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PUBLIC HEARING

WESTERN AREA POWER ADMINISTRATION

Marriott Hotel

11211 Point East Drive

Rancho Cordova, California

Thursday, July 26, 2012

1 THURSDAY, JULY 26, 2012, RANCHO CORDOVA, CALIFORNIA

2 6:00 P.M.

3 MR. BOYKO: Good evening and thanks for coming.  
4 My name is Tom Boyko, and I'm the Regional Manager here  
5 for Western Area Power Administration. We appreciate  
6 you being here all day, and we know it will be a long  
7 night, but thanks for staying with us all day.

8 First, I'd like to say you guys made a lot of  
9 nice comments about the Western service, and I want to  
10 thank you for that. I didn't get here until after lunch  
11 and my staff were beaming from the praise, so I  
12 appreciate that very much.

13 I'd like to introduce Tony Montoya who is our  
14 Acting Administrator sitting up front here, and I'd also  
15 like to introduce Ms. Lauren Azar. She is the Senior  
16 Policy Adviser for the Secretary of Energy, and she's  
17 been with DOE for a year. She was a commissioner for  
18 public service commission of Wisconsin in the past.

19 Ms. Azar ....

20 MS. AZAR: Thank you very much.

21 Good evening, everybody, I'm delighted to see  
22 you. And for those of you who weren't here all day,  
23 welcome; and for those who were here all day, thank you  
24 for your stamina. We appreciate your comments during  
25 the day as well as tonight.

1 I wanted to sort of get a little bit of a recap.  
2 I attended some listening sessions last week in  
3 South Dakota and Montana, we heard a lot from the  
4 customers and we learned a lot from the customers,  
5 including many of the themes we heard today as well.

6 The added cost of electricity sold by Western is  
7 critical to the economy, and the communities where that  
8 is sold in the Upper Great Plains, of course they talked  
9 about the need to feed frankly our nation and the world,  
10 and the fact affordable rates were a critical component  
11 of that. They also talked about the beneficiaries must  
12 pay, and we heard that theme again today as well.

13 Preference customers do not want to pay for  
14 projects from which they receive no benefits and that is  
15 a theme we hear all along. And, frankly, it is a theme  
16 that we hear all over America from all utility companies  
17 and ratepayers.

18 Number three, we heard that the DOE should work  
19 to allow the use of large electric water heaters as  
20 storage devices.

21 As you may have heard in Secretary Chu's memo,  
22 he talked about using electric vehicle charging stations  
23 for use on the transmission grid and the folks in the  
24 Upper Great Plains said "Hey, look, in rural areas, we  
25 need to use large electric water heaters and DOE should

1 be doing what they can to allow us to use those."

2 Number four, we heard from the  
3 Upper Great Plains region, as well as today, that each  
4 of Western's regions is unique, and any type of plans  
5 that come out of this initiative need to respect the  
6 uniqueness of those communities.

7 Today, I heard the summary sessions and I  
8 learned some new things as well. I'm sure there was  
9 much more that the teams that were in substantive  
10 discussions learned, so let me just talk about two high  
11 points that I heard.

12 Number one, the customer relationships at  
13 Western are unique in the regions and in fact sometimes  
14 in unique relations with Western within a specific  
15 project area.

16 Number two, we need to do a heck of a lot better  
17 coordination between the Bureau of Reclamation, WAPA and  
18 the DOE. And I do know there was somebody from the  
19 bureau here tonight, and hopefully I'm going to be able  
20 to have an opportunity to chat with him about beginning  
21 that kind of coordination.

22 And lastly, I heard this in the  
23 Upper Great Plains, as well as today, that things are  
24 working just fine between Western's customers and  
25 Western, and the customers don't understand the purpose

1 of this initiative.

2 So why is this initiative happening?

3 First and most importantly, the electric sector  
4 is experiencing change like arguably it hasn't  
5 experienced in its entire history, since Pearl Street  
6 flipped its switch in 1982.

7 Secondly, the PMA's trust and will continue to  
8 fulfill their mission of conveying power from the  
9 federal dams to its preference customers. But over the  
10 last 75 years of the history of the power marketing  
11 administrations, the PMA's have received additional  
12 responsibilities from Congress, from FERC and from NERC,  
13 and they have implemented those responsibilities.

14 The new challenges and threats in the electric  
15 sector, as well as the continuing changes in the PMA  
16 responsibilities, are what prompted this initiative.

17 Through his March 16th memorandum, Secretary Chu  
18 asked the PMA's to respond to the electric sector's new  
19 challenges and threats and the PMA's changing  
20 responsibilities.

21 The PMA's are part of the DOE, and they own and  
22 operate a significant portion of this nation's electric  
23 infrastructure. Western alone owns 17,135 miles of  
24 transmission lines and 321 substations.

25 The actions in this initiative are designed to

1 ensure that the PMA's effectively transfer to a more  
2 resilient flexible transmission grid and at the same  
3 time capturing efficiencies where possible in order to  
4 reduce the consumers' bills.

5           There are many, many ways to achieve these  
6 goals. We heard loudly and clearly last week -- and,  
7 frankly, today -- that Western, and its customers, are  
8 already achieving many of the goals that are set forth  
9 in the secretary's memo.

10           For example, many of the folks in this room have  
11 exemplary energy efficiency and demand response  
12 programs. Let me be clear. Secretary Chu's memorandum  
13 of March 16th is not singling out the PMA's, but  
14 believes all participants in the electric sector must  
15 help to ensure we have a resilient and flexible grid.

16           This past Monday, I attended an unprecedented  
17 meeting between Secretary's Napolitano and Chu, the  
18 heads of APPA and NRECA as well as EEI, and many of the  
19 CEO's of the largest utilities in this nation.

20           Why do they come? Why do they ask for a meeting  
21 with Secretaries Chu and Napolitano. They came to ask  
22 for a public private partnership to ensure that our  
23 grid, our national transmission grid remains resilient.

24           I hope everyone in this room shares the goal of  
25 wanting a healthy, secure, competitive and prosperous

1 future for our nation. This will necessarily include  
2 safe reliable and affordable electricity, as well as the  
3 flexible and resilient transmission grid.

4 If we can all agree on these goals then the  
5 question is, "What is Western's role in achieving these  
6 goals?"

7 One of the challenges that Western faces in  
8 achieving these goals arises from its aging  
9 infrastructure and I realize these are some projects  
10 specific, but let me give you some overall numbers over  
11 Western's entire footprint.

12 Sixty-one percent of its wood poles are over 50  
13 years old. They exceed the life expectancy of those  
14 poles; 17 percent of those poles are between 40 and 50  
15 years old. Seventy-eight percent of the wood poles in  
16 Western's service territory will need to be replaced in  
17 the near term.

18 As far as transformers go, 24 percent of  
19 Western's transformers are over 40 years old and,  
20 therefore, they exceed their useful life and indeed one  
21 is 77 years old. Six percent are nearing the end of  
22 their useful life and, therefore, about a third of  
23 Western's transformers are going to need to be replaced  
24 in the new term.

25 Let me first compliment both Western and its

1 preference customers for being able to maintain its  
2 assets to live that long, but at some point in time they  
3 just need to be replaced.

4           There are other challenges and opportunities for  
5 Western and we hope you will join us in identifying them  
6 and crafting accommodations for the secretary to  
7 consider.

8           The joint outreach team -- and that's a joint  
9 team between Western and DOE -- is populated by a number  
10 of experts working together to hold these outreach  
11 sessions, they will also be evaluated by other reports  
12 and data, and then drafting recommendations that will  
13 ultimately be released in a Federal Register Notice, and  
14 we would seek further input at that point in time with  
15 regards to draft recommendations.

16           The team will ultimately be delivering their  
17 draft recommendations to the secretary for his  
18 consideration.

19           The JOT, as we call it, is sponsoring five  
20 substantive workshops, one of which happened today; and  
21 six listening sessions, one which is happening tonight;  
22 and will be considering the input received from all of  
23 those.

24           But if you want to submit additional input or if  
25 you know folks that weren't able to attend, please have



1 them also submit written comments at jot@wapa.gov.

2 Let me thank you again for coming and I really  
3 look forward to hearing from you so we can learn the  
4 unique challenges and what's working and what needs to  
5 be improved potentially in the Sierra Nevada Region.

6 Let me just go through quickly how the listening  
7 session is going to proceed. We will ensure everybody  
8 has an opportunity to speak and, therefore, we're going  
9 to limit folks to about three minutes. If you go over a  
10 little bit that's not a big deal, but if you keep going  
11 I will be stopping you.

12 I'm going to be calling the names of those who  
13 preregistered first, and then ultimately those who  
14 didn't preregister I'll be calling them at the end with  
15 a few exceptions. Some have indicated they have to  
16 leave early, so we're trying to accommodate those  
17 schedules. If you did not preregister and would like to  
18 speak, if we have time at the end I will ask if anybody  
19 wants to say anything.

20 We obviously have a court reporter here who is  
21 going to be recording your comments. I would ask if  
22 when you come up that you state your name, spell your  
23 name, speak slowly; and if you happen to have written  
24 comments, I suspect he would love to have a copy of them  
25 so he will be able to check what he's doing on his

1 Stenograph machine.

2           Anyway, I really look forward to hearing from  
3 you guys, and I'll call the first person, so let me go  
4 find out who that is.

5           Number one is Barry Tippin.

6           MR. TIPPIN: I don't know whether I had to pay  
7 to be first or whether I should be paid to be first.  
8 Either way, I am first. Barry Tippin, B-A-R-R-Y,  
9 T-I-P-P-I-N, the Electric Utility Director for the city  
10 of Redding, Electric Department.

11           I first will state that because I'm first and  
12 because I trust all of my fellow public utility folks  
13 that are here today by reference, I want to incorporate  
14 all of their comments into my statements, so that way I  
15 have covered every basis that there is.

16           What I am going to speak to directly is about  
17 process. After 25 years in the government sector, I'm  
18 fairly familiar with process. And in this case, I want  
19 to talk about the lack of the defined process as I see  
20 it. And my concerns probably stem from how the effort  
21 began with the issuance of a memo from the secretary  
22 that was somewhat overwhelming in its message and sought  
23 sweeping changes through edic rather than established  
24 process.

25           The processes which have been established over

1 many, many years, since the country actually was founded  
2 and that we have grown to learn, to love and embrace.

3 I think that this process began with  
4 establishing the answers, at least the way I perceived  
5 it and I think the way my colleagues have perceived it  
6 and it's now seeking the questions.

7 I think that's backwards and I don't think  
8 that's an appropriate way that we should be attempting  
9 to look at such a critical infrastructure within our  
10 nation. And while the effort today I think is good and  
11 valuable, I don't know that it is what I would refer to  
12 as a portion of a vigorous effort to define our future  
13 infrastructure through collaboration normally.

14 That collaboration might start with this. If  
15 this would have been the first meeting, we would have  
16 had back in March to start establishing what the goals  
17 should be to establishing to what the needs might need  
18 to be met and then we'd move forward from there and  
19 develop the studies and those goals, I think we would be  
20 at a different place in time.

21 I think that this process seems to have been  
22 loosely organized it seems to be everchanging and it  
23 seems to be attempting to maybe soothe the beast that is  
24 public power and preference customers, as opposed to  
25 being a true attempt at earnest and honest open

1 dialogue.

2           One way to fix the process might be to actually  
3 recant the original memo, not its entire message maybe,  
4 but recant the way it was delivered. It seems that  
5 since that point in time and Congress has asked for a  
6 clarifications that all the responses, at least that I  
7 have seen to date, seem to be made in a defensive  
8 posture.

9           If we're going to have this dialogue based on  
10 edics and our responses are a defensive posture in  
11 return, I don't know that we'll get very far, at least  
12 in a collaborative and effective manner.

13           If we go out and we work through this process  
14 like we did today, and work collaboratively and  
15 together, what these goals might be for all the PMA's,  
16 Western, and indeed for the entire electric industry,  
17 maybe we will discover Western is already on the right  
18 path.

19           Maybe small tweaks, maybe not sweeping changes  
20 or what's necessary, but that's only determined if you  
21 work together and work together first in a collaborative  
22 fashion, as opposed to identifying the answers to  
23 problems that may not exist.

24           So in summary, an executive fiat is really not  
25 the way to protest, that's the wrong way and it's not

1 the way we change historic missions of federal entities,  
2 especially those that are involved in such a complex  
3 industry and especially when you exclude Congress, that  
4 is not the way we should be going about doing this.

5 And I have heard it said that DOE wants to have  
6 this be an open transparent and robust process, and I  
7 totally agree with that.

8 To date they feel mostly empty, those statements  
9 at least for me because of the fact that we're missing  
10 the process, and there is established processes we  
11 should go by.

12 And I hear we will now go to the Federal  
13 Register, but it seems that the report to be generated  
14 will be developed based on a false process that got us  
15 here. And so I would suggest you change that path, you  
16 take time, you be pragmatic going forward so that when  
17 you get to the end maybe there's a development of some  
18 real answers that we all can embrace and that we all can  
19 be moving forward. Any other path to me seems like it  
20 could be doomed for failure.

21 Thank you.

22 MS. AZAR: Thank you.

23 I'm not sure this is working, but let me call  
24 Rob Oglesby.

25 MR. OGLESBY: Rob Oglesby, O-G-L-E-S-B-Y. I'm

1 the Executive Director of the California Energy  
2 Commission.

3 I'd like to begin with the observation that the  
4 power market administrations are an extremely important  
5 component of the Western electricity system, and have an  
6 opportunity to offer the following recommendations for  
7 consideration.

8 First, pursue policies consistent with a  
9 "loading order" that reflects the most economical and  
10 sustainable electricity policy.

11 California's loading order establishes energy  
12 efficiency and demand-response as the highest priority.  
13 The second priority is investment in renewable  
14 resources. Investment in new clean conventional  
15 electricity supply is the last tier in the loading  
16 order.

17 Energy efficiency is California's most  
18 cost-effective method to meet new electricity needs and  
19 is a key strategy for increasing jobs and reducing  
20 greenhouse gas emissions. In the last three decades,  
21 California's per capita electricity consumption remained  
22 relatively constant while use in the rest of the United  
23 States has increased 40 percent. During this time,  
24 California's economy has more than doubled. Also,  
25 appliance and building efficiency standards have helped

1 customers save \$66 billion in energy costs since 1975.

2 Demand response also has tremendous potential.

3 The Federal Energy Regulatory Commission analyzed demand

4 response potential state by state, and found that

5 California's potential for demand response is at least

6 17 percent.

7 Renewable energy policy is the cornerstone of

8 California's approach to reducing greenhouse gas

9 emissions and the electricity sector. California has a

10 Renewable Portfolio Standard goal of 33 percent of

11 statewide retail sales by 2020.

12 Clean, natural gas-fired generation resources

13 are an essential component to meeting California's

14 greenhouse gas reduction goals and can address several

15 needs, including integrating renewable energy resources,

16 and replacing older, more polluting, less efficient, and

17 less flexible conventional generation.

18 Our second recommendation is to partner with

19 western governors to implement initiatives that can

20 lower costs of integrating intermittent energy resources

21 into the western grid.

22 A new report prepared for the Western Governors'

23 Association stresses the need for greater cooperation

24 among utility and public sector entities to share

25 resources, loads and transmission in order to take

1 advantage of the least-cost strategies to integrate  
2 renewable resources.

3 The report documents how to harness flexibility  
4 in grid operations, loads and generating plants to  
5 complement wind and solar generation.

6 Our final recommendations is for you to guide  
7 PMA's to fully participate in the current evolving  
8 western transmission planning activities.

9 The PMA's should actively participate in western  
10 transmission planning, and work to build support from  
11 affected western state load serving entities and power  
12 marketing authorities for new transmission lines  
13 identified in Western Interconnection Plans.

14 I want to compliment Secretary Chu for bringing  
15 these forums together. I think it's constructive to  
16 bring the dialogue to the forefront and to invite our  
17 participation. And thank you for your time today and  
18 for hearing our recommendations.

19 MS. AZAR: Thank you.

20 David Murillo.

21 MR. MURILLO: Thank you. I appreciate the  
22 opportunity to speak today. My name is David Murillo,  
23 Deputy Commissioner Operations for the Bureau of  
24 Reclamation.

25 We appreciate the Department of Energy's



1 initiative to move to a 21st Century electric grid by  
2 improving reliability resiliency.

3 We are the largest producer of hydropower in the  
4 west, the second largest producer in the United States.  
5 We own and bear responsibility for operating 58  
6 hydropower plants with an estimated capacity of 15,000  
7 megawatts.

8 Our authorizing legislation requires us to  
9 deliver water for irrigation, generate electricity,  
10 provide flood control, meet recreational needs, and it's  
11 critical we also meet environmental responsibilities.

12 Our power generation is greatly influenced by  
13 our water delivery. The power we generate is used to  
14 meet our project power needs and is also provided to  
15 meet the preference customer needs.

16 We have built a strong relationship over the  
17 years with our water and power customers, which has  
18 resulted in direct funding from these customers to help  
19 reclamation meet its reliability goals.

20 We have also built a strong relationship with  
21 the Department of Energy PMA's that has improved our  
22 ability to meet their needs while fulfilling our  
23 responsibility.

24 We look forward in working closely with the  
25 Department of Energy, our water and power customers in a

1 transparent manner that will result in a plan acceptable  
2 to all.

3 Thank you.

4 MS. AZAR: Thank you.

5 Eric Hsieh. All right, he's not here.

6 All right. Sean Gallagher.

7 Alice Harron. No. Jannine Harter. Tim  
8 Nichols.

9 MR. NICHOLS: Good evening, my name is Tim  
10 Nichols, T-I-M, N-I-C-H-O-L-S, and I work for the city  
11 of Redding, California.

12 I have been there about 30 years, and in that  
13 time I have served in a lot of capacities and worked  
14 with Western closely over those years.

15 I'd like to discuss seemingly a little bit about  
16 the grid resilience of the Western Sierra Nevada grid  
17 and the aging infrastructure that we heard about.

18 I would have to agree at the time that there was  
19 an aging infrastructure and in a place back east called  
20 Washington, DC. I think there's one thing we could all  
21 agree in this room tonight: That area is dysfunctional.

22 In 1997, we were running into situations where  
23 we had hydroelectric facilities that were not  
24 operational because the bureau did not have the funding  
25 to do the maintenance on those plants.

1           So we got together out west and came together  
2 with a program of the customers for the CVP customers to  
3 provide funding for those programs. And it's been quite  
4 a successful program, I must say, in that in the  
5 bureau's facilities we have done things like upgrading  
6 the generator control systems efficiency and the turbine  
7 runners and most of the power plants to where we get  
8 more energy out of every molecule of water that goes  
9 through those units.

10           And it's another energy efficient project that  
11 we don't get credit for. We don't get credit for that,  
12 but we do it any way because it is makes sense. And we  
13 replaced station service switch gear to bring all of  
14 these systems up to par.

15           And within the Western system, it started as an  
16 O&M program and it was converted also into a capital  
17 improvement program. So we have done replacement of  
18 breakers and substations to bring them up-to-date, made  
19 solid state related investments by replacing SCADA  
20 systems to bring those up-to-date.

21           Reliability has been one of the critical  
22 factors; our customers do like to keep their lights on,  
23 that their WiFi is working and all of this good stuff,  
24 and we have done this to improve the grid, so the Sierra  
25 Nevada region is reliable.

1           And the customers advanced fund those programs  
2 and it's been a wonderful collaborative process. And  
3 I'm president and chairman of the O&M Governance Board  
4 for that group, and we kept the lights on and it's been  
5 a really good process on the aging infrastructure.

6           In the Sierra Nevada Region, probably 98 percent  
7 of the structures are steel so that the wood is probably  
8 not rotting on those particular structures.

9           And what needs to be improved? I'd say for  
10 reliability and keeping the system working, that we have  
11 a real good system out here in the Sierra Nevada office,  
12 and I thank you for that.

13           MS. AZAR: Thank you.

14           Gary Plass.

15           MR. PLASS: Good evening. First of all, I want  
16 to thank you, the Department of Energy, for giving us  
17 this opportunity to address these issues.

18           My name is Gary Plass, P as in a Paul, L-A-S-S.  
19 I'm the mayor of the city of Healdsburg, and also the  
20 chairperson for the NCPA, Northern California Power  
21 Agency.

22           Being a politician, I have written down my  
23 comments, so hopefully I will stay on point.

24           Cost-based rates are one of the guiding  
25 principles of the Federal Power program. This push

1 mandate was adopted by Congress to ensure that private  
2 parties do not profit from the public good, and to  
3 ensure that PMA customers were not paying public dollars  
4 to policies and programs they did not produce that did  
5 not produce direct and meaningful benefits.

6           It is very important the Department of Energy  
7 evaluate the current proposal regarding the PMA's that  
8 you do so with a very clear understanding of what  
9 cost-based rates mean.

10           This isn't an accounting exercise where you  
11 track the dollars spent as reflected in a dollar  
12 increase in rates. It is essential that the first step  
13 is to evaluate the reasonableness of the costs.

14           For example, do we need a Cadillac or would a  
15 Chevy serve the same purpose? Do we even need a car?  
16 And if we need a new vehicle, who should be responsible  
17 for repaying it? And no matter how desirable the new  
18 car might be, is it affordable?

19           None of these questions have been asked or  
20 answered with regards to the current proposal before us.  
21 The CVP is not in need of major reform or planned  
22 investments. No program can afford the layers of  
23 additional costs. Moreover, the new program costs the  
24 DOE is advocating are not properly the responsibility of  
25 CVP customers.

1           You may or may not be aware, but for the past  
2 two years Western power has been sold to CVP customers  
3 at a rate matching or above market rates. The variety  
4 of factors have contributed to the situation, including  
5 CVP costs, drought and the economy.

6           The bottom line is that there isn't head room to  
7 absorb the costs of electric vehicle charging stations  
8 and transmission investments to move wind power from  
9 private developers. As I said, this isn't that the  
10 rates reflect the actual costs, it's what costs are  
11 imposed.

12           You have heard repeatedly from customers today  
13 we cannot carry the costs of programs and policies that  
14 are unrelated to Western's core mission, and provide our  
15 communities and customers with no benefits.

16           Thank you very much.

17           MS. AZAR: Thank you.

18           Joe Nipper.

19           MR. NIPPER: Thank you very much for the  
20 opportunity to speak this evening, I appreciate that.

21           My name is Joe Nipper, N-I-P-P-E-R, and I'm the  
22 Senior Vice-President at American Public Power  
23 Association in Washington, DC.

24           APPA represents the interests of the other 2,000  
25 state and municipal owned electrical utilities around

1 the nation, around 4,600 of which receive power from the  
2 Federal Power Marketing Administrations, and therefore  
3 millions of their customers enjoy affordable clean  
4 electricity because of the successful partnership  
5 between the power marketing administrations and the  
6 consumer on utilities, and that partnership remains  
7 intact today with the customers paying all the costs of  
8 the federal programs for affordable and renewable  
9 hydropower. The DOE's proposals were concerning and  
10 threatened to undermine this success.

11 They will increase costs for consumers at a time  
12 when electricity rates are already rising for other  
13 reasons, at a time when the economy continues to be  
14 depressed and consumers cannot afford increases in  
15 electricity, and the affordable of electricity's time  
16 served is not one of the shared goals or principles that  
17 we have heard much about in those proceedings.

18 And that continues to concern us because public  
19 power systems, one of their primary goals is to provide  
20 affordable electricity at least the cost and price.

21 The proposal threatened local control and put  
22 one of the cornerstones of public power is one of the  
23 benefits of local ownership and control over the systems  
24 consumer ownership that it provides.

25 The proposals violate the basic principles that

1 have been the core of the successful partnership between  
2 the PMA's and their customers acquiring local ratepayers  
3 to subsidize the transfer of electricity out of the  
4 region which drain jobs and money from local economies.

5 And the DOE's proposals represent the Department  
6 of Energy overreach. The DOE proposals would  
7 significantly alter the PMA's statutory purposes without  
8 support from Congress.

9 And I was particularly appalled frankly to learn  
10 this afternoon that the Department of Energy's rather  
11 creative interpretation of the statutory authority under  
12 Section 1222, where the only sunseting of that  
13 provision in the Energy Policy Act of 2005 is the  
14 sunseting of the cap of \$100 million annually on funds  
15 that can be received.

16 Having worked on that provision with members of  
17 Congress stakeholders at that time, that interpretation  
18 is wrong, and I can ensure you that's not the intent of  
19 Congress in that language. So we urge the Department of  
20 Energy to revisit and take another look at that  
21 language.

22 I can make many other points. But lastly, as an  
23 association executive, I just want to say I agree -- and  
24 please reflect this in the record -- I agree with every  
25 comment other members have made this evening.



1 MS. AZAR: Thank you very much.

2 Jim Salem.

3 MR. SALEM: I'll pass. Thank you. I spoke in  
4 Phoenix.

5 MS. AZAR: Okay. James Pope.

6 MR. POPE: Thank you. Good evening. I'm going  
7 to read this into the record. I'm not real good at  
8 this, generally speaking from just notes, but ....

9 Good evening. I'm James Pope, P-O-P-E, and I'm  
10 the General Manager of the Northern California Power  
11 Agency. NCPA is a joint action agency serving public  
12 power systems that are all customers of the Central  
13 Valley Project and the federal resource here in  
14 California that is marketed by the Western Area Power  
15 Administration.

16 I'd like to share with you an overview of the  
17 concerns of CVP customers that are in NCPA and other CVP  
18 customers. Even before we get to the substance,  
19 customers are concerned about the numerous process  
20 failings that have occurred.

21 Number one, the Department of Energy appears to  
22 assert that Western is broken, without really  
23 understanding how the systems work.

24 Two, there's a consistent lack of appreciation  
25 of the role and the responsibility of Western customers.

1 We are the paid partners, yet we are treated just as  
2 another stakeholder.

3 Three, Congress has been clear in crafting a  
4 narrow and specific role for Western. The Department of  
5 Energy's proposal ignores both historic and statutory  
6 mandate, and the repeated bipartisan expressions of  
7 congressional concern, and there are other numerous  
8 substantive problems as well.

9 As a general manager responsible to a local  
10 elected officials, I have to assert that my decisions  
11 make economic and operational sense. That same standard  
12 should apply to Western. Yet the Department of Energy  
13 wants Western to pursue policies at ratepayer expense  
14 that don't meet that standard.

15 The Department of Energy has laid out a series  
16 of policy goals. They are valuable goals. In fact they  
17 are so important that the NCPA, and its members, are  
18 already striving to achieve them.

19 Here are the facts today. Approximately 25  
20 percent of NCPA member load is met using California  
21 eligible renewable resources, While three NCPA members  
22 hold a renewable portfolio that exceeds 40 percent  
23 today. Moreover, NCPA's own resource portfolio is  
24 currently 95 percent carbon free.

25 Since 2010, NCPA members have invested over

1 \$31 million on energy efficiency programs. NCPA member  
2 utilities have been leaders in these areas since the  
3 1970's.

4 What we don't want to do is pay twice, once for  
5 the investments we have chosen to make and, second, for  
6 the investments promoted by the Department of Energy,  
7 through Western, that don't provide members with  
8 commensurate benefits.

9 We are not saying do nothing. But if the  
10 Department of Energy genuinely wants to assess the  
11 effectiveness of Western, then it is important that we,  
12 as the customers, are treated as partners, as well as  
13 the DOE must respect Western's statutory mandates and  
14 limits, honor the principle of beneficiary pays, and  
15 carefully consider the many goals that are outlined in  
16 this proposal are already being met and are exceeded  
17 here in California.

18 Thank you very much.

19 MS. AZAR: Jim Feider.

20 MR. FEIDER: Thank you and good evening. My  
21 name is James Feider. I'm a General Manager speaking on  
22 behalf of the Balancing Authority of Northern California  
23 or BANC. BANC is a Joint Powers Agency consisting of  
24 four members of the Sacramento Municipal Utility  
25 District, Modesto Irrigation District and the cities of

1 Roseville and Redding.

2 BANC is a certified balancing authority with the  
3 primary job of making sure that the level of electric  
4 generation exactly matches the demand for electricity in  
5 order to assure reliable service. BANC is one of the  
6 larger balancing authorities in the west with a big load  
7 of a little less than 5,000 megawatts.

8 The BANC footprint, importantly for this  
9 proceeding here, includes Western's Central Valley  
10 Project transmission facilities, Reclamation's Central  
11 Valley Project's generation facilities of approximately  
12 2,000 megawatts in the California-Oregon Transmission  
13 Project which is a 340-mile long 500 KV transmission  
14 line from the Northwest to Central California.

15 Also included in BANC's footprint is the DOE's  
16 Lawrence Livermore Lab which was wired into the grid in  
17 the late 1980's, and that was done primarily for  
18 reliability to serve the labs as well as to reduce costs  
19 of energy to Lawrence Livermore lab.

20 BANC submitted a letter dated April 20, 2012, to  
21 DOE Secretary Chu which related to the March 16, 2012,  
22 memo to the PMA's. BANC requests that our April 20th  
23 letter, along with our comments here this evening, be  
24 included in the record for this process.

25 BANC and its members have an extensive and

1 complex set of operating arrangements and long-term  
2 contracts with Western that were developed consistent  
3 with Western's marketing plan that was put into place in  
4 2005, and runs for 20 years through 2024.

5 The certainty and durability of these  
6 arrangements are essential for making major investment  
7 decisions as part of doing long-term quality resource  
8 planning.

9 The Western marketing plan for the CVP  
10 incorporates the project purposes flood control water,  
11 for domestic use power generation, and wildlife  
12 restoration as established by Congress, along with the  
13 long-standing principles also established by Congress  
14 for selling federal hydropower to not-for-profit  
15 preference customers at the lowest possible costs  
16 consistent with sound business principles.

17 Western must also take into account water  
18 delivery pumping requirements and river operation  
19 requirements such as water quality and the Delta and  
20 temperature objectives in the river system for the fish.

21 Within the water delivery and river operational  
22 constraints, Western has sold power to the preference  
23 customers in a way that optimizes the peaking capacity  
24 flexibility of the Central Valley Project in order to  
25 get the best value out of the CVP resource. Tapping

1 that resource to integrate renewables for non-Western  
2 customers is not acceptable.

3           Given this background, it is not appropriate for  
4 DOE to implement any operational changes that would  
5 disrupt the plan for the contracted use of the CVP  
6 resources. BANC members have crafted their resource  
7 plans and portfolios, including renewable energy around  
8 the statutory and contractual framework.

9           Additionally, BANC members have been early  
10 movers in the pacific northwest, including the costs of  
11 necessary firming and shaping arrangements to integrate  
12 the variable wind resource into the BANC member resource  
13 portfolios. BANC members are already paying for  
14 integrating these costs and want no part of paying for  
15 someone else's.

16           With respect to variable generation integration,  
17 Western Area Power along with BANC is actively  
18 participating in the northwest power pool and other  
19 venues to consider other tools for integrating variable  
20 dispensation.

21           The modeling that's been done to date for energy  
22 and balancing market in the west is still a work in  
23 progress. One of the results that was reported out of  
24 this past week is if you let the energy and imbalance  
25 market run in the west, you would actually increase the

1 output of coal production to achieve a benefit overall  
2 for the system.

3 That increase in coal production is on the order  
4 of 18 terawatts. I believe that's the equivalent of 18  
5 million megawatt hours of increased coal by implementing  
6 the balanced market as presently modeled.

7 If you convert that energy into a plant size  
8 that's the equivalent of putting a 2,400 megawatt back  
9 into the system on a 7 X 24 basis, running about  
10 85 percent plant factor. So the jury is still out and  
11 more analysis is needed on the energy and balance  
12 market.

13 It is very unclear to BANC what problem DOE is  
14 trying to solve and by what process DOE is using to  
15 redirect Western. Western is already an active  
16 participant in transmission planning throughout the  
17 west, including CTPG and West Connect in this region.

18 Western already operates in compliance a  
19 reliability standards and in essence installed  
20 state-of-the-art technology for grid control and  
21 protection. Western infrastructure is upgraded or  
22 refurbished as needed, very deliberate planning and  
23 funding arrangement in collaboration with its customers.

24 Let me emphasize the proactive partnership  
25 between Western and its partners and its customers. We

1 are not sitting on our hands, we are keeping the  
2 infrastructure viable.

3 DOE appears to be going around Congress to  
4 change the mission of Western for other purposes, such  
5 as socializing the costs of integrated renewable energy  
6 and thereby increasing the costs to Western customers.

7 Before making any decisions or issuing further  
8 directives, DOE must take the time to understand the  
9 uniqueness of each WAPA region, including the Sierra  
10 Nevada Region marketing plan for selling hydroelectric  
11 output to preference customers.

12 MS. AZAR: If you would wrap it up, that would  
13 be great.

14 MR. FEIDER: DOE should not focus the efforts  
15 solely on DOE's concerns, but in the technology  
16 advancements, all forms of energy production and the  
17 more efficient use of energy by consumers.

18 Thank you.

19 MS. AZAR: Thank you.

20 Brian Greiss.

21 MR. GREISS: Thank you. My name is Brian  
22 Greiss, G-R-I-E-S-S. I'm the General Manager of the  
23 Transmission Agency of Northern California or TANC.  
24 TANC is a Joint Powers Agency, which is made up of 15  
25 public power utilities, many which are in this room



1 tonight.

2 In background TANC is a majority owner of the  
3 COTP, the California-Oregon Transmission Project that  
4 Jim mentioned a moment ago, a 500 KV line from Central  
5 Oregon to California.

6 Under contract, Western has performed the  
7 operation and maintenance on the COTP for over 20 years.  
8 Western's costs are fully funded from the COTP  
9 participants. Our partnership with Western has been  
10 very successful and the operation of the COTP have been  
11 very reliable.

12 In addition, Western and TANC collaborate on  
13 ensuring that the COTP meets the NERC and WECC  
14 reliability standards.

15 I believe Western Sierra Nevada region does an  
16 excellent job in its operations and planning the  
17 cooperation and collaboration with their customers, and  
18 their other partners are great in these areas.

19 Western works within many directives such as  
20 FERC 888, FERC 889, FERC 1,000, within the NERC and  
21 reliability standards and within their own statutory  
22 obligations.

23 One concern that I have and one I would ask that  
24 DOE look at is that they look toward developing pole  
25 tension directives, new directives for Western, and that

1 they first consider the potential impacts and overlaps  
2 with the existing directives of Western.

3 Lastly, I was glad to hear today that DOE is not  
4 looking for a one size fits all for Western. I think as  
5 you have heard from many of the customers in and the  
6 partners, Western's regions, their customers and their  
7 partners are very diverse and they will likely require  
8 specific solutions.

9 Thank you.

10 MS. AZAR: Thank you.

11 Harvey Reiter.

12 MR. REITER: I'll pass.

13 MS. AZAR: Okay. Brent Ten Pas.

14 MR. TEN PAS: Good evening. My name is Brent  
15 Ten Pas, last name is T-E-N, P-A-S, Northern California  
16 Power Agency. I will submit what I am going to read  
17 this evening.

18 I want to take the opportunity this evening, to  
19 submit a bipartisan letter from members of the  
20 California state legislature, this letter is dated  
21 July 6th, addressed to Secretary Chu.

22 We are writing to express our concerns regarding  
23 your March 16th memorandum to the federal Power  
24 Marketing Administrations, including the Western Area  
25 Power Administration, which sells hydropower to public

1 power systems in the State of California.

2 As you know, California has long been a leader  
3 in energy policy. California has aggressive standards  
4 for renewable energy acquisition, use of energy  
5 efficiency, and transmission planning and development.  
6 While it might appear that the policy objectives  
7 outlined in your March 16th memorandum are consistent  
8 with California's initiatives, we are deeply concerned  
9 that the actual result will be unnecessary conflict,  
10 confusion and duplication.

11 The public power systems that serve our  
12 constituents are at the forefront of meeting the State's  
13 energy policies. On behalf of their consumers, they  
14 have made substantial investments in renewable energy,  
15 conservation and transmission.

16 Imposing additional requirements through Western  
17 poses a significant risk that our constituents will  
18 simply be forced to pay twice. Our constituents would  
19 be penalized for having led the nation in investments in  
20 energy efficiency and renewable resources. Given the  
21 state of the economy, this is consequence we can ill  
22 afford.

23 We have learned firsthand that support for  
24 aggressive energy policies are dependent on consumers  
25 receiving clear and direct benefits that correspond to

1 the costs they are asked to bear. Failure to align  
2 costs and benefits only leads to inequities and failed  
3 policies.

4 We urge the department to suspend all activities  
5 to implement the March 16th memorandum and instead work  
6 with Western's customers and state agencies to see what  
7 if any gaps exist between state and federal energy  
8 policies and how those gaps can best be cost-effectively  
9 filled.

10 Sincerely, State Senator Elaine Alquist, State  
11 Senator Tom Berryhill, Assembly Member Katcho Achadjian,  
12 Assembly Member Jim Beall, State Senator Noreen Evans,  
13 State Senator Ted Gaines, State Senator Loni Hancock,  
14 State Senator Doug LaMalfa, Assembly Member Alyson  
15 Huber, Assembly Member Jim Nielsen, Assembly Member Wes  
16 Chesbro, Assembly Member Paul Fong, Assembly Member Beth  
17 Gaines, Assembly Member Richard Gordon, Assemblyman Dan  
18 Logue, and Assemblyman Sandre Swanson.

19 Thank you.

20 MS. AZAR: Thank you.

21 Jane Cirrincione.

22 MS. CIRRINCIONE: Good evening. I'm Jane  
23 Cirrincione with the Northern California Power Agency.  
24 That's C-I-R-R-I-N-C-I-O-N-E. I hope that time didn't  
25 count against me.

1           It is of vital importance that the Department of  
2 Energy recognize and understand Western's limited role.  
3 Western is not a national energy lab. Western has a  
4 long list of statutory requirements that shape and guide  
5 the agency's authority, operations, and finances.

6           At the very forefront of this current initiative  
7 is the fundamental misunderstanding that Western lacks  
8 the authority and resources, and the pre-read materials  
9 suggest to anticipate the needs which are coming from  
10 generations.

11           With only minor exceptions, Western's mission is  
12 to market and deliver surplus hydropower, generated at  
13 the federal multipurpose water projects to preference  
14 customers at the lowest possible rates consistent with  
15 sound business principles.

16           Other goals may be laudable modernizing of the  
17 grid, testing smart grid in security technologies and  
18 promoting renewable resources. And employing new  
19 technologies are all great and the important ideas, but  
20 Western doesn't have the statutory authority for those  
21 actions. It is Western's job to market cost-based  
22 hydropower at the lowest rates possible, consistent with  
23 sound business practices.

24           The pre-read materials are silent on the  
25 critical question of who will pay for the cost of these

1 efforts.

2 Today's workshop has covered a lot of ground and  
3 the department has asked a series of detailed questions  
4 and offered a number of recommendations and initiatives.  
5 In response, you have heard a long list of concerns and  
6 objections to the process.

7 There's a deep concern that the department does  
8 not understand Western, its legal authorities and  
9 limitations, its current operations and resources or its  
10 relationship with its customers. Because of this  
11 misunderstanding the department looks at Western and  
12 sees an underachieving agency stuck in the past.

13 In contrast, Western's customers need an  
14 effective power supplier that manages valuable resources  
15 and operates squarely within its legal limited  
16 authority. This doesn't mean new ideas shouldn't be  
17 floated or that changes can be made; but the current  
18 initiative doesn't reflect a full understanding of how  
19 Western operates, what its mission is, and it should be  
20 modified to recognize the role of Congress in setting  
21 the policies that govern the important functions of  
22 these agencies today and into the future.

23 Thank you.

24 MS. AZAR: Thank you.

25 Jerry Toenyas.

1 MR. TOENYES: My name is Jerry Toenyes,  
2 T-O-E-N-Y-E-S, and I'm a consultant to NCPA.

3 I spent my career first working for Reclamation  
4 and then Western, retiring as the Regional Manager. I  
5 will talk about three topics: Aging infrastructure,  
6 customer funding, and the big picture.

7 When I was at Western we focused on maintaining  
8 our infrastructure, ensuring that the electrical  
9 equipment operated in a safe, reliable manner.

10 We removed most of the aging wood pole, replaced  
11 oil-filled breakers with gas ones, installed meter  
12 upgrades, replaced damaged insulators, cleared right of  
13 way, and completed many other critical infrastructure  
14 improvements I do not have time to mention.

15 The CVP system today has only about 40 miles of  
16 wood poles and most of those have been placed in the  
17 ground in the last five to six years.

18 We continually maintained our equipment to  
19 ensure the system operated safely and reliably, since  
20 millions of Californians depended on us.

21 We took pride in the fact that we consistently  
22 exceeded the WECC reliability criteria and had a forced  
23 outage rate lower than the industry average.

24 That same pride in operating a reliable system  
25 still exists at Western today. All of the

1 infrastructure has been properly maintained and is in  
2 good operating condition regardless of age.

3           Secondly, we began to notice in the 1990's that  
4 appropriations were dwindling, especially for  
5 Reclamation, and that a shortage of funding was  
6 beginning to have an effect on CVP energy generation  
7 efficiency and reliability.

8           We approached the CVP power customers and  
9 reached an agreement where they would provide the funds  
10 necessary to keep the system operating at the highest  
11 standards possible.

12           The first year, in 1999, the customers provided  
13 Reclamation approximately \$300,000 in funding. That  
14 amount doubled in 2000. By 2003, the CVP customers  
15 provided Reclamation with more than \$20 million in  
16 funding and plans were made to start funding some of  
17 Western's activities.

18           To date, CVP customers have provided Reclamation  
19 approximately \$257 million in funding to operate,  
20 maintain, and replace infrastructure and have also  
21 provided approximately \$128 million to Western.

22           In the years going forward, the customers have  
23 committed to funding more than \$40 million per year of  
24 Western's and Reclamation's programs.

25           While Reclamation and Western have ultimate



1 responsibility for their equipment, CVP customers are  
2 definitely partners in the funding of their programs.  
3 We meet regularly to discuss Western and Reclamation  
4 program needs to ensure the dollars spent are for  
5 economic projects and achieve the reliability standards  
6 established for the entire integrated system.

7 In addition, we meet regularly to discuss  
8 operational improvements that can make the system more  
9 effective in meeting the constantly changing power  
10 requirements.

11 It doesn't make sense that DOE would make  
12 proposals that might impact CVP funding, operational  
13 arrangements and reliability without first understanding  
14 the interrelationship of the Western/Reclamation/CVP  
15 customer funding and marketing contracts. Because of  
16 this partnership, Western and Reclamation are already in  
17 the 21st Century; they don't have to be brought into it.

18 The last item I want to talk about is the big  
19 picture. DOE is proposing various goals in the Chu  
20 memorandum, while at the same time the State of  
21 California proposes to have Reclamation release water  
22 from its reservoirs earlier in the year. The state's  
23 proposal would cause a 30 percent decrease in annual CVP  
24 generation and shift CVP generation from the summer into  
25 the spring, when it is least needed.

1           The reduced summer generation will cause  
2 reliability impacts along with reducing the limited  
3 flexibility we currently have in the CVP hydropower  
4 system.

5           The proposed flow changes may make the CVP power  
6 system uneconomic and any costs or reduction in benefits  
7 resulting from the Chu memorandum proposals add to the  
8 economic burden.

9           I --

10          MS. AZAR: Can you please wrap up?

11          MR. TOENYES: I propose that before either of  
12 these proposals are considered further that time be  
13 spent understanding each of their impacts on the CVP  
14 system. Government agencies should look at the totality  
15 of the impacts of their proposals rather than just  
16 narrowly promoting their predetermined suppositions.

17          It looks like my egg has boiled and my three  
18 minutes is up, so thank you for listening to my  
19 comments.

20          MS. AZAR: All right. Folks, I'm going to be  
21 much more stricter with the three minutes or we will run  
22 out of time at this point, given how many people still  
23 want to speak. So an extra five people are wanting to  
24 speak.

25          MR. ORCHARD: My name is Arlen Orchard, and I'm

1 the General Counsel for the Sacramento Municipal Utility  
2 District.

3 Let me begin by saying having attended the  
4 Rapid City workshop, that DOE has evolved the workshops  
5 to be more interactive and we appreciate that on DOE's  
6 part.

7 I'm here to speak to the Department of Energy's  
8 puzzling handling of this process which ignored the  
9 long-standing collaborations between the PMA's customers  
10 which demonstrates an unwarranted talk-down approach by  
11 DOE.

12 Beginning with Secretary Chu's March 16th  
13 memorandum, there's been a lack of transparency.  
14 Secretary Chu's memo announced broad initiatives without  
15 establishing a record of need or taking time to  
16 understand the past and current actions by the PMA's and  
17 their customers to further understand the policy goals  
18 articulated in the secretary's memo.

19 There was no consultation with Western's  
20 preference customers before setting in motion what  
21 appears to be a solution in search of a problem.  
22 Moreover, this memo proposes expanding Western's reach  
23 to include activities which are clearly beyond Western's  
24 jurisdictional mandate.

25 DOE must connect the dots between the goals and

1 the memo, the jurisdictional authority and limitations  
2 of the PMA's, and the current activities of the PMA's  
3 and their customers.

4 To date, DOE has failed to factually demonstrate  
5 how PMA's and their customers are deficient in  
6 maintaining advancing and supporting a robust and  
7 reliable transmission system.

8 What is even more concerning is DOE submitting  
9 consideration for the just proposal as highlighted in  
10 Secretary Chu's letters responding to concerns raised by  
11 more than 160 congressional members.

12 The secretary's letters imply implementation of  
13 the objectives would have served to prevent the 2011  
14 southwest outage. The assertions are without factual  
15 support since the objectives outlined in the secretary's  
16 memo are unrelated to the causal factors detailed in the  
17 NERC-FERC report on the outage.

18 While we all appreciate DOE's statements that it  
19 is not predetermined, the outcome the DOE's own poor  
20 choice of words creates a credibility gap for DOE and  
21 this process.

22 For example, the pre-read materials indicated  
23 that the workshop feedback will be used to develop  
24 recommendations on, quote, implementing the secretary's  
25 memo, unquote. The DOE's own language leaves us

1 scratching our heads and wondering if the outcome is  
2 already set in stone.

3 SMUD urges the DOE to rethink its existing  
4 strategy which clearly is not working, and to engage in  
5 transparent bottom-up process to better understand the  
6 current operations of the different western regions and  
7 the contributions that Western, and its customers, are  
8 already making to achieve the objectives outlined in the  
9 memo.

10 MS. AZAR: Would you wrap up, please.

11 MR. ORCHARD: Yes. Only after that inquiry  
12 should DOE even begin contemplating whether the need  
13 exists for Western to do more within its jurisdictional  
14 framework.

15 Thank you.

16 MS. AZAR: Thank you.

17 John DiStasio.

18 MR. DISTASIO: Thank you, and good evening. I'm  
19 John DiStasio, the general manager and CEO of SMUD, the  
20 nation's sixth largest customer-owned electric utility.

21 Established in 1946, we serve 1.4 million people  
22 in California's capital region. We are Western-Sierra  
23 Nevada Region's largest preference customer.

24 While we don't disagree with many of the stated  
25 outcomes, we were dismayed to learn of the unprecedented

1 policy shift DOE has directed towards Western and other  
2 PMA's.

3 This shift would undermine and impede the  
4 progress utilities, such as SMUD, are making to improve  
5 the nation's electric grid to operate an environmental  
6 economically sustainable future. And quite frankly, we  
7 question Western's authority to do so. Western's  
8 fundamental role is to market and provide transmission  
9 services for Bureau of Reclamation hydro projects.

10 SMUD has been at the forefront of accomplishing  
11 the very objectives referenced in the DOE's March 16th  
12 memorandum to promote regional planning, energy  
13 efficiency, demand response, and clean energy while  
14 minimizing costs to our ratepayers.

15 SMUD urges the DOE to carefully consider the  
16 long-standing relationships and progress that might be  
17 harmed by this change in direction.

18 And it is important to recognize that one size  
19 does not fit all as demand, economics, and operating  
20 procedures vary greatly between market regions.

21 I might just note SMUD's mission to serve  
22 customers with reliable low costs power environmental  
23 responsible manner drives our decision making. That  
24 approach, along with local costs and benefit  
25 considerations has resulted in accomplishments to date

1 that include:

2 Over 24 percent of SMUD's existing electricity  
3 supply portfolio is renewable and we are on our way to  
4 37 percent by 2020.

5 We've built 230 megawatts of wind facilities and  
6 we operate one of the nation's largest utility-sponsored  
7 PV programs.

8 We are actively investing energy storage  
9 options, including a 400 megawatt pumped hydropower  
10 storage project.

11 SMUD recently installed over 600,000 smart  
12 meters as part of our ambitious smart grid program.

13 We're working to achieve our long-term carbon  
14 reduction goal of 10 percent of 1990 levels by 2050.

15 For more than two decades, we've been a leader  
16 in electric transportation programs, providing R&D  
17 support of all types of electric vehicles.

18 These are the type of achievements that will  
19 move the country towards a more flexible and resilient  
20 electric grid.

21 We will continue to work for our customers and  
22 the region. Western's cost-base structure helps us keep  
23 rates low. Any shift from the beneficiary pays concept  
24 would divert our customers resources from local projects  
25 serving our needs to pay for public policy goals that

1 have no direct benefit. This shift in California's  
2 economy and Sacramento region continues to struggle.

3 In summary, we cannot emphasize enough that the  
4 existing cost structure of the PMA's and SMUD's  
5 partnership with Western fosters local and regional  
6 innovation necessary to develop answers for specific  
7 regional needs.

8 Before any changes to the PMA's are undertaken,  
9 substantiated and clear identification of problems must  
10 be made and the solutions need to be developed by  
11 regional stakeholders to ensure that the significant  
12 economic and environmental value to customers that  
13 currently exists is not eroded in the process.

14 We hope that in considering these changes which  
15 might go forward, that full consideration to the erosion  
16 of existing benefits is taken into account.

17 Thank you.

18 MS. AZAR: Paul Lau.

19 MR. LAU: Good evening. I'm Paul Lau with the  
20 Sacramento Municipal utility District.

21 As Assistant General Manager of Power Supply and  
22 Grid Operations, I oversee more than 12,000 miles of  
23 transmission and distribution lines, a variety of  
24 generation facilities including wind, natural gas,  
25 hydro, and solar local and regional transmission



1 planning, power purchases and balancing authority  
2 interactions with Western Area Power Administration and  
3 other regional entities.

4 We foresee the consequences of the DOE's policy  
5 directives to require command and control measures that  
6 affect Western's operations. This directly affects  
7 SMUD, taking out ratepayers' limited financial resources  
8 to subsidize unproven and costly programs such as the  
9 proposed west-wide Energy Imbalance Market.

10 This proposal has not been fully vetted from a  
11 technical or practical standpoint, and would undermine  
12 our ongoing collaborations with the Western Sierra  
13 Nevada Region and may adversely impact existing benefits  
14 of the Northwest Power Pool participation.

15 And Western's own study by Argonne National  
16 Laboratory notes that an Energy Imbalance Market would  
17 primarily affect Western's customers, not Western  
18 itself.

19 SMUD has worked effectively with Western Sierra  
20 Nevada Region, and its other customers, to craft  
21 regional energy solutions that benefits our consumers.  
22 The results of this relationship include:

23 \$127 million in customer funds in the past  
24 decade for capital and O&M projects for Western Sierra  
25 Nevada Region.

1           Since 1992, approximately \$1.5 billion have been  
2 spent or obligated to be spent for the Central Valley  
3 Improvement Act activities.

4           Establishment of a 5,000 megawatt balancing  
5 authority which has a substantial regional footprint and  
6 connects to the Pacific Northwest, allowing for the  
7 seasonal exchange of energy, transfers of renewable  
8 resources, and participation in the Northwest Power Pool  
9 reserve sharing program.

10           Active participation and coordination with  
11 neighboring balancing authorities, including joint  
12 reliability studies.

13           Participation in regional transmission planning  
14 through West Connect and the California Transmission  
15 Planning Group.

16           It is vital to promote and preserve rather than  
17 fundamentally change these successful relationships  
18 between the PMA's and their customers, to assure proper  
19 integration of solutions to energy needs and challenges  
20 faced throughout the U.S.

21           In addition, regional initiatives are proceeding  
22 to enhance stakeholders' abilities to meet renewable  
23 integration challenges. Efforts include expansion of  
24 intra-hour scheduling, development of protocols and  
25 platforms for the expanded use of dynamic scheduling and

1 enhanced planning coordination.

2 We believe strongly that any path forward that  
3 alters the mission of the PMA's must preserve their  
4 underlying benefits, reliability, affordability and  
5 environmental stewardship. Simply moving those benefits  
6 around amongst stakeholders serves no useful purpose and  
7 undercuts regional operational solutions that are  
8 actively pursued today.

9 Thank you.

10 MS. AZAR: Craig Cameron.

11 MR. CAMERON: Pass.

12 MS. AZAR: Jim Baak.

13 MR. BAAK: Thank you. My name is Jim Baak, and  
14 I'm the Director of Policy for Utility Scale Solar, for  
15 The Vote Solar Initiative. We are a nonprofit foundation  
16 funded organization that promotes solar policy  
17 throughout the west.

18 A little bit of background on me as well. I  
19 have spent the last 24-odd years in the utility  
20 industry, ten of which have been public power, most of  
21 those with Alameda Power and Telecom here in this region  
22 as a rate analyst, so I understand the concerns of the  
23 public power community on this.

24 I also serve on the Scenario Planning Steering  
25 Group for Western Electricity Coordinating Council and

1 we're involved in long-term planning for transmission in  
2 the west. And in that capacity, we're looking at again  
3 a long-term view of the challenges that the grid faces  
4 in the west and the challenges are unprecedented.

5 There are a number of changes that are going to  
6 occur in the type of generation that will be included in  
7 the electric industry moving forward and there's going  
8 to be a greater emphasis on renewable energy.

9 We're seeing EPA rules that are potentially  
10 going to be hurting for some coal plants. We see some  
11 challenges in the generation of new systems that will  
12 come back on-line, that will prevent some of these units  
13 from coming on-line, and there are challenges with new  
14 natural gas coming into the west as well.

15 So we think that renewable energy is going to  
16 play a large role in the future of the Western grid and  
17 we think that it's incumbent upon all utilities. And  
18 this is true not just for Western, but true for all the  
19 utilities in the west.

20 We're looking for ways to implement renewable  
21 generation resources in the west, and we think that this  
22 is something that is very pertinent to Western and we  
23 think that this will effect costs and rates and  
24 reliability for Western's preference customers in the  
25 long-run.

1           So we think it's entirely appropriate and we  
2 encourage Western to continue engaging in regional  
3 planning, particularly through the regional transmission  
4 expansion planning process that the DOE has initiated as  
5 well as the regional planning that is going on within  
6 the implementation, particularly in the area of regional  
7 planning for Western which covers a lot of service  
8 territory in the west.

9           And we strongly encourage Western to fully  
10 engage in those processes and to really take a more  
11 leadership role in representing the interests of the  
12 Western stakeholders, as well as influencing what kind  
13 of criteria, what kind of data assumptions should be  
14 used in that analysis. So we really strongly encourage  
15 Western to continue to expand their role in those  
16 processes.

17           We also applaud Western for looking at and doing  
18 their due diligence on the energy and balance market.  
19 We think this is very important and we feel this will  
20 help reduce the costs for integrating renewable  
21 resources. So we do encourage Western to look at the  
22 market in ways of integrating other renewable resources.

23           MS. AZAR: Wrap it up.

24           MR. BAAK: We also encourage Western to support  
25 other federal programs. There are a number of

1 initiatives like the similar programmatic environmental  
2 phase going on by the Department of Interior, and we  
3 encourage Western to look at those and support those  
4 possibly using 1222 funding.

5 So we do applaud the Department of Energy for  
6 screening these meetings and including stakeholders to  
7 engage in this discussion, and thank you for your  
8 consideration.

9 MS. AZAR: Thank you.

10 John Roukema.

11 MR. ROUKEMA: Thank you. I'm John Roukema --  
12 and that's R-O-U-K-E-M-A -- and I'm Director of Silicon  
13 Valley Power, City of Santa Clara's Electric Municipal  
14 Utility. We are a town of about 117,000, 19 square  
15 miles. And I'm not bragging, but we do know that to  
16 have a commercial load in Santa Clara, a lot of it is  
17 very high-tech customers and there's a lot of data in  
18 there. In fact, a significant piece of the load is  
19 powered by Silicon Valley Power here.

20 And I say that because we have heard from the  
21 six largest providers of municipal utilities in the  
22 country, and we also have one of the smallest city  
23 utilities in California here today.

24 So we're all different and we're all aware of  
25 pursuing the policy objectives here as driven by our

1 customers and mandated by the State of California, and  
2 we all do it in different and separate ways.

3 Now Western has always been there and always  
4 offered to be very open and solicited different ways of  
5 offering to help, you know, in asking this, "How can  
6 they help us meet these objectives within their  
7 statutory limitations?" That's very important to us.

8 And the other thing is that although any  
9 initiative that we go forward with has to make sure it  
10 demonstrates a clear lead and demonstrates the benefits,  
11 exceed the costs based on sound economic and operational  
12 principles here.

13 And, of course, the final thing is that the  
14 beneficiaries of these projects also are the ones who  
15 paid for them. So thank you.

16 MS. AZAR: Thank you.

17 Pat Kolstad.

18 MS. KOLSTAD: Thank you.

19 I'm Pat Kolstad, K-O-L-S-T-A-D, and I'm a city  
20 council member for the City of Santa Clara.

21 My remarks are about preference customers, not  
22 just stakeholders. I'm troubled by the pre-read  
23 materials wherein Western's customers are referred to as  
24 stakeholders.

25 And I know folks understand that the historic

1 legal and operational allegiance between Western and its  
2 customers, and I know that the Department of Energy  
3 knows that Western's customers pay all of the costs  
4 associated with generating and delivering clean  
5 renewable electricity for federal dams.

6 The customers also pay the costs associated with  
7 associated programs such as environmental work that's  
8 going on at the Central Valley Project Improvement Act.

9 The customers contribute to the up-front funds  
10 to both Western and the Bureau of Reclamation that  
11 ensure needed repairs, replacement and improvements are  
12 made to the system.

13 The customers are contractually bound to  
14 purchase the output of the federal system and the  
15 customers have the statutory first right to purchase the  
16 federal power.

17 Treating Western's customers simply as one of  
18 the many stakeholders is legally faulty and economically  
19 inequitable. As public entities and preference  
20 customers, we have the first right to the federal  
21 resource in an effort to divert it to the benefit of  
22 others, runs counter to the statutory relationship.

23 We pay for the costs of Western's program and  
24 expect to get comparable benefits and we should not be  
25 asked to subsidize program costs that are intended to



1 benefit others.

2 We're physically spent and we shouldn't be asked  
3 to use public dollars from our citizens to implement  
4 programs or policies that don't have a sound operational  
5 or economic basis that would not benefit the customers  
6 we serve.

7 As preference customers, we're partners with  
8 Western and we have a unique standing in the process.

9 Thank you.

10 MS. AZAR: Thank you.

11 Roger Firth.

12 MR. FIRTH: Thank you.

13 My name is Roger Firth, F-I-R-T-H, and I'm the  
14 Mayor of the City of Biggs. And just as a little  
15 background to put things in perspective as to why I feel  
16 it's important that we discuss the issues.

17 In 1903, we incorporated as a city and it was an  
18 open bid process. I had the opportunity to go through  
19 old records, through the letters that were there, the  
20 public input, and in 1904 they voted to establish our  
21 municipal electric utility which is we're entering our  
22 108th year this year since that was done, with a \$12,000  
23 investment when the public process was in play, and the  
24 record reflected the input and the interaction of the  
25 community and its leaders.

1           And as we grew as a utility -- which by the way  
2 we are the opposite of the SMUD -- we are probably the  
3 smallest, if not one of the smallest utilities that is a  
4 preference customer of Western.

5           But we've invested in projects along the way  
6 geothermal, hydro, and the current project that we're in  
7 which is the natural gas, fire, plant.

8           And the thing that really strikes me in doing  
9 all of this is how much we relied on the Western's  
10 allocation that relates to 40 percent of our load, and  
11 that was done in a public process.

12           You know, it was the community that said "Yes,  
13 go ahead and do it," and I find that as a backdrop to  
14 what I believe the process has degraded to in regards to  
15 the down approach and as an elected official, I'm very  
16 cognizant of process and transparency, and I think  
17 anyone who is elected, I think, feels the same.

18           So from my perspective, the Department of Energy  
19 has failed to do likewise. From the beginning, Western  
20 customers have been concerned about this process. And  
21 in fact it now appears that some decisions in the areas  
22 are already foregone conclusions.

23           And some of those were read in the record  
24 earlier and determinations are being made without  
25 awaiting full public input, despite promises of how best

1 to mitigate those concerns.

2 If anything, the actions today have simply made  
3 the situation worse. The Department of Energy asserts  
4 while Western is stuck in some time warp, you know, some  
5 desperate need of modernization, we are hearing things  
6 to the contrary.

7 And as far as the assessment of the  
8 infrastructure, no effort has been done to evaluate the  
9 adequacy of financing tools.

10 The Department of Energy professes a commitment  
11 to lowering costs to customers, but doesn't inform  
12 customers they are paying for this ill-guided exercise.  
13 And I don't know about the others, but I wasn't asked if  
14 I wanted to spend the money I pay to Western for this.

15 So it just doesn't feel right. The Department  
16 of Energy promises an open process and yet registration  
17 for the session was cut off two weeks in advance.

18 There's no clear answer on whether comments made  
19 during the breakout sessions are transcribed and  
20 recorded, and that the department has not answered  
21 precisely what process and procedural protections there  
22 will be between the final workshop and any next steps  
23 undertaken in this exercise.

24 And that even goes to the federal record; we  
25 don't know at what point it's going to be done.

1 MS. AZAR: Can you please wrap it up?

2 MR. FIRTH: Perhaps there are actions we could  
3 agree on that will make Western even more of an  
4 effective program. But unfortunately, the process has  
5 failed to recognize us as partners.

6 Thank you.

7 MS. AZAR: Thank you.

8 Tom Gebhard.

9 MR. GEBHARD: I'll pass.

10 MS. AZAR: James Farrar.

11 MR. FARRAR: My name is James Farrar, and I'm  
12 the Assistant Manager of Turlock Irrigation District, a  
13 publicly owned utility in Central California, serving  
14 100,000 customers in 14 communities.

15 TID operates its own balancing authority and is  
16 a customer of the Central Valley Project. We are also a  
17 member of the Northwest Power Pool and part owner of the  
18 California-Oregon Transmission Project.

19 I'm afraid I don't have a lot of new comments  
20 for you, but I'm going to reiterate some that we think  
21 are important to TID.

22 First we think WAPA actively participates in the  
23 industry and provides valuable input. To me that is  
24 acting as a leader. They collaborate well with their  
25 customers and the Bureau of Reclamation.

1           Second, I would like to echo that WAPA needs to  
2 stay within the bounds of its statutory authority to  
3 provide cost-based hydropower at the lowest rates  
4 possible consistent with sound business practices.

5           DOE's shared goals for the PMA's simply do not  
6 exist in any statute or regulation governing the PMA's.  
7 DOE's proposals would significantly alter the PMA's  
8 statutory purposes without support from Congress and  
9 over the opposition of the PMA's longtime consumers.  
10 Attempting to implement competing policy goals could  
11 easily result in changing the compact they have with  
12 their existing customers.

13           Third, the memo appears to advocate what WAPA  
14 become engaged in what I would term retail activities.  
15 Such activities are best left and appropriately left to  
16 local decision makers. Like most of WAPA's customers,  
17 TID has actively advanced renewable energy, time of use  
18 rates and distribution.

19           The policies and pricing mechanisms have been  
20 established based on the input of TID customers through  
21 local meetings and communication with our local board.  
22 TID exists for the benefit of its customers and responds  
23 to their needs.

24           We do not need or want WAPA to attempt to  
25 fashion our responses to retail needs. Rather, WAPA

1 should continue to operate efficiently within the  
2 wholesale market and leave the retail services to the  
3 retail provider.

4 Finally, I would like to address the memo's  
5 mention of an Energy Imbalance Market, which is claimed  
6 will "capture many of the potential efficiencies that  
7 remain untapped in the Western Interconnection."

8 TID believes that the jury is still out  
9 regarding the costs and benefits of an EIM market. TID,  
10 WAPA, and many others are actively evaluating the EIM  
11 and other operating alternatives to enhance the system's  
12 ability to absorb renewable energy.

13 TID encourages WAPA, DOE, and others to wait  
14 until that assessment is complete. The costs to  
15 implement an EIM or other tools will be significant.  
16 Those who are going to pay for and implement the new  
17 systems should be deciding on the best path to follow.

18 In closing, I just want to emphasize three  
19 things. Again, WAPA must stay within its local bounds  
20 of the statutory authority.

21 And in applying beneficiary pays, I would ask  
22 that DOE and WAPA not ascribe a benefit to an entity  
23 that does not have a corresponding need.

24 And lastly, DOE should not take an action that  
25 will take away local control of decisions for public

1 power providers. Let WAPA customers drive the process.

2 Thank you for letting me comment on this.

3 MS. AZAR: Julia Souder-Prochnik.

4 MS. SOUDER-PROCHNIK: Good evening, and thank  
5 you for the opportunity to speak here today.

6 To DOE to Western, to the preference customers,  
7 to the stakeholders, to all the customers: My name is  
8 Julia Souder-Prochnik, and I'm a consultant to NRDC.

9 We grow, we evolve, we change. New demands are  
10 placed on us. And just like us, they are placed on the  
11 grid.

12 We live in a new tech reality, and we have  
13 adjusted to meet a lot of these demands of the new tech  
14 world. And some of those adjustments have occurred  
15 because of the economy and the benefits of having a  
16 recession. The fact is that has helped us.

17 But when the economy changes again or something  
18 changes, will the current grid be ready? I appreciate  
19 the future plans and the current actions of Western and  
20 preferred customers to address energy efficiency to  
21 management storage, electric vehicle incorporation,  
22 these are great. But we can do more, even within our  
23 own means.

24 There are some specific recommendations for some  
25 long-term actions presented today for the partnerships

1 that I have heard so much about and I look forward to  
2 witnessing more and more between Western and preference  
3 customers.

4 One: Continued investment in the  
5 infrastructure, something with situational awareness.  
6 We could do more of them, incorporate more security  
7 mechanisms and protections. This has been discussed in  
8 an variety of forums and seems beneficial.

9 Discuss mechanisms to improve and examine rate  
10 structures. There were a lot of discussions: Some  
11 things that work and some things that don't. Continue  
12 the open dialogue of the benefits and needs analysis,  
13 it's really important to have that process.

14 We appreciate the unique aspects of this region  
15 and the other regions, but sometimes we need to  
16 incorporate and consider the bigger picture, especially  
17 within Western's footprints in other regions, and be  
18 careful of the silence one can create and consider room  
19 for improvement.

20 As we have noted in many ways, the process does  
21 work well between Western and customers and maybe  
22 consider more broader incorporation by stakeholders,  
23 more transparent the amount of education that occurred  
24 today was very positive.

25 Let's continue on that forefront for both



1 yourselves and your customers, continue Western's  
2 involvement in regional plans and processes. There have  
3 been a wide range of solutions and problems addressed  
4 and lots of lessons learned.

5 And lastly, please continue the discussion and  
6 presentation of the EIM. And I challenge you all to  
7 read and look at the various studies and reports that  
8 have been going on for the last year. There's a lot of  
9 information out there. And it hurts all of us if we  
10 just consider one prospective.

11 MS. AZAR: If you would wrap up, that would be  
12 great.

13 MS. SOUDER-PROCHNIK: And so many customers want  
14 affordable and renewable resources, and for the EIM to  
15 provide it. I appreciate the constraints, even the  
16 water and energy nexus that has been discussed today.

17 Yet we all need to think and act on the broader  
18 perspective, on behalf of the customers who want the  
19 grid of the future to address everything in the world.

20 Thank you.

21 MS. AZAR: Thank you.

22 Tom Kabat.

23 MR. KABAT: Thank you for the opportunity to  
24 provide comments.

25 The pre-read materials indicate misunderstanding

1 of Western's role.

2 The preamble of the pre-read materials  
3 erroneously suggest that Western's transmission mandate  
4 is broad and that Western will need to consider a range  
5 of system improvements to accommodate renewables.

6 In fact, Western's general authority to design  
7 and construct transmission is tied to the reliable  
8 delivery of federal hydropower to preference customer  
9 load. Western and DOE do not have the legal authority  
10 to do what the pre-read materials advocate.

11 Let me highlight the disconnect between  
12 Western's legal authority and the suggestions contained  
13 in the pre-read materials in terms of renewable energy  
14 deployment and integration.

15 First, the department suggests Western has a  
16 role in meeting its customers' Renewable Portfolio  
17 Standard requirements. In fact, under California law,  
18 any RPS requirement applies to distribution utilities in  
19 California, and has no direct or indirect connection to  
20 Western or its transmission operations.

21 To the contrary, NCPA members have already taken  
22 steps at considerable costs to meet California RPS  
23 requirements. Mandating Western investments simply  
24 forces Western customers to double pay and finance  
25 unneeded transmission investments.

1           Secondly, not only do Westerns preference  
2 customers not need additional transmission to meet RPS  
3 goals, neither do other entities in California.  
4 Utilities and others in the state have already  
5 identified and started the process for needed  
6 transmission additions, and the state has notified WECC  
7 that no interstate transmission is needed to meet  
8 California's RPS goals.

9           I also note that the pre-read document  
10 inaccurately assumes operational flexibility that does  
11 not exist. For the Central Valley Project, Western has  
12 extremely limited ability to provide greater ancillary  
13 services.

14           Project operations are largely dictated by  
15 requirements related to water releases for flood  
16 control, for water supply, and for critical  
17 environmental objectives.

18           Western simply lacks the ability to alter the  
19 water operations and its electrical operations to  
20 increase the availability of ancillary services.

21           Western already produces ancillary services, and  
22 when they are able to sell it to the grids they'll make  
23 those sales.

24           MS. AZAR: Thank you.

25           Ali -- I'm going to really mess this one up --

1 Amirali, A-M-I-R-A-L-I.

2 John Lambeck.

3 AUDIENCE SPEAKER: He just left.

4 MS. AZAR: All right. Ann Finley.

5 AUDIENCE SPEAKER: She left too.

6 MS. AZAR: Neal Aronson. All right, we're going  
7 to put that one on hold.

8 Shirley Eshbach.

9 AUDIENCE SPEAKER: She's gone.

10 MS. AZAR: All right. David Glenn. Jason  
11 Peltier.

12 MR. PELTIER: Yes, I'm Jason Peltier, Chief  
13 Deputy General Manager of Westlands Water District,  
14 which is about a 600,000 acre district located in the  
15 San Joaquin Valley.

16 We have a one million acre foot contract for  
17 water supplies out of the Central Valley Project. We  
18 are similarly situated with about 35 other water  
19 districts that are on the southern end of the project,  
20 part of the overall of the three million acres of  
21 surface area in the Central Valley Project, and we're  
22 happy to be here to support our fellow power  
23 beneficiaries.

24 I'd like to take a minute and talk about the  
25 contexts in which I am expressing our concerns tonight.

1 That context is about two decades of continuously  
2 eroding water supply reliability that we have seen 40,  
3 60, 90 percent reductions in our annual allocations of  
4 water from the project that has had dramatic adverse  
5 impacts on our customer communities, support  
6 communities, et cetera.

7 Today, the cheapest water is \$100 an acre foot.  
8 So we have had -- these changes are rooted in  
9 fundamental change that occurred in the Central Valley  
10 Project in 1992, with the passage of Central Valley  
11 Project Improvement Act; and in addition, many ways more  
12 significant the implementation of the Endangered Species  
13 Act and Clean Water Act limitations.

14 Before these changes occurred, the project had a  
15 record of virtually 100 percent, almost 100 percent  
16 reliability and 100 percent of deliveries.

17 We, in our communities, benefited greatly from  
18 the project, but we certainly feel that the benefits we  
19 received are much a thing of the past in our future is  
20 highly uncertain.

21 So for us the bottom line is -- well, no matter  
22 how well-intentioned any reform effort is, as we saw in  
23 the CVPIA, anything that erodes the reliability or  
24 raises the costs or creates more uncertainty for us is  
25 unacceptable.

1 I'd like to close by commenting on the notion  
2 that the representative of NRDC raised, because I think  
3 it has global application to your exercise here, the  
4 notion that we live in a new reality. That's quite  
5 true. Every second is different than the last second,  
6 so the reality is constantly changing.

7 But from our experience with the Central Valley  
8 Project Improvement Act, we couldn't see it at the time,  
9 and now we have lived through it. And part of that  
10 reality has been that the old values didn't change, the  
11 project was reformed. It was modernized in '92 to  
12 provide, to supposedly reflect new public values about  
13 our eco systems, and yet the old values never went away.

14 They were never diminished. Nobody ever said we  
15 don't care about reliable water, we don't care about,  
16 you know, affordable water. We don't care about those  
17 values kind of got lost in the process. And I just hope  
18 there's a lesson in there for this process too.

19 Thank you for the opportunity to speak.

20 MS. AZAR: Thank you.

21 William Palmerton.

22 MR. PALMERTON: My name is William Palmerton,  
23 P-A-L-M-E-R-T-O-N, and I'm General Manager of the Power  
24 and Water Resources Pooling Authority.

25 We serve 14 irrigation and water districts in

1 Northern and Central California, a load of approximately  
2 100 megawatts, and Westlands Water District is one of my  
3 largest participants. We represent about seven percent  
4 of the Western allocation for base resources.

5 As we heard from Mr. Peltier, we are a large  
6 share of the Central Valley Project Water Contractors.

7 When we're talking about transmission, improving  
8 the transmission system for Western, we are basically  
9 neutral on that users need to pay for the enhancements  
10 by load is not direct connect to Western. Therefore,  
11 any additional transmission costs would be a pancaking  
12 or we would pay twice, because we're paying transmission  
13 in their eyes.

14 So in the interest of time, I'd like to focus  
15 your attention on one of the items that caught my  
16 attention in the pre-read, and also the slides, and the  
17 Secretary Chu memo, and that is about centralized  
18 dispatch here in the Sierra Nevada region.

19 Centralized dispatch, even an EIM, would appear  
20 to me nearly impossible. First, at least Western here  
21 in Northern California is not interconnected with the  
22 balance of the Western system throughout the Western  
23 United States, to the extent that it is connected to the  
24 Pacific Northwest.

25 Even to that degree, a centralized dispatch

1 would appear to me to violate all, if not every, water  
2 obligations that exists today or might exist in the  
3 future.

4 I'd like to point out in statute -- you could  
5 read it for yourself -- the highlights are the Central  
6 Valley Project authorization, authorizing legislation  
7 states that the project is to be used first for river  
8 regulation improved navigation and flood control;  
9 second, for irrigation and domestic uses; and, third,  
10 for power.

11 Generation is a by-product of the water releases  
12 made for the Central Valley Project priority purposes.  
13 Any change in that priority purpose would need  
14 congressional approval.

15 Water releases to meet the project purposes are  
16 controlled by the US Bureau of Reclamation and the  
17 Department of Interior.

18 The bureau owns, operates and maintains the  
19 Central Valley Project. For that reason, Western for a  
20 vocalized dispatch, as you can imagine, does not have  
21 its hand on the throttle and is unable to control the  
22 generation output. It may make requests, but the  
23 ultimate generation is the result of water releases for  
24 the project purposes for the Central Valley Project.

25 So in conclusion, I would like to suggest that



1 the DOE consider the following three items.

2 The first, hold harmless water and power  
3 customers. Water customers are just as impacted as  
4 power customers.

5 Second, which you have heard throughout the  
6 workshops today, is the unique balance of the  
7 environmental water and power relationships here in  
8 California as it relates to the Sierra Nevada Region.

9 And third, as you have heard also a number of  
10 times, do not exceed under statutory authority, it  
11 requires congressional approval to make those changes.

12 Thank you.

13 MS. AZAR: Thank you.

14 Tom Glover. No.

15 All right. Is Neal Aronson here? Jane Ratchye.

16 All right. Let's go to David Miller, we know  
17 you are here.

18 MR. MILLER: My name is David Miller, and I'm  
19 with the Center for Energy Renewable Technologies, and  
20 I'd just like to make two brief comments.

21 The first, right now there's over tens of  
22 thousands of megawatts of variable resources within the  
23 footprint of Western, and I'm not including large hydro  
24 resources in that number.

25 Without some kind of modernized grid structure,

1 the costs of integrating those variable energy resources  
2 is going to remain high and possibly get higher as the  
3 penetration increases.

4           However, if we implement modern, if we modernize  
5 the grid -- and by that, I mean improving the physical  
6 transmission assets -- subhourly scheduling which would  
7 minimize the forecasting uncertainty of scheduling in  
8 the various resources and an energy market would not  
9 only optimizes the use of existing transmission, but  
10 could also reduce the use of operational reserves.

11           If we do all of those things, then we will be  
12 able to essentially reduce the costs of integrating  
13 those resources.

14           My concern is if we don't do those things, then  
15 the costs of integrating those resources is going to be  
16 high, and as we increase the variable resource  
17 penetration to the grid there may, at some point, be a  
18 spillover to preferred customers. So why not invest in  
19 that infrastructure now?

20           My second point is that right now the US is in  
21 the middle of what's been called the biggest drought in  
22 the last 50 years. And while Western preferred  
23 customers are benefiting from very, very cheap hydro  
24 right now, can we be sure that hydro will exist in the  
25 future?

1           And so why not hedge our bets and invest in an  
2 improved and modernized grid structure.

3           Thank you.

4           MS. AZAR: Thank you very much.

5           James Takehara.

6           MR. TAKEHARA: Thank you.

7           Good evening. My name is James Takehara.

8           The pre-read papers raises -- then discounts --  
9 existing processes and requirements that apply to  
10 Western's transmission systems of planning and  
11 operations.

12           Western operates within existing structures and  
13 processes to provide transmission, plan new investments,  
14 and ensure system reliability.

15           Looking just at the issue of system reliability  
16 as an example, Western has an excellent record of NERC  
17 and WECC compliance.

18           It's worth noting that Western's operations  
19 played no role in the Southwest blackout earlier this  
20 year.

21           While Western is an active and positive  
22 participant, Western does not have the expertise,  
23 funding, nor legal authority to "lead" the industry  
24 efforts in the area suggested.

25           One of the benefits of the current WECC process

1 is its inclusive and collaborative structure. Directing  
2 Western to lead efforts within WECC could well result in  
3 diminished industry support and create conflicts with  
4 existing policies, programs, and processes.

5           DOE does not recognize that Western does consult  
6 with its customers on transmission planning and  
7 operations. Moreover, CVP customers have directly  
8 funded -- without any federal appropriations -- over  
9 \$100 million in transmission improvement over the last  
10 decade alone.

11           It is important to recognize that these  
12 investments are directly tied to the reliable delivery  
13 of federal power to CVP customers.

14           Western does not have the legal authority to  
15 invest in transmission needed for "commercial and  
16 strategic needs."

17           Moreover, Western's legal authority is tied to  
18 the market area of each of its projects. For legal,  
19 financial and operational reasons, it cannot plan beyond  
20 its marketing regions, provide rates across its entire  
21 transmission network, nor make investments of ratepayer  
22 funds in transmission facilities not needed for the  
23 delivery of federal power.

24           Thank you.

25           MS. AZAR: Thank you.

1 All right. Valerie Fong.

2 MS. FONG: So my name is Valerie Fong, F-O-N-G,  
3 and I am the Utilities Director for the City of  
4 Palo Alto.

5 Western Power comprises close to 40 percent of  
6 our electric portfolio. We have a community that is  
7 committed to achieving a substantial environment.

8 We have an award-winning program, our Palo Alto  
9 Green Program, that was on voluntary pay and  
10 participation through which we provide 100 percent green  
11 power to participating customers.

12 We have been implementing energy efficiency  
13 programs for decades and we have achieved a 20 percent  
14 RPS standard in 2011.

15 Our city council adopted an even more aggressive  
16 RPS than required by law, 33 percent by 2015, five years  
17 before the state target, and we are working hard to  
18 achieve that target.

19 We supplied several public electric vehicle  
20 charging stations in our public parking lots.

21 We have a pilot demand response program we are  
22 currently implementing, and we are in the process of  
23 developing our plans for a 100 percent new central  
24 electric supply portfolio, by developing comprehensive  
25 programs that consider water, natural gas, and electric

1 efficiency.

2 Secretary Chu's memo causes us great concern.

3 Ultimately, the costs of initiatives pushed by the

4 secretary will be borne by customers and my customers

5 will end up paying twice, once for the efforts already

6 underway as a result of Palo Alto City Council's

7 direction for which they willingly paid for an opinion,

8 and then again the DOE's new view of the world that

9 Western should encourage planning efficiency.

10 We believe the distribution utility, without the

11 value of the benefits of our own voluntary efforts to

12 achieve this double payment, will be fundamentally

13 unfair as well as outside the statutory authority in

14 which Western operates and an important fact in our

15 ability to be aggressive and to achieve our

16 self-selected goals is our supply of cost-based reliable

17 and clean federal power.

18 We can manage the supply and uncertainty of this

19 resource in our portfolio, but we cannot manage to be

20 threatened with the initiative proposed.

21 The cost-based model we have today works. It

22 reflects commitments made in the past, but must continue

23 to be honored going forward.

24 Thank you for allowing me to provide these

25 comments to the committee.

1 MS. AZAR: Thank you very much.

2 Michelle Bertolino.

3 MS. BERTOLINO: Good evening, and thank you for  
4 the opportunity to provide comment. My name is Michelle  
5 M-I-C-H-E-L-L-E, Bertolino, B-E-R-T-O-L-I-N-O, and I  
6 represent the City of Roseville, where I'm the Utility  
7 Director.

8 Our mission is to improve the quality of life of  
9 our communities and our customers while providing  
10 reliable electricity services and affordable prices.

11 I think this is important to remember because  
12 sometimes when we talk about all of these very technical  
13 things. As somebody mentioned today, if any of our  
14 customers were here today they would not have a clue of  
15 what we were talking about. All they care about is the  
16 lights are on when they need them and that they can run  
17 their businesses when they want to.

18 In Roseville, an average customer experiences an  
19 outage once every two years. We're doing a very good  
20 job of running a reliability system.

21 We're a preference customer of Western and have  
22 been for over 40 years. And although the Western  
23 resource has declined, it's still a very valuable  
24 resource for us.

25 We are directly connected to the Western

1 transmission system, and for this reason it is important  
2 that any expansion or changes in the transmission system  
3 not impact reliability, and that they only move forward  
4 once need is established and only those who need it will  
5 benefit from it and pay for those services.

6 Customers within the Western system vary  
7 significantly and any initiatives to Western or changes  
8 to services should not and cannot be one size fits all  
9 of this economic impact matter.

10 We pay for power from Western, whether or not  
11 power is delivered to us. We buy whatever is leftover  
12 after project use. If it is less or more than planned,  
13 we pay for it. In drought years, we pay even if power  
14 is significantly reduced.

15 Our city and region has a 14 percent  
16 unemployment rate, and California has if not the  
17 highest, close to the highest electricity rates in the  
18 Continental United States.

19 Our customers are struggling to make ends meet,  
20 and businesses are leaving our region and the state.  
21 Even in this economic climate we are on tap to achieve a  
22 23 percent Renewable Portfolio Standard, and we have  
23 been able to do that because of decisions that work for  
24 our community and this is one of the primary purposes of  
25 public power local control.



1           Local control has been significantly eroded with  
2 federal and state regulations. The Department of  
3 Energy's proposed initiative may further erode our  
4 ability to deliver reliable power to our customers.

5           The Department of Energy's proposed initiatives  
6 will also conflict such as greenhouse gas and emission  
7 reductions and Renewable Portfolio Standard  
8 requirements, and these changes can and will have  
9 significant impacts on the Department of Energy, the  
10 Department of Interior, Bureau of Reclamation, and the  
11 Western Area Power Administration.

12           MS. AZAR: Please wrap up.

13           MS. BERTOLINO: Okay. One technical comment I  
14 wanted to make is that based upon the information we  
15 have, the PMA's own and operate eight percent of all  
16 transmission circuits in the United States.

17           And since there's still a lot of transmission  
18 circuit out there, any initiatives need to include those  
19 agencies as well.

20           Thank you very much.

21           MS. AZAR: Thank you.

22           Last one, Mike Brozo.

23           MR. BROZO: My name is Mike Brozo, B-R-O-Z-O,  
24 and thank you for saying it correctly.

25           Just briefly, I want to thank you for this

1 opportunity. And I want to start off by saying that the  
2 energy we received the from our Western Area Power  
3 Administration contract represents about 30 percent of  
4 our energy requirements and it is a critical part of our  
5 energy portfolio. Not only do we have a contract with  
6 Western Area Power Administration, we consider ourselves  
7 to be in a partnership with Western.

8           Along the lines of comments made by Jerry  
9 Toenyas, and others here, we take great pride in our  
10 efforts to work collaboratively with Western, and also  
11 the Bureau of Reclamation, in an effort such as the CVP  
12 O&M program and the COTP project mentioned by Bryan.

13           And I think it's important to note that these  
14 projects were really bottom projects. They were built  
15 and developed in coordination with the customers and  
16 collaboratively with the customers.

17           That being said, we do have some overreaching  
18 concerns based on some of the material that was in the  
19 pre-read document and some of the discussion in the  
20 meetings today.

21           The initiative proposed by DOE will have a  
22 material and a real impact on our contractual  
23 relationship and our partnership with Western.

24           In addition, we are concerned that some  
25 proposals being considered could result in cost impacts

1 to our customers. There have been some comments today  
2 about facing the future and dealing with things now and  
3 some other comments about unemployment rates. In the  
4 majority of our service area, we have unemployment rates  
5 well above 20 percent, 22 percent, 24 percent.

6 Our customers need to face the present, if they  
7 are worried about having a job and being able to pay  
8 their electric bills. So anything that is going to  
9 increase costs for our customers is a serious concern to  
10 both us as a cooperative, but also to our customers.

11 So we ask DOE take this into consideration of  
12 their proposal and deliver the steps to modify their  
13 initiatives to make sure that they eliminate any impact  
14 on our customers and anything that's going to increase  
15 costs to us.

16 I also want to spend just a brief moment talking  
17 about specific discussions today. I sat in on the  
18 transmission authority's working group. And while I  
19 found it an interesting discussion and wanted to make a  
20 few comments, first, the Department of Energy I think is  
21 looking at two existing programs, the Section 1222  
22 program and the TIP program which is seeking to expand  
23 or reform these authorities, and to expand Western's  
24 role in building a transmission for renewable resource  
25 development.

1           However, from our prospective, the proposal is  
2 really a misunderstanding of the potential for these  
3 programs and does not adequately reflect concerns of  
4 costs allocation or cost responsibility.

5           MS. AZAR: Could you try to wrap up, please.

6           MR. BROZO: Let me just say that we think that  
7 absent Section 1222 and TIP program changes that the  
8 transmission can be built without modifications to these  
9 programs or expanding Western's authority.

10           And we think we need to adequately consider the  
11 importance of cost responsibility and how to make sure  
12 that existing Western customers are not saddled with  
13 additional costs from these programs.

14           Thank you again.

15           MS. AZAR: Thank you very much.

16           Are there other folks that want to speak?

17           MR. HOLLABAUGH: Good evening and thank you. My  
18 name is Stephen Hollabaugh, H-O-L-L-A-B-A-U-G-H.

19           I'm the Assistant General Manager of the Truckee  
20 Donner Public Utility District. We're located on the  
21 eastern slope of the Sierra Nevadas, primarily between  
22 the 6,000 and 8,000 foot elevation.

23           One problem we saw with the material now is a  
24 suggestion that Western take additional steps to improve  
25 energy efficiency and increased use of response and

1 support. These policies are appropriately the purview  
2 of the local distribution utilities like Truckee Donner  
3 PUD, not a federal utility, to market and deliver  
4 federal power.

5 Our energy efficiency programs are tailored with  
6 our local community in mind in the most cost-effective  
7 way, given our geographic location. So there's no need  
8 for Western or DOE to interfere with our successful  
9 local energy efficiency programs. Enforcing a role for  
10 Western will simply create conflicts and unnecessary  
11 costs to our customers.

12 Thank you very much.

13 MS. AZAR: Thank you.

14 Anyone else? Please.

15 MR. CROWLEY: My name is Terry Crowley, and I'm  
16 with the City of Healdsburg.

17 The City of Healdsburg is a small utility and a  
18 member of our Renewable Portfolio Standard. Renewals  
19 are 40 percent. If we include hydro, we're 70 percent  
20 renewable. I think that's an somewhat high number and  
21 I'm not sure our customers would want something higher  
22 than what we have currently.

23 What I'd like to speak to today also is  
24 reliability, best utility practices, and the roles of  
25 the retail supplier.

1 Reliability is very subjective. I spent the  
2 majority of my career working for a large investor that  
3 had poor reliability, and the reason that wasn't  
4 cost-effective and the customers weren't screaming for  
5 it was because they did didn't want to pay higher rates.

6 Speaking to transmission specifically,  
7 transmission seems to be very reliable, extremely  
8 reliable. It's measured in duration, frequency, and  
9 also availability. System availability tends to be 99.9  
10 percent of the time that transmission is available to  
11 the customers.

12 The costs of that last 11,000ths of a percent is  
13 enormous. Do the customers want to pay for that? I  
14 have never seen a customer want to pay for that and I  
15 never seen a public utility want to put that forward to  
16 the customers.

17 As far as best utility practices, the industry  
18 is a long time away from replacement to manage the  
19 structures. Transmission poles are in the ages of 50 to  
20 70 years is common. Transmission poles are tested to  
21 see what the remaining life of the pole is. It's not  
22 replaced because it's 15 or 30 years old.

23 Infrared inspections are conducted for partial  
24 discharge under our cables. The utilities are very  
25 modern. They have adopted the best practices and they

1 have moved well beyond the 19th Century.

2 The last thing I'd like to talk about is retail  
3 service. My role as an entity or distribution provider  
4 is to work with my customers and provide them with  
5 customers want, energy efficiency.

6 My customers want electric, my customers don't  
7 want diminished management, they want to be able to turn  
8 their air conditioners on. That's a service I provide  
9 to them and that's a service they are asking me to  
10 provide to them.

11 The energy efficiency programs work. The City  
12 of Healdsburg needs to be controlled at the local level,  
13 not the regional level.

14 If a municipal utility has an underemployed or  
15 economically challenged area, they are not going to need  
16 electric vehicle charger stations, they are not going to  
17 want that, they'll need low income discounts.

18 So the mandate needs to be at the levels for  
19 those retail services. And I think Western is stepping  
20 well outside the role in promising that it would take on  
21 those roles.

22 Thank you for your time.

23 MS. AZAR: Thank you.

24 MR. MORRIS: Good evening. What a wonderful  
25 spot to be in, the last guy up. I guess the --

1 MS. AZAR: Could I ask you to state your name,  
2 please.

3 MR. MORRIS: My name is Richard Morris, and I  
4 serve as President of Trinity PUD. I have been on the  
5 board since we formed the district in 1981.

6 Trinity PUD serves about 90 percent of the  
7 customers in Trinity County. Trinity County is a very  
8 necessary part of the California, up in the Northwestern  
9 part of the state.

10 Of our customers we serve at least 13,500 people  
11 in Trinity County. We are a county of about two million  
12 acres, and we serve 90 percent of those customers.

13 I'm a fifth generation resident of Trinity  
14 County and have come to enjoy the services that we have  
15 received from the wonderful allocation that came to  
16 Trinity County when the Trinity project was authorized  
17 by Congress in 1955.

18 We were granted, by congressional mandate, the  
19 rights to 25 percent of the generation that was added  
20 through the Trinity Project to the Central Valley  
21 Project.

22 When we started the district, we had the highest  
23 rates in California, today we have the lowest, but  
24 commensurate with that we also have the highest  
25 unemployment in California.



1           In 1955, I was a young man back from school and  
2           listened to Clair Engle tell about the wonders that the  
3           Trinity Project would bring to our citizens: Buildings  
4           that were going to be installed as a result of the low  
5           cost power, we were going to get the wonderful low cost  
6           power we provided for our sawmills and the employment  
7           that would bring. We had, at that time, 40 sawmills.

8           But what has been the result of the project for  
9           Trinity County? We have nearly the highest unemployment  
10          and we have one sawmill left. The federal policies have  
11          that have come about in Trinity County as a result of  
12          extractions that once took place in the way of timber  
13          has left us devastated.

14          I urge you to be careful in the kind of policies  
15          that you consider in this time and the impact it has on  
16          small communities like ours. Please be careful.

17          I watched the Trinity area being constructed, I  
18          watched the waters flood one of the most beautiful  
19          valleys in the United States, I watched it flood my  
20          mother's birthplace and my grandmother's birthplace.

21          We were given this right to low cost power as a  
22          result of the federal policies that built the project.  
23          The project has been wonderful for California in many  
24          ways. But please, please be careful as you implement  
25          these policies and consider them, and the impacts that

1 they will have on those of us who live so meagerly in  
2 the mountains.

3 Oh, by the way, speaking of driving, I drive a  
4 Nissan Leaf, all electric.

5 Thank you very much.

6 MS. AZAR: Thank you very much.

7 Thank you, everybody. And if you did not get a  
8 chance to speak and you want to put in comments, please  
9 submit written comments under [jot@WAPA.gov](mailto:jot@WAPA.gov).

10 And even if you did submit comments here and you  
11 want to talk some more, put them on the Web site. Thank  
12 you very much, and have a good evening.

13 (Proceedings concluded.)

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COURT REPORTER'S CERTIFICATE

State of California )  
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I, ERIC L. THRONE, hereby certify that I am a  
Certified Shorthand Reporter and that I recorded  
verbatim in shorthand the proceedings had Thursday,  
July 26, 2012, completely and correctly to the best of  
my ability; that I have caused said shorthand to be  
transcribed into typewriting and the foregoing pages, 1  
through 90, constitute a complete and accurate  
transcript of said shorthand writing taken in the  
above-mentioned proceedings.

Dated at Rancho Cordova, California, this,  
6th day of August, 2012.

---

ERIC L. THRONE, CSR No. 7855, RPR, RMR, CRR

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<u>WORD INDEX</u>				
< 0 >	<b>2000</b> 22:24 28:12 40:14 <b>2003</b> 40:14 <b>2005</b> 24:13 29:4 <b>2010</b> 26:25 <b>2011</b> 44:13 77:14 <b>2012</b> 1:17 2:1 28:20, 21 91:9, 17 <b>2015</b> 77:16 <b>2020</b> 15:11 47:4 <b>2024</b> 29:4 <b>2050</b> 47:14 <b>20th</b> 28:22 <b>21st</b> 17:1 41:17 <b>22</b> 83:5 <b>23</b> 80:22 <b>230</b> 47:5 <b>24</b> 7:18 31:9 47:2 51:19 83:5 <b>2400</b> 31:8 <b>25</b> 10:17 26:19 88:19 <b>257</b> 40:19 <b>26</b> 1:17 2:1 91:9	<b>600000</b> 47:11 68:14 <b>66</b> 15:1 <b>6th</b> 34:21 91:17	78:12, 15 80:21 <b>achieved</b> 77:13 <b>achievements</b> 47:18 <b>achieving</b> 6:8 7:5, 8 77:7 <b>acquiring</b> 24:2 <b>acquisition</b> 35:4 <b>acre</b> 68:14, 16 69:7 <b>acres</b> 68:20 88:12 <b>Act</b> 24:13 50:3 56:8 65:17 69:11, 13, 13 70:8 <b>Acting</b> 2:14 60:24 <b>action</b> 25:11 62:24 <b>actions</b> 5:25 37:21 43:16 59:2 60:2 63:19, 25 <b>active</b> 31:15 50:10 75:21 <b>actively</b> 16:9 30:17 47:8 51:8 60:22 61:17 62:10 <b>activities</b> 16:8 36:4 40:17 43:23 44:2 50:3 61:14, 15 <b>actual</b> 22:10 35:9 <b>add</b> 42:7 <b>added</b> 3:6 88:19 <b>addition</b> 33:12 41:7 50:21 69:11 82:24 <b>additional</b> 5:11 8:24 21:23 35:16 67:2 71:11 84:13, 24 <b>Additionally</b> 30:9 <b>additions</b> 67:6 <b>address</b> 15:14 20:17 62:4 63:20 65:19 <b>addressed</b> 34:21 65:3 <b>adequacy</b> 59:9 <b>adequately</b> 84:3, 10 <b>adjusted</b> 63:13 <b>adjustments</b> 63:14 <b>ADMINISTRATIO</b> <b>N</b> 1:9 2:5 25:15 34:25	49:2 81:11 82:3, 6 <b>administrations</b> 5:11 14:4 23:2, 5 34:24 <b>Administrator</b> 2:14 <b>adopted</b> 21:1 77:15 86:25 <b>advance</b> 59:17 <b>advanced</b> 20:1 61:17 <b>advancements</b> 32:16 <b>advancing</b> 44:6 <b>advantage</b> 16:1 <b>adverse</b> 69:4 <b>adversely</b> 49:13 <b>Adviser</b> 2:16 <b>advocate</b> 61:13 66:10 <b>advocating</b> 21:24 <b>affect</b> 49:6, 17 <b>afford</b> 21:22 23:14 35:22 <b>affordability</b> 51:4 <b>affordable</b> 3:10 7:2 21:18 23:3, 8, 15, 20 65:14 70:16 79:10 <b>afraid</b> 60:19 <b>afternoon</b> 24:10 <b>age</b> 40:2 <b>agencies</b> 36:6 38:22 42:14 81:19 <b>Agency</b> 20:21 25:11, 11 27:23 32:23, 24 34:16 36:23 38:12 <b>agency's</b> 37:5 <b>ages</b> 86:19 <b>aggressive</b> 35:3, 24 77:15 78:15 <b>aging</b> 7:8 18:17, 19 20:5 39:5, 10 <b>ago</b> 33:4 <b>agree</b> 7:4 13:7 18:18, 21 24:23, 24 60:3 <b>agreement</b> 40:9 <b>ahead</b> 58:13 <b>air</b> 87:8 <b>Alameda</b> 51:21 <b>Ali</b> 67:25 <b>Alice</b> 18:7 <b>align</b> 36:1 <b>allegiance</b> 56:1 <b>allocation</b> 58:10
< 1 >	<b>1</b> 91:11 <b>1.4</b> 45:21 <b>1.5</b> 50:1 <b>10</b> 47:14 <b>100</b> 24:14 69:7, 15, 15, 16 71:2 76:9 77:10, 23 <b>1000</b> 33:20 <b>100000</b> 60:14 <b>108th</b> 57:22 <b>11000ths</b> 86:12 <b>11211</b> 1:13 <b>117000</b> 54:14 <b>12000</b> 48:22 57:22 <b>1222</b> 24:12 54:4 83:21 84:7 <b>127</b> 49:23 <b>128</b> 40:21 <b>13500</b> 88:10 <b>14</b> 60:14 70:25 80:15 <b>15</b> 32:24 86:22 <b>15000</b> 17:6 <b>16</b> 28:21 <b>160</b> 44:11 <b>16th</b> 5:17 6:13 34:23 35:7 36:5 43:12 46:11 <b>17</b> 7:14 15:6 <b>17135</b> 5:23 <b>18</b> 31:4, 4 <b>19</b> 54:14 <b>1903</b> 57:17 <b>1904</b> 57:20 <b>1946</b> 45:21 <b>1955</b> 88:17 89:1 <b>1970's</b> 27:3 <b>1975</b> 15:1 <b>1980's</b> 28:17 <b>1981</b> 88:5 <b>1982</b> 5:6 <b>1990</b> 47:14 <b>1990's</b> 40:3 <b>1992</b> 50:1 69:10 <b>1997</b> 18:22 <b>1999</b> 40:12 <b>19th</b> 87:1	< 7 > <b>7</b> 31:9 <b>70</b> 85:19 86:20 <b>75</b> 5:10 <b>77</b> 7:21 <b>7855</b> 91:20	< 8 > <b>8000</b> 84:22 <b>85</b> 31:10 <b>888</b> 33:20 <b>889</b> 33:20	< 9 > <b>90</b> 69:3 88:6, 12 91:12 <b>92</b> 70:11 <b>95</b> 26:24 <b>98</b> 20:6 <b>99.9</b> 86:9
< 2 >	< 3 > <b>30</b> 18:12 41:23 82:3 86:22 <b>300000</b> 40:13 <b>31</b> 27:1 <b>321</b> 5:24 <b>33</b> 15:10 77:16 <b>340</b> 28:13 <b>35</b> 68:18 <b>37</b> 47:4	< A > <b>abilities</b> 50:22 <b>ability</b> 17:22 62:12 67:12, 18 78:15 81:4 91:10 <b>able</b> 4:19 8:1, 25 9:25 67:22 74:12 80:23 83:7 87:7 <b>absent</b> 84:7 <b>absorb</b> 22:7 62:12 <b>acceptable</b> 18:1 30:2 <b>accommodate</b> 9:16 66:5 <b>accommodations</b> 8:6 <b>accomplishing</b> 46:10  <b>accomplishments</b> 46:25 <b>account</b> 29:17 48:16 <b>accounting</b> 21:10 <b>accurate</b> 91:12 <b>Achadjian</b> 36:11 <b>achieve</b> 6:5 26:18 31:1 41:5 45:8 47:13 77:18	< 4 > <b>40</b> 7:14, 19 14:23 26:22 39:15 40:23 58:10 69:2 77:5 79:22 85:19 89:7 <b>400</b> 47:9 <b>4600</b> 23:1	< 5 > <b>50</b> 7:12, 14 74:22 86:19 <b>500</b> 28:13 33:4 <b>5000</b> 28:7 50:4 <b>58</b> 17:5
< 6 >	< 6 > <b>6</b> 2:2 <b>60</b> 69:3 <b>6000</b> 84:22	< 7 > <b>7</b> 31:9 <b>70</b> 85:19 86:20 <b>75</b> 5:10 <b>77</b> 7:21 <b>7855</b> 91:20	< 8 > <b>8000</b> 84:22 <b>85</b> 31:10 <b>888</b> 33:20 <b>889</b> 33:20	< 9 > <b>90</b> 69:3 88:6, 12 91:12 <b>92</b> 70:11 <b>95</b> 26:24 <b>98</b> 20:6 <b>99.9</b> 86:9

<p>71:4 84:4 88:15  <b>allocations</b> 69:3  <b>allow</b> 3:19 4:1  <b>allowing</b> 50:6  78:24  <b>Alquist</b> 36:10  <b>alter</b> 24:7 61:7  67:18  <b>alternatives</b>  62:11  <b>alters</b> 51:3  <b>Alto</b> 77:4, 8  78:6  <b>Alyson</b> 36:14  <b>ambitious</b> 47:12  <b>America</b> 3:16  <b>American</b> 22:22  <b>Amirali</b> 68:1  <b>amount</b> 40:14  64:23  <b>analysis</b> 31:11  53:14 64:12  <b>analyst</b> 51:22  <b>analyzed</b> 15:3  <b>ancillary</b> 67:12,  20, 21  <b>Ann</b> 68:4  <b>announced</b>  43:14  <b>annual</b> 41:23  69:3  <b>annually</b> 24:14  <b>answer</b> 59:18  <b>answered</b> 21:20  59:20  <b>answers</b> 11:4  12:22 13:18  48:6  <b>anticipate</b> 37:9  <b>anybody</b> 9:18  <b>Anyway</b> 10:2  <b>APPA</b> 6:18  22:24  <b>appalled</b> 24:9  <b>appear</b> 35:6  71:19 72:1  <b>appears</b> 25:21  32:3 43:21  58:21 61:13  <b>applaud</b> 53:17  54:5  <b>appliance</b> 14:25  <b>application</b> 70:3  <b>applies</b> 66:18  <b>apply</b> 26:12  75:9  <b>applying</b> 62:21  <b>appreciate</b> 2:5,  12, 24 16:21, 25  22:20 43:5</p>	<p>44:18 63:18  64:14 65:15  <b>appreciation</b>  25:24  <b>approach</b> 15:8  43:10 46:24  58:15  <b>approached</b> 40:8  <b>appropriate</b> 11:8  30:3 53:1  <b>appropriately</b>  61:15 85:1  <b>appropriations</b>  40:4 76:8  <b>approval</b> 72:14  73:11  <b>Approximately</b>  26:19 28:11  40:13, 19, 21  50:1 71:1  <b>April</b> 28:20, 22  <b>AREA</b> 1:9 2:5  4:15 18:21  25:14 30:17  34:24 49:2  53:6 68:21  75:24 76:18  81:11 82:2, 6  83:4 87:15  89:17  <b>areas</b> 3:24 27:2  33:18 58:21  <b>Argonne</b> 49:15  <b>arguably</b> 5:4  <b>arises</b> 7:8  <b>Arlen</b> 42:25  <b>Aronson</b> 68:6  73:15  <b>arrangement</b>  31:23  <b>arrangements</b>  29:1, 6 30:11  41:13  <b>art</b> 31:20  <b>articulated</b> 43:18  <b>ascribe</b> 62:22  <b>asked</b> 5:18  12:5 21:19  36:1 38:3  56:25 57:2  59:13  <b>asking</b> 55:5  87:9  <b>aspects</b> 64:14  <b>Assembly</b> 36:11,  12, 14, 15, 15, 16,  16, 17  <b>Assemblyman</b>  36:17, 18  <b>assert</b> 25:22</p>	<p>26:10  <b>assertions</b> 44:14  <b>asserts</b> 59:3  <b>assess</b> 27:10  <b>assessment</b>  59:7 62:14  <b>assets</b> 8:2 74:6  <b>Assistant</b> 48:21  60:12 84:19  <b>associated</b> 56:4,  6, 7  <b>Association</b>  15:23 22:23  24:23  <b>assumes</b> 67:10  <b>assumptions</b>  53:13  <b>assure</b> 28:5  50:18  <b>attempt</b> 11:25  61:24  <b>attempting</b> 11:8,  23 61:10  <b>attend</b> 8:25  <b>attended</b> 3:2  6:16 43:3  <b>attention</b> 71:15,  16  <b>AUDIENCE</b> 68:3,  5, 9  <b>August</b> 91:17  <b>authorities</b>  16:12 28:6  38:8 50:11  83:23  <b>authority</b> 24:11  27:22 28:2  37:5, 8, 20  38:16 44:1  46:7 49:1 50:5  60:15 61:2  62:20 66:6, 9,  12 70:24 73:10  75:23 76:14, 17  78:13 84:9  <b>authority's</b> 83:18  <b>authorization</b>  72:6  <b>authorized</b> 88:16  <b>authorizing</b> 17:8  72:6  <b>availability</b>  67:20 86:9, 9  <b>available</b> 86:10  <b>average</b> 39:23  79:18  <b>awaiting</b> 58:25  <b>award</b> 77:8  <b>aware</b> 22:1  54:24  <b>awareness</b> 64:5</p>	<p><b>Azar</b> 2:15, 19, 20  13:22 16:19  18:4 20:13  22:17 25:1, 5  27:19 32:12, 19  34:10, 13 36:20  38:24 42:10, 20  45:10, 16 48:18  51:10, 12 53:23  54:9 55:16  57:10 60:1, 7,  10 63:3 65:11,  21 67:24 68:4,  6, 10 70:20  73:13 75:4  76:25 79:1  81:12, 21 84:5,  15 85:13 87:23  88:1 90:6    <b>&lt; B &gt;</b>  <b>Baak</b> 51:12, 13,  13 53:24  <b>back</b> 11:16  18:19 31:8  52:12 89:1  <b>backdrop</b> 58:13  <b>background</b>  30:3 33:2  51:18 57:15  <b>backwards</b> 11:7  <b>balance</b> 31:11  53:18 71:22  73:6  <b>balanced</b> 31:6  <b>Balancing</b> 27:22  28:2, 6 30:22  49:1 50:4, 11  60:15  <b>BANC</b> 27:23, 23  28:2, 5, 8, 20, 22,  25 30:6, 9, 12,  13, 17 31:13  <b>BANC's</b> 28:15  <b>Barry</b> 10:5, 8  <b>base</b> 47:22 71:4  <b>based</b> 12:9  13:14 20:24  21:9 37:21  55:11 61:3, 20  78:16, 21 81:14  82:18  <b>basic</b> 23:25  <b>basically</b> 71:8  <b>basis</b> 10:15  31:9 57:5  <b>Beall</b> 36:12  <b>beaming</b> 2:11  <b>bear</b> 17:5 36:1  <b>beast</b> 11:23  <b>beautiful</b> 89:18</p>	<p><b>began</b> 10:21  11:3 40:3  <b>beginning</b> 4:20  40:6 43:12  58:19  <b>behalf</b> 27:22  35:13 65:18  <b>believe</b> 31:4  33:15 51:2  58:14 78:10  <b>believes</b> 6:14  62:8  <b>beneficial</b> 64:8  <b>beneficiaries</b>  3:11 55:14  68:23  <b>beneficiary</b>  27:14 47:23  62:21  <b>benefit</b> 31:1  46:24 48:1  56:21 57:1, 5  61:22 62:22  80:5  <b>benefited</b> 69:17  <b>benefiting</b> 74:23  <b>benefits</b> 3:14  21:5 22:15  23:23 27:8  35:25 36:2  42:6 48:16  49:13, 21 51:4,  5 55:10 56:24  62:9 63:15  64:12 69:18  75:25 78:11  <b>Berryhill</b> 36:11  <b>Bertolino</b> 79:2, 3,  5 81:13  <b>best</b> 29:25 36:8  58:25 61:15  62:17 85:24  86:17, 25 91:9  <b>Beth</b> 36:16  <b>bets</b> 75:1  <b>better</b> 4:16 45:5  <b>beyond</b> 43:23  76:19 87:1  <b>bid</b> 57:18  <b>big</b> 9:10 28:6  39:6 41:18  <b>bigger</b> 64:16  <b>biggest</b> 74:21  <b>Biggs</b> 57:14  <b>billion</b> 15:1 50:1  <b>bills</b> 6:4 83:8  <b>bipartisan</b> 26:6  34:19  <b>birthplace</b> 89:20,  20</p>
--	--	--	---	---

bit 3:1 9:10  
 18:15 51:18  
**blackout** 75:19  
**Board** 20:3  
 61:21 88:5  
**boiled** 42:17  
**borne** 78:4  
**bottom** 22:6  
 45:5 69:21  
 82:14  
**bound** 56:13  
**bounds** 61:2  
 62:19  
**BOYKO** 2:3, 4  
**bragging** 54:15  
**breakers** 19:18  
 39:11  
**breakout** 59:19  
**Brent** 34:13, 14  
**Brian** 32:20, 21  
**brief** 73:20  
 83:16  
**briefly** 81:25  
**bring** 16:16  
 19:13, 18, 20  
 89:3, 7  
**bringing** 16:14  
**broad** 43:14  
 66:4  
**broader** 64:22  
 65:17  
**broken** 25:22  
**brought** 41:17  
**Brozo** 81:22, 23,  
 23 84:6  
**Bryan** 82:12  
**build** 16:10  
**building** 14:25  
 83:24  
**Buildings** 89:3  
**built** 17:16, 20  
 47:5 82:14  
 84:8 89:22  
**burden** 42:8  
**Bureau** 4:17, 19  
 16:23 18:24  
 46:9 56:10  
 60:25 72:16, 18  
 81:10 82:11  
**bureau's** 19:5  
**business** 29:16  
 37:15, 23 61:4  
**businesses**  
 79:17 80:20  
**buy** 80:11  
  
**< C >**  
**cables** 86:24  
**Cadillac** 21:14  
**California** 1:14  
 2:1 14:1 15:9

18:11 20:20  
 25:10, 14 26:20  
 27:17, 22 28:12,  
 14 32:23 33:3,  
 5 34:15, 20  
 35:1, 2, 3 36:23  
 41:21 50:14  
 54:23 55:1  
 60:13, 18 66:17,  
 19, 22 67:3  
 71:1, 21 73:8  
 80:16 88:8, 23,  
 25 89:23 91:3,  
 16  
**Californians**  
 39:20  
**California's**  
 14:11, 17, 21, 24  
 15:5, 8, 13 35:8  
 45:22 48:1 67:8  
**call** 8:19 10:3  
 13:23  
**called** 18:19  
 74:21  
**calling** 9:12, 14  
**Cameron** 51:10,  
 11  
**cap** 24:14  
**capacities** 18:13  
**capacity** 17:6  
 29:23 52:2  
**capita** 14:21  
**capital** 19:16  
 45:22 49:24  
**capture** 62:6  
**capturing** 6:3  
**car** 21:15, 18  
**carbon** 26:24  
 47:13  
**care** 70:15, 15,  
 16 79:15  
**career** 39:3 86:2  
**careful** 64:18  
 89:14, 16, 24  
**carefully** 27:15  
 46:15  
**carry** 22:13  
**case** 10:18  
**caught** 71:15  
**causal** 44:16  
**cause** 41:23  
 42:1  
**caused** 91:10  
**causes** 78:2  
**Center** 73:19  
**Central** 25:12  
 28:9, 10, 14  
 29:24 33:4  
 50:2 56:8  
 60:13, 16 67:11  
 68:17, 21 69:9,

10 70:7 71:1, 6  
 72:5, 12, 19, 24  
 77:23 88:20  
**centralized**  
 71:17, 19, 25  
**Century** 17:1  
 41:17 87:1  
**CEO** 45:19  
**CEO's** 6:19  
**certainly** 69:18  
**certainty** 29:5  
**CERTIFICATE**  
 91:1  
**certified** 28:2  
 91:7  
**certify** 91:6  
**cetera** 69:6  
**chairman** 20:3  
**chairperson**  
 20:20  
**challenge** 65:6  
**challenged** 87:15  
**challenges** 5:14,  
 19 7:7 8:4 9:4  
 50:19, 23 52:3,  
 4, 11, 13  
**chance** 90:8  
**change** 5:4  
 13:1, 15 32:4  
 46:17 50:17  
 63:9 69:9  
 70:10 72:13  
**changes** 5:15  
 10:23 12:19  
 30:4 38:17  
 42:5 48:8, 14  
 52:5 63:17, 18  
 69:8, 14 73:11  
 80:2, 7 81:8  
 84:7  
**changing** 5:19  
 41:9 61:11 70:6  
**charger** 87:16  
**charging** 3:22  
 22:7 77:20  
**chat** 4:20  
**cheap** 74:23  
**cheapest** 69:7  
**check** 9:25  
**Chesbro** 36:16  
**Chevy** 21:15  
**Chief** 68:12  
**choice** 44:20  
**chosen** 27:5  
**Chu** 5:17 6:17,  
 21 16:14 28:21  
 34:21 41:19  
 42:7 71:17  
**Chu's** 3:21 6:12  
 43:12, 14 44:10

78:2  
**circuit** 81:18  
**circuits** 81:16  
**Cirincione**  
 36:21, 22, 23  
**cities** 27:25  
**citizens** 57:3  
 89:3  
**city** 10:9 18:10  
 20:19 43:4  
 54:13, 22 55:19,  
 20 57:14, 17  
 77:3, 15 78:6  
 79:6 80:15  
 85:16, 17 87:11  
**claimed** 62:5  
**Clair** 89:2  
**Clara** 54:16  
 55:20  
**Clara's** 54:13  
**clarifications**  
 12:6  
**clean** 14:14  
 15:12 23:3  
 46:13 56:4  
 69:13 78:17  
**clear** 6:12 21:8  
 26:3 35:25  
 48:9 55:10  
 59:18  
**cleared** 39:12  
**clearly** 6:6  
 43:23 45:4  
**climate** 80:21  
**close** 70:1 77:5  
 80:17  
**closely** 17:24  
 18:14  
**closing** 62:18  
**clue** 79:14  
**coal** 31:1, 3, 5  
 52:10  
**cognizant** 58:16  
**collaborate**  
 33:12 60:24  
**collaboration**  
 11:13, 14 31:23  
 33:17  
**collaborations**  
 43:9 49:12  
**collaborative**  
 12:12, 21 20:2  
 76:1  
**collaboratively**  
 12:14 82:10, 16  
**colleagues** 11:5  
**come** 4:5 6:20  
 9:22 52:12  
 88:14 89:11  
**coming** 2:3 9:2

37:9 52:13, 14  
**command** 49:5  
**commensurate**  
 27:8 88:24  
**comment** 24:25  
 63:2 79:4 81:13  
**commenting**  
 70:1  
**comments** 2:9,  
 24 9:1, 21, 24  
 10:14 20:23  
 28:23 42:19  
 59:18 60:19  
 65:24 73:20  
 78:25 82:8  
 83:1, 3, 20 90:8,  
 9, 10  
**commercial**  
 54:16 76:15  
**commission**  
 2:18 14:2 15:3  
**commissioner**  
 2:17 16:23  
**commitment**  
 59:10  
**commitments**  
 78:22  
**committed**  
 40:23 77:7  
**committee** 78:25  
**common** 86:20  
**communication**  
 61:21  
**communities**  
 3:7 4:6 22:15  
 60:14 69:5, 6,  
 17 79:9 89:16  
**community**  
 51:23 57:25  
 58:12 77:6  
 80:24 85:6  
**compact** 61:11  
**companies** 3:16  
**comparable**  
 56:24  
**competing** 61:10  
**competitive** 6:25  
**complement**  
 16:5  
**complete** 62:14  
 91:12  
**completed** 39:13  
**completely** 91:9  
**complex** 13:2  
 29:1  
**compliance**  
 31:18 75:17  
**compliment**  
 7:25 16:14  
**component** 3:10  
 14:5 15:13

<p><b>comprehensive</b> 77:24  <b>comprises</b> 77:5  <b>concept</b> 47:23  <b>concern</b> 23:18  26:7 33:23  38:7 74:14  78:2 83:9  <b>concerned</b>  25:19 35:8  58:20 82:24  <b>concerning</b> 23:9  44:8  <b>concerns</b> 10:20  25:17 32:15  34:22 38:5  44:10 51:22  59:1 68:25  82:18 84:3  <b>concluded</b> 90:13  <b>conclusion</b>  72:25  <b>conclusions</b>  58:22  <b>condition</b> 40:2  <b>conditioners</b>  87:8  <b>conducted</b> 86:23  <b>conflict</b> 35:9  81:6  <b>conflicts</b> 76:3  85:10  <b>confusion</b> 35:10  <b>Congress</b> 5:12  12:5 13:3 21:1  24:8, 17, 19  26:3 29:12, 13  32:3 38:20  61:8 88:17  <b>congressional</b>  26:7 44:11  72:14 73:11  88:18  <b>Connect</b> 31:17  43:25 50:14  71:10  <b>connected</b>  71:23 79:25  <b>connection</b>  66:19  <b>connects</b> 50:6  <b>consequence</b>  35:21  <b>consequences</b>  49:4  <b>conservation</b>  35:15  <b>consider</b> 8:7  27:15 30:19  34:1 46:15  64:16, 18, 22</p>	<p>65:10 66:4  73:1 77:25  82:6 84:10  89:15, 25  <b>considerable</b>  66:22  <b>consideration</b>  8:18 14:7 44:9  48:15 54:8  83:11  <b>considerations</b>  46:25  <b>considered</b>  42:12 82:25  <b>considering</b>  8:22 48:14  <b>consistent</b> 14:8  25:24 29:2, 16  35:7 37:14, 22  61:4  <b>consistently</b>  39:21  <b>consisting</b> 27:23  <b>constant</b> 14:22  <b>constantly</b> 41:9  70:6  <b>constituents</b>  35:12, 17, 18  <b>constitute</b> 91:12  <b>constraints</b>  29:22 65:15  <b>construct</b> 66:7  <b>constructed</b>  89:17  <b>constructive</b>  16:15  <b>consult</b> 76:5  <b>consultant</b> 39:2  63:8  <b>consultation</b>  43:19  <b>consumer</b> 23:6,  24  <b>consumers</b> 6:4  23:11, 14 32:17  35:13, 24 49:21  61:9  <b>consumption</b>  14:21  <b>contained</b> 66:12  <b>contemplating</b>  45:12  <b>context</b> 69:1  <b>contexts</b> 68:25  <b>Continental</b>  80:18  <b>continually</b>  39:18  <b>continue</b> 5:7  47:21 53:2, 15</p>	<p>62:1 64:11, 25  65:1, 5 78:22  <b>Continued</b> 64:4  <b>continues</b> 23:13,  18 48:2  <b>continuing</b> 5:15  <b>continuously</b>  69:1  <b>contract</b> 33:6  68:16 82:3, 5  <b>contracted</b> 30:5  <b>Contractors</b> 71:6  <b>contracts</b> 29:2  41:15  <b>contractual</b> 30:8  82:22  <b>contractually</b>  56:13  <b>contrary</b> 59:6  66:21  <b>contrast</b> 38:13  <b>contribute</b> 56:9  <b>contributed</b> 22:4  <b>contributions</b>  45:7  <b>control</b> 17:10  19:6 23:21, 23  29:10 31:20  49:5 62:25  67:16 72:8, 21  80:25 81:1  <b>controlled</b> 72:16  87:12  <b>conventional</b>  14:14 15:17  <b>convert</b> 31:7  <b>converted</b> 19:16  <b>conveying</b> 5:8  <b>cooperation</b>  15:23 33:17  <b>cooperative</b>  83:10  <b>Coordinating</b>  51:25  <b>coordination</b>  4:17, 21 50:10  51:1 82:15  <b>copy</b> 9:24  <b>Cordova</b> 1:14  2:1 91:16  <b>core</b> 22:14 24:1  <b>cornerstone</b> 15:7  <b>cornerstones</b>  23:22  <b>correctly</b> 81:24  91:9  <b>correspond</b>  35:25  <b>corresponding</b>  62:23</p>	<p><b>cost</b> 3:6 14:18  16:1 20:24  21:9 23:20  36:8 37:21, 25  47:22 48:4  61:3 78:16, 21  82:25 84:4, 11  85:6 86:4 89:5,  5, 21  <b>costly</b> 49:8  <b>costs</b> 15:1, 20  21:13, 23, 23  22:5, 7, 10, 10,  13 23:7, 11  28:18 29:15  30:10, 14 32:5,  6 33:8 36:1, 2  42:6 46:14, 22,  24 52:23 53:20  55:11 56:3, 6,  23, 25 59:11  62:9, 14 66:22  69:24 71:11  74:1, 12, 15  78:3 83:9, 15  84:4, 13 85:11  86:12  <b>COTP</b> 33:3, 7, 8,  10, 13 82:12  <b>Council</b> 51:25  55:20 77:15  <b>Council's</b> 78:6  <b>Counsel</b> 43:1  <b>count</b> 36:25  <b>counter</b> 56:22  <b>country</b> 11:1  47:19 54:22  <b>County</b> 88:7, 7,  11, 11, 14, 16  89:9, 11 91:4  <b>course</b> 3:8  55:13  <b>court</b> 9:20 91:1  <b>covered</b> 10:15  38:2  <b>covers</b> 53:7  <b>craft</b> 49:20  <b>crafted</b> 30:6  <b>crafting</b> 8:6  26:3  <b>Craig</b> 51:10  <b>create</b> 64:18  76:3 85:10  <b>creates</b> 44:20  69:24  <b>creative</b> 24:11  <b>credibility</b> 44:20  <b>credit</b> 19:11, 11  <b>criteria</b> 39:22  53:13</p>	<p><b>critical</b> 3:7, 10  11:9 17:11  19:21 37:25  39:13 67:16  82:4  <b>Crowley</b> 85:15,  15  <b>CRR</b> 91:20  <b>CSR</b> 91:20  <b>CTPG</b> 31:17  <b>current</b> 16:7  21:7, 20 37:6  38:9, 17 43:16  44:2 45:6 58:6  63:18, 19 75:25  <b>currently</b> 26:24  42:3 48:13  77:22 85:22  <b>customer</b> 4:12  17:15 39:6  41:15 45:20, 23  49:23 58:4  60:16 66:8  69:5 79:18, 21  86:14  <b>customers</b> 3:4,  4, 13 4:24, 25  5:9 6:7 8:1  11:24 15:1  17:17, 18, 25  19:2, 2, 22 20:1  21:3, 25 22:2,  12, 15 23:3, 7  24:2 25:12, 17,  18, 19, 25 27:12  29:15, 23 30:2  31:23, 25 32:6,  11 33:17 34:5,  6 36:6 37:14  38:10, 13 40:8,  12, 14, 18, 22  41:1 43:9, 17,  20 44:3, 5 45:7  46:22 47:21, 24  48:12 49:17, 20  50:18 52:24  54:17 55:1, 21,  23 56:2, 3, 6, 9,  13, 15, 17, 20  57:5, 7 58:20  59:11, 12 60:14,  25 61:12, 16, 20,  22 63:1, 6, 7, 20  64:3, 21 65:1,  13, 18 66:16, 24  67:2 73:3, 3, 4  74:18, 23 76:6,  7, 13 77:11  78:4, 4 79:9, 14  80:6, 19 81:4  82:15, 16 83:1,</p>
--	--	---	--	--

6, 9, 10, 14  
 84:12 85:11, 21  
 86:4, 11, 13, 16  
 87:4, 5, 6, 6  
 88:7, 10, 12  
**cut** 59:17  
**CVP** 19:2 21:21,  
 25 22:2, 5  
 25:17, 17 29:9,  
 25 30:5 39:15  
 40:6, 8, 14, 18  
 41:1, 12, 14, 23,  
 24 42:3, 5, 13  
 76:7, 13 82:11  
**CVPIA** 69:23  
  
**< D >**  
**Dakota** 3:3  
**damaged** 39:12  
**dams** 5:9 56:5  
**Dan** 36:17  
**data** 8:12 53:13  
 54:17  
**date** 12:7 13:8  
 19:18, 20 30:21  
 40:18 44:4  
 46:25  
**dated** 28:20  
 34:20 91:16  
**David** 16:20, 22  
 68:10 73:16, 18  
**day** 2:6, 7, 22,  
 23, 25 91:17  
**DC** 18:20 22:23  
**deal** 9:10  
**dealing** 83:2  
**decade** 49:24  
 76:10  
**decades** 14:20  
 47:15 69:1  
 77:13  
**deciding** 62:17  
**decision** 46:23  
 61:16  
**decisions** 26:10  
 29:7 32:7  
 58:21 62:25  
 80:23  
**declined** 79:23  
**decrease** 41:23  
**deep** 38:7  
**deeply** 35:8  
**defensive** 12:7,  
 10  
**deficient** 44:5  
**define** 11:12  
**defined** 10:19  
**definitely** 41:2  
**degraded** 58:14  
**degree** 71:25

**deliberate** 31:22  
**delighted** 2:21  
**deliver** 17:9  
 37:12 81:4  
 83:12 85:3  
**delivered** 12:4  
 80:11  
**deliveries** 69:16  
**delivering** 8:16  
 56:4  
**delivery** 17:13  
 29:18, 21 66:8  
 76:12, 23  
**Delta** 29:19  
**demand** 6:11  
 14:12 15:2, 3, 5  
 28:4 46:13, 19  
 77:21  
**demands** 63:9,  
 13  
**demonstrate**  
 44:4  
**demonstrates**  
 43:10 55:10, 10  
**Department**  
 10:10 16:25  
 17:21, 25 20:16  
 21:6 24:5, 10,  
 19 25:21 26:4,  
 12, 15 27:6, 10  
 36:4 37:1 38:3,  
 7, 11 43:7 54:2,  
 5 56:2 58:18  
 59:3, 10, 15, 20  
 66:15 72:17  
 81:2, 5, 9, 10  
 83:20  
**depended** 39:20  
**dependent** 35:24  
**deployment**  
 66:14  
**depressed** 23:14  
**Deputy** 16:23  
 68:13  
**design** 66:6  
**designed** 5:25  
**desirable** 21:17  
**desperate** 59:5  
**despite** 58:25  
**detailed** 38:3  
 44:16  
**determinations**  
 58:24  
**determined**  
 12:20  
**devastated** 89:13  
**develop** 11:19  
 44:23 48:6  
**developed** 13:14  
 29:2 48:10

82:15  
**developers** 22:9  
**developing**  
 33:24 77:23, 24  
**development**  
 13:17 35:5  
 50:24 83:25  
**devices** 3:20  
**dialogue** 12:1, 9  
 16:16 64:12  
**dictated** 67:14  
**different** 11:20  
 45:6 54:24  
 55:2, 4 70:5  
**diligence** 53:18  
**diminished**  
 70:14 76:3 87:7  
**direct** 17:18  
 21:5 35:25  
 48:1 66:19  
 71:10  
**directed** 46:1  
**Directing** 76:1  
**direction** 46:17  
 78:7  
**directives** 32:8  
 33:19, 25, 25  
 34:2 49:5  
**directly** 10:16  
 49:6 76:7, 12  
 79:25  
**Director** 10:9  
 14:1 51:14  
 54:12 77:3 79:7  
**disagree** 45:24  
**discharge** 86:24  
**disconnect**  
 66:11  
**discounts** 75:8  
 87:17  
**discover** 12:17  
**discuss** 18:15  
 41:3, 7 57:16  
 64:9  
**discussed** 64:7  
 65:16  
**discussion** 54:7  
 65:5 82:19  
 83:19  
**discussions**  
 4:10 64:10  
 83:17  
**dismayed** 45:25  
**dispatch** 71:18,  
 19, 25 72:20  
**dispensation**  
 30:20  
**disrupt** 30:5  
**DiStasio** 45:17,  
 18, 19

**distribution**  
 48:23 61:18  
 66:18 78:10  
 85:2 87:3  
**District** 27:25,  
 25 43:2 48:20  
 60:12 68:13, 14  
 71:2 84:20  
 88:5, 22  
**districts** 68:19  
 70:25  
**diverse** 34:7  
**divert** 47:24  
 56:21  
**document** 67:9  
 82:19  
**documents** 16:3  
**DOE** 2:17 3:18,  
 25 4:18 5:21  
 8:9 13:5 21:24  
 24:6 27:13  
 28:21 30:4  
 31:13, 14 32:3,  
 8, 14 33:24  
 34:3 41:11, 19  
 43:4, 11, 25  
 44:4, 8, 20 45:3,  
 12 46:1, 15  
 53:4 62:13, 22,  
 24 63:6 66:9  
 73:1 76:5  
 82:21 83:11  
 85:8  
**DOE's** 23:9  
 24:5 28:15  
 32:15 43:5  
 44:18, 19, 25  
 46:11 49:4  
 61:5, 7 78:8  
**doing** 4:1 9:25  
 13:4 29:7  
 53:17 58:8  
 79:19  
**dollar** 21:11  
**dollars** 21:3, 11  
 41:4 57:3  
**domestic** 29:11  
 72:9  
**Donner** 84:20  
 85:2  
**doomed** 13:20  
**dots** 43:25  
**double** 66:24  
 78:12  
**doubled** 14:24  
 40:14  
**Doug** 36:14  
**draft** 8:15, 17  
**drafting** 8:12  
**drain** 24:4  
**dramatic** 69:4

**Drive** 1:13 63:1  
 90:3  
**driven** 54:25  
**drives** 46:23  
**driving** 90:3  
**drought** 22:5  
 74:21 80:13  
**due** 53:18  
**duplication**  
 35:10  
**durability** 29:5  
**duration** 86:8  
**dwindling** 40:4  
**dynamic** 50:25  
**dysfunctional**  
 18:21  
  
**< E >**  
**earlier** 41:22  
 58:24 75:19  
**early** 9:16 30:9  
**earnest** 11:25  
**easily** 61:11  
**East** 1:13 18:19  
**eastern** 84:21  
**echo** 61:1  
**eco** 70:13  
**economic** 26:11  
 41:5 42:8  
 48:12 55:11  
 57:5 80:9, 21  
**economical** 14:9  
**economically**  
 46:6 56:18  
 87:15  
**economics** 46:19  
**economies** 24:4  
**economy** 3:7  
 14:24 22:5  
 23:13 35:21  
 48:2 63:15, 17  
**edic** 10:23  
**edics** 12:10  
**education** 64:23  
**EEL** 6:18  
**effect** 40:6  
 52:23  
**effective** 12:12  
 14:18 38:14  
 41:9 60:4 85:6  
 86:4  
**effectively** 6:1  
 36:8 49:19  
**effectiveness**  
 27:11  
**efficiencies** 6:3  
 62:6  
**efficiency** 6:11  
 14:12, 17, 25  
 19:6 27:1 35:5,  
 20 40:7 46:13



63:20 77:12  
 78:1, 9 84:25  
 85:5, 9 87:5, 11  
**efficient** 15:16  
 19:10 32:17  
**efficiently** 62:1  
**effort** 10:20  
 11:10, 12 56:21  
 59:8 69:22  
 82:11  
**efforts** 32:14  
 38:1 50:23  
 75:24 76:2  
 78:5, 11 82:10  
**egg** 42:17  
**eight** 7:15 81:15  
**EIM** 62:9, 10, 15  
 65:6, 14 71:19  
**Either** 10:8  
 42:11  
**Elaine** 36:10  
**elected** 26:10  
 58:15, 17  
**electric** 3:19, 22,  
 25 5:3, 14, 18,  
 22 6:14 10:9,  
 10 12:16 17:1  
 22:7 28:3  
 45:20 46:5  
 47:16, 17, 20  
 52:7 54:13  
 57:21 63:21  
 77:6, 19, 24, 25  
 83:8 87:6, 16  
 90:4  
**electrical** 22:25  
 39:8 67:19  
**electricity** 3:6  
 7:2 14:5, 10, 15,  
 18, 21 15:9  
 17:9 23:4, 12,  
 15, 20 24:3  
 28:4 47:2  
 51:25 56:5  
 79:10 80:17  
**electricity's**  
 23:15  
**elevation** 84:22  
**eligible** 26:21  
**eliminate** 83:13  
**else's** 30:15  
**embrace** 11:2  
 13:18  
**emission** 81:6  
**emissions** 14:20  
 15:9  
**emphasis** 52:8  
**emphasize**  
 31:24 48:3  
 62:18  
**employing** 37:18

**employment**  
 89:6  
**empty** 13:8  
**encourage** 53:2,  
 9, 14, 21, 24  
 54:3 78:9  
**encourages**  
 62:13  
**Endangered**  
 69:12  
**ends** 80:19  
**Energy** 2:16  
 6:11 14:1, 11,  
 17 15:1, 3, 7, 15,  
 20 17:21, 25  
 19:8, 10 20:16  
 21:6 24:6, 13,  
 20 25:21 26:12,  
 15 27:1, 6, 10  
 28:19 30:7, 21,  
 24 31:7, 11  
 32:5, 16, 17  
 35:3, 4, 4, 13, 14,  
 20, 24 36:7  
 37:2, 3 40:6  
 46:12, 13 47:8  
 49:9, 16, 21  
 50:7, 19 52:8,  
 15 53:18 54:5  
 56:2 58:18  
 59:3, 10, 16  
 61:17 62:5, 12  
 63:20 65:16  
 66:13 73:19  
 74:1, 8 77:12  
 81:9 82:2, 4, 5  
 83:20 84:25  
 85:5, 9 87:5, 11  
**Energy's** 16:25  
 24:10 26:5  
 43:7 81:3, 5  
**Enforcing** 85:9  
**engage** 45:4  
 53:10 54:7  
**engaged** 61:14  
**engaging** 53:2  
**Engle** 89:2  
**enhance** 50:22  
 62:11  
**enhanced** 51:1  
**enhancements**  
 71:9  
**enjoy** 23:3  
 88:14  
**enormous** 86:13  
**ensure** 6:1, 15,  
 22 9:7 21:1, 3  
 24:18 39:19  
 41:4 48:11  
 56:11 75:14

**ensuring** 33:13  
 39:8  
**entering** 57:21  
**entire** 5:5 7:11  
 12:3, 16 41:6  
 76:20  
**entirely** 53:1  
**entities** 13:1  
 15:24 16:11  
 49:3 56:19 67:3  
**entity** 62:22  
 87:3  
**environment**  
 77:7  
**environmental**  
 17:11 46:5, 22  
 48:12 51:5  
 54:1 56:7  
 67:17 73:7  
**EPA** 52:9  
**equipment** 39:9,  
 18 41:1  
**equivalent** 31:4,  
 8  
**Eric** 18:5 91:6,  
 20  
**erode** 81:3  
**eroded** 48:13  
 81:1  
**erodes** 69:23  
**eroding** 69:2  
**erosion** 48:15  
**erroneously** 66:3  
**Eshbach** 68:8  
**especially** 13:2,  
 3 40:4 64:16  
**essence** 31:19  
**essential** 15:13  
 21:12 29:6  
**essentially** 74:12  
**establish** 57:20  
**established**  
 10:23, 25 13:10  
 29:12, 13 41:6  
 45:21 61:20  
 80:4  
**establishes**  
 14:11  
**establishing**  
 11:4, 16, 17  
 43:15  
**Establishment**  
 50:4  
**estimated** 17:6  
**et** 69:6  
**evaluate** 21:7,  
 13 59:8  
**evaluated** 8:11  
**evaluating** 62:10  
**Evans** 36:12

**evening** 2:3, 21  
 18:9 20:15  
 22:20 24:25  
 25:6, 9 27:20  
 28:23 34:14, 17,  
 18 36:22 45:18  
 48:19 63:4  
 75:7 79:3  
 84:17 87:24  
 90:12  
**everchanging**  
 11:22  
**everybody** 2:21  
 9:7 90:7  
**evolve** 63:9  
**evolved** 43:4  
**evolving** 16:7  
**exactly** 28:4  
**examine** 64:9  
**example** 6:10  
 21:14 44:22  
 75:16  
**exceed** 7:13, 20  
 55:11 73:10  
**exceeded** 27:16  
 39:22  
**exceeds** 26:22  
**excellent** 33:16  
 75:16  
**exceptions** 9:15  
 37:11  
**exchange** 50:7  
**exclude** 13:3  
**executive** 12:24  
 14:1 24:23  
**exemplary** 6:11  
**exercise** 21:10  
 59:12, 23 70:3  
**exist** 12:23  
 36:7 61:6  
 67:11 72:2  
 74:24  
**existing** 34:2  
 45:3 47:2 48:4,  
 16 49:13 61:12  
 74:9 75:9, 12  
 76:4 83:21  
 84:12  
**exists** 39:25  
 45:13 48:13  
 61:22 72:2  
**expand** 53:15  
 83:22, 23  
**expanded** 50:25  
**expanding**  
 43:22 84:9  
**expansion** 50:23  
 53:4 80:2  
**expect** 56:24  
**expectancy** 7:13

**expense** 26:13  
**experience** 70:7  
**experienced** 5:5  
**experiences**  
 79:18  
**experiencing** 5:4  
**expertise** 75:22  
**experts** 8:10  
**express** 34:22  
**expressing**  
 68:25  
**expressions**  
 26:6  
**extensive** 28:25  
**extent** 71:23  
**extra** 42:23  
**extractions**  
 89:12  
**extremely** 14:4  
 67:12 86:7  
**eyes** 71:13  
  
**< F >**  
**face** 83:6  
**faced** 50:20  
**faces** 7:7 52:3  
**facilities** 18:23  
 19:5 28:10, 11  
 47:5 48:24  
 76:22  
**facing** 83:2  
**fact** 3:10 4:13  
 13:9 26:16  
 39:21 54:18  
 58:21 63:16  
 66:6, 17 78:14  
**factor** 31:10  
**factors** 19:22  
 22:4 44:16  
**facts** 26:19  
**factual** 44:14  
**factually** 44:4  
**failed** 36:2 44:4  
 58:19 60:5  
**failings** 25:20  
**failure** 13:20  
 36:1  
**fairly** 10:18  
**false** 13:14  
**familiar** 10:18  
**far** 7:18 12:11  
 59:7 86:17  
**Farrar** 60:10, 11,  
 11  
**fashion** 12:22  
 61:25  
**faulty** 56:18  
**federal** 5:9 8:13  
 13:1, 12 15:3  
 20:25 23:2, 8  
 25:13 29:14

34:23 36:7  
 37:13 53:25  
 56:5, 14, 16, 20  
 59:24 66:8  
 76:8, 13, 23  
 78:17 81:2  
 85:3, 4 89:10, 22  
**feed** 3:9  
**feedback** 44:23  
**feel** 13:8 53:19  
 57:15 59:15  
 69:18  
**feels** 58:17  
**Feider** 27:19, 20,  
 21 32:14  
**fellow** 10:12  
 68:22  
**FERC** 5:12  
 33:20, 20, 20  
 44:17  
**fiat** 12:24  
**fifth** 88:13  
**filled** 36:9 39:11  
**final** 16:6 55:13  
 59:22  
**Finally** 62:4  
**finance** 66:24  
**finances** 37:5  
**financial** 49:7  
 76:19  
**financing** 59:9  
**find** 10:4 58:13  
**fine** 4:24  
**Finley** 68:4  
**fire** 58:7  
**fired** 15:12  
**firming** 30:11  
**First** 2:8 5:3  
 7:25 9:13 10:3,  
 7, 7, 8, 11, 11  
 11:15 12:21  
 14:8 20:15  
 21:12 34:1  
 39:3 40:12  
 41:13 56:15, 20  
 60:22 66:15  
 71:20 72:7  
 73:2, 21 83:20  
**firsthand** 35:23  
**Firth** 57:11, 12,  
 13 60:2  
**fish** 29:20  
**fit** 46:19  
**fits** 34:4 80:8  
**five** 8:19 39:17  
 42:23 77:16  
**fix** 12:2  
**flexibility** 16:3  
 29:24 42:3  
 67:10

**flexible** 6:2, 15  
 7:3 15:17 47:19  
**flipped** 5:6  
**flood** 17:10  
 29:10 67:15  
 72:8 89:18, 19  
**floored** 38:17  
**flow** 42:5  
**focus** 32:14  
 71:14  
**focused** 39:7  
**folks** 3:23 6:10  
 8:25 9:9 10:12  
 42:20 55:25  
 84:16  
**follow** 62:17  
**following** 14:6  
 73:1  
**Fong** 36:16  
 77:1, 2, 2  
**foot** 68:16 69:7  
 84:22  
**footprint** 7:11  
 28:8, 15 50:5  
 73:23  
**footprints** 64:17  
**forced** 35:18  
 39:22  
**forces** 66:24  
**forecasting** 74:7  
**forefront** 16:16  
 35:12 37:6  
 46:10 64:25  
**foregoing** 91:11  
**foregone** 58:22  
**foresee** 49:4  
**formed** 88:5  
**forms** 32:16  
**forth** 6:8  
**forums** 16:15  
 64:8  
**forward** 9:3  
 10:2 11:18  
 13:16, 19 17:24  
 40:22 48:15  
 51:2 52:7 55:9  
 64:1 78:23  
 80:3 86:15  
**fosters** 48:5  
**found** 15:4  
 83:19  
**foundation** 51:15  
**founded** 11:1  
**four** 4:2 27:24  
**framework** 30:8  
 45:14  
**frankly** 3:9, 15  
 6:7 24:9 46:6  
**free** 26:24  
**frequency** 86:8

**front** 2:14 56:9  
**fulfill** 5:8  
**fulfilling** 17:22  
**full** 38:18 48:15  
 58:25  
**fully** 16:7 33:8  
 49:10 53:9  
**functions** 38:21  
**fund** 20:1  
**fundamental**  
 37:7 46:8 69:9  
**fundamentally**  
 50:17 78:12  
**funded** 33:8  
 51:16 76:8  
**funding** 17:18  
 18:24 19:3  
 31:23 39:6  
 40:5, 13, 16, 16,  
 19, 23 41:2, 12,  
 15 54:4 75:23  
**funds** 24:14  
 40:9 49:23  
 56:9 76:22  
**further** 8:14  
 32:7 42:12  
 43:17 81:3  
**future** 7:1  
 11:12 38:22  
 46:6 52:16  
 63:19 65:19  
 69:19 72:3  
 74:25 83:2

< G >  
**Gaines** 36:13, 17  
**Gallagher** 18:6  
**gap** 44:20  
**gaps** 36:7, 8  
**Gary** 20:14, 18  
**gas** 14:20 15:8,  
 12, 14 39:11  
 48:24 52:14  
 58:7 77:25 81:6  
**gear** 19:13  
**Gebhard** 60:8, 9  
**General** 25:10  
 26:9 27:21  
 32:22 43:1  
 45:19 48:21  
 66:6 68:13  
 70:23 84:19  
**generally** 25:8  
**generate** 17:9,  
 13  
**generated** 13:13  
 37:12  
**generating** 16:4  
 56:4  
**generation**  
 15:12, 17 16:5

17:12 28:4, 11  
 29:11 30:16  
 40:6 41:24, 24  
 42:1 48:24  
 52:6, 11, 21  
 72:11, 22, 23  
 88:13, 19  
**generations**  
 37:10  
**generator** 19:6  
**genuinely** 27:10  
**geographic** 85:7  
**geothermal** 58:6  
**give** 7:10  
**Given** 30:3  
 35:20 42:22  
 85:7 89:21  
**giving** 20:16  
**glad** 34:3  
**Glenn** 68:10  
**global** 70:3  
**Glover** 73:14  
**go** 7:18 9:6, 9  
 10:3 12:13  
 13:11, 12 48:15  
 55:9 57:18  
 58:13 73:16  
**goal** 6:24 15:10  
 47:14  
**goals** 6:6, 8 7:4,  
 6, 8 11:16, 19  
 12:15 15:14  
 17:19 23:16, 19  
 26:16, 16 27:15  
 37:16 41:19  
 43:17, 25 47:25  
 61:5, 10 67:3, 8  
 78:16  
**goes** 19:8 59:24  
**going** 4:19 7:23  
 9:7, 8, 10, 12, 21  
 10:16 12:9  
 13:4, 16 25:6  
 32:3 34:16  
 40:22 42:20  
 52:5, 7, 10, 15  
 53:5 54:2 56:8  
 59:25 60:20  
 62:16 65:8  
 67:25 68:6  
 74:2, 15 78:23  
 83:8, 14 87:15,  
 16 89:4, 5  
**Good** 2:3, 21  
 11:10 18:9  
 19:23 20:5, 11,  
 15 21:2 25:6, 7,  
 9 27:20 34:14  
 36:22 40:2  
 45:18 48:19  
 63:4 75:7 79:3,

19 84:17 87:24  
 90:12  
**Gordon** 36:17  
**govern** 38:21  
**Governance** 20:3  
**governing** 61:6  
**government**  
 10:17 42:14  
**governors** 15:19,  
 22  
**grandmother's**  
 89:20  
**granted** 88:18  
**Great** 3:8, 24  
 4:3, 23 32:13  
 33:18 37:19  
 63:22 65:12  
 78:2 82:9  
**greater** 15:23  
 52:8 67:12  
**greatly** 17:12  
 46:20 69:17  
**Green** 77:9, 10  
**greenhouse**  
 14:20 15:8, 14  
 81:6  
**Greiss** 32:20, 21,  
 22  
**grew** 58:1  
**grid** 3:23 6:2,  
 15, 23, 23 7:3  
 15:21 16:4  
 17:1 18:16, 16  
 19:24 28:16  
 31:20 37:17, 17  
 46:5 47:12, 20  
 48:22 52:3, 16  
 63:11, 18 65:19  
 73:25 74:5, 17  
 75:2  
**grids** 67:22  
**ground** 38:2  
 39:17  
**group** 20:4  
 50:15 51:25  
 83:18  
**grow** 63:9  
**grown** 11:2  
**guess** 87:25  
**guide** 16:6 37:4  
**guided** 59:12  
**guiding** 20:24  
**guy** 87:25  
**guys** 2:8 10:3

< H >  
**Hancock** 36:13  
**hand** 72:21  
**handling** 43:8  
**hands** 32:1

<p><b>happen</b> 9:23  <b>happened</b> 8:20  <b>happening</b> 5:2              8:21  <b>happy</b> 68:22  <b>hard</b> 77:17  <b>harmed</b> 46:17  <b>harmless</b> 73:2  <b>harness</b> 16:3  <b>Harron</b> 18:7  <b>Harter</b> 18:7  <b>Harvey</b> 34:11  <b>head</b> 22:6  <b>heads</b> 6:18 45:1  <b>Healdsburg</b>              20:19 85:16, 17              87:12  <b>healthy</b> 6:25  <b>hear</b> 3:15, 16              13:12 34:3  <b>heard</b> 3:3, 5, 12,              18, 21 4:2, 7, 11,              22 6:6 13:5              18:17 22:12              23:17 34:5              38:5 54:20              64:1 71:5 73:5,              9  <b>HEARING</b> 1:6              9:3 10:2 16:18              59:5  <b>heaters</b> 3:19, 25  <b>heck</b> 4:16  <b>hedge</b> 75:1  <b>help</b> 6:15 17:18              53:20 55:5, 6  <b>helped</b> 14:25              63:16  <b>helps</b> 47:22  <b>Hey</b> 3:24  <b>high</b> 4:10 54:17              74:2, 16 85:20  <b>higher</b> 74:2              85:21 86:5  <b>highest</b> 14:12              40:10 80:17, 17              88:22, 24 89:9  <b>highlight</b> 66:11  <b>highlighted</b> 44:9  <b>highlights</b> 72:5  <b>highly</b> 69:20  <b>historic</b> 13:1              26:5 55:25  <b>history</b> 5:5, 10  <b>hold</b> 8:10 26:22              68:7 73:2  <b>HOLLABAUGH</b>              84:17, 18  <b>honest</b> 11:25  <b>honor</b> 27:14  <b>honored</b> 78:23</p>	<p><b>hope</b> 6:24 8:5              36:24 48:14              70:17  <b>hopefully</b> 4:19              20:23  <b>Hotel</b> 1:12  <b>hour</b> 50:24  <b>hours</b> 31:5  <b>Hsieh</b> 18:5  <b>Huber</b> 36:15  <b>hurting</b> 52:10  <b>hurts</b> 65:9  <b>hydro</b> 46:9              48:25 58:6              73:23 74:23, 24              85:19  <b>hydroelectric</b>              18:23 32:10  <b>hydropower</b>              17:3, 6 23:9              29:14 34:25              37:12, 22 42:3              47:9 61:3 66:8    <b>&lt; I &gt;</b>  <b>ideas</b> 37:19              38:16  <b>identification</b>              48:9  <b>identified</b> 16:13              67:5  <b>identifying</b> 8:5              12:22  <b>ignored</b> 43:8  <b>ignores</b> 26:5  <b>ill</b> 35:21 59:12  <b>imagine</b> 72:20  <b>imbalance</b> 30:24              49:9, 16 62:5  <b>impact</b> 41:12              49:13 80:3, 9              82:22 83:13              89:15  <b>impacted</b> 73:3  <b>impacts</b> 34:1              42:2, 13, 15              69:5 81:9              82:25 89:25  <b>impede</b> 46:3  <b>implement</b>              15:19 30:4              36:5 52:20              57:3 61:10              62:15, 16 74:4              89:24  <b>implementation</b>              44:12 53:6              69:12  <b>implemented</b>              5:13</p>	<p><b>implementing</b>              31:5 44:24              77:12, 22  <b>imply</b> 44:12  <b>importance</b> 37:1              84:11  <b>important</b> 14:4              21:6 26:17              27:11 37:19              38:21 46:18              53:19 55:7              57:16 60:21              64:13 76:11              78:14 79:11              80:1 82:13  <b>importantly</b> 5:3              28:8  <b>imposed</b> 22:11  <b>Imposing</b> 35:16  <b>impossible</b> 71:20  <b>improve</b> 19:24              46:4 64:9 79:8              84:24  <b>improved</b> 9:5              17:21 20:9              72:8 75:2  <b>improvement</b>              19:17 50:3              56:8 64:19              69:11 70:8 76:9  <b>improvements</b>              39:14 41:8              56:11 66:5  <b>improving</b> 17:2              71:7 74:5  <b>inaccurately</b>              67:10  <b>include</b> 7:1              43:23 47:1              49:22 50:23              81:18 85:19  <b>included</b> 28:15,              24 52:6  <b>includes</b> 28:9  <b>including</b> 3:5              15:15 22:4              30:7, 10 31:17              32:9 34:24              47:9 48:24              50:11 54:6              73:23  <b>inclusive</b> 76:1  <b>income</b> 87:17  <b>incorporate</b>              10:13 64:6, 16  <b>incorporated</b>              57:17  <b>incorporates</b>              29:10  <b>incorporation</b>              63:21 64:22</p>	<p><b>increase</b> 21:12              23:11 30:25              31:3 67:20              74:16 83:9, 14  <b>increased</b> 14:23              31:5 84:25  <b>increases</b> 23:14              74:3  <b>increasing</b>              14:19 32:6  <b>incumbent</b> 52:17  <b>indicate</b> 65:25  <b>indicated</b> 9:15              44:22  <b>indirect</b> 66:19  <b>industry</b> 12:16              13:3 39:23              51:20 52:7              60:23 75:23              76:3 86:17  <b>inequitable</b>              56:19  <b>inequities</b> 36:2  <b>influenced</b> 17:12  <b>influencing</b>              53:12  <b>inform</b> 59:11  <b>information</b> 65:9              81:14  <b>Infrared</b> 86:23  <b>infrastructure</b>              5:23 7:9 11:9,              13 18:17, 19              20:5 31:21              32:2 39:5, 8, 13              40:1, 20 59:8              64:5 74:19  <b>Initiative</b> 51:15  <b>initiated</b> 53:4  <b>initiative</b> 4:5              5:1, 2, 16, 25              17:1 37:6              38:18 55:9              78:20 81:3              82:21  <b>initiatives</b> 15:19              35:8 38:4              43:14 50:21              54:1 78:3 80:7              81:5, 18 83:13  <b>innovation</b> 48:6  <b>input</b> 8:14, 22,              24 57:20, 24              58:25 60:23              61:20  <b>inquiry</b> 45:11  <b>inspections</b>              86:23  <b>installed</b> 31:19              39:11 47:11</p>	<p>89:4  <b>insulators</b> 39:12  <b>intact</b> 23:7  <b>integrate</b> 16:1              30:1, 11  <b>integrated</b> 32:5              41:6  <b>integrating</b>              15:15, 20 30:14,              19 53:20, 22              74:1, 12, 15  <b>integration</b>              30:16 50:19, 23              66:14  <b>intended</b> 56:25  <b>intent</b> 24:18  <b>intentioned</b>              69:22  <b>interaction</b> 57:24  <b>interactions</b> 49:2  <b>interactive</b> 43:5  <b>interconnected</b>              71:21  <b>Interconnection</b>              16:13 62:7  <b>interest</b> 71:14  <b>interesting</b> 83:19  <b>interests</b> 22:24              53:11  <b>interfere</b> 85:8  <b>Interior</b> 54:2              72:17 81:10  <b>intermittent</b>              15:20  <b>interpretation</b>              24:11, 17  <b>interrelationship</b>              41:14  <b>interstate</b> 67:7  <b>intra</b> 50:24  <b>introduce</b> 2:13,              15  <b>invest</b> 74:18              75:1 76:15  <b>invested</b> 26:25              58:5  <b>investing</b> 47:8  <b>investment</b>              14:13, 14 29:6              57:23 64:4  <b>investments</b>              19:19 21:22              22:8 27:5, 6              35:14, 19 66:23,              25 75:13 76:12,              21  <b>investor</b> 86:2  <b>invite</b> 16:16  <b>involved</b> 13:2              52:1</p>
--	---	--	--	---

<p><b>involvement</b> 65:2  <b>irrigation</b> 17:9  27:25 60:12  70:25 72:9  <b>issuance</b> 10:21  <b>issue</b> 75:15  <b>issues</b> 20:17  57:16  <b>issuing</b> 32:7  <b>item</b> 41:18  <b>items</b> 71:15  73:1  <b>its</b> 5:5, 6, 9 6:7  7:8, 12, 25 8:1  10:22 12:3  17:19 26:17  28:25 31:23, 25,  25 33:16 38:8,  9, 9, 10, 15, 19  41:22 45:3, 7,  13 49:20 56:1  57:25 60:15  61:2, 22 62:19  66:16, 20 67:19  72:21 76:1, 6,  18, 20, 20</p> <p><b>&lt; J &gt;</b>  <b>James</b> 25:5, 9  27:21 60:10, 11  75:5, 7  <b>Jane</b> 36:21, 22  73:15  <b>Jannine</b> 18:7  <b>Jason</b> 68:10, 12  <b>Jerry</b> 38:25  39:1 82:8  <b>Jim</b> 25:2 27:19  33:4 36:12, 15  51:12, 13  <b>Joaquin</b> 68:15  <b>job</b> 28:3 33:16  37:21 79:20  83:7  <b>jobs</b> 14:19 24:4  <b>Joe</b> 22:18, 21  <b>John</b> 45:17, 19  54:10, 11 68:2  <b>join</b> 8:5  <b>joint</b> 8:8, 8  25:11 27:23  32:24 50:11  <b>JOT</b> 8:19 9:1  90:9  <b>Julia</b> 63:3, 8  <b>July</b> 1:17 2:1  34:21 91:9  <b>jurisdictional</b>  43:24 44:1</p>	<p>45:13  <b>jury</b> 31:10 62:8</p> <p><b>&lt; K &gt;</b>  <b>Kabat</b> 65:22, 23  <b>Katcho</b> 36:11  <b>keep</b> 9:10  19:22 40:10  47:22  <b>keeping</b> 20:10  32:1  <b>kept</b> 20:4  <b>key</b> 14:19  <b>kind</b> 4:21 53:12,  13 70:17 73:25  89:14  <b>know</b> 2:6 4:18  8:25 10:6  11:11 12:11  35:2 54:15  55:5, 25 56:2  58:12 59:4, 13,  25 70:16 73:16  <b>knows</b> 56:3  <b>Kolstad</b> 55:17,  18, 19  <b>KV</b> 28:13 33:4</p> <p><b>&lt; L &gt;</b>  <b>Lab</b> 28:16, 19  37:3  <b>Laboratory</b> 49:16  <b>labs</b> 28:18  <b>lack</b> 10:19  25:24 43:13  <b>lacks</b> 37:7  67:18  <b>laid</b> 26:15  <b>LaMalfa</b> 36:14  <b>Lambeck</b> 68:2  <b>language</b> 24:19,  21 44:25  <b>large</b> 3:19, 25  52:16 71:5  73:23 86:2  <b>largely</b> 67:14  <b>larger</b> 28:6  <b>largest</b> 6:19  17:3, 4 45:20,  23 47:6 54:21  71:3  <b>lastly</b> 4:22  24:22 34:3  62:24 65:5  <b>late</b> 28:17  <b>Lau</b> 48:18, 19, 19  <b>laudable</b> 37:16  <b>Lauren</b> 2:15  <b>law</b> 66:17 77:16  <b>Lawrence</b> 28:16,</p>	<p>19  <b>layers</b> 21:22  <b>lead</b> 55:10  75:23 76:2  <b>leader</b> 35:2  47:15 60:24  <b>leaders</b> 27:2  57:25  <b>leadership</b> 53:11  <b>leads</b> 36:2  <b>Leaf</b> 90:4  <b>learn</b> 9:3 11:2  24:9 45:25  <b>learned</b> 3:4 4:8,  10 35:23 65:4  <b>leave</b> 9:16 62:2  <b>leaves</b> 44:25  <b>leaving</b> 80:20  <b>led</b> 35:19  <b>left</b> 61:15, 15  68:3, 5 89:10, 13  <b>leftover</b> 80:11  <b>legal</b> 38:8, 15  56:1 66:9, 12  75:23 76:14, 17,  18  <b>legally</b> 56:18  <b>legislation</b> 17:8  72:6  <b>legislature</b> 34:20  <b>lesson</b> 70:18  <b>lessons</b> 65:4  <b>letter</b> 28:20, 23  34:19, 20  <b>letters</b> 44:10, 12  57:19  <b>letting</b> 63:2  <b>level</b> 28:3  87:12, 13  <b>levels</b> 47:14  87:18  <b>life</b> 7:13, 20, 22  79:8 86:21  <b>lights</b> 19:22  20:4 79:16  <b>likewise</b> 58:19  <b>limit</b> 9:9  <b>limitations</b> 38:9  44:1 55:7 69:13  <b>limited</b> 37:2  38:15 42:2  49:7 67:12  <b>limits</b> 27:14  <b>line</b> 22:6 28:14  33:4 52:12, 13  69:21  <b>lines</b> 5:24  16:12 48:23  82:8  <b>list</b> 37:4 38:5  <b>listened</b> 89:2</p>	<p><b>listening</b> 3:2  8:21 9:6 42:18  <b>little</b> 3:1 9:10  18:15 28:7  51:18 57:14  <b>live</b> 8:2 63:12  70:4 90:1  <b>lived</b> 70:9  <b>Livermore</b> 28:16,  19  <b>load</b> 16:11  26:20 28:6  54:16, 18 58:10  66:9 71:1, 10  <b>loading</b> 14:9, 11,  15  <b>loads</b> 15:25  16:4  <b>local</b> 23:21, 23  24:2, 4 26:9  46:24 47:24  48:5, 25 61:16,  21, 21 62:19, 25  80:25 81:1  85:2, 6, 9 87:12  <b>located</b> 68:14  84:20  <b>location</b> 85:7  <b>Logue</b> 36:18  <b>long</b> 2:6 8:2  28:13 29:1, 7,  13 35:2 37:4  38:5 43:9  46:16 47:13  52:1, 3, 25  63:25 86:18  <b>longtime</b> 61:9  <b>Loni</b> 36:13  <b>look</b> 3:24 9:3  10:2 11:9  17:24 24:20  33:24, 24 42:14  53:21 54:3  64:1 65:7  <b>looking</b> 34:4  52:2, 20 53:17  75:15 83:21  <b>looks</b> 38:11  42:17  <b>loosely</b> 11:22  <b>lost</b> 70:17  <b>lot</b> 2:8 3:3, 4  4:16 18:13  38:2 53:7  54:16, 17 60:19  63:13 64:10  65:8 81:17  <b>lots</b> 65:4 77:20  <b>loudly</b> 6:6  <b>love</b> 9:24 11:2</p>	<p><b>low</b> 46:22  47:23 87:17  89:4, 5, 21  <b>lower</b> 15:20  39:23  <b>lowering</b> 59:11  <b>lowest</b> 29:15  37:14, 22 61:3  88:23  <b>lunch</b> 2:10</p> <p><b>&lt; M &gt;</b>  <b>machine</b> 10:1  <b>maintain</b> 8:1  40:20  <b>maintained</b>  39:18 40:1  <b>maintaining</b>  39:7 44:6  <b>maintains</b> 72:18  <b>maintenance</b>  18:25 33:7  <b>major</b> 21:21  29:6  <b>majority</b> 33:2  83:4 86:2  <b>makers</b> 61:16  <b>making</b> 28:3  29:6 32:7 45:8  46:4, 23  <b>man</b> 89:1  <b>manage</b> 78:18,  19 86:18  <b>management</b>  63:21 87:7  <b>Manager</b> 2:4  25:10 26:9  27:21 32:22  39:4 45:19  48:21 60:12  68:13 70:23  84:19  <b>manages</b> 38:14  <b>mandate</b> 21:1  26:6 43:24  66:3 87:18  88:18  <b>mandated</b> 55:1  <b>mandates</b> 27:13  <b>Mandating</b> 66:23  <b>manner</b> 12:12  18:1 39:9 46:23  <b>March</b> 5:17  6:13 11:16  28:21 34:23  35:7 36:5  43:12 46:11  <b>market</b> 14:4  22:3 30:22, 25  31:6, 12 37:12,  21 46:8, 20</p>
--	--	--	--	--

49:9, 16 53:18,  
22 62:2, 5, 9  
74:8 76:18 85:3  
**marketed** 25:14  
**marketing** 5:10  
16:12 23:2, 5  
29:3, 9 32:10  
34:24 41:15  
76:20  
**Marriott** 1:12  
**matches** 28:4  
**matching** 22:3  
**material** 82:18,  
22 84:23  
**materials** 37:8,  
24 44:22 55:23  
65:25 66:2, 10,  
13  
**matter** 21:17  
69:21 80:9  
**mayor** 20:19  
57:14  
**meagerly** 90:1  
**mean** 21:9  
38:16 74:5  
**meaningful** 21:5  
**means** 63:23  
**measured** 86:8  
**measures** 49:5  
**mechanisms**  
61:19 64:7, 9  
**meet** 14:18  
17:10, 11, 14, 15,  
19, 22 26:14  
41:3, 7 50:22  
55:6 63:13  
66:22 67:2, 7  
72:15 80:19  
**meeting** 6:17, 20  
11:15 15:13  
35:12 41:9  
66:16  
**meetings** 54:6  
61:21 82:20  
**meets** 33:13  
**megawatt** 31:5,  
8 47:9 50:4  
**megawatts** 17:7  
28:7, 12 47:5  
71:2 73:22  
**member** 26:20  
27:1 30:12  
36:11, 12, 14, 15,  
15, 16, 16, 17  
55:20 60:17  
85:18  
**members** 24:16,  
25 26:17, 21, 25  
27:7, 24 28:25  
30:6, 9, 13

34:19 44:11  
66:21  
**memo** 3:21 6:9  
10:21 12:3  
28:22 43:14, 18,  
22 44:1, 16, 25  
45:9 61:13  
71:17 78:2  
**memorandum**  
5:17 6:12  
34:23 35:7  
36:5 41:20  
42:7 43:13  
46:12  
**memo's** 62:4  
**mention** 39:14  
62:5  
**mentioned** 33:4  
79:13 82:12  
91:14  
**mess** 67:25  
**message** 10:22  
12:3  
**met** 11:18  
26:20 27:16  
**meter** 39:11  
**meters** 47:12  
**method** 14:18  
**Michelle** 79:2, 4  
**Middle** 74:21  
**Mike** 81:22, 23  
**mile** 28:13  
**miles** 5:23  
39:15 48:22  
54:15  
**Miller** 73:16, 18,  
18  
**million** 24:14  
27:1 31:5  
40:15, 19, 21, 23  
45:21 49:23  
68:16, 20 76:9  
88:11  
**millions** 23:3  
39:20  
**mind** 85:6  
**minimize** 74:7  
**minimizing** 46:14  
**minor** 37:11  
**minute** 68:24  
**minutes** 9:9  
42:18, 21  
**missing** 13:9  
**mission** 5:8  
22:14 32:4  
37:11 38:19  
46:21 51:3 79:8  
**missions** 13:1  
**misunderstandin  
g** 37:7 38:11

65:25 84:2  
**mitigate** 59:1  
**model** 78:21  
**modeled** 31:6  
**modeling** 30:21  
**modern** 74:4  
86:25  
**modernization**  
59:5  
**modernize** 74:4  
**modernized**  
70:11 73:25  
75:2  
**modernizing**  
37:16  
**Modesto** 27:25  
**modifications**  
84:8  
**modified** 38:20  
**modify** 83:12  
**molecule** 19:8  
**moment** 33:4  
83:16  
**Monday** 6:16  
**money** 24:4  
59:14  
**Montana** 3:3  
**Montoya** 2:13  
**MORRIS** 87:24  
88:3, 3  
**mother's** 89:20  
**motion** 43:20  
**mountains** 90:2  
**move** 11:18  
17:1 22:8  
47:19 80:3  
**moved** 87:1  
**movers** 30:10  
**moving** 13:19  
51:5 52:7  
**multipurpose**  
37:13  
**municipal** 22:25  
27:24 43:1  
48:20 54:13, 21  
57:21 87:14  
**Murillo** 16:20, 21,  
22  
  
< N >  
**name** 2:4 9:22,  
23 16:22 18:9  
20:18 22:21  
27:21 32:21  
34:14, 15 39:1  
42:25 51:13  
57:13 60:11  
63:7 70:22  
73:18 75:7  
77:2 79:4

81:23 84:18  
85:15 88:1, 3  
**names** 9:12  
**Napolitano** 6:17,  
21  
**narrow** 26:4  
**narrowly** 42:16  
**nation** 3:9 6:19  
7:1 11:10 23:1  
35:19  
**national** 6:23  
37:3 49:15  
**nation's** 5:22  
45:20 46:5 47:6  
**natural** 15:12  
48:24 52:14  
58:7 77:25  
**navigation** 72:8  
**NCPA** 20:20  
25:11, 17 26:17,  
20, 21, 25 27:1  
39:2 66:21  
**NCPA's** 26:23  
**Neal** 68:6 73:15  
**near** 7:17  
**nearing** 7:21  
**nearly** 71:20  
89:9  
**necessarily** 7:1  
**necessary** 12:20  
30:11 40:10  
48:6 88:8  
**need** 3:9, 25  
4:5, 16 7:16, 23  
8:3 11:17  
15:23 21:14, 15,  
16, 21 38:13  
43:15 45:12  
48:10 59:5  
61:24 62:23  
64:15 65:17  
66:4 67:2 71:9  
72:13 79:16  
80:4, 4 81:18  
83:6 84:10  
85:7 87:15, 17  
**needed** 31:11,  
22 41:25 56:11  
67:5, 7 76:15, 22  
**needs** 9:4  
11:17 14:18  
15:15 17:10, 14,  
15, 22 20:9  
37:9 41:4  
47:25 48:7  
50:19 61:1, 23,  
25 64:12 76:16  
87:12, 18  
**neighboring**  
50:11  
**neither** 67:3

**NERC** 5:12  
33:13, 20 44:17  
75:16  
**network** 76:21  
**neutral** 71:9  
**Nevada** 9:5  
18:16 19:25  
20:6, 11 32:10  
33:15 45:23  
49:13, 20, 25  
71:18 73:8  
**Nevadas** 84:21  
**never** 70:13, 14  
86:14, 15  
**new** 4:8 5:14,  
18 7:24 14:14,  
18 15:22 16:12  
21:16, 17, 23  
33:25 37:18  
38:16 52:11, 13  
60:19 62:16  
63:9, 12, 13  
70:4, 12 75:13  
77:23 78:8  
**nexus** 65:16  
**nice** 2:9  
**Nichols** 18:8, 9,  
10  
**Nielsen** 36:15  
**night** 2:7  
**Nipper** 22:18, 19,  
21  
**Nissan** 90:4  
**non** 30:1  
**nonprofit** 51:15  
**Noreen** 36:12  
**normally** 11:13  
**Northern** 20:20  
25:10 27:22  
32:23 34:15  
36:23 71:1, 21  
**Northwest** 28:14  
30:10, 18 49:14  
50:6, 8 60:17  
71:24  
**Northwestern**  
88:8  
**note** 46:21 67:9  
82:13  
**noted** 64:20  
**notes** 25:8  
49:16  
**Notice** 8:13  
40:3  
**notified** 67:6  
**noting** 75:18  
**notion** 70:1, 4  
**NRDC** 63:8 70:2  
**NRECA** 6:18  
**Number** 3:18  
4:2, 12, 16 8:9

<p>10:5 25:21 38:4 52:5 53:25 73:9, 24 85:20 numbers 7:10 numerous 25:19 26:7</p> <p>&lt; O &gt;</p> <p>o0o 90:14 91:21 objections 38:6 objectives 29:20 35:6 44:13, 15 45:8 46:11 54:25 55:6 67:17 obligated 50:2 obligations 33:22 72:2 observation 14:3 obviously 9:20 occur 52:6 occurred 25:20 63:14 64:23 69:9, 14 odd 51:19 offer 14:6 offered 38:4 55:4 offering 55:5 office 20:11 official 58:15 officials 26:10 Oglesby 13:24, 25, 25 Oh 90:3 oil 39:11 Okay 25:5 34:13 81:13 old 7:13, 15, 19, 21 57:19 70:10, 13 86:22 older 15:16 once 27:4 78:5 79:19 80:4 89:12 ones 39:11 55:14 ongoing 49:12 open 11:25 13:6 55:4 57:18 59:16 64:12 operate 5:22 40:19 46:5 47:6 62:1 81:15 operated 39:9, 19 operates 31:18 38:15, 19 60:15</p>	<p>72:18 75:12 78:14 operating 17:5 29:1 39:24 40:2, 10 46:19 62:11 operation 29:18 33:7, 10 operational 18:24 26:11 29:21 30:4 41:8, 12 51:7 55:11 56:1 57:4 67:10 74:10 76:19 operations 16:4, 23 33:16 37:5 38:9 45:6 48:22 49:6 66:20 67:14, 19, 19 75:11, 18 76:7 opinion 78:7 opportunities 8:4 opportunity 4:20 9:8 14:6 16:22 20:17 22:20 34:18 57:18 63:5 65:23 70:19 79:4 82:1 opposed 11:24 12:22 opposite 58:2 opposition 61:9 optimizes 29:23 74:9 options 47:9 Orchard 42:25, 25 45:11 order 6:3 14:9, 11, 16 15:25 28:5 29:24 31:3 Oregon 28:12 33:3, 5 60:18 organization 51:16 organized 11:22 original 12:3 outage 39:23 44:14, 17 79:19 outcome 44:19 45:1 outcomes 45:25 outlined 27:15 35:7 44:15 45:8 output 31:1 32:11 56:14 72:22 outreach 8:8, 10</p>	<p>outside 78:13 87:20 overall 7:10 31:1 68:20 overlaps 34:1 overreach 24:6 overreaching 82:17 oversee 48:22 overview 25:16 overwhelming 10:22 owned 22:25 45:20 60:13 owner 33:2 60:17 ownership 23:23, 24 owns 5:23 72:18</p> <p>&lt; P &gt;</p> <p>P.M 2:2 pacific 30:10 50:6 71:24 pages 91:11 paid 10:7 26:1 55:15 78:7 Palmerton 70:21, 22, 22 Palo 77:4, 8 78:6 pancaking 71:11 papers 75:8 par 19:14 parking 77:20 part 5:21 29:7 30:14 43:6 47:12 60:17 68:20 70:9 82:4 88:8, 9 partial 86:23 participant 31:16 75:22 participants 6:14 33:9 71:3 participate 16:7, 9 participates 60:22 participating 30:18 77:11 participation 16:17 49:14 50:8, 10, 13 77:10 particular 20:8 particularly 24:9 53:3, 6 parties 21:2 partner 15:18</p>	<p>partners 26:1 27:12 31:25 33:18 34:6, 7 41:2 57:7 60:5 partnership 6:22 23:4, 6 24:1 31:24 33:9 41:16 48:5 82:7, 23 partnerships 63:25 Pas 34:13, 14, 15 pass 25:3 34:12 51:11 60:9 passage 69:10 Pat 55:17, 19 path 12:18 13:15, 19 51:2 62:17 Paul 20:18 36:16 48:18, 19 pay 3:12, 13 10:6 27:4 35:18 37:25 47:25 56:3, 6, 23 59:14 62:16 66:24 71:9, 12 77:9 80:5, 10, 13, 13 83:7 86:5, 13, 14 paying 21:3 23:7 30:13, 14 59:12 71:12 78:5 payment 78:12 pays 27:14 47:23 62:21 peaking 29:23 Pearl 5:5 Peltier 68:11, 12, 12 71:5 penalized 35:19 penetration 74:3, 17 people 42:22, 23 45:21 88:10 perceived 11:4, 5 percent 7:12, 14, 15, 18, 21 14:23 15:6, 10 20:6 26:20, 22, 24 31:10 41:23 47:2, 4, 14 58:10 69:3, 15, 15, 16 71:3 77:5, 10, 13, 16, 23 80:15, 22 81:15 82:3 83:5, 5, 5 85:19,</p>	<p>19 86:10, 12 88:6, 12, 19 performed 33:6 person 10:3 perspective 57:15 58:18 65:18 pertinent 52:22 phase 54:2 Phoenix 25:4 physical 74:5 physically 57:2 picture 39:6 41:19 64:16 piece 54:18 pilot 77:21 place 11:20 18:19 29:3 89:12 placed 39:16 63:10, 10 Plains 3:8, 24 4:3, 23 plan 18:1 29:3, 9 30:5 32:10 75:13 76:19 planned 21:21 80:12 planning 16:8, 10 29:8 31:16, 22 33:16 35:5 46:12 49:1 50:13, 15 51:1, 24 52:1 53:3, 4, 5, 7 75:10 76:6 78:9 plans 4:4 16:13 30:7 40:16 63:19 65:2 77:23 plant 31:7, 10 58:7 plants 16:4 17:6 18:25 19:7 52:10 Plass 20:14, 15, 18 platforms 50:25 play 52:16 57:23 played 75:19 please 8:25 24:24 42:10 45:10 60:1 65:5 81:12 84:5 85:14 88:2 89:16, 24, 24 90:8 PMA 5:15 21:3 PMA's 5:7, 11, 18, 19, 21 6:1,</p>
---	--	---	--	---

13 12:15 16:7,  
9 17:21 21:7  
24:2, 7 28:22  
43:9, 16 44:2, 2,  
5 46:2 48:4, 8  
50:18 51:3  
61:5, 6, 7, 9  
81:15  
**Point** 1:13 8:2,  
14 12:5 20:23  
42:22 59:25  
72:4 74:17, 20  
**points** 4:11  
24:22  
**pole** 33:24  
39:10 86:21  
**poles** 7:12, 14,  
14, 15 39:16  
86:19, 20  
**policies** 14:8  
21:4 22:13  
26:13 35:13, 24  
36:3, 8 38:21  
57:4 61:19  
76:4 85:1  
89:10, 14, 22, 25  
**Policy** 2:16  
14:10 15:7  
24:13 26:16  
35:3, 6 43:17  
46:1 47:25  
49:4 51:14, 16  
54:25 61:10  
**politician** 20:22  
**polluting** 15:16  
**pool** 30:18  
49:14 50:8  
60:17  
**Pooling** 70:24  
**poor** 44:19 86:3  
**Pope** 25:5, 6, 9  
**populated** 8:9  
**Portfolio** 15:10  
26:22, 23 47:3  
66:16 77:6, 24  
78:19 80:22  
81:7 82:5 85:18  
**portfolios** 30:7,  
13  
**portion** 5:22  
11:12  
**poses** 35:17  
**positive** 64:24  
75:21  
**possible** 6:3  
29:15 37:14, 22  
40:11 61:4  
**possibly** 54:4  
74:2  
**posture** 12:8, 10

**potential** 15:2, 4,  
5 34:1 62:6  
84:2  
**potentially** 9:5  
52:9  
**POWER** 1:9 2:5  
5:8, 10 11:24  
14:4 16:11  
17:12, 13, 14, 17,  
25 19:7 20:20,  
25 22:2, 8, 22  
23:1, 2, 5, 19, 22  
25:10, 12, 14  
29:11, 22 30:17,  
18 32:25 34:16,  
23, 25 35:1, 11  
36:23 38:14  
40:8 41:9 42:5  
46:22 48:21  
49:1, 2, 14 50:8  
51:20, 21, 23  
54:13, 19 56:16  
60:17 63:1  
68:22 70:23  
72:10 73:2, 4, 7  
76:13, 23 77:5,  
11 78:17 80:10,  
11, 13, 25 81:4,  
11 82:2, 6 85:4  
89:5, 6, 21  
**powered** 54:19  
**Powers** 27:23  
32:24  
**practical** 49:11  
**practices** 37:23  
61:4 85:24  
86:17, 25  
**pragmatic** 13:16  
**praise** 2:11  
**pre** 37:8, 24  
44:22 55:22  
65:25 66:2, 10,  
13 67:9 71:16  
75:8 82:19  
**preamble** 66:2  
**precisely** 59:21  
**predetermined**  
42:16 44:19  
**Preference** 3:13  
5:9 8:1 11:24  
17:15 29:15, 22  
32:11 37:13  
43:20 45:23  
52:24 55:21  
56:19 57:7  
58:4 63:6 64:2  
66:8 67:1 79:21  
**preferred** 63:20  
74:18, 22  
**prepared** 15:22

**preregister** 9:14,  
17  
**preregistered**  
9:13  
**present** 83:6  
**presentation**  
65:6  
**presented** 63:25  
**presently** 31:6  
**preserve** 50:16  
51:3  
**president** 20:3  
22:22 88:4  
**prevent** 44:13  
52:12  
**price** 23:20  
**prices** 79:10  
**pricing** 61:19  
**pride** 39:21, 24  
82:9  
**primarily** 28:17  
49:17 84:21  
**primary** 23:19  
28:3 80:24  
**principle** 27:14  
**principles** 20:25  
23:16, 25 29:13,  
16 37:15 55:12  
**priority** 14:12,  
13 72:12, 13  
**private** 6:22  
21:1 22:9  
**proactive** 31:24  
**probably** 10:20  
20:6, 7 58:2  
**problem** 31:13  
43:21 84:23  
**problems** 12:23  
26:8 48:9 65:3  
**procedural** 59:21  
**procedures**  
46:20  
**proceed** 9:7  
**proceeding** 28:9  
50:21  
**proceedings**  
23:17 90:13  
91:8, 14  
**process** 10:17,  
18, 19, 24 11:3,  
21 12:2, 13  
13:6, 10, 14  
20:2, 5 25:19  
28:24 31:14  
38:6 43:8  
44:21 45:5  
48:13 53:4  
57:8, 18, 23  
58:11, 14, 16, 20  
59:16, 21 60:4  
63:1 64:13, 20

67:5 70:17, 18  
75:25 77:22  
**processes** 10:25  
13:10 53:10, 16  
65:2 75:9, 13  
76:4  
**Prochnik** 63:3, 4,  
8 65:13  
**produce** 21:4, 5  
**producer** 17:3, 4  
**produces** 67:21  
**product** 72:11  
**production** 31:1,  
3 32:16  
**professes** 59:10  
**profit** 21:2  
29:14  
**program** 19:2, 4,  
16, 17 20:25  
21:22, 23 41:4  
47:12 50:9  
56:23, 25 60:4  
77:8, 9, 21  
82:12 83:22, 22  
84:7  
**grammatic**  
54:1  
**programs** 6:12  
19:3 20:1 21:4  
22:13 23:8  
27:1 40:24  
41:2 47:7, 16  
49:8 53:25  
56:7 57:4 76:4  
77:13, 25 83:21  
84:3, 9, 13 85:5,  
9 87:11  
**progress** 30:23  
46:4, 16  
**project** 4:15  
17:14 19:10  
25:13 28:10, 13  
29:10, 24 33:3  
47:10 56:8  
58:6 60:16, 18  
67:11, 14 68:17,  
19, 21 69:4, 10,  
11, 14, 18 70:8,  
11 71:6 72:6, 7,  
12, 15, 19, 24, 24  
80:12 82:12  
88:16, 20, 21  
89:3, 8, 22, 23  
**projects** 3:14  
7:9 37:13 41:5  
46:9 47:24  
49:24 55:14  
58:5 76:18  
82:14, 14  
**Project's** 28:11

**promises** 58:25  
59:16  
**promising** 87:20  
**promote** 46:12  
50:16  
**promoted** 27:6  
**promotes** 51:16  
**promoting** 37:18  
42:16  
**prompted** 5:16  
**proper** 50:18  
**properly** 21:24  
40:1  
**proposal** 21:7,  
20 23:21 26:5  
27:16 41:23  
44:9 49:10  
83:12 84:1  
**proposals** 23:9,  
25 24:5, 6  
41:12 42:7, 12,  
15 61:7 82:25  
**propose** 42:11  
**proposed** 42:5  
49:9 78:20  
81:3, 5 82:21  
**proposes** 41:21  
43:22  
**proposing** 41:19  
**prospective**  
65:10 84:1  
**prosperous** 6:25  
**protection** 31:21  
**protections**  
59:21 64:7  
**protest** 12:25  
**protocols** 50:24  
**provide** 17:10  
19:3 22:14  
23:19 27:7  
40:9 46:8 61:3  
65:15, 24 67:12  
70:12 75:13  
76:20 77:10  
78:24 79:4  
87:4, 8, 10  
**provided** 17:14  
40:12, 15, 18, 21  
89:6  
**provider** 62:3  
87:3  
**providers** 54:21  
63:1  
**provides** 23:24  
60:23  
**providing** 47:16  
79:9  
**provision** 24:13,  
16  
**PUBLIC** 1:6  
2:18 6:22

10:12 11:24  
 15:24 21:2, 3  
 22:22 23:18, 22  
 25:11 32:25  
 34:25 35:11  
 47:25 51:20, 23  
 56:19 57:3, 20,  
 23 58:11, 25  
 62:25 70:12  
 77:19, 20 80:25  
 84:20 86:15  
**publicly** 60:13  
**PUD** 85:3 88:4,  
 6  
**pumped** 47:9  
**pumping** 29:18  
**purchase** 56:14,  
 15  
**purchases** 49:1  
**purpose** 4:25  
 21:15 51:6  
 72:13  
**purposes** 24:7  
 29:10 32:4  
 61:8 72:12, 15,  
 24 80:24  
**pursue** 14:8  
 26:13  
**pursued** 51:8  
**pursuing** 54:25  
**purview** 85:1  
**push** 20:25  
**pushed** 78:3  
**put** 23:21 29:3  
 57:15 68:7  
 86:15 90:8, 11  
**putting** 31:8  
**puzzling** 43:8  
**PV** 47:7

## &lt; Q &gt;

**quality** 29:7, 19  
 79:8  
**question** 7:5  
 37:25 46:7  
**questions** 11:6  
 21:19 38:3  
**quickly** 9:6  
**quite** 19:3 46:6  
 70:4  
**quote** 44:24

## &lt; R &gt;

**raised** 44:10  
 70:2  
**raises** 69:24  
 75:8  
**Rancho** 1:14  
 2:1 91:16  
**range** 65:3 66:4

**Rapid** 43:4  
**Ratchye** 73:15  
**rate** 22:3 39:23  
 51:22 64:9  
 80:16  
**ratepayer** 26:13  
 76:21  
**ratepayers** 3:17  
 24:2 46:14 49:7  
**rates** 3:10  
 20:24 21:9, 12  
 22:3, 10 23:12  
 37:14, 22 47:23  
 52:23 61:3, 18  
 76:20 80:17  
 83:3, 4 86:5  
 88:23  
**reach** 43:22  
**reached** 40:9  
**read** 25:7 34:16  
 37:8, 24 44:22  
 55:22 58:23  
 65:7, 25 66:2,  
 10, 13 67:9  
 71:16 72:5  
 75:8 82:19  
**ready** 63:18  
**real** 13:18  
 20:11 25:7  
 82:22  
**reality** 63:12  
 70:4, 6, 10  
**realize** 7:9  
**really** 9:2 10:2  
 12:24 20:5  
 25:22 53:10, 14  
 58:8 64:13  
 67:25 82:14  
 84:2  
**reason** 72:19  
 80:1 86:3  
**reasonableness**  
 21:13  
**reasons** 23:13  
 76:19  
**recant** 12:3, 4  
**recap** 3:1  
**receive** 3:14  
 23:1  
**received** 5:11  
 8:22 24:15  
 69:19 82:2  
 88:15  
**receiving** 35:25  
**recession** 63:16  
**Reclamation**  
 4:17 16:24  
 17:19 39:3  
 40:5, 13, 15, 18,  
 25 41:3, 14, 16,  
 21 46:9 56:10

60:25 72:16  
 81:10 82:11  
**Reclamation's**  
 28:10 40:24  
**recognize** 37:2  
 38:20 46:18  
 60:5 76:5, 11  
**recommendation**  
 15:18  
**recommendation**  
 s 8:12, 15, 17  
 14:6 16:6, 18  
 38:4 44:24  
 63:24  
**record** 24:24  
 25:7 28:24  
 43:15 57:24  
 58:23 59:24  
 69:15 75:16  
**recorded** 59:20  
 91:7  
**recording** 9:21  
**records** 57:19  
**recreational**  
 17:10  
**Redding** 10:10  
 18:11 28:1  
**redirect** 31:15  
**reduce** 6:4  
 28:18 53:20  
 74:10, 12  
**reduced** 42:1  
 80:14  
**reducing** 14:19  
 15:8 42:2  
**reduction** 15:14  
 42:6 47:14  
**reductions** 69:3  
 81:7  
**refer** 11:11  
**reference** 10:13  
**referenced** 46:11  
**referred** 55:23  
**reflect** 22:10  
 24:24 38:18  
 70:12 84:3  
**reflected** 21:11  
 57:24  
**reflects** 14:9  
 78:22  
**reform** 21:21  
 69:22 83:23  
**reformed** 70:11  
**refurbished**  
 31:22  
**regarding** 21:7  
 34:22 62:9  
**regardless** 40:2  
**regards** 8:15  
 21:20 58:14

**region** 4:3 9:5  
 19:25 20:6  
 24:4 31:17  
 32:9, 10 33:15  
 45:22 47:22  
 48:2 49:13, 20,  
 25 51:21 64:14  
 71:18 73:8  
 80:15, 20  
**Regional** 2:4  
 39:4 46:12  
 48:5, 7, 11, 25  
 49:3, 21 50:5,  
 13, 21 51:7  
 53:2, 3, 5, 6  
 65:2 87:13  
**regions** 4:4, 13  
 34:6 45:6  
 46:20 64:15, 17  
 76:20  
**Region's** 45:23  
**Register** 8:13  
 13:13  
**registration**  
 59:16  
**regularly** 41:3, 7  
**regulation** 61:6  
 72:8  
**regulations** 81:2  
**Regulatory** 15:3  
**Reiter** 34:11, 12  
**reiterate** 60:20  
**related** 19:19  
 28:21 67:15  
**relates** 58:10  
 73:8  
**relations** 4:14  
**relationship**  
 17:16, 20 38:10  
 49:22 56:22  
 82:23  
**relationships**  
 4:12 46:16  
 50:17 73:7  
**relatively** 14:22  
**release** 41:21  
**released** 8:13  
**releases** 67:15  
 72:11, 15, 23  
**reliability** 17:2,  
 19 19:21 20:10  
 28:18 31:19  
 33:14, 21 39:22  
 40:7 41:5, 13  
 42:2 50:12  
 51:4 52:24  
 69:2, 16, 23  
 75:14, 15 79:20  
 80:3 85:24  
 86:1, 3

**reliable** 7:2  
 19:25 28:5  
 33:11 39:9, 24  
 44:7 46:22  
 66:7 70:15  
 76:12 78:16  
 79:10 81:4  
 86:7, 8  
**reliably** 39:19  
**relied** 58:9  
**remain** 62:7  
 74:2  
**remained** 14:21  
**remaining** 86:21  
**remains** 6:23  
 23:6  
**remarks** 55:21  
**remember** 79:11  
**removed** 39:10  
**renewable** 14:13  
 15:7, 10, 15  
 16:2 23:8  
 26:21, 22 30:7  
 32:5 35:4, 14,  
 20 37:18 47:3  
 50:7, 22 52:8,  
 15, 20 53:20, 22  
 56:5 61:17  
 62:12 65:14  
 66:13, 16 73:19  
 80:22 81:7  
 83:24 85:18, 20  
**renewables** 30:1  
 66:5  
**Renewals** 85:18  
**repairs** 56:11  
**repaying** 21:17  
**repeated** 26:6  
**repeatedly** 22:12  
**replace** 40:20  
**replaced** 7:16,  
 23 8:3 19:13  
 39:10, 12 86:22  
**replacement**  
 19:17 56:11  
 86:18  
**replacing** 15:16  
 19:19  
**report** 13:13  
 15:22 16:3  
 44:17  
**reported** 30:23  
**reporter** 9:20  
 91:7  
**REPORTER'S**  
 91:1  
**reports** 8:11  
 65:7  
**represent** 24:5  
 71:3 79:6



<p><b>representative</b> 70:2</p> <p><b>representing</b> 53:11</p> <p><b>represents</b> 22:24 82:3</p> <p><b>requests</b> 28:22 72:22</p> <p><b>require</b> 34:7 49:5</p> <p><b>required</b> 77:16</p> <p><b>requirement</b> 66:18</p> <p><b>requirements</b> 29:18, 19 35:16 37:4 41:10 66:17, 23 67:15 75:9 81:8 82:4</p> <p><b>requires</b> 17:8 73:11</p> <p><b>reserve</b> 50:9</p> <p><b>reserves</b> 74:10</p> <p><b>reservoirs</b> 41:22</p> <p><b>resident</b> 88:13</p> <p><b>resilience</b> 18:16</p> <p><b>resiliency</b> 17:2</p> <p><b>resilient</b> 6:2, 15, 23 7:3 47:19</p> <p><b>resource</b> 25:13 26:23 29:7, 25 30:1, 6, 12, 12 56:21 74:16 78:19 79:23, 24 83:24</p> <p><b>resources</b> 14:14 15:12, 15, 20, 25 16:2 26:21 30:6 35:20 37:8, 18 38:9, 14 47:24 49:7 50:8 52:21 53:21, 22 65:14 70:24 71:4 73:22, 24 74:1, 8, 13, 15</p> <p><b>respect</b> 4:5 27:13 30:16</p> <p><b>respond</b> 5:18</p> <p><b>responding</b> 44:10</p> <p><b>responds</b> 61:22</p> <p><b>response</b> 6:11 14:12 15:2, 4, 5 38:5 46:13 77:21 84:25</p> <p><b>responses</b> 12:6, 10 61:25</p> <p><b>responsibilities</b> 5:12, 13, 16, 20 17:11</p>	<p><b>responsibility</b> 17:5, 23 21:24 25:25 41:1 84:4, 11</p> <p><b>responsible</b> 21:16 26:9 46:23</p> <p><b>rest</b> 14:22</p> <p><b>restoration</b> 29:12</p> <p><b>result</b> 18:1 35:9 61:11 72:23 76:2 78:6 82:25 89:4, 8, 11, 22</p> <p><b>resulted</b> 17:18 46:25</p> <p><b>resulting</b> 42:7</p> <p><b>results</b> 30:23 49:22</p> <p><b>retail</b> 15:11 61:14, 25 62:2, 3 85:25 87:2, 19</p> <p><b>rethink</b> 45:3</p> <p><b>retiring</b> 39:4</p> <p><b>return</b> 12:11</p> <p><b>revisit</b> 24:20</p> <p><b>Richard</b> 36:17 88:3</p> <p><b>right</b> 12:17 18:5, 6 39:12 42:20 56:15, 20 59:15 68:4, 6, 10 73:15, 16, 21 74:20, 24 77:1 89:21</p> <p><b>rights</b> 88:19</p> <p><b>rising</b> 23:12</p> <p><b>risk</b> 35:17</p> <p><b>river</b> 29:18, 20, 21 72:7</p> <p><b>RMR</b> 91:20</p> <p><b>Rob</b> 13:24, 25</p> <p><b>robust</b> 13:6 44:6</p> <p><b>Roger</b> 57:11, 13</p> <p><b>role</b> 7:5 25:25 26:4 37:2 38:20 46:8 52:16 53:11, 15 66:1, 16 75:19 83:24 85:9 87:3, 20</p> <p><b>roles</b> 85:24 87:21</p> <p><b>room</b> 6:10, 24 18:21 22:6 32:25 64:18</p> <p><b>rooted</b> 69:8</p> <p><b>Roseville</b> 28:1 79:6, 18</p> <p><b>rotting</b> 20:8</p>	<p><b>Roukema</b> 54:10, 11, 11</p> <p><b>RPR</b> 91:20</p> <p><b>RPS</b> 66:18, 22 67:2, 8 77:14, 16</p> <p><b>rules</b> 52:9</p> <p><b>run</b> 30:25 42:21 52:25 79:16</p> <p><b>runners</b> 19:7</p> <p><b>running</b> 18:22 31:9 79:20</p> <p><b>runs</b> 29:4 56:22</p> <p><b>rural</b> 3:24</p> <p><b>&lt; S &gt;</b></p> <p><b>Sacramento</b> 27:24 43:1 48:2, 20 91:4</p> <p><b>saddled</b> 84:12</p> <p><b>safe</b> 7:2 39:9</p> <p><b>safely</b> 39:19</p> <p><b>Salem</b> 25:2, 3</p> <p><b>sales</b> 15:11 67:23</p> <p><b>San</b> 68:15</p> <p><b>Sandre</b> 36:18</p> <p><b>Santa</b> 54:13, 16 55:20</p> <p><b>sat</b> 83:17</p> <p><b>save</b> 15:1</p> <p><b>saw</b> 69:22 84:23</p> <p><b>sawmill</b> 89:10</p> <p><b>sawmills</b> 89:6, 7</p> <p><b>saying</b> 27:9 43:3 81:24 82:1</p> <p><b>SCADA</b> 19:19</p> <p><b>Scale</b> 51:14</p> <p><b>Scenario</b> 51:24</p> <p><b>schedules</b> 9:17</p> <p><b>scheduling</b> 50:24, 25 74:6, 7</p> <p><b>school</b> 89:1</p> <p><b>scratching</b> 45:1</p> <p><b>screaming</b> 86:4</p> <p><b>screening</b> 54:6</p> <p><b>Sean</b> 18:6</p> <p><b>search</b> 43:21</p> <p><b>seasonal</b> 50:7</p> <p><b>second</b> 14:13 15:18 17:4 27:5 61:1 70:5, 5 72:9 73:5 74:20</p> <p><b>Secondly</b> 5:7 40:3 67:1</p> <p><b>Secretaries</b> 6:21</p> <p><b>Secretary</b> 2:16 3:21 5:17 6:12 8:6, 17 10:21 16:14 28:21 34:21 43:12, 14</p>	<p>44:10 71:17 78:2, 4</p> <p><b>secretary's</b> 6:9, 17 43:18 44:12, 15, 24</p> <p><b>Section</b> 24:12 83:21 84:7</p> <p><b>sector</b> 5:3, 15 6:14 10:17 15:9, 24</p> <p><b>sector's</b> 5:18</p> <p><b>secure</b> 6:25</p> <p><b>security</b> 37:17 64:6</p> <p><b>see</b> 2:21 10:19 36:6 52:10 70:8 86:21</p> <p><b>seeing</b> 52:9</p> <p><b>seek</b> 8:14</p> <p><b>seeking</b> 11:6 83:22</p> <p><b>seemingly</b> 18:15</p> <p><b>seen</b> 12:7 69:2 86:14, 15</p> <p><b>sees</b> 38:12</p> <p><b>selected</b> 78:16</p> <p><b>self</b> 78:16</p> <p><b>sell</b> 67:22</p> <p><b>selling</b> 29:14 32:10</p> <p><b>sells</b> 34:25</p> <p><b>Senator</b> 36:10, 11, 12, 13, 13, 14</p> <p><b>Senior</b> 2:15 22:22</p> <p><b>sense</b> 19:12 26:11 41:11</p> <p><b>separate</b> 55:2</p> <p><b>series</b> 26:15 38:3</p> <p><b>serious</b> 83:9</p> <p><b>serve</b> 21:15 28:18 35:11 45:21 46:21 51:24 57:6 70:25 88:4, 10, 12</p> <p><b>served</b> 18:13 23:16 44:13</p> <p><b>serves</b> 51:6 88:6</p> <p><b>service</b> 2:9, 18 7:16 19:13 28:5 53:7 83:4 87:3, 8, 9</p> <p><b>services</b> 46:9 62:2 67:13, 20, 21 79:10 80:5, 8 87:19 88:14</p>	<p><b>servicing</b> 16:11 25:11 47:25 60:13</p> <p><b>session</b> 9:7 59:17</p> <p><b>sessions</b> 3:2 4:7 8:11, 21 59:19</p> <p><b>set</b> 6:8 29:1 45:2</p> <p><b>setting</b> 38:20 43:20</p> <p><b>seven</b> 71:3</p> <p><b>Seventy</b> 7:15</p> <p><b>shape</b> 37:4</p> <p><b>shaping</b> 30:11</p> <p><b>share</b> 15:24 25:16 71:6</p> <p><b>shared</b> 23:16 61:5</p> <p><b>shares</b> 6:24</p> <p><b>sharing</b> 50:9</p> <p><b>shift</b> 41:24 46:1, 3 47:23 48:1</p> <p><b>Shirley</b> 68:8</p> <p><b>shortage</b> 40:5</p> <p><b>Shorthand</b> 91:7, 8, 10, 13</p> <p><b>Sierra</b> 9:5 18:16 19:24 20:6, 11 32:9 33:15 45:22 49:12, 19, 24 71:18 73:8 84:21</p> <p><b>significant</b> 5:22 35:17 48:11 54:18 62:15 69:12 81:9</p> <p><b>significantly</b> 24:7 61:7 80:7, 14 81:1</p> <p><b>silence</b> 64:18</p> <p><b>silent</b> 37:24</p> <p><b>Silicon</b> 54:12, 19</p> <p><b>similar</b> 54:1</p> <p><b>similarly</b> 68:18</p> <p><b>simply</b> 35:18 51:5 56:17 59:2 61:5 66:23 67:18 85:10</p> <p><b>Sincerely</b> 36:10</p> <p><b>singling</b> 6:13</p> <p><b>site</b> 90:11</p> <p><b>sitting</b> 2:14 32:1</p> <p><b>situated</b> 68:18</p> <p><b>situation</b> 22:4 59:3</p> <p><b>situational</b> 64:5</p> <p><b>situations</b> 18:22</p>
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**Six** 7:21 8:21  
39:17 54:21  
**sixth** 45:20  
**Sixty** 7:12  
**size** 31:7 34:4  
46:18 80:8  
**slides** 71:16  
**slope** 84:21  
**slowly** 9:23  
**small** 12:19  
85:17 89:16  
**smallest** 54:22  
58:3, 3  
**smart** 37:17  
47:11, 12  
**SMUD** 45:3, 19  
46:4, 10, 15  
47:11 49:7, 19  
58:2  
**SMUD's** 46:21  
47:2 48:4  
**socializing** 32:5  
**solar** 16:5  
48:25 51:14, 15,  
16  
**sold** 3:6, 8 22:2  
29:22  
**solely** 32:15  
**solicited** 55:4  
**solid** 19:19  
**solution** 43:21  
**solutions** 34:8  
48:10 49:21  
50:19 51:7 65:3  
**solve** 31:14  
**somebody** 4:18  
79:13  
**somewhat** 10:22  
85:20  
**soothe** 11:23  
**sort** 3:1  
**Souder** 63:3, 4,  
8 65:13  
**sought** 10:22  
**sound** 29:16  
37:15, 23 55:11  
57:4 61:4  
**South** 3:3  
**southern** 68:19  
**southwest** 44:14  
75:19  
**speak** 9:8, 18,  
23 10:16 16:22  
22:20 42:23, 24  
43:7 63:5  
70:19 84:16  
85:23 90:8  
**SPEAKER** 68:3,  
5, 9  
**speaking** 25:8

27:21 86:6 90:3  
**Species** 69:12  
**specific** 4:14  
7:10 26:4 34:8  
48:6 63:24  
83:17  
**specifically** 86:6  
**spell** 9:22  
**spend** 59:14  
83:16  
**spent** 21:11  
39:3 41:4  
42:13 50:2, 2  
51:19 57:2 86:1  
**spillover** 74:18  
**spoke** 25:3  
**sponsored** 47:6  
**sponsoring** 8:19  
**spot** 87:25  
**spring** 41:25  
**square** 54:14  
**squarely** 38:15  
**ss** 91:3  
**staff** 2:11  
**stakeholder** 26:2  
**stakeholders**  
24:17 48:11  
50:22 51:6  
53:12 54:6  
55:22, 24 56:18  
63:7 64:22  
**stamina** 2:24  
**Standard** 15:10  
26:11, 14 66:17  
77:14 80:22  
81:7 85:18  
**standards** 14:25  
31:19 33:14, 21  
35:3 40:11 41:5  
**standing** 29:13  
43:9 46:16 57:8  
**standpoint** 49:11  
**start** 11:14, 16  
40:16 82:1  
**started** 19:15  
67:5 88:22  
**state** 9:22  
10:11 15:4, 4  
16:11 19:19  
22:25 31:20  
34:20 35:1, 21  
36:6, 7, 10, 10,  
12, 13, 13, 14  
41:20 55:1  
67:4, 6 77:17  
80:20 81:2  
88:1, 9 91:3  
**stated** 45:24  
**statements**  
10:14 13:8  
44:18

**States** 14:23  
17:4 71:23  
72:7 80:18  
81:16 89:19  
**State's** 35:12  
41:22  
**statewide** 15:11  
**station** 19:13  
**stations** 3:22  
22:7 77:20  
87:16  
**statute** 61:6  
72:4  
**statutory** 24:7,  
11 26:5 27:13  
30:8 33:21  
37:4, 20 55:7  
56:15, 22 61:2,  
8 62:20 73:10  
78:13  
**stay** 20:23 61:2  
62:19  
**staying** 2:7  
**steel** 20:7  
**Steering** 51:24  
**stem** 10:20  
**Stenograph** 10:1  
**step** 21:12  
**Stephen** 84:18  
**stepping** 87:19  
**steps** 59:22  
66:22 83:12  
84:24  
**stewardship**  
51:5  
**stone** 45:2  
**stopping** 9:11  
**storage** 3:20  
47:8, 10 63:21  
**strategic** 76:16  
**strategies** 16:1  
**strategy** 14:19  
45:4  
**Street** 5:5  
**stresses** 15:23  
**stricter** 42:21  
**strikes** 58:8  
**striving** 26:18  
**strong** 17:16, 20  
**strongly** 51:2  
53:9, 14  
**structure** 47:22  
48:4 73:25  
75:2 76:1  
**structures** 20:7,  
8 64:10 75:12  
86:19  
**struggle** 48:2  
**struggling** 80:19  
**stuck** 38:12  
59:4

**studies** 11:19  
50:12 65:7  
**study** 49:15  
**stuff** 19:23  
**subhourly** 74:6  
**subjective** 86:1  
**submit** 8:24 9:1  
34:16, 19 90:9,  
10  
**submitted** 28:20  
**submitting** 44:8  
**subsidize** 24:3  
49:8 56:25  
**substance** 25:18  
**substantial**  
35:14 50:5 77:7  
**substantiated**  
48:9  
**substantive** 4:9  
8:20 26:8  
**substations**  
5:24 19:18  
**success** 23:10  
**successful** 19:4  
23:4 24:1  
33:10 50:17  
85:8  
**suggest** 13:15  
37:9 66:3 72:25  
**suggested** 75:24  
**suggestion**  
84:24  
**suggestions**  
66:12  
**suggests** 66:15  
**summary** 4:7  
12:24 48:3  
**summer** 41:24  
42:1  
**sunsetting**  
24:12, 14  
**supplied** 77:19  
**supplier** 38:14  
85:25  
**supplies** 68:17  
**supply** 14:15  
47:3 48:21  
67:16 69:2  
77:24 78:16, 18  
**support** 16:10  
24:8 35:23  
44:15 47:17  
53:24 54:3  
61:8 68:22  
69:5 76:3 85:1  
**supporting** 44:6  
**supposedly**  
70:12  
**suppositions**  
42:16

**sure** 4:8 13:23  
28:3 55:9  
74:24 83:13  
84:11 85:21  
**surface** 68:21  
**surplus** 37:12  
**suspect** 9:24  
**suspend** 36:4  
**sustainable**  
14:10 46:6  
**Swanson** 36:18  
**sweeping** 10:23  
12:19  
**switch** 5:6  
19:13  
**system** 14:5  
19:15 20:10, 11  
29:20 31:2, 9  
39:15, 19, 24  
40:10 41:6, 8  
42:4, 6, 14 44:7  
56:12, 14 66:5  
71:8, 22 75:14,  
15 79:20 80:1,  
2, 6 86:9  
**systems** 19:6,  
14, 20 23:19, 23  
25:12, 23 35:1,  
11 52:11 62:17  
70:13 75:10  
**system's** 62:11  
  
< T >  
**tailored** 85:5  
**take** 13:16  
15:25 24:20  
29:17 32:8  
34:18 53:10  
62:24, 25 68:24  
82:9 83:11  
84:24 87:20  
**Takehara** 75:5, 6,  
7  
**taken** 48:16  
66:21 91:13  
**talk** 4:10 10:19  
39:5 41:18  
43:10 68:24  
79:12 87:2  
90:11  
**talked** 3:8, 11, 22  
**talking** 71:7  
79:15 83:16  
**TANC** 32:23, 24  
33:2, 12  
**tap** 80:21  
**Tapping** 29:25  
**target** 77:17, 18  
**team** 8:8, 9, 16  
**teams** 4:9

<p><b>tech</b> 54:17 63:12, 13 <b>technical</b> 49:11 79:12 81:13 <b>technologies</b> 37:17, 19 73:19 <b>technology</b> 31:20 32:15 <b>Ted</b> 36:13 <b>Telecom</b> 51:21 <b>tell</b> 89:2 <b>temperature</b> 29:20 <b>Ten</b> 34:13, 14, 15 51:20 <b>tends</b> 86:9 <b>tens</b> 73:21 <b>tension</b> 33:25 <b>terawatts</b> 31:4 <b>term</b> 7:17, 24 29:1, 7 47:13 52:1, 3 61:14 63:25 <b>terms</b> 66:13 <b>territory</b> 7:16 53:8 <b>Terry</b> 85:15 <b>tested</b> 86:20 <b>testing</b> 37:17 <b>thank</b> 2:10, 20, 23 9:2 13:21, 22 16:17, 19, 21 18:3, 4 20:12, 13, 16 22:16, 17, 19 25:1, 3, 6 27:18, 20 32:18, 19, 21 34:9, 10 36:19, 20 38:23, 24 42:18 45:15, 16, 18 48:17 51:9, 13 54:7, 9, 11 55:15, 16, 18 57:9, 10, 12 60:6, 7 63:2, 4 65:20, 21, 23 67:24 70:19, 20 73:12, 13 75:3, 4, 6 76:24, 25 78:24 79:1, 3 81:20, 21, 24, 25 84:14, 15, 17 85:12, 13 87:22, 23 90:5, 6, 7, 11 <b>thanks</b> 2:3, 7 <b>theme</b> 3:12, 15, 15 <b>themes</b> 3:5 <b>thing</b> 18:20 55:8, 13 58:8 69:19 87:2</p>	<p><b>things</b> 4:8, 23 19:5 57:15 59:5 62:19 64:11, 11 74:11, 14 79:13 83:2 <b>think</b> 11:3, 5, 7, 7, 10, 19, 21 16:15 18:20 34:4 52:15, 17, 21, 23 53:1, 19 58:16, 17 60:20, 22 65:17 70:2 79:11 82:13 83:20 84:6, 10 85:20 87:19 <b>third</b> 7:22 61:13 72:9 73:9 <b>thousands</b> 73:22 <b>threatened</b> 23:10, 21 78:20 <b>threats</b> 5:14, 19 <b>three</b> 3:18 9:9 14:20 26:3, 21 39:5 42:17, 21 62:18 68:20 73:1 <b>THRONE</b> 91:6, 20 <b>throttle</b> 72:21 <b>Thursday</b> 1:17 2:1 91:8 <b>TID</b> 60:15, 21 61:17, 20, 22 62:8, 9, 13 <b>tied</b> 66:7 76:12, 17 <b>tier</b> 14:15 <b>Tim</b> 18:7, 9 <b>timber</b> 89:12 <b>time</b> 6:3 8:2, 14 9:18 11:20 12:5 13:16 14:23 16:17 18:13, 18 23:11, 13, 15 24:17 32:8 36:24 39:14 41:20 42:12, 22 43:15 59:4 61:17 70:8 71:14 86:10, 18 87:22 89:7, 15 <b>times</b> 73:10 <b>TIP</b> 83:22 84:7 <b>Tippin</b> 10:5, 6, 8 <b>today</b> 3:5, 12 4:3, 7, 23 6:7 8:20 10:13 11:10 12:14 16:17, 22 22:12 23:7 26:19, 23</p>	<p>34:3 38:22 39:15, 25 51:8 54:23 59:2 63:5, 25 64:24 65:16 69:7 72:2 73:6 78:21 79:13, 14 82:20 83:1, 17 85:23 88:23 <b>Today's</b> 38:2 <b>Toenyes</b> 38:25 39:1, 1 42:11 82:9 <b>Tom</b> 2:4 36:11 60:8 65:22 73:14 <b>tonight</b> 2:25 4:19 8:21 18:21 33:1 68:25 <b>Tony</b> 2:13 <b>tools</b> 30:19 59:9 62:15 <b>topics</b> 39:5 <b>totality</b> 42:14 <b>totally</b> 13:7 <b>town</b> 54:14 <b>track</b> 21:11 <b>transcribed</b> 59:19 91:11 <b>transcript</b> 91:13 <b>transfer</b> 6:1 24:3 <b>transfers</b> 50:7 <b>transformers</b> 7:18, 19, 23 <b>transmission</b> 3:23 5:24 6:2, 23 7:3 15:25 16:8, 10, 12 22:8 28:10, 12, 13 31:16 32:23 33:3 35:5, 15 44:7 46:8 48:23, 25 50:13, 14 52:1 53:3 60:18 66:3, 7, 20, 25 67:2, 6, 7 71:7, 8, 11, 12 74:6, 9 75:10, 13 76:6, 9, 15, 21, 22 80:1, 2 81:16, 17 83:18, 24 84:8 86:6, 7, 10, 19, 20 <b>transparency</b> 43:13 58:16 <b>transparent</b> 13:6 18:1 45:5 64:23 <b>transportation</b> 47:16</p>	<p><b>treated</b> 26:1 27:12 <b>Treating</b> 56:17 <b>tremendous</b> 15:2 <b>Trinity</b> 88:4, 6, 7, 7, 11, 13, 16, 16, 20 89:3, 9, 11, 17 <b>troubled</b> 55:22 <b>Truckee</b> 84:19 85:2 <b>true</b> 11:25 52:18, 18 70:5 <b>trust</b> 5:7 10:12 <b>try</b> 84:5 <b>trying</b> 9:16 31:14 <b>turbine</b> 19:6 <b>Turlock</b> 60:12 <b>turn</b> 87:7 <b>tweaks</b> 12:19 <b>twice</b> 27:4 35:18 71:12 78:5 <b>two</b> 4:10, 16 22:2 25:24 47:15 59:17 69:1 73:20 79:19 83:21 88:11 <b>type</b> 4:4 47:18 52:6 <b>types</b> 47:17 <b>typewriting</b> 91:11  &lt; U &gt; <b>U.S</b> 50:20 <b>ultimate</b> 40:25 72:23 <b>ultimately</b> 8:13, 16 9:13 78:3 <b>unable</b> 72:21 <b>unacceptable</b> 69:25 <b>uncertain</b> 69:20 <b>uncertainty</b> 69:24 74:7 78:18 <b>unclear</b> 31:13 <b>underachieving</b> 38:12 <b>undercuts</b> 51:7 <b>underemployed</b> 87:14 <b>underlying</b> 51:4 <b>undermine</b> 23:10 46:3 49:11 <b>understand</b> 4:25 32:8 37:2 38:8</p>	<p>43:16, 17 45:5 51:22 55:25 <b>understanding</b> 21:8 25:23 38:18 41:13 42:13 <b>undertaken</b> 48:8 59:23 <b>underway</b> 78:6 <b>uneconomic</b> 42:6 <b>unemployment</b> 80:16 83:3, 4 88:25 89:9 <b>unfair</b> 78:13 <b>unfortunately</b> 60:4 <b>unique</b> 4:4, 13, 14 9:4 57:8 64:14 73:6 <b>uniqueness</b> 4:6 32:9 <b>United</b> 14:22 17:4 71:23 80:18 81:16 89:19 <b>units</b> 19:9 52:12 <b>unnecessary</b> 35:9 85:10 <b>unneeded</b> 66:25 <b>unprecedented</b> 6:16 45:25 52:4 <b>unproven</b> 49:8 <b>unquote</b> 44:25 <b>unrelated</b> 22:14 44:16 <b>untapped</b> 62:7 <b>unwarranted</b> 43:10 <b>upgraded</b> 31:21 <b>upgrades</b> 39:12 <b>upgrading</b> 19:5 <b>Upper</b> 3:8, 24 4:3, 23 <b>urge</b> 24:19 36:4 89:14 <b>urges</b> 45:3 46:15 <b>use</b> 3:19, 23, 25 4:1 14:22 29:11 30:5 32:17 35:4 50:25 57:3 61:17 74:9, 10 80:12 84:25 <b>useful</b> 7:20, 22 51:6 <b>users</b> 71:9 <b>uses</b> 72:9 <b>utilities</b> 6:19 22:25 23:6</p>
---	--	---	--	---

27:2 32:25  
 46:4 52:17, 19  
 54:21, 23 58:3  
 66:18 67:4  
 77:3 85:2 86:24  
**utility** 3:16 10:9,  
 12 15:24 27:24  
 43:1 45:20  
 47:6 48:20  
 51:14, 19 54:14  
 57:21 58:1  
 60:13 78:10  
 79:6 84:20  
 85:3, 17, 24  
 86:15, 17 87:14

< V >  
**Valerie** 77:1, 2  
**Valley** 25:13  
 28:9, 11 29:24  
 50:2 54:13, 19  
 56:8 60:16  
 67:11 68:15, 17,  
 21 69:9, 10  
 70:7 71:6 72:6,  
 12, 19, 24 88:20  
**valleys** 89:19  
**valuable** 11:11  
 26:16 38:14  
 60:23 79:23  
**value** 29:25  
 48:12 78:11  
**values** 70:10, 12,  
 13, 17  
**variable** 30:12,  
 16, 19 73:22  
 74:1, 16  
**variety** 22:3  
 48:23 64:8  
**various** 41:19  
 65:7 74:8  
**vary** 46:20 80:6  
**vehicle** 3:22  
 21:16 22:7  
 63:21 77:19  
 87:16  
**vehicles** 47:17  
**venues** 30:19  
**verbatim** 91:8  
**vetted** 49:10  
**viable** 32:2  
**Vice** 22:22  
**view** 52:3 78:8  
**vigorous** 11:12  
**violate** 23:25  
 72:1  
**virtually** 69:15  
**vital** 37:1 50:16  
**vocalized** 72:20  
**voluntary** 77:9

78:11  
**Vote** 51:15  
**voted** 57:20

< W >  
**wait** 62:13  
**want** 2:9 3:13  
 8:24 10:13, 18  
 16:14 20:15  
 24:23 27:4  
 30:14 34:18  
 41:18 42:23  
 61:24 62:18  
 65:13, 18 79:17  
 81:25 82:1  
 83:16 84:16  
 85:21 86:5, 13,  
 14, 15 87:5, 6, 7,  
 7, 17 90:8, 11  
**wanted** 3:1  
 59:14 81:14  
 83:19  
**wanting** 6:25  
 42:23  
**wants** 9:19  
 13:5 26:13  
 27:10  
**WAPA** 4:17  
 32:9 60:22  
 61:1, 13, 24, 25  
 62:10, 13, 19, 22  
 63:1  
**wapa.gov** 9:1  
 90:9  
**WAPA's** 61:16  
**warp** 59:4  
**Washington**  
 18:20 22:23  
**watched** 89:17,  
 18, 19  
**water** 3:19, 25  
 17:9, 13, 17, 25  
 19:8 29:10, 17,  
 19, 21 37:13  
 41:21 65:16  
 67:15, 16, 19  
 68:13, 17, 18  
 69:2, 4, 7, 13  
 70:15, 16, 24, 25  
 71:2, 6 72:1, 11,  
 15, 23 73:2, 3, 7  
 77:25  
**waters** 89:18  
**way** 10:8, 14  
 11:4, 5, 8 12:2,  
 4, 25, 25 13:1, 4  
 19:12 29:23  
 39:13 47:3  
 58:1, 5 85:7  
 89:12 90:3

**ways** 6:5 52:20  
 53:22 55:2, 4  
 64:20 69:11  
 89:24  
**Web** 90:11  
**WECC** 33:13  
 39:22 67:6  
 75:17, 25 76:2  
**week** 3:2 6:6  
 30:24  
**weeks** 59:17  
**welcome** 2:23  
**well** 2:25 3:5,  
 12 4:3, 8, 23  
 5:15 6:18 7:2  
 26:8 27:12  
 28:18 51:18  
 52:14 53:5, 12  
 60:24 64:21  
 69:21, 22 76:2  
 78:13 81:19  
 83:5 87:1, 20  
**went** 70:13  
**we're** 9:8, 16  
 12:9 13:9  
 47:13 52:1, 2, 9,  
 20 54:24, 24  
 57:2, 7, 21 58:6  
 68:6, 21 71:7,  
 12 79:19, 21  
 84:20 85:19  
**Wes** 36:15  
**west** 17:4 19:1  
 28:6 30:22, 25  
 31:17, 17 49:9  
 50:14 51:17  
 52:2, 4, 14, 19,  
 21 53:8  
**WESTERN** 1:9  
 2:5, 9 3:6 4:13,  
 14, 25 5:23 6:7  
 7:7, 25 8:5, 9  
 12:16, 17 14:5  
 15:19, 21, 22  
 16:8, 9, 11, 13  
 18:14, 16 19:15  
 22:2 25:14, 22,  
 25 26:4, 12, 13  
 27:7, 11 29:2, 9,  
 17, 22 30:1, 17  
 31:15, 15, 18, 21,  
 25 32:4, 6 33:6,  
 9, 12, 15, 19, 25  
 34:2, 4, 24  
 35:16 37:3, 3, 7,  
 20 38:8, 11, 19  
 39:4, 7, 25  
 40:21, 25 41:3,  
 14, 16 45:6, 7,  
 13, 22 46:1  
 48:5 49:2, 12,

17, 19, 24 51:25  
 52:16, 18, 22  
 53:2, 7, 9, 12, 15,  
 17, 21, 24 54:3  
 55:3 56:1, 10  
 57:8 58:4, 19  
 59:4, 14 60:3  
 62:7 63:6, 19  
 64:2, 21 66:4, 9,  
 15, 20, 23, 24  
 67:11, 18, 21  
 71:4, 8, 10, 20,  
 22, 22 72:19  
 73:23 74:22  
 75:12, 16, 21, 22  
 76:2, 5, 14 77:5  
 78:9, 14 79:21,  
 22, 25 80:6, 7,  
 10 81:11 82:2,  
 6, 7, 10, 23  
 84:12, 24 85:8,  
 10 87:19  
**Westerns** 67:1  
**Western's** 4:4,  
 24 7:5, 11, 16,  
 19, 23 22:14  
 27:13 28:9  
 29:3 33:8 34:6  
 36:6 37:2, 11,  
 21 38:13 40:17,  
 24 43:19, 22, 23  
 46:7, 7 47:22  
 49:6, 15, 17  
 52:24 55:23  
 56:3, 17, 23  
 58:9 64:17  
 65:1 66:1, 3, 6,  
 12 75:10, 18  
 76:17 83:23  
 84:9  
**Westlands**  
 68:13 71:2  
**We've** 47:5, 15  
 58:5  
**wholesale** 62:2  
**wide** 49:9 65:3  
**WiFi** 19:23  
**wildlife** 29:11  
**William** 70:21, 22  
**willingly** 78:7  
**wind** 16:5 22:8  
 30:12 47:5  
 48:24  
**winning** 77:8  
**wired** 28:16  
**Wisconsin** 2:18  
**witnessing** 64:2  
**wonderful** 20:2  
 87:24 88:15  
 89:5, 23

**wondering** 45:1  
**wonders** 89:2  
**wood** 7:12, 15  
 20:7 39:10, 16  
**words** 44:20  
**work** 3:18  
 12:13, 14, 21, 21  
 16:10 18:10  
 25:23 30:22  
 36:5 47:21  
 56:7 64:11, 21  
 80:23 82:10  
 87:4, 11  
**worked** 18:13  
 24:16 49:19  
**working** 4:24  
 8:10 9:4 13:23  
 17:24 19:23  
 20:10 39:3  
 45:4 47:13  
 77:17 83:18  
 86:2  
**works** 33:19  
 78:21  
**workshop** 38:2  
 43:4 44:23  
 59:22  
**workshops** 8:20  
 43:4 73:6  
**world** 3:9 63:14  
 65:19 78:8  
**worried** 83:7  
**worse** 59:3  
**worth** 75:18  
**wrap** 32:12  
 42:10 45:10  
 53:23 60:1  
 65:11 81:12  
 84:5  
**writing** 34:22  
 91:13  
**written** 9:1, 23  
 20:22 90:9  
**wrong** 12:25  
 24:18

< Y >  
**year** 2:17 40:12,  
 23 41:22 57:22,  
 22 65:8 75:20  
**years** 5:10 7:13,  
 15, 19, 21 10:17  
 11:1 17:17  
 18:12, 14 22:2  
 29:4 33:7  
 39:17 40:22  
 51:19 74:22  
 77:16 79:19, 22  
 80:13 86:20, 22  
**young** 89:1