

**MINUTES OF THE
TWO HUNDRED FORTY FOURTH MEETING
OF THE CONSUMERS' COUNSEL GOVERNING BOARD
January 14, 2004**

Members Present: Mark Gehri, Vice Chair
 Herman Kohlman
 Dorothy Leslie
 Helen Mac Murray
 James Rarey
 Jerome Solove, Chair

Members Absent: John Steinberger

The meeting was called to order by Chair Jerome Solove at approximately 9:10 AM. Chair Solove asked members if there were any additions or corrections to the October 28, November 5 or December 8, 2003 meeting minutes. The minutes were approved by consensus.

On a motion by Mr. Kohlman, seconded by Mr. Rarey, the Board voted unanimously to elect Mr. Jerome Solove as Chair and Mr. Mark Gehri as Vice Chair of the Ohio Consumers' Counsel Governing Board.

Mr. Dave Rinebolt, Executive Director of Ohio Partners for Affordable Energy and also representing Citizen Power, the Ohio State Legal Services Association, the Cleveland, Columbus and Cincinnati legal aid societies and private practice attorneys working for low-income consumers spoke to the Governing Board. Mr. Rinebolt gave an overview of the work these groups do, commented on the qualities for the new Consumers' Counsel and stated that in the future these groups would like to collaborate more with the OCC in their casework. Mr. Rinebolt noted that these organizations would strengthen the OCC's resources.

Mr. Rinebolt suggested the OCC set up a legal advisory panel that would share information, knowledge, expertise and resources to work together on residential utility issues. Groups such as Mr. Rinebolt was representing could be involved in this panel.

The Board was very receptive to the suggestion of a legal advisory panel and asked the OCC staff to discuss with the Board at the next regular meeting how to implement such a group.

The Board reviewed draft interview questions and the timeline for the hiring of the Consumers' Counsel position. Board additions will be incorporated into the questions by Ms. Monica Hunyadi and will be sent to Mr. Kent Shimeall of the Attorney General's Office for a legal review. Following Mr. Shimeall's approval the final interview questions will be disseminated to the Board.

At approximately 9:55 a.m. the Board members concluded their discussions of the employment process.

Mr. Jim Williams reported that OCC's Consumer Response Center (CRC) received approximately 17,415 calls during November-December 2003. Approximately 51 percent of the calls pertained to telecommunications issues, 30 percent natural gas and 15 percent electric issues. The CRC received approximately 102,000 calls during 2003. Mr. Williams reviewed the following training initiatives:

1. Disconnection and credit rules,
2. Emerging issues,
3. Handling high gas cost contacts,
4. Call coaching and documentation and
5. Update FY04 section and individual goals.

Ms. Linda Walls Rominski reported that Outreach and Education has new initiatives with the Community Advisory Panels (CAP) that include conference calls and a newsletter, which may be customized to a particular region if needed. Ms. Rominski distributed a new brochure titled "Stay Connected" that is being sent to organizations inviting them to have an OCC presentation for their employees or membership. A poster was also developed and distributed to community action agencies that discusses the services of the OCC. CAP members are also provided specific contacts in the CRC to aid with their constituents' complaints.

Mr. Ryan Lippe reviewed the following ongoing public awareness initiatives:

1. 2003 End-of-Year Electric Market Report,
2. Opposition to Dayton Power & Light cost recovery proposal,
3. Recommendations to joint blackout task force,
4. Ohio Supreme Court: Telephone alternative regulation and
5. Ohio Supreme Court: Electric line extension fees.

Mr. David Bergmann discussed the following activities in the telecommunications industry:

1. PUCO Impairment Proceeding (Phase I & II) for Unbundled Local Switching for the Mass Market and
2. Federal Appeals of the FCC Triennial Review Order.

Ms. Beth Hixon discussed the following natural gas issues:

1. Columbia Gas 2003 stipulation and GCR case,
2. Vectren Management audit CGR case,
3. Review of Cincinnati Gas & Electric (CG&E) annual filings for actual costs,
4. December 17, 2003 "Bad Debt" Tracker order and
5. December 17, 2003 order on residential credit and disconnection.

Upcoming natural gas issues include:

1. December 11, 2003 notice to file for a rate increase by Ohio American Water and
2. October 24, 2003 notice to file for a rate increase by Northeast Ohio Natural Gas.

Ms. Beth Hixon discussed the following electric issues:

1. Post-market development period (after 12/31/05) generation service options,
2. PUCO issued order on December 17, 2003 on market-based standard service offer (MBSSO) and competitive bidding process (CBP) rules. OCC filed an application for rehearing on January 6, 2004.
3. CG&E filed MBSSO and CBP for non-residential customers,
4. FirstEnergy filed rate stabilization plan for all customers,
5. MonPower filed MBSSO and CBP for all customers,
6. MonPower filed for a non-residential surcharge to pass through wholesale power costs beginning January 1, 04 and
7. December 31, 2003 PUCO staff and American Electric Power (AEP) filed a stipulation regarding the company's service quality.

Ms. Hixon discussed the following upcoming electric issues:

1. FirstEnergy rate stabilization plan litigation,
2. CG&E rate stabilization plan filing and litigation,
3. AEP and PUCO staff settlement on distribution issues,
4. OCC request for hearing on AEP service quality and
5. OCC request for investigation on reliability of all electric companies.

Chair Solove noted that the Attorney General's office has made two recommendations for new Governing Board members. Chair Solove thanked the Attorney General for his responsiveness in submitting these recommendations. Following confirmation of

the new members OCC staff will be working with the new members on an orientation process. Chair Solove invited any Board member who would like to review any aspect of the OCC during this orientation to contact Mr. Stephens with your interest in participating.

The Board members set their calendar for 2004. The meetings will be: February 26 (tentative), March 8 (interview and selection of Consumers' Counsel), March 15, May 5, July 14, September 15 and November 17.

At approximately 2:35 p.m., on a motion by Vice Chair Gehri, seconded by Mrs. Leslie, the Board voted unanimously to meet in executive session for the purpose of considering with the Deputy Consumers' Counsel pending or imminent litigation.

At approximately 4:40 p.m., on a motion by Mrs. Leslie, seconded by Vice Chair Gehri, the Board voted unanimously to adjourn the meeting.

I verify that the above meeting minutes have been approved and ratified by the OCC Governing Board on this _____ day of March of 2004.

Jerome G. Solove, Chair
Ohio Consumers' Counsel Governing Board

Donna Mucci, Secretary
Ohio Consumers' Counsel Governing Board