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**P R O C E E D I N G**

CHAIRMAN GOLDNER: Okay. Good afternoon. I'm Chairman Dan Goldner, I'm here with Commissioner Pradip Chattopadhyay, presiding over this afternoon's technical conference in Docket Number DE 23-091, the Company's SCRC proceeding, and Docket DE 24-032, the Burgess-related review docket.

This technical conference is scheduled pursuant to a procedural order issued on October 24th, 2024, in these dockets, in response to the second Eversource compliance tariff filing made on October 23rd.

Before we take simple appearances for the record in this technical conference, the Commission wishes to outline what it had intended in Order 27,053, issued on August 30th, terminating the Chapter 340 Adder, and Order Number 27,066, issued on October 16th, rejecting the first Eversource compliance tariff filing as non-compliant.

It was the Commission's intention that, upon terminating the Chapter 340 Adder, that the Chapter 340 SCRC rate component (see the 10/23

1 tariff filing, Bates 039) would be eliminated.  
2 That is, there would be no "Chapter 340" line in  
3 the tariff. That the Part 2 adjustment, based on  
4 the \$3 million under-collection, would be  
5 collected by the Company on the "Part 2" line,  
6 General Part 2. Using the same 10/23 Page 39  
7 tariff filing, Part 2 for Residential Service,  
8 for example, would be minus 0.29. It would be  
9 the minus 0.440, plus the 0.155 calculated by the  
10 Company. So, the net of those would be negative  
11 0.29, and it would all show up in Part 2.

12 And just to be clear, the total SCRC  
13 rate, as calculated by the Company in the 10/23  
14 filing, would be the exact same. So, it's just  
15 where the lines are and which lines show up.

16 So, that's it. With this baseline, we  
17 welcome Eversource personnel, though, through  
18 these Company -- though these Company experts  
19 that prepared the most recent October 23rd  
20 technical statement will not be sworn, there  
21 remains, of course, a duty of candor to the  
22 Commission.

23 So, we'll now take appearances,  
24 beginning with the Company.

1                   MR. WIESNER: Good afternoon, Mr.  
2 Chairman, Commissioner Chattopadhyay. David  
3 Wiesner, representing Public Service Company of  
4 New Hampshire, doing business as Eversource  
5 Energy.

6                   With me are Douglas Horton, Vice  
7 President of the Regulatory Department for  
8 Eversource; and Bryant Robinson, Manager of  
9 Revenue Requirements for New Hampshire; and Scott  
10 Anderson, Manager of Rates for New Hampshire.

11                   Ashley Botelho is out of New England  
12 today attending a memorial service and was not  
13 available to be here. Mr. Horton is covering for  
14 her.

15                   CHAIRMAN GOLDNER: Okay. Thank you,  
16 Attorney Wiesner. The Office of the Consumer  
17 Advocate?

18                   MR. CROUSE: Thank you. Good  
19 afternoon, Commissioners. My name is Michael  
20 Crouse, Staff Attorney to the OCA, representing  
21 residential customers in this matter.

22                   If appropriate, the Office of the  
23 Consumer Advocate has an objection it would like  
24 to preserve on the record. If now is the

1 appropriate time to make that, we're prepared to  
2 do so.

3 CHAIRMAN GOLDNER: Sure. Just taking  
4 simple appearances, but let's move to that  
5 quickly.

6 MR. CROUSE: Thank you.

7 Simply, the Office of the Consumer  
8 Advocate wishes to preserve for the record its  
9 objection to this proceeding today. The OCA  
10 believes that its authorized nowhere, in either  
11 the Administrative Procedure Act, the  
12 Commission's enabling statutes, or any of the  
13 Commission's procedural rules. And the OCA does  
14 not believe it's a reasonable application of  
15 Section 4 of RSA 374.

16 Simply, the OCA is concerned about  
17 prejudice, due process, and any irregularities  
18 arising from today's proceeding.

19 CHAIRMAN GOLDNER: Okay. Duly noted,  
20 Mr. Crouse.

21 And we'll move on to the Department of  
22 Energy?

23 MR. CROUSE: Thank you for the  
24 indulgence.

1 MR. DEXTER: Paul Dexter and Molly  
2 Lynch, representing the Department of Energy.  
3 And we're joined by Steve Eckberg, Analyst with  
4 the Regulatory Division.

5 CHAIRMAN GOLDNER: Okay. Thank you,  
6 Attorney Dexter.

7 Okay. Today's discussion might be  
8 quite brief. So, when I described what the  
9 Commission was looking for in the opening, does  
10 the Company have any questions or concerns, or  
11 can it make those adjustments?

12 And, if so, then I'll just check with  
13 the other parties, and we can make quick work of  
14 today's discussion.

15 MR. WIESNER: I think it would still be  
16 helpful to have some further discussion, to make  
17 sure that we fully understand exactly what it is  
18 the Commission is driving at here. I think there  
19 was some confusion earlier in the process, and  
20 that's what resulted in the filing that we made  
21 in September, which the Commission found to be  
22 non-compliant. And, you know, we did our best  
23 last week to put together something that we  
24 believe is compliant, and could be approved by

1 the Commission.

2 But just, if we can focus on the  
3 specifics of what we filed, and just make sure  
4 that there is -- that we either have it right, or  
5 that we fully understand what changes need to be  
6 made.

7 CHAIRMAN GOLDNER: Okay. No, thank  
8 you, Attorney Wiesner. I'm happy to do that.

9 If everyone could just please turn to  
10 Page 39 of the filing that was made on -- it was  
11 the October -- it was the most recent filing, the  
12 date just disappeared from my machine.

13 MR. SPEIDEL: 10/23.

14 CHAIRMAN GOLDNER: 10/23? Yes, 10/23.  
15 So, if you go to Page 39, I'll give everyone a  
16 moment to get there. Bates 039.

17 All right. Is everyone there? Okay.  
18 So, if you -- I'm just looking at the table at  
19 the top. So, it says "SCRC Rate Component (in  
20 cents per kilowatt-hour)", in the far left.  
21 Then, it has "Part 1", "Part 2". So, when it  
22 says "Chapter 340", the Commission was expecting  
23 that line to be completely eliminated, because  
24 that's no longer -- it's no longer relevant. The



1 Chapter 340 has been eliminated. So, that's  
2 Piece Number 1.

3 And, then, Piece Number 2 is just that  
4 the "Part 2 (Other)", that "0.155" that shows up  
5 there, we were expecting that "Part 2" line to  
6 show up in "Part 2". So, up two lines. And, so,  
7 all of those lines on -- between "Part 2" and  
8 "Part 2 (Other)" would just be netted, and, then,  
9 again, the total SCRC wouldn't change. So, it  
10 was the tariff pages that we were trying to  
11 remedy.

12 MR. WIESNER: So, I will say, I believe  
13 that the reason that we have "Chapter 340"  
14 showing here is just to show that it is zero, in  
15 terms of revenue collection. And that, you know,  
16 I think we believe, in the interest of  
17 transparency, would disclose what has happened  
18 with that 340 Adder. And it's that decrease in  
19 revenue collection that is intended to eliminate  
20 the over-collection that the Commission was  
21 concerned about.

22 CHAIRMAN GOLDNER: Okay. I understand  
23 the Company's point of view on that.

24 Would the Company have an objection to

1           just striking that line and footnoting it,  
2           something like that?  It's just, would that be  
3           okay?

4                     MR. WIESNER:  Yes, that's fine.

5                     CHAIRMAN GOLDNER:  Okay.

6                     MR. WIESNER:  And, then, on the "Part 2  
7           (Other)", separately -- separate line item,  
8           primarily because it's an equal cents per  
9           kilowatt-hour allocation, as opposed to the  
10          general Part 2, which runs through the percentage  
11          allocations that were approved in the settlement  
12          agreement several years ago.

13                    I think, if I heard you correctly,  
14          Mr. Chairman, what you would like to see is the  
15          "Part 2" line show the net of, say, less --  
16          negative 0.440 for residential, netted against  
17          the 0.155.

18                    CHAIRMAN GOLDNER:  Correct.

19                    MR. WIESNER:  Is that right?  Okay.

20                    CHAIRMAN GOLDNER:  So, my math shows  
21          that that would be 0.29, although I might have a  
22          rounding error, and then that would be what would  
23          show up on the "Part 2" line.  So, minus 0.440,  
24          plus 0.155.  And, then, obviously, just do that

1 for each of the other columns, and then that  
2 would be that.

3 MR. WIESNER: I think it's fair to say  
4 that, following the hearing we had in August,  
5 that we did understand that the Commission was  
6 looking to preserve the equal cents per  
7 kilowatt-hour allocation, even though the  
8 stragglng Burgess-related costs would be  
9 collected through Part 2. Is that --

10 CHAIRMAN GOLDNER: That would be a  
11 misunderstanding, a misunderstanding. That was  
12 not our intention.

13 MR. WIESNER: Okay. Well, what --

14 CHAIRMAN GOLDNER: And that shows up,  
15 Attorney Wiesner, in your filings, too. Clearly,  
16 there's confusion on that point. And that's why  
17 we called for the technical conference, to walk  
18 through it and make sure that we are all on the  
19 same page. That's all.

20 MR. WIESNER: Okay. Well, this is  
21 important, then. Because the 0.155, that does  
22 not reflect the percentage allocations of general  
23 Part 2. That's an equal cents per kWh  
24 allocation.

1                   CHAIRMAN GOLDNER: That is -- I  
2 understand that's how the Company calculated it.  
3 And that is -- that is, from the Commission's  
4 point of view, we want to check with the parties,  
5 but, from our point of view, it's fine to just  
6 put that 0.155 in the general Part 2, run it all  
7 the way across, and then just whatever those  
8 numbers add up to would show up in Part 2.

9                   MR. WIESNER: So, that is effectively  
10 preserving the equal cents per kWh allocation.

11                   CHAIRMAN GOLDNER: Yes.

12                   MR. WIESNER: Thank you.

13                   CHAIRMAN GOLDNER: Commissioner  
14 Chattopadhyay.

15                   CMSR. CHATTOPADHYAY: I think what you  
16 were sharing is we are in sort of the same place,  
17 and there's a little bit of miscommunication  
18 going on. But that 0.155, which is the same rate  
19 throughout, will be in place?

20                   MR. HORTON: And I know I'm coming late  
21 to the -- but just, I believe I'm tracking, which  
22 might be good for all of us if I can track it,  
23 but, so, yes, it's -- we're going to preserve  
24 substantively in the rates that are reflected in

1 the October 23rd filing will be the same, but the  
2 presentation of them, and that also says that the  
3 equal customer class allocation is also preserved  
4 for what we had referred to as "Part 2 (Other)",  
5 presentationwise, we will eliminate "Chapter  
6 340". There will not be a line showing "zero".  
7 And, presentationwise, we will reflect that equal  
8 allocated 0.155, we will simply embed it under  
9 the "Part 2" line, so it will preserve that equal  
10 allocation and will just be presented.

11 And you're not opposed to us, for  
12 transparency, and so we can recollect what we've  
13 done, because the supporting schedules may be  
14 something different, you're not opposed to us  
15 adding a footnote or somewhere to clarify what  
16 you just asked us to do?

17 CHAIRMAN GOLDNER: Exactly.

18 MR. HORTON: Okay.

19 CHAIRMAN GOLDNER: I'm sorry, yes.

20 And, so, you can just say that "Chapter 340 has  
21 been terminated", or something to that effect.

22 MR. HORTON: Yes.

23 CHAIRMAN GOLDNER: Yes. So that it's  
24 transparent.

1           Okay. Attorney Crouse, would you have  
2 any comments on the discussion here?

3           MR. CROUSE: Yes. I'm just a simple  
4 attorney, so I'm going to repeat back what I  
5 heard.

6           My understanding is that the equal  
7 allocation amongst customer classes is going to  
8 be preserved with what's just been discussed. Is  
9 that correct?

10          CHAIRMAN GOLDNER: Yes. Just to repeat  
11 back, the "0.155" showing in "Part 2 (Other)"  
12 will be added to the "Part 2" line, and the net  
13 of those two numbers will show in "Part 2".

14          MR. CROUSE: Thank you. I have no  
15 other comments.

16          CHAIRMAN GOLDNER: Thank you, Attorney  
17 Crouse.

18          Attorney Dexter.

19          MR. DEXTER: I'd just like a moment to  
20 confer with Mr. Eckberg please?

21          CHAIRMAN GOLDNER: Of course.

22                 *[Atty. Dexter and Mr. Eckberg*  
23                 *conferring.]*

24          MR. DEXTER: So, the Department is fine

1 with the method that the Commission proposed. We  
2 just wanted to point out that, as we understand  
3 it, it will make it impossible to further track  
4 the Burgess stranded costs from other stranded  
5 costs once they get combined into the same line.

6 And, so, that's a concern we have. But  
7 we just note that as a concern.

8 CHAIRMAN GOLDNER: Okay. Thank you,  
9 Attorney Dexter.

10 Okay. I think we've heard from  
11 everyone. We'll just take a quick, let's call it  
12 a "ten-minute break", just to get an even number.  
13 We'll come back at 1:25, so the Commissioners can  
14 confer, and we'll wrap this up.

15 So, thank you. Off the record.

16 *(Recess taken at 1:16 p.m., and the*  
17 *technical conference resumed at*  
18 *1:26 p.m.)*

19 CHAIRMAN GOLDNER: Okay. Before we  
20 adjourn today, would there be any problem with  
21 the Company filing the updated and compliant  
22 tariff before close of business tomorrow,  
23 October 29th?

24 MR. WIESNER: I just -- we were looking

1 at Bates 039, and that's the table. If you go to  
2 Bates 038, there is language that describes  
3 "Part 2 (Other)". And I think we would propose  
4 to modify that language, and perhaps cover the  
5 concept of the Burgess-related costs now included  
6 in Part 2, but subject to the equal cents per  
7 kilowatt-hour allocation in a footnote.

8 CHAIRMAN GOLDNER: No. What the  
9 Commission is looking for is just that table, on  
10 39, just like we talked about, netting those two  
11 numbers. And that's really all we need.

12 MR. WIESNER: So, no change to the text  
13 as it appears on -- redlined on Page 38?

14 CHAIRMAN GOLDNER: I don't think so.  
15 But let me just read it real quick.

16 *[Short pause.]*

17 CHAIRMAN GOLDNER: You're right,  
18 Attorney Wiesner, that would need some  
19 modification, because, just to describe what  
20 we're talking about in the table, you're right,  
21 that would require some modification, because it  
22 talks about "Part 2 (Other)", and so forth. So,  
23 that would require a modification. You're right  
24 about that.



1 MR. WIESNER: Yes. And we can take a  
2 shot at that, or we can try to do it on the fly  
3 here?

4 CHAIRMAN GOLDNER: Let's do it on the  
5 fly here. We're all here. And we appreciate  
6 everyone bringing their teams. So, this is  
7 great.

8 MR. WIESNER: So, we are still talking  
9 about an interim rate change for the period  
10 "November through January by reducing or  
11 increasing", and here it's an increase, to the  
12 "Part 2", scratch "(Other)", "costs", with the  
13 rate change to reflect, and here, instead of  
14 "Part 2 (Other)", we would have to say something  
15 like "inclusion", again, this is on the fly,  
16 "inclusion of Burgess PPA-related costs  
17 allocated" -- well, that's in the next sentence,  
18 "and the elimination of the Chapter 340 Adder  
19 rate as of November 1st."

20 MR. SPEIDEL: It could say, Attorney  
21 Wiesner, "to reflect the modification of the  
22 Part 2 rate and the elimination of the Chapter  
23 340 Adder rate."

24 MR. WIESNER: Okay.

1 MR. SPEIDEL: Just simply that.

2 MR. WIESNER: And, then, do you think  
3 the next sentence, in some form, or maybe this is  
4 a footnote to the table, which is where it refers  
5 to that portion of the "Part 2 costs allocated on  
6 an equal cents per kWh basis"?

7 MR. HORTON: We could include that, in  
8 that footnote, a reference to the supporting  
9 schedule where we calculated the 0.155, okay, I  
10 see heads nodding, and that would allow us to  
11 preserve where that came from, the 0.155 rate.

12 So, should we put our heads together  
13 and just make sure that we state what's -- I  
14 think that's the extent of it, essentially.

15 MR. WIESNER: Yes. I think, I mean,  
16 what we just described I think is what the  
17 Commission intends. And it would both, you know,  
18 effectuate the different presentation that the  
19 Commission is looking for, while preserving the  
20 underlying calculations. So that, if anyone  
21 bothers to look at those, they will see how we  
22 got there.

23 And going forward, you know, as I said,  
24 this is intended to zero everything out by the

1 end of January. But there are variables,  
2 obviously, such as retail sales. If the sales  
3 are lower than estimated, there could be some,  
4 you know, hopefully minimal amount that we carry  
5 forward in the next SCRC rate, which we'll be  
6 filing soon enough.

7 CHAIRMAN GOLDNER: Exactly. And we do  
8 understand there might be some --

9 *[Court reporter interruption.]*

10 CHAIRMAN GOLDNER: That there could be  
11 a small or minor change.

12 *[Chairman Goldner and Atty. Speidel*  
13 *conferring.]*

14 MR. DEXTER: Mr. Chairman, if I may,  
15 the Department had a question?

16 CHAIRMAN GOLDNER: Of course.

17 MR. DEXTER: I think we're following  
18 the on-the-fly drafting. But I heard Mr. Horton  
19 reference "language that's going to go in the  
20 tariff that's going to reference some sort of  
21 supporting schedule." And I'd just like to hear  
22 from the Company how that's going to be presented  
23 in connection with the tariff?

24 CHAIRMAN GOLDNER: Thank you.

1                   *[Company representatives conferring.]*

2                   MR. WIESNER:   If you'll indulge us just  
3                   a moment longer, we want to make sure we get the  
4                   language right so there's only one more filing  
5                   here.

6                   CHAIRMAN GOLDNER:   Thank you.

7                   *[Company representatives conferring.]*

8                   MR. HORTON:   Okay.   So, what we would  
9                   plan to do, if you're looking at Bates Page 038,  
10                  which is redlined, which would make it a little  
11                  confusing, but I think, hopefully, it's  
12                  straightforward by the end.   So, if you're  
13                  looking at Bates Page 038, it starts at the top  
14                  of that page, and it's redlined, "In accordance  
15                  with Order Numbers 27,053 (August 30, 2024) and  
16                  27,066 (October 16th, 2024), any difference  
17                  between the amount of Chapter 340 costs to be  
18                  recovered during the nine month period  
19                  February 2024 to October 2024 and the actual  
20                  revenue received during that period shall be  
21                  refunded or recovered by PSNH with a return  
22                  during the subsequent three month period  
23                  November 2024 to January 2025 by reducing or  
24                  increasing Part 2", we will then strike the word

1       "(Other)", so it will simply say "Part 2 costs,  
2       with an interim rate change to the SCRC rate  
3       effective November 1, 2024 to reflect the  
4       Part 2", and we will again strike the word  
5       "(Other)". So, it will read "by reducing or  
6       increasing Part 2 costs with an interim rate  
7       change" -- oh, I'm so sorry. I backtracked. I'm  
8       sorry. So, it would say "the SCRC rate effective  
9       November 1, 2024 to reflect the Part 2 rate and  
10      the elimination of the Chapter 340 Adder rate."

11               So, to this point, we just deleted the  
12      word "(Other)" in two places from what we had  
13      filed on that Bates page.

14               MR. SPEIDEL: And, Mr. Horton, yes. We  
15      had thought that we add the word "to reflect the  
16      *modified* Part 2 rate."

17               MR. HORTON: Okay. So, got it.

18               CHAIRMAN GOLDNER: I'm just pausing you  
19      further there. The first line, which is not  
20      redlined, "Chapter 340 stranded costs will be  
21      allocated on an equal cents per kilowatt-hour  
22      basis for all customer classes", I think that  
23      would need to be struck, as there is no Chapter  
24      340 stranded costs.

1           MR. ANDERSON: That's actually not the  
2 start of that sentence. But, I agree, we can  
3 strike that full sentence.

4           CHAIRMAN GOLDNER: Great. Thank you.  
5 Yes. It just shows up on the first line of  
6 Page 38.

7           MR. HORTON: Okay. So, starting on 38,  
8 we're going to strike the first sentence, which  
9 is not redlined, starting with "Chapter 340", and  
10 ending with "customer classes". We have some  
11 more changes, but thus far we're going to do  
12 that, and then delete the word "(Other)" from two  
13 places. And we will add the word "modified", so  
14 that it reads "the SCRC rate effective  
15 November 1, 2024 to reflect the modified Part 2  
16 rate and the elimination of the Chapter 340 Adder  
17 rate."

18           Okay. And, then, we would add a  
19 footnote at that point, which will essentially  
20 replace what is currently a redlined sentence  
21 thereafter, starting with "The revenue  
22 requirement to recover Part 2 (Other)", we're  
23 going to delete that sentence, starting with "The  
24 revenue requirement to recover Part 2 (Other)",

1 going through "all customer classes". The  
2 footnote we will add will read: "The revenue  
3 requirement to recover Chapter 340 costs incurred  
4 during the nine month period February 2024  
5 through October 2024 will be allocated on an  
6 equal cents per kilowatt-hour basis for all  
7 customer classes, as presented in Attachment  
8 ANB/SRA-2, Page 1, and will be reflected in the  
9 modified Part 2 rate line item."

10 CHAIRMAN GOLDNER: And, then, I would  
11 just say something about, just to be clear, that  
12 the "Chapter 340 Adder has been terminated  
13 effective October 31st, 2024", so that everyone  
14 is clear that this was something we're just  
15 tidying up and that it's terminated at the end of  
16 this month.

17 *[Chairman Goldner and Atty. Speidel*  
18 *conferring.]*

19 CHAIRMAN GOLDNER: And, then, Attorney  
20 Speidel just reminded me that, when the Company  
21 makes a new SCRC filing for effect February 1st,  
22 2025, then all this will go away. So, this is  
23 just a temporary fix, and then off we go.

24 MR. HORTON: Right. Okay.

1           So, the footnote, I'll just reread  
2           that, and then there was one last change that we  
3           have to the body of the paragraph, I think  
4           consistent with what you were just saying, Chair  
5           Goldner.

6           So, the footnote would read: "The  
7           revenue requirement to recover Chapter 30 *[sic]*  
8           costs incurred during the nine month period" --

9           *[Court reporter interruption.]*

10          MR. HORTON: I'll start it over.

11          MR. PATNAUDE: Okay. Thank you.

12          MR. HORTON: "The revenue requirement  
13          to recover Chapter 340 costs incurred during the  
14          nine month period February 2024 to October 2024  
15          will be allocated on an equal cents per  
16          kilowatt-hour basis for all customer classes, as  
17          presented in Attachment ANB/SRA-2, Page 1, and  
18          will be reflected in the modified Part 2 rate  
19          line item. Chapter 340 cost recovery will have  
20          been eliminated effective October 31, 2024."

21          CHAIRMAN GOLDNER: That's correct.

22          MR. HORTON: Okay. And, then, our last  
23          change, so then back up to the body, on Bates  
24          Page 038, which will -- that footnote will be



1 placed after we will have stated "with an interim  
2 rate change to be eliminated" -- oh, gosh, I'll  
3 say it again. So, it will say "the elimination  
4 of the Chapter 340 Adder rate" it will have that  
5 footnote, and it will continue in the body "The  
6 return will be calculated using the Stipulated  
7 Rate of Return as set forth if the Settlement  
8 Agreement." And, then, we would strike the last  
9 sentence, which currently reads" Part 2 (Other)  
10 costs will continue for as long as there are such  
11 costs to be recovered from or refunded to  
12 customers by the Company." We will strike that  
13 sentence.

14 CHAIRMAN GOLDNER: I believe that is  
15 correct. The Company is good to go.

16 I'll just check with the Parties, to  
17 see if there's any concerns with that draft,  
18 redraft?

19 MR. DEXTER: So, the Department had  
20 some trouble following that. And we identified  
21 what we think might be two issues. We'd really  
22 prefer to see it in writing, and have an  
23 opportunity to send something into the  
24 Commission.

1           But the two things that jumped out at  
2           us were the sentence that talked about, that Mr.  
3           Horton read, that talked about "The revenue  
4           requirement for the Chapter 340 costs from  
5           February to October will be recovered...", and it  
6           just doesn't sound to us like it's the revenue  
7           requirement from that period. I think it's the  
8           residual, or the leftover, or something like  
9           that.

10           And, then, we also heard the words  
11           "incurred" somewhere in connection with the  
12           revenue requirement. And, again, we don't think  
13           any of these costs are being incurred right now.

14           So, apologies. I found it very hard to  
15           follow what Mr. Horton was saying. We would  
16           prefer to see it in writing. And, if we have any  
17           objection to it or questions on it, we could  
18           contact the Company or file something in the  
19           docket.

20           CHAIRMAN GOLDNER: Okay. Attorney  
21           Crouse, any comments?

22           MR. CROUSE: I think the request by the  
23           Department is reasonable. I have heard what Doug  
24           Horton has said, and some of it was difficult to

1 transcribe in real time. And I would just like  
2 to get the Consumer Advocate's input.

3 CHAIRMAN GOLDNER: Just a moment.

4 *[Chairman Goldner and Atty. Speidel*  
5 *conferring.]*

6 CHAIRMAN GOLDNER: Yes. In conferring  
7 with Attorney Speidel, we, in this particular  
8 instance, we only have a few days to resolve  
9 this. So, what I might suggest is that, if the  
10 folks wanted to get together after the  
11 Commissioners leave this technical session,  
12 certainly welcome to do that. But we need the  
13 Company to file their compliant tariff by close  
14 of business tomorrow. So, again, if folks want  
15 to stick around in the room afterwards and work  
16 on the description, that would be fine.

17 What Mr. Horton read made sense to the  
18 Commission. But, if there's some adjustments  
19 that would make sense, certainly, as long as it's  
20 compliant to what we're trying to accomplish  
21 here.

22 I know we appreciate everyone coming in  
23 today to kind of sort through this. I thought it  
24 was very constructive, and a better way to

1 resolve things than maybe going back-and-forth on  
2 the papers.

3 So, that's what I would -- that's what  
4 I would suggest. Any other comments before we  
5 adjourn?

6 Just a moment. Oh, Commissioner  
7 Chattopadhyay.

8 CMSR. CHATTOPADHYAY: What I heard from  
9 the DOE, I think there was -- the two points  
10 there. One is, they're sort of struggling with  
11 the language, not having seen it. So, there's a  
12 residual element that you're working on. And  
13 there was the other one, can you again flag that?

14 MR. DEXTER: Yes. Well, again, the  
15 second issue I mentioned, there was a sentence  
16 that Mr. Horton read that had the word "costs  
17 incurred". And, again, I wasn't able to write it  
18 down. But I don't think there's any costs being  
19 incurred right now. These costs have already  
20 been incurred.

21 So that that word stuck out, and I just  
22 want to see it in writing, before we would agree  
23 that it's appropriate in the tariff.

24 CMSR. CHATTOPADHYAY: So, thank you. I

1 think those two issues probably, you know, let me  
2 know whether I'm wrong, but, really, you can sit  
3 down and make sure that those two issues are  
4 addressed. And, then, the language should be  
5 fine.

6 MR. DEXTER: Yes. I don't think it is  
7 -- yes, I don't think we'd have any problem.  
8 Just having a chance to see it typed up in  
9 writing, that we could come to agreement on  
10 appropriate language, consistent with what we  
11 heard today.

12 CHAIRMAN GOLDNER: I think Mr. Horton  
13 might have it typed up right now. So, I think  
14 that could be a -- that could be a good way to  
15 close this out.

16 So, yes. So, I think, from a  
17 Commission's point of view, again, this was very  
18 constructive. Appreciate everyone jumping on  
19 this today, because we do have a hard deadline at  
20 the end of this month.

21 So, we'll look forward to the Company  
22 filing the updated compliant tariff by close of  
23 business tomorrow, and encourage the parties to  
24 work together on that in writing, you know,

1           today, if that's desirable for the parties.

2                       And I'll thank everyone for their  
3 participation today. I'll just check in to see  
4 if there's anything else before we adjourn?

5                       MR. WIESNER: Nothing else, Mr.  
6 Chairman. And I'll second the thought that this  
7 was a helpful exercise, to make sure that we were  
8 able to clarify the Commission's intent, and  
9 reflect it in writing before November 1st.

10                      CHAIRMAN GOLDNER: Thank you. And I  
11 appreciate the Company's professionalism,  
12 bringing the three experts here today, in  
13 particular Mr. Horton, whose person couldn't be  
14 here today, that was a very professional way of  
15 handling it. So, thank you for that.

16                      And we are adjourned.

17                      ***(Whereupon the technical conference***  
18                      ***was adjourned at 1:55 p.m.)***

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