

1		STATE OF NEW HAMPSHIRE
2		PUBLIC UTILITIES COMMISSION
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4	October 23, 20: Concord, New Ha	
5	Concord, New Ho	NHPUC OCT 26'15 AM 9:37
6	DE <b>D</b>	G 15-391
7	L:	IBERTY UTILITIES (ENERGYNORTH NATURAL GAS) ORP. d/b/a LIBERTY UTILITIES (KEENE DIVISION):
8		inter 2015-2016 Cost of Gas.
9	DDE GENTE.	Chairman Markin D. Hanishan D. Danishan
10	PRESENT:	Chairman Martin P. Honigberg, Presiding Commissioner Robert R. Scott Commissioner Kathryn M. Bailey
11		oommissioner naemin m. sarren
12		Sandy Deno, Clerk
13		
14	APPEARANCES:	Reptg. Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities:
15		Ronald J. Ritchie, Esq.
16		Reptg. Residential Ratepayers: Susan Chamberlin, Esq., Consumer Advocate
17		James Brennan, Finance Director
18		Office of Consumer Advocate
19		Reptg. PUC Staff:
20		Alexander F. Speidel, Esq. Stephen P. Frink, Asst. Dir./Gas & Water Div.
21		Al-Azad Iqbal, Gas & Water Division
22		
23	Cour	t Reporter: Steven E. Patnaude, LCR No. 52
24		



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2		EXHIBITS	
3	EXHIBIT NO.	DESCRIPTION PAGE NO	٠.
4	1	Winter 2015-2016 Cost of Gas filing, 5 including the Direct Testimony of	
5		Francisco C. DaFonte and David B. Simek, with a Table of	
6		Contents, Tariff Page Changes, Schedules and Appendices	
7		(09-16-15)	
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1	PROCEEDING
2	CHAIRMAN HONIGBERG: Good morning,
3	everyone. We're here in Docket 15 or, DG 15-391,
4	which is Liberty Utilities (EnergyNorth Natural Gas) Corp.
5	Keene Division Winter Cost of Gas filing. We have a
6	couple of witnesses who have already taken their seats.
7	But let's take appearances first.
8	MR. RITCHIE: Good morning,
9	Commissioners. My name is R. J. Ritchie. And, I'm here
10	on behalf of Liberty Utilities (EnergyNorth Natural Gas)
11	Corp. With me today are the Company's two witnesses,
12	Francisco C. DaFonte and David B. Simek. And, with me at
13	counsel's table is Steve Mullen.
14	MS. CHAMBERLIN: Susan Chamberlin,
15	Consumer Advocate. And, with me today is Jim Brennan.
16	MR. SPEIDEL: Alexander Speidel,
17	representing the Staff of the Commission; Stephen Frink,
18	Assistant Director of the Gas & Water Division; Iqbal
19	Al-Azad, Utility Analyst, Gas & Water Division.
20	CHAIRMAN HONIGBERG: Why don't we deal
21	with exhibits, and then have the witnesses sworn in.
22	

I propose to mark for identification as "Exhibit 1", in

Docket DG 15-391, the Company's Winter Cost of Gas filing

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1
       for the Keene Division that was filed with the Commission
 2
       on September 16th, 2015.
 3
                         CHAIRMAN HONIGBERG: That will be
 4
       marked.
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                         (The document, as described, was
                         herewith marked as Exhibit 1 for
 6
 7
                         identification.)
                         CHAIRMAN HONIGBERG: Off the record.
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 9
                         [Brief off-the-record discussion
10
                         ensued.]
11
                         CHAIRMAN HONIGBERG: All right. Would
12
       you swear in the witnesses please.
                         (Whereupon Francisco C. DaFonte and
13
14
                         David B. Simek were duly sworn by the
15
                         Court Reporter.)
16
                         CHAIRMAN HONIGBERG: Mr. Ritchie.
17
                         MR. RITCHIE: Mr. Chairman, before I
18
       start with my direct examination of the Company witnesses,
19
       there was one matter of the Company that I wanted to
20
       address to the Commission. Which was, as noted in Mr.
21
       -- on the last page of Mr. Simek's testimony, the Company
22
       would like to make a formal motion requesting a waiver of
23
       New Hampshire Code Admin. Rule Puc 1203.05, which requires
24
       rate changes to be implemented on a service-rendered
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[WITNESSES: DaFonte~Simek]

1 basis.

As the Company explained, I believe, in its first cost of gas filing filed this year for the Keene Division, the Company is seeking a waiver, because bills to its Keene customers continue to be processed in the same manner that they were prior to the Company's acquisition of New Hampshire Gas Corporation, which historically has been on a bills-rendered basis. And, as a result, customers in Keene are accustomed to rate changes on a bills-rendered basis, and an alteration in this policy could result in customer confusion.

Further, the system used to bill customers in Keene is not designed at this time to accommodate a change to billing on a service-rendered basis. And, such a change would necessitate modification and replacement of the system at substantial costs.

CHAIRMAN HONIGBERG: Ms. Chamberlin.

MS. CHAMBERLIN: I don't have a position at this point. I don't see why it should change at the moment. But I would like eventually for it to be on a service-rendered basis.

CHAIRMAN HONIGBERG: Mr. Speidel.

MR. SPEIDEL: Staff shares the same position. Now that Keene has been consolidated with a

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1
       larger corporate parent, I think at some juncture it might
 2
       be advisable for them to move to a consolidated billing
 3
       system.
 4
                         But Staff does support the waiver
 5
       request before the Commission.
                         CHAIRMAN HONIGBERG: It strikes me that
 6
 7
       this is the kind of thing we would deal with in the order,
       and I think that's where we dealt with it the last time, I
 8
 9
       guess it would be the first time this came up. I think we
10
       may have put this issue out of order by taking it here.
11
      But we'll deal with it in the order regardless. I
12
       understand the position you take, and I understand it's
13
      based on Mr. Simek's prefiled testimony, which he is about
14
       to adopt.
15
                         And, so, I get where it's going to end
16
       up. And, we'll deal with it in the order when it comes
17
       out.
18
                         MR. RITCHIE: Thank you.
19
                         CHAIRMAN HONIGBERG: So, now, I guess
20
       you're going to proceed with your witnesses?
21
                         MR. RITCHIE: That is correct.
22
                         CHAIRMAN HONIGBERG: Go for it.
23
                         MR. RITCHIE:
                                       Thank you.
24
                     FRANCISCO C. DaFONTE, SWORN
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## [WITNESSES: DaFonte~Simek] 1 DAVID B. SIMEK, SWORN 2 DIRECT EXAMINATION BY MR. RITCHIE: 3 4 Good morning again, Mr. Simek. Q. 5 (Simek) Good morning. Would you please state your full name for the record. 6 Q. 7 (Simek) David B. Simek. Α. 8 And, by whom are you employed? (Simek) Liberty Utilities Services Corp. 9 10 And, what is your position with the Company? Q. 11 Α. (Simek) I am a Utility Analyst. 12 And, what do your duties include? Q. 13 (Simek) Rate-related services for the gas side of the 14 business, EnergyNorth and Keene. 15 And, do you have before you Exhibit 1 marked in this Q. 16 exhibit -- I mean, I should say "marked in this 17 docket"? 18 Α. (Simek) I do. 19 And, this contains the Company's Winter Cost of Gas Q. 20 filing for the Keene Division and the Joint Testimony 21 of you and Mr. DaFonte, is that correct?

22 A. (Simek) Yes.

Q. And, was your testimony that's contained in this exhibit prepared by you or under your direction?

1 A. (Simek) Yes.

4

5

- Q. And, would you briefly explain your responsibility for this cost of gas filing.
  - A. (Simek) I was responsible for gathering some of the future rates and calculating the actual cost of gas rates that we submitted and filed.
- 7 Q. And, do you have any corrections to your testimony at this time?
- 9 Α. (Simek) I do. If we could go to Bates Page 6 please. 10 And, on Line 7, it says "The 92,082 under-collection", 11 that should state an "over-collection". And, then 12 also, on Bates Page 11, on Lines 9 and 10, the decrease 13 on Line 9 of "0.5485" should actually state "0.5437". 14 And, then, the percentage on Line 10 should state 15 "38.2 percent". And, then, the "1.4273", on Line 10, 16 should actually state "1.4225".
- And, that is all the corrections that I have.
- 19 Q. Thank you. And, with those corrections, if I were to
  20 ask you the same questions today that are in your
  21 testimony, would your answers be the same?
- 22 A. (Simek) With those corrections, yes.
- 23 Q. Thank you very much. Good morning, Mr. DaFonte.
- 24 A. (DaFonte) Good morning.

10

#### [WITNESSES: DaFonte~Simek]

- 1 Q. Would you please state your full name for the record.
- 2 A. (DaFonte) Francisco C. DaFonte.
- 3 Q. And, by whom are you employed?
- 4 A. (DaFonte) Liberty Utilities Service Corp.
- 5 Q. And, what is your position at the Company?
- 6 A. (DaFonte) I'm the Vice President of Energy Procurement.
- 7 Q. And, what do your duties include?
- 8 A. (DaFonte) They include the overseeing of the
- 9 procurement process on the gas side, for both
- 10 EnergyNorth and EnergyNorth's Keene Division, as well
- as the forecasting of requirements for EnergyNorth, as
- 12 well as the Keene division.
- 13 Q. And, do you have before you a copy of what has been
- marked "Exhibit 1" in this docket?
- 15 A. (DaFonte) I do.
- 16 Q. And, this contains the Company's Winter Cost of Gas
- filing for the Keene Division, along with the Joint
- 18 Testimony of you and Mr. Simek, is that correct?
- 19 A. (DaFonte) That's correct.
- 20 Q. And, was your testimony that's contained in these
- 21 exhibits prepared by you or under your supervision?
- 22 A. (DaFonte) Yes, it was.
- 23 Q. And, would you explain what your responsibility is for
- 24 this cost of gas filing.

- A. (DaFonte) Yes. I helped to develop the forecast of requirements, as well as the pricing associated with propane purchases, whether pre-purchased propane or storage propane.
- Q. And, do you have any corrections to your testimony at this time?
- 7 A. (DaFonte) I do not.
- Q. If I were to ask you the questions today that are contained in your testimony, would your answers be the same?
- 11 A. (DaFonte) Yes, they would.
- MR. RITCHIE: And, with that, the witnesses are available for cross-examination.
- 14 CHAIRMAN HONIGBERG: Ms. Chamberlin.
- MS. CHAMBERLIN: Thank you.

### CROSS-EXAMINATION

17 BY MS. CHAMBERLIN:

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- Q. Recognizing that the Keene system is on propane, how does the Keene cost of gas compare to the Liberty cost of gas numbers that we just discussed a few minutes ago?
- 22 A. (Simek) Well, the Keene -- the filed Keene rate is the
  23 cost of gas for -- is combined for both residential and
  24 commercial, it's the same rate. And, the proposed rate

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is 0.8724. And, the rate that we filed for EnergyNorth, just give me one minute please, was 0.7516.

- Q. What are your plans in terms of converting the Keene system to natural gas?
- A. (DaFonte) At this time, we're continuing to explore alternatives, including LNG, CNG, as well as pipeline options in the future.
- 9 Q. If the NED Pipeline is built as proposed, would this
  10 have an effect on your plans for Keene?
  - A. (DaFonte) It would give us another option to serve

    Keene. And, we would certainly be considering using
    that ability to do so, and as well as looking at other
    potential customers along the route.
  - Q. And, in your opinion, would customers experience a price decrease if Keene was converted to another fuel?
  - A. (DaFonte) It would depend on the timing. I think, right now, with all commodity prices being lower, that the delta between propane prices and natural gas prices has tightened a bit. But we don't see that as a long-term -- a long-term picture for Keene. We see that, in the long run, that natural gas is certainly the better fuel of choice. There are some larger loads there that we think are great candidates for natural

1 gas, and they have expressed their desire to be on 2 natural gas. The larger loads typically do not use 3 propane, because of the volume requirements. And, so, 4 they would typically use fuel oil. And, the difference 5 between that fuel oil and natural gas is still pretty 6 significant. 7 MS. CHAMBERLIN: Okay. That's all I have. 8 9 CHAIRMAN HONIGBERG: Mr. Speidel. 10 MR. SPEIDEL: Thank you, Mr. Chairman. 11 BY MR. SPEIDEL: 12 On Bates Page 6 of hearing Exhibit 1, there is a Q. 13 paragraph describing some changes in accounting 14 methodology. I'm not going to regurgitate them within 15 the context of my question, but it relates to the 16 transition between the ownership by the previous parent 17 company of what used to be New Hampshire Gas, and now 18 Liberty's ownership of the Keene Division. Could you 19 provide a summary of those changes and the reasons for 20 them? 21 (Simek) Sure. The reason for the accounting changes 22

was to keep all of Liberty's companies following the same accounting process. And, really, the two big changes there were that we, at Liberty, account for

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- unbilled revenue, which was an accounting change that
  we implemented, and also we accrue for the expenses
  appropriately to the cost of gas. These accounting
  changes have been reviewed by PUC Audit Staff, and they
  were agreeable with the changes that we made as well.
- Q. Could you perhaps go into detail, unless it would take too much time, about what sort of costs are being accounted for within these charges?
- A. (Simek) Of course. Well, basically, for the expense accruals, the previous ownership just did expense accruals outside of the actual cost of gas accounts. So, now that we're truly accounting for the accruals, we're obviously recognizing the expense in the proper period of when they were incurred, but we're also recognizing it in the proper account as well.
- Q. So, these are commodity costs?
- 17 A. (Simek) Correct.

- Q. Okay. I just wanted to check that out. Thank you.

  Approximately what percentage of the gas supplies this

  winter are hedged, pre-purchased or otherwise tied to a

  predetermined fixed price?
  - A. (DaFonte) Under the Company's pre-purchased propane program, that's a lot of Ps, we are hedging approximately 56 percent of the expected normal winter

- purchases. And, if you include the storage capability
  that is part of the portfolio this year, that amounts
  to an additional 23 percent, for a total of about
  79 percent hedged for this winter period.
- Q. So, that's storage on-site in the Keene area or off-site nearby?
- 7 A. (DaFonte) That would be off-site, in the Amherst facility.
- 9 Q. Thank you. And, how many gallons, just for the
  10 Commission's information, does the Amherst facility
  11 hold?
- 12 A. (DaFonte) It's a total of about 600,000 gallons, of which 300,000 is allocated to the Keene Division.
- Q. And, that's a part of the Company's responsibility to maintain a seven-day supply, is that correct?
- 16 A. (DaFonte) That is correct.
- 17 Q. Thank you. How does the cost of the hedged supplies compare to the projected market prices for propane?
- A. (DaFonte) The hedged supplies, the pre-purchased
  volumes, are at this point approximately six cents per
  therm higher than the spot market has forecast.

  Whereas, the storage volumes are about 30 cents below
- what the spot market forecast is. So, in totality, if
  you look at the two, it amounts to approximately a

1 \$39,000 savings for customers.

- Q. So, a lot of the recent disruptions in the propane market is receding into the background, but there had been Midwestern supply shortages, and use of propane for crop-drying, and all kinds of ancillary benefits, kind of a perfect storm, trouble in the New York State delivery depots, that has receded into the background, is that fair to say?
- A. (DaFonte) Yes, it has. It is basically in coincidence with all of the other commodity price decreases that we've seen, whether it be oil or natural gas.
- Q. Thank you. Have there been any other changes in the Company's trucking, supplier, storage and gas plant arrangements since last winter?
- A. (DaFonte) As we just discussed, probably the biggest change is that the Company now has the availability of 300,000 gallons of storage at the Amherst facility. I believe last year there was 100,000 gallons of availability through a contract between New Hampshire Gas and EnergyNorth. In addition, we've been able to bring in additional suppliers as part of the RFP process. And, one of those new suppliers was the winning bidder for the hedged volumes and some of the spot volumes.

- Q. Thank you. You forecasted enrollment in the Fixed

  Price Option Program this year at around 30 percent,

  compared to 19 percent over the past four winters on

  average. Would you have any sense as to why this

  enrollment has increased?
- A. (Simek) Well, on average, it was at 19 percent. But

  last year's enrollment number was over 30 -- I believe

  it was over 30 percent. And, after speaking at the

  Staff at our Keene facility, they were comfortable with

  using 30 percent for this year.
- 11 Q. Thank you. When was the FPO enrollment offer mailed?
- 12 A. (Simek) On October 1st.
- 13 Q. What is the expected FPO enrollment as of today?
- 14 A. (Simek) The expected enrollment is what they already
  15 have enrolled, which is 221 customers.
- 16 Q. So, their cut-off date has passed?
- 17 A. (Simek) Yes. It was October 20th.
- Q. That's a pretty fast response from your customers.
- 20 material changes in customer or load growth over the

That's interesting. Has the Company experienced any

21 past year?

- 22 A. (DaFonte) Nothing material.
- Q. And, just for the Commissioners' benefit, what was the unaccounted for gas figure for the Keene system this

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1
         year? It's kind of been a perennial issue that I've
2
        heard about in the past.
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- 3 (Simek) That was at 1.95 percent. Α.
- 4 That has -- that's a reduced volume, compared to past Q. 5 years, isn't it?
- 6 (Simek) Unfortunately, I don't know. Α.
- 7 You don't know. Subject to check? 0.
- (Simek) Yes. 8
- 9 Q. You don't know.
- 10 MR. SPEIDEL: Thank you. Much
- 11 appreciated. No further questions from Staff.
- 12 CHAIRMAN HONIGBERG: Commissioner Scott.
- 13 COMMISSIONER SCOTT: Thank you. And,
- 14 good morning again.
- 15 WITNESS SIMEK: Good morning.
- 16 WITNESS DaFONTE: Good morning.
- 17 COMMISSIONER SCOTT: Usual caveat,
- 18 whoever feels most easiest to answer, I suppose.
- 19 BY COMMISSIONER SCOTT:
- 20 Q. On EnergyNorth's other division filing this morning,
- 21 there was a reference to a desire to look at a yearly
- 22 cost of gas, move to a yearly cost of gas filing. I
- 23 don't see any of that in here. Is that on your desire
- 24 list or is that -- or are you just trying to get a

better feel for the new utility here?

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- A. (Simek) Yes. It's definitely on our desire list. We were planning on initially proposing to work with Staff and OCA to come up with a plan for EnergyNorth, and implement that plan, and then move forward and hopefully begin working with them for a plan for Keene as well.
  - Q. Okay. Thank you. I was curious to get some kind of feedback, what are you hearing from your customers?

    You know, you did the transition what January, roughly?
  - A. (Simek) January 2nd, yes.
- Q. And, so, I was curious how that's gone, from a customer perspective? Are you seeing, you know, customer complaints, because they -- over confusion or how did that go?
  - A. (Simek) All feedback that I've received from our Customer Care team has all been positive, or really no change. It seemed to actually move seamless, from what I've heard from customers I'm sorry, not from what I heard from customers, but from our Customer Care group and the feedback that they have been receiving.
- Q. And, I assume a rate decrease is probably always positively received?
- 24 A. That always helps, yes.

- Q. And, Attorney Speidel kind of hit a couple questions I was going to ask you, but I'll dig a little bit deeper.

  On the Fixed Price offering, obviously, 30 percent is significantly more than what you're seeing in your other division. Is that a reflection of the volatility, again, as Attorney Speidel mentioned, with propane and supply issues, transportation issues, etcetera from the past? Or, why do you think that difference?
- A. (Simek) The brief feedback that I did receive from the Keene Division was more of just the dynamics of the customer. I believe they're much more residential.

  And, we have -- again, it's offered to both their residential and commercial customers. Whereas, on EnergyNorth, the option is only available to residential. But my feedback was more that, like I said, last year was high. And, they just, from what they were expecting, was that it would be just as high again this year.
- 20 Q. And, of course, it's a smaller sample size?
- 21 A. (Simek) Exactly.

Q. And, you've already talked a little bit to the

1.9 percent unaccounted for gas. So, you didn't

really, just to hear you say it again, so, you don't

1 really have a feel for why that is?

- (Simek) Oh, why it's at 1.95 percent? Α.
- 3 Yes. Compared to, for instance, your other division, Q. which is a lower rate? 4
  - (Simek) I don't know the dynamics or the engineering behind maybe why propane would be slightly higher. I know Mr. Speidel had asked if I had a feel for what the lost and unaccounted for had been previously, and I think he alluded to it that it was higher in the past, or that he believed it may have been higher, and that very well could be the case. But I also believe that 1.95 percent is still acceptable.

13 COMMISSIONER SCOTT: That's all I have.

14 CHAIRMAN HONIGBERG: Commissioner

15 Bailey.

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16 COMMISSIONER BAILEY: Thank you.

- 17 BY COMMISSIONER BAILEY:
- So, what percentage of your total customer base is 221 18 0. 19 customers?
- 20 (Simek) I don't know. Unfortunately, the way that we 21 track FPO usage is more by the usage. So, we don't --22 when we're looking at the percentage of the customers 23 that, when we talk about the percentage of the FPO 24 participation, we're more looking at the total -- the

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percentage of FPO therms, compared to total therms.
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 2
     Q.
          Okay.
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          (Simek) And, I'm just not familiar enough with the
          Keene Division to know. I believe they have over a
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 5
          thousand, just slightly over a thousand customers.
          Okay. All right. Thank you.
 6
     Q.
 7
          (Simek) So, that would be 22 percent or so,
     Α.
 8
          approximately.
 9
                         COMMISSIONER BAILEY: Okay. Thank you.
10
       That's all I have.
11
                         CHAIRMAN HONIGBERG: I have no
12
       questions.
13
                         Mr. Ritchie, do you have any further
14
       questions for your witnesses?
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                         MR. RITCHIE: No, I do not. Thank you.
                         CHAIRMAN HONIGBERG: I assume there's no
16
17
       objection to striking the ID on the exhibit?
18
                         [No verbal response]
19
                         CHAIRMAN HONIGBERG: Seeing none, the ID
20
       is struck.
21
                         Anything else we need to do before
22
       summing up?
23
                         [No verbal response]
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CHAIRMAN HONIGBERG: Didn't think so.

1	Ms. Chamberlin.
2	MS. CHAMBERLIN: The OCA does not object
3	to implementing the Keene cost of gas as filed.
4	CHAIRMAN HONIGBERG: Mr. Speidel.
5	MR. SPEIDEL: Staff recommends that the
6	Commission approve the Winter 201516 Cost of Gas filing
7	for the Keene Division of the Liberty company, and that
8	would, as usual, be subject to reconciliation.
9	The Staff is pleased that there are some
10	synergies in storage development between the parent
11	company and the new satellite division.
12	And, this will have no testimonial
13	effect, but unaccounted for gas percentages are down from
14	what they were, say, ten years ago, they were
15	significantly higher. And, so, Staff is pleased that that
16	progress is continuing, and would hope that the Company
17	continue to monitor the condition of pipes and other
18	physical plant, to make sure that is kept under control.
19	And, we do request that this approval be
20	granted, together with approval of the waiver request
21	regarding billing, by November the 1st. Thank you.
22	CHAIRMAN HONIGBERG: Mr. Ritchie.
23	MR. RITCHIE: Commissioners, the Company
24	respectfully requests that you approve the proposed rates

1	in DG 15-391, in order for rates to take effect
2	November 1st, 2015. As supported in the Company's
3	prefiled testimony and the testimony presented here at the
4	hearing, the Company submits that the proposed rates for
5	the Keene Division are just and reasonable. They're based
6	on an appropriate forecast of supply that will be
7	necessary this winter, and will result in lower rates for
8	customers as compared to last year.
9	That's all. Thank you.
10	CHAIRMAN HONIGBERG: All right. Thank
11	you all. If there's nothing else, we'll adjourn. We'll
12	get an order out as quickly as we can.
13	(Whereupon the hearing was adjourned at
	(Whereupon the hearing was adjourned at 11:03 a.m.)
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