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IN THE UNITED STATES DEPARTMENT OF ENERGY
WESTERN AREA POWER ADMINISTRATION
ONTARIO, CALIFORNIA

BOULDER CANYON PROJECT
POST-2017 REMARKETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Ontario, California
December 2, 2009
1:03 p.m.

REPORTED BY: CHRISTINE JOHNSON, RPR
Certified Reporter #50383

PREPARED FOR: WESTERN AREA POWER ADMINISTRATION
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1 MR. HARNESS: Well, we'll go on the record then.
2 Good afternoon, everybody. Welcome to today's Public
3 Information Forum. My name is Doug Harness, and I'm an
4 attorney with Western Area Power Administration in our
5 office -- Corporate Services Offices in Lakewood, Colorado,
6 and I'm here representing Western's Desert Southwest Region
7 for this Public Information Forum.

8 This Forum has been scheduled for Western to
9 present information on and to allow you to ask questions
10 about the proposed application of the Power Marketing
11 Initiative of Western's Energy Planning and Management
12 Program to Boulder Canyon Project firm electric service
13 commitments beyond September 30th, 2017 when current
14 contracts expire. Please keep in mind that all issues
15 raised today should be relevant to this proposal.

16 Please wait to ask any questions until after our
17 formal presentation has been completed. Entities interested
18 in commenting on this proposed action should submit written
19 comments by mail to Mr. Darrick Moe, Regional Manager,
20 Desert Southwest Region, Western Area Power Administration,
21 P.O. Box 6457, Phoenix, Arizona, Zip 85005-6457. You may
22 also fax comments to Western at area code (602) 352-2490 or
23 e-mail them to post2017bcp@wapa.gov. Western will accept
24 written comments received on or before January 29th, 2010.
25 Western reserves the right to not consider any comments

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1 received after this date.

2 A verbatim transcript of today's Forum is being
3 prepared by our court reporter. Everything said while we're
4 in session today, together with all exhibits, will be part
5 of the official record. The transcript of today's Forum
6 will be available for review online at
7 www.wapa.gov/dsw/pwrmtk. And that will be under the
8 "Boulder Canyon Project Remarketing Effort" link at that
9 site. The transcript and a complete record of this public
10 process will also be available at Western's Desert Southwest
11 Regional Office and Corporate Services Office.

12 Additionally, a copy of the transcript can be
13 obtained upon payment of the required fee to the court
14 reporter. And the court reporter's name, address and
15 telephone number may be obtained at any time during or after
16 today's Forum.

17 In addition to the Public Information Forums,
18 Western will hold three Public Comment Forums. These Forums
19 will be January 19th, 2010 in Las Vegas, January 20th, 2010
20 in Phoenix and January 21st, 2010 in Ontario. Comments made
21 at these Forums will be recorded by a court reporter and
22 will also become part of the official record for this public
23 process.

24 Any questions we're unable to answer today will be
25 answered for you in writing. And with that, unless anybody

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1 has any initial questions on the process of what we're doing
2 today, which it does not appear to be the case, I'll turn
3 this over to Mike Simonton, Western's Project Manager for
4 this effort.

5 MR. SIMONTON: Hello, everyone. Like Doug
6 mentioned, my name is Mike Simonton. I'm the Project
7 Manager for the Boulder Canyon Project Remarketing effort.
8 Today's presentation topics will be a brief overview about
9 Western Area Power Administration, the Energy Planning and
10 Management Program.

11 We'll take a closer look at the Federal Register
12 Notice that was published on November 20th, 2009. We'll
13 also take a closer look at the Public Comment Forums, as
14 well as Boulder Canyon Project Remarketing Milestones and
15 we'll also provide some points of contact.

16 Western is a Power Marketing Administration that
17 markets and delivers reliable, cost-based hydroelectric
18 power and related services. As you can see from the
19 depiction here, the footprint is fairly large
20 geographically. It covers 15 western states, entails a
21 little over 17,000 transmission line miles, 302 substations
22 and approximately 665 customers.

23 Taking a closer look at the DSW Region based in
24 Phoenix, it markets power and transmission on a
25 project-by-project basis. The projects include the Boulder

1 Canyon, Parker-Davis, Colorado River Storage Project
2 Southern Division and the Pacific Northwest/Southwest
3 Intertie.

4 The DSW Region services or markets about 2,500
5 megawatts allocated to customers and owns and manages 3,100
6 miles of transmission lines. It also services more than 60
7 customers.

8 Here is a depiction of the DSW Region service
9 territory, which happens to be the Boulder Canyon Project
10 marketing area. Western marketed the Boulder Canyon Project
11 in 1987 in accordance with the Hoover Power Plant Act of
12 1984 and the Conformed General Consolidated Power Marketing
13 Criteria or Regulations for Boulder City area projects.

14 The current allocation consists of 1,951 megawatts
15 of contingent capacity with an associated 4,527,001 megawatt
16 hours of firm energy. This is all allocated to 15
17 contractors and the current contracts expire September 30th,
18 2017.

19 (Whereupon, Ann Finley joins the meeting via
20 telephone.)

21 MR. SIMONTON: Hello, Ann. This is Mike Simonton.
22 We just got started with our presentation.

23 MS. FINLEY: Hi, Mike.

24 MR. SIMONTON: The Energy Planning and Management
25 Program took effect October of 1995. There are two main

1 components to this Energy Planning Management Program. The
2 Integrated Resource Planning, as well as Power Marketing
3 Initiative. More pertinent to this effort is the Power
4 Marketing Initiative, which we'll go into further.

5 The PMI entails extending a major portion of the
6 resource allocations to the existing contractors. It also
7 entails the establishment of a resource pool and utilization
8 of that pool to new contractors.

9 "The PMI establishes a framework for extending a
10 major proportion of the power firmly under contract with
11 existing customers." It is applicable on a
12 project-by-project basis. Relative to the Boulder Canyon
13 Project, Western has previously stated that we will
14 "evaluate the applicability of the PMI on the Boulder Canyon
15 Project, as well as the Parker-Davis Project no sooner than
16 10 years before existing contracts expire." "No decision to
17 apply the PMI will take place until an appropriate public
18 process takes place."

19 Based upon DSW's assessment of the application of
20 the PMI to Boulder Canyon, it would provide the following
21 benefits: Existing contractors would retain resource
22 assurance resulting in greater stability in resource
23 planning. Potential would exist for new preference power
24 contractors to attain an allocation of the Boulder Canyon
25 Project. Western would fulfill its responsibility to market

1 federal generation based on the most widespread use
2 principles.

3 If we take a closer look at the Federal Register
4 Notice that was published November 20th, this proposal
5 entails application of the PMI to the Boulder Canyon
6 Project. It also entails the extension of 95 percent of the
7 marketable resource to existing contractors, a 30-year
8 contract term, which would extend from October 1st, 2017
9 through September 30th, 2047, as well as 5 percent of
10 marketable energy and 4.5 percent of marketable capacity to
11 be retained for a resource pool. This proposal would
12 include no additional incremental resource pools for the
13 next 30 years.

14 If we take a closer look at the 5 percent resource
15 pool, Western finds that this is comparable to resource pool
16 percentages of other Western projects. We find that its
17 consistent with the PMI to extend a "major portion" of power
18 under contract. We find it is also consistent with the PMI
19 to reserve a "modest percentage" for a resource pool.

20 If we take a look at the overview of the numbers,
21 this would entail a total proposed marketable resource of
22 2,044 megawatts of contingent capacity with an associated
23 4.1 million megawatt hours of annual firm energy. This
24 4.1 million megawatt hours of annual firm energy was
25 originated in consultation with the Bureau of Reclamation

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1 based upon the most recent hydrologic studies. The proposed
2 resource pool consists of 93 megawatts of contingent
3 capacity with an associated 205,800 -- sorry, 205,800
4 megawatt hours of annual firm energy.

5 The proposed resource retained by existing
6 contractors would be 1,951 megawatts of contingent capacity,
7 which happens to be their existing capacity under contract
8 today. It would also entail 3.9 million megawatt hours of
9 annual firm energy.

10 As Doug stated earlier, the Public Comment Forums
11 have been scheduled. The Comment Forums are scheduled for
12 January 19th in Las Vegas, January 20th in Phoenix,
13 January 21st in Ontario. Upon conclusion of these Public
14 Comment Forums, interested parties are to submit written
15 comments to Western by January 29th, 2010.

16 After this time, Western will evaluate the
17 comments and expects to publish a final decision on EPAMP
18 applicability to the Boulder Canyon Project in a Federal
19 Register Notice.

20 If we take a look at some of the remarketing
21 milestones, as we mentioned, in January 2010, we will
22 conduct Public Comment Forums. By the summer of 2010,
23 Western expects -- expects to publish a final EPAMP PMI
24 decision in the Federal Register. In the spring of 2011, we
25 hope to finalize remarketing criteria. In the summer of

1 2012, final allocations defined. And by the spring of 2013,
2 contracts executed.

3 All written comments should be submitted to
4 Mr. Darrick Moe at the information provided here. And if
5 you have further questions or inquiries, you can contact
6 myself or Ms. Debbie Emler at this information.

7 And as you can see, all e-mails could be replied
8 to the Post2017 Boulder Canyon Project or BCP at wapa.gov.

9 That pretty much concludes our slide show. I
10 guess I'll turn it back over to Doug.

11 MR. HARNESS: Thank you, Mike. Okay. We'll now
12 open the Forum for questions, but I would ask after you've
13 been recognized, if you would please give your name and the
14 name of the organization that you represent and to spell
15 your name for the convenience of the court reporter.

16 And we'll start here in the room, and then I'll
17 see if anybody on the phone has any questions. And
18 actually, let me move this a little -- phone a little closer
19 to the middle of the room so hopefully if you don't mind
20 when you ask questions, if you could project your voice a
21 little bit, please, so hopefully they can hear us.

22 MS. MIGNELLA: I'm sorry, we're getting all sorts
23 of static. It's not audible anymore.

24 MR. HARNESS: Is that better?

25 MS. MIGNELLA: Thank you. That's better.

1 MR. HARNESS: Thought we lost you there after all
2 that. Okay. Anyway, the floor is open for questions.

3 Yes, Jerry?

4 MR. TOENYES: Somebody's got to ask the questions.
5 Jerry Toenyes, T-O-E-N-Y-E-S, from the San Luis Rey Water
6 Authority. So I have a few, Doug. The first one, you
7 mentioned your marketing 1,951 megawatts now to existing
8 customers. You don't do the same amount -- you propose to
9 do the same amount to existing customers in the future. I
10 assume the additional megawatts, the 93 megawatts, you're
11 marketing to the pool came from what, like a grate?

12 MR. SIMONTON: Through the '84 upgrades, there was
13 some essentially unmarketed capacity that has never been --
14 like I said, has never been marketed. It's just basically
15 there to either be allocated or retained. Again, it's
16 subject to the availability of the capacity because as you
17 know, the current head levels are such that we are rarely
18 ever in that situation where we get up to the nameplate
19 capacity of 2074. So it's previously unmarketed
20 capacity.

21 MR. TOENYES: What was the rationale EPAMP gave
22 you a kind of a variety, kind of choose any number between
23 90 percent and what, 96 percent, something like that, as I
24 recall, and so you've chosen 5 percent for the pool for
25 energy and that amounts to 4.5 percent for capacity.

1 What went into coming up with those percentages
2 for energy and that capacity versus some other percentage
3 like 10 percent or 7 percent or something else?

4 MR. SIMONTON: So more specifically, you're asking
5 about the resource pool?

6 MR. TOENYES: Yeah.

7 MR. SIMONTON: We looked at various different
8 levels of the resource pool. We felt like the 5 percent
9 level, like the slide show shows, is comparable to other
10 Western projects, but also made a fairly significant
11 resource pool to be marketed.

12 We also found that it had a pretty minimal impact
13 with what we perceived to be a pretty minimal impact on
14 existing customers.

15 MR. TOENYES: And one other question and then
16 someone else ask the questions. But on the energy that
17 you're marketing, maybe discuss a little bit more about
18 that. Is there a summer season, a winter season? Is there
19 optical departments that must take on-peak requirements,
20 those things? What's the energy look like?

21 MR. SIMONTON: The proposal right now is to
22 maintain the same provisions that are in the existing
23 Boulder Canyon Project contracts. We do not have any
24 stringent on-peak or off-peak or seasonality. We're not
25 proposing to modify those contracts in that fashion or that

1 methodology.

2 MR. TOENYES: Is there a monthly requirement in
3 there?

4 MR. SIMONTON: We can probably respond more
5 in-depth in a written response, but I guess on a monthly
6 basis, we get a monthly target from Reclamation based on
7 water demand, and we allocate out to customers the amount of
8 energy that would be needed to hit that water target. And
9 so we're not proposing to modify that -- that scheme or that
10 operation in any way.

11 MR. TOENYES: So it varies from month to month and
12 from year to year?

13 MR. SIMONTON: That's right. Can folks on the
14 phone, did you hear my responses okay and the questions
15 okay?

16 MS. MIGNELLA: Parts of the question, yes. Other
17 parts, no.

18 MR. SIMONTON: I guess I'll stand closer to the
19 phone for the other questions, but again, this will be part
20 of the public record, the transcripts, that'll be posted to
21 Western's website if you want it verbatim.

22 MS. MIGNELLA: If somebody could repeat the
23 questions briefly once they're asked, that would be really
24 helpful, because then it would be more audible.

25 MR. SIMONTON: Will do.

1 MS. MIGNELLA: And also whenever you're ready, I
2 had a question just asking for a repeat of the schedule
3 dates, because that was a little bit rapid. I couldn't
4 quite follow what was being stated.

5 MR. SIMONTON: Okay. Jerry, did that answer your
6 question? Did you have any more?

7 MR. TOENYES: No, I don't.

8 MR. SIMONTON: Okay. I didn't catch who that was
9 on the phone. Was that --

10 MS. MIGNELLA: This is Amy Mignella. I just
11 wanted a repeat of the schedule for the process. There was
12 a schedule mentioned at the end of 2011, 2012, et cetera,
13 and I couldn't -- it was a little too rapid, a little too
14 fuzzy to take down what was being stated.

15 MR. SIMONTON: You're talking about the
16 remarketing milestones?

17 MS. MIGNELLA: I'm sorry, what did you say?

18 MR. SIMONTON: You're asking about the remarketing
19 milestones?

20 MS. MIGNELLA: Yes, yes.

21 MR. SIMONTON: Okay. Did you want to -- want
22 her -- have her repeat and spell her name for the record?

23 MR. HARNESS: Oh, yeah, Amy, if you don't mind.

24 MS. MIGNELLA: My name, yes, thank you. I'm
25 sorry. It's Amy, A-M-Y, Mignella, M-I-G-N-E-L-L-A.

1 MR. SIMONTON: Okay. The remarketing milestones
2 that I went over were January 2010 to conduct Public Comment
3 Forums, summer of 2010 to publish a final EPAMP PMI decision
4 in the Federal Register, spring of 2011 to finalize --

5 MS. MIGNELLA: Okay. I'm -- I'm sorry, could you
6 slow down one second, because I'm not able to look at the
7 overhead. So I'm sure that that was all on there, but --
8 okay, so summer of 2011 was the final PMI and then --

9 MR. SIMONTON: Summer of 2010 --

10 MS. MIGNELLA: Of 10, okay.

11 MR. SIMONTON: -- was to publish a decision on the
12 PMI in the Federal Register.

13 MS. MIGNELLA: Okay.

14 MR. SIMONTON: Spring of 2011 was to finalize the
15 remarketing criteria.

16 MS. MIGNELLA: Okay.

17 MR. SIMONTON: Summer of 2012 was to finalize
18 allocations.

19 MS. MIGNELLA: Okay.

20 MR. SIMONTON: And the spring of 2013 was to have
21 contracts executed.

22 MS. MIGNELLA: Okay. Thank you so much.

23 MR. SIMONTON: No problem.

24 MR. HARNESS: Yes, let me go back here first, Don.
25 He kind of --

1 MR. VANDERHORST: I'm Joe Vanderhorst,
2 V-A-N-D-E-R-H-O-R-S-T. I'm with Metropolitan Water
3 District. I have two questions. The first one is that your
4 Federal Register Notice indicates that you're relying on a
5 categorical exclusion for NEPA compliance for the action
6 that's described there.

7 Is that going to apply both to the decision as to
8 whether or not to apply PMI or will it also apply to the
9 contracting process?

10 MR. HARNESS: Well, the question is will the
11 categorical exclusion apply to, in essence, just application
12 of PMI or to -- also to the contracts. Is that fair, Joe?

13 MR. VANDERHORST: Yes.

14 MR. HARNESS: And I guess my answer to that would
15 be, well, it probably depends on exactly what we do with the
16 contracts. You know, I don't want to categorically state it
17 will apply, or I don't think we can at this point till we
18 see exactly what we're doing with the contracts, but we'll
19 have to evaluate that at the time once the determination is
20 made what we're doing with the contracts.

21 MR. VANDERHORST: Okay. My next question has to
22 do with excess energy. You indicated in your presentation
23 that the amount of firm energy that's being marketed through
24 this process is a set amount based on the hydrology that
25 you've worked out with Reclamation.

1 So my question is: How are you dealing with
2 excess energy in the FRN process?

3 MR. SIMONTON: Well, in the FRN, we've asked for
4 comments. We've kicked around a few different possibilities
5 in-house, but we recognize that the firm energy and the
6 excess provisions, to a certain degree, they tend to affect
7 each other quite a bit and we felt it would probably be most
8 prudent if we -- based on the hydrology and the logic we had
9 at the time -- to propose a marketable energy and seek
10 comments from the public on what they would like to see as
11 far as excess provisions go.

12 So at this point in time, we have not proposed any
13 excess provisions. We are hoping to seek comment from the
14 public and go from there.

15 MR. HARNESS: Don?

16 MR. LINCOLN: Don Lincoln, L-I-N-C-O-L-N, City of
17 Escondido. Do you have a date or range of dates when you
18 think the application itself will be required?

19 MR. SIMONTON: Well, it would be after the
20 resource pool has been defined, and we hope to have that --
21 well, at this point, we have not set a defined date as to
22 have a defined resource pool. It depends on what comment we
23 might get.

24 You know, if -- right now, we're proposing roughly
25 5 percent. If everything seems like the public comments are

1 in support of that, I would expect it would be a little more
2 expedited and potentially calling for applications in the
3 summer of 2010.

4 If we get comments that are quite contrary, it
5 might entail additional public processes to flush out what's
6 an appropriate pool. That then pushes back potentially six
7 months to a year when we would actually call for
8 applications.

9 MR. LINCOLN: So it could be as early as the
10 summer of 2010 then?

11 MR. SIMONTON: I would suspect, yes, as early as
12 2010. If a 5 percent is agreeable with the public comments
13 that we receive and we can move forward in that fashion, I
14 would think that the summer of 2010 would be --

15 MR. LINCOLN: Is it likely there will be a 1
16 megawatt minimum as with Parker-Davis?

17 MR. SIMONTON: I guess I would say that's a
18 possibility, but not yet. We're kind of on step one, and
19 that might be step two and three, but that's a possibility.

20 MR. HARNESS: Don, that'll be part of a public
21 process. And, you know, I guess, conceivably, if we don't
22 go ahead with this proposal, we might not be going out for
23 application someday. It just depends how all this unfolds.
24 So we're kind of tentative in our answers.

25 MR. SIMONTON: Some of our contemplation would be,

1 too, that this is contingent capacity; that it will
2 fluctuate based on the available capacity. And so we can
3 peg a specific rounded megawatt value to be allocated, but
4 as that goes up and down with the capacity, that obviously
5 then would be on some type of percentage basis that your
6 rounded value typically would go out the window once you
7 reduce that based on available capacity, much like it is
8 today.

9 MR. HARNESS: More questions in the room?

10 MR. OUNG: Hank Oung, O-U-N-G, from the Navy. On
11 your resource pool for new customers, what are the
12 qualifications for the new customers and what is this
13 allocation?

14 MR. SIMONTON: At this point in time, we have not
15 defined that. We are just proposing that we are creating a
16 resource pool. The criteria and whatnot, as far as who
17 would be applicable, would be a separate set of public
18 comment -- information and comment forums.

19 So at this point in time, it's not defined, and we
20 would expect to do that after the definition of the resource
21 pool.

22 MR. HARNESS: Jerry?

23 MR. TOENYES: Jerry Toenyas again. Mike, what's
24 the capacity factor for the energy market here? It seems
25 like 30 percent.

1 MR. SIMONTON: I think we're in the mid 20's. I
2 don't know off the top of my head, but in the mid 20's,
3 which is, I think, fairly consistent to what the plant
4 operates now.

5 MR. HARNESS: Are there any questions from those
6 of you on the phone?

7 MS. MIGNELLA: No, I don't have any additional
8 questions at this time. This is Amy Mignella.

9 MR. HARNESS: Okay. Anybody else on the phone?

10 A VOICE: Not at this time. Thanks.

11 MR. HARNESS: All right, thank you.

12 Any other questions either -- Dennis?

13 MR. DAYNE: Dennis Dayne, D-A-Y-N-E, Southern
14 California Edison Company. With the -- under the new
15 contracts, will the new allottees be encouraged to
16 participate in the implementation agreement and the cost
17 sharing thereof?

18 MR. SIMONTON: I think in the Federal Register
19 Notice, we listed -- I'd have to go back and look. I think
20 that would probably be likely, and I think even in the FRN,
21 it was suggested to that effect.

22 A VOICE: Sorry, I couldn't hear the question.

23 MR. SIMONTON: The question was, after the pool
24 has been defined, would the new allottees be encouraged --
25 and correct me if I'm stating this incorrect, Dennis --

1 would be encouraged or be asked to participate in the
2 implementation agreement.

3 And the response was that's probably likely. And
4 I think, if I recall, we even had something in the Federal
5 Register Notice to that effect, but I'd have to go back and
6 look.

7 MR. HARNESS: But again, that's probably a step
8 ahead of kind of where we are today. That's probably a
9 decision in the next round, if there's a next round. Well,
10 there will be a next round in some regards.

11 Somebody in the back?

12 MR. CLARY: Don Clary, Law Office of Don Clary. I
13 wanted to find out -- you mentioned about the allottees not
14 being currently defined, or I guess the question is
15 basically is it appropriate to have comments provided at
16 this point on who the allottees will be or not? I guess it
17 sounded like there was going to be a separate round of
18 comments for that.

19 MR. HARNESS: That's correct. The Federal
20 Register Notice -- and the question, by the way, is: Would
21 it be appropriate to submit comments on proposed allottees.
22 And the response is actually, no, not at this point.

23 We've listed in the Federal Register Notice what
24 we're looking for comments on and, in essence, what we're
25 doing is proposing that a resource pool be created; that if

1 that decision is made to do that, then there'll be a
2 separate public process in which we go out and we ask for
3 applicants, parties who are interested to be, you know,
4 potential allottees.

5 And during that process, we would not only give
6 parties an opportunity to do that, but we would also
7 propose -- you know, our thinking or what our proposal is
8 with regard to things, for example, like is there a 1
9 megawatt minimum or, you know, those kinds of things, but
10 that's really -- if that's going to happen, that'll be
11 happening in another process, not in this process.

12 MR. HOANG: Son Hoang, H-O-A-N-G, with Los Angeles
13 Department of Water and Power. Just wanted to -- you have
14 2013 as an approximate time frame when you will have the
15 contracts executed. I presume that's for the 5 percent
16 allocation.

17 How does this effort, going along with the
18 95 percent allocation, how do the two processes go hand in
19 hand?

20 MR. SIMONTON: The question is the projected or
21 anticipated 2013 contract execution date for the 5 percent
22 resource pool, how does that correlate to the 95 percent
23 extensions.

24 And the response is that we expect them to go hand
25 in hand. That way we'd have all contracts executed for

1 existing contractors, as well as new allottees by 2013.

2 MR. HARNESS: Jim?

3 MR. SALO: Jim Salo, Colorado River Commission,
4 Las Vegas. On your last comment, the contract signed in
5 2013, I assume they will become effective after the current
6 contracts expire in 2017; is that correct?

7 MR. SIMONTON: Yes.

8 MR. SALO: Thank you.

9 MR. SIMONTON: Folks on the phone, were you able
10 to hear that?

11 MS. MIGNELLA: No, not clearly.

12 MR. SIMONTON: The question was: Is it safe to
13 presume that the contracts, even though they might be
14 executed in 2013, would become effective upon the
15 termination of the existing contracts in 2017. And the
16 answer was yes.

17 MR. HARNESS: Are there any more questions today?

18 (No response.)

19 MR. HARNESS: Well, seeing nor hearing none, we
20 will start closing things down here. We want to thank you
21 all for attending and either in person or over the phone
22 today.

23 We would ask those of you in the room, if you
24 haven't already done so, to sign the attendance sheet
25 outside so we have an accurate attendance, and I believe we

1 do have an accurate listing of everybody who's called in.

2 So we appreciate that information.

3 And again, thank you very much. With that, we're

4 done. We'll go off the record. Thank you.

5 (Whereupon, the deposition proceedings terminated
6 at 1:37 p.m.)

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I, CHRISTINE JOHNSON, having been first duly sworn and appointed as Official Court Reporter herein, do hereby certify that the foregoing pages numbered from 2 to 24, inclusive, constitute a full, true and accurate transcript of all the proceedings had in the above matter, all done to the best of my skill and ability.

DATED this 7th day of December, 2009.

Christine Johnson, RPR
Certified Court Reporter No. 50383

CHRISTINE JOHNSON, RPR
Brush & Terrell Court Reporters
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