EXHIBIT NO. ____(KCH-1T)
DOCKET NOS. UE-190529/UG-190530
2019 PSE GENERAL RATE CASE
WITNESS: KEVIN C. HIGGINS

BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, **Complainant,** **v.** **PUGET SOUND ENERGY, INC.,** **Respondent.**	**Docket No. UE-190529** **Docket No. UG-190530**

PREFILED RESPONSE TESTIMONY OF

KEVIN C. HIGGINS

ON BEHALF OF THE KROGER CO.

November 22, 2019

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RESPONSE TESTIMONY OF KEVIN C. HIGGINS

I. INTRODUCTION

Q. Please state your name and business address.

A. My name is Kevin C. Higgins. My business address is 215 South State Street, Suite 200, Salt Lake City, Utah, 84111.

Q. By whom are you employed and in what capacity?

A. I am a Principal in the firm of Energy Strategies, LLC. Energy Strategies is a private consulting firm specializing in economic and policy analysis applicable to energy production, transportation, and consumption.

Q. On whose behalf are you testifying?

A. My testimony is being sponsored by The Kroger Co. ("Kroger") on behalf of its Fred Meyer Stores and Quality Food Centers divisions. Kroger is one of the largest retail grocers in the United States and operates approximately 120 facilities in the state of Washington, a little more than half of which are located in the territory served by Puget Sound Energy ("PSE"). These facilities purchase more than 130 million kWh annually from PSE, and are served on Electric Rate Schedules 24, 25, 26, 31 and 40.

Q. Please describe your professional experience and qualifications.

A. My academic background is in economics, and I have completed all coursework and field examinations toward the Ph.D. in Economics at the University of Utah. In addition, I have served on the adjunct faculties of both the University of Utah and Westminster College, where I taught undergraduate and graduate courses in economics. I joined Energy Strategies in 1995, where I assist private and public sector clients in the areas of energy-related economic and policy analysis, including evaluation of electric and gas utility rate matters.

Prior to joining Energy Strategies, I held policy positions in state and local government. From 1983 to 1990, I was economist, then assistant director, for the Utah Energy Office, where I helped develop and implement state energy policy. From 1991 to 1994, I was chief of staff to the chairman of the Salt Lake County Commission, where I was responsible for development and implementation of a broad spectrum of public policy at the local government level.

Q. Have you previously appeared as an expert witness?

A. Yes. I have testified before this Commission in seven PSE general rate cases dating back to 2001, as well as PSE's 2014 cost of service proceeding, 2013 decoupling proceeding, and the 2009 proceeding that addressed the treatment of revenues from PSE's sales of Renewable Energy Credits. Most recently, I testified in PSE's 2017 general rate case and 2017 retail wheeling case. In addition, I have testified in approximately 230 other proceedings on the subjects of utility rates and regulatory policy before state utility regulators in Alaska, Arizona, Arkansas, Colorado, Georgia, Idaho, Illinois, Indiana, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, Nevada, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Texas, Utah, Virginia, West Virginia, and Wyoming. I have also filed affidavits in proceedings before the Federal Energy Regulatory Commission and prepared expert reports in state and federal court proceedings involving utility matters.

II. RECOMMENDATIONS

Q. What is the purpose of your testimony?

A. My testimony addresses PSE's proposed attrition adjustment, revenue allocation across customer classes (or rate spread), and the Company's aggregated demand proposal. Absence of comment on my part regarding a particular issue does not signify support (or opposition) toward PSE's filing with respect to the non-discussed issue.

Q. Please summarize your conclusions and recommendations.

- To the extent that the Commission decides to adopt an attrition adjustment in any form, I recommend that the Company's attrition-related revenue requirement calculations exclude plant additions that are projected to go into service after the conclusion of year 2019.
- PSE's rate spread proposal recognizes that certain classes warrant rate increases that are below the system average. However, it does not adhere closely enough to the principles of cost causation. I recommend that the rate schedules that are at 106% of parity according to PSE's cost of service study should receive an increase that is 50% of the uniform percentage increase rather than 75% as proposed by PSE.
- I strongly support the Company's proposed conjunctive demand pilot program. A well-designed demand aggregation program places a customer with multiple locations on an equal footing with single-site customers, by charging participating multi-site customers for the amount of generation and transmission services that they actually use, thereby promoting equitable treatment of these customers. I

recommend that the Commission approve the proposed conjunctive billing demand pilot program and consider expanding the scale of the program to allow for participation by non-electric vehicle customers for up to 10 locations and up to 5 MW per customer, with an overall participation cap of 100 locations.

III. ATTRITION ADJUSTMENT

Q. Why is PSE requesting approval of an attrition adjustment in this case?

A. As explained in the Direct Testimony of Ronald J. Amen, PSE is requesting an attrition adjustment to address concerns the Company has with traditional ratemaking, particularly regulatory lag, which according to Mr. Amen, prevents PSE from obtaining timely recovery of costs related to infrastructure improvements. This delay in access to necessary funds, according to PSE, results in earnings attrition and may discourage ongoing investment in utility infrastructure. PSE proposes an attrition adjustment in this case to address the purported mismatch between earnings and expenditures and provide a better opportunity for the Company to earn its allowed rate of return.

Q. What is the amount of attrition-related relief that PSE is seeking in this case?

A. The attrition adjustment amounts to $48.8 million; however, according to PSE witness Jon A. Piliaris, the Company is not seeking to recover the full amount of this adjustment. Based on the information provided in the Exhibit SEF-14,[1] sponsored by PSE witness Susan E. Free, the Company proposes to recoup about $42.2 million.

[1] Exhibit SEF-14 was filed on Sep. 17, 2019 and represents an update to Exhibit SEF-3E submitted on Jun. 20, 2019.

Q. How did PSE quantify the amount of its proposed attrition adjustment?

A. The Company prepared an attrition revenue analysis to demonstrate the disparity between its earnings and expenditures. As described by Mr. Amen, the Company's attrition study starts with historical period plant balances adjusted to remove rate base items that are outside of PSE's historical trend.[2] Using regression analyses, PSE then calculates growth factors for its attrition base year revenues,[3] O&M expense, and certain plant line items. The growth factors are applied to the respective cost categories to arrive at rate year revenues and costs that are representative of the historical trend. Finally, the Company includes pro-forma plant additions to reflect plant expected to go into service during the rate effective period, i.e., the May 2020 to April 2021 timeframe. According to Mr. Amen, these projected capital expenditures include ongoing delivery system infrastructure improvements. According to PSE Exhibit SEF-14, the difference between the net revenue change before attrition ($97.1 million) and after attrition ($145.8 million) produces the claimed attrition revenue shortfall of $48.8 million.

Q. What is your assessment of the Company's attrition adjustment?

A. The test period in this case is Calendar Year 2018. PSE's attrition adjustment includes plant additions that are expected to go into service 26 months after the conclusion of the test period and more than 22 months after the Company's filing date in this case. In my opinion, the Company's attrition proposal is an example of extreme overreach. It is not reasonable to set current revenue requirements based on a rate base forecast that extends that far into the future. I believe a test

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[2] Direct Testimony of Ronald J. Amen, pp. 23-24.

[3] The base year in this case is the 12-month period ending December 2018, as shown in Exhibit RJA-3.

period that employs a more near-term measurement of a utility's capital expenditure program – when projects are known with greater specificity – will prove to be more reliable, and thus, more appropriate for ratemaking. Moreover, under PSE's proposal customers would be required to pay in current rates for plant that is not yet in service.

Q. What is your recommendation regarding PSE's proposed attrition adjustment?

A. To the extent that the Commission decides to adopt an attrition adjustment in any form, I recommend that the Company's attrition-related revenue requirement calculations exclude plant additions that are projected to go into service after the conclusion of year 2019. This would address in significant measure concerns about regulatory lag, while setting rates based on more reliable information and with a greater nexus between revenue requirement and plant actually in service.

IV. RATE SPREAD

Q. What general guidelines should be employed in spreading any change in rates?

A. In determining rate spread, or revenue apportionment, it is important to align rates with cost causation, to the greatest extent practicable. Properly aligning rates with the costs caused by each customer group is essential for ensuring fairness, as it minimizes cross subsidies among customers. It also sends proper price signals, which improves efficiency in resource utilization.

At the same time, it can be appropriate to mitigate the impact of moving immediately to cost-based rates for customer groups that would experience significant rate increases from doing so by employing the ratemaking principle of gradualism. When employing this principle, it is important to adopt a long-term strategy of moving in the direction of cost causation, and to avoid practices that result in permanent cross-subsidies from other customers.

Q. Please describe the results of PSE's cost-of-service study.

A. Based on PSE's supplemental workpapers submitted on September 23, 2019, the Company is proposing an increase in its overall base electric revenue requirement of $100.2 million, which is a 5% increase. After taking account of rider resets, as well as PSE's proposed attrition adjustment, the net electric revenue increase amounts to $139.9 million.[4]

A summary of PSE's cost-of-service study from its supplemental filing is presented in Table KCH-1, below. The Company's study excludes the effects of PSE's proposed attrition adjustment and rider impacts. It indicates that the Secondary Voltage and High Voltage classes warrant rate *reductions* at the Company's requested base revenue requirement increase of $100.2 million, excluding the attrition adjustment and rider impacts.

[4] According to PSE's filing, the evidence in this case supports an increase of $145.9 million, however, the Company is not seeking the full amount of the attrition adjustment.

Table KCH-1

Summary of PSE Cost-of-Service Study Results [5]

Voltage Level	Cost of Service			
	Cost-Based Rev Req.t Before Riders and Attrition ($)	Cost-Based Increase ($)	Cost-Based Increase (%)	Parity Percentage
Residential	$1,201,158,969	$95,262,455	8.61%	97%
Secondary Voltage				
Demand <= 50 kW	$263,266,249	($124,148)	-0.05%	105%
Demand > 50 kW but <= 350 kW	$267,473,327	($3,229,915)	-1.19%	106%
Demand > 350 kW	$158,964,938	($1,315,903)	-0.82%	106%
Total Secondary Voltage	$689,704,515	($4,669,965)	-0.67%	106%
Primary Voltage				
General Service	$116,262,735	$3,007,518	2.66%	102%
Irrigation	$510,604	$242,589	90.51%	55%
Interruptible Total Electric Schools	$12,764,808	$2,077,659	19.44%	88%
Total Primary Voltage	$129,538,147	$5,327,766	4.29%	101%
Total High Voltage	$39,830,675	($297,573)	-0.74%	106%
Choice / Retail Wheeling / Special Contract	$17,852,736	$2,244,473	14.38%	92%
Lighting	$18,480,761	$2,023,257	12.29%	94%
Total Jurisdictional Retail Sales	$2,096,565,803	$99,890,413	5.00%	100%
Firm Resale	$677,891	$350,531	107.08%	50%
Total Sales	$2,097,243,694	$100,240,944	5.02%	100%

Q. Please describe PSE's proposed rate spread.

A. PSE's proposed rate spread, including its proposed attrition adjustment, is presented in supplemental workpapers accompanying Exhibit JAP-06, sponsored by Mr. Piliaris, Mr. Piliaris applies 100% of the adjusted average system increase

[5] Source: WP-BDJ04-ECOS Model (Supplemental), WP-JAP06-ELEC-RATESPREAD-DESIGN (Supplemental)

of 7.68% to retail classes that are approximately within five percent of full parity in the Company's cost-of-service study.[6] The adjusted average rate increase is actually a target baseline increase calculated by removing the increases for Transportation, Special Contract and Firm Resale, and then accounting for the effect of several rate schedules that are proposed to get increases below the adjusted average increase. For the retail classes that are more than five percent above full parity, the company proposes to apply a rate increase of 5.76%, which is 75 percent of the adjusted average. The proposed electric rate increases, as provided in the Company's supplemental filing, are shown in the Table KCH-2 below.[7]

Based on the terms of the settlement agreement approved in PSE's last general rate case, Schedule 40 will be eliminated once new rates take effect at the conclusion of this case. Therefore, Schedule 40 is excluded from the rate spread calculations and affected customer loads have been migrated to Schedules 24, 25, 26 or 31, depending on eligibility parameters of each load.

[6] PSE's COS Study reflects revenue requirement exclusive of the proposed attrition adjustment, while the rate spread proposal presented in Exhibit JAP-06 is based on net revenue change after attrition.
[7] Direct Testimony of Jon A. Piliaris, p. 12.

Table KCH-2

PSE Proposed Rate Spread[8]

Voltage Level	PSE Proposal				
	Cost of Service Parity Percentages	Percent of Uniform Increase	Proposed Revenue Increase (%)	Proposed Revenue Increase ($)	Proposed Revenue
Residential	97%	100%	7.68%	$84,940,012	$1,190,836,526
Secondary Voltage					
Demand <= 50 kW	105%	100%	7.68%	$20,230,088	$283,620,485
Demand > 50 kW but <= 350 kW	106%	75%	5.76%	$15,593,821	$286,297,063
Demand > 350 kW	106%	75%	5.76%	$9,232,955	$169,513,796
Total Secondary Voltage	106%			$45,056,864	$739,431,344
Primary Voltage					
General Service	102%	100%	7.68%	$8,698,734	$121,953,951
Irrigation	55%	150%	11.52%	$30,878	$298,893
Interruptible Total Electric Schools	88%	125%	9.60%	$1,026,053	$11,713,202
Total Primary Voltage	101%			$9,755,665	$133,966,046
Total High Voltage	106%	75%	5.76%	$2,311,582	$42,439,830
Choice / Retail Wheeling / Special Contract	92%		-6.39%	($997,726)	$14,610,537
Lighting	94%	125%	9.60%	$1,580,054	$18,037,558
Total Jurisdictional Retail Sales	100%		7.14%	$142,646,450	$2,139,321,840
Firm Resale	50%		108.00%	$353,550	$680,910
Total Sales	100%		7.16%	$143,000,000	$2,140,002,750

Q. What is your assessment of PSE' spread proposal?

A. PSE's rate spread proposal recognizes that certain classes warrant rate increases that are below the system average. However, it does not adhere closely enough to the principles of cost causation. According to the Company's cost-of-service study, the classes that are at 106% of parity deserve rate *decreases* at the Company's requested base revenue requirement increase prior to the inclusion of the attrition adjustment. (See Table KCH-1.) Yet the Company proposes that

[8] Source: WP-JAP06-ELEC-RATESPREAD-DESIGN (Supplemental)

these rate schedules receive 75% of the adjusted average increase. I believe a smaller increase is reasonable and appropriate.

Q. What is your recommended rate spread?

A. I recommend that the rate schedules that are at 106% of parity according to PSE's cost of service study should receive an increase that is 50% of the uniform percentage increase rather than 75% as proposed by PSE.

My recommend rate spread at PSE's requested revenue requirement (supplemental) is presented in Kroger Exhibit No. __ (KCH-2), page 1, and is summarized in Table KCH-3 below. Kroger Exhibit No. __ (KCH-2) also presents a direct comparison to PSE's proposed rate spread. Under my proposal, at the Company's requested revenue requirement, the rate schedules that are at 106% of parity would receive rate increases of 4.10%. While my proposal would still subject these classes to an increase, it is a more reasonable increase than that proposed by the Company, and better balances the ratemaking principles of gradualism and cost causation.

Table KCH-3

Kroger Proposed Rate Spread at PSE's Requested Revenue Requirement (including PSE Attrition Adjustment)

Voltage Level	Kroger's Recommended Spread at PSE's Supplemental Requested Revenue Increase				
	Cost of Service Parity Percentages	Percent of Uniform Increase	Proposed Revenue Increase (%)	Proposed Revenue Increase ($)	Proposed Revenue
Residential	97%	100%	8.20%	$90,648,694	$1,196,545,208
Secondary Voltage					
Demand <= 50 kW	105%	100%	8.20%	$21,589,720	$284,980,117
Demand > 50 kW but <= 350 kW	106%	50%	4.10%	$11,094,571	$281,797,813
Demand > 350 kW	106%	50%	4.10%	$6,568,991	$166,849,832
Total Secondary Voltage	106%			$39,253,282	$733,627,762
Primary Voltage					
General Service	102%	100%	8.20%	$9,283,362	$122,538,579
Irrigation	55%	150%	12.30%	$32,953	$300,968
Interruptible Total Electric Schools	88%	125%	10.25%	$1,095,012	$11,782,161
Total Primary Voltage	101%			$10,411,327	$134,621,708
Total High Voltage	106%	50%	4.10%	$1,644,626	$41,772,874
Choice / Retail Wheeling / Special Contract	92%		-6.39%	-$997,726	$14,610,537
Lighting	94%	125%	10.25%	$1,686,246	$18,143,750
Total Jurisdictional Retail Sales	100%		7.14%	$142,646,450	$2,139,321,840
Firm Resale	50%		108.00%	$353,550	$680,910
Total Sales	100%		7.16%	$143,000,000	$2,140,002,750

Q. What is your recommended rate spread if the attrition adjustment is excluded?

A. My recommended rate spread at PSE's requested revenue requirement excluding the attrition adjustment is presented in Kroger Exhibit No. __ (KCH-2), page 2 and summarized in Table KCH-4, below. I derived this rate spread using the same parameters that I discussed above in deriving the rate spread in Table KCH-

3. Page 2 of Kroger Exhibit No. __ (KCH-2) also compares my proposed rate spread for PSE's requested revenue requirement, excluding the attrition adjustment, to the results of PSE's cost of service study.

Table KCH-4

Kroger Proposed Rate Spread at PSE's Requested Revenue Requirement (excluding PSE Attrition Adjustment and Riders)

Voltage Level	Kroger's Recommended Spread at PSE's Supplemental Requested Revenue Increase (Excluding Attrition and Riders)				
	Cost of Service Parity Percentages	Percent of Uniform Increase	Proposed Revenue Increase (%)	Proposed Revenue Increase ($)	Proposed Revenue
Residential	97%	100%	5.76%	$63,665,217	$1,169,561,731
Secondary Voltage					
Demand <= 50 kW	105%	100%	5.76%	$15,163,088	$278,553,485
Demand > 50 kW but <= 350 kW	106%	50%	2.88%	$7,792,040	$278,495,282
Demand > 350 kW	106%	50%	2.88%	$4,613,594	$164,894,435
Total Secondary Voltage	106%			$27,568,723	$721,943,203
Primary Voltage					
General Service	102%	100%	5.76%	$6,519,975	$119,775,192
Irrigation	55%	150%	8.64%	$23,144	$291,159
Interruptible Total Electric Schools	88%	125%	7.20%	$769,059	$11,456,208
Total Primary Voltage	101%			$7,312,178	$131,522,559
Total High Voltage	106%	50%	2.88%	$1,155,069	$41,283,317
Choice / Retail Wheeling / Special Contract	92%		-6.39%	-$997,726	$14,610,537
Lighting	94%	125%	7.20%	$1,184,300	$17,641,804
Total Jurisdictional Retail Sales	100%		5.00%	$99,887,760	$2,096,563,150
Firm Resale	50%		108.00%	$353,550	$680,910
Total Sales	100%		5.02%	$100,241,310	$2,097,244,060

V. CONJUNCTIVE DEMAND SERVICE OPTION PILOT

Q. Please describe PSE's proposal regarding Conjunctive Demand Service.

A. As described by Mr. Piliaris, PSE proposes to implement a pilot program that would allow eligible customers with multiple service locations to aggregate their demands for purposes of power and transmission billing. The Company would measure the highest hourly demand occurring simultaneously across each of a customer's participating locations, thereby measuring billing demand for the totality of the customer's participating sites as if it were a single load for billing purposes. This is described as conjunctive demand billing and would only apply to the customer's generation and transmission service. The distribution portion of the bill would continue to be calculated using demand billing determinants established separately at each location.[9]

Q. What are the customer eligibility criteria for the conjunctive demand pilot program?

A. According to PSE, the pilot program would be available only to customers taking service under electric Schedules 26 or 31. These customers would be required to install advanced metering infrastructure for accurate demand measurements and agree to have all of the participating facilities on the same billing cycle. Also, with the exception of customers involved in the electric vehicle industry, the pilot will be limited to no more than five locations and 2 MW per eligible customer and will not allow for more than 50 participating locations in total.[10]

Q. What is your assessment of the Company's proposal to implement the conjunctive demand pilot program?

[9] Direct Testimony of Jon. A. Piliaris, pp. 30-31
[10] *Id.*, p. 33

A. I strongly support the Company's proposal to establish a demand aggregation program. This type of aggregation properly allows a multi-site customer to capture the diversity within its loads for billing purposes, specifically in the determination of billing demand. By treating the multiple loads of a single customer as a single entity for the purpose of measuring the amount of power and transmission service provided to the customer, the customer's load is treated in a manner that is comparable to the treatment of a single-site customer with the same aggregate load shape. It is also comparable to the way the customer's load would be viewed in a competitive market.

Q. Why is it appropriate to apply a conjunctive demand rate to fixed generation and transmission costs as distinct from distribution costs?

A. Each facility owned by a multi-site customer causes unique distribution costs and therefore it is appropriate to recover those costs based on the peak demand of each individual facility. But that is not the case for fixed production and transmission costs. At the power supply and transmission level, it makes no difference whatsoever whether 5 MW in a given hour is going to a single-site customer with a 5 MW load or to a multi-site customer with five facilities taking 1 MW each. The cost to produce and transmit the 5 MW in that hour is identical in both cases. Mr. Piliaris correctly recognizes this neutrality with respect to cost causation when he states that "customers served by PSE through multiple locations look no different (i.e., have no materially different cost of service) than a single customer with similar load characteristics."[11]

[11] Ibid.

For a multi-site customer, it would not be unusual for each of its sites to be peaking at a different hour in each month. Under the current rate structure, this means that the customer's cumulative billing demand for fixed production costs would exceed the customer's actual aggregated peak demand measured on an hour-by-hour basis (as if it were a single-site customer). In other words, under the current rate structure, the multi-site customer might be billed, say, for 5.5 MW of fixed production demand based on the sum of the individual peaks of each of its sites (occurring at different hours), whereas in fact, the customer's actual aggregate demand for fixed production demand in any hour might be no greater than 5 MW. A conjunctive demand rate as proposed by PSE can correct for this upward bias in the billing demand that would otherwise be charged to a multi-site customer by aggregating the customer's billing demands for peak demand measurement purposes. With the proper metering in place, this correction simply charges multi-site customers for the fixed production service that they actually use and places them on an equal footing with single-site customers. Under a well-designed conjunctive demand rate, a multi-site customer that has the same aggregate demand for power supply as a single-site customer pays exactly the same rate and dollar amount for power supply as that single-site customer.

Q. Are you aware of any well-designed multi-site customer rates?

A. Yes. Consumers Energy in Michigan has such a rate, called the Aggregate Peak Demand Service Provision.[12] This program is available to any customer with 7 accounts or more who desires to aggregate its On-Peak Billing Demands for power supply billing purposes. To be eligible, each account must have a

[12] See Sheet D-33.00 at https://www.michigan.gov/documents/mpsc/consumers13cur_579011_7.pdf

minimum average On-Peak Billing Demand of 250 kW. The aggregated accounts are billed under the same rate schedule and service provisions that apply to the individual sites, with the aggregate maximum capacity to all customers limited to 200,000 kW.

Q. Do you have any other comments regarding PSE's conjunctive demand program proposal?

A. The conjunctive demand pilot represents a positive development for multi-site customers and I appreciate PSE's preference to introduce this program as a pilot. However, I believe the scale of the program for non-electric vehicle participants could reasonably expanded at the outset to allow for up to 10 locations and 5 MW per customer, up to an overall maximum of 100 locations, to allow for greater initial participation.

Q. What is your recommendation regarding PSE's conjunctive demand billing proposal?

A. I recommend that the Commission approve the proposed conjunctive billing demand pilot program and consider expanding the program as I have described above.

Q. Does this conclude your response testimony?

A. Yes, it does.

BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION, **Complainant,** **v.** **PUGET SOUND ENERGY, INC.,** **Respondent.**	**Docket No. UE-190529** **Docket No. UG-190530**

AFFIDAVIT OF KEVIN C. HIGGINS

STATE OF UTAH)
)
COUNTY OF SALT LAKE)

Kevin C. Higgins, being first duly sworn, deposes and states that:

1. He is a Principal with Energy Strategies, L.L.C., in Salt Lake City, Utah;

2. He is the witness who sponsors the testimony entitled "Response Testimony of Kevin C. Higgins on Behalf of the Kroger Co.";

3. Said testimony was prepared by him;

4. If inquiries were made as to the facts in said testimony he would respond as therein set forth; and

5. The aforesaid testimony is true and correct to the best of his knowledge, information and belief.

KCHiggins

Kevin C. Higgins

Subscribed and sworn to or affirmed before me this 22nd day of November, 2019, by Kevin C. Higgins.

Millicent Pichardo

Notary Public

Notary Public - State of Utah
Millicent Pichardo
Comm. #700882
My Commission Expires
June 13, 2022