

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Ohio- )  
American Water Company to Increase ) Case No. 95-935-WW-AIR  
its Rates for Water Service Provided to )  
the Entire Service Area. )

ENTRY

The attorney examiner finds:

- 1) The Commission has caused an investigation to be made of the facts set forth in the company's application in this case, the exhibits attached to it, and of the matters connected with the application.
- 2) A written report of the staff's investigation into this matter was filed on May 2, 1996.
- 3) Copies of the Staff Report of Investigation were mailed to the company, the mayors of the municipal corporations affected by the application, and such other persons as the Commission deemed to be interested in the case.
- 4) Objections to the Staff Report should be filed in accordance with Section 4909.19, Revised Code. The parties are reminded that Rule 4901-1-28(B), Ohio Administrative Code (O.A.C.), requires that all objections must be specific. Any objection which is not specific enough to convey what is actually being placed at issue will be struck pursuant to the above rule. Some hypothetical examples of objections which would be deemed not specific enough to satisfy the requirements of Rule 4901-1-28(B), O.A.C., are: "the staff incorrectly calculated test year labor expense" or "the staff unreasonably determined rate case expense." These hypothetical examples could be improved so that they would be deemed specific enough to satisfy the O.A.C. requirements: "the staff incorrectly calculated test year labor expense because it failed to use estimated end-of-test-period employee levels and wage rates in its calculation" or "the staff unreasonably determined rate case expense because it failed to include the cost of publishing the required legal notice of the local hearing and because it amortized the expense over a three-year period instead of a one-year period."

THIS IS TO CERTIFY THAT THE ABOVE IS AN ACCURATE AND COMPLETE REPRODUCTION OF A CASE FILE DOCUMENT DELIVERED IN THE REGULAR COURSE OF BUSINESS.  
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- 5) Direct expert testimony should be filed in accordance with Rule 4901-1-29, O.A.C. So as not to delay the presentation of testimony once the hearings have begun, all motions to strike objections shall be filed by June 10, 1996. Memoranda contra such motions to strike must be filed by June 17, 1996. Any motion to strike objections which is filed after June 10, 1996, will not be considered unless good cause can be shown by the movant. The parties are advised that, unless an objection is struck or withdrawn, they will be required to discuss each of their objections in their initial briefs at the conclusion of the hearings. If any party fails to discuss an objection in its initial brief, the objection will, without further action, be deemed withdrawn.
- 6) Each party filing objections shall file, along with the objections, a brief summary of the issues which it designates as major issues, in the order of their importance, for purposes of the notice required by Section 4903.083, Revised Code.
- 7) A prehearing conference will be held in this matter on Tuesday, June 11, 1996, at 9:00 a.m. at the offices of the Commission, 180 East Broad Street, Columbus, Ohio. The purpose of this conference will be to identify and mark exhibits, to establish an order of witnesses, and to establish procedural ground rules for the conduct of this case. So that the conference will not be delayed, each party shall be prepared at the conference to provide to all other parties a list of numbered exhibits which it intends to introduce and a list showing the anticipated order of its witnesses. An opportunity will also be provided at the conference for discussion of possible stipulations with respect to matters placed in issue by objections to the Staff Report of Investigation. All counsel should be prepared to discuss fully the issues in the case and they should be accompanied by representatives of their clients who would assist in meaningful discussion of the issues.
- 8) A public hearing should be held to consider this case, commencing on Tuesday, June 18, 1996, at 9:00 a.m., at the offices of the Commission.
- 9) One or more local public hearings will be scheduled, and publication of notice required, by subsequent entry.
- 10) Discovery in this case should be completed in accordance with Rule 4901-1-17, O.A.C.

It is, therefore,

ORDERED, That the above findings be observed. It is, further,

ORDERED, That a copy of this entry be served upon all persons and parties previously served a copy of the Staff Report of Investigation and all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

*William F. Brown*

By: William F. Brown  
Attorney Examiner

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*Ren*

Entered in the Journal  
MAY 03 1996

A True Copy

*Gary L. Vigorito*  
Gary L. Vigorito  
Secretary