

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the :  
Application of the Ohio :Case No.  
Department of Development for :23-0603-EL-USF  
an Order Approving Adjustments :  
to the Universal Service Fund :  
Riders of Jurisdictional Ohio :  
Electric Distribution Utilities.:

- - -

PROCEEDINGS

Greta See and Isabel Marcelletti, Attorney  
Examiners, at the offices of the Public  
Utilities Commission of Ohio, Hearing Room 11-C,  
Columbus, Ohio, on Tuesday, November 28, 2023,  
at 10:00 A.M.

- - -

Armstrong & Okey, Inc.  
222 East Town Street, 2nd Floor  
Columbus, Ohio 43215  
614-224-9481

- - -

1 APPEARANCES:

2 Bricker & Graydon  
 3 By Mr. Dane Stinson  
 4 100 South Third Street  
 5 Columbus, Ohio 43215

6 On behalf of the Ohio Department  
 7 of Development.

8 Ms. Amy Botschner O'Brien  
 9 Assistant Attorney General  
 10 30 East Broad Street, 26th Floor  
 11 Columbus, Ohio 43215

12 On behalf of the Staff of the  
 13 Public Utilities Commission  
 14 of Ohio.

15 Mr. Donald Kral  
 16 Assistant Consumers' Counsel  
 17 65 East State Street, 7th Floor  
 18 Columbus, Ohio 43215

19 On behalf of the Office of  
 20 Consumers' Counsel.

21 Mr. Michael J. Schuler  
 22 AEP Service Corporation  
 23 1 Riverside Plaza  
 24 Columbus, Ohio 43215

25 On behalf of the Ohio Power  
 Company.

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

On behalf of Duke Energy  
 Ohio, Inc,

Boehm, Kurtz & Lowry  
 By Michael Kurtz, Kurt Boehm  
 and Jody Kyler Cohn  
 36 East Seventh Street, Suite 1510  
 Cincinnati, Ohio 45202

On behalf of Ohio Energy Group.

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Mr. Christopher C. Hollon  
1065 Woodman Drive  
Dayton, Ohio 45432

On behalf of Dayton Power  
and Light, dba AES Ohio.

Baker & Hostetler  
By Mr. David Proano  
127 Public Square, Suite 2000  
Cleveland, Ohio 44114

On behalf of Ohio Energy  
Leadership Council.

Baker & Hostetler  
By Mr. Ali Haque and Mr. Paul Willison  
and Ms. Erika Prouty  
200 Civic Center Drive, Suite 1200  
Columbus, Ohio 43215

On behalf of Ohio Energy  
Leadership Council.

Ms. Kristen Fling  
76 South Main Street  
Akron, Ohio 44308

On behalf of FirstEnergy  
Service Company.

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DEPARTMENT OF DEVELOPMENT WITNESSES

DIRECT    CROSS

Keri Harris

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1 Tuesday Morning,  
2 November 28, 2023.

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4 ATTORNEY EXAMINER MARCELLETTI: On  
5 the record. Good morning. Scheduled for  
6 hearing at this time and place before the Public  
7 Utilities Commission of Ohio, is Case No.  
8 23-603-EL-USF which is captioned In the Matter  
9 of the Application of the Ohio Department of  
10 Development for an Order Approving Adjustments  
11 to the Universal Service Fund Riders of  
12 Jurisdictional Ohio Electric Distribution  
13 Utilities.

14 My name is Izzy Marcelletti, and  
15 with me is Greta See, we are the Attorney  
16 Examiners assigned by the Commission to hear  
17 this case this morning.

18 At this time let's begin with  
19 appearances of the parties. We will start with  
20 ODOC and work our way around.

21 MR. STINSON: Thank you, your Honor.  
22 On behalf of the Ohio Department of Development  
23 the firm of Bricker and Graydon, LLP, by Dane  
24 Stinson, 100 South Third Street, Columbus, Ohio  
25 43215.

1 I have also been authorized to make  
2 appearances on behalf of a few other parties.

3 On behalf of the Ohio Energy Group,  
4 the law firm of Boehm, Kurtz and Lowry by  
5 Michael Kurtz, Kurt Boehm and Jody Kyler Cohn,  
6 36 East Seventh Street, Suite 1510, Cincinnati,  
7 Ohio 45202.

8 On behalf of the Dayton Power &  
9 Light Company, dba AES Ohio, Christopher C.  
10 Hollon, 1065 Woodman Drive, Dayton, Ohio 45432.

11 And on behalf of the Ohio Energy  
12 Leadership Council, the law firm of Baker  
13 Hostetler, by David Proano, 127 Public Square,  
14 Suite 2000, Cleveland Ohio 44114.

15 And Ali Haque and Erika Prouty,  
16 Paul Willison, Baker Hostetler, 200 Civic  
17 Center Drive, Suite 1200, Columbus, Ohio 43215.

18 ATTORNEY EXAMINER MARCELLETTI:

19 Thank you.

20 MS. AKHBARI: Good morning. Elyse  
21 Akhbari on behalf of Duke Energy Ohio, Inc., 139  
22 East Fourth Street, Cincinnati, Ohio 45202.

23 ATTORNEY EXAMINER MARCELLETTI:

24 Thank you.

25 MR. SCHULER: Good morning, your

1 Honors. On behalf of the Ohio Power Company,  
2 Michael Schuler, 1 Riverside Plaza, Columbus,  
3 Ohio 43215.

4 ATTORNEY EXAMINER MARCELLETTI:  
5 Thank you.

6 Mr. KRAL: Good morning, your  
7 Honors. On behalf the Ohio Consumers' Counsel,  
8 Don Kral, 65 East State Street, Suite 700,  
9 Columbus, Ohio 43215.

10 ATTORNEY EXAMINER MARCELLETTI:  
11 Thank you.

12 MS. AMY BOTSCHNER O'BRIEN: Good  
13 morning, your Honors. On behalf of the  
14 Commission's Staff, Ohio Attorney General Dave  
15 Yost, by Amy Botschner O'Brien, Assistant  
16 Attorney General, at 30 East Broad Street, 26th  
17 Floor, Columbus, Ohio 43215.

18 ATTORNEY EXAMINER MARCELLETTI:  
19 Thank you. Are there any preliminary matters  
20 before I hand it off to the Development?

21 MR. STINSON: No, your Honor.

22 ATTORNEY EXAMINER MARCELLETTI:  
23 With that I will let you proceed, Mr. Stinson.

24 MR. STINSON: Thank you, your Honor.  
25 At this time Development will call Keri Harris.



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(WITNESS SWORN)

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KERI HARRIS

called as a witness, being first duly sworn,  
testified as follows:

DIRECT EXAMINATION

By Mr. Stinson:

Q. Ms. Harris, would you please state  
your name, position and business address for  
the record?

A. Yes. My name is Keri Harris. I am  
Deputy Chief of Division Support of the  
Department of Development. The business address  
is 77 South High Street, on the 26th Floor,  
Columbus, Ohio 43215.

Q. Thank you. Now, for identification  
purposes I placed before you a series of  
documents that have been pre-marked Development  
Exhibits 1 through 5, and also Joint Exhibit 1.  
Do you have those before you?

A. Yes.

Q. And we can just walk through. Can  
you identify for the record Development Exhibit  
1?

A. Yes. This is the Application.

1 Q. And could you identify Development  
2 Exhibit 2?

3 A. This is my testimony, the testimony  
4 of Kari Harris, on behalf of the Ohio Department  
5 of Development dated October 31st, 2023.

6 Q. And can you identify Development  
7 Exhibit No. 3?

8 A. Yes. This is my Amended  
9 Application.

10 Q. And Development Exhibit No. 4?

11 A. This is my Supplemental Testimony of  
12 Kari Harris, on behalf of the Ohio Department of  
13 Development dated November 17th, 2023.

14 Q. And Development Exhibit 5?

15 A. This is my testimony in Support of  
16 the Joint Stipulation by Kari Harris on behalf  
17 of the Ohio Department of Development. This one  
18 is dated November 27th, 2023.

19 Q. And finally Joint Exhibit 1?

20 A. This is the Joint Stipulation and  
21 Recommendation.

22 Q. Now, Ms. Harris, with respect to  
23 your job supporting the application, your  
24 testimony supporting the -- your supplemental  
25 testimony supporting the amended application,

1 and your testimony in support of the  
2 stipulation, were those prepared by you or under  
3 your direct supervision?

4 A. Yes.

5 Q. And are the exhibits true and  
6 accurate copies of the originals?

7 A. Yes.

8 Q. If I were to ask you the same  
9 questions today in each of those would your  
10 answers be the same?

11 A. Yes.

12 Q. Do you have any additions,  
13 corrections or revisions to your testimony?

14 A. I do have, not to the testimony, I  
15 do have corrections to the Joint Stipulation.

16 Q. Could you just walk through those,  
17 please? I would appreciate it.

18 A. Yes. There is one correction on  
19 Page 3 under the number 2. The first date is  
20 October 31st, 2022. That should be October  
21 31st, 2023.

22 And then on Page 4 under the 6th  
23 bullet point it says Exhibits MM-25 through  
24 MM-30. Those should read KH-25 through KH-30.

25 Q. Any other corrections, additions or

1 modifications?

2 A. No.

3 MR. STINSON: Thank you. At this  
4 point, Your Honor, Ms. Harris is available for  
5 cross-examination.

6 ATTORNEY EXAMINER MARCELLETTI:  
7 Thank you. And before I ask for  
8 cross-examination I will just note for  
9 the record that ODOC Exhibit 1 through 5 has  
10 been so marked as Ms. Harris has identified, and  
11 also Joint Exhibit 1 is marked as the  
12 Stipulation.

13 Thank you. With that any questions  
14 from Duke Energy?

15 MS. AKHBARI: No, your Honor.

16 ATTORNEY EXAMINER MARCELLETTI: Any  
17 questions from AEP Ohio?

18 MR. SCHULER: No, your Honor.

19 ATTORNEY EXAMINER MARCELLETTI: Any  
20 questions from OCC?

21 MR. KRAL: No, your Honor.

22 ATTORNEY EXAMINER MARCELLETTI: Any  
23 guess from Staff?

24 MS. AMY BOTSCHNER O'BRIEN: No, your  
25 Honor.

1 MR. STINSON: And one other note,  
2 your Honor, just to follow up. I would like to  
3 make an appearance on behalf of FirstEnergy  
4 Companies, Cleveland Electric Illuminating  
5 Company, Toledo Edison Company and Ohio Edison  
6 Company by Kristen Fling.

7 ATTORNEY EXAMINER MARCELLETTI:

8 Okay. Thank you, Mr. Stinson.

9 EXAMINATION

10 By Attorney Examiner See:

11 Q. Ms. Harris, in reviewing the  
12 Stipulation I just noticed paragraphs 10 and  
13 also in 11 and 12 that Development has committed  
14 to notifying the signatory parties about certain  
15 events in the next USF proceeding.

16 A. Yes.

17 Q. Correct? And when you say  
18 the signatory parties I know that Staff of the  
19 Public Utilities Commission is not a signatory  
20 party; correct?

21 A. I believe. Yes.

22 Q. Would ODOD be opposed to notifying  
23 all parties to the proceeding, which would  
24 include Staff, of its next filing or the delay  
25 of the next filing?

1           A.    Yes, we will agree to that.

2           ATTORNEY EXAMINER SEE:  Thank you.

3           ATTORNEY EXAMINER MARCELLETTI:  I  
4 don't have anymore questions for you either, Ms.  
5 Harris.

6           MR. KRAL:  Your Honor, in  
7 conjunction with that would that include the  
8 non-opposing parties that are signed on  
9 the Stipulation?

10          ATTORNEY EXAMINER SEE:  Yes.  The  
11 signatory parties that are non-opposing are  
12 considered parties, signatory parties to the  
13 Joint Stipulation.  Staff is the only one that  
14 has not signed whether joining the Stipulation  
15 or not opposing the Stipulation.

16          MR. KRAL:  Thank you.

17          ATTORNEY EXAMINER MARCELLETTI:  And  
18 with that I believe, Ms. Harris, you are  
19 excused.

20          THE WITNESS:  Thank you, Your  
21 Honors.

22          MR. STINSON:  No other witnesses,  
23 your Honor.  We would move for the admission of  
24 Development Exhibits 1 through 5 and Joint  
25 Exhibit 1.

1                   ATTORNEY EXAMINER MARCELLETTI: Are  
2 there any objections to the admission of  
3 Exhibits, ODOD Exhibits 1 through 5 and Joint  
4 Exhibit 1?

5                   Hearing none, they will be so  
6 admitted.

7                   (EXHIBITS HEREBY ADMITTED INTO  
8 EVIDENCE)

9                   ATTORNEY EXAMINER MARCELLETTI: And  
10 then Staff, for my own clarification and for  
11 the record, as AE See just mentioned, Staff is  
12 not a signatory party, nor is it signing as a  
13 non-opposing party on the Stipulation, but does  
14 Staff oppose the Stipulation?

15                   MS. AMY BOTSCHNER O'BRIEN: Staff  
16 does not oppose the Stipulation.

17                   ATTORNEY EXAMINER MARCELLETTI:  
18 Okay. Thank you. With that are there any other  
19 matters the Bench needs to take up before we  
20 adjourn today?

21                   MR. STINSON: Nothing from here,  
22 your Honor.

23                   ATTORNEY EXAMINER MARCELLETTI:  
24 Okay. Hearing none, thank you all for  
25 participating. And we are so adjourned.

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MR. STINSON: Thank you.

(At 10:15 A.M. the hearing was  
adjourned)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on November 28, 2023, and carefully compared with my original stenographic notes.

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

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

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**in**

**Case No(s). 23-0603-EL-USF**

Summary: Transcript November 28th 2023 In the Matter of the Application of the Ohio Department of Development for an Order Approving Adjustments to the Universal Service Fund Riders of Jurisdictional Ohio Electric Distribution Utilities. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Spencer, Michael O. Mr..