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 1 BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION

 2 COMMISSION

 3 WASHINGTON UTILITIES AND )

 TRANSPORTATION COMMISSION, )

 4 )

 Complainant, )

 5 )

 vs. ) DOCKET NO. UE-100749

 6 ) Volume I

 PACIFICORP, d/b/a PACIFIC ) Pages 1 - 23

 7 POWER AND LIGHT COMPANY, )

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 8 Respondent. )

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10 A prehearing conference in the above matter

11 was held on June 2, 2010, at 1:30 p.m., at 1300 South

12 Evergreen Park Drive Southwest, Olympia, Washington,

13 before Administrative Law Judge PATRICIA CLARK.

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16 WASHINGTON UTILITIES AND TRANSPORTATION

 COMMISSION, by DONALD T. TROTTER, Assistant Attorney

17 General, 1400 South Evergreen Park Drive Southwest,

 Post Office Box 40128, Olympia, Washington 98504;

18 telephone, (360) 664-1189.

19 PACIFICORP, by KATHERINE A. MCDOWELL,

 Attorney at Law, McDowell, Rackner & Gibson, 520

20 Southwest Sixth Avenue, Suite 830, Portland, Oregon

 97204; telephone, (503) 595-3924.

21

 INDUSTRIAL CUSTOMERS OF NORTHWEST UTILITIES,

22 by IRION SANGER, Attorney at Law, Davison Van Cleve,

 333 Southwest Taylor, Suite 400, Portland, Oregon

23 97204; telephone, (503) 241-7242.

24 Kathryn T. Wilson, CCR

25 Court Reporter

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 1 THE ENERGY PROJECT, by BRAD M. PURDY (via

 bridge line), Attorney at Law, 2019 North 17th Street,

 2 Boise, Idaho 83702; telephone, (208) 384-1299.

 3 WAL-MART STORES, INC.; SAM'S WEST, INC., by

 JUDITH KIM (via bridge line), Assistant General

 4 Counsel, 2001 Southeast 10th Street, Wal-Mart US Legal,

 Department 8989, Bentonville, Arkansas 72716-0550;

 5 telephone, (479) 204-2527.

 6 PUBLIC COUNSEL, by SIMON J. FFITCH, Senior

 Assistant Attorney General, 800 Fifth Avenue, Suite

 7 2000, Seattle, Washington 98104-3188; telephone, (206)

 464-6595.

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 1 P R O C E E D I N G S

 2 JUDGE CLARK: Good afternoon. It's

 3 approximately 1:30 p.m., June 2nd, 2010, in the

 4 Commission's hearing room in Olympia, Washington. This

 5 is the time and the place set for a prehearing

 6 conference in the matter of the Washington Utilities

 7 and Transportation Commission, Complainant, versus

 8 PacifiCorp, doing business as Pacific Power and Light

 9 Company, Respondent, given Docket No. UE-100749,

10 Patricia Clark, administrative law judge for the

11 Commission presiding.

12 This matter came before the Commission on May

13 4th, 2010, when PacifiCorp filed revisions to its

14 electric service tariffs proposing to increase the

15 rates and charges for electric service customers in

16 Washington. According to the filing, rates for

17 electric service would increase by approximately 20.88

18 percent. On May 12th, 2010 the Commission suspended a

19 filing until April 3rd, 2011, and on May 13th, 2010,

20 the Commission scheduled a prehearing conference for

21 this date and time.

22 I'm going to take appearances of all

23 individuals who are present; although some of those are

24 present telephonically, and I recognize we have three

25 outstanding petitions to intervene, but I'm going to

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 1 take appearances from everyone before I rule on those

 2 outstanding petitions. I just want to remind everyone

 3 that because we do have two individuals appearing on

 4 our bridge line that you speak a little more loudly

 5 that you might ordinarily speak and perhaps a little

 6 bit more slowly. I'll take the appearance first on

 7 behalf of PacifiCorp.

 8 MS. MCDOWELL: Thank you, Your Honor. This

 9 is Kathryn McDowell with the law firm McDowell, Rackner

10 and Gibson here on behalf of PacifiCorp.

11 JUDGE CLARK: I would like you to make a full

12 appearance because this is your first appearance, and

13 that means for those individuals who have not appeared

14 before us previously, I need your name, address,

15 telephone number, fax number, and e-mail.

16 MS. MCDOWELL: Katherine McDowell, McDowell,

17 Rackner and Gibson, 520 Southwest Sixth Avenue, Suite

18 830, Portland, Oregon, 97232. My phone number is (503)

19 595-3924, and did you request my fax number as well?

20 JUDGE CLARK: Yes, please.

21 MS. MCDOWELL: One moment. (503) 595-3928,

22 and let me correct my zip code. It's 97204, and my

23 e-mail is katherine@mcd-law.com.

24 JUDGE CLARK: Thank you. Appearing on behalf

25 of the Commission staff?

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 1 MR. TROTTER: Thank you, Your Honor. Donald

 2 T. Trotter, assistant attorney general. My address is

 3 PO Box 40128, Olympia, Washington, 98504-0128. Phone

 4 number is (360) 664-1189; fax, (360) 586-5522, and

 5 e-mail is dtrotter@wutc.wa.gov.

 6 JUDGE CLARK: Appearing on behalf of Public

 7 Counsel?

 8 MR. FFITCH: Good afternoon, Your Honor.

 9 Simon ffitch, assistant attorney general, Public

10 Counsel section of the Washington State Attorney

11 General's office. The address is 800 Fifth Avenue,

12 Suite 2000, Seattle, Washington, 98104. Phone number

13 is (206) 389-2055. Fax number is (206) 464-6451.

14 E-mail is simonf@atg.wa.gov.

15 JUDGE CLARK: Thank you, Mr. ffitch.

16 Appearing on behalf of the Industrial Customers of

17 Northwest Utilities?

18 MR. SANGER: My name is Irion Sanger with the

19 law firm of Davison Van Cleve. I represent ICNU. The

20 address is 333 Southwest Taylor, Suite 400, Portland,

21 Oregon, 97204. My e-mail is ias@dvclaw.com. My phone

22 number is (503) 241-7242. My fax number is

23 (503) 241-8160, and do you want all the contact

24 information to be put on the official service list at

25 this time, or should we do that at another time?

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 1 JUDGE CLARK: I also have under notice of

 2 appearance an appearance by Melinda Davison. There are

 3 also several individuals, I believe, who would be

 4 serving as consultants that we would ordinarily place

 5 on the interested persons list.

 6 MR. SANGER: I would like to put Ms. Davison

 7 on the official service list, but it would be fine if

 8 the consultants were on the interested person list and

 9 got the e-mails.

10 JUDGE CLARK: I have Ms. Davison on the

11 official list.

12 MR. SANGER: Thank you.

13 JUDGE CLARK: Appearing on behalf of The

14 Energy Project?

15 MR. PURDY: Yes, Your Honor, Brad Purdy. My

16 address is 2019 North 17th Street, Boise, Idaho, 83702.

17 E-mail is bmpurdy@hotmail.com. My telephone is (208)

18 384-1299. My fax, (208) 384-8511.

19 JUDGE CLARK: Appearing on behalf of

20 Wal-Mart, Incorporated, and Sam's West?

21 MS. KIM: My name is Judith Kim, assistant

22 general counsel, Wal-Mart Store, Inc., 2001 Southeast

23 10th Street, Bentonville, Arkansas, 72716-0550. Phone

24 is (479) 204-2527; fax, (479) 277-5991; e-mail,

25 judith.kim@walmartlegal.com.

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 1 JUDGE CLARK: Thank you, Ms. Kim. I'm going

 2 to address first the outstanding petitions to

 3 intervene, and I'm going to address those in the order

 4 in which they were filed. The first petition to

 5 intervene I have was filed by Industrial Customers of

 6 Northwest Utilities. Is there any objection to this

 7 petition? Hearing none, the petition for leave to

 8 intervene in this proceeding is granted.

 9 The second petition is by Wal-Mart Stores,

10 Incorporated, and Sam's West, Incorporated. Is there

11 any objection to this petition to intervene? Hearing

12 none, the petition to intervene is granted.

13 Finally, I have the petition to intervene

14 filed on behalf of The Energy Project. Is there any

15 objection to this petition to intervene? Hearing none,

16 the petition to intervene is granted.

17 This should be a pretty expedited prehearing

18 conference this afternoon because we've already

19 addressed a number of the procedural matters that we

20 ordinarily take care of in a prehearing conference.

21 We've already invoked the Commission's discovery rules

22 and we've already issued a protective order, so I

23 believe that the primary issue of business this

24 afternoon is going to be hammering out a procedural

25 schedule that is hopefully to everyone's mutual

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 1 satisfaction.

 2 In addition, for those that participated in

 3 last year's PacifiCorp rate filing, we tried something

 4 a little bit different, and instead of the Commission

 5 issuing a Bench request, actually two Bench requests,

 6 which are pretty standard, requesting additional

 7 information from PacifiCorp, we requested that

 8 information during the course of our prehearing

 9 conference. That worked out very well, and we were

10 able to get that supplemental filing from PacifiCorp

11 very expeditiously, so I'm going to give you the

12 information that we need once again this year.

13 The information is the underlying support for

14 Mr. Dalley's exhibit, RBD-3. The Company needs to

15 provide in separate electronic spreadsheet files in

16 Excel format and include the linked files with all

17 formulas and formatting and every spreadsheet intact;

18 that is, the formulas are not to be converted to values

19 or otherwise modified from the original, and we will

20 talk about a deadline for that information in a minute.

21 The second information request is also

22 linked, and this would, again, ordinarily be a Bench

23 request, an electronic spreadsheet file for any other

24 exhibits that flow into the results of operation,

25 including all adjustments furnished by other witnesses.

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 1 Those files must also be in Excel format and include

 2 all linked files with all formulas and formatting and

 3 every spreadsheet intact. The formulas are not to be

 4 converted or modified in any way, and those are also to

 5 be filed on CD.

 6 I would like to discuss now with PacifiCorp

 7 what you think would be an appropriate filing date for

 8 you to come up with that additional information for the

 9 supplemental filing. I would ordinarily ask that it be

10 approximately ten days, and I'm interested in knowing

11 if that would be burdensome for PacifiCorp.

12 MS. MCDOWELL: Is there any difference

13 between these requests and the requests that the

14 Commission asked at the prehearing conference in the

15 last case?

16 JUDGE CLARK: No, there is absolutely no

17 difference, and if you are interested in the exact text

18 of that information, you can even go to the year before

19 that in Docket UE-080220, and if you look at Bench

20 Requests 1 and 2, it is exactly the same information.

21 MS. MCDOWELL: Can I just have one moment to

22 confer with my clients?

23 JUDGE CLARK: Absolutely.

24 MS. MCDOWELL: Your Honor, the ten-day time

25 line I think you propose would work for PacifiCorp.

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 1 JUDGE CLARK: Those exhibits will be due then

 2 on June 14th, taking into consideration the benefit of

 3 a weekend. With respect to the prefiled testimony and

 4 exhibits of other parties, the Commission wants the

 5 parties to start with the results of operation that

 6 show test year actual results and state whether the

 7 company is restating in proforma adjustments are

 8 contested or uncontested, and if contested, state

 9 the -- for your disagreement, and that way, if everyone

10 starts from the same sheet of music, it will be a lot

11 easier for the Commission to compare the information

12 regarding each parties' proposal.

13 Commission also wants the parties to be

14 sensitive to rounding numbers with respect to the rate

15 of return. The recommended rate of return should be

16 stated as a percentage rounded to two decimal points;

17 for example, 8.34 percent. The conversion factor

18 should be stated as a number with six digits to the

19 right of the decimal point and rounded to the last

20 digit; for example, 46.012345.

21 I think we are now ready to discuss the

22 procedural schedule. It is my understanding from

23 Mr. Trotter immediately before the prehearing

24 conference, he advised me that the parties were

25 discussing a proposed procedural schedule but would

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 1 require some time to confer regarding that schedule, so

 2 I'm going to take a recess at this time. We will be at

 3 recess until further call to allow the parties to

 4 discuss that procedural schedule. Before we go off

 5 record, I want to remind you again that we do have two

 6 parties appearing telephonically, so your discussion

 7 regarding that schedule needs to be somewhere close to

 8 a microphone so they can participate. We are at recess

 9 until further call.

10 (Recess.)

11 JUDGE CLARK: We are back on the record.

12 Have the parties had an adequate opportunity to confer

13 regarding the procedural schedule?

14 MR. TROTTER: Yes. We have taken quite a bit

15 of time to discuss a schedule, Your Honor.

16 JUDGE CLARK: Do you have a proposed schedule

17 that all parties can agree?

18 MS. MCDOWELL: Yes, we do.

19 MR. TROTTER: I made a copy of that, Your

20 Honor. Parties will have to make sure I did it right,

21 but I will give you a copy.

22 JUDGE CLARK: I would greatly appreciate

23 that.

24 MR. TROTTER: If everyone could look at it

25 and make sure it is the same as what we discussed.

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 1 JUDGE CLARK: Do you want to memorialize that

 2 for purposes of the record, Mr. Trotter?

 3 MR. TROTTER: Yes, Your Honor. For benefit

 4 of those on the bridge line, what I handed out was

 5 direct testimony filed May 4th of this year, which has

 6 already occurred, and all the dates will be this year,

 7 and I will make the distinction when the new year

 8 starts.

 9 The issue discussion settlement conference,

10 October 20th; response testimony, November 10th;

11 settlement discussion again on December 8th; rebuttal

12 and cross-answering testimony filed December 14th;

13 discovery cutoff, that is, the last day to issue data

14 requests is December 30th, and I'm moving into 2011.

15 Prehearing conference for marking exhibits, January

16 7th; hearings, January 12th through 14th and the 18th

17 if necessary; briefs, February 14th, and the end of the

18 suspension period is April 3rd.

19 JUDGE CLARK: All right. I am going to take

20 this schedule under advisement. Ordinarily if the

21 parties have concurred regarding a procedural schedule,

22 I would be inclined to adopt it. However, I do note

23 that out of this ten-month suspension period, more than

24 five months expire before we get responsive testimony,

25 and I think that that is probably not the most prudent

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 1 and fairest use of the suspension period.

 2 My concern is insuring that the

 3 decision-makers have an adequate amount of time to

 4 consider the case and render a decision, and everyone

 5 has had PacifiCorp's filing since the 4th of May, as

 6 well as all of the direct testimony, and it seems to me

 7 that that is an inordinately lengthy amount of time.

 8 Prior to going on the record in this

 9 afternoon's prehearing conference, I did confer with

10 commissioners regarding their preference, and their

11 preference would be to have a hearing in December, and

12 no later than mid December, and preferably early

13 December, so I'm going to have to present this

14 alternate schedule to them, but I will warn everyone

15 that it may not be likely that the commissioners get

16 backed into a corner to make a decision. Mr. ffitch?

17 MR. FFITCH: I'm sorry, Your Honor. I wanted

18 to bring up another scheduling matter when you are

19 ready.

20 JUDGE CLARK: I'm ready.

21 MR. FFITCH: We actually did discuss amongst

22 the parties two other matters, which I think we are in

23 agreement on. One is for a report-back date on the

24 public notice of July 2nd, and the Commission staff and

25 the Company would confer and hopefully reach agreement

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 1 as we are usually able to do on the public notice

 2 process and the content, and we would report back to

 3 Your Honor by July 2nd.

 4 Second item is public hearings. We

 5 tentatively are proposing one public hearing for

 6 Walla Walla in early October. The caveat is that

 7 Mr. Purdy wants to check with his client, The Energy

 8 Project, to see if they have any variation on that

 9 recommendation or want to recommend an additional date,

10 so what we would request is that we be able to follow

11 up with communication to the Bench once Mr. Purdy has

12 had a chance to check with his client.

13 JUDGE CLARK: That would be fine. First the

14 deadline of July 2nd to confer with the Company and

15 Staff regarding the public notice report is accepted.

16 It's a reasonable amount of time to confer regarding

17 that public notice, and the Commission will take under

18 consideration the request for the public comment

19 hearing to be held in Walla Walla.

20 I am sure that everyone is quite aware of the

21 budget constraints for the state of Washington right

22 know, so I did check alternatives. If Walla Walla is

23 the location selected, it would probably have to be an

24 afternoon hearing rather than a hearing after five

25 p.m., because it is impossible to fly there and back in

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 1 one day. There are no flights available, and I think

 2 the Commission is very unlikely to want to incur the

 3 additional expense of hotel accommodations for a

 4 hearing that typically sets aside an hour and a half to

 5 two hours. It's a brave new world with budget

 6 constraints that we have, and we are all going to have

 7 to make some accommodation to work within those.

 8 I'm happy to let the parties report on a

 9 location later, but I have to let you know, if you

10 select Walla Walla, it's unlikely to be an evening

11 hearing. It's more likely to be an afternoon hearing.

12 MR. FFITCH: Your Honor, we had in mind

13 budget constraints and therefore didn't ask for two

14 hearings, speaking for Public Counsel. We picked Walla

15 Walla rather than Yakima because I believe last case,

16 the hearing was in Yakima.

17 JUDGE CLARK: That is correct, and the

18 proceeding before the hearing was held in Walla Walla,

19 and the Commission does traditionally alternate. I

20 will also add that for PacifiCorp, the Commission seems

21 to usually hold one public hearing with or without

22 budget constraints. It seems there is one hearing in

23 this particular case, and I think that's probably more

24 linked to the size of the service territory in the

25 state of Washington rather than the budget.

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 1 MR. PURDY: This is Brad Purdy. I appreciate

 2 Mr. ffitch carrying the banner for me on that. That

 3 was, as he indicated, my request for diligence. I

 4 certainly do understand budget constraints. I will

 5 talk with my client and get right back to the other

 6 people and be very aware of that.

 7 JUDGE CLARK: That's not a problem,

 8 Mr. Purdy. I just wanted you to be aware that there

 9 would probably be some additional constraints, so when

10 you discuss this with your client, I would like you to

11 be aware of that so that you are not surprised that

12 when you request a Walla Walla hearing that we grant

13 it, but it's at three o'clock in the afternoon because

14 we can't make alternate travel arrangements. I just

15 wanted you to have all the information.

16 MR. PURDY: Thank you very much.

17 MR. FFITCH: Your Honor, if I could make one

18 more observation. If the choice is perhaps a very

19 poorly attended afternoon hearing in Walla Walla

20 whereas an evening hearing in Yakima might be also

21 doable within the same budget, that might be, frankly,

22 preferable. I'm looking back at Mr. Kouchi and he's

23 nodding. If the Commission is going to spend some

24 money on a hearing, it may be more cost-effective to do

25 an evening hearing.

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 1 JUDGE CLARK: Right. I understand you are

 2 going to get back to me on your preference, and I do

 3 hope that you will take all of these considerations

 4 into account when you make your request regarding the

 5 location. I just didn't want you to not have all the

 6 information to take into consideration when you are

 7 forming that recommendation, and I would like a

 8 deadline for you to get back to me on your

 9 recommendation to the public comment hearing.

10 MR. PURDY: My client was unable to be

11 available the latter part of this hearing. I will

12 contact him immediately and give you my assurances I

13 will get back in touch, if it's appropriate with

14 Mr. ffitch, at the end of the business day tomorrow, if

15 that's adequate.

16 JUDGE CLARK: That would be excellent for me,

17 and is that a sufficient amount of time for Mr. ffitch?

18 MR. FFITCH: Yes, Your Honor.

19 JUDGE CLARK: Is that sufficient for Staff as

20 well, Mr. Trotter?

21 MR. TROTTER: Yes.

22 JUDGE CLARK: I don't want to exclude anyone.

23 If Wal-Mart or ICNU care about the location or time or

24 deadline, I'm hoping you will jump in. People are

25 nodding their heads affirmatively which isn't picked up

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 1 quite as well on the microphones.

 2 MS. KIM: Wal-Mart is okay.

 3 MS. MCDOWELL: Your Honor, I just had a

 4 couple of comments on the schedule, if I might.

 5 JUDGE CLARK: Please.

 6 MS. MCDOWELL: First, just responding to your

 7 comment about the need to review the schedule that we

 8 have proposed. I do want to say that I hope we haven't

 9 missed the mark too far. We tried to look at the 2009

10 Puget case which was filed within just a few days last

11 year of when we filed this year and try to find

12 generally the milestones based on that schedule, so

13 that's just to give you some background on how we tried

14 to develop the schedule.

15 If we are going to be moving dates up into

16 December, November, even October, the Company has

17 various other cases scheduled in other jurisdictions.

18 Many of the witnesses are overlapping, so I'm not quite

19 sure the process, if there was an ability for you to

20 put out proposed dates or something and have folks

21 respond with respect to availability, something like

22 that would be very helpful, I'm sure not just for the

23 Company but others that are involved in other

24 proceedings that are going on in the fall and late next

25 year or in this year.

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 1 JUDGE CLARK: Absolutely. And I would

 2 probably do that via electronic notification so that

 3 you can see an alternate schedule that the Commission

 4 was considering.

 5 MS. MCDOWELL: That would be very helpful.

 6 With respect to the current schedule, and I know this

 7 may be a level of detail that may not be appropriate at

 8 this point, but I just want to offer it up that we had

 9 talked about some expedited discovery turnarounds, just

10 to put those in the record so there is no question

11 about that. The proposal had been that we move to a

12 seven-business-day turnaround commencing with the

13 response testimony, which we have proposed to have

14 filed on the 10th of November, and that we moved to a

15 five-day discovery turnaround beginning on the 14th,

16 the rebuttal and cross-answering testimony to date.

17 JUDGE CLARK: The Commission does ordinarily

18 adopt a five-business day.

19 MS. MCDOWELL: That's five business days.

20 The first one was seven business days. The second one

21 was five business days.

22 JUDGE CLARK: That is a reasonable proposal

23 and the Commission will adopt that. That is generally

24 the Commission's practice as well.

25 MS. MCDOWELL: Great. Then we had indicated

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 1 in our proposed schedule, and I don't think anyone

 2 objected to it, that we wanted to reserve the right to

 3 request a reply brief. The current schedule

 4 contemplates only a single date for opening briefs, but

 5 to the extent that reply briefs seemed important

 6 because of the issues that were still outstanding, we

 7 wanted to reserve the right to request to add reply

 8 briefs into the schedule.

 9 Then finally, again, this is a little detail

10 that I hope is appropriate, the 18th is a date where we

11 potentially would have the hearing slipped a week if

12 we did not complete it. It's proposed now for the 12th

13 through the 14th of January with the 18th as a

14 potential additional day the following week. The

15 Company has many witnesses who need to be at a

16 conference in the Midwest beginning on the 19th. It's

17 possible that some witnesses, we would need to

18 accommodate those witnesses' schedules by having them

19 go the preceding week in order to actually accommodate

20 the hearing on the 18th.

21 JUDGE CLARK: We can certainly do that. We

22 can take witnesses out of order and make whatever other

23 accommodations are necessary to assure that those other

24 individuals are able to meet those travel arrangements.

25 MS. MCDOWELL: Thank you. Those are all the

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 1 issues I have.

 2 JUDGE CLARK: I do appreciate you bringing

 3 all of those issues to the Commission's attention so

 4 they can take those issues into consideration in

 5 determining whether or not to adopt this procedural

 6 schedule.

 7 The other bit of business is, of course,

 8 cross-examination exhibits, and the Commission will be

 9 setting a deadline for the submission of

10 cross-examination exhibits. Those of you who are

11 familiar with our practice know that we have a rule

12 that requires the parties may be required to

13 predistribute cross-examination exhibits, and it's the

14 Commission's practice to always require the

15 predistribution of cross-examination exhibits.

16 It is also in the last couple of years, I

17 suppose, become the Commission's practice to not only

18 require the predistribution but to establish a

19 deadline, and not to extend that deadline absent good

20 cause to insure that the parties and the commissioners

21 have an adequate opportunity and time to prepare for

22 the hearing, and the Commission may exclude

23 cross-examination exhibits that are distributed after

24 the deadline absent a showing of good cause for that

25 delay, so any procedural schedule that the Commission

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 1 adopts will also include a deadline for submitting

 2 cross-examination exhibits.

 3 Let me see if I have all the other

 4 information that I need. It appears that I do have, I

 5 believe, deadlines for all the other information that I

 6 need. Is there anything further that should be

 7 considered on the record this afternoon?

 8 MR. FFITCH: Your Honor, I have two very

 9 small matters. One is to request if you know the

10 number of copies that the Bench will require yet?

11 JUDGE CLARK: As soon as you said that, what

12 popped up on my screen is "document preparation and

13 filing requirements." In this case, the Commission

14 will require an original and 17 copies of all

15 documents, and that is a large amount of copies, and so

16 therefore, I'm going to ask that the parties not expand

17 the number of filing copies that we need; that is, that

18 you not add additional people but rather share

19 graciously with others rather than expanding the number

20 of copies.

21 MR. FFITCH: The second was to ask if we

22 could have until close of business tomorrow to provide

23 additional names for your electronic service list for

24 our internal staff.

25 JUDGE CLARK: If possible, I would really

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 1 appreciate getting that information by noon tomorrow

 2 rather than the close of business tomorrow, and that is

 3 only because I will be on leave starting on Friday for

 4 a week, and I would rather not delay getting a

 5 prehearing conference order out for a week, so yes, by

 6 noon.

 7 MR. FFITCH: We can do that, Your Honor.

 8 MR. SANGER: That's in addition to the people

 9 we've already provided you?

10 JUDGE CLARK: Yes, that's in addition to the

11 people you've already provided. Are there any other

12 matters that we should take under consideration this

13 afternoon? Mr. ffitch? Hearing nothing, we are

14 adjourned.

15 (Prehearing adjourned at 2:56 p.m.)

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