

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the	:
Regulation of the Purchased	:Case No.
Gas Adjustment Clauses Contained:	23-218-GA-GCR
within the Rate Schedules of	:
Duke Energy Ohio, Inc.	:

In the Matter of the Audit	:
of the Uncollectible Expense	:Case No.
Rider of Duke Energy Ohio,	:23-318-GA-UEx
Inc., and Related Matters.	:

In the Matter of the	:
Application of Duke Energy	:Case No.
Ohio, Inc. for Approval of	:23-418-GA-PIP
an Adjustment to its Interim	:
and Temporary PIPP Plan	:
Rider Case.	:

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PROCEEDINGS

Before Greta See, Attorney Examiner, held at the Public Utilities Commission of Ohio, 180 East Broad Street, Hearing Room 11-C, Columbus, Ohio, on Tuesday, January 16, 2024, at 10:00 A.M.

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Armstrong & Okey, Inc.
 222 East Town Street, 2nd Floor
 Columbus, Ohio 43215
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APPEARANCES:

Ms. Elyse H. Akhbari
139 East Fourth Street
1303 Main
Cincinnati, Ohio 45202

On behalf of Duke Energy,
Ohio, Inc.

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

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

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DUKE WITNESSES

DIRECT CROSS

Sarah E. Lawler

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Tuesday Morning,
January 16, 2024.
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ATTORNEY EXAMINER: Scheduled for hearing at this time and place are Case Nos. 23-218-GA-GCR being entitled In the Matter of the Regulation of the Purchased Gas Adjustment Clause Contained within the Rate Schedules of Duke Energy Ohio, Inc.

Case No. 23-318-GA-UEx, In the Matter of the Audit of the Uncollectible Expense Rider of Duke Energy Ohio, Inc. and Related Matters.

And Case No. 23-418-GA-PIP, In the Matter of the Application of Duke Energy Ohio Incorporated for Approval of an adjustment to its Interim and Temporary PIPP Plan Rider.

My name is Greta See and I am the Attorney Examiner assigned to these cases by the Commission. At this time I would like to take appearances of the parties. On behalf of Duke Energy Ohio.

MS. AKHBARI: Good morning. On behalf of Duke Energy Ohio, Elyse Akhbari. Our address is 139 East Fourth Street, Cincinnati,

1 Ohio.

2 ATTORNEY EXAMINER: And on behalf of
3 the Staff.

4 MS. BOTSCHNER O'BRIEN: Good
5 morning, your Honor. Amy Botschner O'Brien,
6 Assistant Attorney General; Dave Yost, Attorney
7 General; John Jones, Section Chief, 30 East
8 Broad Street, 26th Floor, Columbus, Ohio, 43215
9 on behalf of the Staff of the Public Utilities
10 Commission of Ohio.

11 ATTORNEY EXAMINER: And I recognize
12 that there has been a stipulation filed between
13 the parties?

14 MS. AKHBARI: Yes, your Honor.

15 ATTORNEY EXAMINER: Ms. Akhbari.

16 MS. AKHBARI: Yes, your Honor. Your
17 Honor. May I approach the Bench?

18 ATTORNEY EXAMINER: Sure.

19 MS. AKHBARI: Joint Exhibit 1,
20 Stipulation and Recommendation between the Staff
21 and Duke Energy Ohio.

22 And then as Duke Energy Ohio Exhibit
23 1 we have the testimony, direct testimony, of
24 Sarah Lawler in support of that stipulation.

25 ATTORNEY EXAMINER: Okay. Thank

1 you. Those exhibits are so marked.

2 (EXHIBITS HEREBY MARKED FOR
3 IDENTIFICATION PURPOSES)

4 MS. AKHBARI: At this time
5 the Company would call Ms. Lawyer to the stand.

6 (WITNESS SWORN)

7 SARAH E. LAWLER

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

10 DIRECT EXAMINATION

11 By Ms. AKHBARI:

12 Q. Good morning, Ms. Lawyer.

13 A. Good morning.

14 Q. Thank you for being with us on a
15 very chilly day from Cincinnati. Appreciate it.

16 You have before you what's marked
17 Joint Exhibit 1. Could you identify it, please,
18 for the record?

19 A. Yes. Joint Exhibit 1 is the
20 Stipulation and Recommendation in Case Nos.
21 23-218, 23-318 and 23-418.

22 Q. And you also have before you Duke
23 Energy Ohio Exhibit 1. Could you identify that
24 as well?

25 A. Yes. That is my direct testimony in

1 support of the Stimulation in those three cases.

2 Q. And turning back to Joint Exhibit 1,
3 could you identify the attachments to Joint
4 Exhibit 1 as well?

5 A. Yes. There are four attachments.
6 The first attachment is the independent
7 accountant's report on the GCR; second
8 attachment is the independent accountant's
9 report for the UEX; attachment 3 is the Staff
10 Review and Recommendation for Expense Rider
11 filed October 17th, 2023. And the 4th
12 attachment is the independent accountant's
13 report for PIPP Rider.

14 Q. Thank you, Ms. Lawyer. Turning back
15 to Duke Energy Ohio Exhibit 1, your direct
16 testimony. Did you prepare your direct
17 testimony, or cause it to be prepared?

18 A. I did, yes.

19 Q. And if I were to ask you the same
20 questions contained in your direct testimony
21 would you have any changes to your responses?

22 A. I would not.

23 MS. AKHBARI: At this time, your
24 Honor, we would tender the witness for any
25 cross-examination in support of Duke Energy

1 Exhibit 1 and Joint Exhibit 1.

2 ATTORNEY EXAMINER: Any
3 cross-examination for the witness on behalf of
4 Staff?

5 MS. BOTSCHNER O'BRIEN: We do not
6 have any cross for this witness.

7 ATTORNEY EXAMINER: Nor does
8 the Bench. Sorry about that.

9 THE WITNESS: That is quite all
10 right.

11 MS. AKHBARI: At this time, your
12 Honor, then we would move for the admission of
13 Duke Energy Ohio Exhibit 1, and pending
14 agreement from Staff, Joint Exhibit 1

15 ATTORNEY EXAMINER: Are there any
16 objects to the admission of Duke Exhibit 1?

17 MS. BOTSCHNER O'BRIEN: Staff has no
18 objections, your Honor.

19 ATTORNEY EXAMINER: Duke Exhibit 1
20 is admitted into the record.

21 Or is there any objection to the
22 admission of Joint Exhibit 1?

23 MS. BOTSCHNER O'BRIEN: No
24 objections, Your Honor.

25 ATTORNEY EXAMINER: Thank you. They

1 are both admitted into the record.

2 (EXHIBITS ADMITTED INTO EVIDENCE)

3 ATTORNEY EXAMINER: Thank you, Ms.
4 Lawyer.

5 THE WITNESS: Thank you.

6 ATTORNEY EXAMINER: Ms. O'Brien.

7 MS. BOTSCHNER O'BRIEN: Yes, your
8 Honor.

9 ATTORNEY EXAMINER: Do you have some
10 exhibits you wish to have marked or admitted
11 into the record?

12 MS. BOTSCHNER O'BRIEN: We do not.
13 We are signing on to this Joint Exhibit 1.

14 ATTORNEY EXAMINER: Okay. For
15 clarity of the record then let's mark
16 individually the attachments to Joint Exhibit 1.
17 And we will mark the GCR Audit Report, which is
18 Stipulation Attachment 1 as Staff Exhibit 1.

19 The UEX Audit Report, I should say
20 Commission ordered Exhibit 1 is the GCR Audit
21 Report.

22 The UEX Audit Report will be
23 Commission Ordered Exhibit 2.

24 The PIPP Independent Audit Report
25 will be Commission ordered Exhibit 3.

1 (EXHIBITS MARKED FOR THE PURPOSE OF
2 IDENTIFICATION)

3 MS. AKHBARI: There is one more,
4 your Honor, the Staff Report.

5 ATTORNEY EXAMINER: That is okay.
6 I don't need to have that marked. The only
7 other item outstanding is the Proofs of
8 Publication.

9 MS. AKHBARI: Your Honor, just to
10 clarify, Staff exhibit, sorry, Stipulation
11 Attachment 3, the Staff Report, it contains
12 different information than that which is
13 contained in the Accountant's report.

14 ATTORNEY EXAMINER: I am sorry.
15 Let's go off the record.

16 (DISCUSSION OFF THE RECORD)

17 ATTORNEY EXAMINER: Staff's review
18 and recommendation filed on October 17th will be
19 Staff Exhibit 1.

20 (EXHIBIT MARKED FOR PURPOSES OF
21 IDENTIFICATION)

22 ATTORNEY EXAMINER: Are there any
23 objections to the admission of those exhibits at
24 this time? Ms. O'Brien.

25 MS. BOTSCHNER O'BRIEN: No

1 objections.

2 ATTORNEY EXAMINER: Thank you.

3 (EXHIBITS ADMITTED INTO EVIDENCE)

4 ATTORNEY EXAMINER: I believe
5 the last item is the Proofs of Publication.

6 MS. AKHBARI: Yes, your Honor. I do
7 not have a printout of the Proof of Publication
8 today, but happy to indicate that as Duke Energy
9 Ohio Exhibit 2 if you prefer, but --

10 ATTORNEY EXAMINER: Yes. It was
11 filed in the docket --

12 MS. AKHBARI: Last week some date.

13 ATTORNEY EXAMINER: Yes, one day
14 last week and that can be marked as Duke Exhibit
15 2.

16 (EXHIBIT MARKED FOR THE PURPOSE OF
17 IDENTIFICATION)

18 MS. AKHBARI: Thank you, your Honor.

19 ATTORNEY EXAMINER: Are there any
20 objections to the admission of Duke Exhibit 2?

21 MS. BOTSCHNER O'BRIEN: No
22 objections.

23 ATTORNEY EXAMINER: The exhibit is
24 so admitted as filed.

25 (EXHIBIT HEREBY ADMITTED INTO

1 EVIDENCE)

2 ATTORNEY EXAMINER: Is there
3 anything further regarding the GCR audit, the
4 UEX or the PIPP audit?

5 MS. AKHBARI: Not from the Company's
6 perspective, your Honor. Thank you.

7 MS. BOTSCHNER O'BRIEN: Not from
8 the Staff. Thank you.

9 ATTORNEY EXAMINER: With that, the
10 exhibits are admitted into the record and this
11 matter is submitted to the Commission for its
12 decision.

13 I have one other matter that is
14 tangential to this. Do you have an update for
15 me, Ms. Akhbari, on Case No. 21-218, 21-318, or
16 21-418?

17 MS. AKHBARI: Yes, Your Honor. The
18 update is that we have the stipulation
19 circulated and are awaiting signatures; that we
20 have the outstanding issue under which I think
21 that was holding up the stipulation as it was
22 between IGS and Duke Energy Ohio has been
23 resolved as to those two parties.

24 So we are just circulating for
25 purposes of agreement with the parties.

1 ATTORNEY EXAMINER: You trailed off
2 at the --

3 MS. AKHBARI: Sorry. So, OCC, the
4 remainder of the parties signed, but I believe
5 the issue that was holding up the whole
6 settlement, as I understood it, was the
7 particular issue as between IGS and Duke, and
8 that portion of the stipulation has been
9 resolved and incorporated.

10 ATTORNEY EXAMINER: Okay. Do we
11 have a date by which we expect that stipulation
12 to be filed?

13 MS. AKHBARI: I would hope in the
14 next 10 days or so.

15 ATTORNEY EXAMINER: Okay. And if it
16 has not been filed in that docket by February
17 1st, I would appreciate an update by e-mail to
18 myself and counsel for all parties.

19 MS. AKHBARI: Absolutely, your
20 Honor.

21 ATTORNEY EXAMINER: All right. Is
22 there anything else? Hearing nothing, this
23 matter is adjourned. Thank you all.

24 (10:15 A.M. the hearing was
25 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
January 16, 2024, 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
1/29/2024 12:57:21 PM**

in

Case No(s). 23-0218-GA-GCR, 23-0318-GA-UEX, 23-0418-GA-PIP

Summary: Transcript January 16th 2024 In the Matter of the Regulation of the Purchased Gas Adjustment Clauses Contained within the Rate Schedules of Duke Energy Ohio, Inc. In the Matter of the Audit of the Uncollectible Expense Rider of Duke Energy Ohio, Inc., and Related Matters. In the Matter of the Application of Duke Energy Ohio, Inc. for Approval of an Adjustment to its Interim and Temporary PIPP Plan Rider Case. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Spencer, Michael O. Mr..