

OCC EXHIBIT NO. _____

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of the East)
Ohio Gas Company d/b/a Dominion Energy) Case No. 22-619-GA-RDR
Ohio to Adjust its Capital Expenditure)
Program Rider Charges.)

**TESTIMONY
OF
DANIEL J. DUANN, Ph.D.**

**On Behalf of
Office of the Ohio Consumers' Counsel**

*65 East State Street, Suite 700
Columbus, Ohio 43215*

August 31, 2022

TABLE OF CONTENTS

	PAGE
I. INTRODUCTION	1
II. PURPOSE AND RECOMMENDATION	3
III. THE PUCO SHOULD REJECT DOMINION’S PROPOSED PRE-TAX RATE OF RETURN OF 9.91% TO PROTECT CONSUMERS	6
IV. CONCLUSION.....	12

ATTACHMENTS:

Attachment DJD-01

Attachment DJD-02

1 **I. INTRODUCTION**

2

3 ***Q1. PLEASE STATE YOUR NAME, BUSINESS ADDRESS AND POSITION.***

4 ***A1.*** My name is Daniel J. Duann. My business address is 65 East State Street, Suite
5 700, Columbus, OH 43215. I am the Director for Traditional Regulation in the
6 Analytical Services Department within the Office of the Ohio Consumers'
7 Counsel ("OCC").

8

9 ***Q2. PLEASE DESCRIBE YOUR PROFESSIONAL EXPERIENCE AND***
10 ***EDUCATIONAL BACKGROUND.***

11
12 ***A2.*** I joined OCC in January 2008 as a Senior Regulatory Analyst. I was promoted to
13 the position of Principal Regulatory Analyst in 2011, and then to the position of
14 Assistant Director in 2018. I began my current position in July 2021. My primary
15 responsibility at OCC is to provide analytical support for OCC's participation in
16 proceedings before the Public Utilities Commission of Ohio ("PUCO") and the
17 Federal Energy Regulatory Commission ("FERC"). These proceedings include,
18 among others, rate cases, cost of capital, fuel adjustment clause, standard service
19 offer, and infrastructure replacement riders.

20

21 Prior to joining OCC, I was an independent consultant. Before that, I was a Senior
22 Institute Economist at the National Regulatory Research Institute ("NRRI") at
23 The Ohio State University. NRRI has been a policy research center funded by the
24 National Association of Regulatory Utility Commissioners and state public

*Direct Testimony of Daniel J. Duann, Ph.D.
On Behalf of the Office of the Ohio Consumers' Counsel
PUCO Case No. 22-619 -GA-RDR*

1 utilities commissions since 1976. NRRI is currently located in Washington, DC
2 and no longer a part of The Ohio State University. My work at NRRI involved
3 research, publishing, and public services in the areas of regulatory and energy
4 policy. Before NRRI, I held various positions with the Forecasting Section of the
5 Ohio Division of Energy (which was later transferred to the PUCO), the Center of
6 Health Policy Research at the American Medical Association, and the Policy
7 Analysis and Research Division of the Illinois Commerce Commission.

8

9 I received my Ph.D. degree in Public Policy Analysis and M.S. degree in Energy
10 Management and Policy from the University of Pennsylvania. I also have an M.A.
11 degree in Economics from the University of Kansas. I completed my
12 undergraduate study in Business Administration at the National Taiwan
13 University, Taiwan, Republic of China. I have been a Certified Rate of Return
14 Analyst by the Society of Utility and Regulatory Financial Analysts since 2011.

15

16 **Q3. HAVE YOU PREVIOUSLY SUBMITTED TESTIMONY OR TESTIFIED**
17 **BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO AND OTHER**
18 **AGENCIES AND LEGISLATURES?**

19

20 **A3.** Yes. I have submitted expert testimony or testified on behalf of the OCC before
21 the PUCO in many proceedings. A list of these cases is included in Attachment
22 DJD-1. I have also testified before the Illinois Commerce Commission and the
23 California Legislature (specifically, the Senate Committee on Energy and Public
24 Utilities).

1 **Q4. HAVE YOU PREVIOUSLY PUBLISHED OR PRESENTED IN ACADEMIC**
2 **JOURNALS, TRADE PUBLICATIONS, AND PROFESSIONAL**
3 **CONFERENCES?**
4

5 **A4.** Yes. I have published in several academic journals and trade publications. I have
6 also presented in conferences on issues related to utility regulation, energy policy,
7 and emerging energy technology. A selected list of these publications and
8 presentations is included as Attachment DJD-2.
9

10 **II. PURPOSE AND RECOMMENDATION**
11

12 **Q5. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

13 **A5.** The purpose of my testimony is to support OCC's recommendation, included in
14 the OCC Comments filed on August 15, 2022,¹ that the PUCO should protect
15 consumers by rejecting the outdated and unreasonable 9.91% pre-tax rate of
16 return proposed by Dominion Energy Ohio ("Dominion" or "Utility") in its
17 Capital Expenditure Program ("CEP") Rider Charges Application.²

¹ *In the Matter of the Application of the East Ohio Gas Company d/b/a Dominion Energy Ohio for Authority to Adjust Its Capital Expenditure Program Rider Charges*. Case No. 22-619-GA-RDR. OCC Comments (August 15, 2022).

² *See* Attachment A, Schedule 4 of Application (April 1, 2022).

*Direct Testimony of Daniel J. Duann, Ph.D.
On Behalf of the Office of the Ohio Consumers' Counsel
PUCO Case No. 22-619 -GA-RDR*

1 **Q6. IS IT JUST AND REASONABLE FOR DOMINION'S CONSUMERS TO PAY**
2 **A PRE-TAX RATE OF RETURN OF 9.91% FOR THE CEP RIDER**
3 **CHARGE?**
4

5 **A6.** No. This proposed pre-tax rate of return of 9.91% by Dominion is based on the
6 rate of return component determined in 2008 in Case No. 07-829-GA-AIR and a
7 federal income tax rate of 21%.³ Given the significant decline in the cost of debt
8 and cost of equity since 2008, the use of the return on equity and cost of debt set
9 14 years ago will lead to excessive and unreasonable profits for Dominion and
10 unreasonably high CEP charges for consumers. Doing so is inconsistent with
11 established regulatory principles and Ohio laws as I understand them. The PUCO
12 should not let this continue.
13

14 The use of a reasonable rate of return in setting rates charged to consumers is of
15 particular importance at this time of rapid rise in energy (including gas)
16 commodity costs and the highest rate of inflation in over 40 years. Ohio gas
17 consumers cannot afford to pay Dominion more than its embedded cost of debt
18 and a reasonable profit level based on current financial market conditions.

³ Specifically, this 9.91% pre-tax rate of return is based on a cost of equity (or profit) of 10.38% and a cost of debt of 6.50%. *See* Attachment A, Schedule 4 of Application.

*Direct Testimony of Daniel J. Duann, Ph.D.
On Behalf of the Office of the Ohio Consumers' Counsel
PUCO Case No. 22-619 -GA-RDR*

1 **Q7. SHOULD THE STAFF HAVE ADDRESSED IN ITS REPORT ADJUSTING**
2 **THE PRE-TAX RATE OF RETURN PROPOSED BY DOMINION FOR THE**
3 **CEP RIDER CHARGES?**
4

5 **A7.** Yes. This issue of a utility overcharging consumers for its profits and debt costs
6 should have been front and center at the state regulatory agency, the PUCO.
7 However, the PUCO Staff has failed to take any corrective action regarding an
8 unjust and unreasonable rate of return used in setting the capital expenditure
9 program charges. It is unfortunate (if not inexplicable) for consumers that the
10 PUCO Staff's Report did not specifically address this consumer protection issue.
11

12 **Q8. WHAT DO YOU RECOMMEND FOR CONSUMER PROTECTION**
13 **REGARDING DOMINION'S PROPOSED RATE OF RETURN USED IN**
14 **SETTING THE CEP RIDER CHARGES TO CONSUMERS?**
15

16 **A8.** For consumer protection, I recommend that the PUCO adopt a pre-tax rate of
17 return no higher than 7.03% in setting the CEP Rider charges. This 7.03% pre-tax
18 rate of return I recommend is reasonable and beneficial to consumers. This 7.03%
19 pre-tax rate of return is calculated from a cost of equity of 9.30% (vs. 10.38%
20 proposed by Dominion), a cost of long-term debt of 2.29% (vs. 6.50% by
21 Dominion), a capital structure of 50% debt and 50% equity, and a federal income
22 tax of 21%.⁴
23

24 This recommendation is based on my many years of experience as a regulatory
25 economist, my assessment of the current financial market conditions for regulated

⁴ 7.03% = (2.29% * 0.50) + (9.30% * 0.50 * 1.265822785).

1 utilities, and the reduced risk for Dominion from the favorable regulatory
2 environment of riders such as the capital expenditure program and pipeline
3 infrastructure replacement program currently in place in Ohio.

4
5 For consumer protection, the PUCO should reject the pre-tax rate of return of
6 9.91% proposed by Dominion for the following two reasons. First, the pre-tax rate
7 of return of 9.91% was based on the rate of return components approved 14 years
8 ago in Dominion's last gas rate case and it does not reflect current market
9 conditions or current business and financial risks facing Dominion. Second, the
10 use of the 9.91% pre-tax rate of return will harm consumers that the PUCO is
11 supposed to protect. My calculation shows it will increase the annual CEP Rider
12 revenue requirement (charges) to consumers by approximately \$ 21.4 million
13 while providing no offsetting benefits from adopting this unreasonable and
14 inflated 9.91% rate of return.

15

16 **III. THE PUCO SHOULD REJECT DOMINION'S PROPOSED PRE-TAX**
17 **RATE OF RETURN OF 9.91% TO PROTECT CONSUMERS**

18

19 ***Q9. WHAT ARE THE REGULATORY PRINCIPLES COMMONLY USED IN***
20 ***SETTING A REASONABLE RATE OF RETURN FOR A REGULATED***
21 ***UTILITY SUCH AS DOMINION?***

22

23 ***A9.*** The regulatory principles in setting a reasonable rate of return for a regulated
24 utility, including the cost of equity ("return on equity" or "allowed profits") and
25 cost of debt, are well-established. The fundamental regulatory principles

Direct Testimony of Daniel J. Duann, Ph.D.
On Behalf of the Office of the Ohio Consumers' Counsel
PUCO Case No. 22-619 -GA-RDR

1 regarding rate of return are best exemplified in the case of *Bluefield Water Works*
2 *v. Public Service Comm'n*, 262 U.S. 679 (1923). In that case, the U.S Supreme
3 Court ruled that:

4 A public utility is entitled to such rates as will permit it to earn a
5 return on the value of the property which it employs for the
6 convenience of the public equal to that generally being made at the
7 same time and in the same general part of the country on investments
8 in other business undertakings which are attended by corresponding
9 risks and uncertainties; but it has no constitutional right to profits
10 such as are realized or anticipated in highly profitable enterprises or
11 speculative ventures.

12
13 Accordingly, for the purpose of this proceeding, the returns on the net rate
14 base (net plant investment and deferrals) included in the CEP Rider
15 charges should be commensurate with the current business and financial
16 risks facing Dominion and current financial market conditions.

*Direct Testimony of Daniel J. Duann, Ph.D.
On Behalf of the Office of the Ohio Consumers' Counsel
PUCO Case No. 22-619 -GA-RDR*

1 ***Q10. IS DOMINION REQUIRED TO DEMONSTRATE THAT THE RATE OF***
2 ***RETURN USED IN SETTING THE CEP RIDER CHARGE IS JUST AND***
3 ***REASONABLE?***
4

5 ***A10.*** Yes. While I am not making a legal conclusion, it is my understanding that
6 Dominion has the burden of proof that the proposed CEP rider charges, to be
7 decided in this proceeding, are just and reasonable.
8

9 ***Q11. IS THE PUCO REQUIRED TO MAKE A FINDING BASED ON THE***
10 ***RECORD EVIDENCE THAT CEP RIDER CHARGES PROPOSED BY***
11 ***DOMINION ARE JUST AND REASONABLE?***
12

13 ***A11.*** Yes. Also, the CEP rider charges will not be just and reasonable if an
14 unreasonable and inflated rate of return is used in setting the CEP rider charges.
15

16 ***Q12. IS THE PUCO REQUIRED TO USE THE RATE OF RETURN SET IN THE***
17 ***LAST RATE CASE FOR SUBSEQUENT RIDERS THAT CONSUMERS***
18 ***PAY?***
19

20 ***A12.*** No. There is no requirement that the PUCO use the rate of return decided in the
21 last rate case for any subsequent rider cases or other proceedings that involve a
22 return on rate base. As stated earlier, the proper standards for the PUCO in
23 making such a decision is the consideration of public interest and sound
24 regulatory principles.

*Direct Testimony of Daniel J. Duann, Ph.D.
On Behalf of the Office of the Ohio Consumers' Counsel
PUCO Case No. 22-619 -GA-RDR*

1 ***Q13. HAS DOMINION OR THE PUCO STAFF PROVIDED ANY FACTUAL***
2 ***SUPPORT REGARDING THE PRE-TAX RATE OF RETURN OF 9.91%***
3 ***USED IN SETTING THE CURRENT CEP CHARGES?***
4

5 ***A13.*** No. Neither Dominion nor the PUCO Staff has provided any factual support for
6 using the pre-tax rate of return of 9.91% in setting the CEP Rider charges.
7 Dominion and the PUCO Staff have provided no rate of return expert witness or
8 any testimony (or comments) regarding Dominion's current actual cost of long-
9 term debt and a reasonable cost of equity (profit) under current market conditions.
10

11 ***Q14. WHAT IS YOUR RECOMMENDED COST OF LONG-TERM DEBT FOR***
12 ***DOMINION IN THIS PROCEEDING?***
13

14 ***A14.*** I recommend the PUCO apply a cost of long-term debt of 2.29% in setting the
15 pre-tax rate of return for Dominion's CEP program. I have discussed the
16 calculation of the 2.29% cost of debt in my testimonies in Case Nos. 19-468-GA-
17 ALT and 20-1634-GA-ALT.⁵ For this proceeding, I have reviewed Dominion's
18 debt costs after 2020 and the current corporate debt financing conditions and the
19 U.S. economy. Based on these additional reviews, I conclude Dominion's current
20 (2022) cost of long-term debt should be no higher than 2.29%.

⁵ See Case No. 20-1634-GA-ALT, Direct Testimony of Daniel J. Duann, Ph.D. at 11-12 (October 25, 2021) and Case No. 19-468-GA-ALT, Direct Testimony of Daniel J. Duann, Ph.D. at 17-18 (September 11, 2020).

*Direct Testimony of Daniel J. Duann, Ph.D.
On Behalf of the Office of the Ohio Consumers' Counsel
PUCO Case No. 22-619 -GA-RDR*

1 **Q15. WHAT IS YOUR RECOMMENDED COST OF EQUITY (PROFIT, OR**
2 **RETURN ON EQUITY) THAT CONSUMERS SHOULD PAY FOR**
3 **DOMINION'S CEP PROGRAM IN THIS PROCEEDING?**
4

5 **A15.** I have concluded previously that Dominion has not been facing any unusual and
6 distinct business and financial risks in comparison to other regulated gas utilities.⁶
7 For this proceeding, I have reviewed additional materials such as the average
8 ROEs authorized for gas distribution utilities in 2021 and the first half of 2022,
9 Ohio's current favorable regulatory environment for riders used by gas utilities,
10 and the various instances a regulated utility can obtain additional capital. Based
11 on these reviews, I did not expect that Dominion or its parent company would
12 have any difficulty in obtaining capital at reasonable terms. I recommend that the
13 PUCO allow a cost of equity no higher than 9.30% for Dominion in this
14 proceeding.
15

16 **Q16. WHAT IS YOUR RECOMMENDED PRE-TAX RATE OF RETURN FOR**
17 **DOMINION IN THIS PROCEEDING?**
18

19 **A16.** If my recommended cost of equity of 9.30% and cost of long-term debt of 2.29%
20 were adopted and applied to a hypothetical capital structure of 50% debt and 50%
21 equity, the resulting pre-tax rate of return would be 7.03%. This is my
22 recommended pre-tax rate of return for Dominion's CEP program at this time.

⁶ See Case No. 20-1634-GA-ALT, Direct Testimony of Daniel J. Duann, Ph.D. at 11-12 (October 25, 2021) and Case No. 19-0468-GA-ALT, Direct Testimony of Daniel J. Duann, Ph.D. at 15-16 (September 11, 2020).

1 **Q17. WHAT WILL BE THE HARM (ADDITIONAL COSTS) TO CONSUMERS IF**
2 **DOMINION'S OUTDATED AND INFLATED PRE-TAX RATE OF RETURN**
3 **WERE ADOPTED?**
4

5 **A17.** Based on my calculation, the use of the 9.91% pre-tax rate of return (vs. the
6 7.03% pre-tax rate of return OCC recommends) would increase the CEP Rider
7 charges by approximately \$21.4 million (\$21,375,399) for the twelve-month
8 period under review in this case. This calculation is based on the adjusted net rate
9 base and operating expenses, and reconciliation adjustment proposed in Table 9
10 and Table 10 of the Audit Report.⁷ The difference (\$0.99) in monthly residential
11 rates is calculated by the share (63.34%) allocated to residential consumers and
12 the number of annual total bills of 13,680,064 proposed by Dominion in
13 Attachment A, Schedule 1 of its Application.

14
15 It should be noted that I am not making any specific recommendations regarding
16 the total amount of CEP revenue requirement or monthly residential rate. My
17 calculation of the annual CEP revenue requirement and the monthly residential
18 rate cap shown here is mainly to demonstrate the harms to residential consumers
19 from using an unreasonable and inflated rate of return. The differences in revenue
20 requirements and monthly rates are shown in Table 1.

⁷ Audit Report by Blue Ridge Consulting Services, Inc. (July 15, 2022).

*Direct Testimony of Daniel J. Duann, Ph.D.
On Behalf of the Office of the Ohio Consumers' Counsel
PUCO Case No. 22-619 -GA-RDR*

Table 1
Additional Cost to Consumers by Adopting the 9.91% Pre-Tax Rate of Return

	Per Audit Report	Per OCC Recommendation	Difference for Consumer
Rate Base	\$742,201,368	\$742,201,368	\$0
Pre-tax Rate of Return	9.91%	7.03%	2.88%
Annualized Return on Rate Base	\$73,552,156	\$52,176,756	\$21,375,399
Total Operating Expenses	\$53,647,050	\$53,647,050	\$0
Annual Revenue Requirement Before Adjustments	\$127,199,206	\$105,823,806	\$21,375,399
Reconciliation Adjustment	\$4,001,126	\$4,001,126	\$0
Annual Revenue Requirement After Adjustments	\$131,200,332	\$109,824,932	\$21,375,399
Residential Share (63.34%)	\$83,102,290	\$69,563,112	\$13,539,178
Number of Bills	13,680,064	13,680,064	0
Rider CEP Rates			
GSS/ECTS Residential (per month)	\$6.07	\$5.08	\$0.99

IV. CONCLUSION

Q18. PLEASE SUMMARIZE YOUR RECOMMENDATIONS FOR CONSUMER PROTECTION IN THIS PROCEEDING.

A18. I recommend that the PUCO reject the pre-tax rate of return of 9.91% proposed by Dominion and adopt a fair and reasonable pre-tax rate of return of 7.03% in updating the CEP Rider charges.

The 9.91% pre-tax rate of return based on a Dominion rate case decision 14 years ago is outdated and unreasonable. The use of this outdated 9.91% pre-tax rate of return will impose higher and unjust rates for Dominion's approximately 1.14

Direct Testimony of Daniel J. Duann, Ph.D.
On Behalf of the Office of the Ohio Consumers' Counsel
PUCO Case No. 22-619 -GA-RDR

1 million residential gas consumers. This is especially concerning when many
2 Ohioans are still struggling financially and physically from the lingering
3 pandemic, high inflation, and rapidly rising energy costs. The PUCO should
4 protect Dominion's consumers against charges for higher profits and debt costs
5 that do not correspond with the actual market conditions for return on equity and
6 for Dominion's true cost of debt.

7

8 As observed by the U.S. Supreme Court nearly one hundred years ago in the
9 landmark *Bluefield* decision, “[a] rate of return may be reasonable at one time
10 and become too high or too low by changes affecting opportunities for investment,
11 the money market, and business conditions generally.”⁸ This is precisely the
12 situation here. The PUCO should adopt a pre-tax rate of return no higher than
13 7.03% for determining what consumers should pay for Dominion's CEP program.

14

15 ***Q19. DOES THIS CONCLUDE YOUR TESTIMONY?***

16 ***A19.*** Yes. However, I reserve the right to supplement my testimony if additional
17 testimony is filed, or if new information or data in connection with this
18 proceeding becomes available.

⁸ See *Bluefield Water Works v. Public Service Comm'n*, 262 U.S. 679 (1923).

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Testimony of Daniel J. Duann, Ph.D.* on behalf of *Office of the Ohio Consumers' Counsel* has been served upon those persons listed below via electronic service this 31st day of August 2022.

/s/ William J. Michael
William J. Michael
Assistant Consumers' Counsel

The PUCO's e-filing system will electronically serve notice of the filing of this document on the following parties:

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Daniel J. Duann, Ph.D.
List of Testimonies Filed Before PUCO

1. *In the Matter of the Application of The Dayton Power and Light Company for Approval of Its Electric Security Plan*, Case No. 08-1094-EL-SSO (January 26, 2009).
2. *In the Matter of the Application of Ohio American Water Company to Increase Its Rates for Water and Sewer Service Provided to Its Entire Service Area*, Case No. 09-391-WS-AIR (January 4, 2010).
3. *In the Matter of the Application of Aqua Ohio, Inc. for Authority to Increase its Rates and Charges in its Masury Division*, Case No. 09-560-WW-AIR (February 22, 2010).
4. *In the Matter of the Application of Aqua Ohio, Inc. for Authority to increase its Rates and Charges in its Lake Erie Division*, Case No. 09-1044-WW-AIR (June 21, 2010).
5. *In the Matter of the Fuel Adjustment Clauses for Columbus Southern Power Company and Ohio Power Company*, Case Nos. 09-872-EL-FAC and 09-873-EL-FAC (August 16, 2010).
6. *In the Matter of the Application of Columbus Southern Power Company for Approval of an Electric Security Plan; an Amendment to its Corporate Separation Plan; and the Sale or Transfer of Certain Generating Asset (Remand)*, Case Nos. 08-917-EL-SSO et al (June 30, 2011).
7. *In the Matter of the Application of The East Ohio Gas Company d/b/a Dominion East Ohio for Approval of Tariffs to Modify and further Accelerate its Pipeline Infrastructure Replacement Program and to Recover the Associated Costs et al.*, Case Nos. 11-2401-GA-ALT and 08-169-GA-ALT (July 15, 2011).
8. *In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to 4928.143, Ohio Rev. Code in the Form of an Electric Security Plan (ESP)*, Case Nos. 11-346-EL-SSO, et al (July 25, 2011).
9. *In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company for Authority to Merge and Related Approval (ESP Stipulation)*, Case Nos. 10-2376-EL-UNC, et al (September 27, 2011).
10. *In the Matter of the 2010 Annual Filing of Columbus Southern Power Company and Ohio Power Company Required by Rule 4901:1-35-10, Ohio Administrative Code*, Case Nos. 11-4571-EL-UNC, and 11-4572-EL-UNC (October 12, 2011).

11. *In the Matter of the Application of Ohio American Water Company to Increase Its Rates for Water and Sewer Service Provided to Its Entire Service Area*, Case No. 11-4161-WS-AIR (March 1, 2012).
12. *In the Matter of the Application of Columbus Southern Power Company and Ohio Power Company for Authority to Establish a Standard Service Offer Pursuant to 4928.143, Ohio Rev. Code in the Form of an Electric Security Plan (Modified ESP)*, Case Nos. 11-346-EL-SSO, et al. (May 4, 2012).
13. *In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Authority to Establish a Standard Service Offer Pursuant to R.C. § 4928.143 in the Form of an Electric Security Plan*, Case No. 12-1230-EL-SSO (May 21, 2012).
14. *In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Electric Distribution Rates, et al.* Case Nos. 12-1682-EL-AIR (February 19, 2013).
15. *In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Gas Rates*, Case Nos. 12-1685-GA-AIR, et al. (February 25, 2013).
16. *In the Matter of the Application of Dayton Power & Light Company for Authority to Establish a Standard Service Offer in the Form of an Electric Security Plan Pursuant to R.C. 4928.143*, Case No. 12-426-EL-SSO et al. (March 1, 2013).
17. *In the Matter of the Application of The Dayton Power and Light Company for Authority to Recover of Certain Storm-related Service Restoration Costs*, Case Nos. 12-3062-EL-RDR, et al. (January 31, 2014).
18. *In the Matter of the Application of The Dayton Power and Light Company for Authority to Recover of Certain Storm-related Service Restoration Costs*, Case Nos. 12-3062-EL-RDR, et al. (May 23, 2014).
19. *In the Matter of the Application of Aqua Ohio, Inc. to Increase Its Rates and Charges for Its Waterworks Service*, Case No. 13-2124-WW-AIR (August 4, 2014).
20. *In the Matter of the Application Seeking Approval of Ohio Power Company's Proposal to Enter into an Affiliate Power Purchase Agreement for Inclusion in the Power Purchase Agreement Ride*, Case No. 14-1693-EL-RDR, et al. (September 11, 2015).
21. *In the matter of the Application of Duke Energy Ohio, Inc. for Approval of an Alternative Rate Plan Pursuant to R.C. 4929.05, Revised Code, for an Accelerated Service Line Replacement Program*, Case No. 14-1622-GA-ALT (November 6, 2015).

22. *In the Matter of the Application of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company for Authority to Establish a Standard Service Offer Pursuant to R.C. 4928.141 in the Form of an Electric Security Plan*, Case No. 14-1297-EL-SSO (June 22, 2016).
23. *In the Matter of the Application of Ohio Power Company for Administration of the Significantly Excessive Earnings Test for 2014 under Section 4928.143 (F), Revised Code, and Rule 4901:1-35-10, Ohio Administration Code*. 15-1022-EL-UNC et al. (August 15, 2016).
24. *In the Matter of the Application of Ohio Power Company for Administration of the Significantly Excessive Earnings Test for 2014 under Section 4928.143 (F), Revised Code, and Rule 4901:1-35-10, Ohio Administration Code*. 15-1022-EL-UNC et al. (September 19, 2016).
25. *In the Matter of the Commission Review of the Capacity Charges of Ohio Power Company and Columbus Southern Power Company*. 10-2929-EL-UNC et al. (October 18, 2016).
26. *In the Matter of the Application of Aqua Ohio, Inc. for Authority to Increase Its Rates and Charges for Its Waterworks Service*. 16-907-WW-AIR (December 19, 2016).
27. *In the Matter of the Application of Columbia Gas of Ohio, Inc. for Approval of an Alternative Form of Regulation*. 16-2422-GA-ALT (September 28, 2017).
28. *In the Matter of the Application of Ohio Power Company for Administration of the Significantly Excessive Earnings Test for 2016 Under Section 4928.143(F), Revised Code, and Rule 4901:1-35-10, Ohio Administrative Code*, Case No. 17-1230-EL-UNC (January 12, 2018).
29. *In the Matter of the Annual Application of Duke Energy Ohio, Inc., for an Adjustment to Rider AMRP Rates*. Case No. 17-2318-GA-AIR (April 5, 2018).
30. *In the Matter of the Application of the Dayton Power and Light Company for an Increase in Electric Distribution Rates*. Case No. 15-1380-EL-AIR (April 11, 2018).
31. *In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Distribution Rates*. Case No. 17-0032-EL-AIR et al. (June 25, 2018).
32. *In the Matter of the Determination of the Existence of Significantly Excessive Earnings Test for 2017 Under the Electric Security Plan of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company*. Case No. 18-0857-EL-UNC (October 16, 2018).

33. *In the Matter of the Determination of the Existence of Significantly Excessive Earnings Test for 2017 Under the Electric Security Plan of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company.* Case No. 18-0857-EL-UNC, Testimony Opposing Stipulation (November 16, 2018).
34. *In the Matter of the Determination of the Existence of Significantly Excessive Earnings Test for 2017 Under the Electric Security Plan of Ohio Edison Company, The Cleveland Electric Illuminating Company, and The Toledo Edison Company.* Case No. 18-0857-EL-UNC et al., Remand Testimony (April 5, 2021).
35. *In the Matter of the Application of Suburban Natural Gas Company for an Increase in Gas Distribution Rates.* Case No. 18-1205-GA-AIR et al. (March 8, 2019).
36. *In the Matter of the Application of Suburban Natural Gas Company for an Increase in Gas Distribution Rates.* Case No. 18-1205-GA-AIR et al. (June 21, 2019).
37. *In the Matter of the Application of Northeast Ohio Gas Corp. for an Increase in Gas Distribution Rates.* Case No. 18-1720-GA-AIR et al. (July 25, 2019).
38. *In the Matter of the Application of Ohio Power Company for Administration of the Significantly Excessive Earnings Test for 2018 Under Section 4928.143(F), Revised Code, and Rule 4901:1-35-10, Ohio Administrative Code.* Case No. 19-1098-EL-UNC (August 30, 2019).
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Summary: Testimony Testimony of Daniel J. Duann, Ph.D. on Behalf of Office of the
Ohio Consumers' Counsel electronically filed by Mrs. Tracy J. Greene on behalf of
Michael, William J.