



**MINUTES OF THE  
TWO HUNDRED NINETY SIXTH MEETING  
OF THE OHIO CONSUMERS' COUNSEL GOVERNING BOARD  
March 19, 2013**

Members Present: Gene Krebs, Chairman  
Jason Clark  
Sally Hughes  
Susheela Suguness  
Michael Watkins  
Fred Yoder  
Stuart Young

Members Absent: Joe Logan, Vice Chairman

Guests: Jeff Clark, Attorney General's Office

**CALL TO ORDER**

Chairman Krebs called the meeting to order at 9:10 a.m. Mrs. Knight called the roll.

At the last Governing Board Meeting, Mr. Watkins inquired about a lapel pin. OCC label pins were distributed to Board Members.

Chairman Krebs requested that Mrs. Kurt provide news clips to the Board on a weekly basis.

**APPROVAL OF MINUTES**

Mr. Yoder moved to approve the January 15, 2013 meeting minutes. Mr. Watkins seconded the motion. Mrs. Knight called the roll. The motion passed unanimously.

**CONSUMERS' COUNSEL'S REPORT**

Mr. Weston stated that Deputy Consumers' Counsel, Melissa Yost is in hearing and will not be in attendance. In addition he reported that Dr. Aster Adams (Director, Analytical Department) has accepted a position at the Oregon Public Utilities Commission.

Dr. Adams stated that he takes public service seriously and is grateful for the opportunity to work at the Ohio Consumers' Counsel.

Chairman Krebs stated that the work Dr. Adams does for the agency is critical.

Mr. Weston recognized Gina Brigner, Administrative Assistant to Dr. Adams, for the work she provided to OCC with respect to the recently filed testimony.

### **LEGISLATIVE UPDATE**

Mrs. Kurt provided the Board with the legislative update for this period.

HB 59 (Budget Bill) – By guidance of the Administration, non-general revenue funded agencies (such as OCC) were asked to request up to and not more than 100% of their current funding level. OCC's current budget is \$5.6 million. Mr. Weston presented budget testimony on February 28, 2013 before the Agriculture and Development Subcommittee of the House Finance and Appropriations Commission. Discussion ensued.

SB 58 (Energy Efficiency Standards) – This is a piece of placeholder legislation that does not set specific direction. The bill sets out a series of questions for the General Assembly to consider in reviewing these provisions of law.

HB 59 (Reasonable Arrangements) – Industrial customers can apply to the PUCO for discounted electric rates. The difference, or delta, is paid for by residential customers and others. HB 59 is a proposal to change certain aspects of reasonable arrangements.

Chairman Krebs noted for the Board the example of Ormet – Ormet has had this sort of arrangement for over 50 years. Chairman Krebs then suggested that a legislative sub-committee of the Board be formed and asked Mrs. Kurt to monitor this. Discussion ensued.

HB 102 (Rep. Roegner) – This bill requires the PUCO to look at the costs that retail natural gas marketers incur. OCC is concerned that the bill increases the price of the standard choice offer.

Settlements have been signed by OCC, PUCO staff, natural gas utilities and marketers regarding the standard offer.

SB 162 created the Select Committee on Telecommunication Regulatory Reform. OCC has a seat on this committee. The Committee studies economic benefits, job impact, telephone company rates and quality of service, among other things.

### **THE LEGISLATIVE PROCESS**

Board Members can participate in the legislative process by meeting with Legislators and presenting testimony.

### **EXECUTIVE SESSION**

Mr. Young moved to enter executive session to have a conference with counsel concerning disputes that are the subject of a pending administrative agency legal action. Mr. Watkins seconded the motion. Mrs. Knight called the roll. The motion passed unanimously.

The Board entered Executive Session at 10:15 a.m.

The Board returned to Public Session at 11:00 a.m.

**CONSUMERS' COUNSEL'S REPORT**

Mr. Weston reported on Natural Gas HB 102/Standard Offer. OCC strives to obtain the best results for customers whether it is through litigation or settlement.

Settlements have been signed in the Columbia Gas of Ohio and Dominion East Ohio cases. Parties to the Columbia settlement include: PUCO Staff, OCC, Columbia Gas of Ohio, Dominion Retail, Inc., The Ohio Gas Marketers Group, and Retail Energy Supply Association. Parties in the Dominion settlement include: OCC, Dominion East Ohio, and Ohio Gas Marketers Group.

Mr. Weston shared with the Board various quotes from parties to the settlement that demonstrate their commitment to the process.

House Bill 102 would increase the price of the standard offer. OCC will work to maintain the settlements that were achieved with Columbia and Dominion. Discussion ensued.

Chairman Krebs sits on the PUCO Nominating Council. He reported that few applicants were qualified.

Chairman Krebs testified before the House Finance and Appropriations Committee on OCC's budget and as a public citizen at the DP&L rate hearing.

Chairman Krebs suggested that OCC notify the Board and perhaps the General Assembly when a utility rate case is filed in their particular district.

Legislative Sub-committee was formed that consists of Stuart Young, Michael Watkins, and Chairman Krebs.

Mr. Weston stated that, at the time of the OCC budget reduction, OCC withdrew from the case involving the Turning Point project given resource limits. OCC is proceeding with the YouTube video featuring Mr. Yoder.

Mr. Weston stated that the Board's earlier idea for rating utility service providers could be helpful to consumers. At present more information is needed in order to make the rating valid. Mr. Weston would welcome any ideas from the Board.

The Duke rate cases are pending. The conclusion of OCC and the PUCO Staff is the natural gas rate case should result in a rate reduction.

Chairman Krebs stated that further discussion regarding the evaluation criteria for Mr. Weston will take place at the May meeting and mentioned the potential for a Board retreat to take place in July.

**EXECUTIVE SESSION**

Mr. Watkins moved to enter executive session to consider the employment of a public employee or official. Mr. Clark seconded the motion. Mrs. Knight called the roll. The motion passed unanimously.

The Board entered Executive Session at 11:55 p.m.

The Board returned to Public Session at 1:05 p.m.

Mrs. Hughes left the meeting at 1:00 p.m.

**PUBLIC SESSION**

The Board discussed how to evaluate Mr. Weston. Mr. Young is going to prepare 20 questions, for the Board to consider at the May meeting, which would be for the Board to later use when it is time for the evaluation.

Mr. Watkins will be absent for the May meeting.

Mr. Yoder moved that Mr. Weston present a self-evaluation by January 2014. Mr. Waking seconded the motion.

With no further business the meeting adjourned at 1:15 p.m.

I verify that the above meeting minutes have been approved and ratified by the OCC Governing Board on this 4th day of June, 2013.

  
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Gene Krebs, Chairman  
Ohio Consumers' Counsel Governing Board

  
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Laurie C. Knight, Secretary  
Ohio Consumers' Counsel Governing Board