

ORIGINAL

COMMONWEALTH OF PENNSYLVANIA

PUBLIC UTILITY COMMISSION

In the Matter of:

Pennsylvania Public Utility Commission, U.S. Department of Defense & Federal Executive Agencies (C0001), PPL Industrial Customer Alliance (C0002), Office of Small Business Advocate (C0003), Office of Consumer Advocate (C0004), Eric Joseph Epstein (C0005) v. PPL Electric Utilities Corporation. : R-00049255, R-00049255 C0001-C0005
 Public input hearing.

DOCUMENT

Pages 202 through 229

Hearing Room No. B-3
 State Office Building
 100 Lackawanna Avenue
 Scranton, Pennsylvania
 Wednesday, June 30, 2004

DOCKETED

JUL 19 2004

Met, pursuant to notice at 2:00 p.m.

BEFORE:

EMBER JANDEBEUR,
 Administrative Law Judge

APPEARANCES:

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WITNESS INDEX

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

<u>WITNESSES:</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
William G. Needham	222	--	--	--
Andrew Sbaraglia	226	--	--	--

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EXHIBIT INDEX

1
2
3
4
5
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10
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NUMBER:
(None.)

MARKED

ADMITTED

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P R O C E E D I N G S

ADMINISTRATIVE LAW JUDGE EMBER JANDEBEUR:

Okay. Let's go on the record. This is the time and place for a public input hearing on the Pennsylvania Public Utility Commission, U.S. Department of Defense and Federal Executive Agencies, PPL Industrial Customer Alliance, Office of Small Business Advocate, Office of Consumer Advocate, Eric Joseph Epstein versus PPL Electric Utilities Corporation. Off the record.

(Discussion off the record.)

JUDGE JANDEBEUR: Back on the record.

The docket in this matter is R-00049255. Behind that, you'll have C0001, 2, 3, 4 and 5. Okay.

Good afternoon, folks. My name is Ember Jandebaur and I'm not the Administrative Law Judge assigned to hear this case. The Administrative Law Judge that is assigned to hear and decide this rate increase request is Miss Allison Turner, out of our Philadelphia office.

But we are running a number of public input hearings. And, so, a variety of the judges will sit in to conduct the public input hearings so that Miss Turner does not have to go all over the Commonwealth.

But just to let you know, I'm not the

1 deciding judge. Again, the deciding judge is Allison
2 Turner out of Philadelphia. This case is PPL's
3 proposed rate increase. This is PPL's first rate case
4 in many years.

5 Because when the electrical industry was
6 restructured and competition was introduced, PPL and
7 the Commission put a rate cap in place. That rate cap
8 expires January 1st, 2005. That's the effective date
9 of the new proposed rates.

10 I'm going to tell you what has happened
11 so far in this case and what will happen next and how
12 you can participate in this hearing. If you did not
13 get two of the sheets at the back of the room when you
14 came in, there's one sheet that is entitled on the top,
15 participation in a public input hearing. That one is
16 very helpful if you've not seen this process before.
17 And it has some hints in it.

18 There is also a sheet that has the some
19 legal codes at the top, legal citations at the top.
20 And that is taken directly from the Pennsylvania
21 Statute and the Pennsylvania Code section that apply
22 specifically to how we conduct -- we, the PUC conduct a
23 rate case public input hearing. So, if you'd like to
24 look at those, I welcome you to them. They're useful.
25 There's also a number of other documents there.

1 Okay. Once I explain to you how the
2 process goes, then I'm going to ask counsel for PPL on
3 my left and various counselors here on my right to
4 explain their offices and what they do and what their
5 role in this matter will be.

6 I also have Janet Smith, the court
7 reporter here. She will be transcribing everything
8 that is said. And when she is all finished and we're
9 all finished, she's going to have the wonderful chore
10 of putting that into a typewritten work.

11 So, when you testify and when you speak,
12 I'm going to ask you not to speak over one another so
13 that Janet can actually hear one person at a time and
14 transcribe it accurately, rather than trying to figure
15 out who said what.

16 If you have a cell phone, I'll ask you
17 now to please put them on vibrate. And if you need to
18 pick up a cell phone call, I'll ask that you step out
19 in the hallway and pull the door shut behind you, just
20 as a matter of courtesy and, again, to make it easier
21 for Janet to transcribe. Okay.

22 History. On March 29th, 2004, PPL
23 Electrical Utilities Corporation filed its rate
24 proposal tariff to become effective June 1st, 2004
25 proposing to increase it's retail distribution rates by

1 164.4 million in additional revenues.

2 PPL informed the Commission that
3 transmission charges reflected in retail rates are
4 expected to increase by approximately 57.2 million.

5 These charges arise under FERC's
6 regulated PJM open access transmission tariffs. The
7 combination of these two will produce an overall
8 increase of 221.6 million dollars, representing an
9 increase in annual revenues to PPL of 8.1 percent.

10 According to a PUC spokesman, quote.
11 Under the combined proposal, the average monthly bill
12 for a residential customer using 900 kilowatt hours of
13 electricity will increase approximately \$7.62 from
14 \$77.47 to \$85.09. This is the first base rate increase
15 PPL has requested since 1995. The increase would
16 affect 1.3 million customers in 29 counties, unquote.

17 On May 7th, 2004, the Commission
18 suspended the effective date of the rate request until
19 January 1st, 2005 and directed an investigation and
20 hearings be held. That's where we're at now. We're at
21 the investigation and the hearing portion of this.

22 The investigation will mostly be carried
23 out by parties and persons who have intervened or filed
24 complaints, the Office of Consumer Advocate, on my
25 right, which represents the interest of residential

1 customers as a whole; the Office of Small Business
2 Advocate, also on my right, which represents the
3 interest of small commercial and industrial customers;
4 PPL Industrial Customers Alliance, which represents
5 large consumption customers; and the PUC's Office of
6 Trial Staff, also on my right, which represents the
7 public interest as a whole; the union, the IBEW,
8 International Brotherhood of Electrical Workers; and
9 Eric Epstein who represents himself as a customer and
10 several other utilities and various other public
11 interests and special interest groups, including
12 competitors.

13 These parties, some will testify today
14 and some will not. Some have testified at some of the
15 hearings that have already been held and some will
16 testify at hearings that are still upcoming.

17 Since PPL has not filed a rate case for a
18 number of years, the parties have not had a chance to
19 scrutinize their operations and rates to see if their
20 actions are prudent and their expenses and revenues and
21 rate of return are fair and reasonable.

22 For those of you that don't know, a rate
23 increase request must be fair and reasonable. And
24 you'll see that again in one of the documents in the
25 back if you want to take a look at it.

1 The parties will examine all these things
2 to find out if they are matters they want to challenge.
3 In addition, PPL has proposed some basic changes that
4 the parties may oppose. For instance, the distribution
5 system improvement charge, which would allow PPL to
6 recover costs associated with system upgrades between
7 base rate proceedings.

8 We held a prehearing conference on May
9 19th, 2004, established a schedule of hearings,
10 discovery meetings and settlement meetings.

11 The parties have already held one
12 informal discovery conference with PPL. And there has
13 been one settlement meeting with another scheduled in
14 July.

15 Public input hearings are being held.
16 Some have been held. 28th, 29th, today the 30th, July
17 19th. And they have been held in Harrisburg,
18 Lancaster, Allentown, Bethlehem. We're doing Scranton
19 now. Obviously, do Wilkes-Barre this evening and
20 Williamsport will be held 2:00 and 7:00 on July 19th.

21 The hearings to take technical evidence
22 are scheduled to be held the week of August 9th through
23 13th in the Harrisburg office of the PUC, that's the
24 Keystone Building in Harrisburg.

25 Before these hearings, the parties will

1 submit their testimony in writing. And if I'm not
2 mistaken, the deadline for direct testimony in writing
3 was yesterday. So that is now in.

4 And at the hearings, the witnesses who
5 submit testimony, will be cross-examined. The parties
6 will then file briefs on September 2nd, and 13th.
7 Judge Turner's recommended decision is due October 7th,
8 2004.

9 The parties will be able to write written
10 exceptions if they do not agree with Judge Turner's
11 recommended decision. After that, the recommended
12 decision goes to the full commissioners, a panel of
13 five and the Commission will enter a final order.

14 The purpose of today's public input
15 hearing is to hear from you regarding PPL's existing
16 and proposed rates and service.

17 The Commission's policy regarding public
18 input hearings gives you three options. You may
19 testified formally, under oath or affirmation. Should
20 you choose to do that, you may be cross-examined by the
21 parties who are again seated to my right and PPL who
22 are seated to my left. That's option number 1.

23 Option number 2 is you may make an
24 unsworn or unaffirmed statement. That statement will
25 be off the record. In other words, Janet will not

1 transcribe it. It will not go to the Judge, and it
2 will not be part of the Judge's decision.

3 The third is that you may provide
4 information to the Commission's Law Bureau prosecutory
5 staff, that is Mr. Kanaskie, at the far right here, the
6 Office of Consumer Advocate or Small Business Advocate.
7 All three are right here.

8 You're welcome to speak with them.
9 You're welcome to call them. Their information is at
10 the back of the room. The numbers are there. So that
11 is your three options.

12 Again, just to recap for you. You may
13 testify formally on the record. What you say is under
14 oath. You may be cross-examined. And it goes to Judge
15 Turner, and she will include your thoughts when you
16 goes through her own thought process making that
17 recommended decision.

18 That's the most powerful way of speaking
19 here today. Okay. As a citizen, you want your
20 thoughts considered, that's the way to do it. Your
21 second is, if you would like to just participate today,
22 you could choose the second option and, that is, you
23 will get up to the podium and say whatever you would
24 like, as long as you don't use foul language and call
25 me names.

1 It will all be listened to today,
2 however, it doesn't go any further than this room.
3 Janet will not transcribe it. It will not go to the
4 Judge and not part of the decision process.
5 Nonetheless, you've had an opportunity to speak at a
6 public input hearing.

7 And the third is, you can talk with any
8 one of the offices to my right and share with them what
9 you have on your mind. Okay?

10 Now, I'm reading from Judge Turner's
11 statement here. She says I might have to impose time
12 limits. Looking at the number of people, there will be
13 no time limits.

14 Okay. Now, let me introduce the folks
15 that are surrounding me and allow them an opportunity
16 to tell you their role and who they are.

17 First, let me introduce Paul Russell. He
18 is counsel for PPL. And he is assigned to come up with
19 good results in this case for PPL.

20 MR. RUSSELL: True.

21 JUDGE JANDEBEUR: I'm hoping.

22 MR. RUSSELL: Thank you, Your Honor.
23 Good afternoon. My name is Paul Russell, and I'm one
24 of PPL's in-house lawyers. And I'm one of the lawyers
25 representing PPL in this case.

1 At the outset, I would like to thank you
2 for appearing at today's hearing. Public input
3 hearings are an important part of the Commission's
4 ratemaking process. And they often provide very
5 important customer perspectives on a broad range of
6 issues in rate cases.

7 Your testimony today will be carefully
8 reviewed by PPL, many of the other parties,
9 Administrative Law Judges, and ultimately the
10 Commission.

11 So, if you have any views on the case, I
12 would urge you to testify today. The purpose of
13 today's hearing is to listen to the public, so I won't
14 use valuable time summarizing our request.

15 However, I would like to make two points
16 about the impact of Pennsylvania's 1996 Customer Choice
17 Act on the case. First, the Act established rate caps,
18 as discussed by Judge Jandebour just a minute ago. And
19 the cap on PPL's distribution rates runs through
20 December 31st, 2004.

21 Second, the Act made the generation of
22 electricity competitive and required electric utilities
23 to unbundle their operations. Because of that change,
24 the rate request now pending before the Administrative
25 Law Judge and the Commission involves only PPL Electric

1 Utilities, which is the company that delivers
2 electricity to approximately 1.3 million customers in
3 Central, Eastern Pennsylvania.

4 It has nothing to do with PPL's other
5 companies or other operations, generation of
6 electricity, sale of electricity to other utilities, or
7 international investments.

8 In conclusion, I'd like to mention
9 several housekeeping matters. If you're interested in,
10 you could review the entire filing on line at
11 WWW.PPLrateinfo.com.

12 And, finally, there is another PPL
13 employee here with me today. Right in the second row
14 is Rich Beasley. Rich is here to answer any questions
15 you might have on your electric service, your electric
16 rates.

17 He'll be here for the entire hearing.
18 And after we're done, so, if you have any questions of
19 Rich, you can just see him during a break or the
20 conclusion of today's hearing. Again, thank you for
21 attending today. And I look forward to hearing your
22 comments.

23 JUDGE JANDEBEUR: To my right is Lisa
24 Herman. Lisa is with the Office of Consumer Advocate
25 and she will explain her role in this.

1 MS. HERMAN: Good afternoon. My name is
2 Lori Herman. I'm an attorney with the Office of
3 Consumer Advocate. Our office represents the interest
4 of utility consumers and residential consumers in the
5 matters before the Public Utility Commission.

6 Our office has filed a complaint against
7 the company's request for a rate increase, in order to
8 help assure that any rate increase may be awarded is
9 reasonable and fully supported.

10 We have hired a team of utility experts
11 in the field to analyze the company's case. And these
12 experts have filed testimony challenging portions of
13 the company's request.

14 As the Judge explained, the purpose of
15 this afternoon's hearing is to hear from members of the
16 public. We want to hear your opinions and your
17 concerns.

18 I would encourage you to testify under
19 oath so your testimony becomes part of the record and
20 so that our office can refer to it in any briefs we
21 submit to the Commission.

22 I have brought with me some brochures
23 that further describe our office and its functions. In
24 one of the forms, there is a form you can fill out if
25 you want to be part of our mailing list. And we will

1 send out information on new developments involving your
2 local public utilities. And I want to thank you for
3 coming this afternoon. And I look forward to hearing
4 your comments.

5 JUDGE JANDEBEUR: Thank you, Lori. I'm
6 sorry. I called you Lisa. I read it quickly and it
7 looked like Lisa. So, my apologies.

8 Beside Lori, is Angela Jones with the
9 Office of Small Business Advocate. She will explain
10 their role in today's hearing.

11 MS. JONES: Good afternoon. My name is
12 Angela Jones. I represent the Office of Small Business
13 Advocate. As the title of our office implies, we are
14 interested in small commercial and industrial customers
15 of PPL, their thoughts on PPL's proposed increase.

16 We have experts that we have garnered to
17 provide testimony. We have submitted testimony. We
18 have said that we are opposed to the increase, the
19 impact on small businesses. It's about a 9.9 percent
20 increase of their total bill.

21 We also are opposed to the company's
22 proposed distribution system's improvement charge.
23 However, that's enough about us. We would like to hear
24 from you.

25 As my colleague, the Judge and PPL's

1 counsel have stated, we encourage you to testify under
2 oath, simply because we're able to use that testimony
3 to make a better case before the Commission for small
4 businesses, in general.

5 So, again, I encourage you to testify
6 under oath. However, I will be available if you would
7 like to speak with me privately after a recess or after
8 we go off the record. But thank you for coming out.
9 And I look forward to hearing your thoughts.

10 JUDGE JANDEBEUR: Thank you, Miss Jones.
11 And to her right is Mr. Kanaskie with the Office of
12 Trial Staff.

13 MR. KANASKIE: Thank you, Your Honor.
14 Good afternoon. My name is Rick Kanaskie. And I'm
15 with the Commission's Office of Trial Staff. The
16 office of Trial Staff, as best described as a
17 semi-independent arm of the Commission.

18 We're under the Commission's purview for
19 administrative purposes. But we're independent in that
20 we do not advocate for the Commission. We advocate
21 before the Commission. We're a party to this
22 proceeding just like everyone else involved.

23 We have in-house experts. We have
24 engineers and financial analysts. We have filed
25 testimony opposing significant portions of PPL's

1 request.

2 And we plan on being an active
3 participant throughout the entire proceeding. Trial
4 Staff was formed with the charge of protecting the
5 public interest.

6 One of the key aspects, we believe, in
7 protecting the public interest is ensuring that rates
8 remain just and reasonable. And that's our role in
9 this proceeding.

10 As I mentioned, we've challenged portions
11 of PPL's filing, under that umbrella of maintaining
12 just and reasonable rates, the filing of testimony, all
13 that is only part of the total hearing process.

14 Your input as the public is the other
15 piece. We get data, computations, calculations, we get
16 experts going back and forth. But citizens who are
17 involved, ratepayers live and breathe it every day.
18 We're interested in what you have to say.

19 As the Judge has mentioned and the
20 colleagues reaffirmed, there's a couple ways to do it.
21 I would hope and suggest that you go on the record, be
22 sworn and go on the record. That way, your statements
23 will be used by all the parties. Thank you for coming
24 out this afternoon.

25 We look forward to hearing from you.

1 Thank you, Your Honor.

2 JUDGE JANDEBEUR: Thank you, Mr.
3 Kanaskie. Okay. So, what we're going to do first is
4 allow the folks that would like to formally testify
5 come forward and formally testify.

6 When we're finished with that, anyone
7 that wishes to informally testify will have an
8 opportunity to do that. I have, at this point, one
9 gentleman that wishes to testify formally. And that is
10 Mr. Needham. And that is you, sir. Okay.

11 Is there anyone else that wishes to
12 testify formally? Okay. So you've signed up in the
13 back.

14 MR. SBARAGLIA: I will.

15 JUDGE JANDEBEUR: Would you please? I'll
16 ask you if you wouldn't mind just signing right here on
17 here for me. While he's doing that, do I have a few
18 individuals that wish to testify informally? No.
19 Okay.

20 Okay. Mr. Needham, would you like to
21 come to the podium, please?

22 MR. NEEDHAM: Yes.

23 JUDGE JANDEBEUR: I'll ask you to hold up
24 your right hand.

25 Whereupon, WILLIAM NEEDHAM, having been

1 duly sworn by the Judge, was examined and testified as
2 follows:

3 JUDGE JANDEBEUR: Thank you very much.
4 You are William G. Needham?

5 THE WITNESS: Correct.

6 JUDGE JANDEBEUR: 418 Pear?

7 THE WITNESS: Pear.

8 JUDGE JANDEBEUR: P-e-a-r, Pear Street,
9 Scranton?

10 THE WITNESS: Yes.

11 JUDGE JANDEBEUR: And you were retired?

12 THE WITNESS: Correct.

13 JUDGE JANDEBEUR: Go ahead and give us
14 your testimony.

15 DIRECT TESTIMONY

16 THE WITNESS: Your Honor, members of the
17 PPL staff and the attorneys, member of the Consumer
18 Advocate Group, I'm here today because it seems it's a
19 long precession of utility rates. And this is the one
20 that -- that I believe is going to be the one that
21 breaks the camel's back.

22 I live from day to day. I'm on
23 retirement, fixed income. And I have a total electric
24 home. And this one is really going to knock the bottom
25 out of my finances on a monthly income.

1 May be a small increase and may seem fair
2 to the utility company. When you take it and multiply
3 by the kilowatt hours that you used in a total electric
4 home, believe me, it's not small. It's not small by no
5 way, shape or form.

6 I mean, I know what I'm paying for per
7 month for an electric utility bill. It's just a litany
8 of utilities. This one here is going to be really big.
9 I know it is.

10 Now, for the life of me, when we put this
11 home together, PPL was supposed to give us a special
12 rate because of the gold medallion home. They were
13 pushing for total electric homes at the time.

14 I no more see that. Along the line, it
15 was lost in the shuffle along the line. And I checked
16 a couple times. I find out it's not based that way no
17 more. It's based on kilowatt hours used. That is not
18 why we put that in in the beginning.

19 So, this raise is going to really knock
20 finances for me, the bottom of it. And it's not only
21 me, there's a lot of people around the area that went
22 -- elderly people, they went to electric because it was
23 cleaner, more efficient, more easier to maintain. They
24 got the home maintained and the heat. But they don't
25 have the money to pay. It's just a steady increase.

1 So, I highly recommend that this be put
2 on hold until such they give us the percentage, send us
3 the percentage. See, they know our average monthly
4 bill. Give us a prorated bill stating this is what you
5 normally use in both seasons, now and in the winter.
6 And take it from there.

7 Then we know what we're going to pay.
8 Maybe 5 or 7 percent. But 7 percent of your total
9 monthly bill, that's quite an increase. I highly
10 suggest that this be put on hold until they exit all
11 avenues for the good of the people.

12 I mean, I heard a statement before that
13 there's nothing, no other part of their revenue coming
14 in that's going to be used only for certain two parts
15 of Pennsylvania, Northeastern and Central Pennsylvania.

16 As a company as a whole, revenue coming
17 in, they don't need. They should pull from there
18 before they go after the ratepayers all the time.
19 That's my opinion. And I hope it's taken into
20 consideration. Thank you, Your Honor.

21 JUDGE JANDEBEUR: Mr. Needham, wait one
22 second. See if there's questions for you. Mr.
23 Russell?

24 MR. RUSSELL: No questions, Your Honor.

25 JUDGE JANDEBEUR: Mr. Kanaskie?

1 MR. KANASKIE: No questions, Your Honor.

2 JUDGE JANDEBEUR: Miss Jones?

3 MS. JONES: No questions, Your Honor.

4 JUDGE JANDEBEUR: Miss Herman?

5 MS. HERMAN: No questions, Your Honor.

6 JUDGE JANDEBEUR: Thank you very much,

7 Mr. Needham.

8 (Witness left the stand.)

9 JUDGE JANDEBEUR: Would you pronounce
10 that for me?

11 MR. SBARAGLIA: Sbaraglia.

12 JUDGE JANDEBEUR: Okay. Andrew

13 Sbaraglia?

14 MR. SBARAGLIA: Yes, Your Honor.

15 JUDGE JANDEBEUR: 2410 North Main and
16 it's Scranton?

17 MR. SBARAGLIA: Yes, Your Honor.

18 JUDGE JANDEBEUR: You are retired as
19 well?

20 MR. SBARAGLIA: Yes, Your Honor.

21 JUDGE JANDEBEUR: Raise your right hand.
22 Whereupon, ANDREW SBARAGLIA, having been
23 duly sworn by the Judge, was examined and testified as
24 follows:

25 JUDGE JANDEBEUR: Thank you, sir. Go

1 right ahead.

2 DIRECT TESTIMONY

3 THE WITNESS: Your Honor, I'm very sorry
4 there's no accountants here, really. Because,
5 basically, this is an accounting problem. When you're
6 asking for a rate increase, you need facts and figures.

7 And to come before you, really, and say
8 the rate increase is too high and low is pretty hard to
9 do without proper knowledge. And I wasn't privy to any
10 of this knowledge. And I don't think anyone here is.

11 And there's no accountants here to even
12 answer questions. Now, when you say, you're generating
13 electricity, we got a lot of different plants in
14 Pennsylvania. We have coal-fired plants and we have
15 nuclear plants.

16 All of these are in Pennsylvania and they
17 all supply power to the grid. Now, are we being --
18 what's the best word to use? Are we being charged for
19 electricity they're taking from our grid and sending it
20 out to other grids? Are we being charged for
21 exorbitant cost for administrating, because this
22 company is no longer just Pennsylvania electric. It's
23 across the United States. And like he pointed out,
24 it's also across the world, I guess.

25 So, all these things are actually

1 factors. Now, they did say we were only being charged
2 for our power plants in Pennsylvania and our grid to
3 us. But they didn't say how much money they're making
4 for sending this electricity out to other grids and so
5 forth and so on.

6 What are being charged for exorbitant
7 administration costs that are in there? I have no way
8 of knowing, because I don't see the figures on it. I
9 wish when you get into it you check everything. You
10 check into the cost where they're buying materials.

11 You don't know if they're buying
12 materials at higher costs. Otherwise, they may be
13 sending it out in bids. I have no way of knowing. All
14 these things should be documented in the file before
15 they even come before you. And I hope they did do it.
16 Thank you.

17 JUDGE JANDEBEUR: Thank you, Mr.
18 Sbaraglia. Would you wait one second? See if there's
19 any questions. Mr. Russell?

20 MR. RUSSELL: No questions, Your Honor.

21 JUDGE JANDEBEUR: Mr. Kanaskie?

22 MR. KANASKIE: No questions, Your Honor.

23 JUDGE JANDEBEUR: Miss Jones?

24 MS. JONES: No questions, Your Honor.

25 JUDGE JANDEBEUR: Miss Herman?

1 MS. HERMAN: No questions.

2 JUDGE JANDEBEUR: Thank you very much for
3 your testimony. Anyone else wishing to testify on the
4 record? Okay. Anyone wishes to testify informally,
5 without the court reporter transcribing? Okay. I do
6 believe we are finished here today. Would you like to
7 make any closing remarks, Mr. Russell?

8 MR. RUSSELL: No thank you, Your Honor.

9 JUDGE JANDEBEUR: Anyone on this side?
10 Okay. The only thing I will tell you, if, for any
11 reason, you wish to see one of these members, catch
12 them before you leave and please pick up the
13 documentation in the back. And, again, thank you very
14 much for coming.

15 (Whereupon, 2:33 p.m. the hearing was
16 concluded.)

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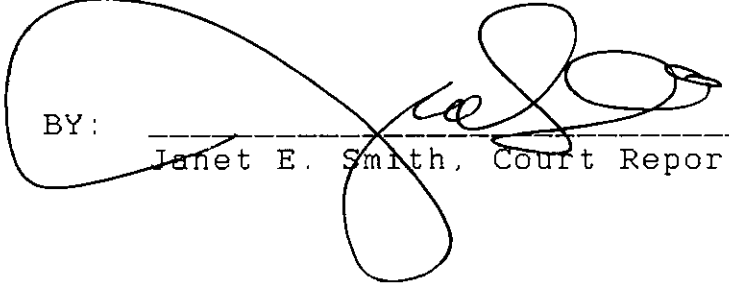
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CERTIFICATE

I hereby certify, as the stenographic reporter,
that the foregoing proceedings were reported
stenographically by me, and thereafter reduced to
typewriting by me or under my direction; and that this
transcript is a true and accurate record to the best of
my ability.

COMMONWEALTH REPORTING COMPANY, INC.

BY: 

Janet E. Smith, Court Reporter

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