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2 Charlotte, North Carolina

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4 TIME: 7:00 p.m. - 7:35 p.m.

Clerk's Office
N.C. Utilities Commission

5 DOCKET NO: W-354, Sub 344

6 BEFORE: Chairman Edward S. Finley, Jr., Presiding

7 Commissioner Bryan E. Beatty

8 Commissioner ToNola D. Brown-Bland

9 Commissioner Don M. Bailey

10 Commissioner Jerry C. Dockham

11 Commissioner James G. Patterson

12

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IN THE MATTER OF:

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Application of Carolina Water Service, Inc., of North

15

Carolina, 2335 Sanders Road, Northbrook, Illinois

16

60062, for Authority to Adjust and Increase Rates for

17

Water and Sewer Utility Service in All of Its Service

18

Areas in North Carolina.

19

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VOLUME 4

21

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NORTH CAROLINA UTILITIES COMMISSION

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2

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NORTH CAROLINA UTILITIES COMMISSION

T A B L E O F C O N T E N T S:

BRIAN ALLENSPACH

Direct Examination by Ms. Holt..... 8

CHESSLEY SINGLETON

Direct Examination by Ms. Holt..... 13

Cross Examination by Ms. Mitchell..... 16

BRIAN LUCAS

Direct Examination by Ms. Holt..... 18

Cross Examination by Ms. Mitchell..... 20

WILLIAM SCHELL

Direct Examination by Ms. Holt..... 21

JACK RITTERSKAMP

Direct Examination by Ms. Holt..... 23

E X H I B I T S

IDENTIFIED / ADMITTED

Allenspach Exhibit 1..... 9/13

P R O C E E D I N G S

CHAIRMAN FINLEY: Let's come to order, please. Good evening. My name is Edward Finley. With me this evening are Commissioners Bryan E. Beatty, ToNola D. Brown-Bland, Don M. Bailey, Jerry C. Dockham and James G. Patterson.

The Commission now calls for hearing at this time, for the purpose of taking non-expert public witness testimony, Docket Number W-354, Sub 344, In the Matter of Application of Carolina Water Service, Inc., of North Carolina, 2335 Sanders Road, Northbrook, Illinois, for Authority to Increase Rates for Water and Sewer Utility Service in All of Its Service Areas in North Carolina.

On March 31, 2015, Carolina Water Service filed an Application with the Commission seeking authority to increase its rates for providing water and sewer utility service in all of its service areas in North Carolina.

On April 30, 2015, the Commission issued its Order Establishing General Rate Case and Suspending Rates. Pursuant to the Order, the Commission declared this proceeding to be a general rate case pursuant to G.S. 62-137 and suspended the proposed new rates for

1 up to 270 days pursuant to G.S. 62-134.

2 On May 11, 2015, Carolina Water filed its
3 Notice regarding its semi-annual WSIC/SSIC surcharge
4 application. In its filing, the Company states that
5 it does not intend to file an application for a
6 semi-annual adjustment of the Company's
7 Commission-authorized WSIC/SSIC surcharge mechanism on
8 August 1, 2015, where such rider would become
9 effective October 1, 2015.

10 On May 13, 2015, Carolina filed a letter
11 stating that given the timing of its general rate case
12 filing, the evidentiary hearing would normally have
13 been set for a date near the end of August or early
14 September 2015; however, at Carolina Water's request,
15 the evidentiary hearing date was extended
16 approximately 30 days to October 5, 2015.

17 On May 15, 2015, Corolla Light Community
18 Association, Inc., filed a Petition to Intervene in
19 this matter, and this Petition was granted by Order
20 dated May 19, 2015.

21 On May 22, 2015, the Commission issued its
22 Order Scheduling Hearing and Requiring Customer Notice
23 which, among other things, scheduled the Application
24 for evidentiary hearing on October 5, 2015, and

1 scheduled the public witness testimony for this date,
2 at this time and in this place.

3 On July 1, 2015, Carolina Water filed its
4 ongoing three-year water service improvement charge
5 and system -- and sewer system improvement charge
6 plan.

7 Several consumer Statements of Position have
8 been filed in this docket.

9 Pursuant to the State Ethics Act, I remind
10 members of the Commission of their duty to avoid
11 conflicts of interest, and inquire whether any member
12 of the Commission has a known conflict of interest
13 with regard to the matter coming us this evening?

14 (No response.)

15 Let the record reflect that no conflicts of
16 interest have been identified.

17 I now call on the parties to make their
18 appearances known for the record beginning with the
19 Applicant Utility.

20 MS. MITCHELL: Good evening, Mr. Chairman
21 and Commissioners. My name is Charlotte Mitchell with
22 the Law Office of Charlotte Mitchell appearing on
23 behalf of the Applicant. With me tonight is Martin
24 Lashua, who is the Vice-President of Operations, and

1 Matthew Klein, who is the State Regulatory President.

2 MS. HOLT: Good evening. I'm Gina Holt with
3 the Public Staff here on behalf of the Using and
4 Consuming Public and with me tonight is Public Staff
5 Engineer, Gina Casselberry.

6 CHAIRMAN FINLEY: Do we have any preliminary
7 matters we need to address at this time?

8 MS. HOLT: No.

9 CHAIRMAN FINLEY: All right. Ladies and
10 gentlemen, this is a public hearing where we will take
11 the testimony of non-expert witnesses or
12 representatives of customers in this area. This is a
13 judicial proceeding and so the witnesses will have to
14 come up to the witness stand and be sworn in and give
15 their testimony under oath. It will be taken down by
16 the Court Reporter and it will become a record of the
17 matter in this case. So after we have the technical
18 part of the case in October, that evidence, along with
19 the other evidence that's taken in the case, will be
20 used by the Commission to deliberate upon the matter
21 and ultimately aid in the decision. So you are
22 welcome to come and make statements. The lawyers of
23 the parties and the Commission Staff will have an
24 opportunity to ask questions of you they deem

1 necessary so stick around after you've made your
2 statement to see if anybody has any questions. This
3 is an opportunity for you, the customers, to testify.
4 A lot times -- it's not an open meeting and a lot of
5 times the witnesses want to ask questions, that's
6 understandable and appreciated, but this is an
7 opportunity for you to tell us what you want us to
8 hear and rather than ask questions. But there are
9 many representatives of the Company that are here and
10 representatives of the Public Staff and they will be
11 available after the hearing to try to answer your
12 questions to the extent they are matters that need to
13 be -- need to be answered as far as your questions are
14 concerned.

15 Ms. Holt, will you call your first witness?

16 MS. HOLT: Brian Allenspach.

17 MR. ALLENSPACH: You got it.

18 BRIAN ALLENSPACH; was duly sworn and
19 testified as follows:

20 CHAIRMAN FINLEY: Make yourself comfortable
21 please.

22 DIRECT EXAMINATION

23 BY MS. HOLT:

24 Q Would you please state your name?

- 1 A Brian Allenspach.
- 2 Q Spell it for the record, please.
- 3 A The first name or the last name or both?
- 4 Q Your last name.
- 5 A Allenspach, A-L-L-E-N-S-P- as in Paul - A-C-H.
- 6 Q And what is your address?
- 7 A 116 Cypress Cove Lane, Mooresville.
- 8 Q And are you a customer of Carolina Water Service?
- 9 A Yes.
- 10 Q Please proceed with your statement.
- 11 A Can we give these documents to the Commission?
- 12 Q Certainly.
- 13 A I think I have five of them. The data that's in
- 14 the document is from my bills so -- and sometimes
- 15 the rate increase happened in the middle of the
- 16 month in a year, so a transition period.
- 17 MS. HOLT: Mr. Chairman, I'd like to mark
- 18 this as Allenspach Exhibit 1.
- 19 CHAIRMAN FINLEY: It will be so marked.
- 20 Allenspach Exhibit 1
- 21 (Identified)
- 22 A I think I only brought five copies.
- 23 Q Can you identify your exhibit, Mr. Allenspach?
- 24 A It's the -- I live in the Harbour. It's a

1 community of about 330 people in Mooresville and
2 Utilities, Inc., is the utility that provides us
3 water, not sewer, just water. And so the
4 document is bills back to 2002 to present. And
5 you can see that the water rates -- so this --
6 these numbers are all for -- you can see the 6000
7 gallons per month. It's just a number that I
8 used because it's in the middle; some people use
9 more and some people less. So you can see in
10 2002 through 2006 the rate was \$28.40. And
11 Utilities, Inc., owned that utility -- I don't
12 know how far back but they did own it when they
13 acquired it -- but at that time they did own -- I
14 guess they rolled it up from Carolina Water
15 Systems -- so for that whole period of time it
16 was \$28.40. And then in April of '06, Highstar
17 Capital purchased the stock of Utilities, Inc.,
18 and then we had two rate increases, 35 percent
19 and 22 percent based upon my bills at 6000
20 gallons per month. So they held it, Highstar
21 Capital, I'm sure they did fine, and then Corix
22 acquired the stock of Utilities, Inc., from them
23 in December of 2012 and now we're having more
24 rate increases.

1 So if you go back to 2000 -- the
2 middle of 2006 to present, without the increase
3 that's being asked for right now, it's
4 80 percent. My social security has gone up one
5 percent. The federal government, the federal
6 reserve has poured three trillion dollars into
7 this economy trying to get inflation at two
8 percent, but miraculously we have a system that
9 can generate 80 percent inflation over eight
10 years in a time when the economy has tanked.
11 It's impossible! I mean, the only thing you can
12 do -- they can ask for increases all they want, I
13 wish you would say no because it's -- it's
14 unbelievable. It makes no sense. It's
15 impossible. That's all I have to say.

16 Oh, the other thing I'll say is
17 you see we're paying right now for 6000 gallons
18 we're paying \$51. In Charlotte that would be
19 \$32, Davidson \$31, Mooresville \$33. I understand
20 those are municipalities and they have
21 different -- but other municipalities, 70 percent
22 make money, 30 percent don't. So if they can
23 charge half the amount of money and still not
24 lose money, it's impossible that their costs

1 didn't go up the same as Utilities, Inc. There's
2 just no one that could justify any of these
3 increases and certainly not another one.

4 CHAIRMAN FINLEY: Hold on just a second,
5 sir. Questions?

6 A Oh!

7 BY MS. HOLT:

8 Q Mr. Allenspach, what subdivision do you live?

9 A The Harbour.

10 Q And you've lived there since 2002; is that
11 correct?

12 A Yes.

13 Q Have you had any service problems?

14 A Not that I've complained about.

15 Q Okay.

16 A I don't have a problem with the service. It's
17 not the water but it's from a well. It doesn't
18 justify -- I mean, if it was great water I
19 wouldn't want to be twice as much today as I did
20 eight years ago.

21 MS. HOLT: Thank you.

22 CHAIRMAN FINLEY: Ms. Mitchell.

23 MS. MITCHELL: (Shakes head from side to
24 side.)

1 CHAIRMAN FINLEY: Thank you, Mr. Allenspach.

2 (The witness is excused.)

3 MS. HOLT: I'd like to move the admission of
4 Allenspach Exhibit 1.

5 CHAIRMAN FINLEY: Without objection, that
6 motion is allowed.

7 ALLENSPACH Exhibit 1

8 (Admitted)

9 MS. HOLT: The Public Staff calls Chessley
10 Singleton.

11 CHESSLEY SINGLETON; was duly sworn and
12 testified as follows:

13 DIRECT EXAMINATION

14 BY MS. HOLT:

15 Q Please state and spell your name for the record.

16 A Chessley Singleton from the RiverPointe division.
17 I've lived in the RiverPointe division for 26
18 years. We were the fifth house out there so we
19 have a long history with Carolina Water, or
20 Utilities. The water was originally from wells.
21 They were very hard. They were very reactive.
22 The first year I used the well water to -- from
23 Carolina Water to irrigate, it got on the windows
24 downstairs and etched them it was so reactive.

1 We put in a softener, we just about had to. At
2 some time later, Utilities was required to put in
3 softeners to take out the alpha particles which
4 exceeded the minimum for the state, as I
5 understand. Since I was checking the incoming
6 water on a consistent basis so I would know how
7 to adjust my softener, I recognized that the
8 softeners worked about 20 percent of the time.
9 So when I would ask questions whether it was
10 broken, we ordered parts or whatever, but it was
11 very inconsistent.

12 In 2012 -- before that, the wells
13 started going dry especially in the summertime so
14 they tied into Charlotte-Mecklenburg on a
15 temporary basis and then in 2012 we started
16 getting all of our water from Charlotte-Mec.

17 Based on my last water bill, and
18 there are two people in my house, and as you can
19 tell by my age we're fairly conservative, our
20 water bill, only water not sewer, will go from
21 \$38 to \$45, \$46. That's a 19 percent increase.
22 I understand that they want to pass on the same
23 amount that they pay for it. Does that mean that
24 they were only paying \$5.44, which was on my last

1 bill, for 1000 gallons and so Charlotte has gone
2 up. That's one of my questions. The City of
3 Charlotte, if I bought my water from them, the
4 same amount of usage would be \$31. Ashton Park,
5 a development at the -- a community at the
6 Palisades which is directly across the Highway 49
7 from us, has their water managed by Midway
8 Services from Clearwater, Florida. If I got my
9 water from them it would have been \$27.42.

10 Now, the total bill, water and
11 sewer, will go from \$80 to \$96, that's a 20
12 percent increase; this is with the new rate from
13 Utilities. We -- they were given a 12 percent
14 increase in 2012. They got a -- excuse me --
15 they got a 13 percent increase in 2013. They
16 were granted an increase in both water and sewer
17 for upgrade very recently. I just think it's
18 outrageous. I think that -- I just -- I can't
19 understand why it is that the water rates are so
20 high from Utilities when all around us it
21 certainly is a lot cheaper. And that's all I
22 have to say. Thank you.

23 CHAIRMAN FINLEY: Questions? Let's have a
24 seat, Mr. Singleton, for a minute to see if there are

1 any questions for you.

2 A Sure.

3 CHAIRMAN FINLEY: Let's see if there are
4 questions of you.

5 BY MS. HOLT:

6 Q Have you had any problems with your service other
7 than the hard water?

8 A The only problem we have is when the water --
9 when the electricity goes off and we have pumps
10 to pump the sewer back up, then the sewer backs
11 up because the pumps start. Now, after several
12 complaints, they did get some generators and they
13 have a generator that they can put from place to
14 place as I understand it. But that's the only
15 problem I've had recently. Other than the water
16 quality itself before we went to Charlotte-Mec.

17 MS. HOLT: Thank you.

18 MS. MITCHELL: Just a few questions.

19 CROSS EXAMINATION

20 BY MS. MITCHELL:

21 Q Mr. Singleton, we appreciate you coming out
22 tonight and sharing your comments with the
23 Commission. I have just a few questions for you
24 to follow up on some of the remarks you made.

1 A Sure. Just speak up. These things don't work
2 very well.

3 Q Okay. Mr. Singleton, you spoke about water
4 quality concerns that you had prior to the
5 interconnection with the City of Charlotte; is
6 that correct?

7 A Prior to what?

8 Q To the interconnection with the City of
9 Charlotte?

10 A Yes.

11 Q Since your community has been interconnected with
12 the City of Charlotte, do you have any concerns
13 about the water quality?

14 A No.

15 MS. MITCHELL: Nothing further.

16 A Nothing but the cost.

17 CHAIRMAN FINLEY: Questions by the
18 Commission?

19 A Anything else?

20 CHAIRMAN FINLEY: Thank you, sir.

21 MS. HOLT: Thank you.

22 (The witness is excused.)

23 MS. HOLT: Mr. Brian Lucas.

24

1 BRIAN LUCAS; was duly sworn and
2 testified as follows:

3 DIRECT EXAMINATION

4 BY MS. HOLT:

5 Q Please state your name and address for the
6 record.

7 A Brian Lucas. Address is 16211 Woolwine Road,
8 Charlotte, North Carolina.

9 Q And what subdivision do you live?

10 A RiverPointe.

11 Q Please proceed.

12 A Thank you for letting us speak tonight. I am
13 here -- I'm the RiverPointe President of the
14 homeowners association. I was requested by a
15 large part of our community to talk tonight just
16 on the 19.3 percent increase that has been
17 requested by Carolina Water. The question, as it
18 states, is we receive a notice, three-fourths of
19 the clients of Carolina Water are going to get a
20 water decrease and they asked to increase
21 RiverPointe residents by 19.3 percent, excuse me,
22 19.1 percent.

23 You heard from Chessley Singleton
24 about the water rates in and around the

1 RiverPointe residence or the RiverPointe
2 community, which is less than 100 feet, right
3 across the street of residence where their water
4 bill would be half of what ours is.

5 I will state that we've had a
6 great relationship with Carolina Water. They've
7 been very -- from a board standpoint -- they've
8 been very responsive. We certainly appreciate
9 that. The water quality prior to the connection
10 with CMUD was suspect at best. And several,
11 including myself -- I've lived there since 2001.
12 All of the toilets are etched. The water quality
13 was just such that it was corroding faucets. We
14 had to put a water system in, a cleansing water
15 system, ourselves just to make it palatable to
16 drink and so that it wouldn't tear the rest of
17 the house up. I certainly increase their -- or
18 appreciate the cost that they went through to
19 connect to CMUD; however, I feel that the 2013
20 increase that they got of over 12 percent, and I
21 believe that's on the record, and then, of
22 course, this increase of 19 percent, I'm just
23 asking the Commission to review that and, in
24 respect to our neighborhood and the homes in our

1 neighborhood, that you would reject that proposal
2 and just consider the cost of that for us on
3 behalf of us, and given that everybody else, it
4 appears, is getting the decrease. That's it.

5 CHAIRMAN FINLEY: Questions?

6 MS. HOLT: I have no questions.

7 MS. MITCHELL: I just a few questions.

8 A Yes, ma'am.

9 CROSS EXAMINATION

10 BY MS. MITCHELL:

11 Q Thank you, Mr. Lucas, for your comments. We
12 appreciate your time and your coming here
13 tonight. Are you aware that the rate for usage
14 that's being requested by the Company in this
15 rate case is the rate that the City of Charlotte
16 actually charges Carolina Water?

17 A I've been told by Gina that that is the rate that
18 the City charges Carolina Water but I'm not sure
19 that -- number one, I haven't seen that rate but
20 I'm unaware that that \$6.30 is the same rate that
21 Charlotte-Mec charges all of its own customers.

22 Q Understood. And are you aware that at this time
23 Carolina Water is charging you less than what the
24 City charges Carolina Water for that water?

1 A I'm not aware of that, no.

2 MS. MITCHELL: Thank you. No further
3 questions.

4 CHAIRMAN FINLEY: Commission questions?
5 Thank you, Mr. Lucas.

6 A Thank you.

7 CHAIRMAN FINLEY: We appreciate you coming
8 out tonight.

9 (The witness is excused.)

10 MS. HOLT: Mr. Bill Schell.

11 WILLIAM SCHELL; was duly sworn and
12 testified as follows:

13 DIRECT EXAMINATION

14 BY MS. HOLT:

15 Q Please state your name and address for the
16 record.

17 A Yes, it's William Schell, S-C-H-E-L-L, and it's
18 15730 Eagleview Drive in RiverPointe.

19 Q Thank you. Please proceed.

20 A I've lived in RiverPointe since '92 so I've been
21 paying for water for that whole season and I --
22 like Chessley, I have similar experiences. But
23 the thing here is that in 2013 we had a rate
24 increase of 13 percent. The rest of the

1 community that we all live in, the cost of
2 living, salaries, everything else, looking at the
3 economic downturn, 13 percent I can understand
4 possibly that, but now on top of that another
5 19 percent makes no sense to me at all. It just
6 seems outrageous. I haven't had a salary
7 increase in five years, six years. So, you know,
8 I've done a lot to conserve water because our
9 water cost is high and I've done a good job of
10 that, reducing my water use, but it feels like my
11 bill keeps going up so where is all the savings
12 to me. So it feels like alls I'm doing is saving
13 water for the purpose of paying more for it than
14 less. So this just doesn't add up for me. So
15 I'm just here to urge a vote against this
16 increase. Thank you.

17 MS. HOLT: No questions.

18 CHAIRMAN FINLEY: Questions of Mr. Schell?

19 MS. MITCHELL: (Shakes head from side to
20 side.)

21 MS. HOLT: (Shakes head from side to side.)

22 CHAIRMAN FINLEY: Thanks for coming,
23 Mr. Schell.

24 (The witness is excused.)

1 MS. HOLT: Mr. Jack Ritterskamp.

2 JACK RITTERSKAMP; was duly sworn and
3 testified as follows:

4 DIRECT EXAMINATION

5 BY MS. HOLT:

6 Q Would you please state and spell your last name
7 for the record?

8 A Jack Ritterskamp, R-I-T-T-E-R-S-K-A-M-P.

9 Q And what is your address?

10 A 5710 Hillcrest Circle, Indian Trail, North
11 Carolina.

12 Q And in what subdivision do you live?

13 A Hemby Bridge.

14 Q Please proceed.

15 A Thank you for allowing me to speak. I will make
16 this short and to the point as this deals with
17 sewage, there is no sweat involved. I will focus
18 on information specific to people in my personal
19 category which is service of sewage only for the
20 flat rate service. Imagine these people have
21 brought up service that relates to their specific
22 situation and that's what I'm going to do also.

23 The summary of effective rates on
24 page four of the paper that was sent out to

1 everybody, indicates the percentage of increase
2 for all such sewage service along with some water
3 increases and decreases.

4 I lived in the Town of Hemby
5 Bridge, Union County, a small city surrounded by
6 larger ones, mostly Indian Trail. I have lived
7 there for almost 40 years and have seen service
8 costs increase, but no other service has grown as
9 rapidly as Carolina Water Service sewage costs.
10 Let me repeat that last part: The cost of no
11 other service has grown as rapidly as Carolina
12 Water Service sewage costs.

13 Taxes have doubled in that length
14 of time, but we have received new schools and
15 have more police on the road. Water costs have
16 risen, but being owned by the county, the water
17 service has kept their costs in check. Not so
18 for service -- for sewer service, since the
19 system was sold to Carolina Water Service many
20 years ago.

21 Last year in a similar proceeding,
22 Carolina Water Service proposed an increase of
23 some 40 percent from near \$40 per month to \$56.
24 This was allowed for a few months then reduced by

1 further Commission action to \$45, about a
2 10 percent net increase. This year, the increase
3 will be to \$54, only \$2 less than what they asked
4 for a year ago.

5 I appreciate that it costs money
6 to operate any facility, and that employees'
7 wages and benefits continue to increase, but the
8 overall cost of living, and likely the overall
9 cost of operation for sewage service has not gone
10 up by one-fifth in a span of 12 months, much less
11 one-third during two years.

12 Looking at the metered service
13 cost on page two for residential service
14 indicates an increase of 20 percent also there,
15 but that's metered service. Those of us on flat
16 don't have the opportunity of receiving metered
17 service. If I were paying metered service rates,
18 that would be much less expensive than the flat
19 rate.

20 At one time the sewer and water
21 for our area were both billed by the county. At
22 that time we paid it based on actual usage. I
23 would very much like for Carolina Water Service
24 to prorate my bill based on usage, or better yet,

1 sell our part of the system back to Union County.

2 In short, I object to the
3 increased proposed costs and would like the
4 Commission to do something other than simply
5 allow the Company to continue to raise its rates
6 on a year-after-year basis. Every company
7 deserves a chance to make a reasonable profit,
8 but the key word in this is "reasonable". By my
9 definition, a 32 percent increase in two years is
10 not reasonable. Certainly, my income has come
11 nowhere near increasing by that amount, nor do I
12 know anyone else who consistently -- is
13 consistently seeing those types of gains. It is
14 unreasonable for expenses to increase that
15 dramatically in such a relatively short period of
16 time.

17 CHAIRMAN FINLEY: Questions for
18 Mr. Ritterskamp?

19 MS. HOLT: I have no questions.

20 MS. MITCHELL: (Shakes head from side to
21 side.)

22 CHAIRMAN FINLEY: Mr. Ritterskamp, who
23 provides your water service?

24 A Union County.

1 CHAIRMAN FINLEY: Thank you, sir. Thank you
2 for coming tonight.

3 (The witness is excused.)

4 MS. HOLT: I think that's it. We don't have
5 any other people listed.

6 CHAIRMAN FINLEY: Those appear to be all of
7 the witnesses that have signed up on the Public
8 Staff's list. So let me inquire at this time if there
9 are people in the audience who would like to testify
10 that have not yet had the opportunity to do so?

11 (No response.)

12 MS. HOLT: Excuse me, Mr. Ritterskamp does
13 have a copy of his statement that he'd like to have
14 entered.

15 CHAIRMAN FINLEY: Did you read that
16 verbatim?

17 MR. RITTERSKAMP: Almost.

18 CHAIRMAN FINLEY: Well, we'll give it to the
19 Court Reporter and to the extent that there's
20 something extra in there that you didn't say we'll
21 make sure it's in the record.

22 MR. RITTERSKAMP: Thank you.

23 CHAIRMAN FINLEY: It appears that there are
24 no other people in the hearing room that would like to

1 testify. So we appreciate you coming out tonight. We
2 hope you will survive the rain storm, but we will
3 conclude the hearing at this point, and thank you for
4 coming.

5 (WHEREUPON, the proceedings adjourned at 7:35 p.m.)
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C E R T I F I C A T E

I, KIM T. MITCHELL, DO HEREBY CERTIFY that
the Proceedings in the above-captioned matter were
taken before me, that I did report in stenographic
shorthand the Proceedings set forth herein, and the
foregoing pages are a true and correct transcription
to the best of my ability.

Kim T. Mitchell
Court Reporter II