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Indianapolis, Indiana  
November 12, 2009  
9:30 A.M. (EST)

(Reporter marked documents for identification as Petitioner's Exhibit Nos. A, A-1, B, B-1, B-2, B-3, B-4, C, C-1, D, E, F, G, G-1, G-2, G-3 and G-4)

(Reporter marked document for identification as Public's Exhibit No. 1)

JUDGE STORMS: This is an evidentiary hearing before the Indiana Utility Regulatory Commission in a cause docketed before the Commission as Cause No. 43743, captioned as "Petition of Duke Energy Indiana, Incorporated for approval of authority for deferred accounting treatment for operating expenses associated with the restoration of extensive system damage resulting from the January 27, 2009 ice storm."

Notice of the time and place of the hearing was given as provided by law by

1 publication in Marion County in the  
2 Indianapolis Star and in Hendricks County in  
3 the Republican. Each of said newspapers is a  
4 newspaper of general circulation, printed and  
5 published in the English language in their  
6 respective counties, and said publications  
7 were made ten days prior to the date of the  
8 evidentiary hearing. The proofs of  
9 publication of the notices have been received  
10 by the Commission and are now incorporated  
11 into the record of this cause by reference and  
12 placed in the official files of the  
13 Commission. Notice has also been given to the  
14 Office of Utility Consumer Counselor and other  
15 interested parties.

16 May we have appearances, please?

17 MS. PRICE: Thank you, Your Honor.  
18 On behalf of Duke Energy Indiana, Melanie  
19 Price, Plainfield, Indiana.

20 MR. HELMEN: Thank you, Your  
21 Honor. On behalf of the Public, Randall  
22 Helmen from the OUCC.

23 JUDGE STORMS: Prior to going on  
24 the record, it's my understanding that the  
25 parties have waived cross-examination for each

1 other's witnesses; however, it will be  
2 necessary for Mr. Foster's testimony to be  
3 adopted in this proceeding, so what we'll do  
4 is proceed with the Petitioner's testimony and  
5 then go to the OUCC's.

6 MS. PRICE: Thank you, Your Honor.  
7 On behalf of Duke Energy Indiana, we would  
8 offer Petitioner's Exhibits A and A-1, the  
9 direct testimony of Jim Stanley and an exhibit  
10 attached thereto, Petitioner's Exhibits B,  
11 B-1, B-2, B-3 and B-4, the direct testimony of  
12 Anthony Geswein and the exhibits attached  
13 thereto, Exhibits C and C-1, the direct  
14 testimony of Danny Wiles and the exhibit  
15 attached thereto, Exhibit D, the direct  
16 testimony of Diana L. Douglas, Exhibit E, the  
17 rebuttal testimony of Anthony Geswein, Exhibit  
18 F, the rebuttal testimony of Danny Wiles, and  
19 Exhibits G, G-1, G-2, G-3 and G-4, the  
20 rebuttal testimony of Diana L. Douglas and the  
21 exhibits attached thereto.

22 JUDGE STORMS: We'll show each of  
23 those exhibits -- each of the prefiled direct  
24 testimonies as well as the rebuttal testimony  
25 and the attached exhibits admitted into this

1           cause.

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(PETITIONER'S EXHIBIT NO. A, BEING

4

THE PREFILED DIRECT TESTIMONY OF

5

MR. JIM L. STANLEY, WITH

6

PETITIONER'S EXHIBIT NO. A-1

7

ATTACHED THERETO; PETITIONER'S

8

EXHIBIT NO. B, BEING THE PREFILED

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DIRECT TESTIMONY OF MR. ANTHONY C.

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GESWEIN, WITH PETITIONER'S EXHIBIT

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NOS. B-1 THROUGH AND INCLUDING B-4

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ATTACHED THERETO; PETITIONER'S

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EXHIBIT NO. C, BEING THE PREFILED

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DIRECT TESTIMONY OF MR. DANNY

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WILES, WITH PETITIONER'S EXHIBIT

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NO. C-1 ATTACHED THERETO;

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PETITIONER'S EXHIBIT NO. D, BEING

18

THE PREFILED DIRECT TESTIMONY OF

19

MS. DIANA L. DOUGLAS; PETITIONER'S

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EXHIBIT NO. E, BEING THE PREFILED

21

REBUTTAL TESTIMONY OF MR. ANTHONY

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C. GESWEIN; PETITIONER'S EXHIBIT

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NO. F, BEING THE PREFILED REBUTTAL

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TESTIMONY OF MR. DANNY WILES, AND

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PETITIONER'S EXHIBIT NO. G, BEING

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THE PREFILED REBUTTAL TESTIMONY OF  
MS. DIANA L. DOUGLAS, WITH  
PETITIONER'S EXHIBIT NOS. G-1  
THROUGH AND INCLUDING G-4  
ATTACHED THERETO, ADMITTED INTO  
EVIDENCE.)

1 MS. PRICE: Thank you, Your Honor.

2 Petitioner rests its case.

3 JUDGE STORMS: Mr. Helmen?

4 MR. HELMEN: Thank you, Your  
5 Honor. The Public would call Tyler Bolinger.

6 JUDGE STORMS: Raise your right  
7 hand.

8

9 (OATH DULY ADMINISTERED TO ONE PERSON)

10

11 **TYLER E. BOLINGER**, a witness appearing on behalf  
12 of the Public, having been  
13 first duly sworn, testified as  
14 follows:

15

16 **DIRECT EXAMINATION,**

17 **QUESTIONS BY MR. HELMEN:**

18 Q Please state your name for the record.

19 A Tyler Bolinger.

20 Q Where do you work and in what capacity?

21 A I work for the Indiana Office of Utility  
22 Consumer Counselor. I'm the Director of the  
23 Electric Division.

24 Q Mr. Bolinger, did the OUCC file direct  
25 testimony in this cause?

1 A Yes, sir.

2 Q I've placed before you what has been marked  
3 for identification purposes as Public's  
4 Exhibit 1, the prefiled testimony of Greg A.  
5 Foster. Do you see that?

6 A Yes.

7 Q Was this testimony prepared under your close  
8 supervision?

9 A Yes.

10 Q Do you adopt the testimony contained therein  
11 as your sworn testimony in this cause?

12 A Yes.

13 Q If I were to ask you the same questions, would  
14 your answers be the same as appear in the  
15 document?

16 A Yes.

17 MR. HELMEN: We offer Public's  
18 Exhibit 1.

19 JUDGE STORMS: If there's no  
20 objection, we'll show Public's 1 admitted into  
21 this cause.

22 Mr. Bolinger, thank you very much  
23 for your testimony. You are excused.

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25 (WITNESS TYLER E. BOLINGER EXCUSED)

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(PUBLIC'S EXHIBIT NO. 1, BEING THE  
PREFILED DIRECT TESTIMONY OF MR.  
GREG A. FOSTER, AS SPONSORED AND  
ADOPTED BY MR. TYLER E. BOLINGER,  
ADMITTED INTO EVIDENCE.)

1                   MR. HELMEN: Thank you. Public  
2 rests.

3                   JUDGE STORMS: Do we have a  
4 proposed schedule for the submission of  
5 proposed orders?

6                   MS. PRICE: Yes, we do, Your  
7 Honor. Duke Energy Indiana will file its  
8 proposed order and any briefs, if applicable,  
9 on or before December 15, 2009. The Indiana  
10 Office of Utility Consumer Counselor will file  
11 its reply on or before January 15, 2010 or  
12 22nd, I'm sorry.

13                  JUDGE STORMS: What's the date?

14                  MS. PRICE: January 22, 2010, and  
15 then Duke Energy will file any response, if  
16 needed, on or before February 5, 2010.

17                  JUDGE STORMS: Is there anything  
18 else we need to discuss?

19                  If not, we're hereby adjourned.

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(HEARING ADJOURNED)

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