

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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LLOYD E. JACKSON)	Case No. 22193-EL-CSS
)	
VS.)	
)	
THE CLEVELAND ELECTRIC)	
COMPANY)	

- - -

PROCEEDINGS

Before James Lynn, Attorney Examiner, for the Public
Utilities Commission of Ohio, 180 East Broad Street,
Hearing Room 11-D, Columbus, Ohio, via WebEx on Thursday,
September 29, 2022, at 12:33 P.M.

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APPEARANCES

- - -

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On behalf of The Cleveland Electric
Company.

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Thursday, September 29, 2022

12:33 p.m.

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ATTORNEY EXAMINER: Let's go on the record at this time. The Public Utilities Commission of Ohio assigned for hearing at this time Case Number 22193TRCEF, the complaint of Lloyd Jackson versus the Cleveland Electric Illuminating Company. And I'll note that this hearing is taking place electronically via Webex.

I'm Jim Lynn, the Attorney Examiner assigned to hear this case. At this time I'll have the appearances of the parties.

Mr. Jackson, if you can just state your name and address, please.

MR. JACKSON: Lloyd Jackson, 24455 Lakeshore Boulevard, Apartment 1815, East Building, Euclid, Ohio, 44123.

ATTORNEY EXAMINER: Great. Thank you very much. And Mr. Brieg for Cleveland Electric Illuminating.

MR. BRIEG: Yes, good morning, Your Honor, John Brieg of Benesch, Friedlander on behalf of the Cleveland Electric Illuminating Company. Benesch's address is 200 Public Square, Suite 2300, Cleveland, Ohio.

ATTORNEY EXAMINER: Okay. Thank you. Mr. Jackson, since you filed the complaint, we'll begin

1 with you. How about telling us some detail about why you
2 filed the complaint and what brings you here today?

3 DIRECT EXAMINATION

4 BY MR. JACKSON: Well, I'm disputing the
5 charges that the Electric Illuminating Company is charging
6 me. They are giving me a year and a half of estimated
7 charges and if you look over my electricity bill over the
8 last 40 or 50 years that I have been dealing with the
9 Illuminating Company, you will see that my bills have not
10 been underestimated or actual charges and I have paid my
11 bill every month.

12 So I can't understand how they can
13 underestimate my bill for 17 months. If it was
14 underestimated, they should have sent me a bill with
15 underestimation 17 months ago when it was first
16 underestimated.

17 ATTORNEY EXAMINER: All right.

18 MR. JACKSON: They are going 17 months before
19 they send me an underestimated bill. I don't like that
20 idea of estimation.

21 ATTORNEY EXAMINER: Okay. All right. So your
22 concern is that you had bills estimated for a number of
23 months and what period of time, Mr. Jackson, in your
24 opinion, what period of time are we talking about as far
25 as when the bills were estimated?

1 MR. JACKSON: This is 17 months ago. So that
2 was back in 2020.

3 ATTORNEY EXAMINER: Yeah, okay.

4 MR. JACKSON: September I think it was. From
5 then up until September of 2022.

6 ATTORNEY EXAMINER: All right. And your
7 complaint is that not only were they estimated, but I'm
8 assuming that you, in your opinion, the estimates were
9 incorrect?

10 MR. JACKSON: Correct.

11 ATTORNEY EXAMINER: Okay. All right. And
12 then you are indicating Cleveland Electric did eventually
13 send you a bill based on an actual read and you're
14 objecting to --

15 MR. JACKSON: Yeah, they sent it. The actual
16 reading that I get every month from the Illuminating
17 Company is for \$20 or \$30, which I pay every month. I
18 have been paying my bill every month for the last 40 or 50
19 years, since I have been dealing with them. And I have
20 never got a bill like this in 40 or 50 years and I'm not
21 going along with it.

22 ATTORNEY EXAMINER: All right. Let me think.
23 Mr. Jackson, you indicated how many years you have
24 typically received a bill. I believe you said it was \$20
25 to \$30. Were you always at that address during that

1 period of time?

2 MR. JACKSON: Oh, no.

3 ATTORNEY EXAMINER: Okay. I just wanted to
4 know. And then also what kind of heat do you have in your
5 residence, is that gas or electric?

6 MR. JACKSON: It is electric.

7 ATTORNEY EXAMINER: Electric heat, okay.

8 All right. Did you have any other comments
9 that you wanted to add?

10 MR. JACKSON: Nothing but misinformation that
11 I have received from the internet and it has been spread
12 over the Fox News and Forbes and other entities where it
13 says the electric -- this guy has invented something that
14 can save up to 90 percent of the monthly electric bill and
15 it says the electric power companies are demanding it to
16 be banned immediately. It also says --

17 MR. BRIEG: Just objection, Your Honor, to
18 relevance.

19 ATTORNEY EXAMINER: Yeah, Mr. Jackson, I'm not
20 quite sure what you are referring to. I just wanted
21 to --

22 MR. JACKSON: This is --

23 ATTORNEY EXAMINER: I guess what I wanted to
24 know was, you know, you stated your complaint I think
25 quite clearly. And as far as that period of time where

1 you felt that the estimates were, you know, you didn't
2 like that they were estimates for that long a period of
3 time and also you felt the estimates were inaccurate, I'm
4 assuming too high.

5 Am I right, you thought the estimates were too
6 high, correct?

7 MR. JACKSON: Right.

8 ATTORNEY EXAMINER: Okay. Was there anything
9 else you wanted to add to that in particular and maybe you
10 don't have anything more to add. I just wanted to check.

11 MR. JACKSON: Well, one thing First Energy is
12 affiliated with the Illuminating Company, right?

13 ATTORNEY EXAMINER: Yes, it is part of the --
14 Illuminating Company is part of First Energy, yes.

15 MR. JACKSON: Okay. Now, if First Energy
16 didn't think that they overcharged me, why would they send
17 me a check and settle? That don't make sense to me.

18 ATTORNEY EXAMINER: Well, I'm not quite sure
19 what you are referring to there either really.

20 MR. JACKSON: Yeah, well, they sent me a check
21 and settled this complaint with them, but not with the
22 Illuminating Company.

23 ATTORNEY EXAMINER: Can we go off the record
24 for a moment, please?

25 - - -

1 (Discussion was held off the record.)

2 - - -

3 ATTORNEY EXAMINER: We'll go back on the
4 record.

5 Mr. Brieg, did you have any questions for
6 Mr. Jackson?

7 MR. BRIEG: I did.

8 ATTORNEY EXAMINER: Okay.

9 CROSS-EXAMINATION

10 BY MR. BRIEG:

11 Q. Hello, Mr. Jackson. My name is John Brieg and
12 I'm an attorney from the law firm of Benesch, Friedlander
13 and I'm here today representing the Cleveland Electric
14 Illuminating Company. Can you hear me okay?

15 A. Sure.

16 Q. I'm just going to ask you a few questions
17 related to some of the things that you just testified
18 regarding. I ask that if you do not understand the
19 question I ask just ask me to rephrase it. Sometimes the
20 question I can have is clunky and if you don't understand,
21 just ask me to rephrase. If you answer I'm assuming that
22 you understood what I asked you. Fair enough?

23 A. Okay.

24 Q. It is my understanding that -- is it your
25 testimony here today that you are saying that you're

1 complaining about the amount you were billed when you
2 received the bill of -- ending -- the bill ending of
3 September 2021 for the \$476?

4 A. That's right.

5 Q. Do you understand that that \$476 was not just
6 the amount of electric you used in one month, but was
7 based off of the underestimation from the previous April
8 2020 to September, correct, do you understand that?

9 A. Yes.

10 Q. Are you aware that during that time the Public
11 Utility Commission of Ohio had asked all the utilities to
12 suspend in-person actual meter readings where the meter is
13 located in a customer's home due to the Covid 19 pandemic?

14 A. That's what I was told.

15 Q. And is it your understanding that the
16 estimated readings were taken because an actual reading
17 could not be taken of your meter?

18 A. No, I don't -- I don't believe that.

19 Q. But you are aware that the Public Utility
20 Commission told the CEI, particularly Cleveland Electric,
21 to perform estimated meter readings?

22 A. I'm not aware of that.

23 MR. BRIEG: Okay. Can I show a document, Your
24 Honor? I would like to mark an exhibit as Company Exhibit
25 1 for identification. Can I share my screen?

1 ATTORNEY EXAMINER: Sure.

2 - - -

3 (Company Exhibit 1, was marked for
4 purposes of identification.)

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6 MR. BRIEG: I think I need to have access
7 provided.

8 MR. SCHMIDT: Actually our Webex we have
9 disabled screen sharing. You will have to circulate it
10 via email to all the parties.

11 MR. BRIEG: I did circulate.

12 BY MR. BRIEG:

13 Q. Mr. Jackson, do you have access -- I emailed
14 you yesterday a couple of several documents?

15 A. I guess I still have it, if you sent it.

16 MR. BRIEG: I'm just not sure how to question
17 the witness on an exhibit especially with his computer
18 problems.

19 ATTORNEY EXAMINER: Okay. Well, Mr. Brieg
20 were you going to question Mr. Jackson about -- apparently
21 then about one of the three things you emailed yesterday;
22 am I correct?

23 MR. BRIEG: Correct.

24 ATTORNEY EXAMINER: And which one was it in
25 particular, was it on the --

1 MR. BRIEG: There were two documents I intend
2 to use in this cross-examination. One of them is his
3 March 2nd, 2020 bill. The other is the detailed statement
4 of account.

5 ATTORNEY EXAMINER: Okay. Mr. Jackson, while
6 you are on the call, is there any way that you could -- is
7 there any way you can be sitting next to your own computer
8 and --

9 THE WITNESS: Yeah, I'm next to it now.

10 ATTORNEY EXAMINER: Good. Excellent. Good.
11 In that case, could you find the email that Mr. Brieg sent
12 yesterday and there are several attachments with that
13 email and try to get his email up myself. There is one
14 that he wants you to click on.

15 MR. BRIEG: I just resent the email so it will
16 be at the top.

17 ATTORNEY EXAMINER: Sure. Go ahead.

18 MR. BRIEG: I resent it now, so...

19 ATTORNEY EXAMINER: Okay. And then
20 Mr. Jackson, when you have that email and you have opened
21 it up, let me know.

22 THE WITNESS: Okay. It is from whom?

23 ATTORNEY EXAMINER: John Brieg, Benesch Law.
24 He just sent it a minute ago. He said he sent it a minute
25 ago. He just sent it a minute ago.

1 Mr. Jackson, are you able to open that email
2 up yet?

3 MR. JACKSON: Haven't got it.

4 ATTORNEY EXAMINER: Okay. It should arrive
5 shortly.

6 MR. JACKSON: Okay.

7 ATTORNEY EXAMINER: Mr. Brieg, you were saying
8 that this copy of Mr. Jackson's bill, that will be CEI
9 Exhibit 1?

10 MR. BRIEG: I'm going to mark it for
11 identification and move at the end of my cross for --

12 ATTORNEY EXAMINER: Great, no problem. I'll
13 just indicate that is CEI 1. To our court reporter we'll
14 make sure you get these exhibits at the end -- after the
15 end of the hearing.

16 MR. BRIEG: Just so I verify the email I have
17 is correct, I have Alex, A-l-e-x, Van, V-a-n, Quarter,
18 Q-u-a-r-t-e-r, Main, m-a-i-n at AT&T.net.

19 MR. JACKSON: I think I have got this old
20 email the one you sent first.

21 ATTORNEY EXAMINER: Okay. Do you have an
22 email either one sent yesterday or today where John Brieg
23 at Benesch Law?

24 THE WITNESS: Yeah, I got that from yesterday.

25 ATTORNEY EXAMINER: If you can open that up

1 there are three attachments.

2 MR. JACKSON: I opened all three of those up
3 and it was so small I couldn't read it.

4 ATTORNEY EXAMINER: Is there any way you can
5 expand it on your screen?

6 MR. BRIEG: The first document, Mr. Jackson,
7 the first document I'm trying to show you is just the
8 copy, it is Lloyd Jackson 030220 billing.PDF. This is
9 your March 2nd, 2020 bill.

10 ATTORNEY EXAMINER: Mr. Jackson, what you
11 would do, maybe I misunderstood what you said,
12 Mr. Jackson, you would go to the email has like three what
13 is called attachments.

14 THE WITNESS: Right.

15 ATTORNEY EXAMINER: Go to the attachment that
16 it has Lloyd Jackson 030220 billing 2 MB, click on that
17 and open it up. Okay. That's what Mr. Brieg is going to
18 be focusing on first.

19 MR. JACKSON: Now, which attachment is that,
20 first, second, or third?

21 MR. BRIEG: First, if you are looking at the
22 document. It should be any way.

23 ATTORNEY EXAMINER: It is the one that says
24 Lloyd Jackson 030220 billing.

25 MR. JACKSON: I can't open that up.

1 ATTORNEY EXAMINER: Just move your arrow or
2 cursor over it and just click on it a couple of times.

3 MR. JACKSON: I can't get it open.

4 ATTORNEY EXAMINER: It did not open. Okay.

5 MR. BRIEG: I feel like we can go off the
6 record. I forgot we are on the record.

7 ATTORNEY EXAMINER: Let's go off the record.

8 - - -

9 (Discussion was held off record.)

10 - - -

11 ATTORNEY EXAMINER: Mr. Jackson, you did
12 receive the email from Mr. Brieg that contained these
13 three attachments; am I right?

14 MR. JACKSON: Yes.

15 ATTORNEY EXAMINER: Okay. And are you
16 saying -- okay. Again, did you click on -- did you click
17 on the attachment?

18 MR. JACKSON: Yes.

19 ATTORNEY EXAMINER: Let me finish. You
20 clicked on the one that says 030220 and did it open up?

21 MR. JACKSON: They didn't -- they didn't send
22 that. I mean, it says -- the three attachment says, first
23 one says Lloyd Jackson PDF 1.7 MB. The second one says
24 Lloyd Jackson PDF 36.6 KB or kilobytes, I guess. The
25 third one says 2022815 PDF 101.8 kilobytes. That's all it

1 says.

2 MR. BRIEG: It is the two MB document is the
3 document I'm trying to have you look at, Mr. Jackson.

4 MR. JACKSON: The which one?

5 MR. BRIEG: The one that says Lloyd Jackson
6 and then on your screen what you are seeing is 2 MB I
7 believe?

8 MR. JACKSON: No, I see Lloyd Jackson PDF 1.7
9 MB.

10 MR. BRIEG: Yes, that's the document. That is
11 the document.

12 MR. JACKSON: That is the document. That's
13 the one that I clicked on and it came out so small, the
14 reading, that I couldn't read it.

15 ATTORNEY EXAMINER: Let me think for a minute.
16 I'll try something here and if that doesn't work.

17 MR. BRIEG: If it doesn't work I can modify my
18 questions.

19 ATTORNEY EXAMINER: Yeah, I suppose that
20 might -- let me see.

21 Mr. Jackson, when you say when you open it up
22 it comes out very small, which I understand the print or
23 the typing on this is not very big. I have a question.

24 MR. JACKSON: Usually all the typing on my
25 emails or attachments come out large where I can read them

1 and everything. This one didn't.

2 ATTORNEY EXAMINER: How about this, I'll just
3 ask one question and maybe we will have Mr. Brieg modify
4 his questioning if necessary.

5 Mr. Jackson, if you can open up that document
6 for a minute and let me know --

7 MR. JACKSON: That's what I'm trying to do is
8 open it up again, but I can't -- I can't get it opened.

9 ATTORNEY EXAMINER: It won't open up. So you
10 went to the document Mr. Brieg was describing, but you
11 can't open it up now?

12 MR. JACKSON: Right.

13 ATTORNEY EXAMINER: All right, Mr. Brieg, if
14 you have an idea of how to proceed, go ahead and maybe I
15 have an additional idea beyond that.

16 MR. BRIEG: I do.

17 ATTORNEY EXAMINER: Go ahead then. Go back on
18 the record to our court reporter. Thank you.

19 BY MR. BRIEG:

20 Q. Mr. Jackson, if Cleveland Electric
21 Illuminating Company's billing records for your account
22 show that you used over -- if you used approximately 625
23 kilowatt hours for the billing cycle in January of 2020,
24 do you have anything to dispute that?

25 A. No, I'm disputing it period.

1 Q. This is an actual read from January of 2020
2 that is not at the heart of your dispute.

3 A. What do you mean not at the heart of my
4 dispute? I'm disputing all of them.

5 Q. Well, this was an actual reading in January of
6 2020. So before the estimated reads started.

7 A. They are charging me for estimated readings of
8 the last 17 months.

9 Q. And I am talking about January 2020. So prior
10 to those estimated reads, do you have the correct time
11 frame now with me, January of 2020?

12 A. Yeah, I hear what you are talking about.

13 Q. Okay. On your January 2020 bill, for the
14 period of January, you used approximately 625 kilowatt
15 hours and that was an actual reading not an estimated
16 reading. Do you follow me?

17 A. I follow what you are saying I used, but is
18 there another time I used that much?

19 Q. Yes. In February of 2020, on an actual
20 reading you used 819 kilowatt hours.

21 A. Why? Why on this document you sent me it
22 starts at 3/28/2020? What happened to 1/2020 and 2/2020?

23 Q. So you are looking at the detailed statement
24 of account which only goes back so many years.

25 Mr. Jackson, I'm looking at your bill from March of 2020,

1 which includes the previous years history on it.

2 A. It does not say nothing about no 600
3 kilowatts.

4 ATTORNEY EXAMINER: Well, Mr. Jackson --

5 MR. JACKSON: 3/28/20 is what I have got for
6 the first entry here.

7 BY MR. BRIEG:

8 Q. You are looking at a different document. The
9 first document.

10 A. What document are you talking about?

11 Q. The first document, which you had trouble
12 seeing because it was so small is the March bill.

13 A. Okay.

14 Q. On that bill, Cleveland Electric Illuminating
15 Company provides a year usage history dating a year back
16 and that is what I'm looking at right now from your actual
17 usage in January 2020, February 2020, and March 2020.

18 A. And what does that add up to?

19 Q. That's what I'm saying.

20 A. Those three months.

21 Q. In January of 2020, you used approximately 625
22 kilowatt hours for that billing cycle.

23 A. Okay. And how much does that add up to as far
24 as a bill is concerned?

25 Q. Well, unfortunately, I'm asking the questions.

1 Mr. Jackson, if you can just answer my question.

2 In February of 2020, do you have anything to
3 dispute that Cleveland Electric Illuminating Company's
4 records show that for the February 2020 bill you used
5 approximately 819 kilowatt hours?

6 A. I'm disputing it.

7 Q. In March of 2020, do you have anything to
8 dispute that the March 2020 bill you used approximately
9 846 kilowatt hours?

10 A. I'm disputing it.

11 Q. And all of those are based off of actual
12 readings, do you understand that, Mr. Jackson?

13 A. What about -- go ahead with the actual
14 readings from then on. How much did I use? How much did
15 I use then?

16 Q. As we previously --

17 A. After February -- go ahead.

18 Q. And at this time I'm just asking you questions
19 for testimony purposes. It is not -- I mean, if you can
20 just answer my question, I'll ask that, please,
21 Mr. Jackson?

22 A. I answered them. I answered them I dispute
23 them.

24 Q. I understand that, but then you are asking me
25 questions and unfortunately, that's not this format right

1 now.

2 A. Okay. All right. Go ahead. I dispute what
3 you asked me. Go ahead.

4 Q. Okay. Starting on the March 28th -- on the
5 March 26th, 2020 read date, that is when your account and
6 your meter was estimated. Do you agree with me?

7 A. No, I don't agree. I don't know when it was
8 estimated. I don't know when they read the meter. When,
9 in fact, they didn't read them if they was estimated
10 bills.

11 Q. Exactly and that's the point I'm trying to
12 clarify.

13 A. They could have said -- they could have said
14 it was anything. They could have said it was a million
15 kilowatts I used. And what am I supposed to do, oh, okay,
16 I used a million kilowatts? No, that was estimated.

17 Q. And I understand and where I'm going to, it
18 looks like you are able to see that 3/28/2020 entry date;
19 is that correct?

20 A. On the document you sent me?

21 Q. Correct.

22 A. Yeah, I see that 3/28/2020.

23 MR. BRIEG: Your Honor, it appears that he is
24 able to open up the statement of account. Therefore, I
25 would have to -- like to have this exhibit marked as -- I

1 don't think I can move for Company Exhibit 1.

2 MR. JACKSON: It says here on 3/28/2020 the
3 Cleveland Electric Illuminating Company billed me \$43.35
4 and --

5 MR. BRIEG: Your Honor, I would ask that no
6 question is pending currently and to instruct the witness
7 to answer the questions. It is kind of getting into a
8 mediation kind of conversation.

9 ATTORNEY EXAMINER: Mr. Jackson, let's backup
10 a little bit. So Mr. Brieg, you are indicating that you
11 are hesitant to move Exhibit 1 into evidence because
12 Mr. Jackson has difficulty seeing it or reading it; am I
13 right?

14 MR. BRIEG: Correct. I mean, I would let
15 Mr. Jackson know, obviously, that the document was his
16 actual bill from March 2nd, 2020. I think it was used and
17 we discussed specific information from that.

18 So and he has it opened, it is just the sizing
19 of it. It was shared properly prior to the hearing and it
20 sounds like he has it, so I would move for its admission.

21 The reason why I'm having this conversation is
22 because I would like to mark -- he is currently looking at
23 the statement of account and I think he can read the
24 statement of account. Therefore, I would like to mark
25 this as Company Exhibit 2 for identification.

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(Company Exhibit 2, was marked for
purposes of identification.)

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ATTORNEY EXAMINER: We'll mark the statement
of account as CEI Exhibit 2, okay.

BY MR. BRIEG:

Q. And Mr. Jackson, the document you are looking
at currently that starts with as you said correctly, that
\$43.35 charge, if you look in the column that says read
type, it shows that you had estimated reads, the EST,
estimated reads until August 27th, 2021; is that correct?

A. No, what column are you talking about?

Q. So there is a read date column on the
statement of account, it says read date.

ATTORNEY EXAMINER: It says read type,
Mr. Jackson.

MR. BRIEG: Well, I'm going with read date
first, Your Honor, just to show him. It is the second
column from the left.

ATTORNEY EXAMINER: My mistake, I got it.

BY MR. BRIEG:

Q. The second column from the left, Mr. Jackson,
do you see how it says read date?

A. Read date, I see that, yes, 3/26/20.

1 Q. And you see the very first entry is 03/26/20,
2 do you see that?

3 A. Read date 3/26/20.

4 Q. Correct. Now, looking six columns over there
5 is another column titled read type. Do you see that?

6 A. I see it, yes.

7 Q. And do you see the letters E-S-T with that
8 first entry?

9 A. Yes, it means estimated I imagine.

10 Q. Correct. I can submit to you that means
11 estimated.

12 A. Right.

13 Q. So looking down on all of the entries for this
14 first page, do you see how every single one of them says
15 estimated?

16 A. Right, I see that.

17 Q. Okay.

18 A. So they estimated -- so they estimated wrong.

19 Q. And Mr. Jackson, do you, looking down at the
20 December 29th, 2020 read date, do you see how they show --

21 A. December 29th.

22 Q. Yep, December 29th, 2020, can you find it?

23 A. I see it. I see it.

24 Q. Three columns over do you see the number 514?

25 A. Three columns over 514?

1 Q. Yes.

2 A. I don't see -- I don't see 514.

3 ATTORNEY EXAMINER: Mr. Jackson, you have the
4 12/29/20, you found that, correct?

5 THE WITNESS: 12 -- 12/29.

6 ATTORNEY EXAMINER: Correct, 12/29/20.

7 THE WITNESS: 12/29.

8 HEARING EXAMINER: You found that. Then to
9 the right of that -- okay. To the right of that it has
10 KWH and then 24,088 and then it has 514. Do you find
11 that?

12 THE WITNESS: Right.

13 ATTORNEY EXAMINER: Okay. Mr. Brieg, go
14 ahead.

15 BY MR. BRIEG:

16 Q. Okay. And that 514 for that cycle, do you see
17 below that how it says 571?

18 A. What do you mean for that cycle?

19 Q. That 12/29/20 read date was the estimated
20 reading during that time period.

21 A. There we go -- there we go with that estimated
22 stuff. I don't want to hear nothing about no estimated
23 readings. I want to hear about actual readings -- actual
24 readings.

25 MR. BRIEG: Your Honor, I would ask that the

1 witness be directed to answer the questions.

2 THE WITNESS: You can estimate -- you can
3 estimate something to be whatever you want it to be. I
4 want an actual reading.

5 ATTORNEY EXAMINER: Mr. Jackson.

6 MR. JACKSON: Don't you --

7 ATTORNEY EXAMINER: Mr. Jackson, again, what
8 Mr. Brieg is pointing out is that at this point in time
9 for quite a few months, the reads were estimated and you
10 may disagree with it being estimated, but that's what
11 Cleveland Electric was doing for a time.

12 You know, Mr. Brieg indicated that it was --
13 Mr. Brieg indicated that the readings were estimated for
14 quite a long period of time because of the pandemic that
15 was going on, the Covid 19 pandemic.

16 Mr. Brieg, I'll go back to you.

17 BY MR. BRIEG:

18 Q. And my point of showing you these two numbers
19 here of the 514 and 571, was to draw your comparison to
20 the actual readings you had a year earlier where you used
21 over 600 kilowatt hours.

22 A. Where does it say that? Where does it say
23 that?

24 Q. That was in the document that has been
25 identified as Exhibit 1, that allegedly is too small for

1 you to read on your end, but is in your usage history,
2 that January 2020 you used 625 kilowatt hours, February
3 2020 --

4 A. Well, that's what you say. That's what
5 Electric Illuminating Company says.

6 Q. And the records indicate that based upon an
7 actual reading in February 2020, you used 819 kilowatt
8 hours and in March of 2020 an actual reading determined
9 that you used 846 kilowatt hours.

10 A. No, I don't see that.

11 Q. I understand you don't see that and I'm trying
12 to tell you that that is what the records, your records
13 for your account --

14 A. I don't care what the records say. I don't
15 care what the records say. They can say anything. They
16 can say anything.

17 ATTORNEY EXAMINER: Mr. Jackson --
18 Mr. Jackson, you can disagree. What Mr. Brieg is pointing
19 out is that the bill dated March 2nd, 2020, which is the
20 one that you said you had difficulty reading and certainly
21 the print is small on it, that bill from March 2nd, 2020
22 contains a usage history, which includes several months
23 January, February, and March of 2020 that were, according
24 to Mr. Brieg, actual reads.

25 MR. JACKSON: I wonder why the typing on this

one -- that one is so small that I can't read it, but the typing on the other two attachments came out fine and I can read it. And I wonder why that happened?

ATTORNEY EXAMINER: Let's go off the record just for a minute.

- - -

(Discussion was held off record.)

- - -

BY MR. BRIEG:

Q. Mr. Jackson, if company records show that your last actual reading, which I understand your last actual reading before this time frame where the estimates occurred, the last actual reading occurred on February 27th, 2020. Do you agree with that?

A. No. Was it estimated?

Q. No.

A. I don't agree with anything that was estimated.

Q. The last actual reading occurred --

A. I don't see that. I don't see that.

Q. But if the company records show that an actual reading occurred on February 27th, 2020, do you have any information to dispute that?

A. They can put anything on the company record, but the actual, I don't have no actual readings on this

1 account page that you were talking about before. All of
2 them was estimated.

3 Q. I'm speaking about the February 27th, 2020
4 reading which occurred --

5 A. I know what you are speaking about. I know
6 what you are speaking about, but I don't see that. I
7 don't see anything.

8 Q. I understand.

9 ATTORNEY EXAMINER: Mr. Jackson.

10 THE WITNESS: I don't see anything about the
11 actual readings.

12 ATTORNEY EXAMINER: Okay. Mr. Jackson, just
13 let Mr. Brieg finish. Mr. Brieg, you mentioned
14 February --

15 THE WITNESS: All right. Go ahead.

16 ATTORNEY EXAMINER: Hold on. Mr. Jackson --
17 Mr. Brieg you are mentioning a February 27th, 2020 actual
18 read. Is that somewhere on the documents you have already
19 introduced?

20 MR. BRIEG: It is on Exhibit 1, which while I
21 understand he can't read it, I need to introduce the fact
22 of that numbers actual reading and I'm asking if he has
23 any information to dispute what the company records have.
24 But that is located on the usage information for the meter
25 below the account summary on the March 2nd bill. That is

1 the last --

2 MR. JACKSON: Let me ask you a question. Can
3 I ask you a question? Why -- why does my bills before
4 this 17 months and the bills after the 17 months, actual
5 bills and estimated bills don't amount up to anything like
6 what you are trying to charge me?

7 MR. BRIEG: Your Honor, I object. There is no
8 question pending.

9 MR. JACKSON: None of this -- you object to
10 everything I say, but everything you say is okay. I
11 object to everything you say.

12 ATTORNEY EXAMINER: Okay. Mr. Brieg, is there
13 some way you can go on with a different line of
14 questioning maybe.

15 MR. BRIEG: I mean, I'm going to ask this line
16 of questioning and if he doesn't have a response then I'll
17 move forward, but for the record I need to build this line
18 of questioning for the specific proof of the actual read,
19 the two actual reading dates.

20 BY MR. BRIEG:

21 Q. So Mr. Jackson, as I stated, the company
22 records indicate that on February 27th, 2020 an actual
23 reading of your meter was taken which resulted in the
24 numbers 21,997. Do you have any information to dispute
25 that?

1 A. I dispute all of it.

2 Q. Okay.

3 A. The amount, the estimate, when it amounts to
4 \$400 and something dollars and I never had that kind of
5 bill before the 17 months or after the 17 months I'm
6 disputing it.

7 Q. Okay. And the next actual reading that took
8 place after that February 27th, 2020 reading took place on
9 August 27th, 2021, and that meter reading resulted in a
10 read of 28,299, you can see that on Exhibit 2, can you
11 not, Mr. Jackson?

12 A. No, I don't.

13 Q. Can you turn -- can you go to the second page
14 of that statement of account that you have open in front
15 of you? If you scroll down to the second page, let me
16 know when you are there.

17 A. Go ahead.

18 Q. Do you see the read date 8/27/2021?

19 A. 8/27, yeah, I see that.

20 Q. Okay. You see the next column says KWH?

21 A. Yeah.

22 Q. And the next column says 28,299, do you see
23 that?

24 A. I see it.

25 Q. And then do you see three more columns over,

1 the letters ACT?

2 A. Right.

3 Q. So that was an actual reading that took place
4 on that date and your meter read those numbers 28,299, do
5 you agree?

6 A. It is on the paper here.

7 Q. And do you understand that when your meter was
8 read it showed that your meter had progressed from that
9 initial 21,997 in February of 2020 to 28,299 as of August
10 27th, 2021. Do you understand that?

11 A. That's what it says.

12 Q. Therefore --

13 A. To me it could be the meter could be wrong,
14 too.

15 Q. Okay. Well, do you understand that your meter
16 was removed and tested on September --

17 A. No, I don't.

18 Q. -- 19th?

19 A. No, I don't. No, I don't. That's what they
20 said, but I don't know nothing about that.

21 Q. But you have nothing to dispute that your
22 meter was removed and tested?

23 A. I do not know that. I'm disputing it because
24 I don't know that it was removed and I don't know that it
25 was tested.

1 ATTORNEY EXAMINER: Mr. Jackson, did you ask
2 for the meter to be changed?

3 MR. JACKSON: No, I did not.

4 ATTORNEY EXAMINER: You did not, okay.

5 MR. JACKSON: No, I did not.

6 BY MR. BRIEG:

7 Q. Now at that time you were calling -- isn't it
8 true that after you received the bill for the \$335.94, you
9 called in to Cleveland Electric Illuminating Company to
10 lodge a complaint?

11 A. I called when it was \$400 and something
12 dollars, \$76 dollars. I don't know nothing about no \$300
13 and something dollars.

14 Q. And then at that time, do you have anything to
15 dispute that CEI removed the meter and tested it and it
16 came back registering an accuracy of 99.99 percent?

17 A. Didn't I just tell you I dispute it because I
18 don't know if it was removed? I don't know if it was
19 tested. I don't know what they did with it. And I didn't
20 ask them to remove a meter. We got over \$200, \$300, I
21 mean, 200 or 300 meters in this building where I live. I
22 don't even know where these meters are. Somebody could
23 have been taking using my electricity. I don't know
24 nothing about that.

25 Q. And Mr. Jackson, you don't have any proof that

1 someone was using your electricity, correct?

2 A. You don't have any proof that someone was not
3 using.

4 Q. Okay.

5 MR. BRIEG: That's all the questions I have
6 for Mr. Jackson at this time.

7 Your Honor, at this time I would move for the
8 admission of CEI Exhibit 1 and CEI Exhibit 2.

9 ATTORNEY EXAMINER: Okay. We'll admit those
10 into evidence. Okay. And I believe you have a witness as
11 well?

12 MR. BRIEG: I do.

13 ATTORNEY EXAMINER: Please go ahead.
14 Actually, I'll swear in the witness. Miss Davis, are you
15 available now?

16 MR. BRIEG: I think she just got promoted to
17 panelist, so I think she can unmute herself.

18 THE WITNESS: Yes, I am available.

19 MR. BRIEG: The Company calls Miss Princess
20 Davis.

21 ATTORNEY EXAMINER: Miss Davis.

22 MR. JACKSON: Wait a minute. Wait a minute.
23 Before you start questioning her, I do not know this lady.
24 Never heard of her. And, of course, whatever she
25 testifies is going to be for the Electric Illuminating

1 Company since she is an employee for them.

2 So whatever she says I'm disputing all of that
3 because I don't know if what she is saying is true
4 or not.

5 MR. BRIEG: Your Honor, can I just make a
6 statement for the record?

7 ATTORNEY EXAMINER: Well, I'll make a comment
8 first.

9 Mr. Jackson, we'll let Ms. Davis state
10 whatever she needs to then you can raise any objections or
11 concerns after that.

12 MR. JACKSON: Okay.

13 ATTORNEY EXAMINER: Mr. Brieg, go ahead.

14 MR. BRIEG: I would just like to state that
15 pursuant to the Attorney Examiner's entry dated June 22nd,
16 2022, specifically paragraph 9, CEI intending to present
17 this expert testimony complied with Ohio Administrative
18 Code 4901-1-29 (A) (1) (H) and we prefiled this testimony
19 more than seven days prior to the commencement of the
20 hearing, which was continued, but the testimony was
21 provided via actual mail, not electronic mail, to
22 Mr. Jackson back when it was filed then and it was again
23 resent yesterday via email.

24 ATTORNEY EXAMINER: Okay. Thank you. All
25 right.

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PRINCESS DAVIS,
being first duly sworn, as provided by law, was examined
and testified as follows:

ATTORNEY EXAMINER: All right. Thank you.
Mr. Brieg, go ahead with your questioning.

DIRECT EXAMINATION

BY MR. BRIEG:

Q. Miss Davis, can you please state your full
name and spell it for the record?

A. Princess Davis, P-r-i-n-c-e-s-s Davis,
D-a-v-i-s.

Q. And by whom are you employed and in what
capacity?

A. By First Energy in the compliance department.

Q. And what is your specific title?

A. Advanced customer service specialist.

MR. BRIEG: Your Honor, may I direct the
witness to what will be premarked for identification as
Company Exhibit 3?

- - -

(Company Exhibit 3, was marked for
purposes of identification.)

- - -

ATTORNEY EXAMINER: Yes, you can. Yes, you

1 may.

2 MR. BRIEG: Go ahead, sorry, Your Honor.

3 ATTORNEY EXAMINER: Mr. Jackson, this will
4 be --

5 MR. JACKSON: Excuse me, she didn't answer the
6 question about who she worked for. She works for the
7 Cleveland Electric Illuminating Company.

8 MR. BRIEG: Your Honor, the witness testified
9 to her actual employment. If Mr. Jackson has any
10 questions I would ask that he ask the questions of the
11 witness to cross-examine when it is his time.

12 ATTORNEY EXAMINER: Yeah, Mr. Jackson, if you
13 can just hold off until Miss Davis is finished. Thank
14 you.

15 MR. JACKSON: Go ahead.

16 ATTORNEY EXAMINER: So Mr. Jackson, Mr. Brieg
17 is referring to now the third thing that was sent in that
18 email to you. It is a -- what is called a deposition or
19 just some question and answer that Miss Davis completed
20 before this hearing, long before this hearing took place.

21 MR. JACKSON: I don't have that.

22 MR. BRIEG: It is the 20220815 document.

23 MR. JACKSON: I already have what she
24 testified.

25 ATTORNEY EXAMINER: You say you already have

1 it, right?

2 MR. JACKSON: Yes.

3 ATTORNEY EXAMINER: Okay. Just wanted to be
4 sure.

5 MR. JACKSON: I have got every word -- I have
6 got every word that she is going to say right here in
7 front of me.

8 ATTORNEY EXAMINER: Again, we are just
9 trying -- we are trying our best to make something work
10 when it is a remote or electronic hearing, which isn't
11 that easy to do. We appreciate you're doing your best.

12 Mr. Brieg, go ahead. I assume you had some
13 questions for Miss Davis.

14 MR. BRIEG: I do.

15 BY MR. BRIEG:

16 Q. Miss Davis, do you recognize this document,
17 which has been premarked for identification as Company
18 Exhibit 3?

19 A. Yes.

20 Q. What is it?

21 A. Prefiled written testimony prepared for this
22 hearing.

23 Q. Did you prepare this or cause this to be
24 prepared at your direction?

25 A. Yes.

1 Q. If I were to ask you the questions that are in
2 that testimony here today, would your answers be the same?

3 A. Yes.

4 Q. And were you present for the testimony of
5 Mr. Jackson here today?

6 A. Yes.

7 Q. And did you hear -- did you hear our
8 conversations discussing what has now been marked into
9 evidence as Company Exhibit 1? What is your understanding
10 of what Company Exhibit 1 is?

11 A. The detailed statement of account.

12 Q. I want to just direct your attention -- is
13 that -- is it your understanding that that is Company
14 Exhibit 1 or Company Exhibit 2?

15 A. I'm sorry, Company Exhibit 2 is the statement
16 of account. Exhibit 1 is the bill.

17 Q. Okay. Regarding Company Exhibit 1, the bill,
18 can you please describe what specifically that is?

19 A. That is a copy of Mr. Jackson's billing
20 statement usage from January 30th of 2020 to February
21 27th, 2020.

22 Q. And on that bill, does it provide a customer
23 with usage history?

24 A. Yes, it does.

25 Q. And does that bill provide usage history for

1 the months of January 2020 through March 2020?

2 A. Yes.

3 Q. And can you please indicate for the record
4 what the usage history was for January 2020?

5 A. 625 kilowatts.

6 Q. Can you please indicate for the record what
7 the February 2020 usage was?

8 A. 819 kilowatts.

9 Q. And the same for March 2020, please?

10 A. 846 kilowatts.

11 Q. And is there something on this document that
12 lets you know those were based off of actual meter reads?

13 A. Yes, there is a bar graph on the left-hand
14 side below the usage history that indicates the actual
15 read.

16 Q. And is it your understanding that all three of
17 those were actual meter reads?

18 A. Yes.

19 Q. And then only one other thing I would like to
20 direct your attention to on this document, does this
21 document give the exact meter numbers that is read on the
22 meter?

23 A. Yes.

24 Q. And can you please indicate for the record
25 what the numbers on the meter read on February 27th, 2020?

1 A. 21,997.

2 Q. And turning to Company Exhibit 2, we know from
3 the testimony of Mr. Jackson that they were actual --
4 there were estimated meter reads from that actual meter
5 reading to another date. Do you know when the next actual
6 meter read was?

7 A. Yes, August 27th, 2021.

8 Q. And what was the number on the meter on that
9 date?

10 A. 28,299.

11 Q. Perfect.

12 MR. BRIEG: That's all the questions I have at
13 this time, Your Honor. I have no further additional
14 direct on Mr. Jackson's prior testimony. Miss Davis is
15 available for cross-examination.

16 ATTORNEY EXAMINER: Okay. Before we get to
17 any questions from Mr. Jackson, okay, Miss Davis, you
18 indicated that when you are looking at Company Exhibit 1,
19 you indicated that the reads for January, February and
20 March of 2020 were all actual reads. Then you refer to
21 that bar graph below and you were saying that by looking
22 at that bar graph you know that the reads for January,
23 February, March of 2020 were actual reads.

24 Are you saying that, because if I'm looking at
25 that graph, it looks like there is a little A in each of

1 those months in the bar graph, looks like a little A
2 which might indicate an actual read; is that correct?

3 THE WITNESS: Yes, and actually below that is
4 a chart, I guess, I'm sorry, I'm not thinking of the right
5 word. It says A for actual, E for estimate, and C for
6 customer.

7 ATTORNEY EXAMINER: Oh, I see it. Okay.
8 Okay. And the second you were mentioning that there
9 was -- you made a reference to the last actual read being
10 21 -- I'm sorry, 21,997. Am I right about that I think?

11 THE WITNESS: The --

12 ATTORNEY EXAMINER: You indicated that number.
13 I was just trying to find where that is.

14 THE WITNESS: I believe that is on Exhibit 1,
15 21,997. It is on the right-hand side of the bill where it
16 says usage.

17 ATTORNEY EXAMINER: Oh, I see.

18 THE WITNESS: It has got February 27th, 2020
19 on it.

20 ATTORNEY EXAMINER: I got it. Okay. Okay.
21 That's good. Thank you very much.

22 THE WITNESS: You are welcome.

23 ATTORNEY EXAMINER: All right. I'll take a
24 quick look at your testimony. I don't believe I had any
25 questions on that. No, I don't think I did at this point

1 in time.

2 Okay. Mr. Jackson, did you, you know, you
3 indicated that you disagree with -- before Miss Davis
4 spoke you indicated that you had objected to whatever she
5 had said, but having heard her comments, did you have any
6 additional questions or comments yourself, Mr. Jackson?

7 MR. JACKSON: I just, like I said, I'm getting
8 bills now and I have always from the Electric Illuminating
9 Company and I have a bill I'm looking at here now in May
10 of 20 -- due date was May of 2022. And January and
11 February and March, it has no way the kilowatt usage that
12 they say I used back in '20, whenever. It is kilowatt
13 usage in January, February, and March, and I used in the
14 summer.

15 MR. BRIEG: Your Honor, I object to this
16 exhibit. This exhibit is being used that was not shared.

17 MR. JACKSON: Why in that particular 17 months
18 I used God knows how much kilowatt usage?

19 ATTORNEY EXAMINER: Well, I'll agree to the
20 objection. I agree with the objection. We are not, of
21 course, we don't have a copy of the bill you are looking
22 at Mr. Jackson.

23 MR. JACKSON: Yeah, I can send you a copy. I
24 have two or three bills here from January through March
25 that I have not used --

1 ATTORNEY EXAMINER: Those are the bills for
2 your most recent months; am I correct?

3 MR. JACKSON: Yeah.

4 ATTORNEY EXAMINER: You are referring to bills
5 from January, February, and March -- January and February
6 and March of 2022; am I correct?

7 MR. JACKSON: Right.

8 ATTORNEY EXAMINER: Okay. Well, you know,
9 thank you for your comments, but those bills are a little
10 beyond what we are focusing on here because, you know, we
11 are focusing on that period of time where you felt that
12 the estimates were too high. But having heard --

13 MR. JACKSON: What about the bills -- what
14 about the bills before this started estimating 17 months
15 ago? I never had any problems with underestimating my
16 bills and they were actual bills. They weren't estimated.

17 MR. BRIEG: I'm not sure he is asking the
18 question to the witness.

19 ATTORNEY EXAMINER: Sorry, Mr. Brieg, what did
20 you say again?

21 MR. BRIEG: I'm not sure if he is asking that
22 question to the witness.

23 MR. JACKSON: I'm asking anybody that want to
24 answer it.

25 ATTORNEY EXAMINER: Well, how about asking

1 your question and perhaps the witness can answer. What
2 was your question then, Mr. Jackson?

3 CROSS-EXAMINATION

4 BY MR. JACKSON:

5 Q. Why I had no problems before this 17 months in
6 January and February and March or whenever and even after
7 the 17 months, January, February, and March, I never used
8 anywhere near the kilowatt usage that you say I used in
9 2020. I never had any problems with any bills before then
10 or after -- even after that. How is that? It is just
11 these 17 months when you were estimating that I had these
12 big problems with kilowatt usage that you
13 were estimating.

14 ATTORNEY EXAMINER: It is, I think, maybe more
15 of a statement than a question.

16 MR. BRIEG: I'll just object to the compound
17 question, but I would tell my witness -- I would let her
18 know she can answer if she has an answer and understands
19 the question.

20 THE WITNESS: I believe what you are asking,
21 Mr. Jackson, is your usage before and your usage after
22 that you did not have any concerns with and you are
23 inquiring as to why you received the large August bill
24 following the estimations; is that correct?

25 BY MR. JACKSON:

1 Q. Yes.

2 A. In the months that you were estimated for
3 those months between March of 2020 and August of 2021, we
4 don't know what your actual usage was because we did not
5 obtain a reading. So in August, we reconciled the usage.

6 So there may have been some months that you
7 were overestimated and other months that you were, you
8 know, maybe billed for more appropriate usage, but during
9 the months that you were underestimated we reconciled that
10 when we received that actual reading.

11 Q. You didn't have -- you don't have any records
12 of my bills before that 17 months?

13 A. We do. That's the bills that we --

14 Q. All right then. Well, all right then. You
15 can see that I had no problems before the 17 months. I
16 never used as much kilowatt usage in January, February,
17 and March or whenever before that 17 months. So why
18 during that 17 months when you are estimating that I got
19 this big bill that you say you underestimated?

20 A. Well, the months that you had the actual
21 readings you were averaging kilowatt hours. Just, for
22 example, based on our Exhibit 1, you had 819 kilowatt
23 hours between January --

24 Q. I'm talking about before.

25 MR. BRIEG: Your Honor, I would object and ask

1 to allow my witness to answer the question.

2 ATTORNEY EXAMINER: Mr. Jackson, let --

3 Mr. Jackson, when you --

4 MR. JACKSON: She is still talking about 2020
5 and 2021. I'm talking about before then. I don't want to
6 hear about 2021. I done heard everything about 2021. I'm
7 talking about before the 17 months.

8 ATTORNEY EXAMINER: Okay. And I believe Miss
9 Davis was referring to the three months in 2020, January,
10 February, and March leading up to when the bills had to be
11 estimated, okay. I think that's what she was
12 addressing.

13 MR. JACKSON: Right.

14 ATTORNEY EXAMINER: Okay. Well, then let her
15 continue with her answer. Okay?

16 MR. JACKSON: Go ahead. Go ahead.

17 ATTORNEY EXAMINER: So Miss Davis, you were
18 going back to the three months immediately before the
19 estimates began and you were saying, Miss Davis, please,
20 if you can just repeat or elaborate on what you said of
21 January, February, March of 2020 and the usage then?

22 THE WITNESS: It is on the actual reading for
23 Exhibit 1. From January 30th to February 27th, 2020, the
24 actual usage was 846 kilowatt hours, which was an average
25 of 29 kilowatts per day.

1 On the statement of account, for instance,
2 which is Exhibit 2, the reason that you would have been
3 underestimated is if you look at that actual billing for
4 the estimate in let's say January 28th, 2021, which is on
5 Exhibit 2, we only estimated you at using 19 kilowatts a
6 day. Whereas last year, the year prior, you had 28
7 kilowatts per day.

8 So that's just an example of the
9 underestimation for those number of kilowatts per day that
10 got billed when we reconciled that usage.

11 ATTORNEY EXAMINER: Okay.

12 MR. JACKSON: She is still talking about 2020
13 and 2021. I'm talking about before 2020 and 2021. I
14 didn't have any problems then with actual bills. You are
15 talking about estimated bills.

16 ATTORNEY EXAMINER: I think the witness
17 answered to the best of her ability.

18 Mr. Jackson, I'll ask you this question, you
19 know, of course, you are still required to answer to the
20 best of your ability, too.

21 Mr. Jackson, you are saying that in the months
22 leading up to when the estimates began, those months
23 leading up to it would have been January, February, and
24 March of 2020, you are saying that you never really had
25 any difficulty or objection to the amount of the bills you

1 received leading up to the time where those estimates
2 began; am I correct?

3 MR. JACKSON: That is correct. I didn't have
4 any problem with bills then and I have no problem with
5 bills now. I have paid my bill every month for the last
6 40 or 50 years. I have never missed a bill because I felt
7 they were correct, but this I do not.

8 ATTORNEY EXAMINER: Sure. Okay. And
9 Mr. Jackson, again, I'm looking at the company exhibit.
10 It is that bill that, unfortunately, you said was a little
11 too small for you to read. It is indicating in January,
12 February, March of 2020, your kilowatt hours were, let's
13 see, it was 625 and then 819 and then 846 and in those
14 numbers, you know, I don't know what the dollar amount of
15 those bills was, but you are saying that -- you are saying
16 even though the kilowatt usage in those months was higher
17 than prior months, you didn't have any problem with paying
18 those bills; am I right?

19 MR. JACKSON: Right.

20 ATTORNEY EXAMINER: And you indicated that you
21 have electric heat?

22 MR. JACKSON: Right.

23 ATTORNEY EXAMINER: Mr. Jackson, do you
24 find --

25 MR. JACKSON: Not heat. I don't have electric

1 heat. I have electric stove.

2 ATTORNEY EXAMINER: Okay. Maybe I
3 misunderstood you. I thought earlier when I was
4 questioning you you said you had electric heat. Is it gas
5 heat in your --

6 MR. JACKSON: I don't know what kind of heat
7 this is. It is -- I don't know. It is -- it is on the
8 floor and it comes up out of some -- I don't know what
9 kind of heat it is.

10 ATTORNEY EXAMINER: If you don't, that's all
11 right. That would add some additional background to the
12 complaint case.

13 At any rate, we have noted your objections to
14 Miss Davis's testimony. Did you have anything else to
15 add, if you don't that's okay?

16 MR. JACKSON: No, I'm going to get back to
17 this information that's on the Internet and with Fox News
18 and Forbes --

19 MR. BRIEG: Objection.

20 MR. JACKSON: -- and everywhere else. You
21 want to object to that because you want to ban it, ban it.
22 You don't want people to know about it. That's why you
23 are objecting.

24 And I have got a lot of information here about
25 how we are getting scammed by the big power companies.

1 MR. BRIEG: Objection, Your Honor.

2 MR. JACKSON: Objection, yeah, objection.

3 ATTORNEY EXAMINER: Well, Mr. Jackson, those
4 stories may be out there, but what we are trying to focus
5 on today is the months in particular you are complaining
6 about.

7 MR. JACKSON: After reading this, yeah, I'm
8 complaining. I don't want to be scammed.

9 ATTORNEY EXAMINER: Okay. That's your right
10 to make that statement, certainly. Again, we are trying
11 to focus on the months specific to your complaint.

12 Mr. Brieg, I'm guessing then at this point you
13 probably want the testimony of your witness to be admitted
14 into evidence?

15 MR. BRIEG: Yes, Your Honor, at this time I
16 would move for the admission of Company Exhibit 3 into
17 evidence.

18 ATTORNEY EXAMINER: I will admit that into
19 evidence as well.

20 Mr. Jackson, you know, I understand your
21 disagreement with a lot of what was said by the company
22 today, but at any rate, we'll weigh your testimony as well
23 as the testimony and the exhibits of CEI in evaluating
24 everything.

25 MR. JACKSON: Okay.

1 ATTORNEY EXAMINER: We'll just go off the
2 record for a moment here.

3 - - -

4 (Recess was taken.)

5 - - -

6 ATTORNEY EXAMINER: Go back on the record with
7 that for a minute.

8 MR. BRIEG: Only thing I would ask if
9 obviously we receive a brief, I would ask for permission
10 to file a reply.

11 ATTORNEY EXAMINER: Oh, sure.

12 MR. BRIEG: By just November 21st, right
13 before Thanksgiving.

14 ATTORNEY EXAMINER: All right. Let's see now.
15 So November and Miss Chafins we were talking about briefs.
16 So we agree that it was November 10th for the briefs and
17 November 21st for reply briefs and again, Mr. Jackson,
18 that is not something that has to be done. It is just a
19 written argument of the arguments that were made today and
20 you can file something if you wish.

21 MR. JACKSON: Is this filing objections to
22 what has happened today?

23 ATTORNEY EXAMINER: Well, no. Again, what you
24 basically would be filing would just be, you know, any --
25 say any explanations you made today about why you filed

1 the complaint, why you think you are correct in what your
2 objections are that kind of thing.

3 It wouldn't really be I object to what CEI is
4 saying. It would be more just trying to whatever --
5 promote whatever your case is, whatever your argument is,
6 you know. For example, you know, you were saying I had no
7 problem paying my bills all along until after the
8 estimates were done or something of that nature.

9 But again, it is not something you would have
10 to file. You would mail it in, U.S. Mail to our address
11 at the Commission. I can give that to you -- email you
12 that after the hearing.

13 Let me think if there is anything else.
14 Mr. Jackson, I'll also mention this. As you might have
15 guessed, everything was sort of very much slowed down
16 because of the pandemic and we are trying to catch up on
17 hearings and Commission decisions on the hearings, that
18 kind of thing.

19 I don't make the final decision. It would go
20 to all of our Commissioners who would review the record
21 that I summarize. So it may take quite awhile for you to
22 get the outcome of this case. Eventually you will. I
23 just want to let you know that we really have a lot to
24 catch up on because for a time during the pandemic no
25 hearings were being held -- conducted at all.

1 With that being said, see, we have admitted
2 all the exhibits into evidence. I want to thank everyone
3 for participating today. Micah Schmidt for our technical
4 expert and Donna Chafins as our court reporter as well.
5 Any final questions from anyone?

6 MR. JACKSON: No, I want to thank you for the
7 hearing and I'd just like to know how many other people
8 Electric Illuminating Company has gave a big bill to
9 because they said they underestimated what they told them.

10 ATTORNEY EXAMINER: I understand your
11 question, Mr. Jackson. I don't have an answer to that and
12 Mr. Brieg, I think you had one other comment.

13 MR. BRIEG: Yes, just logistically on how to
14 share the exhibits with Miss Chafins.

15 ATTORNEY EXAMINER: That can be -- I can email
16 those to her.

17 MR. BRIEG: Perfect. Yeah, I think all three
18 I sent you were used today.

19 ATTORNEY EXAMINER: Okay. That's fine.
20 Thanks everyone for your participation and patience in
21 getting up and running and I ask you all to stay safe and
22 stay well. You know, we are entering another Covid and
23 flu season, so be careful. Thank you. Have a good day.

24 (Hearing was concluded at 1:52 p.m.)

25 - - -

C E R T I F I C A T E

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Thursday, September 29, 2022, and carefully compared with my original stenographic notes.

Donna D. Chafins, Registered Professional Reporter, and Notary Public in and for the State of Ohio.

My commission expires November 8, 2026.

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Summary: Transcript September 29th 2022 LLOYD E. JACKSON VS. THE
CLEVELAND ELECTRIC COMPANY electronically filed by Mr. Ken Spencer on
behalf of Armstrong & Okey, Inc. and Chafins, Donna