

COMMONWEALTH OF PENNSYLVANIA

Docket

PUBLIC UTILITY COMMISSION

----- x Docket Nos.  
: R-2012-2321748  
Pennsylvania Public Utility Commission, : M-2012-2323645  
et al v. Columbia Gas of Pennsylvania, : C-2012-2330539  
Inc. Rate Increase. : C-2012-2332497  
: C-2012-2328788  
Initial Prehearing Conference : C-2012-2330724  
: C-2012-2333247  
: C-2012-2330240  
: C-2012-2332087  
----- x C-2012-2334026

Pages 1 through 26

Hearing Room No. 3  
Commonwealth Keystone Building  
Harrisburg, Pennsylvania

Monday, December 3, 2012

Met, pursuant to notice, at 10:00 a.m.

BEFORE:

MARK A. HOYER, Administrative Law Judge  
JEFFREY WATSON, Administrative Law Judge

APPEARANCES:

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ALSO PRESENT:

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WITNESS INDEX

WITNESSES

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FORM 2

EXHIBIT INDEX

<u>NUMBER</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
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FORM 2

P R O C E E D I N G S

1  
2 ADMINISTRATIVE LAW JUDGE MARK A. HOYER: We  
3 will go on the record.

4 Today's date is Monday, December 3rd, 2012.  
5 The time is 10:00 a.m. This is the date and time for a  
6 scheduled initial telephonic prehearing conference on the  
7 case of the Pennsylvania Public Utility Commission versus  
8 Columbia Gas of Pennsylvania, Inc.

9 The two main dockets for this proceeding are  
10 R-2012-2321748 and M-2012-2323645, and just a note for the  
11 court reporter that both of those main dockets should appear  
12 -- and this goes for the representatives as well. This will  
13 be the official caption going forward. We'll have both the  
14 "R" and "M" dockets at the top.

15 My name is Judge Hoyer. Judge Watson and I  
16 will be presiding over this conference and this proceeding.  
17 We are on the telephone in a hearing room in Pittsburgh with  
18 two individuals, and the remainder of the representatives  
19 and a court reporter are in a hearing room in Harrisburg.

20 Attorney Tubbs, are there any individual  
21 complainants present in the hearing room in Harrisburg?

22 MR. TUBBS: No, there are not, Your Honor.

23 JUDGE HOYER: Okay. Thank you. At this  
24 time, I'm going to have each of the representatives  
25 introduce themselves for the record. We'll begin with

1 counsel for Columbia in Harrisburg. We'll have each of the  
2 Harrisburg representatives introduce themselves, indicate  
3 who they represent, and also, if you have brought any other  
4 individuals to the prehearing conference with you, if you  
5 could please identify those individuals and spell their  
6 names for the court reporter.

7 Attorney Tubbs, you may begin.

8 MR. TUBBS: Good morning, Your Honor. This  
9 is Andrew Tubbs on behalf of Columbia Gas of Pennsylvania.

10 MR. HASSELL: Good morning, Your Honor. This  
11 is Mike Hassell from Post and Schell here on behalf of  
12 Columbia Gas of Pennsylvania.

13 JUDGE HOYER: Good morning.

14 MR. HASSELL: Good morning, Your Honor.

15 MS. MINCAVAGE: Good morning, Your Honor.  
16 This is Charis Mincavage with McNees, Wallace and Nurick on  
17 behalf of Columbia Industrial Intervenors, and I have with  
18 me today Elizabeth Trinkle, who is also a colleague at  
19 McNees, Wallace and Nurick.

20 JUDGE HOYER: Good morning.

21 MS. KASTER: Good morning, Your Honors. This  
22 is Allison C. Kaster, and with me is Regina L. Matz on  
23 behalf of the Bureau of Investigation and Enforcement.

24 JUDGE HOYER: Good morning.

25 MR. ASMUS: Good morning, Your Honor. This

1 is Dan Asmus for the Office of Small Business Advocate.

2 JUDGE HOYER: Good morning.

3 MS. GANNON: Your Honor, this is Erin Gannon  
4 with the Office of Consumer Advocate. Also with me is  
5 Brandon J. Pierce.

6 JUDGE HOYER: Good morning.

7 MR. SNISCAK: Good morning, Your Honor. This  
8 is Tom Sniscak from Hawke, McKeon and Sniscak on behalf of  
9 The Pennsylvania State University.

10 JUDGE HOYER: Good morning.

11 MR. HAAS: Your Honor, this is Steve Haas  
12 with Hawke, McKeon and Sniscak. I'm here on behalf of  
13 Dominion Retail; IGS, Inc.; and Shipley Choice.

14 JUDGE HOYER: Good morning.

15 MR. VULLO: Good morning, Your Honor. This  
16 is Attorney Joseph Vullo on behalf of the Community Action  
17 Association of Pennsylvania.

18 JUDGE HOYER: Good morning.

19 MR. CICERO: Good morning, Your Honor.  
20 Patrick Cicero of The Pennsylvania Utility Law Project on  
21 behalf of the Coalition for Affordable Utility Services and  
22 Energy Efficiency in Pennsylvania.

23 JUDGE HOYER: Good morning.

24 (Pause.)

25 JUDGE HOYER: Okay. Anyone else there?

1 (No response.)

2 JUDGE HOYER: All right. Counsel, if you  
3 could introduce yourself to everyone in Harrisburg.

4 MS. CUCCIA: Sure. Kimberly Cuccia on behalf  
5 of Columbia Gas of Pennsylvania.

6 JUDGE HOYER: Okay. And Ms. Stratigos, if  
7 you could please loudly say your name.

8 MS. STRATIGOS: Anastasia Stratigos, and I'm  
9 a complainant from Pittsburgh.

10 JUDGE HOYER: Thank you. I asked the parties  
11 before we began if there were any preliminary matters. Are  
12 there any preliminary matters we need to discuss before we  
13 get into the conference itself and determine the litigation  
14 schedule, discovery and all the relevant issues?

15 (No response.)

16 JUDGE HOYER: Okay. Hearing nothing, we'll  
17 just move on. The first topic we'll address are petitions  
18 to intervene, and I'll direct my question to those  
19 representing Columbia.

20 It looks as though we have four petitions to  
21 intervene that have been filed. Attorney Tubbs, are you  
22 going to be filing answers to any of those, and if so, which  
23 ones?

24 MR. TUBBS: No, Your Honor. The company will  
25 not be filing answers to any of the petitions to intervene.

1 JUDGE HOYER: Is there any objection to any  
2 of the petitions to intervene?

3 MR. TUBBS: No, there's not, Your Honor.

4 JUDGE HOYER: Okay. The four petitions to  
5 intervene which have been filed in this proceeding will be  
6 granted in the prehearing order that will be issued  
7 following this conference.

8 Are you aware of any other petitions to  
9 intervene, Attorney Tubbs?

10 MR. TUBBS: I am not, Your Honor.

11 JUDGE HOYER: Okay. Let's go to the service  
12 list. For the parties' benefit, if you have pens handy,  
13 we're going to have two complainants at this stage on the  
14 full service list. Ms. Stratigos, who is present here in  
15 Pittsburgh, will be on the full service list for receiving  
16 everything, discovery, orders, written testimony, et cetera.  
17 Everything that is served among the parties shall be served  
18 on her.

19 Also on the full service list, there was a  
20 complaint filed by Johanna T. Shigle. That's J-o-h-a-n-n-a,  
21 middle initial "T," last name S-h-i-g-l-e, and her address  
22 is 341 Washington Street. That's Mount Pleasant,  
23 Pennsylvania, 15666, and the telephone number is 724-547-  
24 3630. I telephoned her this morning and gave her notice of  
25 this prehearing conference. She couldn't attend. She lives

1 over an hour away from Pittsburgh.

2 I did indicate she'd get a copy of the  
3 prehearing order, and I'm just going to put her on the full  
4 service list for this proceeding, and I'll direct counsel  
5 for the OCA to contact her following this conference to  
6 discuss this. For now, though, she will be participating  
7 fully.

8 Any questions on that?

9 (No response.)

10 JUDGE HOYER: All right. Any additions or  
11 corrections to the service list that the parties want to  
12 make me aware of?

13 (No response.)

14 JUDGE HOYER: Okay. Hearing nothing, with  
15 the Secretary's Bureau, we can have one attorney listed for  
16 each address. I know we have two intervenors in the same  
17 law firm. So we will be serving at least two on Hawke  
18 McKeon.

19 Who would be the named lead counsel for  
20 receiving service from the Commission for Penn State, The  
21 Penn State University intervenors, and also for the Dominion  
22 Retail, Interstate Gas Supply and Shipley Choice  
23 intervenors?

24 MR. SNISCAK: Your Honor, this is Tom  
25 Sniscak. I would be the designated attorney to receive

1 service on behalf of Penn State.

2 MR. HAAS: Your Honor, it's Steve Haas. Todd  
3 Stewart will remain the primary contact on the service list  
4 for Dominion, IGS and Shipley.

5 JUDGE HOYER: Okay. His name will appear on  
6 the official service list. Now, as far as electronic  
7 service among all the representatives and parties, you can  
8 certainly serve everyone, including your experts, and I  
9 would encourage that especially with the testimony, that you  
10 provide each other with e-mail addresses for your experts so  
11 that people can get the information they need as quickly as  
12 possible.

13 Have the parties discussed e-mail service or  
14 electronic service? Any proposed instructions on that?

15 MR. TUBBS: Your Honor, this is Andrew Tubbs  
16 on behalf of Columbia. The parties have agreed to  
17 electronic service, and as indicated in Columbia Gas of  
18 Pennsylvania's prehearing memorandum, the company proposes  
19 that electronic service be completed by 4:00 p.m. on any  
20 given service day.

21 JUDGE HOYER: Any objections to 4:00 p.m. for  
22 electronic service?

23 (No response.)

24 JUDGE HOYER: Okay. No special rules for  
25 Fridays? I know we have something with respect to

1 discovery, but anything other than discovery?

2 MR. TUBBS: No, Your Honor.

3 JUDGE HOYER: Okay. Judge Watson and I will  
4 accept electronic service as well and follow up with a hard  
5 copy. That goes for service among the parties as well.  
6 Follow up with a hard copy the next day. Unless the parties  
7 wish to do it another way, First Class Mail is sufficient.

8 Does anybody object to that?

9 (No response.)

10 JUDGE HOYER: Okay. Like I said, we'll have  
11 our e-mail addresses in the prehearing order.

12 MS. GANNON: Your Honor, this is Erin Gannon.  
13 I wondered if Ms. Stratigos would be willing to accept  
14 e-mail service or if she'll require mail service.

15 JUDGE HOYER: Well, she has an e-mail address  
16 listed on the OALJ hearing report.

17 Would you like to have these documents sent  
18 to you by e-mail and hard copy as well? They will be  
19 required to follow up with a hard copy under the rules of  
20 the prehearing order, but they will send you the e-mail.

21 MS. STRATIGOS: That's fine.

22 JUDGE HOYER: Okay. And the e-mail address  
23 for the record is stacy, s-t-a-c-y, 5275@verizon.net. And  
24 there is no e-mail address listed on the complaint of Ms.  
25 Shigle, who is also on the full service list.

1 Any individual complainants other than those  
2 two will be placed on the limited service list following  
3 today's conference. The prehearing order will explain the  
4 difference between the two service lists, and it will also  
5 give any parties an opportunity to change service list  
6 following this conference by simply sending a letter in to  
7 Judge Watson and I.

8 MS. GANNON: Your Honor, this is Erin Gannon.

9 JUDGE HOYER: Yes.

10 MS. GANNON: Along those lines, with regard  
11 to the other formal complainant, Ms. Shigle, that we will be  
12 contacting, if they indicate to us by phone that they wish  
13 to be on the limited service list, is it also necessary for  
14 them to send a written letter or can our representation  
15 satisfy that requirement?

16 JUDGE HOYER: They would have to send a  
17 written letter. She'll be getting a copy of the prehearing  
18 order, but I'd appreciate it if you let me know that.

19 MS. GANNON: Okay.

20 JUDGE HOYER: If she chooses to be on the  
21 limited service list after today's conference, she would  
22 have to send us a letter indicating she wants to change  
23 service lists.

24 MS. GANNON: Okay. And I will also inquire  
25 if there's an e-mail address, and if they want to be on the

1 full service list, I'll circulate that.

2 JUDGE HOYER: Okay.

3 MR. TUBBS: Your Honor, this is Mr. Tubbs.

4 With regards to the individual complainants, the company has  
5 set up an electronic database for the company's service  
6 discovery. Each of the parties have received a pass code or  
7 will be receiving a pass code and access to a File-Works  
8 system, and then the company serves hard copy letters but  
9 does not serve written discovery responses unless  
10 specifically requested in the interrogatory.

11 I'm just clarifying that for the individual  
12 complainants that we will -- to the extent Ms. Shigle allows  
13 electronic service, we'll get her set up the same way.  
14 Otherwise, we'll have to follow up with hard copies for Ms.  
15 Shigle.

16 JUDGE HOYER: That's fine. She would have to  
17 be served either with hard copies or she would have to agree  
18 to some other form of service.

19 MR. TUBBS: Understood. That's for the  
20 benefit for Ms. Stratigos to make sure she understands how  
21 the process is working. I didn't want her to be confused by  
22 just getting a letter.

23 JUDGE HOYER: Okay. And you'll be explaining  
24 that in an e-mail how she can access that information, the  
25 discovery responses?

1 MR. TUBBS: Absolutely, Your Honor. We'll  
2 get that right out to her.

3 JUDGE HOYER: All right. And if she chooses  
4 to have hard copies, you're going to have to send hard  
5 copies.

6 MR. TUBBS: Understood.

7 JUDGE HOYER: Okay. Are you aware, Attorney  
8 Tubbs, of any other complaints that are not on the service  
9 list other than at this point Ms. Shigle?

10 MR. TUBBS: No, Your Honor, I'm not.

11 JUDGE HOYER: Public input hearings, I did  
12 see in some of the memoranda that the parties are not aware  
13 of an interest at this point in a public input hearing or  
14 public input hearings.

15 I'll address this specifically to counsel for  
16 the OCA and to you, Attorney Tubbs, if you could comment on  
17 the need for public input hearings at this time.

18 MS. GANNON: Your Honor, this is Erin Gannon  
19 for OCA. At this time, that is correct; we are not aware of  
20 substantial interest in a public input hearing, but as we  
21 indicated in our memo, if we do become aware of that  
22 interest, we will let everyone know promptly.

23 JUDGE HOYER: Okay.

24 MR. TUBBS: Your Honor, this is Mr. Tubbs.  
25 Similar to Ms. Gannon's representation, we're unaware of a

1 need for a public input hearing. To the extent that one  
2 would be required, we'd like to have it in advance of the  
3 company's rebuttal testimony so the company would have an  
4 opportunity to address any issues raised at public input  
5 hearings in its rebuttal testimony.

6 JUDGE HOYER: Okay. That's noted.

7 MS. GANNON: Again, this is Erin Gannon.  
8 That's acceptable. We also included a proviso in our  
9 memorandum that we would like the opportunity to address any  
10 public input hearing testimony in supplemental direct if  
11 that becomes necessary.

12 JUDGE HOYER: Okay. Do any other  
13 representatives or parties wish to comment on the need for  
14 public input hearings?

15 (No response.)

16 JUDGE HOYER: Okay. Hearing nothing, we'll  
17 move forward to the litigation schedule. Let me just get  
18 out a copy of the proposed schedule here.

19 (Pause.)

20 JUDGE HOYER: I'll ask you, Attorney Tubbs,  
21 do the parties have a proposed schedule, and what is that  
22 schedule?

23 MR. TUBBS: Yes, Your Honor. Columbia worked  
24 with the other parties. Now, this does not include the  
25 individual complainants. Ms. Stratigos and Ms. Shigle were

1 not part of the negotiation process, but the other parties  
2 have agreed on a litigation schedule, which is laid out on  
3 page 7 of the company's prehearing memorandum

4 The other parties' direct testimony would be  
5 due January 4th. Rebuttal testimony would be due January  
6 28th. Surrebuttal testimony is due February 7th by 3:00  
7 p.m. The parties have agreed to attempt to make efforts to  
8 provide written rejoinder testimony or, at the minimum,  
9 outline of rejoinder testimony by February 11th at 3:00 p.m.  
10 Hearings the parties propose in Harrisburg for February 12th  
11 through the 15th. The main brief is March 4th, and  
12 consistent with Your Honor's prehearing notice, the reply  
13 brief is due March 18th.

14 JUDGE HOYER: Okay. Are there any parties or  
15 individuals, any representatives who wish to comment on this  
16 proposed litigation schedule in Harrisburg?

17 (No response.)

18 JUDGE HOYER: Okay. Do any parties here in  
19 Pittsburgh wish to comment on the litigation schedule?

20 MS. STRATIGOS: I'm questioning the -- I  
21 don't know how to refer to it -- the public hearing or  
22 however you termed it. You said that myself and one other  
23 complainant was not included in that. I'm wondering why.

24 JUDGE HOYER: I think that's directed to you,  
25 Attorney Tubbs. The parties discussed the litigation

1 schedule, and Ms. Stratigos, her question is why she wasn't  
2 included in that discussion, if you could address that  
3 question.

4 MR. TUBBS: I apologize, Ms. Stratigos. The  
5 parties -- traditionally, the individual complainants have  
6 not been active participants in this. If you have any  
7 concerns relative to the schedule, the company is willing to  
8 work with you to resolve any concerns you may have.

9 MS. STRATIGOS: Okay. That's fine.

10 JUDGE HOYER: Okay. So the parties are in  
11 agreement on a litigation schedule as counsel indicated.  
12 We're going to have written testimony, and written testimony  
13 must be accompanied by all exhibits relating to it. The in-  
14 hand service date for other parties' direct testimony is  
15 January 4th, 2013, not 2012.

16 Service of all parties' rebuttal testimony,  
17 written rebuttal testimony, will be January 28th. Other  
18 parties' surrebuttal testimony, written testimony, will be  
19 due February 7th by 3:00 p.m. Rejoinder testimony or an  
20 outline of rejoinder testimony must be served February 11th  
21 by 3:00 p.m.

22 The evidentiary hearings will be held in  
23 Harrisburg beginning February 12th -- that's a Tuesday --  
24 through and including Friday, February 15th. That's four  
25 days.

1 Do any parties want to comment on the length  
2 of the hearings as far as the four days, how you arrived at  
3 that or what the parties are thinking with respect to  
4 hearings?

5 MR. TUBBS: Your Honor, this is Mr. Tubbs.  
6 Due to the amount of issues that are currently in the case,  
7 the parties have discussed maintaining a four-day hearing  
8 schedule to allow sufficient time to address all issues.  
9 Hopefully as testimony comes in and some discussions occur,  
10 we're able to whittle down hearing times and to minimize the  
11 amount of time for hearings.

12 JUDGE HOYER: Okay. And I would just ask you  
13 to confer so that we can avoid dead times and, as practical  
14 as possible, have one witness followed by the next witness.  
15 If we have to take witnesses for a party out of turn, we can  
16 certainly do that just to expedite the hearing.

17 MR. TUBBS: Certainly, Your Honor. The  
18 company will take on the responsibility of preparing the  
19 witness matrix to identify the witnesses, the issues and the  
20 amount of time of cross that's scheduled.

21 JUDGE HOYER: Okay. Now, we'll be traveling  
22 on Monday, and I know that your rejoinder is due the 11th.  
23 When are you going to be getting us that matrix for the  
24 witnesses and how much cross, et cetera?

25 MR. TUBBS: Your Honor, the company will

1 attempt to provide you with a witness matrix the Friday  
2 preceding the 11th. So I guess that will be the 8th, the  
3 afternoon on February the 8th, and we'll try to whittle it  
4 down at that point in time, and then any modifications we'll  
5 provide to you as we can.

6 JUDGE HOYER: Okay. I don't anticipate that  
7 the matrix you would provide me would not be subject to  
8 modification, but I appreciate that. The sooner that we can  
9 get something like that, the better. So by the end of the  
10 day, Friday, the 8th, that would be good.

11 Okay. As far as discovery, the OCA had  
12 proposed some modifications to the discovery rules. I'm  
13 just getting their prehearing memorandum here.

14 Any other parties that want to modify the  
15 discovery rules?

16 MS. KASTER: Yes, Your Honor. The Bureau of  
17 Investigation and Enforcement proposed a discovery  
18 modification in addition to the ones provided by the Office  
19 of Consumer Advocate.

20 JUDGE HOYER: Okay. Let me get these out.

21 MS. KASTER: And it's found on page 5 of our  
22 prehearing conference memorandum.

23 (Pause.)

24 JUDGE HOYER: All right. So we have two sets  
25 of proposed modifications. Am I correct?

1 MS. KASTER: Yes, Your Honor. Ours is in  
2 addition to the Office of Consumer Advocate's. We do agree  
3 with what they have proposed.

4 JUDGE HOYER: Okay. Are there any objections  
5 by any parties to modifying the discovery rules as proposed  
6 in the prehearing memorandum of the OCA and the prehearing  
7 memorandum of the Bureau of Investigation and Enforcement?

8 MR. TUBBS: The company has no objections,  
9 Your Honor.

10 JUDGE HOYER: Does anyone wish to comment on  
11 the proposed modifications?

12 (No response.)

13 JUDGE HOYER: Okay. The proposed  
14 modifications will be adopted in the prehearing order that  
15 will be issued. More than likely, it will go out tomorrow.

16 With respect to discovery, obviously, I want  
17 the parties to engage in discovery. I know you have been  
18 doing that. We really don't want to become involved in the  
19 discovery process unless it's absolutely necessary. So keep  
20 that in mind. We expect the parties to talk about any  
21 discovery disputes and try and work things out before we get  
22 any motions to compel.

23 Please do not serve us with copies of  
24 discovery. I'm sure we'll get the certificates of service,  
25 but otherwise, we don't want to see any discovery materials

1 unless we have something that's attached to a motion to  
2 compel.

3 Anything else on the subject of discovery  
4 before we move on?

5 (No response.)

6 JUDGE HOYER: Okay. With respect to briefs,  
7 since this is a base rate proceeding, there will be an  
8 attachment to the prehearing order regarding briefs and how  
9 to structure the briefs in this proceeding. Judge Watson  
10 and I will require Microsoft Word copies of everything. I  
11 know we have an "M" docket that's suspended with this "R"  
12 docket as well till June 27th, and there may be some issues  
13 related to that. So we're going to ask the parties to  
14 confer at the hearings with respect to the "M" docket or any  
15 other issues so that we have a common brief outline in  
16 addition to what I'm sending out with the prehearing order.

17 Any questions on briefs at this stage?

18 MR. TUBBS: Your Honor, will you be requiring  
19 findings of fact and conclusions of law in the briefs?

20 JUDGE HOYER: Yes.

21 MR. TUBBS: Thank you.

22 JUDGE HOYER: I would like to also add that  
23 you are to cite to the record evidence for findings of fact  
24 and conclusions of law, proposed findings of fact and  
25 conclusions of law. That will assist Judge Watson and I.

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Anything else?

MS. KASTER: Your Honor, this is Allison Kaster for BI&E. Just to revisit the schedule briefly, I want to clarify that with regard to rejoinder testimony, that it is best efforts for the written rejoinder testimony and, at a minimum, an outline?

JUDGE HOYER: Yes. That's noted and I can put that in the prehearing order.

MS. KASTER: Thank you, Your Honor.

JUDGE HOYER: Anything else on briefs?

(No response.)

JUDGE HOYER: Okay. I would also encourage the parties to discuss potential settlement and any stipulations that you might be able to enter into. If you do enter into a joint petition for settlement, get that to us by the reply brief due date fully executed.

Other than that, are there any other matters that the parties want to address at this prehearing conference before we adjourn?

MS. MINCAVAGE: Your Honor, this is Charis Mincavage. Just out of an abundance of caution, I just wanted to confirm that our complaint in this proceeding will be consolidated into the "R" and "M" dockets at this proceeding.

JUDGE HOYER: Thank you for asking that. All

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1 of the individual complaints and -- your complaint was on  
2 behalf of Columbia Industrial Intervenors. All of those are  
3 consolidated into this proceeding.

4 MS. MINCAVAGE: Thank you, Your Honor.

5 JUDGE HOYER: And that will also appear in  
6 the prehearing order.

7 MS. MINCAVAGE: Thank you, Your Honor.

8 JUDGE HOYER: Related to that, I'll direct  
9 everyone, in particular the company and the Office of  
10 Consumer Advocate, to check, and if you become aware of the  
11 filing of any additional complaints, let Judge Watson and I  
12 know immediately. Don't assume that we already know about  
13 it. We want to make sure that we at least touch base with  
14 any individuals who file complaints after today and gauge  
15 how they want to participate. So please do that for us.

16 Anything else before we adjourn the  
17 conference?

18 (No response.)

19 JUDGE HOYER: Okay. Hearing nothing, like I  
20 said, the prehearing order will go out tomorrow. We have  
21 hearings February 12th to the 15th in Harrisburg. We will  
22 begin the first day at 10:00 a.m. and each day thereafter at  
23 10:00 a.m., and we are going to confirm those dates with  
24 scheduling. If there is some sort of a difficulty,  
25 obviously, we may have to adjust the schedule, but we'll go

1 with the 12th to the 15th for now.

2 Anything else?

3 (No response.)

4 JUDGE HOYER: We are adjourned. The time is  
5 10:35. Thank you all for participating in this morning's  
6 conference and have a good day.

7 (Whereupon, at 10:35 a.m., the prehearing  
8 conference was adjourned.)

9 \*\*\*

10 C E R T I F I C A T E

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

17  
18 COMMONWEALTH REPORTING COMPANY, INC.

19  
20 By: Sandra Milus Brown  
Sandra Milus Brown

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