

Docket No. UE-220701 - Vol. II

Argunov, et al. v. Puget Sound Energy

March 14, 2023



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<p style="text-align: right;">Page 18</p> <p style="text-align: center;">BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION</p> <p>ALEXANDER AND ELENA ARGUNOV,) THOMAS AND HEIDI JOHNSON, CHAD) AND VICTORIA GROESBECK,)) Complainants,) Docket No. UE-220701) v.)) PUGET SOUND ENERGY,)) Respondent.)</p> <p style="text-align: center;">VIDEOCONFERENCE EVIDENTIARY HEARING-VOLUME II Pages 18-158 ADMINISTRATIVE LAW JUDGE THOMAS JOHNSON</p> <p style="text-align: center;">March 14, 2023 9:30 a.m.</p> <p>DATE TAKEN: MARCH 14, 2023 REPORTED BY: CARISA KITSELMAN, RPR, CCR 2018</p>	<p style="text-align: right;">Page 20</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;"></th> <th style="width: 85%; text-align: center;">E X A M I N A T I O N</th> <th style="width: 10%;"></th> <th style="width: 10%; text-align: right;">PAGE</th> </tr> </thead> <tbody> <tr><td>1</td><td></td><td></td><td></td></tr> <tr><td>2</td><td>EXAMINATION</td><td></td><td></td></tr> <tr><td>3</td><td>Ian Hagan</td><td></td><td></td></tr> <tr><td>4</td><td>Cross by Ms. Argunov</td><td></td><td style="text-align: right;">56</td></tr> <tr><td>5</td><td>Redirect by Mr. Starkey</td><td></td><td style="text-align: right;">65</td></tr> <tr><td>6</td><td>Allison Sains</td><td></td><td></td></tr> <tr><td>7</td><td>Cross by Ms. Argunov</td><td></td><td style="text-align: right;">67</td></tr> <tr><td>8</td><td>Redirect by Mr. Starkey</td><td></td><td style="text-align: right;">86</td></tr> <tr><td>9</td><td>Kristina McClenahan</td><td></td><td></td></tr> <tr><td>10</td><td>Cross by Ms. Argunov</td><td></td><td style="text-align: right;">89</td></tr> <tr><td>11</td><td>Redirect by Mr. Starkey</td><td></td><td style="text-align: right;">97</td></tr> <tr><td>12</td><td>Stacey Halsen</td><td></td><td></td></tr> <tr><td>13</td><td>Cross by Ms. Argunov</td><td></td><td style="text-align: right;">98</td></tr> <tr><td>14</td><td>Cross by Ms. Gafken</td><td></td><td style="text-align: right;">112</td></tr> <tr><td>15</td><td>Redirect by Mr. Starkey</td><td></td><td style="text-align: right;">119</td></tr> <tr><td>16</td><td>Aaron Tam</td><td></td><td></td></tr> <tr><td>17</td><td>Cross by Mr. Starkey</td><td></td><td style="text-align: right;">120</td></tr> <tr><td>18</td><td>Redirect by Ms. Gafney</td><td></td><td style="text-align: right;">124</td></tr> <tr><td>19</td><td>Shari Hoyt</td><td></td><td></td></tr> <tr><td>20</td><td>Cross by Ms. Argunov</td><td></td><td style="text-align: right;">126</td></tr> <tr><td>21</td><td></td><td></td><td></td></tr> <tr><td>22</td><td></td><td></td><td></td></tr> <tr><td>23</td><td></td><td></td><td></td></tr> <tr><td>24</td><td></td><td></td><td></td></tr> <tr><td>25</td><td></td><td></td><td></td></tr> </tbody> </table>		E X A M I N A T I O N		PAGE	1				2	EXAMINATION			3	Ian Hagan			4	Cross by Ms. Argunov		56	5	Redirect by Mr. Starkey		65	6	Allison Sains			7	Cross by Ms. Argunov		67	8	Redirect by Mr. Starkey		86	9	Kristina McClenahan			10	Cross by Ms. Argunov		89	11	Redirect by Mr. Starkey		97	12	Stacey Halsen			13	Cross by Ms. Argunov		98	14	Cross by Ms. Gafken		112	15	Redirect by Mr. Starkey		119	16	Aaron Tam			17	Cross by Mr. Starkey		120	18	Redirect by Ms. Gafney		124	19	Shari Hoyt			20	Cross by Ms. Argunov		126	21				22				23				24				25			
	E X A M I N A T I O N		PAGE																																																																																																						
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<p style="text-align: right;">Page 19</p> <p>1 A P P E A R A N C E S 2 ADMINISTRATIVE LAW JUDGE: (via Zoom) 3 THOMAS JOHNSON 4 FOR PUGET SOUND ENERGY: (via Zoom) 5 BRIAN STARKEY Perkins Coie LLP 6 10885 Northeast Fourth Street Bellevue, Washington 98004 7 425.635.1458 byronstarkey@perkinscoie.com 8 9 FOR COMMISSION STAFF: (via Zoom) 10 NASH CALLAGHAN 11 Assistant Attorney General P.O. Box 47250 12 Olympia, Washington 98504 360.915.4521 13 nash.callaghan@utc.wa.gov 14 FOR PUBLIC COUNSEL: (via Zoom) Lisa Gafken Assistant Attorney General 15 800 Fifth Avenue Suite 2000 16 Seattle, Washington 98104 206.464.6595 17 Lisa.gafken@atg.wa.gov 18 ALSO PRESENT: (via Zoom) 19 ELENA ARGUNOV THOMAS JOHNSON 20 VICTORIA AND CHAD GROESBECK 21 22 * * * * * 23 24 25</p>	<p style="text-align: right;">Page 21</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;"></th> <th style="width: 85%; text-align: center;">E X H I B I T S</th> <th style="width: 10%;"></th> <th style="width: 10%; text-align: right;">PAGE</th> </tr> </thead> <tbody> <tr><td>1</td><td></td><td></td><td></td></tr> <tr><td>2</td><td></td><td></td><td></td></tr> <tr><td>3</td><td>Prefiled exhibits admitted</td><td></td><td style="text-align: right;">33</td></tr> <tr><td>4</td><td></td><td></td><td></td></tr> <tr><td>5</td><td style="text-align: center;">P R O C E E D I N G S</td><td></td><td></td></tr> <tr><td>6</td><td>Opening Statement by Ms. Argunov</td><td></td><td style="text-align: right;">33</td></tr> <tr><td>7</td><td>Opening Statement by Mr. Johnson</td><td></td><td style="text-align: right;">41</td></tr> <tr><td>8</td><td>Opening Statement by Ms. Groesbeck</td><td></td><td style="text-align: right;">43</td></tr> <tr><td>9</td><td>Opening Statement by Mr. Starkey</td><td></td><td style="text-align: right;">44</td></tr> <tr><td>10</td><td>Opening Statement by Ms. Gafken</td><td></td><td style="text-align: right;">52</td></tr> <tr><td>11</td><td>Closing Argument by Ms. Argunov</td><td></td><td style="text-align: right;">139</td></tr> <tr><td>12</td><td>Closing Argument by Ms. Groesbeck</td><td></td><td style="text-align: right;">144</td></tr> <tr><td>13</td><td>Closing Argument Mr. Starkey</td><td></td><td style="text-align: right;">145</td></tr> <tr><td>14</td><td>Closing Argument by Ms. Gafken</td><td></td><td style="text-align: right;">154</td></tr> <tr><td>15</td><td></td><td></td><td></td></tr> <tr><td>16</td><td></td><td></td><td></td></tr> <tr><td>17</td><td></td><td></td><td></td></tr> <tr><td>18</td><td></td><td></td><td></td></tr> <tr><td>19</td><td></td><td></td><td></td></tr> <tr><td>20</td><td></td><td></td><td></td></tr> <tr><td>21</td><td></td><td></td><td></td></tr> <tr><td>22</td><td></td><td></td><td></td></tr> <tr><td>23</td><td></td><td></td><td></td></tr> <tr><td>24</td><td></td><td></td><td></td></tr> <tr><td>25</td><td></td><td></td><td></td></tr> </tbody> </table>		E X H I B I T S		PAGE	1				2				3	Prefiled exhibits admitted		33	4				5	P R O C E E D I N G S			6	Opening Statement by Ms. Argunov		33	7	Opening Statement by Mr. Johnson		41	8	Opening Statement by Ms. Groesbeck		43	9	Opening Statement by Mr. Starkey		44	10	Opening Statement by Ms. Gafken		52	11	Closing Argument by Ms. Argunov		139	12	Closing Argument by Ms. Groesbeck		144	13	Closing Argument Mr. Starkey		145	14	Closing Argument by Ms. Gafken		154	15				16				17				18				19				20				21				22				23				24				25			
	E X H I B I T S		PAGE																																																																																																						
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1 MARCH 14, 2023
2 9:30 A.M.
3 JUDGE HOWARD: Let's be on the record.
4 Good morning. It is Tuesday, March 14th, and the time is
5 9:30 a.m. My name is Michael Howard. I'm an
6 administrative law judge with the Commission. We're here
7 today for an evidentiary hearing in Docket UE-220701.
8 This case is captioned Alexander and Elena Argunov,
9 Thomas and Heidi Johnson, and Chad and Victoria Groesbeck
10 versus Puget Sound Energy.
11 Let's start by taking appearances beginning
12 with the three homeowners who brought this complaint.
13 Could I turn first to Ms. Argunov?
14 MS. ARGUNOV: Good morning. My name is
15 Elena Argunov, and I'm the main complainant against Puget
16 Sound Energy. We live in Cle Elum address 1550 Old
17 Cedars Road.
18 JUDGE HOWARD: Thank you.
19 Could we have a similar appearance from the
20 Johnsons?
21 MR. JOHNSON: Yes. This is Thomas Johnson.
22 Address 1340 Old Cedars Road in Cle Elum, Washington.
23 JUDGE HOWARD: Great. Thank you.
24 Could we have an appearance from the Groesbecks?
25 MS. GROESBECK: Victoria Groesbeck and Chad

1 parties' objections up front.
2 I will then allow the parties an opportunity to
3 provide brief opening statements limited to ten minutes
4 each. And, again, sorry about my voice. I hope it's
5 understandable.
6 We'll then turn to the cross-examination of
7 witnesses following the order of presentation that I
8 circulated to the parties earlier. So this means that we
9 will swear in Ms. Argunov first, and we'll allow for
10 cross-examination of her.
11 We'll then proceed through the witnesses and end
12 with Staff witness Sheri Hoyt. And as Mr. Callaghan
13 noted, Staff is not a party in this case. Ms. Argunov
14 indicated some cross time for this witness. I may also
15 ask a couple of clarifying questions of Ms. Hoyt.
16 We'll take a brief midmorning break and a lunch
17 break. The parties estimate that there will be
18 approximately two hours and 55 minutes of
19 cross-examination. So when we consider our opening
20 statements and oral closing statements, I expect that we
21 would be ending the hearing sometime this afternoon. We
22 can also take a midafternoon break, if necessary.
23 I also want to remind the parties, because this
24 is a Zoom hearing, to keep your microphones muted unless
25 they are speaking -- unless you are speaking, excuse me.

1 Groesbeck. Address 971 Old Cedars Road, Cle Elum,
2 Washington.
3 JUDGE HOWARD: Thank you.
4 Could we have an appearance from PSE?
5 MR. STARKEY: Thank you. Byron Starkey on
6 behalf of Puget Sound Energy and with me here is also
7 Sheri Carson.
8 JUDGE HOWARD: All right. Thank you.
9 Could we have an appearance from Staff?
10 MR. CALLAGHAN: Thank you, Your Honor.
11 Nash Callaghan, assistant attorney general, here
12 on behalf of Staff.
13 As you know, we're not appearing as a party but
14 are providing Sheri Hoyt as a witness. Thank you.
15 JUDGE HOWARD: Yes. Thank you.
16 Could we have an appearance from Public Counsel?
17 MS. GAFKEN: Good morning. My name is
18 Lisa Gafken, assistant attorney general, appearing on
19 behalf of Public Counsel.
20 JUDGE HOWARD: Great. Thank you.
21 So I want to start out by giving an overview for
22 our plans today.
23 We'll begin in a minute here with admitting
24 evidence and addressing objections. I might reserve
25 rulings on some objections but I want to hear the

1 And also to only use video for those portions of
2 the hearing when you have a speaking role. It shouldn't
3 be too crucial of an issue today, the use of video and
4 toggling on and off, but do keep that in mind.
5 If you are having any technical issues, or you
6 observe that someone has dropped off the call, please
7 mention that in the chat, the Zoom chat. And the chat
8 should be reserved for technical issues and requests for
9 breaks only because it won't be made part of the official
10 record.
11 Are there any questions about our plans for
12 today or any housekeeping matters before we go on the
13 record -- I'm sorry, before we continue to the admission
14 of evidence?
15 All right. Hearing none. Let's turn to the
16 admission of prefiled testimony and exhibits.
17 In my e-mail to the parties last week, I
18 circulated my exhibit list that included prefiled
19 testimony exhibits up to and including cross-examination
20 exhibits. And there were also -- I believe there were
21 three exhibits -- I'm sorry, four exhibits filed by
22 Ms. Argunov on March 10th. And I circulated a revised
23 exhibit list as well.
24 So I wanted to clarify one brief issue with
25 Ms. Argunov before we hear from each of the parties.

Page 26

1 So, Ms. Argunov, right now, as I understand,
2 your direct testimony, which would be labeled EACCH-1T,
3 is not in the record in the Cases application that we
4 have. There is an issue where records center would like
5 you to clarify whether you intend to mark this exhibit
6 confidential because it does have a shaded sentence.
7 Would you be able to refile that with a
8 confidential and redacted version and a cover letter? Or
9 would you like to -- or would you -- would you say that
10 that exhibit should not be confidential? It's up to you.
11 MS. ARGUNOV: It probably -- it's not
12 confidential because I read through it again. There is
13 no really -- there is no home addresses or social
14 security numbers or any other, like, very confidential
15 information. And I will double-check but I think I
16 e-mailed about -- about it to the records center.
17 But, yeah, to answer your question, there is no
18 need to make it confidential.
19 JUDGE HOWARD: Okay. Great. Thank you. I
20 just wanted to clarify that, and I will ensure that
21 records center adds that to the docket in Cases.
22 So with that issue addressed, I'm going to turn
23 to each of the parties and ask if they would -- would
24 stipulate or -- that's a -- we can simply say agree to
25 the admission of all the prefiled exhibits and testimony,

Page 27

1 where if they have any objections to the admission of the
2 prefiled exhibits and testimony.
3 So I'm going to turn to each of the homeowners
4 first.
5 Ms. Argunov, do you have any objections to any
6 of the exhibits from any of the parties, or would you
7 agree that they can be admitted?
8 MS. ARGUNOV: Yeah. They all can be admitted.
9 No objections, Your Honor.
10 JUDGE HOWARD: All right. Thank you.
11 Could I hear from the Johnsons?
12 MR. JOHNSON: No objections, Your Honor.
13 JUDGE HOWARD: Thank you.
14 Could I hear from the Groesbecks?
15 MS. GROESBECK: No objections, Your Honor,
16 from the Groesbecks.
17 JUDGE HOWARD: Thank you.
18 Could I turn next to PSE?
19 MR. STARKEY: No objections, Your Honor.
20 Other than the objections that I noted with 42 through 45
21 and whether or not those are considered cross or prefiled
22 direct.
23 JUDGE HOWARD: Thank you.
24 So, Ms. Argunov, PSE has raised this question of
25 what you intend to use -- how you intend to submit these,

Page 28

1 what you intend to use your Exhibits 42 through 45 for?
2 Do you see those as exhibits you'll be using to
3 cross-examine witnesses, or are those part of your case?
4 MS. ARGUNOV: So there are a couple things.
5 I don't remember the -- the exact date. I
6 believe it was either on March 8th or even prior when I
7 submitted those exhibits. But I had technical issues to
8 put it into redacted version. And those exhibits
9 actually are response to one of my data requests. So
10 it's nothing new in terms of PSE because this is copies
11 of all of our bills. So there's nothing really new about
12 it.
13 But -- and I -- well, I was working on
14 cross-examination only if there is specific question from
15 any of the sides so we can pull up the copies. But, in
16 general, it's just there for reference just in case we
17 need it.
18 But to answer your question, I was not planning
19 to use it specifically for cross-examination unless we
20 really need to find some copies to -- let's say to
21 confirm some statements from either my side or PSE's
22 side.
23 And the 42, again, it's not really new. It's
24 just a part of Oracle documentation because I believe, in
25 general, when you -- when you open Oracle specifications.

Page 29

1 So if you see PDF copies, it's about 374 pages.
2 So I just wanted to use particular specific --
3 specific areas from Oracle to additionally clarify,
4 right, what -- what I'm claiming.
5 JUDGE HOWARD: Okay.
6 MS. ARGUNOV: But I'm -- if you decide that we
7 cannot use it, that's going to be fine with me.
8 JUDGE HOWARD: Okay. Mr. Starkey, do you have
9 any response?
10 MR. STARKEY: Yes, Your Honor.
11 Our position is -- PSE's position is that these
12 Exhibits 42 through 45 should not be admitted unless they
13 are used specifically for cross-examination. They were
14 submitted well after the deadline for their submission of
15 testimony.
16 We would also contend that Exhibit 42, we have
17 other objections if it is used for cross-examination
18 testimony, which we can get to that point if needed.
19 But our objection still stands that these were
20 submitted well after the deadline.
21 JUDGE HOWARD: All right. I am going to grant
22 PSE's objection to EACCH-42 through 45.
23 The reason for that is the -- the deadline
24 for -- excuse me. Just a moment here.
25 The deadline for rebuttal testimony would have

Page 30

1 been February 24th. And I'm -- I'm not hearing
 2 circumstances that convince me there was exceptional
 3 circumstances that require extending that in some sense
 4 to March 10th when these were filed.
 5 So I can -- and I'll just explain that I -- I
 6 can give pro se parties some leeway. But I also have to,
 7 in most respects, treat them like any other party and
 8 hold them to deadlines and things like that in the great
 9 majority of cases.
 10 So I'm going to reject Exhibits EACCH-42 through
 11 45.
 12 Were there any other objections from PSE? I
 13 believe that was it.
 14 MR. STARKEY: No, Your Honor. Those are the
 15 only objections we had.
 16 JUDGE HOWARD: All right. I would normally
 17 turn to Staff next but Staff is not a party to this case.
 18 Mr. Callaghan, you can most adversely disagree with me if
 19 you feel the need to.
 20 I'm going to turn next to Public Counsel and see
 21 if Public Counsel has any objections or concerns with the
 22 exhibits.
 23 MS. GAFKEN: Thank you, Your Honor.
 24 Public Counsel does object to the cross exhibit
 25 proposed by PSE for Aaron Tam, which is Cross Exhibit

Page 31

1 AT6X. The document in Cross Exhibit AT-6X.
 2 The document in Cross Exhibit AT-6X is an
 3 excerpt from Public Counsel's post-hearing brief and
 4 Public Counsel's 2019 general rate case, which was in
 5 Docket UE-190529 and UG-190530.
 6 Public Counsel's objection is based on relevance
 7 and that the evidence is outside of the scope of this
 8 proceeding. The Commission issued its final order in the
 9 2019 rate case on July 8, 2020, resolving the issues
 10 raised by the parties in that litigation. The issues in
 11 the rate case involved cost recovery, whereas the issue
 12 here involve customer complaints relating to their
 13 specific meters and service.
 14 So, as a result, Public Counsel asks that Cross
 15 Exhibit AT-6X be excluded.
 16 With respect to the remaining exhibits and
 17 testimony, Public Counsel has no objections and would
 18 agree to the admission of those documents into the
 19 record.
 20 JUDGE HOWARD: All right. Great.
 21 Would PSE like to respond briefly to that?
 22 MR. STARKEY: Yes, Your Honor.
 23 The testimony or the brief that is excerpted
 24 from that concerns the AMR meter reliability. And it
 25 concerns whether one or not, one, Public Counsel was

Page 32

1 aware of some of the issues that might be related to AMR
 2 meter reliability, which is an issue that has been raised
 3 in this case. And it is the basis for which Public
 4 Counsel is arguing that fines or penalties should be
 5 imposed. We think that position is relevant when
 6 considering the broader context of whether or not
 7 penalties should be imposed for potential violations.
 8 JUDGE HOWARD: I think for AT-6X -- sorry, I
 9 hope that is intelligible to court reporter -- I'm going
 10 to reserve my ruling on AT-6X. I would like -- I would
 11 like PSE to -- I have some concern that -- about crossing
 12 any witness on exhibits that they may not have a lot of
 13 firsthand knowledge with.
 14 So I would like PSE to be mindful of that as it
 15 seeks to offer this into evidence. And PSE can move that
 16 into evidence later. And we'll see how it goes depending
 17 on the specific questions.
 18 And similar concerns apply to the issue of
 19 relevance. It will depend on the specific questions.
 20 All right. After hearing from the parties and
 21 hearing the parties' objections, it appears that the
 22 parties largely agree to the admission of the exhibits
 23 except for what we specifically discussed.
 24 So with that, I will admit all the prefiled
 25 exhibits and testimony except for those I have already

Page 33

1 mentioned, which would be EACCH-42 through 45, which are
 2 rejected. And I'm reserving a ruling on AT-6X.
 3 (Prefiled exhibits admitted.)
 4 JUDGE HOWARD: After our hearing today, I will
 5 provide a copy of the exhibit list to court reporter so
 6 that can be made part of the record.
 7 So with that, we'll allow -- we'll now turn to
 8 opening statements. And as I indicated, we'll allow each
 9 party an opportunity for a short opening statement which
 10 I would -- I would picture being around ten minutes or
 11 less, if you desire.
 12 So I would turn first to Ms. Argunov.
 13 OPENING STATEMENT
 14 MS. ARGUNOV: Thank you, Your Honor.
 15 So I've never done this before so I apologize
 16 if -- and I'm a little bit nervous. And I thought that
 17 how I can start this opening statement and what should I
 18 say. So I -- and I treat it as a no -- nothing else like
 19 my project at work. So at work when we start meeting, we
 20 always like to say "reflection," which, you know,
 21 environment around us and kind of prepare everyone for
 22 what is coming. And in my scenario, and when I was
 23 working on this, I think that this reflection would be
 24 the best way to describe what I've done so far.
 25 And so you must always be willing to truly

Page 34

1 consider evidence that contradicts your beliefs and admit
 2 that you may be wrong. Intelligent isn't knowing
 3 everything, is the ability to challenge everything you
 4 know.
 5 So when I start looking at the things and issues
 6 that I thought at first I discovered, I start really
 7 learning from the scratch. So considering that I don't
 8 know anything about it -- but I took time. It's been
 9 almost a year where almost every day after work I was
 10 learning the subject. I was trying to go from the point
 11 of, okay, I'm wrong. And then I learned that, okay, what
 12 facts do I have to support either of the sides? Because
 13 I was trying to see my opinion, I was trying to see PSE
 14 perception. So it's this case, it's not really about
 15 what I think or what PSE thinks or about what anyone else
 16 thinks. It's about real facts, documentation, technical
 17 documentation, that describes the process that everyone
 18 should follow who is involved, who is using platforms,
 19 who is using the software, right?
 20 So I have ten minutes so I will be -- I will try
 21 to be as short as possible.
 22 So the first thing probably -- I will follow
 23 kind of the order that I had in my direct testimony. And
 24 I probably -- the best way would be to read it, actually.
 25 So the first was the overview of advance meter

Page 35

1 infrastructure rates.
 2 So let me share my screen for a sec.
 3 So this is Exhibit EACCH-7. This is an overview
 4 of advanced metering infrastructure.
 5 So I want us to go back to original answer of
 6 PSE to my formal complaint where they said that answering
 7 paragraph 1 of the complaint, PSE denies all allegation
 8 in part one of the complaint. PSE provided information
 9 to the Commission and its customers about meters --
 10 meters consistent with the purpose and usage of a members
 11 of the AMI meters. While AMI meters have the capability
 12 to transmit readings in 15-minute intervals, this
 13 functionality is not used for calculation of total
 14 monthly usage when billing customers.
 15 To determine the usage of the particular
 16 customer meter read is obtained at the end of each
 17 month -- monthly billing period, excuse me, by
 18 subtracting the beginning rate at the beginning of the
 19 month from the end rate at the end of the month.
 20 So what I was describing after that is I
 21 provided a phrase from here. So it's page No. 12.
 22 So the core element of AMI smart meter which
 23 provide number of functions including measuring customer
 24 electricity consumption in 5-, 15-, 30- or 60-minute
 25 intervals measuring voltage levels and monitoring the

Page 36

1 on/off status of electric service. Smart meters
 2 communicate these readings to utility for processing
 3 analysis and recommunication back to the customers for
 4 billing.
 5 So this is applicable for one-way meters, which
 6 is AMR. And two-way meters which is AMI smart meters.
 7 So this is where I was saying that it actually
 8 contradicts to the response of PSE because -- and I also
 9 provided specifications from Oracle. I provided
 10 specifications from SAP. Both of them, they have
 11 specific modules to process billing, to process interval
 12 related data.
 13 Also in Exhibit KM-1CT, I -- Ms. McClenahan, she
 14 provided on page 6, the link to SAP website. So this is
 15 the link. So when I open it -- and this is what -- one
 16 of the stages, right, before all readings goes to the
 17 billing. Even in this page, it says -- so when the order
 18 output is going out, so this is the MDUS request. MDUS
 19 request is not MDMS. Because MDMS is just a management
 20 system. MDUS, it's a module. It's -- that is in L+G
 21 software, it's a platform, right, that they're using as a
 22 bridge to process afterwards all measurements and values
 23 over to the billing. Because there is a difference
 24 between unit of measure and quantity.
 25 I think when I read Oracle specifications, I

Page 37

1 think they -- they said it the best way. So the billing
 2 for smart meters, it's like reviewing measurements. And
 3 then analyzing interval data and see what the actual
 4 consumption was.
 5 So in -- when we look at the meter
 6 specifications, right, let me see. Sorry. I have a lot
 7 of exhibits.
 8 So the meter -- the meter specifications, right?
 9 There is a lot of exhibits. So the meter -- the meter
 10 specifications, right. So it clearly states what
 11 measurements they using. And so the demand metric, it's
 12 kilowatt, not kilowatt hours. I know that the PSE in one
 13 of their responses, they were referencing to the channel,
 14 which is kilowatt received. However, if you look at --
 15 and it would be -- I'm just going to show the -- the one
 16 meter. But it's applicable to any other meter that we
 17 had.
 18 Even if you look at this summary -- at the
 19 summary, received kilowatt hours. It's zero. What it
 20 shows, kilowatt hours cumulative, which means it's just a
 21 usage value. This is the raw data. And as I said, both
 22 SAP and Oracle, they have both specific modules to
 23 process the data.
 24 So MDMS, it's just a system that stores, right,
 25 all the -- all the data they receive from all the meters.

1 But it's definitely not something that can be used for
2 the billing because those are particular steps,
3 particular calculations, that need to take into
4 considerations like profile data. Profile data meaning
5 that they group each interval by the group because the
6 scale is one hour, not 15 minutes. So these all the
7 values, the cumulative values, they have to be calculated
8 before they go into the billing, before they go in --
9 before PSE bills us for kilowatt hours.

10 Even if you look at the -- so this is SAP real
11 time -- real-time billing. So real-time billing, also
12 known as a demand billing. If you even look at the
13 pictures, right, so this is kilowatt. In -- how would I
14 call -- what would I call it? Because when we see the
15 interval data, they can use kilowatt or kilowatt hours in
16 general from the data perspective. It doesn't matter.
17 Because all these measurements, all this amount of
18 cumulative data, it goes to particular module. And from
19 there, calculations, business rules, happening. And
20 after that, as an end result, you get the amount of
21 consumption, the number of kilowatt hours we actually
22 used.

23 Unfortunately, what's happening is that PSE
24 billing us for raw, uncalculated data, which causing, as
25 I said, the charges being four times more than it's

1 and calculate the -- the amount you -- of kilowatt hours
2 at any time to the customer. The demand bill -- the
3 demand charges is different calculations. It's just
4 additional, I would say, feature. But in -- even if you
5 look at the general specifications, there is a reason why
6 I was always -- all along I was saying that the smart
7 meters, they read kilowatt hours. Because it's clearly
8 stating active energy, in parenthesis, kilowatt hours,
9 kilowatts. The active energy measure -- the active power
10 measures in watts, or kilowatts, in this particular
11 scenario.

12 So there are several areas where I -- I thought
13 I was very clear that showed how those meters are -- not
14 even kept. Because calculations are not happening in the
15 meters. So this just measures how -- the amount of
16 measure. And then it goes after that to specific module
17 that is supposed to calculate everything, meaning the
18 quantity in service, quantity bill to customers. I hope
19 that makes sense.

20 JUDGE HOWARD: Yes. Thank you. Thank you,
21 Ms. Argunov. I was just going to remind you of your ten
22 minutes.

23 But are you concluded?

24 MS. ARGUNOV: Yes.

25 JUDGE HOWARD: All right. Thank you.

1 supposed to be because each hour it's four intervals.
2 And this is the -- if they would use those -- one of the
3 modules that they were supposed to do. So that would not
4 be happening.

5 And I also, if I have still time, I wanted to
6 show -- let me see. That would be -- yes. So this is
7 Exhibit No. EACCH-30 which is -- describes in general
8 FOCUS AX meters, right, and provides specific metrics
9 around display options and everything.

10 So this is the energy metric. So this is the
11 plus kilowatt hours, kilowatt delivered, right, which I
12 already showed you that which shows zero everywhere if
13 you look at the meter configurations. There is no such
14 even amount calculated from anywhere.

15 So the other thing that if you put here,
16 attention, so this is the billing options. The billing
17 options, there are basically two. So time of use, which
18 you see is not using but they're going to. And then
19 demand billing, also known as real time.

20 So I think where the confusion is coming from is
21 that -- for some reason PSE considered demand only as
22 a -- if they charge customers for the demand itself. But
23 demand billing, it's interval billing. It's real-time
24 billing. Meaning that if any time, if any time of the --
25 even the day, you can take, calculate particular hours

1 And, yes, when you cite exhibits, I tried to
2 pull them up at the same time so you know.

3 So all right. Would the Johnsons like to give
4 an opening statement?

5 MR. JOHNSON: Yes, we would. Thank you, Your
6 Honor.

7 CLOSING ARGUMENTS

8 MR. JOHNSON: I would reference Exhibit 4 in
9 our case. We're leaning heavily on Elena on her
10 expertise in calculating data points that I don't have
11 that kind of expertise. So we're going to rely on her
12 testimony as far as the -- what the logic behind the
13 inaccurate billing that we received.

14 But, specifically, Exhibit 4 notes, that there
15 was a March and April charge of 480-plus kilowatt hours
16 per month, it appears. And then in May, it looks like
17 between 240 and 360.

18 The house, it's illogical that this kind of
19 energy would be used in a house that had no finished
20 electrical in it, was still under construction. We had a
21 power pole, temp power pole, which we have a separate
22 exhibit showing that invoice which has been paid. And to
23 be honest with, you moving forward with occupation
24 starting in August, running air-conditioning full-time
25 and heat during the winter, our bill hasn't exceeded

Page 42

1 \$400.
 2 So for the fact that March and April and May,
 3 for that matter, reflecting the \$4,403.92 charged to us,
 4 electrically -- logically, it doesn't make any sense to
 5 us.
 6 So my statement will be much shorter and brief,
 7 briefer to the point that our allegations against PSE is
 8 that this obviously is a miscalculation in some fashion.
 9 We can't even fathom who would be in the house that would
 10 be using that much electricity, if any electricity at all
 11 was being used, due to the fact that the furnace was
 12 installed but not active. We had heaters and blowers in
 13 the -- that were running up to the temp power poles on
 14 extension cords to assist with the drywall situation.
 15 And were asked actually not to run the heat by the
 16 drywallers in order to keep the ambient temperature in
 17 the house at a certain level.
 18 We did run fans and we actually opened windows
 19 to help the drying process. Fortunately we don't live in
 20 the west side of the state, so the humidity is much less
 21 where we live, so it does assist in the drying situation.
 22 Again, back to the logical point of this.
 23 In an unoccupied home that doesn't have any
 24 finished electrical and has no appliances running in it,
 25 the fact that PSE is stating that we spent 4,000 and

Page 43

1 change in electrical costs seems illogical and not
 2 substantiated. And, honestly, we haven't found anything
 3 that PSE has produced to show how they can substantiate
 4 these costs to us.
 5 So that's my statement. Thank you.
 6 JUDGE HOWARD: All right. Thank you.
 7 Would the Groesbecks like to giving opening
 8 statement?
 9 Opening Statement
 10 MS. GROESBECK: Yeah. We are similar to the
 11 Johnsons as we're relying heavily on Elena's calculations
 12 and expertise throughout -- in her testimony.
 13 But we're in the same boat as Tom and Heidi
 14 where it's almost become a second job for me trying to
 15 make it all make sense with our bills, especially since
 16 our extremely high bills were coming at a point where we
 17 were living in the home. And when our bills were 6-,
 18 \$700 a month when we were primarily heating with a wood
 19 stove during the winter. And now this year during the
 20 same months, our bills were around \$200. It doesn't add
 21 up. And it doesn't make sense for us, to put it shortly.
 22 And although we're not experts in any of these
 23 areas, it just -- with our house being brand-new and us
 24 knowing the results of our blower door tests, knowing how
 25 efficient our home is and having all of the energy guides

Page 44

1 from all of our appliances and all of our systems. And
 2 when we add up the cost per year of every appliance,
 3 it -- our bills are more than that in a month than what
 4 these -- all these appliances should be costing us in an
 5 entire year.
 6 So that's -- that's all we have. Like I said,
 7 we're relying heavily on Elena. But we've tried to
 8 communicate with PSE about how it doesn't make sense.
 9 And when we call customer service, we've been told -- the
 10 first questions we've been asked is, well, how many
 11 Teslas are you charging? And the answer is none. We
 12 have zero Teslas. We have a single-story home.
 13 And there's been a lot of excuses on their part
 14 about justifying the high bills. And there's just no
 15 justifying it in our eyes.
 16 And that concludes my statement.
 17 JUDGE HOWARD: All right. Thank you.
 18 I turn next to the Company.
 19 MR. STARKEY: Thank you, Your Honor.
 20 OPENING STATEMENT
 21 MR. STARKEY: The case in front of you today,
 22 it's about accuracy and whether or not Puget Sound Energy
 23 ultimately and accurately billed customers for the energy
 24 that they used. And the testimony shows that it did.
 25 Involved here are three different customers who

Page 45

1 all built new homes in a remote neighborhood near Cle
 2 Elum. Each customer had their own informal complaint and
 3 their own unique set of facts. But they've combined it
 4 under now one broad, but inaccurate theory, that PSE is
 5 incorrectly billing customers.
 6 What the evidence and the testimony in this case
 7 shows, and will show, are three things:
 8 One, that the complainants have not met their
 9 burden of proof that there is an underlying issue.
 10 Two, PSE can affirmatively show that the
 11 underlying theory is incorrect.
 12 And, three, PSE has taken the necessary steps to
 13 remediate any problems that existed, and those issues are
 14 unlikely to repeat because the AMI network is up and
 15 running that area.
 16 And, accordingly, the imposition of fines is not
 17 necessary.
 18 So there are three complainants; there's the
 19 Groesbecks, the Johnsons and Argunovs. And I'll take
 20 those in turn, and I'll address the larger allegation at
 21 the end with the Argunov complaint.
 22 But the key across all three cases is that they
 23 were ultimately billed based off of actual energy used.
 24 So I'll start with the Groesbecks.
 25 The Groesbecks initially had an AMR meter. And

<p style="text-align: right;">Page 46</p> <p>1 the issues that they experienced were primarily from the 2 AMR meter network. The network that receives the reads 3 from the AMR meter and transfers that information along 4 for billing.</p> <p>5 The meter was giving accurate reads, though. So 6 it was functional, but the network was not receiving 7 them. And when this happens, PSE has a procedure where 8 it will send estimated bills as allowed under WAC 9 480-100-178 and its tariff.</p> <p>10 And then it will reconcile future bills once it 11 receives an actual read from the meter. And that 12 reconciliation process is important here. It's how PSE 13 will make sure that a customer only pays for energy used.</p> <p>14 So if the estimated bill was high, customers 15 would receive a credit; if the estimated bill was low, 16 then the balance will be made up in what is called a 17 true-up bill. But either way, the customer will only pay 18 for the actual energy used based off of the actual read 19 from the meter.</p> <p>20 For the Groesbecks, their estimated bills were 21 initially low because there was no data or historical 22 energy usage because there was a new construction. When 23 PSE did eventually receive actual reads, they send 24 true-up bills based off of actual usage. But that AMR 25 meter, while it was still accurately measuring energy</p>	<p style="text-align: right;">Page 48</p> <p>1 So while that should be enough, discovery in the 2 case has shown that there's a plausible explanation for 3 why the high usage occurred contrary to the Johnsons' 4 claims.</p> <p>5 And for that, I direct you to SBH-4, which has 6 discussions between the Johnsons and their contractor. 7 What these discussions show is that they had permanent 8 power running to the house by December of 2021. They had 9 their HVAC and electrical heating system up and running 10 in early January. They did not have a garage door. They 11 did not have a door sealing off the garage into the 12 house. And, instead, they were relying on plywood and 13 plastic to seal that. They also didn't have Sheetrock 14 installed until later in March of 2022.</p> <p>15 All the while, according to their contractor, 16 the heating system in the house was set to run at 17 65 degrees. And the energy usage here shows a heating 18 system that is fighting a losing battle. A losing battle 19 with the cold in one of the coldest areas of PSE service 20 territory. And a large house that is over 4,000 square 21 feet that has not been properly sealed to the elements. 22 It had cracked windows and a bevy of unreliable 23 subcontractors.</p> <p>24 The key fact, though, is that the Johnsons' 25 meter was accurate, and they were billed for energy used.</p>
<p style="text-align: right;">Page 47</p> <p>1 use, it continued to struggle with getting the reads 2 through the AMR network.</p> <p>3 And the result was that the Groesbecks had 4 multiple estimated bills even though they had an accurate 5 true-up bill in between that. And PSE offered, and the 6 Groesbecks enrolled in a payment plan, so they did not 7 have to pay multiple months of a true-up on one go. And 8 then eventually PSE did replace their AMR meter with an 9 AMI meter. And that solved the network communication 10 issues.</p> <p>11 Well, for the Groesbecks, PSE acknowledges that 12 there were multiple estimated bills. And there were 13 corrected errors because the AMR meter was not able to 14 send reads over the AMR network. But all amounts 15 ultimately charged are based on actual energy used.</p> <p>16 So now we'll shift to the Johnsons. And the 17 Johnsons had an AMI meter for their permanent service 18 from the outset, and that was in December of 2021.</p> <p>19 And their complaint is based on a three-month 20 period where they had particularly high bills in early 21 2022, ranging from 15,000 kilowatt hours in one month to 22 about 8,000 kilowatt hours in another. And while that 23 usage is higher than expected, PSE did send out a meter 24 technician to test that meter. And that meter tested 25 accurate.</p>	<p style="text-align: right;">Page 49</p> <p>1 Now the Argunovs also claim that their bills are 2 not based off of energy use, but on a much different and 3 also incorrect theory that has now been adopted and is 4 the foundation for the formal complaint.</p> <p>5 The Argunovs claim that PSE's system is 6 essentially quadrupling the amount of energy a customer 7 uses when it goes to billing. And that theory assumes 8 that PSE's meters measure and record energy in kilowatts 9 or as Ms. Argunov called, a unit of measure. And this 10 theory assume -- and then extends it to MDMS and SAP, 11 which improperly takes that data or does not convert the 12 data for billing purposes in kilowatt hours.</p> <p>13 But the PSE witnesses explained why that theory 14 is incorrect. And it demonstrate how PSE will properly 15 measure energy usage in kilowatt hours from the meter all 16 the way until the customer has a bill in hand.</p> <p>17 Ian Hagan, an electrical engineer, explains how 18 the meters measure and record energy in kilowatt hours. 19 Allison Sains and Kristina McClenahan show how that read 20 goes through the meter data management system, SAP, to 21 then bill customers on a monthly or bimonthly basis in 22 kilowatt hours that are actually used.</p> <p>23 And they also show how the system will estimate 24 a bill, when needed, if a read is not received. 25 And then, finally, Stacey Halsen goes into the</p>

Page 50

1 specific particularities of each customer's account in
 2 the general -- in the informal complaints.
 3 And what these witnesses show is how the issues
 4 the customers faced are generally isolated and unlikely
 5 to occur again, which is contrary to Public Counsel's
 6 contention.
 7 The complainants cannot meet the burden of
 8 proof. They have not shown that this is a systemic
 9 problem. They have not shown that there are issues with
 10 their individual meters.
 11 The evidence and the testimony show the
 12 opposite. That the AMI meter network is more reliable
 13 than the previous AMR network. The process for
 14 estimating a bill follows the WAC. And the issues that
 15 these customers face are isolated and tied to that older
 16 AMR meter network. It's the system that is being
 17 replaced and has been replaced for the complainants.
 18 And while multiple estimated bills did occur for
 19 the Groesbecks, as Commission staff noted in the informal
 20 complaints, one the AMR meters were replaced by AMI
 21 meters, those issues, they dissipate. And that's
 22 important when considering whether to impose fines for
 23 potential violation.
 24 While Public Counsel has alluded that it might
 25 be tied to a larger issue, they don't have a basis for

Page 51

1 that allegation or they at least ignore the proven
 2 reliability of the new AMI meters. Which ultimately that
 3 was the solution was to replace the AMR meters with the
 4 new AMI meters so that they could communicate with the
 5 upgrade and more reliable network.
 6 And Public Counsel's recommendation flies in the
 7 face of PSE's AMI rollout. Public Counsel has known
 8 since 2019 that the AMR network was not as reliable and
 9 the transition could not happen overnight.
 10 But PSE provided the customers here with the AMI
 11 meters ahead of schedule. They did the install
 12 themselves rather than waiting for a contractor to go out
 13 and get around to their neighborhood. And that
 14 ultimately resolved the network communication issues.
 15 And we ask that you consider context and the
 16 specific facts here that, given the circumstances, given
 17 the isolated nature of the issues, given the unlikelihood
 18 that they will happen again, you should follow the
 19 recommendation of the Commission staff in the informal
 20 complaints and issue violations where appropriate, but
 21 find that fines are unnecessary.
 22 The key question here is were the customers
 23 ultimately, accurately billed? And the answer is yes.
 24 Thank you.
 25 JUDGE HOWARD: All right. Thank you.

Page 52

1 Can we hear from Public Counsel?
 2 MS. GAFKEN: Yes. Good morning.
 3 OPENING STATEMENT
 4 MS. GAFKEN: Public Counsel is the statutory
 5 party in Commission proceedings. And we are a party in
 6 this case because three customers in the Cle Elum area
 7 complained against PSE for meter and service issues. PSE
 8 has been rolling out its advanced meter infrastructure,
 9 also called AMI, or smart meters, over the last several
 10 years. Meters are a critical component of a utility's
 11 infrastructure because it reads the customer's usage for
 12 billing and other purposes.
 13 With respect to the particular claims made by
 14 the complainant, Public Counsel has not taken a position.
 15 We honestly had hoped to solve the mystery here. But in
 16 the end, the issues are for the complainants and PSE to
 17 present their arguments to the Commission.
 18 We do view the issues as warranting Commission
 19 review and input. And the customers deserve the
 20 opportunity to present their case as does the Company.
 21 Public Counsel engaged in discovery to
 22 understand what transpired. The Argunovs, Johnson, and
 23 Groesbeck families were building new homes during the
 24 relevant time period. Without going into the specifics
 25 of each customer's experience, as a group, they

Page 53

1 experienced various issues with both their AMR and AMI
 2 meters. They contacted the Commission and availed
 3 themselves of the informal complaint process.
 4 Because they were unsatisfied with the result
 5 through that process, they filed this formal complaint.
 6 Commission staff identified ten violations
 7 during the informal Commission complaint process. Those
 8 violations involved failure to conduct timely meter
 9 tests, delayed billing, incorrectly charging to schedule
 10 24 instead of the residential tariff, estimating bills
 11 for longer than allowed under the rule, and billing for
 12 corrections that went beyond the allowed time period.
 13 Commission staff correctly identified the ten
 14 violations they note in the informal complaint records,
 15 which I understand are part of the record in this case.
 16 Public Counsel has identified 12 additional
 17 violations during this formal complaint case as detailed
 18 in Aaron Tam's testimony and exhibits. Those violations
 19 follow a similar pattern to the violations identified by
 20 Commission staff. Mr. Tam details violations related to
 21 estimating bills for longer than allowed, billing for
 22 corrections that went beyond the allowed time period,
 23 failure to meet service requirements, and failure to
 24 maintain meters in good working order.
 25 Public Counsel believes there were sufficient

Page 54

1 irregularities in how PSE addressed the metering issues
 2 experienced by the Argunovs, Johnson, and Groesbeck
 3 family as demonstrated by the 22 violations identified by
 4 Public Counsel and submission Commission staff.
 5 The Commission should consider penalizing PSE
 6 for those violations to encourage future compliance with
 7 PSE's regulatory obligations.
 8 Public Counsel recognizes that imposing
 9 penalties under RCW 80.04.380 through a complaint brought
 10 under RCW 80.04.110, would likely involve a separate
 11 complaint brought in a new docket.
 12 We ask that the Commission in its order in this
 13 docket, instruct Commission staff to bring such a
 14 complaint. Thank you.
 15 JUDGE HOWARD: All right. Thank you.
 16 So we will turn now to the cross-examination of
 17 witnesses.
 18 Our first witness on the order of presentation
 19 is Ms. Argunov.
 20 So, Ms. Argunov, if you can turn your camera on
 21 if it's not -- great. Thank you.
 22 And if you would please raise your right hand
 23 and I'll swear you in.
 24 * * * * *
 25 Elena Argunov, having been first duly sworn, was

Page 55

1 follows:
 2 THE WITNESS: Yes, I do, Your Honor.
 3 JUDGE HOWARD: All right. Great. Thank you.
 4 And PSE indicated I believe it was five minutes
 5 of cross for this witness. And you may proceed.
 6 MR. STARKEY: Your Honor, sorry I didn't bring
 7 this up beforehand. But PSE doesn't have any questions
 8 for Ms. Argunov.
 9 JUDGE HOWARD: Okay. That's -- that is fine.
 10 In that case, Ms. Argunov, then, you won't be
 11 subject to cross today. But I imagine you will still
 12 attend because you're representing yourself.
 13 MS. ARGUNOV: Yes.
 14 JUDGE HOWARD: Our next witness is PSE's Ian
 15 Hagan.
 16 MR. STARKEY: Your Honor, Mr. Hagan is walking
 17 into the room, and he'll be here soon.
 18 JUDGE HOWARD: Okay. Great.
 19 MR. STARKEY: So give us about ten seconds.
 20 JUDGE HOWARD: Sounds good.
 21 MS. ARGUNOV: Good morning.
 22 THE WITNESS: Hi.
 23 MS. ARGUNOV: So I have a number of questions.
 24 So --
 25 JUDGE HOWARD: Oh, just a moment.

Page 56

1 MS. ARGUNOV: Oh, sorry.
 2 JUDGE HOWARD: Mr. Hagan -- I will swear in
 3 Mr. Hagan and then you may proceed.
 4 MS. ARGUNOV: Okay. Sorry.
 5 * * * * *
 6 Ian Hagan, having been first duly sworn, was
 7 examined and testified as
 8 follows:
 9 THE WITNESS: I do, Your Honor.
 10 JUDGE HOWARD: All right. Great. Thank you.
 11 Ms. Argunov, you may proceed.
 12 CROSS-EXAMINATION
 13 BY MS. ARGUNOV:
 14 **Q. So, Mr. Hagan, would you please explain the**
 15 **difference between AMR and AMI meters?**
 16 A. Yes. So AMR meters are a one-way -- so AMR
 17 meters, they communicate over what's called a one-way
 18 communication network. So the meter transmits an energy
 19 read in kilowatt hours. It's received by the network.
 20 It goes into MDMS.
 21 The AMI network, the key difference with that,
 22 it's a two-way communication network where not only do we
 23 receive kilowatt hour reads from the AMI meters, but we
 24 can also send commands to the meters. So this helps us
 25 in terms of the commands that, you know, for example,
 are, say, we can ping a meter. We can open and close a

Page 57

1 remote disconnect switch. We can download load profile
 2 reads. Things of that nature.
 3 **Q. Thank you.**
 4 **So I have then a clarification -- clarification**
 5 **question.**
 6 **So I didn't submit an exhibit, but if you Google**
 7 **it, the AMR -- the difference between AMR and AMI meters.**
 8 **So AMR meters, the one with communication is**
 9 **where PSE basically, right, can communicate with the**
 10 **meter, but the actual profile data can also -- only be**
 11 **downloaded by actual technician. He doesn't have to be,**
 12 **like, a manually load the profile. But he can, from the**
 13 **car, having the tools, whatever they need, export the**
 14 **profile data.**
 15 **Versus AMI, where it's two-way communication.**
 16 **PSE communicates with the meter; the meter communicates**
 17 **with the PSE.**
 18 **Is that would be a correct statement because I'm**
 19 **a little bit confused?**
 20 A. So when it comes to AMR, our -- the information
 21 that could be sent over the AMR network was fairly
 22 limited. And this was limited to energy register reads
 23 only. There wasn't any load profile data sent over the
 24 AMR network. So you can think of this as daily reads
 25 that are going through.

1 **Q. Well, just a quick note, as I said, this is what**
2 **I've learned so there is no really -- I couldn't find any**
3 **documentation about such thing like an AMR network. Just**
4 **because considering that it's a one-way communication,**
5 **the AMR data needs to be actually manually downloaded**
6 **either with manually or with the specific tools that they**
7 **can communicate with the meter if the technician is close**
8 **to AMR meters.**

9 **So, again, I'm not -- I don't really understand**
10 **this conversation about AMR when they are not even**
11 **designed to transfer the data into PSE. Versus AMI when**
12 **we switched, yes, then we have those interval --**
13 **interval readings that we can download from PSE account,**
14 **et cetera.**

15 **So the -- another question, let's --**

16 MR. STARKEY: Your Honor, I'm going to have to
17 object to that line. That was -- Ms. Argunov was
18 testifying there. There was no question.

19 MS. ARGUNOV: Okay.

20 JUDGE HOWARD: Yes. Ms. Argunov, I -- I will
21 grant that objection. We want to be careful to -- you
22 will want to be careful to limit yourself to posing
23 questions to Mr. Hagan.

24 MS. ARGUNOV: Okay.

25 JUDGE HOWARD: And I'm going to give -- this

1 A. More on the meter side of it, not on the back
2 end. MDMS or SAP end of it.

3 MS. ARGUNOV: So I'm not sure, Your Honor, if
4 you would allow it, because I wanted to present the
5 discrepancies between interval data and meter reads. And
6 ask Mr. Hagan how he would explain where the differences
7 are coming from. But I'm not sure if it's possible. So
8 let me know.

9 JUDGE HOWARD: Well, if you'd like to ask
10 Mr. Hagan about a specific exhibit --

11 MS. ARGUNOV: Yeah.

12 JUDGE HOWARD: -- you can certainly attempt to
13 do that. I'm not -- I'm not going to -- I'm not sure if
14 Mr. Hagan is personally familiar with all of the exhibits
15 in the record. So sometimes this can get a little -- we
16 have to see what the witness is actually familiar with.

17 MS. ARGUNOV: Well, this is just multiple --
18 me, as a customer, asking for data integrity in general.
19 So let me share my screen.

20 BY MS. ARGUNOV:

21 **Q. So all this data, it's combined together from**
22 **Exhibit EACCH-41. It's combined data for all four**
23 **accounts including meter reads, MDMS and interval, plus**
24 **billing summary.**

25 **So my big concern -- and I wanted to ask**

1 is a technical subject, of course. So I understand if
2 you need to refer to something and preface your question
3 describing what you're talking about. But it does need
4 to end in a question.

5 MS. ARGUNOV: Okay.

6 BY MS. ARGUNOV:

7 **Q. So my second question.**

8 **Going back to conversation about AMI system**
9 **overview and L+G system that PSE is using.**

10 **So would you please explain why PSE have not**
11 **used the module called "MDUS"? That, according to**
12 **Exhibit 37, is a platform and served as a breach between**
13 **meters and billing processes?**

14 A. Unfortunately, I am not the proper witness to
15 ask with regards to this module. I would refer you to
16 Allison Sains.

17 **Q. Okay. I'll notate it.**

18 **Quick question about the VEE process. Would**
19 **that be you who can answer?**

20 A. Unfortunately, no. When it comes to VEE, that
21 would either be Allison Sains or Kristina McClenahan.

22 **Q. Okay. So from your testimony, it looks like you**
23 **stated that you're responsible for the integrity, meaning**
24 **you're in charge of accuracy in meter reads, interval, et**
25 **cetera, correct?**

1 **Mr. Hagan how he would explain that is that we have such**
2 **big differences between meter, or MDMS what they call it,**
3 **billing totals and intervals. So when I -- when it says**
4 **to me that AMI system is transparency between company and**
5 **between customers and they can, you know, know what they**
6 **-- what their daily consumption or monthly consumption.**

7 **So when I look at all four accounts, so I see**
8 **the totals for interval for the -- the whole period of**
9 **time starting 2020 through 2023, it's 108,000 kilowatt**
10 **hours.**

11 **When I look at meter reads, I see 172,000. When**
12 **I pull the billing summary -- and this, again, is for all**
13 **four accounts, it's 209,000 kilowatt hours.**

14 **So you, as a person that as you stated, you in**
15 **charge of data integrity and accuracy, how I'm as a**
16 **customer, looking at those numbers, can verify that where**
17 **is the truth? Which one -- which source is correct?**

18 **Because, to me, the difference is too large.**
19 **It's not a couple hundred kilowatt hours. We're talking**
20 **about almost 40-, closer to 50,000 kilowatt hours'**
21 **difference.**

22 MR. STARKEY: Your Honor, two points.

23 One, that is not an objection. I know

24 Ms. Argunov referred to an exhibit. Just said that she
25 was sharing her screen, but we cannot see that. While we

1 can make the exhibits available to PSE witnesses, I
 2 wanted to note that.
 3 And, two, I do have an objection to that line of
 4 questioning. That was argumentative. And we can contend
 5 that Ms. Argunov was testifying there rather than setting
 6 up a question.
 7 JUDGE HOWARD: Well, Ms. Argunov, we -- we
 8 can't see your screen right now.
 9 Are you intending to share?
 10 MS. ARGUNOV: Yes. I will -- oh, I'm so
 11 sorry.
 12 JUDGE HOWARD: No, no, that's fine.
 13 Are you intending to share Exhibit 41C?
 14 MS. ARGUNOV: Yes. As I e-mailed you a couple
 15 days ago, so this is from Exhibit 41C, a combined data of
 16 all four accounts. So this is the meter read which is
 17 one, showing 174,000 kilowatt. This is the billing
 18 summary, showing 209 kilowatt -- 209,000 kilowatt. And
 19 this is all our intervals, right, which is 118,000
 20 kilowatt hours.
 21 BY MS. ARGUNOV:
 22 **Q. So my question is, so if we even add up the AMR**
 23 **values, right, so there is still a difference of almost**
 24 **40,000 kilowatt hours between meter reads and kilowatt**
 25 **hours usage per billing summary.**

1 **Excuse me, page No. 8.**
 2 **So row 6 through 14, when you're explaining the**
 3 **noncommunicating meters not equipped with a remote**
 4 **disconnect switch and must be disconnected manually. And**
 5 **then you're talking about collection of the data from**
 6 **noncommunicating meters.**
 7 A. Yes. So when it comes to collection of the data
 8 from the noncommunicating meters, the meter readers
 9 primarily go to the site and they take the read off of
 10 the display.
 11 However, there is an option to download the
 12 meter -- download the low-profile data from the meter, if
 13 necessary.
 14 **Q. So meaning, profile data meaning the daily**
 15 **usage, right?**
 16 A. Load profile is what you would refer to -- what
 17 I believe you referred to as the interval data.
 18 **Q. Yes. Okay. Thank you.**
 19 THE REPORTER: Excuse me. This is the
 20 reporter.
 21 Are you saying "load" or "low"?
 22 THE WITNESS: Oh, load.
 23 MS. ARGUNOV: Load.
 24 THE REPORTER: With a D?
 25 THE WITNESS: With a D, yes.

1 **So how can -- again, my question to Mr. Hagan,**
 2 **seeing those differences, how we can be sure and rely on**
 3 **PSE calculations if there is such huge discrepancies?**
 4 A. So I am not the proper person to be asking this
 5 line of questioning to. I would refer that to either
 6 Allison Sains or Kristina McClenahan.
 7 **Q. Okay. Let me see. Okay.**
 8 **So going back to your testimony on page 6,**
 9 **Exhibit 1H-1T?**
 10 JUDGE HOWARD: Ms. Argunov, you may -- if
 11 you're done with this for now, you may want to stop
 12 sharing your screen.
 13 MS. ARGUNOV: Stop sharing. Just give me a
 14 second.
 15 BY MS. ARGUNOV:
 16 **Q. Okay. I would like to go back again to AMR and**
 17 **NCR meters also. So you stated in this exhibit that**
 18 **there is an option to load the profile data. Does it**
 19 **mean that PSE technician still has the ability to load**
 20 **daily usage from NCR meter as well, noncommunicating**
 21 **meter?**
 22 A. I apologize. Which page is this?
 23 **Q. Number 6 where -- where you're talking about AMR**
 24 **and NCR -- NCR meters. Just give me a second. I'll find**
 25 **the rows.**

1 THE REPORTER: Thank you.
 2 MS. ARGUNOV: Okay. Well, I guess the rest of
 3 the question will have to go to Ms. Sains and
 4 Ms. McClenahan.
 5 JUDGE HOWARD: Okay. Mr. Starkey, was there
 6 any redirect?
 7 MR. STARKEY: Yes, Your Honor. Two really
 8 short questions.
 9 REDIRECT EXAMINATION
 10 BY MR. STARKEY:
 11 **Q. Mr. Hagan, Ms. Argunov was asking about the**
 12 **difference between the AMR and the AMI meters.**
 13 **And is the AMI network -- or is one next work**
 14 **more reliable than another when it comes to those meters?**
 15 A. Yes. The AMI network is more reliable than the
 16 AMR network.
 17 **Q. And when those meters are measuring energy, what**
 18 **unit of energy are both meters measuring for purposes of**
 19 **billing?**
 20 A. Kilowatt hours.
 21 MR. STARKEY: Thank you. Nothing further,
 22 Your Honor.
 23 JUDGE HOWARD: All right. Thank you.
 24 I think that it might be a good time before we
 25 begin with our next witness, would be Allison Sains, that

Page 66

1 we take, let's say, a 10- or 15-minute break. Let's say
 2 a ten-minute midmorning break. And let's resume here at
 3 10:48 a.m.
 4 And, Mr. Hagan, thank you for your testimony
 5 today. You would be excused from the rest of the
 6 hearing.
 7 THE WITNESS: Thank you, Your Honor.
 8 JUDGE HOWARD: All right. We are off the
 9 record.
 10 (A break was taken from
 11 10:38 a.m. to 10:50 a.m.)
 12 JUDGE HOWARD: Let's be on the record. We're
 13 returning after our midmorning break.
 14 Our next witness is PSE's Allison Sains. Am I
 15 saying your last name correctly?
 16 THE WITNESS: Yes, you are.
 17 JUDGE HOWARD: Okay. Great.
 18 If you would please raise your right hand and
 19 I'll swear you in.
 20 * * * * *

21 Allison Sains, having been first duly sworn, was
 22 examined and testified as
 23 follows:
 24 THE WITNESS: I do, Your Honor.
 25 JUDGE HOWARD: All right. Thank you.
 Ms. Argunov, you indicated cross for this

Page 67

1 witness.
 2 You may proceed.
 3 CROSS-EXAMINATION
 4 BY MS. ARGUNOV:
 5 **Q. Good morning, Ms. Sains. So not to confuse**
 6 **between witnesses, so would you mind describing your area**
 7 **of expertise?**
 8 A. So I support PSE's meter data management system.
 9 **Q. Okay. So my first question will be going back**
 10 **to Exhibit EACCH-30. And I will share my screen this**
 11 **time.**
 12 **So this is a specification for FOCUS AX meters.**
 13 **And it describes the display options along with type of**
 14 **billings that this meter supports.**
 15 **So it looks like it's -- it was mentioned here.**
 16 **So there are two options, time of use and demand billing.**
 17 **Which -- which one is PSE the one is using, time**
 18 **of use or demand?**
 19 A. So I am not an expert in the meter
 20 configuration. But we are not using either time of use
 21 nor demand billing at PSE.
 22 **Q. So I'm very confused.**
 23 **So you said that your expertise is MDMS module.**
 24 **And this is part of the billing. So should I ask, then,**
 25 **later Ms. McClenahan?**

Page 68

1 A. Well, the FOCUS AX is the actual meter model
 2 itself. And that would -- questions about the meter
 3 itself would be for Mr. Ian Hagan.
 4 **Q. Well, it's not about meter configuration.**
 5 **What I'm asking is what PSE is using for**
 6 **billing. There are two options according to the**
 7 **description. It's time of use or demand billing.**
 8 **So which one you're -- when you're talking MDMS,**
 9 **which one you're talking about, time of use or demand?**
 10 A. Well, when I read -- when I look at this
 11 document, those are display options on the meter itself
 12 and not talking about how PSE carries out its billing in
 13 the SAP or MDMS.
 14 **Q. Okay.**
 15 A. It's specific to the meter display.
 16 **Q. Okay. Then that would be my next question.**
 17 **So in the several testimonies from -- in your**
 18 **testimony as well as Ms. McClenahan, you were -- you were**
 19 **referencing to L+G platform. And the -- I was -- in one**
 20 **of the testimonies, there was a link.**
 21 **So I followed the link -- and on the first page,**
 22 **so what I notice is that the billing order. And I notice**
 23 **the -- this thing which called MDUS.**
 24 **So from my understanding, PSE is not using this**
 25 **module at all, MDUS. Is that a correct statement?**

Page 69

1 MR. STARKEY: Your Honor, I'm going to object
 2 to this. I'm not sure what Ms. Argunov is sharing, or if
 3 this is an exhibit submitted in -- a cross exhibit. I
 4 would object to that.
 5 MS. ARGUNOV: This was a link in Ms. -- let me
 6 see. It was a link provided in Exhibit KM-1CT, page 6.
 7 So I followed this link.
 8 JUDGE HOWARD: All right. One moment. Let me
 9 catch up.
 10 Mr. Starkey, are you able to -- my browser is a
 11 little slow at the moment. Are you able to confirm that
 12 this is the link from your witness's testimony? Because
 13 I'm wondering if it would be appropriate to take official
 14 notice of this technical standard.
 15 MR. STARKEY: Yeah, Your Honor. I think it's
 16 from -- I don't know if this is from Ms. Sains or if it's
 17 from Ms. McClenahan.
 18 JUDGE HOWARD: Yes. I believe it's -- it is
 19 from McClenahan, KM-1CT, page 6.
 20 MR. STARKEY: Then, yes, that does appear to
 21 be correct.
 22 JUDGE HOWARD: All right. Great.
 23 You may proceed, Ms. Argunov.
 24 MR. JOHNSON: I'm sorry, Your Honor. Is
 25 Mr. Starkey withdrawing his objection to Ms. Argunov's

Page 70

1 statement? Or is he -- is he confirming this is an
 2 accurate document? I'm making sure because he did object
 3 to the submission.
 4 JUDGE HOWARD: Mr. Starkey, do you -- do you
 5 have any continued objection to her displaying this
 6 document?
 7 MR. STARKEY: We might have other objections.
 8 I'll object to foundation.
 9 But I'll let Ms. Argunov ask her question.
 10 JUDGE HOWARD: All right. Thank you.
 11 BY MS. ARGUNOV:
 12 **Q. So my question was because I -- in any of --**
 13 **I -- in any of testimonies, I haven't heard any reference**
 14 **to this particular model, MDUS. And this is the module**
 15 **that processing data for further billing.**
 16 **So I -- I see in multiple testimonies reference**
 17 **to L+G software. I saw MDMS. But I didn't see any**
 18 **reference to MDUS.**
 19 **Which is, according to Exhibit EA-37 -- just let**
 20 **me put -- okay. So this is the Exhibit EACCH-37 where it**
 21 **says that Landis+Gyr is the premier smart metering**
 22 **solution. And together with SAP, we have developed a**
 23 **solution that acts as a bridge between smart metering and**
 24 **the SAP for utility systems.**
 25 **So my question is why PSE is always referencing**

Page 71

1 **MDMS which is not even designed for interval processing**
 2 **but doesn't use the MDUS instead?**
 3 A. So MDUS stands for meter data unification and
 4 synchronization. It is a tool, a standard Landis+Gyr
 5 tool, or application, that allows the exchange of data
 6 between an SAP and a meter data management system.
 7 When PSE implemented their MDMS system, the
 8 Landis+Gyr MDUS was not yet available. So we built all
 9 of those interfaces in-house. There's no need for us to
 10 replace those standard -- in-house built interfaces with
 11 this standard application.
 12 It is just to exchange, or as they say, bridge
 13 data between the two systems.
 14 **Q. So just to confirm that I understand it**
 15 **correctly.**
 16 **So PSE are the ones who developed their own**
 17 **tool, right, for the billing, basically?**
 18 A. To exchange data between Landis+Gyr MDMS and
 19 SAP, correct.
 20 **Q. So then that would be another question.**
 21 **So in -- and this is the Exhibit EACCH-2.1.**
 22 **So this is a capture from SAP website. They**
 23 **call it real-time pricing. Oracle call it interval**
 24 **billing in the description. Of the meter that I showed**
 25 **before, it's called demand billing.**

Page 72

1 **So all -- both systems, largest ERP system, I**
 2 **would say, they have separate modules for processing**
 3 **interval data and handing it off to billing. And as you**
 4 **can see, this document was printed in January 6th. But**
 5 **I -- it's been there for a while now.**
 6 **So my question is if SAP states that the billing**
 7 **of interval-related data profiles is called real-time**
 8 **pricing billing -- so this is something that is required**
 9 **as well, as I mentioned, in a -- my overview. So all**
 10 **interval data-related profiles are subject to separate**
 11 **billing process and calculations.**
 12 **So, again, I'm going back to my question is that**
 13 **why PSE chose to recreate something by themselves**
 14 **disregarding the actual requirements of their own system,**
 15 **basically, their PC system that they're working with?**
 16 A. Is the question about why we're not using MDUS?
 17 **Q. The question if you're -- if you said that it**
 18 **wasn't available at that time, why you didn't use the one**
 19 **that are available in SAP?**
 20 A. So, again --
 21 **Q. Because it's a requirement.**
 22 A. So MDUS is not a requirement of exchanging data
 23 between an MDMS system and SAP. It is just a -- an
 24 application you can purchase so you don't have to build
 25 it in in-house.

Page 73

1 Again, we had already built our interfaces
 2 in-house. So there was no need to purchase another
 3 application to exchange that data.
 4 We are not using interval data for billing in
 5 any way. So this document, that RTP billing does not
 6 apply to us. We are not using interval billing.
 7 **Q. But this is the link that I was provided, right?**
 8 **This is what I was -- this is what you guys were**
 9 **referring to, right?**
 10 **And if you go into the chapter of quantity**
 11 **determination, right, so it clearly states where they**
 12 **talk about a quantity determination during period that**
 13 **these -- this processes, they are relevant for discrete**
 14 **measurement data.**
 15 **So as I stated, I don't know, were you**
 16 **present -- I can reshare. Just give me a sec.**
 17 **Let me see if I can -- so it might be another**
 18 **requirement to use particular platform which is MDUS.**
 19 **But, again, according to U.S. Department of Energy, the**
 20 **consumption on 5-, 15-, 30-, 60-minute intervals, they**
 21 **are subject to communicating back to customers for**
 22 **billing, energy feedback, and time-based rates.**
 23 **Also SAP documentation also references -- and I**
 24 **have it in my -- in my exhibits where the real time --**
 25 **all interval related -- and it clearly states here that**

1 all interval-related data profiles are subject to
 2 specific module.
 3 So if you didn't use the MDUS, or if you're not
 4 using the SAP, which they require, so you -- the PSE was
 5 supposed to mirror at least whatever requirements SAP has
 6 for their billing. Because my -- because I'm not quite
 7 sure so -- because it was PSE choice not to use any of
 8 the required platforms, either from L+G or SAP. So you
 9 guys created your own and it causes the problem.
 10 So I'm just trying to understand where the
 11 disconnect is.
 12 So if you could, again --
 13 MR. STARKEY: Your Honor --
 14 BY MS. ARGUNOV:
 15 Q. -- clarify why you didn't use the real-time
 16 price -- billing pricing for SAP. This is a module that
 17 was there for a long time.
 18 MR. STARKEY: Your Honor, I'm going to object
 19 to that line of questioning as testifying.
 20 I'm also going to object to the grounds that --
 21 foundation.
 22 And I also want to object to the use of compound
 23 question.
 24 JUDGE HOWARD: Yes. And I will -- I will
 25 grant those objections.

1 you -- you will be able to answer it?
 2 A. I -- can you repeat the question? I'm not sure.
 3 Q. If I wanted to present the discrepancy for a
 4 particular billing period, the one that I discovered
 5 between interval readings and billing summary and meter
 6 reads, so would that be okay to ask you this question to
 7 try and explain the discrepancy?
 8 Or it's better to address it to Ms. McClenahan?
 9 A. So I can speak to the interval and daily data
 10 stored in our MDMS system. And I can speak to what was
 11 sent to the SAP system.
 12 Q. Okay. Well, let's try -- so, again, I wanted to
 13 share the screen.
 14 So all the data is taken from Exhibit 41C, all
 15 four accounts. Meter reads, interval, MDMS, and billing
 16 summary.
 17 So, Ms. Sains, there was a couple billings
 18 charged to -- large amounts were charged to my account.
 19 So I took the billing range for meter reads to make sure
 20 I compare like apples to apples, right? And this is what
 21 I'm seeing.
 22 So according to meter read, daily meter read,
 23 the total for this particular billing period, which is
 24 from December 16th, 2029 to February 10, 2022, the total
 25 usage -- daily usage was 19 -- 1,900, right? I'm looking

1 Ms. Argunov, again, I do recognize this is a
 2 technical matter. I would encourage you to try to pose
 3 specific, discrete questions to Ms. Sains.
 4 And if you're going to share a different exhibit
 5 on your screen, like a moment ago you were sharing
 6 EACCH-7, just kind of verbally say what you're sharing so
 7 the court reporter can note it and then ask your specific
 8 question.
 9 MS. ARGUNOV: Okay. So I'll rephrase.
 10 BY MS. ARGUNOV:
 11 Q. Again, my question is if PSE, major ERP system
 12 required a specific module for all interval-related data,
 13 why PSE doesn't use it -- doesn't use it?
 14 A. Interval billing is not a requirement of a -- an
 15 AMI meter. This describes real-time pricing. We are not
 16 using that functionality in SAP.
 17 Q. When you say the real time pricing, can you
 18 define what real pricing is?
 19 A. So I'm not here to testify to SAP functionality.
 20 I would have to defer to Kristina McClenahan on SAP
 21 functionality.
 22 Q. Okay. Thank you.
 23 So question, Ms. Sains, about the discrepancies
 24 between interval usage values and meter reads.
 25 Should I ask this question to Ms. McClenahan or

1 at the interval and daily and it's 29.
 2 However, looking at the billing, the same period
 3 of time, everything is the same, it is 8,300.
 4 So my question is how would you explain those
 5 huge discrepancies between meter reads, intervals, and
 6 billing?
 7 A. So Landis+Gyr had a network issue in this area
 8 during that time frame. And MDMS was not receiving all
 9 of the reads on the meters during that period of time.
 10 So when you're looking at the daily cumulative
 11 usage, you can see there are days where information is
 12 missed. We were also receiving partial interval reads
 13 for those days. That's why you have some values for
 14 intervals.
 15 When you sum those up, there's data missing. So
 16 they will not reconcile.
 17 The billing summary was based on the
 18 point-in-time cumulative billing reads. So that is just
 19 the billing read minus the prior billing read to
 20 determine your billing usage.
 21 Q. So I wanted to go back to AMI system benefits,
 22 right, where it says that we, customer, can keep track of
 23 their daily usage and everything.
 24 So in this particular scenario -- and I'm really
 25 trying to understand.

1 So how would I know which -- which values are
2 correct? Because I don't have -- I don't have any
3 reports. And I tried to figure out if PSE has any. So I
4 don't have any reports showing the validation estimation
5 process that was applied to both sides of -- because
6 meter read and interval data are coming from the same
7 source, which is smart meter. They are not different.

8 The problem is that there is no consolidated
9 system that would reconcile those values, right? So, to
10 me, looking at this, my actual usage was 2,900, and I was
11 billed for 8,300.

12 So how would I reconcile that? How the PSE
13 customer will be able to obtain the data?

14 A. So your billing statement would have the
15 cumulative reads and dates that it used to determine your
16 billing usage. From this data, when there's data not
17 received from the meter, you won't be able to sum up what
18 those cumulative daily values are. You would have to
19 refer to just those -- the point-in-time read for your
20 bill.

21 Q. Thank you.

22 My next question would be about estimations.

23 Is this something that it's okay to address with
24 you?

25 Or you would like me to ask this question of

1 months, number one. And even if I look the previous
2 months in 2022, so I cannot find the average of 108
3 kilowatt hours anyways -- anywhere.

4 So where those numbers could possibly come from?

5 A. So this appears to be from the SAP billing
6 statements. And I can't speak to that information.
7 Kristina or Stacey -- Stacey Halsen would be able to talk
8 to these numbers.

9 Q. Okay. Ms. Sains, VEE, validation estimation and
10 editing process, is mandatory to all profile data at
11 least?

12 A. We run VEE processes against our daily and our
13 interval reads in MDMS.

14 Q. Mm-hmm. So going back to 41C and MDMS reads,
15 right? So if I look -- let me unfilter the filters.

16 So when I look at my account, right -- wrong
17 page.

18 So when I'm looking at my account and I see that
19 a value -- and this is actually in meter read, neither in
20 MDMS or meter read in the daily does not request. I just
21 add that because I -- I wanted to see what's going to be
22 the total of kilowatt hours.

23 So when I look at MDMS readings, all I see is a
24 cumulative of 32,000 kilowatt hours. There is no
25 daily -- there is no records of it.

1 Ms. McClenahan?

2 A. I can speak to the estimations that are
3 completed in MDMS via the VEE process.

4 Q. Okay. Let me -- let me just bring this up. In
5 a moment I will be presenting Exhibit EACCH-4.

6 So this -- that happened already after VEE
7 because these are summaries of the billing statements for
8 Groesbecks' account. So the data was requested from PSE,
9 right? And I was looking into their accounts.

10 So it says that estimation formula based --
11 formula based on previous month's consumption.

12 So the previous month's consumption. So I --
13 first of all, there is no previous month consumption.

14 And then I tried to see where those estimations
15 could possibly come from. So the averages, daily
16 averages, would not come even close to 108.71.

17 So my question, going back to estimation rules,
18 how the estimation rules work. And -- because in this
19 particular case, it says "previous month." There was no
20 previous months, right?

21 So -- and then, actually, those charges were
22 charged in August of 2022, right? So we're talking
23 about, like, seven, eight months apart.

24 So how is it that this note stating that it was
25 based on previous months -- and I cannot find previous

1 So would that be correct statement if I say that
2 none of the old -- all of those daily -- daily reads that
3 are including -- included into this 32,000, went through
4 a validation check? Would that be correct statement?

5 A. MDMS did not receive that information. So it
6 couldn't run VEE on something it didn't have.

7 Q. So if you say that -- in general the VEE process
8 is mandatory. So why -- how PSE can validate with the
9 amount that was billed to me without validation process
10 for those records?

11 A. So when reads are received by the meters, the
12 VEE process isn't -- you know, reads are assumed to be
13 good unless they aren't in line with other information.

14 Primarily what we're doing is we're filling in
15 gaps when reads are not received. You know, it's
16 validation estimating and editing so that editing is
17 putting in those estimation values.

18 Q. So --

19 A. If the meter recorded the information, then it's
20 good.

21 Q. It's good.

22 Well, I -- about being it's good, we don't know,
23 right, because it didn't go through the validation
24 process. So we don't really know if it's good or not,
25 correct?

1 A. I have no reason to doubt the meter. I believe
2 it was tested. At some point the meters went through
3 testing.

4 **Q. Well, do you -- do you have, like, any**
5 **statistical energy consumption around Washington state?**
6 **Like what would be the average per household per**
7 **month, the kilowatt hours?**

8 A. That's not -- yeah. That's not information that
9 I have.

10 **Q. So I wanted to present Exhibit 9C. EACCH-9C.**
11 **Sorry. My laptop is syncing.**

12 MR. JOHNSON: Your Honor, while Ms. Argunov is
13 looking for that information, can I chime in with a quick
14 question.

15 JUDGE HOWARD: Mr. Johnson, the parties did
16 have an opportunity to indicate their plan for cross
17 time.

18 MR. JOHNSON: Okay.

19 JUDGE HOWARD: So I would be hesitant to allow
20 that.

21 MR. JOHNSON: Thank you.

22 BY MS. ARGUNOV:

23 **Q. I'm trying to find the part with the -- when UTC**
24 **was allowing the rate increase where they were talking**
25 **about average Washington usage kilowatt hours per month.**

1 **kilowatt hours that were billed to my account without**
2 **even proper VEE validation process.**

3 **So is there any other investigation that was**
4 **conducted when I addressed those billing issues with PSE?**

5 MR. STARKEY: Your Honor, I am going to object
6 to this line of questioning as testifying.

7 JUDGE HOWARD: Yes.

8 Ms. Argunov, there was a fair amount of
9 testimony preceding that question.

10 MS. ARGUNOV: Okay.

11 JUDGE HOWARD: And I've -- I've noticed that
12 in a few of your preceding questions as well, and I
13 haven't commented on it. But I cannot consider that
14 testimony preceding your question.

15 MS. ARGUNOV: Okay.

16 JUDGE HOWARD: I'm also a little concerned at
17 this point that the witness might not be -- that there
18 might be a -- what we call a foundation issue. The
19 witness might not be familiar with these issues you're
20 talking about.

21 MS. ARGUNOV: Okay. Well, this is what I'm
22 trying to understand because I already asked questions
23 about Mr. Hagan. He asked me to ask those questions to
24 Ms. Sains.

25 Now I'm asking those questions to Ms. Sains and

1 **And I'm sorry, I couldn't find -- but I will find it.**
2 **But it -- it's on UTC website as well.**

3 **So the average consumption per household, it's**
4 **about 843 kilowatt hours.**

5 **So my question is seeing this amount of 32,000**
6 **kilowatt hours -- and it's less than the year which makes**
7 **it almost 2,700 per month -- so knowing that we lived in**
8 **trailer, used propane as a main source of heating, do you**
9 **think from your perspective, 2,700 kilowatt hours per**
10 **month, this is something that could actually happen while**
11 **we were not even living in the house?**

12 A. So I'm not an expert in the average usage for
13 homes and trailers in the Cle Elum area. I would expect,
14 due to weather conditions, it would be higher than
15 average.

16 **Q. So agree about the weather conditions.**

17 **But you -- I also wanted to point it out that**
18 **90 percent of Cle Elum residents, they do not use**
19 **electronic heaters or anything. They use wooden stoves**
20 **or propane. So we lived in our trailer using propane as**
21 **a main source of heating.**

22 **And to me, 2,700 is not even close to what it**
23 **might be -- what it should be -- what it should have**
24 **been.**

25 **So this is why I was asking you about 32,000**

1 now I -- so I'm trying -- I'm a little bit confused on
2 who I can ask those questions right now at this point,
3 you know. Because so far it's -- it's very challenging.

4 In general, for example, Mr. Hagan, right, he
5 has -- from his testimony -- this is why I asked those
6 questions because he said that he was responsible for
7 data integrity, MDMS, et cetera, and interval readings.
8 And my questions were two words, those systems. But then
9 I was -- then I was told to ask Ms. Sains those
10 questions.

11 So my concern is that is there any witness, so I
12 won't waste anyone's time, that I can ask all of these
13 questions and who is comfortable to answer them?

14 JUDGE HOWARD: Well, I certainly see that -- I
15 mean, this is a -- you know, this is a multifaceted
16 issue. As I understood Mr. Hagan's testimony was
17 primarily focused on the meters themselves. And
18 Ms. Sains and the other witnesses were more focused on
19 the later processes for how that data is processed.

20 But your last question of Ms. Sains was about
21 your actual energy usage and comparing that to statewide
22 averages.

23 So I do feel we are going from topic to topic a
24 little bit.

25 BY MS. ARGUNOV:

1 **Q. Okay. Well, the -- my initial question was if I**
2 **see this lump sum cumulative in MDMS and don't see daily,**
3 **my ultimate question was does it -- if it's correct**
4 **statement, does it mean that none of the daily usage went**
5 **through the validation process?**

6 **So if we could confirm that, that would be**
7 **great.**

8 A. So MDMS did not receive daily reads from the AMR
9 meter. So we could not run VEE against data we did not
10 receive.

11 MS. ARGUNOV: Okay. Perfect. Thank you very
12 much.

13 Thank you. That was my last question.

14 JUDGE HOWARD: All right. Thank you.

15 Mr. Starkey, any redirect?

16 MR. STARKEY: Yes, Your Honor. Three very
17 brief questions.

18 JUDGE HOWARD: All right. Ms. Argunov, could
19 you stop sharing your screen?

20 MS. ARGUNOV: Yes. Sorry.

21 JUDGE HOWARD: Thank you. It's all right.

22 MS. ARGUNOV: I have three screens I'm trying
23 to navigate as soon as I can.

24 REDIRECT EXAMINATION

25 BY MR. STARKEY:

1 A. So an MDMS, it's the -- the cumulative read that
2 we're using. It's like a car odometer. It's tracking
3 that total off from the meter. And so that total number
4 minus the number that was used in the prior month, the
5 difference between those two is your usage.

6 **Q. And that total number, what unit of measurement**
7 **is that in?**

8 A. It's in kilowatt hours.

9 MR. STARKEY: Thank you. That's all I have.
10 Nothing further, Your Honor.

11 JUDGE HOWARD: All right. Thank you,
12 Ms. Sains, for your testimony today. And you would be
13 excused from the rest of the hearing.

14 Our next witness -- and sorry, again, for my
15 horse voice here -- our next witness would be Kristina
16 McClenahan.

17 MS. ARGUNOV: Your Honor, can I ask for
18 five-minute break, please?

19 JUDGE HOWARD: Yes. Certainly.

20 MS. ARGUNOV: Thank you.

21 JUDGE HOWARD: Let's go off the record. And
22 so we are off the record, and we'll go back on in five
23 minutes.

24 (A break was taken from
11:29 a.m. to 11:36 a.m.)

25

1 **Q. Ms. Sains, you mentioned earlier about not using**
2 **demand.**

3 **Could you clarify, is that for these customers**
4 **or just for customers in general?**

5 A. So for residential customers, we do not use
6 demand reads for billing.

7 **Q. Great. And does PSE use real-time pricing, or**
8 **interval pricing, for these customers or residential**
9 **customers like them?**

10 A. No. We only use the cumulative daily reads.

11 **Q. And could you explain what a point-in-time read**
12 **is and how that relates to a billing customer?**

13 A. So each billing cycle has a billing day and a
14 month. There's 21 different cycles. And we will go --
15 we will get a read -- a daily read most closely aligned
16 with the date that that cycle should be billed.

17 And so that day is what we use the read for.

18 And -- and then the prior read would be from the prior
19 cycle that was billed. And those two -- the difference
20 between those two is that customer's usage for billing.

21 **Q. I apologize. I'm going to go over because I**
22 **want to clarify something there.**

23 **When -- does that read, does it just spit out**
24 **2,100 kilowatt hours? Or how are you -- how do you get**
25 **to that difference?**

1 JUDGE HOWARD: All right. Let's be back on
2 the record.

3 We're returning after a five-minute break.

4 Our next witness is Kristina McClenahan.

5 I see you are -- I see your camera feed. Could
6 you please raise your right hand and I'll swear you in?

7 * * * * *

8 Kristina McClenahan, having been first duly sworn,
9 was examined and testified as
follows:

10 THE WITNESS: I do, Your Honor.

11 JUDGE HOWARD: All right. Thank you.

12 And, Ms. Argunov, you may proceed.

13 CROSS-EXAMINATION

14 BY MS. ARGUNOV:

15 **Q. Hello, Ms. McClenahan. Good morning -- we're**
16 **still morning, right? Good morning.**

17 **So I wanted to go back through your testimony,**
18 **Exhibit KM-1CT and that link that you provided in that**
19 **testimony.**

20 **So let me reshare my screen really quick.**

21 **So this is the link that I followed, right, and**
22 **so I'm looking at this screen. And as Ms. Sains already**
23 **mentioned, right, so it looks like PSE doesn't use the**
24 **module MDUS that potentially feeds data for billing**
25 **processes. Is that correct statement?**

1 A. If you're sharing your screen, I'm not seeing
 2 anything yet.
 3 **Q. Oh, I'm sorry.**
 4 A. Thank you.
 5 **Q. So this is, in general, describing the billing**
 6 **process, right? Where the output and there is a module**
 7 **that it's mentioned in a couple steps here, MDUS.**
 8 **So Ms. Sains says that PSE does not use this**
 9 **current module, right?**
 10 A. That is correct. These are different options
 11 that SAP has available because they do have a very
 12 flexible system.
 13 **Q. Okay. So go -- I wanted to share this again.**
 14 **So going back to real-time pricing.**
 15 **So in SAP documentation, it says that the**
 16 **billing of interval-related data, which our AMI meters**
 17 **are, is subject to separate module and they have a**
 18 **separate process before it goes to -- let me -- before it**
 19 **goes to -- let me -- before it goes to IS-USAP module.**
 20 **So my question is why PSE does not use the**
 21 **real-time pricing billing?**
 22 A. PSE does not bill on interval data or use
 23 real-time pricing for billing purposes.
 24 **Q. Well, that's where I think a little bit of**
 25 **disconnect. Because as I stated in my prefiled**

1 And I also would object that it's a compound
 2 question.
 3 JUDGE HOWARD: I -- I will grant the
 4 objection.
 5 I think -- you know, Ms. Argunov, it's -- we
 6 have a lot of formalities that we have to follow but
 7 there are reasons behind them. And perhaps we can -- we
 8 can just make clear as initial starting point that you're
 9 referring to Exhibit EACCH-7.
 10 MS. ARGUNOV: Yes.
 11 JUDGE HOWARD: And if you can try to have a
 12 relatively minimal introduction to your question and just
 13 pose one question at a time to the witness.
 14 MS. ARGUNOV: Okay.
 15 BY MS. ARGUNOV:
 16 **Q. So let me try to put a shorter question. Okay.**
 17 **So I'll try to rephrase that.**
 18 **Our AMI meters have two components, meter reads**
 19 **and interval data. According to SAP, ERP information as**
 20 **I shared in the exhibit before as well as AMI system or**
 21 **overview, the interval data related is a subject for a**
 22 **billing.**
 23 **My question is why PSE is not using interval**
 24 **billing -- interval data for billing?**
 25 A. PSE provides interval data as a courtesy to our

1 **testimonies, and as stated in U.S. Department of Energy.**
 2 **So when you have an AMI meter -- and I can read this -- I**
 3 **already read it, but I can read it again.**
 4 **So the core element of AMI is smart meters which**
 5 **provide a number of functions, including measuring**
 6 **customer electricity consumption at 5, 15, 30, and**
 7 **60 minutes, measuring voltage levels and monitoring the**
 8 **on/off status of electric service. Smart meters**
 9 **communication these readings to utilities for**
 10 **processing -- for processing analysis and communication**
 11 **back to customers for billing.**
 12 **So this is something that we -- we know for a**
 13 **fact. So it is interval-related data.**
 14 **The meter readings and interval data, if it**
 15 **was -- it would be properly used, supposed to match one**
 16 **to another.**
 17 **So in SAP in Oracle, they both have similar**
 18 **modules for interval-related data. Our AMI meters, they**
 19 **read data in 15-minute intervals.**
 20 **So my question is why PSE chooses not to bill**
 21 **accordingly, according to the requirements of their own**
 22 **ERP system?**
 23 MR. STARKEY: Your Honor, I'm going to object
 24 to that line of questioning which was testifying for the
 25 vast majority of it.

1 customers so they can see how they're utilizing data.
 2 PSE uses SAP's standard periodic processes which
 3 enables us to bill monthly or bimonthly by receiving a
 4 read through MDMS. We use the start read and the ending
 5 read and then we subtract them. And the difference is
 6 what we bill in kilowatt hours.
 7 So we utilize the standard periodic processes
 8 with an SAP to bill our customers with their monthly --
 9 or bimonthly kilowatt hours.
 10 **Q. Well, that was my question that according to**
 11 **SAP, there is a different standard which all**
 12 **interval-data related -- interval-related data should be**
 13 **processed according to.**
 14 **My question is why PSE doesn't follow the**
 15 **requirements of this ERP system because you're using ASP,**
 16 **correct?**
 17 MR. STARKEY: Objection. Your Honor, I'm
 18 going to object to that as argumentative.
 19 JUDGE HOWARD: I will -- I will grant the
 20 objection as -- as essentially assuming facts not in
 21 evidence.
 22 Ms. Argunov, perhaps -- perhaps we can pose this
 23 question of why without -- without asserting -- if we
 24 haven't already established it through another question,
 25 without asserting that PSE has failed to comply with some

1 sort of specific standard. Maybe ask why they're not
2 doing what you think they should be doing.
3 BY MS. ARGUNOV:

4 **Q. Okay. So why PSE doesn't use the real-time
5 price billing where it says that the interval-related
6 data is subject to specific module in SAP?**

7 A. So SAP is a very flexible system. It enables
8 lots of different options for utility companies. PSE
9 does not use real-time billing or real-time pricing at
10 this time.

11 **Q. Okay. So the AMI meters do read and transfer
12 the data into meter reads and interval profile data in
13 intervals, right, 15-minute intervals, correct?**

14 A. I'm not an expert on how our meters read or
15 process that data.

16 However, my understanding is the interval data
17 is used as a courtesy for our customers and is not
18 transmitted to SAP. It is not transmitted to SAP for any
19 billing purposes as we do not bill interval data.

20 **Q. Thank you. I guess I can proceed to the next
21 question.**

22 **Ms. Halsen -- I'm sorry. McClenahan. Okay. So
23 quick question.**

24 **On your testimony, exhibit -- let me just grab
25 really quick.**

1 **a customer or disconnected.**

2 **So my question is how is it after 19 consecutive
3 times there were no employee from PSE that would come and
4 check this meter test -- or test it was the meter because
5 it clearly shows the error that I didn't -- I didn't even
6 see on any of our accounts.**

7 MR. STARKEY: Your Honor, I'm going to object
8 to foundation on that one.

9 BY MR. STARKEY:

10 **Q. I will rephrase.**

11 **So considering the number of consecutive errors
12 on the account where you stating in your testimony the
13 errors would result in employee review and there was no
14 such review. So why it didn't happen with Johnsons'
15 account?**

16 A. These errors are specific to MDMS and are not
17 errors within SAP. And I'm not an expert in MDMS. I
18 would refer to Allison Sains' testimony around what those
19 errors mean.

20 The SAP validation, the tools and the way that
21 -- what you expressed in Exhibit KM-1CT, page 15, with my
22 response 12 through 21, is what happens within SAP once
23 we receive, or don't receive, a meter read from MDMS in
24 kilowatt hours.

25 **Q. So there are different types of errors, correct,**

1 **Pages 16 and 17, when you were discussing our
2 accounts, you were talking about the reasoning behind
3 very -- catch up bills, right, that's what we call it.
4 And you mentioned the COVID protocols.**

5 **So what was the time frame when those processed
6 calls were in effect? Could you specify the time period?**

7 A. I would need to defer to Stacey Halsen as I
8 don't have the exact dates that those COVID protocols
9 were in place.

10 **Q. Okay. Thank you.**

11 **My next question -- give me a second, please.**

12 **So I wanted to refer to your -- to your
13 testimony in Exhibit KM -- KM-1CT, page 15. Rows 10-15
14 through -- sorry. Hold on.**

15 **Yeah, page 15 rows, 12-21. Where you state that
16 if there is a validation failure, the employer will use
17 tools like meter data linked to attempt to call the meter
18 to see if they are able to receive an actual read.**

19 **So question about account -- Johnsons' account,
20 the one that was charged for 15,000 kilowatt hours per
21 month.**

22 **So there were 19 consecutive times the error on
23 the account showing -- let me see what is it called?**

24 **USN estimation rule error which states that it
25 is assigned when a CP has identified a meter to not have**

1 **that you reviewed or not reviewed by PSE Staff, correct?**

2 A. I'm unclear what the question is.

3 For SAP specifically, I can speak to the
4 validations that we check. Once we receive or do not
5 receive meter reads from MDMS. There are validation
6 checks within SAP.

7 MS. ARGUNOV: Thank you. Let me just go over
8 the question really quick.

9 Yeah. I think my next question would be
10 addressed to Ms. Halsen. This is -- this was my last
11 question. Thank you.

12 JUDGE HOWARD: All right. Do we have any
13 redirect?

14 MR. STARKEY: Yes, Your Honor. One, maybe two
15 questions. I'll wait for -- yep. Perfect. Thank you,
16 Ms. Argunov.

17 REDIRECT EXAMINATION

18 BY MR. STARKEY:

19 **Q. So, Ms. McClenahan, is there a requirement that
20 PSE use interval data for billing?**

21 A. There is not.

22 **Q. And does PSE use real-time pricing for billing?**

23 A. Not for these residential customers, no.

24 MR. STARKEY: Great. Thank you. That's all I
25 have.

Page 98

1 JUDGE HOWARD: All right. That -- I would
 2 like to thank you for your testimony.
 3 We would next turn to -- the next witness would
 4 be Stacey Halsen. We're a few minutes away from noon
 5 right now. It would probably make sense to take a lunch
 6 break. For a Zoom hearing, I normally take a 45-minute
 7 lunch break. You know, let's -- let's go off the record.
 8 (A break was taken from
 9 11:53 a.m. to 12:45 p.m.)
 10 JUDGE HOWARD: Let's be back on the record.
 11 It's 12:46. We're returning after lunch.
 12 Our next witness is Stacey Halsen. And I see
 13 that her video feed is on.
 14 Ms. Halsen, could you please raise your right
 15 hand and I'll swear you in.
 16 * * * * *
 17 Stacey Halsen, having been first duly sworn, was
 18 examined and testified as
 19 follows:
 20 THE WITNESS: Yes, I do, Your Honor.
 21 JUDGE HOWARD: All right. Thank you.
 22 Ms. Argunov, you may proceed.
 23 CROSS-EXAMINATION
 24 BY MS. ARGUNOV:
 25 **Q. Hello, Ms. Halsen. So my first --**
A. Good afternoon.

Page 99

1 **Q. Good afternoon.**
 2 **My first question would be about the COVID**
 3 **protocols time period.**
 4 **So when was the start -- the beginning and the**
 5 **end of the COVID protocols?**
 6 A. The governor's proclamation was effective
 7 March 23, 2020. At that time, we went into -- actually
 8 the company created a team called the COVID crisis
 9 management team. And we -- based off of the governor's
 10 proclamation, made decisions on how we were going to
 11 follow and be in compliance with his proclamation. That
 12 was effective March 24, 2020. And that proclamation
 13 ended May 31, 2020.
 14 **Q. So May 31, 2020. Okay.**
 15 **So in a couple testimonies, I think**
 16 **Ms. McClenahan, and you also, were explaining the delays**
 17 **for the catch-up bills, right, due to COVID protocols.**
 18 **Our account didn't start until July of 2020.**
 19 **This is where AMR meters were installed.**
 20 **So I'm -- I still wanted to follow up with you**
 21 **and understand that -- if I understand correctly, the**
 22 **protocols COVID were not in effect already when the -- my**
 23 **AMR meter was installed.**
 24 **So what actually cost the -- the catch-up bill**
 25 **-- to catch up for that long, almost 12 months?**

Page 100

1 A. Well, what actually caused the catch-up bill is
 2 kind of a combination of many factors. COVID is one of
 3 those meaning that during the COVID -- even during the
 4 COVID protocol where we were limited to central duties,
 5 we still were sending meter readers out to get actual
 6 reads on the actual meter.
 7 As far as the delay and certain types of work
 8 due to the proclamation, even though it only lasted for
 9 two months, during those two months, even one day getting
 10 behind on work for a company as large of ours with a
 11 service territory over a million electric customers, that
 12 one day multiplied over two months, that's a lot of
 13 backlog to catch up on. You have to remember back during
 14 COVID, people that were getting sick, when they were
 15 tested positive for COVID, they automatically had to be
 16 quarantined for ten days. So you're taking people out of
 17 the workforce for ten days. That puts the company even
 18 further behind.
 19 We did, like I said, put meter reads, actual
 20 reads off of the meters themselves to get those billing
 21 corrections processed. And like it was referred to
 22 earlier like the true-up bills, to correct the estimates
 23 that were underestimated, or overestimated, and bill for
 24 the actual usage.
 25 **Q. Thank you.**

Page 101

1 **My second question would be is validation,**
 2 **estimation, and editing process.**
 3 **Is this a mandatory step for billing -- well, I**
 4 **would say before it goes to the billing.**
 5 MR. STARKEY: I'm going to -- objection to
 6 foundation there, Your Honor.
 7 JUDGE HOWARD: Ms. Argunov, I think the
 8 objection is going to foundation which would be is the
 9 witness familiar with this -- with this topic.
 10 So perhaps we could ask Ms. Halsen if she's
 11 familiar with this subject area first about the
 12 validation I believe your question was about.
 13 MS. ARGUNOV: Yes.
 14 THE WITNESS: No. I do not understand your
 15 question.
 16 Can you rephrase that and I will see if it's
 17 something that I feel I am knowledgeable in?
 18 BY MS. ARGUNOV:
 19 **Q. I thought when I asked Ms. McClenahan, she said**
 20 **that I can address this with Ms. Halsen, if I'm not**
 21 **mistaken. But it's okay.**
 22 **Ms. Halsen, on the page 2 of the Exhibit**
 23 **SBH-1CT, you were stating that if I was right and PSE**
 24 **quadruples our energy bills, then the customer average**
 25 **consumption would be 200, 250 kilowatts month.**

1 **My question is do you have a data source showing**
2 **your calculations?**

3 A. I'm not sure what you mean by "data source."

4 **Q. Any kind of reports where -- because you stated**
5 **that if I would -- I was correct, the monthly usage for**
6 **our houses would be 200, 250 kilowatt hours.**

7 **So do you have something to -- or any exhibit to**
8 **present your calculations that you mentioned?**

9 MR. STARKEY: Your Honor, I'm going to object
10 to misstating testimony. That is not what her testimony
11 states. And it applies to customers and PSE service
12 territory in general and not the specific customers here.

13 JUDGE HOWARD: Ms. Argunov, I will grant the
14 objection. I think I'm grasping the distinction that the
15 testimony was about customers in general.

16 But please feel free to pose that question about
17 customers in general because that is what she's
18 testifying.

19 MS. ARGUNOV: I'm not sure how I can rephrase
20 that. It wasn't really -- I was not talking about our
21 accounts. I was just talking about the general statement
22 where -- where Ms. Halsen stated that if I -- if I
23 would -- what I was stated would be right and they
24 quadrupling their energy bills, right, so then the
25 average consumption would be 200, 250 kilowatt hours.

1 What -- I'm reading the testimony. And what it
2 says is the allegations that the PSE AMI meters are
3 quadrupling the kilowatt hour measurement would mean that
4 the kilowatt hour per customer would be approximately
5 200, 250 kilowatt hours. Which would be impractical --
6 practically below the average for all the utilities in
7 the state of Washington.

8 **Q. And what is the average usage per customer in**
9 **Washington State?**

10 A. Well, that varies. It depends on several
11 different factors. It depends on what the customer has
12 inside their home, where they live, what the average
13 temperatures are outside. What their individual habits
14 are, usage habits. What they keep their heat on. Their
15 hot water, how many showers they take. How much laundry
16 is being done. Whether they're washing in hot or cold.
17 It's not really possible to answer your question with a
18 definite number. There's just too much different
19 factors.

20 **Q. Okay. So meaning that the statement from your**
21 **testimony, so how is it the numbers that you provided --**
22 **because you did mention the average for the customer,**
23 **right? So we don't really know.**

24 A. If you take the 250 kilowatt hours and multiply
25 that by four, that's an average of 1,000 kilowatt hours.

1 So I was just wondering if there is any -- any
2 document that can be shared or presented so we can see
3 those calculations.

4 Because according to my calculations pertaining
5 to our four accounts, it would be different amounts which
6 is around 600 kilowatt hours.

7 This is why I was asking about this specific
8 statement.

9 JUDGE HOWARD: Certainly. I certainly -- I
10 believe -- if I'm recalling correctly, I think maybe you
11 just had used the phrase "our accounts" or something like
12 that in your original phrasing of the question.

13 But do feel free to pose a question about that
14 testimony to the witness. I think that there's maybe
15 just a word in there that made it sound like --

16 MS. ARGUNOV: Okay. I'll remove "our."

17 JUDGE HOWARD: Yeah.

18 BY MS. ARGUNOV:

19 **Q. Again, on page 2 of the exhibit of the SBH-1,**
20 **you stated, if I was right, and PSE quadruples their**
21 **energy bills, then the customer average consumption would**
22 **be 200, 250 average kilowatt hours per month.**

23 **Do you have any data source showing these**
24 **calculations -- document, Excel format, whatever that is?**

25 A. No, not that I'm aware of.

1 And that's what that's based on is an average of 1,000
2 kilowatt hours per month per customer.

3 If you spread out all of our different customers
4 throughout our territory and exclude, or include, what
5 they actually have, whether they have gas, propane,
6 electric, is there heating, water heater -- heat and
7 water heater are your largest consumers. So that can
8 really affect your average price per kilowatt hour.

9 If you take all of the rates, all of the
10 residential customers, it averages out to about 1,000 per
11 month. And that's where that 250 comes from.

12 If your theory that we were quadrupling our
13 usage, our customer's usage, then that would -- to mean
14 that we're only billing an average of 200 to 250 kilowatt
15 hours per month.

16 MS. ARGUNOV: Excuse me. Your Honor, I'm not
17 a lawyer and so I really wanted to object to the --
18 because I hear all over again and, again, my theory, my
19 theory. So I think I was very clear for both -- both of
20 my testimonies that I'm not presenting my theory.
21 Instead I'm presenting this technical specifications from
22 ERP systems and other sources. So I'm just asking PSE,
23 even though it's almost the end of the meeting, just
24 avoid saying that it's my theory. It's not really a
25 theory. It's just a fact that I put out there with the

1 supporting presentation.
 2 JUDGE HOWARD: Well, I see --
 3 MS. ARGUNOV: I apologize.
 4 JUDGE HOWARD: -- Ms. Argunov, I do see what
 5 you're getting at. I won't tell the witnesses
 6 necessarily to use a different word. I don't think
 7 that's necessarily an argument -- an improper
 8 argumentative term.
 9 But I can tell you I will give all the weight --
 10 the evidence the weight it deserves when I review
 11 everything in light of the record.
 12 MS. ARGUNOV: Okay.
 13 JUDGE HOWARD: And one person saying something
 14 is a theory will not -- will not control the entire case.
 15 MS. ARGUNOV: Okay. Thank you very much.
 16 BY MS. ARGUNOV:
 17 **Q. Ms. Halsen, I have a question about the**
 18 **complaint -- informal complaint and also complaint first**
 19 **was original with customer service that Johnsons**
 20 **addressed with their extremely high energy bills.**
 21 **My question is were you involved into**
 22 **investigation of this particular account?**
 23 A. Yes, I was.
 24 **Q. And what steps were taken and when to**
 25 **investigate the situations that the Johnsons were**

1 home when the permanent meter was set and when they
 2 started using the electrical heat inside the home. That
 3 is in the Exhibit 4. Are you familiar with that?
 4 **Q. Yes. I -- I read the exhibit. What was there**
 5 **is that contractors required 65 degrees inside of the**
 6 **house while they do the walls and everything. As I**
 7 **stated in testimony, Johnsons did not use a furnace,**
 8 **electrical furnace. Instead they use the heaters that**
 9 **were connected to the temporary power. This is why they**
 10 **actually filed the complaint because they knew that they**
 11 **didn't use the permanent power at all. So that's why --**
 12 **that's when they called customer service and then filed**
 13 **an informal complaint.**
 14 **So this is why I was asking, do you recall any**
 15 **detail? So background of Johnsons' side of the things,**
 16 **right? Because I read that testimony. I know what**
 17 **you're talking about. So --**
 18 MR. STARKEY: Excuse me. I would like to
 19 object to that line of -- that line of questioning. It
 20 was argumentative. It was testifying, and it also
 21 assumes facts not in evidence.
 22 JUDGE HOWARD: Yes. Ms. Argunov, it's -- I
 23 think what happened was the witness asked you a question
 24 and you described your answer.
 25 MS. ARGUNOV: Yes.

1 **complaining about?**
 2 A. When the Johnsons first contacted our customer
 3 service department, our agents reviewed their usage.
 4 They saw that there were no estimated reads. They were
 5 all actual reads. They did offer to have the customers'
 6 meter tested, and it was tested. They also offered to
 7 have the customer speak to an energy advisor who can
 8 better go through their home and what it is using and
 9 help them find ways to reduce their electric consumption.
 10 At no time during the review with the customer
 11 service department, or during the informal complaint, did
 12 we find anything wrong with PSE's billing of the usage or
 13 our system's calculation of the usage.
 14 **Q. Do you remember specific details that the**
 15 **Johnsons provided to customer service and then informal**
 16 **complaint supporting their issues with the meter?**
 17 A. What do you mean by -- rephrase your question.
 18 **Q. The background situation. Why they thought it**
 19 **can't be that much of a kilowatt hours charged to their**
 20 **account.**
 21 A. Yes. What I recall is that saying there was no
 22 electrical outlets wired inside the home. And in the
 23 discovery, we were presented with communication in --
 24 with the Johnsons and their contractor that talks
 25 specifically about what electricity was being used in the

1 JUDGE HOWARD: So -- and, of course, I can't
 2 consider that because I have to rely on your testimony at
 3 other points when you're -- when it's essentially your
 4 turn to testify.
 5 So I'll grant the objection.
 6 MS. ARGUNOV: Yeah. Okay.
 7 BY MS. ARGUNOV:
 8 **Q. So, Ms. Halsen, how long was the test performed**
 9 **for Johnsons' meter?**
 10 A. How long did the meter test take when the meter
 11 tester was out there?
 12 **Q. Yeah, yeah. How much time did it take to**
 13 **measure and test?**
 14 A. That's not my testimony. I think that might
 15 have been part of Ian Hagan's testimony as far as how
 16 long the test. I can just provide that with the data
 17 provided in the informal complaint, it's just that the
 18 meter was tested and found to test accurate within the
 19 requirements from the WAC. And it was verified in the
 20 informal complaint that the Johnsons were billed for
 21 actual usage on their permanent meter.
 22 **Q. Were you aware of multiple -- well, 20 -- 30, to**
 23 **be exact, consecutive different type of errors on their**
 24 **account looking -- and if you had a chance to look at**
 25 **their MDMS readings when you investigated their claims.**

Page 110

1 **Sorry.**
2 MR. STARKEY: I'm going to object to that on
3 foundation, Your Honor.
4 JUDGE HOWARD: I think Ms. Argunov was asking
5 if she was aware of it. I'm going to -- I'm going to
6 allow the question. She's asking if she's aware of these
7 MDUS readings.
8 THE WITNESS: Did you say MDS or MDUS, Ms.
9 Argunov?
10 MS. ARGUNOV: MDMS.
11 THE WITNESS: MDMS. Okay.
12 BY MS. ARGUNOV:
13 **Q. Yes.**
14 A. Okay. MDMS reads were not part of the informal
15 complaint. The informal complaint is based on the
16 billing reads. So you have an actual read at the
17 beginning of the billing period and an actual read at the
18 end of the billing period.
19 So the informal complaint -- the compliance
20 check on my end is that they were billed accurately.
21 There was no estimated usage. The usage was accurate.
22 There were no errors in the billing.
23 **Q. So just to confirm, so you -- during this**
24 **investigation, you have not reviewed their MDMS readings,**
25 **correct?**

Page 111

1 A. It was not necessary to review the MDMS readings
2 because that is not part of the kilowatt hours billed for
3 the usage during the billing period.
4 **Q. Okay. Thank you.**
5 **Oh, yeah. So I wanted to share with you the**
6 **Exhibit EACCH -- and it's okay if you don't know the**
7 **answer, but I thought it doesn't hurt to ask.**
8 A. Sure.
9 **Q. Let me share my screen with you.**
10 JUDGE HOWARD: Do you have the exhibit number
11 so we can note that for the record?
12 MS. ARGUNOV: Yes. It's EACCH-4.
13 JUDGE HOWARD: All right. Thank you.
14 BY MS. ARGUNOV:
15 **Q. So this is the Groesbecks' account. And the**
16 **estimations and charges on the account back in August**
17 **of 2021, where they were billed for previous eight**
18 **months, I believe.**
19 **And when we requested the data from PSE, so we**
20 **were given this explanation of how the estimation formula**
21 **works. So in this particular scenario, the 108 kilowatt**
22 **hours per day, this was the estimation.**
23 **So, Ms. Halsen, can you specify maybe the**
24 **specific rules or maybe you can -- looking at this data,**
25 **where do you think this average -- estimated average is**

Page 112

1 **coming from?**
2 A. This was actually part of Kristina McClenahan's
3 testimony. Not mine.
4 Did you have a question more about the
5 estimation process in general? Is that what you're
6 asking?
7 **Q. Yes. Because I was trying to do the math, and**
8 **it didn't match up. So I was going to ask -- so it would**
9 **be a question to Ms. McClenahan?**
10 A. Yes. That would -- that's part of
11 Ms. McClenahan's testimony.
12 MS. ARGUNOV: Okay. Then I think -- I think
13 that was my last question to you. Thank you very much.
14 THE WITNESS: Thank you.
15 JUDGE HOWARD: All right. Do we have any
16 redirect?
17 MR. STARKEY: No, we do not, Your Honor.
18 Thank you.
19 JUDGE HOWARD: All right. Public Counsel also
20 indicated cross for this witness. You may proceed.
21 MS. GAFKEN: Thank you.
22 CROSS-EXAMINATION
23 BY MS. GAFKEN:
24 **Q. Good afternoon. My name is Lisa Gafken. I'm an**
25 **assistant attorney general representing Public Counsel.**

Page 113

1 **How would you like me to address you today?**
2 A. Oh, Ms. Halsen is fine.
3 **Q. Great. Ms. Halsen, would you turn to your cross**
4 **answering testimony, which is Exhibit SBH-7T and go to**
5 **page 6, lines 9 through 11.**
6 A. One moment, please. I need to find that in my
7 exhibits here.
8 **Q. Sure. Take your time and let us know when you**
9 **get there.**
10 A. Okay. I have it here.
11 **Q. At lines 9 through 11, you state both the**
12 **Argunovs and Groesbecks received an AMI meter around the**
13 **same time in 2021, in July and August respectively. This**
14 **was before the AMI rollout was scheduled for the area.**
15 **Is that correct?**
16 A. That is correct.
17 **Q. Would you please turn to Cross Exhibit SBH-8X?**
18 A. Did you say page 8?
19 **Q. It's Exhibit 8 -- 8X.**
20 A. Just a moment, please.
21 All right. I have that now. Thank you.
22 **Q. Thank you. And I just want to make sure that I**
23 **understand what was happening. I'm not raising an**
24 **objection.**
25 **But was Mr. Starkey handing you the exhibit?**

Page 114

1 A. Yes. The exhibits. Yes. That's not something
 2 I have printed or have memorized.
 3 So, yes, I have those now.
 4 **Q. All right. Thank you.**
 5 **So Cross Exhibit SBH-8X is a copy of Puget Sound**
 6 **Energy's response to Public Counsel's data request No. 7;**
 7 **is that correct?**
 8 A. Yes.
 9 **Q. And the response date set installations for**
 10 **Cle Elum in June of 2021, correct?**
 11 A. Yes. Deployment for that sector, that ZIP code,
 12 began in Q2 of 2021.
 13 **Q. Okay. Would you please turn back to your cross**
 14 **answering testimony, Exhibit SBH-7T? And return to**
 15 **page 6. And this time we'll look at lines 7 to 9.**
 16 A. Yes.
 17 **Q. Okay. There you state that PSE stopped all**
 18 **noncritical fieldwork, including work related to**
 19 **malfunctioning or nonfunctioning meters, correct?**
 20 A. Correct.
 21 **Q. Okay. I'm going to refer you to another cross**
 22 **exhibit. So if you can please turn to Cross Exhibit**
 23 **SBH-9X.**
 24 A. Okay.
 25 **Q. Okay. Cross Exhibit SBH-9X is a copy of Puget**

Page 115

1 **Sound Energy's response to Public Counsel's data request**
 2 **No. 36, correct?**
 3 A. Correct.
 4 **Q. And in that data request, Puget Sound Energy was**
 5 **asked about how COVID 19 protocols prevented timely**
 6 **replacement of the Argunovs' and Groesbecks' meters,**
 7 **correct?**
 8 A. Correct.
 9 **Q. Okay. I would like you to look at the response**
 10 **that's in subsection (a). And there Puget Sound Energy**
 11 **refers to Governor Inslee's Stay Home, Stay Healthy**
 12 **Proclamation, correct?**
 13 A. Correct.
 14 **Q. On page 2 of that exhibit, utility workers were**
 15 **identified as essential workforce, correct?**
 16 A. For the electric industry, correct.
 17 **Q. And you testified earlier in response to**
 18 **Ms. Argunov's questioning that PSE was still sending**
 19 **people out for meter reads during the Stay Home, Stay**
 20 **Healthy proclamation; is that correct?**
 21 A. Correct.
 22 **Q. Okay. Looking back at page 2 of Cross Exhibit**
 23 **SBH-9X, please refer to subsection (b). And there Puget**
 24 **responds that it seized working on investigations of**
 25 **noncommunicating AMR meters; is that correct?**

Page 116

1 A. Correct.
 2 **Q. Could you explain what that means, what**
 3 **investigation of noncommunication -- I'm sorry, what**
 4 **noncommunicating AMR meter means?**
 5 A. Yes. That would actually mean sending out
 6 someone who is educated to look at the meter and
 7 determine why it is not communicating with the network.
 8 **Q. Okay. So I just want to make sure that I'm**
 9 **understanding this correctly. So I'm going to ask you**
 10 **whether you can confirm or correct my understanding.**
 11 **Did Puget then continue to send people out to do**
 12 **basic meter reads but not people to figure out if there**
 13 **was anything wrong with the meter reads because it wasn't**
 14 **communicating?**
 15 A. That is correct. In order to be in compliance
 16 with the estimated rule WAC, we did send meter readers
 17 out on meters that were not communicating with the
 18 network to be able to obtain actual reads from the meters
 19 registered so that we could bill them for actual usage.
 20 **Q. Okay. Thank you.**
 21 **Please turn to Cross Exhibit SBH-10X.**
 22 A. I'm sorry. Repeat that. SBH --
 23 **Q. Sure. SBH-10X.**
 24 A. 10X?
 25 **Q. Correct.**

Page 117

1 A. One moment, please.
 2 **Q. Sure.**
 3 A. Okay. Thank you.
 4 **Q. Perfect. Cross Exhibit SBH-10X is Puget Sound**
 5 **Energy's response to Public Counsel's data request**
 6 **No. 23. Is that correct?**
 7 A. Correct.
 8 **Q. In response to subsection (a), PSE responded**
 9 **that the first enhanced message management case was**
 10 **created on March 15, 2021, for the Groesbecks' account,**
 11 **correct?**
 12 A. Correct.
 13 **Q. Can you explain what the enhanced message**
 14 **management case also calls EMMA, E-M-M-A case is?**
 15 A. Yes. EMMA case is a system-generated work order
 16 that goes to, depending on what type of case it is, goes
 17 to a certain department to be worked manually. In this
 18 case, these EMMA cases were worked by our billing
 19 performance team. And they were to determine -- or to
 20 review the number of estimates on the accounts and
 21 determine what steps needed to be taken to obtain actual
 22 usage from the meters.
 23 **Q. On page 2 of Exhibit SBH-10X, the response to**
 24 **subsection (a) describes a second EMMA -- I'm sorry. Let**
 25 **me start that over again. I'm stumbling over my words.**

Page 122

1 necessary relevance.
 2 And point number two is that the relevance here
 3 is pretty clear because Public Counsel is advocating for
 4 potentially leveraging penalties based off of whether or
 5 not the AMI meters were replaced quick enough and the AMR
 6 meter functionality as well.
 7 JUDGE HOWARD: I --
 8 MS. GAFKEN: May --
 9 JUDGE HOWARD: Go ahead.
 10 MS. GAFKEN: I'm sorry, Judge. I was just
 11 going to quickly respond to that, if I may.
 12 JUDGE HOWARD: Go ahead.
 13 MS. GAFKEN: We're not asking Commission to
 14 penalize the company in this docket because those would
 15 be subject to a separate complaint.
 16 What we are asking is that the Commission issue
 17 a complaint against Puget to look into the violations
 18 that both us and Commission staff have identified.
 19 JUDGE HOWARD: Thank you.
 20 I have considered Public Counsel's objection.
 21 For the time being, I will allow Mr. Starkey to explore
 22 this issue, and I will give it to the weight it deserves.
 23 I do believe that there is some -- some -- some relevance
 24 here or likely relevance.
 25 So please proceed, Mr. Starkey.

Page 123

1 MR. STARKEY: Thank you, Your Honor.
 2 BY MR. STARKEY:
 3 **Q. Mr. Tam, I'm going to repeat that again just so**
 4 **that it's clear for the record.**
 5 **Isn't it true in 2019 Public Counsel opposed**
 6 **PSE's transition to AMI meters.**
 7 A. So that -- that 2019 general rate case, just
 8 as -- for some context, that predated my employment at
 9 the Public Counsel unit. I began employment in
 10 November 2021. But from my reading of the post-hearing
 11 brief, it's my understanding that Public Counsel opposed
 12 the wild -- the large-scale deployment of AMI meters and
 13 did not oppose AMI meters as a whole.
 14 **Q. Okay. And isn't it true that in 2019 Public**
 15 **Counsel was not concerned with the AMR network failure**
 16 **rates?**
 17 A. That is correct. Public Counsel stated that the
 18 AMR failure rates, based on PSE's own research, was less
 19 than 5 percent.
 20 **Q. And my question was a little different.**
 21 **Was Public Counsel concerned with those failure**
 22 **rates?**
 23 A. No, they were not. They believed that there
 24 were other measures that could be taken to address those
 25 failure rates.

Page 124

1 MR. STARKEY: Thank you. That's all I have.
 2 JUDGE HOWARD: All right. Mr. Tam, thank you
 3 for your testimony today.
 4 Oh, I'm sorry. I'm sorry. I was --
 5 MS. GAFKEN: Yeah.
 6 JUDGE HOWARD: -- I went off script.
 7 Ms. Gafken, please go ahead with your redirect.
 8 MS. GAFKEN: A very brief redirect. And
 9 actually I wasn't sure if my audio had glitched because
 10 my headphones just told me they are low. So hopefully
 11 they hold out for just a moment.
 12 REDIRECT EXAMINATION
 13 BY MS. GAFNEY:
 14 **Q. I just have one redirect question, I think,**
 15 **Mr. Tam.**
 16 **Are systemwide AMI failure rates the same as**
 17 **individual customer experiences with failure rates?**
 18 A. No, I do not believe so.
 19 **Q. How are they different?**
 20 A. In this case, the general rate case was speaking
 21 to the recovery of wide scale -- large-scale deployment
 22 of AMI meters.
 23 In this case, we're talking about a -- a few
 24 customers that were experiencing issues with their AMI
 25 meters. And there were ways to address those issues such

Page 125

1 as obtaining manual meter reads and -- a timely fashion.
 2 As well as potentially replacing them with functioning
 3 AMR or AMI meters.
 4 **Q. If a customer is experiencing meter failure,**
 5 **does it matter whether the company as a whole is**
 6 **experiencing either a high or a low failure rate from**
 7 **that customer's perspective?**
 8 A. From the customer's perspective, I don't believe
 9 so.
 10 MS. GAFKEN: Thank you. That's all I have,
 11 Your Honor.
 12 JUDGE HOWARD: All right. Thank you. And
 13 thank you, Mr. Tam, for your testimony.
 14 We will next move to Staff's witness, Sheri
 15 Hoyt. And I believe Ms. Argunov indicated approximately
 16 15 minutes of cross-examination for Ms. Hoyt.
 17 Do we have Ms. Hoyt joining us? I see her
 18 camera feed. Can you hear me all right?
 19 THE WITNESS: Yes.
 20 JUDGE HOWARD: If you would please raise your
 21 right hand I'll swear you in.
 22 * * * * *
 23 Sheri Hoyt, having been first duly sworn, was
 24 examined and testified as
 25 follows:
 THE WITNESS: I do.

Page 126

1 JUDGE HOWARD: All right. Thank you.
 2 Ms. Argunov, you may proceed.
 3 CROSS-EXAMINATION
 4 BY MS. ARGUNOV:
 5 **Q. Good afternoon, Ms. Hoyt.**
 6 **My first question to you is a little bit to know**
 7 **more about the informal complaint structure.**
 8 **So when a customer -- there is a customer**
 9 **complaint about billing or other type of the billings, is**
 10 **there any particular divisions that investigate each**
 11 **particular type? Or all -- all division, like, can**
 12 **answer or file -- help with the complaint investigation**
 13 **for any type of complaint?**
 14 A. So we have a team of five complaint investigator
 15 plus myself. And we investigate all of the complaints
 16 that the consumer protection office receives that are
 17 regulated issues. We don't specialize or divide up the
 18 complaints.
 19 **Q. So the -- when I filed my informal complaint,**
 20 **the staff or person who is reviewing and investigating it**
 21 **based on what I provided, do they have any knowledge of**
 22 **AMI system and -- well, in this particular case, billing**
 23 **process? Not at high level, I'm talking more detailed**
 24 **level.**
 25 A. I'm sorry. Could you repeat?

Page 127

1 Did you say when you filed your formal or
 2 informal?
 3 **Q. Informal. Whoever was investigating it.**
 4 A. So we have a basic knowledge -- Commission staff
 5 has a basic knowledge of what an AMI meter can do for
 6 customers. It's two-way communication, to our
 7 understanding. There's also features that a company may
 8 offer to its customers such as looking at daily usage
 9 through its website account. It's -- AMI is slightly
 10 different than AMR. Our understanding is that AMR is one
 11 way, meaning that the company can't communicate to the
 12 meter such as a remote reconnect or disconnect. And the
 13 meter doesn't -- an AMR meter doesn't provide -- doesn't
 14 tell the company whether the power is out.
 15 **Q. Okay. And so during investigation of my**
 16 **formal -- informal complaint, excuse me, informal**
 17 **complaint, there was a file similar to what I have in**
 18 **EACCH-41 where I provided some facts and some sources to**
 19 **look at, right? Because I knew that it's a little bit**
 20 **more -- getting more technical, right, data management.**
 21 **So have -- during any step in your**
 22 **investigation, was this file reviewed with PSE?**
 23 A. So I'm not familiar with the exhibits as
 24 Commission staff isn't a party. So I'm afraid I don't
 25 know how to answer that question if I don't know what

Page 128

1 exhibit -- what the information is in the exhibit.
 2 **Q. So the tool, my informal complaint, I attached**
 3 **the Excel file with all the information from my account**
 4 **including some resources. So my question was if this was**
 5 **reviewed during the investigation with PSE?**
 6 A. Cory Cook [phonetic] was the complaint
 7 investigator. And I also spoke with you about the
 8 complaint. We both reviewed that data and had no
 9 feedback for it.
 10 **Q. Okay. Yeah. I remember Cory too.**
 11 **So does Cory have any background in accounting,**
 12 **or billing, or data management?**
 13 A. I'm sorry. I couldn't answer what Cory's
 14 background is. I would not want to misspeak about what
 15 his background is.
 16 **Q. Okay.**
 17 **So what -- thank you for your answers.**
 18 **Another question would be what is the time frame**
 19 **for the informal complaint to kind of -- the whole -- to**
 20 **finish the whole circle?**
 21 **For example, today I filed an informal**
 22 **complaint. How -- how is it working? How much time do**
 23 **you think is appropriate to spend investigating some more**
 24 **complicated cases or informal complaints?**
 25 A. There's a lot of factors that go into an

Page 129

1 informal complaint investigation. Not in any order of
 2 importance; staffing, number of complaints, the type of
 3 complaint. We have about six or seven industries we
 4 regulate. We take complaints about all of them. And
 5 it's hard to say. It's what the complaint needs. We
 6 keep at it. I don't really know how to -- we don't have
 7 a time limit. Companies have a set limit for when
 8 they're supposed to respond. But there are no set
 9 timeline to follow for the -- for Staff to investigate.
 10 **Q. So quick question.**
 11 **When my informal complaint was closed, I haven't**
 12 **been provided any support documentation for PSE.**
 13 **Is this -- so is this something that, like,**
 14 **normal that you -- you to see would do -- so if I file an**
 15 **informal complaint with the files and supporting**
 16 **documentation, should I get some kind of supporting**
 17 **documentation in exchange when you guys closing the --**
 18 **the informal complaint?**
 19 **Or you just saying it's closed, we agreed with**
 20 **PSE, for example?**
 21 MR. CALLAGHAN: Your Honor, at this point I'm
 22 going to object on relevance grounds. This is Nash
 23 Callaghan. There are specific violations of Commission
 24 rule laid out in the formal complaint. I'm not seeing
 25 how this question gets at information that would make

Page 130

1 whether or not those violations occurred more or less
 2 relevant.
 3 JUDGE HOWARD: Ms. Argunov, would you like to
 4 respond?
 5 I think the issue is that we've -- we've kind
 6 of -- that we have escalated this to a formal complaint
 7 level. And now we're taking a fresh look at whether
 8 these violations have occurred.
 9 So your going into exactly how the informal
 10 complaint was handled may -- may not be informative if
 11 we're trying to --
 12 MS. ARGUNOV: Okay.
 13 JUDGE HOWARD: -- decide if these violations
 14 occurred.
 15 MS. ARGUNOV: Okay. Agreed.
 16 BY MS. ARGUNOV:
 17 **Q. My last question would be, Ms. Hoyt, so could**
 18 **you please explain the status of informal complaint**
 19 **showing as Company upheld?**
 20 A. I'm not sure what you mean by "status."
 21 Could you rephrase that?
 22 **Q. So when you look at the public records, there is**
 23 **a type of informal complaint which is service, et cetera.**
 24 **And another one is -- let's say result. Either**
 25 **customer held or Company upheld.**

Page 131

1 **When it says "Company upheld," what does it**
 2 **mean?**
 3 A. Just what it implies. That Commission staff
 4 found in favor of the company.
 5 MS. ARGUNOV: Okay. Gotcha. Thank you very
 6 much. I don't have any more questions.
 7 THE WITNESS: Thank you.
 8 JUDGE HOWARD: Any redirect?
 9 MR. CALLAGHAN: No, Your Honor. And if those
 10 are all the -- oh, I remember you had some questions for
 11 Ms. Hoyt. Thank you.
 12 JUDGE HOWARD: I believe I have a couple of
 13 questions. They might -- there might just be one.
 14 Ms. Hoyt, have you reviewed Public Counsel's
 15 testimony in this docket from Aaron Tam?
 16 THE WITNESS: I reviewed Public Counsel's
 17 testimony. I'm sorry, I don't recall whose name was on
 18 it.
 19 JUDGE HOWARD: Oh, that's fine.
 20 Do you -- and we can -- we can open this
 21 document if you -- if that would be helpful to you.
 22 Do you have that handy, Aaron Tam's testimony
 23 AT-1T.
 24 THE WITNESS: I don't. But if you'll give me
 25 one moment, I will find it.

Page 132

1 Can you tell me the date it was filed? I
 2 received copies of these, but I have not been following
 3 it religiously.
 4 JUDGE HOWARD: It was -- I believe it was
 5 filed on February 9th.
 6 THE WITNESS: Okay. That helps.
 7 JUDGE HOWARD: And I don't -- I'm not sure
 8 what's going on with our Cases app. My browser is
 9 sometimes slow to load things from Cases the last few
 10 days.
 11 Ms. Gafken, would you happen to have a page site
 12 handy in Aaron Tam's testimony for where Public Counsel
 13 is asserting the violations it's asserting?
 14 MS. GAFKEN: Yes. Let me see if I can get
 15 something that's helpful. There's a summary, both at the
 16 beginning and the end of the testimony. And I'm trying
 17 to get my hands on a site for you.
 18 MR. CALLAGHAN: So, Your Honor, I'm looking
 19 through that testimony now. It looks to me like the
 20 beginning of page 8 might be where it is -- it starts to
 21 talk about the additional violations.
 22 JUDGE HOWARD: Thank you. That's right. Yes.
 23 It's page 8. I just opened it myself.
 24 Ms. Hoyt, do you have that?
 25 THE WITNESS: Not yet. Mine is -- mine is

Page 133

1 not -- if somebody could drop me a link to it out of
 2 Cases, that would probably be quicker than me trying to
 3 scroll through for it.
 4 MR. CALLAGHAN: I will do that, Ms. Hoyt. I
 5 will send it to you.
 6 THE WITNESS: Thank you.
 7 JUDGE HOWARD: We'll give you just a moment.
 8 MS. CALLAGHAN: I sent it in an e-mail.
 9 THE WITNESS: Thank you.
 10 MS. GAFKEN: Judge Howard, I'm not actually
 11 sure I'm still connected.
 12 JUDGE HOWARD: It looks like your video is
 13 frozen, but I can hear you. I may be having issues
 14 hearing you right now.
 15 THE WITNESS: All right. I have the document
 16 open. What page would you like me to go to?
 17 JUDGE HOWARD: I believe page 8. Let's start
 18 with page 8. So --
 19 THE WITNESS: Okay.
 20 JUDGE HOWARD: And are you familiar with -- I
 21 believe you indicated you have reviewed this in the past,
 22 does this look familiar to you?
 23 THE WITNESS: I have read this. Yes.
 24 JUDGE HOWARD: All right. Do you have any
 25 opinion as to the additional violations that Public

Page 134

1 Counsel asserts took place?
 2 THE WITNESS: Well, I don't for the service
 3 responsibility under 480-100-148. I have not seen that
 4 applied before to a not -- to a meter that was having
 5 problems communicating with the network.
 6 There were also recommendations about penalties,
 7 I believe -- scrolling quickly. My apologies -- for the
 8 7th month that the Company billed but then credited in
 9 that corrected bill.
 10 Is that the other one you're asking about?
 11 JUDGE HOWARD: Well, there's a few. Let me
 12 see.
 13 So one of them -- well, let's take -- we'll just
 14 take them basically one category at a time.
 15 THE WITNESS: In order. Okay.
 16 JUDGE HOWARD: One is Public Counsel asserts
 17 that PSE did not have a single billing period which was
 18 based on actual beginning and ending reads for a year,
 19 which would be a violation of WAC 480-100-178(1)(i)(ii).
 20 Do you have an opinion as to that claim?
 21 THE WITNESS: For which customer? All three
 22 customers had slightly different circumstances.
 23 JUDGE HOWARD: I believe it was -- it was
 24 pertaining to the Argunovs.
 25 THE WITNESS: Okay. One moment.

Page 135

1 JUDGE HOWARD: And that's referred to on
 2 page 8.
 3 THE WITNESS: Yes. I don't have a
 4 recommendation. The rules do allow them to estimate.
 5 Violations were recorded because they had estimated too
 6 many billing periods in a row.
 7 JUDGE HOWARD: Okay. I might ask you about
 8 one more here in particular.
 9 If you look to line 11 on page 8 of Mr. Tam's
 10 testimony, it is starting at line 11 going to line 14, it
 11 says, "Additionally on July 29, 2021, PSE issued billing
 12 corrections to the Argunovs' electricity bill for the
 13 past year in violation of WAC 480-100-178(5)(a).
 14 Underbilled amounts may only be billed for up to six
 15 months from the date the error occurred."
 16 Did I read that correctly?
 17 THE WITNESS: I'm sorry. I'm not seeing that
 18 on page 8.
 19 JUDGE HOWARD: Page 8 of Mr. Tam's testimony,
 20 lines 11 through 14.
 21 THE WITNESS: Page 8 of 13?
 22 JUDGE HOWARD: Lines 11 through 14 on page 8.
 23 THE WITNESS: Yes.
 24 MR. CALLAGHAN: So, Ms. Hoyt, based on the
 25 page numbers at the bottom of the document, not the PDF

Page 136

1 numbers.
 2 JUDGE HOWARD: Ah.
 3 THE WITNESS: Thank you.
 4 MR. CALLAGHAN: Sorry.
 5 THE WITNESS: No, that's okay. I'm sorry. I
 6 was looking at the PDF document.
 7 Okay. Yes. I'm there now.
 8 JUDGE HOWARD: All right. So there's the
 9 assertion that there's a violation for issuing billing
 10 corrections after the deadline establishing rule.
 11 Do you have any opinion as to that claim?
 12 THE WITNESS: Give me one moment to look at
 13 that, the complaint.
 14 I don't. I'm sorry, Judge Howard. I don't
 15 really understand the question in that do I have a
 16 recommendation. No violations were recorded for that by
 17 the investigator.
 18 JUDGE HOWARD: All right. Do you have any
 19 basis to agree or disagree with the Public Counsel's
 20 opinion that there was a violation of that particular
 21 Commission rule?
 22 THE WITNESS: For the Argunovs?
 23 JUDGE HOWARD: For the Argunovs.
 24 THE WITNESS: To be honest, the reason I'm
 25 stumbling on this is because there was three separate

Page 137

1 complaints. I was not the investigator for either of
 2 them -- for any of them. But I did review them.
 3 In one of the complains, PSE had issued a
 4 corrected bill for reestimating usage as well as three
 5 months of delayed service charges. And they had credited
 6 this -- what they called the seventh month. And put on
 7 the spot like this, I'm so sorry. I'm trying to find out
 8 which customer that was for. Because I did disagree with
 9 Public Counsel that -- that there should be violations --
 10 or penalties. The reason was the corrected bill was kind
 11 of a hybrid in that 480-100-178(5)(a) speaks about
 12 corrected bills for underbilled or overbilled usage. And
 13 that can only go back six months for underbilled amounts,
 14 or up to six years for overbilled, for crediting.
 15 And 480-100-178(8) speaks to a true-up for bills
 16 that were estimated as estimated usage once the Company
 17 gets an actual reading, that those are not considered
 18 billing corrections for the purpose of (5)(a).
 19 So the corrected bill that I saw was kind of a
 20 mash-up. It was a true-up for the estimated usage that
 21 had been correctly displayed on the original bills as
 22 estimated usage. But they -- PSE had got a -- an actual
 23 read off the meter and they had corrected that. And
 24 during the time they were investigating it, they had
 25 stopped billing because of the high bill complaint. And

Page 138

1 so then they released the bills for the three months that
 2 had not billed.
 3 So I didn't see that as seven months of a
 4 billing correction. I saw that as four months corrected
 5 usage as estimated, a true-up. And three months of
 6 unbilled usage that had been delayed.
 7 The delay would have qualified as a corrected
 8 bill because the rule states for any reason usage wasn't
 9 billed. But it was only three months of delayed charges.
 10 So I felt that PSE kind of erred on the side of
 11 the customer in that they credited the seventh month when
 12 perhaps it wasn't necessary.
 13 JUDGE HOWARD: Okay.
 14 THE WITNESS: I would not say that penalties
 15 were warranted here. But that's just my opinion.
 16 JUDGE HOWARD: Okay. Well, thank you. That's
 17 all the questions I had. I just wanted to clarify
 18 Staff's position on those additional violations.
 19 Mr. Callaghan, did you have any requests for any
 20 clarifying redirect following my questions?
 21 MR. CALLAGHAN: No, Your Honor. Thank you.
 22 JUDGE HOWARD: All right. Ms. Hoyt, thank you
 23 for your testimony and for appearing here even though
 24 Staff is not appearing formally as a party today.
 25 THE WITNESS: Thank you.

Page 139

1 JUDGE HOWARD: I appreciate it.
 2 So that would conclude the examination of
 3 witnesses. And we will now allow the parties a chance
 4 for brief oral closing statement, hopefully limited to
 5 approximately 15 minutes. And I will follow the same
 6 order of parties that I have been following today. If
 7 we -- if anyone would like to request a break, we can
 8 take a short break. Otherwise, I am happy to -- to
 9 continue on through.
 10 Is there any request from a party for a break at
 11 this time?
 12 MS. ARGUNOV: Your Honor, if five minutes
 13 could be granted, that would be great.
 14 JUDGE HOWARD: That's perfectly fair. So
 15 let's be off the record.
 16 (A break was taken from
 17 1:51 p.m. to 1:56 p.m.)
 18 JUDGE HOWARD: All right. Let's be back on
 19 the record.
 20 We're going to resume our hearing with the oral
 21 closing statements from the parties. And I would turn
 22 first to Ms. Argunov.
 23 MS. ARGUNOV: Thank you, Your Honor.
 24 CLOSING ARGUMENTS
 25 MS. ARGUNOV: So I just wanted to read my

Page 140

1 statement because it's just easier to put it all
 2 together.
 3 I just wanted to summarize everything that I was
 4 trying to show in my testimonies and go back to
 5 conversation about billing requirements when it comes to
 6 AMI system and AMI meters, in general.
 7 So when any utility company implements a
 8 brand-new system, there are always some optional features
 9 such as analytics, reporting part of it, et cetera. But
 10 as I presented in several exhibits, there are also
 11 specific requirements for billing based on the tape --
 12 type of the data that's coming from the smart meters.
 13 The AMR and AMI smart meters do read data in 15-minute
 14 intervals. And it also has a source of discrete, which
 15 is summarized data or meter reads which must be
 16 synchronized. And this is not happening in PSE case.
 17 The PSE decided to create their own process
 18 disregarding all required calculations and work flows.
 19 The AMR calculator reads have not gone through a proper
 20 process. Another good example would be noncommunicating
 21 meter. It was installed back in June -- July of 2022.
 22 If you look at the MDMS reads, there is not even one
 23 value there that is pertaining to this particular meter.
 24 So all -- from all I know, the only read that
 25 PSE takes from my noncommunicating meter is the end read.

Page 141

1 That's all. That's all I have. So meaning that those
 2 values are also not going through any validation process.
 3 So another thing that I was going to mention is
 4 the MDUS module that we were talking during
 5 cross-examination. So there are two model -- modules.
 6 One in L+G platform. Which is MDUS, stands for meter
 7 data unification and synchronization.
 8 Just wanted to mention that the exhibit which is
 9 EACCH-37, at the end of this brochure, it has date on it
 10 which is March 30, 2017.
 11 During this cross-examination we were told that
 12 this module did not exist. Well, it was there all along
 13 since 2017. So by the -- when PSE start working on their
 14 AMI system, this module was already available.
 15 So this module, what it does is it synchronize
 16 both billing components, that's what they call it, meter
 17 read on one side and interval register on another. And
 18 then both of them, they go through the VEE validation,
 19 right, validation estimation and editing process. And
 20 then it pushes -- after that, it pushes all of the data
 21 into another module where it calculates already the
 22 actual consumption. And those formulas are embedded in
 23 those modules.
 24 So the alternative module in SAP is -- it's
 25 called IS-U-EDM. They also saying was -- was saying they

Page 142

1 didn't use this as an option either. So which is, again,
 2 both modules, either of them is a required step to
 3 calculate the interval data. But PSE keeps saying that
 4 there's no such requirements. I might be not an
 5 excellent speaker and there is no one else who can do
 6 this for us. And we don't really have unlimited sources
 7 as PSE, a multibillion company. But I hope that my
 8 testimonies will tell a better story.

9 The fact of the matter is that there are
 10 requirements for AMI system that live in different ERP
 11 and software platform such as L+G, Oracle, and SAP. And
 12 PSE refuses to admit that. Instead they invent something
 13 that is obviously not working properly. And as a result,
 14 we, their customers, are struggling with energy bills.

15 The bottom line, this is -- this is not up to
 16 PSE to decide whether they want to follow the ERP system
 17 requirements or not. This is a must for each case.
 18 There are requirements they have to follow and I provided
 19 multiple sources as evidence. Those -- there is no room
 20 for their creativity.

21 I found it very challenging to cross-examine --
 22 sorry, PSE witnesses that do not have the knowledge of a
 23 complete process from the beginning to the end. It
 24 caused a lot of confusion on my side. And -- but, I
 25 guess, it might be just an intent from -- and basically

Page 143

1 there is basically no one to help us with support. So if
 2 I wasn't clear enough today, I apologize. But I hope
 3 that all the exhibits and testimonies will help us to
 4 bring -- to bring closure and justice.

5 PSE has mentioned that they're going to
 6 implement time of use, meaning that they will be able to
 7 charge a higher price for the peak hours during the day.
 8 Due to incomplete implementation of their current system,
 9 we're already struggling with PSE bills. I wonder how
 10 much longer it will take us to not being able to afford
 11 to have lights in our house. The arranged payment that
 12 PSE so genuinely offers to everyone is not what we want.
 13 We want to actually pay for what we actually use and not
 14 what they force us to pay because they decided to create
 15 their own processes.

16 It's been a year since I started learning and
 17 studying about AMI system. And in -- believe me when I
 18 say it took a toll on my job, on my family, my health,
 19 and my life in general. So it wasn't in any way very
 20 easy thing to do for me. Thank you.

21 JUDGE HOWARD: Thank you. And would
 22 Mr. Johnson like to do a closing?
 23 All right. Hearing none, would the Groesbecks
 24 like to give any closing comments?
 25 MS. GROESBECK: Yes. I have a short one.

Page 144

1 JUDGE HOWARD: Please proceed.
 2 CLOSING ARGUMENTS
 3 MS. GROESBECK: My final thoughts on this
 4 matter are when building a new home, specifically in
 5 Kittitas County, many energy credits are needed to be met
 6 in order to get your plans approved in the beginning and,
 7 again, in order to get a certificate of occupancy to move
 8 into your home. Those include, but they are not limited,
 9 to energy efficient appliances, faucets with a low
 10 gallons per minute usage, specific windows designed for
 11 maximum insulation, and efficient hot water tanks that
 12 utilize a heat pump, for example.

13 Additionally, a blower door test is required to
 14 show that the room does not leak air which would cause
 15 the heating system to work overtime.

16 After meeting all required energy credits and
 17 speaking with energy advisors and adjusting our lifestyle
 18 in order to use the least amount of energy possible, we
 19 still wonder why we are receiving such high bills, bills
 20 that are much higher than similar homes in our area.
 21 Homes that we have confirmed are extremely similar in
 22 size and type of heat source used. I simply ask that the
 23 following is considered.

24 Some part of the system is clearly wrong and
 25 that might not be so easy for Puget Sound Energy to

Page 145

1 understand because they're not the ones who have
 2 experienced the financial hardship that we have faced due
 3 to this issue or how much stress it has brought into our
 4 lives. Thank you.

5 JUDGE HOWARD: All right. Thank you.
 6 I'll now turn to PSE.
 7 CLOSING ARGUMENTS
 8 MR. STARKEY: Thank you, Your Honor.
 9 I want to start with what is clear here. And
 10 it's that the complainants were ultimately billed based
 11 on actual energy used in kilowatt hours. And that's to
 12 the primary allegation. And it has not been proven,
 13 which is their obligation.

14 Now, how do we know that? We know that, one,
 15 that actual reads were received by meter readers that
 16 went out when reads were not being communicated over the
 17 AMR network.

18 We also know that for the testimony of
 19 Ian Hagan, for the testimony of Allison Sains, for the
 20 testimony of Kristina McClenahan, and the testimony of
 21 Stacey Halsen, the process that PSE will go through to
 22 ensure that eventually, and that ultimately, customers
 23 are billed for the energy that they used. It starts with
 24 the meter, which Ian Hagan explains measures in kilowatt
 25 hours. And that's a key point. And that in and of

<p style="text-align: right;">Page 146</p> <p>1 itself counters many of the points that Ms. Argunov is 2 raising.</p> <p>3 The meter itself measures energy usage in 4 kilowatt hours. There does not need to be any sort of 5 conversion when that data and that information goes from 6 the meter to MDMS. Or from MDMS to SAP.</p> <p>7 Ms. Sains, for example, explained why there 8 might be a gap in the information that Ms. Argunov was 9 pointing to. That when if you have MDMS and there might 10 have been estimated reads or estimated bills, that data 11 doesn't show up in the interval information that it 12 provides to customers.</p> <p>13 But a key point there is that PSE does not use 14 interval data for billing. It does not use interval 15 billing. And it is not required to do so. PSE bills 16 customers based off of the beginning read for the month, 17 and the ending read for the month. And how it does that 18 is that the energy used, it works like an odometer. 19 Where if you look at the evidence, you'll see that a 20 customer's read might say 1,000 -- 1,552. And then the 21 next month it will say 2,552. And that would show you 22 that 1,000 kilowatt hours were used between those months. 23 So there's no calculation that needs to be done other 24 than subtracting the end read from the beginning read. 25 So there really are two questions here.</p>	<p style="text-align: right;">Page 148</p> <p>1 you should find that there was good cause for that delay. 2 Now Public Counsel is requesting additional 3 violations be found. And I want to highlight two WACs 4 that are cited that do not apply here is claiming that 5 the meters were not in working order. And this is 6 incorrect. The meters were working properly. The issue 7 was the AMR network. We know that the meters were 8 working properly because when PSE sent out meter readers 9 to get a physical read from the meter, it was able to do 10 so. And that meter read, it was going up. It wasn't 11 going down. It wasn't going backwards. It continued to 12 read.</p> <p>13 Another point is that Public Counsel identifies 14 WAC 480-100-333. But the issue with that is that is 15 specific to whether or not the electric meters are 16 registering usage nearly correct as practical. That was 17 happening here. And I would also point out that that WAC 18 applies to when a meter is initially -- is initially put 19 into the field or is taken out of the field and then put 20 back in right after that. That doesn't apply.</p> <p>21 The meters were registering energy usage as 22 nearly correct as practical.</p> <p>23 Another WAC that Public Counsel cites is WAC 24 480-100-148(2)(c). But the issue there, and what that 25 WAC calls for, is that PSE needs to maintain and explain</p>
<p style="text-align: right;">Page 147</p> <p>1 One, which is what violations might have 2 occurred?</p> <p>3 And, two, should penalties, or at least should a 4 recommended -- recommendation be made to consider 5 penalties in another proceeding?</p> <p>6 So let's start with the very first question.</p> <p>7 And PSE does admit that there were too many 8 estimated bills in certain instances. And it also 9 corrected the errors for the Groesbecks, and the 10 Groesbecks received a couple of bills that were corrected 11 bills. And Commission staff found violations for the 12 Groesbecks. PSE acknowledges that and is not contesting 13 that. Those were mistakes that were made and it owns 14 them.</p> <p>15 Now for the Johnsons, I do want to note that it 16 is unclear whether or not Public Counsel is claiming 17 there was a violation there. But a key finding with the 18 Johnsons' case in the informal complaint is that there 19 was good cause for the weight between issuing a bill. 20 Because PSE went out and tested the meter because there 21 were high initial bills. So PSE waited before sending 22 that bill and releasing it to the customer to make sure 23 that that meter was reading correctly. Ultimately that 24 meter was reading correctly, which is why then that bill 25 was released. And in the informal complaint and here,</p>	<p style="text-align: right;">Page 149</p> <p>1 a condition that will enable it to quote, furnish safe, 2 adequate, and efficient service, end quote. The key 3 point here, again, is that the customers were receiving 4 safe, adequate, and efficient service. There was no 5 interruption of service here. And that's what that WAC 6 applies to.</p> <p>7 Now Public Counsel does identify additional 8 violations that it claims to have with the Argunovs' AMR 9 meter, which had multiple estimated reads. And, again, 10 PSE does acknowledge that estimated reads occurred with 11 the Argunovs. That was not part of the informal 12 complaint. And nor did the customers pursue that in 13 testimony.</p> <p>14 Nevertheless, a key point to consider here and 15 what gets to whether or not there was an impact on the 16 customer is that for the Argunovs and their AMR meter, 17 they were not negatively impacted because they were given 18 a credit of \$1,600 to make sure -- because PSE was not 19 going to bill them for any sort of estimated read beyond 20 what they're allowed to do.</p> <p>21 So the Argunovs for that AMR meter and where 22 there was multiple estimated reads, they were not charged 23 in the end for the full amount of electricity that they 24 used with that AMR meter. 25 So then let's get to that second question which</p>

Page 150

1 is whether or not fines should be imposed or whether or
2 not there should be a recommendation to consider
3 penalties.
4 I would like to highlight the testimony of
5 Ms. Hoyt here at the very end which was that her
6 recommendation, based off of their investigation, was
7 that that was not necessary. That there -- that imposing
8 penalties was not necessary here.
9 And what the Commission should consider is the
10 totality of factors and that weighs against the
11 imposition of penalties and whether or not a proceeding
12 should be opened.
13 Typically the Commission will consider the
14 policy statement in Docket A-120061. And that outlines
15 different factors that would be considered of whether or
16 not there's an imposition of funds. Or what we would
17 argue, opening another proceeding.
18 So let's go through a couple of those factors.
19 One is how serious or harmful the violation is
20 to the public. The key here is that the violations were
21 isolated. They're not part of a larger issue. They
22 don't threaten public safety. And, importantly, the
23 customers were receiving electricity, their service was
24 not interrupted. And the meters themselves were
25 recording the actual energy use. And the customers were

Page 151

1 billed based off of actual energy used.
2 Additionally, customers that were offered an
3 installment plan were able to opt into one. So that when
4 there were true-up bills issued, it was not one immediate
5 payment that they had to make. It was extended over
6 18 months to lessen that initial shock.
7 Another consideration is whether or not the
8 violations are intentional. And there should be very
9 clear, here based off of the testimony of Mr. Hagan, of
10 Ms. Sains, Ms. McClenahan, and Ms. Halsen, that there was
11 no intent to violate the WAC. The violation has happened
12 due to a wide variety of circumstances, primarily the AMR
13 meter network was not working as it should in that the
14 meters were not able to communicate with the AMR network.
15 And eventually PSE installed AMI meters which resolved
16 the problem. And Ms. McClenahan, if you look at her
17 testimony, she shows that PSE has a system in place to
18 try and prevent these type of issues from happening
19 again.
20 Another factor is whether or not the company was
21 cooperative and responsive.
22 Again, this factor would weigh against the
23 imposition of fines or the opening another proceeding.
24 PSE staff cooperated with the Commission staff in the
25 informal complaint and it continued to do so.

Page 152

1 Another factor is whether or not the Company
2 promptly corrected the violations and remedied the
3 impacts. And their solution here to avoid future issues
4 was to install an AMI meter. And that is what PSE did.
5 And PSE did that ahead of schedule. And a key point is
6 that typically the AMI meters are installed by a
7 contractor. And they have a schedule that they'll go
8 through for that area and eventually they'll do it
9 neighborhood by neighborhood.
10 What happened here is that PSE realized that
11 that was not going to be happening quick enough so they
12 sent out their own technicians to then install an AMI
13 meter. And if you look at when the AMI meters were
14 installed, the estimated bills did not happen as
15 frequently. And there was no other violation of the WAC
16 after the AMI meters were installed.
17 One of the final two considerations here is the
18 number of violations. Commission staff found nine
19 violations and we -- and PSE wants to highlight that
20 those violations occurred over the course of a few
21 months.
22 During COVID and while PSE was transitioning
23 customers to AMI meters. So those violations are
24 unlikely to happen again.
25 And then, finally, the other consideration is to

Page 153

1 the number of customers affected. And here again, the
2 factors weigh against the imposition of fines or the
3 opening of a new proceeding. The violations here are
4 specific to two customers; the Argunovs and the
5 Groesbecks. And they are tied to the AMR network that
6 has now been replaced. There's no evidence that there's
7 a widespread issue with estimated bills. There's no
8 evidence that there's an issue with the meters in
9 general. And the issues specific to these three
10 customers have been resolved.
11 Puget Sound Energy takes this obligation to
12 serve customers with reliable electric service seriously,
13 and makes sure that customers not only receive electric
14 service, but also will make sure that they're only paying
15 for the energy that they use. And the Commission should
16 consider that totality of circumstances here when
17 considering whether or not to either issue penalties or
18 open a new proceeding.
19 The circumstances here show that PSE remedied
20 the situation, that the AMI meters are working as
21 designed for these customers, and that this is not a part
22 of a larger issue.
23 And on that basis, PSE requests that you will
24 find violations only where appropriate and decline to
25 impose penalties and decline to open a new proceeding.

Page 154

1 Thank you.
 2 JUDGE HOWARD: Thank you. I would now turn to
 3 Public Counsel.
 4 MS. GAFKEN: Thank you.
 5 CLOSING ARGUMENTS
 6 MS. GAFKEN: Aaron Tam testified in Exhibit
 7 AT-1T, page 10, compounding effects of the estimated
 8 bills, the numerous bill corrections, and unknown high
 9 energy bill ratings, resulted in the Groesbeck household
 10 being nearly disconnected and the Argunov household
 11 applying for energy assistance.
 12 While PSE has paid very little consequence,
 13 these customers were surprised with sudden and large
 14 arrearage payments and put them at risk for
 15 disconnection.
 16 The impact of this case has been tremendous on
 17 customers. Yes, we are only talking about three
 18 households among Puget's millions -- over a million
 19 customers. But this case is very important to those
 20 individual customers. So I caution against saying this
 21 is a small case or an inconsequential case.
 22 Public Counsel continues to request that the
 23 Commission consider bringing a separate complaint for
 24 rule violations. Ms. Hoyt for Staff provided a good
 25 explanation today about the valuation -- I'm sorry, the

Page 155

1 violations Public Counsel noted with respect to the
 2 Argunov account relating to WAC 480-100-178(5)(a).
 3 The other violations identified by Public
 4 Counsel of WAC 480-100-178(1)(i)(ii), WAC
 5 480-100-148(2)(c), and WAC 480-100-133 pertaining to
 6 meters not being in good working order and estimating
 7 bills for over a year deserve consideration along with
 8 the violations found by Commission staff.
 9 Asking the Commission to issue a complaint does
 10 not decide liability or culpability, only that there are
 11 issues to pursue and potential penalties to impose. The
 12 Commission issues complaints on what's akin to probable
 13 cause that there is probable cause to believe that the
 14 regulated company has violated the identified
 15 requirements. Public Counsel believes that the
 16 Commission has probable cause to proceed with the
 17 complaint in this matter.
 18 Thank you for the opportunity to address the
 19 Commission. And I will conclude my remarks.
 20 JUDGE HOWARD: All right. Thank you.
 21 That would conclude our closing statements. I
 22 would offer as -- does Mr. Johnson want to make any
 23 closing remarks? I raised that earlier. I did not hear
 24 anything.
 25 MS. ARGUNOV: I think, Your Honor -- I think

Page 156

1 he -- he was off the meeting around 12:30 because he said
 2 his wife was in the hospital with her brother and he had
 3 to go to the meeting.
 4 JUDGE HOWARD: Okay. Okay. I just wanted to
 5 raise that one more time.
 6 Is there anything else that we should address
 7 before we adjourn today?
 8 All right. Hearing nothing, I would like to
 9 thank all the parties, their witnesses.
 10 MS. ARGUNOV: Does anyone else have problem
 11 with network?
 12 MS. GAFKEN: I believe Judge Howard has
 13 frozen.
 14 MR. STARKEY: We're having the same issues
 15 over here.
 16 JUDGE HOWARD: Sorry. Was someone trying to
 17 raise something?
 18 MR. STARKEY: Your Honor, you just froze for a
 19 while there.
 20 MS. ARGUNOV: We couldn't hear you.
 21 MR. STARKEY: For a few seconds.
 22 JUDGE HOWARD: Okay. I'll start from the top
 23 here.
 24 So I was thanking all the parties for their
 25 participation in this proceeding. And I was letting

Page 157

1 parties know that under Commission rule, I need to issue
 2 my decision within 60 days of the close of the record,
 3 which would be today. We don't have any further briefing
 4 on the schedule for this case. So my decision is going
 5 to be based on everything submitted up through the close
 6 of the hearing today. And I do hope to get a decision
 7 out in a timely manner. I do have some other pending,
 8 pressing cases as well. But I also consider this case
 9 important and I do want to get a decision out in a timely
 10 manner.
 11 So unless the parties have anything further, we
 12 are adjourned. Thank you.
 13 (The hearing concluded at
 14 2:24 p.m.)
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CERTIFICATE

STATE OF WASHINGTON
COUNTY OF KITSAP

I, Carisa Kitselman, a Certified Court Reporter
in and for the State of Washington, do hereby certify
that the foregoing transcript of the videoconference
hearing is true and accurate to the best of my knowledge,
skill and ability.

IN WITNESS WHEREOF, I have hereunto set my hand
and seal this 28th day of March, 2023.



Carisa Kitselman
CARISA KITSELMAN, RPR, CCR #2018

A				
A-120061 150:14	acts 70:23	27:8 29:12 33:3	139:3	57:20,21,24 58:3
a.m 18:14 22:2,5	actual 37:3 45:23	admitting 23:23	allowed 46:8 53:11	58:5,8,10 62:22
66:3,10,10 88:24	46:11,18,18,23,24	adopted 49:3	53:12,21,22	63:16,23 65:12,16
88:24 98:8	47:15 57:10,11	advance 34:25	149:20	86:8 99:19,23
Aaron 20:16 30:25	68:1 72:14 78:10	advanced 35:4 52:8	allowing 82:24	115:25 116:4
53:18 120:10,17	85:21 95:18 100:5	adversely 30:18	allows 71:5	119:1,1,2,18
131:15,22 132:12	100:6,19,24 107:5	advisor 107:7	alluded 50:24	122:5 123:15,18
154:6	109:21 110:16,17	advisors 144:17	alternative 141:24	125:3 127:10,10
ability 34:3 63:19	116:18,19 117:21	advocacy 121:10	ambient 42:16	127:13 140:13,19
158:10	118:12,13 134:18	advocating 122:3	AMI 35:11,11,22	145:17 148:7
able 26:7 47:13	137:17,22 141:22	affect 105:8	36:6 45:14 47:9	149:8,16,21,24
69:10,11 76:1	145:11,15 150:25	affirmatively 45:10	47:17 50:12,20	151:12,14 153:5
78:13,17 80:7	151:1	afford 143:10	51:2,4,7,10 52:9	analysis 36:3 91:10
95:18 116:18	add 43:20 44:2	afraid 127:24	53:1 56:14,20,22	analytics 140:9
143:6,10 148:9	62:22 80:21	afternoon 24:21	57:7,15 58:11	analyzing 37:3
151:3,14	additional 40:4	98:25 99:1 112:24	59:8 61:4 65:12	answer 26:17 28:18
account 50:1 58:13	53:16 132:21	121:1 126:5	65:13,15 75:15	35:5 44:11 51:23
76:18 79:8 80:16	133:25 138:18	agents 107:3	77:21 90:16 91:2	59:19 76:1 85:13
80:18 84:1 95:19	148:2 149:7	ago 62:15 75:5	91:4,18 92:18,20	104:17 108:24
95:19,23 96:12,15	additionally 29:3	agree 26:24 27:7	94:11 104:2	111:7 126:12
99:18 106:22	135:11 144:13	31:18 32:22 83:16	113:12,14 119:3	127:25 128:13
107:20 109:24	151:2	136:19	119:17,18,20,22	answering 35:6
111:15,16 117:10	address 22:16,22	agreed 129:19	120:3 121:7,13	113:4 114:14
127:9 128:3 155:2	23:1 45:20 76:8	130:15	122:5 123:6,12,13	answers 128:17
accounting 128:11	78:23 101:20	Ah 136:2	124:16,22,24	anyone's 85:12
accounts 60:23	113:1 123:24	ahead 51:11 119:20	125:3 126:22	anyways 80:3
61:7,13 62:16	124:25 155:18	122:9,12 124:7	127:5,9 140:6,6	apart 79:23
76:15 79:9 95:2	156:6	152:5	140:13 141:14	apologies 134:7
96:6 102:21 103:5	addressed 26:22	air 144:14	142:10 143:17	apologize 33:15
103:11 117:20	54:1 84:4 97:10	air-conditioning	151:15 152:4,6,12	63:22 87:21 106:3
accuracy 44:22	106:20	41:24	152:13,16,23	143:2
59:24 61:15	addresses 26:13	akin 155:12	153:20	app 132:8
accurate 46:5 47:4	addressing 23:24	Alexander 18:2	amount 38:17,20	appear 69:20
47:25 48:25 70:2	adds 26:21	22:8	39:14 40:1,15	appearance 22:19
109:18 110:21	adequate 149:2,4	aligned 87:15	49:6 81:9 83:5	22:24 23:4,9,16
158:9	adjourn 156:7	allegation 35:7	84:8 144:18	appearances 22:11
accurately 44:23	adjourned 157:12	45:20 51:1 145:12	149:23	appearing 23:13,18
46:25 51:23	adjusting 144:17	allegations 42:7	amounts 47:14	138:23,24
110:20	administrative	104:2	76:18 103:5	appears 32:21
acknowledge	18:11 19:2 22:6	Allison 20:6 49:19	135:14 137:13	41:16 80:5
149:10	admission 25:13,16	59:16,21 63:6	AMR 31:24 32:1	apples 76:20,20
acknowledges	26:25 27:1 31:18	65:25 66:14,21	36:6 45:25 46:2,3	appliance 44:2
47:11 147:12	32:22	96:18 145:19	46:24 47:2,8,13	appliances 42:24
active 40:8,9,9	admit 32:24 34:1	allow 24:2,9 33:7,8	47:14 50:13,16,20	44:1,4 144:9
42:12	142:12 147:7	60:4 82:19 110:6	51:3,8 53:1 56:14	applicable 36:5
	admitted 21:3 27:7	122:21 135:4	56:15,15 57:7,7,8	37:16

<p>application 26:3 71:5,11 72:24 73:3 applied 78:5 134:4 applies 102:11 148:18 149:6 apply 32:18 73:6 148:4,20 applying 154:11 appreciate 139:1 appropriate 51:20 69:13 128:23 153:24 approved 144:6 approximately 24:18 104:4 125:15 139:5 April 41:15 42:2 area 45:15 52:6 67:6 77:7 83:13 101:11 113:14 119:21 144:20 152:8 areas 29:3 40:12 43:23 48:19 argue 121:17 150:17 arguing 32:4 argument 21:11,12 21:13,14 106:7 argumentative 62:4 93:18 106:8 108:20 arguments 41:7 52:17 139:24 144:2 145:7 154:5 Argunov 18:2 19:19 20:4,7,10 20:13,20 21:6,11 22:8,13,14,15 24:9,13 25:22,25 26:1,11 27:5,8,24 28:4 29:6 33:12 33:14 40:21,24 45:21 49:9 54:19 54:20,25 55:8,10</p>	<p>55:13,21,23 56:1 56:4,10,12 58:17 58:19,20,24 59:5 59:6 60:3,11,17 60:20 61:24 62:5 62:7,10,14,21 63:10,13,15 64:23 65:2,11 66:25 67:4 69:2,5,23 70:9,11 74:14 75:1,9,10 82:12 82:22 84:8,10,15 84:21 85:25 86:11 86:18,20,22 88:17 88:20 89:12,14 92:5,10,14,15 93:22 94:3 97:7 97:16 98:21,23 101:7,13,18 102:13,19 103:16 103:18 105:16 106:3,4,12,15,16 108:22,25 109:6,7 110:4,9,10,12 111:12,14 112:12 125:15 126:2,4 130:3,12,15,16 131:5 139:12,22 139:23,25 146:1,8 154:10 155:2,25 156:10,20 Argunov's 69:25 115:18 Argunovs 45:19 49:1,5 52:22 54:2 113:12 134:24 136:22,23 149:11 149:16,21 153:4 Argunovs' 115:6 135:12 149:8 arranged 143:11 arrears 154:14 asked 42:15 44:10 84:22,23 85:5 101:19 108:23 115:5</p>	<p>asking 60:18 63:4 65:11 68:5 83:25 84:25 103:7 105:22 108:14 110:4,6 112:6 122:13,16 134:10 155:9 asks 31:14 ASP 93:15 asserting 93:23,25 132:13,13 assertion 136:9 asserts 134:1,16 assigned 95:25 assist 42:14,21 assistance 154:11 assistant 19:10,14 23:11,18 112:25 assume 49:10 assumed 81:12 assumes 49:7 108:21 assuming 93:20 AT-1T 131:23 154:7 AT-6X 31:1,2,15 32:8,10 33:2 AT6X 31:1 attached 128:2 attempt 60:12 95:17 attend 55:12 attention 39:16 attorney 19:10,14 23:11,18 112:25 audio 124:9 August 41:24 79:22 111:16 113:13 118:5 automatically 100:15 available 62:1 71:8 72:18,19 90:11 141:14 availed 53:2 Avenue 19:15</p>	<p>average 80:2 82:6 82:25 83:3,12,15 101:24 102:25 103:21,22 104:6,8 104:12,22,25 105:1,8,14 111:25 111:25 averages 79:15,16 85:22 105:10 avoid 105:24 152:3 aware 32:1 103:25 109:22 110:5,6 119:16 AX 39:8 67:12 68:1</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>b 21:1 115:23 back 35:5 36:3 42:22 59:8 60:1 63:8,16 67:9 72:12 73:21 77:21 79:17 80:14 88:22 89:1,17 90:14 91:11 98:10 100:13 111:16 114:13 115:22 137:13 139:18 140:4,21 148:20 background 107:18 108:15 128:11,14,15 backlog 100:13 backwards 148:11 balance 46:16 based 31:6 45:23 46:18,24 47:15,19 49:2 77:17 79:10 79:11,25 99:9 105:1 110:15 122:4 123:18 126:21 134:18 135:24 140:11 145:10 146:16 150:6 151:1,9 157:5 basic 116:12 127:4</p>	<p>127:5 basically 39:17 57:9 71:17 72:15 134:14 142:25 143:1 basis 32:3 49:21 50:25 136:19 153:23 battle 48:18,18 began 114:12 123:9 beginning 22:11 35:18,18 99:4 110:17 132:16,20 134:18 142:23 144:6 146:16,24 behalf 23:6,12,19 beliefs 34:1 believe 25:20 28:6 28:24 30:13 55:4 64:17 69:18 82:1 101:12 103:10 111:18 120:21 122:23 124:18 125:8,15 131:12 132:4 133:17,21 134:7,23 143:17 155:13 156:12 believed 123:23 believes 53:25 155:15 Bellevue 19:6 benefits 77:21 best 33:24 34:24 37:1 158:9 better 76:8 107:8 142:8 bevy 48:22 beyond 53:12,22 149:19 big 60:25 61:2 bill 40:2,18 41:25 46:14,15,17 47:5 49:16,21,24 50:14 78:20 90:22 91:20 93:3,6,8 94:19 99:24 100:1,23</p>
--	--	---	---	--

116:19 118:12 134:9 135:12 137:4,10,19,25 138:8 147:19,22 147:24 149:19 154:8,9 billed 44:23 45:23 48:25 51:23 78:11 81:9 84:1 87:16 87:19 109:20 110:20 111:2,17 134:8 135:14 138:2,9 145:10,23 151:1 billing 35:14,17 36:4,11,17,23 37:1 38:2,8,11,11 38:12,24 39:16,16 39:19,23,23,24 41:13 45:5 46:4 49:7,12 52:12 53:9,11,21 59:13 60:24 61:3,12 62:17,25 65:19 67:16,21,24 68:6 68:7,12,22 70:15 71:17,24,25 72:3 72:6,8,11 73:4,5,6 73:22 74:6,16 75:14 76:4,5,15 76:19,23 77:2,6 77:17,18,19,19,20 78:14,16 79:7 80:5 84:4 87:6,12 87:13,13,20 89:24 90:5,16,21,23 91:11 92:22,24,24 94:5,9,19 97:20 97:22 100:20 101:3,4 105:14 107:12 110:16,17 110:18,22 111:3 117:18 118:24 126:9,22 128:12 134:17 135:6,11 136:9 137:18,25	138:4 140:5,11 141:16 146:14,15 billings 67:14 76:17 126:9 bills 28:11 38:9 43:15,16,17,20 44:3,14 46:8,10 46:20,24 47:4,12 47:20 49:1 50:18 53:10,21 95:3 99:17 100:22 101:24 102:24 103:21 106:20 137:12,15,21 138:1 142:14 143:9 144:19,19 146:10,15 147:8 147:10,11,21 151:4 152:14 153:7 154:8 155:7 bimonthly 49:21 93:3,9 bit 33:16 57:19 85:1,24 90:24 126:6 127:19 blower 43:24 144:13 blowers 42:12 boat 43:13 bottom 135:25 142:15 Box 19:10 brand-new 43:23 140:8 breach 59:12 break 24:16,17,22 66:1,2,10,13 88:18,24 89:3 98:6,7,8 139:7,8 139:10,16 breaks 25:9 BRIAN 19:5 bridge 36:22 70:23 71:12 brief 24:3,16 25:24 31:3,23 42:6	86:17 120:22 123:11 124:8 139:4 briefe 42:7 briefing 157:3 briefly 31:21 bring 54:13 55:6 79:4 143:4,4 bringing 154:23 broad 45:4 broader 32:6 brochure 141:9 brother 156:2 brought 22:12 54:9 54:11 145:3 browser 69:10 132:8 build 72:24 building 52:23 144:4 built 45:1 71:8,10 73:1 burden 45:9 50:7 business 38:19 Byron 23:5 byronstarkey@p... 19:7	71:23 84:18 95:3 95:17 141:16 Callaghan 19:9 23:10,11 24:12 30:18 129:21,23 131:9 132:18 133:4,8 135:24 136:4 138:19,21 called 46:16 49:9 52:9 56:16 59:11 68:23 71:25 72:7 95:23 99:8 108:12 137:6 141:25 calls 95:6 117:14 148:25 camera 54:20 89:5 125:18 capability 35:11 captioned 22:8 capture 71:22 car 57:13 88:2 careful 58:21,22 Carisa 18:25 158:6 158:16 carries 68:12 Carson 23:7 case 22:8 24:13 28:3,16 30:17 31:4,9,11 32:3 34:14 41:9 44:21 45:6 48:2 52:6,20 53:15,17 55:10 79:19 106:14 117:9,14,14,15,16 117:18 118:2,5,8 121:10,11,12 123:7 124:20,20 124:23 126:22 140:16 142:17 147:18 154:16,19 154:21,21 157:4,8 cases 26:3,21 30:9 45:22 117:18 118:13 121:12 128:24 132:8,9 133:2 157:8	catch 69:9 95:3 99:25 100:13 catch-up 99:17,24 100:1 category 134:14 cause 144:14 147:19 148:1 155:13,13,16 caused 100:1 142:24 causes 74:9 causing 38:24 caution 154:20 CCR 18:25 158:16 Cedars 22:17,22 23:1 center 26:4,16,21 central 100:4 certain 42:17 100:7 117:17 147:8 certainly 60:12 85:14 88:19 103:9 103:9 certificate 144:7 Certified 158:6 certify 158:7 cetera 58:14 59:25 85:7 130:23 140:9 Chad 18:3 19:20 22:9,25 challenge 34:3 challenging 85:3 142:21 chance 109:24 139:3 change 43:1 channel 37:13 chapter 73:10 charge 39:22 41:15 59:24 61:15 143:7 charged 42:3 47:15 76:18,18 79:22 95:20 107:19 149:22 charges 38:25 40:3 79:21 111:16
C				
C 19:1 21:5 158:1,1 calculate 39:25 40:1,17 142:3 calculated 38:7 39:14 calculates 141:21 calculating 41:10 calculation 35:13 107:13 146:23 calculations 38:3 38:19 40:3,14 43:11 63:3 72:11 102:2,8 103:3,4 103:24 140:18 calculator 140:19 call 25:6 38:14,14 44:9 61:2 71:23				

137:5 138:9 charging 44:11 53:9 chat 25:7,7,7 check 81:4 96:4 97:4 110:20 checks 97:6 chime 82:13 choice 74:7 chooses 91:20 chose 72:13 circle 128:20 circulated 24:8 25:18,22 circumstances 30:2 30:3 51:16 134:22 151:12 153:16,19 cite 41:1 cited 148:4 cites 148:23 claim 49:1,5 134:20 136:11 claiming 29:4 147:16 148:4 claims 48:4 52:13 109:25 149:8 clarification 57:4,4 clarify 25:24 26:5 26:20 29:3 74:15 87:3,22 138:17 clarifying 24:15 138:20 Cle 22:16,22 23:1 45:1 52:6 83:13 83:18 114:10 clear 40:13 92:8 105:19 118:9,18 122:3 123:4 143:2 145:9 151:9 clearly 37:10 40:7 73:11,25 96:5 144:24 close 56:25 58:7 79:16 83:22 157:2 157:5 closed 129:11,19	closely 87:15 closer 61:20 closing 21:11,12,13 21:14 24:20 41:7 129:17 139:4,21 139:24 143:22,24 144:2 145:7 154:5 155:21,23 closure 143:4 code 114:11 Coie 19:5 cold 48:19 104:16 coldest 48:19 collection 64:5,7 combination 100:2 combined 45:3 60:21,22 62:15 come 79:15,16 80:4 96:3 comes 57:20 59:20 64:7 65:14 105:11 140:5 comfortable 85:13 coming 33:22 39:20 43:16 60:7 78:6 112:1 140:12 commands 56:23 56:24 commented 84:13 comments 143:24 Commission 18:1 19:8 22:6 31:8 35:9 50:19 51:19 52:5,17,18 53:2,6 53:7,13,20 54:4,5 54:12,13 121:16 122:13,16,18 127:4,24 129:23 131:3 136:21 147:11 150:9,13 151:24 152:18 153:15 154:23 155:8,9,12,16,19 157:1 communicate 36:2 44:8 51:4 56:16	57:9 58:7 127:11 151:14 communicated 145:16 communicates 57:16,16 communicating 73:21 116:7,14,17 118:23 134:5 communication 47:9 51:14 56:17 56:21 57:8,15 58:4 91:9,10 107:23 118:15,22 119:2 127:6 companies 94:8 129:7 company 44:18 52:20 61:4 99:8 100:10,17 122:14 125:5 127:7,11,14 130:19,25 131:1,4 134:8 137:16 140:7 142:7 151:20 152:1 155:14 compare 76:20 comparing 85:21 complainant 22:15 52:14 complainants 18:4 45:8,18 50:7,17 52:16 145:10 complained 52:7 complaining 107:1 complains 137:3 complaint 22:12 35:6,7,8 45:2,21 47:19 49:4 53:3,5 53:7,14,17 54:9 54:11,14 106:18 106:18,18 107:11 107:16 108:10,13 109:17,20 110:15 110:15,19 121:18 122:15,17 126:7,9	126:12,13,14,19 127:16,17 128:2,6 128:8,19,22 129:1 129:3,5,11,15,18 129:24 130:6,10 130:18,23 136:13 137:25 147:18,25 149:12 151:25 154:23 155:9,17 complaints 31:12 50:2,20 51:20 126:15,18 128:24 129:2,4 137:1 155:12 complete 142:23 completed 79:3 118:5 completely 121:11 compliance 54:6 99:11 110:19 116:15 complicated 128:24 comply 93:25 component 52:10 components 92:18 141:16 compound 74:22 92:1 compounding 154:7 concern 32:11 60:25 85:11 concerned 84:16 123:15,21 concerns 30:21 31:24,25 32:18 conclude 119:7 139:2 155:19,21 concluded 40:23 157:13 concludes 44:16 condition 149:1 conditions 83:14 83:16 conduct 53:8	conducted 84:4 confidential 26:6,8 26:10,12,14,18 configuration 67:20 68:4 configurations 39:13 confirm 28:21 69:11 71:14 86:6 110:23 116:10 confirmed 144:21 confirming 70:1 confuse 67:5 confused 57:19 67:22 85:1 confusion 39:20 142:24 connected 108:9 133:11 consecutive 95:22 96:2,11 109:23 consequence 154:12 consider 24:19 34:1 51:15 54:5 84:13 109:2 147:4 149:14 150:2,9,13 153:16 154:23 157:8 consideration 151:7 152:25 155:7 considerations 38:4 152:17 considered 27:21 39:21 122:20 137:17 144:23 150:15 considering 32:6 34:7 50:22 58:4 96:11 153:17 consistent 35:10 consolidated 78:8 construction 41:20 46:22 consumer 126:16
--	---	---	---	---

consumers 105:7	90:10 93:16 94:13	Counsel's 31:3,4,6	120:22 121:9	91:11 93:1,8
consumption 35:24	96:25 97:1 100:22	50:5 51:6 114:6	cross-examination	94:17 97:23
37:4 38:21 61:6,6	102:5 110:25	115:1 117:5	24:6,10,19 25:19	100:11 102:11,12
73:20 79:11,12,13	113:15,16 114:7	122:20 131:14,16	28:14,19 29:13,17	102:15,17 105:3
82:5 83:3 91:6	114:10,19,20	136:19	54:16 56:11 67:3	105:10 118:13
101:25 102:25	115:2,3,7,8,12,13	counters 146:1	89:13 98:22	119:19 124:24
103:21 107:9	115:15,16,20,21	County 144:5	112:22 119:7	127:6,8 134:22
141:22	115:25 116:1,10	158:4	120:24 125:16	142:14 145:22
contacted 53:2	116:15,25 117:6,7	couple 24:15 28:4	126:3 141:5,11	146:12,16 149:3
107:2	117:11,12 118:3,4	61:19 62:14 76:17	cross-examine 28:3	149:12 150:23,25
contend 29:16 62:4	118:6,7,10,19	90:7 99:15 131:12	142:21	151:2 152:23
contention 50:6	123:17 148:16,22	147:10 150:18	crossing 32:11	153:1,4,10,12,13
contesting 147:12	corrected 47:13	course 59:1 109:1	crucial 25:3	153:21 154:13,17
context 32:6 51:15	134:9 137:4,10,12	152:20	culpability 155:10	154:19,20
123:8	137:19,23 138:4,7	court 32:9 33:5	cumulative 37:20	customers' 107:5
continue 25:13	147:9,10 152:2	75:7 158:6	38:7,18 77:10,18	cycle 87:13,16,19
116:11 139:9	correction 138:4	courtesy 92:25	78:15,18 80:24	cycles 87:14
continued 47:1	corrections 53:12	94:17	86:2 87:10 88:1	
70:5 148:11	53:22 100:21	cover 26:8	current 90:9 143:8	D
151:25	135:12 136:10	COVID 95:4,8 99:2	customer 31:12	D 21:5 64:24,25
continues 154:22	137:18 154:8	99:5,8,17,22	35:16,23 40:2	daily 57:24 61:6
contractor 48:6,15	correctly 53:13	100:2,3,4,14,15	44:9 45:2 46:13	63:20 64:14 76:9
51:12 107:24	66:15 71:15 99:21	115:5 152:22	46:17 49:6,16	76:22,25 77:1,10
119:17,22 152:7	103:10 116:9	CP 95:25	60:18 61:16 77:22	77:23 78:18 79:15
contractors 108:5	135:16 137:21	cracked 48:22	78:13 87:12 91:6	80:12,20,25 81:2
contradicts 34:1	147:23,24	create 140:17	96:1 101:24	81:2 86:2,4,8
36:8	Cory 128:6,10,11	143:14	103:21 104:4,8,11	87:10,15 127:8
contrary 48:3 50:5	Cory's 128:13	created 74:9 99:8	104:22 105:2	data 28:9 36:12
control 106:14	cost 31:11 44:2	117:10 118:11,19	106:19 107:2,7,10	37:3,21,23,25
conversation 58:10	99:24 121:13	creativity 142:20	107:15 108:12	38:4,4,15,16,18
59:8 140:5	costing 44:4	credit 46:15 149:18	124:17 125:4	38:24 41:10 46:21
conversion 146:5	costs 43:1,4	credited 134:8	126:8,8 130:25	49:11,12,20 57:10
convert 49:11	Counsel 19:13	137:5 138:11	134:21 137:8	57:14,23 58:5,11
convince 30:2	23:16,19 30:20,21	crediting 137:14	138:11 147:22	60:5,18,21,22
Cook 128:6	30:24 31:14,17,25	credits 144:5,16	149:16	61:15 62:15 63:18
cooperated 151:24	32:4 50:24 51:7	crisis 99:8	customer's 50:1	64:5,7,12,14,17
cooperative 151:21	52:1,4,14,21	critical 52:10	52:11,25 87:20	67:8 70:15 71:3,5
copies 28:10,15,20	53:16,25 54:4,8	cross 20:4,7,10,13	105:13 125:7,8	71:6,13,18 72:3,7
29:1 132:2	112:19,25 120:11	20:14,17,20 24:14	146:20	72:22 73:3,4,14
copy 33:5 114:5,25	121:7 122:3 123:5	27:21 30:24,25	customers 35:9,14	74:1 75:12 76:9
CORDS 42:14	123:9,11,15,17,21	31:1,2,14 55:5,11	36:3 39:22 40:18	76:14 77:15 78:6
core 35:22 91:4	132:12 134:1,16	66:25 69:3 82:16	44:23,25 45:5	78:13,16,16 79:8
correct 57:18 59:25	137:9 147:16	112:20 113:3,17	46:14 49:21 50:4	80:10 85:7,19
61:17 68:25 69:21	148:2,13,23 149:7	114:5,13,21,22,25	50:15 51:10,22	86:9 89:24 90:16
71:19 78:2 81:1,4	154:3,22 155:1,4	115:22 116:21	52:6,19 61:5	90:22 91:13,14,18
81:25 86:3 89:25	155:15	117:4 119:5,11	73:21 87:3,4,5,8,9	91:19 92:19,21,24

<p>92:25 93:1,12 94:6,12,12,15,16 94:19 95:17 97:20 102:1,3 103:23 109:16 111:19,24 114:6 115:1,4 117:5 127:20 128:8,12 140:12 140:13,15 141:7 141:20 142:3 146:5,10,14 data-related 72:10 date 18:24 28:5 87:16 114:9 132:1 135:15 141:9 dates 78:15 95:8 day 34:9 39:25 87:13,17 100:9,12 111:22 143:7 158:12 days 62:15 77:11 77:13 100:16,17 132:10 157:2 deadline 29:14,20 29:23,25 136:10 deadlines 30:8 December 47:18 48:8 76:24 decide 29:6 130:13 142:16 155:10 decided 140:17 143:14 decision 157:2,4,6 157:9 decisions 99:10 decline 153:24,25 defer 75:20 95:7 define 75:18 definite 104:18 definitely 38:1 degrees 48:17 108:5 delay 100:7 138:7 148:1 delayed 53:9 137:5 138:6,9</p>	<p>delays 99:16 delivered 39:11 demand 37:11 38:12 39:19,21,22 39:23 40:2,3 67:16,18,21 68:7 68:9 71:25 87:2,6 demonstrate 49:14 demonstrated 54:3 denies 35:7 department 73:19 91:1 107:3,11 117:17 depend 32:19 depending 32:16 117:16 depends 104:10,11 deploying 119:22 deployment 114:11 119:20,23 120:4 123:12 124:21 describe 33:24 described 108:24 describes 34:17 39:7 67:13 75:15 117:24 118:2 describing 35:20 59:3 67:6 90:5 description 68:7 71:24 deserve 52:19 155:7 deserves 106:10 122:22 designed 58:11 71:1 144:10 153:21 desire 33:11 detail 108:15 detailed 53:17 126:23 details 53:20 107:14 determination 73:11,12 determine 35:15</p>	<p>77:20 78:15 116:7 117:19,21 118:14 developed 70:22 71:16 difference 36:23 56:14,20 57:7 61:18,21 62:23 65:12 87:19,25 88:5 93:5 differences 60:6 61:2 63:2 different 40:3 44:25 49:2 75:4 78:7 87:14 90:10 93:11 94:8 96:25 103:5 104:11,18 105:3 106:6 109:23 121:11 123:20 124:19 127:10 134:22 142:10 150:15 direct 26:2 27:22 34:23 48:5 disagree 30:18 136:19 137:8 disconnect 57:1 64:4 74:11 90:25 127:12 disconnected 64:4 96:1 154:10 disconnection 154:15 discovered 34:6 76:4 discovery 48:1 52:21 107:23 discrepancies 60:5 63:3 75:23 77:5 discrepancy 76:3,7 discrete 73:13 75:3 140:14 discussed 32:23 discussing 95:1 discussions 48:6,7 display 39:9 64:10 67:13 68:11,15</p>	<p>displayed 137:21 displaying 70:5 disregarding 72:14 140:18 dissipate 50:21 distinction 102:14 divide 126:17 division 126:11 divisions 126:10 docket 18:4 22:7 26:21 31:5 54:11 54:13 122:14 131:15 150:14 document 31:1,2 68:11 70:2,6 72:4 73:5 103:2,24 131:21 133:15 135:25 136:6 documentation 28:24 34:16,17 58:3 73:23 90:15 129:12,16,17 documents 31:18 doing 81:14 94:2,2 121:1 door 43:24 48:10 48:11 144:13 double-check 26:15 doubt 82:1 download 57:1 58:13 64:11,12 downloaded 57:11 58:5 drop 133:1 dropped 25:6 drying 42:19,21 drywall 42:14 drywallers 42:16 due 42:11 83:14 99:17 100:8 143:8 145:2 151:12 duly 54:25 56:6 66:21 89:8 98:17 120:17 125:23 duties 100:4</p>	<p style="text-align: center;">E</p> <p>E 19:1,1 20:1 21:1 21:5,5 158:1,1 E-M-M-A 117:14 e-mail 25:17 133:8 e-mailed 26:16 62:14 EA-37 70:19 EACCH 111:6 EACCH-1T 26:2 EACCH-2.1 71:21 EACCH-30 39:7 67:10 EACCH-37 70:20 141:9 EACCH-4 79:5 111:12 EACCH-41 60:22 127:18 EACCH-42 29:22 30:10 33:1 EACCH-7 35:3 75:6 92:9 EACCH-9C 82:10 earlier 24:8 87:1 100:22 115:17 121:15 155:23 early 47:20 48:10 easier 140:1 easy 143:20 144:25 editing 80:10 81:16 81:16 101:2 141:19 educated 116:6 effect 95:6 99:22 effective 99:6,12 effects 154:7 efficient 43:25 144:9,11 149:2,4 eight 79:23 111:17 either 28:6,21 34:12 46:17 58:6 59:21 63:5 67:20 74:8 125:6 130:24 137:1 142:1,2 153:17</p>
--	---	--	---	---

<p>electric 36:1 91:8 100:11 105:6 107:9 115:16 148:15 153:12,13 electrical 41:20 42:24 43:1 48:9 49:17 107:22 108:2,8 electrically 42:4 electricity 35:24 42:10,10 91:6 107:25 135:12 149:23 150:23 electronic 83:19 element 35:22 91:4 elements 48:21 Elena 18:2 19:19 22:8,15 41:9 44:7 54:25 Elena's 43:11 Elum 22:16,22 23:1 45:2 52:6 83:13 83:18 114:10 embedded 141:22 EMMA 117:14,15 117:18,24 118:2,8 employee 96:3,13 employer 95:16 employment 123:8 123:9 enable 149:1 enables 93:3 94:7 encourage 54:6 75:2 ended 99:13 energy 18:6 19:4 22:10,16 23:6 39:10 40:8,9 41:19 43:25 44:22 44:23 45:23 46:13 46:18,22,25 47:15 48:17,25 49:2,6,8 49:15,18 56:17 57:22 65:17,18 73:19,22 82:5 85:21 91:1 101:24</p>	<p>102:24 103:21 106:20 107:7 115:4,10 142:14 144:5,9,16,17,18 144:25 145:11,23 146:3,18 148:21 150:25 151:1 153:11,15 154:9 154:11 Energy's 114:6 115:1 117:5 engaged 52:21 engineer 49:17 enhanced 117:9,13 enrolled 47:6 ensure 26:20 145:22 entire 44:5 106:14 environment 33:21 equipped 64:3 ERP 72:1 75:11 91:22 92:19 93:15 105:22 142:10,16 erred 138:10 error 95:22,24 96:5 135:15 errors 47:13 96:11 96:13,16,17,19,25 109:23 110:22 147:9 escalated 130:6 especially 43:15 essential 115:15 essentially 49:6 93:20 109:3 established 93:24 establishing 136:10 estimate 24:17 49:23 135:4 estimated 46:8,14 46:15,20 47:4,12 50:18 107:4 110:21 111:25 116:16 135:5 137:16,16,20,22 138:5 146:10,10</p>	<p>147:8 149:9,10,19 149:22 152:14 153:7 154:7 estimates 100:22 117:20 estimating 50:14 53:10,21 81:16 118:22 155:6 estimation 78:4 79:10,17,18 80:9 81:17 95:24 101:2 111:20,22 112:5 141:19 estimations 78:22 79:2,14 111:16 et 58:14 59:24 85:7 130:23 140:9 eventually 46:23 47:8 145:22 151:15 152:8 evidence 23:24 25:14 31:7 32:15 32:16 34:1 45:6 50:11 93:21 106:10 108:21 142:19 146:19 153:6,8 evidentiary 18:9 22:7 exact 28:5 95:8 109:23 exactly 130:9 examination 20:2 65:9 86:24 97:17 119:14 124:12 139:2 examined 56:6 66:21 89:8 98:17 120:17 125:23 example 56:24 85:4 128:21 129:20 140:20 144:12 146:7 exceeded 41:25 Excel 103:24 128:3 excellent 142:5</p>	<p>exceptional 30:2 excerpt 31:3 excerpted 31:23 exchange 71:5,12 71:18 73:3 129:17 exchanging 72:22 exclude 105:4 excluded 31:15 excuse 24:25 29:24 35:17 64:1,19 105:16 108:18 127:16 excused 66:5 88:13 excuses 44:13 exhibit 25:18,23 26:5,10 29:16 30:24,25 31:1,2 31:15 33:5 35:3 36:13 39:7 41:8 41:14,22 57:6 59:12 60:10,22 61:24 62:13,15 63:9,17 67:10 69:3,3,6 70:19,20 71:21 75:4 76:14 79:5 82:10 89:18 92:9,20 94:24 95:13 96:21 101:22 102:7 103:19 108:3,4 111:6,10 113:4,17 113:19,25 114:5 114:14,22,22,25 115:14,22 116:21 117:4,23 118:1 121:9 128:1,1 141:8 154:6 exhibits 21:3 25:16 25:19,20,21,21 26:25 27:2,6 28:1 28:2,7,8 29:12 30:10,22 31:16 32:12,22,25 33:3 37:7,9 41:1 53:18 60:14 62:1 73:24 113:7 114:1 119:5</p>	<p>127:23 140:10 143:3 exist 141:12 existed 45:13 expect 24:20 83:13 expected 47:23 experience 52:25 experienced 46:1 53:1 54:2 145:2 experiences 124:17 experiencing 124:24 125:4,6 expert 67:19 83:12 94:14 96:17 expertise 41:10,11 43:12 67:7,23 experts 43:22 explain 30:5 56:13 59:10 60:6 61:1 76:7 77:4 87:11 116:2 117:13 130:18 148:25 explained 49:13 146:7 explaining 64:2 99:16 explains 49:17 145:24 explanation 48:2 111:20 154:25 explore 122:21 export 57:13 expressed 96:21 extended 151:5 extending 30:3 extends 49:10 extension 42:14 extremely 43:16 106:20 144:21 eyes 44:15</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>F 158:1 face 50:15 51:7 faced 50:4 145:2 fact 42:2,11,25</p>
---	--	--	--	---

<p>48:24 91:13 105:25 142:9 factor 151:20,22 152:1 factors 100:2 104:11,19 128:25 150:10,15,18 153:2 facts 34:12,16 45:3 51:16 93:20 108:21 127:18 failed 93:25 failure 53:8,23,23 95:16 123:15,18 123:21,25 124:16 124:17 125:4,6 fair 84:8 139:14 fairly 57:21 familiar 60:14,16 84:19 101:9,11 108:3 127:23 133:20,22 families 52:23 family 54:3 143:18 fans 42:18 far 33:24 41:12 85:3 100:7 109:15 fashion 42:8 125:1 fathom 42:9 faucets 144:9 favor 131:4 feature 40:4 features 127:7 140:8 February 30:1 76:24 132:5 feed 89:5 98:13 125:18 feedback 73:22 128:9 feeds 89:24 feel 30:19 85:23 101:17 102:16 103:13 feet 48:21 felt 138:10</p>	<p>field 148:19,19 fieldwork 114:18 Fifth 19:15 fighting 48:18 figure 78:3 116:12 file 126:12 127:17 127:22 128:3 129:14 filed 25:21 30:4 53:5 108:10,12 126:19 127:1 128:21 132:1,5 files 129:15 filling 81:14 filters 80:15 final 31:8 144:3 152:17 finally 49:25 152:25 financial 145:2 find 28:20 51:21 58:2 63:24 79:25 80:2 82:23 83:1,1 107:9,12 113:6 131:25 137:7 148:1 153:24 finding 147:17 fine 29:7 55:9 62:12 113:2 131:19 finer 32:4 45:16 50:22 51:21 150:1 151:23 153:2 finish 128:20 finished 41:19 42:24 first 22:13 24:9 27:4 33:12 34:6 34:22,25 44:10 54:18,25 56:6 66:21 67:9 68:21 79:13 89:8 98:17 98:24 99:2 101:11 106:18 107:2 117:9 120:3,17 125:23 126:6</p>	<p>139:22 147:6 firsthand 32:13 five 55:4 88:22 126:14 139:12 five-minute 88:18 89:3 flexible 90:12 94:7 flies 51:6 flows 140:18 FOCUS 39:8 67:12 68:1 focused 85:17,18 follow 34:18,22 51:18 53:19 92:6 93:14 99:11,20 129:9 139:5 142:16,18 followed 68:21 69:7 89:21 following 24:7 119:11 132:2 138:20 139:6 144:23 follows 50:14 55:1 56:7 66:22 89:9 98:18 120:18 125:24 force 143:14 foregoing 158:8 formal 35:6 49:4 53:5,17 127:1,16 129:24 130:6 formalities 92:6 formally 138:24 format 103:24 formula 79:10,11 111:20 formulas 141:22 Fortunately 42:19 forward 41:23 found 43:2 109:18 131:4 142:21 147:11 148:3 152:18 155:8 foundation 49:4 70:8 74:21 84:18</p>	<p>96:8 101:6,8 110:3 four 25:21 38:25 39:1 60:22 61:7 61:13 62:16 76:15 103:5 104:25 138:4 Fourth 19:6 frame 77:8 95:5 128:18 free 102:16 103:13 frequently 152:15 fresh 130:7 front 24:1 44:21 froze 156:18 frozen 133:13 156:13 full 149:23 full-time 41:24 functional 46:6 functionality 35:13 75:16,19,21 118:14 122:6 functioning 125:2 functions 35:23 91:5 funds 150:16 furnace 42:11 108:7,8 furnish 149:1 further 65:21 70:15 88:10 100:18 157:3,11 future 46:10 54:6 152:3</p>	<p>154:4,6 156:12 Gafney 20:18 124:13 gallons 144:10 gap 146:8 gaps 81:15 garage 48:10,11 gas 105:5 general 19:10,14 23:11,18 28:16,25 31:4 38:16 39:7 40:5 50:2 60:18 81:7 85:4 87:4 90:5 102:12,15,17 102:21 112:5,25 123:7 124:20 140:6 143:19 153:9 generally 50:4 generated 118:3 genuinely 143:12 getting 47:1 100:9 100:14 106:5 127:20 give 30:6 41:3 55:19 58:25 63:13 63:24 73:16 95:11 106:9 122:22 131:24 133:7 136:12 143:24 given 51:16,16,17 111:20 149:17 giving 23:21 43:7 46:5 glitched 124:9 go 25:12 34:10 35:5 38:8,8 47:7 51:12 63:16 64:9 65:3 73:10 77:21 81:23 87:14,21 88:21,22 89:17 90:13 97:7 98:7 107:8 113:4 118:12 122:9,12 124:7 128:25 133:16 137:13 140:4 141:18</p>
G				
<p>G 21:5 Gafken 19:14 20:14 21:10,14 23:17,18 30:23 52:2,4 112:21,23 112:24 119:4 121:8 122:8,10,13 124:5,7,8 125:10 132:11,14 133:10</p>				

<p>145:21 150:18 152:7 156:3 goes 32:16 36:16 38:18 40:16 49:7 49:20,25 56:19 90:18,19,19 101:4 117:16,16 121:25 146:5 going 26:22 27:3 29:7,21 30:10,20 32:9 36:18 37:15 39:18 40:21 41:11 52:24 57:25 58:16 58:25 59:8 60:13 63:8 67:9 69:1 72:12 74:18,20 75:4 79:17 80:14 80:21 84:5 85:23 87:21 90:14 91:23 93:18 96:7 99:10 101:5,8 102:9 110:2,5,5 112:8 114:21 116:9 121:8,9 122:11 123:3 129:22 130:9 132:8 135:10 139:20 141:2,3 143:5 148:10,11,11 149:19 152:11 157:4 good 22:4,14 23:17 52:2 53:24 55:20 55:21 65:24 67:5 81:13,20,21,22,24 89:15,16 98:25 99:1 112:24 121:1 126:5 140:20 147:19 148:1 154:24 155:6 Google 57:6 Gotcha 131:5 Governor 115:11 governor's 99:6,9 grab 94:24 grant 29:21 58:21</p>	<p>74:25 92:3 93:19 102:13 109:5 granted 139:13 grasping 102:14 great 22:23 23:20 26:19 30:8 31:20 54:21 55:3,18 56:9 66:17 69:22 86:7 87:7 97:24 113:3 120:14 139:13 Groesbeck 18:3 19:20 21:8,12 22:9,25,25 23:1 27:15 43:10 52:23 54:2 143:25 144:3 154:9 Groesbecks 22:24 27:14,16 43:7 45:19,24,25 46:20 47:3,6,11 50:19 113:12 143:23 147:9,10,12 153:5 Groesbecks' 79:8 111:15 115:6 117:10 118:9 grounds 74:20 129:22 group 38:5,5 52:25 guess 65:2 94:20 142:25 guides 43:25 guys 73:8 74:9 129:17</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>H 21:1 habits 104:13,14 Hagan 20:3 49:17 55:15,16 56:2,3,6 56:13 58:23 60:6 60:10,14 61:1 63:1 65:11 66:4 68:3 84:23 85:4 145:19,24 151:9 Hagan's 85:16</p>	<p>109:15 Halsen 20:12 49:25 80:7 94:22 95:7 97:10 98:4,12,14 98:17,24 101:10 101:20,22 102:22 106:17 109:8 111:23 113:2,3 119:8,16 145:21 151:10 hand 49:16 54:22 66:18 89:6 98:15 120:15 125:21 158:11 handing 72:3 113:25 handled 130:10 hands 132:17 handy 131:22 132:12 happen 51:9,18 83:10 96:14 132:11 152:14,24 happened 79:6 108:23 151:11 152:10 happening 38:19 38:23 39:4 40:14 113:23 140:16 148:17 151:18 152:11 happens 46:7 96:22 happy 139:8 hard 129:5 hardship 145:2 harmful 150:19 he'll 55:17 headphones 124:10 health 143:18 Healthy 115:11,20 hear 23:25 25:25 27:11,14 52:1 105:18 120:12 121:4 125:18 133:13 155:23 156:20</p>	<p>heard 70:13 hearing 22:7 24:21 24:24 25:2,15 30:1 32:20,21 33:4 66:6 88:13 98:6 133:14 139:20 143:23 156:8 157:6,13 158:9 HEARING-VOL... 18:9 heat 41:25 42:15 104:14 105:6 108:2 144:12,22 heater 105:6,7 heaters 42:12 83:19 108:8 heating 43:18 48:9 48:16,17 83:8,21 105:6 144:15 heavily 41:9 43:11 44:7 Heidi 18:3 22:9 43:13 held 130:25 Hello 89:15 98:24 help 42:19 107:9 126:12 143:1,3 helpful 131:21 132:15 helps 56:23 132:6 hereunto 158:11 hesitant 82:19 Hi 55:22 high 43:16 44:14 46:14 47:20 48:3 106:20 125:6 126:23 137:25 144:19 147:21 154:8 higher 47:23 83:14 143:7 144:20 highlight 148:3 150:4 152:19 historical 46:21 hold 30:8 95:14</p>	<p>124:11 home 26:13 42:23 43:17,25 44:12 104:12 107:8,22 108:1,2 115:11,19 144:4,8 homeowners 22:12 27:3 homes 45:1 52:23 83:13 144:20,21 honest 41:23 136:24 honestly 43:2 52:15 Honor 23:10 27:9 27:12,15,19 29:10 30:14,23 31:22 33:14 41:6 44:19 55:2,6,16 56:8 58:16 60:3 61:22 65:7,22 66:7,23 69:1,15,24 74:13 74:18 82:12 84:5 86:16 88:10,17 89:10 91:23 93:17 96:7 97:14 98:19 101:6 102:9 105:16 110:3 112:17 119:13 120:23 121:20,23 123:1 125:11 129:21 131:9 132:18 138:21 139:12,23 145:8 155:25 156:18 hope 24:4 32:9 40:18 142:7 143:2 157:6 hoped 52:15 hopefully 124:10 139:4 horse 88:15 hospital 156:2 hot 104:15,16 144:11 hour 38:6 39:1 56:22 104:3,4</p>
---	---	---	---	---

<p>105:8 hours 24:18 37:12 37:19,20 38:9,15 38:21 39:11,25 40:1,7,8 41:15 47:21,22 49:12,15 49:18,22 56:18 61:10,13,19 62:20 62:24,25 65:20 80:3,22,24 82:7 82:25 83:4,6,9 84:1 87:24 88:8 93:6,9 95:20 96:24 102:6,25 103:6,22 104:5,24 104:25 105:2,15 107:19 111:2,22 143:7 145:11,25 146:4,22 hours' 61:20 house 41:18,19 42:9,17 43:23 48:8,12,16,20 83:11 108:6 143:11 household 82:6 83:3 154:9,10 households 154:18 housekeeping 25:12 houses 102:6 Howard 22:3,5,18 22:23 23:3,8,15 23:20 26:19 27:10 27:13,17,23 29:5 29:8,21 30:16 31:20 32:8 33:4 40:20,25 43:6 44:17 51:25 54:15 55:3,9,14,18,20 55:25 56:2,9 58:20,25 60:9,12 62:7,12 63:10 65:5,23 66:8,12 66:17,24 69:8,18 69:22 70:4,10</p>	<p>74:24 82:15,19 84:7,11,16 85:14 86:14,18,21 88:11 88:19,21 89:1,11 92:3,11 93:19 97:12 98:1,10,20 101:7 102:13 103:9,17 106:2,4 106:13 108:22 109:1 110:4 111:10,13 112:15 112:19 119:10 120:8,14,20 121:19,21 122:7,9 122:12,19 124:2,6 125:12,20 126:1 130:3,13 131:8,12 131:19 132:4,7,22 133:7,10,12,17,20 133:24 134:11,16 134:23 135:1,7,19 135:22 136:2,8,14 136:18,23 138:13 138:16,22 139:1 139:14,18 143:21 144:1 145:5 154:2 155:20 156:4,12 156:16,22 Hoyt 20:19 23:14 24:12,15 125:15 125:16,17,23 126:5 130:17 131:11,14 132:24 133:4 135:24 138:22 150:5 154:24 huge 63:3 77:5 humidity 42:20 hundred 61:19 hurt 111:7 HVAC 48:9 hybrid 137:11</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>Ian 20:3 49:17 55:14 56:6 68:3</p>	<p>109:15 145:19,24 identified 53:6,13 53:16,19 54:3 95:25 115:15 122:18 155:3,14 identifies 148:13 identify 149:7 ignore 51:1 II 18:9 illogical 41:18 43:1 imagine 55:11 immediate 151:4 impact 149:15 154:16 impacted 149:17 impacts 152:3 implement 143:6 implementation 143:8 implemented 71:7 implements 140:7 implies 131:3 importance 129:2 important 46:12 50:22 154:19 157:9 importantly 150:22 impose 50:22 153:25 155:11 imposed 32:5,7 150:1 imposing 54:8 150:7 imposition 45:16 150:11,16 151:23 153:2 impractical 104:5 improper 106:7 improperly 49:11 in-house 71:9,10 72:25 73:2 inaccurate 41:13 45:4 include 105:4 144:8 included 25:18</p>	<p>81:3 including 25:19 35:23 60:23 81:3 91:5 114:18 128:4 incomplete 143:8 inconsequential 154:21 incorrect 45:11 49:3,14 148:6 incorrectly 45:5 53:9 increase 82:24 indicate 82:16 indicated 24:14 33:8 55:4 66:25 112:20 120:22 125:15 133:21 individual 50:10 104:13 124:17 154:20 industries 129:3 industry 115:16 informal 45:2 50:2 50:19 51:19 53:3 53:7,14 106:18 107:11,15 108:13 109:17,20 110:14 110:15,19 126:7 126:19 127:2,3,16 127:16 128:2,19 128:21,24 129:1 129:11,15,18 130:9,18,23 147:18,25 149:11 151:25 information 26:15 35:8 46:3 57:20 77:11 80:6 81:5 81:13,19 82:8,13 92:19 128:1,3 129:25 146:5,8,11 informative 130:10 infrastructure 35:1 35:4 52:8,11 initial 86:1 92:8 147:21 151:6</p>	<p>initially 45:25 46:21 148:18,18 input 52:19 inside 104:12 107:22 108:2,5 Inslee's 115:11 install 51:11 152:4 152:12 installations 114:9 installed 42:12 48:14 99:19,23 119:25 120:3 140:21 151:15 152:6,14,16 installing 119:17 120:1,2 installment 151:3 instances 147:8 instruct 54:13 insulation 144:11 integrity 59:23 60:18 61:15 85:7 Intelligent 34:2 intelligible 32:9 intend 26:5 27:25 27:25 28:1 intending 62:9,13 intent 142:25 151:11 intentional 151:8 interfaces 71:9,10 73:1 interrupted 150:24 interruption 149:5 interval 36:11 37:3 38:5,15 39:23 58:12,13 59:24 60:5,23 61:8 64:17 71:1,23 72:3,10 73:4,6,25 75:14,24 76:5,9 76:15 77:1,12 78:6 80:13 85:7 87:8 90:22 91:14 92:19,21,23,24,25 94:12,16,19 97:20</p>
---	--	--	--	--

141:17 142:3 146:11,14,14 interval-data 93:12 interval-related 72:7 74:1 75:12 90:16 91:13,18 93:12 94:5 intervals 35:12,25 39:1 61:3 62:19 73:20 77:5,14 91:19 94:13,13 140:14 introduction 92:12 invent 142:12 investigate 106:25 126:10,15 129:9 investigated 109:25 investigating 126:20 127:3 128:23 137:24 investigation 84:3 106:22 110:24 116:3 126:12 127:15,22 128:5 129:1 150:6 investigations 115:24 investigator 126:14 128:7 136:17 137:1 invoice 41:22 involve 31:12 54:10 involved 31:11 34:18 44:25 53:8 106:21 irregularities 54:1 irrelevant 121:17 IS-U-EDM 141:25 IS-USAP 90:19 isolated 50:4,15 51:17 150:21 issue 25:3,24 26:4 26:22 31:11 32:2 32:18 45:9 50:25 51:20 77:7 84:18 85:16 122:16,22	130:5 145:3 148:6 148:14,24 150:21 153:7,8,17,22 155:9 157:1 issued 31:8 135:11 137:3 151:4 issues 25:5,8 28:7 31:9,10 32:1 34:5 45:13 46:1 47:10 50:3,9,14,21 51:14,17 52:7,16 52:18 53:1 54:1 84:4,19 107:16 118:15 121:11,12 121:13,16 124:24 124:25 126:17 133:13 151:18 152:3 153:9 155:11,12 156:14 issuing 136:9 147:19 <hr/> J January 48:10 72:4 job 43:14 143:18 Johnson 18:3,11 19:3,19 21:7 22:9 22:21,21 27:12 41:5,8 52:22 54:2 69:24 82:12,15,18 82:21 143:22 155:22 Johnsons 22:20 27:11 41:3 43:11 45:19 47:16,17 48:6 106:19,25 107:2,15,24 108:7 109:20 147:15 Johnsons' 48:3,24 95:19 96:14 108:15 109:9 147:18 joining 125:17 judge 18:11 19:2 22:3,6,18,23 23:3 23:8,15,20 26:19	27:10,13,17,23 29:5,8,21 30:16 31:20 32:8 33:4 40:20,25 43:6 44:17 51:25 54:15 55:3,9,14,18,20 55:25 56:2,9 58:20,25 60:9,12 62:7,12 63:10 65:5,23 66:8,12 66:17,24 69:8,18 69:22 70:4,10 74:24 82:15,19 84:7,11,16 85:14 86:14,18,21 88:11 88:19,21 89:1,11 92:3,11 93:19 97:12 98:1,10,20 101:7 102:13 103:9,17 106:2,4 106:13 108:22 109:1 110:4 111:10,13 112:15 112:19 119:10 120:8,14,20 121:19,21 122:7,9 122:10,12,19 124:2,6 125:12,20 126:1 130:3,13 131:8,12,19 132:4 132:7,22 133:7,10 133:12,17,20,24 134:11,16,23 135:1,7,19,22 136:2,8,14,18,23 138:13,16,22 139:1,14,18 143:21 144:1 145:5 154:2 155:20 156:4,12 156:16,22 July 31:9 99:18 113:13 135:11 140:21 June 114:10 140:21 justice 143:4	justifying 44:14,15 <hr/> K keep 24:24 25:4 42:16 77:22 104:14 121:4 129:6 keeps 142:3 kept 40:14 key 45:22 48:24 51:22 56:20 145:25 146:13 147:17 149:2,14 150:20 152:5 kilowatt 37:12,12 37:14,19,20 38:9 38:13,15,15,21 39:11,11 40:1,7,8 41:15 47:21,22 49:12,15,18,22 56:18,22 61:9,13 61:19,20 62:17,18 62:18,20,24,24 65:20 80:3,22,24 82:7,25 83:4,6,9 84:1 87:24 88:8 93:6,9 95:20 96:24 102:6,25 103:6,22 104:3,4 104:5,24,25 105:2 105:8,14 107:19 111:2,21 145:11 145:24 146:4,22 kilowatts 40:9,10 49:8 101:25 kind 33:21 34:23 41:11,18 75:6 100:2 102:4 128:19 129:16 130:5 137:10,19 138:10 KITSAP 158:4 Kitelman 18:25 158:6,16 Kittitas 144:5 KM 95:13	KM-1CT 36:13 69:6,19 89:18 95:13 96:21 knew 108:10 127:19 know 23:13 33:20 34:4,8 37:12 41:2 56:24 60:8 61:5,5 61:23 69:16 73:15 78:1 81:12,15,22 81:24 85:3,15 91:12 92:5 98:7 104:23 108:16 111:6 113:8 126:6 127:25,25 129:6 140:24 145:14,14 145:18 148:7 157:1 knowing 34:2 43:24,24 83:7 knowledge 32:13 126:21 127:4,5 142:22 158:9 knowledgeable 101:17 known 38:12 39:19 51:7 Kristina 20:9 49:19 59:21 63:6 75:20 80:7 88:15 89:4,8 112:2 145:20 <hr/> L L+G 36:20 59:9 68:19 70:17 74:8 141:6 142:11 labeled 26:2 laid 129:24 Landis+Gyr 70:21 71:4,8,18 77:7 laptop 82:11 large 48:20 61:18 76:18 100:10 154:13 large-scale 123:12 124:21
---	---	--	---	---

<p>largely 32:22 larger 45:20 50:25 150:21 153:22 largest 72:1 105:7 lasted 100:8 laundry 104:15 law 18:11 19:2 22:6 lawyer 105:17 leak 144:14 leaning 41:9 learned 34:11 58:2 learning 34:7,10 143:16 leeway 30:6 lessen 151:6 let's 22:3,11 25:15 28:20 58:15 66:1 66:1,2,12 76:12 88:21 89:1 98:7,7 98:10 130:24 133:17 134:13 139:15,18 147:6 149:25 150:18 letter 26:8 letting 156:25 level 42:17 126:23 126:24 130:7 levels 35:25 91:7 leveraging 122:4 liability 155:10 life 143:19 lifestyle 144:17 light 106:11 lights 143:11 limit 58:22 129:7,7 limited 24:3 57:22 57:22 100:4 139:4 144:8 line 58:17 62:3 63:5 74:19 81:13 84:6 91:24 108:19,19 135:9,10,10 142:15 lines 113:5,11 114:15 135:20,22 link 36:14,15 68:20</p>	<p>68:21 69:5,6,7,12 73:7 89:18,21 133:1 linked 95:17 Lisa 19:14 23:18 112:24 Lisa.gafken@atg... 19:17 list 25:18,23 33:5 litigation 31:10 little 33:16 57:19 60:15 69:11 84:16 85:1,24 90:24 121:2 123:20 126:6 127:19 154:12 live 22:16 42:19,21 104:12 142:10 lived 83:7,20 lives 145:4 living 43:17 83:11 LLP 19:5 load 57:1,12,23 63:18,19 64:16,21 64:22,23 132:9 logic 41:12 logical 42:22 logically 42:4 long 74:17 99:25 109:8,10,16 longer 53:11,21 143:10 look 37:5,14,18 38:10,12 39:13 40:5 61:7,11 68:10 80:1,15,16 80:23 109:24 114:15 115:9 116:6 122:17 127:19 130:7,22 133:22 135:9 136:12 140:22 146:19 151:16 152:13 looking 34:5 61:16 76:25 77:2,10</p>	<p>78:10 79:9 80:18 82:13 89:22 109:24 111:24 115:22 118:17 127:8 132:18 136:6 looks 41:16 59:22 67:15 89:23 132:19 133:12 losing 48:18,18 lot 32:12 37:6,9 44:13 92:6 100:12 128:25 142:24 lots 94:8 low 46:15,21 64:21 124:10 125:6 144:9 low-profile 64:12 luckily 121:2 lump 86:2 lunch 24:16 98:5,7 98:11</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>M 20:1 main 22:15 83:8,21 maintain 53:24 148:25 major 75:11 majority 30:9 91:25 making 70:2 malfunctioning 114:19 management 36:19 49:20 67:8 71:6 99:9 117:9,14 127:20 128:12 mandatory 80:10 81:8 101:3 manner 157:7,10 manual 125:1 manually 57:12 58:5,6 64:4 117:17 March 18:13,24</p>	<p>22:1,4 25:22 28:6 30:4 41:15 42:2 48:14 99:7,12 117:10 141:10 158:12 mark 26:5 mash-up 137:20 mass 119:23 120:4 match 91:15 112:8 math 112:7 matter 38:16 42:3 75:2 125:5 142:9 144:4 155:17 matters 25:12 maximum 144:11 McClenahan 20:9 36:13 49:19 59:21 63:6 65:4 67:25 68:18 69:17,19 75:20,25 76:8 79:1 88:16 89:4,8 89:15 94:22 97:19 99:16 101:19 112:9 145:20 151:10,16 McClenahan's 112:2,11 MDMS 36:19,19 37:24 49:10 56:19 60:2,23 61:2 67:23 68:8,13 70:17 71:1,7,18 72:23 76:10,15 77:8 79:3 80:13 80:14,20,23 81:5 85:7 86:2,8 88:1 93:4 96:16,17,23 97:5 109:25 110:10,11,14,24 111:1 140:22 146:6,6,9 MDS 110:8 MDUS 36:18,18,20 59:11 68:23,25 70:14,18 71:2,3,8 72:16,22 73:18</p>	<p>74:3 89:24 90:7 110:7,8 141:4,6 mean 63:19 85:15 86:4 96:19 102:3 104:3 105:13 107:17 116:5 130:20 131:2 meaning 38:4 39:24 40:17 59:23 64:14,14 100:3 104:20 118:22 127:11 141:1 143:6 means 24:8 37:20 116:2,4 measure 36:24 40:9,16 49:8,9,15 49:18 109:13 measurement 73:14 88:6 104:3 measurements 36:22 37:2,11 38:17 measures 40:10,15 123:24 145:24 146:3 measuring 35:23 35:25 46:25 65:17 65:18 91:5,7 meet 50:7 53:23 meeting 33:19 105:23 144:16 156:1,3 members 35:10 memorized 114:2 mention 25:7 104:22 141:3,8 mentioned 33:1 67:15 72:9 87:1 89:23 90:7 95:4 102:8 143:5 message 117:9,13 met 45:8 144:5 meter 31:24 32:2 34:25 35:16,22 37:5,8,8,9,9,16,16</p>
--	---	---	--	---

<p>39:13 45:25 46:2 46:3,5,11,19,25 47:8,9,13,17,23 47:24,24 48:25 49:15,20 50:12,16 52:7,8 53:8 56:17 56:25 57:10,16,16 58:7 59:24 60:1,5 60:23 61:2,11 62:16,24 63:20,21 64:8,12,12 67:8 67:14,19 68:1,2,4 68:11,15 71:3,6 71:24 75:15,24 76:5,15,19,22,22 77:5 78:6,7,17 80:19,20 81:19 82:1 86:9 88:3 91:2,14 92:18 94:12 95:17,17,25 96:4,4,23 97:5 99:23 100:5,6,19 107:6,16 108:1 109:9,10,10,18,21 113:12 115:19 116:4,6,12,13,16 118:9,14,15,18,21 118:21,25 120:1,2 120:3 122:6 125:1 125:4 127:5,12,13 127:13 134:4 137:23 140:15,21 140:23,25 141:6 141:16 145:15,24 146:3,6 147:20,23 147:24 148:8,9,10 148:18 149:9,16 149:21,24 151:13 152:4,13 metering 35:4 54:1 70:21,23 meters 31:13 35:9 35:10,11,11 36:1 36:5,6,6 37:2,25 39:8 40:7,13,15 49:8,18 50:10,20</p>	<p>50:21 51:2,3,4,11 52:9,10 53:2,24 56:14,15,16,22,23 57:7,8 58:8 59:13 63:17,24 64:3,6,8 65:12,14,17,18 67:12 77:9 81:11 82:2 85:17 90:16 91:4,8,18 92:18 94:11,14 99:19 100:20 104:2 114:19 115:6,25 116:17,18 117:22 118:12 119:1,3,17 119:18,18,23,24 121:7 122:5 123:6 123:12,13 124:22 124:25 125:3 140:6,12,13 148:5 148:6,7,15,21 150:24 151:14,15 152:6,13,16,23 153:8,20 155:6 metric 37:11 39:10 metrics 39:8 Michael 22:5 microphones 24:24 midafternoon 24:22 midmorning 24:16 66:2,13 million 100:11 154:18 millions 154:18 mind 25:4 67:6 mindful 32:14 mine 112:3 132:25 132:25 minimal 92:12 minus 77:19 88:4 minute 23:23 144:10 minutes 24:3,18 33:10 34:20 38:6 40:22 55:4 88:23 91:7 98:4 125:16</p>	<p>139:5,12 mirror 74:5 miscalculation 42:8 missed 77:12 missing 77:15 misspeak 128:14 misstating 102:10 mistaken 101:21 mistakes 147:13 Mm-hmm 80:14 model 68:1 70:14 141:5 module 36:20 38:18 40:16 59:11 59:15 67:23 68:25 70:14 74:2,16 75:12 89:24 90:6 90:9,17,19 94:6 141:4,12,14,15,21 141:24 modules 36:11 37:22 39:3 72:2 91:18 141:5,23 142:2 moment 29:24 55:25 69:8,11 75:5 79:5 113:6 113:20 117:1 124:11 131:25 133:7 134:25 136:12 monitoring 35:25 91:7 month 35:17,19,19 41:16 43:18 44:3 47:21 79:13,19 82:7,25 83:7,10 87:14 88:4 95:21 101:25 103:22 105:2,11,15 134:8 137:6 138:11 146:16,17,21 month's 79:11,12 monthly 35:14,17 49:21 61:6 93:3,8</p>	<p>102:5 months 43:20 47:7 79:20,23,25 80:1 80:2 99:25 100:9 100:9,12 111:18 135:15 137:5,13 138:1,3,4,5,9 146:22 151:6 152:21 morning 22:4,14 23:17 52:2 55:21 67:5 89:15,16,16 move 32:15 125:14 144:7 moving 41:23 multibillion 142:7 multifaceted 85:15 multiple 47:4,7,12 50:18 60:17 70:16 109:22 142:19 149:9,22 multiplied 100:12 multiply 104:24 muted 24:24 mystery 52:15</p> <hr/> <p style="text-align: center;">N</p> <p>N 19:1 20:1,1 21:5 name 22:5,14 23:17 66:15 112:24 131:17 Nash 19:9 23:11 129:22 nash.callaghan@... 19:12 nature 51:17 57:2 navigate 86:23 NCR 63:17,20,24 63:24 near 45:1 nearly 148:16,22 154:10 necessarily 106:6,7 necessary 24:22 45:12,17 64:13 111:1 122:1</p>	<p>138:12 150:7,8 need 26:18 28:17 28:20 30:19 38:3 57:13 59:2,3 71:9 73:2 95:7 113:6 118:25 146:4 157:1 needed 29:18 49:24 117:21 118:18 119:3 144:5 needs 58:5 129:5 146:23 148:25 negatively 149:17 neighborhood 45:1 51:13 152:9,9 neither 80:19 nervous 33:16 network 45:14 46:2 46:2,6 47:2,9,14 50:12,13,16 51:5 51:8,14 56:17,18 56:20,21 57:21,24 58:3 65:13,15,16 77:7 116:7,18 118:23 123:15 134:5 145:17 148:7 151:13,14 153:5 156:11 never 33:15 Nevertheless 149:14 new 28:10,11,23 45:1 46:22 51:2,4 52:23 54:11 144:4 153:3,18,25 nine 152:18 noncommunicati... 63:20 64:3,6,8 115:25 116:4 140:20,25 noncommunicati... 116:3 noncritical 114:18 nonfunctioning 114:19 noon 98:4</p>
---	---	--	--	---

<p>normal 129:14 normally 30:16 98:6 Northeast 19:6 notate 59:17 note 53:14 58:1 62:2 75:7 79:24 111:11 147:15 noted 24:13 27:20 50:19 155:1 notes 41:14 120:21 notice 68:22,22 69:14 noticed 84:11 notification 118:19 November 123:10 number 35:23 38:21 55:23 63:23 80:1 88:3,4,6 91:5 96:11 104:18 111:10 117:20 122:2 129:2 152:18 153:1 numbers 26:14 61:16 80:4,8 104:21 135:25 136:1 numerous 154:8</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>O 20:1 21:5 object 30:24 58:17 69:1,4 70:2,8 74:18,20,22 84:5 91:23 92:1 93:18 96:7 102:9 105:17 108:19 110:2 129:22 objection 29:19,22 31:6 58:21 61:23 62:3 69:25 70:5 92:4 93:17,20 101:5,8 102:14 109:5 113:24 121:8,15 122:20 objections 23:24,25</p>	<p>24:1 27:1,5,9,12 27:15,19,20 29:17 30:12,15,21 31:17 32:21 70:7 74:25 obligation 145:13 153:11 obligations 54:7 observe 25:6 obsolete 119:2 obtain 78:13 116:18 117:21 118:12 obtained 35:16 118:21 obtaining 125:1 obviously 42:8 142:13 occupancy 144:7 occupation 41:23 occur 50:5,18 occurred 48:3 130:1,8,14 135:15 147:2 149:10 152:20 odometer 88:2 146:18 offer 32:15 107:5 127:8 155:22 offered 47:5 107:6 151:2 offers 143:12 office 126:16 official 25:9 69:13 oh 55:25 56:1 62:10 64:22 90:3 111:5 113:2 124:4 131:10,19 okay 26:19 29:5,8 34:11,11 55:9,18 56:4 58:19,24 59:5,17,22 63:7,7 63:16 64:18 65:2 65:5 66:17 67:9 68:14,16 70:20 75:9,22 76:6,12 78:23 79:4 80:9</p>	<p>82:18 84:10,15,21 86:1,11 90:13 92:14,16 94:4,11 94:22 95:10 99:14 101:21 103:16 104:20 106:12,15 109:6 110:11,14 111:4,6 112:12 113:10 114:13,17 114:21,24,25 115:9,22 116:8,20 117:3 118:16 119:4,24 120:6 123:14 127:15 128:10,16 130:12 130:15 131:5 132:6 133:19 134:15,25 135:7 136:5,7 138:13,16 156:4,4,22 old 22:16,22 23:1 81:2 older 50:15 Olympia 19:11 on/off 36:1 91:8 once 46:10 96:22 97:4 137:16 one-way 36:5 56:15 56:16 58:4 ones 71:16 145:1 open 28:25 36:15 56:25 131:20 133:16 153:18,25 opened 42:18 132:23 150:12 opening 21:6,7,8,9 21:10 24:3,19 33:8,9,13,17 41:4 43:7,9 44:20 52:3 150:17 151:23 153:3 opinion 34:13 133:25 134:20 136:11,20 138:15 opportunity 24:2 33:9 52:20 82:16</p>	<p>155:18 oppose 123:13 opposed 121:7 123:5,11 opposite 50:12 opt 151:3 option 63:18 64:11 142:1 optional 140:8 options 39:9,16,17 67:13,16 68:6,11 90:10 94:8 Oracle 28:24,25 29:3 36:9,25 37:22 71:23 91:17 142:11 oral 24:20 139:4,20 order 24:7 31:8 34:23 36:17 42:16 53:24 54:12,18 68:22 116:15 117:15 129:1 134:15 139:6 144:6,7,18 148:5 155:6 orders 118:11 original 35:5 103:12 106:19 137:21 outlets 107:22 outlines 150:14 output 36:18 90:6 outset 47:18 outside 31:7 104:13 overbilled 137:12 137:14 overestimated 100:23 overnight 51:9 overtime 144:15 overview 23:21 34:25 35:3 59:9 72:9 92:21 owns 147:13</p> <hr/> <p style="text-align: center;">P</p> <hr/>	<p>P 19:1,1 21:5 p.m 98:8 139:16,16 157:13 P.O 19:10 page 20:2 21:2 35:21 36:14,17 63:8,22 64:1 68:21 69:6,19 80:17 95:13,15 96:21 101:22 103:19 113:5,18 114:15 115:14,22 117:23 118:1,16 132:11,20,23 133:16,17,18 135:2,9,18,19,21 135:22,25 154:7 pages 18:10 29:1 95:1 paid 41:22 154:12 paragraph 35:7 parenthesis 40:8 part 25:9 28:3,24 33:6 35:8 44:13 53:15 67:24 82:23 109:15 110:14 111:2 112:2,10 140:9 144:24 149:11 150:21 153:21 partial 77:12 participation 156:25 particular 29:2 35:15 38:2,3,18 39:25 40:10 52:13 70:14 73:18 76:4 76:23 77:24 79:19 106:22 111:21 126:10,11,22 135:8 136:20 140:23 particularities 50:1 particularly 47:20 parties 24:2,8,17 24:23 25:17,25</p>
---	---	--	---	--

26:23 27:6 30:6 31:10 32:20,22 82:15 139:3,6,21 156:9,24 157:1,11 parties' 24:1 32:21 party 23:13 24:13 30:7,17 33:9 52:5 52:5 127:24 138:24 139:10 pattern 53:19 pay 46:17 47:7 143:13,14 paying 153:14 payment 47:6 143:11 151:5 payments 154:14 pays 46:13 PC 72:15 PDF 29:1 135:25 136:6 peak 143:7 penalize 122:14 penalizing 54:5 penalties 32:4,7 54:9 122:4 134:6 137:10 138:14 147:3,5 150:3,8 150:11 153:17,25 155:11 pending 157:7 people 100:14,16 115:19 116:11,12 percent 83:18 123:19 perception 34:14 Perfect 86:11 97:15 117:4 perfectly 139:14 performance 117:19 performed 109:8 period 35:17 47:20 52:24 53:12,22 61:8 73:12 76:4 76:23 77:2,9 95:6 99:3 110:17,18	111:3 134:17 periodic 93:2,7 periods 135:6 Perkins 19:5 permanent 47:17 48:7 108:1,11 109:21 person 61:14 63:4 106:13 126:20 personally 60:14 perspective 38:16 83:9 125:7,8 pertaining 103:4 134:24 140:23 155:5 phonetic 128:6 phrase 35:21 103:11 phrasing 103:12 physical 148:9 picture 33:10 pictures 38:13 ping 56:25 place 95:9 134:1 151:17 plan 47:6 82:16 151:3 planning 28:18 plans 23:22 25:11 144:6 plastic 48:13 platform 36:21 59:12 68:19 73:18 141:6 142:11 platforms 34:18 74:8 plausible 48:2 please 25:6 54:22 56:13 59:10 66:18 88:18 89:6 95:11 98:14 102:16 113:6,17,20 114:13,22 115:23 116:21 117:1 120:15 121:21 122:25 124:7	125:20 130:18 144:1 plus 39:11 60:23 126:15 plywood 48:12 point 29:18 34:10 42:7,22 43:16 82:2 83:17 84:17 85:2 92:8 122:2 129:21 145:25 146:13 148:13,17 149:3,14 152:5 point-in-time 77:18 78:19 87:11 pointing 146:9 points 41:10 61:22 109:3 121:23 146:1 pole 41:21,21 poles 42:13 policy 150:14 portions 25:1 pose 75:2 92:13 93:22 102:16 103:13 posing 58:22 position 29:11,11 32:5 52:14 138:18 positive 100:15 possible 34:21 60:7 104:17 144:18 possibly 79:15 80:4 post-hearing 31:3 123:10 potential 32:7 50:23 155:11 potentially 89:24 122:4 125:2 power 40:9 41:21 41:21 42:13 48:8 108:9,11 127:14 practical 148:16,22 practically 104:6 preceding 84:9,12 84:14 predated 123:8	preface 59:2 prefiled 21:3 25:16 25:18 26:25 27:2 27:21 32:24 33:3 90:25 premier 70:21 prepare 33:21 present 19:18 52:17,20 60:4 73:16 76:3 82:10 102:8 presentation 24:7 54:18 106:1 presented 103:2 107:23 140:10 presenting 79:5 105:20,21 pressing 157:8 pretty 121:3,4 122:3 prevent 151:18 prevented 115:5 previous 50:13 79:11,12,13,19,20 79:25,25 80:1 111:17 previously 118:20 price 74:16 94:5 105:8 143:7 pricing 71:23 72:8 74:16 75:15,17,18 87:7,8 90:14,21 90:23 94:9 97:22 primarily 43:18 46:1 64:9 81:14 85:17 151:12 primary 145:12 printed 72:4 114:2 prior 28:6 77:19 87:18,18 88:4 pro 30:6 probable 155:12,13 155:16 probably 26:11 34:22,24 98:5 133:2	problem 50:9 74:9 78:8 151:16 156:10 problems 45:13 134:5 procedure 46:7 proceed 24:11 55:5 56:3,10 67:2 69:23 89:12 94:20 98:21 112:20 122:25 126:2 144:1 155:16 proceeding 31:8 147:5 150:11,17 151:23 153:3,18 153:25 156:25 proceedings 52:5 process 34:17 36:11,11,22 37:23 42:19 46:12 50:13 53:3,5,7 59:18 72:11 78:5 79:3 80:10 81:7,9,12 81:24 84:2 86:5 90:6,18 94:15 101:2 112:5 119:23 126:23 140:17,20 141:2 141:19 142:23 145:21 processed 85:19 93:13 95:5 100:21 processes 59:13 73:13 80:12 85:19 89:25 93:2,7 143:15 processing 36:2 70:15 71:1 72:2 91:10,10 proclamation 99:6 99:10,11,12 100:8 115:12,20 produced 43:3 profile 38:4,4 57:1 57:10,12,14,23 63:18 64:14,16
--	--	---	---	---

<p>80:10 94:12 profiles 72:7,10 74:1 program 120:5 project 33:19 promptly 152:2 proof 45:9 50:8 propane 83:8,20,20 105:5 proper 59:14 63:4 84:2 140:19 properly 48:21 49:14 91:15 142:13 148:6,8 proposed 30:25 protection 126:16 protocol 100:4 protocols 95:4,8 99:3,5,17,22 115:5 proven 51:1 145:12 provide 24:3 33:5 35:23 91:5 109:16 127:13 provided 35:8,21 36:9,9,14 51:10 69:6 73:7 89:18 104:21 107:15 109:17 126:21 127:18 129:12 142:18 154:24 provides 39:8 92:25 146:12 providing 23:14 PSE 23:4 27:18,24 28:10 30:12,25 31:21 32:11,14,15 34:13,15 35:6,7,8 36:8 37:12 38:9 38:23 39:21 42:7 42:25 43:3 44:8 45:4,10,12 46:7 46:12,23 47:5,8 47:11,23 48:19 49:13,14 51:10 52:7,7,16 54:1,5</p>	<p>55:4,7 57:9,16,17 58:11,13 59:9,10 62:1 63:3,19 67:17,21 68:5,12 68:24 70:25 71:7 71:16 72:13 74:4 74:7 75:11,13 78:3,12 79:8 81:8 84:4 87:7 89:23 90:8,20,22 91:20 92:23,25 93:2,14 93:25 94:4,8 96:3 97:1,20,22 101:23 102:11 103:20 104:2 105:22 111:19 114:17 115:18 117:8 119:17,20,24 120:21 127:22 128:5 129:12,20 134:17 135:11 137:3,22 138:10 140:16,17,25 141:13 142:3,7,12 142:16,22 143:5,9 143:12 145:6,21 146:13,15 147:7 147:12,20,21 148:8,25 149:10 149:18 151:15,17 151:24 152:4,5,10 152:19,22 153:19 153:23 154:12 PSE's 28:21 29:11 29:22 49:5,8 51:7 54:7 55:14 66:14 67:8 107:12 121:7 123:6,18 public 19:13 23:16 23:19 30:20,21,24 31:3,4,6,14,17,25 32:3 50:5,24 51:6 51:7 52:1,4,14,21 53:16,25 54:4,8 112:19,25 114:6 115:1 117:5</p>	<p>120:10 121:6 122:3,20 123:5,9 123:11,14,17,21 130:22 131:14,16 132:12 133:25 134:16 136:19 137:9 147:16 148:2,13,23 149:7 150:20,22 154:3 154:22 155:1,3,15 Puget 18:6 19:4 22:10,15 23:6 44:22 114:5,25 115:4,10,23 116:11 117:4 122:17 144:25 153:11 Puget's 154:18 pull 28:15 41:2 61:12 pump 144:12 purchase 72:24 73:2 purpose 35:10 137:18 purposes 49:12 52:12 65:18 90:23 94:19 pursue 149:12 155:11 pushes 141:20,20 put 28:8 39:15 43:21 70:20 92:16 100:19 105:25 137:6 140:1 148:18,19 154:14 puts 100:17 putting 81:17</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>Q2 114:12 quadruples 101:24 103:20 quadrupling 49:6 102:24 104:3 105:12</p>	<p>qualified 138:7 quantity 36:24 40:18,18 73:10,12 quarantined 100:16 question 26:17 27:24 28:14,18 51:22 57:5 58:15 58:18 59:2,4,7,18 62:6,22 63:1 65:3 67:9 68:16 70:9 70:12,25 71:20 72:6,12,16,17 74:23 75:8,11,23 75:25 76:2,6 77:4 78:22,25 79:17 82:14 83:5 84:9 84:14 85:20 86:1 86:3,13 90:20 91:20 92:2,12,13 92:16,23 93:10,14 93:23,24 94:21,23 95:11,19 96:2 97:2,8,9,11 99:2 101:1,12,15 102:1 102:16 103:12,13 104:17 106:17,21 107:17 108:23 110:6 112:4,9,13 123:20 124:14 126:6 127:25 128:4,18 129:10 129:25 130:17 136:15 147:6 149:25 questioning 62:4 63:5 74:19 84:6 91:24 108:19 115:18 questions 24:15 25:11 32:17,19 44:10 55:7,23 58:23 65:8 68:2 75:3 84:12,22,23 84:25 85:2,6,8,10 85:13 86:17 97:15</p>	<p>119:4,12 131:6,10 131:13 138:17,20 146:25 quick 58:1 59:18 82:13 89:20 94:23 94:25 97:8 122:5 129:10 152:11 quicker 133:2 quickly 122:11 134:7 quite 74:6 quote 149:1,2</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>R 19:1 21:5 158:1 raise 54:22 66:18 89:6 98:14 120:15 121:8 125:20 156:5,17 raised 27:24 31:10 32:2 155:23 raising 113:23 146:2 range 76:19 ranging 47:21 rate 31:4,9,11 35:18,19 82:24 121:10,12 123:7 124:20 125:6 rates 35:1 73:22 105:9 121:12 123:16,18,22,25 124:16,17 ratings 154:9 raw 37:21 38:24 RCW 54:9,10 read 26:12 34:24 35:16 36:25 40:7 46:11,18 49:19,24 56:18 62:16 64:9 68:10 76:22,22 77:19,19 78:6,19 80:19,20 87:11,15 87:15,17,18,23 88:1 91:2,3,3,19 93:4,4,5 94:11,14</p>
--	--	--	---	--

95:18 96:23 108:4 108:16 110:16,17 133:23 135:16 137:23 139:25 140:13,24,25 141:17 146:16,17 146:20,24,24 148:9,10,12 149:19 readers 64:8 100:5 116:16 145:15 148:8 reading 104:1 123:10 137:17 147:23,24 readings 35:12 36:2,16 58:13 76:5 80:23 85:7 91:9,14 109:25 110:7,24 111:1 reads 46:2,5,23 47:1,14 52:11 56:22 57:2,22,24 59:24 60:5,23 61:11 62:24 75:24 76:6,15,19 77:5,9 77:12,18 78:15 80:13,14 81:2,11 81:12,15 86:8 87:6,10 92:18 94:12 97:5 100:6 100:19,20 107:4,5 110:14,16 115:19 116:12,13,18 118:12,21,21,23 125:1 134:18 140:15,19,22 145:15,16 146:10 149:9,10,22 real 34:16 38:10 39:19 73:24 75:17 75:18 real-time 38:11,11 39:23 71:23 72:7 74:15 75:15 87:7 90:14,21,23 94:4	94:9,9 97:22 realized 152:10 really 26:13 28:11 28:20,23 34:6,14 58:2,9 65:7 77:24 81:24 89:20 94:25 97:8 102:20 104:17,23 105:8 105:17,24 129:6 136:15 142:6 146:25 reason 29:23 39:21 40:5 82:1 136:24 137:10 138:8 reasoning 95:2 reasons 92:7 rebuttal 29:25 recall 107:21 108:14 131:17 recalling 103:10 receive 37:25 46:15 46:23 56:22 81:5 86:8,10 95:18 96:23,23 97:4,5 153:13 received 37:14,19 41:13 49:24 56:18 78:17 81:11,15 113:12 132:2 145:15 147:10 receives 46:2,11 126:16 receiving 46:6 77:8 77:12 93:3 144:19 149:3 150:23 recognize 75:1 recognizes 54:8 recommendation 51:6,19 135:4 136:16 147:4 150:2,6 recommendations 134:6 recommended 147:4 recommunication	36:3 reconcile 46:10 77:16 78:9,12 reconciliation 46:12 reconnect 127:12 record 22:3 25:10 25:13 26:3 31:19 33:6 49:8,18 53:15 60:15 66:9 66:12 88:21,22 89:2 98:7,10 106:11 111:11 119:6 123:4 139:15,19 157:2 recorded 81:19 135:5 136:16 recording 150:25 records 26:4,16,21 53:14 80:25 81:10 130:22 recovery 31:11 121:13 124:21 recreate 72:13 redacted 26:8 28:8 redirect 20:5,8,11 20:15,18 65:6,9 86:15,24 97:13,17 112:16 119:11,14 124:7,8,12,14 131:8 138:20 reduce 107:9 reestimating 137:4 refer 59:2,15 63:5 64:16 78:19 95:12 96:18 114:21 115:23 reference 28:16 41:8 70:13,16,18 references 73:23 referencing 37:13 68:19 70:25 referred 61:24 64:17 100:21 135:1 referring 73:9 92:9	refers 115:11 refile 26:7 reflecting 42:3 reflection 33:20,23 refuses 142:12 regards 59:15 register 57:22 141:17 registered 116:19 registering 148:16 148:21 regulate 129:4 regulated 126:17 155:14 regulatory 54:7 reject 30:10 rejected 33:2 related 32:1 36:12 53:20 73:25 92:21 93:12 114:18 relates 87:12 relating 31:12 155:2 relatively 92:12 released 138:1 147:25 releasing 147:22 relevance 31:6 32:19 122:1,2,23 122:24 129:22 relevant 32:5 52:24 73:13 130:2 reliability 31:24 32:2 51:2 reliable 50:12 51:5 51:8 65:14,15 153:12 religiously 132:3 rely 41:11 63:2 109:2 relying 43:11 44:7 48:12 remaining 31:16 remarks 155:19,23 remediate 45:13 remedied 152:2	153:19 remember 28:5 100:13 107:14 128:10 131:10 remind 24:23 40:21 remote 45:1 57:1 64:3 127:12 remove 103:16 repeat 45:14 76:2 116:22 123:3 126:25 rephrase 75:9 92:17 96:10 101:16 102:19 107:17 130:21 replace 47:8 51:3 71:10 replaced 50:17,17 50:20 118:18 119:19,22 122:5 153:6 replacement 115:6 118:10 119:1 replacing 119:1,18 125:2 REPORTED 18:25 reporter 32:9 33:5 64:19,20,24 65:1 75:7 158:6 reporting 140:9 reports 78:3,4 102:4 representing 55:12 112:25 request 36:18,19 80:20 114:6 115:1 115:4 117:5 139:7 139:10 154:22 requested 79:8 111:19 requesting 148:2 requests 25:8 28:9 138:19 153:23 require 30:3 74:4 required 72:8 74:8
---	--	---	--	--

75:12 108:5 118:9 140:18 142:2 144:13,16 146:15 requirement 72:21 72:22 73:18 75:14 97:19 requirements 53:23 72:14 74:5 91:21 93:15 109:19 140:5,11 142:4,10,17,18 155:15 research 123:18 reserve 23:24 32:10 reserved 25:8 reserving 33:2 reshare 73:16 89:20 residential 53:10 87:5,8 97:23 105:10 residents 83:18 resolved 51:14 151:15 153:10 resolving 31:9 resources 128:4 respect 31:16 52:13 155:1 respectively 113:13 respects 30:7 respond 31:21 121:21 122:11 129:8 130:4 responded 117:8 Respondent 18:7 responds 115:24 response 28:9 29:9 36:8 96:22 114:6 114:9 115:1,9,17 117:5,8,23 118:1 118:16 responses 37:13 responsibility 134:3 responsible 59:23	85:6 responsive 151:21 rest 65:2 66:5 88:13 result 31:14 38:20 47:3 53:4 96:13 130:24 142:13 resulted 154:9 results 43:24 resume 66:2 139:20 return 114:14 returning 66:13 89:3 98:11 review 52:19 96:13 96:14 106:10 107:10 111:1 117:20 120:21 137:2 reviewed 97:1,1 107:3 110:24 127:22 128:5,8 131:14,16 133:21 reviewing 37:2 126:20 revised 25:22 right 23:8 25:15 26:1 27:10 29:4 29:21 30:16 31:20 32:20 34:19 36:16 36:21 37:6,8,10 37:24 38:13 39:8 39:11 40:25 41:3 43:6 44:17 51:25 54:15,22 55:3 56:9 57:9 62:8,19 62:23 64:15 65:23 66:8,18,24 69:8 69:22 70:10 71:17 73:7,9,11 76:20 76:25 77:22 78:9 79:9,20,22 80:15 80:16 81:23 85:2 85:4 86:14,18,21 88:11 89:1,6,11 89:16,21,23 90:6	90:9 94:13 95:3 97:12 98:1,5,14 98:20 99:17 101:23 102:23,24 103:20 104:23 108:16 111:13 112:15,19 113:21 114:4 119:10 120:8,12,14,15 124:2 125:12,18 125:21 126:1 127:19,20 132:22 133:14,15,24 136:8,18 138:22 139:18 141:19 143:23 145:5 148:20 155:20 156:8 risk 154:14 Road 22:17,22 23:1 role 25:2 rolling 52:8 rollout 51:7 113:14 room 55:17 142:19 144:14 row 64:2 135:6 rows 63:25 95:13 95:15 RPR 18:25 158:16 RTP 73:5 rule 53:11 95:24 116:16 129:24 136:10,21 138:8 154:24 157:1 ruled 121:16 rules 38:19 79:17 79:18 111:24 135:4 ruling 32:10 33:2 rulings 23:25 run 42:15,18 48:16 80:12 81:6 86:9 running 41:24 42:13,24 45:15 48:8,9	S	S 19:1 21:1,5 safe 149:1,4 safety 150:22 Sains 20:6 49:19 59:16,21 63:6 65:3,25 66:14,21 67:5 69:16 75:3 75:23 76:17 80:9 84:24,25 85:9,18 85:20 87:1 88:12 89:22 90:8 145:19 146:7 151:10 Sains' 96:18 SAP 36:10,14 37:22 38:10 49:10 49:20 60:2 68:13 70:22,24 71:6,19 71:22 72:6,19,23 73:23 74:4,5,8,16 75:16,19,20 76:11 80:5 90:11,15 91:17 92:19 93:8 93:11 94:6,7,18 94:18 96:17,20,22 97:3,6 141:24 142:11 146:6 SAP's 93:2 saw 70:17 107:4 137:19 138:4 saying 36:7 40:6 64:21 66:15 105:24 106:13 107:21 129:19 141:25,25 142:3 154:20 says 36:17 61:3 70:21 77:22 79:10 79:19 90:8,15 94:5 104:2 131:1 135:11 SBH 116:22 SBH-1 103:19 SBH-10X 116:21 116:23 117:4,23 118:1	SBH-11X 119:5 SBH-1CT 101:23 SBH-4 48:5 SBH-7T 113:4 114:14 SBH-8X 113:17 114:5 SBH-9X 114:23,25 115:23 scale 38:6 124:21 scenario 33:22 40:11 77:24 111:21 schedule 51:11 53:9 119:20 152:5 152:7 157:4 scheduled 113:14 scope 31:7 scratch 34:7 screen 35:2 60:19 61:25 62:8 63:12 67:10 75:5 76:13 86:19 89:20,22 90:1 111:9 screens 86:22 script 124:6 scroll 133:3 scrolling 134:7 se 30:6 seal 48:13 158:12 sealed 48:21 sealing 48:11 Seattle 19:16 sec 35:2 73:16 second 43:14 59:7 63:14,24 95:11 101:1 117:24 118:2,5,8 149:25 seconds 55:19 156:21 section 118:17 sector 114:11 security 26:14 see 28:2 29:1 30:20 32:16 34:13,13 37:3,6 38:14 39:6
--	--	--	----------	---	--

39:18 60:16 61:7 61:11,25 62:8 63:7 69:6 70:16 70:17 72:4 73:17 77:11 79:14 80:18 80:21,23 85:14 86:2,2 89:5,5 93:1 95:18,23 96:6 98:12 101:16 103:2 106:2,4 125:17 129:14 132:14 134:12 138:3 146:19 seeing 63:2 76:21 83:5 90:1 129:24 135:17 seeks 32:15 seen 134:3 seized 115:24 send 46:8,23 47:14 47:23 56:23 116:11,16 133:5 sending 100:5 115:18 116:5 147:21 sense 30:3 40:19 42:4 43:15,21 44:8 98:5 sent 57:21,23 76:11 133:8 148:8 152:12 sentence 26:6 separate 41:21 54:10 72:2,10 90:17,18 122:15 136:25 154:23 September 119:21 serious 150:19 seriously 153:12 serve 153:12 served 59:12 service 31:13 36:1 40:18 44:9 47:17 48:19 52:7 53:23 91:8 100:11 102:11 106:19	107:3,11,15 108:12 118:11,19 130:23 134:2 137:5 149:2,4,5 150:23 153:12,14 set 45:3 48:16 108:1 114:9 129:7 129:8 158:11 setting 62:5 settled 121:16 seven 79:23 129:3 138:3 seventh 137:6 138:11 shaded 26:6 share 35:2 60:19 62:9,13 67:10 75:4 76:13 90:13 111:5,9 shared 92:20 103:2 Shari 20:19 sharing 61:25 63:12,13 69:2 75:5,6 86:19 90:1 Sheetrock 48:13 Sheri 23:7,14 24:12 125:14,23 shift 47:16 shock 151:6 short 33:9 34:21 65:8 121:3,5 139:8 143:25 shorter 42:6 92:16 shortly 43:21 show 37:15 39:6 43:3 45:7,10 48:7 49:19,23 50:3,11 140:4 144:14 146:11,21 153:19 showed 39:12 40:13 71:24 showers 104:15 showing 41:22 62:17,18 78:4 95:23 102:1 103:23 130:19	shown 48:2 50:8,9 shows 37:20 39:12 44:24 45:7 48:17 96:5 151:17 sick 100:14 121:2 side 28:21,22 42:20 60:1 108:15 138:10 141:17 142:24 sides 28:15 34:12 78:5 similar 22:19 32:18 43:10 53:19 91:17 127:17 144:20,21 simply 26:24 144:22 single 134:17 single-story 44:12 site 64:9 132:11,17 situation 42:14,21 107:18 153:20 situations 106:25 six 129:3 135:14 137:13,14 size 144:22 skill 158:10 slightly 127:9 134:22 slow 69:11 132:9 small 154:21 smart 35:22 36:1,6 37:2 40:6 52:9 70:21,23 78:7 91:4,8 140:12,13 social 26:13 software 34:19 36:21 70:17 142:11 solution 51:3 70:22 70:23 152:3 solve 52:15 solved 47:9 somebody 133:1 soon 55:17 86:23 sorry 24:4 25:13,21 32:8 37:6 55:6	56:1,4 62:11 69:24 82:11 83:1 86:20 88:14 90:3 94:22 95:14 110:1 116:3,22 117:24 120:11 121:4 122:10 124:4,4 126:25 128:13 131:17 135:17 136:4,5,14 137:7 142:22 154:25 156:16 sort 94:1 146:4 149:19 sound 18:6 19:4 22:10,16 23:6 44:22 103:15 114:5 115:1,4,10 117:4 144:25 153:11 Sounds 55:20 source 61:17 78:7 83:8,21 102:1,3 103:23 140:14 144:22 sources 105:22 127:18 142:6,19 speak 76:9,10 79:2 80:6 97:3 107:7 speaker 142:5 speaking 24:25,25 25:2 124:20 144:17 speaks 137:11,15 specialize 126:17 specific 28:14 29:2 29:3 31:13 32:17 32:19 36:11 37:22 39:8 40:16 50:1 51:16 58:6 60:10 68:15 74:2 75:3,7 75:12 94:1,6 96:16 102:12 103:7 107:14 111:24 129:23 140:11 144:10	148:15 153:4,9 specifically 28:19 29:13 32:23 41:14 97:3 107:25 144:4 specification 67:12 specifications 28:25 36:9,10,25 37:6,8,10 40:5 105:21 specifics 52:24 specify 95:6 111:23 spend 128:23 spent 42:25 spit 87:23 spoke 128:7 spot 137:7 spread 105:3 square 48:20 Stacey 20:12 49:25 80:7,7 95:7 98:4 98:12,17 145:21 staff 19:8 23:9,12 24:12,13 30:17,17 50:19 51:19 53:6 53:13,20 54:4,13 97:1 122:18 126:20 127:4,24 129:9 131:3 138:24 147:11 151:24,24 152:18 154:24 155:8 Staff's 125:14 138:18 staffing 129:2 stages 36:16 standard 69:14 71:4,10,11 93:2,7 93:11 94:1 stands 29:19 71:3 141:6 Starkey 19:5 20:5,8 20:11,15,17 21:9 21:13 23:5,5 27:19 29:8,10 30:14 31:22 44:19 44:21 55:6,16,19
---	---	--	--	---

58:16 61:22 65:5 65:7,10,21 69:1 69:10,15,20,25 70:4,7 74:13,18 84:5 86:15,16,25 88:9 91:23 93:17 96:7,9 97:14,18 97:24 101:5 102:9 108:18 110:2 112:17 113:25 119:12,15 120:6 120:23,25 121:20 121:22,23 122:21 122:25 123:1,2 124:1 145:8 156:14,18,21 start 22:11 23:21 33:17,19 34:5,6 45:24 93:4 99:4 99:18 117:25 133:17 141:13 145:9 147:6 156:22 started 108:2 143:16 starting 41:24 61:9 92:8 135:10 starts 132:20 145:23 state 42:20 82:5 95:15 104:7,9 113:11 114:17 118:17 158:3,7 stated 59:23 61:14 63:17 73:15 90:25 91:1 102:4,22,23 103:20 108:7 121:15 123:17 statement 21:6,7,8 21:9,10 33:9,13 33:17 41:4 42:6 43:5,8,9 44:16,20 52:3 57:18 68:25 70:1 78:14 81:1,4 86:4 89:25 102:21 103:8 104:20	139:4 140:1 150:14 statements 24:3,20 24:20 28:21 33:8 79:7 80:6 139:21 155:21 states 37:10 72:6 73:11,25 95:24 102:11 138:8 statewide 85:21 stating 40:8 42:25 79:24 96:12 101:23 statistical 82:5 status 36:1 91:8 130:18,20 statutory 52:4 Stay 115:11,11,19 115:19 step 101:3 127:21 142:2 steps 38:2 45:12 90:7 106:24 117:21 stipulate 26:24 stop 63:11,13 86:19 stopped 114:17 137:25 stored 76:10 stores 37:24 story 142:8 stove 43:19 stoves 83:19 Street 19:6 stress 145:3 structure 126:7 struggle 47:1 struggling 142:14 143:9 studying 143:17 stumbling 117:25 136:25 subcontractors 48:23 subject 34:10 55:11 59:1 72:10 73:21	74:1 90:17 92:21 94:6 101:11 122:15 submission 29:14 54:4 70:3 submit 27:25 57:6 submitted 28:7 29:14,20 69:3 157:5 subsection 115:10 115:23 117:8,24 118:2 substantiate 43:3 substantiated 43:2 subtract 93:5 subtracting 35:18 146:24 sudden 154:13 sufficient 53:25 Suite 19:15 sum 77:15 78:17 86:2 summaries 79:7 summarize 140:3 summarized 140:15 summary 37:18,19 60:24 61:12 62:18 62:25 76:5,16 77:17 132:15 support 34:12 67:8 129:12 143:1 supporting 106:1 107:16 129:15,16 supports 67:14 supposed 39:1,3 40:17 74:5 91:15 129:8 sure 46:13 60:3,7 60:13 63:2 69:2 70:2 74:7 76:2,19 102:3,19 111:8 113:8,22 116:8,23 117:2 124:9 130:20 132:7 133:11 147:22	149:18 153:13,14 surprised 154:13 swear 24:9 54:23 56:2 66:19 89:6 98:15 120:15 125:21 switch 57:1 64:4 switched 58:12 sworn 54:25 56:6 66:21 89:8 98:17 120:17 125:23 synchronization 71:4 141:7 synchronize 141:15 synchronized 140:16 syncing 82:11 system 36:20 37:24 48:9,16,18 49:5 49:20,23 50:16 59:8,9 61:4 67:8 71:6,7 72:1,14,15 72:23 75:11 76:10 76:11 77:21 78:9 90:12 91:22 92:20 93:15 94:7 118:24 121:14 126:22 140:6,8 141:14 142:10,16 143:8 143:17 144:15,24 151:17 system's 107:13 system-generated 117:15 systemic 50:8 systems 44:1 70:24 71:13 72:1 85:8 105:22 systemwide 124:16	109:10,12 113:8 129:4 134:13,14 139:8 143:10 taken 18:24 45:12 52:14 66:10 76:14 88:24 98:8 106:24 117:21 123:24 139:16 148:19 takes 49:11 140:25 153:11 talk 73:12 80:7 132:21 talking 59:3 61:19 63:23 64:5 68:8,9 68:12 79:22 82:24 84:20 95:2 102:20 102:21 108:17 124:23 126:23 141:4 154:17 talks 107:24 Tam 20:16 30:25 53:20 120:10,12 120:17 121:1,6 123:3 124:2,15 125:13 131:15 154:6 Tam's 53:18 131:22 132:12 135:9,19 tanks 144:11 tape 140:11 tariff 46:9 53:10 team 99:8,9 117:19 126:14 technical 25:5,8 28:7 34:16 59:1 69:14 75:2 105:21 127:20 technician 47:24 57:11 58:7 63:19 technicians 152:12 tell 106:5,9 127:14 132:1 142:8 temp 41:21 42:13 temperature 42:16 temperatures
--	--	--	--	--

104:13 temporary 108:9 ten 24:3 33:10 34:20 40:21 53:6 53:13 55:19 100:16,17 ten-minute 66:2 term 106:8 terms 28:10 56:24 territory 48:20 100:11 102:12 105:4 Teslas 44:11,12 test 47:24 96:4,4 109:8,10,13,16,18 144:13 tested 47:24 82:2 100:15 107:6,6 109:18 147:20 tester 109:11 testified 56:6 66:21 89:8 98:17 115:17 120:17 125:23 154:6 testify 75:19 109:4 testifying 58:18 62:5 74:19 84:6 91:24 102:18 108:20 testimonies 68:17 68:20 70:13,16 91:1 99:15 105:20 140:4 142:8 143:3 testimony 25:16,19 26:2,25 27:2 29:15,18,25 31:17 31:23 32:25 34:23 41:12 43:12 44:24 45:6 50:11 53:18 59:22 63:8 66:4 68:18 69:12 84:9 84:14 85:5,16 88:12 89:17,19 94:24 95:13 96:12 96:18 98:2 102:10 102:10,15 103:14	104:1,21 108:7,16 109:2,14,15 112:3 112:11 113:4 114:14 120:9 124:3 125:13 131:15,17,22 132:12,16,19 135:10,19 138:23 145:18,19,20,20 149:13 150:4 151:9,17 testing 82:3 tests 43:24 53:9 thank 22:18,23 23:3,5,8,10,14,15 23:20 26:19 27:10 27:13,17,23 30:23 33:14 40:20,20,25 41:5 43:5,6 44:17 44:19 51:24,25 54:14,15,21 55:3 56:9 57:3 64:18 65:1,21,23 66:4,7 66:24 70:10 75:22 78:21 82:21 86:11 86:13,14,21 88:9 88:11,20 89:11 90:4 94:20 95:10 97:7,11,15,24 98:2,20 100:25 106:15 111:4,13 112:13,14,18,21 113:21,22 114:4 116:20 117:3 119:8,9,13 120:6 120:8,20,23 121:3 122:19 123:1 124:1,2 125:10,12 125:13 126:1 128:17 131:5,7,11 132:22 133:6,9 136:3 138:16,21 138:22,25 139:23 143:20,21 145:4,5 145:8 154:1,2,4 155:18,20 156:9	157:12 thanking 156:24 theory 45:4,11 49:3 49:7,10,13 105:12 105:18,19,20,24 105:25 106:14 thing 34:22 39:15 58:3 68:23 141:3 143:20 things 28:4 30:8 34:5 45:7 57:2 108:15 132:9 think 26:15 32:5,8 33:23 34:15 36:25 37:1 39:20 57:24 65:24 69:15 83:9 90:24 92:5 94:2 97:9 99:15 101:7 102:14 103:10,14 105:19 106:6 108:23 109:14 110:4 111:25 112:12,12 121:25 124:14 128:23 130:5 155:25,25 thinks 34:15,16 Thomas 18:3,11 19:3,19 22:9,21 thought 33:16 34:6 40:12 101:19 107:18 111:7 thoughts 144:3 threaten 150:22 three 22:12 25:21 44:25 45:7,12,18 45:22 52:6 86:16 86:22 134:21 136:25 137:4 138:1,5,9 153:9 154:17 three-month 47:19 tied 50:15,25 153:5 time 22:4 24:14 34:8 38:11 39:5 39:17,19,24,24 40:2 41:2 52:24	53:12,22 61:9 65:24 67:11,16,17 67:20 68:7,9 72:18 73:24 74:17 75:17 77:3,8,9 82:17 85:12 92:13 94:10 95:5,6 99:3 99:7 107:10 109:12 113:8,13 114:15 118:17 120:3 122:21 128:18,22 129:7 134:14 137:24 139:11 143:6 156:5 time-based 73:22 timeline 129:9 timely 53:8 115:5 125:1 157:7,9 times 38:25 95:22 96:3 today 22:7 23:22 25:3,12 33:4 44:21 55:11 66:5 88:12 113:1 120:9 124:3 128:21 138:24 139:6 143:2 154:25 156:7 157:3,6 togglng 25:4 told 44:9 85:9 124:10 141:11 toll 143:18 Tom 43:13 tool 71:4,5,17 128:2 tools 57:13 58:6 95:17 96:20 top 156:22 topic 85:23,23 101:9 total 35:13 76:23 76:24 80:22 88:3 88:3,6 totality 150:10 153:16	totals 61:3,8 track 77:22 tracking 88:2 trailer 83:8,20 trailers 83:13 transcript 158:8 transfer 58:11 94:11 transfers 46:3 transition 51:9 121:7 123:6 transitioning 152:22 transmit 35:12 transmits 56:17 transmitted 94:18 94:18 transparency 61:4 transpired 52:22 TRANSPORTA... 18:1 treat 30:7 33:18 tremendous 154:16 tried 41:1 44:7 78:3 79:14 true 121:6 123:5,14 158:9 true-up 46:17,24 47:5,7 100:22 137:15,20 138:5 151:4 truly 33:25 truth 61:17 try 34:20 75:2 76:7 76:12 92:11,16,17 151:18 trying 34:10,13,13 43:14 74:10 77:25 82:23 84:22 85:1 86:22 112:7 130:11 132:16 133:2 137:7 140:4 156:16 Tuesday 22:4 turn 22:13 24:6 25:15 26:22 27:3
--	--	---	---	--

<p>27:18 30:17,20 33:7,12 44:18 45:20 54:16,20 98:3 109:4 113:3 113:17 114:13,22 116:21 139:21 145:6 154:2 two 24:18 39:17 45:10 61:22 62:3 65:7 67:16 68:6 71:13 85:8 87:19 87:20 88:5 92:18 97:14 100:9,9,12 119:12,19,24 121:23 122:2 141:5 146:25 147:3 148:3 152:17 153:4 two-way 36:6 56:21 57:15 127:6 type 67:13 109:23 117:16 126:9,11 126:13 129:2 130:23 140:12 144:22 151:18 types 96:25 100:7 typical 119:25 typically 120:4 150:13 152:6</p> <hr/> <p style="text-align: center;">U</p> <p>U.S 73:19 91:1 UE-190529 31:5 UE-220701 18:4 22:7 UG-190530 31:5 ultimate 86:3 ultimately 44:23 45:23 47:15 51:2 51:14,23 145:10 145:22 147:23 unbilled 138:6 uncalculated 38:24 unclear 97:2 147:16 underbilled 135:14</p>	<p>137:12,13 underestimated 100:23 underlying 45:9,11 understand 26:1 52:22 53:15 58:9 59:1 71:14 74:10 77:25 84:22 99:21 99:21 101:14 113:23 119:6 136:15 145:1 understandable 24:5 understanding 68:24 94:16 116:9 116:10 123:11 127:7,10 understood 85:16 unfilter 80:15 Unfortunately 38:23 59:14,20 unification 71:3 141:7 unique 45:3 unit 36:24 49:9 65:18 88:6 123:9 unknown 154:8 unlikelihood 51:17 unlimited 142:6 unnecessary 51:21 unoccupied 42:23 unreliable 48:22 unsatisfied 53:4 upgrade 51:5 upheld 130:19,25 131:1 usage 35:10,14,15 37:21 46:22,24 47:23 48:3,17 49:15 52:11 62:25 63:20 64:15 75:24 76:25,25 77:11,20 77:23 78:10,16 82:25 83:12 85:21 86:4 87:20 88:5 100:24 102:5</p>	<p>104:8,14 105:13 105:13 107:3,12 107:13 109:21 110:21,21 111:3 116:19 117:22 118:13 127:8 137:4,12,16,20,22 138:5,6,8 144:10 146:3 148:16,21 use 25:1,3 27:25 28:1,19 29:2,7 38:15 39:2,17 47:1 49:2 67:16 67:18,20 68:7,9 71:2 72:18 73:18 74:3,7,15,22 75:13,13 83:18,19 87:5,7,10,17 89:23 90:8,20,22 93:4 94:4,9 95:16 97:20,22 106:6 108:7,8,11 142:1 143:6,13 144:18 146:13,14 150:25 153:15 uses 49:7 93:2 USN 95:24 usually 119:25 120:2 UTC 82:23 83:2 utilities 18:1 91:9 104:6 121:12 utility 36:2 70:24 94:8 115:14 140:7 utility's 52:10 utilize 93:7 144:12 utilizing 93:1</p> <hr/> <p style="text-align: center;">V</p> <p>v 18:5 validate 81:8 validation 78:4 80:9 81:4,9,16,23 84:2 86:5 95:16 96:20 97:5 101:1 101:12 141:2,18</p>	<p>141:19 validations 97:4 valuation 154:25 value 37:21 80:19 140:23 values 36:22 38:7,7 62:23 75:24 77:13 78:1,9,18 81:17 141:2 varies 104:10 variety 151:12 various 53:1 vast 91:25 VEE 59:18,20 79:3 79:6 80:9,12 81:6 81:7,12 84:2 86:9 141:18 vendor 120:4 verbally 75:6 verified 109:19 verify 61:16 version 26:8 28:8 versus 22:10 57:15 58:11 Victoria 18:3 19:20 22:9,25 video 25:1,3 98:13 133:12 videoconference 18:9 158:8 view 52:18 violate 151:11 violated 155:14 violation 50:23 134:19 135:13 136:9,20 147:17 150:19 151:11 152:15 violations 32:7 51:20 53:6,8,14 53:17,18,19,20 54:3,6 122:17 129:23 130:1,8,13 132:13,21 133:25 135:5 136:16 137:9 138:18</p>	<p>147:1,11 148:3 149:8 150:20 151:8 152:2,18,19 152:20,23 153:3 153:24 154:24 155:1,3,8 voice 24:4 88:15 120:11 voltage 35:25 91:7</p> <hr/> <p style="text-align: center;">W</p> <p>WAC 46:8 50:14 109:19 116:16 134:19 135:13 148:14,17,23,23 148:25 149:5 151:11 152:15 155:2,4,4,5 WACs 148:3 wait 97:15 waited 147:21 waiting 51:12 walking 55:16 walls 108:6 want 23:21,25 24:23 35:5 58:21 58:22 63:11 74:22 87:22 113:22 116:8 128:14 142:16 143:12,13 145:9 147:15 148:3 155:22 157:9 wanted 25:24 26:20 29:2 39:5 60:4,25 62:2 76:3,12 77:21 80:21 82:10 83:17 89:17 90:13 95:12 99:20 105:17 111:5 138:17 139:25 140:3 141:8 156:4 wants 152:19 warranted 138:15 warranting 52:18 washing 104:16</p>
---	--	--	--	--

<p>Washington 18:1 19:6,11,16 22:22 23:2 82:5,25 104:7,9 158:3,7 wasn't 57:23 72:18 102:20 116:13 124:9 138:8,12 143:2,19 148:10 148:11 waste 85:12 water 104:15 105:6 105:7 144:11 watts 40:10 way 33:24 34:24 37:1 46:17 49:16 73:5 96:20 127:11 143:19 ways 107:9 124:25 we'll 23:23 24:6,9 24:11,16 32:16 33:7,7,8 47:16 88:22 114:15 133:7 134:13 we're 22:6 23:13 41:9,11 43:11,13 43:22 44:7 61:19 66:12 72:16 79:22 81:14,14 88:2 89:3,15 98:4,11 105:14 122:13 124:23 130:7,11 139:20 143:9 156:14 we've 44:7,9,10 130:5,5 weather 83:14,16 website 36:14 71:22 83:2 127:9 week 25:17 weigh 151:22 153:2 weighs 150:10 weight 106:9,10 121:25 122:22 147:19 went 53:12,22 81:3 82:2 86:4 99:7</p>	<p>124:6 145:16 147:20 weren't 118:13 west 42:20 WHEREOF 158:11 wide 124:21 151:12 widespread 153:7 wife 156:2 wild 123:12 willing 33:25 windows 42:18 48:22 144:10 winter 41:25 43:19 wired 107:22 withdrawing 69:25 with 151:24 witness 23:14 24:12,14 32:12 54:18 55:2,5,14 55:22 56:8 59:14 60:16 64:22,25 65:25 66:7,14,16 66:23 67:1 84:17 84:19 85:11 88:14 88:15 89:4,10 92:13 98:3,12,19 101:9,14 103:14 108:23 110:8,11 112:14,20 119:9 120:10,13,19,22 125:14,19,25 131:7,16,24 132:6 132:25 133:6,9,15 133:19,23 134:2 134:15,21,25 135:3,17,21,23 136:3,5,12,22,24 138:14,25 158:11 witness's 69:12 witnesses 24:7,11 28:3 49:13 50:3 54:17 62:1 67:6 85:18 106:5 139:3 142:22 156:9 wonder 143:9</p>	<p>144:19 wondering 69:13 103:1 wood 43:18 wooden 83:19 word 103:15 106:6 words 85:8 117:25 work 33:19,19 34:9 65:13 79:18 100:7 100:10 114:18 117:15 140:18 144:15 worked 117:17,18 workers 115:14 workforce 100:17 115:15 working 28:13 33:23 53:24 72:15 115:24 128:22 141:13 142:13 148:5,6,8 151:13 153:20 155:6 works 111:21 146:18 wrong 34:2,11 80:16 107:12 116:13 144:24</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p>X 20:1 21:1</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>yeah 26:17 27:8 43:10 60:11 69:15 82:8 95:15 97:9 103:17 109:6,12 109:12 111:5 124:5 128:10 year 34:9 43:19 44:2,5 83:6 134:18 135:13 143:16 155:7 years 52:10 137:14 yep 97:15</p> <hr/> <p style="text-align: center;">Z</p> <hr/>	<p>zero 37:19 39:12 44:12 ZIP 114:11 Zoom 19:2,4,8,13 19:18 24:24 25:7 98:6</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>1 35:7 1,000 104:25 105:1 105:10 146:20,22 1,552 146:20 1,600 149:18 1,900 76:25 1:51 139:16 1:56 139:16 10 76:24 154:7 10- 66:1 10-15 95:13 10:38 66:10 10:48 66:3 10:50 66:10 108 80:2 111:21 108,000 61:9 108.71 79:16 10885 19:6 10th 25:22 30:4 10X 116:24 11 113:5,11 135:9 135:10,20,22 11:29 88:24 11:36 88:24 11:53 98:8 112 20:14 118,000 62:19 119 20:15 12 35:21 53:16 96:22 99:25 12-21 95:15 12:30 156:1 12:45 98:8 12:46 98:11 120 20:17 124 20:18</p>	<p>126 20:20 12X 119:5 13 118:3 135:21 1340 22:22 139 21:11 13X 119:5 14 18:13,24 22:1 64:2 135:10,20,22 144 21:12 145 21:13 14th 22:4 15 38:6 91:6 95:13 95:15 96:21 117:10 125:16 139:5 15- 35:24 73:20 15-minute 35:12 66:1 91:19 94:13 140:13 15,000 47:21 95:20 154 21:14 1550 22:16 16 95:1 16th 76:24 17 95:1 172,000 61:11 174,000 62:17 18 118:5 151:6 18-158 18:10 19 76:25 95:22 96:2 115:5 1H-1T 63:9</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2 101:22 103:19 115:14,22 117:23 118:1,16 2,100 87:24 2,552 146:21 2,700 83:7,9,22 2,900 78:10 2:24 157:13 20 109:22 200 43:20 101:25 102:6,25 103:22 104:5 105:14</p>
---	---	---	--	--

<p>2000 19:15 2017 141:10,13 2018 18:25 158:16 2019 31:4,9 51:8 121:6,10 123:5,7 123:14 2020 31:9 61:9 99:7 99:12,13,14,18 2021 47:18 48:8 111:17 113:13 114:10,12 117:10 118:3,6 123:10 135:11 2022 47:21 48:14 76:24 79:22 80:2 140:21 2023 18:13,24 22:1 61:9 158:12 2029 76:24 206.464.6595 19:16 209 62:18 209,000 61:13 62:18 21 87:14 96:22 22 54:3 23 99:7 117:6 24 53:10 99:12 240 41:17 24th 30:1 250 101:25 102:6 102:25 103:22 104:5,24 105:11 105:14 28th 158:12 29 77:1 135:11</p> <hr/> <p style="text-align: center;">3</p> <p>30 91:6 109:22 141:10 30- 35:24 73:20 31 99:13,14 32,000 80:24 81:3 83:5,25 33 21:3,6 36 115:2 360 41:17</p>	<p>360.915.4521 19:11 37 59:12 374 29:1</p> <hr/> <p style="text-align: center;">4</p> <p>4 41:8,14 108:3 4,000 42:25 48:20 4,403.92 42:3 40- 61:20 40,000 62:24 400 42:1 41 21:7 41C 62:13,15 76:14 80:14 42 27:20 28:1,23 29:12,16 425.635.1458 19:7 43 21:8 44 21:9 45 27:20 28:1 29:12 29:22 30:11 33:1 45-minute 98:6 47250 19:10 480-100-133 155:5 480-100-148 134:3 480-100-148(2)(c) 148:24 155:5 480-100-178 46:9 480-100-178(1)(i)... 134:19 155:4 480-100-178(5)(a) 135:13 137:11 155:2 480-100-178(8) 137:15 480-100-333 148:14 480-plus 41:15</p> <hr/> <p style="text-align: center;">5</p> <p>5 91:6 123:19 137:18 5- 35:24 73:20 50,000 61:20 52 21:10 55 24:18</p>	<p>56 20:4</p> <hr/> <p style="text-align: center;">6</p> <p>6 36:14 63:8,23 64:2 69:6,19 113:5 114:15 6- 43:17 60 91:7 157:2 60-minute 35:24 73:20 600 103:6 65 20:5 48:17 108:5 67 20:7 6th 72:4</p> <hr/> <p style="text-align: center;">7</p> <p>7 114:6,15 700 43:18 7th 134:8</p> <hr/> <p style="text-align: center;">8</p> <p>8 31:9 64:1 113:18 113:19 132:20,23 133:17,18 135:2,9 135:18,19,21,22 8,000 47:22 8,300 77:3 78:11 80.04.110 54:10 80.04.380 54:9 800 19:15 843 83:4 86 20:8 89 20:10 8th 28:6 8X 113:19</p> <hr/> <p style="text-align: center;">9</p> <p>9 113:5,11 114:15 9:30 18:14 22:2,5 90 83:18 97 20:11 971 23:1 98 20:13 98004 19:6 98104 19:16 98504 19:11 9C 82:10</p>	<p>9th 132:5</p>
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