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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO
* * *
IN THE MATTER OF THE APPLICATION
OF OHIO POWER COMPANY FOR AUTHORITY
TO ESTABLISH A STANDARD SERVICE OFFER;
APPLICATION OF OHIO POWER COMPANY
FOR APPROVAL OF CERTAIN ACCOUNTING
AUTHORITY

CASE NOS. 23-23-EL-SSO & 23-24-EL-AAM

* * *
TRANSCRIPT OF PROCEEDINGS
* * *

DATE OF HEARING: Thursday, April 13, 2023
Beginning at 6:01 o'clock p.m.

PLACE OF HEARING: 3200 Bright Road
Findlay, Ohio 45840

COMMISSIONER: Daniel Conway

ATTORNEY EXAMINER: David Hicks

* * *

1 APPEARANCES:

2 On behalf of Ohio Power Company:

3 By: Michael Schuler

Senior Counsel

4 1 Riverside Plaza, 29th Floor

Columbus, Ohio 43215

5

On behalf of the Ohio Consumers' Counsel

6

By: William Michael

7 Attorney at Law

65 East State Street, Suite 700

8 Columbus, Ohio 43215

9

ALSO PRESENT:

10 David Manor

Brett Schmied

11 Lisa Kelso

John Recker

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1 MR. HICKS: The Public Utilities
2 Commission of Ohio has assigned for a public
3 hearing at this time and place, Case No.
4 23-23-EL-SSO, captioned In the Matter of the
5 Application of Ohio Power Company for Authority to
6 Establish a Standard Service Offer pursuant to
7 R.C. 4928.143 in the form of an electric security
8 plan in Case No. 23-24-EL-AAM, captioned In the
9 Matter of the Application of Ohio Power Company
10 for Approval of Certain Accounting Authority.

11 My name is David Hicks and I am one
12 of the attorney examiners assigned by the
13 commission to hear these cases.

14 I'll also point out that we have
15 multiple members of the Public Utilities
16 Commission staff here today. You had to have
17 talked to them or run into them as you were
18 walking in. They have their booth set up out
19 front. Matt Schilling and Aubrey Barker are both
20 there should anyone have any questions about these
21 cases or commission matters in general.

22 Also with us tonight we have Daniel
23 Conway, who is a commissioner on the Public
24 Utilities Commission who's here to attend the
25 public hearing. Mr. Conway, I don't know if you

1 wanted to say a couple remarks.

2 COMMISSIONER CONWAY: Just a few
3 brief comments. First, welcome to everyone who's
4 attended. Thank you for your attendance, your
5 interest in the proceedings. We're at the
6 Commission in the process of reviewing the
7 application that was filed on January 6, and we
8 will be taking into account all the evidence
9 that's presented for us to consider. And so any
10 sworn statements that are made today will be taken
11 into account.

12 And we -- again, and I'll just say
13 me, personally, I'm very much thankful, grateful
14 for the interest that is shown and the
15 participation of any members of the public. So
16 thanks for coming.

17 MR. HICKS: Thank you. I just have a
18 few introductory remarks and then we'll kick
19 things off. And before getting to that, we'll go
20 ahead and take appearances from counsel that may
21 be here. We'll go ahead and start with the
22 company. And, Mr. Schuler, if you could then just
23 introduce some of the AEP Ohio folks here with
24 you.

25 MR. SCHULER: Absolutely. I can just

1 project hopefully. Good evening, your Honor,
2 Commissioner Conway. On behalf of Ohio Power
3 Company, Mike Schuler, senior counsel. With me
4 today I have Brett Schmied, regulatory case
5 manager; I also have Lisa Kelso, who's vice
6 president of regulatory and finance; and I also
7 have John Recker, who is customer and external
8 affairs manager here available to answer any
9 questions from the customers afterwards as well.
10 Thank you.

11 MR. HICKS: Thank you. There have
12 been a large number of interveners in the case.
13 So I'm just going to throw it out there, if
14 counsel is here for any of the interveners, to go
15 ahead and enter appearances now.

16 MR. MICHAEL: Hello, your Honor.
17 Hello, Commissioner Conway. On behalf of AEP's
18 residential utility consumers, the Office of the
19 Ohio Consumers' Counsel, by Bill Michael.

20 MR. HICKS: Thank you, Mr. Michael.
21 Any other counsel or interveners? Okay. Again,
22 I'll just note for the record that there are a
23 number of interveners in the case. They're not
24 required to attend, but there are a number of
25 parties that have filed for intervention in the

1 case.

2 Ohio Power Company, also known as AEP
3 Ohio, filed this application on January 6th, 2023
4 requesting authority to establish a standard
5 service offer in the form of an electric security
6 plan for the period commencing June 1st, 2024 and
7 continuing through May 31st, 2030.

8 The local public hearings scheduled
9 in this case are only one aspect of the process.
10 In addition to this hearing tonight, there are
11 also four additional local public hearings that
12 are scheduled at various locations throughout
13 April and May. I won't list those all now, but if
14 folks have questions on that, our staff can
15 certainly provide you with the specifics on those.
16 And currently the evidentiary hearing in this case
17 is scheduled to commence on July 10th, 2023 at the
18 Commission's offices in Columbus.

19 In the application the company is
20 proposing an electric security plan that, among
21 other things, is intended to satisfy its
22 requirement to provide a default electric
23 generation service, commonly called Standard
24 Service Offer, while also addressing certain
25 distribution service of the company and the

1 continuation and/or creation of certain riders.

2 The purpose of this evening's public
3 hearing is to receive comments from the public
4 regarding the company's application for an
5 electric security plan. I will just point out
6 that this is not a question and answer session in
7 terms of with me or Commissioner Conway, but it is
8 your opportunity to let the Commission know what
9 you think about the application.

10 As Mr. Schuler already pointed out,
11 should you have specifics about the application of
12 the company, their representatives are here and
13 certainly willing to speak with you and, again,
14 our staff is available should you have questions
15 that they could help you out with.

16 I will point out that tonight's
17 hearing is being transcribed by a court reporter.
18 So if you plan to testify, please speak clearly so
19 the court reporter can accurately reflect your
20 comments on the record. Also, if you have a
21 prepared written statement, it will be helpful if
22 you provide a copy of that to the court reporter.

23 Additionally, if you do not wish to
24 testify at this time, you can still submit written
25 comments on the PUCO website or by mail under the

1 case number 23-23-EL-SSO. And, again, our staff
2 can certainly help you, direct you, as to how you
3 can do that or the options you have on that.

4 When you arrived, you were offered
5 the opportunity to sign up to testify. Once we
6 get started, I will begin calling the witnesses,
7 or witness in this case as it currently stands,
8 forward. Before you give your comments, I'll ask
9 you to state your name and your address and I will
10 swear you in. Your testimony will be considered
11 part of the official record in the case and it
12 will be reviewed by the Commission before they
13 make their final decision on the application.

14 And with that, I'm going to -- I'll
15 first just point out logistically, this is the one
16 mic we have. So when you come up to testify, I
17 can hand it to you or you're more than welcome to
18 just project as you go. Your choice. Our lone
19 witness is David Manor?

20 MR. MANOR: Yes.

21 MR. HICKS: Okay. Mr. Manor, please
22 come forward.

23 (Thereupon, the witness was sworn.)

24 MR. HICKS: If you could just state
25 and spell your name for our record.

1 MR. MANOR: David Manor, M A N O R.

2 MR. HICKS: And if you could provide
3 your address for the record.

4 MR. MANOR: I'm representing
5 Advocates for Basic Legal Equality, and we're
6 located at 525 Jefferson Avenue, Toledo, Ohio,
7 43615 -- yeah, 43615.

8 MR. HICKS: Okay. Please go ahead
9 when you're ready.

10 MR. MANOR: Good evening, your Honor,
11 Commissioner Conway. Advocates for Basic Legal
12 Equality is a nonprofit law firm that provides
13 legal assistance in civil matters to help low
14 income individuals and groups in Ohio.

15 ABLE works to make systematic changes
16 to positively impact the lives of low income
17 community members. ABLE strives to help those who
18 are the most vulnerable in our society obtain a
19 voice to advocate for social and systematic change
20 and to bring light to the struggles and needs of
21 those who are unable to represent themselves.

22 In an effort to represent the
23 interest of the communities that we work with,
24 ABLE submits these comments on the proposed
25 application to increase rates submitted by AEP and

1 will submit more extensive written testimony
2 directly to PUCO.

3 AEP Ohio is asking for a 2.2 billion
4 dollar rate hike for its electrical service plan
5 beginning June 2024 through 2030. The recent
6 auction clearing price is expected to increase
7 bills for AEP standard offer customers by nearly
8 30 percent beginning June 2023. AEP states that
9 this proposed increase would be the result of an
10 increased cost in supplies required for electrical
11 production.

12 AEP Ohio's proposal is an
13 unreasonable increase. Electricity is extremely
14 important to the lives of all Ohioans and is a
15 fundamentally important utility to the continued
16 operation of the modern world.

17 Most of our modern technology
18 requires electricity to function, and with the
19 rise of electric vehicles, the importance of
20 electricity in the daily lives of Ohioans should
21 be expected to increase throughout the upcoming
22 years.

23 In the last several years, as a
24 result of the events surrounding COVID-19,
25 inflation has reached an all-time high in Ohio.

1 Over the course of 2022, inflation rates increased
2 to 8.6 percent, which is 6.4 times the 2019
3 inflation rate of 1.4 percent.

4 With the lifting of moratoriums on
5 evictions, the decreased availability and stimulus
6 funds and the already high pricing for gasoline,
7 Ohioans simply cannot afford another major rate
8 increase.

9 The economy is still struggling to
10 recover from the events of the pandemic. To force
11 a rate increase of this magnitude upon the people
12 would be simply unreasonable. Those on low and
13 fixed income situations, especially, cannot afford
14 more rate increases and inflation at this time.

15 The rate of electricity, in
16 particular, is of vital importance when discussing
17 the ongoing U.S. struggle with inflation.

18 Electricity is vital to the operations of almost
19 every business in Ohio. Increasing the cost of
20 electricity at this time would effectively
21 increase the overhead for every Ohio business
22 across the state.

23 Businesses that rely on specialized
24 electrical equipment, such as hospitals, could be
25 affected the most. One could easily imagine a 30

1 percent increase on all medical procedures, such
2 as X rays, MRIs, surgeries requiring specialized
3 equipment, and equipment designed to restart the
4 human heart or ensure oxygen is provided in the
5 appropriate quantities.

6 This rate increase will affect every
7 Ohio school; public, charter, and private. This
8 increased rate will force many schools to forego
9 air conditioning, including during June, August,
10 and September when the temperatures last year
11 reached into the 90s.

12 This could also have a tremendous
13 effect upon those in nursing homes that may be
14 more susceptible to the heat and those working in
15 government buildings that have a restricted
16 budget.

17 The result of this rate increase
18 would be to further expand upon the current
19 inflation rate in Ohio by increasing the overhead
20 for business resulting in important goods and
21 services skyrocketing in price.

22 This rate increase would further
23 result in many, including low income individuals
24 and vulnerable members of the community that are
25 unable to escape the heat, while increasing

1 pressure upon already underfunded and important
2 services, such as schools and libraries.

3 Every aspect of life for the average
4 Ohioan will be affected by the rising cost of a
5 utility so vital, that we are presently using it
6 just to see each other inside this room. A 30
7 percent increase for any reason is unreasonable,
8 and that's too much of an already overburdened
9 people of Ohio.

10 Further, I would like to, as a
11 Toledoian, state an objection to not having a
12 hearing in Toledo under section 4903.083 of the
13 Ohio Revised Code in the previous case involving
14 Columbia Gas. It was found that the hearing in
15 BGSU was insufficient to meet the duties required
16 for a utility rate increase. And Findlay is much
17 further from Toledo, Ohio.

18 Many Toledoians, including many of
19 the community members which I serve, are unable to
20 be here because there is no hearing in Toledo.
21 There is no one close enough to actually be here
22 to testify other than myself.

23 For all of the reasons stated above,
24 and on behalf of those communities served by ABLE
25 that have no voice, we stand adamantly opposed to

1 the unreasonable proposal by AEP and humbly submit
2 this testimony for your consideration. Thank you.
3 And I would happily welcome any questions at this
4 time.

5 MR. HICKS: Thank you for your
6 testimony. Any questions, Commissioner Conway?
7 Any questions from AEP?

8 MR. SCHULER: No, your Honor, thank
9 you.

10 MR. MICHAEL: No, your Honor.

11 MR. HICKS: So, as I said, Mr. Manor
12 was our only witness that had signed in. I'm
13 going to make just a judgment call here. Let's --
14 I suggest we hang around until at least 6:30 to
15 let folks -- if maybe they got held up or a little
16 behind. So we can go ahead and go off the record.

17 (Pause in proceedings.)

18 MR. HICKS: Okay. I'll just note for
19 the record we took a brief break after our lone
20 witness provided his testimony to allow some folks
21 the opportunity to see if there was anyone else on
22 the way that would like to testify. We are now at
23 6:30 and no one else has come in or signed up to
24 testify. So we are going to go ahead and move
25 toward concluding things.

1 I would thank our lone witness for
2 his time and effort, thank the college for hosting
3 us, and hand off to Commissioner Conway if he has
4 any closing remarks.

5 COMMISSIONER CONWAY: The only other
6 additional comments -- thanks to everybody who
7 attended and helped make this possible. I
8 appreciate your effort in attending and look
9 forward to working with you in the future. Thank
10 you.

11 MR. HICKS: Thank you all. With
12 that, we are adjourned.

13 (Thereupon, the hearing was concluded
14 at 6:31 o'clock p.m.)

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1 STATE OF OHIO)
2 COUNTY OF MONTGOMERY) SS: CERTIFICATE

3 I, Stacey L. Kimmel, a Notary Public
4 within and for the State of Ohio, duly
5 commissioned and qualified,

6 DO HEREBY CERTIFY that the above-named
7 hearing was reduced to writing by me
8 stenographically in the presence of the parties
9 and thereafter reduced to typewriting.

10 I FURTHER CERTIFY that I am not a relative
11 or attorney of either party nor in any manner
12 interested in the event of this action.

13 IN WITNESS WHEREOF, I have hereunto set my
14 hand and seal of office at Dayton, Ohio, on this
15 19th day of April, 2023.

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STACEY L. KIMMEL

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NOTARY PUBLIC, STATE OF OHIO

My commission expires 6-10-2026

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