

Application of Duke Energy Ohio, Inc.

July 18, 2022

THE OHIO POWER SITING BOARD PUBLIC HEARING

Case No.21-887-EL-AIR, et al.



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1 THE OHIO POWER SITING BOARD

2 PUBLIC HEARING

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4 Case No.: 21-887-EL-AIR, et al.

5 IN THE MATTER OF: The Application of Duke
6 Energy Ohio, Inc. for an increase in the Electric
7 Distribution Rates.

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13 Before: Administrative Law Judge
Matthew Sandor

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15 Commissioner: Lawrence K. Friedeman

16 Date and Time: Monday, July 18, 2022
6:00 p.m.

17 Place: Middletown City Hall
Council Chambers
18 Lower Level
1 Donham Plaza

19 Middletown, Ohio 45042
20 Reporter: Kathy S. Simpson, RPR
Notary Public - State of
Ohio

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1 APPEARANCES OF COUNSEL:

2

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1	I N D E X	
2	TESTIMONY OF	PAGE
3	JEFFREY DIVER	10
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6		
7		
8		
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10		
11		
12		
13		
14		
15		
16		
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1 P-R-O-C-E-E-D-I-N-G-S

2 JUDGE SANDOR: The Public Utilities
3 Commission of Ohio has scheduled for
4 public hearing at this time and place
5 Case Nos. 21-887-EL-AIR, which relates to
6 Duke Energy Ohio, Inc.'s application for
7 increase in its electric distribution
8 rates; 21-888-EL-ATA, which relates to
9 Duke's application for tariff approval;
10 21-889-EL-AAM, which relates to Duke's
11 application for approval to change
12 accounting methods.

13 My name is Matt Sandor and I'm the
14 attorney examiner assigned by the
15 Commission to hear this case.

16 Presiding with me this evening is
17 Commissioner Friedeman.

18 Commissioner Friedeman, would you
19 like to say a few words?

20 MR. FRIEDEMANN: Yes, if I can. Rate
21 cases for the Public Utilities Commission
22 of Ohio are complex procedures and public
23 testimony is really an integral element
24 of the decision-making process, so I want
25 to thank the members of the public who

1 are here this evening for taking the time
2 to share your thoughts.

3 JUDGE SANDOR: Thank you.

4 There are also staff members from
5 the Commission assisting with us with the
6 hearing tonight, as well as individuals
7 from the Public Affairs Department. You
8 likely passed them on your way in this
9 evening, but they are the individuals
10 wearing a PUCO badge or shirt. They are
11 available if you have questions
12 concerning the Commission's process, if
13 you need assistance in accessing any of
14 the documents submitted in this case, or
15 if you just have general questions about
16 the hearing tonight.

17 Also, representatives from Duke are
18 available this evening for questions you
19 may have regarding its application.

20 Furthermore, representatives of the
21 Ohio Consumers' Counsel are available for
22 questions as well.

23 At this time, I would like to take
24 appearances on behalf of the parties.

25 Duke Energy Ohio, Inc.

1 MR. D'ASCENZO: Thank you, your
2 Honor. On behalf of Duke Energy Ohio, my
3 name is Rocco D'Ascenzo. Appearing with
4 me this evening is Larisa Vaysman. Our
5 business address is 139 East 4th Street
6 Cincinnati, Ohio.

7 JUDGE SANDOR: Ohio Consumers'
8 Counsel.

9 MS. WILSON: Ambrosia Wilson and
10 Merrilee Embs, from the Office of the
11 Ohio Consumers' Counsel, 65 East State
12 Street, Columbus, Ohio, Suite 700, 43215.

13 JUDGE SANDOR: Are there any other
14 parties present this morning that would
15 like to make an appearance?

16 Hearing none, the subject of today's
17 hearing is an application filed by Duke
18 seeking to increase rates and charges.
19 The application was filed on October 1st,
20 2021. The Commission's staff filed a
21 report of investigation on
22 May 19th, 2022.

23 This report is a recommendation of
24 Commission's staff and does not
25 necessarily reflect what the Commission's

1 final determination in this case will be.

2 The purpose of this evening's public
3 hearing is to receive testimony about the
4 application from persons in the local
5 community who are affected by the
6 proposed rates, but who are not parties
7 to the case. Tonight's public hearing
8 will not be treated as a
9 question-and-answer session, but rather
10 an opportunity to let the Commission know
11 what you think about Duke's application.

12 Tonight's public hearing is only one
13 aspect of the process in this case. An
14 evidentiary hearing is scheduled to
15 commence on September 19th, 2022 at the
16 Commission's offices in Columbus. The
17 purpose of evidentiary hearing is for
18 parties and the Commission's staff to
19 provide testimony and other evidence
20 regarding the project.

21 Tonight's hearing is being
22 transcribed by a court reporter. If you
23 plan to testify, please speak clearly so
24 that the court reporter can accurately
25 reflect your comments on the record.

1 Also, if you have prepared a written
2 statement, it would be helpful if you
3 provide a copy to the court reporter for
4 reference to ensure the transcript is
5 accurate.

6 After I finish with this
7 introduction, we will begin by inviting
8 individuals on the sign-in sheet to
9 provide his or her testimony. Each
10 person who signed up to testify will be
11 permitted to speak once about the
12 proposed rates.

13 Before you present your testimony, I
14 will ask you to take an oath or
15 affirmation that what you are about to
16 say is the truth. I will also ask you to
17 state your name and address for the
18 record. You will then provide your
19 thoughts on the proposed rates.

20 The parties to the case and
21 Commissioner Friedeman and I will be
22 permitted to ask you questions about your
23 statement.

24 The testimony that you provide
25 tonight will be considered part of the

1 official record in this case and it will
2 be reviewed by the Commission before a
3 final decision is made on the
4 application.

5 A couple of other notes. If you
6 decide you do not want to testify when we
7 read your name from the sign-in sheet,
8 you can pass to the next witness.

9 If you decide you prefer to file
10 written comments in the case docket, the
11 Commission's staff can answer your
12 questions about how to do that. Also,
13 once you finish testifying or if you are
14 just here to observe, you may leave at
15 any time you wish.

16 The Commission appreciates your
17 participation in tonight's hearing and we
18 want everyone who has signed up to
19 testify to have the opportunity to do so.
20 At this time we will begin with the
21 testimony. Our first registered witness,
22 and only as of right now, is Jeffrey
23 Diver.

24 If you could please come up to the
25 podium.

1 JEFFREY DIVER

2 a witness herein, having been duly sworn, was
3 examined and testified as follows:

4 JUDGE SANDOR: Please state and
5 spell your name for the record.

6 MR. DIVER: My name is Jeffrey
7 Diver, J-e-f-f-r-e-y, D-i-v-e-r, like a
8 scuba diver.

9 JUDGE SANDOR: And please provide
10 your address.

11 MR. DIVER: Sure. The organization
12 address that I'm representing tonight is
13 located at 415 South Monument Avenue in
14 Hamilton, Ohio. I'm also a resident of
15 Middletown, Ohio, but I'm here
16 representing my organization.

17 JUDGE SANDOR: Thank you. Please
18 proceed.

19 MR. DIVER: Thank you. Good
20 evening. My name is Jeffrey Diver and
21 I'm the executive director of Supports to
22 Encourage Low-Income Families, a
23 nonprofit in organization and a
24 state-designated community action agency
25 for Butler County, Ohio.

1 I mentioned a minute ago, we are
2 headquartered in Hamilton, Ohio, at
3 415 South Monument. We also have an
4 office in Middletown.

5 Better known as SELF, our
6 organization administers a number of
7 programs to help county residents
8 achieve, sustain, and advocate
9 self-sufficiency.

10 Specifically, SELF offers programs
11 to help low-income families with
12 employment, education, home repair, home
13 ownership, money management, and
14 emergency services.

15 More relevant to this hearing, SELF
16 administers the Federal Home Energy
17 Assistance program for Butler County. We
18 assist thousands of low-income households
19 every year with the summer crisis program
20 and the winter crisis program, as well as
21 registering clients for the state
22 percentage and income payment plan, as
23 known as PIPP Plus.

24 SELF has had a long-standing working
25 relationship with Duke Energy, which

1 provides energy services to Middletown
2 and Fairfield, among others. To
3 effectively administer HEAP and PIP, SELF
4 must have that have strong positive
5 relationship.

6 In the past, SELF has gone as far as
7 to recognize outstanding Duke staff who
8 have assisted SELF with the effective
9 administration of these programs.

10 I understand that customers of Duke
11 Energy who pay with a credit card are
12 charged \$1.50 per transaction, quote,
13 unquote, convenience fee for use of their
14 card. While this is not a Duke charge,
15 it nonetheless is burdensome and
16 frustrating to the customers.

17 While I'm not an expert on rate
18 cases, I support the credit card fees
19 being rolled into Rider UE-ED, thereby
20 eliminating the per transaction
21 convenience fees directly charged.

22 This fee-free support, especially to
23 those of low to moderate income means, is
24 impactful and appreciated. This combined
25 with other program and initiatives to

1 support lower income customers.

2 Thank you for the opportunity to
3 share my thoughts on the Duke Energy
4 issue of rolling convenience fees for the
5 use of credit cards for energy payments
6 into Rider UE-ED. Thank you.

7 JUDGE SANDOR: Any questions from
8 counsel?

9 MR. D'ASCENZO: No, your Honor.

10 JUDGE SANDOR: Commissioner
11 Friedeman?

12 MR. FRIEDEMANN: No questions. Just
13 a comment. Thank you for what your
14 organization does. Thank you.

15 JUDGE SANDOR: Thank you for your
16 testimony.

17 So we have reached the end of the
18 sign-in sheet currently. Just to allow
19 members of the public a little bit more
20 time and opportunity to testify, we will
21 go ahead and go off the record until
22 6:30, which at that point we will go back
23 on and see if we have anyone else to
24 testify. So let's go ahead and go off
25 the record.

1 (Off the record.)

2 JUDGE SANDOR: We've returned now
3 just around 6:30, 6:31. And it doesn't
4 appear there's anyone else here who would
5 like to testify. So at this point, thank
6 you to everyone for their participation
7 this evening. We would also like to
8 thank Middletown City Hall for allowing
9 us to use their facility in order to
10 conduct this public hearing.

11 Commissioner Friedeman, do you have
12 any additional thoughts before we
13 conclude?

14 MR. FRIEDEMANN: No. Thank you.

15 JUDGE SANDOR: The hearing is now
16 concluded and the hearing transcript will
17 be submitted on the record for the
18 Commission's consideration in this case.
19 Thank you all again and have a nice
20 evening.

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23 HEARING CONCLUDED AT 6:31 P.M.

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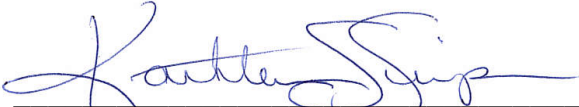
25

1 C E R T I F I C A T E

2 STATE OF OHIO :
3 : SS
4 COUNTY OF CLERMONT :

5 I, Kathy S. Simpson, RPR, the
6 undersigned, a duly qualified and commissioned notary
7 public within and for the State of Ohio, do certify
8 that the foregoing is the hearing given at said time
9 and place; and that I am neither a relative of nor
10 employee of any of the parties or their counsel, and
11 have no interest whatever in the result of the
12 action.

13 IN WITNESS WHEREOF, I hereunto set my hand
14 and official seal of office at Cincinnati, Ohio, this
15 31st day of July, 2022.

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17 
18 Kathy S. Simpson, RPR
19 Notary Public - State of Ohio
20 My commission expires March 21, 2027
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139 6:5
19th 6:22 7:15
1st 6:19

2
2021 6:20
2022 6:22 7:15
21-887-EL-AIR 4:5
21-888-EL-ATA 4:8
21-889-EL-AAM 4:10

4
415 10:13 11:3
43215 6:12
4th 6:5

6
65 6:11
6:30 13:22

7
700 6:12

A
accessing 5:13
accounting 4:12
accurate 8:5
accurately 7:24
achieve 11:8
action 10:24
address 6:5 8:17 10:10,12
administer 12:3
administers 11:6,16
administration 12:9
advocate 11:8
Affairs 5:7
affirmation 8:15
agency 10:24
ago 11:1
ahead 13:21,24
allow 13:18
Ambrosia 6:9
answer 9:11
appearance 6:15

appearances 5:24
Appearing 6:3
application 4:6,9,11 5:19
6:17,19 7:4,11 9:4
appreciated 12:24
appreciates 9:16
approval 4:9,11
aspect 7:13
assigned 4:14
assist 11:18
assistance 5:13 11:17
assisted 12:8
assisting 5:5
attorney 4:14
available 5:11,18,21
Avenue 10:13

B

back 13:22
badge 5:10
behalf 5:24 6:2
Better 11:5
bit 13:19
burdensome 12:15
business 6:5
Butler 10:25 11:17

C

card 12:11,14,18
cards 13:5
case 4:5,15 5:14 7:1,7,13
8:20 9:1,10
cases 4:21 12:18
change 4:11
charge 12:14
charged 12:12,21
charges 6:18
Cincinnati 6:6
clearly 7:23
clients 11:21
Columbus 6:12 7:16
combined 12:24
come 9:24
commence 7:15
comment 13:13
comments 7:25 9:10
Commission 4:3,15,21 5:5
7:10 9:2,16
Commission's 5:12 6:20,
24,25 7:16,18 9:11
Commissioner 4:17,18
8:21 13:10

community 7:5 10:24
complex 4:22
concerning 5:12
considered 8:25
Consumers' 5:21 6:7,11
convenience 12:13,21 13:4
copy 8:3
counsel 5:21 6:8,11 13:8
county 10:25 11:7,17
couple 9:5
court 7:22,24 8:3
credit 12:11,18 13:5
crisis 11:19,20
currently 13:18
customers 12:10,16 13:1

D

D'ASCENZO 6:1,3 13:9
D-I-V-E-R 10:7
decide 9:6,9
decision 9:3
decision-making 4:24
Department 5:7
determination 7:1
directly 12:21
director 10:21
distribution 4:7
diver 9:23 10:1,6,7,8,11,
19,20
docket 9:10
documents 5:14
Duke 4:6 5:17,25 6:2,17
11:25 12:7,10,14 13:3
Duke's 4:9,10 7:11
duly 10:2

E

East 6:5,11
education 11:12
effective 12:8
effectively 12:3
electric 4:7
element 4:23
eliminating 12:20
Embs 6:10
emergency 11:14
employment 11:12
Encourage 10:22
energy 4:6 5:25 6:2 11:16,
25 12:1,11 13:3,5
ensure 8:4
especially 12:22

evening 4:16 5:1,9,18 6:4 10:20
evening's 7:2
evidence 7:19
evidentiary 7:14,17
examined 10:3
examiner 4:14
executive 10:21
expert 12:17

F

Fairfield 12:2
families 10:22 11:11
far 12:6
Federal 11:16
fee 12:13
fee-free 12:22
fees 12:18,21 13:4
file 9:9
filed 6:17,19,20
final 7:1 9:3
finish 8:6 9:13
first 9:21
follows 10:3
Friedman 4:17,18,20 8:21 13:11,12
frustrating 12:16
Furthermore 5:20

G

general 5:15
go 13:21,22,24
Good 10:19

H

Hamilton 10:14 11:2
headquartered 11:2
HEAP 12:3
hear 4:15
hearing 4:4 5:6,16 6:16,17 7:3,7,12,14,17,21 9:17 11:15
help 11:7,11
helpful 8:2
home 11:12,16
Honor 6:2 13:9
households 11:18

I

impactful 12:24
Inc.'s 4:6

income 11:22 12:23 13:1
increase 4:7 6:18
individuals 5:6,9 8:8
initiatives 12:25
integral 4:23
introduction 8:7
investigation 6:21
inviting 8:7
issue 13:4

J

J-E-F-F-R-E-Y 10:7
Jeffrey 9:22 10:1,6,20
JUDGE 4:2 5:3 6:7,13 10:4,9,17 13:7,10,15

K

know 7:10
known 11:5,23

L

Larisa 6:4
leave 9:14
let's 13:24
little 13:19
local 7:4
located 10:13
long-standing 11:24
low 12:23
low-income 10:22 11:11, 18
lower 13:1

M

management 11:13
Matt 4:13
means 12:23
members 4:25 5:4 13:19
mentioned 11:1
Merrilee 6:10
methods 4:12
Middletown 10:15 11:4 12:1
minute 11:1
moderate 12:23
money 11:13
Monument 10:13 11:3
morning 6:14

N

name 4:13 6:3 8:17 9:7 10:5,6,20
necessarily 6:25
need 5:13
nonprofit 10:23
Nos 4:5
notes 9:5
number 11:6

O

oath 8:14
observe 9:14
October 6:19
offers 11:10
office 6:10 11:4
offices 7:16
official 9:1
Ohio 4:3,6,22 5:21,25 6:2, 6,7,11,12 10:14,15,25 11:2
once 8:11 9:13
opportunity 7:10 9:19 13:2,20
organization 10:11,16,23 11:6 13:14
outstanding 12:7
ownership 11:13

P

P-R-O-C-E-E-D-I-N-G-S 4:1
part 8:25
participation 9:17
parties 5:24 6:14 7:6,18 8:20
pass 9:8
passed 5:8
pay 12:11
payment 11:22
payments 13:5
percentage 11:22
permitted 8:11,22
person 8:10
persons 7:4
PIP 12:3
PIPP 11:23
place 4:4
plan 7:23 11:22
please 7:23 9:24 10:4,9,17
Plus 11:23

podium 9:25
 point 13:22
 positive 12:4
 prefer 9:9
 prepared 8:1
 present 6:14 8:13
 Presiding 4:16
 procedures 4:22
 proceed 10:18
 process 4:24 5:12 7:13
 program 11:17,19,20
 12:25
 programs 11:7,10 12:9
 project 7:20
 proposed 7:6 8:12,19
 provide 7:19 8:3,9,18,24
 10:9
 provides 12:1
 public 4:2,4,21,22,25 5:7
 7:2,7,12 13:19
 PUCO 5:10
 purpose 7:2,17

Q

question-and-answer 7:9
 questions 5:11,15,18,22
 8:22 9:12 13:7,12
 quote 12:12

R

rate 4:20 12:17
 rates 4:8 6:18 7:6 8:12,19
 reached 13:17
 read 9:7
 really 4:23
 receive 7:3
 recognize 12:7
 recommendation 6:23
 record 7:25 8:18 9:1 10:5
 13:21,25
 reference 8:4
 reflect 6:25 7:25
 regarding 5:19 7:20
 registered 9:21
 registering 11:21
 relates 4:5,8,10
 relationship 11:25 12:5
 relevant 11:15
 repair 11:12
 report 6:21,23
 reporter 7:22,24 8:3
 representatives 5:17,20

representing 10:12,16
 resident 10:14
 residents 11:7
 reviewed 9:2
 Rider 12:19 13:6
 right 9:22
 Rocco 6:3
 rolled 12:19
 rolling 13:4

S

Sandor 4:2,13 5:3 6:7,13
 10:4,9,17 13:7,10,15
 scheduled 4:3 7:14
 scuba 10:8
 see 13:23
 seeking 6:18
 SELF 11:5,10,15,24 12:3,
 6,8
 self-sufficiency 11:9
 September 7:15
 services 11:14 12:1
 session 7:9
 share 5:2 13:3
 sheet 8:8 9:7 13:18
 shirt 5:10
 sign-in 8:8 9:7 13:18
 signed 8:10 9:18
 South 10:13 11:3
 speak 7:23 8:11
 Specifically 11:10
 spell 10:5
 staff 5:4 6:20,24 7:18 9:11
 12:7
 state 6:11 8:17 10:4 11:21
 state-designated 10:24
 statement 8:2,23
 Street 6:5,12
 strong 12:4
 subject 6:16
 submitted 5:14
 Suite 6:12
 summer 11:19
 support 12:18,22 13:1
 Supports 10:21
 Sure 10:11
 sustain 11:8
 sworn 10:2

T

take 5:23 8:14
 tariff 4:9

testified 10:3
 testify 7:23 8:10 9:6,19
 13:20,24
 testifying 9:13
 testimony 4:23 7:3,19 8:9,
 13,24 9:21 13:16
 thank 4:25 5:3 6:1 10:17,
 19 13:2,6,13,14,15
 think 7:11
 thoughts 5:2 8:19 13:3
 thousands 11:18
 time 4:4 5:1,23 9:15,20
 13:20
 today's 6:16
 tonight 5:6,16 8:25 10:12
 tonight's 7:7,12,21 9:17
 transaction 12:12,20
 transcribed 7:22
 transcript 8:4
 treated 7:8
 truth 8:16

U

UE-ED 12:19 13:6
 understand 12:10
 unquote 12:13
 use 12:13 13:5
 Utilities 4:2,21

V

Vaysman 6:4

W

want 4:24 9:6,18
 way 5:8
 wearing 5:10
 Wilson 6:9
 winter 11:20
 wish 9:15
 witness 9:8,21 10:2
 words 4:19
 working 11:24
 written 8:1 9:10

Y

year 11:19

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8/2/2022 8:13:03 AM

in

Case No(s). 21-0887-EL-AIR, 21-0888-EL-ATA, 21-0889-EL-AAM

Summary: Transcript of Local Public Hearing held on July 18, 2022 at 6:00 p.m. at the Middletown City Hall Council Chambers, Administrative Law Judge Matthew Sandor, presiding electronically filed by Ms. Mary E. Fischer on behalf of Kathy S. Simpson, RPR, Notary Public, Elite Reporting Agency