meter during the
8 period CEI was estimating bills.

9 **Q. WHY IS IT LIKELY THAT CEI UNDERESTIMATED HER USAGE?**

10 A. Generally, when CEI needs to estimate a bill, it uses the usage from the same billing cycle
11 the previous year to estimate the amount used. However, because Ms. Brooks did not move
12 into this service address until around July 5, 2020, CEI did not have access to usage from
13 a prior year. In this type of situation, CEI will estimate her usage based on her usage from
14 prior months.

15 **Q. WHY DID THIS LIKELY RESULT IN AN UNDERESTIMATE?**

16 A. Because her actual reads were based on the summer months, her energy usage was
17 relatively low. However, CEI estimated her usage over the winter months when energy
18 usage tends to increase, often significantly.

19 **Q. IF CEI UNDERESTIMATED THE BILL, WHY IS MS. BROOKS' REQUIRED TO**
20 **PAY THIS AMOUNT?**

21 A. Pursuant to CEI's tariff, Ohio statutes, and Commission Rules, CEI cannot provide free
22 service to any customer. Accordingly, a customer must pay for the energy used. When
23 CEI underestimates a bill, the customer must still pay for the energy not accounted for,

1 which will be reconciled when CEI obtains an actual read. If CEI did not charge Ms.
2 Brooks for the electricity she consumed, and instead wrote off those charges, then CEI
3 would have to collect the written-off charges from other customers under CEI's
4 Distribution Uncollectible Rider (Rider DUN), which would be unfair to other customers
5 since Ms. Brooks did in fact use this electricity.

6 **Q. IS MS. BROOKS REQUIRED TO PAY THIS ENTIRE AMOUNT AT ONCE?**

7 A. As a current customer, she is currently on a payment plan to pay off this amount, so no,
8 she does not need to pay it all at once.

9 **Q. DID CEI EVER VALIDATE THE FINAL BILL USAGE?**

10 A. Yes. On July 7, 2021, CEI reread her meter and the meter reading validated her move out
11 reading.

12 **Q. HOW DO YOU RESPOND TO MS. BROOKS' ALLEGATION THAT SHE WAS**
13 **AWAY FROM HER APARTMENT FOR SIGNIFICANT PERIODS OF TIME AND**
14 **ONLY HERSELF AND A SEVEN-YEAR-OLD CHILD LIVED THERE SO SHE**
15 **COULDN'T HAVE USED THAT MUCH ELECTRICITY?**

16 A. CEI has no way to verify whether she was away from her apartment during this period. It
17 is my experience that during COVID-related shutdowns, residential usage increased
18 dramatically as people were home more, working from home, remote schooling, etc.

19 Additionally, the size of the house and composition of the household is not
20 determinative of the amount of electricity used. For example, a 60W incandescent bulb
21 consumes 60 kWh of electricity every 1,000 hours of use per bulb. A similar 12W LED
22 bulb will use only 12 kWh of electricity every 1,000 hours of use per bulb. Thus, a home
23 that is lighted by incandescent bulbs will record more kWh usage than a similar home using

1 only LED bulbs. This holds true for other appliances as well, as some are more energy
2 efficient than others.

3 Moreover, pursuant to CEI's Commission-approved tariff, customers are
4 responsible for all equipment "behind the meter," including the wiring leading from the
5 meter to any terminus on the premises. Thus, if a wire becomes grounded and draws
6 current, it is the customer's responsibility and is treated no differently than, say, running
7 an air conditioner or space heater. This is necessary because even a grounding condition
8 requires generation to produce—and transmission and distribution circuits to deliver—the
9 electricity. If the customer whose meter the electricity flows through does not pay for it,
10 then it would be collected by other customers under CEI's Distribution Uncollectible Rider
11 (Rider DUN).

12 **Q. HOW DOES CEI DETERMINE THE AMOUNT OF ELECTRICITY USED?**

13 A. Each service account has a meter, which could be analog (with dials instead of digital
14 numbers), digital, or a smart meter. These meters record the net usage over the life of the
15 meter. To determine each month's bill, CEI reads the meter and subtracts the current
16 reading from the previous month's reading. This results in the usage amount for that
17 month. I have seen no evidence that the meter was not functioning properly.

18 **Q. IS MS. BROOKS RESPONSIBLE FOR THE ENERGY USED?**

19 A. Yes.

20 **Q. IN YOUR OPINION, DID CEI VIOLATE ITS TARIFF, COMMISSION RULES,**
21 **ORDERS, OR ANY STATUTE?**

22 A. To a reasonable degree of professional certainty, no.

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CONCLUSION

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Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?

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A. Yes, however, I reserve my right to supplement my testimony.

CERTIFICATE OF SERVICE

On July 27, 2022, the foregoing document was filed on the Public Utilities Commission of Ohio's Docketing Information System. The PUCO's e-filing system will electronically serve notice of the filing of this document on all parties of record in this proceeding. A service copy has been sent by U.S. Mail and e-mail on this 27th day of July 2022 to the Complainant at the following address:

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/s/ Christopher A. Rogers

Attorney for Respondent

**This foregoing document was electronically filed with the Public Utilities
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Case No(s). 21-0824-EL-CSS

Summary: Testimony DIRECT TESTIMONY OF PRINCESS DAVIS ON BEHALF
OF THE CLEVELAND ELECTRIC ILLUMINATING COMPANY electronically filed
by Mr. Christopher Rogers on behalf of THE CLEVELAND ELECTRIC
ILLUMINATING COMPANY