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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
  
TRANSCRIPT OF PROCEEDINGS

Local Public Hearing  
July 1, 2014  
Hannibal, Missouri  
Volume 8

In The Matter Of Liberty )  
Utilities (Midstates Natural )  
Gas) Corp. d/b/a Liberty )  
Utilities' Tariff Revisions )  
Designed To Implement A )  
General Rate Increase For )  
Natural Gas Service In The )  
Missouri Service Areas of )  
The Company )  
 ) File No. GR-2014-0152

RONALD D. PRIDGIN, Presiding  
DEPUTY CHIEF REGULATORY LAW JUDGE  
ROBERT S. KENNEY, Chairman,  
COMMISSIONER

REPORTED BY:  
AMANDA N. FARRAR, CCR  
MIDWEST LITIGATION SERVICES

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APPEARANCES

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

2 (The hearing commenced at 6:26 p.m.)

3 JUDGE PRIDGIN: Good evening. Welcome  
4 to tonight's local public hearing in Hannibal for  
5 Liberty Utilities Case No. GR-2014-0152. I'm Ron  
6 Pridgin. I'm one of the judges that works at the  
7 Commission. And with me this evening is the  
8 chairman of the Commission, Robert Kenney, and  
9 before I go any further, let me see if the chairman  
10 has any opening remarks for you. Mr. Chairman?

11 CHAIRMAN KENNEY: Thank you, Judge.  
12 Just to repeat, I'm Robert Kenney, chairman of the  
13 Commission and I hope that the informational session  
14 was helpful and beneficial and you had an  
15 opportunity to have some questions answered.

16 There are five commissioners. I was the  
17 only one that was able to be here tonight, but you  
18 should know that this is a portion of the local  
19 public hearing where you will have an opportunity to  
20 have your words and your thoughts transcribed. The  
21 court reporter will take down everything that you're  
22 saying and the other commissioners will have an  
23 opportunity to review the transcript and take into  
24 account your thoughts and concerns as we deliberate  
25 on the case.

1                   Your participation here is very critical  
2 and very important. We do appreciate you being here  
3 and I look forward to listening to what you have to  
4 tell us. Thank you.

5                   JUDGE PRIDGIN: Mr. Chairman, thank you.

6                   And as the chairman said, the purpose of  
7 this portion of the hearing is to hear from you.  
8 The company will not present any witnesses this  
9 evening and won't be answering your questions during  
10 this portion of the hearing. I believe you've had a  
11 chance to talk to some company and staff and public  
12 counsel representatives before the hearing and  
13 you're certainly welcome to talk to them afterwards  
14 as well; but this portion of the hearing is your  
15 chance to testify and your remarks be made a part of  
16 the record of the case.

17                   This is an official hearing of the  
18 Commission and the statements and testimony of  
19 witnesses must be given under oath and will be  
20 recorded by the court reporter. If you do testify,  
21 I'll ask you to be sworn and I'll ask you a few  
22 preliminary questions, such as how to spell your  
23 name so the court reporter can spell it correctly  
24 and I'll ask if you are a customer of Liberty  
25 Utilities and then I'll ask for your statement to

1 the Commission. When you're done, if you'll please  
2 stay at the witness area in case the chairman has  
3 some questions for you or in case I have any  
4 questions for you.

5 If there is somebody who wants to  
6 testify, but for religious reasons does not wish to  
7 take an oath, please let me know and I'll ask your  
8 testimony to be affirmed instead.

9 Does anyone have any questions before we  
10 hear from witnesses?

11 All right. Hearing none. David, is it  
12 Klassen or Klassen? Yes, sir.

13 MR. KLASSEN: Yes.

14 JUDGE PRIDGIN: And you can either sit  
15 or stand, however you're comfortable. If you'll  
16 raise your right hand to be sworn, please.

17 DAVID KLASSEN,  
18 was sworn to tell the truth and testified as  
19 follows:

20 JUDGE PRIDGIN: Thank you, sir. You can  
21 sit or stand, wherever you're comfortable. And if  
22 you'll state your name and spell it for the court  
23 reporter, please.

24 MR. KLASSEN: Yes. My first name is  
25 David. I use the middle initial H which stands for

1 Hibert, H-I-B-E-R-T. My last name is Klassen which  
2 is spelled K-L-A-S-S-E-N.

3 CHAIRMAN KENNEY: All right. And are  
4 you a customer of Liberty Utilities?

5 MR. KLASSEN: Yes, I am.

6 JUDGE PRIDGIN: All right. What is your  
7 statement for the Commission, sir?

8 MR. KLASSEN: Let me first indicate that  
9 if I had in my possession some of the information  
10 that I received here just a few minutes ago, I might  
11 have modified or taken a slightly different  
12 approach, but these are the thoughts that I have  
13 compiled prior to coming here, so I hope you will  
14 indulge me.

15 JUDGE PRIDGIN: Certainly.

16 MR. KLASSEN: First I want to thank the  
17 commissioners for the work that you do on behalf of  
18 the citizens of Missouri.

19 And several years ago, at a previous  
20 hearing here in Hannibal at a rate increase request,  
21 I traced the price of natural gas before and after  
22 Hurricane Katrina. The typical prices prior to that  
23 hurricane were in the neighborhood of \$7 per  
24 thousand cubic feet. When the hurricane caused the  
25 wells to temporarily shut down in the Gulf of

1 Mexico, the price spiked to \$14 briefly in December  
2 of 2005. This morning the market price of natural  
3 gas was listed at \$4.44. This vast reduction in  
4 price is the only positive thing I can think of to  
5 say about fracking, which is responsible for an  
6 increased supply and the lower price of natural gas.  
7 Given that natural gas costs so much less today than  
8 it did a few years ago, I cannot understand why any  
9 economic justification to approve this proposed rate  
10 increase would happen, with the proposed delivery  
11 charge going up nearly 45 percent.

12 As I said, I wrote that before I came  
13 here. From the things I've heard here, I now  
14 understand that there are other issues that are  
15 going on, but I didn't know that when I wrote this.

16 However, I would beg your indulgence to  
17 allow me to address some issues that I find to be  
18 related that are of utmost concern to me.

19 The energy product that this company  
20 sells to us is a fossil fuel. That means it is  
21 derived from substances that have been sequestered,  
22 buried in the earth and not present in the  
23 atmosphere, for millions of years. When we burn  
24 this fuel, carbon dioxide is added to the  
25 atmosphere. There are claims out there that this is

1 a better, cleaner fuel and can help us transition  
2 away from fossil fuels; however, Bob Howarth, that's  
3 H-O-W-A-R-T-H, Professor of Ecology and  
4 Environmental Biology at Cornell University,  
5 disagrees. His research shows that, when fracking  
6 takes place, between 3.6 to 7.9 percent of the  
7 product is methane that enters the atmosphere. He  
8 discusses this finding, among other places, in the  
9 movie "Gasland Part II" (about one hour and 22  
10 minutes into the movie). Methane is even more  
11 potent as a greenhouse gas than is carbon dioxide.

12           So why worry about greenhouse gases in  
13 the atmosphere? Permit me to briefly review the  
14 science and implications. Just over a year ago I  
15 heard of two tragedies, one in California and one in  
16 St. Louis. In each instance, a family went  
17 shopping, and then they returned home with multiple  
18 packages and children and somehow forgot to take a  
19 small child out of an infant seat. Each parent  
20 thought the other had the child. When they  
21 discovered their error after an hour or 90 minutes,  
22 they raced to their vehicle, parked in the hot sun,  
23 and were horrified to discover their child was dead.  
24 An even more horrific case seems to be developing  
25 now in Atlanta where apparently a father



1 deliberately killed his young son in this manner.

2 He cooked him to death in his car.

3           Science says that sunlight is energy,  
4 and we use glass precisely because it is  
5 transparent, meaning that visible light passes  
6 through it readily. That energy strikes things  
7 inside a car, the dashboard, the seats, the carpets,  
8 and they heat up. Hot things radiate energy away,  
9 but here's the catch: that radiant energy is a  
10 different color, a different wavelength than the  
11 visible light, it is infrared. Glass is not a great  
12 insulator, but infrared does not travel through  
13 glass as readily as visible light does. So the heat  
14 is trapped and builds up rapidly. We construct  
15 greenhouses out of glass precisely to take advantage  
16 of this characteristic.

17           More than 150 years ago, scientists  
18 began to wonder if the presence of even small  
19 amounts of certain chemicals in our atmosphere could  
20 have the same effect as glass in regards to impeding  
21 the transfer of heat through the air. In 1859 a  
22 scientist John Tyndall conducted the necessary  
23 experiments. He measured the flow of heat through  
24 air with and without certain trace chemicals  
25 present, and he discovered that minute quantities of

1 certain gases made a huge difference in conducting  
2 heat. In particular, he identified carbon dioxide  
3 as having this characteristic. It produces the same  
4 changes as glass on a greenhouse and for this  
5 reason, carbon dioxide and methane and water vapor  
6 are referred to as greenhouse gases.

7           Greenhouse gases roll up the windows on  
8 planet earth. Burning a gallon, which is 6.25  
9 pounds of gasoline, adds 20 pounds of carbon dioxide  
10 to the atmosphere. We live here. We can't get out  
11 of this vehicle. We cannot park it in the shade.  
12 Scientists consider 350 parts per million of carbon  
13 dioxide in the atmosphere to be a tipping point to  
14 catastrophe. Recently, for the first time in human  
15 history, we exceeded 400 parts per million. We're  
16 in completely unknown territory. If we were ancient  
17 mapmakers, we would pencil in the notation, "Here  
18 there be monsters."

19           This number would be much higher except  
20 for the fact that our oceans absorb billions of tons  
21 of carbon dioxide as the level increases in the air,  
22 but this fact is not good news. On April 29, 2008,  
23 my wife went to sleep and I started channel surfing.  
24 I found C-SPAN and here is a confession. I might  
25 have clicked on by, but the women who were

1     testifying were so great looking that I stopped to  
2     see what they were talking about. It turned out  
3     they were scientists, marine biologists.

4             From their testimony I first learned  
5     that the ocean absorbs vast quantities of carbon  
6     dioxide and that carbon dioxide makes the ocean more  
7     acidic. Acid dissolves seashells, and these  
8     scientists explained that we were already in 2008  
9     dangerously close to a point where there would be  
10    too much acid in the ocean for animals there to  
11    produce shells. They were unanimous in their  
12    conclusions and predictions. In contrast, they  
13    suggested that if a catastrophe wiped out all of the  
14    tropical rain forests on earth, we might possibly  
15    still be able to muddle through. However, they were  
16    adamant in the simple stark statement: "If the  
17    oceans die, we die. Animals that live in shells are  
18    a crucial part of the food chain in the ocean. If  
19    they can no longer produce shells, they will die and  
20    the ocean will die.

21            Last Thursday I read an article about  
22    scientists who placed baby clams in mud flats in a  
23    cove in Maine. Their shells, quote, rapidly  
24    dissolved. The dire situation predicted in 2008 is  
25    happening now. In the past two months, I have

1 discovered, excuse me, that a group of climate  
2 scientists have begun to speak about the  
3 unthinkable. They are asking each other in  
4 publications available on the internet if the human  
5 race can survive past the year 2050. This group is  
6 focused primarily on the danger that climate change  
7 will move so rapidly that plants cannot keep up, and  
8 we will be unable to raise corn, rice, wheat, and  
9 other essential foods.

10 Any continued use of any fossil fuels  
11 increases the danger to the human race and to other  
12 creatures on our planet. Individuals can try to  
13 make intelligent decisions, but they are limited by  
14 the economic choices available. Corporations are  
15 chasing bottom-line profits and will not make the  
16 necessary changes without the proper incentives.  
17 Only government agencies such as you, commissioners,  
18 can make these changes happen.

19 The California Air Resources Board  
20 passed the zero emission vehicle mandate in 1990.  
21 If auto manufacturers were to be allowed to continue  
22 to sell cars in California, they had to make certain  
23 percentages of them to be emission-free. The  
24 mandate was 2 percent in 1998, 5 percent in 2001 and  
25 10 percent in 2003. As a result, General Motors

1 began to produce the EV1, electric vehicle 1. When  
2 political pressure caused this board to back down,  
3 the electric vehicles disappeared, literally. They  
4 were collected, taken to junkyards and crushed.

5 Our energy future is in your hands. I  
6 would be happy if you gave this company twice as  
7 much or ten times as much of a rate increase as they  
8 are requesting if you first obtained from them an  
9 ironclad guarantee that they would transition at the  
10 highest technically possible speed to supplying us  
11 with energy that does not come from fossil fuels.  
12 We have caused breakthroughs on the manufacture of  
13 solar panels. We have breakthroughs on both the  
14 cost and capacity of storage batteries. We have the  
15 technical know-how to try to stop plunging over this  
16 climate cliff. It may indeed be too late, but we  
17 must try. As our representatives in a government  
18 agency dealing with energy, I believe you have both  
19 the responsibility and the power to address this  
20 human crisis. Thank you.

21 JUDGE PRIDGIN: Mr. Klassen, thank you  
22 very much. Mr. Chairman, do you have any questions?

23 CHAIRMAN KENNEY: Mr. Klassen, thanks.  
24 Your comments were, obviously, very well researched  
25 and I appreciate the time that you took to express

1 your concerns. Those are important in our  
2 decisions.

3 I want to switch gears slightly if you  
4 don't mind and ask you some questions about your  
5 customer service experience with the company. Do  
6 you have any experiences along the lines of the  
7 quality and caliber of customer service that you've  
8 received from the company thus far?

9 MR. KLASSEN: At this point I would  
10 basically say no. The bills I receive are readable.  
11 You know, everyone would love to have them be a  
12 little bit lower, but, you know, I have not had any  
13 specific issues with the company, no, sir.

14 CHAIRMAN KENNEY: Again, I do appreciate  
15 you taking the time and obvious thought and  
16 consideration and concern that you put into  
17 preparing your remarks. I appreciate it very much.

18 MR. KLASSEN: Thank you, sir.

19 CHAIRMAN KENNEY: Thank you.

20 JUDGE PRIDGIN: Mr. Klassen, thank you  
21 for your time and your testimony.

22 I don't have anyone else who has signed  
23 up to testify. Does anyone else have any remarks?

24 Yes, sir. If you'll come forward and be  
25 sworn, please. If you'll raise your right hand to

1 be sworn.

2 DAVID JOHNSON,

3 was sworn to tell the truth and testified as

4 follows:

5 JUDGE PRIDGIN: Thank you very much,

6 sir. You can stand or sit as you're comfortable.

7 If you'll state your name and spell it for the court

8 reporter, please.

9 MR. JOHNSON: David Johnson,

10 J-O-H-N-S-O-N.

11 JUDGE PRIDGIN: And are you a customer

12 of Liberty Utilities?

13 MR. JOHNSON: Yes, I am.

14 JUDGE PRIDGIN: All right. What is your

15 statement, sir?

16 MR. JOHNSON: On my customer experiences

17 with Liberty Utilities since they've taken over,

18 there have been zero problems. The only interaction

19 with them has been on the billing and it's fine.

20 The only comment that I have, they were

21 talking earlier about the rate pie, how the

22 different rates are set, and I would like to ask

23 that if a rate increase is granted, that

24 consideration be given to put the increase in the

25 commodity rate and keep the monthly delivery charge

1 as low as possible. I feel that gives an incentive  
2 to people to use less of the utility and I just  
3 think trying to get people to conserve is probably a  
4 good thing. I'd rather the rates not increase, but  
5 if an increase is granted, I would rather see it in  
6 that charge and not the monthly charge. That's  
7 basically all I've got.

8 JUDGE PRIDGIN: Mr. Johnson, thank you.  
9 Mr. Chairman?

10 CHAIRMAN KENNEY: No questions. Thank  
11 you very much. I appreciate it.

12 JUDGE PRIDGIN: Mr. Johnson. Thank you.

13 Again, I've had nobody else sign up to  
14 testify. Does anyone else wish to testify to the  
15 Commission?

16 Seeing no hands. Counsel, anything in  
17 closing?

18 MR. DORITY: No, sir.

19 MR. OPTIZ: No, sir.

20 JUDGE PRIDGIN: I'm sorry. I think I  
21 did neglect to take entries of appearance. Let me  
22 do that real quickly.

23 Mr. Dority for the company, please.  
24 Thank you.

25 MR. DORITY: Thank you, Judge.



1 Appearing on behalf of Liberty Utilities, my name is  
2 Larry Dority. I'm with the firm of Fischer & Dority  
3 in Jefferson City. Our address is 101 Madison,  
4 Suite 400, Jefferson City 65101.

5 JUDGE PRIDGIN: Mr. Dority, thank you.

6 On behalf of the staff, please.

7 MR. OPTIZ: Thank you, Judge. Appearing  
8 on behalf of the staff of the Commission Tim Opitz,  
9 P.O. Box 360, Jefferson City, Missouri 65102.

10 JUDGE PRIDGIN: Mr. Opitz, thank you.

11 On behalf of the Office of Public  
12 Counsel, please.

13 MR. POSTON: Thank you. Marc Poston  
14 appearing for the Office of the Public Counsel and  
15 the public.

16 JUDGE PRIDGIN: Mr. Poston, thank you.

17 Have I overlooked anyone? All right.

18 Nobody else wishes to testify?

19 Mr. Chairman, any closing remarks?

20 CHAIRMAN KENNEY: No. Just again,  
21 thanks for taking the time on a Tuesday evening to  
22 come out and participate in the process. It's  
23 important.

24 This is one portion of the overall  
25 process. This will culminate the two-week hearing

1 that will take place in Jeff City at which time  
2 evidence will be presented and the Commission will  
3 sit and make a decision and make a written decision.  
4 You're free to come to Jefferson City and watch the  
5 hearing live or you can watch it streaming on the  
6 internet as well at our website and I encourage you  
7 to do that if you're so inclined.

8           Again, thank you for being here tonight  
9 and safe driving home.

10           JUDGE PRIDGIN: And I thank you for  
11 those comments. Thank you for your time and your  
12 interest in the hearing this evening.

13           If there's nothing further, we will go  
14 off the record in the Hannibal local public hearing  
15 in GR-2014-0152. Thank you very much. We're off  
16 the record.

17           (The hearing concluded at 6:46 p.m.)

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INDEX

Witness Name	Page
Mr. David Klassen	6
Mr. David Johnson	15

EXHIBITS

(No exhibits marked.)

1  
2  
3  
4  
5  
6  
7  
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CERTIFICATE OF REPORTER

I, Amanda N. Farrar, a Certified Court Reporter for the State of Missouri, do hereby certify that the witnesses whose testimony appears in the foregoing transcript were duly sworn; the testimony of said witnesses was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

\_\_\_\_\_  
Certified Court Reporter

<b>A</b>	<p><b>ability</b> 20:7  <b>able</b> 3:17 11:15  <b>absorb</b> 10:20  <b>absorbs</b> 11:5  <b>account</b> 3:24  <b>acid</b> 11:7,10  <b>acidic</b> 11:7  <b>action</b> 20:10,14  <b>adamant</b> 11:16  <b>added</b> 7:24  <b>address</b> 7:17              13:19 17:3  <b>adds</b> 10:9  <b>advantage</b> 9:15  <b>affirmed</b> 5:8  <b>agencies</b> 12:17  <b>agency</b> 13:18  <b>ago</b> 6:10,19 7:8              8:14 9:17  <b>air</b> 9:21,24 10:21              12:19  <b>allow</b> 7:17  <b>allowed</b> 12:21  <b>Amanda</b> 1:21              20:2  <b>amounts</b> 9:19  <b>ancient</b> 10:16  <b>animals</b> 11:10,17  <b>answered</b> 3:15  <b>answering</b> 4:9  <b>apparently</b> 8:25  <b>appearance</b>              16:21  <b>APPEARANC...</b>              2:1  <b>appearing</b> 17:1,7              17:14  <b>appears</b> 20:4  <b>appreciate</b> 4:2              13:25 14:14,17              16:11  <b>approach</b> 6:12  <b>approve</b> 7:9  <b>April</b> 10:22  <b>area</b> 5:2  <b>Areas</b> 1:14</p>	<p><b>article</b> 11:21  <b>asking</b> 12:3  <b>Atlanta</b> 8:25  <b>atmosphere</b> 7:23              7:25 8:7,13              9:19 10:10,13  <b>attorney</b> 20:12  <b>auto</b> 12:21  <b>available</b> 12:4,14</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>baby</b> 11:22  <b>back</b> 13:2  <b>basically</b> 14:10              16:7  <b>batteries</b> 13:14  <b>beg</b> 7:16  <b>began</b> 9:18 13:1  <b>begun</b> 12:2  <b>behalf</b> 6:17 17:1              17:6,8,11  <b>believe</b> 4:10              13:18  <b>beneficial</b> 3:14  <b>best</b> 20:7  <b>better</b> 8:1  <b>billing</b> 15:19  <b>billions</b> 10:20  <b>bills</b> 14:10  <b>biologists</b> 11:3  <b>Biology</b> 8:4  <b>bit</b> 14:12  <b>board</b> 12:19 13:2  <b>Bob</b> 8:2  <b>bottom-line</b>              12:15  <b>Box</b> 17:9  <b>breakthroughs</b>              13:12,13  <b>briefly</b> 7:1 8:13  <b>Building</b> 2:8,13  <b>builds</b> 9:14  <b>buried</b> 7:22  <b>burn</b> 7:23  <b>Burning</b> 10:8</p> <hr/> <p style="text-align: center;"><b>C</b></p>	<p><b>C</b> 3:1  <b>caliber</b> 14:7  <b>California</b> 8:15              12:19,22  <b>capacity</b> 13:14  <b>car</b> 9:2,7  <b>carbon</b> 7:24 8:11              10:2,5,9,12,21              11:5,6  <b>carpets</b> 9:7  <b>cars</b> 12:22  <b>case</b> 3:5,25 4:16              5:2,3 8:24  <b>catastrophe</b>              10:14 11:13  <b>catch</b> 9:9  <b>caused</b> 6:24 13:2              13:12  <b>CCR</b> 1:21  <b>certain</b> 9:19,24              10:1 12:22  <b>certainly</b> 4:13              6:15  <b>CERTIFICATE</b>              20:1  <b>Certified</b> 20:2,18  <b>certify</b> 20:4  <b>chain</b> 11:18  <b>chairman</b> 1:19              3:8,9,10,11,12              4:5,6 5:2 6:3              13:22,23 14:14              14:19 16:9,10              17:19,20  <b>chance</b> 4:11,15  <b>change</b> 12:6  <b>changes</b> 10:4              12:16,18  <b>channel</b> 10:23  <b>characteristic</b>              9:16 10:3  <b>charge</b> 7:11              15:25 16:6,6  <b>chasing</b> 12:15  <b>chemicals</b> 9:19              9:24  <b>CHIEF</b> 1:18</p>	<p><b>child</b> 8:19,20,23  <b>children</b> 8:18  <b>choices</b> 12:14  <b>citizens</b> 6:18  <b>City</b> 2:4,9,14              17:3,4,9 18:1,4  <b>claims</b> 7:25  <b>clams</b> 11:22  <b>cleaner</b> 8:1  <b>clicked</b> 10:25  <b>cliff</b> 13:16  <b>climate</b> 12:1,6              13:16  <b>close</b> 11:9  <b>closing</b> 16:17              17:19  <b>collected</b> 13:4  <b>color</b> 9:10  <b>come</b> 13:11 14:24              17:22 18:4  <b>comfortable</b> 5:15              5:21 15:6  <b>coming</b> 6:13  <b>commenced</b> 3:2  <b>comment</b> 15:20  <b>comments</b> 13:24              18:11  <b>Commission</b> 1:2              2:11 3:7,8,13              4:18 5:1 6:7              16:15 17:8 18:2  <b>COMMISSIO...</b>              1:19  <b>commissioners</b>              3:16,22 6:17              12:17  <b>commodity</b> 15:25  <b>company</b> 1:15              4:8,11 7:19              13:6 14:5,8,13              16:23  <b>compiled</b> 6:13  <b>completely</b> 10:16  <b>concern</b> 7:18              14:16  <b>concerns</b> 3:24              14:1</p>	<p><b>concluded</b> 18:17  <b>conclusions</b>              11:12  <b>conducted</b> 9:22  <b>conducting</b> 10:1  <b>confession</b> 10:24  <b>conserve</b> 16:3  <b>consider</b> 10:12  <b>consideration</b>              14:16 15:24  <b>construct</b> 9:14  <b>continue</b> 12:21  <b>continued</b> 12:10  <b>contrast</b> 11:12  <b>cooked</b> 9:2  <b>corn</b> 12:8  <b>Cornell</b> 8:4  <b>Corp</b> 1:12  <b>Corporations</b>              12:14  <b>correctly</b> 4:23  <b>cost</b> 13:14  <b>costs</b> 7:7  <b>counsel</b> 2:6,13              4:12 16:16              17:12,14 20:9              20:12  <b>court</b> 3:21 4:20              4:23 5:22 15:7              20:2,18  <b>cove</b> 11:23  <b>creatures</b> 12:12  <b>crisis</b> 13:20  <b>critical</b> 4:1  <b>crucial</b> 11:18  <b>crushed</b> 13:4  <b>cubic</b> 6:24  <b>culminate</b> 17:25  <b>customer</b> 4:24              6:4 14:5,7              15:11,16  <b>C-SPAN</b> 10:24</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>D</b> 1:17 2:7 3:1  <b>danger</b> 12:6,11  <b>dangerously</b> 11:9</p>
----------	--	--	--	---	---

<p><b>dashboard</b> 9:7  <b>David</b> 5:11,17,25  15:2,9 19:3,4  <b>dead</b> 8:23  <b>dealing</b> 13:18  <b>death</b> 9:2  <b>December</b> 7:1  <b>decision</b> 18:3,3  <b>decisions</b> 12:13  14:2  <b>deliberate</b> 3:24  <b>deliberately</b> 9:1  <b>delivery</b> 7:10  15:25  <b>DEPUTY</b> 1:18  <b>derived</b> 7:21  <b>Designed</b> 1:13  <b>developing</b> 8:24  <b>die</b> 11:17,17,19  11:20  <b>difference</b> 10:1  <b>different</b> 6:11  9:10,10 15:22  <b>dioxide</b> 7:24 8:11  10:2,5,9,13,21  11:6,6  <b>dire</b> 11:24  <b>direction</b> 20:8  <b>disagrees</b> 8:5  <b>disappeared</b> 13:3  <b>discover</b> 8:23  <b>discovered</b> 8:21  9:25 12:1  <b>discusses</b> 8:8  <b>dissolved</b> 11:24  <b>dissolves</b> 11:7  <b>Dority</b> 2:3,3  16:18,23,25  17:2,2,5  <b>driving</b> 18:9  <b>duly</b> 20:5  <b>d/b/a</b> 1:12</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>E</b> 3:1,1  <b>earlier</b> 15:21  <b>earth</b> 7:22 10:8</p>	<p>11:14  <b>Ecology</b> 8:3  <b>economic</b> 7:9  12:14  <b>effect</b> 9:20  <b>either</b> 5:14  <b>electric</b> 13:1,3  <b>emission</b> 12:20  <b>emission-free</b>  12:23  <b>employed</b> 20:9  20:12  <b>employee</b> 20:12  <b>encourage</b> 18:6  <b>energy</b> 7:19 9:3,6  9:8,9 13:5,11  13:18  <b>enters</b> 8:7  <b>entries</b> 16:21  <b>Environmental</b>  8:4  <b>error</b> 8:21  <b>essential</b> 12:9  <b>evening</b> 3:3,7 4:9  17:21 18:12  <b>evidence</b> 18:2  <b>EV1</b> 13:1  <b>exceeded</b> 10:15  <b>excuse</b> 12:1  <b>exhibits</b> 19:7,9  <b>experience</b> 14:5  <b>experiences</b> 14:6  15:16  <b>experiments</b> 9:23  <b>explained</b> 11:8  <b>express</b> 13:25</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>fact</b> 10:20,22  <b>family</b> 8:16  <b>far</b> 14:8  <b>Farrar</b> 1:21 20:2  <b>father</b> 8:25  <b>feel</b> 16:1  <b>feet</b> 6:24  <b>File</b> 1:15  <b>financially</b> 20:13</p>	<p><b>find</b> 7:17  <b>finding</b> 8:8  <b>fine</b> 15:19  <b>firm</b> 17:2  <b>first</b> 5:24 6:8,16  10:14 11:4 13:8  <b>Fischer</b> 2:3 17:2  <b>five</b> 3:16  <b>flats</b> 11:22  <b>flow</b> 9:23  <b>focused</b> 12:6  <b>follows</b> 5:19 15:4  <b>food</b> 11:18  <b>foods</b> 12:9  <b>foregoing</b> 20:5  <b>forests</b> 11:14  <b>forgot</b> 8:18  <b>forward</b> 4:3  14:24  <b>fossil</b> 7:20 8:2  12:10 13:11  <b>found</b> 10:24  <b>fracking</b> 7:5 8:5  <b>free</b> 18:4  <b>fuel</b> 7:20,24 8:1  <b>fuels</b> 8:2 12:10  13:11  <b>further</b> 3:9 18:13  20:11  <b>future</b> 13:5</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p><b>G</b> 3:1  <b>gallon</b> 10:8  <b>gas</b> 1:12,14 6:21  7:3,6,7 8:11  <b>gases</b> 8:12 10:1,6  10:7  <b>Gasland</b> 8:9  <b>gasoline</b> 10:9  <b>gears</b> 14:3  <b>General</b> 1:13  12:25  <b>given</b> 4:19 7:7  15:24  <b>gives</b> 16:1  <b>glass</b> 9:4,11,13</p>	<p>9:15,20 10:4  <b>go</b> 3:9 18:13  <b>going</b> 7:11,15  <b>good</b> 3:3 10:22  16:4  <b>government</b>  12:17 13:17  <b>Governor</b> 2:8,13  <b>granted</b> 15:23  16:5  <b>great</b> 9:11 11:1  <b>greenhouse</b> 8:11  8:12 10:4,6,7  <b>greenhouses</b> 9:15  <b>group</b> 12:1,5  <b>GR-2014-0152</b>  1:15 3:5 18:15  <b>guarantee</b> 13:9  <b>Gulf</b> 6:25</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p><b>H</b> 5:25  <b>hand</b> 5:16 14:25  <b>hands</b> 13:5 16:16  <b>Hannibal</b> 1:8 3:4  6:20 18:14  <b>happen</b> 7:10  12:18  <b>happening</b> 11:25  <b>happy</b> 13:6  <b>hear</b> 4:7 5:10  <b>heard</b> 7:13 8:15  <b>hearing</b> 1:6 3:2,4  3:19 4:7,10,12  4:14,17 5:11  6:20 17:25 18:5  18:12,14,17  20:10  <b>heat</b> 9:8,13,21,23  10:2  <b>help</b> 8:1  <b>helpful</b> 3:14  <b>Hibert</b> 6:1  <b>higher</b> 10:19  <b>highest</b> 13:10  <b>history</b> 10:15  <b>home</b> 8:17 18:9</p>	<p><b>hope</b> 3:13 6:13  <b>horrific</b> 8:24  <b>horrified</b> 8:23  <b>hot</b> 8:22 9:8  <b>hour</b> 8:9,21  <b>Howarth</b> 8:2  <b>huge</b> 10:1  <b>human</b> 10:14  12:4,11 13:20  <b>hurricane</b> 6:22  6:23,24  <b>H-I-B-E-R-T</b> 6:1  <b>H-O-W-A-R-T...</b>  8:3</p> <hr/> <p style="text-align: center;"><b>I</b></p> <p><b>identified</b> 10:2  <b>II</b> 8:9  <b>impeding</b> 9:20  <b>Implement</b> 1:13  <b>implications</b> 8:14  <b>important</b> 4:2  14:1 17:23  <b>incentive</b> 16:1  <b>incentives</b> 12:16  <b>inclined</b> 18:7  <b>increase</b> 1:13  6:20 7:10 13:7  15:23,24 16:4,5  <b>increased</b> 7:6  <b>increases</b> 10:21  12:11  <b>INDEX</b> 19:1  <b>indicate</b> 6:8  <b>Individuals</b>  12:12  <b>indulge</b> 6:14  <b>indulgence</b> 7:16  <b>infant</b> 8:19  <b>information</b> 6:9  <b>informational</b>  3:13  <b>infrared</b> 9:11,12  <b>initial</b> 5:25  <b>inside</b> 9:7  <b>instance</b> 8:16  <b>insulator</b> 9:12</p>
---	--	---	---	---

<p><b>intelligent</b> 12:13  <b>interaction</b> 15:18  <b>interest</b> 18:12  <b>interested</b> 20:14  <b>internet</b> 12:4  18:6  <b>ironclad</b> 13:9  <b>issues</b> 7:14,17  14:13</p> <hr/> <p style="text-align: center;"><b>J</b></p> <hr/> <p><b>Jeff</b> 18:1  <b>Jefferson</b> 2:4,9  2:14 17:3,4,9  18:4  <b>John</b> 9:22  <b>Johnson</b> 15:2,9,9  15:13,16 16:8  16:12 19:4  <b>Judge</b> 1:18 3:3  3:11 4:5 5:14  5:20 6:6,15  13:21 14:20  15:5,11,14 16:8  16:12,20,25  17:5,7,10,16  18:10  <b>judges</b> 3:6  <b>July</b> 1:7  <b>junkyards</b> 13:4  <b>justification</b> 7:9  <b>J-O-H-N-S-O-N</b>  15:10</p> <hr/> <p style="text-align: center;"><b>K</b></p> <hr/> <p><b>Katrina</b> 6:22  <b>keep</b> 12:7 15:25  <b>Kenney</b> 1:19 3:8  3:11,12 6:3  13:23 14:14,19  16:10 17:20  <b>killed</b> 9:1  <b>Klassen</b> 5:12,12  5:13,17,24 6:1  6:5,8,16 13:21  13:23 14:9,18  14:20 19:3</p>	<p><b>know</b> 3:18 5:7  7:15 14:11,12  <b>know-how</b> 13:15  <b>K-L-A-S-S-E-N</b>  6:2</p> <hr/> <p style="text-align: center;"><b>L</b></p> <hr/> <p><b>Larry</b> 2:3 17:2  <b>late</b> 13:16  <b>LAW</b> 1:18  <b>learned</b> 11:4  <b>Legal</b> 2:13  <b>level</b> 10:21  <b>Liberty</b> 1:11,12  2:2 3:5 4:24 6:4  15:12,17 17:1  <b>light</b> 9:5,11,13  <b>limited</b> 12:13  <b>lines</b> 14:6  <b>listed</b> 7:3  <b>listening</b> 4:3  <b>literally</b> 13:3  <b>LITIGATION</b>  1:22  <b>little</b> 14:12  <b>live</b> 10:10 11:17  18:5  <b>local</b> 1:6 3:4,18  18:14  <b>longer</b> 11:19  <b>look</b> 4:3  <b>looking</b> 11:1  <b>Louis</b> 8:16  <b>love</b> 14:11  <b>low</b> 16:1  <b>lower</b> 7:6 14:12</p> <hr/> <p style="text-align: center;"><b>M</b></p> <hr/> <p><b>Madison</b> 2:4,8,14  17:3  <b>Maine</b> 11:23  <b>mandate</b> 12:20  12:24  <b>manner</b> 9:1  <b>manufacture</b>  13:12  <b>manufacturers</b></p>	<p>12:21  <b>mapmakers</b>  10:17  <b>Marc</b> 2:7 17:13  <b>marine</b> 11:3  <b>marked</b> 19:9  <b>market</b> 7:2  <b>Matter</b> 1:11  <b>meaning</b> 9:5  <b>means</b> 7:20  <b>measured</b> 9:23  <b>methane</b> 8:7,10  10:5  <b>Mexico</b> 7:1  <b>middle</b> 5:25  <b>Midstates</b> 1:11  <b>MIDWEST</b> 1:22  <b>million</b> 10:12,15  <b>millions</b> 7:23  <b>mind</b> 14:4  <b>minute</b> 9:25  <b>minutes</b> 6:10  8:10,21  <b>Missouri</b> 1:1,8  1:14 2:4,9,11  2:14 6:18 17:9  20:3  <b>modified</b> 6:11  <b>monsters</b> 10:18  <b>monthly</b> 15:25  16:6  <b>months</b> 11:25  <b>morning</b> 7:2  <b>Motors</b> 12:25  <b>move</b> 12:7  <b>movie</b> 8:9,10  <b>mud</b> 11:22  <b>muddle</b> 11:15  <b>multiple</b> 8:17</p> <hr/> <p style="text-align: center;"><b>N</b></p> <hr/> <p><b>N</b> 1:21 3:1 20:2  <b>name</b> 4:23 5:22  5:24 6:1 15:7  17:1 19:2  <b>natural</b> 1:11,14  6:21 7:2,6,7</p>	<p><b>nearly</b> 7:11  <b>necessary</b> 9:22  12:16  <b>neglect</b> 16:21  <b>neighborhood</b>  6:23  <b>neither</b> 20:8  <b>news</b> 10:22  <b>notation</b> 10:17  <b>number</b> 10:19</p> <hr/> <p style="text-align: center;"><b>O</b></p> <hr/> <p><b>O</b> 3:1  <b>oath</b> 4:19 5:7  <b>obtained</b> 13:8  <b>obvious</b> 14:15  <b>obviously</b> 13:24  <b>ocean</b> 11:5,6,10  11:18,20  <b>oceans</b> 10:20  11:17  <b>Office</b> 2:6,8,13  17:11,14  <b>official</b> 4:17  <b>opening</b> 3:10  <b>Opitz</b> 2:12 17:8  17:10  <b>opportunity</b> 3:15  3:19,23  <b>OPTIZ</b> 16:19  17:7  <b>outcome</b> 20:14  <b>overall</b> 17:24  <b>overlooked</b> 17:17</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>P</b> 3:1  <b>packages</b> 8:18  <b>Page</b> 19:2  <b>panels</b> 13:13  <b>parent</b> 8:19  <b>park</b> 10:11  <b>parked</b> 8:22  <b>part</b> 4:15 8:9  11:18  <b>participate</b> 17:22  <b>participation</b> 4:1</p>	<p><b>particular</b> 10:2  <b>parties</b> 20:10,13  <b>parts</b> 10:12,15  <b>passed</b> 12:20  <b>passes</b> 9:5  <b>pencil</b> 10:17  <b>people</b> 16:2,3  <b>percent</b> 7:11 8:6  12:24,24,25  <b>percentages</b>  12:23  <b>Permit</b> 8:13  <b>pie</b> 15:21  <b>place</b> 8:6 18:1  <b>placed</b> 11:22  <b>places</b> 8:8  <b>planet</b> 10:8 12:12  <b>plants</b> 12:7  <b>please</b> 5:1,7,16  5:23 14:25 15:8  16:23 17:6,12  <b>plunging</b> 13:15  <b>point</b> 10:13 11:9  14:9  <b>political</b> 13:2  <b>portion</b> 3:18 4:7  4:10,14 17:24  <b>positive</b> 7:4  <b>possession</b> 6:9  <b>possible</b> 13:10  16:1  <b>possibly</b> 11:14  <b>Poston</b> 2:7 17:13  17:13,16  <b>potent</b> 8:11  <b>pounds</b> 10:9,9  <b>power</b> 13:19  <b>precisely</b> 9:4,15  <b>predicted</b> 11:24  <b>predictions</b>  11:12  <b>preliminary</b> 4:22  <b>preparing</b> 14:17  <b>presence</b> 9:18  <b>present</b> 4:8 7:22  9:25  <b>presented</b> 18:2</p>
--	--	---	--	---

<p><b>Presiding</b> 1:17  <b>pressure</b> 13:2  <b>previous</b> 6:19  <b>price</b> 6:21 7:1,2,4                      7:6  <b>prices</b> 6:22  <b>Pridgin</b> 1:17 3:3                      3:6 4:5 5:14,20                      6:6,15 13:21                      14:20 15:5,11                      15:14 16:8,12                      16:20 17:5,10                      17:16 18:10  <b>primarily</b> 12:6  <b>prior</b> 6:13,22  <b>probably</b> 16:3  <b>problems</b> 15:18  <b>PROCEEDIN...</b>                      1:4  <b>process</b> 17:22,25  <b>produce</b> 11:11,19                      13:1  <b>produces</b> 10:3  <b>product</b> 7:19 8:7  <b>Professor</b> 8:3  <b>profits</b> 12:15  <b>proper</b> 12:16  <b>proposed</b> 7:9,10  <b>public</b> 1:2,6 2:6                      2:11 3:4,19                      4:11 17:11,14                      17:15 18:14  <b>publications</b> 12:4  <b>purpose</b> 4:6  <b>put</b> 14:16 15:24  <b>P.C</b> 2:3  <b>p.m</b> 3:2 18:17  <b>P.O</b> 17:9</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <p><b>quality</b> 14:7  <b>quantities</b> 9:25                      11:5  <b>questions</b> 3:15                      4:9,22 5:3,4,9                      13:22 14:4                      16:10</p>	<p><b>quickly</b> 16:22  <b>quote</b> 11:23</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p><b>R</b> 3:1  <b>race</b> 12:5,11  <b>raced</b> 8:22  <b>radiant</b> 9:9  <b>radiate</b> 9:8  <b>rain</b> 11:14  <b>raise</b> 5:16 12:8                      14:25  <b>rapidly</b> 9:14                      11:23 12:7  <b>rate</b> 1:13 6:20                      7:9 13:7 15:21                      15:23,25  <b>rates</b> 15:22 16:4  <b>read</b> 11:21  <b>readable</b> 14:10  <b>readily</b> 9:6,13  <b>real</b> 16:22  <b>reason</b> 10:5  <b>reasons</b> 5:6  <b>receive</b> 14:10  <b>received</b> 6:10                      14:8  <b>record</b> 4:16                      18:14,16  <b>recorded</b> 4:20  <b>reduced</b> 20:7  <b>reduction</b> 7:3  <b>referred</b> 10:6  <b>regards</b> 9:20  <b>REGULATORY</b>                      1:18  <b>related</b> 7:18 20:9  <b>relative</b> 20:11  <b>religious</b> 5:6  <b>remarks</b> 3:10                      4:15 14:17,23                      17:19  <b>repeat</b> 3:12  <b>REPORTED</b>                      1:21  <b>reporter</b> 3:21                      4:20,23 5:23</p>	<p>15:8 20:1,3,18  <b>representatives</b>                      4:12 13:17  <b>request</b> 6:20  <b>requesting</b> 13:8  <b>research</b> 8:5  <b>researched</b> 13:24  <b>Resources</b> 12:19  <b>responsibility</b>                      13:19  <b>responsible</b> 7:5  <b>result</b> 12:25  <b>returned</b> 8:17  <b>review</b> 3:23 8:13  <b>Revisions</b> 1:12  <b>rice</b> 12:8  <b>right</b> 5:11,16 6:3                      6:6 14:25 15:14                      17:17  <b>Robert</b> 1:19 3:8                      3:12  <b>roll</b> 10:7  <b>Ron</b> 3:5  <b>RONALD</b> 1:17</p> <hr/> <p style="text-align: center;"><b>S</b></p> <p><b>S</b> 1:19 3:1  <b>safe</b> 18:9  <b>saying</b> 3:22  <b>says</b> 9:3  <b>science</b> 8:14 9:3  <b>scientist</b> 9:22  <b>scientists</b> 9:17                      10:12 11:3,8,22                      12:2  <b>seashells</b> 11:7  <b>seat</b> 8:19  <b>seats</b> 9:7  <b>see</b> 3:9 11:2 16:5  <b>Seeing</b> 16:16  <b>sell</b> 12:22  <b>sells</b> 7:20  <b>sequestered</b> 7:21  <b>service</b> 1:2,14,14                      2:11 14:5,7  <b>SERVICES</b> 1:22  <b>session</b> 3:13</p>	<p><b>set</b> 15:22  <b>shade</b> 10:11  <b>shells</b> 11:11,17                      11:19,23  <b>shopping</b> 8:17  <b>shows</b> 8:5  <b>shut</b> 6:25  <b>sign</b> 16:13  <b>signed</b> 14:22  <b>simple</b> 11:16  <b>sir</b> 5:12,20 6:7                      14:13,18,24                      15:6,15 16:18                      16:19  <b>sit</b> 5:14,21 15:6                      18:3  <b>situation</b> 11:24  <b>sleep</b> 10:23  <b>slightly</b> 6:11 14:3  <b>small</b> 8:19 9:18  <b>solar</b> 13:13  <b>somebody</b> 5:5  <b>son</b> 9:1  <b>sorry</b> 16:20  <b>speak</b> 12:2  <b>specific</b> 14:13  <b>speed</b> 13:10  <b>spell</b> 4:22,23 5:22                      15:7  <b>spelled</b> 6:2  <b>spiked</b> 7:1  <b>St</b> 8:16  <b>staff</b> 2:11 4:11                      17:6,8  <b>stand</b> 5:15,21                      15:6  <b>stands</b> 5:25  <b>stark</b> 11:16  <b>started</b> 10:23  <b>state</b> 1:1 5:22                      15:7 20:3  <b>statement</b> 4:25                      6:7 11:16 15:15  <b>statements</b> 4:18  <b>stay</b> 5:2  <b>stop</b> 13:15  <b>stopped</b> 11:1</p>	<p><b>storage</b> 13:14  <b>streaming</b> 18:5  <b>Street</b> 2:8,14  <b>strikes</b> 9:6  <b>substances</b> 7:21  <b>suggested</b> 11:13  <b>Suite</b> 2:4,8,13                      17:4  <b>sun</b> 8:22  <b>sunlight</b> 9:3  <b>supply</b> 7:6  <b>supplying</b> 13:10  <b>surfing</b> 10:23  <b>survive</b> 12:5  <b>switch</b> 14:3  <b>sworn</b> 4:21 5:16                      5:18 14:25 15:1                      15:3 20:5</p> <hr/> <p style="text-align: center;"><b>T</b></p> <p><b>take</b> 3:21,23 5:7                      8:18 9:15 16:21                      18:1  <b>taken</b> 6:11 13:4                      15:17 20:6,11  <b>takes</b> 8:6  <b>talk</b> 4:11,13  <b>talking</b> 11:2                      15:21  <b>Tariff</b> 1:12  <b>technical</b> 13:15  <b>technically</b> 13:10  <b>tell</b> 4:4 5:18 15:3  <b>temporarily</b> 6:25  <b>ten</b> 13:7  <b>territory</b> 10:16  <b>testified</b> 5:18                      15:3  <b>testify</b> 4:15,20                      5:6 14:23 16:14                      16:14 17:18  <b>testifying</b> 11:1  <b>testimony</b> 4:18                      5:8 11:4 14:21                      20:4,6  <b>thank</b> 3:11 4:4,5                      5:20 6:16 13:20</p>
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<p>13:21 14:18,19 14:20 15:5 16:8 16:10,12,24,25 17:5,7,10,13,16 18:8,10,11,15 <b>thanks</b> 13:23 17:21 <b>thereto</b> 20:13 <b>thing</b> 7:4 16:4 <b>things</b> 7:13 9:6,8 <b>think</b> 7:4 16:3,20 <b>thought</b> 8:20 14:15 <b>thoughts</b> 3:20,24 6:12 <b>thousand</b> 6:24 <b>Thursday</b> 11:21 <b>Tim</b> 2:12 17:8 <b>time</b> 10:14 13:25 14:15,21 17:21 18:1,11 <b>times</b> 13:7 <b>tipping</b> 10:13 <b>today</b> 7:7 <b>tonight</b> 3:17 18:8 <b>tonight's</b> 3:4 <b>tons</b> 10:20 <b>trace</b> 9:24 <b>traced</b> 6:21 <b>tragedies</b> 8:15 <b>transcribed</b> 3:20 <b>transcript</b> 1:4 3:23 20:5 <b>transfer</b> 9:21 <b>transition</b> 8:1 13:9 <b>transparent</b> 9:5 <b>trapped</b> 9:14 <b>travel</b> 9:12 <b>tropical</b> 11:14 <b>truth</b> 5:18 15:3 <b>try</b> 12:12 13:15 13:17 <b>trying</b> 16:3 <b>Tuesday</b> 17:21 <b>turned</b> 11:2 <b>twice</b> 13:6</p>	<p><b>two</b> 8:15 11:25 <b>two-week</b> 17:25 <b>Tyndall</b> 9:22 <b>typewriting</b> 20:8 <b>typical</b> 6:22</p> <hr/> <p style="text-align: center;"><b>U</b></p> <hr/> <p><b>unable</b> 12:8 <b>unanimous</b> 11:11 <b>understand</b> 7:8 7:14 <b>University</b> 8:4 <b>unknown</b> 10:16 <b>unthinkable</b> 12:3 <b>use</b> 5:25 9:4 12:10 16:2 <b>Utilities</b> 1:11,12 2:2 3:5 4:25 6:4 15:12,17 17:1 <b>utility</b> 16:2 <b>utmost</b> 7:18</p> <hr/> <p style="text-align: center;"><b>V</b></p> <hr/> <p><b>vapor</b> 10:5 <b>vast</b> 7:3 11:5 <b>vehicle</b> 8:22 10:11 12:20 13:1 <b>vehicles</b> 13:3 <b>visible</b> 9:5,11,13 <b>Volume</b> 1:9</p> <hr/> <p style="text-align: center;"><b>W</b></p> <hr/> <p><b>W</b> 2:3 <b>want</b> 6:16 14:3 <b>wants</b> 5:5 <b>watch</b> 18:4,5 <b>water</b> 10:5 <b>wavelength</b> 9:10 <b>website</b> 18:6 <b>welcome</b> 3:3 4:13 <b>wells</b> 6:25 <b>went</b> 8:16 10:23 <b>We're</b> 10:15 18:15 <b>wheat</b> 12:8 <b>wife</b> 10:23</p>	<p><b>windows</b> 10:7 <b>wiped</b> 11:13 <b>wish</b> 5:6 16:14 <b>wishes</b> 17:18 <b>witness</b> 5:2 19:2 <b>witnesses</b> 4:8,19 5:10 20:4,6 <b>women</b> 10:25 <b>wonder</b> 9:18 <b>words</b> 3:20 <b>work</b> 6:17 <b>works</b> 3:6 <b>worry</b> 8:12 <b>written</b> 18:3 <b>wrote</b> 7:12,15</p> <hr/> <p style="text-align: center;"><b>Y</b></p> <hr/> <p><b>year</b> 8:14 12:5 <b>years</b> 6:19 7:8,23 9:17 <b>young</b> 9:1</p> <hr/> <p style="text-align: center;"><b>Z</b></p> <hr/> <p><b>zero</b> 12:20 15:18</p> <hr/> <p style="text-align: center;"><b>\$</b></p> <hr/> <p><b>\$14</b> 7:1 <b>\$4.44</b> 7:3 <b>\$7</b> 6:23</p> <hr/> <p style="text-align: center;"><b>1</b></p> <hr/> <p><b>1</b> 1:7 13:1 <b>10</b> 12:25 <b>101</b> 2:4 17:3 <b>15</b> 19:4 <b>150</b> 9:17 <b>1859</b> 9:21 <b>1990</b> 12:20 <b>1998</b> 12:24</p> <hr/> <p style="text-align: center;"><b>2</b></p> <hr/> <p><b>2</b> 12:24 <b>20</b> 10:9 <b>200</b> 2:8,14 <b>2001</b> 12:24 <b>2003</b> 12:25 <b>2005</b> 7:2 <b>2008</b> 10:22 11:8</p>	<p>11:24 <b>2014</b> 1:7 <b>2050</b> 12:5 <b>22</b> 8:9 <b>29</b> 10:22</p> <hr/> <p style="text-align: center;"><b>3</b></p> <hr/> <p><b>3.6</b> 8:6 <b>350</b> 10:12 <b>360</b> 17:9</p> <hr/> <p style="text-align: center;"><b>4</b></p> <hr/> <p><b>400</b> 2:4 10:15 17:4 <b>45</b> 7:11</p> <hr/> <p style="text-align: center;"><b>5</b></p> <hr/> <p><b>5</b> 12:24 <b>573)636-6758</b> 2:5 <b>573)751-3234</b> 2:15 <b>573)751-4857</b> 2:9</p> <hr/> <p style="text-align: center;"><b>6</b></p> <hr/> <p><b>6</b> 19:3 <b>6.25</b> 10:8 <b>6:26</b> 3:2 <b>6:46</b> 18:17 <b>650</b> 2:8 <b>65101</b> 2:4 17:4 <b>65102</b> 2:9,14 17:9</p> <hr/> <p style="text-align: center;"><b>7</b></p> <hr/> <p><b>7.9</b> 8:6</p> <hr/> <p style="text-align: center;"><b>8</b></p> <hr/> <p><b>8</b> 1:9</p> <hr/> <p style="text-align: center;"><b>9</b></p> <hr/> <p><b>90</b> 8:21 <b>900</b> 2:13</p>
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