

DOCKETED

Docket Number:	07-AFC-06C
Project Title:	Carlsbad Energy Center - Compliance
TN #:	203704
Document Title:	Transcript of the February 4, 2015 Status Conference
Description:	N/A
Filer:	Cody Goldthrite
Organization:	Energy Commission Hearing Office
Submitter Role:	Committee
Submission Date:	2/18/2015 8:15:32 AM
Docketed Date:	2/18/2015

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT

COMMISSION OF THE STATE OF CALIFORNIA

In the matter of:) Docket No. 07-AFC-06C
)
Carlsbad Energy Center)
Amendments)

COMMITTEE STATUS CONFERENCE

CALIFORNIA ENERGY COMMISSION
HEARING ROOM A
1516 NINTH STREET
SACRAMENTO, CALIFORNIA

WEDNESDAY, FEBRUARY 4, 2015
2:00 P.M.

Reported by:
Kent Odell

APPEARANCES

Committee:

Commissioner Karen Douglas, Presiding Member
Commissioner Andrew McAllister, Associate Member
Paul Kramer, Hearing Officer
Jennifer Nelson, Adviser to Commission Douglas
Christine Stora, Adviser to Commission Douglas
Eileen Allen, Commissioners' Technical Advisor on
Siting matters

Parties:

Applicant - George Piantka, John McKinsey

CEC Staff - Jon Hilliard, Kerry Willis, Dick Ratliff, Will Walters,
Matt Braun

Intervenors - Power of Vision - Julie Baker & Arnold Roe, Ph.D.
- Robert (Bob) Sarvey

Others:

City of Carlsbad -Robert Therkelsen, Consultant

Public Adviser - Alana Mathews

I N D E X

	Page
Meeting Agenda	
1. Call to Order: Introductions	4
2. Hearing on Any Pending Motions	6
3. Committee Conference	7
a. Case progress and schedule, including choosing Prehearing Conference and Evidentiary Hearing Dates	
b. Parties identify issues of likely concern and provide preliminary estimates of hearing time required	
c. Review whether the scope of any party's intervention should be expanded or reduced	
d. Schedule next Status Conference	
4. Public Comment	20
5. Closed Session	N/A
Adjournment	23
Reporter's Certificate	24
Transcriber's Certificate	25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

FEBRUARY 4, 2015 2:05 p.m.

COMMISSIONER DOUGLAS: All right, good afternoon everyone. Welcome to the Energy Commission. This is a Status Conference, a Committee Status Conference on the Carlsbad Energy Center Amendments.

My name is Karen Douglas, I'm the Presiding Member on this Committee, and my colleague, Andrew McAllister, who will be sitting to the left of Hearing Advisor Kramer, is the Associate Member. To my left is the Hearing Office, Paul Kramer, to his far left down the dais is Eileen Allen, she's the Technical Advisor to the Commissioners on Siting. To my immediately right, Christine Stora, and to her right, Jennifer Nelson, my Advisor.

So with that, let me see if the parties could introduce themselves, starting with the Applicant.

MR. MCKINSEY: Good afternoon. John McKinsey with Locke-Lord, for the Project Owner, Carlsbad Energy Center, LLC, and also with me is George Piantka from NRG, representing the Project Owner, as well.

COMMISSIONER DOUGLAS: All right, thank you.

1 And staff?

2 MS. WILLIS: Good afternoon, Kerry Willis,
3 Staff Counsel. With me is Dick Ratliff, Staff
4 Counsel, and Jon Hilliard, a Project Manager.

5 COMMISSIONER DOUGLAS: Great, thank you.
6 Let's go now through the Interveners. Is anyone on
7 the phone from Terramar Association? Okay, we didn't
8 think they were going to be on, we're just checking.
9 Power of Vision, are you on?

10 MS. BAKER: This is Julie Baker.

11 COMMISSIONER DOUGLAS: Great.

12 DR. ROE: And this is Arnie Roe.

13 COMMISSIONER DOUGLAS: Great. Thank you for
14 joining. Rob Simpson, are you on the phone? Or
15 David Zizmor? All right. What about Intervener
16 Robert Sarvey? Okay.

17 HEARING OFFICER KRAMER: He was here.

18 COMMISSIONER DOUGLAS: Oh, his name is up
19 here.

20 HEARING OFFICER KRAMER: Yeah, he was up
21 here a minute ago, so maybe he stepped away from his
22 phone.

23 COMMISSIONER DOUGLAS: Okay, well, his name
24 is up here and we'll check in with him later. We've
25 just been joined by Commissioner McAllister.

1 MR. SARVEY: Yeah, I'm here. This is Bob
2 Sarvey.

3 COMMISSIONER DOUGLAS: Oh, fantastic, all
4 right. Thank you.

5 MR. SARVEY: Thank you.

6 COMMISSIONER DOUGLAS: All right, City of
7 Carlsbad?

8 MR. THERKELSEN: Bob Therkelsen representing
9 the City of Carlsbad.

10 COMMISSIONER DOUGLAS: All right, thank you.
11 Public Advisor is here, Alana Matthews. Is anyone on
12 the phone or in the room from the California
13 Independent System Operator? Or the San Diego Air
14 Pollution Control District? Steven Moore? No?
15 Okay. Anyone here or on the phone from the Coastal
16 Commission or any other state, local, federal
17 government agency, or a Native American government?

18 All right. So with that, I'll turn this
19 over to the Hearing Advisor.

20 HEARING OFFICER KRAMER: Thank you. The
21 first item on the agenda was hearings on pending
22 motions, but there are none, so let's move on to the
23 Committee Conference portion where we're going to
24 discuss the case progress and schedule and possibly
25 including choosing pre-hearing conference and

1 evidentiary hearing dates.

2 So by way of quick review, the Final Staff
3 Assessment is scheduled to be out on February 17th
4 according to the current schedule. And we put out
5 word about a week and a half ago that we had targeted
6 April 1st and April 2nd as dates for the Evidentiary
7 Hearings down in Carlsbad. We didn't change that in
8 the official schedule yet, but it was in the memo
9 that I put out about what we were expecting people to
10 talk about in their staff reports, etc.

11 So we were really hoping the Air District
12 would be with us, so maybe we'll come back to them if
13 they come in. Does anybody know what the status is
14 on the Final Determination of Compliance? Have any
15 more recent word from them than last time?

16 MR. HILLIARD: No. Actually Steven Moore
17 was supposed to be joining us today, I think he's
18 probably going to be phoning in shortly, if not. But
19 we haven't heard a status report yet on ETA for the
20 final determination.

21 HEARING OFFICER KRAMER: Did you just come
22 in, Mr. Moore?

23 MR. WALTERS: No, this is Will Walters. I
24 have updated information. Mr. Moore is actually home
25 sick today. He provided an email that just noted

1 that they are evaluating comments and they don't have
2 a specific date for publication of the FDOC right
3 now.

4 HEARING OFFICER KRAMER: Can you read
5 between the lines at all, if you're so bold?

6 MR. WALTERS: All I can do is hope that it's
7 done a day or two before the FSA date

8 HEARING OFFICER KRAMER: Okay, thank you.
9 Okay, any new word from the Coastal Commission?
10 Everyone is shaking their heads.

11 MR. RATLIFF: Not a peep.

12 HEARING OFFICER KRAMER: Okay. Although
13 she's not here, perhaps she'll read this in the
14 transcript or maybe Ms. Baker or Dr. Roe will tell
15 Ms. Siekmann that because, in her status report for
16 Terramar, she seems to imply perhaps that she's
17 expecting that we will not go forward with hearings
18 until we have heard from the Coastal Commission and
19 that is, in fact, not the Committee's intention, and
20 we do not feel that we are required by law to have a
21 report from them. So we welcome their input, but we
22 will be going forward, regardless. And she was also
23 hinting at the possibility that she would want to
24 make data requests should some kind of report from
25 the Commission come. Without seeing a particular

1 data request, we can't of course rule upon it, but I
2 think we can say it would be very unlikely that a
3 data request of an agency that's not a party at this
4 late stage in the proceedings would be allowed.

5 And then, let's see, how are we doing with
6 the cultural research? Are we going to be able to
7 have the final answer in the FSA? See the word
8 "push"?

9 MR. BRAUN: We got the work done and we
10 should -- Matt Braun with staff -- and we should be
11 expecting the report this afternoon, actually. So it
12 will be all included for the FSA.

13 HEARING OFFICER KRAMER: Okay, great. Mr.
14 Court Reporter, did you get his name?

15 MR. BRAUN: Braun, B-r-a-u-n.

16 HEARING OFFICER KRAMER: Thank you. Okay,
17 that sounds good, thank you.

18 And then finally, the staff filed a response
19 to what we can call the Committee's Comments on the
20 PSA, and asked us to confirm whether the approach to
21 both the reuse of the previous Environmental Analysis
22 and the Water Supply Analysis that they described in
23 their filing, which is TN20352, they asked if that
24 approach was what we were looking for and basically
25 the answer is yes. So, thank you.

1 And we did ask for this meeting that the
2 parties start to identify the issues of concern to
3 them and provide some estimates of the hearing time
4 required, and we thank you for that. I'll note that
5 Mr. Simpson failed to file any sort of status report,
6 which is, well, I think he knows from both the
7 admonitions this time and from the last time that
8 failing to file those reports can cause his
9 participation, especially in the hearings, to be
10 limited or perhaps even be eliminated. And I know
11 he's not here to hear that, but it is his obligation
12 to keep up with the news and the orders and the
13 requirements.

14 We also had a place on the agenda for
15 parties to discuss perhaps either expanding or
16 reducing the scope of their intervention, but in
17 order to do that we set a prerequisite that they give
18 us a heads up in their status reports that they
19 wanted to do so. And unless I missed something, I
20 did not see anything in any of the filings of the
21 parties, so I think we can skip beyond that portion
22 of the agenda.

23 And that brings us to a question. Do we
24 need another status conference before we go forward
25 to the stage of the prehearing conference and then

1 the evidentiary hearings? We're probably looking at
2 a prehearing conference based on the April hearing
3 date somewhere in the middle to latter part of March,
4 and so given that issues could come up, motions might
5 be filed, and that sort of thing, I'm inclined to at
6 least schedule the Conference in early March, maybe
7 about a month from today and, in fact, a month from
8 today, March 4 seemed to work good with the
9 Commissioner's schedule when I consulted their
10 Executive Assistants earlier today. And the idea
11 there is, if we do have something come up, we're
12 already noticed, we're ready to deal with it, rather
13 than having to scramble and, you know, find dates on
14 calendars that fill up, but we may also find that we
15 don't need the status conference. So what are the
16 thoughts of the parties on that question?

17 MR. MCKINSEY: I think the idea of a
18 tentative status conference, if for whatever reason
19 we have some issues that would prevent the proceeding
20 from moving on the schedule, that having one
21 scheduled would be good and the Committee could give
22 notice at some point prior to it, whether it was
23 going to actually be used or not.

24 HEARING OFFICER KRAMER: Anyone else?

25 MS. WILLIS: Staff is fine with that date,
CALIFORNIA REPORTING, LLC
52 Longwood Drive, San Rafael, California 94901 (415) 457-4417

1 but otherwise we don't believe we'll need another
2 status conference.

3 HEARING OFFICER KRAMER: Okay, great.
4 Interveners, anyone else have a thought about that?

5 MR. SARVEY: Yeah, this is Bob Sarvey. Can
6 you hear me?

7 HEARING OFFICER KRAMER: Oh, yeah.

8 MR. SARVEY: I think we should have a status
9 conference on March 4th.

10 HEARING OFFICER KRAMER: Okay, thank you.
11 So then we'll put out a notice, maybe not right away,
12 but shortly, and that probably will be combined with
13 a Notice of the Pre-Hearing Conference if we decide
14 to set that in a few minutes.

15 MR. SARVEY: Mr. Kramer?

16 HEARING OFFICER KRAMER: You go ahead.

17 MR. SARVEY: Could we backtrack a little
18 bit? I need a little bit of clarification on the use
19 of the 2012 Decision, you know, as far as utilizing
20 the Decision. Does that include the briefs, the
21 testimony, the FSA? What does that include?

22 HEARING OFFICER KRAMER: Using the testimony
23 in what way? That you would simply refer to it in a
24 brief?

25 MR. SARVEY: Well, no. Basically, you know,

1 are we just talking about the decision itself, using
2 the decision as evidence in the briefs and stuff?
3 Does the FSA from the 2012 decision, is that stuff
4 that we can use in our briefs and, you know, that
5 type of stuff, I'm not sure what the scope of using
6 the 2012 Decision is, is what I'm saying.

7 HEARING OFFICER KRAMER: Okay, if you look
8 at the Committee's comments, that document I referred
9 to, well, I actually didn't refer to that one, I'll
10 give you the TN number. The document that staff
11 responded to was called "Committee Order Following
12 the Preliminary Staff Assessment," and the TN number
13 is 203527. Anyway, in there we basically paraphrased
14 the law, which was CEQA Guideline Section 15162,
15 which explains the circumstances under which an
16 agency would just use a previous environmental
17 document and its conclusions, rather than redo its
18 analysis. The idea there is, if there's no reason to
19 change the analysis from the 2012 decision, then we
20 go and use its conclusions, we don't re-litigate all
21 that again, basically it's a streamlining tool to
22 allow for the more efficient processing of a later
23 step in a project's life, in this case an amendment.

24 So you know, I will not attempt to give you
25 legal advice, Mr. Sarvey, but basically what we have

1 is kind of a two-step process: if we first determine
2 that there's no reason to supplement or otherwise add
3 to the previous EIR's discussion of a particular
4 topic, let's say public health, then we just -- we
5 make our decision on the basis of the environmental
6 information that was contained in the previous
7 decision and move forward. And if you disagree with
8 what the previous decision said and you were to go to
9 Court, the Court would tell you, well, the time to
10 have challenged that was back in 2012, for instance.
11 But staff has asked us to take official notice of
12 some of the documents in the 2012 proceeding,
13 including the final staff assessment, the thought
14 there being that the EIR equivalent, if you will,
15 that came out of that proceeding was both that
16 decision and some of the analysis that came before
17 it. Does that answer your question?

18 MR. SARVEY: That's helpful, Mr. Kramer.
19 Thank you.

20 HEARING OFFICER KRAMER: Okay, you're
21 welcome. So where was I? Okay, we're talking about
22 schedule. Does anybody believe that we're not going
23 to be ready to go to hearing in early April, either
24 here or on the phone?

25 MR. SARVEY: I will not be able to go to
CALIFORNIA REPORTING, LLC
52 Longwood Drive, San Rafael, California 94901 (415) 457-4417

1 hearings in early April, unless we have an FDOC.

2 HEARING OFFICER KRAMER: Okay. Anyone else?
3 Okay, well, then that means we're going to call April
4 1st and April 2nd our hearing dates, they'll be in
5 Carlsbad. Mr. McKinsey and Mr. Piantka will get us a
6 suitable facility for that, you know, the full WebEx
7 and AV setup so that we can have perhaps some of the
8 witnesses testify remotely.

9 And then we need to pick a date for the
10 prehearing conference. What we had were several days
11 the week of March 16 which is a Monday, we could do
12 the morning or the afternoon on the 16th. On
13 Wednesday, the 18th, we could do morning, say 9:00 to
14 12:00, or on Friday the 20th any time was available.
15 Given that the 18th would be two weeks before the
16 hearings, I'm not -- well, hold on a second, okay, so
17 the 18th from 9:00 to 12:00 in the morning, that's in
18 March, of course, looks good to us. Does that cause
19 any heartburn for any of the parties?

20 MS. WILLIS: Not for staff.

21 DR. ROE: Mr. Kramer, this is Arnie Roe.
22 Where will the prehearing conference be held?

23 HEARING OFFICER KRAMER: We could barely
24 hear you, Dr. Roe, but the prehearing conference
25 would be held up here in Sacramento, so you could

1 attend by WebEx as you are today.

2 DR. ROE: Thank you.

3 MR. MCKINSEY: No issue for the project owner
4 on that day.

5 HEARING OFFICER KRAMER: Staff?

6 MS. WILLIS: No issue for us.

7 HEARING OFFICER KRAMER: Okay, then we will
8 make it -- Interveners, any calendar conflicts?
9 Okay, hearing none, so we will have the prehearing
10 conference be on the 18th from 9:00 to 12:00. The
11 Evidentiary Hearings, let me ask the Commissioners,
12 I'm assuming we would fly down that morning?

13 COMMISSIONER DOUGLAS: Yes.

14 HEARING OFFICER KRAMER: Okay, so we'll
15 probably start, then, somewhere around, well, no
16 earlier than noon I would think. And then we'll go
17 into the evening for public comment for the
18 convenience of the public. And whatever we need to
19 finish up, we'll finish up the following day.

20 Okay, so we'll pick an exact date when we
21 send out a notice, but assume for planning purposes
22 the prehearing conference statements, including
23 Exhibit Lists, would be due probably about a week
24 before the prehearing conference. And just a
25 reminder to the parties, the way we now handle

1 exhibits with our electronic filing system is
2 anything that you want to be an exhibit needs to be
3 in the docket for this case. So for instance, if you
4 wanted to bring in a document that you had as an
5 exhibit in the earlier Carlsbad case, first of all,
6 that wasn't in the electronic filing system, but even
7 if it had been it needs to be refiled as a document
8 in this case because we can only put exhibit tags on
9 documents that are filed in the Carlsbad compliance
10 or amendments Docket 07-AFC-06C. So get your
11 documents in there ahead of time. When we come to
12 ask you to identify your exhibits, what we're going
13 to ask you for is an exhibit number, and then also
14 the TN number, which is the unique number in our
15 filing system for that document. And then what
16 happens is my office goes in and makes a -- we have
17 the permission to then attach the exhibit number to
18 the document. And if more than one of you want the
19 particular document to be your exhibit, that's a tie
20 because we can only have one exhibit number per
21 document, so we will resolve the ties on the basis of
22 whom it seems most closely aligned with.

23 But if we do that and, for instance, you
24 want a particular document to be your exhibit 302,
25 and we give that to somebody else, then your 302 just

1 will be blank, you'll have a gap in your exhibits,
2 but that's not a problem, we don't consider that to
3 be any sort of issue.

4 DR. ROE: Mr. Kramer?

5 HEARING OFFICER KRAMER: One more thought
6 and then, Dr., I'll let you go. We'll also be asking
7 you to identify your witnesses and give estimates for
8 the time you think they're going to take and I'll
9 further be asking you to tell us whether you think a
10 particular topic would be better handled by formal or
11 informal testimony. And there might be one or two
12 other things that I'm forgetting at the moment, but a
13 very helpful place to look to see what we're going to
14 be expecting from you would be the memo that I put
15 out to the parties in advance of the December status
16 conference. In fact, I have it here, so I'll give
17 you the TN number. Look at that to see what is going
18 to be expected of you, and that is TN203377. Dr.
19 Roe, with the first question?

20 DR. ROE: Yeah, as far as the numbers that
21 we assigned to our exhibits, if I recall correctly at
22 the previous hearings, did the committee assign a
23 range of numbers to each of the parties?

24 HEARING OFFICER KRAMER: Yes. We will do
25 that when we put out a notice.

1 DR. ROE: Oh, okay. Thank you.

2 HEARING OFFICER KRAMER: Any other
3 questions?

4 MS. BAKER: I also --

5 HEARING OFFICER KRAMER: Go ahead.

6 MS. BAKER: It's Julie Baker. Could you
7 clarify, or perhaps I misunderstood you, about the TN
8 numbers. We need to generate a TN number for our
9 documents?

10 HEARING OFFICER KRAMER: No. When you
11 electronically file a document, the system gives it
12 one.

13 MS. BAKER: Okay, sorry, then I
14 misunderstood you. I thought that's how it worked,
15 but then you -- okay, thanks.

16 HEARING OFFICER KRAMER: Yeah, you'll see it
17 on the Docket stamp on the first page of the
18 document.

19 MS. BAKER: Okay.

20 HEARING OFFICER KRAMER: Okay, and we can
21 talk about whether we need post-hearing briefs either
22 at the prehearing conference, or the Evidentiary
23 Hearings, or, well, that would be the last time, but
24 plan on their being due relatively shortly after the
25 hearings. We'll probably order expedited transcripts

1 so you'll have those very quickly, and then you'll
2 have a little bit of time to finish your brief. But
3 we fully expect that, even if you don't have the
4 transcript in hand, you remember enough of what
5 transpired so that you can write most of your brief
6 and just fine tune maybe a quote or two, or find the
7 reference to the particular part of the transcript
8 after it comes out. But we won't be terribly
9 sympathetic to somebody saying, "Well, I couldn't
10 even start on writing my brief until I got the
11 transcript." So any more questions about that?

12 Okay, then we're on the public comment
13 portion of the agenda where members of the public and
14 other interested persons may speak up to three
15 minutes on a matter that's appearing on this agenda.

16 MR. THERKELSEN: Mr. Kramer?

17 HEARING OFFICER KRAMER: Mr. Therkelsen?

18 MR. THERKELSEN: Yeah, Bob Therkelsen with
19 the City of Carlsbad. Since we're not a party, I did
20 not submit a status report on behalf of the City and
21 you had asked the other parties in their status
22 report this last month to include their estimate of
23 hearing times and issues that they would like to have
24 discussed at the hearings. And I may have been
25 remiss in not sending you a letter or memo to that

1 effect. Would you prefer that I go ahead and send
2 something to you in the next couple of days regarding
3 that? Or do you want us to wait until prehearing
4 conference statement?

5 HEARING OFFICER KRAMER: I think it would be
6 helpful if you identified that fairly soon for the
7 sake of the other parties.

8 MR. THERKELSEN: We'll get that out in the
9 next day or two.

10 HEARING OFFICER KRAMER: We're certainly
11 going to want you to have some City representatives
12 available to us for perhaps some questions about land
13 use and some of the other areas, water supply, and
14 traffic perhaps.

15 MR. THERKELSEN: That was our intent, was to
16 make sure we had City staff available on question you
17 had, but in particular we knew that there probably
18 would be a need for clarification on the City's
19 position on land use, water, fire protection, and
20 noise, etc. So that's what we were proposing to have
21 available for you.

22 HEARING OFFICER KRAMER: Okay. Now, is the
23 City feeling the need to ask any questions of other
24 witnesses?

25 MR. THERKELSEN: No, we don't have a need to
CALIFORNIA REPORTING, LLC 21
52 Longwood Drive, San Rafael, California 94901 (415) 457-4417

1 cross examine anybody else. Our position right now
2 would be more to provide information for the record
3 in terms of the City's position and, frankly, our
4 amount of hearing time on any topic would probably be
5 about 10-15 minutes at the most.

6 HEARING OFFICER KRAMER: Okay, thank you.

7 MR. MCKINSEY: Hearing Officer Kramer, I
8 would suggest, too, that I think it would certainly
9 be possible for either staff and/or the Project Owner
10 to simply accommodate City witnesses within that
11 portion of their testimony, so, I mean, in fact
12 that's kind of what I think we've done in the past in
13 a lot of circumstances where the City is not a formal
14 party, but then they're actually a witness that's
15 providing something that is testimony.

16 HEARING OFFICER KRAMER: And that is fine,
17 as well, whatever you want to work out. We do
18 appreciate having the resources, though. Thank you.

19 Okay, so is there anyone in the room that
20 wants to make a public comment? Anybody on the
21 telephone? Are all the lines unmuted, Susan?

22 Okay, hearing no public comment, just stand
23 by for a second. Okay, there's no reason for us to
24 have a closed session today, so with that, then, is
25 there any other business before we adjourn from

1 anybody, on the telephone or in the room? Okay,
2 thank you. We are adjourned and we'll see you
3 perhaps on March 4th for a status conference,
4 otherwise March 18th for a prehearing conference.
5 Thank you.

6 (Adjourned at 2:33 p.m.)

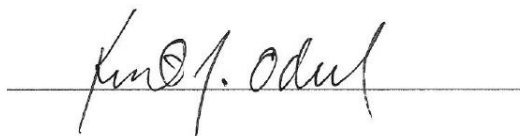
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REPORTER'S CERTIFICATE

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of February, 2015.

A handwritten signature in cursive script, appearing to read "Kent Odell", is written over a horizontal line.


Kent Odell
CER**00548

TRANSCRIBER'S CERTIFICATE

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of February, 2015.



Karen Cutler
Certified Transcriber
AAERT No. CET**D-723