



**MINUTES OF THE
THREE HUNDRED AND SIXTY-THIRD MEETING
OF THE OHIO CONSUMERS' COUNSEL GOVERNING BOARD
July 21, 2015**

Members Present: Mr. Gene Krebs, Chairman
Mr. Frederick Cooke
Ms. Sally Hughes
Mr. Roland Taylor
Mr. Fred Yoder
Mr. Stuart Young

Members Absent: Mr. Jason Clark
Ms. Susheela Suguness, Vice Chair
Mr. Mike Watkins

Guests: Dynegy Energy Services

CALL TO ORDER:

Chairman Krebs called the meeting to order at 9:02 a.m. He greeted those in attendance and invited members to join him for lunch at the Statehouse at the conclusion of the meeting.

APPROVAL OF MINUTES:

Chairman Krebs requested a Motion to approve the meeting minutes of May 19, 2015. Mr. Yoder made a motion to approve the minutes. The motion was seconded by Ms. Hughes without any changes. Ms. Edwards called the roll and the minutes were approved unanimously.

RECOGNITIONS:

Deputy Consumers' Counsel Sauer presented Kevin Moore with OCC's Employee of the Quarter Award. He noted that Mr. Moore was being awarded for his exceptional work during the first quarter of 2015.

Consumers' Counsel Weston honored Laurie Knight as recipient of OCC's Employee of the Year Award for 2014. He noted Ms. Knight's contribution to the public and thanked her for her service. Mr. Weston went on to say that the torch of the Board Secretary was being transferred from Ms. Knight to Ms. Edwards. He shared that Ms. Knight is currently working in the Operations

department. Ms. Knight expressed her appreciation and pleasure for working with the Board. Mr. Weston introduced Ms. Edwards as the new Board Secretary.

EMPLOYEE WELLNESS PROGRAM:

Mr. Weston stated that Chairman Krebs' referenced the importance of employee wellness at the previous Board meeting. He introduced a brief presentation by the agency in response to the Chairman's call for additional wellness programs.

Ms. Hunyadi thanked the Board members for their interest in the agency's wellness program. She stated that Consumers' Counsel Weston encouraged expanding upon the state's wellness program. Ms. Hunyadi introduced OCC employees Myron Goldsmith and Sydney Gale as coordinators of the wellness program. Mr. Goldsmith described the state's Take Charge Live Well program as being the State's initiative to promote overall healthy living. Mr. Goldsmith mentioned that the agency's program would kickoff with an office-wide health and wellness challenge for 2015 (which is a 6-week program) where employees can earn points and win prizes for making healthy choices. He also shared that future wellness plans being considered are an office-wide walking challenge in the fall and weight loss challenge that would start in 2016.

Ms. Hughes asked if the Board members could also receive the health and wellness updates that the staff would be receiving. Mr. Weston noted that the Board would receive the health & wellness updates.

Chairman Krebs talked briefly about "Sitting is the new Smoking," which was a presentation held at the Columbus Metropolitan Club in June. Chairman Krebs shared that he was unable to attend, but was told by others how sitting for longer periods of time has become recognized as a new health challenge similar to the problems of smoking. He added that small changes can have a huge impact on your health and also productivity. And, making small adjustments will help you think and feel better. Chairman Krebs ended by saying "It's good for the people - but it's even better for the organization." Mr. Weston stated that the link from the presentation would be circulated to the Board.

Chairman Krebs expressed that we are at the time of the year when appointments to the Board are due, in September. The Consumers' Counsel had reached out to the members whose appointments are expiring, and asked if they wished to have their names re-submitted. Vice-Chair Suguness had decided to not be considered for re-appointment. Chairman Krebs noted that due to the appointments timeline, oftentimes members leave and the Board doesn't have the opportunity to say thanks to them. He went on to say that he has talked with the General Assembly, expressing that we need to get the appointment structure better aligned with the reality of Board timelines – adding that appointments should come in January.

Chairman Krebs read a proposed Resolution in honor of Vice-Chair Susheela Suguness and wished her success, on the occasion of the completion of her time on the Board. Chairman Krebs requested a motion to adopt the Resolution in honor of Vice-Chair Suguness. Mr. Young made a motion to adopt the Resolution. The motion was seconded by Mr. Cooke without any changes. Ms. Edwards called the roll and the Resolution was approved unanimously.

DYNEGY PRESENTATION:

Mr. Sauer introduced Director Rich Surace and Managing Director Ray Culver of Dynegy Energy Services Retail Operations. Mr. Surace stated that Dynegy Energy Services generates reliable and affordable energy in the Midwest, Northeast and West Coast. Dynegy is located in eight states and serves over 850,000 residential and business customers. Mr. Surace also stated that Dynegy is the third largest energy retailer in Ohio. He said Dynegy's program does not use door-to-door sales and phone calls for marketing to consumers. Mr. Surace expressed that their goal is to become a company that others can trust. Mr. Surace also talked about the acquisition of Duke's power plants and the opportunities for growth.

Together Mr. Culver and Mr. Surace talked about Dynegy's participation in the green energy market by selling renewable energy credits, also noting that consumers customarily value price over generation.

After discussion of aggregation, Mr. Weston explained that government aggregation is when the government is allowed to use its buying power to negotiate on behalf of all the residents of its community. He noted that this option was made possible in Ohio through the 1999 deregulation law.

Dynegy discussed its view opposing the recent utility proposals for a Power Purchase Agreement (PPA).

The Chairman then called for a brief meeting break.

BOARD RESOLUTION:

Mr. Weston distributed a draft resolution for the Board's consideration, to follow up on the Board's discussion at the previous meeting. The draft resolution is in support of protections for customers who purchase public utility services through master-meters and/or submeters.

Chairman Krebs read the resolution. He then invited a motion to be made. A motion was made by Ms. Hughes. Mr. Taylor seconded the motion. Ms. Edwards called the roll. The Board adopted the

resolution unanimously. Mr. Weston thanked the Board for adopting the resolution for consumer protection.

PRESENTATION ON AEP'S CHARGES TO CONSUMERS:

Mr. Greg Slone gave a presentation called "Information on What Ohioans Pay for Electricity." He discussed the cost of electricity for Ohioans. Mr. Slone stated historically AEP Ohio (Ohio Power and CSP) have had some of the lowest electric rates in Ohio. However, in recent years – since 2012 – AEP has had the highest rate (until June 2015, when auctions brought generation prices down).

Mr. Slone presented charts reflecting how electric rates in Ohio compare to other states. Electricity rates in many states are lower for residential consumers than in Ohio. He also presented charts on typical bill comparisons for AEP customers. Mr. Slone noted that AEP charges Ohioans higher rates than it charges its residential consumers in the other states where it operates. He also said that Ohioans are paying AEP a higher profit than AEP's profit in its other states.

Chairman Krebs asked that the charts be sent to the General Assembly, adding that the charts should also be available to people on the 30th floor (the Administration).

Ms. Hughes asked if information could be sent to the Dispatch or other media sources. Mr. Yoder asked if it was proper for a Board member to write a letter/article. Mr. Yoder was encouraged to write an opinion piece/column for the Dispatch.

REPORT BY THE CONSUMERS COUNSEL:

Mr. Weston presented budget information. He discussed the result of the recent budget bill for the next two fiscal years. Mr. Weston advised that the agency spent less than its budget limit for FY 2015. And he thanked members of the Ohio General Assembly and the Administration for approving the budget at the agency's requested level (to continue at \$5.6 million annually) for the next two years. He also thanked all of those who were involved with the process at OCC.

Mr. Weston also discussed an amendment the agency had proposed for the budget bill (HB 64) regarding consumer complaints. He shared the agency's recommendation that the law (ORC 4911.021) be changed to restore OCC's authority to assist consumers who call the agency with utility service complaints. The Ohio Senate passed the amendment; however, the amendment was not included by the House-Senate conference committee in the final legislation.

Mr. Weston provided an update on basic telephone service. He shared with the Board that, as a result of the budget bill (HB 64), telephone companies have the authority to withdraw basic phone service from customers, subject to certain requirements. Mr. Weston also said that, for a withdrawal to occur, there must be a reasonably and comparatively priced alternative service. He further noted that,

under HB 64, OCC would serve on a collaborative at the PUCO, to help consumers regarding the basic service withdrawal process. And he said that the Administration had improved the legislation, for consumers.

He noted that the Board has in the past expressed concerns for protecting Ohioans' most basic telephone service. The Board had adopted a resolution. And the resolution has been attached to OCC testimony in the legislature.

Mr. Weston stated that OCC's service on the collaborative is a responsibility to telephone consumers that would be taken very seriously. He said OCC would work toward consumer protection. Mr. Weston added that more would be heard about the law affecting basic telephone service as we move forward.

Mr. Yoder asked Mr. Weston if there is a timetable within which phone companies are required to make repairs. Mr. Yoder said he's received some complaints from customers.

Mr. Yoder said "a friend of his works out of his home and his phone's not working. He called Frontier to fix his home phone and he was given a three-week window to fix his phone. And he's just beside himself. That means his fax machine doesn't work, DSL doesn't work and he's operating from his cellphone now and he's saying 'what's going on?'" Mr. Yoder asked if that timeline for when phone service repairs are made is OK.

Mr. Weston replied with his understanding of the regulations. He stated that years ago the PUCO had detailed service quality rules for consumer protection. Mr. Weston said he didn't think those rules were in place now for the type of services that Mr. Yoder described. Over the years the telephone industry successfully sought less regulation. Chairman Krebs stated that there would be more discussions regarding the telephone service issue.

Mr. Weston provided the Board with an editorial that appeared in the Cleveland Plain Dealer, entitled "Ohio Consumers' Counsel Office finds its voice again in Senate budget." The editorial supported legislation (in HB 64) to restore OCC's authority to assist consumers who call OCC with complaints about utility service. He also distributed two additional editorials that were published in the Plain Dealer and the Akron Beacon Journal.

Mr. Weston finished his report by discussing a tax issue (in the budget bill, HB 64) that could have affected consumers in the electricity rates they pay. The issue involved the tangible personal property tax. The Governor vetoed this line-item in the legislation. Mr. Weston shared that he sent

Governor John Kasich a letter to thank him for vetoing the legislation that could impact consumers' electric bills.

2015 FY Results:

Ms. Hunyadi reported that the fiscal year ended June 30, 2015. She added that we are looking ahead to 2016. She said that we are going to have projects to update our website and refresh our brochures, and accomplish other things in that regard.

Mr. Weston introduced Mr. Dan Doron as Public Affairs Manager.

EXECUTIVE SESSION:

At 11:32 a.m. Chairman Krebs invited a motion for the Board to enter executive session. Mr. Yoder made the motion to enter executive session. The motion was seconded by Ms. Hughes. Ms. Edwards called the roll, and the motion was approved unanimously. The Board then entered executive session.

The Board resumed the public session at 11:50 a.m. The Board determined salary increases of \$7,000 for the Consumers' Counsel (who previously had declined raises in this position) and \$5,000 for the Deputy Consumers' Counsel.


CLOSING COMMENTS BY CHAIRMAN KREBS:

The next Governing Board meeting is scheduled for September 15, 2015. [Note: This date was later changed to September 16, 2015.]

Chairman Krebs commented that a healthier workforce is a more productive workforce. He encouraged being mindful of eating healthy, exercising, and resting.

With no further business, the meeting adjourned at 12:02 p.m.

I verify that the above meeting minutes have been approved and ratified by the OCC Governing Board on this 16th day of September, 2015.



Gene Krebs, Chairman

Ohio Consumers' Counsel Governing Board



Mary V. Edwards, Secretary

Ohio Consumers' Counsel Governing Board