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2
3
4
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8
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10
11
12
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WESTERN AREA POWER ADMINISTRATION

TRANSCRIPT OF

VIRTUAL PUBLIC COMMENT FORUM (NO. 2)

for the Proposed SLCA/IP Firm Power Rate
and CRSP Transmission and Ancillary Services Rates
(Rate Action WAPA-206)

September 19, 2023

12:00 p.m. (MDT)

Moderated By: Trevor Updegraff, Attorney

REPORTED BY: Emily B. Kramm, Court Reporter

JOB NO.: SLC 6091143

1 T R A N S C R I P T

2 * * *

3 (MEETING COMMENCED AT 12:03 p.m.)

4 MR. UPDEGRAFF: It's my pleasure to
5 welcome you to today's public comment forum. My
6 name is Trevor Updegraff, and I'm an attorney with
7 WAPA's office of general counsel in Lakewood,
8 Colorado, and I am the moderator for this morning.

9 As noticed via email sent August 28th,
10 2023, this public comment forum has been scheduled
11 so that you will have an opportunity to provide
12 formal comments on the proposed adjustments to the
13 firm power rates for Salt Lake City Area Integrated
14 Projects and for Colorado River Storage Project
15 transmission, ancillary services, and sale of
16 surplus products. The proposed adjustments to
17 these rates are scheduled to be effective on
18 January 1st, 2024.

19 A public information forum for these
20 proposed rate adjustments was held in person and
21 virtually on July 19th, 2023, and an initial public
22 comment forum was held virtually on August 15th,
23 2023. For additional information, you may also
24 wish to refer to the rate brochure, the latest
25 version of which is posted to our public website as

Page 2

1 of today, September 19th, 2023.

2 Let me now give you an overview of today's
3 comment forum. There will not be any formal
4 presentation by WAPA's staff. However, I am
5 pleased to introduce Mr. Brent Osiek as WAPA's
6 power marketing manager, Ms. Tamala Gheller,
7 Ms. Christiana Kelley, and Mr. Tony Henriquez, all
8 from WAPA's rates office who have joined us here
9 today. I see Tamala on the camera there.

10 Hi, Tamala.

11 As this is a comment forum, there will not
12 be an opportunity for a question-and-answer session
13 in general; although, the public may submit
14 questions later, along with comments, and such
15 questions may be answered by WAPA in the public
16 process.

17 The purpose of this forum is to take formal
18 comments from the public, and I will moderate the
19 comment session. I anticipate that we should have
20 more than adequate time to allow everyone who
21 wishes to provide comments this afternoon to do so.

22 Please be aware that a verbatim transcript
23 of today's forum is being prepared by a court
24 reporter, and the meeting is also being recorded.
25 So everything said while we are in session today,

1 including any questions and answers, together with
2 exhibits, will be part of the official record.

3 Copies of today's transcript will also be
4 available to anyone who wants a copy. And WAPA
5 will post the transcripts to the WAPA-206 website.
6 I'll read off that address. Bear with me.
7 <https://www.wapa.gov/regions/crsp/rates/pages/rates>
8 [.aspx](https://www.wapa.gov/regions/crsp/rates/pages/rates).

9 We're happy to accept comments in various
10 formats. If you'd like to verbally provide your
11 comments, please use the hand-raise feature in the
12 Teams platform by selecting the hand icon in your
13 task bar. We will then call on you to provide your
14 comment. And please start by stating your name and
15 identifying any party you may be representing.

16 You are also welcome to provide comments
17 using the chat function in Teams. To do that, you
18 first open the chat window, type your name and
19 associated party you may be representing, followed
20 by your comment in the text box. Then press the
21 Enter key to submit, or use the send arrow at the
22 bottom right of your screen.

23 We will also gladly accept written comments
24 through the close of the comment period. These
25 comments should be sent to Mr. Rodney Bailey,

1 Colorado River Storage Project Management Center
2 Manager, at 1800 South Rio Grande Avenue, Montrose,
3 Colorado 81401. Email comments should be sent to
4 crspmc-rate-adj@wapa.gov. Any written comments
5 should be mailed so that they're received by
6 September -- I'm sorry, by October 3rd, 2023,
7 comment deadline.

8 Further information may also be obtained
9 from Mr. Osiek by either contacting him at that
10 same address as Mr. Bailey or calling 970-240-6541.
11 You can email Brent as well at osiek@wapa.gov. And
12 you can get further information by periodically
13 going to WAPA's website under a section entitled
14 "Rate Adjustments: WAPA-206." Again, that URL is
15 what I listed earlier. It's the
16 [https://www.wapa.gov/regions/crsp/rates/pages/rates](https://www.wapa.gov/regions/crsp/rates/pages/rates.aspx)
17 [.aspx](https://www.wapa.gov/regions/crsp/rates/pages/rates.aspx).

18 As a reminder, please note that all
19 comments should be relevant to the proposed rate
20 adjustment. As moderator, I do reserve the right
21 to disallow any comments that are not relevant to
22 today's forum. Also, if you speak from prepared
23 text, it would greatly benefit the court reporter
24 if you could provide a written copy of your
25 comments at the close of this forum. Our staff may

1 also ask clarifying questions of you regarding your
2 comments.

3 After the close of the comment period,
4 WAPA's representatives will review all the
5 information, comments, and exhibits that have been
6 received in this process. WAPA will then announce
7 its decision in the federal register after the
8 close of the comment period. Comments made during
9 this public process will be discussed in this
10 announcement.

11 And with that said, we look forward to
12 taking your comments. You see the slide on the
13 screen has our different options. So please feel
14 free to use either the raise-hand feature or submit
15 a comment by chat function.

16 Also, if we have anyone attending only by
17 phone, you are free to speak up as well. And I'll
18 prompt you once we've taken comments through the
19 other formats. Just note for any phone-only
20 attendees, you may need to press Star-6 on your
21 line in order to unmute on your end.

22 Leslie James, I see you have your hand
23 raised. Please go ahead.

24 MS. JAMES: Thank you, Trevor. I am
25 just on by phone, but I hope this works. I'm

1 Leslie James. I'm representing the Colorado River
2 Energy Distributors Association or CREDA.

3 Today I'm going to summarize a couple of
4 the highlighted points that CREDA provided in the
5 first comment forum. I will also plan to send this
6 written two-page document to you guys and to the
7 court reporter when I'm finished.

8 We also may choose to supplement these
9 comments after we have had a chance to review the
10 most recent information that's been posted on the
11 website. I think we were almost up to date, but
12 there have been -- there has been some additional
13 information posted that I haven't had a chance to
14 take a look at. So we may end up supplementing in
15 that regard.

16 We appreciate the effort and the time that
17 WAPA has taken to work with the customers going
18 back as far as the WAPA-199 rate restructure in an
19 effort at that time to primarily protect the Upper
20 Colorado River Basin Fund, given the extreme
21 drought ongoing.

22 We've had a couple of years now under our
23 belts with WAPA-199, and CREDA is recommending that
24 WAPA continue to maintain the same rate by
25 including \$0 in the WAPA-206 purchase power line

1 item, which is consistent with what was done in
2 WAPA-199. We note that WAPA-206 continues the
3 customer's responsibility of making replacement
4 power purchases, which reduces the Basin Fund
5 obligations.

6 Given the positive hydrology that the
7 Colorado River System experienced this spring and
8 the results of the August '23 24-month study
9 projections and in supporting our proposal to
10 maintain a 2-year rate, similar to WAPA-199, we
11 believe the Basin Fund should be able to support
12 any firming purchases that may be required for
13 operational purposes.

14 (Court reporter clarification.)

15 MS. JAMES: Firming. "F" as in
16 "Frank" -- yeah, firming. Required for operational
17 purposes.

18 Thank you for asking that. I will slow
19 down. I tend to speak quickly.

20 We appreciate WAPA's response to our
21 request regarding salinity control costs in the
22 rate. We note that you responded to that comment
23 in your response A3, page 3. We appreciate that
24 response.

25 We also agree that, as noted in the rate

1 brochure, WAPA expects that the work plan reviews
2 should be completed in time to be included in the
3 final rate. The 1992 work plan review agreement,
4 Contract No. 92-SLC-0208, as supplemented, is a
5 great example of collaboration among CREDA, WAPA,
6 Reclamation.

7 We acknowledge that WAPA will continue to
8 reflect expense reductions in those work plans as
9 they become available, any updates that may come in
10 to project-use data, any reduction of salinity
11 control program obligations, offsetting revenue
12 amounts, and any other updates to the PRS as those
13 work plan-related discussions are continuing.

14 Finally, we, CREDA, appreciates the extent
15 to which the CRSP Management Center and the Upper
16 Colorado Region of Reclamation have engaged in
17 meaningful dialogue to address ongoing drought and
18 financial impacts to the Basin Fund as well as
19 Power Repayment Study and rates.

20 (Court reporter clarification.)

21 MS. JAMES: Repayment Study and rates.

22 Those offices' willingness to entertain
23 suggestions and collaborate with CREDA in the
24 development of approaches, which mitigate what
25 could otherwise be significant rate increases,

1 indicate a true desire to implement the lowest
2 possible rate consistent with sound business
3 principles.

4 Thank you for the opportunity to provide
5 these comments, and I'm available to answer any
6 questions you may have.

7 MR. UPDEGRAFF: Thank you, Leslie.

8 Any follow-up from WAPA's staff?

9 Hearing none at the moment, open the floor
10 to anyone else who would like to use the raise-hand
11 feature. And, again, as a reminder, this is the
12 hand icon on the task bar.

13 David Fitzgerald. Thank you. Please go
14 ahead.

15 MR. FITZGERALD: Good morning -- or
16 good afternoon. I am David Fitzgerald,
17 F-i-t-z-g-e-r-a-l-d, and I represent the Arizona
18 Power Pooling Association, and I also represent
19 Arizona Electric Power Cooperative, which is also
20 known as AEPCO, A-E-P-C-O.

21 AEPCO supports the comments provided by
22 Leslie James and CREDA. AEPCO is a member of CREDA
23 participating through the APPA, and we believe that
24 the proposed rate WAPA-206 represents a sound
25 exercise of ratemaking by WAPA personnel. We

1 wholeheartedly agree with the assertion that WAPA
2 has engaged in meaningful dialogue.

3 If we pause and consider the fact that the
4 hydrology has presented unprecedented challenges
5 for the production of energy in the Colorado River
6 Basin, it's a tribute to the WAPA staff that they
7 have figured out how to develop a rate that has
8 stayed relatively stable and attempts to preserve
9 as much value as possible for the WAPA resource.

10 We do think that the unprecedented
11 circumstances, however, suggest that the rates
12 should be adopted for a two-year period. What we
13 observed is that the WAPA-199 rate proposal has
14 been very successful in helping customers maintain
15 some of the value of the resource that the CRSP
16 project provides and that this model, which was
17 adopted on the two-year basis, should be extended
18 for another two-year term.

19 Part of this is informed by what we noted
20 to be under recovery of certain items that did not
21 result in significant deficits that need to be made
22 up. We think that's the right precedent to follow
23 and the right approach.

24 We also note that the changes in hydrology,
25 however positive in the spring, are going to still

1 be limited in terms of their effect on hydropower
2 production going into the next two years.
3 Accordingly, we feel like a two-year rate proposal
4 is the best judgment and would reflect the best
5 rate design given circumstances that WAPA and its
6 customers face.

7 So in closing, we greatly appreciate the
8 support of the WAPA team to listen to its customers
9 and develop a rate that has remained stable and
10 has -- continues to try and provide a value that's
11 at the lowest possible cost consistent with sound
12 business principles. Thank you.

13 MR. UPDEGRAFF: Thank you, David.

14 Any follow-up from WAPA's staff?

15 And I'll also give others a chance to use
16 that raise-hand, excuse me, feature if you'd like
17 to comment verbally.

18 I do see that we have some folks joining
19 just by telephone. If you'd like to provide a
20 comment, one reminder is that you may need to press
21 Star-6 on your phone in order to unmute on your
22 end. But I'll open the floor to anyone on the
23 telephone who would like to go ahead and speak up
24 and provide a comment.

25 While certainly not too late, I'll keep

1 that opportunity open. I will check our chat
2 feature and also call on our rates staff. I'm not
3 seeing anything listed in the chat at the moment,
4 but do feel free to provide comments using the chat
5 feature or, of course, to submit written comments
6 in the manners previously described.

7 And we have the address, both email and
8 physical address, up on this slide for anyone who
9 would like to submit comments in writing, which we
10 certainly look forward to receiving and responding
11 to. At the moment, I'm not seeing anyone else that
12 wishes to speak; so we'll begin the process of
13 winding down here.

14 Of course, I would like to thank all of you
15 for attending the forum today. WAPA's staff will
16 also stay online for a few minutes afterwards. So
17 once we've closed the record, if you'd like to ask
18 questions and talk on a more informal basis, we
19 will be available.

20 But with that, I will go ahead and now
21 close the forum, and we will go off the record.

22 (Time Noted: 12:22 p.m.,
23 September 19, 2023.)

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REPORTER'S CERTIFICATE

I, Emily B. Kramm, do hereby certify that the foregoing 13 pages of typewritten material constitutes an accurate verbatim stenographic record taken by me of the proceedings aforementioned before Trevor Updegraff, Esq., Moderator, on the 19th day of September, 2023, at the times and place specified.

DATED: 2nd of October, 2023



Emily B. Kramm, Court Reporter
Notary Public, Scott County, Minnesota
My commission expires January 31, 2026

[0 - basis]

0	3	administration	approaches
0 7:25	3 8:23	1:2	9:24
0208 9:4	31 14:22	adopted 11:12	area 1:2 2:13
1	3rd 5:6	11:17	arizona 10:17
12:00 1:11	6	aepco 10:20,21	10:19
12:03 2:3	6 6:20 12:21	10:22	arrow 4:21
12:22 13:22	6091143 1:25	aforemention...	asking 8:18
13 14:5	8	14:8	aspx 4:8 5:17
15th 2:22	81401 5:3	afternoon 3:21	assertion 11:1
1800 5:2	9	10:16	associated 4:19
19 1:10 13:23	92 9:4	agree 8:25 11:1	association 7:2
199 7:18,23 8:2	970-240-6541	agreement 9:3	10:18
8:10 11:13	5:10	ahead 6:23	attempts 11:8
1992 9:3	a	10:14 12:23	attendees 6:20
19th 2:21 3:1	a3 8:23	13:20	attending 6:16
14:9	able 8:11	allow 3:20	13:15
1st 2:18	accept 4:9,23	amounts 9:12	attorney 1:14
2	accurate 14:6	ancillary 1:7	2:6
2 1:5 8:10	acknowledge	2:15	august 2:9,22
2023 1:10 2:10	9:7	announce 6:6	8:8
2:21,23 3:1 5:6	action 1:8	announcement	available 4:4
13:23 14:9,13	additional 2:23	6:10	9:9 10:5 13:19
2024 2:18	7:12	answer 3:12	avenue 5:2
2026 14:22	address 4:6	10:5	aware 3:22
206 1:8 4:5	5:10 9:17 13:7	answered 3:15	b
5:14 7:25 8:2	13:8	answers 4:1	b 1:24 14:4,21
10:24	adequate 3:20	anticipate 3:19	back 7:18
23 8:8	adjustment	appa 10:23	bailey 4:25
24 8:8	5:20	appreciate 7:16	5:10
28653 14:20	adjustments	8:20,23 12:7	bar 4:13 10:12
28th 2:9	2:12,16,20	appreciates	basin 7:20 8:4
2nd 14:13	5:14	9:14	8:11 9:18 11:6
		approach	basis 11:17
		11:23	13:18

[bear - drought]

<p>bear 4:6 believe 8:11 10:23 belts 7:23 benefit 5:23 best 12:4,4 bottom 4:22 box 4:20 brent 3:5 5:11 brochure 2:24 9:1 business 10:2 12:12</p>	<p>city 2:13 clarification 8:14 9:20 clarifying 6:1 close 4:24 5:25 6:3,8 13:21 closed 13:17 closing 12:7 collaborate 9:23 collaboration 9:5 colorado 2:8,14 5:1,3 7:1,20 8:7 9:16 11:5 come 9:9 commenced 2:3 comment 1:5 2:5,10,22 3:3 3:11,19 4:14 4:20,24 5:7 6:3 6:8,15 7:5 8:22 12:17,20,24 comments 2:12 3:14,18,21 4:9 4:11,16,23,25 5:3,4,19,21,25 6:2,5,8,12,18 7:9 10:5,21 13:4,5,9 commission 14:22 completed 9:2 consider 11:3</p>	<p>consistent 8:1 10:2 12:11 constitutes 14:6 contacting 5:9 continue 7:24 9:7 continues 8:2 12:10 continuing 9:13 contract 9:4 control 8:21 9:11 cooperative 10:19 copies 4:3 copy 4:4 5:24 cost 12:11 costs 8:21 counsel 2:7 county 14:21 couple 7:3,22 course 13:5,14 court 1:24 3:23 5:23 7:7 8:14 9:20 14:21 creda 7:2,4,23 9:5,14,23 10:22,22 crsp 1:7 4:7 5:16 9:15 11:15 crspmc 5:4</p>	<p>customer's 8:3 customers 7:17 11:14 12:6,8</p> <p style="text-align: center;">d</p> <p>d 10:17 data 9:10 date 7:11 dated 14:13 david 10:13,16 12:13 day 14:9 deadline 5:7 decision 6:7 deficits 11:21 described 13:6 design 12:5 desire 10:1 develop 11:7 12:9 development 9:24 dialogue 9:17 11:2 different 6:13 disallow 5:21 discussed 6:9 discussions 9:13 distributors 7:2 document 7:6 drought 7:21 9:17</p>
c			
<p>c 2:1 10:20 call 4:13 13:2 calling 5:10 camera 3:9 center 5:1 9:15 certain 11:20 certainly 12:25 13:10 certificate 14:1 certify 14:4 challenges 11:4 chance 7:9,13 12:15 changes 11:24 chat 4:17,18 6:15 13:1,3,4 check 13:1 choose 7:8 christiana 3:7 circumstances 11:11 12:5</p>			

[e - item]

<p>e</p>	<p>fact 11:3</p>	<p>forward 6:11</p>	<p>happy 4:9</p>
<p>e 10:17,20</p>	<p>far 7:18</p>	<p>13:10</p>	<p>hearing 10:9</p>
<p>earlier 5:15</p>	<p>feature 4:11</p>	<p>frank 8:16</p>	<p>held 2:20,22</p>
<p>effect 12:1</p>	<p>6:14 10:11</p>	<p>free 6:14,17</p>	<p>helping 11:14</p>
<p>effective 2:17</p>	<p>12:16 13:2,5</p>	<p>13:4</p>	<p>henriquez 3:7</p>
<p>effort 7:16,19</p>	<p>federal 6:7</p>	<p>function 4:17</p>	<p>hi 3:10</p>
<p>either 5:9 6:14</p>	<p>feel 6:13 12:3</p>	<p>6:15</p>	<p>highlighted 7:4</p>
<p>electric 10:19</p>	<p>13:4</p>	<p>fund 7:20 8:4</p>	<p>hope 6:25</p>
<p>email 2:9 5:3</p>	<p>figured 11:7</p>	<p>8:11 9:18</p>	<p>https 4:7 5:16</p>
<p>5:11 13:7</p>	<p>final 9:3</p>	<p>further 5:8,12</p>	<p>hydrology 8:6</p>
<p>emily 1:24 14:4</p>	<p>finally 9:14</p>	<p>g</p>	<p>11:4,24</p>
<p>14:21</p>	<p>financial 9:18</p>	<p>g 10:17</p>	<p>hydropower</p>
<p>energy 7:2 11:5</p>	<p>finished 7:7</p>	<p>general 2:7</p>	<p>12:1</p>
<p>engaged 9:16</p>	<p>firm 1:6 2:13</p>	<p>3:13</p>	<p>i</p>
<p>11:2</p>	<p>firming 8:12,15</p>	<p>gheller 3:6</p>	<p>icon 4:12 10:12</p>
<p>enter 4:21</p>	<p>8:16</p>	<p>give 3:2 12:15</p>	<p>identifying</p>
<p>entertain 9:22</p>	<p>first 4:18 7:5</p>	<p>given 7:20 8:6</p>	<p>4:15</p>
<p>entitled 5:13</p>	<p>fitzgerald</p>	<p>12:5</p>	<p>impacts 9:18</p>
<p>esq 14:8</p>	<p>10:13,15,16</p>	<p>gladly 4:23</p>	<p>implement 10:1</p>
<p>example 9:5</p>	<p>floor 10:9</p>	<p>go 6:23 10:13</p>	<p>included 9:2</p>
<p>excuse 12:16</p>	<p>12:22</p>	<p>12:23 13:20,21</p>	<p>including 4:1</p>
<p>exercise 10:25</p>	<p>folks 12:18</p>	<p>going 5:13 7:3</p>	<p>7:25</p>
<p>exhibits 4:2 6:5</p>	<p>follow 10:8</p>	<p>7:17 11:25</p>	<p>increases 9:25</p>
<p>expects 9:1</p>	<p>11:22 12:14</p>	<p>12:2</p>	<p>indicate 10:1</p>
<p>expense 9:8</p>	<p>followed 4:19</p>	<p>good 10:15,16</p>	<p>informal 13:18</p>
<p>experienced</p>	<p>foregoing 14:5</p>	<p>grande 5:2</p>	<p>information</p>
<p>8:7</p>	<p>formal 2:12 3:3</p>	<p>great 9:5</p>	<p>2:19,23 5:8,12</p>
<p>expires 14:22</p>	<p>3:17</p>	<p>greatly 5:23</p>	<p>6:5 7:10,13</p>
<p>extended 11:17</p>	<p>formats 4:10</p>	<p>12:7</p>	<p>informed 11:19</p>
<p>extent 9:14</p>	<p>6:19</p>	<p>guys 7:6</p>	<p>initial 2:21</p>
<p>extreme 7:20</p>	<p>forum 1:5 2:5</p>	<p>h</p>	<p>integrated 2:13</p>
<p>f</p>	<p>2:10,19,22 3:3</p>	<p>hand 4:11,12</p>	<p>introduce 3:5</p>
<p>f 8:15 10:17</p>	<p>3:11,17,23</p>	<p>6:14,22 10:10</p>	<p>ip 1:6</p>
<p>face 12:6</p>	<p>5:22,25 7:5</p>	<p>10:12 12:16</p>	<p>item 8:1</p>

[items - plan]

items 11:20	lowest 10:1	montrose 5:2	operational
j	12:11	morning 2:8	8:13,16
james 6:22,24	m	10:15	opportunity
7:1 8:15 9:21	made 6:8 11:21	n	2:11 3:12 10:4
10:22	mailed 5:5	n 2:1	13:1
january 2:18	maintain 7:24	name 2:6 4:14	options 6:13
14:22	8:10 11:14	4:18	order 6:21
job 1:25	making 8:3	need 6:20 11:21	12:21
joined 3:8	management	12:20	osiek 3:5 5:9,11
joining 12:18	5:1 9:15	notary 14:21	overview 3:2
judgment 12:4	manager 3:6	note 5:18 6:19	P
july 2:21	5:2	8:2,22 11:24	p 2:1 10:20
k	manners 13:6	noted 8:25	p.m. 1:11 2:3
keep 12:25	marketing 3:6	11:19 13:22	13:22
kelley 3:7	material 14:5	noticed 2:9	page 7:6 8:23
key 4:21	mdt 1:11	o	pages 4:7 5:16
known 10:20	meaningful	o 10:20	14:5
kramm 1:24	9:17 11:2	obligations 8:5	part 4:2 11:19
14:4,21	meeting 2:3	9:11	participating
l	3:24	observed 11:13	10:23
l 10:17	member 10:22	obtained 5:8	party 4:15,19
lake 2:13	minnesota	october 5:6	pause 11:3
lakewood 2:7	14:21	14:13	period 4:24 6:3
late 12:25	minutes 13:16	office 2:7 3:8	6:8 11:12
latest 2:24	mitigate 9:24	offices 9:22	periodically
leslie 6:22 7:1	model 11:16	official 4:2	5:12
10:7,22	moderate 3:18	offsetting 9:11	person 2:20
limited 12:1	moderated	once 6:18 13:17	personnel
line 6:21 7:25	1:14	ongoing 7:21	10:25
listed 5:15 13:3	moderator 2:8	9:17	phone 6:17,19
listen 12:8	5:20 14:9	online 13:16	6:25 12:21
look 6:11 7:14	moment 10:9	open 4:18 10:9	physical 13:8
13:10	13:3,11	12:22 13:1	place 14:10
	month 8:8		plan 7:5 9:1,3
			9:13

[plans - reporter]

<p>plans 9:8 platform 4:12 please 3:22 4:11,14 5:18 6:13,23 10:13 pleased 3:5 pleasure 2:4 points 7:4 pooling 10:18 positive 8:6 11:25 possible 10:2 11:9 12:11 post 4:5 posted 2:25 7:10,13 power 1:2,6 2:13 3:6 7:25 8:4 9:19 10:18 10:19 precedent 11:22 prepared 3:23 5:22 presentation 3:4 presented 11:4 preserve 11:8 press 4:20 6:20 12:20 previously 13:6 primarily 7:19 principles 10:3 12:12</p>	<p>proceedings 14:7 process 3:16 6:6,9 13:12 production 11:5 12:2 products 2:16 program 9:11 project 2:14 5:1 9:10 11:16 projections 8:9 projects 2:14 prompt 6:18 proposal 8:9 11:13 12:3 proposed 1:6 2:12,16,20 5:19 10:24 protect 7:19 provide 2:11 3:21 4:10,13 4:16 5:24 10:4 12:10,19,24 13:4 provided 7:4 10:21 provides 11:16 prs 9:12 public 1:5 2:5 2:10,19,21,25 3:13,15,18 6:9 14:21 purchase 7:25 purchases 8:4 8:12</p>	<p>purpose 3:17 purposes 8:13 8:17</p> <p style="text-align: center;">q</p> <p>question 3:12 questions 3:14 3:15 4:1 6:1 10:6 13:18 quickly 8:19</p> <p style="text-align: center;">r</p> <p>r 2:1,1 10:17 raise 4:11 6:14 10:10 12:16 raised 6:23 rate 1:6,8 2:20 2:24 5:4,14,19 7:18,24 8:10 8:22,25 9:3,25 10:2,24 11:7 11:13 12:3,5,9 ratemaking 10:25 rates 1:7 2:13 2:17 3:8 4:7,7 5:16,16 9:19 9:21 11:11 13:2 read 4:6 received 5:5 6:6 receiving 13:10 recent 7:10 reclamation 9:6,16</p>	<p>recommending 7:23 record 4:2 13:17,21 14:7 recorded 3:24 recovery 11:20 reduces 8:4 reduction 9:10 reductions 9:8 refer 2:24 reflect 9:8 12:4 regard 7:15 regarding 6:1 8:21 region 9:16 regions 4:7 5:16 register 6:7 related 9:13 relatively 11:8 relevant 5:19 5:21 remained 12:9 reminder 5:18 10:11 12:20 repayment 9:19,21 replacement 8:3 reported 1:24 reporter 1:24 3:24 5:23 7:7 8:14 9:20 14:21</p>
---	---	---	---

[reporter's - time]

reporter's 14:1 represent 10:17,18 representatives 6:4 representing 4:15,19 7:1 represents 10:24 request 8:21 required 8:12 8:16 reserve 5:20 resource 11:9 11:15 responded 8:22 responding 13:10 response 8:20 8:23,24 responsibility 8:3 restructure 7:18 result 11:21 results 8:8 revenue 9:11 review 6:4 7:9 9:3 reviews 9:1 right 4:22 5:20 11:22,23 rio 5:2 river 2:14 5:1 7:1,20 8:7 11:5	rodney 4:25	slow 8:18 sorry 5:6 sound 10:2,24 12:11 south 5:2 speak 5:22 6:17 8:19 12:23 13:12 specified 14:10 spring 8:7 11:25 stable 11:8 12:9 staff 3:4 5:25 10:8 11:6 12:14 13:2,15 star 6:20 12:21 start 4:14 stating 4:14 stay 13:16 stayed 11:8 stenographic 14:6 storage 2:14 5:1 study 8:8 9:19 9:21 submit 3:13 4:21 6:14 13:5 13:9 successful 11:14 suggest 11:11 suggestions 9:23	summarize 7:3 supplement 7:8 supplemented 9:4 supplementing 7:14 support 8:11 12:8 supporting 8:9 supports 10:21 surplus 2:16 system 8:7
	s 2:1 sale 2:15 salinity 8:21 9:10 salt 2:13 scheduled 2:10 2:17 scott 14:21 screen 4:22 6:13 section 5:13 see 3:9 6:12,22 12:18 seeing 13:3,11 selecting 4:12 send 4:21 7:5 sent 2:9 4:25 5:3 september 1:10 3:1 5:6 13:23 14:9 services 1:7 2:15 session 3:12,19 3:25 signature 14:20 significant 9:25 11:21 similar 8:10 slc 1:25 9:4 slca 1:6 slide 6:12 13:8	s	t
			t 2:1,1 10:17 take 3:17 7:14 taken 6:18 7:17 14:7 talk 13:18 tamala 3:6,9,10 task 4:13 10:12 team 12:8 teams 4:12,17 telephone 12:19,23 tend 8:19 term 11:18 terms 12:1 text 4:20 5:23 thank 6:24 8:18 10:4,7,13 12:12,13 13:14 think 7:11 11:10,22 time 3:20 7:16 7:19 9:2 13:22

[times - z]

<p>times 14:10 today 3:1,9,25 7:3 13:15 today's 2:5 3:2 3:23 4:3 5:22 together 4:1 tony 3:7 transcript 1:4 3:22 4:3 transcripts 4:5 transmission 1:7 2:15 trevor 1:14 2:6 6:24 14:8 tribute 11:6 true 10:1 try 12:10 two 7:6 11:12 11:17,18 12:2 12:3 type 4:18 typewritten 14:5</p>	<p>upper 7:19 9:15 url 5:14 use 4:11,21 6:14 9:10 10:10 12:15 using 4:17 13:4</p>	<p>we've 6:18 7:22 13:17 website 2:25 4:5 5:13 7:11 welcome 2:5 4:16 western 1:2 wholeheartedly 11:1 willingness 9:22 winding 13:13 window 4:18 wish 2:24 wishes 3:21 13:12 work 7:17 9:1,3 9:8,13 works 6:25 writing 13:9 written 4:23 5:4,24 7:6 13:5 www.wapa.g... 4:7 5:16</p>
	v	
	<p>value 11:9,15 12:10 various 4:9 verbally 4:10 12:17 verbatim 3:22 14:6 version 2:25 virtual 1:5 virtually 2:21 2:22</p>	
	w	
	<p>wants 4:4 wapa 1:8 3:15 4:4,5 5:14 6:6 7:17,18,23,24 7:25 8:2,2,10 9:1,5,7 10:24 10:25 11:1,6,9 11:13 12:5,8 wapa's 2:7 3:4 3:5,8 5:13 6:4 8:20 10:8 12:14 13:15 wapa.gov. 5:4 5:11</p>	
u		y
<p>under 5:13 7:22 11:20 unmute 6:21 12:21 unprecedented 11:4,10 updates 9:9,12 updegraff 1:14 2:4,6 10:7 12:13 14:8</p>		<p>yeah 8:16 year 8:10 11:12 11:17,18 12:3 years 7:22 12:2</p>
		z
		<p>z 10:17</p>

Utah Rules of Civil Procedure
Part V. Depositions and Discovery

Rule 30

(E) Submission to Witness; Changes; Signing.

Within 28 days after being notified by the officer that the transcript or recording is available, a witness may sign a statement of changes to the form or substance of the transcript or recording and the reasons for the changes. The officer shall append any changes timely made by the witness.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES
ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
THE ABOVE RULES ARE CURRENT AS OF APRIL 1,
2019. PLEASE REFER TO THE APPLICABLE STATE RULES
OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

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COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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