

STATE OF NEW HAMPSHIRE

PUBLIC UTILITIES COMMISSION

January 3, 2013 - 10:09 a.m.
Concord, New Hampshire

NHPUC JAN24'13 PM 4:11

RE: DW 12-254
FOREST EDGE WATER COMPANY:
Notice of Intention to File a Change
in Rate Schedules.
(Hearing on Temporary Rates)

PRESENT: Commissioner Michael D. Harrington, Presiding
Commissioner Robert R. Scott

Sandy Deno, Clerk

APPEARANCES: Reptg. Forest Edge Water Company:
Stephen P. St. Cyr
Nate Sullivan

Robert L. deFeyter, pro se

Richard A. Lake, pro se

Reptg. PUC Staff:
Marcia A. Brown, Esq., Esq.
Mark Naylor, Director/Gas & Water Division
Jayson Laflamme, Gas & Water Division

Court Reporter: Steven E. Patnaude, LCR No. 52

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 JAYSON P. LAFLAMME**

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EXHIBIT NO.	D E S C R I P T I O N	PAGE NO.
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P R O C E E D I N G

1
2 CMSR. HARRINGTON: Good morning. We're
3 here on DW 12-254, Forest Edge Water Company. This is for
4 looking at the temporary rate case. On November 20th, a
5 duly noticed prehearing conference was held in the above
6 procedure, 12-254. Appearances at the prehearing
7 conference were entered by the representatives of Forest
8 Edge Water Company and Commission Staff. The Office of
9 the Consumer Advocate has a statutory right to participate
10 and it seems would choose not to. Interventions were
11 granted at that time to four people. Do I have the list
12 here? And, I'm probably going to be bad on these
13 pronunciations, so I'm going to spell the last name on a
14 couple of them: Renee, and it's A-r-a-k-e-l-i-a-n; Robert
15 deFeyter; Ledge Top Company, care of David Boland; and
16 Richard Lake.

17 And, with that, I guess we can take
18 appearances.

19 MR. ST. CYR: Good morning. My name is
20 Stephen P. St. Cyr. And, with me is Nate Sullivan,
21 representing the Forest Edge Water Company.

22 MR. deFEYTER: I'm Robert deFeyter. I'm
23 one of the intervenors.

24 CMSR. HARRINGTON: And, did I get your

1 name right, sir?

2 MR. deFEYTER: You did.

3 CMSR. HARRINGTON: Okay. Thank you.

4 MR. deFEYTER: And, the first name is
5 "Arakelian", the other person that you were --

6 CMSR. HARRINGTON: "Arakelian". Okay.

7 MR. deFEYTER: And, she is not here
8 today, nor is anybody from the Boland family. They had to
9 work today.

10 CMSR. HARRINGTON: Do you intend to
11 participate in the meeting then or are you just here to --

12 MR. deFEYTER: Yes, I do.

13 CMSR. HARRINGTON: Okay.

14 MR. deFEYTER: Yes. And, I believe
15 Mr. Lake is planning to be here, but may be a little bit
16 late.

17 CMSR. HARRINGTON: All right. Thank
18 you.

19 MS. BROWN: Good morning, Commissioners.
20 Marcia Brown, on behalf of Staff. And, with me is Mark
21 Naylor and Jayson Laflamme. And, Staff and the Company
22 have filed a Settlement -- or, a Stipulation Agreement
23 that we propose on temporary rates. And, we'd like to
24 present that through a panel, with Stephen St. Cyr, on

1 behalf of the Company, and Jayson Laflamme, on behalf of
2 Staff, when you're ready.

3 CMSR. HARRINGTON: Okay. Are there any
4 other administrative matters to contend with?

5 (No verbal response)

6 CMSR. HARRINGTON: Seeing none, go
7 forward with the panel.

8 (Whereupon **Stephen P. St. Cyr** and
9 **Jayson P. Laflamme** were was duly sworn
10 by the Court Reporter.)

11 MS. BROWN: Before I start with the line
12 of questioning, I'd like to let you know that the Company
13 and Staff request to mark for identification two exhibits.
14 These are a little bit different than what you have in the
15 filing, because they are sequentially numbered in their
16 pages, which is a requirement of exhibits. Exhibit 1 we
17 propose to be the initial filing. And, Exhibit 2 we
18 propose to be the entirety of the temporary rate filing.

19 (Atty. Brown distributing documents.)

20 CMSR. HARRINGTON: So we're clear, the
21 September 24th filing is "Exhibit 1" and the October 5th
22 filing is "Exhibit 2".

23 MS. BROWN: Correct.

24 CMSR. HARRINGTON: Go ahead and mark

1 those please.

2 (The documents, as described, were
3 herewith marked as **Exhibit 1** and **Exhibit**
4 **2**, respectively, for identification.)

5 MS. BROWN: We'd also like to have
6 marked for identification "Exhibit 3", which is the
7 Stipulation Agreement, which I believe you already have in
8 front of you.

9 CMSR. HARRINGTON: And, this is the
10 December 21st Stipulation Agreement between the Staff and
11 the Company?

12 MS. BROWN: Yes, it is.

13 CMSR. HARRINGTON: Okay.

14 MS. BROWN: Yes.

15 CMSR. HARRINGTON: Mark that "Exhibit 3"
16 then please.

17 MS. BROWN: The exhibit is the
18 Stipulation, without the cover letter.

19 (The document, as described, was
20 herewith marked as **Exhibit 3** for
21 identification.)

22 MS. BROWN: Thank you.

23 **STEPHEN P. ST. CYR, SWORN**

24 **JAYSON P. LAFLAMME, SWORN**

DIRECT EXAMINATION

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BY MS. BROWN:

Q. Mr. Laflamme, if I could just have you state your name and occupation -- or, employment for the record.

A. (Laflamme) My name is Jayson Laflamme. I work as a Analyst at the Gas and Water Division of the New Hampshire Public Utilities Commission.

Q. And, as an Analyst, can you please describe your responsibilities with a little bit more detail?

A. (Laflamme) Yes. I review filings which come into the Commission from water and sewer utilities. My area of expertise is in accounting and finance. So, I investigate the financial aspects of various rate filings and financing requests that come before the Commission.

Q. And, today will you be offering testimony in your area of expertise, in accounting and finance?

A. (Laflamme) Yes.

Q. Can you please describe your involvement with this particular docket?

A. (Laflamme) Yes. I reviewed the filings that were made by the Company, in conjunction with a review of the annual reports that have been filed by the Company in recent years. I have also reviewed the temporary rate

[WITNESS PANEL: St. Cyr~Laflamme]

1 filing that was filed by the Company as well.

2 Q. And, you also reviewed the initial filing --

3 A. (Laflamme) Yes.

4 Q. -- regarding permanent rates?

5 A. (Laflamme) Yes.

6 Q. Thank you. And, when the statute governing temporary
7 rates, in RSA 378, refers to "books and records on file
8 with the Commission", what you just described, does
9 that constitute the books and records that you have
10 reviewed?

11 A. (Laflamme) Yes.

12 Q. Mr. St. Cyr, if you could please state your name and
13 occupation for the record.

14 A. (St. Cyr) My name is Stephen P. St. Cyr. And, I am
15 owner and operator of St. Cyr & Associates.

16 Q. Can you please describe your area of expertise?

17 A. (St. Cyr) My area of expertise is accounting, tax,
18 regulatory, and management services.

19 MS. BROWN: Mr. Chairman, may I just
20 take a moment to --

21 CMSR. HARRINGTON: Certainly.

22 MS. BROWN: -- get the intervenor
23 settled?

24 (Short pause.)

{DW 12-254} [Hearing re: Temporary Rates] {01-03-13}

[WITNESS PANEL: St. Cyr~Laflamme]

1 CMSR. HARRINGTON: And, this is
2 Mr. Lake?

3 MR. LAKE: Pardon me?

4 CMSR. HARRINGTON: You are Mr. Lake?

5 MR. LAKE: Yes.

6 CMSR. HARRINGTON: Thank you.

7 MS. BROWN: Thank you, Commissioner
8 Harrington. I just wanted to explain to Intervenor Lake
9 where we were in the proceeding.

10 BY MS. BROWN:

11 Q. So, Mr. St. Cyr, now that you've introduced yourself
12 and discussed your area of expertise, can you please
13 describe what services you have provided for this water
14 utility?

15 A. (St. Cyr) I assist the Company in finalizing its
16 year-end financial statements, I prepare the PUC annual
17 report, and federal tax returns. And, I'm involved in
18 the Company's regulatory proceedings before the Public
19 Utilities Commission, and, more specifically, the
20 financings or rate increases.

21 Q. Mr. St. Cyr, did you provide testimony in what we've
22 marked for identification as "Exhibit 1" and
23 "Exhibit 2"?

24 A. (St. Cyr) Yes, I did.

{DW 12-254} [Hearing re: Temporary Rates] {01-03-13}

[WITNESS PANEL: St. Cyr~Laflamme]

1 Q. And, did you prepare that testimony?

2 A. (St. Cyr) Yes, I did.

3 Q. Do you have any changes or corrections to make to that
4 testimony?

5 A. (St. Cyr) No, I do not.

6 Q. And, if you were asked those questions in -- that you
7 filed as testimony in Exhibit 1 and 2 today, would your
8 answers be the same?

9 A. (St. Cyr) Yes, they would.

10 Q. And, do you intend to adopt that testimony today?

11 A. (St. Cyr) Yes.

12 Q. Mr. Laflamme, did you participate in a creation of a
13 Stipulation Agreement on Temporary Rates?

14 A. (Laflamme) Yes.

15 Q. And, Mr. St. Cyr, did you participate in creating a
16 Stipulation on Temporary Rates?

17 A. (St. Cyr) Yes, I did.

18 Q. And, are you familiar with the document we've asked be
19 marked for identification as "Exhibit 3"?

20 A. (St. Cyr) I am.

21 Q. And, Mr. Laflamme?

22 A. (Laflamme) Yes.

23 Q. Okay. Are either of you aware of any corrections or
24 changes that need to be made to this document?

{DW 12-254} [Hearing re: Temporary Rates] {01-03-13}

[WITNESS PANEL: St. Cyr~Laflamme]

1 A. (St. Cyr) No.

2 A. (Laflamme) No.

3 Q. Mr. St. Cyr, can you please briefly describe why Forest
4 Edge is seeking a rate increase?

5 A. (St. Cyr) This rate increase is being driven by three
6 factors. First, the Company's management and
7 bookkeeping cost, its legal cost, and its cost to map
8 the system.

9 Q. Do you also prepare -- did you say that you also
10 prepare, Mr. St. Cyr, the annual reports for Forest
11 Edge?

12 A. (St. Cyr) I do.

13 Q. And, in the last annual report, was the Company
14 underearning?

15 A. (St. Cyr) Yes. In 2011, it reported a net -- a net
16 loss of \$5,043.

17 Q. Now, Mr. Laflamme, what is the Company and Staff
18 proposing as temporary rates in this Stipulation
19 Agreement?

20 A. (Laflamme) The Company and Staff are proposing that the
21 current rates that are in effect and being charged by
22 the Company will be the temporary rates in this
23 proceeding, effective November 1st, 2012.

24 Q. With current as temporary rates, does that involve a

{DW 12-254} [Hearing re: Temporary Rates] {01-03-13}

1 rate increase right now?

2 A. (Laflamme) No.

3 Q. And, what is -- can you please explain, if you have an
4 opinion, on why Staff has agreed to current rates as
5 temporary rates?

6 A. (Laflamme) As Mr. St. Cyr has stated, that it does
7 appear that the Company is currently in an
8 underearnings position. Given that, it's -- the
9 Company itself is fairly small. The issues at play in
10 this case are somewhat limited. Given that, it was
11 thought that it would be more expedient to focus
12 attention on the permanent rate aspects of this case.
13 Therefore, the Company and Staff agreed to make the
14 current rates temporary, so as to focus energy on the
15 -- on the permanent rate request and to expedite that
16 schedule.

17 Q. Mr. St. Cyr, I have the same question for you, as to
18 why the Company is supportive of current as temporary
19 rates?

20 A. (St. Cyr) I would generally agree with what
21 Mr. Laflamme had indicated. And, from the Company's
22 perspective, the focus should be on the permanent rate,
23 and that that allows the timetable to be shortened, and
24 a permanent rate in place sooner, rather than later.

[WITNESS PANEL: St. Cyr~Laflamme]

1 Q. Mr. St. Cyr, can you remind the Commission how the
2 Company issues its bills? Is it monthly or quarterly?

3 A. (St. Cyr) The Company issues its bills quarterly. It's
4 generally the last day of the quarter for the current
5 quarter.

6 Q. I'd like to ask you a question about the effective
7 date, Mr. St. Cyr. That effective date is represented
8 in the Stipulation Agreement as "November 1st". Do you
9 see that?

10 A. (St. Cyr) Yes, I do.

11 Q. And, can you please explain how this effective date
12 would work with the billing cycle?

13 A. (St. Cyr) There's no immediate impact of it. The
14 impact comes when a final decision is made with respect
15 to permanent rates. And, the Company will prepare a
16 calculation, which will show the difference between
17 permanent rates and temporary rates, and that
18 difference will be retroactively applied to November 1,
19 2012.

20 Q. Thank you. Does Forest Edge meter its -- provide
21 metered service?

22 A. (St. Cyr) No, it does not.

23 Q. Do you know how much it would cost to implement metered
24 service?

{DW 12-254} [Hearing re: Temporary Rates] {01-03-13}

[WITNESS PANEL: St. Cyr~Laflamme]

1 A. (St. Cyr) The Company has recently received a verbal
2 estimate from its operator. And, the operator
3 indicated that it would cost roughly \$33,000 to do
4 that.

5 Q. How does that \$33,000 compare with the annual revenue
6 requirement of this company?

7 A. (St. Cyr) The present annual revenue requirement is
8 \$19,000. So, it's almost twice what the annual revenue
9 requirement would be.

10 Q. Do you know why the Company hasn't gone to metered
11 service?

12 A. (St. Cyr) There's just many more better uses of that
13 kind of money, to improve the system, rather than to
14 metering it.

15 Q. Thank you. I'd like to ask you a couple questions
16 about compliance with Department of Environmental
17 Services, only because I want to get on the record that
18 there -- even though there is no rate increase, I just
19 want to know if there are any compliance issues the
20 Company needs cash for at DES right now?

21 A. (St. Cyr) There are no compliance issues. The DES did
22 a sanitary survey in the Spring of 2012. There was a
23 minor deficiency cited at the time. That has since
24 been taken care of.

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1 Q. Appreciate that explanation. With respect to the
2 November 1 effective date, I have this question to
3 either one of you, can you please explain how the Staff
4 and the Company came up with that effective date? And,
5 in your response, cite when customers were noticed.

6 A. (Laflamme) The effective date reflects the opportunity
7 that was given to customers to be adequately notified
8 of the potential pending rate increase. The order of
9 notice was provided on October 23rd, 2012. And, the
10 Company was required to mail each of its customers by
11 First-Class Mail, as well as the Town Clerk of North
12 Conway, a copy of the order. And, that was done -- or
13 a letter, that was done by October 29th of 2012. So,
14 therefore, the November 1st effective date represents
15 the date that all of the Company's customers were
16 notified of the potential rate increase.

17 Q. Thank you. Mr. Laflamme, are you familiar with the
18 temporary/permanent rate reconciliation?

19 A. (Laflamme) Yes.

20 Q. Thank you. Can you please explain how further in this
21 rate proceeding that reconciliation will occur?

22 A. (Laflamme) Yes. Once the Commission issues an order
23 regarding the permanent rates that will go in effect in
24 this case, the Company will make a filing to the

[WITNESS PANEL: St. Cyr~Laflamme]

1 Commission regarding a reconciliation of revenues,
2 between the new permanent rate and the temporary rates
3 that are in effect. That filing will be reviewed by
4 the Staff, as well as the other parties in this case,
5 and recommendations will be submitted to the
6 Commissioners. And, the Commission will approve --
7 will approve the reconciliation between permanent rates
8 and temporary rates in this case.

9 Q. Thank you. Mr. St. Cyr, do you have anything to add to
10 that explanation?

11 A. (St. Cyr) I do not.

12 Q. Thank you. Mr. St. Cyr, do you have any opinion as to
13 whether permanent rates will likely be lower than the
14 temporary rates?

15 A. (St. Cyr) I think there's no chance that that would
16 happen.

17 Q. And, Mr. Laflamme, do you have an opinion on whether
18 permanent rates could be lower than permanent -- than
19 temporary rates, excuse me?

20 A. (Laflamme) There's always that possibility. But I
21 would probably echo Mr. St. Cyr's opinion, in that
22 probably permanent rates will be higher than temporary
23 rates.

24 Q. And, I asked that question, because I wanted to

{DW 12-254} [Hearing re: Temporary Rates] {01-03-13}

[WITNESS PANEL: St. Cyr~Laflamme]

1 confirm, is it fair for me to say that, when the
2 reconciliation occurs, that it is unlikely that there
3 will be a refund to customers, because permanent rates
4 will be likely higher than temporary rates?

5 A. (St. Cyr) Yes.

6 Q. Is that fair to say?

7 A. (Laflamme) Yes.

8 Q. Thank you. Mr. Laflamme, do you have an opinion as to
9 the just and reasonableness of the proposed rates in
10 the Stipulation Agreement?

11 A. (Laflamme) I believe that the current rates that are
12 being proposed to be temporary rates are just and
13 reasonable.

14 Q. Mr. St. Cyr, do you have an opinion on the just and
15 reasonableness of the proposed temporary rates?

16 A. (St. Cyr) I, too, believe that they are just and
17 reasonable.

18 (Atty. Brown conferring with Mr.
19 Sullivan.)

20 MS. BROWN: Thank you, Commissioners. I
21 believe that concludes Staff and the Company's direct.

22 CMSR. HARRINGTON: Okay. Does
23 Mr. Sullivan wish to ask any questions?

24 MR. SULLIVAN: No.

[WITNESS PANEL: St. Cyr~Laflamme]

1 CMSR. HARRINGTON: Okay. How about the
2 intervenors, either of you? Mr. Lake?

3 MR. deFEYTER: Mr. Lake.

4 MR. LAKE: If you don't mind, I'd rather
5 have Bob go ahead. I'm a little under the weather right
6 now.

7 CMSR. HARRINGTON: That's fair enough.

8 MR. deFEYTER: Just a question, a
9 clarification. I assume we're just dealing with the
10 temporary rates right now, is that correct?

11 CMSR. HARRINGTON: That is correct.

12 MR. deFEYTER: Okay.

13 CMSR. HARRINGTON: There will be another
14 process to go through, where there will be discovery and
15 meetings and so forth on the permanent rates, that may or
16 may not come to a second settlement agreement, but it will
17 at some point come to a hearing where those rates will be
18 discussed.

19 MR. deFEYTER: Okay. So, we have no
20 objection to continuing the current rates, is my
21 understanding as what they're going to be doing, as
22 temporary rates.

23 CMSR. HARRINGTON: Okay. Thank you.

24 MR. LAKE: I'll go ahead now, if you

[WITNESS PANEL: St. Cyr~Laflamme]

1 don't mind.

2 CMSR. HARRINGTON: Okay. Certainly.

3 MR. LAKE: I have a lot of questions on
4 this whole procedure. I know it's procedural. And, it's
5 an obligation of the PUC to hold it and to make its
6 decision. But I'm concerned about this whole ballgame
7 here, and I don't know if that's what you want to call it.
8 We're just not getting what we should be getting from this
9 water company, being smaller than large. We've had
10 problems in the past with fecal matters in the water. The
11 Commission issues orders, and the water company pays no
12 attention. I don't know about when it was, about three
13 years ago that you issued an order that they put a
14 filtration system between the wells, and --

15 CMSR. HARRINGTON: Excuse me just one
16 second, sir. I mean, I have no problem with you making a
17 statement. You can do that in two ways. You can make a
18 public statement to the Commission or you can actually
19 take the stand, if you want to testify yourself, you can
20 do that. But, at this time, we're just looking if you
21 have any particular questions of this panel. We're not
22 shutting you off. You will have your opportunity. But,
23 right now, it's do you have questions of these two
24 gentlemen?

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[WITNESS PANEL: St. Cyr~Laflamme]

1 MR. LAKE: Well, I've been promised that
2 they were going to have a mapping of the whole system. I
3 haven't seen it. I think it's the young lady in front of
4 me that left the message that I'd be able to see it at the
5 hearing.

6 CMSR. HARRINGTON: Well, maybe one of
7 these gentlemen could comment on what is the present
8 situation with regard to mapping of the system?

9 WITNESS ST. CYR: There is a preliminary
10 plan that the Company has in its possession. There is
11 actually a data request, where the Staff has asked for a
12 copy of that plan. And, it's the Company's intention to
13 file it in response to that data request.

14 CMSR. HARRINGTON: And, do you have a
15 date for that when it will be filed?

16 WITNESS ST. CYR: The data requests are
17 due two weeks after they were initially submitted. I
18 believe it -- it will be done shortly.

19 CMSR. HARRINGTON: Thank you.

20 WITNESS LAFLAMME: I believe that the
21 data request is due tomorrow.

22 CMSR. HARRINGTON: Do you have any other
23 further questions you'd like to ask these gentlemen?

24 **CROSS-EXAMINATION**

[WITNESS PANEL: St. Cyr~Laflamme]

1 BY MR. LAKE:

2 Q. Well, the Staff asked I think 10 or 12 questions. And,
3 I wonder if we have any replies to those questions?

4 A. (St. Cyr) I believe those are the data requests that
5 the gentleman's referring to, and those responses are
6 due tomorrow.

7 CMSR. HARRINGTON: Do you agree with
8 that, Mr. Laflamme?

9 WITNESS LAFLAMME: Yes.

10 CMSR. HARRINGTON: Okay. So, we should
11 be seeing those, and those will be made available to you
12 as well.

13 Just let me see if you have any further
14 questions. Do you anything additional you would like to
15 ask the panel?

16 MR. LAKE: Excuse me, sir. Are we going
17 to receive copies of those answers?

18 CMSR. HARRINGTON: That can be arranged,
19 certainly. I think, as intervenors, you will receive
20 copies of the data requests.

21 MR. LAKE: I appreciate it. Now, --

22 CMSR. HARRINGTON: And, just for your
23 information, you can always find that stuff, things like
24 that, by going to the PUC website and looking up this

[WITNESS PANEL: St. Cyr~Laflamme]

1 docket number. As the information comes in -- no, I'm
2 sorry, data requests don't get posted. But you would get
3 them as an intervenor.

4 MR. LAKE: Well, I know Mr. deFeyter had
5 trouble getting onto the website. I got on the website at
6 the library, and their system is so confusing that the
7 young lady spent probably an hour helping me. I'm just an
8 old-timer. I do know enough to punch a few buttons and
9 get a few answers. But, every time I would touch it, it
10 would go off. I was wondering why -- I've got 60 pages
11 here that she helped me copy yesterday, and I made a copy
12 for Mr. deFeyter. Is there a reason why we didn't receive
13 these?

14 CMSR. HARRINGTON: I really couldn't
15 comment on that. Right now, I don't have enough
16 information. Perhaps, if you would address the Staff
17 after this hearing, they would be able to give you a
18 little bit of guidance on what's going on with regard to
19 what it is you haven't received. But, as an intervenor,
20 you should be receiving all this type of information,
21 because you were approved as an intervenor in the earlier
22 proceeding.

23 MR. LAKE: That's what I thought. And,
24 I appreciate that answer, sir.

[WITNESS PANEL: St. Cyr~Laflamme]

1 CMSR. HARRINGTON: And, if you're not
2 getting it, please let us know, and we'll make sure you
3 are.

4 MR. LAKE: All right.

5 CMSR. HARRINGTON: And, just to --

6 MR. LAKE: They're after --

7 CMSR. HARRINGTON: Oh, excuse me.

8 MR. LAKE: -- more money, I guess, for
9 secretarial help. Somewhere I read in this that they have
10 a computer bookkeeping system called "Quicken".

11 MS. BROWN: Commissioner Harrington, I'd
12 just like to remind the intervenors that, at this stage of
13 the proceeding, it's questions to the panel. And, Staff
14 certainly does not oppose an offer of proof or getting a
15 position on the record. But these gentlemen either have
16 questions from the intervenors or not at this time?

17 CMSR. HARRINGTON: Yes, I have to agree
18 with that. If you --

19 MR. LAKE: Well, there was
20 misinformation is what I was --

21 CMSR. HARRINGTON: Excuse me, sir. What
22 I want to make sure you're clear on is that, right now,
23 it's questions to the panel. If you want to testify
24 yourself or make a public statement, we will give you that

[WITNESS PANEL: St. Cyr~Laflamme]

1 opportunity. You can do either or both. But, for right
2 now, --

3 MR. LAKE: And, that will go on the
4 record, sir?

5 CMSR. HARRINGTON: That will go on the
6 record as well.

7 MR. LAKE: All right. You know, I
8 missed some of this. And, I don't know who the second man
9 is, Laflamme?

10 CMSR. HARRINGTON: He's a member of the
11 PUC Staff, yes.

12 MR. LAKE: PUC Staff. Thank you. And,
13 I take it this is St. Cyr here?

14 WITNESS ST. CYR: Yes.

15 MR. LAKE: So, I'll let Mr. deFeyter go
16 on. And, then, I would like to make some statements
17 later.

18 CMSR. HARRINGTON: Fair enough. Mr.
19 deFeyter, do you have questions for the panel?

20 MR. deFEYTER: I just wanted to ask a
21 clarification from Mr. St. Cyr.

22 BY MR. deFEYTER:

23 Q. On the mapping system, we just had an incident in
24 November, when they had to close down the water system

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[WITNESS PANEL: St. Cyr~Laflamme]

1 in order to work on the condominiums because they could
2 not find the shutoffs for the condominiums. And, so,
3 it's my understanding -- is it your understanding the
4 entire mapping of the system has been done and is
5 available, and shows where things like the shutoffs and
6 blow-off valves and so forth are? Or, is it still a
7 work in progress?

8 A. (St. Cyr) My understanding is that there's a
9 preliminary plan that's been prepared. I don't believe
10 it's final at this point. But it has the wells and the
11 pump houses and the mains identified.

12 Q. Okay. But not necessarily shutoffs and things like
13 that?

14 A. (St. Cyr) I am specifically not aware of whether that's
15 on the plan or not.

16 Q. Okay. So, there is additional work, additional expense
17 that's going to be required in order to complete the
18 mapping of the system?

19 A. (St. Cyr) As far as I know, yes.

20 Q. Do you have an estimate of how much of the mapping has
21 been done or how much of the cost has been incurred?
22 The number I think that you put in your testimony last
23 time was "\$5,525". Now, that's the money that has been
24 expended to date?

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1 A. (St. Cyr) Yes.

2 Q. And, so, can you give an estimate of how much more
3 money might be needed in order to complete the mapping
4 of the system?

5 A. (St. Cyr) I cannot give you that estimate, no.

6 MR. deFEYTER: Thank you.

7 MR. LAKE: May I ask a question, sir?

8 CMSR. HARRINGTON: Certainly.

9 BY MR. LAKE:

10 Q. Mr. St. Cyr, now we're talking about "preliminary map".
11 Is that available? Can we get a copy of it?

12 A. (St. Cyr) It is available. And, it will be provided to
13 the Staff and the intervenors in response to the data
14 request.

15 Q. Tomorrow?

16 A. (St. Cyr) Yes.

17 Q. So, if I ask the Staff to send me a copy, then that
18 would be a possibility?

19 A. (St. Cyr) I believe we will probably do that.

20 Q. You would do it?

21 A. (Witness St. Cyr nodding in the affirmative).

22 Q. So, do you have my address and everything?

23 A. (St. Cyr) If you're an intervenor, then I assume your
24 address would be on the service list, which we would

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[WITNESS PANEL: St. Cyr~Laflamme]

1 have access to.

2 Q. Well, if it isn't, it's a short call to the attorney,
3 and she can tell you what my address is.

4 MS. BROWN: I can confirm, by offer of
5 proof at this point, that all of the intervenors Staff has
6 either e-mail addresses, or, if they are not accessible
7 through e-mail, we have been contacting them through firm
8 mail. So, the Commission itself has all of the email --
9 all of the mail addresses of those intervenors.

10 CMSR. HARRINGTON: Thank you, Ms. Brown.

11 BY MR. LAKE:

12 Q. That is of utmost importance to me, to see what's going
13 on and what had been going on. I take it this water
14 company is what, 30 years old at least? Are you
15 familiar with that?

16 A. (St. Cyr) I'm not specifically aware of how old it is.

17 MR. LAKE: Well, they started building
18 in there, I guess Joe Sullivan's house was built in '75
19 maybe, and connected to the water system. You would
20 think, in all those years, that they would know or should
21 know. I think that's a statutory requirement, that they
22 have a good profile of the water system. Which, I guess,
23 even today, they don't have a firm handle on it.

24 But I would appreciate a copy, and we'll

[WITNESS PANEL: St. Cyr~Laflamme]

1 go from there.

2 WITNESS ST. CYR: Okay.

3 CMSR. HARRINGTON: Any further
4 questions?

5 (No verbal response)

6 CMSR. HARRINGTON: Okay. Attorney
7 Brown, any redirect? Oh, I'm sorry. Commissioner Scott.

8 CMSR. SCOTT: Thank you.

9 BY CMSR. SCOTT:

10 Q. In looking at our notes from the prehearing conference
11 on November 20th, I just want to confirm. In this
12 proceeding, are we being asked to do a renewal of the
13 waiver for metered service -- a rule waiver for metered
14 services in this proceeding?

15 A. (St. Cyr) Yes.

16 Q. Okay. Thank you. And, this may, again, maybe
17 something that Mr. Sullivan may be able to help with.
18 But have any of the customers been asking for metered
19 service?

20 A. (St. Cyr) He would be better able to answer that.

21 MR. SULLIVAN: We've had no specific
22 requests for metered service. We have had I believe one
23 customer say that, where it's a weekend home only, they
24 don't feel that they should have to pay the fixed rate.

[WITNESS PANEL: St. Cyr~Laflamme]

1 But, specifically, has anybody requested
2 to us to install a meter? No.

3 CMSR. SCOTT: Thank you. And,
4 similarly, looking back on the prehearing conference, I
5 think Mr. Sullivan, I believe, had made a comment
6 regarding legal costs, that there was at least some
7 potential for cost reimbursement of some sort related to a
8 court ruling. And, I was just curious if anything has
9 happened in between now and then?

10 MR. SULLIVAN: The ruling, the judge
11 enforced the settlement against Mr. Lake for the two
12 quarters we agreed to write off. As far as a recoupment
13 of legal costs? No, that wasn't granted.

14 CMSR. SCOTT: Okay. Thank you. Those
15 are all my questions.

16 CMSR. HARRINGTON: Okay. Just a couple
17 of quick questions.

18 BY CMSR. HARRINGTON:

19 Q. In the prehearing conference, I guess it will be
20 directed to Mr. Laflamme, I have a note here to the
21 effect that the Staff was recommending that the tariffs
22 should be reviewed, it has not been reviewed since
23 1985. Is this still to be done as part of the
24 permanent rate review?

1 A. (Laflamme) Yes.

2 Q. Okay. So, the entire tariff will be looked at. And,
3 it seems as if there's an agreement on the fact that
4 the permanent rates are going to be higher than the
5 temporary rates. And, the main purpose of the
6 temporary rates is to minimize the amount of
7 reconciliation that has to be done. In this case, it
8 looks like it would be of keeping the temporary -- by
9 making the rates that we have in effect already the
10 temporary rates, it will seem to increase the amount of
11 reconciliation when that gets done. Now, there was a
12 statement made by Mr. St. Cyr that they kept the
13 present rates because it would attempt to get the
14 permanent rates into effect quicker. Is that the
15 justification behind not using what the normal process
16 is for temporary rates and putting something in that's
17 maybe not as high as the permanent rates might be, but
18 it's higher than the present rates? Either of you can
19 comment on that.

20 A. (Laflamme) Yes. Because of the size of the Company,
21 and the issues in the permanent rate proceeding, it was
22 felt that the permanent rates could be dealt with in an
23 expeditious manner, if we didn't go through the normal
24 process for temporary rates.

[WITNESS PANEL: St. Cyr~Laflamme]

1 Q. Okay.

2 A. (St. Cyr) I would just add to that, by focusing on
3 permanent rates and shortening the schedule, it reduces
4 rate case expenses as well.

5 Q. Okay. Well, that's very valid points. Just one last
6 question for Mr. St. Cyr on that, is that looking at
7 the schedule that was published on December --
8 Executive letter on December 3rd, if there isn't a
9 settlement, the hearing could be as late as April 24th.
10 Would the fact that the Company would continue to
11 receive rates at the present rates or revenues at the
12 present rates, would that put the Company in any
13 financial burden or difficulties, if it was stretched
14 to that long?

15 A. (St. Cyr) It would place a strain on the system. But
16 the fact is the Company has not paid some of its bills,
17 particularly the mapping cost and the legal costs, it's
18 yet to pay those bills. So, the longer the proceeding
19 goes on, the longer the delay in meeting some of its
20 expenses.

21 Q. So, I guess what I'm hearing from your point -- the
22 Company's point of view then, anything that tends to
23 shorten the procedure is better, and even if it means
24 keeping the rates -- using the present rates as

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1 temporary rates in that time frame?

2 A. (St. Cyr) That's correct.

3 CMSR. HARRINGTON: Okay. Thank you.

4 That's all the questions I had. We'll try this one more
5 time. Excuse me, we're going to get to you. But this has
6 to be -- we're on redirect. So, Attorney Brown?

7 MS. BROWN: The Staff has no redirect on
8 this panel. Thank you.

9 CMSR. HARRINGTON: And, normally, this
10 is where it would end. But, because I understand you're
11 not represented by counsel, please go ahead and ask your
12 question. And, just -- it should be a question to the
13 panel though, okay?

14 MR. deFEYTER: Yes. I was just going to
15 ask a question of the panel. Because I believe you said
16 that the rates had not been reviewed since '85.

17 BY MR. deFEYTER:

18 Q. And, Mr. St. Cyr, I believe that we were in here
19 before, in '09, --

20 CMSR. HARRINGTON: Excuse me. Just so
21 we're clear. What I had said is the tariff hadn't -- the
22 Staff had stated during the prehearing conference that the
23 tariff had not been reviewed since 1985. That's the
24 entire tariff. It includes rates and everything else

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1 associated with it. And, I believe that doesn't mean that
2 the rates haven't been looked at since then. But maybe --

3 MR. deFEYTER: Okay. I guess I don't
4 understand the difference between the "rates" and the
5 "tariff".

6 BY MR. deFEYTER:

7 Q. But we were in here in DW 08-160, and with the hearings
8 in '09. And, it was at that point that the -- was it
9 not at that point that the rates were increased?

10 A. (St. Cyr) Yes. There is a specific page in the tariff
11 that pertains to rates that changed as a result of the
12 last rate case. But the rest of the tariff probably
13 has not been changed in a while. And, what came up in
14 the prehearing conference was that it should be
15 reviewed and updated where necessary.

16 Q. Okay. Just for my clarification, can you explain the
17 difference between a "tariff" and the "rates"?

18 A. (St. Cyr) As I said a little bit earlier, the rates
19 are, in fact, reflected in the tariff. It's, you know,
20 a section of the tariff. As a whole, the tariff
21 addresses, you know, the Company's service area and the
22 way in which it generally operates. It's essentially
23 the agreement that the Company has that's been approved
24 by the Commission for its customers.

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1 MR. deFEYTER: Okay. And, if I could
2 just add one comment on the issue of meters. Renee
3 Arakelian, who was not able to be here today, was one of
4 the intervenors, is one of the people who has a -- uses as
5 a vacation home. And, she did indicate to me that she
6 would be interested in having meters.

7 And, I think, as Mr. Sullivan suggested
8 there, when people have vacation homes, obviously, they're
9 interested in paying less money, and because they use less
10 water. But, in her case, she wanted me to pass on her
11 interest in having it metered.

12 CMSR. HARRINGTON: And, any other
13 questions?

14 MR. deFEYTER: No.

15 CMSR. HARRINGTON: And, Attorney Brown,
16 because we sort of are doing things a little unusual
17 today, so we will give you an opportunity for re-redirect,
18 if you choose to do so?

19 **REDIRECT EXAMINATION**

20 BY MS. BROWN:

21 Q. I think it would be helpful for the record, either Mr.
22 St. Cyr or Mr. Laflamme can opine on the theory behind
23 rate design, and just because -- or, explain when a
24 metered service goes into effect versus a flat rate,

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1 does the rate, in total, go down? Do either of you
2 have -- can you speak to that issue?

3 A. (St. Cyr) I guess what -- I'll be happy to speak to the
4 issue. Essentially, what we're trying to do here is
5 establish an overall revenue requirement. And, that
6 overall revenue requirement is divided among the number
7 of customers in which the Company serves. To the
8 extent that you have a metered -- a meter and a metered
9 service, then it's distributed based on probably two
10 components; a consumption component and a fixed
11 component.

12 In systems like this that are relatively
13 small, you know, the water consumption is also
14 relatively small. So, the base rate would generally be
15 higher. And, if the Company were to have meters, it
16 would likely have a very high fixed rate and very low
17 consumption rate, because it still has to provide
18 service to that customer, whether they're there or not
19 there.

20 MS. BROWN: The Staff has no further
21 questions. Thank you.

22 CMSR. HARRINGTON: All right. Thank
23 you. Now, we're --

24 MR. LAKE: May I ask a question, sir?

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1 CMSR. HARRINGTON: All right. But we're
2 going to have to put an end to this someplace. But, go
3 ahead, you can ask one more question, sir.

4 BY MR. LAKE:

5 Q. Mr. St. Cyr, I take it that you got your information in
6 your statements here about the legal expenses from, I
7 guess this is Nate Sullivan over there, I never met
8 him. Just so that everybody will understand, there was
9 a difference of opinion as to two water bills; one time
10 I get a statement, another time I get a bill, one time
11 it's handwritten, another time it's typed. What I did
12 was I sent good checks, and marked them, what they were
13 for, and I guess, between their \$400 an hour attorney
14 and Nate Sullivan, they decided they were going to
15 squeeze the vice on me. Well, --

16 CMSR. HARRINGTON: Excuse me. Again,
17 this is more of a statement. You will have an opportunity
18 to testify or make a statement.

19 MR. LAKE: Well, it's in his statement,
20 and I just wanted to explain it.

21 CMSR. HARRINGTON: Okay. If you have a
22 specific question, it would be helpful.

23 BY MR. LAKE:

24 Q. Well, where did you get your information to put in this

[WITNESS PANEL: St. Cyr~Laflamme]

1 little statement you made?

2 A. (St. Cyr) The information comes from the books and
3 records of the Company.

4 Q. Oh. So, did you examine the court case --

5 A. (St. Cyr) I did not --

6 Q. -- to get your information?

7 A. (St. Cyr) I did not examine the court case.

8 Q. So, where would it show in the books and records all of
9 this dispute over two payments that were paid?

10 A. (St. Cyr) The books and records would indicate the
11 amounts that are billed on a quarterly basis. It would
12 indicate what's been paid and what has not been paid.
13 It would indicate the time that Nate would have spent
14 in his involvement in that particular matter. It would
15 show the legal bills that the Company has and has
16 processed. So, those are the financial information
17 that is on the Company's books and records that would
18 be in its financial statements and reflected in its
19 annual report and incorporated in this proceeding.

20 Q. Did you see the copies of the checks that were paid in
21 the last year?

22 A. (St. Cyr) I did not specifically see the copies of the
23 checks.

24 Q. So, you had to get your information somewhere. That's

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1 what I'm getting at. In other words, it had to come
2 from Sullivan himself. Now, why should we, as the
3 customers, have to pay for his bills? Why should we,
4 as customers, have to pay for this 5,500 or whatever it
5 is for mapping the water system that they should have
6 had for 30 some years? And, now, we're finding out
7 that 5,500 is not the end of it. That it could be
8 10,000, you don't know. Where's the cut-off point?
9 And, why should we pay for something that should be
10 part of their standard business proceedings in a water
11 system?

12 A. (St. Cyr) Well, the short answer is that, you know,
13 these are investments and expenditures that the Company
14 has made, you know, as part of a utility, it's part of
15 its responsibility to provide service to water.

16 Q. That's for their benefit and for the benefit of keeping
17 the costs down for his customers.

18 A. (St. Cyr) Actually, I think of it as the benefit to
19 both the owner, the Company, and its customers.
20 Everybody benefits when the utility, you know, does
21 what it's supposed to do and makes the expenditures
22 that it's supposed to make. When it makes those
23 expenditures, they're entitled to recovery of those
24 expenditures. It's a part of the cost of doing

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1 business.

2 MR. LAKE: Well, we'll go on with some
3 other matters later then, I guess. But, I, for one, am
4 not particularly satisfied with the procedures here, about
5 trying to have Mr. deFeyter pay the legal fees or part of
6 the legal fees, and paying for mapping a system that
7 should have been done many, many years ago. In other
8 words, because the Company has been lax or deficient in
9 caring for the water system, we all now have to pay
10 another 10 or 15,000. Last time you had the hearings,
11 there was what, 26,000, where you got a rate increase on
12 us up to 100 and, what, 115.48, I think it is, a quarter.
13 And, now, --

14 MS. BROWN: Commissioner Harrington, if
15 there are no other questions for the panel, may they be
16 dismissed and we move into closing arguments, perhaps?

17 CMSR. HARRINGTON: Yes. I tend to agree
18 with that. This has been more of a statement than
19 questions. So, the panel is dismissed at this time.

20 And, we will give the intervenors a
21 chance now. Just so you understand the process,
22 Mr. deFeyter or Mr. Lake, you can both or either of you
23 can take the stand and testify under oath, and one ask
24 questions of the other one, if you would like, or just

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1 make a statement. Or, you can just make a public
2 statement from where you're sitting. The testimony under
3 oath is given greater weight in the evidence, but they
4 nevertheless both go on the record and the Commission will
5 be aware of both statements. Now, this will be your
6 opportunity to do either of those.

7 MR. LAKE: Thank you.

8 MR. deFEYTER: No.

9 CMSR. HARRINGTON: Do you want to make a
10 statement at this time or --

11 MR. deFEYTER: I don't.

12 CMSR. HARRINGTON: Okay. Mr. Lake?

13 MR. LAKE: Yes, I'd like to. I'm sorry,
14 but, you know, I took time to come down here, and I've
15 been trying to fathom what's going on here. I, for one,
16 am particularly not happy. We have antiquated water
17 system. They want more money every time we turn around.
18 Yet, they haven't done a thing. They have got a upper
19 well house or upper tank house that they spent a lot of
20 money on. They want us to pay I think it was \$3,500 to
21 haul concrete or something. That's not even on Forest
22 Edge property or they don't have an easement. It's on
23 somebody else's property. It wasn't four months, five
24 months ago that he was putting in for \$126,000 that he

1 wanted us to pay for to build a fancy new well house and a
2 lot of other things.

3 Now, I read in the latest thing from the
4 water company that they have two wells, not four. The
5 system was designed for four wells. One was, I guess, a
6 sour water. So, that I don't know if they ever plugged it
7 or what, but they drilled a fourth well. Then, the
8 information we had before was that they had a third well
9 on the side hill, that's where they wanted to spend the
10 \$126,000. Maybe they wanted to deepen that well for
11 another \$26,000. I don't know. But, right now, the 2010
12 report shows that they have two wells. Well -- I think
13 it's Well 2 and 3, and they're both on the property of
14 either the former Joseph Sullivan, Jr., who developed the
15 water company. They're on the edge of the marsh. Maybe
16 that's where we get the bad water from, I don't know.
17 There's a lot of things that enter into this. Seems to me
18 there's a swimming pool on one of those properties, and
19 closed. And, when they have to empty it, I guess they
20 just pump it on the ground and let it run into the wells,
21 which are down behind the main house that Joe Sullivan
22 built.

23 CMSR. HARRINGTON: Mr. Lake, it would be
24 helpful if you had anything that you could address the

1 issue that we're trying to deal with today, which is the
2 temporary rates. Now, I don't know if you were here when
3 Mr. deFeyter basically said that he had "no objection to
4 using the present rates as temporary rates" while the
5 permanent rate hearing goes on. Now, some of the comments
6 you're making seem more germane to the permanent rate
7 process, which will be continuing over the next month or
8 so. But, today, we're trying to deal with whether we
9 should continue the existing rates as temporary rates
10 until such time as permanent rates are approved by the
11 Commission. So, do you have any particular comments
12 dealing with that issue, because that's what we're trying
13 to decide today?

14 MR. LAKE: Well, I guess I'm a bit of a
15 Scotlander. I like to make my money count. And, all of
16 these expenditures that they want to run the water
17 company, they want to get these fancy rates, we're
18 already, I don't know, 120 percent above what we were
19 paying. And, I guess that the former intervenors thought
20 that it was reasonable to give them a little rate
21 increase. Now, that rate increase leads to another rate
22 increase. And, in the foreseeable future, I guess they're
23 going to apply for this \$126,000 on the sidehill well and
24 tank system.

1 So, yes, I'm concerned. My wife and I
2 live on Social Security. And, I'm sure there's others in
3 the neighborhood. In fact, I don't want to name names, I
4 happen to know Mr. deFeyter from a zoning issue, and I met
5 him there, and I think he's a fine gentleman. And, I
6 don't know what he thinks of me, and I don't know what you
7 people think of me. I hope you just think that I'm an
8 ordinary citizen.

9 But, if not, I'll tell you who I am.
10 I'm Richard A. Lake. I'm 82 years old. I take care of my
11 80 year old wife, who's been through hell and back again.
12 It was a hard thing for me to come down here today and
13 leave her there alone. So, everything I do I do with what
14 I say is honesty. I served my three years in the Marine
15 Corps, thirteen months in Korea. And, when I say "one and
16 one is two", that's what I mean. I don't want any
17 fandangle solutions to this, just because they can't run
18 from water system in a reasonable manner. I shouldn't say
19 "fandangle", because I don't want the PUC to think that
20 I'm finding fault with you, all right? I just know that,
21 no matter what I do, one and one is always two. And, I
22 will hope that the Commission will take that just as a
23 statement.

24 And, you want to go ahead and proceed

1 with this and make this a temporary solution? It's the
2 same money that we are paying, until the final solution
3 for a permanent rate increase. But I would ask the
4 Commission to look carefully at everything that's going
5 on.

6 And, I understand that I'm allowed to
7 send the Staff attorney some written information. Am I
8 supposed to inform everybody else, the intervenors, the
9 water company, or can I just send it to the young lady,
10 the Staff attorney?

11 CMSR. HARRINGTON: I believe you can
12 just send it to the PUC and it will get distributed. If
13 you have specific questions, there is a schedule on --
14 that was published on December 3rd, that does appear on
15 the website, and it talks about what would happen next.
16 If the Settlement Agreement on the temporary rates gets
17 approved, then there's a request for data requests, and
18 this where the information is exchanged between the
19 parties, it gives you the opportunity to ask questions of
20 the Company as to why they propose spending money on
21 whatever they propose spending money on, why they feel
22 they need to do whatever it is they say they need to do,
23 and they will have to answer those questions.

24 MR. LAKE: Now, is that like an

1 interrogatory, is what I understand, is it?

2 CMSR. HARRINGTON: Yes.

3 MR. LAKE: It is.

4 CMSR. HARRINGTON: And, you also, of
5 course, have the opportunity during that process, and I
6 realize it's difficult for you to get here, to send in
7 just more public statements that can be put into the
8 formal record, and they will be read by the Commission in
9 making -- and used as part of the basis for making our
10 decision.

11 MR. LAKE: Well, may I ask one request
12 of the Commission? I think I saw a hearing scheduled for
13 9:00. Does that show on your list there?

14 CMSR. HARRINGTON: There's a settlement
15 -- a technical session/settlement conference scheduled for
16 January 31st, at 9:00 a.m.

17 MR. LAKE: Is there any chance of
18 cutting that back to 10:00?

19 CMSR. HARRINGTON: Well, I would leave
20 that to the parties to look at. Maybe a brief meeting
21 after this, people could meet and see if there's a way we
22 can accomplish that.

23 MR. LAKE: I'll ask the Staff attorney
24 and see if she can arrange it.

1 CMSR. HARRINGTON: Yes.

2 MR. LAKE: I just think it's unfair for
3 me to wake my wife up at 4:30 to make my coffee, if she
4 can. She did make it this morning, and it's very unusual.
5 She's doing a little better. And, I appreciate all of
6 your indulgence. And, I'm sorry if I'm long-winded, but I
7 think you understand where I come from.

8 CMSR. HARRINGTON: We do, sir. Thank
9 you. I guess that would get us to closing. Mr. St. Cyr,
10 do you have any closing statement?

11 MR. ST. CYR: Just that the Company,
12 obviously, is in support of the Stipulation Agreement, and
13 would respectfully request the Commission to consider it
14 and approve it.

15 CMSR. HARRINGTON: Do either of the
16 intervenors wish to make a closing statement?

17 MR. deFEYTER: No.

18 CMSR. HARRINGTON: And, does Staff?

19 MS. BROWN: Yes. Thank you for your
20 time today. And, briefly, Staff respectfully requests the
21 Commission approve the Stipulation Agreement presented
22 today.

23 With respect to meeting afterwards with
24 the intervenors, I'd just like to let you know that Staff

1 is available. We have been reaching out to the
2 intervenors through the discovery process, incorporating
3 some of their questions in Staff's, so that it would ease
4 their participation in discovery. And, we've been making
5 sure that those who don't have e-mail receive mail copies.
6 And, we will -- and, Staff will continue to take the lead
7 role in making sure that accommodations are made to allow
8 the intervenors to effectively participate in the
9 discovery process.

10 CMSR. HARRINGTON: Well, thank you for
11 that effort. I appreciate that. Maybe, if it's possible,
12 since Mr. Lake expressed some concern about getting into
13 the website, if you could -- maybe if there's some time
14 for someone to spend five minutes just showing him where
15 it is. Because, once you know how to get there, it's
16 actually pretty easy to get in and find the docket, and it
17 brings you up with a lot of information that we think you
18 would find helpful.

19 MR. LAKE: Oh, I found it, sir.

20 CMSR. HARRINGTON: Okay.

21 MR. LAKE: But my printer is gone.

22 CMSR. HARRINGTON: Okay.

23 MR. LAKE: So, it's kind of hard to hand
24 copy it. So, on anything I can do to go down to the

1 library and see that the young lady will find it for me.

2 CMSR. HARRINGTON: All right.

3 MS. BROWN: Staff will continue to work
4 with any intervenors who have incomplete files, and we'll
5 print things off, if need be. I mean, our goal is to have
6 effective participation of intervenors. There are also
7 some other issues that were raised by Mr. Lake today
8 regarding bad water. Staff is aware of the sanitary
9 survey. We think we have a good handle on the technical
10 aspects of this Company, in addition to the financial
11 aspects of the Company. But we will continue, through
12 discovery, to explore an issues that intervenors flag for
13 us, like the water quality issue.

14 And, with that, thank you for your time.
15 And, we request that the Commission approve the
16 Stipulation Agreement.

17 CMSR. HARRINGTON: Thank you. Are there
18 any other issues, other than the exhibits? Are there any
19 objections to taking the exhibits as full exhibits and
20 striking the identification?

21 MS. BROWN: No.

22 MR. ST. CYR: No.

23 CMSR. HARRINGTON: So done. And, we'll
24 take this under advisement. I understand there is a

1 schedule. Again, if people could meet for shortly after
2 here, if we need to revise that time frame from 9:00 to a
3 later time, parties could get together on that. And,
4 otherwise, we'll take this under advisement and make a
5 ruling on the temporary rates. Thank you.

6 (Whereupon the hearing ended at 11:10
7 a.m.)

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