

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of:	:	
	:	
Boyce Parker,	:	
	:	
Complainant,	:	
	:	
vs.	:	Case No. 21-25-EL-CSS
	:	
The Cleveland Electric	:	
Illuminating Company,	:	
	:	
Respondent.	:	

- - -

PROCEEDINGS

before Mr. Jesse Davis, Attorney Examiner, at the
Public Utilities Commission of Ohio, via
videoconference, called at 10:35 a.m. on Thursday,
November 17, 2022.

- - -

ARMSTRONG & OKEY, INC.
222 East Town Street, Second Floor
Columbus, Ohio 43215-5201
(614) 224-9481 - (800) 223-9481

- - -

1 APPEARANCES:

2 Mr. Boyce Parker

3 On his own behalf.

4 Benesch, Friedlander, Coplan & Aronoff, LLP
5 By Mr. John W. Breig
6 200 Public Square, Suite 2300
Cleveland, Ohio 44114

7 On behalf of the Respondent.

8 - - -
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX

- - -

WITNESS	PAGE
Boyce Parker	
Direct Examination	5
Cross-Examination by Mr. Breig	26
Princess Davis	
Direct Examination by Mr. Breig	35
Cross-Examination by Mr. Parker	40

- - -

COMPLAINANT EXHIBIT	IDENTIFIED	ADMITTED
1 August 15, 2022, Filing in the Docket	13	--
2 March 14, 2022, Filing in the Docket	21	--
3 January 6, 2021, Filing in the Docket	75	--
4 August 1, 2022, Filing in the Docket	77	--

- - -

RESPONDENT EXHIBIT	IDENTIFIED	ADMITTED
1 Direct Testimony of Princess Davis (Public Version)	35	77

- - -

1 Thursday Morning Session,
2 November 17, 2022.

3 - - -

4 EXAMINER DAVIS: Let's go ahead and go on
5 the record.

6 Good morning, everyone. Thanks for being
7 here. The Public Utilities Commission of Ohio has
8 called for hearing at this time and place Case No.
9 21-25-EL-CSS. The complaint is captioned in the
10 Matter of the Complaint of Boyce Parker against the
11 Cleveland Electric Illuminating Company.

12 Today we have Mr. Parker in his own
13 capacity, and we have one -- I believe we have one
14 witness on behalf of the Company so let's get started
15 with appearances. So, Mr. Parker, if you could just
16 identify that you are the Complainant and state your
17 name and address for the record.

18 MR. PARKER: Boyce Parker, 9505 St.
19 Catherine Avenue, Cleveland, Ohio 44104.

20 EXAMINER DAVIS: Thank you.

21 And on behalf of the Company.

22 MR. BREIG: Good morning, your Honor.
23 John Breig of Benesch Friedlander on behalf of the
24 Cleveland Electric Illuminating Company, 200 Public
25 Square, Suite 2300, Cleveland, Ohio 44114.

1 EXAMINER DAVIS: Thank you, sir.

2 So we've taken appearances. With that
3 said, Mr. Parker, if you would like to, you know,
4 essentially take the stand as your witness and give
5 any testimony that you have today, you can feel free
6 to do so now.

7 MR. PARKER: Anybody as my witness?

8 EXAMINER DAVIS: Yeah. I mean, since you
9 are not calling, you know, a witness, you would be
10 essentially testifying on your own behalf and if you
11 would like to --

12 - - -

13 BOYCE PARKER

14 being duly sworn, as prescribed by law, was examined
15 and testified as follows:

16 DIRECT EXAMINATION

17 THE WITNESS: To prove that what they say
18 in here, that I was blocking my meter with aluminum
19 foil? They said it was written that I was trying to
20 interfere with their reading. It wasn't that. It
21 was because every time I come from my VA Hospital,
22 they done changed my meter. I said why would they
23 change it when I am gone?

24 I said I know what to do. I am going to
25 put it over here and see if they are really reading

1 it. So I put it on there, and it stayed for two
2 years. This is what my proof is. I am going to show
3 you something, that when I told you they have to take
4 aluminum foil off to read the meter, right? Sir, do
5 you have to pull the aluminum foil off to read it?

6 Let's look at this one. Remember I told
7 you I had -- trying -- I can't read it too good. The
8 Illuminating Company right here, now watch this man.
9 See if you can see it.

10 - - -

11 (Video played.)

12 MR. PARKER: You're supposed to remote
13 it, right? Okay. Well, you can't -- you can't take
14 that off, right?

15 UNIDENTIFIED SPEAKER: Yeah, it's just
16 not.

17 MR. PARKER: Because I got aluminum over
18 it.

19 UNIDENTIFIED SPEAKER: Oh, yeah?

20 MR. PARKER: Uh-huh, but you all been
21 reading it every month since. That's why I had the
22 government investigating it.

23 UNIDENTIFIED SPEAKER: (Inaudible.)

24 MR. PARKER: Okay. Well, tell me how you
25 all been getting a reading. How come you all been

1 getting a reading? Over two years I've had it over
2 there since I (inaudible) this house. Now all of a
3 sudden it ain't (inaudible). They sent you a
4 message, didn't they?

5 UNIDENTIFIED SPEAKER: No, they didn't.

6 MR. PARKER: Okay. Go on and read it. I
7 am going to put it back up on there. I want to see
8 what you get.

9 - - -

10 THE WITNESS: You see he has a remote in
11 his hand?

12 MR. BREIG: Objection, your Honor, and
13 based on numerous grounds of hearsay, authentication,
14 don't know what this video is. Just want to note my
15 objection for the record, your Honor.

16 EXAMINER DAVIS: Yes. Let's go off the
17 record for a second.

18 (Discussion off the record.)

19 EXAMINER DAVIS: We are going to go back
20 on the record.

21 Mr. Parker, please raise your right hand.

22 (Witness sworn.)

23 THE WITNESS: I'm telling you the truth.
24 I got it in my complaint. I never lie.

25 EXAMINER DAVIS: Just please say yes or

1 no.

2 THE WITNESS: Yes. I never lie.

3 EXAMINER DAVIS: Thank you. Okay. Now,
4 sir, you can continue. Thank you very much.

5 THE WITNESS: All right. You see here
6 this box? This is all my 2022. You see the year?
7 Let me see if I can see that. 2022. These here I
8 have got --

9 EXAMINER DAVIS: Sir, are those bills?

10 THE WITNESS: Yeah. I have had so many
11 pictures of my meter. I read it every other day. I
12 watch it.

13 EXAMINER DAVIS: Just let me stop you for
14 a second. Are these things you filed in the docket?
15 You sent these to the Commission?

16 THE WITNESS: Yes, yes, yes. They are
17 all copies. Same ones I sent you. I made copies. I
18 filed a complaint. When I filed the complaint, I
19 made copies.

20 EXAMINER DAVIS: How many of those are
21 there, sir?

22 THE WITNESS: I don't know. That's three
23 plus the one I sent last month, four, about five.

24 EXAMINER DAVIS: And so what you need to
25 do is -- do you want those to be marked as evidence?

1 THE WITNESS: You already have them.
2 Those the ones I sent you.

3 EXAMINER DAVIS: Yes. But this is the
4 way this kind of works. They need to be marked
5 during the hearing, and you move to admit them.

6 THE WITNESS: That's you. You mean to
7 tell me this one here on this bill -- of this bill
8 that's from August 24 I sent to you, how come it's on
9 here? If I can look here, here is my evidence. I
10 can go on your website and look at all of them.

11 EXAMINER DAVIS: Yes, sir. It's in the
12 docket, but the record evidence is what is admitted
13 into the record during the hearing.

14 THE WITNESS: Well, you supposed to
15 admitted it. It's my evidence.

16 EXAMINER DAVIS: Yeah. I rule on
17 admittance, sir, but you have to move it because, you
18 know, I can't decide for you what you have -- of the
19 things you have filed which ones you want to be part
20 of the record evidence.

21 THE WITNESS: I filed them.

22 EXAMINER DAVIS: It would be -- it would
23 be inappropriate for me to make that decision for
24 you. What I decide is the marking and then the
25 admittance.

1 THE WITNESS: If I have a complaint
2 number and I file it under that complaint number, it
3 says on there additional evidence. Well, you ain't
4 going to file it, so you hiding it too, right? So
5 you hide --

6 EXAMINER DAVIS: Karen, let's go off the
7 record again.

8 (Discussion off the record.)

9 EXAMINER DAVIS: Let's go back on the
10 record, Karen.

11 THE WITNESS: January 6 of 2021, you
12 don't have this in here. That's all -- this all here
13 is together and I didn't put it in this answer.

14 EXAMINER DAVIS: So we are looking at --
15 so we are looking at a photo you took from January?

16 THE WITNESS: No. Those are not photos.
17 You want the photos? I just want him to answer what
18 I filed.

19 EXAMINER DAVIS: Well, sir, you were
20 breaking out the photos earlier so that's why we had
21 that discussion.

22 THE WITNESS: Photo -- okay. Let's go
23 back. Let's go back to 8-15-22, additional
24 information on -- all right. Okay. Let's go. Let's
25 view the document. All right. CEI -- this is my

1 complaint. CEI -- oh, they moved too fast. CEI
 2 reading on August 7 of 2022, which is a Sunday when
 3 CEI don't read meters, that is what CEI told me.
 4 They told me on the phone they don't work on Sunday.
 5 I got to get my meter reading through the week. The
 6 reading CEI sent me for August 7, 2022, was 1,979.
 7 My picture that morning for my meter is 1,968. CEI
 8 added 11 watts that it is -- was. Okay. How did
 9 they add 11 when it wasn't only used 4 watts per day?
 10 That's three times as much. How did it jump in one
 11 day from the time I got the picture right here?
 12 Here, I show you where I took the picture.

13 EXAMINER DAVIS: So which picture is
 14 this, sir?

15 THE WITNESS: On my phone it will tell
 16 you exactly what time I sent it.

17 EXAMINER DAVIS: Is this one of the
 18 photos that's in the docket?

19 THE WITNESS: Yeah, the 1,968.

20 EXAMINER DAVIS: So that's the one from
 21 August 7, 2022?

22 THE WITNESS: Right. I wrote on the
 23 picture August 7.

24 EXAMINER DAVIS: So let's mark that as
 25 Complainant's Exhibit 1 which is the Sunday,

1 August 7, 2022, photograph.

2 (EXHIBIT MARKED FOR IDENTIFICATION.)

3 THE WITNESS: I want him to answer what I
4 have on that complaint. How can they read it on
5 Sunday when no one's there? My brother is in Akron.
6 I talked to him yesterday. I always have. Go over
7 there and see. He said it's closed. If you go -- I
8 even asked the Public Utilities Commission. They say
9 they closed. You can't even call your meter reading
10 in on a Sunday. You call -- ain't nothing there on
11 Sunday, but they are reading my meter on a Sunday?
12 How can they read my meter on Sunday and no one is
13 there?

14 You see on the second one down where the
15 Illuminating Company bill, it says they read 1,979 on
16 August 7, on a Sunday. But my picture showed 1,968.
17 So how can they jump it up that high?

18 EXAMINER DAVIS: So --

19 THE WITNESS: Okay. Again --

20 EXAMINER DAVIS: Let's mark this bill,
21 this August bill, as Complainant's Exhibit 2.

22 MR. BREIG: I'm fine with the whole thing
23 being marked as Company Exhibit 1, your Honor, since
24 it's one whole document and we're not --

25 EXAMINER DAVIS: Okay. Let's mark this

1 document as -- just for the sake of ease --

2 MR. BREIG: Not Company but Complainant
3 exhibit.

4 EXAMINER DAVIS: Let's mark this
5 document, this filing from -- what is this, August --
6 is this the August 15 filing?

7 MR. BREIG: Correct.

8 EXAMINER DAVIS: Then let's mark this
9 August 15 filing as Complainant Exhibit 1 since we
10 are referring to multiple parts of it.

11 (EXHIBIT MARKED FOR IDENTIFICATION.)

12 EXAMINER DAVIS: And we are just going
13 to --

14 THE WITNESS: Okay. Okay. Speak?

15 EXAMINER DAVIS: Yes, you can proceed,
16 Mr. Parker.

17 THE WITNESS: At the top of my complaint,
18 this had to be added, marked with the same one as I
19 read it. Okay. If you look at it, it says that this
20 bill was made on the 10th. It says right on the top
21 August 10, 2022, that amount \$54, but look at -- look
22 at my complaint. My complaint says August 10. How
23 can I have it in my hand right now, the complaint on
24 the 10th, if the bill is being made? How can you
25 have the bill in Akron and I'm in Cleveland on the

1 same time? We both reading the same thing? How can
2 you have on your bill -- okay, sir, I know this is
3 not evidence. Wait on me to send this. This just
4 came last week. This one here --

5 MR. BREIG: Your Honor, objection to -- I
6 am going to object if we are getting outside the
7 scope of documents that were filed in the record and
8 it's something that has not been shared with counsel.

9 EXAMINER DAVIS: Yes. So, Mr. Parker --

10 THE WITNESS: You don't want nothing told
11 on you. You are going just like when I complained
12 about House Bill 6. I see that's gone. I told you I
13 was not going to pay for no FirstEnergy Solutions. I
14 told them it was a scam and this is too. I see they
15 went to jail.

16 MR. BREIG: Objection to relevance, your
17 Honor.

18 EXAMINER DAVIS: Sustained.

19 THE WITNESS: How is it irrelevant? It's
20 the truth.

21 EXAMINER DAVIS: Sir, let's keep within
22 the scope of what's happened here in this situation
23 which involves an entirely different company. Just
24 try to stay in line here.

25 THE WITNESS: Different company?

1 FirstEnergy is FirstEnergy.

2 EXAMINER DAVIS: Yes, sir, but staying
3 specifically -- this is about billing by the
4 subsidiary known as CEI. So let's just keep --

5 THE WITNESS: CEI is FirstEnergy.

6 EXAMINER DAVIS: Yes, sir. It's a
7 subsidiary company. I am just saying the scope of
8 this is not related to those events.

9 THE WITNESS: Okay. Let's see.

10 EXAMINER DAVIS: What's this now we are
11 looking at?

12 THE WITNESS: All right. This one here
13 is for CEI files its answer on January 25. All
14 right. Go down. I am going to go down and say
15 Complainant's meter was removed and replaced by CEI,
16 and as a result, Complainant's November 11 bill
17 includes uses from both meters based on actual
18 reading. That -- when they took my meter, when they
19 took the analogue meter off the house, they always --
20 switched them three times. The third time was the
21 analogue meter.

22 And when they -- when I come home from
23 the doctor, the meter was gone. There was a digital
24 meter up there. And with the digital meter being up
25 there, I looked at it and had 2 on there. I said

1 wait a minute. 00002, how did it jump? It only
2 takes me 20 minutes to, 20 minutes back, not be in
3 the office 10 minutes with the doctor, sometimes 15.
4 I don't even be gone a whole hour. In one hour it
5 went up 2 watts. 2 watts, how can it go 2?

6 I called and talked on the phone. I said
7 it's 2 instead of 0. It's 2 instead of 0. Okay.
8 With that they sent me my bill. They sent me a bill
9 with an estimated bill that really pissed me off. So
10 look on your things on my complaints. I had an
11 informal complaint that the -- that the CEI took the
12 meter off my house and took it with them. How they
13 going to send me an estimated bill? How they going
14 to send me an estimated bill when you have it in your
15 hand? You got the bill inside your hand, and you are
16 going to estimate it?

17 EXAMINER DAVIS: Which complaint is that?
18 Is that the original complaint?

19 THE WITNESS: That's the one I didn't
20 file because I didn't have no -- all I used to do was
21 call. I didn't know about filing formal complaints.
22 Nobody ever told me that.

23 EXAMINER DAVIS: Okay. So this was not
24 part of one of the things you filed in the docket.

25 THE WITNESS: No. It says here when they

1 change, they change it to a digital, but I want to
2 get back to that. It's right here on the one I was
3 just reading, No. 4. It says --

4 EXAMINER DAVIS: The Company's answer?

5 THE WITNESS: Well, CEI states that the
6 Complainant's electric meter is an advanced digital
7 meter and denies that this remote reads. But what
8 about the one where they changed from analogue to
9 digital? So they changed my meter was in
10 December 2020. Then before that was analogue meter.

11 It says here Complainant's meter was
12 removed and replaced by CEI. As a result,
13 Complainant's November 11, 2020, bill includes usage
14 from both meters based on -- okay, cause you are
15 going to give me an estimated bill. I call the
16 Public Utilities Commission. Now they sent me
17 another one. They sent me another one. The Public
18 Utilities Commission kept getting in touch with CEI
19 telling them that he don't want to know how are you
20 sending him an estimated bill and it's more than what
21 he is using when you have the meter in your hand?

22 They sent me three bills that month, and
23 then they called me on the phone and asked me,
24 Mr. Parker, what do you want? I said what do I want?
25 Yeah. What do you want? Because I keep having them

1 change my bill. I said by that analogue meter it
2 says I used about 7 watts per day. That's 210 per
3 month. I want 210. Then they sent me a bill with
4 210. I said ain't this about nothing? They make
5 what they want to make.

6 Then another thing that I want you to
7 know about, Mr. Davis, because you supposed to be on
8 my side, why when I moved in this house, they sent me
9 a bill on Earl's, the one who lived before me, he
10 moved on August 31 and he's gone 2008 --

11 MR. BREIG: Objection, relevance.

12 THE WITNESS: Ain't gonna matter. He
13 moved. You charged me \$400 which I didn't even live
14 here.

15 EXAMINER DAVIS: The objection is
16 sustained.

17 THE WITNESS: You can't -- you can't --
18 they steal. They thieves. Charge me for Earl. That
19 was my friend. He had a stroke and I come here and
20 he gone. He moving out the U-Haul truck, and they
21 sent me a bill for 400 some dollars.

22 EXAMINER DAVIS: So let's keep it within
23 the lines of your complaint.

24 THE WITNESS: Lying to my face. Sit
25 there and lie to me. I know what you do. You are an

1 attorney. Your job is to lie.

2 MR. BREIG: Objection, your Honor.

3 EXAMINER DAVIS: Sir, let's --

4 THE WITNESS: Understand, when they open
5 their mouth --

6 EXAMINER DAVIS: Karen, let's go off the
7 record.

8 (Discussion off the record.)

9 EXAMINER DAVIS: Let's -- we're back on
10 the record.

11 THE WITNESS: The case, it said they
12 don't remotely read it. Isn't my video part of the
13 case? That's a video that they do remotely read it.

14 EXAMINER DAVIS: The video will be
15 considered, sir, but again, you haven't provided it
16 to the Bench or to the other parties, and Mr. Breig
17 has objected to its admittance.

18 THE WITNESS: It proves they charged me
19 more wattage than I'm using. What about the
20 picture -- wait a minute. That was -- wait a minute.
21 Let me look on here, the one -- let me get to that
22 date. I have got all of them. Okay. Let me get --

23 EXAMINER DAVIS: Are you going to be
24 opening a photograph, sir, or another filing in the
25 docket?

1 THE WITNESS: The picture. If I had more
2 videos, I would tell you I did.

3 EXAMINER DAVIS: Which photograph would
4 this be, sir?

5 THE WITNESS: Wait until I get to it. I
6 have got to see. I have got to look in each one of
7 them --

8 EXAMINER DAVIS: Go ahead.

9 THE WITNESS: -- what I am saying.

10 EXAMINER DAVIS: No problem.

11 THE WITNESS: Because I sent it to you
12 showing that they -- they reading said -- okay. Let
13 me go down. Let me see. Let me check each one. I
14 want to see -- I don't understand why if my picture's
15 there that I got to go through all of this. This is
16 when you sent me back in the other answers. Oh, I
17 keep going backwards. Keep going out of here. Tell
18 me what dates that I have on there and I could find
19 it in all these complaints.

20 EXAMINER DAVIS: You filed items on
21 June 16 of 2021, March 14 of 2022, August 1 --

22 THE WITNESS: Yeah, March, let me see.
23 Where is 3? There is no 3. You all don't have it on
24 here.

25 EXAMINER DAVIS: Sir, are you looking at

1 the docket?

2 THE WITNESS: Yeah.

3 EXAMINER DAVIS: So you may need to go --
4 if you are in the list of items in the docket and the
5 top right corner of that box above the word "Pages,"
6 you may want to hit the "View All" button.

7 THE WITNESS: I already done that, sir.
8 I do this all the time. I'm looking.

9 EXAMINER DAVIS: I thought maybe it was
10 cutting it off. When I have it set to that, I can
11 see 3-14-2022.

12 THE WITNESS: Yeah. Okay. 3-14.

13 EXAMINER DAVIS: Is that the one you are
14 looking for?

15 THE WITNESS: Must be my complaint then.
16 That's what it says, my complaint. Yeah. Now, it
17 says here that in the reading on March 7 --

18 EXAMINER DAVIS: Let's mark this as
19 Complainant's Exhibit 2.

20 (EXHIBIT MARKED FOR IDENTIFICATION.)

21 THE WITNESS: 0687 and my picture
22 showing -- pictures don't lie. On March 8, which is
23 the next day, 24 hours later, it's for 4 watts. So
24 wait a minute. You tell me in 24 hours I only use 4,
25 but you take 4 times 30 is 120. What I have been

1 telling them forever, I shouldn't go over 150, 120.
2 Why do I get up to 400? Now, didn't I just show you
3 that I read yesterday at a quarter to 7:00, 6:44, at
4 a quarter to 7:00, and I read 03, and this morning I
5 read it's 11. So 03 --

6 MR. BREIG: Objection, relevance.

7 THE WITNESS: Don't start objecting me.
8 Let me get mine out. You got to put that on record.
9 Why you all hiding that? Why are you hiding it? You
10 don't want that to be known, huh?

11 EXAMINER DAVIS: Sir.

12 MR. BREIG: Your Honor, to provide a
13 basis of my objection for the record, my belief is
14 that we are talking about a disputed time period
15 that's at issue here and it sounds like he is giving
16 a reading from this morning and I was just trying to
17 figure out where we are going with that. So that was
18 the objection, to relevancy grounds.

19 EXAMINER DAVIS: Understood. Understood.

20 THE WITNESS: What I want in evidence, I
21 want this one known, if I only got today, I am
22 letting you know that on the day we had our hearing
23 that -- you better be recording this. I know you're
24 not. Don't take it off the record. I want it on
25 record that today, that on the 17th of November,

1 2022, my meter reads 68 watts, so 2 times 6, which
2 would be 30 days, is 136. Now let the Illuminating
3 Company jump up and charge me 250, 300.

4 EXAMINER DAVIS: The objection is
5 sustained. Sir, this is about the reading of your
6 meter during the time you complained about.

7 THE WITNESS: That's evidence. That's
8 evidence. You are not on my side either. You are on
9 their side.

10 EXAMINER DAVIS: Sir, I am the
11 adjudicator. I am not on anyone's side.

12 THE WITNESS: You are going to put what I
13 say in there.

14 EXAMINER DAVIS: Sir.

15 THE WITNESS: I'm the Complainant.

16 EXAMINER DAVIS: Karen, let's go off the
17 record.

18 (Discussion off the record.)

19 EXAMINER DAVIS: Let's go back on the
20 record.

21 THE WITNESS: I already talked to my
22 attorney. I'll show you his picture on the wall in
23 there. I am going to sue them because I want all the
24 money they stole ever since I moved in here. Then
25 they took -- they told me when you all -- wait a

1 minute. This is something else. They are going --
 2 they don't like me telling this part when they took
 3 my meter, when I said something's wrong with the
 4 meter and CEI came and took the meter off the
 5 house --

6 EXAMINER DAVIS: Mr. Parker, sir, do you
 7 mean in the incident where they replaced your meter?

8 THE WITNESS: They called me on the phone
 9 and said, sir, you are right. The meter is
 10 defective. We undercharging you. They are going to
 11 charge me another \$400 fee.

12 MR. BREIG: Your Honor, are we on the
 13 record?

14 EXAMINER DAVIS: Yes, sir. Yes,
 15 Mr. Breig. Would you like to tenure an objection?

16 MR. BREIG: Yeah. I was just going to
 17 object to hearsay. I am not sure where --

18 EXAMINER DAVIS: Sustained.

19 THE WITNESS: You took the meter. Didn't
 20 you take it off my house?

21 MR. BREIG: Just objection. I am not
 22 sure if he is asking me a question.

23 EXAMINER DAVIS: Sir, please address the
 24 Bench, sir. There -- this is not a -- it is not a
 25 back and forth Q and A to Mr. Breig. It is just you

1 testifying.

2 THE WITNESS: He is an attorney. He gets
3 more prestige than I do.

4 EXAMINER DAVIS: No, sir. That's the way
5 this works is not to -- the parties are not to
6 address each other.

7 THE WITNESS: What he want -- you are an
8 attorney, but you all stick together.

9 EXAMINER DAVIS: Sir --

10 THE WITNESS: I want to know about my
11 class action lawsuit.

12 EXAMINER DAVIS: Karen, let's go off the
13 record.

14 (Discussion off the record.)

15 EXAMINER DAVIS: Let's go back on the
16 record, Karen.

17 Mr. Parker, do you feel like you've given
18 your testimony? Do you have anything else you would
19 like to add to the record? Entirely up to you. Sir?

20 THE WITNESS: What? I told you my
21 complaint speaks for itself.

22 EXAMINER DAVIS: So you're finished, your
23 testimony?

24 THE WITNESS: My complaint talks.

25 EXAMINER DAVIS: Okay. Thank you, sir.

1 With that said we are going to have the
2 Company call its witness.

3 MR. BREIG: I have just brief
4 cross-examination, your Honor?

5 EXAMINER DAVIS: Oh, yes, I'm sorry.
6 Yes, go ahead.

7 - - -

8 CROSS-EXAMINATION

9 By Mr. Breig:

10 Q. Hello, Mr. Parker. My name is John
11 Breig, and I am an attorney representing the
12 Cleveland Electric Illuminating Company. I just have
13 a few questions for you. If you don't understand my
14 question, just please ask me to rephrase and I will
15 rephrase my question.

16 Mr. Parker, do you -- do you understand
17 the difference between a smart meter and a digital
18 meter with remote reading capabilities?

19 A. Yes, sir, I do. I build circuits -- I
20 build digital circuits, so, sir, don't talk to me
21 like I don't know. I have -- I will show you that I
22 am an electronic technician. I will go get my amp
23 meter that I put onto my load box in the basement and
24 read how many amps I'm using, then calculate the
25 watts, so I know what I am using.

1 Q. And, sir, do you -- and, sir, do you
2 understand that during this time period you did not
3 have a smart meter? Do you understand that to be
4 correct?

5 A. Yes, I did not. I had a digital meter.
6 That's why I took the picture of him coming through
7 because the digital meter, it wasn't a smart meter.
8 I didn't know you all were changing to smart meter
9 until you all sent a letter.

10 Q. I apologize for speaking over you, sir.
11 And do you understand that your digital display meter
12 that you had is a digital display meter with ERT
13 technology or encoder receiver transmitter technology
14 that allows the meter to be read through a handheld
15 receiver carried by a CEI meter reader from a short
16 distance away? Do you understand that capability?

17 A. I looked it up because I am an electronic
18 technician seeing exactly what type it was, looked it
19 up, and I read their way of cite and they say you
20 have to have a reading, that CEI will get to remotely
21 read it, but that's why they wrote they reading it
22 remotely, and you all say you can't read it remotely.

23 Q. And do you understand that -- that when
24 that meter reader walks by with a handheld device, he
25 is able to pick up your reading from a short distance

1 away?

2 A. Right.

3 Q. And do you understand that during that --
4 during this time period of May, June, and August of
5 2020, your meter was not being -- was not able to
6 pick up -- the meter read was not being able to be
7 picked up from your meter? Do you understand that to
8 be correct?

9 A. No, I do not.

10 Q. Do you know whether or not your May,
11 June, and August 2020 bills were estimated?

12 A. If you sent the bill and it said
13 estimated but how can you estimate it when you
14 sent -- here they go right here. Let me go upstairs
15 and get the box for 2020. That sent -- all you all
16 say actual, actual, actual, actual. After I
17 complained and said how can you, you all quit
18 estimating it.

19 Q. And then I just have one -- one other
20 short question. When you referenced your August 15
21 filing regarding the bill that was the August 10,
22 2020, bill, I understand your concern surrounding the
23 fact you believe CEI registered you using
24 approximately 11 kilowatt-hours on that day, correct?

25 A. I don't refer that. I don't know what

1 bill you are talking about.

2 Q. The bill that you filed in August has the
3 August 10 date on the top, I believe it is Exhibit 1
4 that you introduced to us during your testimony. Do
5 you remember that?

6 A. Let me go to that bill.

7 Q. It is the one that has August 10 on the
8 top.

9 A. Let me get down. That's the one we were
10 just talking about. I know that one straight out of
11 my head. I don't have to look at that.

12 Q. The August 10, 2022, bill, apologies for
13 saying 2020 earlier, the August --

14 A. Yeah, you said 2020, and it's 2022.

15 Q. Yep. Apologies. So in that I understand
16 that you -- you took a photo that morning that showed
17 a 1,968 kilowatt-hour reading, correct?

18 A. Right.

19 Q. And it's your understanding that CEI read
20 the meter that day and showed a reading of --

21 A. 1,7 -- 1,979.

22 Q. Correct. That would be approximately
23 about 11 kilowatt-hours in a day, correct?

24 A. In one day.

25 Q. Yes. And do you see on that bill that

1 your average daily usage at this time was
2 approximately 12 kilowatt-hours a day?

3 A. No, I do not. Why do it say 4 watts when
4 I sent that one in? Let's get to that one, the one I
5 just told you about.

6 Q. If you can please follow along on that
7 bill. If you are looking at that August 10 bill that
8 you filed in the record, it's page 2 of that bill.
9 Do you see the usage history chart down in the lower
10 left corner? When looking at your actual bill, not
11 the first page, your handwriting.

12 A. There's 10 last year. This year 12.

13 Q. Correct. So you understand that your
14 bill is showing you that your average daily use this
15 year at that time that this bill was was
16 approximately 12 kilowatt-hours a day.

17 A. Well, okay. Let's see. 12 times 30.
18 Let's see how many supposed to came up. Let's see
19 what the bill supposed to have been. You say I used
20 12 per day.

21 Q. That was your average usage according to
22 the records. Do you understand that?

23 A. Average mean I most -- almost every day
24 I'm using that amount. Okay. That -- you don't see
25 nothing on this house. I don't have nothing but

1 electric light on and the refrigerator and this
2 computer. How in the world am I using 12? 12 times
3 30 equal 360. Well, how come last month 168? The
4 month before that was as high as 166 in May of '22?
5 May of '22 was 168. Now, that's around what I use.
6 I do not use 360. You are the one making it that
7 way.

8 Like the lady told me we go by your last
9 month's bill. She give me -- I said I ain't had a
10 bill turned on until October. He left here last
11 month. I said he left here. You using his bill. We
12 went by last month's bill. You can't -- last year's
13 bill. You can't go by somebody else's bill. So you
14 are going by that one time that you put that. That's
15 how you are going to average my bill out? You are
16 going to make my bill that. That's a lie. You
17 cannot do it. You have to go by my usage.

18 Q. And, sir, and how long have you lived at
19 the address you currently live at now?

20 A. 13 years.

21 Q. Correct. So in August 10 of 2022, your
22 last year's usage would have been August of 2021, so
23 you would have been living at that property, correct,
24 sir?

25 A. That you made, that you made that amount,

1 remember? You are going to my meter and raising it
2 up there.

3 EXAMINER DAVIS: Sir, can you please
4 answer his question just "yes" or "no"?

5 THE WITNESS: They can't go by what I
6 used last year.

7 Q. No. I am not saying we go -- Mr. Parker,
8 I understand the distinction there, and I am not
9 saying I am going by what you used from last year. I
10 am just showing you -- do you see where it shows your
11 last year at this time's average daily usage was 10
12 and this year's average daily usage was 12
13 kilowatt-hours?

14 A. What does that have to do with my meter
15 reading?

16 Q. Do you have anything to -- do you have
17 anything to dispute that that's what your average
18 daily usage was at this time? If the record
19 indicates that's --

20 A. That's a lie. That's perjury. You are
21 trying to get me to say like when I used to go get my
22 transcript and read where you go and try to make me
23 say yes. You can't make me say what I don't want to
24 say.

25 MR. BREIG: And that's the only -- that's

1 the only question -- actually one other -- that's the
2 only questions I have, your Honor.

3 EXAMINER DAVIS: Thank you.

4 MR. BREIG: I have no other questions.

5 EXAMINER DAVIS: Okay. Thank you.

6 So this would be an opportunity,
7 Mr. Parker, where you would have essentially what's
8 called a redirect examination. Do you have any --
9 sort of related to -- just to what Mr. Breig asked
10 you just now, do you have anything to add or to say?

11 MR. PARKER: I want them to answer to my
12 complaint.

13 EXAMINER DAVIS: Well, sir, I just mean
14 relative to the questions he just asked you.

15 MR. PARKER: What he said I am not going
16 to answer yes to, what he wants me to say.

17 EXAMINER DAVIS: I am asking you to
18 answer -- I am just saying relative to those
19 questions, do you have anything more?

20 MR. PARKER: I know what he said. I am
21 the Complainant. I'm the Complainant. You have to
22 answer to me.

23 EXAMINER DAVIS: So I'll take that as a
24 no then.

25 Mr. Breig, now would be your opportunity

1 to call your witness.

2 MR. BREIG: Okay. Your Honor, I would
3 call Ms. Princess Davis to the stand.

4 MR. PARKER: Princess?

5 EXAMINER DAVIS: Thank you. I see
6 Ms. Davis's name. I don't see --

7 MR. BREIG: I think she has now been
8 promoted to a panelist.

9 Ms. Davis, can you hear me?

10 MS. DAVIS: Yes, I can.

11 MR. BREIG: Are you able to have your --
12 see if it shows on me real quick.

13 EXAMINER DAVIS: Are you able to enable
14 video, Ms. Davis?

15 MS. DAVIS: Yeah. Let me try here.

16 There we go.

17 EXAMINER DAVIS: Thank you. So,
18 Ms. Davis, I will just need to swear you in. If you
19 could please raise your right hand.

20 (Witness sworn.)

21 EXAMINER DAVIS: Mr. Breig, you may
22 proceed.

23 - - -

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PRINCESS DAVIS

being first duly sworn, as prescribed by law, was
examined and testified as follows:

DIRECT EXAMINATION

By Mr. Breig:

Q. Ms. 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
D-A-V-I-S.

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

A. I'm employed by FirstEnergy, and I am an
Advanced Business Analyst in Regulatory and
Compliance.

MR. BREIG: Your Honor, at this time I
would like to direct the witness's attention to
Company Exhibit 1 which is premarked for
identification. May I do that?

EXAMINER DAVIS: Yes, you may, and it's
marked.

(EXHIBIT MARKED FOR IDENTIFICATION.)

Q. Ms. Davis, I would like to direct your
attention to what's premarked for identification as
Company Exhibit 1. And I am referring to your
testimony that was prefled in this case. Do you

1 have that document in front of you?

2 A. I do, yes.

3 Q. And do you recognize this document?

4 A. Yes.

5 Q. What is this document?

6 A. It is a copy of my prefiled testimony in
7 this case today.

8 Q. And do you understand that there was a
9 public copy and a confidential copy filed for the
10 record?

11 A. Yes.

12 Q. And do you understand that the
13 confidential copy that was filed contained the
14 Complainant's usage data and the public version that
15 was filed had redacted the customer's private usage
16 data?

17 A. Yes.

18 Q. Did you prepare this testimony or cause
19 this to be prepared at your direction?

20 A. Yes, I did.

21 Q. If you were asked the questions that are
22 in this testimony here today, would your answers be
23 the same?

24 A. Yes, they would.

25 MR. BREIG: And, your Honor, I would ask

1 for brief leave to just ask a few questions that
2 were -- that were brought up during Mr. Parker's
3 direct examination that we would not have had the
4 opportunity to include in our prefiled testimony.

5 EXAMINER DAVIS: Do you have any
6 objection, Mr. Parker?

7 MR. PARKER: I don't care what you do.

8 EXAMINER DAVIS: Go ahead, Mr. Breig.

9 Q. Ms. Davis, were you present for the
10 testimony of Mr. Parker here today?

11 A. Yes.

12 Q. And did you hear Mr. Parker describe what
13 he believes were the meter and the meter capabilities
14 that he had at his property?

15 A. Yes.

16 Q. Do you agree with those statements
17 regarding remote reading and the meter capabilities
18 of the meter he had at his property?

19 A. I'm sorry. Can you re -- can you reask
20 that?

21 Q. When Mr. Parker was describing that his
22 meter was not able to be read remotely but it was
23 being read remotely through the CEI representative,
24 the meter reader, do you agree with those statements
25 as he phrased them?

1 A. I'm not sure that I understand exactly
2 what you are asking.

3 Q. It's a poor question, and I will rephrase
4 it. Did you hear what Mr. Parker testified that he
5 does not --

6 MR. BREIG: Your Honor, I would ask that
7 the Complainant try not to interrupt -- I mean, he is
8 laughing as we are going through the testimony.

9 EXAMINER DAVIS: Mr. Parker, please let
10 Mr. Breig continue.

11 MR. PARKER: I can't laugh?

12 EXAMINER DAVIS: Sir.

13 MR. PARKER: I am in my house, but you
14 are going to try to tell me I can't laugh.

15 EXAMINER DAVIS: Sir, if we were in
16 person, this would be in a hearing room.

17 MR. PARKER: I still can laugh.

18 EXAMINER DAVIS: It wouldn't be
19 appropriate.

20 MR. PARKER: You can't run me like a
21 little puppet, tell me what to do.

22 EXAMINER DAVIS: Sir, it's about just
23 being courteous to the other party.

24 MR. PARKER: I am not saying nothing. I
25 was sitting there laughing. She don't understand

1 what he is saying, but I do. I should laugh. She is
2 supposed to be Ms. Big and Powerful. I understand --

3 MR. BREIG: Objection, your Honor.

4 EXAMINER DAVIS: Sustained.

5 Please, sir, let's just keep things
6 civil.

7 Proceed, Mr. Breig.

8 Q. Do you know what kind of meter was on the
9 Complainant's property during this time period,
10 Ms. Davis?

11 A. Yes. He had an ERT remote reader.

12 Q. And what -- how can that meter be read to
13 your understanding?

14 A. An ERT meter is read electronically but
15 within the vicinity. The meter reader needs to be
16 within the vicinity of the meter, and then it
17 transmits the reading to the handheld device that the
18 meter reader carries with them.

19 Q. So in your terminology, would you
20 classify that as a remote reading?

21 A. To a degree, yes.

22 Q. But --

23 A. Remote in the fact that the meter reader
24 does not need to approach directly to the meter but
25 can be within a certain distance of the meter and be

1 able to transmit that reading. But if the meter
2 reader is not in the area of the meter, then he's
3 unable to get a transmission of the reading.

4 Q. Is there a difference between that type
5 of reading and a remote reading that occurs on a
6 smart meter?

7 A. Yes. A smart meter actually downloads
8 the meter reading data pretty much to like a computer
9 device. It doesn't require a meter reader to go out
10 to the location at all. It just reads completely
11 remotely. It doesn't require anybody in the vicinity
12 of the meter.

13 MR. BREIG: Thank you. I have no further
14 additional direct on Mr. Parker's testimony.
15 Ms. Davis is available for cross-examination at this
16 time.

17 EXAMINER DAVIS: Thank you, Mr. Breig.

18 Mr. Parker, do you have any questions for
19 Ms. Davis?

20 MR. PARKER: Yes.

21 - - -

22 CROSS-EXAMINATION

23 By Mr. Parker:

24 Q. She just said that it's downloaded onto
25 the data just like a computer. I'm going to tell you

1 I went to electronic college, and I am going to tell
2 you how we read the amps. Now, I want you all to
3 listen. Don't take it off record. I want it on
4 record. We had a test on this. When you take your
5 amp meter and you said they have it on a test, what
6 amps did it read? What resistance? What power did
7 it use?

8 Okay. But then they use a sabotage amp
9 meter by changing it from 0 to 5. That means if it
10 is supposed to read 10, it's reading 15. So the same
11 thing they can do. Ain't this a remote like this?
12 This is a remote same as they got. This is a remote
13 control. If I want to change that from channel to
14 channel, I can. If you want to still have it at 0,
15 you can change it from instead of reading 0 for a
16 whole month, you can read a 10 for a whole month, 10
17 watts instead of 0.

18 MR. BREIG: Just objection, your Honor.
19 I am not sure if a question is pending for my
20 witness.

21 EXAMINER DAVIS: Yes. Mr. Parker, so
22 what's your question?

23 MR. PARKER: I just told you what I just
24 told her, that you can set it like I did on my --
25 instead of it being 0, you can set to read 10, okay,

1 it might read 4 for a day. If you go ahead and take
2 6 more and you add 6 more with the 4, it makes
3 10 watts per day. I know what they are doing.

4 EXAMINER DAVIS: Okay. Sir, are you just
5 making that statement to her, or are you asking her a
6 question?

7 MR. PARKER: No. I'm telling you how a
8 meter runs.

9 Q. I am an electronic technician, and I tell
10 you how the meter runs. You can take an amp meter,
11 you can take any of them and you don't 0 it, if you
12 put it at 5, it's going to read 5 plus the amount it
13 read. If it read 2, it's going to read 7. So they
14 can make it read what they want it to read.

15 MR. BREIG: Object to form. If Ms. Davis
16 knows how to answer the question, she can.

17 EXAMINER DAVIS: So, Ms. Davis, does that
18 register as something you can address, I mean, in
19 terms of how your understanding of meters work?

20 THE WITNESS: I am not really sure
21 exactly what his question is, but I am not a trained
22 engineer, so I am not able to get into the details of
23 how a meter works. I do know that, you know, that
24 the meter readings are calculated based on just basic
25 math as far as what the current reading is from what

1 the prior reading was and subtract it to show what
2 the consumption was during those two readings. And
3 then the billing is calculated based upon that --
4 those kilowatts used. Is that on the lines of what
5 he is asking?

6 EXAMINER DAVIS: Does that sound -- does
7 that sound like it kind of responds to your question,
8 Mr. Parker?

9 MR. PARKER: No.

10 Q. I know when they first put it on -- when
11 they first put the first digital up, I went online
12 and read from I-T-R-O-N Meter Company, Itron Meter
13 Company, and it said that you can reset those meters.
14 The people in -- it's for thieves. You can't steal
15 it. It's for theft detection, and they say if you
16 take the meter off the house and you take the meter,
17 it detects it, and they can come put another meter on
18 there and put the reading that was stolen when it
19 stopped. They know how to change it. They change it
20 in the office. They change that meter reading.
21 Still --

22 MR. BREIG: Objection, your Honor. There
23 is no questions being asked of the witness on
24 cross-examination and this is not direct of the
25 Complainant.

1 MR. PARKER: She asked me. She don't
2 know how it work. I am telling her how it work.

3 EXAMINER DAVIS: Sir, this is not an
4 opportunity for further testimony. It's an
5 opportunity just to ask her questions about her
6 testimony. So if there's something that, you know,
7 you want to ask her about what she said or something
8 like that Mr. Breig asked her, that's perfectly fine
9 but that's --

10 Q. Ms. Davis, can you reset you all's smart
11 meters?

12 A. I'm unable to answer that question. I'm
13 not trained in the meter reading -- or in the meter
14 services.

15 Q. So if I go out there now and take the
16 meter, you can't reset it.

17 A. I'm not able to answer that, sir.

18 EXAMINER DAVIS: Do you have any other
19 questions, Mr. Parker?

20 MR. PARKER: No. Let's get to my
21 complaint on March 14.

22 EXAMINER DAVIS: Sir, are you going to
23 ask a question about that or?

24 MR. PARKER: I want her to answer it
25 since she work for CEI.

1 EXAMINER DAVIS: If it's -- if it's
2 within the scope of something she should know, she
3 could answer but.

4 MR. PARKER: She should know. She should
5 know.

6 MR. BREIG: I would ask a question be
7 asked.

8 EXAMINER DAVIS: Can you ask her the
9 question about the bill?

10 MR. PARKER: All right.

11 Q. I am trying to ask you how can my meter
12 with these -- these analogue -- I mean, these phones
13 tells the dates and the time that it was taken.
14 That's how the government knows when you take the
15 picture. All right? It tells the time and the date
16 that you take it. How did I read 168 on the same day
17 by the time you all closed it's 178 -- 1978? How did
18 it jump up 11? It said -- he said by 11 per day.
19 That wasn't even a day. That's five, six hours,
20 eight hours at the most. I jumped 11 watts in eight
21 hours and explain that to me, something you should
22 explain, how did I use 11 watts in eight hours?

23 A. Sir, I am unable to tell you what would
24 be within your home drawing the power to raise the
25 consumption. But the only thing that would raise --

1 Q. On --

2 MR. BREIG: Your Honor, I would ask she
3 be allowed to answer the question.

4 EXAMINER DAVIS: Let her answer the
5 question.

6 Go ahead, Ms. Davis.

7 A. The kilowatt reading would change as the
8 usage in the home registered usage. So if the hot
9 water heater is electric and it kicked on or the air
10 conditioning or the heat or, you know, there is a lot
11 of different things that can cause a person's home to
12 use electricity. That reading changed based upon
13 that amount of electricity being used within the
14 home. The meter is the measuring device for that and
15 that reading is going to change based upon the
16 consumption.

17 Q. Right. Okay. Ma'am, I am going to tell
18 you right now you all gave me the -- them swirly
19 lightbulbs and refrigerator. You all took my
20 refrigerator, gave me -- talking about energy
21 efficient. Wait a minute. Do you see anything in my
22 house on? This house is black. I don't even own
23 anything because I know what you all are going to do.
24 You are going to raise it up. You tell me my
25 usage -- you tell me why did my -- on March 7 on --

1 when I filed for March 14, I want you to read it. If
2 it came out to 4 watts per day, 4 watts, so what am I
3 using? People always tell me you shouldn't be paying
4 nothing because you never have a light on in your
5 house. I sleep in the dark. So how in the world --
6 all my life I do not run lights. So explain to me
7 how did I use -- look, if we -- you all took the
8 reading. You all took the reading. How did I use 4?

9 A. I can't -- sir, I can't tell you what's
10 using in your home. An energy audit would need to be
11 made.

12 Q. You read it. Ma'am, you sent me this.
13 It's on the bill. It's on the bill. So how you say
14 how much I am using? I am only using 4. You sent it
15 to me. You caught your own self in a lie. You sent
16 it to me.

17 A. Correct. Sir, we sent you a bill based
18 upon the actual readings that was obtained off of
19 your meter. As to what's within your home that's
20 causing that consumption, I cannot answer that.

21 Q. Well, you tell me right now what's in
22 this -- there is nothing in this house. What is
23 causing it? You tell me right now what is on here
24 causing 11 watts of power?

25 MR. BREIG: Your Honor, asked and

1 answered. She has already testified she does not
2 know what would be using the electricity in his
3 house.

4 MR. PARKER: You come to my house. There
5 is nothing in here.

6 EXAMINER DAVIS: Yes. Let's move along.

7 Q. I still didn't get the answer to my
8 question why that I sent in your -- all right. On
9 March 10, it says 687, but it says actual. Read on
10 March 7. All right. Well, that can't -- if that's
11 true and the next day was 691, equals 4 watts. I
12 don't understand how you telling me I am using 11
13 when I am only using 4? And this -- look, this is
14 the bill you sent me this month. I showed you the
15 picture of that one. It's only using 3 watts. I am
16 the one down to 3. That's why I am only at 68. Now,
17 you all jumped it up to 400 this time.

18 A. Sir, your usage is going to vary upon
19 what's being used within the home.

20 MR. BREIG: Your Honor, I would ask that
21 the Complainant allow the witness to answer.

22 Q. How you stay the same -- I am a veteran.
23 Do you see my walker over there? Do you see this
24 paper say I am 100 percent totally -- I am totally
25 disabled. Do you understand I am a disabled veteran?

1 Do you see my leg brace here? Sometimes I can't
2 walk, but you are going to tell me --

3 MR. BREIG: Objection, badgering the
4 witness.

5 EXAMINER DAVIS: Sir, can you let her
6 answer the question?

7 MR. PARKER: I am not using electricity.

8 EXAMINER DAVIS: Ma'am, you can --

9 Q. Now, where is the light? Where is there
10 a light?

11 A. Sir, the consumption can change
12 day-to-day based on a matter -- a number of different
13 variables, if you have air conditioning or you have
14 heat --

15 Q. You should have --

16 MR. BREIG: Your Honor.

17 EXAMINER DAVIS: Sir, can she answer the
18 question?

19 MR. PARKER: She don't want to answer it.

20 Q. Answer me how did your reading come out
21 1,687 and my reading the next day come 691 and I sent
22 you the picture to prove that it was 691 and that's
23 4 watts, so I am not using no lot of electricity. I
24 am not using any. They don't want to admit I do not
25 use no -- you can say it all day long. I told them

1 what you all are going to say. I say you watch what
2 they say. They are going to say, sir, you are using
3 a lot of electricity, a lot. They say you don't own
4 nothing. Do you see this house is black? I turned
5 this light off. There is nothing on in here. This
6 computer and this little computer, they use
7 milliamps. They use milliamps, millions of an amp.

8 MR. BREIG: Your Honor, objection. He is
9 testifying, not asking questions.

10 EXAMINER DAVIS: Sir, do you have
11 questions for her?

12 Q. Apparently what's on in my house, ma'am?

13 A. I am unable to do that, sir. I am not in
14 your home.

15 Q. Well, I am able to tell you, nothing.

16 EXAMINER DAVIS: Do you have any other
17 questions, sir?

18 Q. I still want her to answer how do I get
19 to 4 watts when you re -- look, if you read it as
20 687, ma'am, did you on March 7 read my meter at 687?
21 Now, tell me -- I can't see that either.

22 A. I do not have that information in front
23 of me, sir.

24 Q. What are you there for? That's bull.
25 What you here for?

1 MR. BREIG: Your Honor, objection,
2 badgering the witness.

3 EXAMINER DAVIS: Sir, can we -- can we
4 have Ms. Davis look at those?

5 MR. BREIG: Yes. I can direct her.

6 MR. PARKER: Let them go and tell me they
7 can't find it.

8 EXAMINER DAVIS: Mr. Parker, please give
9 us a second. Have Ms. Davis look.

10 Q. Look, you are going to explain to me how
11 I use 4.

12 EXAMINER DAVIS: Sir, we will have
13 Ms. Davis look at that.

14 MR. BREIG: Ms. Davis, he is referring to
15 the docket entry that was entered on March 14, 2022.
16 It's a three-page document which appears to be his
17 March 10, 2022, bill. Do you follow along what
18 document we are talking about now?

19 THE WITNESS: I'm pulling it up now.

20 MR. BREIG: Okay.

21 THE WITNESS: I don't have that in front
22 of me. I just had my testimony in front of me.

23 MR. BREIG: That's fine. You know, with
24 our Webex I know sometimes it's hard to share
25 exhibits and the like, so if you are able to pull

1 that up and then let Mr. Parker know when you are
2 looking at the March 10, 2022, bill on page 2, I am
3 sure he can continue his questioning.

4 THE WITNESS: Okay. Just one moment,
5 please.

6 EXAMINER DAVIS: Take your time.

7 THE WITNESS: Can you give me the date of
8 that filing again, please?

9 MR. BREIG: Yes. That filing was
10 March 14.

11 THE WITNESS: Okay. I do have that
12 attachment and document, the bill as well as the
13 picture of the meter, yes.

14 MR. BREIG: Thank you for pulling that
15 up.

16 THE WITNESS: You're welcome. Thank you.

17 MR. BREIG: Your Honor, I think the
18 Complainant -- my witness has the document in front
19 of her so.

20 EXAMINER DAVIS: Thank you.

21 Q. All right. What do your reading come to?
22 When you read it on March 7, 2022, your kilowatts
23 reading, you say actual. What did that read -- what
24 did that read?

25 A. That reading says 687, sir.

1 Q. Okay. What do my pictures show the next
2 day, March 8?

3 A. The picture is not completely clear.
4 Based upon your information in the document, it does
5 appear to say 691.

6 Q. Okay. If you take 691, you subtract 687,
7 how many watts is that? I just went through that
8 answer. What is the answer?

9 A. 4 kilowatt-hours.

10 Q. All right. And it's not a thousand watts
11 of an hour using only 4 watts. I know that just
12 means how long do the meter read to. Kilowatts means
13 it reads up to a thousand watts. Don't be telling me
14 no thousand watts I use. I do not. I usually talk
15 on a 600 watt CB amplifier that I built. You are
16 going to tell me I don't know what a kilowatt is?

17 MR. BREIG: Objection to form, your
18 Honor.

19 EXAMINER DAVIS: Sir.

20 Q. How did it get to 4 watts? I need an
21 answer how did we get 4 watts?

22 A. I cannot answer what used your
23 consumption to cause 4 kilowatt usage, sir. I'm just
24 advising you based upon the two readings between when
25 we obtained our reading and you obtained the reading,

1 that there was 4 kilowatt-hours registered on the
2 meter.

3 Q. Okay. How do you come up with 12?

4 A. I'm sorry. Can you clarify? I am not
5 sure what you are asking referring to the 12.

6 Q. How did you come up with 12? Well, he
7 wanted 11 but anyway how am I averaging using 12 and
8 11 when I am only using 4?

9 A. That was a daily usage just between when
10 we read the meter on March 7 and when you read the
11 meter on March 8. Your bill's calculated on a full
12 billing period of approximately 30 days.

13 Q. Well, okay. Well, will you answer me
14 this is November -- last year, November of '21 says
15 156. So right now I am using 168 as of today. And
16 when it goes up 30 days, it will be 168, so I am
17 using about the same thing as last year, right? If
18 it says 156, I am using the same thing. That's why
19 it shouldn't never change in a whole year because I
20 never turn -- what do I care? I don't even turn the
21 lights on. I live this way 24/7.

22 I only wash my clothes about a month and
23 a half. Look at all these new clothes sitting here.
24 I don't wash because you all raise up my water, so
25 you stealing from that way. So the people in the

1 store, Malika always tells me when are you going to
2 change your clothes?

3 MR. BREIG: Objection, form, hearsay.

4 EXAMINER DAVIS: Sir, are you going to
5 ask her another question?

6 Q. I want her to answer how did you get
7 376 watts -- and when was that? How could you get in
8 this year -- not this year period. How did you get
9 in July 342?

10 A. Is that on a document that's been
11 introduced into evidence that I can review?

12 Q. Because it's 10 watts per day. I am
13 going to tell you how you got there. 10 watts per
14 day comes up to 300 and then plus my 4 for a day come
15 to 342. I know how you got that.

16 EXAMINER DAVIS: Sir, is this -- is this
17 from one of the documents you filed?

18 Q. Right here, March 14, and if you look on
19 it, it shows your whole year the year before all the
20 way up to now and a year back. The year back says on
21 April 2021, I only used 159. How can you get up to 3
22 or 4 hundred when it's on 159?

23 EXAMINER DAVIS: Ms. Davis, just for
24 clarification this is from the same document. It's
25 the usage history on the bottom left of the second

1 page.

2 THE WITNESS: I have that up. I am not
3 showing the 159.

4 EXAMINER DAVIS: So the April 2021 in
5 that usage history like when it goes back from March
6 of '22 to March of '21 right above the bar graph
7 slightly under --

8 THE WITNESS: Yes. For April of 2021?

9 EXAMINER DAVIS: Yes. Right, Mr. Parker?
10 Is that what you are looking at?

11 MR. PARKER: Yes. It says 159.

12 A. Yes, I do see that now.

13 Q. So I am using a lot of electricity,
14 right?

15 A. I'm sorry. Can you repeat that, sir?

16 Q. I'm using a lot of electricity. It
17 dropped from 400 to 159, but I am using a lot of
18 electricity.

19 A. I can't voice an opinion, sir, on whether
20 159 kilowatts would be a lot of energy, but it does
21 show for April '21 on your usage history 159
22 kilowatt-hours.

23 Q. Okay. Well, let's get to October of '21,
24 last year, and it says 164.

25 A. Correct.

1 Q. Did you read that one that says October?

2 A. Yes, I did.

3 Q. Okay. Well, November, the one up under
4 it, say 156.

5 A. That's correct.

6 Q. But when you want to raise it to 300, you
7 can, can't you?

8 A. No, sir.

9 Q. Oh, yes, you can. How did I get to 300?
10 What do I have, a goddamn air compressor in here?

11 MR. BREIG: Object to form.

12 EXAMINER DAVIS: Sir, can you ask her
13 more pointedly what you want to ask her?

14 MR. PARKER: I want her to tell me what
15 do I have on in this house that uses 300 kilowatts.

16 MR. BREIG: Objection, asked and
17 answered, lack of foundation.

18 EXAMINER DAVIS: I think she has
19 essentially answered more than once that she can't
20 speak to what's in your house.

21 MR. PARKER: She telling me that I am
22 using it, but I want her to show me what's running
23 it. I work in electronics. I know what 1 amp is. I
24 know what I am doing.

25 EXAMINER DAVIS: Ms. Davis, you can

1 answer to the extent that you know about that -- that
2 difference in figures.

3 A. The difference in the figures is going to
4 be based upon what the actual readings are. The
5 usage by the day can change based on many variables,
6 considering the weather, the time of day, how much
7 sunlight we have versus when a light might come on,
8 when a hot water heater is being used for showering
9 or doing laundry. There is just a ton of variables
10 that varies from a person's house to another person's
11 house and what their living arrangements and living
12 habits are to what the setting on the air
13 conditioning is, what the temperature outside is
14 versus what the heat thermostat might be set on. So
15 unfortunately it's, you know, incapable of me to be
16 able to explain exactly what is causing the usage in
17 the home or the variation between day-to-day.

18 Q. Well, I am going to explain something to
19 you, ma'am, and I don't know. I can show you. I
20 will send it to you if you want to see it where I was
21 hospitalized last year from September 15 to
22 September 18, and I had cut my service box off. I
23 didn't have nothing on but the refrigerator. I
24 didn't want my food to spoil. Nothing in this house.
25 I was gone for three days. When I came, I read my

1 meter. So I took a picture before I left for the
2 hospital, and I read it. And then when I read it, I
3 was using 11 watts per day and I said how can I use
4 that when I turn the house off but the refrigerator
5 unless your refrigerator doing that. I don't know.
6 Maybe you all can make that refrigerator use
7 electricity. I don't --

8 MR. BREIG: Object to form.

9 EXAMINER DAVIS: Mr. Parker, is that a
10 question for her?

11 MR. PARKER: No. I am telling her the
12 facts.

13 EXAMINER DAVIS: Okay. But this is for
14 you to ask questions.

15 Q. How did my wattage go up when I was in
16 the hospital for three days? How did it go up
17 11 watts per day when I was in the hospital?

18 MR. BREIG: Object to foundation.

19 EXAMINER DAVIS: Sir, is this one of
20 the -- is the billing period you are referring to
21 something you've filed in the docket?

22 MR. PARKER: If she can't answer it, I
23 will pull it out of my health file. I can go in my
24 own files on the computer and pull it out, and it
25 will show you I was admitted on September 15; I was

1 discharged on September 18. And then I am going to
2 show you how high my bill went when I wasn't even
3 home.

4 EXAMINER DAVIS: Do you have those bills,
5 sir, the September bills?

6 MR. PARKER: Up in the attic I got
7 year -- like this one had 2022 on it? That's this
8 year's. This whole -- a whole bunch of the bills.
9 Here is bills right here. I keep a rubber band from
10 month to month. They are in order.

11 EXAMINER DAVIS: Ms. Davis, you can
12 answer this generally to the extent that you know. I
13 mean, just about -- again about usage you can answer
14 to that extent, I mean, that you would know about
15 usage but that's about it, just broadly.

16 MR. BREIG: Your Honor, just to have the
17 record be clear, can we -- what year are we talking
18 about?

19 EXAMINER DAVIS: This year, I believe.
20 Is that correct, Mr. Parker?

21 MR. PARKER: I said September '21.

22 EXAMINER DAVIS: '21.

23 MR. BREIG: Yeah. I would just object to
24 relevance grounds and outside the scope of direct.

25 MR. PARKER: Sir, I am going to find the

1 bill in here that shows \$17 they charged me, so if it
2 wasn't \$17, they made a mistake because I am not
3 using it.

4 MR. BREIG: Object to outside the scope
5 of direct.

6 MR. PARKER: \$14 in this year. It should
7 be on there.

8 EXAMINER DAVIS: Sir, your question is --
9 let's --

10 MR. PARKER: I am trying to explain
11 something to you. Look, this -- this is going with
12 my case. This is their bill. It said I owed \$14.72.
13 Well, wait a minute. You mean I drop down all the
14 way to \$14?

15 EXAMINER DAVIS: Sir, is this a different
16 bill from CEI?

17 MR. PARKER: This is this year's. It's
18 on there. Do you see that say \$14.72?

19 MR. BREIG: Your Honor, can we ask for
20 when this was filed so we can -- everyone can pull it
21 up?

22 EXAMINER DAVIS: This says January.

23 MR. PARKER: Why would I complain about
24 \$14?

25 MR. BREIG: Then I would just object. He

1 is using an exhibit that has not been shared with
2 counsel.

3 MR. PARKER: About this --

4 EXAMINER DAVIS: Sir, can you --

5 MR. PARKER: -- hiding from everybody but
6 you want to go tell me but you don't want to hear
7 nothing unless they tell the truth. Okay. This bill
8 was January 12 of this year.

9 EXAMINER DAVIS: And you did not file
10 this bill in the docket.

11 MR. PARKER: No. Why am I going to file
12 a complaint about \$14?

13 EXAMINER DAVIS: Sir, because anything
14 you want to use as evidence needs to be shared with
15 the parties.

16 MR. PARKER: You are not showing anything
17 I showed you. I can't see that. I can't read it. I
18 don't know. So what did I even file a complaint for?
19 You do nothing. That's all right. I remember when
20 the Congress office went and got in touch with you.
21 When I was telling them, they got in touch with CEI.
22 CEI, when they went through their bills, they said
23 they owed me. That was on HEAP. They said they owed
24 me \$311, and the woman called me from the Congress
25 office, said Mr. Parker did you get your 311? Then I

1 got my bill. Wait a minute. It came a day later. I
2 said, yeah, I got my 311. They gave me \$311 credit.
3 The next month that bill came out, I owed 316. Now,
4 how do I owe you when you owe me?

5 MR. BREIG: Objection. This is outside
6 the scope, foundation, hearsay.

7 MR. PARKER: Outside the scope, ain't
8 nothing outside the scope when this comes to my
9 bills.

10 EXAMINER DAVIS: Sustained.

11 Sir, do you have any more questions for
12 Ms. Davis based on her testimony or on the questions
13 Mr. Breig asked her?

14 MR. PARKER: I know more than she know.

15 MR. BREIG: Objection, your Honor.

16 EXAMINER DAVIS: Sir, do you have any
17 more questions for her?

18 Q. I said answer what did I use to get 4,
19 4 watts per day? I dropped everything off so.

20 EXAMINER DAVIS: Sir, she answered that
21 question. She answered that question to the best --

22 MR. PARKER: She didn't answer why my
23 reading was so low.

24 EXAMINER DAVIS: Sir, she can only answer
25 the question to the extent she knows and --

1 MR. PARKER: She don't know anything.

2 EXAMINER DAVIS: She answered the
3 question. Do you have any different questions, sir?

4 MR. PARKER: Yeah.

5 Q. I want to go for them to answer -- let me
6 go to another. You all ain't answered nothing. You
7 said that you read it remotely. Didn't you say you
8 read it remotely, ma'am? Ma'am?

9 A. Yes, I'm sorry.

10 Can we take a short break? My computer
11 needs to be plugged in.

12 MR. PARKER: Now you are running.

13 MR. BREIG: Objection, your Honor. Can
14 we go off the record for a comfort break for 5
15 minutes?

16 EXAMINER DAVIS: Yeah. Let's go off the
17 record for a few minutes. We will take a quick
18 break.

19 (Recess taken.)

20 EXAMINER DAVIS: Let's go back on the
21 record.

22 Let's continue from where we left off.
23 Mr. Parker, were you about to ask another question?

24 Q. I just -- okay. Since you play like I
25 don't understand about electronics, answer me what is

1 this? What is this right here? What is that?

2 EXAMINER DAVIS: The scope of the
3 questions needs to stay within what was in her
4 testimony.

5 MR. PARKER: I am trying to prove I am an
6 electronic technician.

7 EXAMINER DAVIS: Sir, that's not the
8 point of cross-examination. You need to ask her
9 questions about her testimony.

10 Q. I want to know what a technician does,
11 troubleshoots the problem, and I know what my problem
12 is. I troubleshot it. And I know exactly what it
13 is. This here is a Martide meter. These are what I
14 work with.

15 EXAMINER DAVIS: Sir, do you have
16 questions for her, or are you just intending to talk
17 to her?

18 Q. Why is --

19 EXAMINER DAVIS: It's time for questions.

20 Q. Well, my question is why I don't
21 average -- average 120 per month?

22 EXAMINER DAVIS: Sir, you can ask that in
23 the form of a question. What is the specific
24 question you want her to answer?

25 Q. Why doesn't I average 120 per month?

1 They averaging me, but you ain't averaging how much
2 I -- I should average 120 per month.

3 MR. BREIG: Objection to form,
4 foundation, but if she knows.

5 EXAMINER DAVIS: She can answer to the
6 extent she knows.

7 If you know.

8 MR. PARKER: She ain't going to state
9 nothing.

10 EXAMINER DAVIS: Ms. Davis.

11 MR. PARKER: That's her job.

12 EXAMINER DAVIS: Can you let her answer?

13 A. Sir, can you ask the question again,
14 please?

15 Q. How I don't average -- when I am
16 handicapped, I do nothing different, every day exact
17 same thing, why I don't average 120 per month when I
18 don't change? I don't even change anything. There
19 is nothing to change. I have no equipment, no
20 nothing. All I do is sit right here and watch T.V.
21 all day. How come I do not average 120 per month?

22 A. Sir, again, I cannot tell you what within
23 your home registers your usage or causes your usage
24 and why it's not more or less than what you think it
25 should be. I am not able to advise you of that.

1 Q. Ma'am, the 4 watts shows what I use. The
2 4 kilowatts shows what I use.

3 A. And that would be dependent upon what was
4 on at the time between the reading --

5 Q. The same on now. Same, I never change.

6 A. But, sir, it does change if your water
7 heater kicks on.

8 Q. There is nothing on.

9 MR. BREIG: Objection, your Honor. Can
10 we have the witness answer the question?

11 EXAMINER DAVIS: Please let her finish
12 her answer, sir.

13 A. Depending on when you read the meter,
14 what may be on within your home is going to register
15 that usage. And I don't know exactly what was on or
16 what wasn't on; but, for example, your refrigerator
17 may have kicked on at a later time in the day when a
18 reading was obtained. Your hot water may have kicked
19 on at a different time later after you took that
20 reading. That's all speculation. Unfortunately I
21 cannot tell you exactly what is within your home or
22 what the kilowatt rating is for your appliances
23 within your home.

24 Q. Well, ma'am, I can take down there and
25 call my social worker and all of them and my

1 psychiatrist, my health doctor, everyone from there,
2 and they will tell you every time we come to his
3 house, there is nothing on in his house. But you are
4 saying I'm lying. Something is on in my house. My
5 refrigerator you gave me, CEI gave me that
6 refrigerator, they took my refrigerator, gave me a
7 smaller one, and said, hey, it's an efficiency
8 refrigerator. If it's efficiency, it's using a lot
9 of electricity.

10 MR. BREIG: Object to form.

11 EXAMINER DAVIS: Sir, what's your
12 question?

13 Q. Why did you all give me a defective
14 refrigerator?

15 MR. BREIG: Object to form and
16 foundation.

17 EXAMINER DAVIS: Sir, can you ask her a
18 question about, again, her testimony or about the
19 questions Mr. Breig asked her?

20 MR. PARKER: You say her answer was she
21 can't say how much I'm using in my house. I'm using
22 their refrigerator.

23 Q. Why did you give me a refrigerator that's
24 defective?

25 EXAMINER DAVIS: I don't think she can

1 answer that, sir. I don't -- that's something that's
2 directly --

3 MR. PARKER: I'm using it. I'm using it,
4 sir.

5 EXAMINER DAVIS: I understand but that's
6 not part of what she's testifying to. That's not
7 within the scope of what her testimony states is her
8 role is where I am going with this. So you can ask
9 her certainly any questions that are relevant to her
10 testimony or to the questions Mr. Breig asked her.

11 MR. PARKER: I just asked her if I am
12 only using by that day 4 watts --

13 EXAMINER DAVIS: And she has answered
14 you. She gave her answers.

15 MR. PARKER: You tell me that I use 11.
16 How can I drop down when I'm using certain things?

17 EXAMINER DAVIS: And she answered, sir.
18 She answered that question. She told you she
19 can't --

20 MR. PARKER: In my house --

21 EXAMINER DAVIS: She only has answers
22 within her knowledge, and she doesn't have
23 knowledge --

24 MR. PARKER: I only have questions of my
25 knowledge. How can I -- I don't understand this.

1 Everyone who come here, even when somebody turn the
2 kitchen light on and walk out the room, my people,
3 they come visit me, they say go in there and turn
4 that light off. He will have a fit. You turn that
5 light off. You do not leave my sink running. I
6 don't want no water in here.

7 But your house -- I am not living in no
8 \$100,000 house. This is a \$10,000 house. It only
9 has three rooms straight through, and you feel I use
10 a lot of electricity? I turn that nightlight on in
11 the kitchen because I can see through the whole house
12 with one nightlight, but I'm using electricity in
13 this house.

14 EXAMINER DAVIS: Sir, do you have any
15 more questions for her outside of what we just talked
16 about?

17 MR. PARKER: I just want them to stop
18 raising my bill because they are going to pay me for
19 all the years that they stole my money because you
20 cannot charge me somebody else's bill.

21 MR. BREIG: Object to form.

22 EXAMINER DAVIS: That is not a question.
23 Do you have a question?

24 Q. I do have a question. How can they raise
25 my bill for somebody else that lived there?

1 MR. BREIG: Object to outside the scope
2 of direct testimony.

3 MR. PARKER: I don't care if it's outside
4 the scope. I still going to sue you for taking money
5 that you didn't deserve.

6 EXAMINER DAVIS: Sir, do you have any
7 more questions, or is this your way of saying you
8 don't?

9 MR. PARKER: Yeah. You said we are going
10 to get you a settlement. Give me my money back. I
11 want it investigated where they stole my money.

12 MR. BREIG: Objection, your Honor.

13 EXAMINER DAVIS: Sustained.

14 Q. And another thing I want to ask
15 Ms. Davis, I want to ask Ms. Davis when did I get off
16 of PIPP?

17 A. I'm sorry. When did you what?

18 Q. When did I get off of PIPP? I wasn't on
19 PIPP anymore.

20 MR. BREIG: Object to outside the scope
21 of direct and lack of foundation.

22 MR. PARKER: It's about why they wouldn't
23 take me off PIPP when I never applied for it.

24 EXAMINER DAVIS: Sir, that's not within
25 the scope of the direct testimony.

1 MR. PARKER: Why we go by what she want
2 to answer to? Is that what this is? Is that what
3 this game is?

4 EXAMINER DAVIS: It's not within the
5 scope of her testimony. It's not something she
6 testified to, so she is not going to be able to
7 answer that.

8 Q. Well, answer me why we are here. We are
9 not getting anything done. They are not telling the
10 truth, but they are going to tell the truth when the
11 Congress -- watch, sooner or later it's coming. It's
12 coming, and they are going to find out why.

13 MR. BREIG: Object to form.

14 EXAMINER DAVIS: Sustained. Sir, we
15 are -- sir, do you have any more questions that are
16 directly with her testimony or the additional
17 questions Mr. Breig asked?

18 MR. PARKER: They haven't told me
19 anything. All I am asking right now -- I am going to
20 get my money from before. From now on I want --
21 okay. Why come right now I am only using last month
22 100, and what was it, 60? What is it? 159 last
23 month during --

24 EXAMINER DAVIS: Did you file in the
25 docket a bill from last month?

1 MR. PARKER: No. It stay like that I
2 never complain. 150, 160, I am not going to complain
3 as long as it don't go over 200.

4 Q. 400, you charging me your bill. Ma'am,
5 you are not paying your bill. You are making me pay
6 your bill.

7 MR. BREIG: Objection, your Honor.

8 EXAMINER DAVIS: Sustained.

9 So, Mr. Parker, I am going to assume you
10 don't have any more questions for her that are about
11 her testimony. I feel like we are going far afield
12 of her testimony.

13 MR. PARKER: I don't care about her
14 testimony. She ain't telling me anything.

15 EXAMINER DAVIS: Okay. Then I am going
16 to assume you are done with your cross-examination if
17 you don't want to ask her questions about her
18 testimony.

19 MR. PARKER: If I'm up at 300, I'm using
20 two times the bill, two-and-a-half times the bill.
21 So wait a minute. I got two houses here? I got one.

22 EXAMINER DAVIS: Mr. Breig, do you have
23 any redirect?

24 MR. BREIG: I do not, your Honor. And at
25 this time I would -- CEI would move for admission of

1 CEI Exhibit 1 into evidence which is the prefiled
2 testimony.

3 EXAMINER DAVIS: Do you have any
4 objections to that, Mr. Parker?

5 MR. PARKER: Yes. I want them to put in
6 the final -- I want -- you say you want yours. Put
7 in this. Put in the final all my testimony -- my
8 complaints. Put it in because they are going to
9 answer that. They are going to answer.

10 EXAMINER DAVIS: The two items you had
11 marked, we will address those as well.

12 MR. PARKER: What two items?

13 EXAMINER DAVIS: Are you objecting for
14 some reason for admittance of her testimony?

15 MR. PARKER: What you mean two items?
16 What two items?

17 EXAMINER DAVIS: You had marked two
18 filings.

19 MR. PARKER: How many files -- sir --

20 EXAMINER DAVIS: Sir, the stuff --

21 MR. PARKER: How --

22 EXAMINER DAVIS: Sir, do you wish for
23 other items that you filed in the docket to be marked
24 as exhibits and moved into evidence?

25 MR. PARKER: Yeah. Exhibit -- what was

1 it? January 6? Let me get to that.

2 EXAMINER DAVIS: Your initial complaint,
3 sir?

4 MR. PARKER: Right. I just want the
5 January -- I am going to read that one to you. Keep
6 going back to my same one.

7 EXAMINER DAVIS: Let me interrupt you for
8 one second, Mr. Parker.

9 Let's go off the record for just a
10 second.

11 (Discussion off the record.)

12 EXAMINER DAVIS: Let's go back on the
13 record.

14 MR. PARKER: My first formal complaint.

15 EXAMINER DAVIS: So the January filing?

16 MR. PARKER: January 6.

17 EXAMINER DAVIS: We are going to mark
18 that as Complainant's Exhibit 3.

19 (EXHIBIT MARKED FOR IDENTIFICATION.)

20 MR. BREIG: I will have a general
21 objection to all of the exhibits for a very specific
22 purpose; but, I mean, at this time for just the
23 marking I want to have an opportunity to be heard on
24 a general objection.

25 EXAMINER DAVIS: Okay. We will do that

1 after we have marked it.

2 MR. BREIG: It will apply to -- it will
3 be a categorical objection so.

4 EXAMINER DAVIS: Understood. Thank you.
5 So, okay, Mr. Parker, that's -- so so far we have
6 marked as your exhibits the docket filing from
7 August 15, the docket filing from March 14, both of
8 which are forms and bills, and then the January 6
9 complaint with its attachments. Is there another one
10 that you want marked?

11 MR. PARKER: I want them to answer how
12 this --

13 EXAMINER DAVIS: Okay. Sir, we are just
14 trying to get your exhibits marked so that if you
15 move to admit them, they can be considered. Do you
16 want your --

17 MR. PARKER: I want that admitted.

18 EXAMINER DAVIS: Do you want your
19 August 1 filing also marked?

20 MR. PARKER: August 1?

21 EXAMINER DAVIS: Yes. You filed an
22 update on August 1 with a July 8, 2022, photograph
23 and a bill from July 20 -- bill from July 12.

24 MR. PARKER: I want them all admitted.

25 EXAMINER DAVIS: So we'll mark -- we'll

1 mark the filing from August 1 which is the July 12
2 bill and attachments as Complainant's Exhibit 4.

3 (EXHIBIT MARKED FOR IDENTIFICATION.)

4 EXAMINER DAVIS: Okay. You want to move
5 for admittance of those. First, I am going to rule
6 we are admitting the testimony of Princess Davis,
7 Company Exhibit 1.

8 (EXHIBIT ADMITTED INTO EVIDENCE.)

9 EXAMINER DAVIS: And, Mr. Breig, you said
10 you have -- you have an objection to admittance of
11 Complainant's Exhibits 1 through 4?

12 MR. BREIG: Yeah, two general categorical
13 objections to. One, the photos that are attached to
14 each of the exhibits, there's -- the photos are
15 not -- there is no timestamp on the photo to show
16 that it accurately reflects what is being -- what is
17 being purported offered to reflect and --

18 MR. PARKER: The time --

19 MR. BREIG: Sorry, your Honor. May I?

20 EXAMINER DAVIS: Please let Mr. Breig
21 finish.

22 MR. BREIG: The photos that are in the
23 record currently there is no timestamp. It's all
24 handwritten based upon date so there would just be an
25 authentication objection to all of the photos for not

1 being properly authenticated and then just a general
2 objection also on the -- besides -- no objection to
3 the bill itself, but the others are not part of the
4 complaint and it's statements or testimony that
5 appears to be being offered through these documents
6 and not through testimony at the hearing because
7 based upon the writing that is on each of the
8 documents that are allegations.

9 And I would say that those are being
10 offered, you know, outside the context of this
11 hearing without ability of cross-examination or even
12 the statements were not made under oath either so
13 just that.

14 Also, the other general objection to all
15 of the documents and all of the personal handwriting,
16 I don't know who wrote it. There's nobody to
17 authenticate that --

18 MR. PARKER: Yeah, we do.

19 MR. BREIG: -- and all been done so.

20 MR. PARKER: Sir, can I speak?

21 EXAMINER DAVIS: You may.

22 MR. PARKER: Authenticate it, all my
23 files. Do you want to see how -- I got some on even
24 my flash drive. Every picture that I take of that
25 meter I come right in the house, add it on my file.

1 I got proof of all of it. And every picture that --
2 look how many pictures I got of this darn electric
3 meter. People always say how many pictures do you
4 have? I say I take it all the time.

5 MR. BREIG: And, your Honor, I would just
6 like to clarify the objection. To the extent that
7 the exhibits were discussed, I believe Exhibit 1 and
8 Exhibit 2 were specifically discussed during his
9 direct testimony.

10 My objection to the statements that were
11 made in the testimony related to the exhibit I do not
12 object to, but the general allegations and statements
13 made in these exhibits, some of which were not
14 introduced during his direct, I object to the
15 introduction of those statements for being, you know,
16 outside of the hearing and outside of his testimony.

17 MR. PARKER: Sir, it's on my complaint.
18 I don't have to say nothing. It's -- all my
19 complaint is there. Everything is proof. And I
20 showed you when we first started that these here have
21 the date and the time on it. Here is October 6. The
22 day before, doesn't it say October 6 at 3:44? So you
23 tell me I don't have proof? You say that I -- you
24 don't know if I wrote it. It's my complaint. Yes, I
25 wrote it.

1 EXAMINER DAVIS: I understand.

2 Mr. Breig's objection is noted. I am going to defer
3 ruling on these, and we are going to continue.

4 So, Mr. Breig -- I'm sorry. You said you
5 did not have any redirect?

6 MR. BREIG: I did not, and I believe that
7 we've already moved in CEI Exhibit 1. The testimony
8 has been moved into evidence, so at this time I would
9 ask if I could release my witness.

10 EXAMINER DAVIS: Yes, you may.

11 Thank you, Ms. Davis.

12 MR. BREIG: Thank you, Ms. Davis.

13 THE WITNESS: Thank you. Have a good
14 day.

15 MR. BREIG: At this time CEI has no
16 further witnesses, your Honor.

17 EXAMINER DAVIS: Thank you.

18 So having exhausted our witnesses and
19 dealt with evidence to the extent that we have today,
20 is there any -- I don't see any last minute issues to
21 discuss in terms of we had our hearing. I don't
22 believe we are going to be briefing here.

23 MR. PARKER: No. I want to file a
24 lawsuit against CEI under Ohio Revised Code 20 --

25 EXAMINER DAVIS: Sir, that's certainly

1 outside of the authority of the Public Utilities
2 Commission.

3 MR. PARKER: It's on my complaint, that I
4 have it on there.

5 EXAMINER DAVIS: Sir, I understand, but
6 it's outside of the jurisdiction. The Commission has
7 no authority to address something like that.

8 MR. PARKER: Fraud and deception.

9 MR. BREIG: And, your Honor, I would ask
10 the opportunity for briefing, just -- I may not use
11 it but so it's there and the opportunity after the
12 transcript, I would ask for 30 days after the
13 transcript is filed in the record for an opportunity
14 to file initial brief. And if a brief is filed by
15 Mr. Parker, I would ask for 10 days post-initial
16 brief deadline to file a potential reply just so that
17 opportunity exists.

18 MR. PARKER: Might as well --

19 EXAMINER DAVIS: We'll do --

20 MR. PARKER: I am going down and pay to
21 file in the trial court --

22 EXAMINER DAVIS: Yes, sir; yes. Thank
23 you, Mr. Parker.

24 MR. PARKER: Defense attorney you might
25 want --

1 EXAMINER DAVIS: Sir, thank you. So,
2 yes, we will do a briefing deadline of 30 days
3 following the filing of the transcript in the docket
4 for initial briefs, and then we will do 7 days for
5 any reply brief.

6 And with that, we are adjourned. Thank
7 you all for being here.

8 (Thereupon, at 12:34 p.m., the hearing
9 was adjourned.)

10 - - -

CERTIFICATE

I do hereby certify that the foregoing is
a true and correct transcript of the proceedings
taken by me in this matter on Thursday, November 17,
2022, and carefully compared with my original
stenographic notes.

Karen Sue Gibson, Registered
Merit Reporter.

(KSG-7372)

- - -

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

11/30/2022 1:57:03 PM

in

Case No(s). 21-0025-EL-CSS

Summary: Transcript November 17th 2022 In the Matter of: Boyce Parker,
Complainant, vs. The Cleveland Electric Illuminating Company, Respondent.
electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and
Gibson, Karen Sue Mrs.