

In the Matter of the Application of Jerry L. Countryman

Hearing before:

Judge Ken Seyer

October 03, 2022

Vol 01

PHIPPS REPORTING

Raising the Bar!

BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS

Evidentiary Hearing

Monday, October 3, 2022
9:00 a.m. - 9:55 a.m.

Missouri Public Service Commission
200 Madison Street, Room 310
Jefferson City, MO 65102
and WebEx

VOLUME 1
Pages 1 - 45

In the Matter of the Application)
of Jerry L. Countryman for)
Change of Electric Supplier from)File No. EO-2022-0226
Empire District Electric Company)
d/b/a Liberty to White River)
Valley Electric Cooperative, Inc.)

KENNETH J. SEYER, Presiding
REGULATORY LAW JUDGE

RYAN A. SILVEY, Chairman
SCOTT T. RUPP, Commissioner
MAIDA J. COLEMAN, Commissioner
JASON R. HOLSMAN, Commissioner
GLEN KOLKMEYER, Commissioner

Stenographically Reported By:
Beverly Jean Bentch, RPR, CCR No. 640

Job No. 271596

1 APPEARANCES:

2 On behalf of Liberty (Empire):

3 428 East Capitol Avenue
4 Suite 303
5 Jefferson City, MO 65102

6 BY: DIANA C. CARTER, ESQ.
7 Diana.Carter@LibertyUtilities.com

8 On behalf of White River Valley Electric
9 Cooperative, Inc.:

10 CARNAHAN EVANS PC
11 2805 South Ingram Mill Road
12 Springfield, MO 65804

13 BY: CHRISTIAAN D. HORTON, ESQ.
14 chorton@carnahanevans.com

15 On behalf of the Staff of the
16 Public Service Commission:

17 Public Service Commission
18 200 Madison Street, Suite 800
19 P.O. Box 360
20 Jefferson City, MO 65102

21 BY: SCOTT STACEY, ESQ.
22 scott.stacey@psc.mo.gov

23 Present Pro Se: Jerry L. Countryman
24
25

	I N D E X	Page 3
		Page
1		
2		
3	Oral Entries of Appearance	5
4		
5	Opening Statement by Mr. Countryman	9
	Opening Statement by Ms. Carter	10
6	Opening Statement by Mr. Horton	13
	Opening Statement by Mr. Stacey	14
7		
	JERRY COUNTRYMAN'S WITNESS:	
8		
	JERRY COUNTRYMAN	
9	Questions by Judge Seyer	19
	Testimony by Mr. Countryman	21
10	Cross-Examination by Mr. Stacey	22
	Cross-Examination by Mr. Horton	25
11	Questions by Judge Seyer	28
12		
	LIBERTY'S WITNESS:	
13		
	JEFFERY WESTFALL	
	Direct Examination by Ms. Carter	31
14		
	WHITE RIVER'S WITNESS:	
15		
	BEAU JACKSON	
16	Direct Examination by Mr. Horton	34
	Cross-Examination by Mr. Stacey	37
17		
	STAFF'S WITNESS:	
18		
	ALAN BAX	
19	Direct Examination by Mr. Stacey	40
20		
	Certificate of Reporter	45
21		
22		
23		
24		
25		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

E X H I B I T I N D E X

Received

JERRY COUNTRYMAN'S EXHIBITS:

1	Two-page statement filed 7/12/22	23
2	Plat	30
3	Mr. Country's original application	31

LIBERTY'S EXHIBITS:

100	Rebuttal Testimony of Jeffery Westfall	33
-----	--	----

WHITE RIVER'S EXHIBIT:

200	Prefiled rebuttal testimony of Beau Jackson and Exhibit A	39
-----	---	----

STAFF'S EXHIBIT:

300	Rebuttal Testimony of Alan J. Bax	41
-----	-----------------------------------	----

(The above-listed exhibits were retained by the Public Service Commission.)

1 The following proceedings began at 9:00 a.m.:

2 JUDGE SEYER: All right. Let's bring this
3 proceeding to order and go on the record. Today is
4 October 3, 2022. The time is nine o'clock a.m. The
5 Commission has set this time for an evidentiary hearing
6 in the case captioned as In the Matter of the
7 Application of Jerry L. Countryman for Change of
8 Electric Supplier from Empire District Electric Company
9 d/b/a Liberty to White River Valley Electric
10 Cooperative, Incorporated. It's the Public Service
11 Commission File No. EO-2022-0226.

12 My name is Ken Seyer. I am the Regulatory Law
13 Judge presiding over this hearing. The hearing is
14 taking place in the Public Service Commission Hearing
15 Room, Room 310, of the Governor Office Building in
16 Jefferson City, Missouri. However, parties and
17 witnesses will also be participating over the internet
18 via Cisco WebEx.

19 Mr. Countryman is here in Room 310, correct?

20 MR. COUNTRYMAN: That is correct.

21 JUDGE SEYER: All right. Let's have counsel
22 for the parties make their entries of appearance
23 starting with Liberty.

24 MS. CARTER: Good morning. Diana Carter for
25 the Empire District Electric Company d/b/a Liberty,

1 mailing address 428 East Capitol Avenue, Suite 303,
2 Jefferson City, Missouri 65101.

3 JUDGE SEYER: Thank you. For White River
4 Valley Electric Co-op.

5 MR. HORTON: Good morning. Christiaan Horton
6 for White River Valley Electric Cooperative. Bar number
7 is 46003. Mailing address is 2805 South Ingram Mill,
8 Springfield, Missouri 65804.

9 JUDGE SEYER: Thank you. And for the Staff of
10 the Commission.

11 MR. STACEY: Scott Stacey for Staff, 200
12 Madison Street, Jefferson City 65101.

13 JUDGE SEYER: All right. Thank you. For
14 those in the hearing room, I ask everyone to silence any
15 cell phones and mobile devices. For those connected via
16 Cisco WebEx, I ask that you mute your microphone when
17 not speaking. For those in the hearing room, please be
18 cognizant of when your microphones are on indicated by a
19 lit green light at the base and when they are off.

20 When speaking into the microphones, you should
21 be within a few inches of the microphone for proper
22 amplification.

23 COMMISSIONER HOLSMAN: Judge, this is
24 Commissioner Holsman. I've joined.

25 JUDGE SEYER: I'm sorry. What?

1 COMMISSIONER HOLSMAN: I said this is
2 Commissioner Holsman. I was just alerting you to my
3 presence.

4 JUDGE SEYER: Okay. Let's go ahead and the
5 other Commissioners, if they would identify themselves.

6 CHAIRMAN SILVEY: Good morning, Judge.
7 Chairman Silvey is here.

8 JUDGE SEYER: Good morning. All right. We
9 may have other Commissioners join us here shortly.

10 Mr. Countryman, you're not represented by an
11 attorney today, correct?

12 MR. COUNTRYMAN: That's correct.

13 JUDGE SEYER: All right. Thank you. That is,
14 of course, acceptable and not uncommon in cases such as
15 yours. Please don't be overly concerned about following
16 our hearing procedures perfectly. When I can today, I
17 will assist you.

18 Today you may call witnesses to testify,
19 including yourself, and may offer other evidence for the
20 Commission to consider in reaching a decision on your
21 change of electric supplier request. You will also,
22 along with the other parties, be allowed to give an
23 opening statement. You do not have to give an opening
24 statement, but an opening statement generally is an
25 opportunity for a party in the case to give the

1 Commissioners and me a preview or a summary of what you
2 expect the evidence to be today during the hearing and
3 why that evidence will support your request to switch
4 from Liberty to White River.

5 Please keep this in mind however. You are not
6 sworn in before you give your opening statement. You
7 are not under oath and not subject to cross-examination
8 by the other parties. In other words, an opening
9 statement by itself cannot substitute for testimony
10 under oath and other admitted evidence. The
11 Commissioners cannot base their decision purely on
12 opening statements. You must still present evidence
13 following the opening statements for the Commissioners'
14 consideration. Do you understand that?

15 MR. COUNTRYMAN: Yes, sir.

16 JUDGE SEYER: All right. Thank you. Also,
17 you will be given the opportunity to cross-examine the
18 other parties' witnesses. That is, you may ask them
19 questions when they are through answering questions from
20 their attorneys or after their prefiled testimony has
21 been admitted. These must be questions and not
22 statements by you. Do you understand what I mean by
23 that?

24 MR. COUNTRYMAN: Yes, sir.

25 JUDGE SEYER: All right. Do the parties have

1 any preliminary matters to take up?

2 MR. HORTON: White River does not.

3 MR. STACEY: Staff does not, Your Honor.

4 MS. CARTER: Nothing from Liberty. Thank you.

5 JUDGE SEYER: Thank you. As far as the order
6 of witnesses, we will follow the order filed by the
7 parties in their Joint List and Order of Witnesses.

8 Mr. Countryman will testify first on behalf of
9 himself, followed by Jeffery Westfall for Liberty, Beau
10 Jackson for White River, and then Alan Bax for the Staff
11 of the Commission.

12 All right. So at this point I'll take opening
13 statements. Mr. Countryman, would you like to give an
14 opening statement?

15 MR. COUNTRYMAN: Yes, sir.

16 JUDGE SEYER: Go ahead. You know what? If
17 you'd like, you can also stand at the podium if you'd be
18 more comfortable doing that.

19 MR. COUNTRYMAN: I believe I'll do it from
20 here, sir.

21 JUDGE SEYER: All right.

22 MR. COUNTRYMAN: My name is Jerry Countryman.
23 The only statement I have is everything I have presented
24 to the Commission verbally or written I believe to be
25 the truth to the best of my knowledge. I have two

1 exhibits with me today I'd like to give the Judge. And
2 other than that, why, we can proceed on, sir.

3 JUDGE SEYER: Thank you. Ms. Carter, would
4 you like to give an opening statement?

5 MS. CARTER: Thanks, Judge. Just briefly.
6 There has been prefiled testimony in the case and that
7 prefiled testimony establishes the facts. The direct
8 testimony from Mr. Countryman is the same as his
9 application and it sets just one reason for support for
10 his request for a change of supplier and that's the
11 convenience of having one electric supplier for his two
12 adjacent parcels.

13 There was then rebuttal testimony filed by
14 Liberty, White River Cooperative, and also the Staff of
15 the Commission, and all three of these pieces of
16 rebuttal testimony are in substantial agreement with
17 each other that the request should not be granted based
18 on the applicable statute and the ten-factor test that
19 the Commission has traditionally applied in these
20 situations. And then there was no surrebuttal testimony
21 filed by Mr. Countryman.

22 I won't go through all ten of the factors.
23 Those are established by Commission order. The statute
24 393.106, that's known as Missouri's anti-flip-flop
25 statute, and that's what's applicable here that there

1 would need to be a reason that's in the public interest
2 to grant the change of supplier other than a difference
3 in rates. But then those ten factors that the
4 Commission has traditionally applied help to determine
5 what may be in the public interest in these sorts of
6 cases.

7 Again, I won't go through all ten. One I
8 would like to note is the efforts that the current
9 supplier has established -- has gone through to solve or
10 mitigate problems, and in this case the Commissioners
11 will hear or you'll see in the prefiled testimony that
12 there's been no mitigation or nothing has taken place
13 because there have been no problems stated.

14 There's nothing for Liberty to address. They
15 haven't been given that opportunity, because again the
16 only stated reason by Mr. Countryman is the convenience
17 of having the same electric supplier for his two
18 adjacent parcels. Liberty, being consistent with the
19 Commission's prior holdings, did not grant
20 Mr. Countryman's request and is opposing it here before
21 the Commission. Nothing personal certainly to
22 Mr. Countryman and we understand that it would be
23 convenient for him to have one supplier for those two
24 parcels, but the statute is clear that there has to be a
25 reason, sufficient cause to grant that. As is explained

1 in the rebuttal testimony of Liberty's witness Jeff
2 Westfall, Liberty's other customers are harmed. When
3 there's a change of supplier granted, the smaller the
4 customer base the more costs that have to be borne by
5 the remaining customers.

6 Also, we have the statute in place in Missouri
7 so that electric suppliers can rely on that continued
8 service once it is established. White River is the
9 established supplier for the one parcel and Liberty is
10 the established provider for the other parcel, and by
11 the statute they are both entitled to continue providing
12 that service.

13 Again, we have Jeff Westfall here to testify
14 for Liberty. Also in attendance by WebEx is Charlotte
15 Emery. Mr. Westfall is Liberty's Senior Director of
16 Electric Operations for Transmission and Distribution,
17 and Ms. Emery is our Director of Regulatory. Be happy
18 to answer any questions and otherwise we'll just present
19 Mr. Westfall when it is our turn for testimony.

20 JUDGE SEYER: All right. Thank you, Ms.
21 Carter. Do the Commissioners have any questions for Ms.
22 Carter?

23 CHAIRMAN SILVEY: No questions at this time,
24 Judge.

25 COMMISSIONER HOLSMAN: No questions, Judge.

1 JUDGE SEYER: Thank you, Chairman. And I
2 apologize. Do the Commissioners have any questions for
3 Mr. Countryman following his opening statement?

4 COMMISSIONER HOLSMAN: No questions, Judge.
5 Commissioner Holsman.

6 JUDGE SEYER: All right. Thank you.
7 Mr. Horton, would you like to give an opening statement
8 on behalf of White River Valley Electric Cooperative?

9 MR. HORTON: I would, very briefly. White
10 River filed rebuttal testimony, and in that rebuttal
11 testimony we included an Exhibit A which I think is a
12 really nice illustration of the aerial view of the
13 property in question how the services come in from both
14 Liberty and White River. And as much as White River
15 would love to serve Mr. Countryman, we believe that the
16 existing statutory framework and Commission regulations
17 prohibit that, and that's essentially our position in
18 this case. We'd love to serve him but we don't feel we
19 have the legal right to serve him.

20 I will have Beau Jackson providing some
21 testimony in relation to this Exhibit A and being able
22 to field some questions about line extension and what it
23 would look like if we were to bring services in. He is
24 the manager of engineering and development for White
25 River. Beyond that, that probably will conclude the

1 testimony that I would intend to offer in the case.

2 Thank you.

3 JUDGE SEYER: All right. Do the Commissioners
4 have any questions for Mr. Horton? All right.

5 Mr. Stacey, would you like to make an opening statement
6 on behalf of the Commission or Staff of the Commission?

7 MR. STACEY: Yes, Your Honor. Thank you.

8 Good morning, Your Honor and Commission. May it please
9 the Commission. My name is Scott Stacey, and I'm
10 counsel for Staff.

11 Mr. Alan Bax for Staff is here and has
12 submitted testimony on the issue at hand which is
13 whether it is in the public interest for a reason other
14 than a rate differential for the Commission to order a
15 change of electric service provider from Empire District
16 Electric Company, Liberty, to White River Valley
17 Electric Cooperative for Jerry Countryman's asserted
18 reason having only one electric service provider for his
19 two adjacent real estate parcels. The issue standard is
20 set forth in Sections 393.106 and 394.314 of the Revised
21 Statutes of Missouri.

22 The answer to that question is no.

23 Mr. Countryman owned a parcel of land that his parents
24 gave him since 1977, which was serviced by Liberty from
25 then on. He inherited another portion of the property

1 in 2010, which had been serviced by White River and has
2 continued to service said property. 12 years later
3 Mr. Countryman files his application to change suppliers
4 with one reason that he prefers to have one provider.

5 The Commission found in Smith vs. Union,
6 EC-2007-0106, that customer preference by itself is not
7 a sufficient reason to find that it's in the public
8 interest to change suppliers. The burden of proof in
9 this matter is on Mr. Countryman to show that there is a
10 reason for changing suppliers other than a differential
11 in rates that is a public benefit. Mr. Bax will testify
12 that Mr. Countryman admitted to him that he wanted to
13 change suppliers as Liberty's costs were going up. Even
14 if Mr. Countryman had not stated one of the reasons
15 being a rate differential, Mr. Countryman would have to
16 show other reasons than this preference which would
17 include the Commission's ten-factor test on whether the
18 reasons are within the public interest.

19 Mr. Bax will further testify that he did an
20 investigation with Liberty and White River, as well with
21 Mr. Countryman in regards to this test. Whether
22 customers' needs cannot be adequately be met by the
23 present supplier with respect to either the amounts or
24 quality of power, there is no indication of either
25 service related or safety concerns noted in the

1 application. Whether there are health or safety issues
2 involving the amounts or quality of power, there is no
3 reported incidents. One alternative a customer has
4 considered, including an alternative with the present
5 supplier, Staff is unaware of any possible alternatives
6 being discussed such as territorial agreement. Whether
7 the customer's equipment has been damaged or destroyed
8 as a result of a problem with the electric supply, Staff
9 is not aware of any claims by Mr. Countryman of damaged
10 equipment as a result of the related service provided.

11 The effect of the loss of the customer would
12 have on the present supplier, in its response Liberty
13 mentions a negative impact thrust on its remaining
14 customer base should the change of supplier request be
15 approved. Whether the change of supplier would result
16 in duplication of facilities, especially in comparison
17 with the alternatives available from the present
18 supplier in comparison that should include, there would
19 be duplicate facilities and extend facilities and costs
20 associated with removing Liberty. The overall burden on
21 the customer caused by the inadequate service, including
22 any economic burden not related to the cost of
23 electricity itself and any burden not considered with
24 respect to factor six, Mr. Countryman has not indicated
25 experiencing any service-related or safety concerns

1 regarding electric service received from either Liberty
2 or White River. What efforts have been made by the
3 present supplier to solve or mitigate problems
4 Mr. Countryman has not alleged experiencing any service
5 related or safety issues. The impact that this
6 Commission's decision may have on economic development
7 on an individual or a cumulative basis Mr. Countryman
8 has received safe and reliable service from Liberty
9 since the 1970s. Liberty mentions the negative impact
10 on its customer base should the application be approved.
11 The effect of granting of authority for the change of
12 suppliers might have on any territorial agreements
13 between the two suppliers in question or on the
14 negotiation of territorial agreements between the
15 electric service providers, there are no existing
16 territorial agreements between Liberty and White River
17 that include the parcel at 451 North Countryman Road,
18 Ozark, Missouri nor the greater property as a whole.
19 Based on the investigation conducted by Mr. Bax,
20 responses from Liberty and White River, and lacking of
21 information from Mr. Countryman's application and
22 testimony, other than to have one supplier and cost
23 going up with his current supplier, Mr. Countryman's
24 request is not in the public interest and Staff requests
25 the Commission deny Mr. Countryman's application. Thank

1 you.

2 JUDGE SEYER: Thank you, Mr. Stacey. Do the
3 Commissioners have any questions for Mr. Stacey? All
4 right. Hearing none. You may be seated. Thank you.

5 CHAIRMAN SILVEY: Judge, I'm sorry, this is
6 Chairman Silvey. I do have a question.

7 JUDGE SEYER: All right. Go ahead, Chairman.

8 CHAIRMAN SILVEY: Thank you. Mr. Stacey, you
9 pointed out the statutory hurdles that Mr. Countryman
10 would need to clear in order for this Commission to find
11 in his favor. At any point in the process before this
12 hearing, were those statutory hurdles explained to
13 Mr. Countryman as to what his burden of proof would be?

14 MR. STACEY: I believe we sent all the
15 documentation to him and they're all addressed within
16 not only the Staff's rebuttal testimony and as well as
17 the Staff's memo, and White River and Liberty both also
18 submitted those ten factors as well. So he had an
19 understanding of what those ten factors were. And he
20 mentioned in his testimony, Mr. Countryman that is, that
21 he knows about the ten factors and that they should
22 think -- or that the Commission should think outside the
23 box as his -- and he agrees that his request does not
24 meet the requirement of those factors.

25 CHAIRMAN SILVEY: Okay. Thank you, sir.

1 Thank you, Judge.

2 JUDGE SEYER: Thank you. All right.

3 Mr. Countryman, since you have the burden of proof
4 today, we'll hear your evidence first. It's my
5 understanding that you'd like to testify on your own
6 behalf but you have no other witnesses to call, correct?

7 MR. COUNTRYMAN: That's correct, sir.

8 JUDGE SEYER: All right. I am going to ask
9 you to shift to the witness stand. Would you raise your
10 right hand to be sworn in, please.

11 Do you swear or affirm that the testimony you
12 give in this hearing shall be the truth, the whole
13 truth, and nothing but the truth?

14 MR. COUNTRYMAN: I do.

15 JUDGE SEYER: All right. Thank you.

16 JERRY COUNTRYMAN,
17 having been first duly sworn, was examined and testified
18 as follows:

19 QUESTIONS

20 BY JUDGE SEYER:

21 Q. Would you please state and spell your name for
22 the record?

23 A. Sir?

24 Q. Would you please state your name for the
25 record and spell your first and last name, please?

1 A. Jerry L. Countryman, J-e-r-r-y L. Countryman,
2 C-o-u-n-t-r-y-m-a-n.

3 Q. All right. And you are the same Jerry L.
4 Countryman who filed an application for change of
5 electric service provider on February 25, 2022, that is
6 the subject of this evidentiary hearing?

7 A. Yes, sir.

8 Q. You mailed a two-page statement to the
9 Commission that was received and filed with the
10 Commission on July 19, 2022. You actually -- It's dated
11 July 14, correct?

12 A. Correct.

13 Q. Would you like that statement to be admitted
14 into evidence as part of your direct testimony?

15 A. Yes, sir.

16 Q. Now, do you have a copy of that?

17 A. Yes, sir.

18 Q. Okay. And could you hand that to the court
19 reporter just to make sure that it has all the
20 applicable information on there?

21 A. Yes, sir.

22 Q. All right. And it is marked as Exhibit 1,
23 correct? Do you need that to refer to?

24 A. Sir?

25 Q. Do you need to have that in front of you?

1 A. No, that's fine. I don't need it. I've got a
2 copy.

3 **Q. Do you have a copy right there in front of you**
4 **at the witness stand?**

5 A. No. May I get it?

6 **Q. Yeah, go ahead.**

7 A. Thank you. Yes, sir, I've got it now.

8 JUDGE SEYER: All right. So since you don't
9 have an attorney, I'm just going to turn it over to you
10 and you can testify as to what you believe the
11 Commissioners should know about your situation that
12 would support your case for the change of electric
13 supplier.

14 MR. COUNTRYMAN: Yes, sir.

15 The only thing I can say is my letter of 14
16 July 2022, which they received the 19th, I tried to
17 state the facts as I seen them. My additional property
18 being inherited, I inherited an extra utility company.
19 So since then, why, I've been trying to figure out what
20 I could do about it. I inquired with both utility
21 companies about the possibility of changing out, and it
22 came down to about the elements and this and that. So I
23 realized I needed to contact the Commission.

24 And they sent me an application for change of
25 service and sent the information regarding the elements.

1 Looking through the elements, the statutes, my
2 particular situation does not fall that I can see in the
3 elements. The only thing that I have is I'm paying two
4 base rates for two utilities for property I own that's
5 adjacent in one property.

6 I inherited this property out of the trust
7 from my folks. Since then I have established a trust
8 with all this property in it to my sons. So I'm trying
9 to clear up things where it's down to one thing, one
10 utility, et cetera. So that's why I submitted this. I
11 made a statement too that sometimes you have to think
12 outside the box from the elements. The statutes are
13 there. You have to follow those. But I do know that
14 there should be some sort of latitude in the statutes
15 for the Commission to act on this particular situation.
16 That's kind of my stance on that, sir.

17 JUDGE SEYER: All right. Mr. Stacey, do you
18 have any questions on cross-examination?

19 MR. STACEY: Yes, Your Honor. First, Staff
20 does not have an objection to the admission of his
21 statement that he sent.

22 JUDGE SEYER: Let's just go ahead and address
23 that. Do the attorneys for Liberty or White River have
24 any objection to the admission of Exhibit 1, the
25 two-page statement that Mr. Countryman filed in July?

1 MS. CARTER: No objection from Liberty.

2 MR. HORTON: No objection from White River.

3 JUDGE SEYER: All right. Then Exhibit 1 is
4 admitted into evidence.

5 (COUNTRYMAN EXHIBIT 1 WAS RECEIVED INTO
6 EVIDENCE AND MADE A PART OF THIS RECORD.)

7 MR. STACEY: Thank you, Your Honor. Good
8 morning, Mr. Countryman.

9 MR. COUNTRYMAN: Morning.

10 CROSS-EXAMINATION

11 BY MR. STACEY:

12 Q. You stated in your direct testimony, your
13 letter from July 19, 2022, that you filed with the
14 Missouri Public Service Commission, you stated in that
15 letter that you knew the Commission had specific
16 elements that must be met for a change of service
17 request; is that correct?

18 A. That is correct.

19 Q. You further stated that your request for
20 change of service provider or service supplier was not
21 within those elements, correct?

22 A. That's correct.

23 Q. And for the Commission to think outside of the
24 box?

25 A. That's correct.

1 Q. Okay. Now, you've had the 451 North
2 Countryman Road since 1977; is that correct?

3 A. That's correct.

4 Q. And Liberty provided service there since 1977?

5 A. No, sir.

6 Q. Who provided first?

7 A. Empire is the one who put the service in.

8 Q. Empire is also known as Liberty?

9 A. That's correct.

10 Q. Now, you received the other adjoining property
11 in 2010; is that right?

12 A. Sir?

13 Q. You received the other property in 2010?

14 A. Correct.

15 Q. And that was serviced by White River?

16 A. Correct.

17 Q. And you did not file an application for change
18 of service provider at that time?

19 A. No, sir.

20 Q. In fact, you waited 12 years to file the
21 application?

22 A. That is correct.

23 Q. Now, you spoke with Mr. Alan Bax on the phone
24 a while ago; is that correct?

25 A. Yes, sir.

1 **Q. You told Mr. Bax that you wanted to change the**
2 **supplier?**

3 A. Correct.

4 **Q. And you wanted to change from Liberty to White**
5 **River?**

6 A. Correct.

7 **Q. And you also indicated that you wanted to**
8 **change from Liberty to White River because Liberty's**
9 **rates were going up; is that correct?**

10 A. That's correct.

11 MR. STACEY: Nothing further, Your Honor.

12 JUDGE SEYER: All right. Ms. Carter, do you
13 have any questions on cross-examination for
14 Mr. Countryman?

15 MS. CARTER: Mr. Countryman, I'd like to thank
16 you for coming to Jeff City and for participating in the
17 process. I do not have any questions for you today.
18 Thank you.

19 JUDGE SEYER: Mr. Horton, any questions on
20 behalf of White River?

21 MR. HORTON: I have basically one question.

22 CROSS-EXAMINATION

23 BY MR. HORTON:

24 **Q. Mr. Countryman, thank you again as well for**
25 **putting your application forward. The thought that I**

1 had is have you ever thought about combining your real
2 estate parcels there at the farm to make one contiguous
3 parcel? Has that ever been part of your thoughts on how
4 you would hold that title to that real estate?

5 A. Sir, my long range plans right now is five to
6 eight years that barn you see on that one that's in the
7 property I inherited, I'm looking at making that a
8 one-bedroom apartment for myself, because I've got all
9 this property in my trust now to my kids and I'll be
10 vacating the house by that time. So that's one reason I
11 was trying to get this down to one electric utility.

12 Q. Do you have the anticipation that you'll need
13 new service connections or new meters for anything that
14 you're wanting to do with this property in the near
15 future?

16 A. I didn't understand you, sir.

17 Q. Are you going to be requiring new or
18 additional electric services for either the barn or the
19 home that's being serviced right now by Liberty --

20 THE STENOGRAPHER: Wait a minute. Will you
21 try your question again.

22 JUDGE SEYER: Mr. Countryman, what she's
23 saying is she'd like for him to complete his question so
24 she can record it and then you can go ahead and answer.
25 So Mr. Horton, go ahead, if you'll repeat that question.

1 MR. HORTON: Sure.

2 BY MR. HORTON:

3 Q. The question was, do you anticipate new
4 service needs there at your property either at the barn
5 or at the home?

6 A. Yes, sir.

7 Q. I believe you said that you might be needing
8 some additional electric service if you convert the barn
9 into a livable space for you?

10 A. Yes.

11 Q. But the barn right now does have electric
12 service and I believe that White River is your electric
13 supplier for the barn; is that true?

14 A. That's true.

15 MR. HORTON: I don't have any further
16 questions.

17 JUDGE SEYER: All right. Thank you,
18 Mr. Horton. Are there questions from the Commissioners?

19 COMMISSIONER RUPP: Judge, this is
20 Commissioner Rupp. I joined late but I have no
21 questions.

22 JUDGE SEYER: Is Commissioner Kolkmeier on as
23 well?

24 COMMISSIONER KOLKMEYER: Yes, Judge. I'm
25 here.

1 JUDGE SEYER: All right. Thank you.

2 COMMISSIONER KOLKMEYER: And I have no
3 questions.

4 JUDGE SEYER: Okay. All right.

5 QUESTIONS

6 BY JUDGE SEYER:

7 Q. Mr. Countryman, before we went on the record
8 before the hearing started you were also showing me the
9 plat?

10 A. Yes, sir. That's the other exhibit I'd like
11 to give you.

12 Q. Okay. So it is something that you filed with
13 your application originally back in February?

14 A. Yeah.

15 Q. But you'd also like it marked as an exhibit?

16 A. I'm not sure what date I submitted that to the
17 Commission. I submitted that same thing, yes, sir.

18 Q. Okay. So that has been marked as Exhibit 2.

19 A. Yes, sir.

20 Q. Would you -- You made some markings on it
21 yourself?

22 A. Yes, sir.

23 Q. There's a blue dashed line and I believe a red
24 dashed line?

25 A. Yes, sir.

1 **Q. What does the blue line?**

2 A. The blue line is the Liberty electric line
3 coming down and going to the house. The green line at
4 the bottom that goes all the way across is White River
5 that supplies the barn.

6 **Q. Okay. And those are the lines as they**
7 **currently exist?**

8 A. Sir?

9 **Q. Those are the lines as they currently exist**
10 **today?**

11 A. Yes.

12 JUDGE SEYER: Okay. This is going to be kind
13 of difficult to let the other attorneys see that
14 exhibit. Ms. Carter, do you need to see that exhibit?

15 MS. CARTER: I do not. That's okay, Judge.
16 Liberty doesn't have an objection to that being
17 admitted.

18 JUDGE SEYER: Mr. Horton?

19 MR. HORTON: We have no objection either.

20 JUDGE SEYER: Mr. Stacey, would you like to
21 take a look at it?

22 MR. STACEY: No, Your Honor. No objection.

23 JUDGE SEYER: All right. Then that exhibit,
24 it's marked as Exhibit 2. It's one page. That will be
25 admitted into evidence.

1 (COUNTRYMAN EXHIBIT 2 WAS RECEIVED INTO
2 EVIDENCE AND MADE A PART OF THIS RECORD.)

3 JUDGE SEYER: If you'll hand that to the court
4 reporter, please.

5 MR. COUNTRYMAN: Thank you, sir.

6 JUDGE SEYER: Mr. Countryman, if you'll step
7 down and take your place back at the table.

8 MR. COUNTRYMAN: Thank you, sir.

9 (Witness excused.)

10 JUDGE SEYER: Mr. Countryman, would you have
11 any objection to your original application that you
12 filed in February being marked as an exhibit and would
13 you like to offer that into evidence?

14 MR. COUNTRYMAN: I have no objection on that,
15 sir.

16 JUDGE SEYER: How about, Mr. Stacey, would you
17 have any objection to that?

18 MR. STACEY: No, Your Honor.

19 JUDGE SEYER: Ms. Carter?

20 MS. CARTER: No objection. Thank you.

21 JUDGE SEYER: And Mr. Horton?

22 MR. HORTON: None here.

23 JUDGE SEYER: Let's get that marked. All
24 right. It has been marked as Exhibit 3 and it is eight
25 pages long. Exhibit 3 is admitted into evidence.

1 (COUNTRYMAN EXHIBIT 3 WAS RECEIVED INTO
2 EVIDENCE AND MADE A PART OF THIS RECORD.)

3 JUDGE SEYER: All right. Mr. Countryman, just
4 to confirm, you don't have any further evidence to
5 present?

6 MR. COUNTRYMAN: No, sir.

7 JUDGE SEYER: All right. Then Ms. Carter, you
8 may call your first witness.

9 MS. CARTER: Thanks, Judge. Liberty calls
10 Jeff Westfall who is appearing by WebEx.

11 JUDGE SEYER: Okay. Mr. Westfall, would you
12 raise your right hand, please.

13 Do you swear or affirm that the testimony you
14 give in this hearing shall be the truth, the whole
15 truth, and nothing but the truth?

16 THE WITNESS: I do.

17 JUDGE SEYER: Thank you. Go ahead, Ms.
18 Carter.

19 MS. CARTER: Thank you.

20 JEFFERY WESTFALL,
21 having been first duly sworn, was examined and testified
22 as follows:

23 DIRECT EXAMINATION

24 BY MS. CARTER:

25 Q. Jeff, if you'll please state your full name

1 and spell it for the court reporter.

2 A. It is Jeffery Westfall, J-e-f-f-e-r-y
3 W-e-s-t-f-a-l-l.

4 Q. By whom are you employed and in what capacity?

5 A. I'm employed by Liberty Utility Service Corp.
6 I am the Central Region Senior Director of Electric
7 Operations for Transmission and Distribution.

8 Q. And are you testifying today on behalf of the
9 Empire District Electric Company d/b/a Liberty?

10 A. Yes.

11 Q. When did you first come to work for Empire?

12 A. December 4, 1989.

13 Q. Did you prepare and prefile rebuttal testimony
14 in this case?

15 A. Yes, I did.

16 Q. And has that been marked Exhibit 100 for
17 identification?

18 A. Yes, it has.

19 Q. Do you have any corrections for that prefiled
20 rebuttal testimony?

21 A. I do not.

22 Q. If I asked you those same questions today,
23 would your answers be substantially the same?

24 A. Yes.

25 Q. And are all of those answers true and correct,

1 to the best of your information, knowledge, and belief?

2 A. Yes.

3 MS. CARTER: I would offer Exhibit 100 for
4 admission and tender Mr. Westfall for cross-examination.

5 JUDGE SEYER: All right. Is there any
6 objection to Mr. Westfall's direct testimony coming into
7 evidence?

8 MR. STACEY: No objection from Staff, Your
9 Honor.

10 MR. HORTON: No objection from White River.

11 JUDGE SEYER: Mr. Countryman, any objection?

12 MR. COUNTRYMAN: No, sir.

13 JUDGE SEYER: All right. Then Exhibit 100 is
14 admitted into evidence.

15 (LIBERTY'S EXHIBIT 100 WAS RECEIVED INTO
16 EVIDENCE AND MADE A PART OF THIS RECORD.)

17 JUDGE SEYER: Mr. Horton, do you have any
18 questions for Mr. Westfall?

19 MR. HORTON: I do not.

20 JUDGE SEYER: Mr. Stacey?

21 MR. STACEY: I do not, Your Honor.

22 JUDGE SEYER: Mr. Countryman, do you have any
23 questions for Mr. Westfall?

24 MR. COUNTRYMAN: No, sir.

25 JUDGE SEYER: Any questions from the

1 Commissioners? All right. Hearing none. Thank you for
2 your testimony, Mr. Westfall. You're excused.

3 THE WITNESS: Thank you.

4 (Witness excused.)

5 JUDGE SEYER: Ms. Carter, do you have any
6 further witnesses to call?

7 MS. CARTER: We do not, Judge. Thank you.

8 JUDGE SEYER: Then Mr. Horton, call your first
9 witness.

10 MR. HORTON: Okay. At this time I would call
11 Beau Jackson as my witness representing White River
12 Valley Electric Cooperative.

13 JUDGE SEYER: All right. Mr. Jackson is
14 appearing via WebEx. Mr. Jackson, would you raise your
15 right hand, please. Thank you.

16 Do you swear or affirm that the testimony you
17 give in this hearing shall be the truth, the whole
18 truth, and nothing but the truth?

19 THE WITNESS: I do.

20 JUDGE SEYER: Thank you. Go ahead,
21 Mr. Horton.

22 BEAU JACKSON,
23 having been first duly sworn, was examined and testified
24 as follows:

25 DIRECT EXAMINATION

1 BY MR. HORTON:

2 Q. Can you please state and spell your name for
3 the record?

4 A. Sure. It's Beau Jackson, B-e-a-u
5 J-a-c-k-s-o-n.

6 Q. Mr. Jackson, what is your present job title at
7 White River?

8 A. Vice President Chief Engineering Officer.

9 Q. And are you familiar with the engineering that
10 White River does in relation to its distribution lines
11 and systems?

12 A. Yes.

13 Q. You had an opportunity to review the
14 application in this case that was filed by
15 Mr. Countryman; is that accurate?

16 A. Yes.

17 Q. And you worked on a response to that
18 application that we filed in this case under your
19 verification sworn testimony that the information in the
20 response of White River Valley Electric was truthful and
21 accurate; is that true?

22 A. Yes.

23 Q. And just to give a little background in the
24 rebuttal testimony that was filed that you verified, you
25 had included an Exhibit A to that rebuttal testimony.

1 Do you have that Exhibit A in front of you?

2 A. I do.

3 Q. In review of that Exhibit A, can you explain
4 to us the nature of the services that are being provided
5 by both White River and Liberty to the Countryman
6 property?

7 A. So in the exhibit highlighted in blue line is
8 Empire's existing facilities coming in serving the home
9 in question. White River's existing line runs east and
10 west represented by the brown line, solid line. And for
11 us to be able to serve this Mr. Countryman's home that
12 currently is served by Empire, or Liberty, is
13 represented by the dashed line coming off an existing
14 pole and extending the lines for service in coming in
15 routing similar to Empire but coming from the south. It
16 would require probably around about two to three poles
17 in addition to some retirement from Empire's side of
18 their facilities.

19 Q. What kind of an estimated span of feet are we
20 talking about for that line extension for White River to
21 serve the Countryman home that Liberty is now serving?

22 A. Between 300 to 500 feet.

23 Q. And you've evaluated White River's position to
24 serve that structure; is that accurate?

25 A. Yes.

1 Q. And you've concluded based on the information
2 that you have at this time, the application that was
3 filed by Mr. Countryman, that it's not property that we
4 can serve; is that accurate?

5 A. Based on the statute, yes.

6 Q. Yes. Okay. Although you'd like to serve it,
7 you believe that the law prohibits White River from
8 serving the Countryman home; is that true?

9 A. That is correct.

10 MR. HORTON: I don't have any further
11 questions for Mr. Jackson.

12 JUDGE SEYER: All right. Ms. Carter, do you
13 have any questions on cross-examination?

14 MS. CARTER: No questions. Thank you.

15 JUDGE SEYER: Mr. Stacey, any questions?

16 MR. STACEY: Maybe just a couple, Your Honor.
17 Good morning, Mr. Jackson.

18 THE WITNESS: Morning.

19 CROSS-EXAMINATION

20 BY MR. STACEY:

21 Q. There's no territorial agreement between
22 Liberty and White River in that area; is that correct?

23 A. That is correct.

24 Q. What would the cost be associated if White
25 River was ordered to put the line and poles and other

1 **services in?**

2 A. Depending on the route but estimated between 8
3 to \$10,000.

4 **Q. Would that have an effect on other White River**
5 **customers in reference to how much would their bills go**
6 **up or is there potential for?**

7 A. Well, being that it's adding to serve an
8 addition I would not say it would impact the resident
9 membership rates.

10 MR. STACEY: All right. Nothing further, Your
11 Honor.

12 JUDGE SEYER: All right. Mr. Countryman, do
13 you have any questions for Mr. Jackson?

14 MR. COUNTRYMAN: No, sir.

15 JUDGE SEYER: All right. Thank you. Are
16 there any questions from the Commissioners?

17 All right. Hearing none. Thank you for your
18 testimony, Mr. Jackson.

19 THE WITNESS: Thank you.

20 (Witness excused.)

21 JUDGE SEYER: Mr. Horton, do you have any
22 other witnesses to call?

23 MR. HORTON: I do not.

24 JUDGE SEYER: Mr. Horton, would you like to
25 offer that Exhibit 300 into evidence -- I'm sorry, not

1 300. 200, I believe.

2 MR. HORTON: That would be fine if we could
3 make that part of the record. I realize that there was
4 not a prefiled exhibit on our part which was
5 intentional. It may be better just to have it part of
6 the record and labeled as Exhibit 200 if it can be and I
7 would offer it for that purpose.

8 JUDGE SEYER: Okay. That would be the
9 prefiled rebuttal testimony with Exhibit A, total of six
10 pages. Is there any objection to that?

11 MR. STACEY: No objection from Staff.

12 MS. CARTER: No objection from Liberty.

13 JUDGE SEYER: Mr. Countryman?

14 MR. COUNTRYMAN: No, sir, no objection.

15 JUDGE SEYER: Then that Exhibit 200 will be
16 admitted into evidence.

17 (WHITE RIVER'S EXHIBIT 200 WAS RECEIVED INTO
18 EVIDENCE AND MADE A PART OF THIS RECORD.)

19 JUDGE SEYER: Mr. Stacey, call your first
20 witness.

21 MR. STACEY: Staff calls Alan Bax.

22 JUDGE SEYER: All right. Mr. Bax is here in
23 the hearing room. Mr. Bax, would you raise your right
24 hand, please. Thank you.

25 Do you swear or affirm that the testimony you

1 give in this hearing shall be the truth, the whole
2 truth, and nothing but the truth?

3 THE WITNESS: Yes, sir.

4 JUDGE SEYER: Thank you.

5 MR. STACEY: Good morning, Mr. Bax.

6 MR. BAX: Good morning.

7 ALAN BAX,

8 having been first duly sworn, was examined and testified
9 as follows:

10 DIRECT EXAMINATION

11 BY MR. STACEY:

12 Q. Will you please state and spell your name for
13 the record?

14 A. Alan J. Bax, A-l-a-n J. B-a-x.

15 Q. By whom are you employed?

16 A. I'm employed by the Missouri Public Service
17 Commission.

18 Q. What is your position there?

19 A. Staff engineer.

20 Q. Have you prepared and filed testimony in this
21 proceeding?

22 A. Yes.

23 Q. Specifically rebuttal testimony filed on
24 August 22, 2022, as set forth in Exhibit 300?

25 A. Yes.

1 Q. Do you have any changes or corrections to make
2 to this document set forth in Exhibit 300?

3 A. I do not.

4 Q. If I were to ask you the same questions in
5 this document today, would your answers be the same?

6 A. Yes, they would.

7 Q. Are those questions and answers true and
8 correct, to the best of your knowledge and belief?

9 A. Yes, they are.

10 MR. STACEY: Your Honor, I offer Exhibit 300
11 to be admitted into evidence.

12 JUDGE SEYER: Are there any objections?

13 MS. CARTER: No objection from Liberty.

14 MR. HORTON: No objection from White River.

15 JUDGE SEYER: Mr. Countryman?

16 MR. COUNTRYMAN: I have no objection.

17 JUDGE SEYER: Thank you. Then Exhibit 300 is
18 admitted into evidence.

19 (STAFF'S EXHIBIT 300 WAS RECEIVED INTO
20 EVIDENCE AND MADE A PART OF THIS RECORD.)

21 MR. STACEY: Staff tenders Mr. Bax for
22 cross-examination.

23 JUDGE SEYER: All right. Mr. Countryman, I'm
24 going to give you the opportunity first this time to ask
25 any questions of the witness. Do you have any

1 questions?

2 MR. COUNTRYMAN: I have copies of what Mr. Bax
3 has submitted, and I have no further questions to him.

4 JUDGE SEYER: Ms. Carter, do you have any
5 questions for the witness?

6 MS. CARTER: No questions. Thank you.

7 JUDGE SEYER: Mr. Horton?

8 MR. HORTON: No questions from White River.

9 JUDGE SEYER: Any questions from the
10 Commissioners?

11 COMMISSIONER HOLSMAN: No questions, Judge.
12 Thank you. Commissioner Holsman.

13 JUDGE SEYER: All right. Mr. Bax, you're
14 excused.

15 THE WITNESS: Thank you, Judge.

16 (Witness excused.)

17 JUDGE SEYER: All right. Do the parties have
18 any further witnesses they'd like to call today?

19 MR. STACEY: No more witnesses from Staff,
20 Your Honor.

21 MS. CARTER: Nothing else from Liberty. Thank
22 you.

23 MR. HORTON: No other witnesses or evidence
24 from White River.

25 JUDGE SEYER: And none from you,

1 Mr. Countryman, correct?

2 MR. COUNTRYMAN: That's correct, sir.

3 JUDGE SEYER: Are there any other matters that
4 need to be addressed before we adjourn?

5 MR. STACEY: None from Staff, Your Honor.

6 JUDGE SEYER: Mr. Countryman?

7 MR. COUNTRYMAN: No, sir.

8 JUDGE SEYER: In the procedural schedule there
9 are deadline dates for briefs. Do the parties still
10 wish to submit briefs?

11 MR. HORTON: White River does not. We would
12 be fine submitting the matter on the record created
13 today.

14 MS. CARTER: Same for Liberty.

15 JUDGE SEYER: Mr. Stacey?

16 MR. STACEY: I believe we can base it on the
17 record today, Judge.

18 JUDGE SEYER: Mr. Countryman, do you
19 understand the question I asked?

20 MR. COUNTRYMAN: No, sir. Would you repeat
21 that?

22 JUDGE SEYER: Way back when a few months ago
23 the parties submitted a joint procedural schedule
24 including a date for today's evidentiary hearing.

25 MR. COUNTRYMAN: Yes, sir.

1 JUDGE SEYER: Also in that schedule were dates
2 to submit briefs, and briefs are just a summary of what
3 the evidence was today and how that evidence supports a
4 particular party's position. It's kind of a formal
5 document. What I'm asking the parties is do they still
6 wish to submit those briefs or do they want to waive
7 briefs and not write these briefs, not submit them to
8 the Commission and just submit the case on the record to
9 the Commissioners? So far all the other parties would
10 like to waive that. I suspect that you weren't planning
11 on writing a brief.

12 MR. COUNTRYMAN: No, sir, let the evidence as
13 shown.

14 JUDGE SEYER: Then we will waive submission of
15 briefs. And is there anything further before we
16 adjourn? All right. Then this evidentiary hearing is
17 adjourned and we'll go off the record.

18 CHAIRMAN SILVEY: Thank you, Judge.

19 MS. CARTER: Thank you.

20 MR. HORTON: Thank you, Your Honor.

21 MR. STACEY: Thank you, Your Honor.

22 MR. COUNTRYMAN: Thank you, Your Honor.

23 (Thereupon, the hearing adjourned at 9:55 a.m.)

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF REPORTER

STATE OF MISSOURI)
COUNTY OF COLE)

I, Beverly Jean Bentsch, RPR, CCR No. 640, do hereby certify that I was authorized to and did stenographically report the foregoing Public Service Commission evidentiary hearing and that the transcript, pages 1 through 44, is a true record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or counsel connected with the action, nor am I financially interested in the action.

Dated this 16th day of October, 2022.

Beverly Jean Bentsch

Beverly Jean Bentsch, RPR, CCR No. 640

<hr/> <p style="text-align: center;">\$</p> <hr/> <p>\$10,000 38:3</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>1 20:22 22:24 23:3,5</p> <p>100 32:16 33:3, 13,15</p> <p>12 15:2 24:20</p> <p>14 20:11 21:15</p> <p>19 20:10 23:13</p> <p>1970s 17:9</p> <p>1977 14:24 24:2,4</p> <p>1989 32:12</p> <p>19th 21:16</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2 28:18 29:24 30:1</p> <p>200 6:11 39:1,6, 15,17</p> <p>2010 15:1 24:11,13</p>	<p>2022 5:4 20:5,10 21:16 23:13 40:24</p> <p>22 40:24</p> <p>25 20:5</p> <p>2805 6:7</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>3 5:4 30:24,25 31:1</p> <p>300 36:22 38:25 39:1 40:24 41:2,10,17,19</p> <p>303 6:1</p> <p>310 5:15,19</p> <p>393.106 10:24 14:20</p> <p>394.314 14:20</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p>4 32:12</p> <p>428 6:1</p> <p>451 17:17 24:1</p> <p>46003 6:7</p>	<hr/> <p style="text-align: center;">5</p> <hr/> <p>500 36:22</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>65101 6:2,12</p> <p>65804 6:8</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p>8 38:2</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9:00 5:1</p> <p>9:55 44:23</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p>A-L-A-N 40:14</p> <p>a.m. 5:1,4 44:23</p> <p>acceptable 7:14</p> <p>accurate 35:15,21 36:24 37:4</p> <p>act 22:15</p> <p>adding 38:7</p>	<p>addition 36:17 38:8</p> <p>additional 21:17 26:18 27:8</p> <p>address 6:1,7 11:14 22:22</p> <p>addressed 18:15 43:4</p> <p>adequately 15:22</p> <p>adjacent 10:12 11:18 14:19 22:5</p> <p>adjoining 24:10</p> <p>adjourn 43:4 44:16</p> <p>adjourned 44:17,23</p> <p>admission 22:20,24 33:4</p> <p>admitted 8:10,21 15:12 20:13 23:4 29:17,25 30:25 33:14 39:16 41:11, 18</p> <p>aerial 13:12</p> <p>affirm 19:11 31:13 34:16 39:25</p> <p>agreement 10:16 16:6 37:21</p>
---	--	---	---

agreements 17:12,14,16	apartment 26:8	authority 17:11	25:1 39:21, 22,23 40:5,6, 7,14 41:21 42:2,13
agrees 18:23	apologize 13:2	Avenue 6:1	Beau 9:9 13:20 34:11,22 35:4
ahead 7:4 9:16 18:7 21:6 22:22 26:24,25 31:17 34:20	appearance 5:22	aware 16:9	began 5:1
Alan 9:10 14:11 24:23 39:21 40:7,14	appearing 31:10 34:14	<hr/> B <hr/>	behalf 9:8 13:8 14:6 19:6 25:20 32:8
alerting 7:2	applicable 10:18,25 20:20	B-A-X 40:14	belief 33:1 41:8
alleged 17:4	application 5:7 10:9 15:3 16:1 17:10, 21,25 20:4 21:24 24:17, 21 25:25 28:13 30:11 35:14,18 37:2	B-E-A-U 35:4	benefit 15:11
allowed 7:22	applied 10:19 11:4	back 28:13 30:7 43:22	bills 38:5
alternative 16:3,4	approved 16:15 17:10	background 35:23	blue 28:23 29:1,2 36:7
alternatives 16:5,17	area 37:22	Bar 6:6	borne 12:4
amounts 15:23 16:2	asserted 14:17	barn 26:6,18 27:4, 8,11,13 29:5	bottom 29:4
amplification 6:22	assist 7:17	base 6:19 8:11 12:4 16:14 17:10 22:4 43:16	box 18:23 22:12 23:24
answering 8:19	attendance 12:14	based 10:17 17:19 37:1,5	briefly 10:5 13:9
answers 32:23,25 41:5,7	attorney 7:11 21:9	basically 25:21	briefs 43:9,10 44:2, 6,7,15
anti-flip-flop 10:24	attorneys 8:20 22:23 29:13	basis 17:7	bring 5:2 13:23
anticipate 27:3	August 40:24	Bax 9:10 14:11 15:11,19 17:19 24:23	brown 36:10
anticipation 26:12			

Building 5:15	11:10 13:18 14:1 21:12	City 5:16 6:2,12	7:5,9 8:1,11
burden 15:8 16:20, 22,23 18:13 19:3	32:14 35:14, 18 44:8	25:16	11:10 12:21 13:2 14:3 18:3 21:11 27:18 34:1 38:16 42:10 44:9
<hr/> C <hr/>	cases 7:14 11:6	claims 16:9	Commissioners' 8:13
C-O-U-N-T-R-Y-M-A-N 20:2	caused 16:21	clear 11:24 18:10 22:9	companies 21:21
call 7:18 19:6 31:8 34:6,8, 10 38:22 39:19 42:18	cell 6:15	Co-op 6:4	company 5:8,25 14:16 21:18 32:9
calls 31:9 39:21	Central 32:6	cognizant 6:18	comparison 16:16,18
capacity 32:4	cetera 22:10	combining 26:1	complete 26:23
Capitol 6:1	Chairman 7:6,7 12:23 13:1 18:5,6, 7,8,25 44:18	comfortable 9:18	concerned 7:15
captioned 5:6	change 5:7 7:21 10:10 11:2 12:3 14:15 15:3,8,13 16:14,15 17:11 20:4 21:12,24 23:16,20 24:17 25:1,4, 8	Commission 5:5,11,14 6:10 7:20 9:11,24 10:15,19,23 11:4,21 13:16 14:6,8,9,14 15:5 17:25 18:10,22 20:9,10 21:23 22:15 23:14, 15,23 28:17 40:17 44:8	concerns 15:25 16:25
Carter 5:24 9:4 10:3,5 12:21, 22 23:1 25:12,15 29:14,15 30:19,20 31:7,9,18,19, 24 33:3 34:5, 7 37:12,14 39:12 41:13 42:4,6,21 43:14 44:19	changing 15:10 21:21	comfortable 9:18	conclude 13:25
case 5:6 7:25 10:6	Charlotte 12:14	Commission's 11:19 15:17 17:6	concluded 37:1
	Chief 35:8	Commissioner 6:23,24 7:1,2 12:25 13:4,5 27:19,20,22, 24 28:2 42:11,12	conducted 17:19
	Christiaan 6:5	Commissioners	confirm 31:4
	Cisco 5:18 6:16		connected 6:15
			connections 26:13
			consideration 8:14
			considered 16:4,23

consistent 11:18	cost 16:22 17:22 37:24	couple 37:16	36:13
contact 21:23	costs 12:4 15:13 16:19	court 20:18 30:3 32:1	date 28:16 43:24
contiguous 26:2	counsel 5:21 14:10	created 43:12	dated 20:10
continue 12:11	countryman 5:7,19,20 7:10,12 8:15, 24 9:8,13,15, 19,22 10:8,21 11:16,22 13:3,15 14:23 15:3,9,12,14, 15,21 16:9,24 17:4,7,17 18:9,13,20 19:3,7,14,16 20:1,4 21:14 22:25 23:5,8, 9 24:2 25:14, 15,24 26:22 28:7 30:1,5, 6,8,10,14 31:1,3,6 33:11,12,22, 24 35:15 36:5,21 37:3, 8 38:12,14 39:13,14 41:15,16,23 42:2 43:1,2, 6,7,18,20,25 44:12,22	cross-examination 8:7 22:18 23:10 25:13, 22 33:4 37:13,19 41:22	dates 43:9 44:1
continued 12:7 15:2	Countryman's 11:20 14:17 17:21,23,25 36:11	cross-examine 8:17	deadline 43:9
convenience 10:11 11:16		cumulative 17:7	December 32:12
convenient 11:23		current 11:8 17:23	decision 7:20 8:11 17:6
convert 27:8		customer 12:4 15:6 16:3,11,14,21 17:10	deny 17:25
Cooperative 5:10 6:6 10:14 13:8 14:17 34:12		customer's 16:7	Depending 38:2
copies 42:2		customers 12:2,5 38:5	destroyed 16:7
copy 20:16 21:2,3		customers' 15:22	determine 11:4
Corp 32:5		<hr/> D <hr/>	development 13:24 17:6
correct 5:19,20 7:11, 12 19:6,7 20:11,12,23 23:17,18,21, 22,25 24:2,3, 9,14,16,22,24 25:3,6,9,10 32:25 37:9, 22,23 41:8 43:1,2		d/b/a 5:9,25 32:9	devices 6:15
corrections 32:19 41:1		damaged 16:7,9	Diana 5:24
		dashed 28:23,24	difference 11:2
			differential 14:14 15:10, 15
			difficult 29:13
			direct 10:7 20:14 23:12 31:23

33:6 34:25 40:10 Director 12:15,17 32:6 discussed 16:6 distribution 12:16 32:7 35:10 District 5:8,25 14:15 32:9 document 41:2,5 44:5 documentation 18:15 duly 19:17 31:21 34:23 40:8 duplicate 16:19 duplication 16:16 <hr/> <p style="text-align:center">E</p> <hr/> east 6:1 36:9 EC-2007-0106 15:6 economic 16:22 17:6 effect 16:11 17:11 38:4 efforts 11:8 17:2 electric 5:8,9,25 6:4,	6 7:21 10:11 11:17 12:7,16 13:8 14:15, 16,17,18 16:8 17:1,15 20:5 21:12 26:11, 18 27:8,11,12 29:2 32:6,9 34:12 35:20 electricity 16:23 elements 21:22,25 22:1,3,12 23:16,21 Emery 12:15,17 Empire 5:8,25 14:15 24:7,8 32:9, 11 36:12,15 Empire's 36:8,17 employed 32:4,5 40:15, 16 engineer 40:19 engineering 13:24 35:8,9 entitled 12:11 entries 5:22 EO-2022-0226 5:11 equipment 16:7,10	essentially 13:17 established 10:23 11:9 12:8,9,10 22:7 establishes 10:7 estate 14:19 26:2,4 estimated 36:19 38:2 evaluated 36:23 evidence 7:19 8:2,3, 10,12 19:4 20:14 23:4,6 29:25 30:2, 13,25 31:2,4 33:7,14,16 38:25 39:16, 18 41:11,18, 20 42:23 44:3,12 evidentiary 5:5 20:6 43:24 44:16 EXAMINATION 31:23 34:25 40:10 examined 19:17 31:21 34:23 40:8 excused 30:9 34:2,4 38:20 42:14, 16 exhibit	13:11,21 20:22 22:24 23:3,5 28:10, 15,18 29:14, 23,24 30:1, 12,24,25 31:1 32:16 33:3, 13,15 35:25 36:1,3,7 38:25 39:4,6, 9,15,17 40:24 41:2,10,17,19 exhibits 10:1 exist 29:7,9 existing 13:16 17:15 36:8,9,13 expect 8:2 experiencing 16:25 17:4 explain 36:3 explained 11:25 18:12 extend 16:19 extending 36:14 extension 13:22 36:20 extra 21:18 <hr/> <p style="text-align:center">F</p> <hr/> facilities
---	---	--	---

16:16,19 36:8,18 fact 24:20 factor 16:24 factors 10:22 11:3 18:18,19,21, 24 facts 10:7 21:17 fall 22:2 familiar 35:9 farm 26:2 favor 18:11 February 20:5 28:13 30:12 feel 13:18 feet 36:19,22 field 13:22 figure 21:19 file 5:11 24:17,20 filed 9:6 10:13,21 13:10 20:4,9 22:25 23:13 28:12 30:12	35:14,18,24 37:3 40:20,23 files 15:3 find 15:7 18:10 fine 21:1 39:2 43:12 folks 22:7 follow 9:6 22:13 formal 44:4 forward 25:25 found 15:5 framework 13:16 front 20:25 21:3 36:1 full 31:25 future 26:15 <hr/> G <hr/> gave 14:24 generally 7:24 give 7:22,23,25 8:6 9:13 10:1,4 13:7	19:12 28:11 31:14 34:17 35:23 40:1 41:24 Good 5:24 6:5 7:6, 8 14:8 23:7 37:17 40:5,6 Governor 5:15 grant 11:2,19,25 granted 10:17 12:3 granting 17:11 greater 17:18 green 6:19 29:3 <hr/> H <hr/> hand 14:12 19:10 20:18 30:3 31:12 34:15 39:24 happy 12:17 harmed 12:2 health 16:1 hear 11:11 19:4 hearing 5:5,13,14 6:14,17 7:16	8:2 18:4,12 19:12 20:6 28:8 31:14 34:1,17 38:17 39:23 40:1 43:24 44:16, 23 highlighted 36:7 hold 26:4 holdings 11:19 Holsman 6:23,24 7:1,2 12:25 13:4,5 42:11,12 home 26:19 27:5 36:8,11,21 37:8 Honor 9:3 14:7,8 22:19 23:7 25:11 29:22 30:18 33:9,21 37:16 38:11 41:10 42:20 43:5 44:20, 21,22 Horton 6:5 9:2 13:7, 9 14:4 23:2 25:19,21,23 26:25 27:1,2, 15,18 29:18, 19 30:21,22 33:10,17,19 34:8,10,21 35:1 37:10
---	--	---	--

38:21,23,24 39:2 41:14 42:7,8,23 43:11 44:20 house 26:10 29:3 hurdles 18:9,12	individual 17:7 information 17:21 20:20 21:25 33:1 35:19 37:1 Ingram 6:7 inherited 14:25 21:18 22:6 26:7 inquired 21:20 intend 14:1 intentional 39:5 interest 11:1,5 14:13 15:8,18 17:24 internet 5:17 investigation 15:20 17:19 involving 16:2 issue 14:12,19 issues 16:1 17:5	Jackson 9:10 13:20 34:11,13,14, 22 35:4,6 37:11,17 38:13,18 Jeff 12:1,13 25:16 31:10,25 Jefferson 5:16 6:2,12 Jeffery 9:9 31:20 32:2 Jerry 5:7 9:22 14:17 19:16 20:1,3 job 35:6 join 7:9 joined 6:24 27:20 joint 9:7 43:23 Judge 5:2,13,21 6:3,9,13,23, 25 7:4,6,8,13 8:16,25 9:5, 16,21 10:1,3, 5 12:20,24,25 13:1,4,6 14:3 18:2,5,7 19:1,2,8,15, 20 21:8 22:17,22 23:3 25:12,19 26:22 27:17,	19,22,24 28:1,4,6 29:12,15,18, 20,23 30:3,6, 10,16,19,21, 23 31:3,7,9, 11,17 33:5, 11,13,17,20, 22,25 34:5,7, 8,13,20 37:12,15 38:12,15,21, 24 39:8,13, 15,19,22 40:4 41:12,15,17, 23 42:4,7,9, 11,13,15,17, 25 43:3,6,8, 15,17,18,22 44:1,14,18 July 20:10,11 21:16 22:25 23:13
<hr/> I <hr/>			<hr/> K <hr/>
identification 32:17 identify 7:5 illustration 13:12 impact 16:13 17:5,9 38:8 inadequate 16:21 inches 6:21 incidents 16:3 include 15:17 16:18 17:17 included 13:11 35:25 including 7:19 16:4,21 43:24 Incorporated 5:10 indication 15:24	<hr/> J <hr/> J-A-C-K-S-O-N 35:5 J-E-F-F-E-R-Y 32:2 J-E-R-R-Y 20:1	Jerry 5:7 9:22 14:17 19:16 20:1,3 job 35:6 join 7:9 joined 6:24 27:20 joint 9:7 43:23 Judge 5:2,13,21 6:3,9,13,23, 25 7:4,6,8,13 8:16,25 9:5, 16,21 10:1,3, 5 12:20,24,25 13:1,4,6 14:3 18:2,5,7 19:1,2,8,15, 20 21:8 22:17,22 23:3 25:12,19 26:22 27:17,	Ken 5:12 kids 26:9 kind 22:16 29:12 36:19 44:4 knew 23:15 knowledge 9:25 33:1 41:8 Kolkmeyer

27:22,24 28:2	15:13 25:8	making	minute
	33:15	26:7	26:20
<hr/> L <hr/>	light	manager	Missouri
labeled	6:19	13:24	5:16 6:2,8
39:6	lines	marked	12:6 14:21
lacking	29:6,9 35:10	20:22 28:15,	17:18 23:14
17:20	36:14	18 29:24	40:16
land	List	30:12,23,24	Missouri's
14:23	9:7	32:16	10:24
late	lit	markings	mitigate
27:20	6:19	28:20	11:10 17:3
latitude	livable	matter	mitigation
22:14	27:9	5:6 15:9	11:12
law	long	43:12	mobile
5:12 37:7	26:5 30:25	matters	6:15
legal	loss	9:1 43:3	months
13:19	16:11	meet	43:22
letter	love	18:24	morning
21:15 23:13,	13:15,18	membership	5:24 6:5 7:6,
15		38:9	8 14:8 23:8,9
Liberty	<hr/> M <hr/>	memo	37:17,18
5:9,23,25 8:4	made	18:17	40:5,6
9:4,9 10:14	17:2 22:11	mentioned	mute
11:14,18	23:6 28:20	18:20	6:16
12:9,14 13:14	30:2 31:2	mentions	
14:16,24	33:16 39:18	16:13 17:9	<hr/> N <hr/>
15:20 16:12,	41:20	met	nature
20 17:1,8,9,	Madison	15:22 23:16	36:4
16,20 18:17	6:12	meters	needed
22:23 23:1	mailed	26:13	21:23
24:4,8 25:4,8	20:8	microphone	needing
26:19 29:2,16	mailing	6:16,21	27:7
31:9 32:5,9	6:1,7	microphones	negative
36:5,12,21	make	6:18,20	16:13 17:9
37:22 39:12	5:22 14:5	Mill	negotiation
41:13 42:21	20:19 26:2	6:7	17:14
43:14	39:3 41:1	mind	nice
liberty's		8:5	13:12
12:1,2,15			

North 17:17 24:1	8,12,13 9:12, 14 10:4 13:3, 7 14:5	parents 14:23	plans 26:5
note 11:8	Operations 12:16 32:7	part 20:14 23:6 26:3 30:2 31:2 33:16 39:3,4,5,18 41:20	plat 28:9
noted 15:25	opportunity 7:25 8:17 11:15 35:13 41:24	participating 5:17 25:16	podium 9:17
number 6:6	opposing 11:20	parties 5:16,22 7:22 8:8,25 9:7 42:17 43:9,23 44:5,9	point 9:12 18:11
<hr/> O <hr/>	order 5:3 9:5,6,7 10:23 14:14 18:10	parties' 8:18	pointed 18:9
oath 8:7,10	ordered 37:25	party 7:25	pole 36:14
objection 22:20,24 23:1,2 29:16, 19,22 30:11, 14,17,20 33:6,8,10,11 39:10,11,12, 14 41:13,14, 16	original 30:11	party's 44:4	poles 36:16 37:25
objections 41:12	originally 28:13	paying 22:3	portion 14:25
October 5:4	overly 7:15	perfectly 7:16	position 13:17 36:23 40:18 44:4
offer 7:19 14:1 30:13 33:3 38:25 39:7 41:10	owned 14:23	personal 11:21	possibility 21:21
Office 5:15	Ozark 17:18	phone 24:23	potential 38:6
Officer 35:8	<hr/> P <hr/>	phones 6:15	power 15:24 16:2
one-bedroom 26:8	pages 30:25 39:10	pieces 10:15	preference 15:6,16
opening 7:23,24 8:6,	parcel 12:9,10 14:23 17:17 26:3	place 5:14 11:12 12:6 30:7	prefers 15:4
	parcels 10:12 11:18, 24 14:19 26:2	planning 44:10	prefile 32:13
			prefiled 8:20 10:6,7 11:11 32:19 39:4,9
			preliminary 9:1

prepare 32:13	prohibit 13:17	putting 25:25	38:9
prepared 40:20	prohibits 37:7	<hr/>	reaching 7:20
presence 7:3	proof 15:8 18:13 19:3	Q <hr/>	real 14:19 26:1,4
present 8:12 12:18 15:23 16:4, 12,17 17:3 31:5 35:6	proper 6:21	quality 15:24 16:2	realize 39:3
presented 9:23	property 13:13 14:25 15:2 17:18 21:17 22:4,5, 6,8 24:10,13 26:7,9,14 27:4 36:6 37:3	question 13:13 14:22 17:13 18:6 25:21 26:21, 23,25 27:3 36:9 43:19	realized 21:23
President 35:8	provided 16:10 24:4,6 36:4	questions 8:19,21 12:18,21,23, 25 13:2,4,22 14:4 18:3 19:19 22:18 25:13,17,19 27:16,18,21 28:3,5 32:22 33:18,23,25 37:11,13,14, 15 38:13,16 41:4,7,25 42:1,3,5,6,8, 9,11	reason 10:9 11:1,16, 25 14:13,18 15:4,7,10 26:10
presiding 5:13	provider 12:10 14:15, 18 15:4 20:5 23:20 24:18		reasons 15:14,16,18
preview 8:1	providers 17:15		rebuttal 10:13,16 12:1 13:10 18:16 32:13,20 35:24,25 39:9 40:23
prior 11:19	providing 12:11 13:20	R <hr/>	received 17:1,8 20:9 21:16 23:5 24:10,13 30:1 31:1 33:15 39:17 41:19
problem 16:8	public 5:10,14 11:1, 5 14:13 15:7, 11,18 17:24 23:14 40:16	raise 19:9 31:12 34:14 39:23	record 5:3 19:22,25 23:6 26:24 28:7 30:2 31:2 33:16 35:3 39:3,6, 18 40:13 41:20 43:12, 17 44:8,17
problems 11:10,13 17:3	purely 8:11	range 26:5	red 28:23
procedural 43:8,23	purpose 39:7	rate 14:14 15:15	
procedures 7:16	put 24:7 37:25	rates 11:3 15:11 22:4 25:9	
proceed 10:2			
proceeding 5:3 40:21			
proceedings 5:1			
process 18:11 25:17			

refer 20:23	17:24 18:23 23:17,19	36:5,20 37:7, 22,25 38:4	36:11,21,24 37:4,6 38:7
reference 38:5	requests 17:24	41:14 42:8,24 43:11	served 36:12
Region 32:6	require 36:16	River's 36:9,23 39:17	service 5:10,14 12:8, 12 14:15,18 15:2,25 16:10,21 17:1,4,8,15 20:5 21:25 23:14,16,20 24:4,7,18 26:13 27:4,8, 12 32:5 36:14 40:16
regulations 13:16	requirement 18:24	Road 17:17 24:2	
Regulatory 5:12 12:17	requiring 26:17	room 5:15,19 6:14, 17 39:23	
related 15:25 16:10, 22 17:5	resident 38:8	route 38:2	
relation 13:21 35:10	respect 15:23 16:24	routing 36:15	
reliable 17:8	response 16:12 35:17, 20	runs 36:9	service-related 16:25
rely 12:7	responses 17:20	Rupp 27:19,20	serviced 14:24 15:1 24:15 26:19
remaining 12:5 16:13	result 16:8,10,15	<hr/> S <hr/>	services 13:13,23 26:18 36:4 38:1
removing 16:20	retirement 36:17	safe 17:8	servicing 36:8,21 37:8
repeat 26:25 43:20	review 35:13 36:3	safety 15:25 16:1,25 17:5	set 5:5 14:20 40:24 41:2
reported 16:3	Revised 14:20	schedule 43:8,23 44:1	sets 10:9
reporter 20:19 30:4 32:1	River 5:9 6:3,6 8:4 9:2,10 10:14 12:8 13:8,10, 14,25 14:16 15:1,20 17:2, 16,20 18:17 22:23 23:2 24:15 25:5,8, 20 27:12 29:4 33:10 34:11 35:7,10,20	Scott 6:11 14:9	Seyer 5:2,12,21 6:3,9,13,25 7:4,8,13 8:16,25 9:5, 16,21 10:3 12:20 13:1,6 14:3 18:2,7
represented 7:10 36:10,13		seated 18:4	
representing 34:11		Sections 14:20	
request 7:21 8:3 10:10,17 11:20 16:14		Senior 12:15 32:6	
		serve 13:15,18,19	

19:2,8,15,20 21:8 22:17,22 23:3 25:12,19 26:22 27:17, 22 28:1,4,6 29:12,18,20, 23 30:3,6,10, 16,19,21,23 31:3,7,11,17 33:5,11,13, 17,20,22,25 34:5,8,13,20 37:12,15 38:12,15,21, 24 39:8,13, 15,19,22 40:4 41:12,15,17, 23 42:4,7,9, 13,17,25 43:3,6,8,15, 18,22 44:1,14	44:18 similar 36:15 sir 8:15,24 9:15, 20 10:2 18:25 19:7,23 20:7, 15,17,21,24 21:7,14 22:16 24:5,12,19,25 26:5,16 27:6 28:10,17,19, 22,25 29:8 30:5,8,15 31:6 33:12,24 38:14 39:14 40:3 43:2,7, 20,25 44:12 situation 21:11 22:2,15 situations 10:20 smaller 12:3 Smith 15:5 solid 36:10 solve 11:9 17:3 sons 22:8 sort 22:14 sorts 11:5 south 6:7 36:15	space 27:9 span 36:19 speaking 6:17,20 specific 23:15 Specifically 40:23 spell 19:21,25 32:1 35:2 40:12 spoke 24:23 Springfield 6:8 Stacey 6:11 9:3 14:5,7,9 18:2,3,8,14 22:17,19 23:7,11 25:11 29:20,22 30:16,18 33:8,20,21 37:15,16,20 38:10 39:11, 19,21 40:5,11 41:10,21 42:19 43:5, 15,16 44:21 Staff 6:9,11 9:3,10 10:14 14:6, 10,11 16:5,8 17:24 22:19 33:8 39:11,21 40:19 41:21 42:19 43:5	staff's 18:16,17 41:19 stance 22:16 stand 9:17 19:9 21:4 standard 14:19 started 28:8 starting 5:23 state 19:21,24 21:17 31:25 35:2 40:12 stated 11:13,16 15:14 23:12, 14,19 statement 7:23,24 8:6,9 9:14,23 10:4 13:3,7 14:5 20:8,13 22:11,21,25 statements 8:12,13,22 9:13 statute 10:18,23,25 11:24 12:6,11 37:5 statutes 14:21 22:1, 12,14
--	---	---	--

statutory 13:16 18:9,12	11:2,9,17,23 12:3,9 15:23	30:7	34:2,16
STENOGRAPHER 26:20	16:5,12,14, 15,18 17:3, 22,23 21:13	taking 5:14	35:19,24,25 38:18 39:9,25 40:20,23
step 30:6	23:20 25:2 27:13	talking 36:20	thing 21:15 22:3,9 28:17
Street 6:12	suppliers 12:7 15:3,8, 10,13 17:12, 13	ten 10:22 11:3,7 18:18,19,21	things 22:9
structure 36:24	supplies 29:5	ten-factor 10:18 15:17	thought 25:25 26:1
subject 8:7 20:6	supply 16:8	tender 33:4	thoughts 26:3
submission 44:14	support 8:3 10:9 21:12	tenders 41:21	thrust 16:13
submit 43:10 44:2,6, 7,8	supports 44:3	territorial 16:6 17:12, 14,16 37:21	time 5:4,5 12:23 24:18 26:10 34:10 37:2 41:24
submitted 14:12 18:18 22:10 28:16, 17 42:3 43:23	surrebuttall 10:20	test 10:18 15:17, 21	title 26:4 35:6
submitting 43:12	suspect 44:10	testified 19:17 31:21 34:23 40:8	today 5:3 7:11,16, 18 8:2 10:1 19:4 25:17 29:10 32:8,22 41:5 42:18 43:13,17 44:3
substantial 10:16	swear 19:11 31:13 34:16 39:25	testify 7:18 9:8 12:13 15:11, 19 19:5 21:10	today's 43:24
substantially 32:23	switch 8:3	testifying 32:8	told 25:1
substitute 8:9	sworn 8:6 19:10,17 31:21 34:23 35:19 40:8	testimony 8:9,20 10:6, 7,8,13,16,20 11:11 12:1,19 13:10,11,21 14:1,12 17:22 18:16,20 19:11 20:14 23:12 31:13 32:13,20 33:6	total 39:9
sufficient 11:25 15:7	systems 35:11		traditionally 10:19 11:4
Suite 6:1			Transmission 12:16 32:7
summary 8:1 44:2			
supplier 5:8 7:21 10:10,11			
	T		
	table		

<p>true 27:13,14 32:25 35:21 37:8 41:7</p> <p>trust 22:6,7 26:9</p> <p>truth 9:25 19:12,13 31:14,15 34:17,18 40:1,2</p> <p>truthful 35:20</p> <p>turn 12:19 21:9</p> <p>two-page 20:8 22:25</p> <hr/> <p style="text-align: center;">U</p> <hr/>	<hr/> <p style="text-align: center;">V</p> <hr/> <p>vacating 26:10</p> <p>Valley 5:9 6:4,6 13:8 14:16 34:12 35:20</p> <p>verbally 9:24</p> <p>verification 35:19</p> <p>verified 35:24</p> <p>Vice 35:8</p> <p>view 13:12</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>W-E-S-T-F-A-L-L 32:3</p> <p>Wait 26:20</p> <p>waited 24:20</p> <p>waive 44:6,10,14</p> <p>wanted 15:12 25:1,4, 7</p> <p>wanting 26:14</p> <p>Webex 5:18 6:16 12:14 31:10 34:14</p>	<p>west 36:10</p> <p>Westfall 9:9 12:2,13, 15,19 31:10, 11,20 32:2 33:4,18,23 34:2</p> <p>Westfall's 33:6</p> <p>white 5:9 6:3,6 8:4 9:2,10 10:14 12:8 13:8,9, 14,24 14:16 15:1,20 17:2, 16,20 18:17 22:23 23:2 24:15 25:4,8, 20 27:12 29:4 33:10 34:11 35:7,10,20 36:5,9,20,23 37:7,22,24 38:4 39:17 41:14 42:8,24 43:11</p> <p>witnesses 5:17 7:18 8:18 9:6,7 19:6 34:6 38:22 42:18, 19,23</p> <p>words 8:8</p> <p>work 32:11</p> <p>worked 35:17</p>	<p>write 44:7</p> <p>writing 44:11</p> <p>written 9:24</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>years 15:2 24:20 26:6</p>
---	--	---	---