

CLERKS REPORT

Docket No. & Name: **DT 07-027**
Kearsarge, Wilton, Merrimack County Telephone Companies
Petition for Alternate Form of Regulation

Date: **09-27-10** Opened: **9:30** Closed: **4:00** PHC: _____ Hearing: **Yes**

Presiding Officer: **Thomas B. Getz- Chairman** Hearing Examiner:
Amy Ignatius, Clifton C.
Below-Commissioners

Court Reporter: **Steven Patnaude** **Sandy Deno**

Briefs Due: _____

Transcript Due Date: _____ Hearings Continued: _____

Hearing Examiner Report Due: _____ Exhibits List Attached: **Yes**

Affidavit Filed: **Yes** Under Advisement: _____

Appearances:

Staff- Matthew Fossum
KTC--Harry N. Malone- Frederick Coolbroth
NH Legal Assistance--Daniel Feltes-Alan Linder
OCA- Rorie Hollenberg- Meredith Hatfield

Intervention Granted:

Other Rulings:

Exhibits are submitted into evidence-(except 14A is
under advisement)
Closing Statement no more than 10 pages- 1 week
after filing of the Transcript

PANEL 1: (If applicable)

Thomas Murray

PANEL 2: (If applicable)

Ben Johnson

Panel 3 Stephen Eckberg

Other Witnesses:

Kearsarge, Wilton, Hollis, Merrimack County Telephone Companies

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EXHIBITS

DATE	NO.	DISCRIPTION	WITNESS
12/04/07	HTC 1P	<u>Alternative Regulation Plan for Hollis Telephone Company, Inc.</u> Hollis Exchange Key Map – Confidential	Panel ¹
12/04/07	HTC 2P	<u>Public Prefiled Direct Testimony of Michael C. Reed</u>	Panel ¹
12/04/07	HTC 2C	Prefiled Direct Testimony of Michael C. Reed Confidential	Panel ¹
12/04/07	HTC 3P	<u>Prefiled Direct Testimony of Timothy W. Ulrich</u>	Panel ¹
12/04/07	HTC 4P	<u>Public Rebuttal Testimony of Michael C. Reed</u>	Panel ¹
12/04/07	HTC 4C	Confidential Rebuttal Testimony of Michael C. Reed	Panel ¹
12/04/07	HTC 5P	<u>Rebuttal Testimony of Timothy W. Ulrich</u>	Panel ¹

Panel¹: William C. Reed; Josie Gage; Kate Bailey; Kenneth Traum;

Panel²: William C. Reed; Timothy Ulrich;

Panel³: Josie Gage; Pradip K. Chattopadhyay;

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EXHIBITS

DATE	NO.	DISCRIPTION	WITNESS
12/04/07	KTC 1P	<u>Alternative Regulation Plan for Hollis Telephone Company, Inc.</u>	Panel ¹
		Salisbury Exchange Key Map – Confidential Meriden Exchange Key Map – Confidential New London Exchange Key Map – Confidential Chichester Exchange Key Map – Confidential Andover Exchange Key Map – Confidential Boscawen Exchange Key Map – Confidential	
12/04/07	KTC 2P	<u>Public Prefiled Direct Testimony of Michael C. Reed</u>	Panel ¹
12/04/07	KTC 2C	Prefiled Direct Testimony of Michael C. Rich Confidential	Panel ¹
12/04/07	KTC 3P	<u>Prefiled Direct Testimony of Timothy W. Ulrich</u>	Panel ¹
12/04/07	KTC 4P	<u>Public Rebuttal Testimony of Michael C. Reed</u>	Panel ¹
12/04/07	KTC 4C	Rebuttal Testimony of Michael C. Reed Confidential	Panel ¹
12/04/07	KTC 5P	<u>Rebuttal Testimony of Timothy W. Ulrich</u>	Panel ¹
09/29/09	KTC-MCT 6P	<u>Reed Supplemental Testimony 1-29-09 Public no attached Exhibits</u>	Michael Reed & Daniel Goulet
09/29/09	KTC-MCT	Reed Supplement Testimony 1/29/09	Michael Reed &

Panel¹: William C. Reed; Josie Gage; Kate Bailey; Kenneth Traum;

Panel²: William C. Reed; Timothy Ulrich;

Panel³: Josie Gage; Pradip K. Chattopadhyay;

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EXHIBITS

DATE	NO.	DISCRIPTION	WITNESS
	6C	CONFIDENTIAL (all Exhibits)	Daniel Goulet
09/29/09	KTC-MTC 7P	<u>Reed Rebuttal Testimony 09/09/09 –Public (no attached Exhibits)</u>	Michael Reed & Daniel Goulet
09/29/09	KTC-MCT 7C	Reed Rebuttal Testimony 0909/09 CONFIDENTIAL (all Exhibits)	Michael Reed & Daniel Goulet
09/29/09	KTC-MCT 8P	<u>Goulet Rebuttal Testimony 9/9/09-Public (Exhibit A only)</u>	Michael Reed & Daniel Goulet
09/29/09	KTC-MCT 8C	Goulet Rebuttal Testimony 9/9/09 CONFIDENTIAL (all Exhibits)	Michael Reed & Daniel Goulet
09/29/09	KTC-MCT 9P	<u>ICA between TDS Telecom & Comcast Phone of NH</u>	Michael Reed & Daniel Goulet
09/29/09	KTC-MCT 10P	<u>Response to data requests TDS 2-1 through TDS 2-8</u>	Michael Reed & Daniel Goulet
09/29/09	KTC-MCT 11C	State of NH Cellular (Coverage Map Coverage Right Map)	Michael Reed & Daniel Goulet

CONFIDENTIAL

Panel¹: William C. Reed; Josie Gage; Kate Bailey; Kenneth Traum;

Panel²: William C. Reed; Timothy Ulrich;

Panel³: Josie Gage; Pradip K. Chattopadhyay;

Kearsarge, Wilton, Hollis, Merrimack County Telephone Companies

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EXHIBITS

DATE	NO.	DISCRIPTION	WITNESS
09/29/09	KTC-MCT 12C	Salisbury Exchange Map- Wireless Signal Strength & Customer Locations CONFIDENTIAL	Michael Reed & Daniel Goulet
09/29/09	KTC-MCT 13C	Sutton Exchange Map- Wireless Signal Strength & Customer Locations Map CONFIDENTIAL	Michael Reed & Daniel Goulet
09/27/10	KTC-MCT 14P	<u>Affidavit of Thomas E. Murray Regarding Kearsarge Telephone Company</u>	Thomas E. Murray
09/27/10	KT-MCT 14C	Confidential Affidavit of Thomas E. Murray Regarding Kearsarge Telephone Company	Thomas E. Murray
09/27/10	KTC-MCT 14A	Correction pages Is under advisement Removed pre-marked exhibits 15P- 15C-15A	Thomas E. Murray
09/27/10	KTC-MCT 16P	<u>Rebuttal Testimony of Thomas E. Murray on Behalf of Kearsarge Telephone and Merrimack County Company</u>	Thomas E. Murray
09/27/10	KTC-MCT 16C	Confidential-Rebuttal Testimony of Thomas E. Murray on Behalf of Kearsarge Telephone and Merrimack County Company	Thomas E. Murray
09/27/10	KTC-MCT 16A	<u>Correction Pages to Rebuttal Testimony of Thomas E. Murray</u>	Thomas E. Murray

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Panel¹: William C. Reed; Josie Gage; Kate Bailey; Kenneth Traum;

Panel²: William C. Reed; Timothy Ulrich;

Panel³: Josie Gage; Pradip K. Chattopadhyay;

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EXHIBITS

DATE	NO.	DISCRIPTION	WITNESS
09/27/10	KTC-MTC 17	<u>News- Federal Communications Commission</u> <u>Dated June 25, 2010</u>	Ben Johnson
09/27/10	KTC_MTC 18	<u>News- Federal Communications Commission</u> <u>Dated September 3, 2010</u>	Ben Johnson
09/27/10	KTC_MTC 19	<u>Local Telephone Competition Status as of</u> <u>June 30, 2009</u> <u>Industry Analysis and Technology Division</u> <u>Wireline Competition Bureau September 2010</u>	Ben Johnson
09/27/10	KTC-MTC 20	<u>Comcast Securities and Exchange Commission</u> <u>Form 10-Q</u>	Ben Johnson

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Panel²: William C. Reed; Timothy Ulrich;
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DATE	NO.	DISCRIPTION	WITNESS
12/04/07	MCT 1P	<u>Alternative Regulation Plan for Merrimack County Telephone Company, Inc.</u> Antrim Exchange Key Map – Confidential Bradford Exchange Existing System - Confidential Contoocook Exchange Key Map – Confidential Henniker Exchange Existing System – Confidential Hillsboro Exchange Key Map – Confidential Melvin Village Exchange Key Map – Confidential Warner Exchange Base Map – Confidential Sutton Exchange Base Map - Confidential	Panel ¹
12/04/07	MCT 2P	<u>Public Prefiled Direct Testimony of Michael C. Reed</u>	Panel ¹
12/04/07	MCT 2C	Confidential Prefiled Direct Testimony of Michael C. Reed Confidential	Panel ¹
12/04/07	MCT 3P	<u>Prefiled Direct Testimony of Testimony of Timothy W. Ulrich</u>	Panel ¹
12/04/07	MCT 4P	<u>Public Rebuttal Testimony of Michael C. Reed</u>	Panel ¹
12/04/07	MCT 4C	Rebuttal Testimony of Michael C. Reed Confidential	Panel ¹
12/04/07	MCT 5P	<u>Rebuttal Testimony of Timothy W. Ulrich</u>	Panel ¹

Panel¹: William C. Reed; Josie Gage; Kate Bailey; Kenneth Traum;

Panel²: William C. Reed; Timothy Ulrich;

Panel³: Josie Gage; Pradip K. Chattopadhyay;

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DATE	NO.	DISCRIPTION	WITNESS
12/04/07	WTC 1P	<u>Alternative Regulation Plan for Hollis Telephone Company, Inc.</u> Wilton Exchange Key Map - Confidential	Panel ¹
12/04/07	WTC 2P	<u>Public Prefiled Direct Testimony of Michael C. Reed</u>	Panel ¹
12/04/07	WTC 2C	Prefiled Direct Testimony of Michael C. Reed Confidential	Panel ¹
12/04/07	WTC 3P	<u>Prefiled Direct Testimony of Testimony of Timothy W. Ulrich</u>	Panel ¹
12/04/07	WTC 4P	<u>Public Rebuttal Testimony of Michael C. Reed</u>	Panel ¹
12/04/07	WTC 4C	Rebuttal Testimony of Michael C. Reed Confidential	Panel ¹
12/04/07	WTC 5P	<u>Rebuttal Testimony of Timothy W. Ulrich</u>	Panel ¹
12/04/07	6	<u>Settlement Agreement 12/3/07</u>	Panel ¹
12/05/07	7	<u>Direct Testimony of Ben Johnson, Ph.D</u>	Ben Johnson
12/05/07	7C	Direct Testimony of Ben Johnson, Ph.D Confidential	Ben Johnson
12/05/07	8	<u>Direct Testimony of Robert Loube, Ph.D</u> <u>10/12/07</u>	Robert Loube, Ph.D

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DATE	NO.	DISCRIPTION	WITNESS
12/05/07	8C	Direct Testimony of Robert Loube, Ph.D 10/12/07 Confidential	Robert Loube, Ph.D
12/05/07	9	<u>Direct Testimony of Pradip K. Chattopadhyay</u>	Panel ³
12/05/07	10	<u>Direct Testimony of Josie Gage</u>	Panel ³
12/05/07	BAILEY 10	<u>TDS Response to Staff Set 1 Data Request 1- 25</u>	Panel ²
12/05/07	BAILEY 11	<u>TDS Response to Staff Set 1 Data Request 1- 26</u>	Panel ²
12/05/07	BAILEY 12	<u>TDS Response to Staff Set 1 Data Request 1- 27</u>	Panel ²
12/05/07	BAILEY 13	<u>TDS Response to Staff Set 1 Data Request 1- 82</u>	Panel ²
12/05/07	BAILEY 14	<u>TDS Response to Staff Set 1 Data Request 1- 87</u>	Panel ²
12/05/07	BAILEY 15	<u>TDS Response to SegTEL Set 1 Data Request 1-8</u>	Panel ²
12/05/07	BAILEY 16	<u>TDS Response to Patnode Set 1 Data Request 1-31</u>	Panel ²
12/05/07	BAILEY 17	<u>TDS Response to OCA Set 1 Data Request 1- 46</u>	Panel ²
12/05/07	BAILEY 18	<u>TDS Response to Staff Set 2 Data Request 2- 31, Staff Set 1 Data Request 1-38</u>	Panel ²

Panel¹: William C. Reed; Josie Gage; Kate Bailey; Kenneth Traum;

Panel²: William C. Reed; Timothy Ulrich;

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EXHIBITS

DATE	NO.	DISCRIPTION	WITNESS
12/05/07	BAILEY 19	<u>TDS Response to segTEL Set 1 Data Request 1-11</u>	Panel ²
12/05/07	BAILEY 20	<u>TDS Response to OCA Set 1 Data Request 1-36</u>	Panel ^{2z}
12/05/07	BAILEY 21	<u>TDS Response to OCA Set 1 Data Request 1-39</u>	Panel ²
12/05/07	BAILEY 22	<u>TDS Response to OCA Set 2 Data Request 2-11</u>	Panel ²
12/04/07	BAILEY 22C	Michael C. Reed Response to Data Request 1-42 Confidential	Panel ²
12/05/07	BAILEY 23	<u>TDS Response to OCA Set 2 Data Request 2-11</u>	Panel ²
12/05/07	BAILEY 24	<u>TDS Response to Staff Set 1 Data Requests Staff 1-65</u>	Panel ²
12/05/07	BAILEY 25	<u>TDS Response to Staff Set 1 Data Requests Staff 1-97</u>	Panel ²
12/05/07	BAILEY 26	<u>TDS Response to Patnode Set 1 Data Requests Patnode 1-1</u>	Panel ²
12/05/07	BAILEY 27	<u>TDS Response to Patnode Set 1 Data Requests Patnode 1-2</u>	Panel ²
12/05/07	BAILEY 28	<u>TDS Response to Patnode Set 2 Data Requests Patnode 2-54</u>	Panel ²
12/05/07	BAILEY 30	<u>NNRI Assessing Wireless and Broadband Substitution in Local Telephone Markets</u>	Panel ²

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DATE	NO.	DISCRIPTION	WITNESS
12/05/07	BAILEY 31	<u>TDS Response to Patnode Set 2 Data Requests Patnode 2-25</u>	Panel ²
12/05/07	BAILEY 32	<u>TDS Response to Patnode Set 2 Data Requests Patnode 2-24</u>	Panel ²
12/05/07	BAILEY 33	<u>TDS Response to Patnode Set 2 Data Requests Patnode 2-20</u>	Panel ²
12/05/07	BAILEY 34	<u>TDS Response to Staff Set 1 Data Requests Staff 1-22</u>	Panel ²
12/05/07	BAILEY 35	<u>TDS Response to OCA Set 1 Data Requests OCA 1-46</u>	Panel ²
12/05/07	BAILEY 36	<u>TDS Response to Patnode Set 1 Data Requests Patnode 1-10</u>	Panel ²
12/05/07	BAILEY 37	<u>TDS Respo nse to Staff Set 1 Data Requests Staff 1-58</u>	Panel ²
12/05/07	BAILEY 38	<u>Re; HB 1756 Regulation of Small Independent Telephone Companies</u>	Panel ²
12/05/07	BAILEY 39	<u>TDS Response to Staff Set 1 Data Request Staff 1-87</u>	Panel ²
12/05/07	Bailey 40	<u>TDS Response to Staff Set 1 Data Request Staff 1-97</u>	Panel ²
12/05/07	BAILEY 41	<u>TDS Response to OCA Set 2 Data Request OCA 2-11</u>	Panel ²

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EXHIBITS

DATE	NO.	DISCRIPTION	WITNESS
12/05/07	BAILEY 42	<u>TDS Response to Staff Set 1 Data Request Staff 1-45</u>	Panel ²
12/05/07	BAILEY 43	<u>TDS Response to Patnode Set 2 Data Request Patnode 2-9</u>	Panel ²
12/05/07	BAILEY 44	<u>TDS Response to Patnode Set 2 Data Request Patnode 2-10</u>	Panel ²
12/05/07	BAILEY 45	<u>TDS Response to Patnode Set 2 Data Request Patnode 2-11</u>	Panel ²
12/05/07	BAILEY 46	<u>TDS Response to Patnode Set 2 Data Request Patnode 2-12</u>	Panel ²
12/05/07	BAILEY 47	<u>TDS Response to Patnode Set 2 Data Request Patnode 2-13</u>	Panel ²
12/05/07	BAILEY 48	<u>TDS Response to Patnode Set 2 Data Request Patnode 2-14</u>	Panel ²
12/05/07	BAILEY 49	<u>TDS Response to Patnode Set 2 Data Request Patnode 2-15</u>	Panel ²
12/05/07	BAILEY 50	<u>TDS Response to Patnode Set 2 Data Request Patnode 2-16</u>	Panel ²
12/05/07	BAILEY 51	<u>TDS Response to Patnode Set 2 Data Request Patnode 2-17</u>	Panel ²
12/05/07	BAILEY 52	<u>TDS Response to Staff Set 1 Data Request Staff 1-28</u>	Panel ²

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EXHIBITS

DATE	NO.	DISCRIPTION	WITNESS
12/05/07	BAILEY 53	<u>Title XXXIV Chapter 374 General Regulations Supervisory Power of Department of Transportation Section 374:3-b</u>	Panel ²
12/05/07	BAILEY 54	<u>TDS Response to Patnode Set 2 Data Request Patnode 2-3</u>	Panel ²
09/29/09	Bailey 55	<u>NCHS –NHIS Survey</u>	Michael Reed and Daniel Goulet
09/29/09	Bailey 56	<u>Definition of Interpolate</u>	Michael Reed and Daniel Goulet
09/29/09	Bailey 57	<u>Maine Public Advocate Telephone Service Ratewatcher Guide</u>	Michael Reed and Daniel Goulet
09/29/09	Bailey 58	<u>Data Requests Response to OCA's 1:11</u>	Michael Reed and Daniel Goulet
09/29/09	Bailey 59	<u>Testimony Page</u>	Michael Reed and Daniel Goulet
09/29/09	Bailey 60	<u>To cut the cord or not to keep your landline</u>	Michael Reed and Daniel Goulet
09/29/09	Bailey 61	<u>Response to Bailey 1:18</u>	Michael Reed and Daniel Goulet
09/29/09	Bailey 62	<u>OCA question 1.10</u>	Michael Reed and Daniel Goulet

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DATE	NO.	DISCRIPTION	WITNESS
09/29/09	Bailey 63	<u>Josie Gage Testimony</u>	Michael Reed and Daniel Goulet
09/29/09	Bailey 64	<u>Bailey Question 1:16</u>	Michael Reed and Daniel Goulet
09/29/09	Bailey 65	<u>7 page packages/ Cover page begins with Question Bailey 1.27</u>	Michael Reed and Daniel Goulet
09/29/09	Bailey 66	<u>Chapter from Book Theodore S. Rappaport- Wireless Communications Principles and Practice</u>	Michael Reed and Daniel Goulet
09/29/09	Bailey 67	<u>Estimating coverage of Radio Transmission into and within Building at 900, 1800, and 2300 MHz</u>	Michael Reed and Daniel Goulet
09/29/09	Bailey 68	<u>Article Essential Factors Influencing building Penetration Loss</u>	Michael Reed and Daniel Goulet
09/29/09	Bailey 69	<u>User's Impact on PIFA Antennas In Mobile Phones</u>	Michael Reed and Daniel Goulet
09/29/09	Bailey 70	<u>Comparison between head losses of 20 phones with external and build –in antennas measured in reverberation chamber</u>	Michael Reed and Daniel Goulet
09/29/09	Bailey 71	<u>Body Loss Measurements of Internal Terminal Antennas in Talk Position using Real Human Operator</u>	Michael Reed and Daniel Goulet
09/29/09	Bailey 72	<u>Federal Communications Commission Rules</u>	Michael Reed and Daniel Goulet

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DATE	NO.	DISCRIPTION	WITNESS
09/29/09	Bailey 73	<u>Federal Communications Commission Rules</u>	Michael Reed and Daniel Goulet
09/29/09	Bailey 74	Confidential New Received Signal Strength Readings with -10 dB Correction Factor CONFIDENTIAL	Michael Reed and Daniel Goulet
09/29/09	Bailey 75	<u>OCA 2.9 Question with Response</u>	Michael Reed and Daniel Goulet
10/01/09	Bailey 76	(NHLA Replaced 10-02-09) <u>Rebuttal Testimony of Ben Johnson</u>	Ben Johnson
09/27/10	Bailey 77	<u>Testimony of Direct Ben Johnson</u>	Ben Johnson

Panel¹: William C. Reed; Josie Gage; Kate Bailey; Kenneth Traum;
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10/01/09	OCA 1	Estimated Available CONFIDENTIAL	Michael Reed and Daniel Goulet
10/01/09	OCA 2	<u>Re: Comcast Phone of NH LLC Request for Approval of Form CLEC-10</u>	Michael Reed and Daniel Goulet
10/01/09	OCA 3	<u>OCA 2.3 Response Public</u>	Michael Reed and Daniel Goulet
10/01/09	OCA 4	CONFIDENTIAL Sprint Invoice	Michael Reed and Daniel Goulet
10/01/09	OCA 5	<u>OCA Request 1.5</u>	Michael Reed and Daniel Goulet
10/01/09	OCA 6	CONFIDENTIAL Verizon Invoice	Michael Reed and Daniel Goulet
10/01/09	OCA 7	<u>Bailey Request 2.5</u>	Michael Reed and Daniel Goulet
10/01/09	OCA 8	<u>OCA Request 2.9</u>	Michael Reed and Daniel Goulet
10/01/09	OCA 9	OCA Request 1.14 CONFIDENTIAL	Michael Reed and Daniel Goulet
10/01/09	OCA 10	<u>Request Staff 1-73</u>	Michael Reed and Daniel Goulet
10/01/09	OCA 11	<u>Bailey 1.35 New York state case referenced on page 13 of Reed Supplemental Testimony</u>	Michael Reed and Daniel Goulet
10/01/09	OCA 12	Reserved Record Request	Michael Reed and Daniel Goulet
10/01/09	OCA 13	Direct Prefiled Testimony of Stephen R. Eckberg CONFIDENTIAL	Stephen R. Eckberg
10/01/09	OCA 14	OCA 2.13 CONFIDENTIAL	Stephen R. Eckberg

Panel¹: William C. Reed; Josie Gage; Kate Bailey; Kenneth Traum;

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10/01/09	OCA 15	OCA 2:11 CONFIDENTIAL	Stephen R. Eckberg
10/01/09	OCA 16	CONFIDENTIAL Map Sutton NH Wireless Coverage and MCT Customer Locations	Stephen R. Eckberg
09/27/10	OCA 17	<u>Prefiled Testimony of Stephen R. Eckberg</u>	Stephen R. Eckberg

Panel¹: William C. Reed; Josie Gage; Kate Bailey; Kenneth Traum;
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10/01/09	Staff 1	Reserved Record Request	Michael Reed and Daniel Goulet
10/01/09	Staff 2	Reserved Record Request 2.10A	Michael Reed and Daniel Goulet
10/01/09			

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DATE	NO.	DISCRIPTION	WITNESS
09/29/09		Was re- submitted at hearing on 09-29-09 with same exhibit numbers Bailey 34- Staff 1-22 Bailey 35- Confidential Exhibit Bailey 37- Staff 1-58 Bailey 40- Staff 1-97 OCA Exhibit 6-Settlement Agreement 12/03/07	Michael Reed & Daniel Goulet
10/01/09		OCA Exhibit 6-Settlement Agreement 12/03/07 was re submitted	Michael Reed & Daniel Goulet

Panel¹: William C. Reed; Josie Gage; Kate Bailey; Kenneth Traum;
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