

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the Application:  
of Duke Energy Ohio, Inc. for :Case No.  
Authority to Abandon Certain :21-986-GA-ABN  
Propane-Air Facilities. :

In the Matter of the Application:  
of Duke Energy Ohio, Inc. for :Case No.  
Authority to Change Accounting :21-1035-GA-AAM  
Methods. :

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PROCEEDINGS

Before Matthew Sandor, Attorney Examiner, held  
at the offices of the Public Utilities  
Commission of Ohio, 180 East Broad Street,  
Hearing Room 11-C, Columbus, Ohio, on Thursday,  
September 8, 2022, at 10:00 A.M.

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1 APPEARANCES:

2 Ms. Elyse H. Akhbari  
3 139 East Fourth Street  
4 Cincinnati, Ohio 45202

5 On behalf of the Applicant.

6 Mr. Robert Eubanks  
7 Assistant Attorney General  
8 30 East Broad Street, 26th Floor  
Columbus, Ohio 43215

9 On behalf of the Staff of the  
10 Public Utilities Commission of Ohio.

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		DIRECT CROSS
COMPANY WITNESS		
Sarah E. Lawler		9

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MARKED ADMT

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Thursday Morning,  
September 8, 2022.

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ATTORNEY EXAMINER: Public  
Utilities Commission of Ohio has set for hearing  
at this time and place Case No. 21-986-GA-ABN  
which is captioned In the matter of the  
Application of Duke Energy Ohio, Inc. for  
Authority to Abandon Certain Propane-Air  
Facilities.

And Case No. 21-1035-GA-AAM  
Captioned In the Matter of the Application of  
Duke Energy Ohio, Inc. for Authority to Change  
Accounting Methods.

Good morning, everyone. My name is  
Matt Sandor, I am the Attorney Examiner assigned  
by the Commission to hear this case. At this  
time we will take the appearances of the  
parties. First on behalf of the Company.

MS. AKHBARI: Thank you, your Honor.  
Elyse Akhbari for Duke Energy Ohio, Inc.

ATTORNEY EXAMINER: And then  
counsel on behalf of the Commission's Staff.

MR. EUBANKS: Robert Eubanks,  
Assistant Attorney General on behalf of the

1 Commission's Staff. 30 East Broad Street, 26th  
2 Floor, Columbus, Ohio 43215.

3 ATTORNEY EXAMINER: Okay. I will  
4 also note for the record that there is no  
5 members of the public here today who intend on  
6 testifying.

7 All right. Well, Duke, you can go  
8 ahead and proceed with your case.

9 MS. AKHBARI: Sure. Thank you, your  
10 Honor. So, I was going to go through our  
11 exhibits first if that's okay with your Honor.

12 ATTORNEY EXAMINER: Yes.

13 MS. AKHBARI: And ask the witness,  
14 would you like her to head for the stand or  
15 remain in her seat?

16 ATTORNEY EXAMINER: After we mark  
17 the exhibits, go ahead and come on up officially  
18 to the stand.

19 MS. AKHBARI: So, just running  
20 through the Company exhibits, your Honor,  
21 Company Exhibit 1 will be the direct testimony  
22 of Sara Lawler filed April 27th, 2022 in Case  
23 No. 21-986-GA-ABN and 21-1035-GA-AAM.

24 ATTORNEY EXAMINER: So marked.

25 (EXHIBIT HEREBY MARKED FOR

1 IDENTIFICATION PURPOSES)

2 MS. AKHBARI: Company Exhibit 2 we  
3 would ask to be marked and noted from the docket  
4 as the Application filed in Case No. 21-986.  
5 And this was filed with the Commission on  
6 October 7th, 2021.

7 ATTORNEY EXAMINER: So marked.

8 (EXHIBIT HEREBY MARKED FOR  
9 IDENTIFICATION PURPOSES)

10 MS. AKHBARI: Company Exhibit 3 we  
11 would ask be marked and noted from the docket as  
12 the Application in Case No. 21-1035. This was  
13 also filed with the Commission on October 7th,  
14 2021.

15 ATTORNEY EXAMINER: So marked.

16 (EXHIBIT MARKED FOR THE PURPOSE OF  
17 IDENTIFICATION)

18 MS. AKHBARI: Thank you, your Honor.  
19 And as Exhibit 4, we would ask that Exhibit 4 be  
20 marked also from the docket as the Affidavit and  
21 newspaper notices verifying publication of the  
22 Company's legal notice. This was filed in the  
23 docket on September 7th, 2022 in both Case Nos.  
24 21-986 and 21-1035.

25 ATTORNEY EXAMINER: So marked.

1 (EXHIBIT HEREBY MARKED FOR  
2 IDENTIFICATION PURPOSES)

3 MS. AKHBARI: Thank you, your Honor.  
4 One additional exhibit we have would be marked  
5 as Joint Exhibit 1. That would be  
6 the Stipulation and Recommendation filed with  
7 the Commission on April 27th, 2022 again in both  
8 Case Nos. 21-968 and 21-1035.

9 ATTORNEY EXAMINER: So marked.

10 (EXHIBIT HEREBY MARKED FOR  
11 IDENTIFICATION PURPOSES)

12 ATTORNEY EXAMINER: And let me  
13 clarify. The Duke Energy Ohio Exhibit 3, is  
14 that supposed to be the Company comments filed  
15 on March 7th, 2022, or is that the Application?

16 MS. AKHBARI: That was the  
17 Application.

18 ATTORNEY EXAMINER: Okay. So you  
19 are just marking that as in terms of Case No.  
20 21-1035?

21 MS. AKHBARI: Yes.

22 ATTORNEY EXAMINER: Okay. Just  
23 wanted to clarify. Okay. Do you intend on  
24 including the Company comments? And I am just  
25 bringing this up because it was mentioned within



1 the Stipulation itself.

2 MS. AKHBARI: Then, yes, your Honor.  
3 And the Company comments were filed on March  
4 7th, 2022.

5 ATTORNEY EXAMINER: So that will be  
6 Company Exhibit 5.

7 MS. AKHBARI: Yes, your  
8 Honor.

9 ATTORNEY EXAMINER: So marked.

10 (EXHIBIT HEREBY MARKED FOR  
11 IDENTIFICATION PURPOSES)

12 MS. AKHBARI: And those are all  
13 the exhibits we have for presentation this  
14 morning. And we invite Ms. Lawler to the stand  
15 at this time.

16 (WITNESS SWORN)

17 - - -

18 SARAH E. LAWLER  
19 called as a witness, being first duly sworn,  
20 testified as follows:

21 MS. AKHBARI: Your Honor, may I  
22 approach, please?

23 ATTORNEY EXAMINER: Yes.

24 DIRECT EXAMINATION

25 By Ms. Akhbari:

1 Q. Good morning, Ms. Lawler.

2 A. Good morning.

3 Q. Thanks for being with us this  
4 morning. If you would please state your full  
5 name for the record?

6 A. Yes. Sarah Lawler, L-A-W-L-E-R.

7 Q. And by whom are you employed?

8 A. Duke Energy.

9 Q. And what is your title?

10 A. Vice President of Rates and  
11 Regulatory Strategy for Ohio and Kentucky.

12 Q. Do you have a document before you  
13 that was previously marked as Duke Energy Ohio  
14 Exhibit 1?

15 A. Yes.

16 Q. And do you recognize this document?

17 A. Yes.

18 Q. And what is it?

19 A. It's a Stipulation and  
20 Recommendation in this proceeding.

21 Q. Sorry. That's Joint Exhibit 1.  
22 Would you look at Company Exhibit 1 instead?

23 A. Yes. It's my testimony in this,  
24 supporting this stipulation in this proceeding.

25 Q. Great. If I asked you the same

1 questions today as presented in the direct  
2 testimony that you have before you would your  
3 answers be the same?

4 A. Yes, they would.

5 Q. Do you have any changes to your  
6 testimony today?

7 A. I do not.

8 MS. AKHBARI: Your Honor, at this  
9 time the Company would present Ms. Lawler for  
10 questions from the Bench if there are any.

11 ATTORNEY EXAMINER: I have no  
12 questions. Are there any questions from Staff?

13 MR. EUBANKS: No questions from  
14 Staff, your Honor.

15 ATTORNEY EXAMINER: Thank you.

16 MS. AKHBARI: So, your Honor, I  
17 would move our exhibits into evidence at this  
18 time if that is where you would like us to take  
19 things.

20 ATTORNEY EXAMINER: Sure. Any  
21 objections to their admission?

22 MR. EUBANKS: No objections.

23 ATTORNEY EXAMINER: So Duke Energy  
24 Ohio Exhibit 1 and the Joint Exhibit 1  
25 Stipulation are admitted into evidence.

1 (EXHIBITS ADMITTED INTO EVIDENCE)

2 ATTORNEY EXAMINER: You are excused.

3 Thank you.

4 MS. AKHBARI: Your Honor, I believe  
5 two exhibits, 2 through 5. Would you take those  
6 into consideration at this time?

7 ATTORNEY EXAMINER: Yes. If you  
8 would like to move for their admission then.

9 MS. AKHBARI: Yes. Great. So the  
10 Company will move for the admission of Duke  
11 Energy Ohio Exhibits 2 through 5 at this time.

12 ATTORNEY EXAMINER: Any objection  
13 from Staff to their admission?

14 MR. EUBANKS: No objections, your  
15 Honor

16 ATTORNEY EXAMINER: Then Duke Energy  
17 Ohio Exhibits 2 through 5 are admitted into the  
18 record.

19 (EXHIBITS ADMITTED INTO EVIDENCE)

20 ATTORNEY EXAMINER: Anything else?

21 MS. AKHBARI: Not at this time, your  
22 Honor.

23 ATTORNEY EXAMINER: Thank you.  
24 And then Staff.

25 MR. EUBANKS: The Staff would just

1 like to have marked as Staff's Exhibit 1 the  
2 Staff Review and Recommendation that was filed  
3 in Case No. 21-968 and 21-1035 on January 6th of  
4 2022.

5 ATTORNEY EXAMINER: Staff Exhibit 1,  
6 so marked.

7 (EXHIBIT MARKED FOR THE PURPOSE OF  
8 IDENTIFICATION)

9 MR. EUBANKS: And Staff would like  
10 to move to have that placed into evidence.

11 ATTORNEY EXAMINER: Are there any  
12 objections?

13 MS. AKHBARI: No objection, your  
14 Honor.

15 ATTORNEY EXAMINER: Staff Exhibit 1  
16 is admitted into evidence.

17 (EXHIBIT ADMITTED INTO EVIDENCE)

18 ATTORNEY EXAMINER: Anything else  
19 from Staff?

20 MR. EUBANKS: With that Staff rests.

21 ATTORNEY EXAMINER: Thank you.

22 Okay. Well, is there anything else for us to  
23 address today?

24 MS. AKHBARI: I don't believe so,  
25 your Honor

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ATTORNEY EXAMINER: All right.  
Thank you very much. Then we are adjourned.  
(At 10:10 A.M. the hearing was  
concluded)

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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  
September 8, 2022, and carefully compared with  
my original stenographic notes.

\_\_\_\_\_  
Michael O. Spencer,  
Registered Professional  
Reporter.

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

**Case No(s). 21-0986-GA-ABN, 21-1035-GA-AAM**

Summary: Transcript September 8th 2022 In the Matter of the Application of Duke Energy Ohio, Inc. for Authority to Abandon Certain Propane-Air Facilities. In the Matter of the Application of Duke Energy Ohio, Inc. for Authority to Change Accounting Methods. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Spencer, Michael O. Mr.