

1 STATE OF MISSOURI  
2 PUBLIC SERVICE COMMISSION  
3 TRANSCRIPT OF PROCEEDINGS  
4 Evidentiary Hearing  
5 January 28, 2014  
6 Jefferson City, Missouri  
7 Volume II  
8

In the Matter of the Application )  
9 of Kansas City Power & Light ) File No.  
Company and KCP&L Greater ) EU-2014-0077  
10 Missouri Operations Company for )  
the Issuance of an Accounting )  
11 Authority Order Relating To Their )  
Waiver of the Notice of )  
12 Requirement of 4 CSR 240-4.020(2) )  
13  
14

15 KIM S. BURTON, Presiding  
REGULATORY LAW JUDGE  
16

ROBERT S. KENNEY, Chairman  
17 WILLIAM P. KENNEY  
DANIEL Y. HALL

18 COMMISSIONERS  
19  
20  
21

22 Reported by:

SUZANNE BENOIST, RPR, CCR-MO, CSR-IL  
23 MIDWEST LITIGATION SERVICES  
711 N. 11th Street  
24 St. Louis, MO 63101  
(314) 644-2191  
25

1 APPEARANCES:

2

3 FOR KCP&L and GMO:

4 MR. JAMES A. FISCHER

5 FISCHER & DORITY, P.C.

6 101 Madison, Suite 400

7 Jefferson City, MO 65101

8 (573) 636-6758

9

10 MR. ROGER STEINER

11 CORPORATE COUNSEL

12 1200 Main, 16th Floor

13 Kansas City, MO 64105

14 (816) 556-2314

15

16 FOR PSC STAFF:

17 MR. KEVIN A. THOMPSON

18 MR. STEVE DOTTHEIN

19 MS. WHITNEY HAMPTON

20 P.O. Box 360

21 Jefferson City, MO 65102

22 (573) 751-3234

23

24

25

1 APPEARANCES (CONTD.)

2

3 FOR OFFICE OF THE PUBLIC COUNSEL:

4 MR. LEWIS MILLS

5 P.O. Box 2230

6 Jefferson City, MO 65102

7 (573) 751-4857

8

9 FOR THE EMPIRE DISTRICT ELECTRIC COMPANY:

10 MR. DEAN L. COOPER

11 BRYDON, SWEARENGEN & ENGLAND, P.C.

12 P.O. Box 456

13 Jefferson City, MO 65102

14 (573) 635-7166

15

16 FOR UNION ELECTRIC COMPANY d/b/a AMEREN MO:

17 MR. JIM LOWERY

18 SMITH LEWIS

19 111 S. Ninth Street, Suite 200

20 Columbia, MO 65201

21 (573) 443-3141

22

23

24

25

1 APPEARANCES (CONTD.)

2

3 FOR MECG:

4 MR. DAVID WOODSMALL

5 807 Winston Ct.

6 Jefferson City, MO 65101

7 (573) 797-0005

8

9 FOR MISSOURI INDUSTRIAL ENERGY USERS:

10 MR. EDWARD F. DOWNEY

11 221 Bolivar Street, Suite 101

12 Jefferson City, MO 65101

13 (573) 556-6622

14

15

16

17

18

19

20

21

22

23

24

25

1 P R O C E E D I N G S

2 (Whereupon, the hearing began at 9:06 a.m.)

3 JUDGE BURTON: Good morning. Today  
4 is January 28th, 2014 and it's currently 9:06 a.m.  
5 Let me actually change this too.

6 The Commission has set this time for  
7 hearing in the matter of Application of Kansas City  
8 Power & Light Company KCP&L Greater Missouri  
9 Operations Company For The Issuance Of An  
10 Accounting Authority Order Relating To Their  
11 Electrical Operations And For A Contingent Waiver  
12 Of The Notice Requirements of 4 CSR 240 dash 4.020,  
13 section 2.

14 This is file number EU dash 2014 dash  
15 0077. My name is Kim Burton, I'm the Regulatory  
16 Law Judge that's been assigned to this matter. Our  
17 court reporter for this matter is Suzanne Benoist  
18 so let's go ahead and begin with entries of  
19 appearance and we'll start with Kansas City Power &  
20 Light.

21 MR. STEINER: Thank you Judge. Let  
22 the record reflect the appearance of Roger W.  
23 Steiner and James F. Fisher on behalf of both  
24 Kansas City Power & Light Company and KCPL Greater  
25 Missouri Operations Company. Our contact

1 information is on the written entry.

2 Thank you.

3 JUDGE BURTON: Thank you.

4 And for the Empire District Electric  
5 Company?

6 MR. COOPER: Dean Cooper appearing on  
7 behalf of the Empire District Electric Company,  
8 address is with the court reporter.

9 JUDGE BURTON: Thank you.

10 And for Ameren Missouri?

11 MR. LOWERY: Good morning Your Honor.  
12 Jim Lowery with Smith Lewis, LLP appearing on  
13 behalf of Ameren Missouri, my contact information  
14 is also on the written entry.

15 JUDGE BURTON: And for the Staff of  
16 the Missouri Public Service Commission.

17 MR. THOMPSON: Thank you Judge.  
18 Kevin Thompson, Steve Dotthein and Whitney Hampton  
19 for the Staff of the Missouri Public Service  
20 Commission, Post Office Box 360, Jefferson City,  
21 Missouri 65102.

22 JUDGE BURTON: Thank you. And for  
23 the Office of Public Counsel?

24 MR. MILLS: On behalf of the Office  
25 of Public Counsel and the public my name is Lewis

1 Mills, my address is Post Office Box 2230,  
2 Jefferson City, MO 65102.

3 JUDGE BURTON: Thank you.

4 And for the Missouri Industrial  
5 Energy Consumers.

6 For the MIEC Edward F. Downey, Bryan  
7 Cave, LLP and my contact information is on the  
8 written entry.

9 JUDGE BURTON: Thank you.

10 And for Missouri Energy Consumers  
11 Group?

12 MR. WOODSMALL: Thank you Your Honor.  
13 David Woodsmall appearing on behalf of MECG.

14 JUDGE BURTON: Thank you.

15 At this time I would request that  
16 everyone turn off their cell phone or any other  
17 type of electronic device they might have to avoid  
18 any interference and I would also remind all of the  
19 attorneys that if you have any highly confidential  
20 information that you are going to be discussing  
21 that you please remind the bench so that we can go  
22 ahead and go in camera and that you review those  
23 that are attending this hearing in person that they  
24 have signed a nondisclosure agreement.

25 Now at this time I want to verify are

1     there any preliminary matters that the parties  
2     would like to bring?

3                     All right. Hearing none we should  
4     have had all of the exhibits pre-marked. Now at  
5     this time the Commission is going to go ahead and  
6     grant the request for a waiver of the notice  
7     requirements of 4 CSR 240 dash 4.020 section 2. So  
8     I don't see any pending motions before us, let's go  
9     ahead and verify the witness list for today and the  
10    order for the opening statements. I have that  
11    order of opening statements as KCP&L and GMO, then  
12    Empire, then Ameren Missouri, then the Staff of the  
13    Public Service Commission, then the Office of  
14    Public Counsel and then MIEC and MECG. Are there  
15    any changes to that order?

16                    Okay. Hearing none we have seven  
17    witnesses that have been identified and this is  
18    supposed to be a two day hearing and we can see how  
19    things progress and whether or not we can finish  
20    this in one day but I have the order as KCP&L and  
21    GMO's witnesses Ryan Bresette, John Carlson and  
22    Darrin Ives to be followed by the Staff's witnesses  
23    of Michael Stahlman and Mark Oligschlaeger followed  
24    by the Office of Public Counsel's witness of  
25    William Adoo and the MECG and MIEC's witness of



1 Greg Myer, is that correct?

2 All right. Hearing no changes let's  
3 go ahead and verify that the order of cross  
4 examination is going to be for KCP&L and GMO's  
5 witnesses, Ameren Missouri, then Empire, then  
6 Staff, then the Office of the Public Counsel, MIEC  
7 and then MECG. Is that correct?

8 Okay. Are there any other changes to  
9 the witness list and the order for cross  
10 examinations?

11 Okay then. Well at this time why  
12 don't we go ahead and begin and either Roger  
13 Steiner or Mr. Fischer if you'd like to go ahead.  
14 And please let me know if you're going to be  
15 presenting a PowerPoint for your opening statement  
16 so we can go ahead and ensure that that's streamed  
17 as well.

18 MR. FISCHER: Judge I have one and  
19 it's already up there, so I think we'll be --

20 JUDGE BURTON: It's actually not up  
21 here for the lucky viewers at home so let's go  
22 ahead and change that.

23 MR. FISCHER: May it please the  
24 Commission, good morning. My name is Jim Fischer  
25 and Roger Steiner and I will be representing Kansas

1 City Power & Light Company and KCPL Greater  
2 Missouri Operations Company which we'll refer to as  
3 GMO today.

4                   The primary issue that we're going to  
5 hear today is should the Commission authorize KCPL  
6 and GMO to defer and record in account 182 certain  
7 incremental transmission costs charged by them or  
8 to them by Southwest Power Pool and other providers  
9 of transmission service above the amounts that are  
10 currently included in rates and then those would be  
11 reviewed in the next rate cases that are filed by  
12 Kansas City Power & Light and GMO. The companies  
13 believe that these transmission costs are  
14 appropriate candidates for the, for an Accounting  
15 Authority Order or deferral or tracker mechanism  
16 because they are material, they're expected to  
17 change significantly in the near future and they're  
18 primarily outside the control of the companies.  
19 In addition given the unprecedented build-out  
20 that's occurring at Southwest Power Pool today of  
21 the regional transmission system these transmission  
22 costs can appropriately be characterized as  
23 extraordinary, nonrecurring and outside the control  
24 of the companies.

25                   The Commission has broad regulatory

1 discretion to grant AAO requests under various sets  
2 of circumstances for various types of costs.  
3 Recently the Commission granted Kansas City Power &  
4 Light and GMO AAOs to defer to their Renewable  
5 Energy Standards compliance costs and in the order  
6 approving and incorporating the stipulation and  
7 agreement in that case the Commission stated  
8 although the courts have recognized the  
9 Commission's authority to authorize an AAO in  
10 extraordinary and unusual circumstances there's  
11 nothing in the Public Service Commission law or the  
12 Commission's regulations that would limit the  
13 granting of an AAO to any particular set of  
14 circumstances. In Missouri there is no statute or  
15 Commission rule that specifically mentions utility  
16 application for AAOs or that prescribe the specific  
17 legal or regulatory principles that govern those  
18 applications.

19 If you go to section 339.140 I think  
20 that's where you got your authority. There are two  
21 subsections, 4 and 8, that authorize the Commission  
22 on a case by case basis and at its discretion to  
23 prescribe by order forms of accounts, records and  
24 memoranda kept by the utilities or after hearing to  
25 prescribe by order the accounts to which particular

1 outlays and receipts shall be intercharged and  
2 credited. If you look at subsection 42 it also  
3 bests the Commission with the authority to  
4 prescribe uniform methods of keeping accounts,  
5 records and books of utilities subject to your  
6 jurisdiction. But nowhere in the statutes or in  
7 the Commission's rules are there specific standards  
8 that are set out that govern AAOs explicitly. Many  
9 orders have addressed costs that are material,  
10 expected to change significantly in the near future  
11 and were primarily outside the control of the  
12 utility.

13 Now, if you go to some of the history  
14 and you look at some of the subjects that have been  
15 approved for AAOs or deferrals or other types of  
16 trackers the list is long. The subjects have  
17 included the Renewable Energy Standards costs that  
18 I just mentioned, tornado costs, construction  
19 accounting costs, Kansas property taxes on gas  
20 storage, new equipment costs, ice storms, pensions  
21 and OPEBs, cold weather rule costs, security costs,  
22 uncollectible expenses, safety costs, plant  
23 explosion costs, main replacement costs,  
24 manufactured gas plant cleanup costs and FAS 106  
25 costs and if you go to the rebuttal or surrebuttal

1 testimony of Darrin Ives he's got a schedule that  
2 lists a lot of other cases, some of the other cases  
3 have included flood costs, purchase power expenses,  
4 plan rehabilitation costs, coal contract buyout  
5 costs and what's called AMM FN mapping costs. But  
6 I'd refer you to that schedule for a more expansive  
7 list.

8                   So it's clear that the Commission has  
9 in the past exercised its broad discretion to allow  
10 for the deferral of many types of costs including  
11 some that are considered extraordinary and  
12 nonrecurring but many other that are material,  
13 expected to significantly change in the near future  
14 and primarily outside the control of the utilities.  
15 The Commission specifically allowed just recently  
16 Ameren Missouri to recover transmission costs  
17 through its fuel adjustment clause.

18                   Now transmission costs can change  
19 significantly from year to year and such costs are  
20 a material cost of service to the companies.  
21 Historically transmission costs have fluctuated due  
22 primarily to load variations, both native load and  
23 off system load, however, the companies currently  
24 are experiencing increasing costs as Southwest  
25 Power Pool has embarked upon an extraordinary and

1     unprecedented build-out of the regional  
2     transmission system which I think the Commission is  
3     quite familiar with the current effort at SPP to  
4     build out the transmission system can be analogized  
5     to the extraordinary build out of the interstate  
6     highway system that was done back in the 1950s when  
7     the federal government decided that it was  
8     appropriate to build out the interstate highway  
9     system to benefit the nation.

10                     The direct testimony of John Carlson  
11     includes tables that show rather dramatically how  
12     the SPP transmission costs allocated to KCPL and  
13     GMO have been rising and are projected to continue  
14     to rise through the year 2019. Base plan  
15     transmission costs allocated for KCPL were  
16     approximately \$11 million for the calendar year  
17     2012 and they're projected to increase to 35  
18     million in 2016. SPP further projects KCPL's share  
19     of the SPP transmission cost to peak at around 45  
20     million in 2022. If you look at it that equates to  
21     about a 16 percent increase per year through that  
22     period.

23                     Now, in recent years the actual SPP  
24     transmission costs have come in somewhat lower than  
25     have been forecast, generally the forecasts have

1    been lower or the forecasts have been lower than  
2    the actual because the timing of some of the  
3    transmission projects have been slightly delayed  
4    but the projects are still going forward and they  
5    haven't been abandoned.

6                   Now, under the Company's AAO proposal  
7    it's the actual cost of the transmission system,  
8    not the forecasted cost, that would be compared to  
9    the, what's included in the existing rates.  
10   Therefore it's the actual cost rather than fees for  
11   costs that are really going to affect the AAO  
12   mechanism itself. Both the actual cost for 2013  
13   and the forecast for later years clearly show that  
14   the transmission costs are going to be going up  
15   substantially in the near future. But to reiterate  
16   we're looking at actual costs compared to what's in  
17   base rates, not the forecast.

18                   Now, for GMO, the sister company,  
19   base plan transmission costs were about 5 million  
20   for the year 2012 and they're projected to increase  
21   to around 15 million in 2016 and peak at around 25  
22   million in 2022. This again equates to about a 16  
23   percent increase over that period. Significant  
24   transmission cost increases that are outside the  
25   Company's control due to SPP's transmission line

1 expansion projects are negatively impacting KCPL  
2 and GMO. These cost increases are above the  
3 amounts that are included in rates in the last rate  
4 cases. As such each incremental dollar spent above  
5 the amount included in rates contributes to  
6 regulatory lag and the companies have no ability  
7 really to recover these incremental costs except by  
8 filing time consuming and resource consuming rate  
9 cases. At the end of 2013 KCPL had \$19.1 million  
10 of transmission costs included in their rates but  
11 the 2013 actual transmission costs are projected to  
12 be 25.9 million for that year. Similarly GMO had  
13 approximately 12.3 million included in its rates  
14 but the actual expense is approximately 16.4  
15 million for 2013.

16 In the last KCPL and GMO rate cases  
17 the Company recommended a transmission tracker  
18 mechanism. The Commission did deny that request as  
19 a part of the rate proceeding finding that the  
20 companies already had the authority to track  
21 transmission costs without a specific order from  
22 the Commission authorizing them to do so. Now,  
23 unfortunately we believe the Commission may have  
24 erred in that conclusion. In this proceeding Staff  
25 witness Mark Oligschlaeger and the Company



1 witnesses have agreed that the companies may not  
2 book deferrals of these transmission costs without  
3 an order from the Commission explicitly authorizing  
4 the deferral. For this reason the companies are  
5 again here requesting specific authority from the  
6 Commission to defer these transmission expenses for  
7 proper recovery in the next rate case.

8                   Now second issue that we have relates  
9 to carrying costs. If the AAO is granted there  
10 will be a deferral of the Company's rising  
11 transmission costs but the recovery won't occur  
12 until some time down the road in the next rate  
13 cases. There will clearly be a delay in recovering  
14 the costs of the rates and we believe it's  
15 projected to recognize that delay and recovery by  
16 providing carrying costs. While the Staff  
17 recommends that the companies not receive carrying  
18 costs this Staff recommendation appears to be  
19 designed to subject the companies to some amount of  
20 regulatory lag associated with these transmission  
21 costs. In reality of course there is a time value  
22 to money for the delay in recovering these costs  
23 that can and should be recognized through the  
24 provision of carrying costs through the AAO. We  
25 would request that appropriate carrying costs be

1 included in your AAO authorization order.

2 The Staff has suggested seven  
3 conditions for the Commission to consider if it  
4 approves the transmission AAO. I'd like to discuss  
5 them a little bit out of order.

6 Condition 5 is a standard condition  
7 in all AAOs that I'm familiar with, that condition  
8 is that all rate making considerations regarding  
9 transmission expenses would be reserved for  
10 consideration in the next KCPL and GMO rate cases.  
11 This would also include a prudence review of those  
12 particular expenses. This I think is a reasonable  
13 condition, it's been adopted in most of the AAO  
14 orders and the companies believe it's appropriate  
15 for inclusion in this particular AAO authorization.  
16 But other conditions being suggested by the Staff  
17 seem to go well beyond the conditions that have  
18 been previously approved in AAOs. These conditions  
19 we believe are unnecessary and are more restrictive  
20 than the conditions that have historically been  
21 approved by the Commission and we request that you  
22 decline to include those in your AAO authorization.

23 One of the conditions suggests that  
24 the Commission turn on and turn off the deferral  
25 based on whether surveillance reports are indicated

1 the companies were earning in excess of their  
2 authorized ROEs. Now this condition has never been  
3 adopted to my knowledge by the Commission in any  
4 AAO order and it would be quite problematic for the  
5 industry if that was implemented. It largely  
6 defeats the purpose of the AAO mechanism and is  
7 essentially a rate making determination without the  
8 benefit of a review of the prudence of the costs in  
9 the general rate case. Surveillance reports that  
10 are typically filed by the companies do not make  
11 adjustments that are necessary to get a very  
12 accurate assessment of the earnings levels and one  
13 of the best examples is weather. These  
14 surveillance reports do not adjust for weather.  
15 If the surveillance reports are adjusted for  
16 weather it can substantially reflect the level of  
17 earnings and then for electric companies like  
18 Kansas City Power & Light and Ameren that have  
19 nuclear facilities the surveillance reports do not  
20 adjust for refueling outages at the nuclear plant,  
21 the cycles will be approved for refueling. Such  
22 refueling events will substantially affect the  
23 level of earnings as well and then of course in  
24 rate cases we have many other appropriate  
25 adjustments that are not taken into account on the

1 raw data that is filed on these surveillance  
2 reports but the unadjusted surveillance reports  
3 typically filed by the companies or submitted to  
4 the Staff just don't include sufficient detail with  
5 those adjustments to be used to turn on or turn off  
6 a deferral in an AAO.

7 Now another condition the Staff has  
8 suggested relates to a cost benefit analysis of  
9 participating in the RTO. Staff has suggested that  
10 the companies maintain an ongoing analysis and  
11 quantification of all benefits and savings  
12 associated with participation in the, in SPP not  
13 otherwise passed on to ratepayers between general  
14 rate cases. In past proceedings where the issue  
15 was whether the Company should actually continue to  
16 participate in SPP such complex studies have been  
17 filed but these studies required several months of  
18 data compilation and documentation and if we have  
19 outside experts, outside consultants that put those  
20 together these types of studies can cost several  
21 hundred thousands of dollars.

22 Now, Mark Oligschlaeger of the Staff  
23 seems to recognize how difficult this condition  
24 could be to implement when he testifies that the  
25 Company should maintain this documentation to the

1 best of their ability. Figuring out the benefits  
2 embedded in rates versus the benefits that are not  
3 included in rates would be particularly difficult  
4 to do. The companies for KCPL and GMO are already  
5 scheduled to provide these cost benefit analyses in  
6 2017 in the next proceeding that will be looking at  
7 whether they should continue to participate in SPP,  
8 and finally I just note that federal policy is  
9 certainly encouraging the development of regional  
10 transmission organizations like SPP and MISO and  
11 the horse is gone on that, we need to be  
12 participating in these. It's not necessary to add  
13 this condition for the AAO in our opinion.

14 Another Staff condition is, seems to  
15 be particularly inappropriate is the Staff's  
16 condition that the companies maintain the  
17 documentation of their efforts to minimize the  
18 transmission costs. That's not the appropriate  
19 goal, to minimize the costs. Minimizing  
20 transmission costs could result in the under  
21 development of the transmission system and it could  
22 result in overall increased costs to consumers.  
23 Instead the goal rather than minimizing it should  
24 be to optimize the expenditures to provide the best  
25 value to the customer. This is the goal that the

1 companies are pursuing and working to ensure  
2 through their active participation at SPP and that  
3 active participation is discussed in quite a bit of  
4 detail in the Company's testimony in the case.

5           The Staff and the other parties have  
6 the ability to review the extensive information,  
7 public documentation that's produced by SPP that  
8 provide the explanation for their efforts to build  
9 out the transmission system. In addition the  
10 Commission's own advisory staff, the Public Counsel  
11 and other stakeholders currently monitor the  
12 committee's activities at SPP and like the  
13 companies they have input into decisions regarding  
14 transmission projects and the cost allocation  
15 process. We think that further conditions along  
16 this line are not helpful.

17           Similarly the Staff has the ability  
18 and the time to review any and all transmission  
19 costs that are deferred as a part of the AAO in the  
20 Company's next rate cases. Without these kinds of  
21 reporting requirements that are requested in this  
22 certain condition. It's not necessary to condition  
23 the AAO income on the Company's providing now on a  
24 monthly basis all billings from SPP and the copies  
25 of all SPP rate schedules, that kind of thing will

1 be available in the rate cases when we all have  
2 time to review them.

3 Now Staff's sixth condition is  
4 requesting that any deferral on KCPL or GMO's books  
5 on transmission costs should begin to be amortized  
6 over a 60 month period in the first few months  
7 following the improvement of any AAOs or trackers.  
8 Now these amortizations are what I think of as  
9 write-offs under this condition would begin  
10 immediately and full recovery of the costs could  
11 not occur. This condition is contrary we think to  
12 the overall purpose of the AAO which is to provide  
13 a deferral of incremental transmission costs above  
14 those that are included in rates to be considered  
15 for a full recovery in the rate case. This  
16 particular condition would limit the ability of the  
17 companies to fully recover its incremental  
18 transmission costs and that's because ASC 980 dash  
19 10 or what used to be called statement 71 requires  
20 a rate regulating utility to capitalize as a  
21 regulatory asset any current costs that would  
22 otherwise be charged to expense if future recovery  
23 rates is probable.

24 Now as Company witness Ryan Bresette  
25 explains in his direct testimony whether a

1 regulatory asset is probable of recovery is a  
2 matter of professional judgment and there are  
3 several things that they look at. Whether rate  
4 orders, whether the regulators specifically  
5 authorize recovery of such costs and rates,  
6 previous rate orders from the regulator allowing  
7 recovery of similar or substantially similar costs,  
8 written approval from the regulator approving  
9 future recovery rates, those are some things they  
10 would look at. If the Staff's amortization  
11 condition was accepted it would be problematic for  
12 the companies to establish the regulatory asset in  
13 this case under the guidelines that are discussed  
14 by Mr. Bresette.

15                   The Staff's sixth condition begins  
16 amortization before the conclusion of the next  
17 general rate case and that's really the problem.  
18 It would ensure that the companies would not be  
19 able to fully recover the prudently incurred  
20 transmission costs until after the next rate case  
21 was, or they wouldn't be able to do it at that  
22 point because they would have already amortized  
23 whatever the number of months were before the rate  
24 case actually was completed. This would impair the  
25 Company's ability to fully defer transmission costs



1 into the regulatory asset thereby defeating the  
2 purpose of the AAO. We believe for that reason it  
3 shouldn't be accepted.

4                   The next condition is another one  
5 that we believe should not be adapted, the Staff  
6 condition that the tracker reflect both  
7 transmission revenues and expenses and thereby be  
8 based on the level of net transmission costs  
9 experienced by Kansas City Power & Light and GMO is  
10 just not appropriate in this case. The  
11 transmission revenues are closely linked with the  
12 costs to own and maintain transmission facilities.  
13 The transmission revenues result from their  
14 ownership and they are used as an offset to own and  
15 maintain those transmission facilities. So in  
16 calculating the revenue requirement both of these  
17 components need to either be included, the costs  
18 and the revenues, or excluded so that they're  
19 properly matched but the companies have proposed to  
20 exclude both the revenues and ownership components  
21 of the local, the local transmission projects in  
22 their AAO and track only the transmission service  
23 charges, the most significant of which come from,  
24 directly from SPP on those regional projects so  
25 we're talking about leaving out the costs and the

1 revenues related to the local ownership but  
2 including the cost of the SPP regional transmission  
3 projects. These are the costs that are incurred by  
4 the companies to, as a transmission customer and  
5 not a transmission owner so that's the distinction  
6 we're trying to make. The transmission customer,  
7 KCPL, versus the transmission owner. As the  
8 transmission customer we include those costs in the  
9 AAO.

10 Transmission owner costs and revenues  
11 are more appropriately dealt with in the true-up of  
12 the general rate case as we've done in the past and  
13 more importantly the transmission ownership costs  
14 and revenues of local transmission projects need to  
15 be recovered consistently or matched to ensure  
16 appropriate adequate recovery.

17 Now, one of the witnesses for the  
18 industrials has attempted to interject a couple of  
19 isolated facts such as decreasing capital costs,  
20 depreciation on existing plant and the unadjusted  
21 data in GMO's surveillance reports in this case. I  
22 think he refers to those as mitigating  
23 circumstances. From our perspective there are no  
24 mitigating circumstances affecting the current  
25 operations and earnings levels of Kansas City Power

1 & Light or GMO that are relevant for the Company's  
2 request for an AAO in this case. The Commission in  
3 the past has not considered any mitigating  
4 circumstances when it considered the AAO request  
5 nor has it used unadjusted surveillance reports for  
6 a handful of months that conclude that, to conclude  
7 that AAOs are not appropriate. Instead that, those  
8 kinds of things have been left for the rate cases  
9 where you consider all relevant factors in deciding  
10 what rate levels should be and we believe the  
11 Commission should continue this longstanding  
12 practice in this case.

13 I've prepared just a brief summary of  
14 the reasons why we think the AAO should be approved  
15 and I'd like to have that marked as just an  
16 illustrative or demonstrative exhibit.

17 Just to summerize one of the reasons  
18 that we need to have the AAO is the increasing  
19 transmission costs are a very real concern of the  
20 utilities and we believe they, as I've mentioned,  
21 are appropriate candidates for an AAO because they  
22 are material to the Company's earnings and they're  
23 expected to change significantly in the near future  
24 and they're primarily outside the control of the  
25 utilities. But in order to accomplish that, in

1 order to defer we need the Commission to  
2 specifically give the companies authorization to  
3 defer the incremental transmission costs.

4 General instruction number 7 that was  
5 referenced in the Company's last report and order  
6 in the rate cases does not provide for automatic  
7 deferral of transmission costs. We believe the  
8 transmission intended the company to be able to  
9 defer those costs because they are in excess of  
10 five percent, in that order they said if we were  
11 over five percent we don't need to get specific  
12 approval but we believe the Commission may have  
13 relied on an inaccurate application of general  
14 instruction number 7 in that ruling. As I've said  
15 there aren't standards that would limit the  
16 Commission's discretion to grant an AAO in this  
17 case, Commission has broad regulatory discretion to  
18 determine each AAO request based upon the specific  
19 circumstances of that request. While there have  
20 been orders that have addressed extraordinary and  
21 nonrecurring costs many orders, other orders have  
22 addressed costs that are material, expected to  
23 change significantly in the near future and were  
24 primarily outside the control of the utility.

25 Historically transmission costs have

1 fluctuated as load variations have changed but what  
2 makes the current environment so different and  
3 extraordinary is that the current unprecedented and  
4 extraordinary escalation of these transmission  
5 costs related to the effort to substantially expand  
6 the transmission system, particularly the SPP  
7 region. As I've said these expenses are expected  
8 to be going up significantly through the year 2022.

9 KCPL and GMO don't have a mechanism  
10 in place currently to recover these substantial  
11 increases unlike Ameren that includes them in a  
12 fuel adjustment clause or in contrast to the other  
13 SPP states that have riders in place to recover  
14 these transmission costs, thus the companies should  
15 be allowed to defer these types of costs as  
16 compared to the level and rates for potential, for  
17 a potential look at the next rate case and whether  
18 they should be included for rate recovery.

19 Every incremental dollar above what's  
20 included in rates contributes to regulatory lag and  
21 the companies have no ability to recover these  
22 costs except to file these time consuming and  
23 resource consuming rate cases. An AAO mechanism  
24 would allow, would be a mechanism to limit the  
25 amount of the year to year increases that could be,

1 could be needed to fully recover transmission costs  
2 impact to the Company.

3 Now, some parties in the case have  
4 raised the question well, should it be an AAO or a  
5 tracker? Simply put the companies requested  
6 symmetrical deferral from the amounts included in  
7 rates. If we have more included in, if the actuals  
8 come in higher than what's included in rates we  
9 would reflect that a regulatory asset, if it would  
10 turn out that there would be less than is included  
11 rates we would reflect that difference as well in a  
12 regulatory liability.

13 As I mentioned we expect it to be  
14 more than what has been included in rates by far  
15 but, some folks have suggested well, shouldn't you  
16 call that a tracker. From the Company's  
17 perspective doesn't matter whether it's an AAO or a  
18 tracker, the point is we need a deferral of these  
19 costs and the companies would certainly accept  
20 either an AAO or a tracker.

21 And the other major issue or major  
22 point I would make is that the disposition of any  
23 approved deferral would be determined in the next  
24 Company rate case so you would decide the merits of  
25 whether these costs should be included the next

1 time the companies come in for rate case treatment.  
2 The Company's request simply preserves the  
3 opportunity for the Commission to review these  
4 costs in the future rate case and allows the  
5 companies to defer those costs until the Commission  
6 has the time to review those.

7 And as I've mentioned the conditions  
8 proposed by Staff are not necessary and they're  
9 more onerous and restrictive than the historical  
10 practice and we think they should be rejected.  
11 These conditions are really an attempt I think to  
12 reduce transmission costs. An AAO should be  
13 granted without conditions except for that standard  
14 condition that I mentioned that would preserve rate  
15 making considerations on the next rate case.

16 And I would also point you to the  
17 Ameren decision which was recently handed down. In  
18 that case the Commission stated those costs meet  
19 the Commission's past practice for inclusion in the  
20 fuel adjustment clause in that they are significant  
21 in amount, volatile in that they are not only  
22 rapidly rising but also uncertain in amount and  
23 they're largely beyond the control of Ameren  
24 Missouri. The Commission finds that MISO  
25 transmission costs should be included or should

1 continue to be flowed through Ameren Missouri's  
2 fuel adjustment cause. Similarly we believe that  
3 KCPL and GMO should not be subjected to significant  
4 regulatory lag and under recovery of these costs to  
5 transmit electricity to the load they serve.

6 So in conclusion I would just ask the  
7 Commission to implement the transmission accounting  
8 the authority order as proposed by the Company, the  
9 transmission costs requested by the companies for  
10 deferral are the same type of transmission costs  
11 that are found to be appropriate for the fuel  
12 adjustment clause mechanism and we would request  
13 that KCPL and GMO be given the opportunity to fully  
14 recover prudently incurred SPP transmission costs  
15 after the next general rate case.

16 I've got three witnesses today, Ryan  
17 Bresette, John Carlson and Darrin Ives and they're  
18 going to be available to answer hopefully your  
19 questions as I am today.

20 Thank you very much for your  
21 attention.

22 JUDGE BURTON: Thank you.

23 Excuse me Mr. Fischer, can you come  
24 back?

25 MR. FISCHER: Yes.



1 JUDGE BURTON: Commissioner Kenney  
2 has a question.

3 COMMISSIONER KENNEY: First one, I  
4 have two short questions. The first is more  
5 curiosity, why is GMO projected to have such an  
6 extreme increase between 2011 and 2022?

7 MR. FISCHER: I would ask you to ask  
8 John Carlson that question.

9 COMMISSIONER KENNEY: Next is how do  
10 you describe these costs that they're nonrecurring?

11 MR. FISCHER: They're nonrecurring in  
12 the sense that we're experiencing an unprecedented  
13 build-out of the transmission system at this time  
14 and in history. Now we certainly have had  
15 transmission costs in the past and to that extent  
16 you can say yeah, there's been recurring costs but  
17 they've never been at this level, never been  
18 projected to be a build-out like this.

19 COMMISSIONER KENNEY: But they're  
20 going to continue in the future, right? These  
21 costs are just going to continue.

22 MR. FISCHER: They will continue in  
23 the future and they'll continue to be an issue of  
24 how do we deal with those increases. I mean at  
25 some point you could include them in a fuel

1 adjustment clause like Ameren has but that will  
2 continue to be an issue down the road.

3 COMMISSIONER KENNEY: Okay. Thank  
4 you.

5 JUDGE BURTON: Commissioner Hall do  
6 you have any questions?

7 Thank you.

8 MR. FISCHER: Thank you.

9 JUDGE BURTON: Next we'll have Mr.  
10 Cooper for the Empire District Electric Company.

11 MR. COOPER: Thank you.

12 Empire agrees with KCPL and GMO that  
13 the increasing transmission costs related to  
14 infrastructure upgraded projects are a very real  
15 concern for electric utilities. An increasing cost  
16 such as this is difficult if not impossible to  
17 capture in a traditional historic rate case  
18 situation. If the Commission doesn't address this  
19 issue in some fashion outside the traditional rate  
20 case the companies will have no reasonable  
21 opportunity to recover much of their necessary and  
22 substantial transmission costs. One step towards  
23 changing that situation is the grant of the AAO  
24 that's been requested by KCPL and GMO and which  
25 Empire supports, however, regardless of whether the

1 Commission grants an AAO, establishes a tracker or  
2 takes some other approach Empire believes that this  
3 is a situation that must be addressed by the  
4 Commission outside the traditional rate case  
5 process.

6 JUDGE BURTON: Thank you.

7 Next we hear from Ameren Missouri.

8 MR. LOWERY: Good morning, may it  
9 please the Commission. Again I'm Jim Lowery and  
10 represent Ameren Missouri in this case.

11 I think Commissioner Kenney getting  
12 sort of your second question, something that I was  
13 actually going to talk about this morning. We now  
14 live and operate in an electric industry that is  
15 much different than the industry that we've  
16 operated in over the past several decades. That's  
17 true in several areas of the electric utility  
18 business but it's particularly true in the  
19 transmission part of the business. Our  
20 transmission systems were built out over the past  
21 several decades in the post World War II expansion,  
22 when we had suburbanization of the country, air  
23 conditioning loads came on, houses got bigger and  
24 we built a transmission system for a singular  
25 purpose at that time and that was to get the power

1 from the power plants, our central station power  
2 plants that we built, to our load centers, that's  
3 why we had the transmission system and that's why  
4 it was built out. In the past 10 to 15 years the  
5 FERC has issued a series of orders that are just  
6 now leading what are a new or second phase of the  
7 evolution of the transmission system in this  
8 country. That second phase is producing tens of  
9 billions of dollars of 345 KV or above transmission  
10 projects that must be built and that must be paid  
11 for by RTO participants and non-RTO participants  
12 alike under FERC recent order 1000. These aren't  
13 the ordinary transmission charges associated with  
14 that phase one of the evolution of the system that  
15 I spoke of. I read other party's position  
16 statements, I see the debate in the testimony and  
17 there is a lot of debate about whether the charges  
18 that are issued in this case are quote,  
19 extraordinary. Aside from the fact that there's no  
20 hard and fast rule that says for an AAO you have to  
21 have a quote, extraordinary cost, or you must meet  
22 a particular definition.

23 I would submit that these  
24 transmission charges that we're talking about here  
25 today are extraordinary. If you look at Webster's

1 dictionary Webster tells us that something is  
2 extraordinary if quote, it is noticeably different  
3 from what is generally found or experienced. I  
4 would submit that these are not charges that we've  
5 generally found or that we generally experience.  
6 It is true that large build-out will not last  
7 forever but while this second build-out is  
8 occurring and it's probably going to occur over the  
9 next decade or so, this bow wave of tens of  
10 billions of dollars of projects when we build this  
11 sort of second phase of the transmission system  
12 we're going to see and we're already starting to  
13 see a rapid step change in these transmission  
14 charges. We have to pay them and despite arguments  
15 and protestations to the contrary the evidence will  
16 show that we, we being the utilities, don't have  
17 very much control over them and we certainly don't  
18 have the measure of control over these charges that  
19 we do over some of our other costs. These  
20 realities, these developments in our industry is  
21 why Ameren Missouri is a party to this case and why  
22 we believe that it's appropriate the Commission  
23 continue to utilize the tools that it has to  
24 address the charges the second phase of  
25 transmission system build-out are generating for

1 utilities. Ameren Missouri's extremely  
2 appreciative of the fact that the Commission did in  
3 fact utilize one of those tools in its last rate  
4 case with respect to these charges, we can  
5 certainly understand why the KCP&L companies have  
6 made the requests that they've made in this case.  
7 A request as Mr. Fischer indicated that I might add  
8 probably wouldn't be necessary had there not have  
9 been what I agree is a misapplication of general  
10 instruction 7 in the last KCPL rate cases.

11 Now while I won't go into detail  
12 about them I'd also like to echo a few things Mr.  
13 Fischer said about these conditions that the Staff  
14 has proposed and we've stated our position on all  
15 of them in our position statements. We've  
16 explained why in combination they are  
17 inappropriate, illogical, unworkable in certain  
18 cases, arbitrary and in at least one case based  
19 upon the wrong premise. The issue in an AAO case  
20 and the issue here is whether KCPL Company should  
21 be able to allow the deferral that they seek, it's  
22 not to pre-judge various other factors that over  
23 the last 25 years many parties have tried to inject  
24 in AAO cases which the Commission in its decisions  
25 has recognized I think wisely are not particularly

1 helpful or not particularly relevant in an AAO  
2 case. The Commission in this case as it has done I  
3 think in just about every other contested AAO case  
4 that I've read should retain its focus on whether  
5 under the circumstances of this case given the  
6 unprecedented build-out of the transmission system  
7 that we are all facing the AAO ought to be granted.

8 I want to thank you very much for  
9 allowing the Company to participate in this case.

10 JUDGE BURTON: Thank you very much  
11 Mr. Lowery.

12 Next we'll here from the Staff of the  
13 Missouri Public Service Commission.

14 MR. THOMPSON: Thank you Judge.

15 May it please the Commission. This  
16 is a case about accounting. This is a case about  
17 accounting and what the applicants seek is  
18 permission to do something other than what the  
19 normal accounting rules require. It's an  
20 accounting case, they want permission to deviate  
21 from the normal rules. The companies are concerned  
22 they tell you with rising transmission costs. The  
23 companies want to defer that part of the rising  
24 costs that exceed the amount of transmission costs  
25 that are included in base rates, base rates that

1     were set in these company's last general rate case.  
2     Since the rate case ended and the rates took effect  
3     costs have gone up, the rates set in that case  
4     don't provide for full recovery of these now  
5     increasing costs, they want permission to deviate  
6     from the normal accounting rules and defer that  
7     unrecovered increase for later consideration, and  
8     they want carrying costs added to the deferred  
9     amount so that like a plant it will grow so that  
10    when the day comes to consider them for recovery in  
11    a general rate case it will actually be a larger  
12    amount than was originally deferred, right?  
13    Because it will have accrued interest from the  
14    carrying costs that they request. So that's what's  
15    in front of you.

16                   The Accounting Authority Order is a  
17    well known and often used tool of utility  
18    regulation, it authorizes a departure from normal  
19    accounting rules as I explained, it's authorized by  
20    section 393, 140.8, sub 8, which says that after  
21    hearing the Commission can direct how any  
22    particular transaction is to be accounted. A  
23    sister provision mentioned by Mr. Fischer, section  
24    393.140 sub 4 authorizes you to specify how the  
25    accounting system of the utility will work. So you



1 see, one lets you prescribe the system, the other  
2 lets you decide how any particular transaction will  
3 be accounted for and the latter requires a hearing.

4 Now, the reason for a hearing is of  
5 course to make a record, to take evidence, and if  
6 there's a challenge to the decision you make the  
7 Court will judge it as to whether first it's lawful  
8 and second is it reasonable. Well, the  
9 Commission's decision would be lawful because as  
10 I've just pointed out there's a specific statute  
11 that authorizes you to take this action. But what  
12 about reasonable? What does reasonable mean when a  
13 court reviews a decision of the Public Service  
14 Commission? Reasonable means supported by  
15 substantial evidence on the record, not arbitrary  
16 and capricious, not whimsical, not oppressive.  
17 That's what reasonable means according to the  
18 decisions of the appellate courts that have  
19 reviewed the actions of this Commission. So when  
20 you are told by Mr. Fischer and Mr. Cooper and Mr.  
21 Lowery that there is no standard, no particular  
22 standard governing what you do on this decision I  
23 suggest that's not quite true. Your decision has  
24 to be reasonable. It has to be based on  
25 substantial evidence, it has to make sense so as to

1 not be arbitrary and capricious, it has to be  
2 rational, it has to be intended to serve an  
3 acceptable regulatory purpose, an acceptable or  
4 rational regulatory purpose. So the first question  
5 is why are the companies asking to do this? I mean  
6 the costs are going up, we recognize that, well, as  
7 those costs go up beyond the level that's included  
8 in base rates what is happening is that the profits  
9 are being squeezed, right? If your cost of doing  
10 business is rising and you can't raise your prices  
11 then the amount of the profit is going to be  
12 reduced. Normally when a utility company faces  
13 rising operating costs they file a rate case,  
14 that's how you deal with rising operating costs,  
15 you file a rate case because that way the  
16 Commission can consider all the relevant factors,  
17 that is every type of cost, every type of revenue.  
18 I mean we don't know what efficiencies these  
19 companies might be putting in place, we don't know  
20 which of their costs have gone down, where they're  
21 saving money by being more efficient, you just  
22 don't know that now.

23 In the past this Commission has often  
24 considered AAOs by applying a standard that the  
25 Commission has itself developed requiring that the

1 costs to be deferred be extraordinary. By  
2 extraordinary they don't mean amazing, it simply  
3 means unusual, unique, nonrecurring. In other  
4 words not a normal type of cost. The reason being  
5 if you're going to depart from the normal  
6 prescribed accounting rules there has to be a good  
7 reason to do that. Why would you depart from those  
8 rules? Well, because something unusual, something  
9 unique, something nonrecurring has happened. The  
10 perfect example is the ice storm. Every electric  
11 utility in Missouri has to be prepared for winter  
12 storms, has to be prepared for ice storms that just  
13 put service out for many, many customers, they have  
14 to have the supplies, they have to have the crews,  
15 they have to have the trucks to go out and restore  
16 service as quickly as possible. Sometimes those  
17 ice storms are of unexpected dimension, St. Louis  
18 has suffered a couple of those. Then the Company  
19 may spend more money restoring service than they  
20 planned for, maybe quite a bit more money, and  
21 because the Commission wants to encourage the  
22 company to spend that money to restore service as  
23 quickly as possible the Commission readily has  
24 granted AAOs in the past to cover those unexpected  
25 ice storm costs, even though an ice storm is

1 expected in general and restoring service after a  
2 storm is an ordinary cost of doing business if  
3 you're an electric company. Well, transmission  
4 costs are an ordinary part of doing business if  
5 you're an electric company. They're not  
6 extraordinary in the sense of being nonrecurring,  
7 they're not extraordinary in the sense of being  
8 unusual and they're not extraordinary in the sense  
9 of being unique, in fact they are common and this  
10 regime of increased transmission costs, Mr.  
11 Oligschlaeger has testified, is likely to be the  
12 case for some years to come. It's going to be the  
13 way it is. So I ask you why aren't these companies  
14 filing a rate case? They would tell you that well,  
15 the amount's material, meaning it's significant,  
16 it's enough for them to care about, to be worried  
17 about, after all they brought the case, they made  
18 Mr. Fischer to be here but if it's that material,  
19 if it's that much money why aren't they filing a  
20 general rate case? That's what you do when normal  
21 everyday operating expenses increase and squeeze  
22 your profits, you file a rate case. AAOs, the  
23 Commission has said, should be granted sparingly,  
24 sparingly, because they're a departure from the  
25 rules the Commission has prescribed for accounting.

1 They're a deviation so it shouldn't happen all that  
2 often, it shouldn't happen easily, there should be  
3 a good reason to do it. Staff doesn't think  
4 there's a good reason here. Staff doesn't think  
5 the amount of these charges is significant enough  
6 to qualify for this treatment, Staff as I've said  
7 doesn't think these charges are extraordinary in  
8 the accounting sense. They are recurring, they are  
9 usual, they're in no way unique.

10 So the first issue before you is what  
11 standard to apply, what standard to apply to the  
12 decision. We suggest you apply the standards  
13 described in the Sibley case, that it be  
14 extraordinary, unique, nonrecurring. And the  
15 Sibley case is at 1 MoPSC 3rd, page 200, dated  
16 2/19/91.

17 The second issue before you is  
18 whether this particular AAO request should be  
19 granted. Staff says no for the reasons that I've  
20 already discussed. These are common, ordinary  
21 operating expenses, sure, they are increasing but  
22 that should trigger a rate case, that should not  
23 trigger an AAO.

24 There's a subordinate issue to issue  
25 number 2 which is whether there are mitigating

1 factors. This has been injected by the industrial  
2 intervenors and Staff has no opinion on that point  
3 and I won't mention it further.

4                   The third issue is the carrying  
5 costs, whether the deferred amount should you grant  
6 the deferral, whether the deferred amount should  
7 grow until such time as its actually visited.  
8 Staff's position is the carrying costs should not  
9 be granted. Sure, there is a time value of money  
10 but just by granting a deferral you would be  
11 providing quite a benefit to this company. You  
12 would be taking normal operating expense increases  
13 that otherwise would just be lost and setting them  
14 aside for possible recovery in a rate case, that's  
15 a benefit right there. It allows the Company for  
16 example to have a rosier picture in its financial  
17 reports than it otherwise would because that  
18 expense isn't going to go to expense, instead it's  
19 going to be capitalized as a regulatory asset and  
20 with the order of this Commission allowing it, well  
21 those outside independent third party auditors  
22 would accept that treatment. So no carrying costs.

23                   The fourth issue is simply whether if  
24 deferral is granted the disposition of the deferred  
25 amount should be taken up in a future rate case.

1 Well, that is the typical fate of deferred amounts  
2 under an AAO. Certainly recovery, meaning putting  
3 the amount deferred into rates to charge to  
4 customers, can only happen in a rate case.

5           The fifth issue is whether gosh,  
6 should they get a tracker instead of an AAO? Let's  
7 think about that. First of all you have already  
8 denied these companies exactly that tracker in  
9 their last rate case. They asked for it, you said  
10 no. Now they're getting another bite at that  
11 apple. Secondly, trackers to our knowledge have  
12 never been granted outside of a rate case. Can you  
13 grant a tracker in this case? I think that's a  
14 valid question and it's one that we don't know the  
15 answer to. Thirdly, in Staff's view these costs  
16 don't qualify for a tracker either. They don't  
17 qualify for an AAO, they don't qualify for a  
18 tracker. Why is that? They're not unduly  
19 volatile, they're not impossible to estimate,  
20 they're not the result of a government mandate,  
21 they don't qualify for tracker treatment.

22           Finally, we come to the conditions.  
23 The Company agrees with one condition which is the  
24 standard language that nothing in this order shall  
25 be construed as to be governing the rate making

1 treatment of the amount deferred. We agree on that  
2 point. First let's talk about offsetting revenues.  
3 Mr. Fischer has told you it would be unfair, it  
4 would be unfair to net these increased transmission  
5 costs against the related transmission revenues.  
6 He says it would be unfair because those revenues  
7 in fact relate not to those costs but instead to  
8 what he calls ownership costs, just the cost of  
9 having transmission assets and operating them and  
10 maintaining them. Well, I suggest to you that  
11 that's not true. Those ownership costs in fact are  
12 recovered through base rates. They're part of the  
13 revenue requirement that is baked into rates in the  
14 rate case. So they're already getting all the  
15 proper recompense for those ownership costs so the  
16 transmission revenues absolutely should be netted  
17 against the transmission cost increases just as  
18 they are for Ameren Missouri in their Fuel  
19 Adjustment Clause.

20 Secondly, information that the  
21 applicants should provide copies of billings,  
22 copies of revenues and other information allowing  
23 Staff and the other stakeholders to monitor the  
24 amounts that are being deferred. I think that's  
25 reasonable. If you're going to give them a



1 special, extraordinary treatment for what are after  
2 all ordinary operating costs then the other people,  
3 the ones that are paying them, ought to have a  
4 chance to keep an eye on those amounts.

5                   The third condition has to do with  
6 benefits and savings from participation in the SPP.  
7 You know, when they asked for permission to join  
8 SPP and when they have asked subsequently for  
9 permission to continue to participate in the SPP  
10 they have provided cost benefits analyses that show  
11 that the benefits of this participation to Missouri  
12 and Missouri ratepayers will exceed the costs.  
13 Well, these transmission expenses that we're here  
14 talking about, those are the costs, those are the  
15 costs of SPP participation so where are the  
16 benefits? Is it unreasonable to ask that the  
17 benefits that they have so confidentially told us  
18 exist, that they should actually be tracked, that  
19 they should be reported, that they should be noted  
20 so that the Commission perhaps might offset them in  
21 a future rate case against these charges that are  
22 carried forward for possible recovery? I think  
23 that is a very reasonable condition as well.

24                   The next condition is cost  
25 minimization. Cost minimization, you know, the

1 danger in a deferral of ordinary operating costs  
2 increases is that it reduces the incentive the  
3 Company otherwise has to operate efficiently. If I  
4 have a business and my cost of business is going up  
5 and I can't raise my prices for some reason I'm  
6 going to think about what I can do to reduce other  
7 costs. I might lay somebody off, I might defer  
8 some type of expansion or maintenance, I might  
9 reduce my salary, I might take any number of steps  
10 that are available to me to get more done at less  
11 cost. Well, if we're going to give them this  
12 extraordinary treatment of ordinary operating cost  
13 increase, this deferral, it's only reasonable that  
14 they should show what are they doing to keep those  
15 costs down? What are they doing to be efficient,  
16 what are they doing to minimize those costs?

17               Skipping over condition number five  
18 that we actually agree on, condition number six is  
19 the immediate start to the amortization. This is  
20 not at all unusual with a, an amount deferred  
21 through an AAO. It is not an unusual condition.  
22 The Commission in the past when granting these  
23 deferrals has often directed that amortization  
24 start immediately over some period of time.  
25 Sometimes it's 60 months, sometimes it's 120,

1     whatever seems best to the Commission at the time  
2     based on the type of charge that it is. Why?  
3     Because it puts the Company in the position of  
4     having to act, having to come in for that rate case  
5     before too much of the deferred amount has  
6     amortized away. They shouldn't be allowed to hoard  
7     this amortized amount until they reach whatever  
8     point in their internal estimation is the best time  
9     to file that rate case. It's a wasting asset. We  
10    think that's a reasonable condition too.

11                   The final condition has to do with  
12    halting any deferral if they're over earning. They  
13    don't like that one a bit but it might be hard to  
14    implement, and I agree, I agree, the surveillance  
15    reports do not give you exactly the same figures  
16    that you get in a rate case when you're trying to  
17    determine what the actual return on equity has been  
18    over a period of time. There are adjustments that  
19    have to be made but those adjustments can be made.  
20    That information on the surveillance report can be  
21    converted into regulatory return. If they are over  
22    earning, if they are earning above the authorized  
23    return on equity, why then do they need an  
24    extraordinary deferral? Why then do they need help  
25    recovering all of this money? I suggest that it's

1 perfectly reasonable to say they do not. If they  
2 are over earning then the extraordinary deferral  
3 should stop, that's just a matter of simple  
4 fairness.

5 Thank you very much for your  
6 attention today, in summary I will simply repeat  
7 Staff believes that the amount of transmission  
8 costs in question do not qualify either for the  
9 requested AAO or for the alternative suggestion, a  
10 tracker.

11 Thank you very much.

12 JUDGE BURTON: Thank you.

13 Next we'll hear from the Office of  
14 Public Counsel.

15 MR. MILLS: Good morning, may it  
16 please the Commission. Let me begin by saying that  
17 I agree with almost everything that Mr. Thompson  
18 said, I think he did a very good job. I also am  
19 going to talk about this particular AAO in the  
20 context of rate making theory and the way rates are  
21 typically set for a public utility company.  
22 Because I think that's really the way you have to  
23 approach it, you can't look at this simply well  
24 here's a cost that looks like it's going up, we  
25 have to somehow take care of that because

1 throughout the 100 years of regulation utilities  
2 have been faced with a lot of costs that are going  
3 up and there are a lot of mechanisms to take care  
4 of that and to make sure that the utilities are  
5 treated fairly and that the ratepayers are treated  
6 fairly so what we really need to look at is whether  
7 in this case an AAO is the appropriate mechanism to  
8 try to address these kind of costs. Typically the  
9 way a utility's costs are set is through a  
10 traditional rate case and in Missouri we use a  
11 historical test year not because we expect the  
12 future to look exactly like the historical past but  
13 because we expect it to be relatively close and we  
14 do adjustments to the historical test here to try  
15 to capture what we know is going to change going  
16 forward and what we know is different from the test  
17 year from the immediate past and what we expect the  
18 future to look like. So we are not hidebound to  
19 simply setting rates in the future based on exactly  
20 the historical precedent but we do use a test here  
21 because it is the best way to set rates going  
22 forward to try to get a match between revenues,  
23 expense and rate base for future rates and I think  
24 that's the best way, I think the utility would  
25 agree with this, that that's the best to ensure in

1 the big picture that both the shareholders and the  
2 ratepayers are treated fairly. And the reason that  
3 a test year works so well is because many kinds of  
4 costs go up and go down and when you have a test  
5 year, when you have a full rate case that allows  
6 the Commission to look at the costs that go down as  
7 well as the costs that go up. When you do some  
8 sort of an extraordinary rate making mechanism at  
9 the request of a utility you will find that 100  
10 percent of the time it's requested because it's for  
11 a category of costs that are going up, you don't  
12 find utilities coming in here and saying we need  
13 extraordinary rate making treatment because we are  
14 so productive that we're driving the cost of  
15 software down below the level of our last rate  
16 case, we have to have some mechanism to compensate  
17 the ratepayers for that, that just doesn't happen.  
18 So you are always talking about costs that are  
19 either a one time jump or costs that are increasing  
20 and expected to increase. And typically, and I  
21 would submit that this is the proper way to use an  
22 AAO, an AAO is designed to capture the cost of an  
23 event, a particular extraordinary event that occurs  
24 after a test year has closed, after rates have been  
25 set and before the next round of rates are set

1 because by definition if an event falls within a  
2 test year it gets considered, it may be ruled out  
3 as nonrecurring, it may be normalized or amortized  
4 as something that is expected to occur over a,  
5 occasionally over particular time periods but not  
6 all the time but it gets addressed so the reason  
7 AAOs were created is to capture a particular event  
8 that occurred after a test year. That's not what  
9 we're talking about here. What we're talking here  
10 is a category of costs that is, and the Company  
11 will agree with this, that is now being incurred,  
12 that will be incurred in the future but that the  
13 Company projects will significantly increase over a  
14 period of time to a higher level.

15 I think the record will reflect that  
16 there is no, you know, you saw the graphs that are  
17 in Mr. Carlson's testimony and that Mr. Fischer put  
18 in his opening statement today, it goes up in  
19 plateaus. It's not something that goes up one year  
20 and it's done and it's gone, this is an expense  
21 that's going to increase and then it's going to  
22 stay at a high level for the indefinite future. I  
23 think the record reflects that. So I think  
24 Commissioner your question about how you can  
25 consider these recurring is absolutely the right

1 question to ask. They are not nonrecurring, they  
2 are a ramp-up of costs that will stay at a  
3 particular level and that's not the kind of costs  
4 that an AAO is designed for, it's not the kind of  
5 cost that an AAO is particularly well suited for  
6 and it's certainly not the kind of cost for which  
7 the Commission has granted AAOs in the past.

8                   So the notion, with respect to an AAO  
9 it's designed one, to allow for future recovery but  
10 it also is designed to sort of dovetail with the  
11 generally accepted accounting principles and keep  
12 the utility from having to write off a particular  
13 expense in the year in which it's incurred because  
14 if you have the sort of ice storm expense, the sort  
15 of one time expense that's typical under AAOs if it  
16 is not recognized by the Commission, if it is not  
17 allowed extraordinary accounting treatment it  
18 simply gets written off and under generally  
19 accepted accounting principles that's the way it's  
20 down and there's really no getting around that  
21 without an order from the Commission. And in many  
22 circumstances the reason that the Commission would  
23 grant an AAO, and in fact for many, many AAOs  
24 neither Public Counsel nor the Staff nor the  
25 industrial customers protest. If we were talking



1 about ice storm expenses more often than not those  
2 kinds of issues are settled by agreement because we  
3 all understand that that's the kind of thing that  
4 is designed to be addressed through an AAO and it  
5 is fair to the utility to address it that way. But  
6 this, again this is something different. And the  
7 notion that this is the proper way to preserve both  
8 for regulatory accounting and for GAP accounting  
9 these kind of future anticipated costs is simply  
10 not right and Mr. Thompson did a good job of  
11 explaining where that's the case.

12 And with respect to, again with  
13 respect to the interplay between regulatory  
14 accounting and GAP accounting I think that's  
15 something that you're going to hear more about  
16 today and I think that's a critical point because  
17 in order for the companies, for GAP accounting to  
18 be able to recognize these costs in a regulatory  
19 asset they need at least two things, one is an  
20 order from the Commission allowing deferral but the  
21 second which is sort of related in this case is  
22 they need to be able to tell their external  
23 accountants that they have a good faith and a  
24 reasonable expectation that they're going to  
25 recover those so if for example the Commission were

1 thinking in this case it's not rate making, we  
2 don't have to worry about it, it's only deferral,  
3 we don't really intend to allow recovery in a later  
4 rate case but if we allow deferral in this case no  
5 harm no foul we're not doing rates, that's the  
6 wrong approach. The Commission cannot really take  
7 that approach because given the past history of AAO  
8 recovery in this state really all the companies  
9 need to do to say to their outside auditor is say  
10 the Commission deferred these, the Commission  
11 always allows recovery after they've deferred  
12 something, there's nothing in this case to indicate  
13 that the Commission has different thoughts, that  
14 they're simply allowing a deferral without a real  
15 expectation of recovery later. So if you grant the  
16 AAO in the case you have essentially prejudged the  
17 question of recovery, obviously you don't have the  
18 authority to prejudge that but what you're telling  
19 to the Company, what you're telling to the public,  
20 what you're telling to the outside auditors is if  
21 you, these particular commissioners were faced with  
22 these particular circumstances tomorrow you would  
23 allow recovery because you're allowing deferral and  
24 I think that's a credible point. You can't simply  
25 as much as the companies would like you to you

1 can't simply say we're only allowing deferral,  
2 we're not thinking at all about recovery. By  
3 allowing deferral you are explicitly saying that  
4 you would allow recovery later and that's the  
5 message that an order granting deferral would give  
6 and I think that's a critical point here because as  
7 I said under the GAP accounting those are the two  
8 requirements for recovery of these assets and as  
9 apposed to writing them down.

10 Now what happens if the Commission  
11 doesn't allow an AAO in this case? Does that mean  
12 that the Company is prevented from recovering the  
13 increasing transmission costs assigned to them from  
14 their RTO, no, it does not. Yes, there may be some  
15 regulatory lag issues, there may be a period of  
16 time in which the timing of a rate case is not  
17 perfectly timed with cost increases and there may  
18 be some costs for this one particular item that are  
19 not adequately cashable rates but the whole point  
20 of a rate case is sometimes there are costs that go  
21 up, sometimes there are costs that go down, when  
22 you set rates you are trying to anticipate the  
23 level of revenues and expenses and you won't always  
24 get it right, there are going to be times when the  
25 utility is over earning, there's times when that

1 utility is under earning but as a big picture  
2 you've said it particularly well and as long as  
3 things don't get too out of whack you won't see  
4 another rate case and you won't see an earnings  
5 complaint case and if they do get out of whack  
6 you'll see one or the other of those. You'll see  
7 to the extent that they get so far out of whack  
8 that the Commission staff gets involved and files  
9 an earning compliant case, you'll see an effort to  
10 lower weights. If they get particularly out of  
11 whack in the other direction the companies will  
12 come in and file a rate case. But that is the  
13 mechanism for which historically, and I submit  
14 today, that is the mechanism that should be used to  
15 try to recover the kinds of costs that we're  
16 talking about here, costs that are anticipated to  
17 go up at a fairly well known level, I mean you saw  
18 the charts, the Company anticipates that they know  
19 when and by how much these costs will increase.  
20 These are not unexpected, I, they're, I don't  
21 disagree entirely with the companies when they say  
22 they don't have a whole lot of control over these  
23 costs, they do have some control but they do have a  
24 great deal of knowledge about them. They're not  
25 going to be blind sided by getting a bill two years

1 in the future that is 10 times what they thought it  
2 was going to be from the SPP. They know exactly  
3 what they're going to be billed very, very closely,  
4 they know when they're going to be billed for it  
5 and they can time rates cases to try to capture  
6 that amount and that's a particularly well suited  
7 and a certainly adequate mechanism to address this  
8 kind of cost.

9 And I thought it was interesting that  
10 Mr. Thompson as part of his opening statement sort  
11 of posed the question well, if they look like this  
12 why are the companies not filing a rate case right  
13 now. Well, I think you're going to see some  
14 evidence in this case as to why the companies are  
15 not filing rate cases right now and I think not  
16 only is it a, are these kinds of things mitigating  
17 factors as they've been described in the list of  
18 issues but I think they explain why the companies  
19 are seeking treatment outside of a rate case to try  
20 to capture this one category of increasing costs  
21 when a rate case might discover that there are  
22 other categories in which costs are decreasing and  
23 that the companies are acting productively and  
24 doing what they can to try to keep their costs down  
25 in between rate cases all of which I admire, I

1 appreciate, but it sort of highlights the point  
2 that when you grant an AAO it's way outside the  
3 context of a rate case and it can have the impact  
4 of capturing increases in just a particular  
5 category when there are counterbalancing decreases  
6 in other categories and so again as Mr. Thompson  
7 said an AAO should be granted sparingly.

8                   And finally I just want to talk  
9 briefly about the Staff's conditions. I think the  
10 record in this case will reveal, and I don't want  
11 to put words in the Staff's mouth, but I think  
12 those were proposed primarily as damage control.  
13 The Staff's position like the Public Counsel  
14 position, like the position of the industrials is  
15 that the companies should not be granted the AAOs  
16 but Staff in their sort of unique role of not only  
17 advocating for a position but advising the  
18 Commission about things to do I think has taken it  
19 a step further and decided to play a little bit of  
20 what if game, so they said well, we've told the  
21 Commission that they couldn't grant an AAO and we  
22 fully expect them to do the right thing and not  
23 grant an AAO but what if the Commission gets it  
24 wrong, what if the Commission doesn't agree with us  
25 and inexplicitly for whatever reason is swayed by

1 the Company's evidence in this case and does grant  
2 an AAO. That's what the conditions are there for.  
3 The Staff is not advocating that the Commission  
4 grant an AAO and impose those conditions, rather  
5 the Staff is advocating that the Commission not  
6 grant the AAO but if the Commission does do the  
7 wrong thing and grant an AAO, these conditions  
8 would mitigate some of the damage that is done to  
9 ratepayers and to the regulatory process and I  
10 don't disagree with that, I think if the Commission  
11 does get it wrong and grant an AAO those conditions  
12 all are appropriate but I think they are a moot  
13 point if the Commission recognizes that an AAO is  
14 the right mechanism for these kinds of costs.

15 Thank you.

16 JUDGE BURTON: Thank you.

17 Next we'll here from the Missouri  
18 Industrial Energy Consumers.

19 MR. DOWNEY: Good morning, may it  
20 please the Commission. I'm Ed Downey and I  
21 represent the MIEC. Uniformly there's going to be  
22 a little duplication in my opening statement. I  
23 concur in almost all of what Mr. Thompson said and  
24 I do concur with all of what the OPC Lewis Mills  
25 said. I'm not an accountant and I'd like to

1     simplify some of these accounting issues and the  
2     way I look at them here the utilities have incurred  
3     certain transmission expenses above the amount used  
4     to set the rates. I think we all agree on that.  
5     They're asking the Commission a special accounting  
6     entry called the deferral which I must admit when I  
7     first heard that term I had no idea what it meant  
8     but what it really means is the utilities are  
9     asking this Commission for the permission to remove  
10    expenses from the current periods, from their books  
11    and records, and transfer them as an asset to be  
12    carried forward and charged future ratepayers.  
13    So what that does is that directly increases the  
14    utility's profits, their bottom line for the  
15    current periods, the periods between rate cases,  
16    and then because of the accounting standards you've  
17    heard about and you'll read about when you review  
18    the testimony there has to be a likelihood that the  
19    utilities will recover these assets from future  
20    ratepayers in the next rate case. It will look on  
21    the books like future ratepayers are not over  
22    paying, even though these deferred costs that will  
23    be charged to future ratepayers are not being  
24    incurred by the utility during the periods that  
25    they're serving these future ratepayers. Okay, the



1 deferred costs were incurred now between rate  
2 cases, they're going to be paid by future  
3 ratepayers, in addition future ratepayers are going  
4 to be paying whatever the base level of the  
5 transmission cost is. So it will look on the books  
6 and records like future ratepayers are not over  
7 paying because what they do is they book the  
8 expense as well as the asset during the periods for  
9 the future rate making. So the utilities in  
10 essence are asking for tomorrow's ratepayers to pay  
11 for today's expenses, whether today's rates are  
12 already just and reasonable, whether today's rates  
13 are already recovering all the expenses the  
14 utilities are incurring, whether today's rates are  
15 already allowing the utilities to earn their  
16 authorized return on equity that this Commission  
17 set. So all the parties other than the utilities  
18 cite case law imposing standards for granting  
19 extraordinary expense treatment and I say  
20 extraordinary because what the utilities seek is  
21 beyond the normal, it's beyond the consideration of  
22 all relevant factors. And then I would cite to you  
23 the UCCM case, that's 585 Southwest 2nd 41, there  
24 the Missouri Supreme Court acknowledged the  
25 Commission's duty is to set just and reasonable

1 rates quote, to be charged. Now that duty is  
2 statutory, you'll find it in sections 393.130, 140,  
3 150 and 270. That means the Commission must set  
4 rates prospectively. In UCCM the court recognized  
5 the question always is whether the overall rate in  
6 light of all relevant factors is just and  
7 reasonable, that's page 57. Here neither GMO nor  
8 Kansas City Power & Light has shown that with  
9 inclusion of these expenses in the current periods  
10 the existing rates are already not adequate or just  
11 and reasonable, indeed surveillance monitoring  
12 reports for GMO show that even with deferral,  
13 excuse me, even without deferral of these expenses,  
14 in other words leave the expenses on the books, it  
15 is regularly earning more than its authorized ROE,  
16 return on equity. Therefore at least for GMO the  
17 rates set in its last rate case continue to be just  
18 and reasonable even with the inclusion of these  
19 increased transmission costs, thus nothing needs to  
20 be adjusted as requested by GMO. We believe for  
21 Kansas City Power & Light we have the same  
22 circumstances. What this shows is why it is  
23 important to set rates using actual costs and  
24 revenues in test years to preserve the carefully,  
25 and this is a quote, carefully balanced fixed rate

1 system, again that's from the UCCM case. There the  
2 Supreme Court rejected the fuel adjustment clause  
3 at that time not authorized by statute, it is now,  
4 noting that quote, the rationale behind a fuel  
5 adjustment clause could be used to justify other  
6 automatic adjustment clauses and upset the delicate  
7 rate making balance. The AAO requested for in this  
8 matter is exactly the type of evil the Supreme  
9 Court sought to prevent.

10 As you review the evidence in the  
11 case I would ask you to pay particular attention to  
12 the testimony of two witnesses, MIEC witness Greg  
13 Myer and Staff witness Mark Oligschlaeger. Mr.  
14 Myer was a respected member of your staff for  
15 almost 30 years, Mr. Oligschlaeger has been a  
16 respected member of your Staff I believe for 32  
17 years. Each are experts in accounting and in  
18 particular experts in utility accounting.

19 Here's what the evidence in the case  
20 is going to show: GMO's and Kansas City Power &  
21 Light's transmission costs are increasing but  
22 they're not increasing by as much as they  
23 represented to this Commission in the last rate  
24 case. The majority of the witnesses note that AAOs  
25 have been held to be appropriate for natural

1 disaster costs such as those related to storms,  
2 floods and fires. Obviously utilities can not plan  
3 to address those types of situations. All parties  
4 except the utilities agree that the standard for  
5 granting the AAO is that the expense be  
6 extraordinary meaning unusual, unique and not  
7 recurring. We don't need to look to the dictionary  
8 for a definition of extraordinary, this Commission  
9 has set that definition and I believe that  
10 definition has been confirmed by the appellate  
11 courts. In addition the expenses need to be  
12 material. All parties again except for the  
13 utilities agree that the subject transmission costs  
14 fail to meet the applicable standard because they  
15 are usual and recurring. That is because the  
16 utilities always incur them, know they would be  
17 incurring them and can plan rate cases if increases  
18 in that cost are not offset by increases in  
19 revenues or decreases in other costs. In addition  
20 at least one witness believes that the costs are  
21 also not material. The only standard that the  
22 utilities would apply is the materiality standard  
23 which the utilities confuse with the extraordinary  
24 expense standard. According to the utility's  
25 testimony any material increase in an expense is,

1 even a planned expense, is considered  
2 extraordinary. While the utilities do not  
3 acknowledge the correct standard in this case they  
4 did acknowledge the correct standard in their last  
5 rate case. In that last rate case this Commission  
6 denied the relief requested herein in the form of a  
7 tracker finding, and this is a quote, and I'm  
8 sorry, I should have probably come up with a slide  
9 for this but I think Mr. Woodsmall will have a  
10 slide probably with this same quote. Quote, rare  
11 does not describe cost increases in the utility  
12 business generally. Specifically applicant's  
13 evidence shows the following as to transmission:  
14 Transmission is an ordinary and typical, not an  
15 abnormal and significantly different, part of  
16 applicant's activities. Also, applicants show that  
17 paying more for transmission than in the previous  
18 years is a foreseeable recurring event, not an  
19 unusual and infrequent event, thus, this is a quote  
20 within a quote, items related to effects of, and  
21 that's the close of the quote within the quotes,  
22 transmission cost increases are not rare and  
23 therefore are not extraordinary. This Commission's  
24 already addressed this issue and found against the  
25 utilities and that quote actually exposes the error

1 of the utility's assertion that this Commission  
2 really badly wanted to grant the tracker in the  
3 last rate case.

4 Now Kansas City Power & Light states  
5 that its transmission costs for 2013 were about \$5  
6 million higher than the amount used in setting its  
7 rate for GMO, that amount is 4.2 million. Rather  
8 than attempt to address this cost increase in a  
9 rate case where all relevant factors would be  
10 considered the utilities seek an AAO. Without the  
11 AAO neither today's ratepayers pay more nor do  
12 tomorrow's ratepayers pay higher rates than they  
13 otherwise would have paid unless there is a rate  
14 case where all relevant factors are considered.  
15 The AAO will lower the utility's reported expenses  
16 by the amount of the transmission cost increases  
17 and accordingly increase the utility's profits in  
18 the periods of deferral. The evidence shows that  
19 GMO even without the deferral of the 5 million  
20 increase in these costs in 2013 earned above its  
21 authorized return on equity for that part of 2013  
22 that it has so far reported. At least one witness  
23 also believes the same is true for Kansas City  
24 Power & Light. The evidence shows other relevant  
25 factors changed since the last rate case. Those

1 factors would have the impact of increasing the  
2 return on equity. The percent of common equity  
3 decreased from 52.5 percent to 49.7 percent, that  
4 means the cost of money was less than anticipated,  
5 the cost of long term debt decreased, net plant has  
6 decreased. If I were a shareholder of the utility  
7 I would ask the utility, make sure and try and get  
8 trackers and AAOs for all our costs that are  
9 increasing and let's not draw any attention to any  
10 of our costs that are decreasing. Well, some of  
11 the witnesses in this case have focused on a few of  
12 the costs that are decreasing. The non-utility  
13 witnesses note that allowing AAO for this type of  
14 expense is bad regulatory policy. Why? Well,  
15 doing so removes the utility's incentive to control  
16 its costs. There also is not the required  
17 consideration of all relevant factors as Mr. Mills  
18 and Mr. Thompson have already alluded to. Instead  
19 the Commission is forced to focus on those expenses  
20 that the utility cherry picks because they are  
21 increasing. This AAO will increase rates for  
22 tomorrow's ratepayers without reducing rates for  
23 today's ratepayers, there's no symmetry to this  
24 request.

25 In conclusion AAOs are reserved for

1 extraordinary circumstances, a known and planned  
2 increase in a regular and recurring cost such as  
3 the cost of transmission is hardly an extraordinary  
4 circumstance justifying a very likely increase in  
5 tomorrow's ratepayer's rates.

6 Thank you.

7 JUDGE BURTON: Thank you.

8 Any questions?

9 Next we'll here from the Missouri  
10 Energy Consumers Group.

11 MR. WOODSMALL: I'm ready to go now.  
12 My presentation will probably be as long as Mr.  
13 Fischer's, if you want to go now, whichever.

14 JUDGE BURTON: Why don't we go ahead  
15 and begin and I believe you need to set up a  
16 PowerPoint.

17 MR. WOODSMALL: I do and I also have  
18 something to hand out too.

19 JUDGE BURTON: Then why don't we go  
20 ahead and take a quick five minute break while  
21 you're getting this set up.

22 Thank you.

23 (RECESS TAKEN BY PARTIES)

24 JUDGE BURTON: We're back on the  
25 record and I believe that you have a presentation



1 so I'll go ahead and transfer the camera to that  
2 view.

3 MR. WOODSMALL: Thank you.

4 My name is David Woodsmall, I  
5 represent the Missouri Energy Consumers Group, I've  
6 handed out two handouts to each of you, the first  
7 one is a copy of my slides and I'd like to mark  
8 that as Illustrative Exhibit No. 1.

9 JUDGE BURTON: Okay. So marked.

10 MR. WOODSMALL: And the second one is  
11 a copy of cases and the Uniform System of Accounts  
12 applicable to this case, I'm just providing those  
13 for your convenience, they've been cited by many  
14 parties in this case so just for your convenience  
15 Illustrative Exhibit 2 if you would.

16 Thank you. Moving to my opening  
17 statement.

18 As I go through this opening  
19 statement I want you to compare my presentation to  
20 KCP&L's. While I apply as you will see a plethora  
21 of citations to Commission cases and court orders,  
22 in contrast KCP&L offered very little. This is  
23 because KCP&L's position in this case is novel and  
24 represents a radical break with Commission  
25 precedent.

1                   So let's look at what I would  
2   discuss. First off, I'm going to give you some  
3   background on this case and recent KCP&L cases so  
4   you understand what's going on. Second, I think we  
5   do a real disservice to commissioners here. They  
6   bring you out of other jobs that have nothing to do  
7   with utilities, throw you in here and expect you to  
8   make these million dollar decisions so I'm going to  
9   try to provide some background on the rate making  
10   process and from this I hope you can see why the  
11   extraordinary standard fits, why it makes sense.  
12   Third, I'll discuss how extraordinary costs are  
13   recovered, fourth I'll explain how the Commission  
14   standard for extraordinary has developed. Then  
15   I'll explain why KCP&L is here today and more  
16   importantly why Ameren and Empire are here today.  
17   Next, I'll show you the problem with extending AAOs  
18   to include recurring costs and then I will apply  
19   this problem to KCP&L and GMO's situation.

20                   Now, by way of background there are  
21   three utilities affected here today, there's KCP&L  
22   which is metro Kansas City, there's KCP&L Greater  
23   Missouri Operations, Missouri Public Service which  
24   is Lee Summit, Blue Springs, the airport and  
25   suburban Kansas City and some of rural western

1 Missouri, then there's GMO L&P which is northeast,  
2 northwest Missouri and St. Joseph. So basically  
3 this case will affect every electric customer in  
4 western Missouri. In addition to those two  
5 customer, those three utilities we have Empire and  
6 Ameren that are also here today, as you know there  
7 are other utilities and what they're doing here  
8 today is hoping to piggyback on any favorable  
9 decision in this case. As I will show later this  
10 case is a game changer. Given that Ameren is  
11 already collecting transmission costs through its  
12 FAC why do they even care about this case, they're  
13 already recovering this cost. I'll tell you,  
14 because this represents a significant change in the  
15 way utilities recovers costs. Instead of filing a  
16 rate case if a utility has increasing costs they'll  
17 just file an AAO, therefore if they're over earning  
18 as we have seen in the past a utility can still  
19 keep their over earnings, shield those from any  
20 review but still get any increasing costs through  
21 an AAO.

22 In addition we have three groups of  
23 customer, we have Public Counsel who is statutorily  
24 created and generally represents the residential  
25 customers, we have MIEC which is a group of

1 industrial customers and MECG which is also  
2 industrial customers. There's one other party here  
3 and I want you to pay particular attention to them,  
4 that's the Staff. Staff is a utility, Staff is  
5 customers, Staff is here for one reason, to assist  
6 you. They have been created to provide you an  
7 objective non-involved viewpoint on these cases.  
8 They are here for your assistance and so it's  
9 interesting when Staff takes a position and tells  
10 you this is bad regulatory policy why are they  
11 telling you that? It's not for any financial  
12 reason, it's because they believe it, that is their  
13 view to assist you.

14 Now let's look at KCP&L rate case  
15 history. In general I'm going to talk about KCP&L  
16 as all three utilities but here I'm going to show  
17 you their rate case history, and it's been lengthy.  
18 Over the last seven years you have seen five rate  
19 cases, they amount to a total of 283 million.  
20 KCP&L's rates over the last six years have gone up  
21 almost 58 percent. 58 percent over the last six  
22 years. GMO NPSs, Lee Summit. Four rate cases over  
23 the same period of time, their rights have gone up  
24 39 percent. St. Joe's rates, this is staggering,  
25 St. Joe's rates over that same period have gone up

1 65 percent. Fourth straight rate case of double  
2 digit increases. Despite those rate increases the  
3 utilities want more here. So let's put this in  
4 context for you.

5 Gasoline costs, over that same period  
6 of time gas costs have only gone up eight percent,  
7 consumer price index has only gone up 12 percent.  
8 St. Joe's electric rates have gone up 65 percent  
9 but they want more.

10 In addition to the rate increases we  
11 have seen in the context of those cases other  
12 requests from KCP&L and GMO. For instance, in June  
13 of 2007 GMO was granted a Fuel Adjustment Clause,  
14 this allows them to collect other revenues from  
15 customers for fuel costs, so when I gave you those  
16 numbers before, St. Joe's rates going up five  
17 percent, that doesn't include fuel adjustment cost  
18 revenues. So the rate increase, the increase to  
19 customer's pocket has been much greater than 65  
20 percent and then it was talked about before in the  
21 last case, KCP&L and GMO both sought a transmission  
22 tracker. So what happened with that transmission  
23 tracker? In its report and order the Commission in  
24 the last case analyzed the Uniform System of  
25 Accounts, specifically account 128.3 and general

1 instruction 7. Based upon this analysis Commission  
2 held quote, applicants have not carried their  
3 burden of proving that the Commission should order  
4 deferred recording for transmission costs. They go  
5 into more detail, the Commission did, they just  
6 didn't say you didn't meet your burden. The  
7 Commission said applicants have not proved that  
8 transmission cost increases meet that standard, the  
9 extraordinary standard. Projected transmission  
10 cost increases are not quote extraordinary, end  
11 quote, within the legal definition because they are  
12 not rare or current. Rare does not describe cost  
13 increases in the utility business generally,  
14 specifically applicant's evidence shows the  
15 following as to transmission: Transmission is an  
16 ordinary and typical, not an abnormal and  
17 significantly different part of applicant's  
18 activities. Also, applicants showed that paying  
19 more for transmission than in the previous year is  
20 a foreseeably recurring event, not an unusual and  
21 infrequent event, thus items related to the effects  
22 of transmission cost increases are not rare and  
23 therefore are not extraordinary. You guys have  
24 decided this, you've decided this exact issue just  
25 last year. Two of you were on the report and

1 order, not you two but Commissioner Stoll and  
2 Chairman Kenney were on this. KCP&L then filed for  
3 application for rehearing on January 18th, 2013  
4 telling the Commission you got this wrong, you guys  
5 need to go back and rethink this and come back  
6 again. This time you guys said no, again, second  
7 time you've told them no, this time Commissioner  
8 Kenney you were on this one so this has been heard  
9 before and decided twice by this Commission.

10 Let's move on. Topics to be  
11 discussed. We're up to the second one, I want to  
12 discuss the rate making process, I want you to  
13 understand how rates are set and why extraordinary  
14 costs aren't included. So what is the rate making  
15 process? The rate case is used to separate for  
16 recurring expenses, revenues, investment. It is  
17 focused on recurring expenses and here's a quote  
18 from a Court of Appeals case, GTE north. In it the  
19 court says that the Commission sets rates by  
20 looking at a test year and it looks at important  
21 things. Within that test year the costs must be  
22 known and measurable, also that you must maintain a  
23 proper relationship of investment revenues and  
24 expense, you will hear that talked about, the  
25 matching concept. When you look to separate you

1 compare everything for a particular period of time,  
2 you don't take revenues from one period, costs from  
3 another, rate base from another. You want to match  
4 everything together. That's important because what  
5 is happening in this case, the AAO, is a violation  
6 of the matching concept.

7 Here's a quote from the Commission's  
8 decision, you've heard it called the Sibley case  
9 referenced by Staff. Quote, rates are usually  
10 established based upon a historical test year with  
11 focuses, with focus on allowable operating  
12 expenses. Allowable operating expenses are those  
13 which recur in the normal operations of a company.  
14 And a company's rates are set for the future based  
15 upon its past experience for a test year. So what  
16 do we get from this? Rates are based upon  
17 allowable operating expenses which are recurring in  
18 the normal operations of the company. Rate cases  
19 are recurring costs, rate cases are recurring  
20 costs. That's reflected in the Uniform System of  
21 Accounts. So here's the rule of rate cases, focus  
22 on recurring costs, Uniform System of Accounts  
23 general instruction number 7. It is the intent  
24 that net income shall reflect all items of profit  
25 and loss during the period. All items, that's the



1 rule. Court of Appeals has given us some guidance  
2 on this, on looking to items outside of the test  
3 year. This is called retroactive rate making. The  
4 courts have said the utilities take the risk that  
5 rates filed by them will be inadequate or excessive  
6 each time they seek rate approval. To permit them  
7 to collect additional amounts simply because they  
8 had additional past expenses not covered is  
9 retroactive rate making. Again, Missouri rate  
10 making is based upon the use of a test year  
11 relationship of revenues, expenses and rate base.  
12 You're not supposed to look at previous past costs  
13 because that is retroactive rate making.

14 So utilities are said to take the  
15 risk that rates will be excessive or inadequate  
16 each time they file a rate case and both can  
17 happen, we've seen both happen. Here's an example  
18 of how rates can be excessive. Utilities can have  
19 windfall profits simply by decreasing costs and  
20 they can do that in many ways, for instance a well  
21 timed debt refinancing, instead of paying seven  
22 percent on some debt you refinance it, get it down  
23 to five percent, boom, windfall. It's not  
24 collected in a rate case until the next rate case.  
25 For that period of time you keep every dollar of

1 profit so it can lead to immediate over earnings.  
2 In the last KCP&L case KCP&L had an employee  
3 separation program, well before the last case they  
4 had an employee separation program. What did that  
5 do, drove payroll expense down, boom, immediate  
6 savings of \$35.4 million. 2013, right after the  
7 last case was ended, we put in debt costs, they  
8 refinanced their debt after the case was over,  
9 don't want to do it too early, you wait until the  
10 case is over so you get to keep it all, they  
11 refinanced debt, boom, \$22.8 million of profit.  
12 They kept it.

13 Here we see the scales, chances that  
14 rates are inadequate, chances that rates are  
15 excessive and you see factors on both sides. There  
16 are things that tend to make rates inadequate,  
17 you've heard the utility talk about transmission  
18 costs. Granted they're going up, they're putting  
19 pressure on rates, they tend to want to make rates  
20 inadequate. Fuel expense may go up, property taxes  
21 are going up, those all put pressure on rates but  
22 on the other side you have other factors that are  
23 tending to make rates excessive. Depreciating rate  
24 base, you earn a return on your rate base but every  
25 year you're taking depreciation on it so your rate

1 base is going down so every year that wants to  
2 drive rates down. Increasing customer accounting,  
3 if you have more customers or more customer usage,  
4 more revenues, it wants to make rates excessive.  
5 Wholesale revenues, when they go out and  
6 participate in a wholesale market they're  
7 generating wholesale revenues and those are going  
8 up. All these factors tend to make rates  
9 excessive. So if those factors on the right are  
10 more prevalent, like increasing usage, you see the  
11 rates being excessive.

12                   There's another possibility that  
13 rates can be inadequate and we've talked about a  
14 number of factors that can cause rates to be  
15 inadequate. So the items on the left, if they were  
16 more prevalent, for instance transmission costs,  
17 they would push rates to be inadequate. At any one  
18 time, this is the point of all relevant factors  
19 analysis, at any one time there are factors pushing  
20 both ways and we need to look at them all. We  
21 can't just simply look at transmission costs and  
22 determine they need to get recovery of that because  
23 rates are inadequate because as I'll show you later  
24 rates are not inadequate, right now rates are  
25 excessive.

1                   As I said Missouri rates are required  
2   to be based on a consideration of all relevant  
3   factors. As the USOA dictates leave all recurring  
4   factors in the rate making process. Bottom line  
5   utilities love the opportunity for excessive rates  
6   but they hate the risk that rates are inadequate.  
7   So that is the rate making process, remember that,  
8   recurring costs go into rates.

9                   We're on to the third point then.  
10   How are extraordinary costs recovered? Recurring  
11   costs are in rates, what do we do for extraordinary  
12   costs? Again the rule is recurring costs go in  
13   rates and we talked about the Uniform System of  
14   Accounts so that's the rule, here's the exception  
15   the USOA creates for extraordinary items: Given  
16   that rates are focused on recurring costs there's  
17   always been an issue as to how do you recover  
18   extraordinary costs if there's a storm, if there's  
19   a tornado, if there's a flood, if there's new  
20   legislation that immediately causes costs what do  
21   we do for that? It wasn't picked up in the  
22   previous rates how do we handle that? USOA general  
23   instruction 7 provides a definition for  
24   extraordinary and it tells you how to handle it.  
25   It tells you that you can create a regulatory asset

1 to be recovered later. Since rates were based on  
2 recurring costs we're now allowing a method to  
3 recover extraordinary costs, you book it as a  
4 regulatory asset, you recover it later. But the  
5 important thing to remember is that exception is  
6 only designed for extraordinary costs.

7 JUDGE BURTON: Hold on for one  
8 moment. I think the Chairman is calling in.

9 You can continue.

10 MR. WOODSMALL: Good afternoon Mr.  
11 Chairman, or morning.

12 So we're still talking extraordinary  
13 costs, again rates are only designed --

14 JUDGE BURTON: We have a little bit  
15 of delay Chairman and there's a problem with the  
16 reception.

17 CHAIRMAN KENNEY: Sorry for the  
18 interruption.

19 MR. WOODSMALL: Not a problem. If  
20 you have any questions, any of you, if you have any  
21 questions along the way stop me, I'll certainly try  
22 to answer them. You don't get this opportunity  
23 very often.

24 So again extraordinary costs are only  
25 designed, or the USOA general instruction 7 and the

1 creation of regulatory assets are only designed for  
2 extraordinary costs.

3 Under normal accounting the utility  
4 would normally be required to book those  
5 extraordinary costs when they're incurred but again  
6 general instruction 7 in the creation of regulatory  
7 assets allow this to be deferred until later and  
8 here's the definition of 182.3 and general  
9 instructor, I'm sorry, definition 31 and that's  
10 contained in the information I gave you.

11 Bottom line to the rate making  
12 process. If you take nothing else from what I tell  
13 you today it's this chart, recurring costs go into  
14 regular rate making. Extraordinary costs go into a  
15 regulatory asset, what we call an AAO. Remember  
16 that distinction because that drives everything in  
17 this case.

18 The next topic I want to talk about  
19 then. We talked about, we talked that recurring  
20 costs are captured in rates, we talked about  
21 extraordinary costs go into an AAO, the question is  
22 how do we distinguish between the two? What is an  
23 extraordinary cost? The Commission has provided  
24 lots of guidance on this. I told you before that  
25 retroactive rate making is not allowed. You're not

1 allowed generally to bring costs from a previous  
2 period and collect it in rates in the future. But  
3 isn't that what we're doing with the creation of a  
4 regulatory asset? We're capturing past costs  
5 taking them in the future, isn't that retroactive  
6 rate making? Generally it is, it would violate the  
7 term of the UCCM case. But a subsequent case  
8 carved out an exception to that. This is known as  
9 the Sibley case and I've provided it to you, it's a  
10 1993 case, it carves out an exception to  
11 retroactive rate making and it says that the  
12 Commission can do retroactive rate making so long  
13 as the costs are extraordinary. When the utilities  
14 tell you that the Uniform System of Accounts allows  
15 them to book these accounts, Uniform System of  
16 Accounts allows a lot of things. Uniform System of  
17 Accounts in Missouri must be read and be tempered  
18 by what the courts have told you so even though the  
19 Uniform System of Accounts may allow certain things  
20 the courts have told you other things. The courts  
21 have told you that retroactive rate making only  
22 allows for one exception and that is the deferral  
23 of extraordinary costs. Quote here, because rates  
24 are set to recover continuing operating expenses  
25 plus a reasonable return on investment, only an

1 extraordinary event should be permitted to adjust  
2 the balance to permit costs to be deferred for the  
3 consideration in later period.

4 The courts have told you one  
5 exception to the retroactive rate making rule,  
6 that's for extraordinary costs. USOA has to be  
7 read with that in mind, with what the courts have  
8 told you.

9 So we have a litany of cases in which  
10 the Commission has, has taken upon that and tried  
11 to determine what is an extraordinary cost. Here's  
12 a case, interesting because Mr. Fischer was on this  
13 Commission, from 1986 addressing a 1984 ice storm  
14 and the Commission talks about that it has to be  
15 extraordinary. Quote, the Commission determines  
16 that the rule against retroactive rate making does  
17 not apply to expenses incurred which are associated  
18 with extraordinary events. Such expenses are not  
19 associated with imperfectly matching of rates with  
20 expenses or a redetermination of rates already  
21 established and paid. In contrast to under  
22 recovery of fuel expenses established in previous  
23 rates which was the subject of the UCCM case ice  
24 storm expenses do not involve the question of under  
25 recovery since the previously established rates do



1 not include expenses with these extraordinary  
2 events.

3                   So here, going back 30 years, the  
4 Commission said we get it, we can only do deferrals  
5 for extraordinary costs, an ice storm, not already  
6 in rates. 1991, probably the preeminent case on  
7 extraordinary costs, again the Commission talks  
8 about the extraordinary standard under historical  
9 test year rate making, costs are rarely considered  
10 from earlier than the test year to determine what  
11 is a reasonable revenue requirement for the future.  
12 Deferral costs from one period to a subsequent rate  
13 case causes this consideration and should be  
14 allowed only on a limited basis. This limited  
15 basis is when events occur during a period which  
16 are extraordinary, unusual and unique and not  
17 recurring. The decision to defer costs associated  
18 with an event turns on whether the event is in fact  
19 extraordinary and not recurring.

20                   More recently, case decided just two  
21 months ago. Most of you were on this decision,  
22 just two months ago the Commission adopted the  
23 extraordinary standard again in an Ameren case. An  
24 AAO is a mechanism to defer an item which means to  
25 record an item to a period outside of a test year

1 for consideration in a later rate action. Items  
2 eligible for deferral include an extraordinary  
3 item, an item that pertains to an event that is  
4 extraordinary, unusual and infrequent and not  
5 recurring. So I want you to see that over the  
6 course of 30 years the Commission has consistently  
7 adopted the extraordinary standard and there are  
8 many cases in which the Commission has been asked  
9 to extend it to recurring costs and they've turned  
10 that down.

11 Let's move on, topics to be  
12 discussed. So we know what extraordinary means, we  
13 know how to treat it so what is KCP&L asking for  
14 here? It's not an extraordinary cost. As I said  
15 KCP&L has allowed recovery of an extraordinary cost  
16 in a deferral under an AAO. Extraordinary means  
17 unusual and unique and not recurring but what KCP&L  
18 is seeking here is extraordinary, not unusual, not  
19 unique and it's certainly recurring. What they are  
20 seeking is to defer a recurring cost, transmission  
21 cost, the basis for KCP&L's request, the cost is  
22 going up, that's all they had. Cost is going up.  
23 They'll tell you things about oh, we're in a new  
24 paradigm, we joined an RTO, they've been in this  
25 RTO since 1995. This is unique, every utility in

1 the nation is going through the same thing. So  
2 what is the implication of KCP&L's request if you  
3 adopted it? Every time that a utility has a cost  
4 increase they'll be here, they'll be asking you for  
5 an AAO. They don't want you looking at their rates  
6 but they don't want you forgetting about those cost  
7 increases and that is why Ameren and Empire are  
8 here. Ameren's already recovering these costs  
9 through a Fuel Adjustment Clause. Why do they  
10 care? They care because this is a game changer,  
11 this means that even though they have their current  
12 rates and may be over earning, we don't know, and  
13 they're getting a fuel adjustment clause and  
14 collecting revenues there, then that they may have  
15 this in their quiver, that if payroll goes up we  
16 don't have to let them look at our rates but we can  
17 still go out there and get that payroll increase.  
18 Anything goes up they know they can come in here  
19 and use this mechanism. That's why this is a game  
20 changer. Ameren and Empire have never been in  
21 another AAO case, they don't care when KCP&L has a  
22 storm damage and what kind of costs and how they  
23 get to recover them, they don't get into those  
24 cases so why are they here today? This is a game  
25 changer, this is bigger than rate cases, this is

1 going to have implications for years and years and  
2 years and that's why they're here. Their present  
3 here, presence here, is not by mistake.

4 Again the deferral of recurring costs  
5 violates the instructions of USOA, the Commission's  
6 extraordinary standard, the Supreme Court's  
7 prohibition against retroactive rate making and it  
8 distorts the earnings of the utility.

9 I told you before that the Commission  
10 is always held that extraordinary can't be a  
11 recurring cost. Here's an example. 2002 case,  
12 quote, the test year that the Commission has used  
13 and continues to use here for determining whether  
14 or not to grant an AAO is whether the expense to be  
15 deferred is extraordinary and not recurring.  
16 Uncollectible expenses which they wanted to defer,  
17 this company had an increase in uncollectible  
18 expenses. Uncollectible expenses are a normal  
19 ongoing cost of doing business. Both NPS and St.  
20 Joe Light & Power have a level of uncollectible  
21 expenses built into their respective rate  
22 structure. Uncollectible expenses are routinely  
23 considered in evaluation of Aquila's ordinary  
24 business operations during a general rate case.  
25 Given that it was all recurring the Commission

1 found that Aquila's uncollectible expenses  
2 resulting from the winter of 2000/2001 were not  
3 quote extraordinary, unusual, unique and  
4 nonrecurring. Commission's faced this before.  
5 Utilities have come in and asked for AAOs for  
6 recurring costs and you've always turned them down.

7 Let's move on. I want to talk about  
8 what is the problem with extending AAOs to  
9 recurring costs, why does it matter? If as they  
10 say you get to look at this in the next rate case  
11 why don't we just kick the can down the road and  
12 ignore it and let them do it in the next case. It  
13 has implications. The problem with extending AAO  
14 treatment to recurring costs is that it distorts  
15 the Company's financial situation. As the  
16 Commission has found in the Sibley case the booking  
17 of the costs in account 186 creates an asset rather  
18 than a liability and so improves the financial  
19 picture of the company for the period when the  
20 costs were booked. So what have we done? The  
21 company has earnings here of a certain level now.  
22 You take away a cost from that what's it going to  
23 mean? It's going to mean those earnings are  
24 greater. You have artificially inflated those  
25 earnings for the period in question. I'm a

1 potential investor out there. I go and I want to  
2 look at this company and decide whether to invest,  
3 what am I seeing? I'm seeing a distorted financial  
4 pick because you have allowed them to take a cost  
5 and inflate their earnings. I think the Company's  
6 worth more than it is, it distorts the financial  
7 picture. That's what the Commission says here,  
8 that it distorts the earnings for the particular  
9 period. It has another affect, second one here, or  
10 the first one. Future rates will be higher than  
11 they otherwise would be. They're taking that cost  
12 out of the equation now, current earnings go up but  
13 they're pushing it to later so what does that do to  
14 future rates when they recover it? It makes future  
15 rates higher so St. Joe customers that have already  
16 then a 65 percent rate increase in the last seven  
17 years, their rates are going to be even higher  
18 because they're going to be asked to pick up these  
19 costs even though the Company is already over  
20 earning. The company wants you to ignore that. So  
21 the AAO distorts current earnings and it means  
22 higher rates in the future.

23 So let's apply this problem to KCP&L  
24 and GMO. Treating GMO's increased transmission  
25 costs under an AAO takes away one of the biggest

1 items putting pressure on their current earnings,  
2 therefore, earnings that are already excessive will  
3 become even more excessive. And here we have it.  
4 Here we have GMO's financial picture. We have  
5 factors on the left that are putting pressure on  
6 rates to be inadequate including increasing  
7 transmission costs, but we have factors on the  
8 right that are causing rates to be excessive and  
9 right now as the evidence shows the factors on the  
10 right are winning, rates are excessive. GMO's  
11 financial picture, we know what it is so we know  
12 that rates are right now tilted to the right to  
13 being excessive. GMO wants to tilt this even more.  
14 They want to take the increasing transmission costs  
15 out of the equation, make it even more lopsided.  
16 Transmission costs are treated in an AAO, you take  
17 one of the factors off the left side the right side  
18 becomes even more prevalent.

19 CHAIRMAN KENNEY: I apologize for the  
20 interruption, I think the next slide may be highly  
21 confidential.

22 MR. WOODSMALL: It would be, yeah.

23 So this is the situation we face  
24 right now with GMO'S rates are already excessive,  
25 they want to take out one factor, make current

1 earnings even higher, rates will be even more  
2 excessive. Future costs, future rates will be  
3 higher.

4 CHAIRMAN KENNEY: If we could take  
5 that off the streaming.

6 JUDGE BURTON: Do we need --

7 MR. WOODSMALL: No, I'm not going to  
8 say anything.

9 Is there anybody in here that's not  
10 Staff or Company?

11 This is from Mr. Myer's testimony.  
12 What you see here, it's a line here which is the  
13 Company's authorized return on equity of 9.70  
14 percent. Here is a graph of GMO's earnings and  
15 this is taken from GMO documents, this isn't  
16 something we created, this is a surveillance report  
17 that they are required to get us as part of getting  
18 their fuel adjustment clause. Here we see their  
19 earnings and this is over a 12 month period. So  
20 for instance at the peak there which I believe is  
21 May of 2013, that's an average for the previous 12  
22 months. So at that point you have an ROE which it  
23 was the ROE that they earned for the previous 12  
24 months so as you can see over this period of time  
25 they are earning more than their authorized return.



1 Despite that they want you to take the increasing  
2 transmission cost off the scale and tilt it even  
3 more. What that does is raise earnings so you can  
4 see this entire graph, that will all move upwards.  
5 Increased earnings, they don't want you to look at  
6 current rates, they don't want you as Mr. Mills  
7 said to look at the efficiencies that they've  
8 already garnered, they want to keep all that but  
9 they don't want to loose the increasing  
10 transmission costs.

11 Okay. We can.

12 The final point, KCP&L argues that  
13 Commission is not bound by the extraordinary  
14 standard, KCP&L argues that the Uniform System of  
15 Accounts allows you to create a 182.3 regulatory  
16 asset whenever you want to. You notice KCP&L never  
17 talked about any case law. They didn't tell you  
18 that the Supreme Court's decision on retroactive  
19 rate making limits everything the Uniform System of  
20 Accounts says. Uniform System of Accounts is  
21 created by an entity in Washington, they don't rule  
22 in Missouri, you do. You decide what's best for  
23 Missouri, you decide when regulatory assets should  
24 be created, not some group in Washington that says  
25 what, that puts out what the Uniform System of

1 Accounts is and you've decided repeatedly,  
2 repeatedly over the last 30 years only for  
3 extraordinary events. They want you to come in and  
4 say flush all that down the toilet, forget the  
5 logic of all that, they latch on to one little  
6 piece from a previous order that says we can do  
7 what we want, we have discretion to do whatever we  
8 want. That's not true. Stick to the logic that  
9 you've shown for 30 years, only allow it for  
10 extraordinary costs.

11 Now it's interesting, Ameren jumped  
12 into this case, and as I told you Ameren's here  
13 because they're looking to piggyback on this,  
14 they're looking to use this for other situations.  
15 Ameren just recently had an AAO case of their own  
16 and in their brief that they filed in that case  
17 Ameren said several things that I think are right  
18 on target and let me read you a couple of these.  
19 Ameren says looking at the Uniform System of  
20 Accounts including general instruction 7 Ameren  
21 says interpreted together as they must be, these  
22 provisions reveal several important principles  
23 regarding the mechanism the USOA has created for  
24 the deferral of extraordinary events. Those  
25 principles must be clearly understood in order to

1 properly evaluate and rule on Ameren's request.  
2 The first one. Quote, although the general rule is  
3 that items of profit and loss that occur in the  
4 same period must for accounting and regulatory  
5 purposes be reflected in that period for purposes  
6 of determining earnings. The USOA has created an  
7 exception to that rule for extraordinary items and  
8 has created a special accounting mechanism for  
9 dealing with such items. Ameren's told you  
10 extraordinary. Second point. The USOA created a  
11 mechanism to defer extraordinary items so that they  
12 can be considered for possible inclusion in rates  
13 in a future period with one purpose in mind, to  
14 enable a utility to protect its earnings. Third  
15 point, expenses, revenues, gains and losses are all  
16 legitimate candidates for deferral under 182.3.  
17 Indeed these very words are included in the USOA's  
18 definition of regulatory assets. General  
19 instruction number 7 defines extraordinary items to  
20 include all items of profit and loss and the  
21 description of account 182.3 similarly speaks in  
22 terms of all items which would have been included  
23 in net income. They repeatedly talk about  
24 extraordinary items. Finally, fourth point. In  
25 order to qualify as extraordinary under the USOA an

1 event or transaction must satisfy each of the four  
2 criteria identified in general instruction number  
3 7. The event or transaction must be one, of  
4 unusual nature and frequent occurrence, two,  
5 significant event, three, abnormal and  
6 significantly different from the ordinary and  
7 typical activities of the utility and fourth, not  
8 reasonably be expected to recur in the foreseeable  
9 future. So while they're saying here that you have  
10 discretion just months ago they told you  
11 extraordinary, and they told you what extraordinary  
12 is and it's certainly not recurring and it's  
13 certainly not things that are in the ordinary and  
14 typical activities of the utility. So Ameren's  
15 told you this and you ruled upon their last  
16 decision with that in mind.

17 Let's get to a conclusion. I'm  
18 sorry, this is, I told you the Commission's  
19 discretionary standard must be limited by the  
20 retroactive rate making and other decisions of the  
21 Court of Appeals. So the conclusion here, KCP&L's  
22 AAO request one, it violates the Uniform System of  
23 Accounts of including all recurrent costs in  
24 current financials. Second thing, it violates the  
25 Commission in USOA's extraordinary standard for

1 regulatory assets. Third, it violates the  
2 prohibition against retroactive rate making. Four,  
3 it misleads investors by inflating current  
4 earnings. Fifth, it increases future ratepayer's  
5 rates that have already suffered from 60 percent  
6 rate increases over the last six years. Mr. Mills  
7 hit on this, we're not seeking to deny them  
8 recovery of these costs, we're just telling you  
9 there's already an established way to get recovery  
10 of these costs, that's a rate case. Tell them to  
11 file a rate case. If they want recovery of these  
12 costs and they believe their rates are inadequate  
13 file a rate case. They know when to do it, they  
14 showed you a chart that showed we know when the  
15 rate, when the cost increases are coming, file a  
16 rate case in advance of hitting that cost increase.  
17 That's all we're saying. We'll give them recovery  
18 of these costs, file a rate case and show that you  
19 need it in the context of all relevant factors  
20 where we can look at their decreasing cost of debt,  
21 their decreasing rate base, their increasing off  
22 system sales and all the other factors that are  
23 working against them.

24 Bottom line, as we've shown KCP&L or  
25 GMO is over earning so they don't want to file a

1 rate case. That said they still want to get  
2 recovery of this increasing item so they want to  
3 treat this single item in a vacuum and ignore their  
4 over earnings. Bottom line for you, tell them to  
5 file a rate case.

6 If you have any questions I'll be  
7 happy to answer them.

8 JUDGE BURTON: Thank you. Any  
9 questions from the bench?

10 Okay.

11 MR. WOODSMALL: Thank you.

12 JUDGE BURTON: I'm currently showing  
13 that it's 11:30. How long do the parties expect to  
14 have for cross examination as an estimate for KCP&L  
15 and GMO's witness Ryan Bresette?

16 MR. THOMPSON: Half hour.

17 JUDGE BURTON: So the Staff would  
18 require a half hour or for all --

19 MR. THOMPSON: I would imagine we can  
20 all finish with Mr. Bresette in a half hour. Just  
21 guessing.

22 JUDGE BURTON: Would the other  
23 parties concur?

24 MR. WOODSMALL: Bresette very little.

25 JUDGE BURTON: Okay. In that case

1     why don't we go ahead and proceed and allow the  
2     applicants to call their first witness.

3                     MR. STEINER: Call Ryan Bresette.

4                     (Whereupon, the witness was sworn)

5                     DIRECT EXAMINATION

6     QUESTIONS BY MR. STEINER:

7                     **Q.     Please state your name for the**  
8     **record.**

9                     A.     Ryan Bresette.

10                    **Q.     Who are you employed by and what's**  
11     **your position?**

12                    A.     I'm employed by Kansas City Power &  
13     Light and I am an assistant controller.

14                    **Q.     And did you cause to be filed in this**  
15     **case direct testimony which has been marked as KCPL**  
16     **Exhibit 1?**

17                    A.     Yes.

18                    **Q.     Do you have any changes to make to**  
19     **that testimony?**

20                    A.     No, I do not.

21                    **Q.     If I were to ask you the questions**  
22     **that are contained in that testimony today would**  
23     **your answers be the same as are contained in KCPL**  
24     **Exhibit 1?**

25                    A.     Yes.

1           Q.       Are the answers contained in KCPL  
2   Exhibit 1 true and correct to the best of your  
3   information, knowledge and belief?

4           A.       Yes, they are.

5                   MR. STEINER: Your Honor I'd like to  
6   offer KCPL Exhibit 1 into evidence and would tender  
7   this witness for cross examination.

8                   JUDGE BURTON: Okay.

9                   Are there any objections?

10                  Okay. KCPL Exhibit 1 has been  
11   offered and admitted.

12                  We now can begin with cross. I  
13   believe that's Ameren's witness.

14                  MR. LOWERY: No questions Your Honor.

15                  JUDGE BURTON: Thank you.

16                  Empire.

17                  MR. COOPER: No questions.

18                  JUDGE BURTON: Okay. Staff?

19                  MR. THOMPSON: Thank you Judge, just  
20   a little bit.

21                  JUDGE BURTON: Mr. Thompson.

22                  MR. THOMPSON: Judge I request leave  
23   to examine here from counsel table?

24                  JUDGE BURTON: I'm sorry?

25                  MR. THOMPSON: I request leave to



1 examine from counsel table rather than the podium.

2 JUDGE BURTON: You may.

3 MR. THOMPSON: Thank you, Judge.

4 CROSS EXAMINATION

5 QUESTIONS BY MR. THOMPSON:

6 Q. Am I correct in understanding you to  
7 be an accountant?

8 A. Yes, sir.

9 Q. Are you a certified public  
10 accountant?

11 A. I do not have an active license, I  
12 did pass the CPA exam in the state of Missouri.

13 Q. Very well.

14 Now Mr. Bresette, would you agree  
15 with me that normally the rules that apply to the  
16 accounting at KCP&L and GMO would require expenses  
17 to be recorded in the period in which they are  
18 incurred?

19 A. Yes, I would agree with that.

20 Q. So would you agree with me that the  
21 deferral that the companies are seeking here today  
22 is a deviation from the normal accounting rules?

23 A. No, I do not agree with that  
24 statement because FAS 71 and the Uniform System of  
25 Accounts allow for the utilities to seek recovery

1 of expenses. And the Commission has broad  
2 discretion to grant recovery or potential recovery  
3 of costs.

4 Q. Okay. In the absence of an order  
5 from the Commission can the Company defer those  
6 expenses?

7 A. Absent an order, no, we are not able  
8 to because we have to be able to get to a  
9 probability threshold that we would be able to  
10 recover those costs in future rates.

11 Q. Now, do you agree with the  
12 application filed in this case -- first of all let  
13 me ask you if you've seen it or read it?

14 A. I have.

15 Q. Okay. And would you agree with me  
16 the application states the position that the  
17 Commission misunderstood and misapplied general  
18 instruction number 7 in the Company's last rate  
19 case?

20 A. Yes. I would agree that in the last  
21 rate case the Commission made an inappropriate  
22 linkage between general instruction 7 and FERC  
23 account 182.3 whereby the Commission stated on page  
24 29 through 31 I believe of its order that the  
25 Commission already had the ability to track those

1 costs but the language in that order was not  
2 sufficient enough for the Company to record as a  
3 regulatory asset.

4 **Q. Very good. Thank you.**

5 MR. THOMPSON: No further questions.

6 JUDGE BURTON: Thank you.

7 Next Office of Public Counsel.

8 MR. MILLS: Just a few. Thank you.

9 CROSS EXAMINATION

10 QUESTIONS BY MR. MILLS:

11 **Q. Mr. Bresette you cite to ASC 980 in**  
12 **your testimony, is that correct?**

13 A. Yes, sir.

14 **Q. And in particular on page 3 of your**  
15 **testimony you talk about two requirements in ASC**  
16 **980 being probable future recovery and that, that's**  
17 **in lines 1 through 3, and then second at lines 4 to**  
18 **5 the regulator's intent, do you see that**  
19 **reference?**

20 A. Yes, sir.

21 **Q. How for the purposes of ASC 980 do**  
22 **you determine the regulator's intent?**

23 A. The regulator's intent is specified  
24 as the language that's in the order and so in our  
25 application we ask for the Commission to allow us

1 to defer the incremental costs above and beyond the  
2 base rates in a regulatory asset or likewise if the  
3 costs are decreasing as a regulatory liability.

4 **Q. But that's simply about deferral.**  
5 **How do you from that infer the regulator's intent**  
6 **for recovery as you talk about on lines 4 and 5 of**  
7 **page 3?**

8 A. Yeah. So when the regulator, or when  
9 the Commission grants permission to further those  
10 costs in a regulatory asset or a regulatory  
11 liability the Company would look at past history  
12 with the Commission and similar trackers that have  
13 been received and the recovery of those and that  
14 would provide sufficient evidence for management to  
15 assert and the external auditors to agree that we  
16 would get future recovery in our future rates.

17 **Q. Okay. So let me ask you if this is a**  
18 **fair way to paraphrase: Because the Commission has**  
19 **in the past always allowed recovery of deferred**  
20 **expenses if the Commission were to allow deferral**  
21 **in this case that would allow you to assert to your**  
22 **external auditors that the Commission is likely or**  
23 **probable to allow recovery in this case.**

24 A. That is certainly a precedent we  
25 would look at of what the Commission is allowed to

1 recover in rates, absolutely.

2 Q. Okay.

3 Now, you have not cited all of the  
4 various subparts of ASC 980 in your testimony, is  
5 that correct?

6 A. That's correct, I only cited the  
7 pertinent facts as associated with this case.

8 Q. Are you aware that ASC 980 only  
9 allows carrying costs for capital expenditures?

10 A. I have not recently reviewed ASC 980  
11 in that detail in preparing for this case.

12 Q. Well, let me ask you this: Are the  
13 amounts that the Company seeks to defer in this  
14 case, are those capital expenditures or expense  
15 items?

16 A. They are expense items.

17 Q. Okay. So if the ASC 980 specifically  
18 restricted carrying costs to capital expenditures  
19 then carrying costs would not be appropriate for  
20 the amounts you seek to defer in this case, is that  
21 correct?

22 A. I don't necessarily agree with that  
23 because with other trackers that we have in place  
24 we record carrying costs on those as well. That  
25 would normally be expense items. So this would be

1 consistent with the Company's previous positions  
2 and treatment by the Commission as well.

3 **Q. Regardless of what ASC 980 says you**  
4 **think the previous practice of the Company**  
5 **controls?**

6 A. I think the actions of the Commission  
7 by authorizing us to earn a return on that  
8 regulatory asset is what governs our regulatory  
9 record keeping.

10 **Q. So if the Commission were in its**  
11 **order allowing deferral to specify something that**  
12 **is otherwise not allowed by ASC 980 you believe**  
13 **your outside auditors would allow you to treat it**  
14 **the way the Commission has?**

15 A. I believe if the Commission so orders  
16 the Company to record carrying costs on our  
17 transmission AAO then our external auditor at our  
18 weighted average cost of capital which we would  
19 have requested then our external auditors would be,  
20 they would agree with the recording of carrying  
21 costs on that regulatory asset.

22 **Q. Despite what ASC 980 says?**

23 A. Again I think it's what the  
24 Commission orders us to do because we are under the  
25 control of the Missouri Public Service Commission

1 and Kansas Commission.

2 Q. Okay.

3 MR. MILLS: That's all the questions  
4 I have.

5 JUDGE BURTON: Thank you.

6 Next MIEC.

7 MR. DOWNEY: No cross.

8 JUDGE BURTON: And Mr. Woodsmall?

9 MR. WOODSMALL: Very little.

10 CROSS EXAMINATION

11 QUESTIONS BY MR. WOODSMALL:

12 Q. Mr. Bresette in your testimony you  
13 indicate you were responsible for leading the  
14 Company's monthly forecasting and annual budgeting  
15 process, is that correct?

16 A. Yes, sir, it is.

17 Q. Does this responsibility include both  
18 annual Cap Ex and operating budgets?

19 A. Yes, it does.

20 Q. Okay. And would you, would your  
21 annual operating budget include transmission costs?

22 A. Yes, it does.

23 Q. And do you rely on SPP forecasts in  
24 creating these operating budgets?

25 A. That is a data input into our

1 process.

2 Q. And from what group or individual  
3 does that information come from?

4 A. It goes from our generation group.

5 Q. Is that Mr. Carlson?

6 A. Yes, sir.

7 Q. Okay. And how far out into the  
8 future do you budget?

9 A. We currently work on a five year  
10 plan.

11 Q. And for purposes of including  
12 transmission costs in that five year plan you're  
13 relying on SPP forecasts, is that correct, as part  
14 of it?

15 A. Yes, sir.

16 Q. Okay. In this case KCP&L is seeking  
17 to implement a mechanism to capture changes in  
18 transmission costs, is that correct?

19 A. Yes.

20 Q. Is it your opinion that the Uniform  
21 System of Accounts would allow for the creation of  
22 an AAO or tracker to capture changes in KCP&L's  
23 transmission costs, is that correct?

24 A. Yes. And the definition of 182.3 and  
25 254 of the regulatory liability, what we would



1 record in that act is based on what the Commission  
2 orders us to set up as probable or future recovery.

3 Q. Would the Uniform System of Accounts  
4 allow for the creation of a similar AAO or tracker  
5 to capture changes in other costs?

6 A. Yes. If so ordered by the  
7 Commission.

8 Q. Okay. Would the Uniform System of  
9 Account allow for the creation of a similar AAO or  
10 tracker mechanism to capture change in revenues?

11 A. Again 182.3 and 254 are designed for  
12 the Commission, the commissioners to have the  
13 digression to instruct the Company on what costs  
14 should be recovered in future proceedings or  
15 returned to customers.

16 Q. Again would the Uniform System of  
17 Accounts allow for the creation of an AAO or  
18 tracker to capture changes in revenues?

19 A. I don't think that 182.3 or 254  
20 limits the commissioner's ability of whether it's  
21 expense or revenues.

22 Q. So the answer to my question is yes?

23 A. Yes, sir.

24 Q. Okay. So for instance if KCP&L's off  
25 system sales have gone up since the last case the

1 Commission could under USOA create an AAO to  
2 capture those changes, isn't that correct?

3 A. Yes.

4 Q. And the Commission could under USOA  
5 implement an AAO to capture decreases in KCP&L's  
6 debt costs, is that correct?

7 A. Yes. And the Company would have to  
8 substantiate as well.

9 MR. WOODSMALL: No further questions.

10 JUDGE BURTON: Thank you.

11 Chairman do you have any questions?

12 CHAIRMAN KENNEY: No thank you.

13 JUDGE BURTON: Commissioner Kenney?

14 COMMISSIONER KENNEY: No.

15 JUDGE BURTON: Commissioner Hall?

16 COMMISSIONER HALL: None. Thank you.

17 JUDGE BURTON: Seeing that there's no  
18 questions from the bench let's see if there's any  
19 redirect?

20 MR. STEINER: Just a moment Your  
21 Honor.

22 JUDGE BURTON: Okay.

23 MR. STEINER: I have no questions.

24 JUDGE BURTON: All right. Thank you.

25 You may be excused.

1 MR. BRESETTE: Thank you.

2 JUDGE BURTON: I have it as currently  
3 11:44. Did the parties wish to go ahead and  
4 continue with direct for the next witness or take a  
5 break for an hour for lunch?

6 MR. WOODSMALL: I have no questions  
7 for him, so that may help.

8 MR. FISCHER: We're at your  
9 discretion Judge.

10 JUDGE BURTON: Okay. Staff or OPC?

11 MR. THOMPSON: We have some.

12 MR. FISCHER: We can go ahead and try  
13 to get him done if you'd like.

14 MR. THOMPSON: Staff has very little  
15 for Mr. Carlson.

16 JUDGE BURTON: Why don't we go ahead  
17 with John Carlson.

18 (Whereupon, the witness was sworn)

19 DIRECT EXAMINATION

20 QUESTIONS BY MR. FISCHER:

21 Q. Please state your name and position  
22 with the company.

23 A. My name is John Carlson and I work as  
24 an originator for KCP&L.

25 Q. Are you the same John Carlson that

1     caused to be filed in this case two pieces of  
2     testimony, direct testimony that's been marked as  
3     KCPL Exhibit 2 and surrebuttal testimony which has  
4     been marked as KCPL Exhibit 3?

5             A.       That is correct, yes.

6             Q.       Do you have any changes you need to  
7     make to the testimony?

8             A.       I do not.

9             Q.       If I were to ask you the questions  
10    that are contained in those pieces of testimony  
11    today would your answers be the same?

12            A.       Yes, they would.

13            Q.       And are they true and correct?

14            A.       Yes, they are.

15                    MR. FISCHER: Judge I would move for  
16    the admission of KCPL Exhibits 2 and 3 and tender  
17    the witness for cross examination.

18                    JUDGE BURTON: Okay. Are there any  
19    objections?

20                    All right. Then KCP&L's Exhibit 2  
21    and Exhibit 3 have been offered and admitted.

22                    Ameren Missouri your witness.

23                    MR. LOWERY: No questions Your Honor.

24                    JUDGE BURTON: Empire?

25                    MR. COOPER: No questions.

1 JUDGE BURTON: And Staff?

2 MS. HAMPTON: Just a few.

3 CROSS EXAMINATION

4 QUESTIONS BY MS. HAMPTON:

5 Q. Mr. Carlson I'm just going to ask you  
6 a few questions for clarity sake, the first has to  
7 do with the transmission zones. In your direct  
8 testimony you stated that two of the 17  
9 transmission pricing zones currently under the SPP  
10 open access tariff belong to KCP&L and GMO, is that  
11 correct?

12 A. I believe that's correct, yes.

13 Q. Are these local pricing zones?

14 A. Yes, they are.

15 Q. And I'd also like to ask you about  
16 schedules JRC dash 1 and JRC dash 2 of your direct  
17 testimony. Your testimony describes the evolution  
18 of SPP's funding methodologies including not only  
19 the base funding methodology but also the balanced  
20 portfolio and the highway byway cost allocation  
21 methods, is that correct?

22 A. That's correct.

23 Q. But the titles of your two schedules  
24 are both titled Base Planning Funding Costs, is  
25 that right?

1 A. That's correct.

2 Q. So are those two schedules limited to  
3 only the base plan funding methodology or do they  
4 include data for the balance portfolio and highway  
5 byway methodologies?

6 A. So base plan funding is sort of a  
7 generic term for all of the expansion projects so  
8 in this case yes, they include all of the expansion  
9 projects, base plan funding, balance portfolio.

10 MS. HAMPTON: No further questions.

11 JUDGE BURTON: Thank you.

12 Office of Public Counsel?

13 CROSS EXAMINATION

14 QUESTIONS BY MR. MILLS:

15 Q. Mr. Carlson if you're still there on  
16 JRC schedules 1 and 2, let me ask you this: When,  
17 sort of in the future and to the right of where  
18 these schedules show, when do you anticipate that  
19 these costs will return to the test year levels in  
20 the last rate case, or do you?

21 A. SPP is, this is just a slice of the  
22 projection from SPP. The projection actually goes  
23 out years longer due to the amortization of these  
24 projects, these large scale projects so I don't  
25 know the exact year but it's farther out, it might

1 be 2030, it might be 2040, I don't recall the exact  
2 projection of the schedule but it's farther out  
3 than what's shown in here.

4 **Q. But you anticipate that in 2030 or**  
5 **2040 that these expenses will go back to the 2011,**  
6 **2012 test year levels?**

7 A. Given that this is an extraordinary  
8 build-out of a system that we haven't seen  
9 historically all indications are that once these  
10 projects are amortized you'd see a decline in that  
11 expense. Will it get to the 2011, 2012 test year,  
12 I can't say for sure.

13 **Q. So there's some decline but you don't**  
14 **know if it would ever go back to the test year**  
15 **levels.**

16 A. I can't say that it will for sure but  
17 it should given that these projects will be paid  
18 for over time and then you wouldn't see an  
19 investment at this level, we wouldn't expect to see  
20 the same investment at this level from a region  
21 wide perspective that we have.

22 **Q. You don't foresee additional regional**  
23 **transmission expenses in the future that are not**  
24 **currently contemplated?**

25 A. No, there will be regional projects

1 that will come in as additional transmission  
2 service is approved by SPP, you will have projects  
3 that are at various voltage levels I think as  
4 described in my testimony, depending on the voltage  
5 level you'll see those regional, those projects  
6 allocated, those costs allocated regionally. So  
7 you'll still see some of those but the very large  
8 increase in a short period of time in this  
9 expansion effort you probably won't see for the  
10 near future. This is an unprecedented type  
11 build-out of a system.

12 Q. Thank you.

13 MR. MILLS: No further questions.

14 JUDGE BURTON: Mr. Downey?

15 MR. DOWNEY: No cross.

16 MR. WOODSMALL: No questions.

17 JUDGE BURTON: Chairman do you have  
18 any questions?

19 CHAIRMAN KENNEY: Just a couple.

20 EXAMINATION

21 QUESTIONS BY CHAIRMAN KENNEY:

22 Q. Can you hear me Mr. Carlson?

23 A. Yes, I can.

24 Q. I like your tie.

25 A. I was told to watch out in case you



1     were here, so.

2             **Q.**       Well, you did a fine job.

3                       So here's my question: How does KCPL  
4     **currently recover its transition related costs?**

5             A.       Those are recovered through rates.

6             **Q.**       Okay. And so is the distinction that  
7     KCP&L's application is drawing between what it's  
8     trying to recover through the AAO, what it's trying  
9     to defer to the AAO and what it typically recovers,  
10    is that the nature of the current crop of projects  
11    that SPP is offering are extraordinary or is there  
12    some other distinguishing factor?

13            A.       They are extraordinary and in the  
14    magnitude of the investment is much larger than  
15    we've seen historically or that we've had to  
16    operate in our normal what I'll call ordinary  
17    business practices prior to these projects coming  
18    into fruition.

19            **Q.**       So there's nothing peculiar about  
20    transmission costs generally, it's just the nature  
21    and extent of the most recent projects that SPP has  
22    approved.

23            A.       That's correct.

24            **Q.**       Okay. Thank you.

25                       CHAIRMAN KENNEY: No other questions.

1 JUDGE BURTON: I just have a quick  
2 question.

3 EXAMINATION

4 QUESTIONS BY JUDGE BURTON:

5 Q. Looking at your JRC 1 and JRC 2, do  
6 those include any sort of FERC incentives from  
7 Transource Missouri or were those already excluded?

8 A. Those do not include any incentives  
9 for Transource.

10 COMMISSIONER KENNEY: I do have a  
11 question now. I remembered my question earlier.

12 EXAMINATION

13 QUESTIONS BY COMMISSIONER KENNEY:

14 Q. It's just that, and it's just  
15 curiosity, why is GMO projected just an expansive  
16 increase from 2001 to 2002?

17 A. And I think you're referring to JRC  
18 2.

19 Q. Yes.

20 A. Those out years, the 2022 to 24,  
21 those represent a set of projects that were  
22 initially projected to come into effect I believe  
23 in the 2016 to 2020 time frame and because of  
24 various factors the timing of those projects being  
25 completed and then billed to SPP members has been

1 pushed off so you see this dramatic spike.

2 Q. But it's on GMO not KCP&L.

3 A. That's true. Some of those projects  
4 might be zonally allocated depending on the voltage  
5 level of those projects so they might be allocated  
6 more directly to GMO than to KCP&L.

7 Q. So just the timing.

8 A. It's more of a timing.

9 Q. Okay. Thank you.

10 JUDGE BURTON: I did have one more  
11 question.

12 EXAMINATION

13 QUESTIONS BY JUDGE BURTON:

14 Q. These are just projections, correct?

15 A. Yes, the bar chart shows projections  
16 from SPP, the first three years are actuals that we  
17 have seen and then the line item, the lines on the  
18 chart show previous projections to give an  
19 indication of how they've changed over time.

20 Q. What would you say are the likelihood  
21 for these projections? Are they just simply  
22 estimates?

23 A. So I think as has been discussed  
24 previously we haven't seen the exact level of SPP  
25 projections come to fruition yet. In conversations

1 with SPP that's more of a timing issue than  
2 anything else so the projects are going to come,  
3 the expenses are going to hit but they're just not  
4 hitting yet. Various factors are coming into play  
5 such as projects being deferred, those types of  
6 issues that are causing projects to be pushed off  
7 but the expenses will come.

8 **Q. But is it possible the numbers are**  
9 **going to be lower?**

10 A. It is possible, yes.

11 **Q. Okay. Thank you.**

12 JUDGE BURTON: Any recross based on  
13 the questions from the bench?

14 MR. WOODSMALL: Briefly.

15 JUDGE BURTON: Okay.

16 CROSS EXAMINATION

17 QUESTIONS BY MR. WOODSMALL:

18 **Q. You were asked a question from the**  
19 **Chairman about whether your charts in JRC 1 and 2**  
20 **include costs associated with Transource, is that**  
21 **correct?**

22 A. That's correct.

23 **Q. And you said it wouldn't include**  
24 **those costs associated with Transource, is that**  
25 **correct?**

1 A. That's correct.

2 Q. How, if Transource builds a  
3 transmission line how do they recover the cost of  
4 that?

5 A. So in that case assuming Transource  
6 builds an SPP project that met requirements for  
7 regional allocation in that case there could be an  
8 allocation for KCPL and KCPL GMO. So if I  
9 misstated that, you're correct, in that case there  
10 could be an allocation from a Transource project.  
11 Best of my knowledge that hasn't been included in  
12 these projections but there are 100 different, 100  
13 plus different projects shown in this projection  
14 but you are correct, that could happen.

15 Q. Okay. So JRC 1 and 2 may include  
16 Transource costs, you just don't know at this  
17 point, is that correct?

18 A. That's correct.

19 Q. Okay. And if FERC allows Transource  
20 a higher ROE than what the Missouri Commission  
21 would have allowed those costs as included would be  
22 higher, is that correct?

23 A. As I understand it that would be  
24 correct, yes.

25 Q. Okay.

1 MR. WOODSMALL: No further questions.

2 JUDGE BURTON: Any other cross?

3 Redirect?

4 MR. FISCHER: Yes.

5 REDIRECT EXAMINATION

6 QUESTIONS BY MR. FISCHER:

7 Q. Mr. Carlson Judge Burton asked you I  
8 think whether these were forecasts or actuals, do  
9 you recall that?

10 A. Correct.

11 Q. Does the AAO that you're requesting  
12 in this case deal with forecasts in any way?

13 A. No, it does not.

14 Q. Would you explain how that works?

15 A. So the AAO is only asking for our  
16 actual costs so the projections can be what they  
17 are, if we come in a little lower, if we come in a  
18 little higher we're still only asking for the  
19 actual costs incurred.

20 Q. Okay. And I believe the chairman  
21 asked you whether there was something peculiar  
22 about the SPP build-out, do you recall that  
23 question?

24 A. I do recall that.

25 Q. And would you elaborate on your

1     **answer to that?**

2           A.       Just historically speaking prior to  
3     the 2010, 2011 time frame when some of these larger  
4     projects started coming into, built on the system  
5     KCPL would manage their system, build their system  
6     on a zonal base for our customers as needed, we  
7     would provide upkeep of the system in various ways,  
8     whether it was reconductoring, whether it was  
9     switch gear maintenance, general maintenance on our  
10    particular zonal system. Once SPP started  
11    implementing a region wide cost allocation model  
12    and 2005, 2006 time frame they then implemented a  
13    process to look at the whole region of SPP and  
14    developed the balanced portfolio projects, in 2009  
15    I believe is when they were approved and what we're  
16    just now seeing is those projects from the balanced  
17    portfolio being built, constructed, finalized and  
18    now allocated regionally to customers and that's  
19    why you're seeing this extreme increase in expense  
20    for KCPL and GMO.

21           **Q.       Is that unusual or ordinary?**

22           A.       No, it's not ordinary, it is unusual,  
23    it's not consistent with our ordinary historical  
24    way of doing business. This build-out is on levels  
25    not seen ever to my knowledge. I think we've

1 likened it to the build-out of the interstate  
2 highway system in the '50s, it's very much an  
3 extraordinary event.

4 Q. Mr. Mills asked you about when you  
5 expected I think costs to return to the test year  
6 levels in the last rate case. Do you recall those  
7 questions?

8 A. I do.

9 Q. Would you expect this AAO to remain  
10 in effect if it's approved by the Commission into  
11 2030 or 2040?

12 A. Assuming our costs were such that  
13 they continue to increase well above levels seen in  
14 rates I could see a scenario where that would be  
15 the case but, you know, if we get this recovery and  
16 we start getting more of these projects and rates I  
17 don't, I mean I'm not necessarily an expert to talk  
18 about whether we would keep the AAO for that long  
19 or not.

20 Q. What's your understanding of when the  
21 prudence of these expenses would be reviewed?

22 A. In our next rate case.

23 Q. And that would be whenever you file  
24 the next rate case.

25 A. That's correct.



1           Q.       Okay. Thank you.

2                   MR. FISCHER: That's all I have  
3 Judge.

4                   JUDGE BURTON: All right. Thank you.  
5 You're excused.

6                   It's currently 12 o'clock so why  
7 don't we go ahead and take an hour for a lunch  
8 break and then we'll resume with the final witness  
9 for the applicant.

10                  We'll now go off the record.

11                  (WHEREUPON, LUNCH RECESS WAS TAKEN)

12                  JUDGE BURTON: Let's go ahead and go  
13 back on the record in file number EU dash 2014 dash  
14 0077. At this time I'd like to remind everyone to  
15 please turn off your cell phone or any electronic  
16 devices and recall that if you have any witnesses  
17 who may be discussing highly confidential  
18 information to review the room for anyone who might  
19 not be subject to the nondisclosure agreement as  
20 well as notify the bench so we can make sure to go  
21 in camera.

22                  Now at this time I believe Mr.  
23 Steiner you had a --

24                  MR. STEINER: Yeah, I was inquiring  
25 about Mr. Bresette and Mr. Carlson, they finished

1 their testimony, ask that they could be excused so  
2 they could begin the car ride home?

3 JUDGE BURTON: Are there any  
4 objections to witnesses Bresette and Carlson being  
5 permanently excused from this hearing today?

6 Okay. In that case they're excused.

7 MR. STEINER: Thank you.

8 JUDGE BURTON: And now applicants can  
9 call their third witness, I believe it's Mr. Ives?

10 MR. FISCHER: That's correct, Judge.

11 (Whereupon, the witness was sworn)

12 JUDGE BURTON: Your witness.

13 DIRECT EXAMINATION

14 QUESTIONS BY MR. FISCHER:

15 Q. Please state your name and position  
16 with the company.

17 A. My name is Darrin Ives and I'm the  
18 vice-president for regulatory affairs for KCP&L.

19 Q. Are you the same Darrin Ives that  
20 caused to be filed in this case direct testimony  
21 which has been marked KCPL Exhibit 4 and  
22 surrebuttal testimony which has been marked as KCPL  
23 Exhibit number 5?

24 A. I am.

25 Q. Do you have any changes or

1     **corrections you need to make to that testimony?**

2             A.       I do. We provided a response to a  
3     data request 4 from Staff and that's resulted in  
4     some changes to my direct testimony.

5             **Q.       Okay. Would you go through those so**  
6     **that we could follow?**

7             A.       Sure. The first one is on page 4,  
8     line 14 towards the end of that line where it says  
9     accounts 560, 561, the account 560 should be  
10    stricken, we've removed that from our request.

11            Then on the next page, on page 5 --  
12    these are all related to the same change, there's a  
13    table at the top of that page 5, that line that has  
14    account 560 and two amounts for end rates, one for  
15    KCPL, one for GMO and two amounts for a 2013  
16    forecast, one for each company, that line should be  
17    stricken from that table.

18            **Q.       That's all the way across from 560 to**  
19    **each of the next five columns?**

20            A.       That's correct.

21            **Q.       Okay.**

22            A.       That results in new totals for the  
23    table. The total that's in the first end rates  
24    column for KCPL-MO should now read 19,098,983, the  
25    next column over, the 2013 forecast column for

1 KCPL-MO should read 24,033,07. Two more columns  
2 over the In Rates column for GMO should now read  
3 12,315,646 and the last column, GMO 2013 forecast  
4 total should be 16,857,013.

5 The last changes that I have and it's  
6 all related to this same issue, it's on line 6 on  
7 that same page we list what the regulatory asset  
8 would be recorded for the incremental difference  
9 and it's all based on the difference in the total,  
10 total columns in the table above so the first  
11 number, 4,873,572 should be changed to 4,934,034  
12 and the second number which is for GMO, the  
13 4,284,528 should now read 4,541,367. And again we  
14 provided this in a DNR response to parties but this  
15 account 560 after further review is primarily  
16 internally incurred charges, labor and things like  
17 that and our determination was that should not be  
18 part of the tracker, that should be part of the  
19 general rate case true-ups and updates.

20 Q. Are there any other changes you need  
21 to make?

22 A. No there are not.

23 Q. With those change in mind if I were  
24 to ask you the questions that are contained in  
25 Exhibits 4 and 5 today would your answers be the

1     **same?**

2             A.       They would.

3             **Q.       And are they accurate to the best of**  
4     **your knowledge and belief?**

5             A.       They are.

6                     MR. FISCHER:  Judge I'd move for the  
7     admission of KCPL Exhibit 4 and KCPL Exhibit 5 and  
8     tender the witness for cross.

9                     JUDGE BURTON:  Are there any  
10    objections to KCPL Exhibit 4 being admitted into  
11    the record?

12                    Hearing none it is offered and  
13    admitted.

14                    And are there any objections to KCPL  
15    Exhibit 5 being admitted?

16                    Hearing none it's been offered and  
17    admitted into the record.

18                    And then any cross for Ameren?

19                    MR. LOWERY:  No, Your Honor.

20                    JUDGE BURTON:  Empire?

21                    MR. COOPER:  Nothing.

22                    JUDGE BURTON:  Staff?

23                    MR. DOTTHEIN:  Yes, thank you.

24

25

1 CROSS EXAMINATION

2 QUESTIONS BY MR. DOTTHEIN:

3 Q. Good afternoon Mr. Ives.

4 A. Good afternoon.

5 Q. Mr. Ives typically as part of KCPL  
6 and GMO entering into stipulations and agreements  
7 to continue to participate in the Southwest Power  
8 Pool have both companies agreed to perform cost  
9 benefit studies regarding continued participation  
10 in an RTO or independent coordinator of  
11 transmission?

12 A. Yes, I think that's typical. We've  
13 provided them an advance of dockets that have been  
14 addressing continued participation and in the last  
15 ones that we had for both companies I think we  
16 agreed to provide an updated one in 2017 which  
17 would be the next time we would put that in front  
18 of the parties.

19 Q. Okay. And if I could refer you to  
20 your surrebuttal testimony which I think is Exhibit  
21 5, if I could refer you to page 25 of your  
22 surrebuttal testimony. Line 19 where you make  
23 reference to a 2011 submittal of an interim report  
24 on RTO participation.

25 A. I see it.

1 Q. Okay.

2 May I approach the witness?

3 JUDGE BURTON: You may.

4 Q. (BY MR. DOTTHEIN) Mr. Ives I'm going  
5 to hand you what I represent is a cover pleading  
6 with about 40 pages of that 2011 interim report  
7 that was submitted on September 11, I believe --  
8 excuse me, September 30, 2011 and I'd like to ask  
9 you a question or two. And if you'd please just  
10 take a look at the document. The first six pages  
11 are a cover pleading which accompanied, which I'll  
12 represent accompanied the interim report and I've  
13 attached approximately 40 pages, the first 40 pages  
14 of the interim report. The first page of the  
15 interim report is labeled Kansas City Power & Light  
16 Company and KCPL Greater Missouri Operations  
17 Company, interim report in accordance with  
18 stipulations and agreements, case numbers EO dash  
19 2006-0142 and EO dash 2009 dash 0179.

20 A. I see it.

21 Q. Okay. Do you recognize those  
22 documents?

23 A. I have seen these documents.

24 Q. Okay. And I'd like to direct you in  
25 particular to page 2 of the cover pleading,

1 paragraph 4. And I'm going to read paragraph 4.

2 For both companies together the  
3 projected annual net benefits of participating in  
4 SPP vary from approximately negative 4 million in a  
5 low case to positive 50 million in the high case  
6 yielding a mid point net benefit of about 23  
7 million per year. These numeric results do not  
8 capture the full range of benefits that are and can  
9 be achieved through SPP membership because many of  
10 the benefits are not readily quantifiable.

11 Did I read that accurately?

12 A. Yes, you did.

13 Q. And again, I'd like to refer you to  
14 page 25 of your surrebuttal testimony, lines 18 to  
15 20 where you state, in the 2011 submittal of their  
16 interim report on RTO participation KCPL and GMO,  
17 that is G-M-O, relied heavily on studies that had  
18 been previously produced by other entities.

19 I'd like to refer you to the actual  
20 interim report itself, to page 1, section 1 of the  
21 executive summary. And the very last sentence on  
22 the bottom of the page that continues on to the  
23 next page, and it states, does it not, the overall  
24 benefit cost results were developed using a  
25 combination of existing benefit cost studies and



1 new analyses performed by the companies to estimate  
2 and project the net benefits associated with the  
3 various Regional Transmission Organization, paren  
4 RTO, close paren, service and cost categories.

5 Did I read that accurately?

6 A. That's what it says.

7 Q. Okay. Thank you. And again you've I  
8 think indicated that the, there were two cases last  
9 year involving KCPL and GMO's applications for  
10 continued participation in the Southwest Power  
11 Pool, were there not?

12 A. There were, that's what this report  
13 and this study's about and that's what the studies  
14 and the aggregation were geared towards was, were  
15 those cases.

16 Q. And the Commission authorized the two  
17 companies to continue to participate for an interim  
18 period to September 30, 2018, if you recall?

19 A. They did. I think the parties,  
20 actually I think the parties came to agreement and  
21 proposed a settlement, the Commission then  
22 authorized the approval of that settlement.

23 Q. And I think you've indicated as part  
24 of that settlement the companies are going to do,  
25 or perform another cost benefit study.

1           A.       We are. We did agree to that and I  
2 believe the study will be conducted in 2017, you  
3 know, at the time that that settlement was entered  
4 the thought was it should be a few years before  
5 that study's done because it is a time consuming,  
6 cost intensive study that doesn't make sense to  
7 review annually or that frequently. So 2017 I  
8 think was the timetable.

9           **Q.       Mr. Ives are you familiar with the**  
10 **Ameren Missouri fuel adjustment clause?**

11          A.       I'm aware that they have one and I  
12 understand it at a fairly high level. I have not  
13 reviewed their tariff or components of it in  
14 detail.

15          **Q.       I'd like to refer you to your direct**  
16 **testimony which I believe is Exhibit 4, page 12,**  
17 **lines 14 to 15.**

18          A.       I'm there.

19          **Q.       You state there, do you not, as a**  
20 **matter of fact Ameren UE has a fuel clause that**  
21 **includes the costs identified in this application.**

22                   Did I read that accurately?

23          A.       You did.

24          **Q.       And I'd like to next direct you to**  
25 **page 13 of your direct testimony, lines 12 to 13.**

1           A.       I'm there.

2           Q.       And you state there initially Ameren  
3   Missouri recovers its transmission costs through  
4   its Missouri FAC.

5                   Did I read that accurately?

6           A.       That's what I stated.

7           Q.       Okay. And I'd like to refer you back  
8   to your surrebuttal testimony, page 12, line 17 to  
9   23, if you'd just refer to that and also page 21,  
10   line 11, page, to page 22, line 24 of your  
11   surrebuttal testimony. I mean you also refer at  
12   those portions of your surrebuttal testimony to the  
13   fact that Ameren Missouri has an FAC and is  
14   collecting transmission costs through its FAC, do  
15   you not?

16          A.       That's a good summary of what those  
17   areas that you pointed out discuss.

18          Q.       As part of the stipulation and  
19   agreement respecting the KCPL alternative  
20   regulation plan which addressed the environmental  
21   retrofit of the Iatan 1 generating unit and the  
22   construction of the Iatan 2 generating unit, KCPL  
23   agreed among other things not to seek a fuel  
24   adjustment clause prior to June 1, 2015, did it  
25   not?

1           A.       I might have misheard your words but  
2   I think the words were, it said we would not seek  
3   to utilize a fuel adjustment clause by June 1st of  
4   2015. I don't have it in front of me but that's my  
5   recollection.

6           Q.       All right. If you bear with me a  
7   moment.

8                    May I approach the witness?

9                    JUDGE BURTON: You may.

10          Q.       (BY MR. DOTTHEIN) Mr. Ives I'm going  
11   to hand you what I will represent is a copy of the  
12   stipulation and agreement in case number  
13   EO-2005-0329. The stipulation and agreement itself  
14   being generally referred to as the KCPL regulatory  
15   plan.

16                    I'd like to refer you to page 7. The  
17   section that's labeled C, Single Issue Rate  
18   Mechanism.

19          A.       I'm there.

20          Q.       Do you recognize that section?

21          A.       I do.

22          Q.       Okay. Would you read the first  
23   sentence into the record?

24          A.       Sure. First sentence in that section  
25   C, Single Issue Rate Mechanisms says, KCPL agrees

1 that prior to June 1, 2015 it will not seek to  
2 utilize any mechanism authorized in current  
3 legislation known as SB 179 or other change in  
4 state law that would allow riders or surcharges or  
5 changes in rates outside of a general rate case  
6 based upon a consideration of less than all  
7 relevant factors.

8 Now, what is your understanding of  
9 that sentence?

10 A. My understanding of that sentence is  
11 that as it says we won't seek to utilize any rider  
12 mechanisms, anything that will change customer  
13 rates outside of a general rate case without what's  
14 called relevant factors. Just to be clear my  
15 understanding of that is that we're not allowed to  
16 get deferrals that will be considered at a future  
17 time in a general rate case.

18 Q. Okay. Thank you.

19 And Mr. Ives to be clear I did not  
20 mean to infer that that section applied to KCPL's  
21 and GMO's application for an Accounting Authority  
22 Order that is now pending before the Commission.  
23 My question was in regards to what is commonly  
24 referred to as a fuel adjustment clause such as  
25 Ameren Missouri has and such as GMO has which was

1 provided for by SB 179.

2 Mr. Ives, have you read the Ameren  
3 Missouri Statement of Positions?

4 A. I believe I did read them when they  
5 first came out, I think I read all the statements  
6 of positions at least in summary.

7 May I approach the witness?

8 JUDGE BURTON: You may.

9 Q. (BY MR. DOTTHEIN) Mr. Ives I'm going  
10 to hand to you a copy of Statement of Positions of  
11 Ameren Missouri.

12 A. Thank you.

13 Q. I'd like in particular, and take your  
14 time looking at the document, but I'd like to refer  
15 you in particular to page 3 under issue 6 which  
16 addresses the Staff's, which sets out the Staff's  
17 seven conditions and I'd like to direct you to the  
18 Ameren Missouri Statement of Position under Staff  
19 Condition 1. And Staff Condition 1 is that the  
20 deferral reflects both transmission revenues and  
21 expenses and thereby be based upon the level of net  
22 transmission costs experienced by KCPL and GMO and  
23 the Ameren Missouri position is while Ameren  
24 Missouri's fuel adjustment clause includes both  
25 transmission revenues and expenses KCPL and GMO

1 have articulated a sound and fair justification for  
2 deferring only transmission expenses which the  
3 Commission should carefully consider.

4 Did I read that accurately?

5 A. That is their stated position.

6 Q. Okay. And is it your understanding  
7 that the Ameren Missouri's fuel adjustment, fuel  
8 adjustment clause includes both transmission  
9 revenues and expenses?

10 A. It's my understanding that it does  
11 include transmission customer expenses like the 565  
12 expenses and transmission revenues, yes.

13 Q. Mr. Ives are you aware that  
14 Southwestern Bell Telephone Company and Union  
15 Electric Company d/b/a Ameren Missouri had earnings  
16 sharing plans in effect for several years in the  
17 1990s at the Missouri Commission based on the  
18 calculation of both of those utility's return on  
19 common equity for a 12 month period?

20 A. I think it's fair to say I'm aware  
21 that in the '90s there were a couple of earnings  
22 sharing mechanisms in place. I'm not sure that I  
23 was aware of the companies and I believe that as  
24 I've heard it they were difficult to implement and  
25 difficult to utilize and there aren't any any

1 longer in the state.

2 Q. Mr. Ives, the Commission has not  
3 adopted a standard for granting AAOs, has it, other  
4 than one based on extraordinary, unusual, unique,  
5 nonrecurring material events?

6 A. No, I'm not aware of a standard in  
7 the Commission's regulations or in statutes that  
8 address AAOs. They have utilized that criteria in  
9 some prior orders. They've also issued an order as  
10 I put in my testimony that says there is no  
11 standard and that they have brought discretion to  
12 allow that. And I've also got testimony in about a  
13 number of deferrals that are on utility's books  
14 that I would assert do not meet that criteria for  
15 nonrecurring or unusual.

16 Q. And the examples you just referred  
17 to, are those in your list of, that is attached to  
18 your surrebuttal testimony as a schedule?

19 A. That's the set of examples I was  
20 referring to.

21 Q. Mr. Ives KCPL and GMO are requesting,  
22 are they not, deferral of all costs other than  
23 you've just I think at the beginning of your  
24 testimony classified account 560 but KCPL and GMO  
25 are requesting deferral of all costs allocated to



1    **them by SPP that do not relate to specific regional**  
2    **transmission projects besides costs that do relate**  
3    **to specific regional transmission projects, is that**  
4    **true?**

5           A.       I'm not sure that I understand that  
6    question but what we're asking for is the  
7    transmission customer costs that we incur that are  
8    in the accounts that are listed in the table of my  
9    testimony. Those accounts include charges from SPP  
10   for base plan funding and also some fees for  
11   services, those accounts also include charges  
12   related to transmission that we obtained from other  
13   RTOs, MISO would be an example of that, and from  
14   other utilities. Both KCPL and GMO have a small  
15   handful of grandfathered agreements that they incur  
16   transmission expense from.

17           **Q.       KCPL and GMO are requesting deferral**  
18   **of SPP administrative costs and SPP FERC assessment**  
19   **fees, are they not?**

20           A.       Yes, they are. Those are on  
21   schedules from SPP that would be included in those  
22   accounts on my list.

23           **Q.       Are those two items related to**  
24   **regional transmission projects?**

25           A.       Those two items are related to

1 operation of the RTO so broader than in those  
2 circumstances just regionally funded transmission  
3 projects. So it's inclusive of administrative  
4 costs for regional transmission projects but also  
5 other costs that are incurred.

6 **Q. SPP is involved in things or service**  
7 **functions other than regional transmission**  
8 **projects, is it not?**

9 A. It does. SPP has functional control  
10 of the transmission systems for its members, you  
11 know, amongst some other responsibilities. The SPP  
12 is a for profit the way it's established so the  
13 fees are intended to make sure that dollars that  
14 they incur in their provision of service are  
15 recovered from their members.

16 **Q. Are the non-regional transmission**  
17 **projects or activities that SPP is involved in**  
18 **extraordinary, unusual, unique, nonrecurring and**  
19 **material?**

20 A. I would say the ongoing operations  
21 and the fees associated that from SPP are  
22 recurring, they are intended to recover their  
23 costs. They certainly are increasing so we could  
24 talk about material or not and some of that is a  
25 result of maturing as an RTO, I mean they are

1 putting in systems, they're moving to a new market.  
2 They are creating infrastructure to serve all their  
3 stakeholders well so they're ongoing but maybe in a  
4 growth cycle right now.

5 Q. Mr. Ives, assuming KCPL and GMO meet  
6 with success in this proceeding in KCPL's and GMO's  
7 next rate cases will they seek AAOs or trackers for  
8 the period between that rate case and their next  
9 rate cases or -- pardon me for interrupting you.  
10 I'm trying to get some idea as to the grand plan.  
11 If the Commission agrees with KCPL on a going  
12 forward basis as to how KCPL plans to address these  
13 matters because it appears from your testimony that  
14 KCPL and GMO are indifferent to AAOs or trackers so  
15 long as they get the money and so I was hoping that  
16 you might be able to give the intervenors and the  
17 commissioners an idea as to KCPL and GMO's  
18 preferred manner of proceeding.

19 JUDGE BURTON: Excuse me Mr.  
20 Dotthein, could you please speak into the  
21 microphone? I'm having difficulty hearing you.

22 Q. (BY MR. DOTTHEIN) I hope you might  
23 be able to provide some idea of what is KCPL and  
24 GMO's preferred manner of proceeding, whether that  
25 is trackers or AAOs between cases or how would KCPL

1 and GMO on an ongoing basis or when June 15, 2015  
2 arrives does KCPL and GMO intend at that time to  
3 seek fuel adjustment clauses?

4 MR. MILLS: That may be the longest  
5 question ever asked.

6 MR. DOTTHEIN: I'm sorry, I wish I  
7 were more skilled.

8 A. I think there's a lot there but let  
9 me see If I can answer your question.

10 You mentioned that we're indifferent  
11 to -- I'll try to break it in part in pieces.  
12 Indifferent to an AAO or tracker. I think that's  
13 right from our perspective because we don't see it,  
14 a distinguishable difference between the two. I  
15 believe that under the US of A deferrals to  
16 regulatory assets whether established by an AAO, a  
17 tracker, inside a rate case, outside a rate case  
18 are all governed by the definitions in account 182.  
19 So I don't see a large difference. I think you're  
20 doing the same thing, you're applying US of A  
21 guidance on 182 to set deferrals.

22 The broader part of your question I  
23 think was what are we going to do perspectively. I  
24 don't have the rock solid answer to that today, I  
25 don't have a definitive case timetable set, I don't

1 have a definitive case design set yet. There are a  
2 lot of things to go into building a rate case and a  
3 lot of analysis that has to occur to go through  
4 that. Based on our projections and the projections  
5 from SPP and the fact that we see, you know,  
6 according to Mr. Carlson's testimony a 16 percent  
7 annual rise on average between now and 2022 on  
8 transmission expenses we'll be asking for a  
9 solution. We can't sustain that as some parties  
10 have suggested by just filing traditional rate  
11 cases. Best case scenario even filing a  
12 traditional rate case there's going to be 11  
13 months, on the day you got new effective rates  
14 there'd be 11 months until the next one, that's 11  
15 months of lag with 16 percent analyzed growth rate,  
16 that's a problem for us and it's material to us so  
17 whether it's a continuation of a deferral,  
18 inclusion in a fuel adjustment clause like Ameren  
19 has we'll have to consider that as we're putting  
20 the case together but we'll need a solution.

21 Q. Mr. Ives, how confident are you in  
22 your list of AAO cases?

23 A. I'm confident that I included a list.  
24 I have not reviewed each and every of the borders  
25 and details in each of those and certainly probably

1 don't have near the knowledge as Mr. Oligschlaeger  
2 or people who have participated in many of those.  
3 I did not participate in most of those.

4 MR. DOTTHEIN: I'd like to have  
5 marked as an exhibit a, an AAO case that's not on  
6 Mr. Ives' list and --

7 JUDGE BURTON: What would be the  
8 exhibit number?

9 MR. DOTTHEIN: Pardon?

10 JUDGE BURTON: What would be the  
11 exhibit number?

12 MR. DOTTHEIN: 4.

13 JUDGE BURTON: Okay.

14 MR. DOTTHEIN: And judge, I don't,  
15 you know, for briefing purposes or what have you I  
16 don't know, I imagine at one point we will talk  
17 about this as to how you might want, whether you  
18 consider this need, whether it needs to be marked  
19 or what have you but --

20 JUDGE BURTON: Is it an order that  
21 you're asking the Commission to take official  
22 notice of?

23 MR. DOTTHEIN: Yes, but it is, I'm  
24 sorry to get into this dialogue but it's also  
25 unusual because I've just discovered that EFIS is

1 complete. There's a transcript that is in EFIS.

2 JUDGE BURTON: Okay. Do you have  
3 copies for all the parties here today?

4 MR. DOTTHEIN: Yes.

5 JUDGE BURTON: Why don't we go ahead  
6 then and mark it as an exhibit and if you'd like to  
7 offer it after presenting it to the other parties  
8 to review.

9 MR. DOTTHEIN: I have various, it's  
10 not just the orders, it's various documents. I  
11 will explain why.

12 The reason why in particular it's got  
13 the attachments is when you get into for example --

14 MR. LOWERY: I can't hear you back  
15 here.

16 JUDGE BURTON: Can you please speak  
17 into the microphone?

18 MR. DOTTHEIN: The reason I've got  
19 attachments marked with the order itself is when  
20 you get into Staff conditions such as when should  
21 the amortization start --

22 JUDGE BURTON: I'm going to go ahead  
23 and stop you real quick. Let me have an  
24 opportunity for the attorneys, for the parties to  
25 review this and then if Staff would look to offer

1 it let's see if there are any objections.

2 MR. DOTTHEIN: Fine.

3 So if the parties will just let me  
4 know when they've had a chance to review.

5 MR. WOODSMALL: I have no objection  
6 to this case.

7 MR. DOWNEY: No objection here  
8 either.

9 MR. MILLS: No objection.

10 JUDGE BURTON: Mr. Fischer or  
11 Steiner?

12 MR. FISCHER: No objection.

13 JUDGE BURTON: In that case Staff  
14 Exhibit 4 has been offered and admitted.

15 You may proceed.

16 Q. (BY MR. DOTTHEIN) In trying to  
17 address the Staff's conditions, a number of them,  
18 when does the amortization start carrying charges,  
19 many of the AAOs don't go for hearing, they are --

20 JUDGE BURTON: I'm going to stop you  
21 real quick.

22 Mr. Dotthein we still have a witness  
23 on the stand. Is this a question that you're  
24 directing to that witness?

25 MR. DOTTHEIN: No.



1 JUDGE BURTON: Then why don't we go  
2 ahead and just continue with the questions.

3 MR. DOTTHEIN: All right. At some  
4 point I would like to address this matter though.

5 JUDGE BURTON: Okay.

6 MR. DOTTHEIN: All right? Because it  
7 will deal, I think it should be approached for  
8 purposes if nothing else for briefing when we get  
9 to it.

10 JUDGE BURTON: Okay.

11 MR. DOTTHEIN: Okay? All right.

12 Q. (BY MR. DOTTHEIN) Mr. Ives if we go  
13 back to your surrebuttal testimony I do not have  
14 very many questions left. If we could go to page  
15 11, lines 8 to 9 where you state it is the  
16 Company's opinion that if it put a case together  
17 today the Company would likely demonstrate it  
18 currently has a revenue deficiency.

19 Did I read that accurately?

20 A. That's correct.

21 Q. Okay. Mr. Ives, if GMO can  
22 demonstrate that it has a revenue deficiency why  
23 hasn't it filed a rate case?

24 A. I wouldn't assert that just because  
25 there is a period in time revenue deficiency or on

1 the flip side a period in time revenue in excess of  
2 earned returns based on actual results that there's  
3 anything that you do about that. You need to look  
4 at the totality of your operating conditions and  
5 environment. A lot of thought, a lot of work goes  
6 into development of a rate case and a decision to  
7 ask customers for additional revenue requirement.  
8 We look at that and there are, there are pluses and  
9 minuses but I would tell you that over, in the last  
10 rate case when I put testimony in on this topic I  
11 provided an exhibit that had 20 years worth of  
12 surveillance reports for KCP&L all of which showed  
13 we were not earning our authorized return. We  
14 didn't file a rate case in each of those 20 years.  
15 I mean we have to balance what the right thing is  
16 to do for customers, shareholders, all  
17 constituencies.

18 **Q. Mr. Ives, would KCPL or GMO file a**  
19 **rate increase case solely on the basis of**  
20 **increasing transmission costs?**

21 **A.** I think it depends on the magnitude.  
22 We've got a table here that shows that they may  
23 increase 16 percent a year if it's not this year  
24 then maybe next year when it's, you know, that much  
25 larger than what's in rates or two years, at some

1 point we would have no option or we would be so far  
2 under earning our shareholders and investors  
3 wouldn't stand for it.

4 Q. Mr. Ives one of the Staff conditions,  
5 or the only Staff condition that the Company has  
6 indicated that it has no problem with is the  
7 condition where the Commission would state in its  
8 order that no rate making determination is being  
9 made by the Commission but at the same time the  
10 Company wants the condition to make the  
11 determination that carrying charges would be  
12 awarded and set what those carrying charges would  
13 be and also determine that the amortization would  
14 start only when rates go into effect. If the  
15 Commission puts in language that there are no rate  
16 making determinations being made is it your  
17 understanding that the Commission would be making  
18 those decisions on when amortization would start  
19 and that there would be carrying charges, what the  
20 carrying charges would be from only an accounting  
21 perspective?

22 A. That's kind of a long question but I  
23 think your question is can the Commission provide a  
24 carrying cost on a deferral and not start  
25 amortization until a next general rate case and

1 rates are effective from that and still not be  
2 making a rate making determination.

3 Q. Yes.

4 A. Absolutely, I think that's right. I  
5 mean a rate making determination in my mind is  
6 something that impacts rates that are going in  
7 under a tariff for customers. The carrying costs  
8 that would be set in this order would be set and  
9 deferred, the prudence of that and the evaluation  
10 of that and the impact on rates for customers will  
11 occur in the next general rate case when that's all  
12 considered for amortization. Same with the  
13 amortization, there's no change in rates today for  
14 that, it would happen in the context of a general  
15 rate case when all of those factors, prudence and  
16 otherwise are considered for that so I think it's  
17 absolutely aligned.

18 Q. Is, under your thinking is the  
19 Commission free, in the rate case free to change  
20 to -- and I understand Mr. Ives that you're not an  
21 attorney, I'm not asking you a legal opinion, I'm  
22 asking you your opinion from the accounting  
23 perspective, from your professional perspective  
24 which is not a legal one. If the Commission makes  
25 the decision in the AAO order that there will be

1 carrying charges and sets the rate for the carrying  
2 costs is the Commission free, and it makes the  
3 determination that the amortization will start when  
4 new rates go into effect, is the Commission free in  
5 the next rate case to change any of those  
6 parameters?

7 A. Yes, I think the Commission has broad  
8 discretion to consider evidence in that case and  
9 make the determination. Our position I'm sure  
10 would be that we were able to demonstrate that  
11 these are prudent, prudently incurred costs and  
12 they represent transmission, transportation of  
13 electricity and the costs associated for the time  
14 lag. Other parties might differ and I think the  
15 Commission would have the discretion to make their  
16 determination based on what's in the record.

17 Q. Mr. Ives is it possible for KCPL to  
18 prepare surveillance reports using the same  
19 approach and format that GMO uses to prepare its  
20 reports for fuel adjustment clause purposes?

21 A. We have not put one together, I  
22 believe it's possible. It's probably complicated  
23 by the fact that we have a Kansas jurisdiction in  
24 KCPL and we have a number of allocation factors and  
25 things that we may all have to discuss and work

1 through to come to agreement on the right format  
2 and approach for that but I'm sure it's possible.

3 Q. Thank you Mr. Ives. I'm sorry if my  
4 questions have been confusing.

5 A. It was fine. Thank you.

6 JUDGE BURTON: Okay. Mr. Mills?

7 MR. MILLS: Yes, thank you.

8 CROSS EXAMINATION

9 QUESTIONS BY MR. MILLS:

10 Q. Let me start by following up with  
11 something I think you and Mr. Dotthein just  
12 discussed. It's your opinion that if the  
13 Commission were to grant your request in this case  
14 that would not be a rate making action, is that  
15 correct?

16 A. That's correct.

17 Q. And also with respect to the  
18 surveillance data that GMO provides currently under  
19 the FAC rule and that KCPL does not, if KCPL were  
20 to seek and be granted authority to use a Fuel  
21 Adjustment Clause you're aware that KCPL would have  
22 to supply that kind of surveillance data, correct?

23 A. I know there's a standard under the  
24 rule, I don't know the exact format.

25 Q. And is it KCPL's intention to seek to

1     **operate with a Fuel Adjustment Clause once it's**  
2     **free from the restrictions in the regulatory plan?**

3           A.       Based on the impact that fuel has on  
4     us and has over the last few years yes, I'm sure we  
5     will.

6           Q.       And at that time you're, it would be  
7     your intention to comply with the FAC rules,  
8     correct?

9           A.       Absolutely. We're with the parties I  
10    think on the reporting.

11          Q.       Now, with respect to the list of AAO  
12    cases you've got attached to your surrebuttal  
13    testimony can you tell me which of those cases  
14    dealt with costs that are expected to ramp up in  
15    the future and then remain at an elevated point for  
16    decades into the future?

17          A.       There are standards of energy costs  
18    might be one that has the potential to be an  
19    ongoing cost for a period of time for utilities in  
20    the state. There are deferrals here for pensions  
21    and OPEBs, those are state elevated levels and  
22    could go higher over a number of years.

23          Q.       At the time that those were granted  
24    it's your testimony that both of those expenses  
25    were expected to remain at elevated levels for

1     **decades?**

2             A.       It would have been my expectation  
3     that pensions and OPEBs would be elevated for a  
4     long time. I'm not sure what the parties thought  
5     that entered the agreement.

6             **Q.       Other than those two?**

7             A.       106 is listed there, transmission  
8     lease is down towards the bottom of the page, I  
9     expect the transmission leases may be for an  
10    extended period of time but I'm not familiar with  
11    the details of that specific one.

12            **Q.       So you don't know how long those**  
13    **transmission leases were.**

14            A.       I don't.

15            **Q.       Anything else?**

16            A.       I'm scrolling through. There are  
17    items here for main replacements, I'm not as  
18    familiar with the water and the gas business but I  
19    am aware that main replacements and infrastructure  
20    replacements have been a long term issue and  
21    continue to be a long term issue for those  
22    utilities so those may very well be consistently  
23    elevated costs.

24            **Q.       Now, were you in the room when Mr.**  
25    **Bresette was on the stand?**



1 A. I was.

2 Q. And do you agree with his assessment  
3 that under ACS 980 that there has to be a reason  
4 for a utility to represent to its outside auditors  
5 that there is a probable chance of recovery of  
6 items that are deferred pursuant to an Accounting  
7 Authority Order in order for those to be deferred?

8 A. Yes, I think that's in my testimony  
9 as well.

10 Q. Okay. And I know you and I may have  
11 some disagreement over whether or not this is the  
12 case but to the extent that the costs that you seek  
13 to defer in this case are different from most other  
14 AAOs granted in this state would an outside auditor  
15 be confident in relying on the Commission's past  
16 treatment of deferred expenses given that these  
17 costs are different?

18 A. You're right, we might disagree on  
19 the first part of that question but I'm confident  
20 and I'm confident after discussion with Mr.  
21 Bresette and others that for this item if we were  
22 to receive Commission's approval to defer that we  
23 would, that would be allowed by our external  
24 auditors.

25 Q. So you believe that you could in good

1     **faith represent to your outside auditors that**  
2     **simply because the Commission approved this AAO**  
3     **means that its probable that a future commission**  
4     **will allow recovery.**

5             A.       I don't think it's simply because of  
6     the approval, I think it's because of the approval  
7     and because of our understanding and demonstration  
8     of the types of costs that are being deferred, the  
9     fact that they're prudent and they are costs that  
10    are incurred in the provision of service to our  
11    customer. I think they would consider that and  
12    other factors as well.

13            **Q.       Okay.**

14                   MR. MILLS: Those are all the  
15    questions I have.

16                   JUDGE BURTON: Thank you.

17                   Mr. Downey?

18                               CROSS EXAMINATION

19    QUESTIONS BY MR. DOWNEY:

20            **Q.       Good afternoon.**

21            A.       Good afternoon.

22            **Q.       I'm Ed Downey, I represent the MIEC.**

23                               **I'm going to turn to you for a little**  
24    **bit here.**

25            A.       Okay.

1           **Q.**       When you were visiting with Mr.  
2   Dotthein and he asked you why the Company didn't  
3   file a rate case instead of this AAO action.

4           A.       I remember that discussion.

5           **Q.**       And you said because the Company  
6   runs, and I'm going to paraphrase, an all relevant  
7   factors analysis, is that right?

8           A.       That's generally right. I mean we  
9   look at the totality of what's going on in the  
10   company and not just what's happening to us and  
11   what the impacts are and have been to customers and  
12   what our returns are, a number of factors. It's an  
13   involved process.

14          **Q.**       Right. And the Company did that and  
15   it made a determination not to file a rate case at  
16   that time, correct?

17          A.       At this point, yeah, we've made a  
18   determination not to file a rate case.

19          **Q.**       And instead you filed this AAO  
20   action, correct?

21          A.       We did. In large part because of  
22   what we felt like the language in the order set out  
23   of our last rate case.

24          **Q.**       Okay. You're a CPA as I recall,  
25   correct?

1 A. I am.

2 Q. I'm going to ask you some very  
3 fundamental accounting questions which I'm sure are  
4 going to be no problem for you.

5 I think in your testimony you said as  
6 revised now that there was an increase in 4.8  
7 million transmission expenses in 2013 for Kansas  
8 City Power & Light, or is it 4.9 million? I forget  
9 the exact number.

10 A. Those are the ones we just changed, I  
11 believe.

12 Q. Okay.

13 A. It's in that range, I can find the  
14 exact number for you.

15 Q. I think I've got it, hold on, I'll  
16 help you.

17 A. It's on page 5 of my direct.

18 Q. Okay. And what was it for Kansas  
19 City Power & Light?

20 A. Well, as revised it's 4.9 million and  
21 for GMO it's 4.5 and what that represents just so,  
22 just so we're on the same page is it's the  
23 difference from what's in rates out of our last  
24 case for the accounts that we're requesting to be  
25 considered for deferral compared to what the 2013

1 forecast was at the time I put this testimony  
2 together which was eight months of actuals in 2013  
3 and four months of forecasts. So that's the  
4 comparison that generates the 4.9 and the 4.5.

5 Q. Okay. 4.9 and \$4.5 million was for  
6 2013 for the two companies and that is the amount  
7 that the transmission costs for the Southwest Power  
8 Pool exceeded the expense that was used to set the  
9 rate, correct?

10 A. Yeah, that's the comparison, yes.

11 Q. Now let's go to the accounting  
12 question. That expense is already factored into  
13 the books on the income statement for those  
14 companies, right?

15 A. For 2013 it is --

16 Q. For 2013, yes.

17 A. It is in the income statement as  
18 transmission expense. In the accounts that are  
19 identified in my testimony.

20 Q. Okay. And if you are successful in  
21 this case and the Commission allows a deferral,  
22 those expenses will come off the income statement,  
23 correct, for 2013?

24 A. Correct. Not for 2013 likely, it  
25 will likely happen in 2014 so it will be an

1 adjustment that hits 2014. Books are closed, we'll  
2 probably have filed our 2013 financials by the time  
3 the Commission makes an order in this case so at  
4 the time you receive the order you would make the  
5 adjustment to do as the Commission stated if they  
6 accept our position and at that time in 2014 we'd  
7 credit expense to get technical accounting on that  
8 and we would debit the deferred account that we  
9 suggested, the 182.3.

10 Q. Let me rephrase the question.

11 Hypothetically speaking if you had  
12 obtained this AAO effective January 1 of 2013,  
13 okay, if you had already done it, let's say you  
14 filed this case a while ago and you had received  
15 this Accounting Authority Order, wouldn't the  
16 income for the companies increase by the 4.9  
17 million and the other number, 4.5, whatever it was,  
18 million?

19 A. Sure. Because we'd be deferring  
20 based on the rules under the 182 account.

21 Q. Right. So that expense would not be  
22 reported on the income statement for 2013, instead  
23 it would be recorded to some asset account 182.3?

24 A. Correct. And then the expense under  
25 our request would hit the income statement as it

1 amortizes off however the Commission were to  
2 determine that amortization in the next general  
3 rate case.

4 Q. Okay. So I think we're in agreement,  
5 took a few questions but I think we're in agreement  
6 that the income for 2013 would have gone up if you  
7 already had this AAO.

8 A. Yes.

9 Q. Okay. Which means --

10 A. On a temporary, I mean it's a timing  
11 basis, just for that year.

12 Q. Right. For 2013. And the, we talked  
13 about, or have talked with some of the other  
14 lawyers about surveillance monitoring reports,  
15 right?

16 A. We have.

17 Q. And while there's been a lot of  
18 discussion no one's really defined what that is but  
19 in that report isn't there a number that you have  
20 to report called actual return on equity?

21 A. We do report a return number, I don't  
22 know exactly what it's termed in the report but  
23 yeah, that's what it would be.

24 Q. I'm not going to get into AHC here.

25 MR. DOWNEY: May I approach?

1 JUDGE BURTON: You may.

2 Q. (BY MR. DOWNEY) I'm going to show  
3 you a report I believe that was produced in  
4 response to a discovery request. Can you read  
5 right there on the report?

6 A. Sure, it's on the bottom half of this  
7 page that I was presented, the heading of the table  
8 is called Actual Earned Return On Equity.

9 Q. Thank you. And I think that is the  
10 language I used in the previous question, is it  
11 not?

12 A. Yeah, I believe that's right.

13 Q. Okay. So if the income goes up the  
14 actual return on equity would go up as well.

15 A. That's correct.

16 Q. I know these seem like very basic  
17 questions for a CPA but I want it on the record.

18 All right. Now, you had some  
19 discussions with Mr. Dotthein about you using  
20 surveillance monitoring reports, ROEs in the past.  
21 Do you recall that discussion? I believe you said  
22 20 years worth.

23 A. I do recall that.

24 Q. Okay.

25 A. It was, there were some exhibits to



1 my testimony in the last rate cases.

2 Q. Okay. And in fact in the last rate  
3 case in your testimony you compare the Commission  
4 authorized return on equity to the actual reported  
5 return on equity on the surveillance monitoring  
6 reports, correct?

7 A. That's correct.

8 Q. Thank you.

9 MR. DOWNEY: Nothing further.

10 JUDGE BURTON: Mr. Woodsmall your  
11 witness.

12 MR. WOODSMALL: Yeah.

13 CROSS EXAMINATION

14 QUESTIONS BY MR. WOODSMALL:

15 Q. Kind of hitting some working  
16 backwards. You just talked about, you compared 20  
17 years of surveillance reports and you said that the  
18 company could have but didn't file rate increases  
19 during that time, is that correct?

20 A. I might have said that. I know I  
21 said that those 20 year reports showed that our  
22 earned returns were under our authorized returns.

23 Q. And during that 20 year period you  
24 didn't file any rate cases, is that correct?

25 A. I think the last four or five rate

1 cases that we've had as a result of the regulatory  
2 plan would have been in that period.

3 Q. Okay. So the 20 years you're talking  
4 isn't the period of time between the Wolf Creek  
5 rate case and the first case under the regulatory  
6 plan.

7 A. No, I believe it was roughly, and it  
8 might have been 20 plus or minus but it was roughly  
9 post Wolf Creek until kind of current.

10 Q. Okay. And would you agree that  
11 between the Wolf Creek case and the first case  
12 under the regulatory plan KCP&L actually had three  
13 rate reductions that were a result of Staff  
14 investigations?

15 A. I believe the number was three.

16 Q. Okay.

17 A. There were some rate reductions.

18 Q. In an analyst's presentation KCP&L  
19 indicated that it would be filing a rate case to  
20 pick up the capital costs associated with the  
21 Lacene environmental improvements. Are you aware  
22 of that?

23 A. I am aware.

24 Q. And by some agreement I guess that,  
25 those improvements have to be done by June of 2015,

1     **is that correct?**

2             A.       That's correct. There's an agreement  
3     for that and there's also, I mean we're in the  
4     midst of that construction. We have a schedule  
5     that puts us on track to be done by June of '15.

6             **Q.       So is it likely then that KCP&L will**  
7     **be filing their next rate case some time the end of**  
8     **this year to pick up those capital costs in 2015?**

9             A.       I don't think it's likely it would be  
10    the end of this year. I think there's a chance  
11    that it will be filed some time in '15.

12            **Q.       Okay.**

13                   MR. WOODSMALL: I have some data  
14    requests I'd like to put in. Mark this as I guess  
15    it's MEGC Exhibit 3.

16                   JUDGE BURTON: Excuse me --

17                   MR. WOODSMALL: I'm sorry Kevin.

18                   MR. THOMPSON: Thank you.

19            **Q.       (BY MR. WOODSMALL) Do you have what**  
20    **has been marked MEGC Exhibit No. 3?**

21            A.       Yes.

22            **Q.       And can you identify that document**  
23    **for me?**

24            A.       It looks like a set of DNR responses  
25    provided by the Company in response to questions

1 that you asked.

2 MR. WOODSMALL: Move for the  
3 admission of MEGC 3 Your Honor.

4 JUDGE BURTON: Any objections?

5 All right. MEGC Exhibit 3 is  
6 admitted.

7 Q. (BY MR. WOODSMALL) Can you tell me  
8 how long KCP&L has been in SPP?

9 A. I think there's a difference between  
10 SPP, kind of the RTO it operates today and SPP that  
11 we've been in for probably a couple decades or  
12 longer. I think we entered SPP in the late '90s,  
13 early 2000s. I'm not sure of the exact time from  
14 an RTO standpoint after they received that  
15 designation.

16 Q. And about the same length of time for  
17 GMO, is that correct?

18 A. I think GMO actually came into SPP  
19 right before or right after we acquired them so  
20 it's more like 2008. They were looking at a couple  
21 different options prior to that.

22 Q. There's been some discussion, and  
23 hopefully you can clarify for me, that KCP&L  
24 doesn't really care if, I may be using that  
25 loosely, whether they are granted an AAO or a

1     **tracker. Can you explain to me what you believe is**  
2     **the difference between an AAO and a tracker?**

3             A.       Sure. I tend to look at it from a  
4     little bit of an accounting standpoint I guess.

5             **Q.       That's fine.**

6             A.       But to me both of them present  
7     deferrals of items that would otherwise be  
8     experienced or handled differently on your  
9     financial statements. Commission authorizes those  
10    deferrals and then they are in the future amortized  
11    into rates. I really don't see a distinction. The  
12    only reason, and I put this in my testimony, the  
13    only reason we asked for what I would, what people  
14    might term as a tracker is that we put symmetry  
15    around the request that if the costs are increasing  
16    as we perceive them to be we would get to defer to  
17    a regular asset. If the environment changed, if  
18    circumstances changed in SPP and they did not  
19    increase above rates but yet decreased for some  
20    reason we thought it may tend to allow those to be  
21    deferred to a regulatory liability to give back to  
22    customers. Nothing more than that from my  
23    perspective.

24            **Q.       And have you seen trackers**  
25    **implemented before for KCP&L?**

1 A. Yes.

2 Q. Okay. Have you, and in general would  
3 you agree that trackers that have been implemented  
4 are all forward looking, they start with the rate  
5 case and work forward, is that correct?

6 A. You're moving from a base level of  
7 costs that you're tracking from plus or minus, yes,  
8 so I guess from that perspective we would be moving  
9 forward in this request in the base rates that were  
10 established in the last cases.

11 Q. So you're not wanting to implement a  
12 tracker today, you're wanting to implement it a  
13 year ago.

14 Q. I think our request is to track from  
15 base rates.

16 Q. From a year ago?

17 A. Yeah. I think rates were effective  
18 January of 2013. January 26th to be specific I  
19 think.

20 Q. And again have you ever seen the  
21 Commission implement a tracker retroactive to a  
22 time period past?

23 A. I'm not aware of anything, again I  
24 don't distinguish between trackers, AAO, deferrals.  
25 They've deferred amounts that have gone forward and

1 related to the past.

2 Q. It's a simple yes or no. Have you  
3 ever seen, you said you've seen KCP&L implement  
4 some tracker, have you ever seen the Commission  
5 implement a tracker and implement it retroactively  
6 the answer's no.

7 MR. FISCHER: Objection Your Honor, I  
8 think we're having testimony now.

9 JUDGE BURTON: Sustained.

10 A. I'm not aware of the circumstance.

11 Q. (BY MR. WOODSMALL) Thank you.

12 Are you aware of the Commission  
13 implementing a tracker for off system sales in  
14 2006?

15 A. There was an off system sales  
16 mechanism, I'm not sure if it was called a tracker,  
17 I'm not sure what the term was. We did have a  
18 mechanism to deal with off system sales.

19 Q. Whether it was called a tracker would  
20 you agree that it tracked off system sales against  
21 the baseline?

22 A. I agree there were adjustments from a  
23 baseline.

24 Q. Okay. Would you agree that that  
25 tracker only worked one direction?

1           A.       I agree in some of the cases it only  
2       worked in one direction. I don't know if that  
3       holds true for all the cases.

4           Q.       Okay. And do you understand, yes or  
5       no, how the one way tracker, the Genesis IV, why it  
6       was only one direction?

7           A.       I don't have that history.

8           Q.       Okay. Turning to your Schedule DRI-1  
9       of your surrebuttal testimony, let me know when  
10      you're there.

11          A.       I'm there.

12          Q.       First off it's a pretty impressive  
13      list. How did you go about compiling that?

14          A.       I had support from folks in my  
15      department and counsel.

16          Q.       So you didn't compile it yourself?

17          A.       I did not compile it myself, it was  
18      compiled under my direction.

19          Q.       And how was it compiled, how did they  
20      access this information?

21          A.       Utilization of EFIS and electronic  
22      case history.

23          Q.       Well, most of these cases are pre  
24      EFIS. How did you find those?

25          A.       I think they're available, I did not



1 set over their shoulder and ask them if they looked  
2 at physical records or others. I asked them to  
3 look back over the history.

4 **Q. And did you read the cases that you**  
5 **list there?**

6 A. I have not read the details of the  
7 case, that was not the intent of the schedule.

8 **Q. What was the intent of the schedule?**

9 A. To demonstrate that there were things  
10 that deferrals were allowed for other than acts of  
11 God extraordinary in nature and I think the subject  
12 line does that.

13 **Q. Okay. Let me ask you, how do you**  
14 **know, you say I provide a list of AAOs approved by**  
15 **the Commission over the last 20 years. How do you**  
16 **know that the Commission granted AAOs in those**  
17 **cases if you didn't read the order?**

18 A. Well, I know several of them for  
19 sure. I was informed by my team and counsel that  
20 these were cases that there were orders in or  
21 effective. I have not read them all.

22 **Q. How many did you read?**

23 A. I've read ours, I did not read the  
24 cases from other companies.

25 **Q. Okay. But it's still your testimony**

1     **even though you haven't read them that the**  
2     **Commission granted AAOs in each and every one of**  
3     **those cases?**

4             A.       It's my testimony that there are  
5     billions of dollars worth of deferrals out there,  
6     many of which are supported by these that the  
7     Commission has granted, none of which has to do  
8     with acts of God --

9             Q.       **That's not my question. It's your**  
10    **testimony even without reading this order that the**  
11    **Commission granted AAOs in each and every one of**  
12    **these cases.**

13            A.       It's my testimony these cases  
14    resulted in deferrals.

15            Q.       **Commission granted AAOs.**

16            A.       Deferrals.

17            Q.       **Would it surprise you to know that**  
18    **the Commission denied AAOs in some of those cases?**

19            A.       It might.

20            Q.       **Would it surprise you to know if the**  
21    **Commission denied AAOs in some of those cases? Is**  
22    **that a surprise?**

23            A.       I said it might.

24            Q.       **It might be a surprise?**

25            A.       Uh-huh.

1 Q. Okay.

2 Let's go through it then. Let's look  
3 at case number IU-2010-0164.

4 Well first off let me set up some  
5 history here.

6 What is your definition of an  
7 Accounting Authority Order?

8 A. Well, again I mentioned this earlier,  
9 I don't see a distinction between trackers or AAOs  
10 or deferrals, I think they're all governed by the  
11 same rules for deferral under 182.

12 Q. Do you believe that all AAOs involve  
13 deferrals?

14 A. I've never thought of it under that  
15 context. I've thought of AAOs and trackers and  
16 deferrals under concept of 182.

17 Q. But you never read the order to make  
18 any type of determination, did you?

19 A. I stated I have not read all these  
20 orders.

21 Q. Okay. Let's see how you did.

22 Case number IU-2010-0164, do you see  
23 that on your list?

24 A. 0164?

25 Q. Yes.

1 A. I see it.

2 Q. And what do you say that that  
3 involved?

4 A. New equipment costs.

5 Q. And it's your belief, according to  
6 your testimony, that the Commission allowed for a  
7 deferral of costs in that case, is that correct?

8 A. Yeah, that's correct.

9 MR. WOODSMALL: May I approach the  
10 witness Your Honor?

11 JUDGE BURTON: You may.

12 MR. WOODSMALL: And I'm going to be  
13 approaching a lot. Do you need me to ask every  
14 time, or?

15 JUDGE BURTON: No. Running.

16 Q. (BY MR. WOODSMALL) Handing you a  
17 copy of an order. Will you tell me what that is?

18 A. I haven't read it all but it says  
19 it's an order granting application for Accounting  
20 Authority Order.

21 Q. Okay. In what case?

22 A. IU-2010-0164.

23 Q. Can you read me the highlighted  
24 portion on page 1?

25 A. You start in the middle of the

1 sentence but it says filed an application pursuant  
2 to 392 dot 208 dot 2 RSMo and Commission rule 4,  
3 CSR 240 dash 2 dot 060 for an Accounting Authority  
4 Order to book depreciation rates on new equipment  
5 in excess of depreciation rates currently allowed  
6 for rate making purposes.

7 Q. Okay. Thank you.

8 Would you agree that in that case the  
9 Commission did not allow an AAO that deferred costs  
10 for later recovery?

11 A. I'm not sure that I have enough there  
12 to get there. I know they allowed them to book  
13 under new rates, I'm not sure it's distinguishable  
14 whether they deferred the new depreciation or  
15 whether they started expensing immediately but  
16 again I wasn't involved with it.

17 Q. Okay. You believe that the  
18 establishment of depreciation rates may involve a  
19 deferral?

20 A. There have been depreciation  
21 deferrals allowed in the past.

22 Q. Do you want to read the entire order  
23 to see if there's any deferral or will you take it  
24 subject to check?

25 A. I'll take it subject to check.

1           Q.       Okay. In your position statement you  
2       state, well KCP&L states on page 4 that the  
3       Commission has allowed AAOs for new equipment  
4       costs. Do you see that?

5           A.       I see it listed there.

6                    Sorry. I see it listed there, I'm  
7       looking at what it says here, subjects deemed  
8       appropriate for, by the Commission for AAO approval  
9       and it says no equipment costs.

10          Q.       Okay. Would you agree given what we  
11       just saw in that case that the Commission did not  
12       allow a deferral or amortization for new equipment  
13       costs in that case?

14                  MR. FISCHER: I think subject to  
15       check counsel's statement but that's not the same  
16       as affirming what --

17                  MR. WOODSMALL: We can have him read  
18       the entire case if went to do that.

19                  MR. FISCHER: I think we can brief it  
20       Your Honor.

21                  JUDGE BURTON: I would just ask Mr.  
22       Woodsmall, I know we have a lot of cases that are  
23       identified on the scheduled DR line. DRI line.

24                  MR. WOODSMALL: Right.

25                  JUDGE BURTON: If this is something

1 where you want those cases specifically, that you  
2 want to recognize, we can go ahead and recognize  
3 those particular cases.

4 MR. WOODSMALL: No. I'm trying to  
5 impeach this witness and it may take a while  
6 depending on how much he fights me. He has said he  
7 hasn't read them so what we have is a list not only  
8 in his testimony, KCP&L's statement of positions,  
9 their opening statement that is inaccurate and I'm  
10 going to take him through these cases to show that  
11 it's inaccurate. You know, I'm hoping that he will  
12 accept some of this subject to check but otherwise  
13 it could be rather painful.

14 JUDGE BURTON: All right. In that  
15 case why don't you go ahead, we'll see if the  
16 witness, if you can just ask him if he identifies  
17 that he's unaware of that and I think that goes  
18 towards establishing your impeachment.

19 Q. (BY MR. WOODSMALL) Are you aware  
20 other than IU-2010-1064 of any cases where the  
21 Commission has allowed a deferral AAO for new  
22 equipment costs?

23 A. I've not read the cases. There are  
24 many out there for main replacement which I would  
25 characterize as new equipment for the replacement

1 of mains.

2 Q. Okay. Later on in the same statement  
3 of positions you have main replacement costs. So  
4 are you trying to distinguish between the two?  
5 Because now you're lumping them together.

6 A. You asked me if there were any more  
7 and I just said that main replacements would be new  
8 equipment. I realize it's on the list someplace  
9 else.

10 Q. So it's on there twice then as you're  
11 using that term?

12 A. No, I'm just saying that a main  
13 replacement is new equipment, I'm not tying them  
14 together or separating them.

15 Q. Okay. Let's move on to case number  
16 GO-02-175. Do you see that?

17 A. GO-02-175. I see it.

18 Q. And this involved a request to defer  
19 and amortize certain uncollectible expense, is that  
20 correct?

21 A. Correct.

22 Q. Is it your opinion that the  
23 Commission actually granted an AAO in that case?

24 A. It's my opinion that it's an AAO that  
25 was considered in that docket.



1 Q. You state in your testimony approved.

2 Are you now saying it was just considered?

3 A. I'm looking back for that spot in my  
4 testimony.

5 Q. It's page 11.

6 A. Thank you.

7 Q. Line 17, you used word the word  
8 approved.

9 A. I see that I said approved.

10 Q. Is it your opinion that the  
11 Commission actually approved an AAO in that case?

12 A. In hindsight I guess my testimony  
13 should have been, and I should change it, to  
14 considered because I have not read all those cases.

15 Q. Okay. So then do you want to change  
16 your testimony entirely for that entire exhibit to  
17 just say AAOs considered?

18 A. I will make that change. Those are  
19 cases that have been in front of the Commission for  
20 consideration.

21 Q. Okay. And so then your proposed or  
22 your statement of positions where it says deemed  
23 appropriate for AAO approval, that is incorrect as  
24 well, is that true?

25 A. I guess based on my change in

1 testimony it would be considered.

2 Q. Let's just keep going, I'm having fun  
3 here.

4 Page 7 of that order in GO-2002-175  
5 will you read the entire highlighted portion?

6 A. It's in the middle of the page is  
7 where it starts, says, the highlighted section says  
8 Aquila makes much of the fact that the Commission  
9 in another context found the combination of very  
10 cold weather and very high gas prices in the early  
11 winter of 2000, 2001 to be extraordinary. The  
12 combination was extraordinary from the perspective  
13 of customers who had large arrearages and faced  
14 potentially life threatening disconnection. It is  
15 not extraordinary from the perspective of a natural  
16 gas distribution company whose main business is  
17 buying gas on the market, reselling it to customers  
18 and collecting money from these customers.

19 Q. Would you turn the page and read the  
20 highlighted portion on page 8?

21 A. Do you want me to finish the  
22 highlights at the bottom?

23 Q. Yes, please. I'm sorry.

24 A. There's a section skipped and then  
25 there's another set of highlights and it says

1     Aquila's uncollectible expenses resulting from the  
2     winter of 2000 to 2001 were not extraordinary,  
3     unusual, unique and nonrecurring and the Commission  
4     will deny Aquila's application for an Accounting  
5     Authority Order.

6             **Q.        Would you read the highlighted**  
7     **portion on page 8?**

8             A.        It says that the application for an  
9     Accounting Authority Order filed by Utility Corp  
10    United, Inc. now known as Aquila, Inc. on October  
11    9, 2001 is denied.

12            **Q.        So to be clear the Commission**  
13    **actually denied this AAO, is that correct?**

14            A.        Correct.

15            **Q.        So your testimony where you said the**  
16    **Commission approved it was incorrect, is that true?**

17            A.        I think I just said I was willing to  
18    change my testimony to be considered.

19            **Q.        And would you agree given the portion**  
20    **that you read that the Commission expressly applied**  
21    **the extraordinary standard in that case?**

22            A.        They referenced extraordinary in  
23    there, yeah.

24            **Q.        Okay.**

25            A.        I didn't see a reference to a

1 specific standard.

2 Q. Okay. In your position statement,  
3 and I could show it to you if you want, page 6 you  
4 state that the Commission has approved AAOs for  
5 uncollectible expenses. Are you aware given that  
6 that case denied it any other case where the  
7 Commission granted an AAO for uncollectible  
8 expense?

9 A. No, I'm not.

10 Q. So your position statement and Mr.,  
11 or I'm sorry, KCP&L's opening statement was  
12 incorrect, is that true?

13 A. I said I'm not aware, I don't know if  
14 it's happened or not.

15 Q. To the best of your knowledge --

16 A. To the best of my knowledge I'm not  
17 aware.

18 Q. Okay. Case number EO-008-45, do you  
19 see that?

20 A. 008-45. I see that.

21 Q. And you state that that case involved  
22 a plant explosion, is that correct?

23 A. I do.

24 Q. And you state that the Commission  
25 approved an AAO for that plant explosion, is that

1 correct?

2 A. I think I said twice now that I'd be  
3 willing to change my testimony to not be approved.

4 Q. Okay. Handing you the report and  
5 order from that case will you turn to page 4?

6 A. (Reviewing document).

7 Q. Will you read the highlighted portion  
8 please?

9 A. (Reviewing document).

10 Q. Out loud.

11 A. Can I have a second to read the  
12 surrounding materials?

13 Q. Sure. Absolutely. Let me know when  
14 you're ready.

15 A. (Reviewing document).

16 Okay. So in the middle of this  
17 discussion paragraph on page 4 the highlighted  
18 section says SJLP, St. Joe Light and Power, argues  
19 that its expenses arising from the Lake Road  
20 incident meet the test used by the Commission in  
21 deciding whether or not an AAO is appropriate and  
22 that the costs are extraordinary and recurring.  
23 SJLP argues that so long as the costs meet that two  
24 prong test then the Commission need not look at any  
25 other circumstances before granting the AAO.

1           **Q.       Will you read the highlighted portion**  
2   **at the bottom of page 9?**

3           A.       It is under the section at the bottom  
4   of page 9, it is therefore ordered that the  
5   application for Accounting Authority Order filed by  
6   St. Joe Power & Light Company on June 23rd, 2000 is  
7   denied.

8           **Q.       So the Commission denied the AAO in**  
9   **that case, is that correct?**

10          A.       That's what that highlighted section  
11   says.

12          **Q.       And would you agree that the**  
13   **Commission applied the extraordinary standard in**  
14   **that case?**

15          A.       I think the language that I read was  
16   language that talked about St. Joe's request, that  
17   one part I read from the Commission's as so ordered  
18   said it was denied. I don't think it distinguished  
19   what they used.

20          **Q.       Let me try to cut through this. I'm**  
21   **going to give you a list of cases that are on your**  
22   **sheet and I'm going to ask you if you will accept**  
23   **subject to check that in each one of those cases**  
24   **the Commission denied the Accounting Authority**  
25   **Order.**

1 MR. FISCHER: Judge I would suggest  
2 that that's a topic that we can brief. If these  
3 are orders of the Commission, we can argue about  
4 what it says based on the language of the order,  
5 it's not necessary for him to take subject to check  
6 things that he can't personally attest to.

7 MR. WOODSMALL: Well, we'll get there  
8 then.

9 JUDGE BURTON: I believe we've  
10 already acknowledged, already heard the witness  
11 acknowledge that he hasn't read these reports and  
12 orders and he doesn't make that determination and  
13 I'm going to go ahead and grant that and we'll go  
14 ahead and take official notice of whatever cases  
15 you want, if you want us to recognize all of those  
16 cases which then can be briefed by the parties.

17 MR. WOODSMALL: Thank you Your Honor.

18 Q. (BY MR. WOODSMALL) Would you agree  
19 then subject to check that in each of those cases  
20 the Commission applied the extraordinary standard?

21 MR. FISCHER: Same objection.

22 JUDGE BURTON: Sustained.

23 Q. (BY MR. WOODSMALL) You mentioned in  
24 the statement of positions for KCP&L you mentioned  
25 the Commission has approved an AAO for purchase

1 power expenses. Can you tell me what case that  
2 would be?

3 A. I can not. To be clear I did not  
4 write that statement of position.

5 Q. Did you review it before it was  
6 filed?

7 A. I have read it and reviewed it but I  
8 did not write it.

9 Q. But you don't know which case that's  
10 referring to?

11 A. I don't.

12 Q. Okay.

13 A. And I don't have that statement in  
14 front of me either. I assume it does not reference  
15 in there either or you would have told me.

16 Q. Right. Let me see, I may be done.

17 MR. WOODSMALL: I have no further  
18 questions Your Honor.

19 JUDGE BURTON: Okay. Thank you.

20 At this time Chairman Kenney do you  
21 have any questions?

22 CHAIRMAN KENNEY: I do but I'm scared  
23 to ask.

24 Anybody need a break? Keep plugging  
25 ahead?



1 JUDGE BURTON: Why don't we go ahead  
2 and take a quick --

3 CHAIRMAN KENNEY: I'll be quick.

4 EXAMINATION

5 QUESTIONS BY CHAIRMAN KENNEY:

6 Q. Mr. Ives can you hear me?

7 A. I can. Good afternoon.

8 Q. Good afternoon, thank you.

9 So I'm going to ask a couple of  
10 questions about a couple of statements you made  
11 when you were being questioned by Mr. Dotthein. It  
12 was in reference to the 16 percent increase that  
13 you, that KCP&L anticipates in transmission costs  
14 and I think you said we'll need a solution to that.  
15 Do you remember that?

16 A. I do.

17 Q. Am I accurately reflecting the  
18 exchange between you and Mr. Dotthein?

19 A. It was. To be clear it was kind of a  
20 16 percent average growth over net, from now to  
21 2022, I believe.

22 Q. Okay. So are you familiar with  
23 Senate bill 702 that was introduced this session in  
24 the general assembly?

25 A. I am familiar with it.

1           **Q.       Would that be a solution to the**  
2 **problem that you're describing?**

3           A.       It's a short term solution, I think  
4 the way that Senate bill is drafted right now it  
5 covers like a four year period or something like  
6 that, there's a term on it and as we've mentioned  
7 and I have in testimony that a growth in  
8 transmission expense for us through SPP is a longer  
9 term than that. But it certainly would be a piece  
10 of the pie.

11           **Q.       Go ahead, I'm sorry.**

12           A.       I was just going to say it certainly  
13 would be a piece of the solution, you know, that's  
14 really a tracker format just very similar to what,  
15 or a deferral format very similar to what we've  
16 asked for here.

17                   JUDGE BURTON: Why don't we go ahead  
18 then and just take a five minute recess while we  
19 try to get the Chairman back on the line.

20                   Going off the record.

21                   (RECESS TAKEN BY PARTIES)

22                   JUDGE BURTON: Let's go ahead and go  
23 back on the record.

24                   Chairman are you there?

25                   CHAIRMAN KENNEY: I am. Sorry about

1 that.

2 Q. (BY CHAIRMAN KENNEY) Can you hear me  
3 Mr. Ives?

4 A. I can.

5 Q. Sorry about that. We were talking  
6 about Senate bill 702 and you were saying that it  
7 would not be a long term solution because of the  
8 sunset provision.

9 A. That's correct.

10 Q. Was there something else you were  
11 going to say?

12 A. No. I was just going to say, you  
13 know, I think it's very similar to what we're  
14 looking at here is the deferral of those  
15 transmissions, you know, above what's in base  
16 rates. There is a sunset over there and, you know,  
17 candidly if we were to get this, you know, through  
18 the Commission here I suspect it would be a whole  
19 new discussion next time we're in for a general  
20 rate case as to whether a tracker continues or an  
21 AAO continues or some other mechanism is  
22 appropriate. My point that you originally asked  
23 the question about is, you know, a 16 percent  
24 growth clip over the next several years, if that  
25 holds true with SPP forecasts that's going to be a

1 problem for us without some sort of solution.

2 Q. That kind of segways into my next  
3 question then. But for the sunset provision Senate  
4 bill 702 is basically identical to what you're  
5 attempting with the AAO here then.

6 A. Yeah, it's very similar. I don't  
7 have it in front of me but it's the same concept as  
8 far as deferral of these SPP transmission customer  
9 type costs.

10 Q. So as a participant in the Southwest  
11 Power Pool do KCP&L and GMO also make sales of  
12 excess power into SPP?

13 A. We do make some sales into SPP, that,  
14 you know, in some respects we have wholesale power  
15 and we also, we've had some discussion today about  
16 transmission revenues and that's revenue that we  
17 receive from SPP for other party's utilization of  
18 our system. You know, the difference that I've  
19 made in my testimony on that is that, those  
20 revenues are paying back for the cost of ownership  
21 for this legal transmission. Those costs aren't  
22 part of this AAO, they're handled in the general  
23 rate case and so were the revenues in our last case  
24 as well, they were matched.

25 Q. Okay. So the revenues that KCP&L or

1     **GMO receive from either offsets in sales or the use**  
2     **of the, of its transmission assets, that, those**  
3     **revenues aren't netted against the expenses that**  
4     **you would be seeking to defer in the AAO?**

5           A.     No. They wouldn't. The revenues  
6     that we receive for the transmission that we've  
7     been talking about, those are, increases in those  
8     revenues are a result of increases in our costs for  
9     our local transmission system to own and operate.  
10    Both those costs to own and operate and the  
11    revenues were handled in our last rate case at  
12    true-up in those rate cases so they were matched.  
13    We've proposed to exclude both of the ownership  
14    costs and the revenues from this AAO and just focus  
15    on the customer charges that our customer charges  
16    as a transmission customer. The other options  
17    would be take both those ownership costs and the  
18    revenues and put both those sides into the AAO,  
19    point being the costs drive the revenues so they  
20    ought to be handled consistently in the regulatory  
21    cost chart.

22           Q.     Got you. The Transource entity that  
23     **is the AEP and Great Plains entity.**

24           A.     Yes.

25           Q.     It hasn't generated any revenue yet,

1     **right?**

2             A.       Not yet. We did, we did just receive  
3     approval at the FERC level for the transfer from,  
4     of the SPP projects that KCPL and GMO had to go to  
5     Transource so they now have ownership and are  
6     operating but they're still under construction.  
7     The first line of those two doesn't come into  
8     service until 2015, the other one is more in the  
9     2017 time frame.

10            **Q.       Hypothetically assuming that you were**  
11     **to, that KCP&L and GMO was to receive this AAO**  
12     **authority, how would those Transource AEP revenues**  
13     **be treated going forward for KCP&L and GMO?**

14            A.       I don't have our agreement from the  
15     Transource case in front of me but I believe we  
16     agreed for costs that we incur related to  
17     Transource, you know, our load ratio share of eight  
18     percent for, for Missouri. We agreed to make an  
19     adjustment to those costs as a result of that case  
20     to kind of put it on a state jurisdictional rate  
21     making, i.e., if they had a higher ROE and  
22     incentives at Transource because those projects  
23     were in our service territory we agreed to adjust  
24     that down to kind of the state rate making levels.  
25     So that's how those projects would be handled going

1 forward.

2 Q. So would, so those would be separate  
3 and apart from -- so KCP&L gets a bill from SPP for  
4 it's prorata, for its customer charge, right?

5 A. Yes. For its share, load ratio share  
6 if you're talking about the regional projects.

7 Q. So if Transource is building a  
8 regional project KCP&L's going to get a bill for  
9 that portion.

10 A. Yeah. For our eight percent share in  
11 case bills shape.

12 Q. And for it to receive an AAO before  
13 you would defer those costs and account for 560 or  
14 561, whichever one it is, it would be recalculated  
15 under whatever the agreement was in the CCN case.

16 A. Correct. I think they would flow  
17 through account 565 but as a result of that  
18 agreement we'd have to recalculate to put those  
19 Transource charges on a state rate making basis.

20 I just think that should be easy  
21 enough to do because we'll have specific line item  
22 identification in the SPP bills that kind of tell  
23 us source and sync and we can get to that  
24 determination.

25 Q. But for any other regional projects

1    **built by any other entity there's no ability to**  
2    **adjust those to take out a FERC ROE and adjust it**  
3    **to a state based ROE?**

4           A.       Well, yeah, I mean those entities, I  
5    guess the way I'd state it is those entities have  
6    been approved at the FERC level to earn those  
7    returns and by the time it gets to us I mean we're  
8    paying an invoice just like our customers pay an  
9    invoice for us based on a rate that's allowed by  
10   this Commission. So I don't know that we'd have  
11   any bandwidth to make adjustments to what we're  
12   paying.

13           Q.       And let me ask you, I think it was a  
14   **question I asked Mr. Carlson earlier. Other than**  
15   **the fact that there's this increase in transmission**  
16   **expenses because of the, because of the projects**  
17   **that are recently approved and the heavy**  
18   **transmission investment that we anticipate from**  
19   **SPP, other than that is there anything else that**  
20   **makes these transmission expenses extraordinary?**

21           A.       Well, you know, other than that I  
22    guess what I'd say is it's the regional nature of  
23    it. It's not only the size but it's the fact that  
24    it's a regional expansion so we're being billed  
25    costs for projects that SPP approves in OG&E's



1 territory or somebody else's that we end up being  
2 responsible for our load ratio share and that's  
3 part of, you know, the purpose of having the RTOs  
4 and creating those efficiencies but that's  
5 extraordinary compared to how transmission was  
6 dealt with over the first 100 years of being a  
7 utility. I think as Mr. Carlson stated, you know,  
8 all those years transmission was really built to  
9 take our generation resources and get the,  
10 transport the electricity to our load and the RTO  
11 environment and FERC's directives in this area are  
12 just changing that. So extraordinary I don't know,  
13 but certainly very different operating environment.

14 **Q. Extraordinary you don't know but it's**  
15 **different. I would agree with that. So, but let**  
16 **me make sure I understand what you're saying**  
17 **though. It's not simply the increased investment**  
18 **itself but it's also the way that costs are now**  
19 **allocated under the highway byway cost allocation**  
20 **mechanism? Because you've got regional cost**  
21 **sharing for projects above a certain voltage, that**  
22 **is potentially extraordinary?**

23 **A.** It's certainly different. I mean  
24 it's this federal national regional, you know,  
25 highway that's being put together with the concept

1 of, you know, we're going to bring renewables in  
2 from a longer distance than we ever dealt with  
3 moving energy to load before. It's a different  
4 environment.

5 Q. I would grant you that it is  
6 different.

7 I don't have any other questions.

8 Thank you.

9 A. Thank you.

10 JUDGE BURTON: Thank you Chairman.

11 Commissioner Kenney?

12 COMMISSIONER KENNEY: Yeah, I just  
13 have a little bit of a clarification.

14 EXAMINATION

15 QUESTIONS BY COMMISSIONER KENNEY:

16 Q. You had pointed out in your  
17 surrebuttal testimony, you talked about it earlier  
18 on page 21 dealing with Ameren Missouri's 2012-0166  
19 and you mentioned section B, item 19 where it  
20 concluded that the Commission finds that MISO  
21 transmission costs should continue to be flowed  
22 through Ameren Missouri's Fuel Adjustment Clause.

23 A. That's correct.

24 Q. Now, in this, under an agreement  
25 with, in that stipulation and agreement KCP&L

1     **agreed not to pursue any, what is it, a single item**  
2     **mechanism or something, like a fuel adjustment**  
3     **clause to cover costs --**

4             A.       Yeah, it talks about I think it was  
5     Senate bill 179.

6             **Q.       June of 2015.**

7             A.       Yeah.

8             **Q.       So at that point, I guess my question**  
9     **is this: If June of 2015 KCP&L filed a rate case**  
10    **and requested a Fuel Adjustment Clause could they**  
11    **take these transmission costs and run it through**  
12    **that?**

13            A.       Yeah, I think we could have --

14            **Q.       If they got approved.**

15            A.       I don't want to split hairs. I think  
16    we could have, under that agreement we could have  
17    rates effective in a fuel clause of 2015 but  
18    regardless we could ask for that fuel clause, we  
19    could include transmission costs, we could have an  
20    effective post that date that we said we'd utilize  
21    it and subject to the Commission's authorization  
22    we'd be able to start recovering transmission  
23    similarly to Ameren.

24            **Q.       So would that take care of the issue**  
25    **if that were the case?**

1           A.       For a longer term, to go back to  
2   Chairman Kenney's question that would be one of the  
3   longer term solutions that might take us beyond  
4   what the bill over there currently, Senate bill  
5   702.

6           **Q.       Now, does your Greater Missouri**  
7   **Operations Company have, can they utilize a Fuel**  
8   **Adjustment Clause now?**

9           A.       We have one currently, yes. It does  
10   not include the same transmission costs that Ameren  
11   receives in their's.

12          **Q.       So would that have to go through a**  
13   **rate case or is that something that you believe**  
14   **could be requested of the Commission?**

15          A.       To put it through the fuel clause I  
16   believe it would have to go through a rate case  
17   because it would impact rates for customers going  
18   forward.

19          **Q.       Okay. So it's just classified**  
20   **differently than Ameren's.**

21          A.       Well, Ameren got their's in the rate  
22   case and then they got clarification I think in  
23   their case that they could continue to include it  
24   is what the last order was. You know I would just  
25   add that two cases ago for GMO which had a fuel

1 clause at the time we asked for the transmission  
2 costs to be included that wasn't allowed in that  
3 case. Last case, and we've talked about this  
4 today, we asked for a tracker in large part because  
5 we had just previously asked for it to be in the  
6 fuel clause. Subsequent to our filing the case  
7 with the tracker is when Ameren got resolution on  
8 their continued treatment on that so, you know,  
9 timing just worked such that I think we will be  
10 back.

11 **Q. Are you saying was the tracker denied**  
12 **prior to Ameren getting approval of their**  
13 **transmission costs in that FAC?**

14 A. Tracker was denied after but we filed  
15 before Ameren got that clarification on their FAC.  
16 And that's why we didn't go back and ask for  
17 another FAC.

18 **Q. Was the clarification, was that in a**  
19 **rate case?**

20 A. Ameren's clarification?

21 **Q. Yeah.**

22 A. Yes.

23 **Q. Okay. Thank you.**

24 A. Uh-huh. You're welcome.

25 JUDGE BURTON: Commissioner Hall?

1 COMMISSIONER HALL: No questions.

2 JUDGE BURTON: I just have a couple  
3 of questions.

4 EXAMINATION

5 QUESTIONS BY JUDGE BURTON:

6 Q. Based off of the prior rate cases  
7 that were just decided by the Commission in January  
8 of 2013 that we've been discussing, ER-2012-0164  
9 and 0175, since that time and since those tariffs  
10 went into play have the costs to own, operate,  
11 maintain transmission facilities increased for the  
12 Company?

13 A. Not significantly, no. We're not  
14 building a lot of new transmission. It's the cost  
15 on the customer side, the bills from SPP for base  
16 plan funding and the things that are happening  
17 regionally that are increasing pretty  
18 significantly.

19 Q. Okay. How does that connect then  
20 with the position statement on page 14 where it  
21 says transmission revenues are closely linked with  
22 costs to own and operate transmission facilities,  
23 if those costs according to you are staying  
24 constant and they are tied to the revenue that  
25 you're receiving from transmission from SPP?

1           A.       I believe the revenues and the costs  
2   for that ownership are staying fairly constant  
3   right now. It's the cost as a customer, the loans  
4   we're talking about and asking the deferral on that  
5   are seeing the increase.

6           **Q.       So in other words you're saying that**  
7   **the transmission revenue that the companies are**  
8   **receiving from SPP since January of 2013 have not**  
9   **increased.**

10          A.       I think they've stayed fairly  
11   constant as have the ownership costs. My whole  
12   point in the testimony is I just don't want to have  
13   an increase in costs that aren't dealt with through  
14   the AAO, that they're dealt with in the next case.  
15   Where I take the increase in revenues which are  
16   derived from us incurring more costs and I put that  
17   through the AAO, it's a mismatch. We should  
18   either, the ownership components we should either  
19   deal with in the context of the general rate case  
20   like we've proposed or we should take both those  
21   sides and move them into the AAO and deal with them  
22   in the AAO.

23          **Q.       So do you expect or does the Company**  
24   **expect then that the costs to own, operate,**  
25   **maintain those transmission facilities will**

1     **increase as a result of these changes at SPP for**  
2     **the transmission build-out?**

3           A.       No. Not in the near term. When we  
4     look at the projects that are out there from SPP  
5     for this build-out and the ones that, the costs  
6     that are being regionally allocated we don't have a  
7     lot of those projects. We had a couple and they  
8     were part of our cases that I discussed with the  
9     Chairman a little bit about Transource, they were  
10    projects that we ultimately sold over the ability  
11    to construct those to a Transource that the joint  
12    entity between our holding company and AEP. So  
13    beyond that we don't have a lot in the pipeline  
14    right now that SPP has identified in our territory.  
15    So I don't see revenues or those ownership costs  
16    growing. Certainly not near at the clip that the  
17    customer costs are.

18           Q.       Okay. Now I want to kind of go back  
19    to a little bit of what the Chairman was asking  
20    concerning Transource, denying he had a stipulation  
21    agreement that was approved by the Commission in  
22    EA-2013-0098. I think you've acknowledged in that  
23    case FERC approved Transource construction for  
24    certain projects and they also included  
25    construction work in progress otherwise known as a



1     **CWIP, right?**

2             A.       Uh-huh.

3             **Q.       Has that already started? Has that**  
4     **construction work already started for Transource**  
5     **for those projects?**

6             A.       The short answer is yes. We started  
7     construction on those projects because we  
8     originally had the notice to construct from SPP so  
9     both those lines have started construction, we did.  
10    We got approval from the FERC to make the novation  
11    over to Transource and we transferred those  
12    projects effective I think it was January 2nd of  
13    this year, so it just recently occurred. I don't  
14    know the direct answer as to whether they've  
15    started charging that CWIP and the FERC approved --

16            **Q.       Is there any reason to believe they**  
17    **wouldn't have?**

18            A.       Just timing. If it hasn't started  
19    already it will soon. I mean they have an approved  
20    formula rate, their formula rate has CWIP in it, I  
21    just don't know how quickly they can finalize the  
22    costs from us, put them in the formula rate and get  
23    them through SPP.

24            **Q.       Okay. So it's possible that those**  
25    **charges and expenses would have already gone**

1 through SPP and then come back to the companies  
2 based on the load share?

3 A. It's possible either they would hit  
4 in January or in the near term, yes.

5 Q. January of this year.

6 A. January of this year or in the near  
7 term.

8 Q. Okay.

9 Now, I just want to clarify is it the  
10 Commission, I mean the Company's position that  
11 these increased transmission expenses are material?

12 A. Yes.

13 Q. Okay. How are they material?

14 A. How are they material?

15 A. Yes.

16 Q. Well, from my standpoint we were  
17 about \$9 million, we had \$9 million more expense  
18 between the two companies in 2013 than what we have  
19 in rates. That's a pretty significant number that  
20 I would deem material and then we have projections  
21 in testimony that show that that grows to maybe 14  
22 million next year and, you know, 19 or 20 million  
23 the following year. Those are large numbers,  
24 numbers that generate lag for our investors and  
25 shareholders that is beyond what I would call kind

1 of normal historical lag in this area.

2 Q. Okay. Should the Commission be  
3 looking at the increase in those transmission  
4 expenses year per year to determine material or  
5 should they or does general instruction number 7 of  
6 the USOA provide guidelines that requires it to be  
7 five percent of the net income for the entire  
8 company?

9 A. Well, I think our testimony, and I  
10 can't speak for other parties, but our testimony is  
11 general instruction 7 does apply to deferral  
12 accounting. There's no link identified in the USOA  
13 for general instruction 7 and 182 deferral  
14 treatment. I don't believe there's anything that  
15 you can read in the USOA that says that items have  
16 to be extraordinary or have to be greater than five  
17 percent to be deferred.

18 Q. Okay. Is it your opinion though that  
19 these expenses are at least five percent of net  
20 income for the companies including these  
21 extraordinary events?

22 A. They are at least five percent, yes.

23 Q. Of net income.

24 A. Of net income.

25 Q. For the entire company.

1           A.       Right. And I think that's why the  
2 Commission concluded in the order last time that  
3 two or three places in the order they said the  
4 issue was moot because they believed we could  
5 already track and defer these costs because they  
6 interpreted that there was a link between general  
7 instruction 7 and deferral and they agreed that we  
8 were in excess of five percent in that income, we  
9 just can't, without a specific Commission authority  
10 to defer we can't defer, our accountants won't  
11 agree with that and our external accountants won't  
12 agree with that.

13           Q.       Okay. Thank you. I don't have any  
14 further questions.

15           A.       Thank you.

16                   JUDGE BURTON: Any cross based on the  
17 panel questions?

18                   Mr. Lowery?

19                   MR. LOWERY: No questions.

20                   JUDGE BURTON: Mr. Cooper?

21                   MR. COOPER: No Your Honor.

22                   JUDGE BURTON: Mr. Dotthein?

23                   MR. DOTTHEIN: No.

24                   JUDGE BURTON: Mr. Mills?

25                   MR. MILLS: No questions.

1 JUDGE BURTON: Mr. Downey?

2 MR. DOWNEY: No questions.

3 JUDGE BURTON: Mr. Woodsmall?

4 MR. WOODSMALL: No questions.

5 JUDGE BURTON: Thank you. Then this  
6 witness is excused.

7 MR. FISCHER: I have just a little  
8 redirect Your Honor, I'm sorry. If that's all  
9 right.

10 JUDGE BURTON: It's more than okay.

11 REDIRECT EXAMINATION

12 QUESTIONS BY MR. FISCHER:

13 Q. Mr. Ives just kind of start from the  
14 back while it was fresh in our mind. Judge Burton  
15 was asking you about this, whether the expenses are  
16 five percent of the net and whether that makes them  
17 extraordinary and do you recall those questions?

18 A. I recall that discussion.

19 Q. And you were trying to explain I  
20 think that the Commission's order in the last case  
21 and how that affects this case. Would you  
22 elaborate on how that discussion in the rate case  
23 order about the five percent net income and whether  
24 we could defer on our own without any specific  
25 authority, how that affects the whole reason we're

1     **here today?**

2             A.       Sure. And I think I've alluded to it  
3     over a couple of hour discussion but when we got  
4     that order and we had asked for a tracker we  
5     believed the Commission wrote in that order that  
6     the item was moot. There was discussion that other  
7     parties brought up that we had not met the criteria  
8     of extraordinary or however the words were but  
9     there are three spots in the order that clearly  
10    state the Commission thought we could already track  
11    and it was our decision to track and there wasn't a  
12    decision for the Commission to make. We asked for  
13    reconsideration on that, we weren't able to get  
14    heard on the reconsideration, there was also a  
15    sentence in the order that talked about the five  
16    percent greater than or less than and it said if  
17    the amounts were less then the Company certainly  
18    could come in and ask for an AAO. We know they're  
19    greater than but the Commission acknowledged an  
20    ability to come ask for an AAO, they seemed to  
21    acknowledge that they thought we could track and  
22    defer these costs already, we needed to come in and  
23    ask for some clarification to get  
24    Commission-specific language that said it was okay  
25    to defer and that's how we started down this path.

1 There, certainly in the last case and here again  
2 we've provided a lot of testimony that says there  
3 are a lot of forecasts out there and a lot of  
4 projected billed from SPP that have large dollars  
5 but I guess the, our view of the Commission order  
6 that's kind of the rest was story.

7 **Q. Well, do you believe that you need**  
8 **specific authority from the Commission in order to**  
9 **defer these transmission costs?**

10 A. Yes. Absolutely. I think that's  
11 clear in the language of the deferral accounts, the  
12 182 accounts and 254 accounts in the USOA. And I  
13 think, not to put words in his mouth but Staff's  
14 witness Oligschlaeger has acknowledged that as  
15 well.

16 **Q. Well if you had received that**  
17 **transmission tracker approval rather than an order**  
18 **that said you can do it on your own so it's moot,**  
19 **would you be filing an AAO in this case?**

20 A. No. We would have been tracking  
21 since January 26th utilizing that tracker that we  
22 had requested. Be no need to have an AAO here.

23 **Q. You had kind of a long discussion**  
24 **with Mr. Woodsmall about your list of subjects that**  
25 **have been subject to AAOs. Do you recall that?**

1 A. I do recall that.

2 Q. There are a lot of topics on that.  
3 Do all of those topics involve acts of God?

4 A. No, they do not.

5 MR. WOODSMALL: Your Honor I believe  
6 the way we left it was these cases were going to  
7 speak for themselves and we could brief it. If  
8 we're going to now go into those cases, you know, I  
9 think I should be allowed to start up some cross  
10 examination again.

11 MR. FISCHER: Your Honor I'm not  
12 going into the cases specifically, although we can  
13 brief those, I'm asking about the subjects of AAOs  
14 over the years.

15 JUDGE BURTON: I believe that we've  
16 already acknowledged the fact that we're going to  
17 take consideration for those orders that are  
18 identified in that exhibit so if any of the parties  
19 wish to go ahead and brief that issue about what  
20 were the circumstances involving AAO for that case  
21 then I think we should go ahead and pursue that  
22 option rather than opening up the door for asking  
23 questions about every order.

24 MR. FISCHER: That's fine Judge, I'll  
25 do that. I don't want to do that, don't want to



1 get into every order.

2 Q. (BY MR. FISCHER) I believe Mr.  
3 Woodsmall asked you some questions about your  
4 analysis of 20 years of ROEs on some of your  
5 surveillance reports, do you recall those  
6 questions?

7 A. I do.

8 Q. And did that period of time include  
9 the five rate cases that the Commission has heard  
10 during the, after the approval of the Company's  
11 comprehensive energy plan?

12 A. That's what I stated. It's been a  
13 while since I looked at that list that was in the  
14 last case but I believe it ran to current at the  
15 time of the last case. So those cases were in.

16 Q. And he asked you questions about  
17 whether those I think surveillance reports  
18 referenced that actual or earned ROE, do you recall  
19 that?

20 A. I do recall that.

21 Q. Are those actual earned ROEs on those  
22 surveillance sheets adjusted for things like  
23 weather?

24 A. No. No, they're not adjusted,  
25 they're just actuals based on what's recorded on

1 the accounting books and records. They're not what  
2 I would call rate case development.

3 **Q. Okay. In a rate case development**  
4 **what kinds of adjustments would you typically**  
5 **include that wouldn't be based, wouldn't be on a**  
6 **surveillance report?**

7 A. There are a number of annualizations  
8 for cost categories, maybe payroll, things like  
9 that. Normal indications where you look at  
10 periods. There are items, nonrecurring items that  
11 are adjusted out or asked to be deferred or  
12 amortized or handled differently.

13 **Q. Would the actual earned ROE have an**  
14 **adjustment for a nuclear refueling for example?**

15 A. Nuclear refueling, I mean there are a  
16 number. It takes months for companies to prepare  
17 cases and put them in and it's because they are  
18 analyzing and scrubbing that actual data that's the  
19 starting point for surveillance and putting  
20 together the right adjustments to reflect an  
21 ongoing need for revenue requirement.

22 **Q. I believe you were asked some**  
23 **questions about Mr. Mills regarding the probability**  
24 **of recovery of transmission costs if they were**  
25 **deferred, do you recall that line of questioning?**

1           A.       I do.

2           **Q.       In your experience would you expect**  
3   **this Commission to deny prudently incurred**  
4   **transmission costs in a rate case?**

5           A.       I would not. Those are costs that  
6   are primary to transport electricity and serve  
7   customers.

8           **Q.       I believe Mr. Mills asked you some**  
9   **questions regarding AAO cases and I don't want to**  
10   **get into the case but he asked you specific topics**  
11   **like pensions and OPEBs, FAS 106. Have those types**  
12   **of subjects been approved by the Commission for**  
13   **AAOs?**

14          A.       I know they've been approved for  
15   deferrals, I don't know what context they  
16   originally were set up in. We have received them I  
17   know in, as treatment in cases going, you know,  
18   back some time. I'm not sure how they were  
19   initiated for companies.

20          **Q.       Do you consider those extraordinary**  
21   **or normal business expenses?**

22          A.       I think they're normal business  
23   expenses that the Commission has made a decision to  
24   handle accounting differently for.

25          **Q.       I believe Mr. Dotthein may have asked**

1     **you some questions about carrying costs, do you**  
2     **recall those?**

3             A.       I do.

4             **Q.       What is your view of carrying costs**  
5     **in this case?**

6             A.       Well, we've requested carrying costs  
7     at the weighted average cost of capital. You know,  
8     my view is if you have a cost that you incur and  
9     were deferring in the case of Commission approval  
10    of this AAO there's a time value of money for the  
11    periods from when you incur that cost until you  
12    recover it in rates and it's legitimate to provide  
13    a recovery of that time value of money impact. The  
14    Commission has approved historically on cases  
15    carrying value over a number of topics or carrying  
16    costs over a number of topics in a number of areas.  
17    Not all AAOs, and I think Staff witness  
18    Oligschlaeger said it, not all AAOs have carrying  
19    costs but also there are a fair amount that do. We  
20    think it's appropriate and that's why we asked for  
21    it.

22            **Q.       I think you were also asked some**  
23    **questions about the amortization period and I guess**  
24    **the amortization condition Staff has proposed, do**  
25    **you recall that?**

1           A.       Yes, I remember talking about that.

2           **Q.       Would you explain your concerns**  
3 **regarding that 60 month amortization condition?**

4           A.       Yeah. In summary it's my belief when  
5 you read the accounting language and the rules  
6 around deferral accounting, the 182 accounts that  
7 allow for that the information says that in order  
8 to defer to a regulatory asset there has to be a  
9 probability of future recovery of those costs.  
10 Pretty directly says I think in some of the late  
11 language as well as maybe in the rule that it can't  
12 be a like cost that you're getting recovery for in  
13 rates in the future, it has to be recovery of that  
14 deferred cost in future rates. I think beginning  
15 amortization breaks that rule because you're not  
16 getting recovery of those amounts that have  
17 amortized before you adjust rates and I think it  
18 would be my opinion as a CPA that we would not be  
19 able to defer those costs up front because we don't  
20 have assurance of that future recovery.

21           **Q.       You were also asked some questions I**  
22 **think by Mr. Dotthein or one of the Staff counsel**  
23 **about earning sharing plans that were pegged to**  
24 **ROEs that were approved by the Commission for**  
25 **Ameren and Southwestern Bell, do you recall those**

1     **questions?**

2             A.       I remember that question. I think he  
3     said they were from the early '90s.

4             **Q.       Are you aware of controversies that**  
5     **existed in any of those cases regarding how to**  
6     **quantify those ROEs?**

7             A.       I'm aware of just peripherally from  
8     what I have heard from others that those mechanisms  
9     resulted in a fair amount of debate among parties  
10    and I can appreciate why that would be. Every  
11    party in the room would probably have opinions on  
12    how that was done.

13            **Q.       If the Commission accepted that**  
14    **earnings test that the Staff has proposed in this**  
15    **case would you expect similar controversies to come**  
16    **about?**

17            A.       Absolutely. I think we'd spend a lot  
18    of time on that.

19            **Q.       Would you suspect there might be**  
20    **hearings on things like that?**

21            A.       I would expect there would be  
22    hearings and a number of differences and opinions  
23    on whether or not we had truly earned in excess of  
24    our authorized returns.

25            **Q.       I think you were asked some questions**

1     **about the fact that Ameren has received recovery**  
2     **transmission costs through an FAC. Do you recall**  
3     **that?**

4             A.       I do.

5             **Q.       Why is that an important fact to you**  
6     **in this case?**

7             A.       Well, in general I think we are  
8     always looking to be treated consistently,  
9     similarly, in a like position with our peer  
10    utilities. We have peer utilities that we are  
11    going to capital markets and we're looking for  
12    investors. Any major divergence in our regulatory  
13    treatment are recognized by the credit and  
14    investment community and it's not just Ameren, we  
15    have treatment for transmission costs in Kansas and  
16    many of the other SPP participants have mechanisms  
17    to address these increasing SPP costs or other RTO  
18    costs. They just happen to be the other largest  
19    utility in Missouri that has treatment for these  
20    costs today.

21            **Q.       Are you suggesting that other states**  
22    **have riders or mechanisms to address transmission**  
23    **in the SPP region?**

24            A.       There are some. I believe there are  
25    utilities in maybe New Mexico that don't have

1 treatment, Empire and ourselves don't have  
2 treatment but most of the other participants in SPP  
3 have some sort of mechanism to address transmission  
4 costs. We, as I mentioned we have a rider or it  
5 actually runs through our fuel clause in Kansas,  
6 for our Kansas component of KCP&L.

7 **Q. You flow through transmission**  
8 **expenses in Kansas?**

9 A. For our Kansas share of KCPL that  
10 flows through our, they call it an ECA but it's our  
11 Fuel Adjustment Clause in Kansas.

12 **Q. I believe you were also asked some**  
13 **questions about cost benefit analysis or studies**  
14 **that you've done in the context of cases involving**  
15 **your request to continue to be participating in**  
16 **SPP, do you recall those?**

17 A. I do recall that.

18 **Q. If the Commission adopted a similar**  
19 **condition that you do cost benefit analysis**  
20 **regularly, periodically, what would you have to do**  
21 **and is that a practical approach from your**  
22 **standpoint?**

23 A. Well, as I mentioned I think that  
24 takes a long time, those are very involved studies,  
25 may result in pretty expensive consultant dollars



1 but the bigger concern is, and Staff and parties  
2 have been part of those interim participation  
3 cases, those benefits are not easy to quantify.  
4 The costs we got on an invoice from SPP and that's  
5 pretty clear but, the benefits are benefits from  
6 public policy, you know, i.e., meaning that, you  
7 know, transmission is being billed so that more  
8 wind and renewables can be put in. Those are  
9 difficult, more difficult to quantify. Many of the  
10 benefits are also avoided costs. It's a view of  
11 what's the benefit of being in an RTO versus not  
12 being in an RTO. It's been several years as my  
13 discussion with Mr. Woodsmall went since we have  
14 not been in an RTO so we are projecting and  
15 estimating what it would look like today if we  
16 weren't in an RTO, not necessarily hard dollars and  
17 cents that you could quantify and put back to  
18 customers like an invoice from an RTO.

19 Q. Thank you Mr. Ives for your patience.

20 I have no other questions.

21 JUDGE BURTON: Thank you Mr. Fischer.

22 Can this witness be excused?

23 MR. FISCHER: As far as I'm concerned  
24 that would be great.

25 JUDGE BURTON: You're excused Mr.

1 Ives. Thank you.

2 MR. IVES: Thank you.

3 JUDGE BURTON: All right. At this  
4 time it's 3:46 p.m. Did we want to go ahead and  
5 take a quick recess or do you want to go ahead and  
6 work our way through? Speak up or forever hold  
7 your peace.

8 MR. FISCHER: We're okay with  
9 whatever you want to do.

10 JUDGE BURTON: Let me just clarify.  
11 Do the parties expect a long time for cross  
12 examination let's say for the four remaining  
13 witnesses that we have? Is there any likelihood  
14 that we're going to be able to finish this if we  
15 stay today? Because we do have issues tomorrow  
16 obviously with agenda meeting and I know that  
17 Commissioner Hall might not be available as well.

18 MR. FISCHER: Judge with a few  
19 minutes I think I can shorten my cross of some of  
20 the Staff witnesses. I think there's a shot at  
21 getting done to be honest.

22 JUDGE BURTON: I would prefer then  
23 that we go ahead and continue in that vein.

24 Then I would say let's go ahead and  
25 we'll call the next witness and I will just advise

1 the parties and the commissioners if anyone is  
2 needing a break please let me know and we'll  
3 request a recess.

4 Mr. Stahlman would you raise your  
5 right hand?

6 (Whereupon, the witness was sworn)

7 DIRECT EXAMINATION

8 QUESTIONS BY MS. HAMPTON:

9 Q. Would you please state your name for  
10 the record?

11 A. Michael L. Stahlman.

12 Q. Where are you employed and in what  
13 capacity?

14 A. Missouri Public Service Commission as  
15 a regulatory economist.

16 Q. Are you the same Michael Stahlman who  
17 caused to be prepared the testimony that's been  
18 marked as Staff's Exhibit 1?

19 A. Yes.

20 Q. Do you have anything you wish to  
21 correct in that testimony?

22 A. Yes. On page 2, line 13. I state  
23 that a Staff data request regarding this issue is  
24 still pending, I would like to note that that  
25 request was answered and the response is the same

1 as Mr. Ives' surrebuttal on page 13.

2 Q. And with that correction in mind if  
3 asked the same questions today would your answers  
4 be the same?

5 A. Yes.

6 MS. HAMPTON: Your Honor Staff offers  
7 Exhibit 1 and tenders the witness for cross.

8 JUDGE BURTON: Okay. Any objections  
9 to Staff Exhibit 1?

10 Hearing no objection it is admitted  
11 into the record.

12 At this time I believe it is your  
13 witness Mr. Downey, is that correct?

14 MR. DOWNEY: I have no questions.

15 JUDGE BURTON: Okay. Mr. Woodsmall?

16 MR. WOODSMALL: No questions.

17 JUDGE BURTON: Mr. Mills?

18 MR. MILLS: No questions.

19 JUDGE BURTON: Mr. Lowery?

20 MR. COOPER: He stepped out and I  
21 don't know the answer to your question.

22 JUDGE BURTON: How about you Mr.  
23 Cooper?

24 MR. COOPER: I have no questions.

25 JUDGE BURTON: Okay. Why don't we go

1 ahead than and continue. KCPL?

2 MR. STEINER: Just a few Your Honor.

3 JUDGE BURTON: Do you want to see if  
4 he has some or do you want to start?

5 MR. STEINER: I can start now.

6 JUDGE BURTON: That would be fine.

7 CROSS EXAMINATION

8 QUESTIONS BY MR. STEINER:

9 Q. Good afternoon Mr. Stahlman. You're  
10 a member of the energy rate design and tariff  
11 unit --

12 MR. LOWERY: I apologize Your Honor.  
13 No, I don't have any cross.

14 JUDGE BURTON: I'm sorry, please  
15 continue Mr. Steiner.

16 Q. (BY MR. STEINER) Did you hear my  
17 question?

18 A. I think so. I am a part member of  
19 the energy rate design and tariff unit.

20 Q. Is it your understanding that the  
21 transmission costs that KCPL and GMO are seeking to  
22 defer in the AAO requested in this case are similar  
23 to the transmission costs that are recovered  
24 through the FAC clause of Ameren Missouri?

25 A. I don't know. I'll refer you to

1 Staff witness Mark Oligschlaeger for that.

2 Q. Okay. Go to page 4 of your rebuttal.

3 Do you see on line 9 that you reference a finance  
4 committee report to the SPP board of directors?

5 A. Yes.

6 Q. And it's my understanding you found  
7 that report on the website that you reference on  
8 line 10, is that right?

9 A. Yes.

10 Q. Now isn't it correct that many of the  
11 SPP committee reports, presentations, et cetera,  
12 can be found on-line at the SPP website?

13 A. I believe that is correct, yes.

14 Q. Would you agree that members of the  
15 Commission's advisory staff have spent considerable  
16 time and effort monitoring the activities of SPP  
17 and its members?

18 A. Yes.

19 Q. Would you also agree that SPP is  
20 currently in the process of expanding its  
21 transmission system that it administers?

22 A. Yes.

23 Q. Do you think that this expansion  
24 represents a significant and substantial effort to  
25 improve the region's transmission system?

1 A. I don't know.

2 Q. Do you think it detracts from the  
3 region's transmission system?

4 A. I don't know.

5 Q. Do you know if Staff supports the  
6 goal of improving the region's transmission system?

7 A. I'm not aware of Staff's position.

8 Q. Thank you. That's all I have.

9 JUDGE BURTON: Thank you.

10 Chairman Kenney do you have any  
11 questions?

12 CHAIRMAN KENNEY: No. Thank you very  
13 much.

14 JUDGE BURTON: Commissioner Kenney?

15 COMMISSIONER KENNEY: No thank you.

16 JUDGE BURTON: Commissioner Hall?

17 COMMISSIONER HALL: No questions.

18 JUDGE BURTON: I don't have any.

19 Are there any redirects?

20 MS. HAMPTON: No, your Honor.

21 JUDGE BURTON: Can this witness be  
22 excused then?

23 All right, thank you.

24 Staff may call its next witness.

25 MR. DOTTHEIN: Mr. Oligschlaeger.

1 (Whereupon, the witness was sworn)

2 DIRECT EXAMINATION

3 QUESTIONS BY MR. DOTTHEIN:

4 Q. Would you please state your name for  
5 the record?

6 A. Mark L. Oligschlaeger.

7 Q. Would you identify your place of  
8 employment?

9 A. I work for the Missouri Public  
10 Service Commission.

11 Q. And would you identify your position?

12 A. I am manager of the auditing unit.

13 Q. Did you cause to be filed rebuttal  
14 testimony which is marked as Staff Exhibit No. 2 HC  
15 and Staff number 3 NP?

16 A. Yes.

17 Q. At this time do you have any  
18 corrections or changes to make to your rebuttal  
19 testimony?

20 A. Yes, I have one change on page 26 of  
21 Exhibit 2 and Exhibit 3, line 20, the sentence that  
22 begins in the middle of that line, the word is  
23 should be inserted between the words that and  
24 beneficial so now the sentence should read when the  
25 regulatory lag that is beneficial.



1           Q.       If I were to ask you today the same  
2       questions that are contained in your rebuttal  
3       testimony that has been marked as Exhibit No. 2 HC  
4       and Exhibit No. 3, Staff Exhibit No. 3 NP, would  
5       your answers be the same as corrected?

6           A.       They would.

7           Q.       Okay. Is the information contained  
8       therein true and correct to the best of your  
9       knowledge and belief?

10          A.       It is.

11          Q.       Okay. And do you adopt Staff Exhibit  
12       No. 2 HC and Staff Exhibit No. 3 NP as your  
13       testimony in this proceeding?

14          A.       I do.

15          Q.       Okay.

16                   MR. DOTTHEIN: At this time I would  
17       tender Mr. Oligschlaeger for cross examination.

18                   JUDGE BURTON: Did you want to admit  
19       those?

20                   MR. DOTTHEIN: Yes, and I would offer  
21       for admittance Staff Exhibit No. 2 HC and Staff  
22       Exhibit No. 3 NP.

23                   JUDGE BURTON: Any objections?

24                   All right. Staff Exhibit No. 2 HC  
25       and Staff Exhibit 3 NP are both admitted.

1 And I believe Mr. Downey.

2 MR. DOWNEY: No cross.

3 JUDGE BURTON: Mr. Woodsmall?

4 MR. WOODSMALL: Briefly Your Honor.

5 JUDGE BURTON: Okay.

6 CROSS EXAMINATION

7 QUESTIONS BY MR. WOODSMALL:

8 Q. Good afternoon Mr. Oligschlaeger.

9 A. Good afternoon.

10 Q. Does GMO have a Fuel Adjustment  
11 Clause?

12 A. They do.

13 Q. And does KCP&L have a Fuel Adjustment  
14 Clause?

15 A. They do not.

16 Q. Would you agree that KCP&L has  
17 voluntarily foregone its ability to seek an FAC  
18 until some time in 2015?

19 A. That is my understanding.

20 Q. And KCP&L's agreement not to seek a  
21 Fuel Adjustment Clause was contained in the KCP&L  
22 2005 regulatory plan, is that correct?

23 A. Yes.

24 Q. And that regulatory plan was a result  
25 of a stipulation among the parties, is that right?

1 A. Yes.

2 Q. Were there other aspects of the  
3 regulatory plan besides KCP&L's agreement not to  
4 seek a Fuel Adjustment Clause?

5 A. There were many other aspects to it.

6 Q. Would you agree that one important  
7 aspect was the creation of a regulatory  
8 amortization mechanism?

9 A. Yes.

10 Q. And that mechanism allowed KCP&L to  
11 charge rates that are higher than they otherwise  
12 were entitled to simply to allow KCP&L to meet  
13 certain financial metrics during the construction  
14 of Iatan 2, is that correct?

15 A. Yes.

16 Q. Are you aware of any other instances  
17 besides the KCP&L and Empire regulatory plan where  
18 customers have paid higher rates simply to allow  
19 the utility to meet certain financial metrics?

20 A. I am not aware of any other companies  
21 or instances.

22 Q. Would you agree subject to check that  
23 KCP&L recovered approximately 147 million from  
24 ratepayers in the regulatory amortization  
25 mechanism?

1           A.       I don't recall off the top of my  
2 head. I can accept that subject to check.

3           Q.       Thank you.

4                    Mr. Ives states that KCP&L should be  
5 treated consistent with Ameren who has a Fuel  
6 Adjustment Clause. Are you aware of any, in the  
7 last 10 years, any regulatory plan with Ameren?

8           A.       Certainly nothing that was similar to  
9 the plans agreed to and entered in by KCPL and  
10 Empire.

11           Q.       Would you agree that transmission  
12 costs are included in Ameren's Fuel Adjustment  
13 Clause?

14           A.       I would agree.

15           Q.       And would you agree that transmission  
16 revenues are included in that Fuel Adjustment  
17 Clause?

18           A.       I would agree.

19           Q.       Would you agree that surveillance  
20 reports are required as part of Ameren and GMO's  
21 fuel adjustment clauses?

22           A.       Yes.

23           Q.       Would you agree that all system sales  
24 margins are included in the Ameren and GMO Fuel  
25 Adjustment Clauses?

1 A. Yes.

2 Q. Is it your understanding that a Fuel  
3 Adjustment Clause can only be modified in the  
4 context of a rate case?

5 A. That's my general understanding.

6 Q. And is it also your general  
7 understanding that a fuel adjustment clause can  
8 only be implemented in the context of a rate case?

9 A. My recollection per the rule  
10 governing the implementation of FACs, that is true.

11 Q. Have you seen Mr. Ives' schedule  
12 regarding the list of AAO cases?

13 A. I have.

14 Q. I'm not going to ask you about any  
15 specific question, just about a couple of the  
16 subjects that are listed there just to give us some  
17 background about them. Are you familiar with FAS  
18 106?

19 A. Yes.

20 Q. And that concerns what is otherwise  
21 known as other post employment benefits besides  
22 pensions?

23 A. Yes.

24 Q. Known at OPEBs?

25 A. Yes.

1           **Q.       Can you tell me what was the event**  
2   **that caused the need for the FAS 106 OPEB AAOs?**

3           A.       Well, the initial AAOs that were  
4   requested regarding FAS 106 and I think Ameren, at  
5   the time Union Electric Company, filed the first  
6   one in 1992, the concern was that the companies  
7   wish to maintain its accounting practice of booking  
8   those costs according to the traditional pay as you  
9   go method in lieu of the new FAS 106 accrual method  
10   that was at that time being implemented by the  
11   Financial Accounting Standards Board.

12          **Q.       Did the utilities in Missouri have to**  
13   **follow the new accounting standard for FAS 106?**

14          A.       In general, yes.

15          **Q.       Okay. Did the same type of event**  
16   **occur for pensions?**

17          A.       There was a changeover in terms of  
18   the accounting for pensions in the late 1980s, I  
19   don't recall there were specific AAO requests tied  
20   to that. There have been occasional AAO requests  
21   for pensions mostly wanting to maintain a  
22   traditional again rate making treatment of having  
23   the amounts included in their rates based on  
24   contributions as opposed to an accrual method.

25          **Q.       And an accrual method was dictated by**

1     **the Financial Accounting Standards Board, is that**  
2     **correct?**

3             A.       That's correct.

4             Q.       And that's FAS 87?

5             A.       Yes.

6             Q.       There are a number of cases there  
7     **regarding gas safety. Can you just give us some**  
8     **discussion about the event that caused the need for**  
9     **the gas safety AAO?**

10            A.       Yes. In the late 1980s there were a  
11   series of explosions, I think many of them were in  
12   the service territory of KCP&L gas service though  
13   they may not have been limited to that specific  
14   company. As a result of the explosions the  
15   Commission was concerned that the rules needed to  
16   be changed to in particular mandate replacement of  
17   old service lines or yard lines and to some degree  
18   it may have also dealt with main replacement as  
19   well and a series of, or a rule was implemented  
20   mandating certain infrastructure improvements and  
21   AAOs were granted regarding the costs that were  
22   incurred by the utilities to meet the new rules.

23            Q.       There were two AAOs listed that  
24   **concern MGE's request for an AAO associated with**  
25   **Kansas property taxes. Are you familiar with that?**

1 A. Yes, I am.

2 Q. And can you tell me what the event  
3 was that caused the need for that AAO, those AAOs?

4 A. Probably not quite 10 years ago I  
5 believe the Kansas legislature passed a law  
6 implementing, or calling for the assessment of  
7 property taxes on gas in storage held by local  
8 distribution companies, possibly pipeline companies  
9 as well. This was a new type of property tax that  
10 MGE and I believe other local distribution  
11 companies in the state of Kansas in particular  
12 resisted, have resisted and may still be resisting  
13 in the court system.

14 Q. Okay. But that was a new property  
15 tax that was questioned by the Kansas legislature,  
16 is that correct?

17 A. That's my recollection.

18 Q. Okay. And I'm wrapping up pretty  
19 quickly. There were a couple cases there regarding  
20 manufactured gas plant cleanup. Do you believe  
21 that manufactured gas plant cleanup is a recurring  
22 cost for gas companies?

23 A. The broader topic of environmental  
24 costs or environmental remediation costs I would  
25 say is generally recurring. The one company I'm



1 most familiar with Missouri Gas Energy had a series  
2 of MTP sites that it was obligated in part along  
3 with other parties to incur costs to clean up. I  
4 would say I would view those as recurring.

5 **Q. One last question. Would you agree**  
6 **that in most AAO cases Staff and the parties do not**  
7 **oppose the utility's request for deferral?**

8 A. Over time as the ground rules for  
9 granting of AAOs have been more subtle than  
10 established by the Commission I say there's been a  
11 trend towards more agreement. Early on there was a  
12 lot of disagreement as to the proper scope of what  
13 an AAO should cover.

14 **Q. Do you recall litigating a case**  
15 **regarding AAOs in the last 10 years?**

16 A. I know at least the Kansas property  
17 tax one that you earlier discussed was litigated  
18 though I think, the Company's and Staff's position  
19 was not identical but in that particular case I  
20 think we were more aligned against Office of Public  
21 Counsel.

22 **Q. No further questions. Thank you.**

23 JUDGE BURTON: Thank you.

24 Mr. Mills?

25 MR. MILLS: Maybe just one or two.

1 CROSS EXAMINATION

2 QUESTIONS BY MR. MILLS:

3 Q. Mr. Oligschlaeger, Mr. Ives testified  
4 that he doesn't see any relationship between  
5 instruction 7 and deferral accounting to accounts  
6 182.3 and 254 and I think he hinted that maybe you  
7 would agree with him on that. Do you agree with  
8 him on that, that there's no connection?

9 A. I would agree in the limited sense  
10 that I don't think there is a specific and direct  
11 link between the two per the USOA. Where I would  
12 disagree is I believe this Commission has  
13 established over the long term a policy by which  
14 the criteria of extraordinary which is laid out and  
15 defined in generally instruction number 7 should  
16 generally guide whether deferrals should be allowed  
17 into account 128.3.

18 Q. Thank you.

19 MR. MILLS: That's all I have.

20 JUDGE BURTON: Thank you.

21 Mr. Lowery?

22 MR. LOWERY: No questions.

23 JUDGE BURTON: Mr. Cooper?

24 MR. COOPER: No questions.

25 MR. FISCHER: Mr. Fischer?

1 CROSS EXAMINATION

2 QUESTIONS BY MR. FISCHER:

3 Q. Let's start at that last point. Mr.  
4 Oligschlaeger, if you could turn to page 27 of your  
5 rebuttal testimony at line 14 and 15. I believe  
6 you say that Staff does not disagree with the  
7 overall conclusion made by Mr. Ives and Mr.  
8 Bresette that utilities may not be able to book  
9 deferrals on costs in certain circumstances for  
10 financial reporting purposes without an order from  
11 the Commission explicitly authorizing such  
12 deferral. Is that right?

13 A. That's what it states.

14 Q. Is it correct then to conclude that  
15 you believe it is necessary for the Commission to  
16 specifically authorize the deferral before the  
17 companies could defer transmission costs that are a  
18 subject of this proceeding?

19 A. And perhaps this is ripe for  
20 clarification. There's two different things we're  
21 talking here. One is the accounting directives  
22 this Commission has in its scope governing the  
23 accounting of all the subject utilities. Number  
24 two is the jurisdiction of the financial accounting  
25 community over the Company's published financial

1 reports. Obviously the external auditors don't  
2 govern what this Commission does in terms of  
3 accounting and this Commission can't govern what  
4 the external auditors decree in terms of the  
5 published financial reports. My point here is  
6 without explicit authorization from the Commission  
7 for a deferral it is unlikely a company's external  
8 auditors, their public accounting firm would allow  
9 them to book the deferral for purposes of their  
10 published financial reports. If they were not  
11 allowed to do that then at least some, much of the  
12 benefit that the company intends as part of the  
13 deferral process can not be accomplished.

14 **Q. Okay. So you're saying it's not**  
15 **practical for the companies to do it without an**  
16 **order from the Commission?**

17 **A.** Now in this particular case there's  
18 not a lot of history or a track record of deferrals  
19 being allowed for transmission expenses and I think  
20 particularly in this circumstance if it is the  
21 Commission's intent to allow such a deferral they  
22 would, should order an explicit, or issue an  
23 explicit order authorizing that.

24 **Q. Let me just ask you this question:**  
25 **Do you agree that the companies can not**

1     unilaterally choose to defer these costs without a  
2     specific order from the Commission authorizing them  
3     to do so?

4             A.     My opinion would be they cannot  
5     reflect such on their published financial  
6     statements.

7             Q.     Okay. Then if we go to page 27 at  
8     line 17 through 19 you testify that in the event  
9     that it is the Commission's intent that the  
10    companies be allowed to book a deferral of  
11    transmission policies as a result of this  
12    proceeding Staff believes that the Commission  
13    should issue an order authorizing an AAO or tracker  
14    for that purpose. Is that right?

15            A.     That's what it states.

16            Q.     And that's your opinion.

17            A.     Yes.

18            Q.     Okay. So on that point the companies  
19    and the Staff seem to agree, right, that if the  
20    Commission intends for the companies to be able to  
21    defer they should issue a specific order  
22    authorizing that deferral.

23            A.     Yes.

24            Q.     Let's go to your schedule ML 01 which  
25    I think lists a lot of the cases that you've been

1 involved with over the years and I was just looking  
2 for a few of the AAO cases. It looks like there's  
3 one that, United Missouri Water, or United Water  
4 Missouri, the FAS 106 deferrals that you talked  
5 about I think with Mr. Woodsmall. The Commission  
6 approved that one for FAS 106, is that right?

7 A. They did not.

8 Q. They did not. Okay. They did  
9 approve some FAS 106 cost approvals for, or they  
10 did authorize AAOs for some FAS 106 costs for some  
11 utilities?

12 A. They did. Perhaps to go, to expand  
13 on that a little bit because of subsequent  
14 developments in the financial accounting community  
15 some of the those authorizations were not allowed  
16 to be used by the utilities.

17 Q. Okay. Then you also mention on that,  
18 on your second page there of the Missouri Gas  
19 Energy case that appears to involve a deferral of  
20 SLRP deferrals and Y2K deferrals, do you see that?

21 A. Yes.

22 Q. Is that a reference to service line  
23 replacement program costs?

24 A. Yes.

25 Q. And is that also a reference to the

1 upgrades of computers and the computer system for  
2 the transition to the year 2000, is that what Y2K  
3 means?

4 A. Yes.

5 Q. And did the Commission approve AAOs  
6 for those kinds of expenses?

7 A. In both cases, yes.

8 Q. And then you've already mentioned I  
9 think with Mr. Woodsmall the Kansas property tax  
10 AAO. In your 30, what, 32 years here at the  
11 Commission do you recall the Commission has  
12 approved AAOs or deferrals or trackers for such  
13 topics as renewable energy standards costs?

14 A. Yes.

15 Q. And you've said, already said the  
16 Kansas property tax, what about construction  
17 accounting for new power plants, have there been  
18 deferrals related to those?

19 A. Yes.

20 Q. And you mentioned pensions and OPEBs.  
21 By the way, what are OPEBs?

22 A. OPEBs basically to move away from the  
23 acronym for a moment is retiree benefits commonly  
24 offered to, medical benefits to retirees of utility  
25 companies.

1           **Q.       Has the Commission made, had**  
2       **approvals for AAOs or trackers or deferrals for**  
3       **security costs?**

4           A.       One, yes.

5           **Q.       And what about, I think you mentioned**  
6       **safety costs with Mr. Woodsmall?**

7           A.       And by safety I believe that's a  
8       specific reference to the service line replacement  
9       program type costs incurred by local distribution  
10      companies.

11          **Q.       And main line and replacement costs**  
12      **program have been approved by for AAOs?**

13          A.       You mean a main replacement, water  
14      main?

15          **Q.       I was thinking of the gas side but**  
16      **probably water too.**

17          A.       Well, on the gas side I believe that  
18      the ongoing safety programs may have encompassed,  
19      I'm not quite, I don't remember exactly, main  
20      replacement as well. On the water side the  
21      Commission approved some AAOs for water main  
22      replacement or infrastructure replacement but later  
23      ended those.

24          **Q.       Would you agree with me generally**  
25      **that the ones we've just mentioned didn't involve**



1     **acts of God?**

2             A.       I believe in one way or the other the  
3     Commission found that they were extraordinary in  
4     nature but I would agree that they were not all the  
5     classical acts of God type situation.

6             **Q.       Some of them were more normal**  
7     **expenses utilities just incur, right?**

8             A.       Well, again as a general rule the  
9     Commission found something extraordinary about  
10    them.

11            **Q.       And the Commission's allowed public**  
12    **utilities over the years to defer those kinds of**  
13    **costs for possible recovery in a future rate case.**

14            A.       That's what the AAOs usually have  
15    been used for.

16            **Q.       Let's talk about the carrying cost**  
17    **issue just a little bit. On page 26 at line 6 you**  
18    **state carrying charges are the equivalent of a**  
19    **return on investment that may be added to a**  
20    **deferred cost to recognize the delay and recovery**  
21    **in costs and rates. Is that right?**

22            A.       That's correct.

23            **Q.       If the Commission approves the**  
24    **Company's AAO request the transmission costs would**  
25    **be deferred but the recovery of those costs would**

1 be considered in the Company's next rate case, is  
2 that right?

3 A. Yes.

4 Q. So is it correct to conclude that any  
5 recovery in rates would not occur until some time  
6 in the future when the Commission reviews the  
7 prudence of those costs?

8 A. That's correct.

9 Q. So would you agree there will be a  
10 delay from the time the companies incurred, a delay  
11 between the time the Company actually incurs the  
12 transmission costs until the time the Company would  
13 be allowed to recover those costs?

14 A. As is typical with any cost incurred  
15 by a utility.

16 Q. So page 26 at line 12 you state even  
17 if deferral authority is granted for a particular  
18 cost the utility deferring the cost will still lose  
19 the time value of money for the lag between  
20 incurring the costs and recovering the cost of  
21 rates through an amortization, is that right?

22 A. Yes.

23 Q. A dollar that's not recovered until  
24 future is worth less than a dollar that is  
25 recovered immediately, would you agree?

1           A.       I would agree.

2           **Q.       And it's that time value of money**  
3       **that carrying costs are sometimes designed to**  
4       **compensate for, right?**

5           A.       I believe that's their primary  
6       intent.

7           **Q.       Is it correct that Staff's position**  
8       **is to purposely ensure that the companies can not**  
9       **recover its costs including that time value of**  
10       **money?**

11          A.       Well, purposely makes it sound kind  
12       of punitive or vengeful or something. The  
13       Commission has stated that mitigation of regulatory  
14       lag is one of the purposes of the AAO mechanism but  
15       they are not intended to completely eliminate the  
16       phenomena of regulatory lag as it would apply to  
17       the costs being deferred and our position on  
18       carrying costs in this case and some other cases is  
19       based upon that belief that it is good policy to  
20       completely eliminate this final lag for a  
21       particular cost item incurred by a utility.

22          **Q.       Let's look at page 27 of your**  
23       **rebuttal at line 5 where you say the practical**  
24       **effect of this approach, and by that I think you're**  
25       **talking Staff's recommendation, is to share**

1     **responsibility for the extraordinary expenses**  
2     **between the utility shareholders and ratepayers.**  
3     **Is that right?**

4             A.       Well that's, I guess that describes  
5     what we're proposing in this particular case. It  
6     also describes the affect of what has been the  
7     approach in many past Accounting Authority Order  
8     cases in terms of rate based treatment of the  
9     deferral.

10            Q.       **So for transmission costs at least**  
11     **the Staff position is that shareholders and**  
12     **ratepayers should share the costs to serve the**  
13     **customers even if they're prudently incurred**  
14     **transmission costs?**

15            A.       No, not in the sense of the normal  
16     ongoing level of transmission expense that is  
17     normally included in the utility's rates. We're  
18     talking about, however, costs that are deferred  
19     normally pursuant to a claim of extraordinary,  
20     being extraordinary in nature and in that  
21     particular instance we believe in general that the  
22     risk of extraordinary events or losses should be  
23     shared between customers and the shareholders of  
24     the unit.

25            Q.       **So for purposes of the transmission**

1 costs though that we're talking about in this case  
2 you're suggesting they ought to be shared between  
3 shareholders and ratepayers, right?

4 A. I'm saying to the extent there are  
5 deferred costs, deferred transmission expenses  
6 resulting from this application the ultimate rate  
7 making treatment, we're not there yet, should  
8 generally follow the past Commission policy of not  
9 charging the entire amount or putting the entire  
10 responsibility for those costs on the customers of  
11 the utility.

12 Q. Well, are there other prudently  
13 incurred costs to certain customers that Staff  
14 believes should be shared?

15 A. In general we believe that most  
16 deferrals should be shared, when it is appropriate  
17 to give them rate recovery should be shared in some  
18 manner and that is why we have typically suggested  
19 an amortization over a period of time with no rate  
20 based treatment.

21 Q. Well let's talk about that condition.  
22 Under your sixth condition the amortization of the  
23 deferral would commence on KCPL and GMO's books in  
24 the first full calendar month following the  
25 Commission approval of the AAO or the tracker, is

1     that right?

2             A.       That's what we are suggesting.

3             Q.       If the companies don't have rate  
4     cases for some period of time, and let's just  
5     assume for purposes of this discussion 30 months,  
6     half of that 60 month amortization, wouldn't this  
7     mean that the companies would only be eligible to  
8     recover about one half of the transmission costs?

9             A.       No.

10            Q.       Well, in any event because the  
11    amortization begins before the date of the new  
12    rates the companies would be eligible to recover  
13    less than half of that full transmission cost,  
14    wouldn't they?

15            A.       Well, again a company does not have  
16    to have an explicit rate case on, go into effect in  
17    order to recover new costs. To the extent their  
18    existing rate levels are sufficient to carry the  
19    new costs but their earnings are still adequate  
20    that they do not need to seek earnings, or rate  
21    relief then for practical purposes they should be  
22    deemed to have recovered it. In your scenario you  
23    said they could wait for 30 months before filing or  
24    getting a rate increase. That suggests for a  
25    period of time of impact of the amortization was

1 not significant enough to force them into a rate  
2 case.

3 Q. Okay. So you're assuming that they  
4 can recover those costs because they didn't file a  
5 rate case, not because -- once they get to that  
6 rate case they'll only be eligible to recover half  
7 of them, right?

8 A. From that point going forward, yes.

9 Q. Even though those transmission costs  
10 might be determined to be prudent and necessary to  
11 serve the public, right?

12 A. I think it's always been our policy  
13 to include prudent and necessary transmission  
14 expenses in the Company's cost of service.

15 Q. But if they're amortized before you  
16 get to that rate case they wouldn't be eligible to  
17 ask for recovery.

18 A. Well, it would be up to the Company  
19 to ask for recovery. The impact of those  
20 transmission experiences were to bring your  
21 earnings down to an unacceptable level then at that  
22 point the proper action on the part of the Company  
23 would be to file a rate increase.

24 Q. Let's look at your seventh condition  
25 which I think is deferral resulting from AAOs or

1 trackers which cease under certain circumstances  
2 depending upon KCPL and GMOs reported return on  
3 equity. Is that one of the conditions?

4 A. Yes.

5 Q. On page 3 of your rebuttal testimony  
6 you state that Staff recommends that if KCPL or GMO  
7 reports that it is earning at or in excess of its  
8 authorized ROE on a 12 month rolling forward  
9 average basis in quarterly earning surveillance  
10 reporting any deferrals of under collections in net  
11 transmission costs should cease from that point  
12 forward and only resume on a perspective basis if  
13 this surveillance reporting shows it is now earning  
14 its lowest authorized ROE. That's your suggestion,  
15 right?

16 A. Yes.

17 Q. KCPL, GMO and other public utilities  
18 in the state have other AAOs or trackers that have  
19 been approved by the Commission, is that right?

20 A. Yes.

21 Q. Are you familiar with any AAO or  
22 tracker approved by the Commission which  
23 automatically ceases if the utility surveillance  
24 report shows it's earning more than its authorized  
25 ROE?



1           A.       This is a fairly new condition, I  
2   think we proposed it actually for, in the prior  
3   KCPL and GMO cases and their request at that time  
4   for a transmission tracker.

5           Q.       And I believe you also may have  
6   mentioned it in the Ameren case?

7           A.       You're correct as well.

8           Q.       And was it approved in any of those  
9   cases?

10          A.       I think the Commission's ruling in  
11   both those cases more or less made the point moot  
12   so I don't believe the Commission directly  
13   addressed this condition.

14          Q.       Would you agree with me that the  
15   Commission has never approved this condition?

16          A.       I would agree with that.

17          Q.       Is it your understanding the KCPL has  
18   been providing annual surveillance reports to the  
19   Commission staff?

20          A.       Yes.

21          Q.       And those annual KCPL surveillance  
22   reports are more detailed than other company's  
23   quarterly or monthly surveillance reports?

24          A.       That's my understanding.

25          Q.       And that practice goes back to some

1     **time after the Wolf Creek case in the late '80s?**

2             A.       Late '80s, early '90s.

3             **Q.       Probably 20 years?**

4             A.       20 plus years, yes.

5             **Q.       If the Commission adopted the Staff's**  
6     **sixth condition wouldn't KCPL need to change that**  
7     **surveillance reporting in order to meet your**  
8     **condition?**

9             A.       We would certainly be agreeable to  
10    foregoing the annual report in lieu of the new  
11    quarterly reports that would be required under this  
12    condition but would also be required to the extent  
13    KCPL moves in the future to utilize a fuel  
14    adjustment clause or any other kind of rate rider  
15    that might be available to them.

16            **Q.       Does the surveillance report**  
17     **submitted by electric companies in the state**  
18     **normalize their earnings for weather?**

19            A.       It does, they do not.

20            **Q.       Do KCPL or Ameren normalize for**  
21     **nuclear fuel recycling, for cycles?**

22            A.       I do not believe Ameren does, I  
23    believe KCPL performs some kind of accrual slash  
24    normalization of Wolf Creek refueling expenses on  
25    their books for reporting purposes.

1           Q.       Going back to weather, would you  
2   agree with me that if it's a hotter than normal  
3   year or colder than normal year that that can  
4   affect the Company's earnings that are shown on  
5   those surveillance reports?

6           A.       Certainly.

7           Q.       Do the surveillance reports typically  
8   include the myriad of rate making adjustments that  
9   we talked about in rate cases?

10          A.       No.

11          Q.       Staff monitors those surveillance  
12   reports filed by public utilities in the state,  
13   correct?

14          A.       Yes.

15          Q.       Does Staff always file a rate  
16   complaint when the surveillance report shows the  
17   Company may be earning more than the last  
18   authorized ROE?

19          A.       No. I mean the surveillance reports  
20   would be kind of the starting point of that  
21   analysis. I would say in general terms we are  
22   unlikely to initiate some kind of complaint process  
23   without a fairly sustained and material, sustained  
24   period of material earnings.

25          Q.       Doesn't Staff even sometimes conduct

1 a mini audit before they decide to file a rate  
2 complaint against the utility?

3 A. I would expect we would do that.

4 Q. Does the cost to capital change over  
5 time?

6 A. Yes, it does.

7 Q. Sometimes it goes up, sometimes it  
8 goes down, correct?

9 A. Yes.

10 Q. Would Staff consider the current  
11 costs of capital before they filed a rate complaint  
12 against public utilities even though the  
13 surveillance report might show it over earnings?

14 A. I believe we would take that into  
15 account.

16 Q. Would you agree with me that  
17 surveillance reports are a rough guide or  
18 guesstimate of the Company's earnings levels and  
19 that additional considerations are considered by  
20 Staff when they assess whether a rate complaint  
21 should be filed against a public utility?

22 A. Certainly. Surveillance reports are  
23 not detailed enough to justify changes in rates in  
24 and of themselves.

25 Q. If the Commission adopts the Staff's

1 seventh condition would you expect there to be  
2 hearings to determine if the Company was over  
3 earning before the deferral was turned off or  
4 terminated?

5 A. No. I think that's a  
6 misunderstanding of what we're proposing. We are  
7 proposing a bright line in regard to the  
8 extraordinary mechanism you are seeking in terms of  
9 the accounting authorization.

10 Q. So the companies wouldn't have an  
11 opportunity to challenge whether they were over  
12 earning or not?

13 A. It is again, this would be intended  
14 as a bright line. If you are over earning per your  
15 surveillance reports the extraordinary accounting  
16 mechanism would end for the period of over earning  
17 for the reason that it seems to default the purpose  
18 of the overall deferral if it's intended to  
19 mitigate a situation where a company asserts it can  
20 not reasonably earn its expected or its authorized  
21 return on equity without the deferral authority but  
22 nonetheless they are over earning in reality.

23 Q. Well, if the Commission decided to  
24 convene hearings to consider whether the companies  
25 were over earning before they turned off the

1     **deferral would you expect there might be a fair**  
2     **amount of controversy in the hearing room about**  
3     **that issue?**

4             A.     Under that set of circumstances I'm  
5     sure there would be disputes, yes.

6             Q.     **Mr. Oligschlaeger, in your preparing**  
7     **for this case did you come across other states in**  
8     **the SPP region that have authorized riders or other**  
9     **mechanisms to include recovery of transmission**  
10    **costs from SPP?**

11            A.     The only jurisdiction I specifically  
12    made any kind of review of was Kansas.

13            Q.     **And do they allow recovery of the**  
14    **transmission costs through some kind of a**  
15    **mechanism?**

16            A.     I believe it's called the ECA  
17    mechanism which I think is equivalent to the FAC  
18    mechanism. Did a quick review of the Kansas tariff  
19    sheets and they appear to encompass transmission  
20    expenses.

21            Q.     **Let's go to your conditions regarding**  
22    **revenues and expenses.**

23            A.     Sure.

24            Q.     **Would you describe your understanding**  
25    **of what a local or a zonal transmission project is**

1 as contrasted to a regional transmission project?

2 A. Broadly speaking a regional  
3 transmission project is supposed to provide  
4 benefits to I guess SPP members over a widely  
5 disbursed area while local or zonal projects are  
6 intended to provide primary benefit to the  
7 utilities I guess constructing the assets or those  
8 close by.

9 Q. A regional transmission project is  
10 subject to SPP's cost allocation procedures, is  
11 that right, whereby all the costs are shared by all  
12 the SPP members?

13 A. Yes.

14 Q. Is that true for local projects?

15 A. My general recollection is local  
16 projects may be financed entirely by the owner  
17 slash constructor.

18 Q. Would you agree that the Missouri  
19 portion of KCPL and GMO, that each pay about four  
20 percent of the costs of those regional transmission  
21 projects?

22 A. On a load share ratio basis, yes.

23 Q. So about eight percent of the  
24 Missouri portion of KCP&L and GMO combined that's  
25 what we're talking about?

1 A. Yes.

2 Q. If KCPL built a regional transmission  
3 project at the request of SPP it would also receive  
4 revenues to pay the, for the other 92 percent of  
5 the regional project costs, is that your  
6 understanding?

7 A. The entity financing the construction  
8 bearing the costs would receive all revenues.

9 Q. Staff wouldn't expect all those  
10 revenues from other SPP members for that kind of a  
11 regional transmission project to be included in a  
12 transmission AAO, would it?

13 A. Revenues received by KCPL to finance,  
14 or -- well, I think that -- I'll go back. I think  
15 that's a hypothetical situation, that was not  
16 specifically considered by Staff in terms of its  
17 position in this case. I'm not aware that KCPL and  
18 GMO are constructing any regional projects.

19 Q. I would agree it's a hypothetical but  
20 if KCPL and GMO customers are only paying for eight  
21 percent of the costs under that scenario why should  
22 they get the benefit of 100 percent of the revenue  
23 of regional transmission projects?

24 A. At this stage we're not suggesting  
25 they should, I think that's a question for if that



1 situation should arise somewhere down the line.

2 Q. Okay. Well, in this case the  
3 companies have excluded revenues associated with  
4 their own construction and maintenance of their own  
5 local transmission system. Is that your  
6 understanding?

7 A. They are, their position is to  
8 include revenues received from other SPP members  
9 associated with use of KCPL and GMO's transmission  
10 systems.

11 Q. And they've always included in the  
12 AAO requests the costs associated with their  
13 ownership and maintenance of those local  
14 transmission projects, is that right?

15 A. The costs charged through retail  
16 rates, yes.

17 Q. And that's where we handle those  
18 local transmission projects is in rate cases, is  
19 that right?

20 A. Well we've handled all transmission  
21 costs to date through rate cases. KCPL and GMO are  
22 proposing to change that in regard to costs paid by  
23 KCPL and GMO through SPP, we believe a proper  
24 matching is the revenues received by KCPL and GMO  
25 through SPP are appropriate as an offset.

1           **Q.       Well, haven't the companies excluded**  
2     **from their AAO requests both the costs and the**  
3     **revenues associated with their local transmission**  
4     **projects?**

5           A.       Yes, but Staff does not agree that  
6     that is a logical way of looking at a proper  
7     matching in light of what KCPL and GMO are  
8     attempting to receive in terms of the accounting  
9     treatment.

10          **Q.       And hasn't Staff proposed to include**  
11     **the revenues associated with those local**  
12     **transmission projects in the AAO?**

13          A.       In the same manner they're included  
14     in Ameren's FAC currently.

15          **Q.       So the answer is yes?**

16          A.       Yes.

17          **Q.       The revenues are in but the costs are**  
18     **out.**

19          A.       No. That's not how we view it. The  
20     revenues from SPP are in and the costs from SPP are  
21     not. In a proper matching you take into account  
22     both.

23          **Q.       But the costs are considered in a**  
24     **rate case rather than in the AAO.**

25          A.       Well, a portion of the costs are

1 recovered not from retail customers but through the  
2 payments received from other SPP members through  
3 the SPP allocation process. Those are  
4 appropriately offset against the increased costs  
5 that the Company also must or can pay through SPP  
6 for their use of other company's transmission  
7 systems.

8 Q. But hasn't Staff proposed to include  
9 the costs of the local transmission projects in the  
10 AAO -- I'm sorry, let me ask it again.

11 The Staff has not proposed to include  
12 the costs of those local transmission projects in  
13 the AAO if the Commission grants the approval of  
14 the AAO in this case.

15 A. Well, the Company is seeking the  
16 portion of its transmission expenses that are  
17 typically paid for by retail customers.

18 Q. But the Staff has suggested that the  
19 revenues that are associated with that local  
20 project, local transmission project, would be  
21 included.

22 A. Yeah. The revenues associated with  
23 other company's use of your systems, not your  
24 retail customers use of those systems.

25 Q. The Commission in this case could

1     decide to leave both its costs and the revenues  
2     associated with the Company's ownership and  
3     maintenance of those local transmission projects  
4     out of the AAO, correct?

5             A.       They could. We would not recommend  
6     that.

7             Q.       Instead the Commission could consider  
8     both the costs and the revenues associated with the  
9     local transmission projects in a local rate case,  
10    right?

11            A.       As they typically do.

12            Q.       And that has been what's been done in  
13    the past, right?

14            A.       Yes. All components of your  
15    transmission revenue requirements are considered in  
16    general rate cases.

17            Q.       If the Commission did that and left  
18    the local transmission costs and the revenues for  
19    consideration in the next rate case wouldn't there  
20    be a matching of the costs of revenues associated  
21    with the ownership and operation of the local  
22    transmission project?

23            A.       Well, again we do not agree that that  
24    is the logical way to approach appropriate matching  
25    for this AAO. The appropriate matching or to match

1 the expenses KCPL pays and seek deferral of  
2 associated with their use of other member systems  
3 with the revenues that KCPL and GMO receive from  
4 other members for their use of the KCPL and GMO  
5 systems. That is an appropriate matching.

6 Q. But you haven't included in the AAO,  
7 just so the record's clear, the cost of owning and  
8 maintaining the local transmission projects.

9 A. We have not included and the Company  
10 has not sought inclusion.

11 Q. But you would suggest that the  
12 revenues associated with those should be included  
13 if the Commission grants the AAO.

14 A. Yes. The revenues you receive from  
15 other members of SPP.

16 Q. Okay. Let's change to a different  
17 condition. The second condition, I believe there  
18 you propose that on a monthly basis copies of  
19 billings from SPP for all SPP rate schedules that  
20 contain charges and revenues will be included in  
21 the deferral. You'd want the, on a monthly basis  
22 the copies of the billings and all the schedules,  
23 right?

24 A. Yes.

25 Q. Would you expect that that kind of

1 information would be available to Staff during rate  
2 case audits even if the Commission didn't suggest  
3 it has to be provided on a monthly basis?

4 A. We would hope so and expect so.

5 Q. And that would be true too of  
6 internally generated reports that management would  
7 have related to transmission projects, correct?

8 A. That's correct.

9 Q. And then under your third proposed  
10 condition KCPL and GMO would maintain an ongoing  
11 analysis and quantification of all benefits and  
12 savings associated with participation in SPP not  
13 otherwise passed on to ratepayers in other general  
14 rate cases, is that right?

15 A. Yes.

16 Q. Now, would you agree that in the past  
17 the companies have provided cost benefit analysis  
18 for their participation in SPP in some of those  
19 proceedings where they've sought to continue their  
20 membership in that RTO?

21 A. Yes.

22 Q. And would you also agree with me that  
23 those are fairly complex studies to determine the  
24 costs and benefits of participation in the RTO?

25 A. I would agree with that.

1           Q.       Is it also your understanding that  
2   KCPL and GMO have committed to provide those  
3   complex studies in 2017?

4           A.       That sounds right to me, yes.

5           Q.       And then on your fourth condition  
6   KCPL and GMO would be required to maintain  
7   documentation of its efforts to minimize the level  
8   of costs deferred under any AAOs or trackers  
9   authorized for, right?

10          A.       Yes.

11          Q.       Now, we may be quibbling with you but  
12   you really think it's appropriate to minimize the  
13   cost of transmission or wouldn't you agree it's  
14   more appropriate to try to optimize the cost and be  
15   provided efficient level of costs to consumers for  
16   the benefit of the transmission service they're  
17   getting?

18          A.       I would state that the wording in my  
19   testimony probably isn't ideal. The real goal here  
20   is that KCPL and GMO make every effort to maximize  
21   the benefits that accrue to both its customers and  
22   it's shareholders from its involvement with SPP.  
23   Now that maximization of benefits, one aspect of  
24   that is obviously cost minimization but that's not  
25   the only aspect.

1           Q.       Does the Commission have an advisory  
2       staff such as that of McKinney and others that  
3       attend SPP and RTO meetings?

4           A.       Yes.

5           Q.       And does the Commission also  
6       participate in I think it's a state regional group  
7       that participates in SPP and MISO meetings or  
8       activities?

9           A.       I believe so.

10          Q.       Does the Commission have the ability  
11       to submit comments to SPP or to FERC regarding  
12       proposed transmission projects?

13          A.       I believe they have that power either  
14       on its own or in conjunction with other  
15       jurisdictions or within OMS or whatever the SPP  
16       group.

17          Q.       And is it your understanding that  
18       they have submitted such comments?

19          A.       In the past, yes.

20          Q.       Is it also your understanding that  
21       SPP keeps minutes of its meetings that are publicly  
22       available?

23          A.       That's my understanding.

24          Q.       And they have a website where you can  
25       look at what's going on at SPP and get information



1     **fairly readily?**

2             A.       Yes.

3             **Q.       And we agree, don't we, that if the**  
4     **Commission grants the AAO in this case that rate**  
5     **making consideration should be left for the next**  
6     **rate case?**

7             A.       I believe the Company accepts that  
8     position.

9                     MR. FISCHER: I think that's all I  
10    have Judge. Thank you very much.

11                    JUDGE BURTON: Thank you.

12                    At this time Chairman Kenney do you  
13    have any questions?

14                    CHAIRMAN KENNEY: No. Thank you Mr.  
15    Oligschlaeger.

16                    JUDGE BURTON: Commissioner Kenney?

17                    COMMISSIONER KENNEY: I have a quick  
18    question.

19                               EXAMINATION

20    QUESTIONS BY COMMISSIONER KENNEY:

21             **Q.       Mr. Oligschlaeger, has the Commission**  
22     **issued an AAO for RTO expenses before?**

23             A.       I am not aware they have.

24             **Q.       Have they issued a tracker for RTO**  
25     **expenses?**

1 A. Again I'm not aware that they have.

2 Q. Thanks.

3 JUDGE BURTON: Commissioner Hall?

4 COMMISSIONER HALL: No questions.

5 JUDGE BURTON: I don't have any  
6 questions.

7 Any recross?

8 Mr. Fischer?

9 MR. FISCHER: No, thank you.

10 JUDGE BURTON: Any redirect?

11 MR. DOTTHEIN: Yes. Limited.

12 JUDGE BURTON: Okay.

13 REDIRECT EXAMINATION

14 QUESTIONS BY MR. DOTTHEIN:

15 Q. Mr. Oligschlaeger, in responding to  
16 some questioning from Mr. Fischer I think you  
17 indicated that the Commission has ended some AAOs.  
18 Did I hear that correct? Were you possibly  
19 referring to ending some AAOs that might be  
20 referring to recurring costs?

21 A. Yes. And actually your question, I'm  
22 not sure ending is the right technical term. What  
23 I was specifically referring to was the Commission  
24 issued a series of AAOs to St. Louis County Water  
25 Company in the '90s related to a water main

1 infrastructure replacement type program. After  
2 several of those had been approved by the  
3 Commission the Company sought approval for a new  
4 one in the context of its 2000 rate case. At that  
5 time the Commission said it would no longer issue  
6 AAOs for that because of the recurring nature of  
7 the costs among other reasons.

8 **Q. Mr. Fischer discussed with you**  
9 **carrying costs. Can you identify what the**  
10 **Commission has generally done regarding carrying**  
11 **costs relating to AAOs?**

12 **A.** Well, there's been some variety and  
13 practice. There are some AAOs in which there are a  
14 general consensus that carrying costs are  
15 appropriate. Typically those might have to do with  
16 the cost of, to comply with Commission mandates,  
17 rules and so forth and in fact in some cases the  
18 rules themselves call for carrying costs to be  
19 applied to rate recovery of the cost to comply with  
20 the rule. There are other circumstances in which  
21 carrying costs might be appropriate, I can think of  
22 demand side management costs for someone with gas  
23 and electric utilities prior to the DSM rule. For  
24 the most part most AAOs do not feature our carrying  
25 costs. If your question is has the Commission, how

1 has the Commission ruled on carrying costs, I'm not  
2 sure I can recall a specific precedent unless you  
3 can bring one to my mind.

4           **Q.       Mr. Fischer asked you a number of**  
5 **questions regarding the amortization area. Has the**  
6 **Commission in its AAO orders put time limits as far**  
7 **as, in not literally in direct reference to the**  
8 **amortization period but time limits as far as when**  
9 **the Company must come in for a rate case or lose**  
10 **the deferral?**

11           **A.       In the 1990s in particular when there**  
12 **was a flood of AAO cases that the, compared to what**  
13 **we had seen before the Commission had a general**  
14 **policy of attaching a time limit by which a company**  
15 **must come in to file for rates to seek inclusion of**  
16 **the deferral and its rates or else lose the**  
17 **deferral on the basis that without filing a rate**  
18 **case their earnings would be proved sufficient to**  
19 **not need the deferral mechanism any further. Over**  
20 **time there's been a slight shift away from using a**  
21 **specific time limit for a rate case to an approach**  
22 **where a more immediate amortization of the deferral**  
23 **is normally either agreed to or in some cases has**  
24 **been ordered by the Commission again to prevent the**  
25 **Company from maintaining its deferred costs on its**

1 books for an extended period of time without  
2 seeking rate relief.

3 Q. Thank you Mr. Oligschlaeger.

4 JUDGE BURTON: If there's nothing  
5 further for this witness.

6 You may be excused. Thank you.

7 Why don't we go ahead and take a  
8 brief 10 minute break, stretch and walk around and  
9 we'll reconvene.

10 (RECESS TAKEN BY PARTIES)

11 JUDGE BURTON: I'm showing it's 5:03  
12 p.m., let's go ahead and go back on the record and  
13 let's see, we have our witness here on the stand.

14 (Whereupon, the witness was sworn)

15 DIRECT EXAMINATION

16 QUESTIONS BY MR. MILLS:

17 Q. Good evening.

18 A. Good evening.

19 Q. Can you please state your name for  
20 the record?

21 A. My name is William Addo. Addo is  
22 spelled A-D-D-O.

23 Q. And for whom do you work?

24 A. I work for Missouri Office of Public  
25 Counsel.

1 Q. And what is your position there?

2 A. Public Utility Accountant 1.

3 Q. Are you the same William Addo who  
4 caused to be filed testimony in this case that has  
5 been marked as Public Counsel Exhibit 1, both a  
6 highly confidential and a nonproprietary version?

7 A. Yes, I am.

8 Q. Do you have any additions or  
9 corrections to make to that testimony?

10 A. No.

11 Q. If I were to ask you the same  
12 questions that are contained therein would your  
13 answers be the same?

14 A. Yes.

15 Q. And are those answers true and  
16 correct to the best of your knowledge and belief?

17 A. Yes.

18 MR. MILLS: With that Judge I will  
19 offer Exhibit Public Counsel 1, both the highly  
20 confidential and the nonproprietary version and  
21 tender the witness for cross examination.

22 JUDGE BURTON: Are there any  
23 objections to the admission of OPC Exhibit 1?

24 Hearing no objections it is admitted  
25 into the record.

1 And I believe Mr. Downey this is  
2 your --

3 MR. DOWNEY: No cross.

4 JUDGE BURTON: Mr. Woodsmall?

5 MR. WOODSMALL: Nothing Your Honor.

6 JUDGE BURTON: Mr. Lowery?

7 MR. LOWERY: No questions Your Honor.

8 JUDGE BURTON: Mr. Cooper?

9 MR. COOPER: No questions.

10 JUDGE BURTON: And then Mr. Fischer?

11 MR. FISCHER: No questions.

12 JUDGE BURTON: Mr. Thompson?

13 MR. THOMPSON: No questions. Thank

14 you Judge.

15 Chairman do you have any questions?

16 CHAIRMAN KENNEY: No questions.

17 Thank you very much.

18 JUDGE BURTON: And Commissioner

19 Kenney?

20 COMMISSIONER KENNEY: No questions.

21 Thank you.

22 JUDGE BURTON: Commissioner Hall

23 doesn't appear to have any questions at this time.

24 We'll go back. Is there any

25 redirect?

1 MR. MILLS: For the record this is  
2 Mr. Addo's first time on the stand and he was very,  
3 very, very, well prepared and he would have been  
4 great had there been questions, so.

5 I have no questions, no redirect.  
6 Thank you.

7 JUDGE BURTON: You may be excused.  
8 Thank you Mr. Addo.

9 MR. ADDO: Thank you.

10 MR. LOWERY: For the record I really  
11 wanted to ask if Lewis Mills is a good boss or not.

12 JUDGE BURTON: Well, we'll never  
13 know.

14 (Whereupon, the witness was sworn)

15 MR. DOWNEY: Just to avoid confusion  
16 for the benefit of everybody here Mr. Myer is a  
17 witness of the MIEC, he's also a witness of David  
18 Woodsmall's client and so to speed things up Mr.  
19 Woodsmall is going to offer the direct of this  
20 witness, after all the cross Mr. Woodsmall will do  
21 redirect, I will have my opportunity for redirect  
22 if there's anything left unaddressed by Mr.  
23 Woodsmall.

24 JUDGE BURTON: Thank you.  
25 Were there any questions about what



1 Mr. Downey has just stated?

2 Okay then. Your witness Mr.

3 Woodsmall.

4 DIRECT EXAMINATION

5 QUESTIONS BY MR. WOODSMALL:

6 Q. Would you state your name for the  
7 record please?

8 A. Give me just a minute.

9 It's Greg Myer, M-Y-E-R.

10 Q. Did you cause to be filed what has  
11 been marked as MCEG Exhibit 4 in this case?

12 A. Yes, I did.

13 Q. And do you have any corrections,  
14 changes, additions to make to that?

15 A. Yes, I do. On page 12, line 19, I  
16 need to strike and GMO's, so the sentence will read  
17 I am also aware that KCPL's net plant, open paren  
18 plant in service less accumulated depreciation,  
19 close paren has decreased from the levels included  
20 in its last rate case.

21 I also have an updated schedule that  
22 appears on page 14, it's highly confidential that  
23 goes through October 2013.

24 MR. WOODSMALL: Your Honor I'd like  
25 to provide that if we could, just mark as Exhibit 5

1 if that suits you.

2 JUDGE BURTON: That would be fine so  
3 MECG Exhibit 5 would be the revised surveillance  
4 data that's referred to in Greg Myer's testimony on  
5 page 14 of the highly confidential.

6 Q. (BY MR. WOODSMALL) And could you  
7 briefly just describe what MECG 5 is?

8 MR. FISCHER: Judge I'm going to  
9 object, this is more in the nature of additional,  
10 this is rebuttal, it's not typically allowed to  
11 supplement your testimony from the stand to what  
12 you could have, we've had this for, since the time  
13 of the procedural schedule for filing and rebuttal  
14 and it's not appropriate to supplement it with more  
15 recent information. I'm going to object.

16 MR. WOODSMALL: All we're attempting  
17 to do is to update to show the ongoing earnings.  
18 It wasn't possible to put this in the rebuttal  
19 because we didn't have the most recent information.  
20 We always attempt to keep the Commission informed  
21 with the most recent information when we do rate  
22 cases and we do true-ups. All we're trying to do  
23 is give the Commission that most recent  
24 information. It doesn't change any of his  
25 analysis, it doesn't change how he did it, it's

1 just most recent information.

2 JUDGE BURTON: When was this  
3 information made available?

4 MR. WOODSMALL: In data requests in  
5 the last week or two.

6 JUDGE BURTON: And did you provide  
7 any of this information to the other attorneys  
8 prior to today?

9 MR. WOODSMALL: Well, the information  
10 came from KC -- or from GMO so we didn't provide it  
11 to them but no, none of the other attorneys.

12 JUDGE BURTON: Okay. At this time  
13 I'm going to go ahead and just allow discussion  
14 about this from this witness and then whenever it's  
15 offered we'll readdress those issues that you have  
16 Mr. Fischer.

17 A. So could you repeat your question?

18 Q. (BY MR. WOODSMALL) Would you just  
19 describe what Exhibit 5 is?

20 A. Exhibit 5 without going into any  
21 details is a graph that shows GMO's earnings,  
22 reported earnings from its surveillance reporting  
23 from January 2013 through October 2013. Each month  
24 is a 12 month analysis of where GMO's earnings  
25 would be and so this is, this graph includes the

1 operations of MPS and LNP.

2 Q. Okay. And just to be clear that is  
3 highly confidential information, is that correct?

4 A. That's correct.

5 Q. Do you have any other changes to make  
6 to your testimony?

7 A. No, I do not.

8 Q. And if I were to ask you the same  
9 questions here today would your answers be the  
10 same?

11 A. They would.

12 Q. And those answers are true and  
13 correct to the best of your knowledge and belief?

14 A. They are.

15 MR. WOODSMALL: Your Honor I offer  
16 Exhibits 4 and 5 and tender the witness for cross  
17 examination.

18 JUDGE BURTON: Let's go head and look  
19 at MCEG Exhibit 4 which I believe is going to  
20 entail both the highly confidential and NP version  
21 of his testimony.

22 MR. WOODSMALL: Right.

23 JUDGE BURTON: Are there any  
24 objections?

25 Hearing none MCEG Exhibit 4 is

1 admitted into the record.

2 Now for MECG Exhibit 5 which is the  
3 revised graph at this time Mr. Fischer I believe  
4 you have an objection?

5 MR. FISCHER: Yes Judge. I think  
6 this is more in the nature of supplemental  
7 testimony that's not typically permitted here at  
8 the Commission. We have pre-filing rules for a  
9 reason, that's so we can all prepare for it and I  
10 think this goes beyond that and I would object to  
11 the level of our introduction in this exhibit.

12 JUDGE BURTON: Do any other parties  
13 have objections to this?

14 MR. LOWERY: As a general matter I  
15 would join in that objection that just because we  
16 have true-ups we don't after the true-up period  
17 unless there is a good cause or reason given just  
18 supplement everybody's testimony at the hearing,  
19 two, three, four months later so I would join in  
20 that objection.

21 JUDGE BURTON: I'm going to go ahead  
22 and overrule that objection, we're going to go  
23 ahead and allow MECG Exhibit 5 into the record.

24 MR. WOODSMALL: Thank you Your Honor.  
25 Tender the witness for cross examination.

1 JUDGE BURTON: And Mr. Mills?

2 MR. MILLS: Thank you.

3 CROSS EXAMINATION

4 QUESTIONS BY MS. MILLS:

5 Q. Mr. Myer I'm going to ask you some  
6 questions that sort of go around the periphery of  
7 your highly confidential information, I'm going to  
8 try to do it in such a way that we don't have to go  
9 in camera but if for some reason you believe that  
10 in order to answer my question we have to just make  
11 sure we stop and let the Judge know before you say  
12 anything. Okay?

13 A. Okay.

14 Q. Do you have a copy of Mr. Ives'  
15 surrebuttal testimony there with you?

16 A. Yes, I do.

17 Q. And at page 10 of his surrebuttal  
18 testimony beginning at line 13 he talks about some  
19 of your analysis based on the surveillance reports.  
20 Do you recall that portion of his testimony?

21 A. Yes, I do.

22 Q. One of his criticisms is that your  
23 analysis has not been subjected to normal  
24 regulatory adjustments and you've heard Mr. Fischer  
25 here today talk about weather any number of times.

1 Did you look at the effect of whether or not  
2 weather would make a difference to your analysis of  
3 GMO's earnings?

4 A. Yes, I did.

5 Q. And what did that show you?

6 A. The MECG submitted data requests 2  
7 dash 4 and 2 dash 5 and I think 2 dash 5 related to  
8 GMO and what it -- all right. When you look at the  
9 sales for 2012, I'm sorry, when you look at the  
10 sales what it does, what 2 dash 5 gives you is it  
11 gives you what the actual sales of the utility are  
12 for the period versus what they would be with  
13 normal weather. When you look at the 12 months  
14 ending September 2013 the weather normalized sales  
15 would be greater than the actual sales the Company  
16 experienced.

17 Q. And the 12 month period ending  
18 September 2013 is the period that's shown in your  
19 analysis on page 14 of your testimony, correct?

20 A. That graph, that's correct.

21 Q. Now another thing that you've heard  
22 Mr. Fischer talk about during the course of the  
23 hearing today is nuclear refueling. Does the idea  
24 of nuclear refueling have any impact on your  
25 analysis of GMO's return on equity?

1           A.       I don't believe it does because I'm  
2   not aware that GMO has nuclear, a nuclear plant in  
3   its rate base.

4           **Q.       Okay.**

5           A.       But just so we're clear, if it did,  
6   remember this analysis starts in January and goes  
7   through, now the update goes through October. Each  
8   of those months is a 12 month rolling average so  
9   what you've got here is you're actually looking at  
10   over an approximately I think 20 month period, so  
11   if they even had it, which they don't, these  
12   results would still reflect a nuclear refueling  
13   outage.

14          **Q.       Okay.**

15          A.       Because the Callaway and Wolf Creek  
16   are generally taken down on 18 month cycles for  
17   refueling.

18          **Q.       Okay. So with respect to the general**  
19   **analysis that you performed, and again without**  
20   **getting into the specifics, did that look at the**  
21   **types of all relevant factors that the Commission**  
22   **would look at in a rate case?**

23          A.       Is your question did the surveillance  
24   look at all relevant factors?

25          A.       Yes.



1           Q.       The surveillance reports actually  
2 look at all the operations of a utility at that  
3 specific point. It reflects the records of all the  
4 expense and revenues up through that point. If you  
5 were, as Mr. Oligschlaeger says if you were  
6 attempting to determine if a rate adjustment should  
7 be done that's a different type of analysis. This  
8 merely is showing that the revenues that are being  
9 collected from ratepayers is sufficient to cover  
10 all their operating expense currently and to  
11 provide a return that's in excess of their  
12 authorized.

13           Q.       And when you say all of their  
14 operating expenses do you include in that phrase  
15 the payments for transmission expenses that are at  
16 issue in this case? Were those included in your  
17 analysis?

18           A.       Yes. This new schedule on 5 would  
19 include the 10 months of increased transmission  
20 expenses that I believe Mr. Ives testified was  
21 approximately 4.5 million. It would be whatever  
22 the share of the 4.5 million is already in those 10  
23 months.

24           Q.       Okay. Because again the extension  
25 that's provided in MCEG 5, that's a rolling average

1     so what you're saying is that it includes all of  
2     the increased transmission expense and it still  
3     shows what it shows.

4             A.       That's correct. Just so we're clear  
5     if the Commission determined that GMO should be  
6     allowed to remove those expenses this curve would  
7     go higher.

8             Q.       Now, in the brief portion of page 14  
9     of your testimony that's not highly confidential  
10    you talk about KCPL proper as opposed to GMO, is  
11    that correct?

12            A.       That's correct.

13            Q.       And did you make any attempt to look  
14    at the earnings situation of KCPL proper for the  
15    preparation of your testimony? You state in your  
16    testimony that you don't have the surveillance data  
17    comparable to what you had for GMO. Did you do any  
18    kind of analysis?

19            A.       Yeah. I guess the point of your  
20    question is have I looked at the, what the data  
21    requests that we've submitted have I been able to  
22    make a determination of the operations of KCPL  
23    through this period.

24            Q.       Yes.

25            A.       Yes.

1           **Q.       And what was your conclusion based on**  
2   **that analysis?**

3           A.       We submitted data requests MEGC 18  
4   and 19 and those, the responses are identical, the  
5   requests are of different nature but what they  
6   asked for was what was the change in Great Plain's  
7   energy equity percentage and their cost of debt and  
8   the response shows that on the last rate case the  
9   percentage of, excuse me, of equity in the capital  
10   structure has declined from 52.56 percent to the  
11   current September level of 49 47, 49.47 percent.  
12   The data request response also shows that the cost  
13   of long term debt has declined from, I looked at  
14   the previous rate case and in the previous rate  
15   case the cost of long term debt included in the  
16   Staff's copy structure was 6.19 percent and that's  
17   now declined through September 30th to 5 percent.

18               MR. FISCHER: Judge I think I'm going  
19   to interpose an objection here. I think what we're  
20   experiencing is friendly cross examination for  
21   starters but in his testimony Mr. Myer says it's  
22   impossible to determine how KCPL has earned since  
23   its rate case concluded and now based on these  
24   questions, open ended questions from Public Counsel  
25   he is now attempting I think to determine how KCPL

1 has earned since the last rate case whenever he's  
2 already testified that that's impossible to do. So  
3 I'm going to object on the grounds that this is  
4 friendly cross and it's inappropriate at this time.

5 JUDGE BURTON: I'm going to go ahead  
6 and overrule that objection, you're going to have  
7 the opportunity to cross examine the issue as well  
8 so you can go into those issues more deeply at that  
9 time.

10 Q. (BY MR. MILLS) So some of the stuff  
11 that you just talked about is on page 12 of your  
12 testimony but what does that lead you to believe  
13 about the level of KCPL's earnings since its last  
14 rate case?

15 A. Well, based off of those two  
16 consequences as well as other analysis that I've  
17 done, I've looked at the level of labor or payroll  
18 expense compared from what the Company has reported  
19 from, for the 12 months ending 20, or I'm sorry,  
20 September 2013 versus what was in, what they  
21 recorded in 2012 and that has shown that labor  
22 expense has actually gone down. I've also looked  
23 at off system sales revenues, the company is making  
24 more plans on off system revenues than what they  
25 had included in the last case. I looked at

1 non-fuel through a Company response 2 dash 7 and  
2 non-fuel O&M is fairly flat, I think it's increased  
3 by \$1 million. So when you look at all the, and  
4 when you look at all of the areas that I've looked  
5 at although that gives you a definitive number of  
6 what those earnings are for KCPL I think it's  
7 fairly, at least speculative that they are earning,  
8 that there's a good possibility that they too are  
9 earning above their authorized return. Because it  
10 would match from, if they managed KCPL in a similar  
11 manner that they managed GMO it would seem that  
12 those would track.

13 **Q. Now you had a lot of this information**  
14 **in your, I think it's labeled direct testimony but**  
15 **I think it was filed as rebuttal testimony at pages**  
16 **13 through 14. Did any of the Company witnesses in**  
17 **their surrebuttal testimony provide any sort of**  
18 **quantitative analysis to show that you were wrong?**

19 **A.** No. I think that where the parties  
20 have differed and gone in different directions I  
21 think is Mr. Ives' attempts to take the  
22 surveillance data and use it as a rationale that  
23 you can't use it because he looks at it for  
24 purposes of changing rates. That's not my purpose  
25 here. My purpose here is because, to show that

1 these revenues that are being collected from  
2 current rates are sufficient to already cover the  
3 increased transmission expenses that GMO is  
4 incurring and that there's a good possibility that  
5 we don't have them, you know, we don't have the  
6 surveillance data because it's only submitted on an  
7 annual basis but the same may be true for KCPL.

8 Q. And my question is did the Company  
9 for either KCPL or GMO try to provide any kind of  
10 quantitative analysis to show that that's  
11 incorrect?

12 A. No.

13 Q. Okay.

14 MR. MILLS: That's all the questions  
15 I have. Thank you.

16 JUDGE BURTON: Thank you.

17 Mr. Thompson?

18 MR. THOMPSON: Thank you Judge.

19 CROSS EXAMINATION

20 QUESTIONS BY MR. THOMPSON:

21 Q. Good afternoon Mr. Myer.

22 A. Good afternoon.

23 Q. Were you present during the  
24 examination of Mr. Ives?

25 A. I was.

1           Q.       Did you hear Mr. Ives explain that  
2       the reason the Company did not file a general rate  
3       case was because of the results of an analysis of  
4       all relevant factors?

5           A.       I did hear that.

6           Q.       In your professional opinion do you  
7       take that to support the results of your analysis?

8           A.       What I take from that is he's done an  
9       analysis of their current operations and I think  
10      his surveillance data proves that and that he would  
11      be putting his excess earnings at risk for trying  
12      to attempt to increase his rates.

13          Q.       Mr. Myer, you were previously a  
14      member of the PSC accounting staff, isn't that  
15      correct?

16          A.       That's correct.

17          Q.       How long were you a member of PSC  
18      accounting staff?

19          A.       29 years.

20          Q.       Based on the analysis that you've  
21      presented in this case and based on your experience  
22      for 29 years as a member of the PSC staff,  
23      accounting staff, would you pursue an over earnings  
24      complaint against these two companies?

25          A.       Based strictly on this data?

1           **Q.       Yes, sir.**

2           **A.       No.**

3           **Q.       Thank you very much.**

4                   MR. THOMPSON: I have no further  
5 questions.

6                   JUDGE BURTON: Thank you.

7                   And Mr. Lowery?

8                   MR. LOWERY: No questions Your Honor.

9                   JUDGE BURTON: Okay. Mr. Cooper?

10                  MR. COOPER: No questions.

11                  JUDGE BURTON: Mr. Fischer?

12                               CROSS EXAMINATION

13 QUESTIONS BY MR. FISCHER:

14                  **Q.       Good afternoon Mr. Myer. Have you**  
15 **analyzed the level of fuel costs in the 2013 case**  
16 **as compared, or in 2013 as compared to what was in**  
17 **the last rate case?**

18                  **A.       No I haven't but I have looked at the**  
19 **cost per kilowatt hour from, for the 12 months**  
20 **ending September 2013 to 2012 in their --**

21                  **Q.       Have you analyzed --**

22                  **A.       Excuse me, I haven't finished.**

23                  **Q.       I'm going to object if you're about**  
24 **to supplement it, you've answered my question.**

25                  JUDGE BURTON: We're going to go



1 ahead and just allow him to finish a little bit  
2 more but just try to stay with what the question  
3 is.

4 A. All I was saying is they haven't  
5 changed.

6 Q. (BY MR. FISCHER) Have you analyzed  
7 the level of property taxes paid in 2013 as  
8 compared to the level included in rates in the last  
9 rate case?

10 A. That information was not provided to  
11 me.

12 Q. Did you attempt to do a payroll  
13 annualization as a part of your analysis?

14 A. As I told you before I looked at the  
15 payroll that was experienced through the data  
16 request and that payroll was less in, for the nine  
17 months ending, for the 12 months ending 2013 versus  
18 2012.

19 Q. Did you do any bad debt adjustment  
20 analysis for purposes of your analysis?

21 A. No.

22 Q. Does the surveillance report in  
23 Missouri typically include operating results  
24 without rate making adjustments?

25 A. Yes.

1 Q. And while you were on the staff did  
2 staff always file a rate complaint whenever a  
3 monthly surveillance report indicated the earnings  
4 were higher than authorized?

5 A. For a month, no.

6 Q. Are you familiar with any orders  
7 dealing with AAOs where the Commission specifically  
8 cited declining capital costs as a reason to deny  
9 the AAO?

10 A. No.

11 Q. Are you familiar with any orders  
12 dealing with AAOs where the Commission specifically  
13 cited depreciation expense as a reason to deny the  
14 AAO?

15 A. No, I'm not.

16 Q. Are you familiar with any orders  
17 dealing with AAOs where the Commission specifically  
18 cited the results of surveillance reports as a  
19 reason to deny an AAO?

20 A. No.

21 Q. That's all the questions I have.  
22 Thank you.

23 JUDGE BURTON: Thank you.

24 And Chairman Kenney?

25 CHAIRMAN KENNEY: No questions.

1 Thank you very much.

2 JUDGE BURTON: Commissioner?

3 COMMISSIONER KENNEY: No questions.

4 Thank you.

5 JUDGE BURTON: Commission Hall?

6 COMMISSIONER HALL: No questions.

7 JUDGE BURTON: I don't have any  
8 questions either.

9 Redirect, I believe we're starting  
10 with Mr. Woodsmall.

11 MR. WOODSMALL: Very briefly.

12 REDIRECT EXAMINATION

13 QUESTIONS BY MR. WOODSMALL:

14 Q. You were asked a question about  
15 weather normalized sales and you say weather  
16 normalized sales would be greater, do you recall  
17 that question?

18 A. I do.

19 Q. And does that mean in your mind that  
20 GMO's earnings as reflected on that graph on page  
21 14 are for the inflated by weather effects, is that  
22 correct?

23 A. That's correct. In fact these  
24 results would reflect whether they would go higher.

25 Q. Okay. You were asked about a number

1 of factors, did you happen to look at KCP&L's rate  
2 base or plant accounts?

3 A. I did.

4 MR. FISCHER: Judge I'm going to  
5 object, beyond the scope of cross examination of  
6 any party, nobody asked about rate base  
7 corrections.

8 MR. WOODSMALL: He was asked about  
9 the things that he looked at in determining, in  
10 making his conclusion.

11 JUDGE BURTON: I'll go ahead and  
12 allow it.

13 A. The statement's in my testimony too.  
14 Net plant has decreased from what was included in,  
15 and net plant is gross plant maintenance  
16 depreciation is reserved as decreased from what was  
17 included in the 2012 rate case.

18 Q. (BY MR. WOODSMALL) You were asked  
19 some questions and you talked about in regard to  
20 the capital structure equity percent is down for  
21 KCP&L, debt percent is up. Can you tell us what  
22 affect that would have on income taxes?

23 A. Income taxes for determining rates  
24 would be less.

25 Q. Okay. One last question. You were

1 asked by Mr. Thompson after 29 years on staff based  
2 upon what you have would this lead you to file a  
3 complaint and you said no. Let me ask you, would  
4 this data lead you to look further at their  
5 earnings?

6 A. Absolutely. A prolonged earnings of  
7 this nature I think you would have to look at the  
8 circumstances and determine if an over earning  
9 complaint should be filed.

10 MR. WOODSMALL: No further questions  
11 from me Your Honor.

12 JUDGE BURTON: Thank you. Mr.  
13 Downey?

14 MR. DOWNEY: No questions.

15 JUDGE BURTON: You may be excused.

16 MR. WOODSMALL: Your Honor I had one  
17 more thing. I mentioned in my opening statement  
18 Ameren's brief from a previous case interpreting  
19 the Commission's extraordinary standard, Ameren's a  
20 party here, Ameren doesn't have a witness so I have  
21 no one to ask about that but I'd like to offer as  
22 an exhibit their brief from that case, they can  
23 certainly, it just stands for what it says, it's an  
24 admission from a party in this case and it can be  
25 addressed in brief but I'd like to offer it so

1 everybody has it.

2 JUDGE BURTON: So that would be MECG  
3 Exhibit 6?

4 MR. WOODSMALL: Correct.

5 JUDGE BURTON: And have you already  
6 provided copies?

7 MR. WOODSMALL: No, I'll hand it out  
8 now Your Honor.

9 JUDGE BURTON: Okay.

10 MR. WOODSMALL: That was the last  
11 thing I had.

12 JUDGE BURTON: While Mr. Woodsmall is  
13 getting that ready are there any other exhibits?  
14 And I'll go ahead once we've concluded with this  
15 identify which exhibits have been admitted.

16 MR. FISCHER: Judge, I think I can  
17 already react. Company will object to the  
18 introduction of someone else's argument, it's not  
19 relevant to the case. Facts that are here, it's  
20 not evidence, it's someone's argument and we can  
21 talk about that in briefs I suppose but it's not  
22 appropriate for the admission of evidence.

23 MR. WOODSMALL: Your Honor, first off  
24 they're a party to the case. I can see why KCPL  
25 doesn't want it because it's not their brief but

1 Ameren is a party to the case. Ameren has taken  
2 positions on this and I believe I'm allowed to show  
3 prior inconsistent statements made through  
4 admissions.

5 JUDGE BURTON: But are they  
6 considered a party opponent on this specific issue?

7 MR. WOODSMALL: They're certainly a  
8 party opponent, they've taken positions contrary to  
9 mine.

10 MR. LOWERY: The admission of a party  
11 opponent doctrine that Mr. Woodsmall is, and I'm  
12 going to join in Mr. Fischer's objection, is a  
13 exception to the hearsay rule. We don't have a  
14 witness, there's no hearsay issue here. He's  
15 trying to apply an exception to the hearsay rule to  
16 do a wholesale dump of pleadings drafted by  
17 lawyers, not based on what witness's testimony  
18 necessarily in another case simply because we're an  
19 intervenor in this case. Before you can take  
20 official notice there has to be an identity of  
21 parties, there's only a partial identity. The  
22 case, the facts need to be interwoven, they're not.  
23 The facts of this case have nothing to do with the  
24 facts of KCPL's case here so he's misapplying the  
25 doctrine of admission of a party opponent and he's

1 also asking you to take official notice of  
2 something that doesn't meet the criteria to do so.

3 MR. WOODSMALL: Your Honor, first off  
4 I'm not claiming this as a hearsay exception, this  
5 isn't hearsay. Hearsay is out of court statement  
6 offered for the truth of the matter asserted. I'm  
7 not offering for the truth of the matter asserted,  
8 I'm offering it to show that they have prior  
9 inconsistent statements to what they're saying here  
10 today. It's, they are taking different positions  
11 and you should be allowed to show that Ameren is  
12 taking different positions. As far as interweaving  
13 the fact or the facts, the issues I'm offering this  
14 only for pages 8 through 16 and that argument talks  
15 about the provisions of the Uniform System of  
16 Accounts, gives the Commission the authority to  
17 grant Ameren Missouri's application on an AAO and  
18 it talks about the AAO standard and how Ameren said  
19 then that AAO should be limited to extraordinary,  
20 interpreting the USOA that deferrals should only be  
21 limited to extraordinary events so they're taking a  
22 different position now and I should be allowed to  
23 show that.

24 JUDGE BURTON: I'm going to go ahead  
25 and sustain that objection, I'm not going to admit



1 this into the record because I do believe it's just  
2 simply arguments concerning facts in a completely  
3 different matter. It's not an official decision of  
4 the Commission, that specific case where we've seen  
5 facts.

6 MR. WOODSMALL: I understand your  
7 decision. Without this in the record may I still  
8 brief and include this in a brief to show their  
9 inconsistencies when they file their brief?

10 JUDGE BURTON: I would say not. If  
11 you're wanting the Commission to take official  
12 notice of any record as far as the Commission's  
13 decision and their report and order in that case  
14 then I'll consider that.

15 MR. WOODSMALL: So Ameren is allowed  
16 if Ameren takes inconsistent positions now as  
17 compared to this I can't use this to show that  
18 inconsistency?

19 JUDGE BURTON: You had an opportunity  
20 to subpoena witnesses and that would have been your  
21 opportunity to cross examine a witness on this  
22 matter if you so chose.

23 MR. WOODSMALL: Okay. I understand.

24 MR. THOMPSON: Judge, Staff would  
25 like to make an offer of proof with respect to the

1 rejected exhibit.

2 JUDGE BURTON: Okay.

3 MR. THOMPSON: Thank you.

4 MR. WOODSMALL: And since I would be  
5 a party I guess appealing I would make the same  
6 offer of proof.

7 JUDGE BURTON: Okay. So noted.

8 At this time are there any additional  
9 matters?

10 MR. FISCHER: Judge I'd just like to  
11 thank the Commission for your time today. Full  
12 day.

13 JUDGE BURTON: It's been a very full  
14 day.

15 MR. DOTTHEIN: Yes, Judge.

16 JUDGE BURTON: Yes.

17 MR. DOTTHEIN: As far as the cases  
18 listed on Mr. Ives' schedule, surrebuttal  
19 testimony --

20 JUDGE BURTON: I was going to go  
21 ahead, let's first discuss the cases for official  
22 notice because that might make it a little bit  
23 easier for us to discuss for briefing issues and  
24 then I'll go ahead and go over the record so the  
25 attorneys will be aware of what's actually been

1 admitted into the record and then I'll go ahead and  
2 discuss the briefing schedule that we might have.  
3 Okay?

4 Now I believe that Mr. Woodsmall you  
5 had requested that the cases that are identified in  
6 Schedule DRI slash 1 of Mr. Ives' surrebuttal  
7 testimony, all of those cases be identified and  
8 reported for official notice by the Commission?

9 MR. WOODSMALL: No, I don't think I  
10 ever said that. It's my understanding that in  
11 briefs I can utilize any Commission order from  
12 briefs so to the extent you think I need to take,  
13 ask for official notice of Commission orders I  
14 would do that but it's my understanding that I  
15 don't need to do that so the only thing I want to  
16 be able to use are the orders in those cases.

17 JUDGE BURTON: For the Commission to  
18 consider and just to cross all of his Ts and dot  
19 all of our Is we're going to go ahead and take  
20 official notice of all of those cases.

21 MR. WOODSMALL: The entire case or  
22 just the addition?

23 JUDGE BURTON: The final orders in  
24 those cases. Commission orders in those cases.

25 In addition the Commission is going

1 to go ahead and take official notice of the report  
2 and order in case ER 2012 dash 0174 and ER dash  
3 2012 dash 0175. The report and orders for those  
4 were the rate cases involving KCP&L and GMO. And I  
5 believe there was reference also to the case so  
6 we're going to go ahead and take official notice of  
7 the order approving the stipulation agreement in EO  
8 dash 2005 dash 0239.

9 If there's any objections to any of  
10 those reports and orders that I've referenced the  
11 parties can identify those let's say in the next  
12 week, so by February 4th.

13 MR. WOODSMALL: So I know can you  
14 give me those numbers again for the last order?

15 JUDGE BURTON: EO dash 205 dash 0239.  
16 In addition to ER dash 2012 dash 0174 and ER dash  
17 2000, or 2012 dash 0175, those were the prior rate  
18 cases.

19 MR. WOODSMALL: And just for the  
20 completeness of the record would you also take  
21 notice of KCP&L's application for rehearing and the  
22 order denying that application for rehearing?

23 JUDGE BURTON: Yes.

24 MR. WOODSMALL: Thank you.

25 MR. MILLS: And Judge not to get too

1 deeply into the weeds but in the 2005 0239 case  
2 there was not only the order approving the  
3 stipulation and agreement but there was subsequent  
4 action in which the stipulation and agreement was  
5 modified and then the Commission recognized the  
6 modifications so to be complete I would think you  
7 would want those as well.

8 JUDGE BURTON: Any orders involving  
9 recognition of any modifications of those  
10 stipulations and agreements are also included.

11 MR. MILLS: Thank you.

12 JUDGE BURTON: Just to clarify, to  
13 make sure, the exhibits that I have that have been  
14 admitted into the record are KCPL Exhibit 1, KCPL  
15 Exhibit 2, KCPL Exhibit 3, KCPL Exhibit 4, KCPL  
16 Exhibit 5, Staff Exhibit 4, MECG Exhibit 3, Staff  
17 Exhibit 1, Staff Exhibit 2, HC, Staff Exhibit 3,  
18 NP, OPC Exhibit 1, MECG Exhibit 4 and MECG Exhibit  
19 5 and we also have the offer of proof for MECG  
20 Exhibit 6 which you I believe are going to submit  
21 for the record in a written form.

22 MR. DOWNEY: Judge? I think MECG  
23 Exhibit 4 is a joint exhibit with MIEC. Not that  
24 it matters, it's noted in the record, but.

25 JUDGE BURTON: We do note that but

1 just for reference in any briefing I would say  
2 let's go ahead and just refer to it as MECG if  
3 that's okay.

4 MR. WOODSMALL: Okay.

5 JUDGE BURTON: Is there anything that  
6 I missed or any additional exhibits to be offered?

7 Now I know that according to the  
8 procedural schedule we had looked at having  
9 February 11th for the initial brief, the court  
10 reporter has identified it will probably be the 7th  
11 of February by the time we get back a copy of the  
12 transcript so do you want to --

13 MR. MILLS: Yes.

14 JUDGE BURTON: So looking at the  
15 schedule assuming that we get the transcript from  
16 the hearing in on the 7th why don't we push back a  
17 week or 10 days or two weeks for original?

18 MR. WOODSMALL: Two weeks from the  
19 transcript.

20 JUDGE BURTON: Okay. Then let's go  
21 ahead and have February 21st as a deadline for  
22 original briefs and then do you need two weeks for  
23 the reply or am I being generous?

24 MR. WOODSMALL: A lot of times we put  
25 10 days.

1 JUDGE BURTON: All right. Then March  
2 7th for the reply briefs.

3 Is everyone clear on those dates?

4 MR. WOODSMALL: Give me the original  
5 brief date again.

6 JUDGE BURTON: The 21st.

7 MR. WOODSMALL: Thank you.

8 JUDGE BURTON: Are there any other  
9 issues that need to be addressed?

10 Well thank you very much for your  
11 time and your patience, especially for staying late  
12 and getting this hearing concluded in one day.  
13 We're going to go ahead and go off the record.  
14 Thank you.

15

16 (Whereupon, the hearing concluded at 5:47 p.m.)

17

18

19

20

21

22

23

24

25

1	INDEX	
2		
3	OPENING STATEMENTS	
4	Mr. Fischer	22
5	Mr. Cooper	47
6	Mr. Lowery	48
7	Mr. Thompson	52
8	Mr. Mills	65
9	Mr. Downey	76
10	Mr. Woodsmall	86
11		
12	KCP&L WITNESSES	
13	RYAN BRESETTE	
14	Direct Examination by Mr. Steiner	116
15	Cross Examination by Mr. Thompson	118
16	Cross Examination by Mr. Mills	120
17	Cross Examination by Mr. Woodsmall	124
18	JOHN CARLSON	
19	Direct Examination by Mr. Fischer	128
20	Cross Examination by Ms. Hampton	130
21	Cross Examination by Mr. Mills	131
22	Examination by Chairman Kenney	133
23	Examination by Judge Burton	135
24	Examination by Commissioner Kenney	135
25	Examination by Judge Burton	136



1	INDEX (CONTD.)	
2		
3	Cross Examination by Mr. Woodsmall	137
4	Redirect Examination by Mr. Fischer	139
5		
6	DARRIN IVES	
7	Direct Examination by Mr. Fischer	143
8	Cross Examination by Mr. Dotthein	147
9	Cross Examination by Mr. Mills	171
10	Cross Examination by Mr. Downey	175
11	Cross Examination by Mr. Woodsmall	182
12	Examination by Chairman Kenney	206
13	Examination by Commissioner Kenney	215
14	Examination by Judge Burton	219
15	Redirect Examination by Mr. Fischer	226
16		
17	PSC STAFF WITNESSES	
18	MICHAEL STAHLMAN	
19	Direct Examination by Ms. Hampton	240
20	Cross Examination by Mr. Steiner	242
21		
22	MARK OLIGSCHLAEGER	
23	Direct Examination by Mr. Dotthein	245
24	Cross Examination by Mr. Woodsmall	247
25	Cross Examination by Mr. Mills	255

1 INDEX (CONTD.)

2

3 Cross Examination by Mr. Fischer 256

4 Examination by Commissioner Kenney 286

5 Redirect Examination by Mr. Dotthein 287

6

7 WILLIAM ADDO

8 Direct Examination by Mr. Mills 290

9

10 MIEC/MECG WITNESS

11 GREG MYER

12 Direct Examination by Mr. Woodsmall 294

13 Cross Examination by Mr. Mills 299

14 Cross Examination by Mr. Thompson 307

15 Cross Examination by Mr. Fischer 309

16 Redirect Examination by Mr. Woodsmall 317

17

18

19 EXHIBITS

20 STAFF

21 1 Stahlman testimony

22 2 Oligschlaeger Surrebuttal testimony HC

23 3 Oligschlaeger Surrebuttal testimony NP

24 4 AAO Order

25

1 INDEX (CONTD.)

2

3 MECG

4 3 Data requests

5 4 Greg Myer testimony

6 5 Revised surveillance data

7 6 Ameren brief

8 OPC

9 1 William Addo testimony HC & NP

10

11 KCPL

12 1 Bresette direct testimony

13 2 Carlson direct testimony

14 3 Carlson surrebuttal testimony

15 4 Ives direct testimony

16 5 Ives surrebuttal testimony

17

18

19

20

21

22

23

24

25

## 1 REPORTER CERTIFICATE

2

3 I, SUZANNE BENOIST, Certified Shorthand

4 Reporter, do hereby certify that there came before

5 me at the Missouri Public Service Commission, 200

6 Madison Street, Jefferson City, MO 65102 the

7 above-referenced parties, that the proceeding was

8 translated and proofread using computer-aided

9 transcription, and the above transcript of

10 proceedings is a true and accurate transcript of my

11 notes as taken at the time of said event.

12 I further certify that I am neither attorney

13 nor counsel for nor related nor employed by any of

14 the parties to the action in which this examination

15 is taken; further, that I am not a relative or

16 employee of any attorney or counsel employed by the

17 parties hereto or financially interested in this

18 action.

19

20

21

22 SUZANNE BENOIST, RPR, CCR, CSR-IL

23

24

25

<b>A</b>	198:11,23	229:13 232:13	38:3 69:11,19	203:5,24
<b>AAO</b> 24:1,9,13	200:13 201:7	233:17,18	235:13	224:12 231:1
28:6,11 30:9,24	201:25 202:21	251:2,3 252:21	<b>accepts</b> 286:7	232:24 234:5,6
31:1,4,13,15,22	202:25 203:8	252:23 253:3	<b>access</b> 130:10	251:7,11,13,18
32:4,6 33:6	204:25 208:21	254:9,15	189:20	252:1 255:5
34:13 35:19,23	209:5,22 210:4	259:10 260:5	<b>accompanied</b>	256:21,23,24
36:12 38:2,22	210:14,18	260:12 261:2	148:11,12	257:3,8 259:14
39:9 40:2,4,14	211:11 212:12	261:12,21	<b>accomplish</b>	260:17 265:7
40:18,21 41:16	220:14,17,21	262:14 268:25	40:25	274:9,15 279:8
41:18 42:23	220:22 227:18	269:18 284:8	<b>accomplished</b>	308:14,18,23
43:4,17,20	227:20 228:19	287:17,19,24	257:13	<b>accounts</b> 24:23
44:12 47:23	228:22 229:20	288:6,11,13,24	<b>account</b> 23:6	24:25 25:4
48:1 49:20	232:9 233:10	311:7,12,17	32:25 90:25	86:11 90:25
51:19,24 52:1,3	242:22 250:12	<b>abandoned</b> 28:5	106:17 112:21	93:21,22 97:14
52:7 58:18,23	251:19,20	<b>ability</b> 29:6 34:1	119:23 126:9	100:14,15,16
60:2,6,17 63:21	252:9,24 253:3	35:6,17 36:16	144:9,14	100:17,19
65:9,19 66:7	254:6,13	37:25 42:21	145:15 157:24	110:15,20,20
67:22,22 69:4,5	258:13 259:2	119:25 126:20	161:18 179:8	111:1,20
69:8,23 70:4	260:10 262:24	213:1 221:10	179:20,23	113:23 118:25
71:7,16 72:11	264:14 266:25	227:20 247:17	212:13,17	125:21 126:3
75:2,7,21,23	269:21 277:12	285:10	255:17 273:15	126:17 144:9
76:2,4,6,7,11	278:12 279:2	<b>able</b> 37:19,21	279:21	158:8,9,11,22
76:13 80:7 81:5	279:12,24	41:8 51:21	<b>accountant</b> 76:25	177:24 178:18
83:10,11,15	280:10,13,14	70:18,22 119:7	118:7,10 291:2	228:11,12,12
84:13,21 88:17	281:4,25 282:6	119:8,9 160:16	<b>accountants</b>	234:6 255:5
88:21 93:5	282:13 286:4	160:23 170:10	70:23 225:10	313:2 317:16
99:15,21	286:22 289:6	216:22 227:13	225:11	<b>accrual</b> 251:9,24
102:24 103:16	289:12 311:9	234:19 239:14	<b>accounted</b> 53:22	251:25 271:23
104:5,21	311:14,19	256:8 258:20	54:3	<b>accrue</b> 284:21
105:14 106:13	317:17,18,19	303:21 320:16	<b>accounting</b> 14:10	<b>accrued</b> 53:13
107:21,25	327:24	<b>abnormal</b> 82:15	18:10 23:14	<b>accumulated</b>
108:16 111:15	<b>AAOs</b> 24:4,16	91:16 113:5	25:19 45:7	294:18
113:22 123:17	25:8,15 31:7,18	<b>above-referenc...</b>	52:16,17,19,20	<b>accurate</b> 32:12
125:22 126:4,9	36:7 40:7 55:24	329:7	53:6,16,19,25	146:3 329:10
126:17 127:1,5	56:24 57:22	<b>absence</b> 119:4	56:6 57:25 58:8	<b>accurately</b>
134:8,9 139:11	68:7 69:7,15,23	<b>Absent</b> 119:7	69:11,17,19	149:11 150:5
139:15 141:9	75:15 80:24	<b>absolutely</b> 61:16	70:8,8,14,14,17	151:22 152:5
141:18 161:12	84:8,25 87:17	68:25 122:1	72:7 77:1,5,16	156:4 166:19
161:16 162:22	106:5,8 157:3,8	169:4,17 172:9	80:17,18 96:2	206:17
163:5 169:25	160:7,14,25	202:13 228:10	99:3 112:4,8	<b>achieved</b> 149:9
172:11 175:2	165:19 174:14	235:17 314:6	118:16,22	<b>acknowledge</b>
176:3,19	190:14,16	<b>accept</b> 43:19	154:21 168:20	82:3,4 204:11
179:12 180:7	191:2,11,15,18	59:22 179:6	169:22 174:6	227:21
185:25 186:2	191:21 192:9	196:12 203:22	177:3 178:11	<b>acknowledged</b>
187:24 194:9	192:12,15	249:2	179:7,15 186:4	78:24 204:10
195:8 196:21	195:3 198:17	<b>acceptable</b> 55:3,3	192:7 193:19	221:22 227:19
197:23,24	201:4 228:25	<b>accepted</b> 37:11	194:3 200:4,9	228:14 229:16

<b>acquired</b> 185:19	295:9 319:8	215:22 216:2	<b>advise</b> 239:25	249:11,14,15
<b>acronym</b> 260:23	323:6	216:10 217:8	<b>advising</b> 75:17	249:18,19,23
<b>ACS</b> 174:3	<b>additions</b> 291:8	231:14 237:11	<b>advisory</b> 35:10	254:5 255:7,7,9
<b>act</b> 64:4 126:1	294:14	247:10,13,21	243:15 285:1	257:25 258:19
<b>acting</b> 74:23	<b>Addo</b> 290:21,21	248:4 249:6,12	<b>advocating</b> 75:17	261:24 262:4
<b>action</b> 54:11	291:3 293:8,9	249:16,21,25	76:3,5	263:9,25 264:1
103:1 171:14	327:7 328:9	250:3,7 271:14	<b>AEP</b> 210:23	270:14,16
176:3,20	<b>Addo's</b> 293:2	302:6 310:19	211:12 221:12	272:2 273:16
268:22 322:4	<b>address</b> 19:8	<b>adjustments</b>	<b>affairs</b> 143:18	276:18 277:19
329:14,18	20:1 47:18	32:11,25 33:5	<b>affect</b> 28:11	279:5 281:23
<b>actions</b> 54:19	50:24 66:8 70:5	64:18,19 66:14	32:22 88:3	283:16,22,25
123:6	74:7 81:3 83:8	188:22 213:11	107:9 265:6	284:13 286:3
<b>active</b> 35:2,3	157:8 160:12	231:4,20 272:8	272:4 313:22	<b>agreeable</b> 271:9
118:11	165:17 166:4	299:24 310:24	<b>affirming</b> 195:16	<b>agreed</b> 30:1
<b>activities</b> 35:12	236:17,22	<b>administers</b>	<b>afternoon</b> 98:10	147:8,16
82:16 91:18	237:3	243:21	147:3,4 175:20	152:23 211:16
113:7,14	<b>addressed</b> 25:9	<b>administrative</b>	175:21 206:7,8	211:18,23
159:17 243:16	41:20,22 48:3	158:18 159:3	242:9 247:8,9	216:1 225:7
285:8	68:6 70:4 82:24	<b>admire</b> 74:25	307:21,22	249:9 289:23
<b>acts</b> 190:10 191:8	152:20 270:13	<b>admission</b>	309:14	<b>agreement</b> 20:24
229:3 262:1,5	314:25 324:9	129:16 146:7	<b>agenda</b> 239:16	24:7 70:2
<b>actual</b> 27:23 28:2	<b>addresses</b> 155:16	185:3 291:23	<b>aggregation</b>	142:19 150:20
28:7,10,12,16	<b>addressing</b>	314:24 315:22	150:14	152:19 153:12
29:11,14 64:17	101:13 147:14	316:10,25	<b>ago</b> 102:21,22	153:13 171:1
79:23 139:16	<b>adequate</b> 39:16	<b>admissions</b> 316:4	113:10 179:14	173:5 180:4,5
139:19 149:19	74:7 79:10	<b>admit</b> 77:6	187:13,16	183:24 184:2
167:2 180:20	267:19	246:18 317:25	217:25 253:4	211:14 212:15
181:8,14 182:4	<b>adequately</b> 72:19	<b>admittance</b>	<b>agree</b> 51:9 61:1	212:18 215:24
230:18,21	<b>adjust</b> 32:14,20	246:21	63:18 64:14,14	215:25 216:16
231:13,18	101:1 211:23	<b>admitted</b> 117:11	65:17 66:25	221:21 247:20
300:11,15	213:2,2 234:17	129:21 146:10	68:11 75:24	248:3 254:11
<b>actuals</b> 43:7	<b>adjusted</b> 32:15	146:13,15,17	77:4 81:4,13	321:7 322:3,4
136:16 139:8	79:20 230:22	165:14 185:6	118:14,19,20	<b>agreements</b>
178:2 230:25	230:24 231:11	241:10 246:25	118:23 119:11	147:6 148:18
<b>adapted</b> 38:5	<b>adjustment</b>	291:24 298:1	119:15,20	158:15 322:10
<b>add</b> 34:12 51:7	26:17 42:12	315:15 320:1	121:15 122:22	<b>agrees</b> 47:12
217:25	44:20 45:2,12	322:14	123:20 151:1	60:23 153:25
<b>added</b> 53:8	47:1 61:19 80:2	<b>Adoo</b> 21:25	174:2 183:10	160:11
262:19	80:5,6 90:13,17	<b>adopt</b> 246:11	187:3 188:20	<b>AHC</b> 180:24
<b>addition</b> 23:19	104:9,13	<b>adopted</b> 31:13	188:22,24	<b>ahead</b> 18:18
35:9 78:3 81:11	109:18 151:10	32:3 102:22	189:1 194:8	20:22 21:5,9
81:19 88:4,22	152:24 153:3	103:7 104:3	195:10 200:19	22:3,12,13,16
90:10 320:22	154:24 155:24	157:3 237:18	203:12 204:18	22:22 85:14,20
320:25 321:16	156:7,8 161:3	271:5	214:15 225:11	86:1 116:1
<b>additional</b> 94:7,8	162:18 170:20	<b>adopts</b> 273:25	225:12 243:14	128:3,12,16
132:22 133:1	171:21 172:1	<b>advance</b> 114:16	243:19 247:16	142:7,12 164:5
167:7 273:19	179:1,5 211:19	147:13	248:6,22	164:22 166:2

196:2,15 204:13,14 205:25 206:1 207:11,17,22 229:19,21 239:4,5,23,24 242:1 290:7,12 296:13 298:21 298:23 305:5 310:1 313:11 315:14 317:24 319:21,24 320:1,19 321:1 321:6 323:2,21 324:13 <b>air</b> 48:22 <b>airport</b> 87:24 <b>aligned</b> 169:17 254:20 <b>alike</b> 49:12 <b>allocated</b> 27:12 27:15 133:6,6 136:4,5 140:18 157:25 214:19 221:6 <b>allocation</b> 35:14 130:20 138:7,8 138:10 140:11 170:24 214:19 276:10 280:3 <b>allow</b> 26:9 42:24 51:21 69:9 71:3 71:4,23 72:4,11 99:7 100:19 111:9 116:1 118:25 120:25 121:20,21,23 123:13 125:21 126:4,9,17 154:4 157:12 175:4 186:20 194:9 195:12 234:7 248:12 248:18 257:8 257:21 275:13 296:13 298:23 310:1 313:12	<b>allowable</b> 93:11 93:12,17 <b>allowed</b> 26:15 42:15 64:6 69:17 99:25 100:1 102:14 103:15 107:4 121:19,25 123:12 138:21 154:15 174:23 190:10 193:6 194:5,12,21 195:3 196:21 213:9 218:2 229:9 248:10 255:16 257:11 257:19 258:10 259:15 262:11 263:13 295:10 303:6 316:2 317:11,22 318:15 <b>allowing</b> 37:6 52:9 59:20 61:22 70:20 71:14,23 72:1,3 78:15 84:13 98:2 123:11 <b>allows</b> 44:4 59:15 67:5 71:11 90:14 100:14 100:16,22 110:15 122:9 138:19 178:21 <b>alluded</b> 84:18 227:2 <b>alternative</b> 65:9 152:19 <b>amazing</b> 56:2 <b>Ameren</b> 16:16 19:10,13 21:12 22:5 26:16 32:18 42:11 44:17,23 45:1 47:1 48:7,10 50:21 51:1 61:18 87:16	88:6,10 102:23 104:7,20 111:11,15,17 111:19,20 129:22 146:18 151:10,20 152:2,13 154:25 155:2 155:11,18,23 155:23 156:7 156:15 162:18 215:18,22 216:23 217:10 217:21 218:7 218:12,15 234:25 236:1 236:14 242:24 249:5,7,20,24 251:4 270:6 271:20,22 314:20 316:1,1 317:11,17,18 318:15,16 328:7 <b>Ameren's</b> 104:8 111:12 112:1,9 113:14 117:13 217:20 218:20 249:12 279:14 314:18,19 <b>AMM</b> 26:5 <b>amortization</b> 37:10,16 63:19 63:23 131:23 164:21 165:18 168:13,18,25 169:12,13 170:3 180:2 195:12 233:23 233:24 234:3 234:15 248:8 248:24 263:21 266:19,22 267:6,11,25 289:5,8,22 <b>amortizations</b> 36:8	<b>amortize</b> 197:19 <b>amortized</b> 36:5 37:22 64:6,7 68:3 132:10 186:10 231:12 234:17 268:15 <b>amortizes</b> 180:1 <b>amount</b> 29:5 30:19 42:25 44:21,22 52:24 53:9,12 55:11 58:5 59:5,6,25 60:3 61:1 63:20 64:5,7 65:7 74:6 77:3 83:6 83:7,16 89:19 178:6 233:19 235:9 266:9 275:2 <b>amounts</b> 23:9 29:3 43:6 60:1 61:24 62:4 94:7 122:13,20 144:14,15 187:25 227:17 234:16 251:23 <b>amount's</b> 57:15 <b>analogized</b> 27:4 <b>analyses</b> 34:5 62:10 150:1 <b>analysis</b> 33:8,10 91:1 96:19 162:3 176:7 230:4 237:13 237:19 272:21 283:11,17 295:25 296:24 299:19,23 300:2,19,25 301:6,19 302:7 302:17 303:18 304:2 305:16 306:18 307:10 308:3,7,9,20 310:13,20,20 <b>analyst's</b> 183:18 <b>analyzed</b> 90:24	162:15 309:15 309:21 310:6 <b>analyzing</b> 231:18 <b>annual</b> 124:14,18 124:21 149:3 162:7 270:18 270:21 271:10 307:7 <b>annualization</b> 310:13 <b>annualizations</b> 231:7 <b>annually</b> 151:7 <b>answer</b> 45:18 60:15 98:22 115:7 126:22 140:1 161:9,24 222:6,14 241:21 279:15 299:10 <b>answered</b> 240:25 309:24 <b>answers</b> 116:23 117:1 129:11 145:25 241:3 246:5 291:13 291:15 297:9 297:12 <b>answer's</b> 188:6 <b>anticipate</b> 72:22 131:18 132:4 213:18 <b>anticipated</b> 70:9 73:16 84:4 <b>anticipates</b> 73:18 206:13 <b>anybody</b> 109:9 205:24 <b>apart</b> 212:3 <b>apologize</b> 108:19 242:12 <b>appealing</b> 319:5 <b>Appeals</b> 92:18 94:1 113:21 <b>appear</b> 275:19 292:23 <b>appearance</b>
--	---	---	--	--

18:19,22 <b>APPEARANC...</b> 15:1 16:1 17:1 <b>appearing</b> 19:6 19:12 20:13 <b>appears</b> 30:18 160:13 259:19 294:22 <b>appellate</b> 54:18 81:10 <b>apple</b> 60:11 <b>applicable</b> 81:14 86:12 <b>applicant</b> 142:9 <b>applicants</b> 52:17 61:21 82:16 91:2,7,18 116:2 143:8 <b>applicant's</b> 82:12 82:16 91:14,17 <b>application</b> 14:8 18:7 24:16 41:13 92:3 119:12,16 120:25 134:7 151:21 154:21 193:19 194:1 200:4,8 203:5 266:6 317:17 321:21,22 <b>applications</b> 24:18 150:9 <b>applied</b> 154:20 200:20 203:13 204:20 288:19 <b>apply</b> 58:11,11 58:12 81:22 86:20 87:18 101:17 107:23 118:15 224:11 264:16 316:15 <b>applying</b> 55:24 161:20 <b>apposed</b> 72:9 <b>appreciate</b> 75:1 235:10 <b>appreciative</b>	51:2 <b>approach</b> 48:2 65:23 71:6,7 148:2 153:8 155:7 170:19 171:2 180:25 193:9 237:21 264:24 265:7 281:24 289:21 <b>approached</b> 166:7 <b>approaching</b> 193:13 <b>appropriate</b> 23:14 27:8 30:25 31:14 32:24 34:18 38:10 39:16 40:7,21 45:11 50:22 66:7 76:12 80:25 122:19 195:8 198:23 202:21 208:22 233:20 266:16 278:25 281:24,25 282:5 284:12 284:14 288:15 288:21 295:14 315:22 <b>appropriately</b> 23:22 39:11 280:4 <b>approval</b> 37:8 41:12 94:6 150:22 174:22 175:6,6 195:8 198:23 211:3 218:12 222:10 228:17 230:10 233:9 266:25 280:13 288:3 <b>approvals</b> 259:9 261:2 <b>approve</b> 259:9 260:5 <b>approved</b> 25:15	31:18,21 32:21 40:14 43:23 133:2 134:22 140:15 141:10 175:2 190:14 198:1,8,9,11 200:16 201:4 201:25 202:3 204:25 213:6 213:17 216:14 221:21,23 222:15,19 232:12,14 233:14 234:24 259:6 260:12 261:12,21 269:19,22 270:8,15 288:2 <b>approves</b> 31:4 213:25 262:23 <b>approving</b> 24:6 37:8 321:7 322:2 <b>approximately</b> 27:16 29:13,14 148:13 149:4 248:23 301:10 302:21 <b>Aquila</b> 199:8 200:10 <b>Aquila's</b> 105:23 106:1 200:1,4 <b>arbitrary</b> 51:18 54:15 55:1 <b>area</b> 214:11 224:1 276:5 289:5 <b>areas</b> 48:17 152:17 233:16 306:4 <b>argue</b> 204:3 <b>argues</b> 110:12,14 202:18,23 <b>argument</b> 315:18 315:20 317:14 <b>arguments</b> 50:14 318:2	<b>arising</b> 202:19 <b>arrearages</b> 199:13 <b>arrives</b> 161:2 <b>articulated</b> 156:1 <b>artificially</b> 106:24 <b>ASC</b> 36:18 120:11,15,21 122:4,8,10,17 123:3,12,22 <b>aside</b> 49:19 59:14 <b>asked</b> 60:9 62:7,8 103:8 106:5 107:18 137:18 139:7,21 141:4 161:5 176:2 185:1 186:13 190:2 197:6 207:16 208:22 213:14 218:1,4 218:5 227:4,12 230:3,16 231:11,22 232:8,10,25 233:20,22 234:21 235:25 237:12 241:3 289:4 304:6 312:14,25 313:6,8,18 314:1 <b>asking</b> 55:5 77:5 77:9 78:10 103:13 104:4 139:15,18 158:6 162:8 163:21 169:21 169:22 220:4 221:19 226:15 229:13,22 317:1 <b>aspect</b> 248:7 284:23,25 <b>aspects</b> 248:2,5 <b>assembly</b> 206:24 <b>assert</b> 121:15,21	157:14 166:24 <b>asserted</b> 317:6,7 <b>assertion</b> 83:1 <b>asserts</b> 274:19 <b>assess</b> 273:20 <b>assessment</b> 32:12 158:18 174:2 253:6 <b>asset</b> 36:21 37:1 37:12 38:1 43:9 59:19 64:9 70:19 77:11 78:8 97:25 98:4 99:15 100:4 106:17 110:16 120:3 121:2,10 123:8,21 145:7 179:23 186:17 234:8 <b>assets</b> 61:9 72:8 77:19 99:1,7 110:23 112:18 114:1 161:16 210:2 276:7 <b>assigned</b> 18:16 72:13 <b>assist</b> 89:5,13 <b>assistance</b> 89:8 <b>assistant</b> 116:13 <b>associated</b> 30:20 33:12 49:13 101:17,19 102:17 122:7 137:20,24 150:2 159:21 170:13 183:20 252:24 278:3,9 278:12 279:3 279:11 280:19 280:22 281:2,8 281:20 282:2 282:12 283:12 <b>assume</b> 205:14 267:5 <b>assuming</b> 138:5 141:12 160:5 211:10 268:3
--	--	---	---	--



<b>assurance</b> 234:20	211:12 225:9	269:9 301:8	310:19	<b>baseline</b> 188:21
<b>attached</b> 148:13	226:25 228:8	302:25	<b>badly</b> 83:2	188:23
157:17 172:12	263:17 265:7	<b>avoid</b> 20:17	<b>baked</b> 61:13	<b>basic</b> 181:16
<b>attaching</b> 289:14	274:21 317:16	293:15	<b>balance</b> 80:7	<b>basically</b> 88:2
<b>attachments</b>	<b>authorization</b>	<b>avoided</b> 238:10	101:2 131:4,9	209:4 260:22
164:13,19	31:1,15,22 41:2	<b>awarded</b> 168:12	167:15	<b>basis</b> 24:22 35:24
<b>attempt</b> 44:11	216:21 257:6	<b>aware</b> 122:8	<b>balanced</b> 79:25	102:14,15
83:8 295:20	274:9	151:11 156:13	130:19 140:14	103:21 160:12
303:13 308:12	<b>authorizations</b>	156:20,23	140:16	161:1 167:19
310:12	259:15	157:6 171:21	<b>bandwidth</b>	180:11 212:19
<b>attempted</b> 39:18	<b>authorize</b> 23:5	173:19 183:21	213:11	269:9,12
<b>attempting</b> 209:5	24:9,21 37:5	183:23 187:23	<b>bar</b> 136:15	276:22 282:18
279:8 295:16	256:16 259:10	188:10,12	<b>base</b> 27:14 28:17	282:21 283:3
302:6 304:25	<b>authorized</b> 32:2	196:19 201:5	28:19 52:25,25	289:17 307:7
<b>attempts</b> 306:21	53:19 64:22	201:13,17	55:8 61:12	<b>bear</b> 153:6
<b>attend</b> 285:3	78:16 79:15	235:4,7 244:7	66:23 78:4 93:3	<b>bearing</b> 277:8
<b>attending</b> 20:23	80:3 83:21	248:16,20	94:11 95:24,24	<b>began</b> 18:2
<b>attention</b> 45:21	109:13,25	249:6 277:17	96:1 114:21	<b>beginning</b> 157:23
65:6 80:11 84:9	150:16,22	286:23 287:1	121:2 130:19	234:14 299:18
89:3	154:2 167:13	294:17 301:2	130:24 131:3,6	<b>begins</b> 37:15
<b>attest</b> 204:6	182:4,22	319:25	131:9 140:6	245:22 267:11
<b>attorney</b> 169:21	235:24 269:8	<b>A-D-D-O</b> 290:22	158:10 187:6,9	<b>behalf</b> 18:23 19:7
329:12,16	269:14,24	<b>a.m</b> 18:2,4	187:15 208:15	19:13,24 20:13
<b>attorneys</b> 20:19	272:18 274:20		219:15 301:3	<b>belief</b> 117:3
164:24 296:7	275:8 284:9	<b>B</b>	313:2,6	146:4 193:5
296:11 319:25	302:12 306:9	<b>B</b> 215:19	<b>based</b> 31:25 38:8	234:4 246:9
<b>audit</b> 273:1	311:4	<b>back</b> 27:6 45:24	41:18 51:18	264:19 291:16
<b>auditing</b> 245:12	<b>authorizes</b> 53:18	85:24 92:5,5	54:24 64:2	297:13
<b>auditor</b> 71:9	53:24 54:11	102:3 132:5,14	66:19 91:1	<b>believe</b> 23:13
123:17 174:14	186:9	142:13 152:7	93:10,14,16	29:23 30:14
<b>auditors</b> 59:21	<b>authorizing</b>	164:14 166:13	94:10 97:2 98:1	31:14,19 38:2,5
71:20 121:15	29:22 30:3	186:21 190:3	126:1 137:12	40:10,20 41:7
121:22 123:13	123:7 256:11	198:3 207:19	145:9 154:6	41:12 45:2
123:19 174:4	257:23 258:2	207:23 209:20	155:21 156:17	50:22 79:20
174:24 175:1	258:13,22	217:1 218:10	157:4 162:4	80:16 81:9
257:1,4,8	<b>automatic</b> 41:6	218:16 221:18	167:2 170:16	85:15,25 89:12
<b>audits</b> 283:2	80:6	223:1 226:14	172:3 179:20	109:20 114:12
<b>authority</b> 14:11	<b>automatically</b>	232:18 238:17	198:25 204:4	117:13 119:24
18:10 23:15	269:23	270:25 272:1	213:3,9 219:6	123:12,15
24:9,20 25:3	<b>available</b> 36:1	277:14 290:12	223:2 225:16	130:12 135:22
29:20 30:5 45:8	45:18 63:10	292:24 323:11	230:25 231:5	139:20 140:15
53:16 71:18	189:25 239:17	323:16	251:23 264:19	142:22 143:9
154:21 171:20	271:15 283:1	<b>background</b> 87:3	265:8 266:20	148:7 151:2,16
174:7 179:15	285:22 296:3	87:9,20 250:17	299:19 304:1	155:4 156:23
192:7 193:20	<b>average</b> 109:21	<b>backwards</b>	304:23 305:15	161:15 170:22
194:3 200:5,9	123:18 162:7	182:16	308:20,21,25	174:25 177:11
203:5,24	206:20 233:7	<b>bad</b> 84:14 89:10	314:1 316:17	181:3,12,21

183:7,15 186:1 192:12 194:17 204:9 206:21 211:15 217:13 217:16 220:1 222:16 224:14 228:7 229:5,15 230:2,14 231:22 232:8 232:25 236:24 237:12 241:12 243:13 247:1 253:5,10,20 255:12 256:5 256:15 261:7 261:17 262:2 264:5 265:21 266:15 270:5 270:12 271:22 271:23 273:14 275:16 278:23 282:17 285:9 285:13 286:7 292:1 297:19 298:3 299:9 301:1 302:20 305:12 312:9 316:2 318:1 320:4 321:5 322:20 <b>believed</b> 225:4 227:5 <b>believes</b> 48:2 65:7 81:20 83:23 258:12 266:14 <b>Bell</b> 156:14 234:25 <b>belong</b> 130:10 <b>bench</b> 20:21 115:9 127:18 137:13 142:20 <b>beneficial</b> 245:24 245:25 <b>benefit</b> 27:9 32:8 33:8 34:5 59:11 59:15 147:9	149:6,24,25 150:25 237:13 237:19 238:11 257:12 276:6 277:22 283:17 284:16 293:16 <b>benefits</b> 33:11 34:1,2 62:6,10 62:11,16,17 149:3,8,10 150:2 238:3,5,5 238:10 250:21 260:23,24 276:4 283:11 283:24 284:21 284:23 <b>Benoist</b> 14:22 18:17 329:3,22 <b>best</b> 32:13 34:1 34:24 64:1,8 66:21,24,25 110:22 117:2 138:11 146:3 162:11 201:15 201:16 246:8 291:16 297:13 <b>bests</b> 25:3 <b>beyond</b> 31:17 44:23 55:7 78:21,21 121:1 217:3 221:13 223:25 298:10 313:5 <b>big</b> 67:1 73:1 <b>bigger</b> 48:23 104:25 238:1 <b>biggest</b> 107:25 <b>bill</b> 73:25 206:23 207:4 208:6 209:4 212:3,8 216:5 217:4,4 <b>billed</b> 74:3,4 135:25 213:24 228:4 238:7 <b>billings</b> 35:24 61:21 282:19 282:22	<b>billions</b> 49:9 50:10 191:5 <b>bills</b> 212:11,22 219:15 <b>bit</b> 31:5 35:3 56:20 64:13 75:19 98:14 117:20 175:24 186:4 215:13 221:9,19 259:13 262:17 310:1 319:22 <b>bite</b> 60:10 <b>blind</b> 73:25 <b>Blue</b> 87:24 <b>board</b> 243:4 251:11 252:1 <b>Bolivar</b> 17:11 <b>book</b> 30:2 78:7 98:3 99:4 100:15 194:4 194:12 256:8 257:9 258:10 <b>booked</b> 106:20 <b>booking</b> 106:16 251:7 <b>books</b> 25:5 36:4 77:10,21 78:5 79:14 157:13 178:13 179:1 231:1 266:23 271:25 290:1 <b>boom</b> 94:23 95:5 95:11 <b>borders</b> 162:24 <b>boss</b> 293:11 <b>bottom</b> 77:14 97:4 99:11 114:24 115:4 149:22 173:8 181:6 199:22 203:2,3 <b>bound</b> 110:13 <b>bow</b> 50:9 <b>Box</b> 15:20 16:5 16:12 19:20 20:1	<b>break</b> 85:20 86:24 128:5 142:8 161:11 205:24 240:2 290:8 <b>breaks</b> 234:15 <b>Bresette</b> 21:21 36:24 37:14 45:17 115:15 115:20,24 116:3,9 118:14 120:11 124:12 128:1 142:25 143:4 173:25 174:21 256:8 325:13 328:12 <b>brief</b> 40:13 111:16 195:19 204:2 229:7,13 229:19 290:8 303:8 314:18 314:22,25 315:25 318:8,8 318:9 323:9 324:5 328:7 <b>briefed</b> 204:16 <b>briefing</b> 163:15 166:8 319:23 320:2 323:1 <b>briefly</b> 75:9 137:14 247:4 295:7 312:11 <b>briefs</b> 315:21 320:11,12 323:22 324:2 <b>bright</b> 274:7,14 <b>bring</b> 21:2 87:6 100:1 215:1 268:20 289:3 <b>broad</b> 23:25 26:9 41:17 119:1 170:7 <b>broader</b> 159:1 161:22 253:23 <b>Broadly</b> 276:2 <b>brought</b> 57:17 157:11 227:7	<b>Bryan</b> 20:6 <b>BRYDON</b> 16:11 <b>budget</b> 124:21 125:8 <b>budgeting</b> 124:14 <b>budgets</b> 124:18 124:24 <b>build</b> 27:4,5,8 35:8 50:10 140:5 <b>building</b> 162:2 212:7 219:14 <b>builds</b> 138:2,6 <b>build-out</b> 23:19 27:1 46:13,18 50:6,7,25 52:6 132:8 133:11 139:22 140:24 141:1 221:2,5 <b>built</b> 48:20,24 49:2,4,10 105:21 140:4 140:17 213:1 214:8 277:2 <b>burden</b> 91:3,6 <b>Burton</b> 14:15 18:3,15 19:3,9 19:15,22 20:3,9 20:14 22:20 45:22 46:1 47:5 47:9 48:6 52:10 65:12 76:16 85:7,14,19,24 86:9 98:7,14 109:6 115:8,12 115:17,22,25 117:8,15,18,21 117:24 118:2 120:6 124:5,8 127:10,13,15 127:17,22,24 128:2,10,16 129:18,24 130:1 131:11 133:14,17 135:1,4 136:10
---	--	--	--	---

136:13 137:12	309:6,9,11,25	188:19 275:16	214:7 325:18	71:4,12,16
137:15 139:2,7	311:23 312:2,5	<b>calling</b> 98:8	328:13,14	72:11,16,20
142:4,12 143:3	312:7 313:11	253:6	<b>Carlson's</b> 68:17	73:4,5,9,12
143:8,12 146:9	314:12,15	<b>calls</b> 61:8	162:6	74:12,14,19,21
146:20,22	315:2,5,9,12	<b>camera</b> 20:22	<b>carried</b> 62:22	75:3,10 76:1
148:3 153:9	316:5 317:24	86:1 142:21	77:12 91:2	77:20 78:18,23
155:8 160:19	318:10,19	299:9	<b>carry</b> 267:18	79:17 80:1,11
163:7,10,13,20	319:2,7,13,16	<b>candidates</b> 23:14	<b>carrying</b> 30:9,16	80:19,24 82:3,5
164:2,5,16,22	319:20 320:17	40:21 112:16	30:17,24,25	82:5 83:3,9,14
165:10,13,20	320:23 321:15	<b>candidly</b> 208:17	53:8,14 59:4,8	83:25 84:11
166:1,5,10	321:23 322:8	<b>Cap</b> 124:18	59:22 122:9,18	86:12,14,23
171:6 175:16	322:12,25	<b>capacity</b> 240:13	122:19,24	87:3 88:3,9,10
181:1 182:10	323:5,14,20	<b>capital</b> 39:19	123:16,20	88:12,16 89:14
184:16 185:4	324:1,6,8	122:9,14,18	165:18 168:11	89:17 90:1,21
188:9 193:11	325:23,25	123:18 183:20	168:12,19,20	90:24 92:15,18
193:15 195:21	326:14	184:8 233:7	168:24 169:7	93:5,8 94:16,24
195:25 196:14	<b>business</b> 48:18	236:11 273:4	170:1,1 233:1,4	94:24 95:2,3,7
204:9,22	48:19 55:10	273:11 304:9	233:6,15,15,18	95:8,10 99:17
205:19 206:1	57:2,4 63:4,4	311:8 313:20	262:16,18	100:7,7,9,10
207:17,22	82:12 91:13	<b>capitalize</b> 36:20	264:3,18 288:9	101:12,23
215:10 218:25	105:19,24	<b>capitalized</b> 59:19	288:10,14,18	102:6,13,20,23
219:2,5 225:16	134:17 140:24	<b>capricious</b> 54:16	288:21,24	104:21 105:11
225:20,22,24	173:18 199:16	55:1	289:1	105:24 106:10
226:1,3,5,10,14	232:21,22	<b>capture</b> 47:17	<b>carved</b> 100:8	106:12,16
229:15 238:21	<b>buying</b> 199:17	66:15 67:22	<b>carves</b> 100:10	110:17 111:12
238:25 239:3	<b>buyout</b> 26:4	68:7 74:5,20	<b>case</b> 24:7,22,22	111:15,16
239:10,22	<b>byway</b> 130:20	125:17,22	30:7 32:9 35:4	114:10,11,13
241:8,15,17,19	131:5 214:19	126:5,10,18	36:15 37:13,17	114:16,18
241:22,25		127:2,5 149:8	37:20,24 38:10	115:1,5,25
242:3,6,14	<b>C</b>	<b>captured</b> 99:20	39:12,21 40:2	116:15 119:12
244:9,14,16,18	<b>C</b> 18:1 153:17,25	<b>capturing</b> 75:4	40:12 41:17	119:19,21
244:21 246:18	<b>calculating</b> 38:16	100:4	42:17 43:3,24	121:21,23
246:23 247:3,5	<b>calculation</b>	<b>car</b> 143:2	44:1,4,15,18	122:7,11,14,20
254:23 255:20	156:18	<b>care</b> 57:16 65:25	45:15 47:17,20	125:16 126:25
255:23 286:11	<b>calendar</b> 27:16	66:3 88:12	48:4,10 49:18	129:1 131:8,20
286:16 287:3,5	266:24	104:10,10,21	50:21 51:4,6,18	133:25 138:5,7
287:10,12	<b>call</b> 43:16 99:15	185:24 216:24	51:19 52:2,2,3	138:9 139:12
290:4,11	116:2,3 134:16	<b>carefully</b> 79:24	52:5,9,16,16,20	141:6,15,22,24
291:22 292:4,6	143:9 223:25	79:25 156:3	53:1,2,3,11	143:6,20
292:8,10,12,18	231:2 237:10	<b>Carlson</b> 21:21	55:13,15 57:12	145:19 148:18
292:22 293:7	239:25 244:24	27:10 45:17	57:14,17,20,22	149:5,5 153:12
293:12,24	288:18	46:8 125:5	58:13,15,22	154:5,13,17
295:2 296:2,6	<b>Callaway</b> 301:15	128:15,17,23	59:14,25 60:4,9	160:8 161:17
296:12 297:18	<b>called</b> 26:5 36:19	128:25 130:5	60:12,13 61:14	161:17,25
297:23 298:12	77:6 93:8 94:3	131:15 133:22	62:21 64:4,9,16	162:1,2,11,12
298:21 299:1	154:14 180:20	139:7 142:25	66:7,10 67:5,16	162:20 163:5
305:5 307:16	181:8 188:16	143:4 213:14	70:11,21 71:1,4	165:6,13

166:16,23	279:24 280:14	198:19 203:21	<b>cease</b> 269:1,11	286:12,14
167:6,10,14,19	280:25 281:9	203:23 204:14	<b>ceases</b> 269:23	292:15,16
168:25 169:11	281:19 283:2	204:16,19	<b>cell</b> 20:16 142:15	311:24,25
169:15,19	286:4,6 288:4	210:12 217:25	<b>centers</b> 49:2	325:22 326:12
170:5,8 171:13	289:9,18,21	219:6 221:8	<b>central</b> 49:1	<b>challenge</b> 54:6
174:12,13	291:4 294:11	229:6,8,12	<b>cents</b> 238:17	274:11
176:3,15,18,23	294:20 301:22	230:9,15	<b>certain</b> 23:6	<b>chance</b> 62:4
177:24 178:21	302:16 304:8	231:17 232:9	35:22 51:17	165:4 174:5
179:3,14 180:3	304:14,15,23	232:17 233:14	77:3 100:19	184:10
182:3 183:5,5	305:1,14,25	235:5 237:14	106:21 197:19	<b>chances</b> 95:13,14
183:11,11,19	308:3,21	238:3 250:12	214:21 221:24	<b>change</b> 18:5
184:7 187:5	309:15,17	252:6 253:19	248:13,19	22:22 23:17
189:22 190:7	310:9 313:17	254:6 258:25	252:20 256:9	25:10 26:13,18
192:3,22 193:7	314:18,22,24	259:2 260:7	266:13 269:1	40:23 41:23
193:21 194:8	315:19,24	264:18 265:8	<b>certainly</b> 34:9	50:13 66:15
195:11,13,18	316:1,18,19,22	267:4 270:3,9	43:19 46:14	88:14 126:10
196:15 197:15	316:23,24	270:11 272:9	50:17 51:5 60:2	144:12 145:23
197:23 198:11	318:4,13	278:18,21	69:6 74:7 98:21	154:3,12
200:21 201:6,6	320:21 321:2,5	281:16 283:14	103:19 113:12	169:13,19
201:18,21	322:1	288:17 289:12	113:13 121:24	170:5 198:13
202:5 203:9,14	<b>cases</b> 23:11 26:2	289:23 295:22	159:23 162:25	198:15,18,25
205:1,9 208:20	26:2 29:4,9,16	319:17,21	207:9,12	200:18 202:3
209:23,23	30:13 31:10	320:5,7,16,20	214:13,23	245:20 271:6
210:11 211:15	32:24 33:14	320:24,24	221:16 227:17	273:4 278:22
211:19 212:11	35:20 36:1 40:8	321:4,18	228:1 249:8	282:16 295:24
212:15 216:9	41:6 42:23	<b>cashable</b> 72:19	271:9 272:6	295:25 304:6
216:25 217:13	51:10,18,24	<b>categories</b> 74:22	273:22 314:23	<b>changed</b> 42:1
217:16,22,23	74:5,15,25	75:6 150:4	316:7	83:25 136:19
218:3,3,6,19	77:15 78:2	231:8	<b>CERTIFICATE</b>	145:11 177:10
220:14,19	81:17 86:11,21	<b>category</b> 67:11	329:1	186:17,18
221:23 226:20	87:3 89:7,19,22	68:10 74:20	<b>certified</b> 118:9	252:16 310:5
226:21,22	90:11 93:18,19	75:5	329:3	<b>changeover</b>
228:1,19	93:21 101:9	<b>cause</b> 45:2 96:14	<b>certify</b> 329:4,12	251:17
229:20 230:14	103:8 104:24	116:14 245:13	<b>cetera</b> 243:11	<b>changer</b> 88:10
230:15 231:2,3	104:25 150:8	294:10 298:17	<b>chairman</b> 14:16	104:10,20,25
232:4,10 233:5	150:15 160:7,9	<b>caused</b> 129:1	92:2 98:8,11,15	<b>changes</b> 21:15
233:9 235:15	160:25 162:11	143:20 240:17	98:17 108:19	22:2,8 116:18
236:6 242:22	162:22 172:12	251:2 252:8	109:4 127:11	125:17,22
250:4,8 254:14	172:13 182:1	253:3 291:4	127:12 133:17	126:5,18 127:2
254:19 257:17	182:24 183:1	<b>causes</b> 97:20	133:19,21	129:6 143:25
259:19 262:13	187:10 189:1,3	102:13	134:25 137:19	144:4 145:5,20
263:1 264:18	189:23 190:4	<b>causing</b> 108:8	139:20 205:20	154:5 221:1
265:5 266:1	190:17,20,24	137:6	205:22 206:3,5	245:18 273:23
267:16 268:2,5	191:3,12,13,18	<b>Cave</b> 20:7	207:19,24,25	294:14 297:5
268:6,16 270:6	191:21 195:22	<b>CCN</b> 212:15	208:2 215:10	<b>changing</b> 47:23
271:1 275:7	196:1,3,10,20	<b>CCR</b> 329:22	217:2 221:9,19	214:12 306:24
277:17 278:2	196:23 198:14	<b>CCR-MO</b> 14:22	244:10,12	<b>characterize</b>

196:25	275:4 288:20	218:6 237:5,11	144:25,25	55:16,23,25
<b>characterized</b>	314:8	242:24 247:11	145:2,3	56:21,23 57:23
23:22	<b>citations</b> 86:21	247:14,21	<b>columns</b> 144:19	57:25 59:20
<b>charge</b> 60:3 64:2	<b>cite</b> 78:18,22	248:4 249:6,13	145:1,10	62:20 63:22
212:4 248:11	120:11	249:17 250:3,7	<b>combination</b>	64:1 65:16 67:6
<b>charged</b> 23:7	<b>cited</b> 86:13 122:3	271:14	51:16 149:25	69:7,16,21,22
36:22 77:12,23	122:6 311:8,13	<b>clauses</b> 80:6	199:9,12	70:20,25 71:6
79:1 278:15	311:18	161:3 249:21	<b>combined</b> 276:24	71:10,10,13
<b>charges</b> 38:23	<b>City</b> 14:6,9 15:7	249:25	<b>come</b> 27:24 38:23	72:10 73:8
49:13,17,24	15:13,21 16:6	<b>clean</b> 254:3	43:8 44:1 45:23	75:18,21,23,24
50:4,14,18,24	16:13 17:6,12	<b>cleanup</b> 25:24	57:12 60:22	76:3,5,6,10,13
51:4 58:5,7	18:7,19,24	253:20,21	64:4 73:12 82:8	76:20 77:5,9
62:21 145:16	19:20 20:2 23:1	<b>clear</b> 26:8 154:14	92:5 104:18	78:16 79:3
158:9,11	23:12 24:3	154:19 200:12	106:5 111:3	80:23 81:8 82:5
165:18 168:11	32:18 38:9	205:3 206:19	125:3 133:1	83:1 84:19
168:12,19,20	39:25 79:8,21	228:11 238:5	135:22 136:25	86:21,24 87:13
170:1 210:15	80:20 83:4,23	282:7 297:2	137:2,7 139:17	90:23 91:1,3,5
210:15 212:19	87:22,25	301:5 303:4	139:17 171:1	91:7 92:4,9,19
222:25 262:18	116:12 148:15	324:3	178:22 211:7	99:23 100:12
282:20	177:8,19 329:6	<b>clearly</b> 28:13	223:1 227:18	101:10,13,14
<b>charging</b> 222:15	<b>claim</b> 265:19	30:13 111:25	227:20,22	101:15 102:4,7
266:9	<b>claiming</b> 317:4	227:9	235:15 275:7	102:22 103:6,8
<b>chart</b> 99:13	<b>clarification</b>	<b>client</b> 293:18	289:9,15	105:9,12,25
114:14 136:15	215:13 217:22	<b>clip</b> 208:24	<b>comes</b> 53:10	106:16 107:7
136:18 210:21	218:15,18,20	221:16	<b>coming</b> 67:12	110:13 113:25
<b>charts</b> 73:18	227:23 256:20	<b>close</b> 66:13 82:21	114:15 134:17	119:1,5,17,21
137:19	<b>clarify</b> 185:23	150:4 276:8	137:4 140:4	119:23,25
<b>check</b> 194:24,25	223:9 239:10	294:19	<b>commence</b>	120:25 121:9
195:15 196:12	322:12	<b>closed</b> 67:24	266:23	121:12,18,20
203:23 204:5	<b>clarity</b> 130:6	179:1	<b>comments</b>	121:22,25
204:19 248:22	<b>classical</b> 262:5	<b>closely</b> 38:11	285:11,18	123:2,6,10,14
249:2	<b>classified</b> 157:24	74:3 219:21	<b>commission</b> 14:2	123:15,24,25
<b>cherry</b> 84:20	217:19	<b>coal</b> 26:4	18:6 19:16,20	124:1 126:1,7
<b>choose</b> 258:1	<b>clause</b> 26:17	<b>cold</b> 25:21	21:5,13 22:24	126:12 127:1,4
<b>chose</b> 318:22	42:12 44:20	199:10	23:5,25 24:3,7	138:20 141:10
<b>circumstance</b>	45:12 47:1	<b>colder</b> 272:3	24:11,15,21	150:16,21
85:4 188:10	61:19 80:2,5	<b>collect</b> 90:14 94:7	25:3 26:8,15	154:22 156:3
257:20	90:13 104:9,13	100:2	27:2 29:18,22	156:17 157:2
<b>circumstances</b>	109:18 151:10	<b>collected</b> 94:24	29:23 30:3,6	160:11 163:21
24:2,10,14	151:20 152:24	302:9 307:1	31:3,21,24 32:3	168:7,9,15,17
39:23,24 40:4	153:3 154:24	<b>collecting</b> 88:11	40:2,11 41:1,12	168:23 169:19
41:19 52:5	155:24 156:8	104:14 152:14	41:17 44:3,5,18	169:24 170:2,4
69:22 71:22	162:18 170:20	199:18	44:24 45:7	170:7,15
79:22 85:1	171:21 172:1	<b>collections</b>	47:18 48:1,4,9	171:13 175:2,3
159:2 186:18	215:22 216:3	269:10	50:22 51:2,24	178:21 179:3,5
202:25 229:20	216:10,17,18	<b>Columbia</b> 16:20	52:2,13,15	180:1 182:3
256:9 269:1	217:8,15 218:1	<b>column</b> 144:24	53:21 54:14,19	186:9 187:21

190:15,16	295:20,23	227:24	267:3,7,12	286:7 287:25
191:2,7,11,15	298:8 301:21	<b>committed</b> 284:2	271:17 274:10	288:3 289:9,14
191:18,21	303:5 311:7,12	<b>committee</b> 243:4	274:24 278:3	289:25 300:15
193:6 194:2,9	311:17 312:5	243:11	279:1 283:17	305:18,23
195:3,8,11	317:16 318:4	<b>committee's</b>	308:24	306:1,16 307:8
196:21 197:23	318:11 319:11	35:12	<b>company</b> 14:9,10	308:2 315:17
198:11,19	320:8,11,13,17	<b>common</b> 57:9	16:9,16 18:8,9	<b>company's</b> 28:6
199:8 200:3,12	320:24,25	58:20 84:2	18:24,25 19:5,7	28:25 30:10
200:16,20	322:5 329:5	156:19	23:1,2 28:18	35:4,20,23
201:4,7,24	<b>Commissioner</b>	<b>commonly</b>	29:17,25 33:15	37:25 40:1,22
202:20,24	46:1,3,9,19	154:23 260:23	33:25 36:24	41:5 43:16 44:2
203:8,13,24	47:3,5 48:11	<b>community</b>	41:8 43:2,24	53:1 76:1 93:14
204:3,20,25	68:24 92:1,7	236:14 256:25	45:8 47:10	106:15 107:5
208:18 213:10	127:13,14,15	259:14	51:20 52:9	109:13 119:18
215:20 217:14	127:16 135:10	<b>companies</b> 23:12	55:12 56:18,22	123:1 124:14
219:7 221:21	135:13 215:11	23:18,24 26:20	57:3,5 59:11,15	166:16 223:10
223:10 224:2	215:12,15	26:23 29:6,20	60:23 63:3 64:3	230:10 254:18
225:2,9 227:5	218:25 219:1	30:1,4,17,19	65:21 68:10,13	256:25 257:7
227:10,12,19	239:17 244:14	31:14 32:1,10	71:19 72:12	262:24 263:1
228:5,8 230:9	244:15,16,17	32:17 33:3,10	73:18 93:13,18	268:14 270:22
232:3,12,23	286:16,17,20	34:4,16 35:1,13	105:17 106:19	272:4 273:18
233:9,14	287:3,4 292:18	36:17 37:12,18	106:21 107:2	280:6,23 281:2
234:24 235:13	292:20,22	38:19 39:4 41:2	107:19,20	<b>comparable</b>
237:18 240:14	312:2,3,6	42:14,21 43:5	109:10 119:5	303:17
245:10 252:15	325:24 326:13	43:19 44:1,5	120:2 121:11	<b>compare</b> 86:19
254:10 255:12	327:4	45:9 47:20 51:5	122:13 123:4	93:1 182:3
256:11,15,22	<b>commissioners</b>	52:21,23 55:5	123:16 126:13	<b>compared</b> 28:8
257:2,3,6,16	14:18 71:21	55:19 57:13	127:7 128:22	28:16 42:16
258:2,12,20	87:5 126:12	60:8 70:17 71:8	143:16 144:16	177:25 182:16
259:5 260:5,11	160:17 240:1	71:25 73:11,21	148:16,17	214:5 289:12
260:11 261:1	<b>commissioner's</b>	74:12,14,18,23	156:14,15	305:18 309:16
261:21 262:3,9	126:20	75:15 118:21	166:17 168:5	309:16 310:8
262:23 263:6	<b>Commission's</b>	147:8,15 149:2	168:10 176:2,5	318:17
264:13 266:8	24:9,12 25:7	150:1,17,24	176:10,14	<b>comparison</b>
266:25 269:19	35:10 41:16	156:23 178:6	182:18 184:25	178:4,10
269:22 270:12	44:19 54:9	178:14 179:16	199:16 203:6	<b>compensate</b>
270:15,19	78:25 82:23	190:24 220:7	217:7 219:12	67:16 264:4
271:5 273:25	93:7 105:5	223:1,18	220:23 221:12	<b>compilation</b>
274:23 280:13	106:4 113:18	224:20 231:16	224:8,25	33:18
280:25 281:7	157:7 174:15	232:19 248:20	227:17 251:5	<b>compile</b> 189:16
281:17 282:13	174:22 203:17	251:6 253:8,8	252:14 253:25	189:17
283:2 285:1,5	216:21 226:20	253:11,22	257:12 263:11	<b>compiled</b> 189:18
285:10 286:4	243:15 257:21	256:17 257:15	263:12 267:15	189:19
286:21 287:17	258:9 262:11	257:25 258:10	268:18,22	<b>compiling</b> 189:13
287:23 288:3,5	270:10 314:19	258:18,20	272:17 274:2	<b>complaint</b> 73:5
288:10,16,25	318:12	260:25 261:10	274:19 280:5	272:16,22
289:1,6,13,24	<b>Commission-s...</b>	263:10 264:8	280:15 282:9	273:2,11,20

308:24 311:2 314:3,9 <b>complete</b> 164:1 322:6 <b>completed</b> 37:24 135:25 <b>completely</b> 264:15,20 318:2 <b>completeness</b> 321:20 <b>complex</b> 33:16 283:23 284:3 <b>compliance</b> 24:5 <b>compliant</b> 73:9 <b>complicated</b> 170:22 <b>comply</b> 172:7 288:16,19 <b>component</b> 237:6 <b>components</b> 38:17,20 151:13 220:18 281:14 <b>comprehensive</b> 230:11 <b>computer</b> 260:1 <b>computers</b> 260:1 <b>computer-aided</b> 329:8 <b>concept</b> 92:25 93:6 192:16 209:7 214:25 <b>concern</b> 40:19 47:15 238:1 251:6 252:24 <b>concerned</b> 52:21 238:23 252:15 <b>concerning</b> 221:20 318:2 <b>concerns</b> 234:2 250:20 <b>conclude</b> 40:6,6 256:14 263:4 <b>concluded</b> 215:20 225:2 304:23 315:14	324:12,16 <b>conclusion</b> 29:24 37:16 45:6 84:25 113:17 113:21 256:7 304:1 313:10 <b>concur</b> 76:23,24 115:23 <b>condition</b> 31:6,6 31:7,13 32:2 33:7,23 34:13 34:14,16 35:22 35:22 36:3,9,11 36:16 37:11,15 38:4,6 44:14 60:23 62:5,23 62:24 63:17,18 63:21 64:10,11 155:19,19 168:5,7,10 233:24 234:3 237:19 266:21 266:22 268:24 270:1,13,15 271:6,8,12 274:1 282:17 282:17 283:10 284:5 <b>conditioning</b> 48:23 <b>conditions</b> 31:3 31:16,17,18,20 31:23 35:15 44:7,11,13 51:13 60:22 75:9 76:2,4,7 76:11 155:17 164:20 165:17 167:4 168:4 269:3 275:21 <b>conduct</b> 272:25 <b>conducted</b> 151:2 <b>confident</b> 162:21 162:23 174:15 174:19,20 <b>confidential</b> 20:19 108:21	142:17 291:6 291:20 294:22 295:5 297:3,20 299:7 303:9 <b>confidentially</b> 62:17 <b>confirmed</b> 81:10 <b>confuse</b> 81:23 <b>confusing</b> 171:4 <b>confusion</b> 293:15 <b>conjunction</b> 285:14 <b>connect</b> 219:19 <b>connection</b> 255:8 <b>consensus</b> 288:14 <b>consequences</b> 305:16 <b>consider</b> 31:3 40:9 53:10 55:16 68:25 156:3 162:19 163:18 170:8 175:11 232:20 273:10 274:24 281:7 318:14 320:18 <b>considerable</b> 243:15 <b>consideration</b> 31:10 53:7 78:21 84:17 97:2 101:3 102:13 103:1 154:6 198:20 229:17 281:19 286:5 <b>considerations</b> 31:8 44:15 273:19 <b>considered</b> 26:11 36:14 40:3,4 55:24 68:2 82:1 83:10,14 102:9 105:23 112:12 154:16 169:12 169:16 177:25 197:25 198:2	198:14,17 199:1 200:18 263:1 273:19 277:16 279:23 281:15 316:6 <b>consistent</b> 123:1 140:23 249:5 <b>consistently</b> 39:15 103:6 173:22 210:20 236:8 <b>constant</b> 219:24 220:2,11 <b>constituencies</b> 167:17 <b>construct</b> 221:11 222:8 <b>constructed</b> 140:17 <b>constructing</b> 276:7 277:18 <b>construction</b> 25:18 152:22 184:4 211:6 221:23,25 222:4,7,9 248:13 260:16 277:7 278:4 <b>constructor</b> 276:17 <b>construed</b> 60:25 <b>consultant</b> 237:25 <b>consultants</b> 33:19 <b>consumer</b> 90:7 <b>consumers</b> 20:5 20:10 34:22 76:18 85:10 86:5 284:15 <b>consuming</b> 29:8 29:8 42:22,23 151:5 <b>contact</b> 18:25 19:13 20:7 <b>contain</b> 282:20 <b>contained</b> 99:10	116:22,23 117:1 129:10 145:24 246:2,7 247:21 291:12 <b>CONTD</b> 16:1 17:1 326:1 327:1 328:1 <b>contemplated</b> 132:24 <b>contested</b> 52:3 <b>context</b> 65:20 75:3 90:4,11 114:19 169:14 192:15 199:9 220:19 232:15 237:14 250:4,8 288:4 <b>Contingent</b> 18:11 <b>continuation</b> 162:17 <b>continue</b> 27:13 33:15 34:7 40:11 45:1 46:20,21,22,23 47:2 50:23 62:9 79:17 98:9 128:4 141:13 147:7 150:17 166:2 173:21 215:21 217:23 237:15 239:23 242:1,15 283:19 <b>continued</b> 147:9 147:14 150:10 218:8 <b>continues</b> 105:13 149:22 208:20 208:21 <b>continuing</b> 100:24 <b>contract</b> 26:4 <b>contrary</b> 36:11 50:15 316:8 <b>contrast</b> 42:12 86:22 101:21
---	--	--	---	--

<b>contrasted</b> 276:1	<b>correct</b> 22:1,7	<b>correction</b> 241:2	276:10 282:7	74:20,22,24
<b>contributes</b> 29:5	82:3,4 117:2	<b>corrections</b>	283:17 284:13	76:14 77:22
42:20	118:6 120:12	144:1 245:18	284:14,24	78:1 79:19,23
<b>contributions</b>	122:5,6,21	291:9 294:13	288:16,19	80:21 81:1,13
251:24	124:15 125:13	313:7	304:7,12,15	81:19,20 83:5
<b>control</b> 23:18,23	125:18,23	<b>cost</b> 26:20 27:19	309:19	83:20 84:8,10
25:11 26:14	127:2,6 129:5	28:7,8,10,12,24	<b>costs</b> 23:7,13,22	84:12,16 87:12
28:25 40:24	129:13 130:11	29:2 33:8,20	24:2,5 25:9,17	87:18 88:11,15
41:24 44:23	130:12,21,22	34:5 35:14 39:2	25:18,19,20,21	88:16,20 90:5,6
50:17,18 73:22	131:1 134:23	47:15 49:21	25:21,22,23,23	90:15 91:4
73:23 75:12	136:14 137:21	55:9,17 56:4	25:24,25 26:3,4	92:14,21 93:2
84:15 123:25	137:22,25	57:2 61:8,17	26:5,5,10,16,18	93:19,20,22
159:9	138:1,9,14,17	62:10,24,25	26:19,21,24	94:12,19 95:7
<b>controller</b> 116:13	138:18,22,24	63:4,11,12	27:12,15,24	95:18 96:16,21
<b>controls</b> 123:5	139:10 141:25	65:24 67:14,22	28:11,14,16,19	97:8,10,11,12
<b>controversies</b>	143:10 144:20	69:5,6 72:17	29:7,10,11,21	97:12,16,18,20
235:4,15	166:20 171:15	74:8 78:5 81:18	30:2,9,11,14,16	98:2,3,6,13,24
<b>controversy</b>	171:16,22	82:11,22 83:8	30:18,21,22,24	99:2,5,13,14,20
275:2	172:8 176:16	83:16 84:4,5	30:25 32:8	99:21 100:1,4
<b>convene</b> 274:24	176:20,25	85:2,3 88:13	34:18,19,20,22	100:13,23
<b>convenience</b>	178:9,23,24	90:17 91:8,10	35:19 36:5,10	101:2,6 102:5,7
86:13,14	179:24 181:15	91:12,22 99:23	36:13,18,21	102:9,12,17
<b>conversations</b>	182:6,7,19,24	101:11 103:14	37:5,7,20,25	103:9 104:8,22
136:25	184:1,2 185:17	103:15,20,21	38:8,12,17,25	105:4 106:6,9
<b>converted</b> 64:21	187:5 193:7,8	103:21,22	39:3,8,10,13,19	106:14,17,20
<b>Cooper</b> 16:10	197:20,21	104:3,6 105:11	40:19 41:3,7,9	107:19,25
19:6,6 47:10,11	200:13,14	105:19 106:22	41:21,22,25	108:7,14,16
54:20 117:17	201:22 202:1	107:4,11 110:2	42:5,14,15,22	109:2 110:10
129:25 146:21	203:9 208:9	114:15,16,20	43:1,19,25 44:4	111:10 113:23
225:20,21	212:16 215:23	123:18 130:20	44:5,12,18,25	114:8,10,12,18
241:20,23,24	240:21 241:13	138:3 140:11	45:4,9,10,14	119:3,10 120:1
255:23,24	243:10,13	147:8 149:24	46:10,15,16,21	121:1,3,10
292:8,9 309:9	246:8 247:22	149:25 150:4	47:13,22 50:19	122:9,18,19,24
309:10 325:5	248:14 252:2,3	150:25 151:6	52:22,24,24	123:16,21
<b>coordinator</b>	253:16 256:14	168:24 172:19	53:3,5,8,14	124:21 125:12
147:10	262:22 263:4,8	209:20 210:21	55:6,7,13,14,20	125:18,23
<b>copies</b> 35:24	264:7 270:7	214:19,20	56:1,25 57:4,10	126:5,13 127:6
61:21,22 164:3	272:13 273:8	219:14 220:3	59:5,8,22 60:15	130:24 131:19
282:18,22	281:4 283:7,8	231:8 233:7,8	61:5,7,8,11,15	133:6 134:4,20
315:6	287:18 291:16	233:11 234:12	62:2,12,14,15	137:20,24
<b>copy</b> 86:7,11	297:3,4,13	234:14 237:13	63:1,7,15,16	138:16,21
153:11 155:10	300:19,20	237:19 253:22	65:8 66:2,8,9	139:16,19
193:17 299:14	303:4,11,12	259:9 262:16	67:4,6,7,11,18	141:5,12
304:16 323:11	308:15,16	262:20 263:14	67:19 68:10	151:21 152:3
<b>Corp</b> 200:9	312:22,23	263:18,18,20	69:2,3 70:9,18	152:14 155:22
<b>CORPORATE</b>	315:4	264:21 267:13	72:13,18,20,21	157:22,25
15:11	<b>corrected</b> 246:5	268:14 273:4	73:15,16,19,23	158:2,7,18



159:4,5,23 167:20 169:7 170:2,11,13 172:14,17 173:23 174:12 174:17 175:8,9 178:7 183:20 184:8 186:15 187:7 193:4,7 194:9 195:4,9 195:13 196:22 197:3 202:22 202:23 206:13 209:9,21 210:8 210:10,14,17 210:19 211:16 211:19 212:13 213:25 214:18 215:21 216:3 216:11,19 217:10 218:2 218:13 219:10 219:22,23 220:1,11,13,16 220:24 221:5 221:15,17 222:22 225:5 227:22 228:9 231:24 232:4,5 233:1,4,6,16,19 234:9,19 236:2 236:15,17,18 236:20 237:4 238:4,10 242:21,23 249:12 251:8 252:21 253:24 253:24 254:3 256:9,17 258:1 259:10,23 260:13 261:3,6 261:9,11 262:13,21,24 262:25 263:7 263:12,13,20 264:3,9,17,18 265:10,12,14	265:18 266:1,5 266:10,13 267:8,17,19 268:4,9 269:11 273:11 275:10 275:14 276:11 276:20 277:5,8 277:21 278:12 278:15,21,22 279:2,17,20,23 279:25 280:4,9 280:12 281:1,8 281:18,20 283:24 284:8 284:15 287:20 288:7,9,11,14 288:18,21,22 288:25 289:1 289:25 309:15 311:8 <b>counsel</b> 15:11 16:3 19:23,25 21:14 22:6 35:10 65:14 69:24 75:13 88:23 117:23 118:1 120:7 131:12 189:15 190:19 234:22 254:21 290:25 291:5,19 304:24 329:13 329:16 <b>counsel's</b> 21:24 195:15 <b>counterbalanci...</b> 75:5 <b>country</b> 48:22 49:8 <b>County</b> 287:24 <b>couple</b> 39:18 56:18 111:18 133:19 156:21 185:11,20 206:9,10 219:2 221:7 227:3 250:15 253:19	<b>course</b> 30:21 32:23 54:5 103:6 300:22 <b>court</b> 18:17 19:8 54:7,13 78:24 79:4 80:2,9 86:21 92:18,19 94:1 113:21 253:13 317:5 323:9 <b>courts</b> 24:8 54:18 81:11 94:4 100:18,20,20 101:4,7 <b>Court's</b> 105:6 110:18 <b>cover</b> 56:24 148:5,11,25 216:3 254:13 302:9 307:2 <b>covered</b> 94:8 <b>covers</b> 207:5 <b>CPA</b> 118:12 176:24 181:17 234:18 <b>create</b> 97:25 110:15 127:1 <b>created</b> 68:7 88:24 89:6 109:16 110:21 110:24 111:23 112:6,8,10 <b>creates</b> 97:15 106:17 <b>creating</b> 124:24 160:2 214:4 <b>creation</b> 99:1,6 100:3 125:21 126:4,9,17 248:7 <b>credible</b> 71:24 <b>credit</b> 179:7 236:13 <b>credited</b> 25:2 <b>Creek</b> 183:4,9,11 271:1,24 301:15	<b>crews</b> 56:14 <b>criteria</b> 113:2 157:8,14 227:7 255:14 317:2 <b>critical</b> 70:16 72:6 <b>criticisms</b> 299:22 <b>crop</b> 134:10 <b>cross</b> 22:3,9 115:14 117:7 117:12 118:4 120:9 124:7,10 129:17 130:3 131:13 133:15 137:16 139:2 146:8,18 147:1 171:8 175:18 182:13 225:16 229:9 239:11 239:19 241:7 242:7,13 246:17 247:2,6 255:1 256:1 291:21 292:3 293:20 297:16 298:25 299:3 304:20 305:4,7 307:19 309:12 313:5 318:21 320:18 325:15 325:16,17,20 325:21 326:3,8 326:9,10,11,20 326:24,25 327:3,13,14,15 <b>CSR</b> 14:12 18:12 21:7 194:3 <b>CSR-IL</b> 14:22 329:22 <b>Ct</b> 17:5 <b>curiosity</b> 46:5 135:15 <b>current</b> 27:3 36:21 39:24 42:2,3 77:10,15 79:9 91:12 104:11 107:12	107:21 108:1 108:25 110:6 113:24 114:3 134:10 154:2 183:9 230:14 273:10 304:11 307:2 308:9 <b>currently</b> 18:4 23:10 26:23 35:11 42:10 115:12 125:9 128:2 130:9 132:24 134:4 142:6 166:18 171:18 194:5 217:4,9 243:20 279:14 302:10 <b>curve</b> 303:6 <b>customer</b> 34:25 39:4,6,8 88:3,5 88:23 96:2,3 154:12 156:11 158:7 175:11 209:8 210:15 210:15,16 212:4 219:15 220:3 221:17 <b>customers</b> 56:13 60:4 69:25 88:25 89:1,2,5 90:15 96:3 107:15 126:15 140:6,18 167:7 167:16 169:7 169:10 176:11 186:22 199:13 199:17,18 213:8 217:17 232:7 238:18 248:18 265:13 265:23 266:10 266:13 277:20 280:1,17,24 284:21 <b>customer's</b> 90:19 <b>cut</b> 203:20 <b>CWIP</b> 222:1,15
---	---	--	--	---

222:20 <b>cycle</b> 160:4 <b>cycles</b> 32:21 271:21 301:16	319:12,14 324:12 <b>days</b> 323:17,25 <b>deadline</b> 323:21 <b>deal</b> 46:24 55:14 73:24 139:12 166:7 188:18 220:19,21 <b>dealing</b> 112:9 215:18 311:7 311:12,17 <b>dealt</b> 39:11 172:14 214:6 215:2 220:13 220:14 252:18 <b>Dean</b> 16:10 19:6 <b>debate</b> 49:16,17 235:9 <b>debit</b> 179:8 <b>debt</b> 84:5 94:21 94:22 95:7,8,11 114:20 127:6 304:7,13,15 310:19 313:21 <b>decade</b> 50:9 <b>decades</b> 48:16,21 172:16 173:1 185:11 <b>decide</b> 43:24 54:2 107:2 110:22 110:23 273:1 281:1 <b>decided</b> 27:7 75:19 91:24,24 92:9 102:20 111:1 219:7 274:23 <b>deciding</b> 40:9 202:21 <b>decision</b> 44:17 54:6,9,13,22,23 58:12 88:9 93:8 102:17,21 110:18 113:16 167:6 169:25 227:11,12 232:23 318:3,7	318:13 <b>decisions</b> 35:13 51:24 54:18 87:8 113:20 168:18 <b>decline</b> 31:22 132:10,13 <b>declined</b> 304:10 304:13,17 <b>declining</b> 311:8 <b>decreased</b> 84:3,5 84:6 186:19 294:19 313:14 313:16 <b>decreases</b> 75:5 81:19 127:5 <b>decreasing</b> 39:19 74:22 84:10,12 94:19 114:20 114:21 121:3 <b>decree</b> 257:4 <b>deem</b> 223:20 <b>deemed</b> 195:7 198:22 267:22 <b>deeply</b> 305:8 322:1 <b>default</b> 274:17 <b>defeating</b> 38:1 <b>defeats</b> 32:6 <b>defer</b> 23:6 24:4 30:6 37:25 41:1 41:3,9 42:15 44:5 52:23 53:6 63:7 102:17,24 103:20 105:16 112:11 119:5 121:1 122:13 122:20 134:9 174:13,22 186:16 197:18 210:4 212:13 225:5,10,10 226:24 227:22 227:25 228:9 234:8,19 242:22 256:17 258:1,21	262:12 <b>deferral</b> 23:15 26:10 30:4,10 31:24 33:6 36:4 36:13 41:7 43:6 43:18,23 45:10 51:21 59:6,10 59:24 63:1,13 64:12,24 65:2 70:20 71:2,4,14 71:23 72:1,3,5 77:6 79:12,13 83:18,19 100:22 102:12 103:2,16 105:4 111:24 112:16 118:21 121:4 121:20 123:11 155:20 157:22 157:25 158:17 162:17 168:24 177:25 178:21 192:11 193:7 194:19,23 195:12 196:21 207:15 208:14 209:8 220:4 224:11,13 225:7 228:11 234:6 254:7 255:5 256:12 256:16 257:7,9 257:13,21 258:10,22 259:19 263:17 265:9 266:23 268:25 274:3 274:18,21 275:1 282:1,21 289:10,16,17 289:19,22 <b>deferrals</b> 25:15 30:2 63:23 102:4 154:16 157:13 161:15 161:21 172:20 186:7,10	187:24 190:10 191:5,14,16 192:10,13,16 194:21 232:15 255:16 256:9 257:18 259:4 259:20,20 260:12,18 261:2 266:16 269:10 317:20 <b>deferred</b> 35:19 53:8,12 56:1 59:5,6,24 60:1 60:3 61:1,24 63:20 64:5 71:10,11 77:22 78:1 91:4 99:7 101:2 105:15 121:19 137:5 169:9 174:6,7 174:16 175:8 179:8 186:21 187:25 194:9 194:14 224:17 231:11,25 234:14 262:20 262:25 264:17 265:18 266:5,5 284:8 289:25 <b>deferring</b> 156:2 179:19 233:9 263:18 <b>deficiency</b> 166:18,22,25 <b>defined</b> 180:18 255:15 <b>defines</b> 112:19 <b>definition</b> 49:22 68:1 81:8,9,10 91:11 97:23 99:8,9 112:18 125:24 192:6 <b>definitions</b> 161:18 <b>definitive</b> 161:25 162:1 306:5 <b>degree</b> 252:17
--	---	--	---	---

<b>delay</b> 30:13,15 30:22 98:15 262:20 263:10 263:10	74:17 133:4	<b>determines</b> 101:15	318:3	174:11 254:12
<b>delayed</b> 28:3	<b>describes</b> 130:17	<b>determining</b> 105:13 112:6	<b>differently</b> 186:8	<b>disaster</b> 81:1
<b>delicate</b> 80:6	265:4,6	313:9,23	217:20 231:12	<b>disbursed</b> 276:5
<b>demand</b> 288:22	<b>describing</b> 207:2	<b>detracts</b> 244:2	232:24	<b>disconnection</b> 199:14
<b>demonstrate</b> 166:17,22 170:10 190:9	<b>description</b> 112:21	<b>developed</b> 55:25	<b>difficult</b> 33:23	<b>discover</b> 74:21
<b>demonstration</b> 175:7	<b>design</b> 162:1	87:14 140:14	34:3 47:16	<b>discovered</b> 163:25
<b>demonstrative</b> 40:16	<b>designation</b> 185:15	149:24	156:24,25	<b>discovery</b> 181:4
<b>denied</b> 60:8 82:6	<b>designed</b> 30:19	231:2,3	238:9,9	<b>discretion</b> 24:1
191:18,21	67:22 69:4,9,10	<b>developments</b> 50:20 259:14	<b>digression</b> 126:13	24:22 26:9
200:11,13	70:4 98:6,13,25	<b>deviate</b> 52:20	<b>dimension</b> 56:17	41:16,17 111:7
201:6 203:7,8	99:1 126:11	53:5	<b>direct</b> 27:10	113:10 119:2
203:18,24	264:3	<b>deviation</b> 58:1	36:25 53:21	128:9 157:11
218:11,14	<b>despite</b> 50:14	118:22	116:5,15 128:4	170:8,15
<b>deny</b> 29:18 114:7	90:2 110:1	<b>device</b> 20:17	128:19 129:2	<b>discretionary</b> 113:19
200:4 232:3	123:22	<b>devices</b> 142:16	130:7,16	<b>discuss</b> 31:4 87:2
311:8,13,19	<b>detail</b> 33:4 35:4	<b>dialogue</b> 163:24	143:13,20	87:12 92:12
<b>denying</b> 221:20	51:11 91:5	<b>dictated</b> 251:25	144:4 148:24	152:17 170:25
321:22	122:11 151:14	<b>dictates</b> 97:3	151:15,24,25	319:21,23
<b>depart</b> 56:5,7	<b>detailed</b> 270:22	<b>dictionary</b> 50:1	155:17 177:17	320:2
<b>department</b> 189:15	273:23	81:7	222:14 240:7	<b>discussed</b> 35:3
<b>departure</b> 53:18	<b>details</b> 162:25	<b>differ</b> 170:14	245:2 255:10	37:13 58:20
57:24	173:11 190:6	<b>differed</b> 306:20	289:7 290:15	92:11 103:12
<b>depending</b> 133:4	296:21	<b>difference</b> 43:11	293:19 294:4	136:23 171:12
136:4 196:6	<b>determination</b> 32:7 145:17	145:8,9 161:14	306:14 325:14	221:8 254:17
269:2	168:8,11 169:2	161:19 177:23	325:19 326:7	288:8
<b>depends</b> 167:21	169:5 170:3,9	185:9 186:2	326:19,23	<b>discussing</b> 20:20
<b>Depreciating</b> 95:23	170:16 176:15	209:18 300:2	327:8,12	142:17 219:8
<b>depreciation</b> 39:20 95:25	176:18 192:18	<b>differences</b> 235:22	328:12,13,15	<b>discussion</b> 174:20 176:4
194:4,5,14,18	204:12 212:24	<b>different</b> 42:2	<b>directed</b> 63:23	180:18 181:21
194:20 294:18	303:22	48:15 50:2	<b>directing</b> 165:24	185:22 202:17
311:13 313:16	<b>determinations</b> 168:16	66:16 70:6	<b>direction</b> 73:11	208:19 209:15
<b>derived</b> 220:16	<b>determine</b> 41:18	71:13 82:15	188:25 189:2,6	226:18,22
<b>describe</b> 46:10	64:17 96:22	91:17 113:6	189:18	227:3,6 228:23
82:11 91:12	101:11 102:10	138:12,13	<b>directions</b> 306:20	238:13 252:8
275:24 295:7	120:22 168:13	174:13,17	<b>directives</b> 214:11	267:5 296:13
296:19	180:2 224:4	185:21 214:13	256:21	<b>discussions</b> 181:19
<b>described</b> 58:13	274:2 283:23	214:15,23	<b>directly</b> 38:24	<b>disposition</b> 43:22
	302:6 304:22	215:3,6 256:20	77:13 136:6	59:24
	304:25 314:8	282:16 302:7	234:10 270:12	<b>disputes</b> 275:5
	<b>determined</b> 43:23 268:10	304:5 306:20	<b>directors</b> 243:4	<b>disservice</b> 87:5
	303:5	317:10,12,22	<b>disagree</b> 73:21	<b>distance</b> 215:2
			76:10 174:18	<b>distinction</b> 39:5
			255:12 256:6	
			<b>disagreement</b>	

99:16 134:6 186:11 192:9 <b>distinguish</b> 99:22 187:24 197:4 <b>distinguishable</b> 161:14 194:13 <b>distinguished</b> 203:18 <b>distinguishing</b> 134:12 <b>distorted</b> 107:3 <b>distorts</b> 105:8 106:14 107:6,8 107:21 <b>distribution</b> 199:16 253:8 253:10 261:9 <b>District</b> 16:9 19:4 19:7 47:10 <b>divergence</b> 236:12 <b>DNR</b> 145:14 184:24 <b>docket</b> 197:25 <b>dockets</b> 147:13 <b>doctrine</b> 316:11 316:25 <b>document</b> 148:10 155:14 184:22 202:6,9,15 <b>documentation</b> 33:18,25 34:17 35:7 284:7 <b>documents</b> 109:15 148:22 148:23 164:10 <b>doing</b> 55:9 57:2,4 63:14,15,16 71:5 74:24 84:15 88:7 100:3 105:19 140:24 161:20 <b>dollar</b> 29:4 42:19 87:8 94:25 263:23,24 <b>dollars</b> 33:21 49:9 50:10	159:13 191:5 228:4 237:25 238:16 <b>door</b> 229:22 <b>DORITY</b> 15:5 <b>dot</b> 194:2,2,3 320:18 <b>Dotthein</b> 15:18 19:18 146:23 147:2 148:4 153:10 155:9 160:20,22 161:6 163:4,9 163:12,14,23 164:4,9,18 165:2,16,22,25 166:3,6,11,12 171:11 176:2 181:19 206:11 206:18 225:22 225:23 232:25 234:22 244:25 245:3 246:16 246:20 287:11 287:14 319:15 319:17 326:8 326:23 327:5 <b>double</b> 90:1 <b>dovetail</b> 69:10 <b>Downey</b> 17:10 20:6 76:19,20 124:7 133:14 133:15 165:7 175:17,19,22 180:25 181:2 182:9 226:1,2 241:13,14 247:1,2 292:1,3 293:15 294:1 314:13,14 322:22 325:9 326:10 <b>DR</b> 195:23 <b>drafted</b> 207:4 316:16 <b>dramatic</b> 136:1 <b>dramatically</b>	27:11 <b>draw</b> 84:9 <b>drawing</b> 134:7 <b>DRI</b> 195:23 320:6 <b>drive</b> 96:2 210:19 <b>drives</b> 99:16 <b>driving</b> 67:14 <b>DRI-1</b> 189:8 <b>drove</b> 95:5 <b>DSM</b> 288:23 <b>due</b> 26:21 28:25 131:23 <b>dump</b> 316:16 <b>duplication</b> 76:22 <b>duty</b> 78:25 79:1 <b>d/b/a</b> 16:16 156:15 <hr/> <b>E</b> <hr/> <b>E</b> 18:1,1 <b>earlier</b> 102:10 135:11 192:8 213:14 215:17 254:17 <b>early</b> 95:9 185:13 199:10 235:3 254:11 271:2 <b>earn</b> 78:15 95:24 123:7 213:6 274:20 <b>earned</b> 83:20 109:23 167:2 181:8 182:22 230:18,21 231:13 235:23 304:22 305:1 <b>earning</b> 32:1 64:12,22,22 65:2 72:25 73:1 73:9 79:15 88:17 104:12 107:20 109:25 114:25 167:13 168:2 234:23 269:7,9,13,24	272:17 274:3 274:12,14,16 274:22,25 306:7,9 314:8 <b>earnings</b> 32:12 32:17,23 39:25 40:22 73:4 88:19 95:1 105:8 106:21 106:23,25 107:5,8,12,21 108:1,2 109:1 109:14,19 110:3,5 112:6 112:14 114:4 115:4 156:15 156:21 235:14 267:19,20 268:21 271:18 272:4,24 273:13,18 289:18 295:17 296:21,22,24 300:3 303:14 305:13 306:6 308:11,23 311:3 312:20 314:5,6 <b>easier</b> 319:23 <b>easily</b> 58:2 <b>easy</b> 212:20 238:3 <b>EA-2013-0098</b> 221:22 <b>ECA</b> 237:10 275:16 <b>echo</b> 51:12 <b>economist</b> 240:15 <b>Ed</b> 76:20 175:22 <b>Edward</b> 17:10 20:6 <b>effect</b> 53:2 135:22 141:10 156:16 168:14 170:4 264:24 267:16 300:1	<b>effective</b> 162:13 169:1 179:12 187:17 190:21 216:17,20 222:12 <b>effects</b> 82:20 91:21 312:21 <b>efficiencies</b> 55:18 110:7 214:4 <b>efficient</b> 55:21 63:15 284:15 <b>efficiently</b> 63:3 <b>effort</b> 27:3 42:5 73:9 133:9 243:16,24 284:20 <b>efforts</b> 34:17 35:8 284:7 <b>EFIS</b> 163:25 164:1 189:21 189:24 <b>eight</b> 90:6 178:2 211:17 212:10 276:23 277:20 <b>either</b> 22:12 38:17 43:20 60:16 65:8 67:19 165:8 205:14,15 210:1 220:18 220:18 223:3 285:13 289:23 307:9 312:8 <b>elaborate</b> 139:25 226:22 <b>electric</b> 16:9,16 19:4,7 32:17 47:10,15 48:14 48:17 56:10 57:3,5 88:3 90:8 156:15 251:5 271:17 288:23 <b>Electrical</b> 18:11 <b>electricity</b> 45:5 170:13 214:10 232:6
---	--	---	--	--

<b>electronic</b> 20:17 142:15 189:21	259:19 260:13 304:7	<b>equipment</b> 25:20 193:4 194:4	<b>evaluate</b> 112:1	<b>exam</b> 118:12
<b>elevated</b> 172:15 172:21,25 173:3,23	<b>ENGLAND</b> 16:11	195:3,9,12 196:22,25 197:8,13	<b>evaluation</b> 105:23 169:9	<b>examination</b> 22:4 115:14 116:5 117:7 118:4 120:9 124:10 128:19 129:17 130:3 131:13 133:20 135:3,12 136:12 137:16 139:5 143:13 147:1 171:8 175:18 182:13 206:4 215:14 219:4 226:11 229:10 239:12 240:7 242:7 245:2 246:17 247:6 255:1 256:1 286:19 287:13 290:15 291:21 294:4 297:17 298:25 299:3 304:20 307:19,24 309:12 312:12 313:5 325:14 325:15,16,17 325:19,20,21 325:22,23,24 325:25 326:3,4 326:7,8,9,10,11 326:12,13,14 326:15,19,20 326:23,24,25 327:3,4,5,8,12 327:13,14,15 327:16 329:14
<b>eligible</b> 103:2 267:7,12 268:6 268:16	<b>ensure</b> 22:16 35:1 37:18 39:15 66:25 264:8	<b>equity</b> 64:17,23 78:16 79:16 83:21 84:2,2 109:13 156:19 180:20 181:8 181:14 182:4,5 269:3 274:21 300:25 304:7,9 313:20	<b>evening</b> 290:17 290:18	
<b>eliminate</b> 264:15 264:20	<b>entail</b> 297:20	<b>error</b> 82:25	<b>event</b> 67:23,23 68:1,7 82:18,19 91:20,21 101:1 102:18,18 103:3 113:1,3,5 141:3 251:1,15 252:8 253:2 258:8 267:10 329:11	
<b>else's</b> 214:1 315:18	<b>entered</b> 151:3 173:5 185:12 249:9	<b>ER</b> 321:2,2,16,16	<b>events</b> 32:22 101:18 102:2 102:15 111:3 111:24 157:5 224:21 265:22 317:21	
<b>embarked</b> 26:25	<b>entering</b> 147:6	<b>ER-2012-0164</b> 219:8	<b>everybody</b> 293:16 315:1	
<b>embedded</b> 34:2	<b>entire</b> 110:4 194:22 195:18 198:16 199:5 224:7,25 266:9 266:9 320:21	<b>escalation</b> 42:4	<b>everybody's</b> 298:18	
<b>Empire</b> 16:9 19:4 19:7 21:12 22:5 47:10,12,25 48:2 87:16 88:5 104:7,20 117:16 129:24 146:20 237:1 248:17 249:10	<b>entirely</b> 73:21 198:16 276:16	<b>essence</b> 78:10	<b>everyday</b> 57:21	
<b>employed</b> 116:10 116:12 240:12 329:13,16	<b>entities</b> 149:18 213:4,5	<b>essentially</b> 32:7 71:16	<b>evidence</b> 50:15 54:5,15,25 74:14 76:1 80:10,19 82:13 83:18,24 91:14 108:9 117:6 121:14 170:8 315:20,22	
<b>employee</b> 95:2,4 329:16	<b>entitled</b> 248:12	<b>establish</b> 37:12	<b>Evidentiary</b> 14:4	
<b>employment</b> 245:8 250:21	<b>entity</b> 110:21 210:22,23 213:1 221:12 277:7	<b>established</b> 93:10 101:21,22,25 114:9 159:12 161:16 187:10 254:10 255:13	<b>evil</b> 80:8	
<b>enable</b> 112:14	<b>entries</b> 18:18	<b>establishes</b> 48:1	<b>evolution</b> 49:7,14 130:17	
<b>encompass</b> 275:19	<b>entry</b> 19:1,14 20:8 77:6	<b>establishing</b> 196:18	<b>Ex</b> 124:18	
<b>encompassed</b> 261:18	<b>environment</b> 42:2 167:5 186:17 214:11 214:13 215:4	<b>establishment</b> 194:18	<b>exact</b> 91:24 131:25 132:1 136:24 171:24 177:9,14 185:13	
<b>encourage</b> 56:21	<b>environmental</b> 152:20 183:21 253:23,24	<b>estimate</b> 60:19 115:14 150:1	<b>exactly</b> 60:8 64:15 66:12,19 74:2 80:8 180:22 261:19	
<b>encouraging</b> 34:9	<b>EO</b> 148:18,19 321:7,15	<b>estimates</b> 136:22		
<b>ended</b> 53:2 95:7 261:23 287:17 304:24	<b>EO-008-45</b> 201:18	<b>estimating</b> 238:15		<b>examinations</b> 22:10
<b>energy</b> 17:9 20:5 20:10 24:5 25:17 76:18 85:10 86:5 172:17 215:3 230:11 242:10 242:19 254:1	<b>EO-2005-0329</b> 153:13	<b>estimation</b> 64:8		<b>examine</b> 117:23 118:1 305:7 318:21
	<b>equates</b> 27:20 28:22	<b>et</b> 243:11		<b>example</b> 56:10 59:16 70:25 94:17 105:11 158:13 164:13
	<b>equation</b> 107:12 108:15	<b>EU</b> 18:14 142:13 <b>EU-2014-0077</b> 14:9		

231:14	147:20 151:16	75:22 87:7	78:11,13 79:9	<b>experiencing</b>
<b>examples</b> 32:13	163:5,8,11	115:13 132:19	79:13,14 81:11	26:24 46:12
157:16,19	164:6 165:14	141:9 173:9	83:15 84:19	304:20
<b>exceed</b> 52:24	167:11 184:15	220:23,24	92:16,17 93:12	<b>expert</b> 141:17
62:12	184:20 185:5	232:2 235:15	93:12,17 94:8	<b>experts</b> 33:19
<b>exceeded</b> 178:8	198:16 229:18	235:21 239:11	94:11 100:24	80:17,18
<b>exception</b> 97:14	240:18 241:7,9	273:3 274:1	101:17,18,20	<b>explain</b> 74:18
98:5 100:8,10	245:14,21,21	275:1 277:9	101:22,24	87:13,15
100:22 101:5	246:3,4,4,11,12	282:25 283:4	102:1 105:16	139:14 164:11
112:7 316:13	246:21,22,24	<b>expectation</b>	105:18,18,21	186:1 226:19
316:15 317:4	246:25 291:5	70:24 71:15	105:22 106:1	234:2 308:1
<b>excess</b> 32:1 41:9	291:19,23	173:2	112:15 118:16	<b>explained</b> 51:16
167:1 194:5	294:11,25	<b>expected</b> 23:16	119:1,6 121:20	53:19
209:12 225:8	295:3 296:19	25:10 26:13	132:5,23 137:3	<b>explaining</b> 70:11
235:23 269:7	296:20 297:19	40:23 41:22	137:7 141:21	<b>explains</b> 36:25
302:11 308:11	297:25 298:2	42:7 57:1 67:20	155:21,25	<b>explanation</b> 35:8
<b>excessive</b> 94:5,15	298:11,23	68:4 113:8	156:2,9,11,12	<b>explicit</b> 257:6,22
94:18 95:15,23	314:22 315:3	141:5 172:14	162:8 172:24	257:23 267:16
96:4,9,11,25	319:1 322:14	172:25 274:20	174:16 177:7	<b>explicitly</b> 25:8
97:5 108:2,3,8	322:15,15,15	<b>expenditures</b>	178:22 200:1	30:3 72:3
108:10,13,24	322:16,16,16	34:24 122:9,14	201:5 202:19	256:11
109:2	322:17,17,17	122:18	205:1 210:3	<b>explosion</b> 25:23
<b>exchange</b> 206:18	322:18,18,18	<b>expense</b> 29:14	213:16,20	201:22,25
<b>exclude</b> 38:20	322:20,23,23	36:22 59:12,18	222:25 223:11	<b>explosions</b>
210:13	<b>exhibits</b> 21:4	59:18 66:23	224:4,19	252:11,14
<b>excluded</b> 38:18	129:16 145:25	68:20 69:13,14	226:15 232:21	<b>exposes</b> 82:25
135:7 278:3	181:25 297:16	69:15 78:8,19	232:23 237:8	<b>expressly</b> 200:20
279:1	315:13,15	81:5,24,25 82:1	257:19 260:6	<b>extend</b> 103:9
<b>excuse</b> 45:23	322:13 323:6	84:14 92:24	262:7 265:1	<b>extended</b> 173:10
79:13 148:8	327:19	95:5,20 105:14	266:5 268:14	290:1
160:19 184:16	<b>exist</b> 62:18	122:14,16,25	271:24 275:20	<b>extending</b> 87:17
304:9 309:22	<b>existed</b> 235:5	126:21 132:11	275:22 280:16	106:8,13
<b>excused</b> 127:25	<b>existing</b> 28:9	140:19 158:16	282:1 286:22	<b>extension</b> 302:24
142:5 143:1,5,6	39:20 79:10	178:8,12,18	286:25 302:14	<b>extensive</b> 35:6
226:6 238:22	149:25 267:18	179:7,21,24	302:15,20	<b>extent</b> 46:15 73:7
238:25 244:22	<b>expand</b> 42:5	197:19 201:8	303:6 307:3	134:21 174:12
290:6 293:7	259:12	207:8 223:17	<b>expensing</b> 194:15	266:4 267:17
314:15	<b>expanding</b>	265:16 302:4	<b>expensive</b> 237:25	271:12 320:12
<b>executive</b> 149:21	243:20	302:10 303:2	<b>experience</b> 50:5	<b>external</b> 70:22
<b>exercised</b> 26:9	<b>expansion</b> 29:1	305:18,22	93:15 232:2	121:15,22
<b>exhibit</b> 40:16	48:21 63:8	311:13	308:21	123:17,19
86:8,15 116:16	131:7,8 133:9	<b>expenses</b> 25:22	<b>experienced</b> 38:9	174:23 225:11
116:24 117:2,6	213:24 243:23	26:3 30:6 31:9	50:3 155:22	257:1,4,7
117:10 129:3,4	<b>expansive</b> 26:6	31:12 38:7 42:7	186:8 300:16	<b>extraordinary</b>
129:20,21	135:15	57:21 58:21	310:15	23:23 24:10
143:21,23	<b>expect</b> 43:13	62:13 70:1	<b>experiences</b>	26:11,25 27:5
146:7,7,10,15	66:11,13,17	72:23 77:3,10	268:20	41:20 42:3,4

49:19,21,25 50:2 56:1,2 57:6,7,8 58:7 58:14 62:1 63:12 64:24 65:2 67:8,13,23 69:17 78:19,20 81:6,8,23 82:2 82:23 85:1,3 87:11,12,14 91:9,10,23 92:13 97:10,11 97:15,18,24 98:3,6,12,24 99:2,5,14,21,23 100:13,23 101:1,6,11,15 101:18 102:1,5 102:7,8,16,19 102:23 103:2,4 103:7,12,14,15 103:16,18 105:6,10,15 106:3 110:13 111:3,10,24 112:7,10,11,19 112:24,25 113:11,11,25 132:7 134:11 134:13 141:3 157:4 159:18 190:11 199:11 199:12,15 200:2,21,22 202:22 203:13 204:20 213:20 214:5,12,14,22 224:16,21 226:17 227:8 232:20 255:14 262:3,9 265:1 265:19,20,22 274:8,15 314:19 317:19 317:21 <b>extreme</b> 46:6 140:19	<b>extremely</b> 51:1 <b>eye</b> 62:4 <hr/> <b>F</b> <b>F</b> 17:10 18:23 20:6 <b>FAC</b> 88:12 152:4 152:13,14 171:19 172:7 218:13,15,17 236:2 242:24 247:17 275:17 279:14 <b>face</b> 108:23 <b>faced</b> 66:2 71:21 106:4 199:13 <b>faces</b> 55:12 <b>facilities</b> 32:19 38:12,15 219:11,22 220:25 <b>facing</b> 52:7 <b>FACs</b> 250:10 <b>fact</b> 49:19 51:2,3 57:9 61:7,11 69:23 102:18 151:20 152:13 162:5 170:23 175:9 182:2 199:8 213:15 213:23 229:16 236:1,5 288:17 312:23 317:13 <b>factor</b> 108:25 134:12 <b>factored</b> 178:12 <b>factors</b> 40:9 51:22 55:16 59:1 74:17 78:22 79:6 83:9 83:14,25 84:1 84:17 95:15,22 96:8,9,14,18,19 97:3,4 108:5,7 108:9,17 114:19,22 135:24 137:4	154:7,14 169:15 170:24 175:12 176:7 176:12 301:21 301:24 308:4 313:1 <b>facts</b> 39:19 122:7 315:19 316:22 316:23,24 317:13 318:2,5 <b>fail</b> 81:14 <b>fair</b> 70:5 121:18 156:1,20 233:19 235:9 275:1 <b>fairly</b> 66:5,6 67:2 73:17 151:12 220:2,10 270:1 272:23 283:23 286:1 306:2,7 <b>fairness</b> 65:4 <b>faith</b> 70:23 175:1 <b>falls</b> 68:1 <b>familiar</b> 27:3 31:7 151:9 173:10,18 206:22,25 250:17 252:25 254:1 269:21 311:6,11,16 <b>far</b> 43:14 73:7 83:22 125:7 168:1 209:8 238:23 289:6,8 317:12 318:12 319:17 <b>farther</b> 131:25 132:2 <b>FAS</b> 25:24 118:24 232:11 250:17 251:2,4 251:9,13 252:4 259:4,6,9,10 <b>fashion</b> 47:19 <b>fast</b> 49:20 <b>fate</b> 60:1 <b>favorable</b> 88:8	<b>feature</b> 288:24 <b>February</b> 321:12 323:9,11,21 <b>federal</b> 27:7 34:8 214:24 <b>fees</b> 28:10 158:10 158:19 159:13 159:21 <b>felt</b> 176:22 <b>FERC</b> 49:5,12 119:22 135:6 138:19 158:18 211:3 213:2,6 221:23 222:10 222:15 285:11 <b>FERC's</b> 214:11 <b>fifth</b> 60:5 114:4 <b>fighths</b> 196:6 <b>figures</b> 64:15 <b>Figuring</b> 34:1 <b>file</b> 14:9 18:14 42:22 55:13,15 57:22 64:9 73:12 88:17 94:16 114:11 114:13,15,18 114:25 115:5 141:23 142:13 167:14,18 176:3,15,18 182:18,24 268:4,23 272:15 273:1 289:15 308:2 311:2 314:2 318:9 <b>filed</b> 23:11 32:10 33:1,3,17 92:2 94:5 111:16 116:14 119:12 129:1 143:20 166:23 176:19 179:2,14 184:11 194:1 200:9 203:5 205:6 216:9 218:14 245:13	251:5 272:12 273:11,21 291:4 294:10 306:15 314:9 <b>files</b> 73:8 <b>filing</b> 29:8 57:14 57:19 74:12,15 88:15 162:10 162:11 183:19 184:7 218:6 228:19 267:23 289:17 295:13 <b>final</b> 64:11 110:12 142:8 264:20 320:23 <b>finalize</b> 222:21 <b>finalized</b> 140:17 <b>finally</b> 34:8 60:22 75:8 112:24 <b>finance</b> 243:3 277:13 <b>financed</b> 276:16 <b>financial</b> 59:16 89:11 106:15 106:18 107:3,6 108:4,11 186:9 248:13,19 251:11 252:1 256:10,24,25 257:5,10 258:5 259:14 <b>financially</b> 329:17 <b>financials</b> 113:24 179:2 <b>financing</b> 277:7 <b>find</b> 67:9,12 79:2 177:13 189:24 <b>finding</b> 29:19 82:7 <b>finds</b> 44:24 215:20 <b>fine</b> 134:2 165:2 171:5 186:5 229:24 242:6 295:2
---	---	---	--	---

<b>finish</b> 21:19 115:20 199:21 239:14 310:1 <b>finished</b> 142:25 309:22 <b>fires</b> 81:2 <b>firm</b> 257:8 <b>first</b> 36:6 46:3,4 54:7 55:4 58:10 60:7 61:2 77:7 86:6 87:2 107:10 112:2 116:2 119:12 130:6 136:16 144:7,23 145:10 148:10 148:13,14 153:22,24 155:5 174:19 183:5,11 189:12 192:4 211:7 214:6 251:5 266:24 293:2 315:23 317:3 319:21 <b>Fischer</b> 15:4,5 22:13,18,23,24 45:23,25 46:7 46:11,22 47:8 51:7,13 53:23 54:20 57:18 61:3 68:17 101:12 128:8 128:12,20 129:15 139:4,6 142:2 143:10 143:14 146:6 165:10,12 188:7 195:14 195:19 204:1 204:21 226:7 226:12 229:11 229:24 230:2 238:21,23 239:8,18 255:25,25 256:2 286:9	287:8,9,16 288:8 289:4 292:10,11 295:8 296:16 298:3,5 299:24 300:22 304:18 309:11,13 310:6 313:4 315:16 319:10 325:4,19 326:4 326:7,15 327:3 327:15 <b>Fischer's</b> 85:13 316:12 <b>Fisher</b> 18:23 <b>fits</b> 87:11 <b>five</b> 41:10,11 63:17 85:20 89:18 90:16 94:23 125:9,12 144:19 182:25 207:18 224:7 224:16,19,22 225:8 226:16 226:23 227:15 230:9 <b>fixed</b> 79:25 <b>flat</b> 306:2 <b>flip</b> 167:1 <b>flood</b> 26:3 97:19 289:12 <b>floods</b> 81:2 <b>Floor</b> 15:12 <b>flow</b> 212:16 237:7 <b>flowed</b> 45:1 215:21 <b>flows</b> 237:10 <b>fluctuated</b> 26:21 42:1 <b>flush</b> 111:4 <b>FN</b> 26:5 <b>focus</b> 52:4 84:19 93:11,21 210:14 <b>focused</b> 84:11 92:17 97:16	<b>focuses</b> 93:11 <b>folks</b> 43:15 189:14 <b>follow</b> 144:6 251:13 266:8 <b>followed</b> 21:22 21:23 <b>following</b> 36:7 82:13 91:15 171:10 223:23 266:24 <b>force</b> 268:1 <b>forced</b> 84:19 <b>forecast</b> 27:25 28:13,17 144:16,25 145:3 178:1 <b>forecasted</b> 28:8 <b>forecasting</b> 124:14 <b>forecasts</b> 27:25 28:1 124:23 125:13 139:8 139:12 178:3 208:25 228:3 <b>foregoing</b> 271:10 <b>foregone</b> 247:17 <b>foresee</b> 132:22 <b>foreseeable</b> 113:8 <b>foreseeably</b> 91:20 <b>forever</b> 50:7 239:6 <b>forget</b> 111:4 177:8 <b>forgetting</b> 104:6 <b>form</b> 82:6 322:21 <b>format</b> 170:19 171:1,24 207:14,15 <b>forms</b> 24:23 <b>formula</b> 222:20 222:20,22 <b>forseeably</b> 82:18 <b>forth</b> 288:17 <b>forward</b> 28:4	62:22 66:16,22 77:12 160:12 187:4,5,9,25 211:13 212:1 217:18 268:8 269:8,12 <b>foul</b> 71:5 <b>found</b> 45:11 50:3 50:5 82:24 106:1,16 199:9 243:6,12 262:3 262:9 <b>four</b> 89:22 113:1 114:2 178:3 182:25 207:5 239:12 276:19 298:19 <b>fourth</b> 59:23 87:13 90:1 112:24 113:7 284:5 <b>frame</b> 135:23 140:3,12 211:9 <b>free</b> 169:19,19 170:2,4 172:2 <b>frequent</b> 113:4 <b>frequently</b> 151:7 <b>fresh</b> 226:14 <b>friendly</b> 304:20 305:4 <b>front</b> 53:15 147:17 153:4 198:19 205:14 209:7 211:15 234:19 <b>fruition</b> 134:18 136:25 <b>fuel</b> 26:17 42:12 44:20 45:2,11 46:25 61:18 80:2,4 90:13,15 90:17 95:20 101:22 104:9 104:13 109:18 151:10,20 152:23 153:3 154:24 155:24	156:7,7 161:3 162:18 170:20 171:20 172:1,3 215:22 216:2 216:10,17,18 217:7,15,25 218:6 237:5,11 247:10,13,21 248:4 249:5,12 249:16,21,24 250:2,7 271:13 271:21 309:15 <b>full</b> 36:10,15 53:4 67:5 149:8 266:24 267:13 319:11,13 <b>fully</b> 36:17 37:19 37:25 43:1 45:13 75:22 <b>fun</b> 199:2 <b>functional</b> 159:9 <b>functions</b> 159:7 <b>fundamental</b> 177:3 <b>funded</b> 159:2 <b>funding</b> 130:18 130:19,24 131:3,6,9 158:10 219:16 <b>further</b> 27:18 35:15 59:3 75:19 120:5 121:9 127:9 131:10 133:13 139:1 145:15 182:9 205:17 225:14 254:22 289:19 290:5 309:4 314:4,10 329:12,15 <b>future</b> 23:17 25:10 26:13 28:15 36:22 37:9 40:23 41:23 44:4 46:20,23 59:25 62:21 66:12,18
---	---	---	---	---



66:19,23 68:12 68:22 69:9 70:9 74:1 77:12,19 77:21,23,25 78:2,3,6,9 93:14 100:2,5 102:11 107:10 107:14,14,22 109:2,2 112:13 113:9 114:4 119:10 120:16 121:16,16 125:8 126:2,14 131:17 132:23 133:10 154:16 172:15,16 175:3 186:10 234:9,13,14,20 262:13 263:6 263:24 271:13	93:23 97:22 98:25 99:6,8 105:24 111:20 112:2,18 113:2 119:17,22 140:9 145:19 154:5,13,17 168:25 169:11 169:14 180:2 187:2 206:24 208:19 209:22 220:19 224:5 224:11,13 225:6 236:7 250:5,6 251:14 262:8 265:21 266:15 272:21 276:15 281:16 283:13 288:14 289:13 298:14 301:18 308:2 <b>generally</b> 27:25 50:3,5,5 69:11 69:18 82:12 88:24 91:13 100:1,6 134:20 153:14 176:8 253:25 255:15 255:16 261:24 266:8 288:10 301:16 <b>generate</b> 223:24 <b>generated</b> 210:25 283:6 <b>generates</b> 178:4 <b>generating</b> 50:25 96:7 152:21,22 <b>generation</b> 125:4 214:9 <b>generic</b> 131:7 <b>generous</b> 323:23 <b>Genesis</b> 189:5 <b>getting</b> 48:11 60:10 61:14 69:20 73:25 85:21 104:13 109:17 141:16	218:12 234:12 234:16 239:21 267:24 284:17 301:20 315:13 324:12 <b>give</b> 41:2 61:25 63:11 64:15 72:5 87:2 114:17 136:18 160:16 186:21 203:21 250:16 252:7 266:17 294:8 295:23 321:14 324:4 <b>given</b> 23:19 45:13 52:5 71:7 88:10 94:1 97:15 105:25 132:7,17 174:16 195:10 200:19 201:5 298:17 <b>gives</b> 300:10,11 306:5 317:16 <b>GMO</b> 15:3 21:11 23:3,6,12 24:4 27:13 28:18 29:2,12,16 31:10 34:4 38:9 40:1 42:9 45:3 45:13 46:5 47:12,24 79:7 79:12,16,20 83:7,19 88:1 89:22 90:12,13 90:21 107:24 108:13 109:15 114:25 118:16 130:10 135:15 136:2,6 138:8 140:20 144:15 145:2,3,12 147:6 149:16 154:25 155:22 155:25 157:21 157:24 158:14 158:17 160:5	160:14 161:1,2 166:21 167:18 170:19 171:18 177:21 185:17 185:18 209:11 210:1 211:4,11 211:13 217:25 242:21 247:10 249:24 269:6 269:17 270:3 276:19,24 277:18,20 278:21,23,24 279:7 282:3,4 283:10 284:2,6 284:20 296:10 300:8 301:2 303:5,10,17 306:11 307:3,9 321:4 <b>GMOs</b> 269:2 <b>GMO's</b> 21:21 22:4 36:4 39:21 80:20 87:19 107:24 108:4 108:10,24 109:14 115:15 150:9 154:21 160:6,17,24 249:20 266:23 278:9 294:16 296:21,24 300:3,25 312:20 <b>go</b> 18:18 20:21 20:22 21:5,8 22:3,12,13,16 22:21 24:19 25:13,25 31:17 51:11 55:7 56:15 59:18 67:4,4,6,7 72:20,21 73:17 85:11,13,14,19 86:1,18 91:4 92:5 95:20 96:5 97:8,12 99:13	99:14,21 104:17 107:1 107:12 116:1 128:3,12,16 132:5,14 142:7 142:10,12,12 142:20 144:5 162:2,3 164:5 164:22 165:19 166:1,12,14 168:14 170:4 172:22 178:11 181:14 189:13 192:2 196:2,15 204:13,13 206:1 207:11 207:17,22,22 211:4 217:1,12 217:16 218:16 221:18 229:8 229:19,21 239:4,5,23,24 241:25 243:2 251:9 258:7,24 259:12 267:16 275:21 277:14 290:7,12,12 292:24 296:13 297:18 298:21 298:22 299:6,8 303:7 305:5,8 309:25 312:24 313:11 315:14 317:24 319:20 319:24,24 320:1,19 321:1 321:6 323:2,20 324:13,13 <b>goal</b> 34:19,23,25 244:6 284:19 <b>God</b> 190:11 191:8 229:3 262:1,5 <b>goes</b> 68:18,19 104:15,18 125:4 131:22 167:5 181:13
--	--	--	---	--

196:17 270:25 273:7,8 294:23 298:10 301:6,7 <b>going</b> 20:20 21:5 22:4,14 23:4 28:4,11,14,14 42:8 45:18 46:20,21 48:13 50:8,12 55:6,11 56:5 57:12 59:18,19 61:25 63:4,6,11 65:19 65:24 66:2,15 66:15,21 67:11 68:21,21 70:15 70:24 72:24 73:25 74:2,3,4 74:13 76:21 78:2,3 80:20 87:2,4,8 89:15 89:16 90:16 95:18,21 96:1,7 102:3 103:22 103:22 104:1 105:1 106:22 106:23 107:17 107:18 109:7 130:5 137:2,3,9 148:4 149:1 150:24 153:10 155:9 160:11 161:23 162:12 164:22 165:20 169:6 175:23 176:6,9 177:2,4 180:24 181:2 193:12 196:10 199:2 203:21 203:22 204:13 206:9 207:12 207:20 208:11 208:12,25 211:13,25 212:8 215:1 217:17 229:6,8 229:12,16 232:17 236:11	239:14 250:14 268:8 272:1 285:25 293:19 295:8,15 296:13,20 297:19 298:21 298:22 299:5,7 304:18 305:3,5 305:6 309:23 309:25 313:4 316:12 317:24 317:25 319:20 320:19,25 321:6 322:20 324:13 <b>good</b> 18:3 19:11 22:24 48:8 56:6 58:3,4 65:15,18 70:10,23 76:19 98:10 120:4 147:3,4 152:16 174:25 175:20 175:21 206:7,8 242:9 247:8,9 264:19 290:17 290:18 293:11 298:17 306:8 307:4,21,22 309:14 <b>gosh</b> 60:5 <b>govern</b> 24:17 25:8 257:2,3 <b>governed</b> 161:18 192:10 <b>governing</b> 54:22 60:25 250:10 256:22 <b>government</b> 27:7 60:20 <b>governs</b> 123:8 <b>GO-02-175</b> 197:16,17 <b>GO-2002-175</b> 199:4 <b>grand</b> 160:10 <b>grandfathered</b> 158:15	<b>grant</b> 21:6 24:1 41:16 47:23 59:5 60:13 69:23 71:15 75:2,21,23 76:1 76:4,6,7,11 83:2 105:14 119:2 171:13 204:13 215:5 317:17 <b>granted</b> 24:3 30:9 44:13 52:7 56:24 57:23 58:19 59:9,24 60:12 69:7 75:7 75:15 90:13 95:18 171:20 172:23 174:14 185:25 190:16 191:2,7,11,15 197:23 201:7 252:21 263:17 <b>granting</b> 24:13 59:10 63:22 72:5 78:18 81:5 157:3 193:19 202:25 254:9 <b>grants</b> 48:1 121:9 280:13 282:13 286:4 <b>graph</b> 109:14 110:4 296:21 296:25 298:3 300:20 312:20 <b>graphs</b> 68:16 <b>great</b> 73:24 210:23 238:24 293:4 304:6 <b>greater</b> 14:9 18:8 18:24 23:1 87:22 90:19 106:24 148:16 217:6 224:16 227:16,19 300:15 312:16 <b>Greg</b> 22:1 80:12 294:9 295:4	327:11 328:5 <b>gross</b> 313:15 <b>ground</b> 254:8 <b>grounds</b> 305:3 <b>group</b> 20:11 85:10 86:5 88:25 110:24 125:2,4 285:6 285:16 <b>groups</b> 88:22 <b>grow</b> 53:9 59:7 <b>growing</b> 221:16 <b>grows</b> 223:21 <b>growth</b> 160:4 162:15 206:20 207:7 208:24 <b>GTE</b> 92:18 <b>guess</b> 183:24 184:14 186:4 187:8 198:12 198:25 213:5 213:22 216:8 228:5 233:23 265:4 276:4,7 303:19 319:5 <b>guessing</b> 115:21 <b>guesstimate</b> 273:18 <b>guidance</b> 94:1 99:24 161:21 <b>guide</b> 255:16 273:17 <b>guidelines</b> 37:13 224:6 <b>guys</b> 91:23 92:4,6 <b>G-M-O</b> 149:17 <hr/> <b>H</b> <hr/> <b>hairs</b> 216:15 <b>half</b> 115:16,18,20 181:6 267:6,8 267:13 268:6 <b>Hall</b> 14:17 47:5 127:15,16 218:25 219:1 239:17 244:16 244:17 287:3,4	292:22 312:5,6 <b>halting</b> 64:12 <b>Hampton</b> 15:19 19:18 130:2,4 131:10 240:8 241:6 244:20 325:20 326:19 <b>hand</b> 85:18 148:5 153:11 155:10 240:5 315:7 <b>handed</b> 44:17 86:6 <b>handful</b> 40:6 158:15 <b>Handing</b> 193:16 202:4 <b>handle</b> 97:22,24 232:24 278:17 <b>handled</b> 186:8 209:22 210:11 210:20 211:25 231:12 278:20 <b>handouts</b> 86:6 <b>happen</b> 58:1,2 60:4 67:17 94:17,17 138:14 169:14 178:25 236:18 313:1 <b>happened</b> 56:9 90:22 201:14 <b>happening</b> 55:8 93:5 176:10 219:16 <b>happens</b> 72:10 <b>happy</b> 115:7 <b>hard</b> 49:20 64:13 238:16 <b>harm</b> 71:5 <b>hate</b> 97:6 <b>HC</b> 245:14 246:3 246:12,21,24 322:17 327:22 328:9 <b>head</b> 249:2 297:18 <b>heading</b> 181:7
---	---	--	--	--

<b>hear</b> 23:5 48:7 65:13 70:15 92:24 133:22 164:14 206:6 208:2 242:16 287:18 308:1,5	139:18 172:22 211:21 248:11 248:18 303:7 311:4 312:24	<b>holding</b> 221:12 <b>holds</b> 189:3 208:25 <b>home</b> 22:21 143:2 <b>honest</b> 239:21 <b>Honor</b> 19:11 20:12 117:5,14 127:21 129:23 146:19 185:3 188:7 193:10 195:20 204:17 205:18 225:21 226:8 229:5,11 241:6 242:2,12 244:20 247:4 292:5,7 294:24 297:15 298:24 309:8 314:11 314:16 315:8 315:23 317:3	102:5 <b>idea</b> 77:7 160:10 160:17,23 300:23 <b>ideal</b> 284:19 <b>identical</b> 209:4 254:19 304:4 <b>identification</b> 212:22 <b>identified</b> 21:17 113:2 151:21 178:19 195:23 221:14 224:12 229:18 320:5,7 323:10 <b>identifies</b> 196:16 <b>identify</b> 184:22 245:7,11 288:9 315:15 321:11 <b>identity</b> 316:20 316:21 <b>ignore</b> 106:12 107:20 115:3 <b>II</b> 14:7 48:21 <b>illogical</b> 51:17 <b>illustrative</b> 40:16 86:8,15 <b>imagine</b> 115:19 163:16 <b>immediate</b> 63:19 66:17 95:1,5 289:22 <b>immediately</b> 36:10 63:24 97:20 194:15 263:25 <b>impact</b> 43:2 75:3 84:1 169:10 172:3 217:17 233:13 267:25 268:19 300:24 <b>impacting</b> 29:1 <b>impacts</b> 169:6 176:11 <b>impair</b> 37:24 <b>impeach</b> 196:5 <b>impeachment</b>	196:18 <b>imperfectly</b> 101:19 <b>implement</b> 33:24 45:7 64:14 125:17 127:5 156:24 187:11 187:12,21 188:3,5,5 <b>implementation</b> 250:10 <b>implemented</b> 32:5 140:12 186:25 187:3 250:8 251:10 252:19 <b>implementing</b> 140:11 188:13 253:6 <b>implication</b> 104:2 <b>implications</b> 105:1 106:13 <b>important</b> 79:23 92:20 93:4 98:5 111:22 236:5 248:6 <b>importantly</b> 39:13 87:16 <b>impose</b> 76:4 <b>imposing</b> 78:18 <b>impossible</b> 47:16 60:19 304:22 305:2 <b>impressive</b> 189:12 <b>improve</b> 243:25 <b>improvement</b> 36:7 <b>improvements</b> 183:21,25 252:20 <b>improves</b> 106:18 <b>improving</b> 244:6 <b>inaccurate</b> 41:13 196:9,11 <b>inadequate</b> 94:5
<b>heard</b> 77:7,17 92:8 93:8 95:17 156:24 204:10 227:14 230:9 235:8 299:24 300:21 <b>hearing</b> 14:4 18:2,7 20:23 21:3,16,18 22:2 24:24 53:21 54:3,4 143:5 146:12,16 160:21 165:19 241:10 275:2 291:24 297:25 298:18 300:23 323:16 324:12 324:16 <b>hearings</b> 235:20 235:22 274:2 274:24 <b>hearsay</b> 316:13 316:14,15 317:4,5,5 <b>heavily</b> 149:17 <b>heavy</b> 213:17 <b>held</b> 80:25 91:2 105:10 253:7 <b>help</b> 64:24 128:7 177:16 <b>helpful</b> 35:16 52:1 <b>hereto</b> 329:17 <b>hidebound</b> 66:18 <b>high</b> 68:22 149:5 151:12 199:10 <b>higher</b> 43:8 68:14 83:6,12 107:10,15,17 107:22 109:1,3 138:20,22	<b>highlighted</b> 193:23 199:5,7 199:20 200:6 202:7,17 203:1 203:10 <b>highlights</b> 75:1 199:22,25 <b>highly</b> 20:19 108:20 142:17 291:6,19 294:22 295:5 297:3,20 299:7 303:9 <b>highway</b> 27:6,8 130:20 131:4 141:2 214:19 214:25 <b>hindsight</b> 198:12 <b>hinted</b> 255:6 <b>historic</b> 47:17 <b>historical</b> 44:9 66:11,12,14,20 93:10 102:8 140:23 224:1 <b>historically</b> 26:21 31:20 41:25 73:13 132:9 134:15 140:2 233:14 <b>history</b> 25:13 46:14 71:7 89:15,17 121:11 189:7 189:22 190:3 192:5 257:18 <b>hit</b> 114:7 137:3 179:25 223:3 <b>hits</b> 179:1 <b>hitting</b> 114:16 137:4 182:15 <b>hoard</b> 64:6 <b>hold</b> 98:7 177:15 239:6	<b>hope</b> 87:10 160:22 283:4 <b>hopefully</b> 45:18 185:23 <b>hoping</b> 88:8 160:15 196:11 <b>horse</b> 34:11 <b>hotter</b> 272:2 <b>hour</b> 115:16,18 115:20 128:5 142:7 227:3 309:19 <b>houses</b> 48:23 <b>hundred</b> 33:21 <b>hypothetical</b> 277:15,19 <b>Hypothetically</b> 179:11 211:10 <hr/> <b>I</b> <hr/> <b>Iatan</b> 152:21,22 248:14 <b>ice</b> 25:20 56:10 56:12,17,25,25 69:14 70:1 101:13,23	<b>idea</b> 77:7 160:10 160:17,23 300:23 <b>ideal</b> 284:19 <b>identical</b> 209:4 254:19 304:4 <b>identification</b> 212:22 <b>identified</b> 21:17 113:2 151:21 178:19 195:23 221:14 224:12 229:18 320:5,7 323:10 <b>identifies</b> 196:16 <b>identify</b> 184:22 245:7,11 288:9 315:15 321:11 <b>identity</b> 316:20 316:21 <b>ignore</b> 106:12 107:20 115:3 <b>II</b> 14:7 48:21 <b>illogical</b> 51:17 <b>illustrative</b> 40:16 86:8,15 <b>imagine</b> 115:19 163:16 <b>immediate</b> 63:19 66:17 95:1,5 289:22 <b>immediately</b> 36:10 63:24 97:20 194:15 263:25 <b>impact</b> 43:2 75:3 84:1 169:10 172:3 217:17 233:13 267:25 268:19 300:24 <b>impacting</b> 29:1 <b>impacts</b> 169:6 176:11 <b>impair</b> 37:24 <b>impeach</b> 196:5 <b>impeachment</b>	196:18 <b>imperfectly</b> 101:19 <b>implement</b> 33:24 45:7 64:14 125:17 127:5 156:24 187:11 187:12,21 188:3,5,5 <b>implementation</b> 250:10 <b>implemented</b> 32:5 140:12 186:25 187:3 250:8 251:10 252:19 <b>implementing</b> 140:11 188:13 253:6 <b>implication</b> 104:2 <b>implications</b> 105:1 106:13 <b>important</b> 79:23 92:20 93:4 98:5 111:22 236:5 248:6 <b>importantly</b> 39:13 87:16 <b>impose</b> 76:4 <b>imposing</b> 78:18 <b>impossible</b> 47:16 60:19 304:22 305:2 <b>impressive</b> 189:12 <b>improve</b> 243:25 <b>improvement</b> 36:7 <b>improvements</b> 183:21,25 252:20 <b>improves</b> 106:18 <b>improving</b> 244:6 <b>inaccurate</b> 41:13 196:9,11 <b>inadequate</b> 94:5

94:15 95:14,16 95:20 96:13,15 96:17,23,24 97:6 108:6 114:12 <b>inappropriate</b> 34:15 51:17 119:21 305:4 <b>incentive</b> 63:2 84:15 <b>incentives</b> 135:6 135:8 211:22 <b>incident</b> 202:20 <b>include</b> 31:11,22 33:4 39:8 46:25 87:18 90:17 102:1 103:2 112:20 124:17 124:21 131:4,8 135:6,8 137:20 137:23 138:15 156:11 158:9 158:11 216:19 217:10,23 230:8 231:5 268:13 272:8 275:9 278:8 279:10 280:8 280:11 302:14 302:19 310:23 318:8 <b>included</b> 23:10 25:17 26:3 28:9 29:3,5,10,13 31:1 34:3 36:14 38:17 42:18,20 43:6,7,8,10,14 43:25 44:25 52:25 55:7 92:14 112:17 112:22 138:11 138:21 158:21 162:23 218:2 221:24 249:12 249:16,24 251:23 265:17 277:11 278:11	279:13 280:21 282:6,9,12,20 294:19 302:16 304:15 305:25 310:8 313:14 313:17 322:10 <b>includes</b> 27:11 42:11 151:21 155:24 156:8 296:25 303:1 <b>including</b> 26:10 39:2 108:6 111:20 113:23 125:11 130:18 224:20 264:9 <b>inclusion</b> 31:15 44:19 79:9,18 112:12 162:18 282:10 289:15 <b>inclusive</b> 159:3 <b>income</b> 35:23 93:24 112:23 178:13,17,22 179:16,22,25 180:6 181:13 224:7,20,23,24 225:8 226:23 313:22,23 <b>inconsistencies</b> 318:9 <b>inconsistency</b> 318:18 <b>inconsistent</b> 316:3 317:9 318:16 <b>incorporating</b> 24:6 <b>incorrect</b> 198:23 200:16 201:12 307:11 <b>increase</b> 27:17,21 28:20,23 46:6 53:7 57:21 63:13 67:20 68:13,21 73:19 81:25 83:8,17 83:20 84:21	85:2,4 90:18,18 104:4,17 105:17 107:16 114:16 133:8 135:16 140:19 141:13 167:19 167:23 177:6 179:16 186:19 206:12 213:15 220:5,13,15 221:1 224:3 267:24 268:23 308:12 <b>increased</b> 34:22 57:10 61:4 79:19 107:24 110:5 214:17 219:11 220:9 223:11 280:4 302:19 303:2 306:2 307:3 <b>increases</b> 28:24 29:2 42:11,25 46:24 59:12 61:17 63:2 72:17 75:4 77:13 81:17,18 82:11,22 83:16 90:2,2,10 91:8 91:10,13,22 104:7 114:4,6 114:15 182:18 210:7,8 <b>increasing</b> 26:24 40:18 47:13,15 53:5 58:21 67:19 72:13 74:20 80:21,22 84:1,9,21 88:16 88:20 96:2,10 108:6,14 110:1 110:9 114:21 115:2 159:23 167:20 186:15 219:17 236:17 <b>incremental</b> 23:7 29:4,7 36:13,17	41:3 42:19 121:1 145:8 <b>incur</b> 81:16 158:7,15 159:14 211:16 233:8,11 254:3 262:7 <b>incurred</b> 37:19 39:3 45:14 68:11,12 69:13 77:2,24 78:1 99:5 101:17 118:18 139:19 145:16 159:5 170:11 175:10 232:3 252:22 261:9 263:10 263:14 264:21 265:13 266:13 <b>incurring</b> 78:14 81:17 220:16 263:20 307:4 <b>incurs</b> 263:11 <b>indefinite</b> 68:22 <b>independent</b> 59:21 147:10 <b>index</b> 90:7 325:1 326:1 327:1 328:1 <b>indicate</b> 71:12 124:13 <b>indicated</b> 31:25 51:7 150:8,23 168:6 183:19 287:17 311:3 <b>indication</b> 136:19 <b>indications</b> 132:9 231:9 <b>indifferent</b> 160:14 161:10 161:12 <b>individual</b> 125:2 <b>industrial</b> 17:9 20:4 59:1 69:25 76:18 89:1,2 <b>industrials</b> 39:18	75:14 <b>industry</b> 32:5 48:14,15 50:20 <b>inexplicitly</b> 75:25 <b>infer</b> 121:5 154:20 <b>inflate</b> 107:5 <b>inflated</b> 106:24 312:21 <b>inflating</b> 114:3 <b>information</b> 19:1 19:13 20:7,20 35:6 61:20,22 64:20 99:10 117:3 125:3 142:18 189:20 234:7 246:7 283:1 285:25 295:15,19,21 295:24 296:1,3 296:7,9 297:3 299:7 306:13 310:10 <b>informed</b> 190:19 295:20 <b>infrastructure</b> 47:14 160:2 173:19 252:20 261:22 288:1 <b>infrequent</b> 82:19 91:21 103:4 <b>initial</b> 251:3 323:9 <b>initially</b> 135:22 152:2 <b>initiate</b> 272:22 <b>initiated</b> 232:19 <b>inject</b> 51:23 <b>injected</b> 59:1 <b>input</b> 35:13 124:25 <b>inquiring</b> 142:24 <b>inserted</b> 245:23 <b>inside</b> 161:17 <b>instance</b> 90:12 94:20 96:16 109:20 126:24
--	--	--	--	--

265:21	<b>internal</b> 64:8	159:6,17	<b>items</b> 82:20	187:18 219:7
<b>instances</b> 248:16	<b>internally</b> 145:16	176:13 193:3	91:21 93:24,25	220:8 222:12
248:21	283:6	194:16 197:18	94:2 96:15	223:4,5,6
<b>instruct</b> 126:13	<b>interplay</b> 70:13	201:21 237:24	97:15 103:1	228:21 296:23
<b>instruction</b> 41:4	<b>interpose</b> 304:19	259:1	108:1 112:3,7,9	301:6
41:14 51:10	<b>interpreted</b>	<b>involvement</b>	112:11,19,20	<b>Jefferson</b> 14:6
91:1 93:23	111:21 225:6	284:22	112:22,24	15:7,21 16:6,13
97:23 98:25	<b>interpreting</b>	<b>involving</b> 150:9	122:15,16,25	17:6,12 19:20
99:6 111:20	314:18 317:20	229:20 237:14	158:23,25	20:2 329:6
112:19 113:2	<b>interrupting</b>	321:4 322:8	173:17 174:6	<b>Jim</b> 16:17 19:12
119:18,22	160:9	<b>isolated</b> 39:19	186:7 224:15	22:24 48:9
224:5,11,13	<b>interruption</b>	<b>Issuance</b> 14:10	231:10,10	<b>job</b> 65:18 70:10
225:7 255:5,15	98:18 108:20	18:9	<b>IU-2010-0164</b>	134:2
<b>instructions</b>	<b>interstate</b> 27:5,8	<b>issue</b> 23:4 30:8	192:3,22	<b>jobs</b> 87:6
105:5	141:1	33:14 43:21	193:22	<b>Joe</b> 105:20
<b>instructor</b> 99:9	<b>intervenor</b>	46:23 47:2,19	<b>IU-2010-1064</b>	107:15 202:18
<b>intend</b> 71:3	316:19	51:19,20 58:10	196:20	203:6
161:2	<b>intervenors</b> 59:2	58:17,24,24	<b>IV</b> 189:5	<b>Joe's</b> 89:24,25
<b>intended</b> 41:8	160:16	59:4,23 60:5	<b>Ives</b> 21:22 26:1	90:8,16 203:16
55:2 159:13,22	<b>interweaving</b>	82:24 91:24	45:17 143:9,17	<b>John</b> 21:21 27:10
264:15 274:13	317:12	97:17 137:1	143:19 147:3,5	45:17 46:8
274:18 276:6	<b>interwoven</b>	145:6 153:17	148:4 151:9	128:17,23,25
<b>intends</b> 257:12	316:22	153:25 155:15	153:10 154:19	325:18
258:20	<b>introduced</b>	173:20,21	155:2,9 156:13	<b>join</b> 62:7 298:15
<b>intensive</b> 151:6	206:23	216:24 225:4	157:2,21 160:5	298:19 316:12
<b>intent</b> 93:23	<b>introduction</b>	229:19 240:23	162:21 163:6	<b>joined</b> 103:24
120:18,22,23	298:11 315:18	257:22 258:13	166:12,21	<b>joint</b> 221:11
121:5 190:7,8	<b>invest</b> 107:2	258:21 262:17	167:18 168:4	322:23
257:21 258:9	<b>investigations</b>	275:3 288:5	169:20 170:17	<b>Joseph</b> 88:2
264:6	183:14	302:16 305:7	171:3 206:6	<b>JRC</b> 130:16,16
<b>intention</b> 171:25	<b>investment</b> 92:16	316:6,14	208:3 226:13	131:16 135:5,5
172:7	92:23 100:25	<b>issued</b> 49:5,18	238:19 239:1,2	135:17 137:19
<b>intercharged</b>	132:19,20	157:9 286:22	241:1 249:4	138:15
25:1	134:14 213:18	286:24 287:24	250:11 255:3	<b>judge</b> 14:15 18:3
<b>interest</b> 53:13	214:17 236:14	<b>issues</b> 70:2 72:15	256:7 299:14	18:16,21 19:3,9
<b>interested</b> 329:17	262:19	74:18 77:1	302:20 306:21	19:15,17,22
<b>interesting</b> 74:9	<b>investor</b> 107:1	137:6 239:15	307:24 308:1	20:3,9,14 22:18
89:9 101:12	<b>investors</b> 114:3	296:15 305:8	319:18 320:6	22:20 45:22
111:11	168:2 223:24	317:13 319:23	326:6 328:15	46:1 47:5,9
<b>interference</b>	236:12	324:9	328:16	48:6 52:10,14
20:18	<b>invoice</b> 213:8,9	<b>item</b> 72:18	<b>i.e</b> 211:21 238:6	54:7 65:12
<b>interim</b> 147:23	238:4,18	102:24,25		76:16 85:7,14
148:6,12,14,15	<b>involve</b> 101:24	103:3,3 115:2,3	<b>J</b>	85:19,24 86:9
148:17 149:16	192:12 194:18	136:17 174:21	<b>James</b> 15:4 18:23	98:7,14 109:6
149:20 150:17	229:3 259:19	212:21 215:19	<b>January</b> 14:5	115:8,12,17,22
238:2	261:25	216:1 227:6	18:4 92:3	115:25 117:8
<b>interject</b> 39:18	<b>involved</b> 73:8	264:21	179:12 187:18	117:15,18,19

117:21,22,24	287:3,5,10,12	273:23	170:17,24	206:13 209:11
118:2,3 120:6	290:4,11	<b>justifying</b> 85:4	171:19,19,21	209:25 211:11
124:5,8 127:10	291:18,22		211:4 237:9	211:13 212:3
127:13,15,17	292:4,6,8,10,12	<b>K</b>	242:1,21 249:9	215:25 216:9
127:22,24	292:14,18,22	<b>Kansas</b> 14:9	266:23 269:2,6	237:6 247:13
128:2,9,10,16	293:7,12,24	15:13 18:7,19	269:17 270:3	247:16,21
129:15,18,24	295:2,8 296:2,6	18:24 22:25	270:17,21	248:10,12,17
130:1 131:11	296:12 297:18	23:12 24:3	271:6,13,20,23	248:23 249:4
133:14,17	297:23 298:5	25:19 32:18	276:19 277:2	252:12 276:24
135:1,4 136:10	298:12,21	38:9 39:25 79:8	277:13,17,20	313:21 321:4
136:13 137:12	299:1,11	79:21 80:20	278:9,21,23,24	325:12
137:15 139:2,7	304:18 305:5	83:4,23 87:22	279:7 282:1,3,4	<b>KCP&amp;L's</b> 86:20
142:3,4,12	307:16,18	87:25 116:12	283:10 284:2,6	86:23 89:20
143:3,8,10,12	309:6,9,11,25	124:1 148:15	284:20 303:10	103:21 104:2
146:6,9,20,22	311:23 312:2,5	170:23 177:7	303:14,22	113:21 125:22
148:3 153:9	312:7 313:4,11	177:18 236:15	304:22,25	126:24 127:5
155:8 160:19	314:12,15	237:5,6,8,9,11	306:6,10 307:7	129:20 134:7
163:7,10,13,14	315:2,5,9,12,16	252:25 253:5	307:9 315:24	196:8 201:11
163:20 164:2,5	316:5 317:24	253:11,15	322:14,14,15	212:8 247:20
164:16,22	318:10,19,24	254:16 260:9	322:15,15	248:3 313:1
165:10,13,20	319:2,7,10,13	260:16 275:12	328:11	321:21
166:1,5,10	319:15,16,20	275:18	<b>KCPL's</b> 27:18	<b>keep</b> 62:4 63:14
171:6 175:16	320:17,23	<b>KC</b> 296:10	154:20 160:6	69:11 74:24
181:1 182:10	321:15,23,25	<b>KCPL</b> 18:24	171:25 294:17	88:19 94:25
184:16 185:4	322:8,12,22,25	23:1,5 27:12,15	305:13 316:24	95:10 110:8
188:9 193:11	323:5,14,20	29:1,9,16 31:10	<b>KCPL-MO</b>	141:18 199:2
193:15 195:21	324:1,6,8	34:4 36:4 39:7	144:24 145:1	205:24 295:20
195:25 196:14	325:23,25	42:9 45:3,13	<b>KCP&amp;L</b> 14:9	<b>keeping</b> 25:4
204:1,9,22	326:14	47:12,24 51:10	15:3 18:8 21:11	123:9
205:19 206:1	<b>judgment</b> 37:2	51:20 116:15	21:20 22:4 51:5	<b>keeps</b> 285:21
207:17,22	<b>jump</b> 67:19	116:23 117:1,6	86:22 87:3,15	<b>Kenney</b> 14:16,17
215:10 218:25	<b>jumped</b> 111:11	117:10 129:3,4	87:19,21,22	46:1,3,9,19
219:2,5 225:16	<b>June</b> 90:12	129:16 134:3	89:14,15 90:12	47:3 48:11 92:2
225:20,22,24	152:24 153:3	138:8,8 140:5	90:21 92:2 95:2	92:8 98:17
226:1,3,5,10,14	154:1 161:1	140:20 143:21	95:2 103:13,15	108:19 109:4
229:15,24	183:25 184:5	143:22 144:15	103:17 104:21	127:12,13,14
238:21,25	203:6 216:6,9	146:7,7,10,14	107:23 110:12	133:19,21
239:3,10,18,22	<b>jurisdiction</b> 25:6	147:5 148:16	110:14,16	134:25 135:10
241:8,15,17,19	170:23 256:24	149:16 150:9	114:24 115:14	135:13 205:20
241:22,25	275:11	152:19,22	118:16 125:16	205:22 206:3,5
242:3,6,14	<b>jurisdictional</b>	153:14,25	128:24 130:10	207:25 208:2
244:9,14,16,18	211:20	155:22,25	136:2,6 143:18	215:11,12,15
244:21 246:18	<b>jurisdictions</b>	157:21,24	167:12 183:12	244:10,12,14
246:23 247:3,5	285:15	158:14,17	183:18 184:6	244:15 286:12
254:23 255:20	<b>justification</b>	160:5,11,12,14	185:8,23	286:14,16,17
255:23 286:10	156:1	160:17,23,25	186:25 188:3	286:20 292:16
286:11,16	<b>justify</b> 80:5	161:2 167:18	195:2 204:24	292:19,20

311:24,25	167:24 171:23	<b>labeled</b> 148:15	<b>leading</b> 49:6	38:8 42:16
312:3 325:22	171:24 173:12	153:17 306:14	124:13	46:17 55:7
325:24 326:12	174:10 180:22	<b>labor</b> 145:16	<b>lease</b> 173:8	67:15 68:14,22
326:13 327:4	181:16 182:20	305:17,21	<b>leases</b> 173:9,13	69:3 72:23
<b>Kenney's</b> 217:2	189:2,9 190:14	<b>Lacene</b> 183:21	<b>leave</b> 79:14 97:3	73:17 78:4
<b>kept</b> 24:24 95:12	190:16,18	<b>lag</b> 29:6 30:20	117:22,25	105:20 106:21
<b>Kevin</b> 15:17	191:17,20	42:20 45:4	281:1	132:19,20
19:18 184:17	194:12 195:22	72:15 162:15	<b>leaving</b> 38:25	133:5 136:5,24
<b>kick</b> 106:11	196:11 201:13	170:14 223:24	<b>Lee</b> 87:24 89:22	151:12 155:21
<b>kilowatt</b> 309:19	202:13 205:9	224:1 245:25	<b>left</b> 40:8 96:15	187:6 211:3
<b>Kim</b> 14:15 18:15	207:13 208:13	263:19 264:14	108:5,17	213:6 265:16
<b>kind</b> 35:25 66:8	208:15,16,17	264:16,20	166:14 229:6	268:21 284:7
69:3,4,6 70:3,9	208:23 209:14	<b>laid</b> 255:14	281:17 286:5	284:15 298:11
74:8 104:22	209:18 211:17	<b>Lake</b> 202:19	293:22	304:11 305:13
168:22 171:22	213:10,21	<b>language</b> 60:24	<b>legal</b> 24:17 91:11	305:17 309:15
182:15 183:9	214:3,7,12,14	120:1,24	169:21,24	310:7,8
185:10 206:19	214:24 215:1	168:15 176:22	209:21	<b>levels</b> 32:12
209:2 211:20	217:24 218:8	181:10 203:15	<b>legislation</b> 97:20	39:25 40:10
211:24 212:22	222:14,21	203:16 204:4	154:3	131:19 132:6
221:18 223:25	223:22 227:18	227:24 228:11	<b>legislature</b> 253:5	132:15 133:3
226:13 228:6	229:8 232:14	234:5,11	253:15	140:24 141:6
228:23 264:11	232:15,17,17	<b>large</b> 50:6 131:24	<b>legitimate</b> 112:16	141:13 172:21
271:14,23	233:7 238:6,7	133:7 161:19	233:12	172:25 211:24
272:20,22	239:16 240:2	176:21 199:13	<b>length</b> 185:16	267:18 273:18
275:12,14	241:21 242:25	218:4 223:23	<b>lengthy</b> 89:17	294:19
277:10 282:25	244:1,4,5	228:4	<b>let's</b> 18:18 21:8	<b>Lewis</b> 16:4,18
303:18 307:9	254:16 293:13	<b>largely</b> 32:5	22:2,21 60:6	19:12,25 76:24
<b>kinds</b> 35:20 40:8	299:11 307:5	44:23	61:2 84:9 87:1	293:11
67:3 70:2 73:15	321:13 323:7	<b>larger</b> 53:11	89:14 90:3	<b>liability</b> 43:12
74:16 76:14	<b>knowledge</b> 32:3	134:14 140:3	92:10 103:11	106:18 121:3
231:4 260:6	60:11 73:24	167:25	106:7 107:23	121:11 125:25
262:12	117:3 138:11	<b>largest</b> 236:18	113:17 127:18	186:21
<b>know</b> 22:14	140:25 146:4	<b>latch</b> 111:5	142:12 165:1	<b>license</b> 118:11
55:18,19,22	163:1 201:15	<b>late</b> 185:12	178:11 179:13	<b>lieu</b> 251:9 271:10
60:14 62:7,25	201:16 246:9	234:10 251:18	192:2,2,21	<b>life</b> 199:14
66:15,16 68:16	291:16 297:13	252:10 271:1,2	197:15 199:2	<b>light</b> 14:9 18:8,20
73:18 74:2,4	<b>known</b> 53:17	324:11	207:22 239:12	18:24 23:1,12
81:16 88:6	73:17 85:1	<b>law</b> 14:15 18:16	239:24 256:3	24:4 32:18 38:9
103:12,13	92:22 100:8	24:11 78:18	258:24 262:16	40:1 79:6,8,21
104:12,18	154:3 200:10	110:17 154:4	264:22 266:21	83:4,24 105:20
108:11,11	221:25 250:21	253:5	267:4 268:24	116:13 148:15
114:13,14	250:24	<b>lawful</b> 54:7,9	275:21 282:16	177:8,19
131:25 132:14	<b>KV</b> 49:9	<b>lawyers</b> 180:14	290:12,13	202:18 203:6
138:16 141:15		316:17	297:18 319:21	279:7
151:3 159:11	<b>L</b>	<b>lay</b> 63:7	321:11 323:2	<b>Light's</b> 80:21
162:5 163:15	<b>L</b> 16:10 240:11	<b>lead</b> 95:1 305:12	323:20	<b>likelihood</b> 77:18
163:16 165:4	245:6	314:2,4	<b>level</b> 32:16,23	136:20 239:13

<b>likened</b> 141:1	162:22,23	281:3,9,9,18,21	306:3,4 313:1	56:17 287:24
<b>likewise</b> 121:2	163:6 172:11	282:8	314:4,7	<b>love</b> 97:5
<b>limit</b> 24:12 36:16	189:13 190:5	<b>logic</b> 111:5,8	<b>looked</b> 190:1	<b>low</b> 149:5
41:15 42:24	190:14 192:23	<b>logical</b> 279:6	230:13 303:20	<b>lower</b> 27:24 28:1
289:14,21	196:7 197:8	281:24	304:13 305:17	28:1 73:10
<b>limited</b> 102:14,14	203:21 228:24	<b>long</b> 25:16 73:2	305:22,25	83:15 137:9
113:19 131:2	230:13 250:12	84:5 85:12	306:4 309:18	139:17
252:13 255:9	<b>listed</b> 158:8	100:12 115:13	310:14 313:9	<b>Lowery</b> 16:17
287:11 317:19	173:7 195:5,6	141:18 160:15	323:8	19:11,12 48:8,9
317:21	250:16 252:23	168:22 173:4	<b>looking</b> 28:16	52:11 54:21
<b>limits</b> 110:19	319:18	173:12,20,21	34:6 92:20 94:2	117:14 129:23
126:20 289:6,8	<b>lists</b> 26:2 258:25	185:8 202:23	104:5 111:13	146:19 164:14
<b>line</b> 28:25 35:16	<b>litany</b> 101:9	208:7 228:23	111:14,19	225:18,19
77:14 97:4	<b>literally</b> 289:7	237:24 239:11	135:5 155:14	241:19 242:12
99:11 109:12	<b>litigated</b> 254:17	255:13 304:13	185:20 187:4	255:21,22
114:24 115:4	<b>litigating</b> 254:14	304:15 308:17	195:7 198:3	292:6,7 293:10
136:17 138:3	<b>LITIGATION</b>	<b>longer</b> 131:23	208:14 224:3	298:14 309:7,8
144:8,8,13,16	14:23	157:1 185:12	236:8,11 259:1	316:10 325:6
145:6 147:22	<b>little</b> 31:5 75:19	207:8 215:2	279:6 301:9	<b>lowest</b> 269:14
152:8,10,10	76:22 86:22	217:1,3 288:5	323:14	<b>lucky</b> 22:21
190:12 195:23	98:14 111:5	<b>longest</b> 161:4	<b>looks</b> 65:24	<b>lumping</b> 197:5
195:23 198:7	115:24 117:20	<b>longstanding</b>	92:20 184:24	<b>lunch</b> 128:5
207:19 211:7	124:9 128:14	40:11	259:2 306:23	142:7,11
212:21 231:25	139:17,18	<b>look</b> 25:2,14	<b>loose</b> 110:9	<b>L&amp;P</b> 88:1
240:22 243:3,8	175:23 186:4	27:20 37:3,10	<b>loosely</b> 185:25	
245:21,22	215:13 221:9	42:17 49:25	<b>lopsided</b> 108:15	<b>M</b>
256:5 258:8	221:19 226:7	65:23 66:6,12	<b>lose</b> 263:18 289:9	<b>Madison</b> 15:6
259:22 261:8	259:13 262:17	66:18 67:6	289:16	329:6
261:11 262:17	310:1 319:22	74:11 77:2,20	<b>loss</b> 93:25 112:3	<b>magnitude</b>
263:16 264:23	<b>live</b> 48:14	78:5 81:7 87:1	112:20	134:14 167:21
274:7,14 278:1	<b>LLP</b> 19:12 20:7	89:14 92:25	<b>losses</b> 112:15	<b>main</b> 15:12 25:23
294:15 299:18	<b>LNP</b> 297:1	94:12 96:20,21	265:22	173:17,19
<b>lines</b> 120:17,17	<b>load</b> 26:22,22,23	104:16 106:10	<b>lost</b> 59:13	196:24 197:3,7
121:6 136:17	42:1 45:5 49:2	107:2 110:5,7	<b>lot</b> 26:2 49:17	197:12 199:16
149:14 151:17	211:17 212:5	114:20 121:11	66:2,3 73:22	252:18 261:11
151:25 166:15	214:2,10 215:3	121:25 140:13	100:16 161:8	261:13,14,19
222:9 252:17	223:2 276:22	148:10 164:25	162:2,3 167:5,5	261:21 287:25
252:17	<b>loads</b> 48:23	167:3,8 176:9	180:17 193:13	<b>mains</b> 197:1
<b>link</b> 224:12 225:6	<b>loans</b> 220:3	186:3 190:3	195:22 219:14	<b>maintain</b> 33:10
255:11	<b>local</b> 38:21,21	192:2 202:24	221:7,13 228:2	33:25 34:16
<b>linkage</b> 119:22	39:1,14 130:13	221:4 231:9	228:3,3 229:2	38:12,15 92:22
<b>linked</b> 38:11	210:9 253:7,10	238:15 264:22	235:17 254:12	219:11 220:25
219:21	261:9 275:25	268:24 285:25	257:18 258:25	251:7,21
<b>list</b> 21:9 22:9	276:5,14,15	297:18 300:1,8	306:13 323:24	283:10 284:6
25:16 26:7	278:5,13,18	300:9,13	<b>lots</b> 99:24	<b>maintaining</b>
74:17 145:7	279:3,11 280:9	301:20,22,24	<b>loud</b> 202:10	61:10 282:8
157:17 158:22	280:12,19,20	302:2 303:13	<b>Louis</b> 14:24	289:25



<b>maintenance</b> 63:8 140:9,9 278:4,13 281:3 313:15 <b>major</b> 43:21,21 236:12 <b>majority</b> 80:24 <b>making</b> 31:8 32:7 44:15 60:25 65:20 67:8,13 71:1 78:9 80:7 87:9 92:12,14 94:3,9,10,13 97:4,7 99:11,14 99:25 100:6,11 100:12,21 101:5,16 102:9 105:7 110:19 113:20 114:2 168:8,16,17 169:2,2,5 171:14 194:6 211:21,24 212:19 251:22 266:7 272:8 286:5 305:23 310:24 313:10 <b>manage</b> 140:5 <b>managed</b> 306:10 306:11 <b>management</b> 121:14 283:6 288:22 <b>manager</b> 245:12 <b>mandate</b> 60:20 252:16 <b>mandates</b> 288:16 <b>mandating</b> 252:20 <b>manner</b> 160:18 160:24 266:18 279:13 306:11 <b>manufactured</b> 25:24 253:20 253:21 <b>mapping</b> 26:5 <b>March</b> 324:1	<b>margins</b> 249:24 <b>mark</b> 21:23 29:25 33:22 80:13 86:7 164:6 184:14 243:1 245:6 294:25 326:22 <b>marked</b> 40:15 86:9 116:15 129:2,4 143:21 143:22 163:5 163:18 164:19 184:20 240:18 245:14 246:3 291:5 294:11 <b>market</b> 96:6 160:1 199:17 <b>markets</b> 236:11 <b>match</b> 66:22 93:3 281:25 306:10 <b>matched</b> 38:19 39:15 209:24 210:12 <b>matching</b> 92:25 93:6 101:19 278:24 279:7 279:21 281:20 281:24,25 282:5 <b>material</b> 23:16 25:9 26:12,20 40:22 41:22 57:15,18 81:12 81:21,25 157:5 159:19,24 162:16 223:11 223:13,14,20 224:4 272:23 272:24 <b>materiality</b> 81:22 <b>materials</b> 202:12 <b>matter</b> 14:8 18:7 18:16,17 37:2 43:17 65:3 80:8 106:9 151:20 166:4 298:14 317:6,7 318:3	318:22 <b>matters</b> 21:1 160:13 319:9 322:24 <b>maturing</b> 159:25 <b>maximization</b> 284:23 <b>maximize</b> 284:20 <b>McKinney</b> 285:2 <b>mean</b> 46:24 54:12 55:5,18 56:2 72:11 73:17 106:23 106:23 141:17 152:11 154:20 159:25 167:15 169:5 176:8 180:10 184:3 213:4,7 214:23 222:19 223:10 231:15 261:13 267:7 272:19 312:19 <b>meaning</b> 57:15 60:2 81:6 238:6 <b>means</b> 54:14,17 56:3 77:8 79:3 84:4 102:24 103:12,16 104:11 107:21 175:3 180:9 260:3 <b>meant</b> 77:7 <b>measurable</b> 92:22 <b>measure</b> 50:18 <b>MECG</b> 17:3 20:13 21:14,25 22:7 89:1 184:15,20 185:3,5 294:11 295:3,7 297:19 297:25 298:2 298:23 300:6 302:25 304:3 315:2 322:16 322:18,18,19	322:22 323:2 328:3 <b>mechanism</b> 23:15 28:12 29:18 32:6 42:9 42:23,24 45:12 66:7 67:8,16 73:13,14 74:7 76:14 102:24 104:19 111:23 112:8,11 125:17 126:10 153:18 154:2 188:16,18 208:21 214:20 216:2 237:3 248:8,10,25 264:14 274:8 274:16 275:15 275:17,18 289:19 <b>mechanisms</b> 66:3 153:25 154:12 156:22 235:8 236:16,22 275:9 <b>medical</b> 260:24 <b>meet</b> 44:18 49:21 81:14 91:6,8 157:14 160:5 202:20,23 248:12,19 252:22 271:7 317:2 <b>meeting</b> 239:16 <b>meetings</b> 285:3,7 285:21 <b>member</b> 80:14 80:16 242:10 242:18 282:2 308:14,17,22 <b>members</b> 135:25 159:10,15 243:14,17 276:4,12 277:10 278:8 280:2 282:4,15	<b>membership</b> 149:9 283:20 <b>memoranda</b> 24:24 <b>mention</b> 59:3 259:17 <b>mentioned</b> 25:18 40:20 43:13 44:7,14 53:23 161:10 192:8 204:23,24 207:6 215:19 237:4,23 260:8 260:20 261:5 261:25 270:6 314:17 <b>mentions</b> 24:15 <b>merely</b> 302:8 <b>merits</b> 43:24 <b>message</b> 72:5 <b>met</b> 138:6 227:7 <b>method</b> 98:2 251:9,9,24,25 <b>methodologies</b> 130:18 131:5 <b>methodology</b> 130:19 131:3 <b>methods</b> 25:4 130:21 <b>metrics</b> 248:13 248:19 <b>metro</b> 87:22 <b>Mexico</b> 236:25 <b>MGE</b> 253:10 <b>MGE's</b> 252:24 <b>Michael</b> 21:23 240:11,16 326:18 <b>microphone</b> 160:21 164:17 <b>mid</b> 149:6 <b>middle</b> 193:25 199:6 202:16 245:22 <b>midst</b> 184:4 <b>MIDWEST</b> 14:23
--	---	---	--	---

<b>MIEC</b> 20:6 21:14 22:6 76:21 80:12 88:25 124:6 175:22 293:17 322:23 <b>MIEC's</b> 21:25 <b>MIEC/MECG</b> 327:10 <b>million</b> 27:16,18 27:20 28:19,21 28:22 29:9,12 29:13,15 83:6,7 83:19 87:8 89:19 95:6,11 149:4,5,7 177:7 177:8,20 178:5 179:17,18 223:17,17,22 223:22 248:23 302:21,22 306:3 <b>Mills</b> 16:4 19:24 20:1 65:15 76:24 84:17 110:6 114:6 120:8,10 124:3 131:14 133:13 141:4 161:4 165:9 171:6,7,9 175:14 225:24 225:25 231:23 232:8 241:17 241:18 254:24 254:25 255:2 255:19 290:16 291:18 293:1 293:11 299:1,2 299:4 305:10 307:14 321:25 322:11 323:13 325:8,16,21 326:9,25 327:8 327:13 <b>mind</b> 101:7 112:13 113:16 145:23 169:5 226:14 241:2	289:3 312:19 <b>mine</b> 316:9 <b>mini</b> 273:1 <b>minimization</b> 62:25,25 284:24 <b>minimize</b> 34:17 34:19 63:16 284:7,12 <b>minimizing</b> 34:19,23 <b>minus</b> 183:8 187:7 <b>minuses</b> 167:9 <b>minute</b> 85:20 207:18 290:8 294:8 <b>minutes</b> 239:19 285:21 <b>misapplication</b> 51:9 <b>misapplied</b> 119:17 <b>misapplying</b> 316:24 <b>misheard</b> 153:1 <b>misleads</b> 114:3 <b>mismatch</b> 220:17 <b>MISO</b> 34:10 44:24 158:13 215:20 285:7 <b>missed</b> 323:6 <b>Missouri</b> 14:1,6 14:10 17:9 18:8 18:25 19:10,13 19:16,19,21 20:4,10 21:12 22:5 23:2 24:14 26:16 44:24 48:7,10 50:21 52:13 56:11 61:18 62:11,12 66:10 76:17 78:24 85:9 86:5 87:23,23 88:1,2 88:4 94:9 97:1 100:17 110:22	110:23 118:12 123:25 129:22 135:7 138:20 148:16 151:10 152:3,4,13 154:25 155:3 155:11,18,23 156:15,17 211:18 217:6 236:19 240:14 242:24 245:9 251:12 254:1 259:3,4,18 276:18,24 290:24 310:23 329:5 <b>Missouri's</b> 45:1 51:1 155:24 156:7 215:18 215:22 317:17 <b>misstated</b> 138:9 <b>mistake</b> 105:3 <b>misunderstand...</b> 274:6 <b>misunderstood</b> 119:17 <b>mitigate</b> 76:8 274:19 <b>mitigating</b> 39:22 39:24 40:3 58:25 74:16 <b>mitigation</b> 264:13 <b>ML</b> 258:24 <b>MO</b> 14:24 15:7 15:13,21 16:6 16:13,16,20 17:6,12 20:2 329:6 <b>model</b> 140:11 <b>modifications</b> 322:6,9 <b>modified</b> 250:3 322:5 <b>moment</b> 98:8 127:20 153:7 260:23	<b>money</b> 30:22 55:21 56:19,20 56:22 57:19 59:9 64:25 84:4 160:15 199:18 233:10,13 263:19 264:2 264:10 <b>monitor</b> 35:11 61:23 <b>monitoring</b> 79:11 180:14 181:20 182:5 243:16 <b>monitors</b> 272:11 <b>month</b> 36:6 109:19 156:19 234:3 266:24 267:6 269:8 296:23,24 300:17 301:8 301:10,16 311:5 <b>monthly</b> 35:24 124:14 270:23 282:18,21 283:3 311:3 <b>months</b> 33:17 36:6 37:23 40:6 63:25 102:21 102:22 109:22 109:24 113:10 162:13,14,15 178:2,3 231:16 267:5,23 298:19 300:13 301:8 302:19 302:23 305:19 309:19 310:17 310:17 <b>moot</b> 76:12 225:4 227:6 228:18 270:11 <b>MoPSC</b> 58:15 <b>morning</b> 18:3 19:11 22:24 48:8,13 65:15	76:19 98:11 <b>motions</b> 21:8 <b>mouth</b> 75:11 228:13 <b>move</b> 92:10 103:11 106:7 110:4 129:15 146:6 185:2 197:15 220:21 260:22 <b>moves</b> 271:13 <b>moving</b> 86:16 160:1 187:6,8 215:3 <b>MPS</b> 297:1 <b>MTP</b> 254:2 <b>Myer</b> 22:1 80:13 80:14 293:16 294:9 299:5 304:21 307:21 308:13 309:14 327:11 328:5 <b>Myer's</b> 109:11 295:4 <b>myriad</b> 272:8 <b>M-Y-E-R</b> 294:9 <hr/> <b>N</b> <hr/> <b>N</b> 14:23 18:1 <b>name</b> 18:15 19:25 22:24 86:4 116:7 128:21,23 143:15,17 240:9 245:4 290:19,21 294:6 <b>nation</b> 27:9 104:1 <b>national</b> 214:24 <b>native</b> 26:22 <b>natural</b> 80:25 199:15 <b>nature</b> 113:4 134:10,20 190:11 213:22 262:4 265:20
---	---	--	--	---

288:6 295:9 298:6 304:5 314:7 <b>near</b> 23:17 25:10 26:13 28:15 40:23 41:23 133:10 163:1 221:3,16 223:4 223:6 <b>necessarily</b> 122:22 141:17 238:16 316:18 <b>necessary</b> 32:11 34:12 35:22 44:8 47:21 51:8 204:5 256:15 268:10,13 <b>need</b> 34:11 38:17 39:14 40:18 41:1,11 43:18 64:23,24 66:6 67:12 70:19,22 71:9 81:7,11 85:15 92:5 96:20,22 109:6 114:19 129:6 144:1 145:20 162:20 163:18 167:3 193:13 202:24 205:24 206:14 228:7 228:22 231:21 251:2 252:8 253:3 267:20 271:6 289:19 294:16 316:22 320:12,15 323:22 324:9 <b>needed</b> 43:1 140:6 227:22 252:15 <b>needing</b> 240:2 <b>needs</b> 79:19 163:18 <b>negative</b> 149:4 <b>negatively</b> 29:1 <b>neither</b> 69:24	79:7 83:11 329:12 <b>net</b> 38:8 61:4 84:5 93:24 112:23 149:3,6 150:2 155:21 206:20 224:7 224:19,23,24 226:16,23 269:10 294:17 313:14,15 <b>netted</b> 61:16 210:3 <b>never</b> 32:2 46:17 46:17 60:12 104:20 110:16 192:14,17 270:15 293:12 <b>new</b> 25:20 49:6 97:19 103:23 144:22 150:1 160:1 162:13 170:4 193:4 194:4,13,14 195:3,12 196:21,25 197:7,13 208:19 219:14 236:25 251:9 251:13 252:22 253:9,14 260:17 267:11 267:17,19 270:1 271:10 288:3 302:18 <b>nine</b> 310:16 <b>Ninth</b> 16:19 <b>nondisclosure</b> 20:24 142:19 <b>nonproprietary</b> 291:6,20 <b>nonrecurring</b> 23:23 26:12 41:21 46:10,11 56:3,9 57:6 58:14 68:3 69:1 106:4 157:5,15	159:18 200:3 231:10 <b>non-fuel</b> 306:1,2 <b>non-involved</b> 89:7 <b>non-regional</b> 159:16 <b>non-RTO</b> 49:11 <b>non-utility</b> 84:12 <b>normal</b> 52:19,21 53:6,18 56:4,5 57:20 59:12 78:21 93:13,18 99:3 105:18 118:22 134:16 224:1 231:9 232:21,22 262:6 265:15 272:2,3 299:23 300:13 <b>normalization</b> 271:24 <b>normalize</b> 271:18,20 <b>normalized</b> 68:3 300:14 312:15 312:16 <b>normally</b> 55:12 99:4 118:15 122:25 265:17 265:19 289:23 <b>north</b> 92:18 <b>northeast</b> 88:1 <b>northwest</b> 88:2 <b>note</b> 34:8 80:24 84:13 240:24 322:25 <b>noted</b> 62:19 319:7 322:24 <b>notes</b> 329:11 <b>notice</b> 14:11 18:12 21:6 110:16 163:22 204:14 222:8 316:20 317:1 318:12 319:22 320:8,13,20	321:1,6,21 <b>noticeably</b> 50:2 <b>notify</b> 142:20 <b>noting</b> 80:4 <b>notion</b> 69:8 70:7 <b>novation</b> 222:10 <b>novel</b> 86:23 <b>NP</b> 245:15 246:4 246:12,22,25 297:20 322:18 327:23 328:9 <b>NPS</b> 105:19 <b>NPSs</b> 89:22 <b>nuclear</b> 32:19,20 231:14,15 271:21 300:23 300:24 301:2,2 301:12 <b>number</b> 18:14 37:23 41:4,14 58:25 63:9,17 63:18 93:23 96:14 112:19 113:2 119:18 142:13 143:23 145:11,12 153:12 157:13 163:8,11 165:17 170:24 172:22 176:12 177:9,14 179:17 180:19 180:21 183:15 192:3,22 197:15 201:18 223:19 224:5 231:7,16 233:15,16,16 235:22 245:15 252:6 255:15 256:23 289:4 299:25 306:5 312:25 <b>numbers</b> 90:16 137:8 148:18 223:23,24 321:14	<b>numeric</b> 149:7 <hr/> <b>O</b> <b>O</b> 18:1 <b>object</b> 295:9,15 298:10 305:3 309:23 313:5 315:17 <b>objection</b> 165:5,7 165:9,12 188:7 204:21 241:10 298:4,15,20,22 304:19 305:6 316:12 317:25 <b>objections</b> 117:9 129:19 143:4 146:10,14 165:1 185:4 241:8 246:23 291:23,24 297:24 298:13 321:9 <b>objective</b> 89:7 <b>obligated</b> 254:2 <b>obtained</b> 158:12 179:12 <b>obviously</b> 71:17 81:2 239:16 257:1 284:24 <b>occasional</b> 251:20 <b>occasionally</b> 68:5 <b>occur</b> 30:11 36:11 50:8 68:4 102:15 112:3 162:3 169:11 251:16 263:5 <b>occurred</b> 68:8 222:13 <b>occurrence</b> 113:4 <b>occurring</b> 23:20 50:8 <b>occurs</b> 67:23 <b>October</b> 200:10 294:23 296:23 301:7 <b>offer</b> 117:6 164:7
---	---	---	---	--

164:25 246:20 291:19 293:19 297:15 314:21 314:25 318:25 319:6 322:19 <b>offered</b> 86:22 117:11 129:21 146:12,16 165:14 260:24 296:15 317:6 323:6 <b>offering</b> 134:11 317:7,8,13 <b>offers</b> 241:6 <b>Office</b> 16:3 19:20 19:23,24 20:1 21:13,24 22:6 65:13 120:7 131:12 254:20 290:24 <b>official</b> 163:21 204:14 316:20 317:1 318:3,11 319:21 320:8 320:13,20 321:1,6 <b>offset</b> 38:14 62:20 81:18 278:25 280:4 <b>offsets</b> 210:1 <b>offsetting</b> 61:2 <b>OG&amp;E's</b> 213:25 <b>oh</b> 103:23 <b>okay</b> 21:16 22:8 22:11 47:3 77:25 86:9 110:11 115:10 115:25 117:8 117:10,18 119:4,15 121:17 122:2 122:17 124:2 124:20 125:7 125:16 126:8 126:24 127:22 128:10 129:18 134:6,24 136:9	137:11,15 138:15,19,25 139:20 142:1 143:6 144:5,21 147:19 148:1 148:21,24 150:7 152:7 153:22 154:18 156:6 163:13 164:2 166:5,10 166:11,21 171:6 174:10 175:13,25 176:24 177:12 177:18 178:5 178:20 179:13 180:4,9 181:13 181:24 182:2 183:3,10,16 184:12 187:2 188:24 189:4,8 190:13,25 192:1,21 193:21 194:7 194:17 195:1 195:10 197:2 197:15 198:15 198:21 200:24 201:2,18 202:4 202:16 205:12 205:19 206:22 209:25 217:19 218:23 219:19 221:18 222:24 223:8,13 224:2 224:18 225:13 226:10 227:24 231:3 239:8 241:8,15,25 243:2 246:7,11 246:15 247:5 251:15 253:14 253:18 257:14 258:7,18 259:8 259:17 268:3 278:2 282:16 287:12 294:2	296:12 297:2 299:12,13 301:4,14,18 302:24 307:13 309:9 312:25 313:25 315:9 318:23 319:2,7 320:3 323:3,4 323:20 <b>old</b> 252:17 <b>Oligschlaeger</b> 21:23 29:25 33:22 57:11 80:13,15 163:1 228:14 233:18 243:1 244:25 245:6 246:17 247:8 255:3 256:4 275:6 286:15,21 287:15 290:3 302:5 326:22 327:22,23 <b>OMS</b> 285:15 <b>once</b> 132:9 140:10 172:1 268:5 315:14 <b>onerous</b> 44:9 <b>ones</b> 62:3 147:15 177:10 221:5 261:25 <b>one's</b> 180:18 <b>ongoing</b> 33:10 105:19 159:20 160:3 161:1 172:19 231:21 261:18 265:16 283:10 295:17 <b>on-line</b> 243:12 <b>OPC</b> 76:24 128:10 291:23 322:18 328:8 <b>OPEB</b> 251:2 <b>OPEBs</b> 25:21 172:21 173:3 232:11 250:24 260:20,21,22	<b>open</b> 130:10 294:17 304:24 <b>opening</b> 21:10,11 22:15 68:18 74:10 76:22 86:16,18 196:9 201:11 229:22 314:17 325:3 <b>operate</b> 48:14 63:3 134:16 172:1 210:9,10 219:10,22 220:24 <b>operated</b> 48:16 <b>operates</b> 185:10 <b>operating</b> 55:13 55:14 57:21 58:21 59:12 61:9 62:2 63:1 63:12 93:11,12 93:17 100:24 124:18,21,24 167:4 211:6 214:13 302:10 302:14 310:23 <b>operation</b> 159:1 281:21 <b>operations</b> 14:10 18:9,11,25 23:2 39:25 87:23 93:13,18 105:24 148:16 159:20 217:7 297:1 302:2 303:22 308:9 <b>opinion</b> 34:13 59:2 125:20 166:16 169:21 169:22 171:12 197:22,24 198:10 224:18 234:18 258:4 258:16 308:6 <b>opinions</b> 235:11 235:22 <b>opponent</b> 316:6 316:8,11,25	<b>opportunity</b> 44:3 45:13 47:21 97:5 98:22 164:24 274:11 293:21 305:7 318:19,21 <b>oppose</b> 254:7 <b>opposed</b> 251:24 303:10 <b>oppressive</b> 54:16 <b>optimize</b> 34:24 284:14 <b>option</b> 168:1 229:22 <b>options</b> 185:21 210:16 <b>order</b> 14:11 18:10 21:10,11 21:15,20 22:3,9 23:15 24:5,23 24:25 29:21 30:3 31:1,5 32:4 40:25 41:1 41:5,10 45:8 49:12 53:16 59:20 60:24 69:21 70:17,20 72:5 90:23 91:3 92:1 111:6,25 112:25 119:4,7 119:24 120:1 120:24 123:11 154:22 157:9 163:20 164:19 168:8 169:8,25 174:7,7 176:22 179:3,4,15 190:17 191:10 192:7,17 193:17,19,20 194:4,22 199:4 200:5,9 202:5 203:5,25 204:4 217:24 225:2,3 226:20,23 227:4,5,9,15 228:5,8,17
--	---	--	---	--

229:23 230:1 234:7 256:10 257:16,22,23 258:2,13,21 265:7 267:17 271:7 299:10 318:13 320:11 321:2,7,14,22 322:2 327:24 <b>ordered</b> 126:6 203:4,17 289:24 <b>orders</b> 25:9 31:14 37:4,6 41:20,21,21 49:5 86:21 123:15,24 126:2 157:9 164:10 190:20 192:20 204:3 204:12 229:17 289:6 311:6,11 311:16 320:13 320:16,23,24 321:3,10 322:8 <b>ordinary</b> 49:13 57:2,4 58:20 62:2 63:1,12 82:14 91:16 105:23 113:6 113:13 134:16 140:21,22,23 <b>Organization</b> 150:3 <b>organizations</b> 34:10 <b>original</b> 323:17 323:22 324:4 <b>originally</b> 53:12 208:22 222:8 232:16 <b>originator</b> 128:24 <b>ought</b> 52:7 62:3 210:20 266:2 <b>outage</b> 301:13 <b>outages</b> 32:20	<b>outlays</b> 25:1 <b>outside</b> 23:18,23 25:11 26:14 28:24 33:19,19 40:24 41:24 47:19 48:4 59:21 60:12 71:9,20 74:19 75:2 94:2 102:25 123:13 154:5,13 161:17 174:4 174:14 175:1 <b>overall</b> 34:22 36:12 79:5 149:23 256:7 274:18 <b>overrule</b> 298:22 305:6 <b>owner</b> 39:5,7,10 276:16 <b>ownership</b> 38:14 38:20 39:1,13 61:8,11,15 209:20 210:13 210:17 211:5 220:2,11,18 221:15 278:13 281:2,21 <b>owning</b> 282:7 <b>O&amp;M</b> 306:2 <b>o'clock</b> 142:6 <hr/> <b>P</b> <b>P</b> 14:17 18:1 <b>page</b> 58:15 79:7 119:23 120:14 121:7 144:7,11 144:11,13 145:7 147:21 148:14,25 149:14,20,22 149:23 151:16 151:25 152:8,9 152:10,10 153:16 155:15 166:14 173:8	177:17,22 181:7 193:24 195:2 198:5 199:4,6,19,20 200:7 201:3 202:5,17 203:2 203:4 215:18 219:20 240:22 241:1 243:2 245:20 256:4 258:7 259:18 262:17 263:16 264:22 269:5 294:15,22 295:5 299:17 300:19 303:8 305:11 312:20 <b>pages</b> 148:6,10 148:13,13 306:15 317:14 <b>paid</b> 49:10 78:2 83:13 101:21 132:17 248:18 278:22 280:17 310:7 <b>painful</b> 196:13 <b>panel</b> 225:17 <b>paradigm</b> 103:24 <b>paragraph</b> 149:1 149:1 202:17 <b>parameters</b> 170:6 <b>paraphrase</b> 121:18 176:6 <b>pardon</b> 160:9 163:9 <b>paren</b> 150:3,4 294:17,19 <b>part</b> 29:19 35:19 48:19 52:23 57:4 61:12 74:10 82:15 83:21 91:17 109:17 125:13 145:18,18 147:5 150:23 152:18 161:11	161:22 174:19 176:21 203:17 209:22 214:3 218:4 221:8 238:2 242:18 249:20 254:2 257:12 268:22 288:24 310:13 <b>partial</b> 316:21 <b>participant</b> 209:10 <b>participants</b> 49:11,11 236:16 237:2 <b>participate</b> 33:16 34:7 52:9 62:9 96:6 147:7 150:17 163:3 285:6 <b>participated</b> 163:2 <b>participates</b> 285:7 <b>participating</b> 33:9 34:12 149:3 237:15 <b>participation</b> 33:12 35:2,3 62:6,11,15 147:9,14,24 149:16 150:10 238:2 283:12 283:18,24 <b>particular</b> 24:13 24:25 31:12,15 36:16 49:22 53:22 54:2,21 58:18 65:19 67:23 68:5,7 69:3,12 71:21 71:22 72:18 75:4 80:11,18 89:3 93:1 107:8 120:14 140:10 148:25 155:13 155:15 164:12 196:3 252:16	253:11 254:19 257:17 263:17 264:21 265:5 265:21 289:11 <b>particularly</b> 34:3 34:15 42:6 48:18 51:25 52:1 69:5 73:2 73:10 74:6 257:20 <b>parties</b> 21:1 35:5 43:3 51:23 78:17 81:3,12 85:23 86:14 115:13,23 128:3 145:14 147:18 150:19 150:20 162:9 164:3,7,24 165:3 170:14 172:9 173:4 204:16 207:21 224:10 227:7 229:18 235:9 238:1 239:11 240:1 247:25 254:3,6 290:10 298:12 306:19 316:21 321:11 329:7,14,17 <b>party</b> 50:21 59:21 89:2 235:11 313:6 314:20,24 315:24 316:1,6 316:8,10,25 319:5 <b>party's</b> 49:15 209:17 <b>pass</b> 118:12 <b>passed</b> 33:13 253:5 283:13 <b>path</b> 227:25 <b>patience</b> 238:19 324:11 <b>pay</b> 50:14 78:10 80:11 83:11,12
---	---	--	--	---

89:3 213:8 251:8 276:19 277:4 280:5 <b>paying</b> 62:3 77:22 78:4,7 82:17 91:18 94:21 209:20 213:8,12 277:20 <b>payments</b> 280:2 302:15 <b>payroll</b> 95:5 104:15,17 231:8 305:17 310:12,15,16 <b>pays</b> 282:1 <b>peace</b> 239:7 <b>peak</b> 27:19 28:21 109:20 <b>peculiar</b> 134:19 139:21 <b>peer</b> 236:9,10 <b>pegged</b> 234:23 <b>pending</b> 21:8 154:22 240:24 <b>pensions</b> 25:20 172:20 173:3 232:11 250:22 251:16,18,21 260:20 <b>people</b> 62:2 163:2 186:13 <b>perceive</b> 186:16 <b>percent</b> 27:21 28:23 41:10,11 67:10 84:2,3,3 89:21,21,24 90:1,6,7,8,17 90:20 94:22,23 107:16 109:14 114:5 162:6,15 167:23 206:12 206:20 208:23 211:18 212:10 224:7,17,19,22 225:8 226:16 226:23 227:16	276:20,23 277:4,21,22 304:10,11,16 304:17 313:20 313:21 <b>percentage</b> 304:7 304:9 <b>perfect</b> 56:10 <b>perfectly</b> 65:1 72:17 <b>perform</b> 147:8 150:25 <b>performed</b> 150:1 301:19 <b>performs</b> 271:23 <b>period</b> 27:22 28:23 36:6 63:24 64:18 68:14 72:15 89:23,25 90:5 93:1,2,25 94:25 100:2 101:3 102:12,15,25 106:19,25 107:9 109:19 109:24 112:4,5 112:13 118:17 133:8 150:18 156:19 160:8 166:25 167:1 172:19 173:10 182:23 183:2,4 187:22 207:5 230:8 233:23 266:19 267:4 267:25 272:24 274:16 289:8 290:1 298:16 300:12,17,18 301:10 303:23 <b>periodically</b> 237:20 <b>periods</b> 68:5 77:10,15,15,24 78:8 79:9 83:18 231:10 233:11 <b>peripherally</b>	235:7 <b>periphery</b> 299:6 <b>permanently</b> 143:5 <b>permission</b> 52:18 52:20 53:5 62:7 62:9 77:9 121:9 <b>permit</b> 94:6 101:2 <b>permitted</b> 101:1 298:7 <b>person</b> 20:23 <b>personally</b> 204:6 <b>perspective</b> 39:23 43:17 132:21 161:13 168:21 169:23 169:23 186:23 187:8 199:12 199:15 269:12 <b>perspectively</b> 161:23 <b>pertains</b> 103:3 <b>pertinent</b> 122:7 <b>phase</b> 49:6,8,14 50:11,24 <b>phenomena</b> 264:16 <b>phone</b> 20:16 142:15 <b>phrase</b> 302:14 <b>physical</b> 190:2 <b>pick</b> 107:4,18 183:20 184:8 <b>picked</b> 97:21 <b>picks</b> 84:20 <b>picture</b> 59:16 67:1 73:1 106:19 107:7 108:4,11 <b>pie</b> 207:10 <b>piece</b> 111:6 207:9 207:13 <b>pieces</b> 129:1,10 161:11 <b>piggyback</b> 88:8 111:13	<b>pipeline</b> 221:13 253:8 <b>place</b> 42:10,13 55:19 122:23 156:22 245:7 <b>places</b> 225:3 <b>Plains</b> 210:23 <b>Plain's</b> 304:6 <b>plan</b> 26:4 27:14 28:19 81:2,17 125:10,12 131:3,6,9 152:20 153:15 158:10 160:10 172:2 183:2,6 183:12 219:16 230:11 247:22 247:24 248:3 248:17 249:7 <b>planned</b> 56:20 82:1 85:1 <b>Planning</b> 130:24 <b>plans</b> 156:16 160:12 234:23 249:9 305:24 <b>plant</b> 25:22,24 32:20 39:20 53:9 84:5 201:22,25 253:20,21 294:17,18 301:2 313:2,14 313:15,15 <b>plants</b> 49:1,2 260:17 <b>plateaus</b> 68:19 <b>play</b> 75:19 137:4 219:10 <b>pleading</b> 148:5 148:11,25 <b>pleadings</b> 316:16 <b>please</b> 20:21 22:14,23 48:9 52:15 65:16 76:20 116:7 128:21 142:15 143:15 148:9	160:20 164:16 199:23 202:8 240:2,9 242:14 245:4 290:19 294:7 <b>plethora</b> 86:20 <b>plugging</b> 205:24 <b>plus</b> 100:25 138:13 183:8 187:7 271:4 <b>pluses</b> 167:8 <b>pocket</b> 90:19 <b>podium</b> 118:1 <b>point</b> 37:22 43:18,22 44:16 46:25 59:2 61:2 64:8 70:16 71:24 72:6,19 75:1 76:13 96:18 97:9 109:22 110:12 112:10,15,24 138:17 149:6 163:16 166:4 168:1 172:15 176:17 208:22 210:19 216:8 220:12 231:19 256:3 257:5 258:18 268:8 268:22 269:11 270:11 272:20 302:3,4 303:19 <b>pointed</b> 54:10 152:17 215:16 <b>policies</b> 258:11 <b>policy</b> 34:8 84:14 89:10 238:6 255:13 264:19 266:8 268:12 289:14 <b>Pool</b> 23:8,20 26:25 147:8 150:11 178:8 209:11 <b>portfolio</b> 130:20 131:4,9 140:14
--	---	--	---	---

140:17	48:21 183:9	<b>prepare</b> 170:18	304:14,14	<b>problem</b> 37:17
<b>portion</b> 193:24	216:20 250:21	170:19 231:16	314:18	87:17,19 98:15
199:5,20 200:7	<b>potential</b> 42:16	298:9	<b>previously</b> 31:18	98:19 106:8,13
200:19 202:7	42:17 107:1	<b>prepared</b> 40:13	101:25 136:24	107:23 162:16
203:1 212:9	119:2 172:18	56:11,12	149:18 218:5	168:6 177:4
276:19,24	<b>potentially</b>	240:17 293:3	308:13	207:2 209:1
279:25 280:16	199:14 214:22	<b>preparing</b>	<b>pre-filing</b> 298:8	<b>problematic</b> 32:4
299:20 303:8	<b>power</b> 14:9 18:8	122:11 275:6	<b>pre-judge</b> 51:22	37:11
<b>portions</b> 152:12	18:19,24 23:1,8	<b>prescribe</b> 24:16	<b>pre-marked</b> 21:4	<b>procedural</b>
<b>posed</b> 74:11	23:12,20 24:3	24:23,25 25:4	<b>price</b> 90:7	295:13 323:8
<b>position</b> 49:15	26:3,25 32:18	54:1	<b>prices</b> 55:10 63:5	<b>procedures</b>
51:14,15 59:8	38:9 39:25	<b>prescribed</b> 56:6	199:10	276:10
64:3 75:13,14	48:25 49:1,1	57:25	<b>pricing</b> 130:9,13	<b>proceed</b> 116:1
75:14,17 86:23	79:8,21 80:20	<b>presence</b> 105:3	<b>primarily</b> 23:18	165:15
89:9 116:11	83:4,24 105:20	<b>present</b> 105:2	25:11 26:14,22	<b>proceeding</b> 29:19
119:16 128:21	116:12 147:7	186:6 307:23	40:24 41:24	29:24 34:6
143:15 155:18	148:15 150:10	<b>presentation</b>	75:12 145:15	160:6,18,24
155:23 156:5	177:8,19 178:7	85:12,25 86:19	<b>primary</b> 23:4	246:13 256:18
170:9 179:6	202:18 203:6	183:18	232:6 264:5	258:12 329:7
195:1 201:2,10	205:1 209:11	<b>presentations</b>	276:6	<b>proceedings</b> 14:3
205:4 219:20	209:12,14	243:11	<b>principles</b> 24:17	33:14 126:14
223:10 236:9	260:17 285:13	<b>presented</b> 181:7	69:11,19	283:19 329:10
244:7 245:11	<b>PowerPoint</b>	308:21	111:22,25	<b>process</b> 35:15
254:18 264:7	22:15 85:16	<b>presenting</b> 22:15	<b>prior</b> 134:17	48:5 76:9 87:10
264:17 265:11	<b>practical</b> 237:21	164:7	140:2 152:24	92:12,15 97:4,7
277:17 278:7	257:15 264:23	<b>preserve</b> 44:14	154:1 157:9	99:12 124:15
286:8 291:1	267:21	70:7 79:24	185:21 218:12	125:1 140:13
317:22	<b>practice</b> 40:12	<b>preserves</b> 44:2	219:6 270:2	176:13 243:20
<b>positions</b> 123:1	44:10,19 123:4	<b>Presiding</b> 14:15	288:23 296:8	257:13 272:22
155:3,6,10	251:7 270:25	<b>pressure</b> 95:19	316:3 317:8	280:3
196:8 197:3	288:13	95:21 108:1,5	321:17	<b>produced</b> 35:7
198:22 204:24	<b>practices</b> 134:17	<b>pretty</b> 189:12	<b>probability</b>	149:18 181:3
316:2,8 317:10	<b>pre</b> 189:23	219:17 223:19	119:9 231:23	<b>producing</b> 49:8
317:12 318:16	<b>precedent</b> 66:20	234:10 237:25	234:9	<b>productive</b> 67:14
<b>positive</b> 149:5	86:25 121:24	238:5 253:18	<b>probable</b> 36:23	<b>productively</b>
<b>possibility</b> 96:12	289:2	<b>prevalent</b> 96:10	37:1 120:16	74:23
306:8 307:4	<b>preeminent</b>	96:16 108:18	121:23 126:2	<b>professional</b> 37:2
<b>possible</b> 56:16,23	102:6	<b>prevent</b> 80:9	174:5 175:3	169:23 308:6
59:14 62:22	<b>prefer</b> 239:22	289:24	<b>probably</b> 50:8	<b>profit</b> 55:11
112:12 137:8	<b>preferred</b> 160:18	<b>prevented</b> 72:12	51:8 82:8,10	93:24 95:1,11
137:10 170:17	160:24	<b>previous</b> 37:6	85:12 102:6	112:3,20
170:22 171:2	<b>prejudge</b> 71:18	82:17 91:19	133:9 162:25	159:12
222:24 223:3	<b>prejudged</b> 71:16	94:12 97:22	170:22 179:2	<b>profits</b> 55:8
262:13 295:18	<b>preliminary</b> 21:1	100:1 101:22	185:11 235:11	57:22 77:14
<b>possibly</b> 253:8	<b>premise</b> 51:19	109:21,23	253:4 261:16	83:17 94:19
287:18	<b>preparation</b>	111:6 123:1,4	271:3 284:19	<b>program</b> 95:3,4
<b>post</b> 19:20 20:1	303:15	136:18 181:10	323:10	259:23 261:9

<p>261:12 288:1  <b>programs</b> 261:18  <b>progress</b> 21:19  221:25  <b>prohibition</b>  105:7 114:2  <b>project</b> 138:6,10  150:2 212:8  275:25 276:1,3  276:9 277:3,5  277:11 280:20  280:20 281:22  <b>projected</b> 27:13  27:17 28:20  29:11 30:15  46:5,18 91:9  135:15,22  149:3 228:4  <b>projecting</b>  238:14  <b>projection</b>  131:22,22  132:2 138:13  <b>projections</b>  136:14,15,18  136:21,25  138:12 139:16  162:4,4 223:20  <b>projects</b> 27:18  28:3,4 29:1  35:14 38:21,24  39:3,14 47:14  49:10 50:10  68:13 131:7,9  131:24,24  132:10,17,25  133:2,5 134:10  134:17,21  135:21,24  136:3,5 137:2,5  137:6 138:13  140:4,14,16  141:16 158:2,3  158:24 159:3,4  159:8,17 211:4  211:22,25  212:6,25</p>	<p>213:16,25  214:21 221:4,7  221:10,24  222:5,7,12  276:5,14,16,21  277:18,23  278:14,18  279:4,12 280:9  280:12 281:3,9  282:8 283:7  285:12  <b>prolonged</b> 314:6  <b>prong</b> 202:24  <b>proof</b> 318:25  319:6 322:19  <b>proofread</b> 329:8  <b>proper</b> 30:7  61:15 67:21  70:7 92:23  254:12 268:22  278:23 279:6  279:21 303:10  303:14  <b>properly</b> 38:19  112:1  <b>property</b> 25:19  95:20 252:25  253:7,9,14  254:16 260:9  260:16 310:7  <b>proposal</b> 28:6  <b>propose</b> 282:18  <b>proposed</b> 38:19  44:8 45:8 51:14  75:12 150:21  198:21 210:13  220:20 233:24  235:14 270:2  279:10 280:8  280:11 283:9  285:12  <b>proposing</b> 265:5  274:6,7 278:22  <b>prorata</b> 212:4  <b>prospectively</b>  79:4  <b>protect</b> 112:14</p>	<p><b>protest</b> 69:25  <b>protestations</b>  50:15  <b>proved</b> 91:7  289:18  <b>proves</b> 308:10  <b>provide</b> 34:5,24  35:8 36:12 41:6  53:4 61:21 87:9  89:6 121:14  140:7 147:16  160:23 168:23  190:14 224:6  233:12 276:3,6  284:2 294:25  296:6,10  302:11 306:17  307:9  <b>provided</b> 62:10  99:23 100:9  144:2 145:14  147:13 155:1  167:11 184:25  228:2 283:3,17  284:15 302:25  310:10 315:6  <b>providers</b> 23:8  <b>provides</b> 97:23  171:18  <b>providing</b> 30:16  35:23 59:11  86:12 270:18  <b>proving</b> 91:3  <b>provision</b> 30:24  53:23 159:14  175:10 208:8  209:3  <b>provisions</b>  111:22 317:15  <b>prudence</b> 31:11  32:8 141:21  169:9,15  <b>prudency</b> 263:7  <b>prudent</b> 170:11  175:9 268:10  268:13  <b>prudently</b> 37:19</p>	<p>45:14 170:11  232:3 265:13  266:12  <b>PSC</b> 15:16  308:14,17,22  326:17  <b>public</b> 14:2 16:3  19:16,19,23,25  19:25 21:13,14  21:24 22:6  24:11 35:7,10  52:13 54:13  65:14,21 69:24  71:19 75:13  87:23 88:23  118:9 120:7  123:25 131:12  238:6 240:14  245:9 254:20  257:8 262:11  268:11 269:17  272:12 273:12  273:21 290:24  291:2,5,19  304:24 329:5  <b>publicly</b> 285:21  <b>published</b> 256:25  257:5,10 258:5  <b>punitive</b> 264:12  <b>purchase</b> 26:3  204:25  <b>purpose</b> 32:6  36:12 38:2  48:25 55:3,4  112:13 214:3  258:14 274:17  306:24,25  <b>purposely</b> 264:8  264:11  <b>purposes</b> 112:5,5  120:21 125:11  163:15 166:8  170:20 194:6  256:10 257:9  264:14 265:25  267:5,21  271:25 306:24</p>	<p>310:20  <b>pursuant</b> 174:6  194:1 265:19  <b>pursue</b> 216:1  229:21 308:23  <b>pursuing</b> 35:1  <b>push</b> 96:17  323:16  <b>pushed</b> 136:1  137:6  <b>pushing</b> 96:19  107:13  <b>put</b> 33:19 43:5  56:13 68:17  75:11 90:3 95:7  95:21 147:17  157:10 166:16  167:10 170:21  178:1 184:14  186:12,14  210:18 211:20  212:18 214:25  217:15 220:16  222:22 228:13  231:17 238:8  238:17 289:6  295:18 323:24  <b>puts</b> 64:3 110:25  168:15 184:5  <b>putting</b> 55:19  60:2 95:18  108:1,5 160:1  162:19 231:19  266:9 308:11  <b>P.C</b> 15:5 16:11  <b>p.m</b> 239:4 290:12  324:16  <b>P.O</b> 15:20 16:5  16:12</p> <hr/> <p><b>Q</b></p> <p><b>qualify</b> 58:6  60:16,17,17,21  65:8 112:25  <b>quantifiable</b>  149:10  <b>quantification</b></p>
--	--	---	---	---



33:11 283:11 <b>quantify</b> 235:6 238:3,9,17 <b>quantitative</b> 306:18 307:10 <b>quarterly</b> 269:9 270:23 271:11 <b>question</b> 43:4 46:2,8 48:12 55:4 60:14 65:8 68:24 69:1 71:17 74:11 79:5 99:21 101:24 106:25 126:22 134:3 135:2,11,11 136:11 137:18 139:23 148:9 154:23 158:6 161:5,9,22 165:23 168:22 168:23 174:19 178:12 179:10 181:10 191:9 208:23 209:3 213:14 216:8 217:2 235:2 241:21 242:17 250:15 254:5 257:24 277:25 286:18 287:21 288:25 296:17 299:10 301:23 303:20 307:8 309:24 310:2 312:14,17 313:25 <b>questioned</b> 206:11 253:15 <b>questioning</b> 231:25 287:16 <b>questions</b> 45:19 46:4 47:6 85:8 98:20,21 115:6 115:9 116:6,21 117:14,17 118:5 120:5,10	124:3,11 127:9 127:11,18,23 128:6,20 129:9 129:23,25 130:4,6 131:10 131:14 133:13 133:16,18,21 134:25 135:4 135:13 136:13 137:13,17 139:1,6 141:7 143:14 145:24 147:2 166:2,14 171:4,9 175:15 175:19 177:3 180:5 181:17 182:14 184:25 205:18,21 206:5,10 215:7 215:15 219:1,3 219:5 225:14 225:17,19,25 226:2,4,12,17 229:23 230:3,6 230:16 231:23 232:9 233:1,23 234:21 235:1 235:25 237:13 238:20 240:8 241:3,14,16,18 241:24 242:8 244:11,17 245:3 246:2 247:7 254:22 255:2,22,24 256:2 286:13 286:20 287:4,6 287:14 289:5 290:16 291:12 292:7,9,11,13 292:15,16,20 292:23 293:4,5 293:25 294:5 297:9 299:4,6 304:24,24 307:14,20 309:5,8,10,13	311:21,25 312:3,6,8,13 313:19 314:10 314:14 <b>quibbling</b> 284:11 <b>quick</b> 85:20 135:1 164:23 165:21 206:2,3 239:5 275:18 286:17 <b>quickly</b> 56:16,23 222:21 253:19 <b>quite</b> 27:3 32:4 35:3 54:23 56:20 59:11 253:4 261:19 <b>quiver</b> 104:15 <b>quote</b> 49:18,21 50:2 79:1,25 80:4 82:7,10,10 82:19,20,21,25 91:2,10,11 92:17 93:7,9 100:23 101:15 105:12 106:3 112:2 <b>quotes</b> 82:21 <hr/> <b>R</b> <hr/> <b>R</b> 18:1 <b>radical</b> 86:24 <b>raise</b> 55:10 63:5 110:3 240:4 <b>raised</b> 43:4 <b>ramp</b> 172:14 <b>ramp-up</b> 69:2 <b>ran</b> 230:14 <b>range</b> 149:8 177:13 <b>rapid</b> 50:13 <b>rapidly</b> 44:22 <b>rare</b> 82:10,22 91:12,12,22 <b>rarely</b> 102:9 <b>rate</b> 23:11 29:3,8 29:16,19 30:7 30:12 31:8,10	32:7,9,24 33:14 35:20,25 36:1 36:15,20 37:3,6 37:17,20,23 39:12 40:8,10 41:6 42:17,18 42:23 43:24 44:1,4,14,15 45:15 47:17,19 48:4 51:3,10 53:1,2,11 55:13 55:15 57:14,20 57:22 58:22 59:14,25 60:4,9 60:12,25 61:14 62:21 64:4,9,16 65:20 66:10,23 67:5,8,13,15 71:1,4 72:16,20 73:4,12 74:12 74:15,19,21,25 75:3 77:15,20 78:1,9 79:5,17 79:25 80:7,23 81:17 82:5,5 83:3,7,9,13,25 87:9 88:16 89:14,17,18,22 90:1,2,10,18 92:12,14,15 93:3,18,19,21 94:3,6,9,9,11 94:13,16,24,24 95:23,24,25 97:4,7 99:11,14 99:25 100:6,11 100:12,21 101:5,16 102:9 102:12 103:1 104:25 105:7 105:21,24 106:10 107:16 110:19 113:20 114:2,6,10,11 114:13,15,16 114:18,21 115:1,5 119:18	119:21 131:20 141:6,22,24 145:19 153:17 153:25 154:5 154:13,17 160:7,8,9 161:17,17 162:2,10,12,15 166:23 167:6 167:10,14,19 168:8,15,25 169:2,5,11,15 169:19 170:1,5 171:14 176:3 176:15,18,23 178:9 180:3 182:1,2,18,24 182:25 183:5 183:13,17,19 184:7 187:4 194:6 208:20 209:23 210:11 210:12 211:20 211:24 212:19 213:9 216:9 217:13,16,21 218:19 219:6 220:19 222:20 222:20,22 226:22 230:9 231:2,3 232:4 242:10,19 250:4,8 251:22 262:13 263:1 265:8 266:6,17 266:19 267:3 267:16,18,20 267:24 268:1,5 268:6,16,23 271:14 272:8,9 272:15 273:1 273:11,20 278:18,21 279:24 281:9 281:16,19 282:19 283:1 283:14 286:4,6
---	--	---	--	---

288:4,19 289:9	96:23,24,24	<b>reach</b> 64:7	214:8 284:12	231:25 233:2
289:17,21	97:1,5,6,8,11	<b>react</b> 315:17	293:10	233:25 234:25
290:2 294:20	97:13,16,22	<b>read</b> 49:15 52:4	<b>reason</b> 30:4 38:2	236:2 237:16
295:21 301:3	98:1,13 99:20	77:17 100:17	54:4 56:4,7	237:17 249:1
301:22 302:6	100:2,23	101:7 111:18	58:3,4 63:5	251:19 254:14
304:8,14,14,23	101:19,20,23	119:13 144:24	67:2 68:6 69:22	260:11 289:2
305:1,14 308:2	101:25 102:6	145:1,2,13	75:25 89:5,12	299:20 312:16
309:17 310:9	104:5,12,16	149:1,11 150:5	164:12,18	<b>receipts</b> 25:1
310:24 311:2	107:10,14,15	151:22 152:5	174:3 186:12	<b>receive</b> 30:17
313:1,6,17	107:17,22	153:22 155:2,4	186:13,20	174:22 179:4
321:4,17	108:6,8,10,12	155:5 156:4	222:16 226:25	209:17 210:1,6
<b>ratepayers</b> 33:13	108:24 109:1,2	166:19 181:4	274:17 298:9	211:2,11
62:12 66:5 67:2	110:6 112:12	190:4,6,17,21	298:17 299:9	212:12 277:3,8
67:17 76:9	114:5,12	190:22,23,23	308:2 311:8,13	279:8 282:3,14
77:12,20,21,23	119:10 121:2	191:1 192:17	311:19	<b>received</b> 121:13
77:25 78:3,3,6	121:16 122:1	192:19 193:18	<b>reasonable</b> 31:12	179:14 185:14
78:10 83:11,12	134:5 141:14	193:23 194:22	47:20 54:8,12	228:16 232:16
84:22,23	141:16 144:14	195:17 196:7	54:12,14,17,24	236:1 277:13
248:24 265:2	144:23 145:2	196:23 198:14	61:25 62:23	278:8,24 280:2
265:12 266:3	154:5,13	199:5,19 200:6	63:13 64:10	<b>receives</b> 217:11
283:13 302:9	162:13 167:25	200:20 202:7	65:1 70:24	<b>receiving</b> 219:25
<b>ratepayer's</b> 85:5	168:14 169:1,6	202:11 203:1	78:12,25 79:7	220:8
114:4	169:10,13	203:15,17	79:11,18	<b>reception</b> 98:16
<b>rates</b> 23:10 28:9	170:4 177:23	204:11 205:7	100:25 102:11	<b>recess</b> 85:23
28:17 29:3,5,10	186:11,19	224:15 234:5	<b>reasonably</b> 113:8	142:11 207:18
29:13 30:14	187:9,15,17	245:24 294:16	274:20	207:21 239:5
34:2,3 36:14,23	194:4,5,13,18	<b>readdress</b> 296:15	<b>reasons</b> 40:14,17	240:3 290:10
37:5,9 42:16,20	208:16 216:17	<b>readily</b> 56:23	58:19 288:7	<b>recognition</b>
43:7,8,11,14	217:17 223:19	149:10 286:1	<b>rebuttal</b> 25:25	322:9
52:25,25 53:2,3	233:12 234:13	<b>reading</b> 191:10	243:2 245:13	<b>recognize</b> 30:15
55:8 60:3 61:12	234:14,17	<b>ready</b> 85:11	245:18 246:2	33:23 55:6
61:13 65:20	248:11,18	202:14 315:13	256:5 264:23	70:18 148:21
66:19,21,23	251:23 262:21	<b>real</b> 40:19 47:14	269:5 295:10	153:20 196:2,2
67:24,25 71:5	263:5,21	71:14 87:5	295:13,18	204:15 262:20
72:19,22 74:5	265:17 267:12	164:23 165:21	306:15	<b>recognized</b> 24:8
77:4 78:11,12	273:23 278:16	284:19	<b>recalculate</b>	30:23 51:25
78:14 79:1,4,10	289:15,16	<b>realities</b> 50:20	212:18	69:16 79:4
79:17,23 83:12	306:24 307:2	<b>reality</b> 30:21	<b>recalculated</b>	236:13 322:5
84:21,22 85:5	308:12 310:8	274:22	212:14	<b>recognizes</b> 76:13
89:20,24,25	313:23	<b>realize</b> 197:8	<b>recall</b> 132:1	<b>recollection</b>
90:8,16 92:13	<b>ratio</b> 211:17	<b>really</b> 28:11 29:7	139:9,22,24	153:5 250:9
92:19 93:9,14	212:5 214:2	37:17 44:11	141:6 142:16	253:17 276:15
93:16 94:5,15	276:22	65:22 66:6	150:18 176:24	<b>recommend</b>
94:18 95:14,14	<b>rational</b> 55:2,4	69:20 71:3,6,8	181:21,23	281:5
95:16,19,19,21	<b>rationale</b> 80:4	77:8 83:2	226:17,18	<b>recommendation</b>
95:23 96:2,4,8	306:22	180:18 185:24	228:25 229:1	30:18 264:25
96:11,13,14,17	<b>raw</b> 33:1	186:11 207:14	230:5,18,20	<b>recommended</b>

29:17	70:25 73:15	263:5 266:17	149:13,19	35:13 111:23
<b>recommends</b>	77:19 97:17	268:17,19	151:15 152:7,9	147:9 231:23
30:17 269:6	98:3,4 100:24	275:9,13	152:11 153:16	232:9 234:3
<b>recompense</b>	104:23 107:14	288:19	155:14 242:25	235:5 240:23
61:15	119:10 122:1	<b>recross</b> 137:12	323:2	250:12 251:4
<b>reconductoring</b>	134:4,8 138:3	287:7	<b>reference</b> 120:19	252:7,21
140:8	159:22 233:12	<b>recur</b> 93:13	147:23 200:25	253:19 254:15
<b>reconsideration</b>	263:13 264:9	113:8	205:14 206:12	275:21 285:11
227:13,14	267:8,12,17	<b>recurrent</b> 113:23	243:3,7 259:22	288:10 289:5
<b>reconvene</b> 290:9	268:4,6	<b>recurring</b> 46:16	259:25 261:8	<b>regardless</b> 47:25
<b>record</b> 18:22	<b>recovered</b> 39:15	58:8 68:25 81:7	289:7 321:5	123:3 216:18
23:6 54:5,15	61:12 87:13	81:15 82:18	323:1	<b>regards</b> 154:23
68:15,23 75:10	97:10 98:1	85:2 87:18	<b>referenced</b> 41:5	<b>regime</b> 57:10
85:25 102:25	126:14 134:5	91:20 92:16,17	93:9 200:22	<b>region</b> 42:7
116:8 120:2	159:15 242:23	93:17,19,19,22	230:18 321:10	132:20 140:11
122:24 123:9	248:23 263:23	97:3,8,10,12,16	<b>referred</b> 153:14	140:13 236:23
123:16 126:1	263:25 267:22	98:2 99:13,19	154:24 157:16	275:8
142:10,13	280:1	102:17,19	295:4	<b>regional</b> 23:21
146:11,17	<b>recovering</b> 30:13	103:5,9,17,19	<b>referring</b> 135:17	27:1 34:9 38:24
153:23 170:16	30:22 64:25	103:20 105:4	157:20 205:10	39:2 132:22,25
181:17 207:20	72:12 78:13	105:11,15,25	287:19,20,23	133:5 138:7
207:23 240:10	88:13 104:8	106:6,9,14	<b>refers</b> 39:22	150:3 158:1,3
241:11 245:5	216:22 263:20	113:12 159:22	<b>refinance</b> 94:22	158:24 159:4,7
257:18 290:12	<b>recovers</b> 88:15	202:22 253:21	<b>refinanced</b> 95:8	212:6,8,25
290:20 291:25	134:9 152:3	253:25 254:4	95:11	213:22,24
293:1,10 294:7	<b>recovery</b> 30:7,11	287:20 288:6	<b>refinancing</b>	214:20,24
298:1,23 318:1	30:15 36:10,15	<b>recycling</b> 271:21	94:21	276:1,2,9,20
318:7,12	36:22 37:1,5,7	<b>redetermination</b>	<b>reflect</b> 18:22	277:2,5,11,18
319:24 320:1	37:9 39:16	101:20	32:16 38:6 43:9	277:23 285:6
321:20 322:14	42:18 45:4 53:4	<b>redirect</b> 127:19	43:11 68:15	<b>regionally</b> 133:6
322:21,24	53:10 59:14	139:3,5 226:8	93:24 231:20	140:18 159:2
324:13	60:2 62:22 69:9	226:11 287:10	258:5 301:12	219:17 221:6
<b>recorded</b> 118:17	71:3,8,11,15,17	287:13 292:25	312:24	<b>region's</b> 243:25
145:8 179:23	71:23 72:2,4,8	293:5,21,21	<b>reflected</b> 93:20	244:3,6
230:25 305:21	96:22 101:22	312:9,12 326:4	112:5 312:20	<b>regular</b> 85:2
<b>recording</b> 91:4	101:25 103:15	326:15 327:5	<b>reflecting</b> 206:17	99:14 186:17
123:20	114:8,9,11,17	327:16	<b>reflects</b> 68:23	<b>regularly</b> 79:15
<b>records</b> 24:23	115:2 118:25	<b>redirects</b> 244:19	155:20 302:3	237:20
25:5 77:11 78:6	119:2,2 120:16	<b>reduce</b> 44:12	<b>refueling</b> 32:20	<b>regulating</b> 36:20
190:2 231:1	121:6,13,16,19	63:6,9	32:21,22	<b>regulation</b> 53:18
302:3	121:23 126:2	<b>reduced</b> 55:12	231:14,15	66:1 152:20
<b>record's</b> 282:7	141:15 174:5	<b>reduces</b> 63:2	271:24 300:23	<b>regulations</b>
<b>recover</b> 26:16	175:4 194:10	<b>reducing</b> 84:22	300:24 301:12	24:12 157:7
29:7 36:17	231:24 233:13	<b>reductions</b>	301:17	<b>regulator</b> 37:6,8
37:19 42:10,13	234:9,12,13,16	183:13,17	<b>regard</b> 274:7	121:8
42:21 43:1	234:20 236:1	<b>refer</b> 23:2 26:6	278:22 313:19	<b>regulators</b> 37:4
45:14 47:21	262:13,20,25	147:19,21	<b>regarding</b> 31:8	<b>regulatory</b> 14:15

24:17 29:6 30:20 36:21 37:1,12 38:1 41:17 42:20 43:9,12 45:4 55:3,4 59:19 64:21 70:8,13 70:18 72:15 76:9 84:14 89:10 97:25 98:4 99:1,6,15 100:4 110:15 110:23 112:4 112:18 114:1 120:3 121:2,3 121:10,10 123:8,8,21 125:25 143:18 145:7 153:14 161:16 172:2 183:1,5,12 186:21 210:20 234:8 236:12 240:15 245:25 247:22,24 248:3,7,17,24 249:7 264:13 264:16 299:24 <b>regulator's</b> 120:18,22,23 121:5 <b>rehabilitation</b> 26:4 <b>rehearing</b> 92:3 321:21,22 <b>reiterate</b> 28:15 <b>rejected</b> 44:10 80:2 319:1 <b>relate</b> 61:7 158:1 158:2 <b>related</b> 39:1 42:5 47:13 61:5 70:21 81:1 82:20 91:21 134:4 144:12 145:6 158:12 158:23,25	188:1 211:16 260:18 283:7 287:25 300:7 329:13 <b>relates</b> 30:8 33:8 <b>relating</b> 14:11 18:10 288:11 <b>relationship</b> 92:23 94:11 255:4 <b>relative</b> 329:15 <b>relatively</b> 66:13 <b>relevant</b> 40:1,9 52:1 55:16 78:22 79:6 83:9 83:14,24 84:17 96:18 97:2 114:19 154:7 154:14 176:6 301:21,24 308:4 315:19 <b>relied</b> 41:13 149:17 <b>relief</b> 82:6 267:21 290:2 <b>rely</b> 124:23 <b>relying</b> 125:13 174:15 <b>remain</b> 141:9 172:15,25 <b>remaining</b> 239:12 <b>remediation</b> 253:24 <b>remember</b> 97:7 98:5 99:15 176:4 206:15 234:1 235:2 261:19 301:6 <b>remembered</b> 135:11 <b>remind</b> 20:18,21 142:14 <b>remove</b> 77:9 303:6 <b>removed</b> 144:10 <b>removes</b> 84:15	<b>renewable</b> 24:4 25:17 260:13 <b>renewables</b> 215:1 238:8 <b>repeat</b> 65:6 296:17 <b>repeatedly</b> 111:1 111:2 112:23 <b>rephrase</b> 179:10 <b>replacement</b> 25:23 196:24 196:25 197:3 197:13 252:16 252:18 259:23 261:8,11,13,20 261:22,22 288:1 <b>replacements</b> 173:17,19,20 197:7 <b>reply</b> 323:23 324:2 <b>report</b> 41:5 64:20 90:23 91:25 109:16 147:23 148:6,12,14,15 148:17 149:16 149:20 150:12 180:19,20,21 180:22 181:3,5 202:4 231:6 243:4,7 269:24 271:10,16 272:16 273:13 310:22 311:3 318:13 321:1,3 <b>reported</b> 14:22 62:19 83:15,22 179:22 182:4 269:2 296:22 305:18 320:8 <b>reporter</b> 18:17 19:8 323:10 329:1,4 <b>reporting</b> 35:21 172:10 256:10 269:10,13	271:7,25 296:22 <b>reports</b> 31:25 32:9,14,15,19 33:2,2 39:21 40:5 59:17 64:15 79:12 167:12 170:18 170:20 180:14 181:20 182:6 182:17,21 204:11 230:5 230:17 243:11 249:20 257:1,5 257:10 269:7 270:18,22,23 271:11 272:5,7 272:12,19 273:17,22 274:15 283:6 299:19 302:1 311:18 321:10 <b>represent</b> 48:10 76:21 86:5 135:21 148:5 148:12 153:11 170:12 174:4 175:1,22 <b>represented</b> 80:23 <b>representing</b> 22:25 <b>represents</b> 86:24 88:14,24 177:21 243:24 <b>request</b> 20:15 21:6 29:18 30:25 31:21 40:2,4 41:18,19 44:2 45:12 51:7 53:14 58:18 67:9 84:24 103:21 104:2 112:1 113:22 117:22,25 144:3,10 171:13 179:25	181:4 186:15 187:9,14 197:18 203:16 237:15 240:3 240:23,25 252:24 254:7 262:24 270:3 277:3 304:12 310:16 <b>requested</b> 35:21 43:5 45:9 47:24 65:9 67:10 79:20 80:7 82:6 123:19 216:10 217:14 228:22 233:6 242:22 251:4 320:5 <b>requesting</b> 30:5 36:4 139:11 157:21,25 158:17 177:24 <b>requests</b> 24:1 51:6 90:12 184:14 251:19 251:20 278:12 279:2 296:4 300:6 303:21 304:3,5 328:4 <b>require</b> 52:19 115:18 118:16 <b>required</b> 33:17 84:16 97:1 99:4 109:17 249:20 271:11,12 284:6 <b>requirement</b> 14:12 38:16 61:13 102:11 167:7 231:21 <b>requirements</b> 18:12 21:7 35:21 72:8 120:15 138:6 281:15 <b>requires</b> 36:19 54:3 224:6 <b>requiring</b> 55:25
---	---	---	---	---

<b>reselling</b> 199:17	38:13 60:20	306:9	44:6 77:17	211:1 212:4
<b>reserved</b> 31:9	159:25 183:1	<b>returned</b> 126:15	80:10 88:20	220:3 221:14
84:25 313:16	183:13 210:8	<b>returns</b> 167:2	142:18 145:15	222:1 225:1
<b>residential</b> 88:24	211:19 212:17	176:12 182:22	151:7 164:8,25	226:9 231:20
<b>resisted</b> 253:12	221:1 237:25	182:22 213:7	165:4 205:5	239:3 240:5
253:12	247:24 252:14	235:24	275:12,18	243:8 244:23
<b>resisting</b> 253:12	258:11	<b>reveal</b> 75:10	<b>reviewed</b> 23:11	246:24 247:25
<b>resolution</b> 218:7	<b>resulted</b> 144:3	111:22	54:19 122:10	256:12 258:14
<b>resource</b> 29:8	191:14 235:9	<b>revenue</b> 38:16	141:21 151:13	258:19 259:6
42:23	<b>resulting</b> 106:2	55:17 61:13	162:24 205:7	262:7,21 263:2
<b>resources</b> 214:9	200:1 266:6	102:11 166:18	<b>Reviewing</b> 202:6	263:21 264:4
<b>respect</b> 51:4 69:8	268:25	166:22,25	202:9,15	265:3 266:3
70:12,13	<b>results</b> 144:22	167:1,7 209:16	<b>reviews</b> 54:13	267:1 268:7,11
171:17 172:11	149:7,24 167:2	210:25 219:24	263:6	269:15,19
301:18 318:25	301:12 308:3,7	220:7 231:21	<b>revised</b> 177:6,20	276:11 278:14
<b>respected</b> 80:14	310:23 311:18	277:22 281:15	295:3 298:3	278:19 281:10
80:16	312:24	<b>revenues</b> 38:7,11	328:6	281:13 282:23
<b>respecting</b>	<b>resume</b> 142:8	38:13,18,20	<b>ride</b> 143:2	283:14 284:4,9
152:19	269:12	39:1,10,14 61:2	<b>rider</b> 154:11	287:22 297:22
<b>respective</b>	<b>retail</b> 278:15	61:5,6,16,22	237:4 271:14	300:8 324:1
105:21	280:1,17,24	66:22 72:23	<b>riders</b> 42:13	<b>rights</b> 89:23
<b>respects</b> 209:14	<b>retain</b> 52:4	79:24 81:19	154:4 236:22	<b>ripe</b> 256:19
<b>responding</b>	<b>rethink</b> 92:5	90:14,18 92:16	275:8	<b>rise</b> 27:14 162:7
287:15	<b>retiree</b> 260:23	92:23 93:2	<b>right</b> 21:3 22:2	<b>rising</b> 27:13
<b>response</b> 144:2	<b>retirees</b> 260:24	94:11 96:4,5,7	46:20 53:12	30:10 44:22
145:14 181:4	<b>retroactive</b> 94:3	104:14 112:15	55:9 59:15	52:22,23 55:10
184:25 240:25	94:9,13 99:25	126:10,18,21	68:25 70:10	55:13,14
304:8,12 306:1	100:5,11,12,21	155:20,25	72:24 74:12,15	<b>risk</b> 94:4,15 97:6
<b>responses</b> 184:24	101:5,16 105:7	156:9,12	75:22 76:14	265:22 308:11
304:4	110:18 113:20	209:16,20,23	95:6 96:9,24	<b>road</b> 30:12 47:2
<b>responsibilities</b>	114:2 187:21	209:25 210:3,5	108:8,9,10,12	106:11 202:19
159:11	<b>retroactively</b>	210:8,11,14,18	108:12,17,24	<b>ROBERT</b> 14:16
<b>responsibility</b>	188:5	210:19 211:12	111:17 127:24	<b>rock</b> 161:24
124:17 265:1	<b>retrofit</b> 152:21	219:21 220:1	129:20 130:25	<b>ROE</b> 79:15
266:10	<b>return</b> 64:17,21	220:15 221:15	131:17 142:4	109:22,23
<b>responsible</b>	64:23 78:16	249:16 275:22	153:6 160:4	138:20 211:21
124:13 214:2	79:16 83:21	277:4,8,10,13	161:13 166:3,6	213:2,3 230:18
<b>rest</b> 228:6	84:2 95:24	278:3,8,24	166:11 167:15	231:13 269:8
<b>restore</b> 56:15,22	100:25 109:13	279:3,11,17,20	169:4 171:1	269:14,25
<b>restoring</b> 56:19	109:25 123:7	280:19,22	174:18 176:7,8	272:18
57:1	131:19 141:5	281:1,8,18,20	176:14 178:14	<b>ROEs</b> 32:2
<b>restricted</b> 122:18	156:18 167:13	282:3,12,14,20	179:21 180:12	181:20 230:4
<b>restrictions</b>	180:20,21	302:4,8 305:23	180:15 181:5	230:21 234:24
172:2	181:8,14 182:4	305:24 307:1	181:12,18	235:6
<b>restrictive</b> 31:19	182:5 262:19	<b>review</b> 20:22	185:5,19,19	<b>Roger</b> 15:10
44:9	269:2 274:21	31:11 32:8 35:6	195:24 196:14	18:22 22:12,25
<b>result</b> 34:20,22	300:25 302:11	35:18 36:2 44:3	205:16 207:4	<b>role</b> 75:16

<b>rolling</b> 269:8 301:8 302:25 <b>room</b> 142:18 173:24 235:11 275:2 <b>rosier</b> 59:16 <b>rough</b> 273:17 <b>roughly</b> 183:7,8 <b>round</b> 67:25 <b>routinely</b> 105:22 <b>RPR</b> 14:22 329:22 <b>RSMo</b> 194:2 <b>RTO</b> 33:9 49:11 72:14 103:24 103:25 147:10 147:24 149:16 150:4 159:1,25 185:10,14 214:10 236:17 238:11,12,14 238:16,18 283:20,24 285:3 286:22 286:24 <b>RTOs</b> 158:13 214:3 <b>rule</b> 24:15 25:21 49:20 93:21 94:1 97:12,14 101:5,16 110:21 112:1,2 112:7 171:19 171:24 194:2 234:11,15 250:9 252:19 262:8 288:20 288:23 316:13 316:15 <b>ruled</b> 68:2 113:15 289:1 <b>rules</b> 25:7 52:19 52:21 53:6,19 56:6,8 57:25 118:15,22 172:7 179:20 192:11 234:5	252:15,22 254:8 288:17 288:18 298:8 <b>ruling</b> 41:14 270:10 <b>run</b> 216:11 <b>Running</b> 193:15 <b>runs</b> 176:6 237:5 <b>rural</b> 87:25 <b>Ryan</b> 21:21 36:24 45:16 115:15 116:3,9 325:13 <hr/> <b>S</b> <b>S</b> 14:15,16 16:19 18:1 <b>safety</b> 25:22 252:7,9 261:6,7 261:18 <b>sake</b> 130:6 <b>salary</b> 63:9 <b>sales</b> 114:22 126:25 188:13 188:15,18,20 209:11,13 210:1 249:23 300:9,10,11,14 300:15 305:23 312:15,16 <b>satisfy</b> 113:1 <b>saving</b> 55:21 <b>savings</b> 33:11 62:6 95:6 283:12 <b>saw</b> 68:16 73:17 195:11 <b>saying</b> 65:16 67:12 72:3 113:9 114:17 197:12 198:2 208:6 214:16 218:11 220:6 257:14 266:4 303:1 310:4 317:9 <b>says</b> 49:20 53:20	58:19 61:6 92:19 100:11 107:7 110:20 110:24 111:6 111:19,21 123:3,22 144:8 150:6 153:25 154:11 157:10 193:18 194:1 195:7,9 198:22 199:7,7,25 200:8 202:18 203:11 204:4 219:21 224:15 228:2 234:7,10 302:5 304:21 314:23 <b>SB</b> 154:3 155:1 <b>scale</b> 110:2 131:24 <b>scales</b> 95:13 <b>scared</b> 205:22 <b>scenario</b> 141:14 162:11 267:22 277:21 <b>schedule</b> 26:1,6 132:2 157:18 184:4 189:8 190:7,8 250:11 258:24 294:21 295:13 302:18 319:18 320:2,6 323:8,15 <b>scheduled</b> 34:5 195:23 <b>schedules</b> 35:25 130:16,23 131:2,16,18 158:21 282:19 282:22 <b>scope</b> 254:12 256:22 313:5 <b>scrolling</b> 173:16 <b>scrubbing</b> 231:18 <b>second</b> 30:8 48:12 49:6,8	50:7,11,24 54:8 58:17 70:21 86:10 87:4 92:6 92:11 107:9 112:10 113:24 120:17 145:12 202:11 259:18 282:17 <b>Secondly</b> 60:11 61:20 <b>section</b> 18:13 21:7 24:19 53:20,23 149:20 153:17 153:20,24 154:20 199:7 199:24 202:18 203:3,10 215:19 <b>sections</b> 79:2 <b>security</b> 25:21 261:3 <b>see</b> 21:8,18 49:16 50:12,13 54:1 73:3,4,6,6,9 74:13 86:20 87:10 95:13,15 96:10 103:5 109:12,18,24 110:4 120:18 127:18 132:10 132:18,19 133:5,7,9 136:1 141:14 147:25 148:20 161:9 161:13,19 162:5 165:1 186:11 192:9 192:21,22 193:1 194:23 195:4,5,6 196:15 197:16 197:17 198:9 200:25 201:19 201:20 205:16 221:15 242:3 243:3 255:4	259:20 290:13 315:24 <b>seeing</b> 107:3,3 127:17 140:16 140:19 220:5 <b>seek</b> 51:21 52:17 78:20 83:10 94:6 118:25 122:20 152:23 153:2 154:1,11 160:7 161:3 171:20,25 174:12 247:17 247:20 248:4 267:20 282:1 289:15 <b>seeking</b> 74:19 103:18,20 114:7 118:21 125:16 210:4 242:21 274:8 280:15 290:2 <b>seeks</b> 122:13 <b>seen</b> 88:18 89:18 90:11 94:17 119:13 132:8 134:15 136:17 136:24 140:25 141:13 148:23 186:24 187:20 188:3,3,4 250:11 289:13 318:4 <b>segways</b> 209:2 <b>Senate</b> 206:23 207:4 208:6 209:3 216:5 217:4 <b>sense</b> 46:12 54:25 57:6,7,8 58:8 87:11 151:6 255:9 265:15 <b>sentence</b> 149:21 153:23,24 154:9,10 194:1 227:15 245:21 245:24 294:16
---	--	---	---	---

<b>separate</b> 92:15 92:25 212:2	168:12 169:8,8 176:22 178:8	<b>shoulder</b> 190:1	38:23 44:20	<b>situation</b> 47:18
<b>separating</b> 197:14	184:24 190:1	<b>show</b> 27:11 28:13	45:3 57:15 58:5	47:23 48:3
<b>separation</b> 95:3,4	192:4 199:25	50:16 62:10	88:14 113:5	87:19 106:15
<b>September</b> 148:7	232:16 275:4	63:14 79:12	223:19 243:24	108:23 262:5
148:8 150:18	<b>sets</b> 24:1 92:19	80:20 82:16	268:1	274:19 277:15
300:14,18	155:16 170:1	87:17 88:9	<b>significantly</b>	278:1 303:14
304:11,17	<b>setting</b> 59:13	89:16 96:23	23:17 25:10	<b>situations</b> 81:3
305:20 309:20	66:19 83:6	114:18 131:18	26:13,19 40:23	111:14
<b>series</b> 49:5	<b>settled</b> 70:2	136:18 181:2	41:23 42:8	<b>six</b> 63:18 89:20
252:11,19	<b>settlement</b>	196:10 201:3	68:13 82:15	89:21 114:6
254:1 287:24	150:21,22,24	223:21 273:13	91:17 113:6	148:10
<b>serve</b> 45:5 55:2	151:3	295:17 300:5	219:13,18	<b>sixth</b> 36:3 37:15
160:2 232:6	<b>seven</b> 21:16 31:2	306:18,25	<b>similar</b> 37:7,7	266:22 271:6
265:12 268:11	89:18 94:21	307:10 316:2	121:12 126:4,9	<b>size</b> 213:23
<b>service</b> 14:2	107:16 155:17	317:8,11,23	207:14,15	<b>SJLP</b> 202:18,23
19:16,19 21:13	<b>seventh</b> 268:24	318:8,17	208:13 209:6	<b>skilled</b> 161:7
23:9 24:11	274:1	<b>showed</b> 91:18	235:15 237:18	<b>skipped</b> 199:24
26:20 38:22	<b>shape</b> 212:11	114:14,14	242:22 249:8	<b>Skipping</b> 63:17
52:13 54:13	<b>share</b> 27:18	167:12 182:21	306:10	<b>slash</b> 271:23
56:13,16,19,22	211:17 212:5,5	<b>showing</b> 115:12	<b>similarly</b> 29:12	276:17 320:6
57:1 87:23	212:10 214:2	290:11 302:8	35:17 45:2	<b>slice</b> 131:21
123:25 133:2	223:2 237:9	<b>shown</b> 79:8	112:21 216:23	<b>slide</b> 82:8,10
150:4 159:6,14	264:25 265:12	111:9 114:24	236:9	108:20
175:10 211:8	276:22 302:22	132:3 138:13	<b>simple</b> 65:3	<b>slides</b> 86:7
211:23 240:14	<b>shared</b> 265:23	272:4 300:18	188:2	<b>slight</b> 289:20
245:10 252:12	266:2,14,16,17	305:21	<b>simplify</b> 77:1	<b>slightly</b> 28:3
252:12,17	276:11	<b>shows</b> 79:22	<b>simply</b> 43:5 44:2	<b>SLRP</b> 259:20
259:22 261:8	<b>shareholder</b> 84:6	82:13 83:18,24	56:2 59:23 65:6	<b>small</b> 158:14
268:14 284:16	<b>shareholders</b>	91:14 108:9	65:23 66:19	<b>Smith</b> 16:18
294:18 329:5	67:1 167:16	136:15 167:22	69:18 70:9	19:12
<b>services</b> 14:23	168:2 223:25	269:13,24	71:14,24 72:1	<b>software</b> 67:15
158:11	265:2,11,23	272:16 296:21	94:7,19 96:21	<b>sold</b> 221:10
<b>serving</b> 77:25	266:3 284:22	303:3,3 304:8	121:4 136:21	<b>solely</b> 167:19
<b>session</b> 206:23	<b>sharing</b> 156:16	304:12	175:2,5 214:17	<b>solid</b> 161:24
<b>set</b> 18:6 24:13	156:22 214:21	<b>Sibley</b> 58:13,15	248:12,18	<b>solution</b> 162:9,20
25:8 53:1,3	234:23	93:8 100:9	316:18 318:2	206:14 207:1,3
65:21 66:9,21	<b>sheet</b> 203:22	106:16	<b>single</b> 115:3	207:13 208:7
67:25,25 72:22	<b>sheets</b> 230:22	<b>side</b> 95:22 108:17	153:17,25	209:1
77:4 78:17,25	275:19	108:17 167:1	216:1	<b>solutions</b> 217:3
79:3,17,23 81:9	<b>shield</b> 88:19	219:15 261:15	<b>singular</b> 48:24	<b>somebody</b> 63:7
85:15,21 92:13	<b>shift</b> 289:20	261:17,20	<b>sir</b> 118:8 120:13	214:1
93:14 100:24	<b>short</b> 46:4 133:8	288:22	120:20 124:16	<b>someone's</b>
126:2 135:21	207:3 222:6	<b>sided</b> 73:25	125:6,15	315:20
157:19 161:21	<b>shorten</b> 239:19	<b>sides</b> 95:15	126:23 309:1	<b>someplace</b> 197:8
161:25 162:1	<b>Shorthand</b> 329:3	210:18 220:21	<b>sister</b> 28:18	<b>somewhat</b> 27:24
	<b>shot</b> 239:20	<b>signed</b> 20:24	53:23	<b>soon</b> 222:19
		<b>significant</b> 28:23	<b>sites</b> 254:2	<b>sorry</b> 82:8 98:17

99:9 113:18	232:10 250:15	158:21 159:6,9	44:8 51:13	228:13 240:18
117:24 161:6	251:19 252:13	159:11,17,21	52:12 58:3,4,6	244:7 254:18
163:24 171:3	255:10 258:2	162:5 185:8,10	58:19 59:2	264:7,25 271:5
184:17 195:6	258:21 261:8	185:10,12,18	61:23 65:7	273:25 304:16
199:23 201:11	289:2,21 302:3	186:18 207:8	69:24 73:8	<b>stage</b> 277:24
207:11,25	316:6 318:4	208:25 209:8	75:16 76:3,5	<b>staggering</b> 89:24
208:5 226:8	<b>specifically</b> 24:15	209:12,13,17	80:13,14,16	<b>Stahlman</b> 21:23
242:14 280:10	26:15 37:4 41:2	211:4 212:3,22	89:4,4,4,5,9	240:4,11,16
300:9 305:19	82:12 90:25	213:19,25	93:9 109:10	242:9 326:18
<b>sort</b> 48:12 50:11	91:14 122:17	219:15,25	115:17 117:18	327:21
67:8 69:10,14	196:1 229:12	220:8 221:1,4	128:10,14	<b>stakeholders</b>
69:14 70:21	256:16 275:11	221:14 222:8	130:1 144:3	35:11 61:23
74:10 75:1,16	277:16 287:23	222:23 223:1	146:22 155:18	160:3
131:6,17 135:6	311:7,12,17	228:4 236:16	155:19 164:20	<b>stand</b> 165:23
209:1 237:3	<b>specifics</b> 301:20	236:17,23	164:25 165:13	168:3 173:25
299:6 306:17	<b>specified</b> 120:23	237:2,16 238:4	168:4,5 183:13	290:13 293:2
<b>sought</b> 80:9	<b>specify</b> 53:24	243:4,11,12,16	233:17,24	295:11
90:21 282:10	123:11	243:19 275:8	234:22 235:14	<b>standard</b> 31:6
283:19 288:3	<b>speculative</b> 306:7	275:10 276:4	238:1 239:20	44:13 54:21,22
<b>sound</b> 156:1	<b>speed</b> 293:18	276:12 277:3	240:23 241:6,9	55:24 58:11,11
264:11	<b>spelled</b> 290:22	277:10 278:8	243:1,15 244:5	60:24 81:4,14
<b>sounds</b> 284:4	<b>spend</b> 56:19,22	278:23,25	244:24 245:14	81:21,22,24
<b>source</b> 212:23	235:17	279:20,20	245:15 246:4	82:3,4 87:11,14
<b>Southwest</b> 23:8	<b>spent</b> 29:4	280:2,3,5	246:11,12,21	91:8,9 102:8,23
23:20 26:24	243:15	282:15,19,19	246:21,24,25	103:7 105:6
78:23 147:7	<b>spike</b> 136:1	283:12,18	254:6 256:6	110:14 113:19
150:10 178:7	<b>split</b> 216:15	284:22 285:3,7	258:12,19	113:25 157:3,6
209:10	<b>spoke</b> 49:15	285:11,15,21	265:11 266:13	157:11 171:23
<b>Southwestern</b>	<b>spot</b> 198:3	285:25	269:6 270:19	200:21 201:1
156:14 234:25	<b>spots</b> 227:9	<b>SPP's</b> 28:25	272:11,15,25	203:13 204:20
<b>sparingly</b> 57:23	<b>SPP</b> 27:3,12,18	130:18 276:10	273:10,20	251:13 314:19
57:24 75:7	27:19,23 33:12	<b>Springs</b> 87:24	277:9,16 279:5	317:18
<b>speak</b> 160:20	33:16 34:7,10	<b>squeeze</b> 57:21	279:10 280:8	<b>standards</b> 24:5
164:16 224:10	35:2,7,12,24,25	<b>squeezed</b> 55:9	280:11,18	25:7,17 41:15
229:7 239:6	38:24 39:2 42:6	<b>St</b> 14:24 56:17	283:1 285:2	58:12 77:16
<b>speaking</b> 140:2	42:13 45:14	88:2 89:24,25	308:14,18,22	78:18 172:17
179:11 276:2	62:6,8,9,15	90:8,16 105:19	308:23 311:1,2	251:11 252:1
<b>speaks</b> 112:21	74:2 124:23	107:15 202:18	314:1 318:24	260:13
<b>special</b> 62:1 77:5	125:13 130:9	203:6,16	322:16,16,17	<b>standpoint</b>
112:8	131:21,22	287:24	322:17 326:17	185:14 186:4
<b>specific</b> 24:16	133:2 134:11	<b>staff</b> 15:16 19:15	327:20	223:16 237:22
25:7 29:21 30:5	134:21 135:25	19:19 21:12	<b>Staff's</b> 21:22	<b>stands</b> 314:23
41:11,18 54:10	136:16,24	22:6 29:24	34:15 36:3	<b>start</b> 18:19 63:19
158:1,3 173:11	137:1 138:6	30:16,18 31:2	37:10,15 59:8	63:24 141:16
187:18 201:1	139:22 140:10	31:16 33:4,7,9	60:15 75:9,11	164:21 165:18
212:21 225:9	140:13 149:4,9	33:22 34:14	75:13 155:16	168:14,18,24
226:24 228:8	158:1,9,18,18	35:5,10,17 38:5	155:16 165:17	170:3 171:10



187:4 193:25 216:22 226:13 229:9 242:4,5 256:3 <b>started</b> 140:4,10 194:15 222:3,4 222:6,9,15,18 227:25 <b>starters</b> 304:21 <b>starting</b> 50:12 231:19 272:20 312:9 <b>starts</b> 199:7 301:6 <b>state</b> 14:1 71:8 116:7 118:12 128:21 143:15 149:15 151:19 152:2 154:4 157:1 166:15 168:7 172:20 172:21 174:14 195:2 198:1 201:4,21,24 211:20,24 212:19 213:3,5 227:10 240:9 240:22 245:4 253:11 262:18 263:16 269:6 269:18 271:17 272:12 284:18 285:6 290:19 294:6 303:15 <b>stated</b> 24:7 44:18 51:14 119:23 130:8 152:6 156:5 179:5 192:19 214:7 230:12 264:13 294:1 <b>statement</b> 22:15 36:19 68:18 74:10 76:22 86:17,19 118:24 155:3 155:10,18	178:13,17,22 179:22,25 195:1,15 196:8 196:9 197:2 198:22 201:2 201:10,11 204:24 205:4 205:13 219:20 314:17 317:5 <b>statements</b> 21:10 21:11 49:16 51:15 155:5 186:9 206:10 258:6 316:3 317:9 325:3 <b>statement's</b> 313:13 <b>states</b> 42:13 83:4 119:16 149:23 195:2 236:21 249:4 256:13 258:15 275:7 <b>station</b> 49:1 <b>statute</b> 24:14 54:10 80:3 <b>statutes</b> 25:6 157:7 <b>statutorily</b> 88:23 <b>statutory</b> 79:2 <b>stay</b> 68:22 69:2 239:15 310:2 <b>stayed</b> 220:10 <b>staying</b> 219:23 220:2 324:11 <b>Steiner</b> 15:10 18:21,23 22:13 22:25 116:3,6 117:5 127:20 127:23 142:23 142:24 143:7 165:11 242:2,5 242:8,15,16 325:14 326:20 <b>step</b> 47:22 50:13 75:19 <b>stepped</b> 241:20 <b>steps</b> 63:9	<b>Steve</b> 15:18 19:18 <b>Stick</b> 111:8 <b>stipulation</b> 24:6 152:18 153:12 153:13 215:25 221:20 247:25 321:7 322:3,4 <b>stipulations</b> 147:6 148:18 322:10 <b>Stoll</b> 92:1 <b>stop</b> 65:3 98:21 164:23 165:20 299:11 <b>storage</b> 25:20 253:7 <b>storm</b> 56:10,25 56:25 57:2 69:14 70:1 97:18 101:13 101:24 102:5 104:22 <b>storms</b> 25:20 56:12,12,17 81:1 <b>story</b> 228:6 <b>straight</b> 90:1 <b>streamed</b> 22:16 <b>streaming</b> 109:5 <b>Street</b> 14:23 16:19 17:11 329:6 <b>stretch</b> 290:8 <b>stricken</b> 144:10 144:17 <b>strictly</b> 308:25 <b>strike</b> 294:16 <b>structure</b> 105:22 304:10,16 313:20 <b>studies</b> 33:16,17 33:20 147:9 149:17,25 150:13 237:13 237:24 283:23 284:3	<b>study</b> 150:25 151:2,6 <b>study's</b> 150:13 151:5 <b>stuff</b> 305:10 <b>sub</b> 53:20,24 <b>subject</b> 25:5 30:19 81:13 101:23 142:19 190:11 194:24 194:25 195:14 196:12 203:23 204:5,19 216:21 228:25 248:22 249:2 256:18,23 276:10 <b>subjected</b> 45:3 299:23 <b>subjects</b> 25:14,16 195:7 228:24 229:13 232:12 250:16 <b>submit</b> 49:23 50:4 67:21 73:13 285:11 322:20 <b>submittal</b> 147:23 149:15 <b>submitted</b> 33:3 148:7 271:17 285:18 300:6 303:21 304:3 307:6 <b>subordinate</b> 58:24 <b>subparts</b> 122:4 <b>subpoena</b> 318:20 <b>subsection</b> 25:2 <b>subsections</b> 24:21 <b>subsequent</b> 100:7 102:12 218:6 259:13 322:3 <b>subsequently</b> 62:8	<b>substantial</b> 42:10 47:22 54:15,25 243:24 <b>substantially</b> 28:15 32:16,22 37:7 42:5 <b>substantiate</b> 127:8 <b>subtle</b> 254:9 <b>suburban</b> 87:25 <b>suburbanization</b> 48:22 <b>success</b> 160:6 <b>successful</b> 178:20 <b>suffered</b> 56:18 114:5 <b>sufficient</b> 33:4 120:2 121:14 267:18 289:18 302:9 307:2 <b>suggest</b> 54:23 58:12 61:10 64:25 204:1 282:11 283:2 <b>suggested</b> 31:2 31:16 33:8,9 43:15 162:10 179:9 266:18 280:18 <b>suggesting</b> 236:21 266:2 267:2 277:24 <b>suggestion</b> 65:9 269:14 <b>suggests</b> 31:23 267:24 <b>Suite</b> 15:6 16:19 17:11 <b>suited</b> 69:5 74:6 <b>suits</b> 295:1 <b>summary</b> 40:13 65:6 149:21 152:16 155:6 234:4 <b>summerize</b> 40:17 <b>Summit</b> 87:24 89:22
---	--	---	--	--

<b>sunset</b> 208:8,16 209:3	157:18 166:13 172:12 189:9	<b>switch</b> 140:9	<b>tables</b> 27:11	92:24 96:13
<b>supplement</b> 295:11,14 298:18 309:24	215:17 241:1 299:15,17 306:17 319:18	<b>sworn</b> 116:4 128:18 143:11 240:6 245:1 290:14 293:14	<b>take</b> 54:5,11 63:9 65:25 66:3 71:6 85:20 93:2 94:4 94:14 99:12 106:22 107:4 108:14,16,25 109:4 110:1 128:4 142:7 148:10 155:13 163:21 194:23 194:25 196:5 196:10 204:5 204:14 206:2 207:18 210:17 213:2 214:9 216:11,24 217:3 220:15 220:20 229:17 239:5 273:14 279:21 290:7 306:21 308:7,8 316:19 317:1 318:11 320:12 320:19 321:1,6 321:20	97:13 99:19,19 99:20 110:17 180:12,13 182:16 203:16 215:17 218:3 227:15 259:4 272:9 305:11 313:19
<b>supplemental</b> 298:6	320:6 327:22 327:23 328:14 328:16	<b>symmetrical</b> 43:6 <b>symmetry</b> 84:23 186:14		<b>talking</b> 38:25 49:24 62:14 67:18 68:9,9 69:25 73:16 98:12 183:3 208:5 210:7 212:6 220:4 234:1 256:21 264:25 265:18 266:1 276:25
<b>supplies</b> 56:14		<b>sync</b> 212:23		<b>talks</b> 101:14 102:7 216:4 299:18 317:14 317:18
<b>supply</b> 171:22	<b>surrounding</b> 202:12	<b>system</b> 23:21 26:23 27:2,4,6 27:9 28:7 34:21 35:9 42:6 46:13 48:24 49:3,7,14 50:11,25 52:6 53:25 54:1 80:1 86:11 90:24 93:20,22 97:13 100:14,15,16 100:19 110:14 110:19,20,25 111:19 113:22 114:22 118:24 125:21 126:3,8 126:16,25 132:8 133:11 140:4,5,5,7,10 141:2 188:13 188:15,18,20 209:18 210:9 243:21,25 244:3,6 249:23 253:13 260:1 278:5 305:23 305:24 317:15		<b>target</b> 111:18 <b>tariff</b> 130:10 151:13 169:7 242:10,19 275:18
<b>support</b> 189:14 308:7	<b>surveillance</b> 31:25 32:9,14 32:15,19 33:1,2 39:21 40:5 64:14,20 79:11 109:16 167:12 170:18 171:18 171:22 180:14 181:20 182:5 182:17 230:5 230:17,22 231:6,19 249:19 269:9 269:13,23 270:18,21,23 271:7,16 272:5 272:7,11,16,19 273:13,17,22 274:15 295:3 296:22 299:19 301:23 302:1 303:16 306:22 307:6 308:10 310:22 311:3 311:18 328:6	<b>systems</b> 48:20 159:10 160:1 278:10 280:7 280:23,24 282:2,5	<b>taken</b> 32:25 59:25 75:18 85:23 101:10 109:15 142:11 207:21 290:10 301:16 316:1,8 329:11,15	<b>tariffs</b> 219:9 <b>tax</b> 253:9,15 254:17 260:9 260:16 <b>taxes</b> 25:19 95:20 252:25 253:7 310:7 313:22 313:23
<b>supported</b> 54:14 191:6			<b>takes</b> 48:2 89:9 107:25 231:16 237:24 318:16	<b>team</b> 190:19 <b>technical</b> 179:7 287:22
<b>supports</b> 47:25 244:5			<b>talk</b> 48:13 61:2 65:19 75:8 89:15 95:17 99:18 106:7 112:23 120:15 121:6 141:17 159:24 163:16 262:16 266:21 299:25 300:22 303:10 315:21	<b>Telephone</b> 156:14 <b>tell</b> 52:22 57:14 70:22 88:13 99:12 100:14 103:23 110:17 114:10 115:4 167:9 172:13
<b>suppose</b> 315:21			<b>talked</b> 90:20	
<b>supposed</b> 21:18 94:12 276:3				
<b>Supreme</b> 78:24 80:2,8 105:6 110:18				
<b>surcharges</b> 154:4				
<b>sure</b> 58:21 59:9 66:4 84:7 132:12,16 142:20 144:7 153:24 156:22 158:5 159:13 170:9 171:2 172:4 173:4 177:3 179:19 181:6 185:13 186:3 188:16 188:17 190:19 194:11,13 202:13 214:16 227:2 232:18 275:5,23 287:22 289:2 299:11 322:13	<b>suspect</b> 208:18 235:19 <b>sustain</b> 162:9 317:25 <b>sustained</b> 188:9 204:22 272:23 272:23			
<b>surprise</b> 191:17 191:20,22,24	<b>Suzanne</b> 14:22 18:17 329:3,22 <b>swayed</b> 75:25 <b>SWEARENG...</b> 16:11			
<b>surrebuttal</b> 25:25 129:3 143:22 147:20 147:22 149:14 152:8,11,12				

185:7 193:17	105:12 131:19	246:3,13 256:5	244:23 249:3	62:22 63:6
205:1 212:22	132:6,11,14	269:5 284:19	254:22,23	64:10 65:18,22
251:1 253:2	141:5 202:20	291:4,9 295:4	255:18,20	66:23,24 68:15
313:21	202:24 235:14	295:11 297:6	286:10,11,14	68:23,23 70:14
<b>telling</b> 71:18,19	<b>testified</b> 57:11	297:21 298:7	287:9 290:3,6	70:16 71:24
71:20 89:11	255:3 302:20	298:18 299:15	292:13,17,21	72:6 74:13,15
92:4 114:8	305:2	299:18,20	293:6,8,9,24	74:18 75:9,11
<b>tells</b> 50:1 89:9	<b>testifies</b> 33:24	300:19 303:9	298:24 299:2	75:18 76:10,12
97:24,25	<b>testify</b> 258:8	303:15,16	307:15,16,18	77:4 82:9 87:4
<b>tempered</b> 100:17	<b>testimony</b> 26:1	304:21 305:12	309:3,6 311:22	98:8 107:5
<b>temporary</b>	27:10 35:4	306:14,15,17	311:23 312:1,4	108:20 111:17
180:10	36:25 49:16	313:13 316:17	314:12 319:3	123:4,6,23
<b>tend</b> 95:16,19	68:17 77:18	319:19 320:7	319:11 321:24	126:19 133:3
96:8 186:3,20	80:12 81:25	327:21,22,23	322:11 324:7	135:17 136:23
<b>tender</b> 117:6	109:11 116:15	328:5,9,12,13	324:10,14	139:8 140:25
129:16 146:8	116:19,22	328:14,15,16	<b>Thanks</b> 287:2	141:5 147:12
246:17 291:21	120:12,15	<b>thank</b> 18:21 19:2	<b>their's</b> 217:11,21	147:15,20
297:16 298:25	122:4 124:12	19:3,9,17,22	<b>theory</b> 65:20	150:8,19,20,23
<b>tenders</b> 241:7	129:2,2,3,7,10	20:3,9,12,14	<b>thing</b> 35:25 70:3	151:8 153:2
<b>tending</b> 95:23	130:8,17,17	45:20,22 47:3,7	75:22 76:7 98:5	155:5 156:20
<b>tens</b> 49:8 50:9	133:4 143:1,20	47:8,11 48:6	104:1 113:24	157:23 161:8
<b>term</b> 77:7 84:5	143:22 144:1,4	52:8,10,14 65:5	161:20 167:15	161:12,19,23
100:7 131:7	147:20,22	65:11,12 76:15	300:21 314:17	166:7 167:21
173:20,21	149:14 151:16	76:16 85:6,7,22	315:11 320:15	168:23 169:4
186:14 188:17	151:25 152:8	86:3,16 115:8	<b>things</b> 21:19 37:3	169:16 170:7
197:11 207:3,6	152:11,12	115:11 117:15	37:9 40:8 51:12	170:14 171:11
207:9 208:7	157:10,12,18	117:19 118:3	70:19 73:3	172:10 174:8
217:1,3 221:3	157:24 158:9	120:4,6,8 124:5	74:16 75:18	175:5,6,11
223:4,7 255:13	160:13 162:6	127:10,12,16	92:21 95:16	177:5,15 180:4
287:22 304:13	166:13 167:10	127:24 128:1	100:16,19,20	180:5 181:9
304:15	172:13,24	131:11 133:12	103:23 111:17	182:25 184:9
<b>termed</b> 180:22	174:8 177:5	134:24 136:9	113:13 145:16	184:10 185:9
<b>terminated</b> 274:4	178:1,19 182:1	137:11 142:1,4	152:23 159:6	185:12,18
<b>terms</b> 112:22	182:3 186:12	143:7 146:23	162:2 170:25	187:14,17,19
251:17 257:2,4	188:8 189:9	150:7 154:18	190:9 204:6	188:8 189:25
265:8 272:21	190:25 191:4	155:12 171:3,5	219:16 230:22	190:11 192:10
274:8 277:16	191:10,13	171:7 175:16	231:8 235:20	195:14,19
279:8	193:6 196:8	181:9 182:8	256:20 293:18	196:17 200:17
<b>territory</b> 211:23	198:1,4,12,16	184:18 188:11	313:9	202:2 203:15
214:1 221:14	199:1 200:15	194:7 198:6	<b>think</b> 22:19	203:18 206:14
252:12	200:18 202:3	204:17 205:19	24:19 27:2	207:3 208:13
<b>test</b> 66:11,14,16	207:7 209:19	206:8 215:8,9	31:12 35:15	212:16,20
66:20 67:3,4,24	215:17 220:12	215:10 218:23	36:8,11 39:22	213:13 214:7
68:2,8 79:24	223:21 224:9	225:13,15	40:14 44:10,11	216:4,13,15
92:20,21 93:10	224:10 228:2	226:5 238:19	48:11 51:25	217:22 218:9
93:15 94:2,10	240:17,21	238:21 239:1,2	52:3 58:3,4,7	220:10 221:22
102:9,10,25	245:14,19	244:8,9,12,15	60:7,13 61:24	222:12 224:9

225:1 226:20	76:23 84:18	94:6,16,25	74:1 299:25	78:10 83:12
227:2 228:10	115:16,19	96:18,19 104:3	323:24	84:22 85:5
228:13 229:9	117:19,21,22	109:24 132:18	<b>timetable</b> 151:8	<b>tool</b> 53:17
229:21 230:17	117:25 118:3,5	133:8 135:23	161:25	<b>tools</b> 50:23 51:3
232:22 233:17	120:5 128:11	136:19 140:3	<b>timing</b> 28:2	<b>top</b> 144:13 249:1
233:20,22	128:14 184:18	140:12 142:14	72:16 135:24	<b>topic</b> 99:18
234:10,14,17	292:12,13	142:22 147:17	136:7,8 137:1	167:10 204:2
234:22 235:2	307:17,18,20	151:3,5 154:17	180:10 218:9	253:23
235:17,25	309:4 314:1	155:14 161:2	222:18	<b>topics</b> 92:10
236:7 237:23	318:24 319:3	166:25 167:1	<b>titled</b> 130:24	103:11 229:2,3
239:19,20	325:7,15	168:9 170:13	<b>titles</b> 130:23	232:10 233:15
242:18 243:23	327:14	172:6,19,23	<b>today</b> 18:3 21:9	233:16 260:13
244:2 251:4	<b>thought</b> 74:1,9	173:4,10	23:3,5,20 45:16	<b>tornado</b> 25:18
252:11 254:18	151:4 167:5	176:16 178:1	45:19 49:25	97:19
254:20 255:6	173:4 186:20	179:2,4,6	65:6 68:18	<b>total</b> 89:19
255:10 257:19	192:14,15	182:19 183:4	70:16 73:14	144:23 145:4,9
258:25 259:5	227:10,21	184:7,11	87:15,16,21	145:10
260:9 261:5	<b>thoughts</b> 71:13	185:13,16	88:6,8 99:13	<b>totality</b> 167:4
264:24 268:12	<b>thousands</b> 33:21	187:22 193:14	104:24 116:22	176:9
268:25 270:2	<b>threatening</b>	205:20 208:19	118:21 129:11	<b>totals</b> 144:22
270:10 274:5	199:14	211:9 213:7	143:5 145:25	<b>track</b> 29:20
275:17 277:14	<b>three</b> 45:16 87:21	218:1 219:9	161:24 164:3	38:22 119:25
277:14,25	88:5,22 89:16	225:2 230:8,15	166:17 169:13	184:5 187:14
284:12 285:6	113:5 136:16	232:18 233:10	185:10 187:12	225:5 227:10
286:9 287:16	183:12,15	233:13 235:18	209:15 218:4	227:11,21
288:21 298:5	225:3 227:9	237:24 239:4	227:1 236:20	257:18 306:12
298:10 300:7	298:19	239:11 241:12	238:15 239:15	<b>tracked</b> 62:18
301:10 304:18	<b>threshold</b> 119:9	243:16 245:17	241:3 246:1	188:20
304:19,25	<b>throw</b> 87:7	246:16 247:18	296:8 297:9	<b>tracker</b> 23:15
306:2,6,14,15	<b>tie</b> 133:24	251:5,10 254:8	299:25 300:23	29:17 38:6 43:5
306:19,21	<b>tied</b> 219:24	263:5,10,11,12	317:10 319:11	43:16,18,20
308:9 314:7	251:19	263:19 264:2,9	<b>today's</b> 78:11,11	48:1 60:6,8,13
315:16 320:9	<b>tilt</b> 108:13 110:2	266:19 267:4	78:12,14 83:11	60:16,18,21
320:12 322:6	<b>tilted</b> 108:12	267:25 270:3	84:23	65:10 82:7 83:2
322:22	<b>time</b> 18:6 20:15	271:1 273:5	<b>toilet</b> 111:4	90:22,23
<b>thinking</b> 71:1	20:25 21:5	286:12 288:5	<b>told</b> 54:20 61:3	125:22 126:4
72:2 169:18	22:11 29:8	289:6,8,14,20	62:17 75:20	126:10,18
261:15	30:12,21 35:18	289:21 290:1	92:7 99:24	145:18 161:12
<b>third</b> 59:4,21	36:2 42:22 44:1	292:23 293:2	100:18,20,21	161:17 186:1,2
62:5 87:12 97:9	44:6 46:13	295:12 296:12	101:4,8 105:9	186:14 187:12
112:14 114:1	48:25 59:7,9	298:3 305:4,9	111:12 112:9	187:21 188:4,5
143:9 283:9	63:24 64:1,8,18	319:8,11	113:10,11,15	188:13,16,19
<b>Thirdly</b> 60:15	67:10,19 68:5,6	323:11 324:11	113:18 133:25	188:25 189:5
<b>Thompson</b> 15:17	68:14 69:15	329:11	205:15 310:14	207:14 208:20
19:17,18 52:14	72:16 74:5 80:3	<b>timed</b> 72:17	<b>tomorrow</b> 71:22	218:4,7,11,14
65:17 70:10	89:23 90:6 92:6	94:21	239:15	227:4 228:17
74:10 75:6	92:7,7 93:1	<b>times</b> 72:24,25	<b>tomorrow's</b>	228:21 258:13

266:25 269:22	38:12,13,15,21	216:11,19,22	222:4,11	<b>truth</b> 317:6,7
270:4 286:24	38:22 39:2,4,5	217:10 218:1	<b>transport</b> 214:10	<b>try</b> 66:8,14,22
<b>trackers</b> 25:16	39:6,7,8,10,13	218:13 219:11	232:6	73:15 74:5,19
36:7 60:11 84:8	39:14 40:19	219:14,21,22	<b>transportation</b>	74:24 84:7 87:9
121:12 122:23	41:3,7,8,25	219:25 220:7	170:12	98:21 128:12
160:7,14,25	42:4,6,14 43:1	220:25 221:2	<b>treat</b> 103:13	161:11 203:20
186:24 187:3	44:12,25 45:7,9	223:11 224:3	115:3 123:13	207:19 284:14
187:24 192:9	45:10,14 46:13	228:9,17	<b>treated</b> 66:5,5	299:8 307:9
192:15 260:12	46:15 47:13,22	231:24 232:4	67:2 108:16	310:2
261:2 269:1,18	48:19,20,24	236:2,15,22	211:13 236:8	<b>trying</b> 39:6 64:16
284:8	49:3,7,9,13,24	237:3,7 238:7	249:5	72:22 134:8,8
<b>tracking</b> 187:7	50:11,13,25	242:21,23	<b>Treating</b> 107:24	160:10 165:16
228:20	52:6,22,24 57:3	243:21,25	<b>treatment</b> 44:1	196:4 197:4
<b>traditional</b> 47:17	57:10 61:4,5,9	244:3,6 249:11	58:6 59:22	226:19 295:22
47:19 48:4	61:16,17 62:13	249:15 256:17	60:21 61:1 62:1	308:11 316:15
66:10 162:10	65:7 72:13 77:3	257:19 258:11	63:12 67:13	<b>Ts</b> 320:18
162:12 251:8	78:5 79:19	262:24 263:12	69:17 74:19	<b>turn</b> 20:16 31:24
251:22	80:21 81:13	265:10,14,16	78:19 106:14	31:24 33:5,5
<b>transaction</b>	82:13,14,17,22	265:25 266:5	123:2 174:16	43:10 142:15
53:22 54:2	83:5,16 85:3	267:8,13 268:9	218:8 224:14	175:23 199:19
113:1,3	88:11 90:21,22	268:13,20	232:17 236:13	202:5 256:4
<b>transcript</b> 14:3	91:4,8,9,15,15	269:11 270:4	236:15,19	<b>turned</b> 103:9
164:1 323:12	91:19,22 95:17	275:9,14,19,25	237:1,2 251:22	106:6 274:3,25
323:15,19	96:16,21	276:1,3,9,20	265:8 266:7,20	<b>Turning</b> 189:8
329:9,10	103:20 107:24	277:2,11,12,23	279:9	<b>turns</b> 102:18
<b>transcription</b>	108:7,14,16	278:5,9,14,18	<b>trend</b> 254:11	<b>twice</b> 92:9 197:10
329:9	110:2,10	278:20 279:3	<b>tried</b> 51:23	202:2
<b>transfer</b> 77:11	123:17 124:21	279:12 280:6,9	101:10	<b>two</b> 21:18 24:20
86:1 211:3	125:12,18,23	280:12,16,20	<b>trigger</b> 58:22,23	46:4 70:19 72:7
<b>transferred</b>	130:7,9 132:23	281:3,9,15,18	<b>trucks</b> 56:15	73:25 80:12
222:11	133:1 134:20	281:22 282:8	<b>true</b> 48:17,18	86:6 88:4 91:25
<b>transition</b> 134:4	138:3 147:11	283:7 284:13	50:6 54:23	92:1 99:22
260:2	150:3 152:3,14	284:16 285:12	61:11 83:23	102:20,22
<b>translated</b> 329:8	155:20,22,25	302:15,19	111:8 117:2	113:4 120:15
<b>transmission</b>	156:2,8,11,12	303:2 307:3	129:13 136:3	129:1 130:8,23
23:7,9,13,21,21	158:2,3,7,12,16	<b>transmissions</b>	158:4 189:3	131:2 144:14
26:16,18,21	158:24 159:2,4	208:15	198:24 200:16	144:15 145:1
27:2,4,12,15,19	159:7,10,16	<b>transmit</b> 45:5	201:12 208:25	148:9 150:8,16
27:24 28:3,7,14	162:8 167:20	<b>Transource</b>	246:8 250:10	158:23,25
28:19,24,25	170:12 173:7,9	135:7,9 137:20	276:14 283:5	161:14 167:25
29:10,11,17,21	173:13 177:7	137:24 138:2,5	291:15 297:12	173:6 178:6
30:2,6,11,20	178:7,18	138:10,16,19	307:7 329:10	197:4 202:23
31:4,9 34:10,18	206:13 207:8	210:22 211:5	<b>true-up</b> 39:11	211:7 217:25
34:20,21 35:9	209:8,16,21	211:12,15,17	210:12 298:16	223:18 225:3
35:14,18 36:5	210:2,6,9,16	211:22 212:7	<b>true-ups</b> 145:19	252:23 254:25
36:13,18 37:20	213:15,18,20	212:19 221:9	295:22 298:16	255:11 256:20
37:25 38:7,8,11	214:5,8 215:21	221:11,20,23	<b>truly</b> 235:23	256:24 296:5

298:19 305:15 308:24 323:17 323:18,22 <b>tying</b> 197:13 <b>type</b> 20:17 45:10 55:17,17 56:4 63:8 64:2 80:8 84:13 133:10 192:18 209:9 251:15 253:9 261:9 262:5 288:1 302:7 <b>types</b> 24:2 25:15 26:10 33:20 42:15 81:3 137:5 175:8 232:11 301:21 <b>typical</b> 60:1 69:15 82:14 91:16 113:7,14 147:12 263:14 <b>typically</b> 32:10 33:3 65:21 66:8 67:20 134:9 147:5 231:4 266:18 272:7 280:17 281:11 288:15 295:10 298:7 310:23	<b>uncertain</b> 44:22 <b>uncollectible</b> 25:22 105:16 105:17,18,20 105:22 106:1 197:19 200:1 201:5,7 <b>understand</b> 51:5 70:3 87:4 92:13 138:23 151:12 158:5 169:20 189:4 214:16 318:6,23 <b>understanding</b> 118:6 141:20 154:8,10,15 156:6,10 168:17 175:7 242:20 243:6 247:19 250:2,5 250:7 270:17 270:24 275:24 277:6 278:6 284:1 285:17 285:20,23 320:10,14 <b>understood</b> 111:25 <b>unduly</b> 60:18 <b>unexpected</b> 56:17,24 73:20 <b>unfair</b> 61:3,4,6 <b>unfortunately</b> 29:23 <b>uniform</b> 25:4 86:11 90:24 93:20,22 97:13 100:14,15,16 100:19 110:14 110:19,20,25 111:19 113:22 118:24 125:20 126:3,8,16 317:15 <b>Uniformly</b> 76:21 <b>unilaterally</b> 258:1	<b>Union</b> 16:16 156:14 251:5 <b>unique</b> 56:3,9 57:9 58:9,14 75:16 81:6 102:16 103:17 103:19,25 106:3 157:4 159:18 200:3 <b>unit</b> 152:21,22 242:11,19 245:12 265:24 <b>United</b> 200:10 259:3,3 <b>unnecessary</b> 31:19 <b>unprecedented</b> 23:19 27:1 42:3 46:12 52:6 133:10 <b>unreasonable</b> 62:16 <b>unrecovered</b> 53:7 <b>unusual</b> 24:10 56:3,8 57:8 63:20,21 81:6 82:19 91:20 102:16 103:4 103:17,18 106:3 113:4 140:21,22 157:4,15 159:18 163:25 200:3 <b>unworkable</b> 51:17 <b>update</b> 295:17 301:7 <b>updated</b> 147:16 294:21 <b>updates</b> 145:19 <b>upgraded</b> 47:14 <b>upgrades</b> 260:1 <b>upkeep</b> 140:7 <b>upset</b> 80:6 <b>upwards</b> 110:4	<b>usage</b> 96:3,10 <b>use</b> 66:10,20 67:21 94:10 104:19 105:13 111:14 171:20 210:1 278:9 280:6,23,24 282:2,4 306:22 306:23 318:17 320:16 <b>USERS</b> 17:9 <b>uses</b> 170:19 <b>USOA</b> 97:3,15 97:22 98:25 101:6 105:5 111:23 112:6 112:10,25 127:1,4 224:6 224:12,15 228:12 255:11 317:20 <b>USOA's</b> 112:17 113:25 <b>usual</b> 58:9 81:15 <b>usually</b> 93:9 262:14 <b>utilities</b> 24:24 25:5 26:14 40:20,25 47:15 50:16 51:1 66:1 66:4 67:12 77:2 77:8,19 78:9,14 78:15,17,20 81:2,4,13,16,22 81:23 82:2,25 83:10 87:7,21 88:5,7,15 89:16 90:3 94:4,14,18 97:5 100:13 106:5 118:25 158:14 172:19 173:22 236:10 236:10,25 251:12 252:22 256:8,23 259:11,16 262:7,12	269:17 272:12 273:12 276:7 288:23 <b>utility</b> 24:15 25:12 36:20 41:24 48:17 53:17,25 55:12 56:11 65:21 66:24 67:9 69:12 70:5 72:25 73:1 77:24 80:18 82:11 84:6,7,20 88:16,18 89:4 91:13 95:17 99:3 103:25 104:3 105:8 112:14 113:7 113:14 174:4 200:9 214:7 236:19 248:19 260:24 263:15 263:18 264:21 265:2 266:11 269:23 273:2 273:21 291:2 300:11 302:2 <b>utility's</b> 66:9 77:14 81:24 83:1,15,17 84:15 156:18 157:13 254:7 265:17 <b>utilization</b> 189:21 209:17 <b>utilize</b> 50:23 51:3 153:3 154:2,11 156:25 216:20 217:7 271:13 320:11 <b>utilized</b> 157:8 <b>utilizing</b> 228:21
<b>U</b> <b>UCCM</b> 78:23 79:4 80:1 100:7 101:23 <b>UE</b> 151:20 <b>Uh-huh</b> 191:25 218:24 222:2 <b>ultimate</b> 266:6 <b>ultimately</b> 221:10 <b>unacceptable</b> 268:21 <b>unaddressed</b> 293:22 <b>unadjusted</b> 33:2 39:20 40:5 <b>unaware</b> 196:17				<b>V</b> <b>vacuum</b> 115:3 <b>valid</b> 60:14 <b>value</b> 30:21

34:25 59:9 233:10,13,15 263:19 264:2,9 <b>variations</b> 26:22 42:1 <b>variety</b> 288:12 <b>various</b> 24:1,2 51:22 122:4 133:3 135:24 137:4 140:7 150:3 164:9,10 <b>vary</b> 149:4 <b>vein</b> 239:23 <b>vengeful</b> 264:12 <b>verify</b> 20:25 21:9 22:3 <b>version</b> 291:6,20 297:20 <b>versus</b> 34:2 39:7 238:11 300:12 305:20 310:17 <b>vice-president</b> 143:18 <b>view</b> 60:15 86:2 89:13 228:5 233:4,8 238:10 254:4 279:19 <b>viewers</b> 22:21 <b>viewpoint</b> 89:7 <b>violate</b> 100:6 <b>violates</b> 105:5 113:22,24 114:1 <b>violation</b> 93:5 <b>visited</b> 59:7 <b>visiting</b> 176:1 <b>volatile</b> 44:21 60:19 <b>voltage</b> 133:3,4 136:4 214:21 <b>Volume</b> 14:7 <b>voluntarily</b> 247:17	<b>waiver</b> 14:11 18:11 21:6 <b>walk</b> 290:8 <b>want</b> 20:25 52:8 52:20,23 53:5,8 75:8,10 85:13 86:19 89:3 90:3 90:9 92:11,12 93:3 95:9,19 99:18 103:5 104:5,6 106:7 107:1 108:14 108:25 110:1,5 110:6,8,9,16 111:3,7,8 114:11,25 115:1,2 163:17 181:17 194:22 196:1,2 198:15 199:21 201:3 204:15,15 216:15 220:12 221:18 223:9 229:25,25 232:9 239:4,5,9 242:3,4 246:18 282:21 315:25 320:15 322:7 323:12 <b>wanted</b> 83:2 105:16 293:11 <b>wanting</b> 187:11 187:12 251:21 318:11 <b>wants</b> 56:21 96:1 96:4 107:20 108:13 168:10 <b>War</b> 48:21 <b>Washington</b> 110:21,24 <b>wasn't</b> 97:21 194:16 218:2 227:11 295:18 <b>wasting</b> 64:9 <b>watch</b> 133:25 <b>water</b> 173:18 259:3,3 261:13	261:16,20,21 287:24,25 <b>wave</b> 50:9 <b>way</b> 55:15 57:13 58:9 65:20,22 66:9,21,24 67:21 69:19 70:5,7 75:2 77:2 87:20 88:15 98:21 114:9 121:18 123:14 139:12 140:24 144:18 159:12 189:5 207:4 213:5 214:18 229:6 239:6 260:21 262:2 279:6 281:24 299:8 <b>ways</b> 94:20 96:20 140:7 <b>weather</b> 25:21 32:13,14,16 199:10 230:23 271:18 272:1 299:25 300:2 300:13,14 312:15,15,21 <b>website</b> 243:7,12 285:24 <b>Webster</b> 50:1 <b>Webster's</b> 49:25 <b>weeds</b> 322:1 <b>week</b> 296:5 321:12 323:17 <b>weeks</b> 323:17,18 323:22 <b>weighted</b> 123:18 233:7 <b>weights</b> 73:10 <b>welcome</b> 218:24 <b>went</b> 195:18 219:10 238:13 <b>weren't</b> 227:13 238:16 <b>western</b> 87:25 88:4	<b>we'll</b> 18:19 22:19 23:2 47:9 52:12 65:13 76:17 85:9 114:17 142:8,10 162:8 162:19,20 179:1 196:15 204:7,13 206:14 212:21 239:25 240:2 290:9 292:24 293:12 296:15 <b>we're</b> 23:4 28:16 38:25 39:6 46:12 49:24 50:12,12 62:13 63:11 67:14 68:9,9 71:5 72:1,2 73:15 85:24 92:11 97:9 98:2,12 100:3,4 103:23 114:7,8,17 128:8 139:18 140:15 154:15 158:6 161:10 162:19 172:9 177:22,24 180:4,5 184:3 188:8 208:13 208:19 213:7 213:11,24 215:1 219:13 220:4 226:25 229:8,16 236:11 239:8 239:14 256:20 265:5,17 266:1 266:7 274:6 276:25 277:24 295:16,22 298:22 301:5 303:4 304:19 309:25 312:9 316:18 320:19 321:6 324:13 <b>we've</b> 39:12	48:15 50:4 51:14,15 75:20 94:17 96:13 114:24 134:15 134:15 140:25 144:10 147:12 167:22 176:17 183:1 185:11 204:9 207:6,15 209:15 210:6 210:13 218:3 219:8 220:20 228:2 229:15 233:6 261:25 278:20 295:12 303:21 315:14 318:4 <b>whack</b> 73:3,5,7 73:11 <b>whichever</b> 85:13 212:14 <b>whimsical</b> 54:16 <b>Whitney</b> 15:19 19:18 <b>wholesale</b> 96:5,6 96:7 209:14 316:16 <b>wide</b> 132:21 140:11 <b>widely</b> 276:4 <b>William</b> 14:17 21:25 290:21 291:3 327:7 328:9 <b>willing</b> 200:17 202:3 <b>wind</b> 238:8 <b>windfall</b> 94:19 94:23 <b>winning</b> 108:10 <b>Winston</b> 17:5 <b>winter</b> 56:11 106:2 199:11 200:2 <b>wisely</b> 51:25 <b>wish</b> 128:3 161:6 229:19 240:20
---	---	--	--	--

251:7	115:11,24	79:14 112:17	<b>Y</b>	89:22 102:3
<b>witness</b> 21:9,24	124:8,9,11	153:1,2 220:6	<b>Y</b> 14:17	103:6 105:1,1,2
21:25 22:9	127:9 128:6	227:8 228:13	<b>yard</b> 252:17	107:17 111:2,9
29:25 36:24	133:16 137:14	245:23	<b>yeah</b> 46:16	114:6 131:23
80:12,13 81:20	137:17 139:1	<b>work</b> 53:25	108:22 121:8	135:20 136:16
83:22 115:15	165:5 182:10	125:9 128:23	142:24 176:17	151:4 156:16
116:2,4 117:7	182:12,14	167:5 170:25	178:10 180:23	167:11,14,25
117:13 128:4	184:13,17,19	187:5 221:25	181:12 182:12	172:4,22
128:18 129:17	185:2,7 188:11	222:4 239:6	187:17 193:8	181:22 182:17
129:22 142:8	193:9,12,16	245:9 290:23	200:23 209:6	183:3 190:15
143:9,11,12	195:17,22,24	290:24	212:10 213:4	208:24 214:6,8
146:8 148:2	196:4,19 204:7	<b>worked</b> 188:25	215:12 216:4,7	229:14 230:4
153:8 155:7	204:17,18,23	189:2 218:9	216:13 218:21	238:12 249:7
165:22,24	205:17 226:3,4	<b>working</b> 35:1	234:4 280:22	253:4 254:15
182:11 193:10	228:24 229:5	114:23 182:15	303:19	259:1 260:10
196:5,16	230:3 238:13	<b>works</b> 67:3	<b>year</b> 26:19,19	262:12 271:3,4
204:10 226:6	241:15,16	139:14	27:14,16,21	308:19,22
228:14 233:17	247:3,4,7 259:5	<b>World</b> 48:21	28:20 29:12	314:1
238:22 239:25	260:9 261:6	<b>worried</b> 57:16	42:8,25,25	<b>yielding</b> 149:6
240:6 241:7,13	292:4,5 293:19	<b>worry</b> 71:2	66:11,17 67:3,5	<b>Y2K</b> 259:20
243:1 244:21	293:20,23	<b>worth</b> 107:6	67:24 68:2,8,19	260:2
244:24 245:1	294:3,5,24	167:11 181:22	69:13 91:19,25	<b>Z</b>
290:5,13,14	295:6,16 296:4	191:5 263:24	92:20,21 93:10	<b>zonal</b> 140:6,10
291:21 293:14	296:9,18	<b>wouldn't</b> 37:21	93:15 94:3,10	275:25 276:5
293:17,17,20	297:15,22	51:8 132:18,19	95:25 96:1	<b>zonally</b> 136:4
294:2 296:14	298:24 312:10	137:23 166:24	102:9,10,25	<b>zones</b> 130:7,9,13
297:16 298:25	312:11,13	168:3 179:15	105:12 125:9	<b>\$</b>
314:20 316:14	313:8,18	210:5 222:17	125:12 131:19	<b>\$1</b> 306:3
318:21 327:10	314:10,16	231:5,5 267:6	131:25 132:6	<b>\$11</b> 27:16
<b>witnesses</b> 21:17	315:4,7,10,12	267:14 268:16	132:11,14	<b>\$19.1</b> 29:9
21:21,22 22:5	315:23 316:7	271:6 274:10	141:5 149:7	<b>\$22.8</b> 95:11
30:1 39:17	316:11 317:3	277:9 281:19	150:9 167:23	<b>\$35.4</b> 95:6
45:16 80:12,24	318:6,15,23	284:13	167:23,24	<b>\$4.5</b> 178:5
84:11,13	319:4 320:4,9	<b>wrapping</b> 253:18	180:11 182:21	<b>\$5</b> 83:5
142:16 143:4	320:21 321:13	<b>write</b> 69:12 205:4	182:23 184:8	<b>\$9</b> 223:17,17
239:13,20	321:19,24	205:8	184:10 187:13	<b>0</b>
306:16 318:20	323:4,18,24	<b>write-offs</b> 36:9	187:16 207:5	<b>0077</b> 18:15
325:12 326:17	324:4,7 325:10	<b>writing</b> 72:9	222:13 223:5,6	142:14
<b>witness's</b> 316:17	325:17 326:3	<b>written</b> 19:1,14	223:22,23	<b>008-45</b> 201:20
<b>Wolf</b> 183:4,9,11	326:11,24	20:8 37:8 69:18	224:4,4 260:2	<b>01</b> 258:24
271:1,24	327:12,16	322:21	272:3,3	<b>0164</b> 192:24
301:15	<b>Woodsmall's</b>	<b>wrong</b> 51:19	<b>years</b> 27:23	<b>0174</b> 321:2,16
<b>Woodsmall</b> 17:4	293:18	71:6 75:24 76:7	28:13 49:4	<b>0175</b> 219:9 321:3
20:12,13 82:9	<b>word</b> 198:7,7	76:11 92:4	51:23 57:12	321:17
85:11,17 86:3,4	245:22	306:18	66:1 73:25	
86:10 98:10,19	<b>wording</b> 284:18	<b>wrote</b> 227:5	79:24 80:15,17	
108:22 109:7	<b>words</b> 56:4 75:11		82:18 89:18,20	



<b>0179</b> 148:19	<b>116</b> 325:14	206:20 208:23	130:16 131:16	147:23 148:6,8
<b>0239</b> 321:8,15	<b>118</b> 325:15	317:14	135:5,18	149:15
322:1	<b>12</b> 90:7 109:19	<b>16th</b> 15:12	137:19 138:15	<b>2012</b> 27:17 28:20
<b>060</b> 194:3	109:21,23	<b>16,857,013</b> 145:4	148:25 152:22	132:6,11 300:9
<b>1</b>	142:6 151:16	<b>16.4</b> 29:14	194:2,3 240:22	305:21 309:20
<b>1</b> 58:15 86:8	151:25 152:8	<b>17</b> 130:8 152:8	245:14,21	310:18 313:17
116:16,24	156:19 263:16	198:7 258:8	246:3,12,21,24	321:2,3,16,17
117:2,6,10	269:8 294:15	<b>171</b> 326:9	248:14 300:6,7	<b>2012-0166</b>
120:17 130:16	296:24 300:13	<b>175</b> 326:10	300:7,10 306:1	215:18
131:16 135:5	300:17 301:8	<b>179</b> 154:3 155:1	322:15,17	<b>2013</b> 28:12 29:9
137:19 138:15	305:11,19	216:5	327:22 328:13	29:11,15 83:5
149:20,20	309:19 310:17	<b>18</b> 149:14 301:16	<b>2nd</b> 78:23 222:12	83:20,21 92:3
152:21,24	<b>12,315,646</b> 145:3	304:3	<b>2/19/91</b> 58:16	95:6 109:21
154:1 155:19	<b>12.3</b> 29:13	<b>18th</b> 92:3	<b>20</b> 149:15 167:11	144:15,25
155:19 179:12	<b>120</b> 63:25 325:16	<b>182</b> 23:6 161:18	167:14 181:22	145:3 177:7,25
193:24 240:18	<b>1200</b> 15:12	161:21 179:20	182:16,21,23	178:2,6,15,16
241:7,9 291:2,5	<b>124</b> 325:17	192:11,16	183:3,8 190:15	178:23,24
291:19,23	<b>128</b> 325:19	224:13 228:12	223:22 230:4	179:2,12,22
320:6 322:14	<b>128.3</b> 90:25	234:6 326:11	245:21 271:3,4	180:6,12
322:17,18	255:17	<b>182.3</b> 99:8	301:10 305:19	187:18 219:8
327:21 328:9	<b>13</b> 151:25,25	110:15 112:16	<b>200</b> 16:19 58:15	220:8 223:18
328:12	240:22 241:1	112:21 119:23	329:5	294:23 296:23
<b>1st</b> 153:3	299:18 306:16	125:24 126:11	<b>2000</b> 199:11	296:23 300:14
<b>10</b> 36:19 49:4	<b>130</b> 325:20	126:19 179:9	200:2 203:6	300:18 305:20
74:1 243:8	<b>131</b> 325:21	179:23 255:6	260:2 288:4	309:15,16,20
249:7 253:4	<b>133</b> 325:22	<b>186</b> 106:17	321:17	310:7,17
254:15 290:8	<b>135</b> 325:23,24	<b>19</b> 147:22 215:19	<b>2000s</b> 185:13	<b>2014</b> 14:5 18:4
299:17 302:19	<b>136</b> 325:25	223:22 258:8	<b>2000/2001</b> 106:2	18:14 142:13
302:22 323:17	<b>137</b> 326:3	294:15 304:4	<b>2001</b> 135:16	178:25 179:1,6
323:25	<b>139</b> 326:4	<b>19,098,983</b>	199:11 200:2	<b>2015</b> 152:24
<b>100</b> 66:1 67:9	<b>14</b> 144:8 151:17	144:24	200:11	153:4 154:1
138:12,12	219:20 223:21	<b>1950s</b> 27:6	<b>2002</b> 105:11	161:1 183:25
214:6 277:22	256:5 294:22	<b>1980s</b> 251:18	135:16	184:8 211:8
<b>1000</b> 49:12	295:5 300:19	252:10	<b>2005</b> 140:12	216:6,9,17
<b>101</b> 15:6 17:11	303:8 306:16	<b>1984</b> 101:13	247:22 321:8	247:18
<b>106</b> 25:24 173:7	312:21	<b>1986</b> 101:13	322:1	<b>2016</b> 27:18 28:21
232:11 250:18	<b>140</b> 79:2	<b>1990s</b> 156:17	<b>2006</b> 140:12	135:23
251:2,4,9,13	<b>140.8</b> 53:20	289:11	188:14	<b>2017</b> 34:6 147:16
259:4,6,9,10	<b>143</b> 326:7	<b>1991</b> 102:6	<b>2006-0142</b>	151:2,7 211:9
<b>11</b> 148:7 152:10	<b>147</b> 248:23 326:8	<b>1992</b> 251:6	148:19	284:3
162:12,14,14	<b>15</b> 28:21 49:4	<b>1993</b> 100:10	<b>2007</b> 90:13	<b>2018</b> 150:18
166:15 198:5	151:17 161:1	<b>1995</b> 103:25	<b>2008</b> 185:20	<b>2019</b> 27:14
<b>11th</b> 14:23 323:9	184:5,11 256:5	<b>2</b>	<b>2009</b> 140:14	<b>2020</b> 135:23
<b>11:30</b> 115:13	<b>150</b> 79:3	218:13 21:7	148:19	<b>2022</b> 27:20 28:22
<b>11:44</b> 128:3	<b>16</b> 27:21 28:22	58:25 86:15	<b>2010</b> 140:3	42:8 46:6
<b>111</b> 16:19	162:6,15	129:3,16,20	<b>2011</b> 46:6 132:5	135:20 162:7
	167:23 206:12		132:11 140:3	206:21

<b>2030</b> 132:1,4 141:11 <b>2040</b> 132:1,5 141:11 <b>205</b> 321:15 <b>206</b> 326:12 <b>208</b> 194:2 <b>21</b> 152:9 215:18 <b>21st</b> 323:21 324:6 <b>215</b> 326:13 <b>219</b> 326:14 <b>22</b> 152:10 325:4 <b>221</b> 17:11 <b>2230</b> 16:5 20:1 <b>226</b> 326:15 <b>23</b> 149:6 152:9 <b>23rd</b> 203:6 <b>24</b> 135:20 152:10 <b>24,033,07</b> 145:1 <b>240</b> 18:12 21:7 194:3 326:19 <b>240-4.020(2)</b> 14:12 <b>242</b> 326:20 <b>245</b> 326:23 <b>247</b> 326:24 <b>25</b> 28:21 51:23 147:21 149:14 <b>25.9</b> 29:12 <b>254</b> 125:25 126:11,19 228:12 255:6 <b>255</b> 326:25 <b>256</b> 327:3 <b>26</b> 245:20 262:17 263:16 <b>26th</b> 187:18 228:21 <b>27</b> 256:4 258:7 264:22 <b>270</b> 79:3 <b>28</b> 14:5 <b>28th</b> 18:4 <b>283</b> 89:19 <b>286</b> 327:4 <b>287</b> 327:5 <b>29</b> 119:24 308:19	308:22 314:1 <b>290</b> 327:8 <b>294</b> 327:12 <b>299</b> 327:13 <hr/> <b>3</b> <b>3</b> 120:14,17 121:7 129:4,16 129:21 155:15 184:15,20 185:3,5 245:15 245:21 246:4,4 246:12,22,25 269:5 322:15 322:16,17 327:23 328:4 328:14 <b>3rd</b> 58:15 <b>3:46</b> 239:4 <b>30</b> 80:15 102:3 103:6 111:2,9 148:8 150:18 260:10 267:5 267:23 <b>30th</b> 304:17 <b>307</b> 327:14 <b>309</b> 327:15 <b>31</b> 99:9 119:24 <b>314</b> 14:24 <b>317</b> 327:16 <b>32</b> 80:16 260:10 <b>339.140</b> 24:19 <b>345</b> 49:9 <b>35</b> 27:17 <b>360</b> 15:20 19:20 <b>39</b> 89:24 <b>392</b> 194:2 <b>393</b> 53:20 <b>393.130</b> 79:2 <b>393.140</b> 53:24 <hr/> <b>4</b> <b>4</b> 14:12 18:12 21:7 24:21 53:24 120:17 121:6 143:21 144:3,7 145:25	146:7,10 149:1 149:1,4 151:16 163:12 165:14 194:2 195:2 202:5,17 243:2 294:11 297:16 297:19,25 300:7 322:15 322:16,18,23 327:24 328:5 328:15 <b>4th</b> 321:12 <b>4,284,528</b> 145:13 <b>4,541,367</b> 145:13 <b>4,873,572</b> 145:11 <b>4,934,034</b> 145:11 <b>4.020</b> 18:12 21:7 <b>4.2</b> 83:7 <b>4.5</b> 177:21 178:4 179:17 302:21 302:22 <b>4.8</b> 177:6 <b>4.9</b> 177:8,20 178:4,5 179:16 <b>40</b> 148:6,13,13 <b>400</b> 15:6 <b>41</b> 78:23 <b>42</b> 25:2 <b>443-3141</b> 16:21 <b>45</b> 27:19 <b>456</b> 16:12 <b>47</b> 304:11 325:5 <b>48</b> 325:6 <b>49</b> 304:11 <b>49.47</b> 304:11 <b>49.7</b> 84:3 <hr/> <b>5</b> <b>5</b> 28:19 31:6 83:19 120:18 121:6 143:23 144:11,13 145:25 146:7 146:15 147:21 177:17 264:23 294:25 295:3,7 296:19,20	297:16 298:2 298:23 300:7,7 300:10 302:18 302:25 304:17 322:16,19 328:6,16 <b>5:03</b> 290:11 <b>5:47</b> 324:16 <b>50</b> 149:5 <b>50s</b> 141:2 <b>52</b> 325:7 <b>52.5</b> 84:3 <b>52.56</b> 304:10 <b>556-2314</b> 15:14 <b>556-6622</b> 17:13 <b>560</b> 144:9,9,14,18 145:15 157:24 212:13 <b>561</b> 144:9 212:14 <b>565</b> 156:11 212:17 <b>57</b> 79:7 <b>573</b> 15:8,22 16:7 16:14,21 17:7 17:13 <b>58</b> 89:21,21 <b>585</b> 78:23 <hr/> <b>6</b> <b>6</b> 145:6 155:15 201:3 262:17 315:3 322:20 328:7 <b>6.19</b> 304:16 <b>60</b> 36:6 63:25 114:5 234:3 267:6 <b>63101</b> 14:24 <b>635-7166</b> 16:14 <b>636-6758</b> 15:8 <b>64105</b> 15:13 <b>644-2191</b> 14:24 <b>65</b> 90:1,8,19 107:16 325:8 <b>65101</b> 15:7 17:6 17:12 <b>65102</b> 15:21 16:6	16:13 19:21 20:2 329:6 <b>65201</b> 16:20 <hr/> <b>7</b> <b>7</b> 41:4,14 51:10 91:1 93:23 97:23 98:25 99:6 111:20 112:19 113:3 119:18,22 153:16 199:4 224:5,11,13 225:7 255:5,15 306:1 <b>7th</b> 323:10,16 324:2 <b>702</b> 206:23 208:6 209:4 217:5 <b>71</b> 36:19 118:24 <b>711</b> 14:23 <b>751-3234</b> 15:22 <b>751-4857</b> 16:7 <b>76</b> 325:9 <b>797-0005</b> 17:7 <hr/> <b>8</b> <b>8</b> 24:21 53:20 166:15 199:20 200:7 317:14 <b>80s</b> 271:1,2 <b>807</b> 17:5 <b>816</b> 15:14 <b>86</b> 325:10 <b>87</b> 252:4 <hr/> <b>9</b> <b>9</b> 166:15 200:11 203:2,4 243:3 <b>9.70</b> 109:13 <b>9:06</b> 18:2,4 <b>90s</b> 156:21 185:12 235:3 271:2 287:25 <b>92</b> 277:4 <b>980</b> 36:18 120:11 120:16,21
---	--	--	---	---

**EVIDENTIARY HEARING 1/28/2014**

122:4,8,10,17  
123:3,12,22  
174:3