

BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

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Buckeye Fresh LLC, :
:
Complainant, :
:
vs. : Case No. 20-1607-EL-CSS
:
Ohio Edison Company, :
:
Respondent. :
- - -

PROCEEDINGS

before David M. Hicks, Attorney Examiner, at the
Public Utilities Commission of Ohio, conducted via
Webex videoconference, called at 10:04 a.m. on
Monday, August 29, 2022.

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VOLUME II
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ARMSTRONG & OKEY, INC.
222 East Town Street, 2nd Floor
Columbus, Ohio 43215-5201
(614) 224-9481
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APPEARANCES:

Brennan, Manna & Diamond, LLC
By Brandon T. Pauley, Esq.
250 South Civic Center Drive, Suite 300
Columbus, Ohio 43215

On behalf of Buckeye Fresh, LLC.

Benesch, Friedlander, Coplan & Aronoff, LLP
By Christopher A. Rogers, Esq.
200 Public Square, Suite 2300
Cleveland, Ohio 44114

On behalf of Ohio Edison Company.

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Monday Morning Session,
August 29, 2022.

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EXAMINER HICKS: We are reconvening today
in Case No. 20-1607-EL-CSS, which is Buckeye Fresh,
LLC versus Ohio Edison Company.

We are reconvening today via Webex
pursuant to a July 27th, 2022, Entry. As outlined in
a previous record, this hearing initially convened on
June 14th of 2022, at the Commission offices. As
outlined there, one of Buckeye Fresh's witnesses had
a medical issue that did not allow him to attend the
hearing, and the parties and the Bench had agreed to
reconvene virtually to take Mr. Curtis' testimony and
potentially to re-call one of Ohio Edison's
witnesses.

Based upon some information that
Mr. Pauley, counsel for Ohio Edison -- or -- I'm
sorry -- for the Complainant in this case, provided,
Mr. Curtis is not able to provide testimony today
either. And based upon some discussions before we
went on the record, the thought is for both parties
to simply close their cases and we move on to
briefing.

And I guess I skipped over taking

1 appearances from both of you, so we'll go ahead and
2 do that now and then you can confirm that what I said
3 is accurate. So we will go ahead and take an
4 appearance from counsel on behalf of the Complainant.

5 MR. PAULEY: Thank you, Your Honor.
6 Brandon Pauley on behalf of Complainant Buckeye
7 Fresh, LLC. And I do agree with your summary of the
8 status of the case. And Complainant wishes to close
9 their case at this time and move on to briefing.

10 EXAMINER HICKS: Thank you, Mr. Pauley.
11 And on behalf of Ohio Edison.

12 MR. ROGERS: Christopher Rogers on behalf
13 of Ohio Edison -- Ohio Edison Company. I agree with
14 your summarization of the status of the case. At
15 this time, Ohio Edison also rests its case.

16 EXAMINER HICKS: Okay. We also had some
17 brief discussions off the record before we went on,
18 just talking through a briefing schedule, and I
19 believe we arrived at dates that are going to work
20 for everyone, so I will go ahead and read them into
21 the record here. As I mentioned, since we're giving
22 them on the record and you guys have the dates, I'm
23 not going to put out another entry, so make sure you
24 have the dates marked. And again, they'll be in this
25 transcript once it comes. So we have arrived at

1 initial briefs being due on November 4th, 2022, and
2 reply briefs due November 18th of 2022.

3 MR. ROGERS: That's correct, Your Honor.

4 MR. PAULEY: Yes. Agreed, Your Honor.

5 EXAMINER HICKS: Okay. We talked through
6 that all the exhibits, I believe, have been properly
7 admitted and filed as part of the record.

8 I don't know if either of you have
9 anything else to raise while we're on the record now,
10 I'll open it up to you, but I think, outside of that,
11 things are ready simply to move to briefing and
12 continue course.

13 MR. PAULEY: Nothing further on behalf of
14 the Complainant, Your Honor.

15 MR. ROGERS: Nothing further on behalf of
16 Ohio Edison, Your Honor.

17 EXAMINER HICKS: Okay. Well, I
18 appreciate the updates and everyone hopping on here
19 this morning. Certainly, this frees up some time for
20 everyone today, so enjoy the extra time. We'll go
21 ahead and officially close things out and we're off
22 the record.

23 (Thereupon, the proceedings concluded at
24 10:08 a.m.)

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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, August 29, 2022, and carefully compared with my original stenographic notes.

Carolyn M. Burke, Registered Professional Reporter, and Notary Public in and for the State of Ohio.

My commission expires July 17, 2023.

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**This foregoing document was electronically filed with the Public Utilities
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in

Case No(s). 20-1607-EL-CSS

Summary: Transcript in the matter of the Buckeye Fresh LLC hearing held on
08/29/22 electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey,
Inc.