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BEFORE THE

CALIFORNIA ENERGY COMMISSION

In the Matter of:	)	Docket No. 15-OIR-02
	)	
Confirmation of Emergency	)	
Regulation (Section 3103)	)	
Alternative and Renewable	)	
Fuels and Vehicle Technology	)	
(ARFVT) Program Funding	)	
Restrictions	)	Staff Workshop

Confirmation of Emergency Regulation (Section 3103)
Alternative and Renewable Fuels and Vehicle Technology
(ARFVT) Program
Funding Restrictions

CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET
ART ROSENFELD HEARING ROOM
SACRAMENTO, CALIFORNIA

FRIDAY, APRIL 10, 2015
1:31 P.M.

Reported by:
Kent Odell

APPEARANCES

Staff Present

Tim Olson, California Energy Commission
Hieu Nguyen, California Energy Commission
    Technical Staff, Biofuels Unit
Elizabeth John, California Energy Commission
    Supervisor, Biofuels Unit
Bill Kinney, California Energy Commission
    Biofuels Unit
Samantha Arens, Staff Counsel

Also Present

Tim Carmichael, Natural Gas Vehicle Coalition
Paul Staples

I N D E X

P R O C E E D I N G S

APRIL 10, 2015 1:31 P.M.

MR. OLSON: Hello out there. My name is Tim Olson. We're going to start our workshop here.

Today, we are discussing at this workshop a change, a modification, to existing Regulations that provide guidance for spending funding under the Alternative and Renewable Fuels and Vehicle Technology Program. We refer to it as the ARFVT. You'll hear that acronym throughout the day. And we have several people here on our staff that are available to answer questions.

And I'd like to remind people that this is being conducted also on WebEx and that we have a verbatim transcript that will be produced from this workshop.

So, also, just a little bit of housekeeping for those in the room. If we have an emergency, there are two doors to exit: One at the back on the left; one at the main entrance. And if it is an emergency, we'll ask you to go out the side doors on P Street or the side doors on 9th Street. And there are also restrooms outside the hearing room here, in the main lobby.

Before we start, I'd like to introduce the panel, the staff, that may be answering questions.

So starting with Hieu, could you introduce yourself.

MR. NGUYEN: Hieu Nguyen, Technical Staff in the Biofuels Unit.

MS. JOHN: Elizabeth John, Supervisor of the Biofuels Unit.

MS. ARENS: Samantha Arens, Staff Counsel in the Chief Counsel's Office.

MR. KINNEY: Bill Kinney, Biofuels Unit.

MR. OLSON: Okay. So we also have here in the hearing room on the front desk, copies of materials that will be discussed today. They're also going to be on -- they're online, or will be very shortly, on our website. And you'll see some of this presented in the WebEx, as we walk through it.

So I'm going to start out by making a short statement, and then I'm going to go through a presentation to kind of illustrate some of the points. And starting with -- well, I'll go through a little bit of a history of this.

We have existing Regulations that were changed and modified and adopted by our Agency on February 25th and approved by the Office of Administrative Law on March 13th. That Emergency has a lifespan and needs to be confirmed. And this workshop today is one of the first steps in confirming that Emergency Regulation.

The topic is specific to eliminating a clause requiring us to -- requiring recipients of the ARFVT money to discount credits related to greenhouse gas emission, criteria pollutant and toxic air contaminant emission reductions through other programs. An example of that is the Low-Carbon Fuel Standard. Our recipients need to discount the value of those credits proportionate to the amount of money that they receive from us. So the Emergency Rulemaking and Rule adopted in February and approved in March basically eliminated that; and, today, we're going to start this process of making that Emergency Rule permanent. And we refer to that as a "Confirming Regulation."

I'm going to just kind of make a couple comments about what we found in this process, why there was a problem with this.

Compliance with the existing credit discount requirement places 19 ARFVT project recipients in immediate economic harm because the value of the credits are substantial sources of revenue, which, if lost, affect business operations or possible decisions to close plants.

We think that the total investment -- we estimate the total investment on those projects to be around $442 million. That's biofuel and biomethane production capacity that's subject to this credit discounting. We think that our investment in that is around $131, $135 million and then an additional $307 million private investment match. We also think that affects about 98 million gallons of Diesel Equivalent Gallons Fuel that might come into the marketplace.

In some instances, we're finding that the economic impact is close to 36 -- or up to 36 percent of the annual revenue lost by project recipients to comply with the Regulation that was changed in the Emergency. There are several other examples where the impact is smaller. This looked like it was the kind of high end. We had access to cash-flow statements and information, financial information, from companies, to come to that conclusion.

Many of the projects are located in economically disadvantaged communities. So the San Joaquin, Sacramento Valleys, we think another impact would be loss of employment and tax revenue. So also, we're looking closely at the value of the credit. We'll go through a couple of slides here to kind of illustrate that.

I've just described the total investment that we think might be subject to this credit discounting, which we're trying to confirm and eliminate in a permanent way.

And there's another calculation we're doing, which is, the value of the credit that would have -- that would be the lost revenue. And we're going through that process now as part of this Confirming Regulation.

Since the initiation of the ARFVT Program, several factors related to biofuels and biomethane have changed, compelling us to revisit and revise existing 3103 Regulation: Cost of biofuel and biomethane production plants has increased; federal and state government incentives vary from year to year, creating investment uncertainty; and international and national fuel market conditions have changed. So, as a result, the success of the California Low-Carbon Biofuel and Biomethane Project requires both government financial incentives designed to support biofuel production, like ARFVT, and the full value of revenue from the LCSF credits. I'm using that as one of the examples.

So we justify this effort to modify the Regulation as an action to eliminate the economic harm faced by these companies, which directly translates into decreased availability of biofuels and biomethane in the market, thus, potentially impeding the achievement of the State's Greenhouse Gas Emission Reduction goals.

Two other factors help justify the proposed action.

No other state or local government agency discounts credits for regulations to reduce greenhouse gas or air pollutants related to grant funding. Some of you may remember the ARB submitted a letter into our docket in the Emergency Regulation supporting the proposed Emergency action, and we're looking forward to their participation as we go through this Confirming Regulation.

Another factor here that we looked at is discounting credits results in an unlevel playing field for California projects, placing them at an economic disadvantage compared to imports of low-carbon biofuels and biomethane from competing projects located in other states and countries. We're aware that several Midwest states provide grants and other financial support to biofuel and biomethane producers in their states but do not discount any credits that they receive. They primarily are the Federal Renewal Fuel Standard for the other states. We're not aware -- we are aware that two other states, Oregon and Washington, are in the process of adopting LCFS types of -- but none of those states or those entities discount credits related to those kinds of grants.

We're also making a point that the proposed action to confirm these Emergency Regulations does not affect any other aspect of the ARFVT Regulations, which will remain the same as before.

So, as I mentioned, we're in this process to confirm this Regulation, and I'd like to kind of go through a couple of slides to help illustrate some of the points I've just made. And part of it is just to remind you that the initial Regulations, which there are copies out here in the lobby, were adopted in April 2009; the Emergency Regulation was approved in March 13th, 2015. There's a limited time frame, as little as 180 days, possibly one year, for us to go through this process to confirm, which is the third point here: Confirm the Regulation to make the Emergency permanent.

And one way to look at this is, because our program is focused on increasing development and deployment of alternative fuels and those alternative fuels have other attributes related to Greenhouse Gas Emission Reductions and, in many cases, criteria pollutants, that they're theoretically all eligible for these credits from other programs, like the Low-Carbon Fuel Standard, like many of the biofuels for the Renewable Fuel Standard. And then there are peculiar, or very specific, programs like the Zero Emission Vehicle Mandate and other programs where all of these things are, on the surface, eligible. And I'm going to walk through kind of how we narrowed this down and made a conclusion that biofuels and biomethane were the most likely projects that might be affected.

And this just gives you a -- this slide here is from our program presentation -- indicates -- I think this is through about February 2015 -- what we spent on projects and the number of awards. And this is an illustration of that same data in a graphic form.

And, for the most part, we're going to be talking today about the fuel production, the biofuel and the biomethane -- there could be some impacts on infrastructure related to those -- and also natural gas.

The scope of the credit discounting. We know for sure that the Low-Carbon Fuel Standard is one of those significant credit programs. And, if you can, many of you remember what that's about, that's a requirement that any fuel sold in the state has to reach a 10 percent carbon-intensity reduction. It's focused on petroleum fuel. So it's a dual standard: One for diesel; one for gasoline. A metric is used to measure the impact. It's called grams of CO2 per megajoule. It's an energy measurement. And the targets are gasoline and diesel. Those are measured and compared -- and I have another slide, and we'll show you that comparison -- against all other fuels. The point is you want to be lower than the gasoline and diesel to get credits. And we also know -- and the Low-Carbon Fuel Standard is a carbon intensity, so it's a Greenhouse Gas Emission Reduction objective.

Federal Renewable Fuel Standard is a national law that requires entities that pretty much produce petroleum or market petroleum to include a certain percent of renewable fuel in their fuels by specific dates. This was initiated in, I think, 2006. It's an amendment to the Clean Air Act. The amendment came from the Patriot Act, if some of you remember that. And it's been -- I think the national law has been amended twice.

It's related to a requirement of renewable fuels, not directly to Greenhouse Gas Emission Reductions. But there's an element of that Renewable Fuel Standard that implies that the renewable fuels -- the rationale for it is the renewable fuels offer a cleaner tailpipe-emission benefit nationwide.

We also are aware that some local Air District Fleet Rules have criteria pollutant, nitrogen oxide and particulate matter, sulfur, CO, carbon monoxide, requirements for fleets. We haven't dismissed this completely; but, for the most part, credits produced under those kinds of programs tend to be held by the Air Districts. They're not marketed. They're not on the marketplace.

And then there's some other things that might be out there that we don't know the details about. And so we're just acknowledging that there might be other interactions of our funding program with requirements to reduce greenhouse gases, criteria pollutants, and contaminant -- toxic air contaminants.

The next two slides will illustrate what we know today, what's in place today, regarding comparisons of carbon intensity for -- in this case, it's gasoline and substitutes -- gasoline compared to other fuels. And you can see gasoline is set at 99 grams of CO2 per megajoule. And this is illustrative, so it doesn't cover the 223 pathway options that are out there. It shows you some kind of -- some key things that and it shows you that there are lots of reductions. And those options that are shown here can generate credits that reduce gasoline. You'll notice that there's a difference between the green and yellow. The yellow represents -- green represents direct impacts; the yellow, indirect impacts.

And this is a similar slide for comparison of diesel. I'd like -- and you can see that there are lots of different options.

Now, this is as it exists today. The Air Resources Board is going through a readoption of the Low-Carbon Fuel Standard, and many of these are changing, particularly some of the indirect land-use impacts. I'm not going to show you all those changes because they will not go into effect until January 2016. And I'm using this as an illustrative graphic showing you that there are lots of options that will generate credits below diesel and gasoline.

And this will give you kind of a comparison of what's happened over time. I want to thank the ARB for allowing us to use this slide. They presented this at their Board hearing on, I think it was February 19th. And it shows you from the time frame of 2011 to 2014 where the credits have been generated. And you can see a large part of them are from biofuels and biomethane. And they -- they've subdivided various categories here to show you that illustration over time. And they also -- many of these credits can be banked, and there's an item for that.

And the other thing you need to know is that in the Low-Carbon Fuel Standard readoption -- well, in the original Low-Carbon Fuel Standard -- that the carbon-intensity reductions were -- have a temporal nature, that they became more stringent over time. And because of going through this readoption to respond to legal challenges, there's been kind of a -- kind of a freezing of that intensity requirement for the last year and a half and in 2016. So we've got this table showing what the current reduction percent is and then -- and then what happens in the readoption to show still by 2020 trying to reach the 10 percent carbon-intensity reduction, but a change in the annual requirements as it kind of builds over time. And this is a factor, in essence, generating more need for credits over time. And we'll show -- indicate that the projects that are being funded by the Energy Commission will be generating credits that may have more value over time. And so it's a factor when we're kind of calculating what the impact is.

And then this is another -- this is an example of where we are in 2014 and then kind of an illustrative scenario where we -- where one of the guesses might be where we're going to be in 2020. And you can still see from this, pretty heavily dominated by biofuels, renewable natural gas, and natural gas. So, in essence, this is -- this is some of the evidence that compelled us to focus on projects that we funded that are biomethane and biofuel production plants. And so that's kind of an insight that we're using.

Now, part of the formula of determining what the value of the credit is, the credits are marketed, they're a deficit and debit type of system, and they have a value over time.

And this is an illustration. I want to thank Argus Media for agreeing to -- agreeing for us to publish and post this graphic. And it illustrates, you can see, kind of a leveling off, and that's related -- from 2014 on -- and that's related to the impact of those lawsuits and the process where ARB is readopting that Regulation, I think later this -- around July and then going into effect in January 2016.

ARB also has basically set the ability to offer $200 per-ton credit in instances where there either might be not enough responses or too many. A lot of factors in the price setting. Of course, scarcity is the biggest issue -- or the biggest factor.

But it shows you, in essence, when we're doing this calculation of what the impact is, historically about the high of $85 and lately around $20 -- a little over $20. And we'll be using that doing a couple of scenarios on what those price impacts might be related to the value of the credits that would have to be discounted as we're trying to make that change.

So we came to this conclusion, that the biofuel and biomethane projects would be the most likely affected projects. And we have kind of documented them here of what we've spent to date. And this number, $131 million, is our money;

number of projects; and then millions of gallons per year. That number, 131, I think is a -- needs to be modified because a couple things: This slide was done, I think, in February, and I think a couple other projects have come forward, or we have better information. So that might be a little higher number than what's on this slide. But it shows you total money that we put into this, and using the previous work of who's the most likely projects that might generate credits from the ARB work, we're kind of showing you the realm of what we're concentrating on.

And then this slide shows you where those projects are located. These are primarily the biodiesel, ethanol, lower carbon-intensity ethanol, renewable diesel, and biomethane projects. You can see a lot of them -- Central Valley. We also show you the EnviroScreen locations throughout the state. Those are the disadvantaged community [sic] and kind of illustrating that there could be an impact in those areas that are disadvantaged communities.

So I made a point earlier that there could be significant lost revenue from individual projects, possibly plant closures. We did a survey of about 45 companies, and 19 identified some serious problem that led to the Emergency -- doing the Emergency Regulation.

I think I've gone over most of these other items here.

And the last bullet here is I think something worth noting, that the more uncertainty that is created with our initiatives, our government programs, the less likely that private investment goes into this. And that's something that we want to correct, too, because that's one of our objectives, is to stimulate more private investment and over time show that there's less need for government funding to do these projects.

And, as I mentioned in the opening statement, that -- the three basic arguments: We think there's adverse economic impact to California projects; no other agency is discounting credits similar to -- related to grant kind of funding; and these projects in California face an unlevel playing field. Right now we receive about 80 percent of our biofuels that we consume in this state from out of state, imports coming from the Midwest. Our desire is to build projects in this state and build projects that have lower carbon-intensity biofuels. And if -- once we start requiring those discountings, those projects from out of state don't have to do that, it puts them at a competitive advantage of selling their product here. And many of those projects are coming from other states where their state governments are putting significant grant incentives in to support their projects.

Missouri is an example where there's a production incentive for biodiesel, $.30 per gallon up to 15 million gallons a year; above that -- $.10 a gallon above the 15 million gallons per-year production. And that kind of incentive is good for five years, consecutively for five years. Theoretically, it's a $30 million grant to those developers.

Iowa, the State of Iowa, offers a financial incentive at every step of the development stream from fuel production all the way to retail. And, for the most part, those projects, which when you add them up, it's about 215 projects in the Midwest and part of the South, for ethanol production at about 90 biodiesel. Compared to California, right now, we have four ethanol production plants and around six or seven biodiesel. And by getting -- by eliminating this credit discounting, we think that will start leveling that playing field for those projects.

So I put this data on -- this is the actual proposed change to confirm the Emergency Regulations. Three slides here. I tried to put all this on a slide, and I'm not sure this is going to be the best approach, so we have another way of displaying this. Maybe Andre can help. And there's a handout for this here in the lobby. And, for the most part, we are making a couple changes from -- through the Emergency Regulations. One, the Section (a) -- by the way, this (a) where the (a) is crossed out, the (a) should not be crossed out. Under Article 1(a), the letter (a) there should not be crossed out.

These changes are meant to be consistent with what's the statutory language under AB 118, AB 109, AB 8. These are the -- kind of the evolution of the original AB 118. So that the language is consistent with what's in the statute.

The rest of the changes in here are small changes that are meant to correct a couple of errors in code references and things like that.

And so the Section (d) -- let me see if I can -- Section (d) was added into the Emergency, in essence, to ensure that projects we have been funding in the past are appropriate and eligible for funding into the future.

At the business meeting on February 25th and in our docket, we have, I think it's nine support letters from companies agreeing that this is a good change to make, and we had a couple of other letters come in after that business meeting. And we're -- and maybe -- I'd like to ask Samantha Arens, our Lead Attorney, if she wanted to add anything else on this language. And, for the most part, we're putting this out there and asking people to look at this closely again and let us know whether you have a comment or any concerns.

And, Samantha, would you like anything else -- to add anything else?

MS. ARENS: I think you've covered it pretty well, Tim. The sub -- is it on there? Got it? How about now? Great.

So, as Tim said, in the Subsection (a),

we added this language that is taken directly from Health and Safety Code Section 44271(c), in an attempt to eliminate any possible confusion over the word "mandated." We just put in the statutory language there. And then we broke out Subsection (a), what was formerly Subsection (a), into separate subsections to state each funding requirement separately.

The discounting provision, former Subsection (b), was eliminated, and then a list of eligible projects was added in the new Subsection (d). Although I wasn't the one who drafted this language, my understanding is that the intent here is to, as Tim said, continue to fund the types of projects that we have funded in the past.

When we eliminated the carveout in (b), that allowed a path forward for certain projects with discounting, for example, to receive funding. We wanted to make sure that we continued to fund the same projects and create a carveout to the requirements in the new Sub (a) through (c).

MR. OLSON: So I can bring this back up when we -- let's see. I need the -- okay.

So let me go to this slide and just -- so we have -- like I said, this is -- this workshop is one of the first steps to do this Confirming Regulation. We're asking for comments from you by April 24th. And you can see we've got a lot of acronyms here. ISOR is the Initial Statement of Reasons. SRIA is determining what the economic impact is. And there's a threshold point we need to look at closely to determine whether we have to do a Significant Report. And then there will be a NOPA out sometime -- could be as early as May, may be as late as August, and then some comment periods. We're not going to go through all the details of that, but just basically saying we're toward the front end of this process.

And, then, of course, there's a step of Energy Commission adoption and then approval of the Office of Administrative Law.

And, then, so we're open to questions at this point, either in the room or online on the WebEx.

So come forward to the microphone there. Please state your name and affiliation.

MR. CARMICHAEL: Good afternoon. Tim

Carmichael with the Natural Gas Vehicle Coalition.

Just a quick question. I arrived late, I apologize. But all the materials that you have on the table are going to be posted online?

MR. OLSON: All the materials are either in our docket or will be on -- in the docket for this Regulation, already online, or will be either today or early next week.

MR. CARMICHAEL: Okay. Great. Thank you very much. That's it.

I should say we're very supportive of this programmatic change and have been looking forward to this, so thank you.

MR. OLSON: Any other questions in the room?

How about online, any WebEx questions, or on the phone?

(Pause.)

MR. OLSON: Okay. Any other comments from our panel? Any other instructions or other things you want to emphasize, anybody from the staff here?

MS. ARENS: I would just add one more thing, Tim. This is Samantha Arens again.

You had previously thrown out some numbers regarding our estimated total investment, our investment, our private match, and I would just clarify that we're still considering whether or not we need to do an SRI, or Standardized Regulatory Impact Assessment. And the total investment, the numbers that you had in the beginning, may not necessarily be the same as the total economic impact including lost revenue.

MR. OLSON: Right. So I think that's a good point to make, that we're going through each one of these projects. And, remember, when a recipient receives awards from us, they may be in construction phase and not producing fuel until maybe a year or two years into our grant agreement. And we're looking at each one of these to determine when do credits really -- are they generated and what's the value during the course of the grant term and maybe any reporting to us after that grant term.

I'm not -- maybe you can clarify that, Samantha.

MS. ARENS: Yeah. I think that's accurate. I mean, when we determine if we have to do an SRI, it's whether or not there's a positive or negative economic impact of $50 million or over in a single year.

MR. OLSON: So that means we're basically looking at anywhere from 19 or more projects and looking at how many of them generate credits during the course of our grant term and then what's the value of that -- of that credit that would be -- under the previous requirement have to be discounted. And there's a calculation that has to happen there.

We also need to make a production of future -- this is going to be very different to do -- but to justify this Confirming Regulation, we're going to have to make an estimate of what projected allocations might be and, same thing, what are the assumptions about when credits are generated in the course of the grant agreements. And, of course, we're going to be doing some -- with historic information verifying that with ARB because they have pretty -- good tracking of all those credits. But speculating in the future, we've got to make some assumptions regarding the analysis of this Standard Regulatory Impact Analysis, which is a fairly new requirement for Regulations. And that determination has not been made yet internally here. And when we come to that conclusion, we'll be looking at whether it exceeds $50 million a year; and, if so, then we do a Significant Report, which will impact the schedule for the Confirming Regulation.

So if there -- are there any other questions here in the -- yeah. Okay.

Paul, go ahead if --

Can you unmute so he can --

MR. STAPLES: Yeah, I have unmuted. Can you hear me?

MR. OLSON: Yes, we can.

MR. STAPLES: Okay. Great.

I'm coming in as totally new. I got the (indiscernible) you know, because I know that there is a requirement within our -- my particular contract with the CEC on the hydrogen fueling station that I -- the credits that I gain -- which since we're doing 100 percent renewable, they're going to be, you know, the highest of all. Okay? Because it's all 100 percent renewable generated hydrogen, carbon free, the whole nine yards, so our carbon footprint is zero.

So the point being is, is that my

understanding of this is to eliminate the requirement to discount the credits that I give which would lower the price of gasoline to the public -- okay? -- to the extent of the amount of funding that I had received. Okay? So what you're doing here is you're changing that? You're basically saying no longer will I have to do that so that I can give the biggest discount to my customers, a much bigger discount, because of the fact that we won't have to take into consideration that factor? Am I correct in assuming -- have I assumed this right? And, if I haven't, please explain it to me a little bit better because, I apologize, I didn't do my homework before this conference. Okay?

MR. OLSON: No. Thanks, Paul. That's a good question. And the intent is to maximize the revenue flow for you and not create an economic burden where you've got to discount the value proportionate to -- the value of the credit proportionate to the grant money you receive. And we're aware that -- I'm aware that you're one of our recipients for one of the hydrogen fueling station projects.

MR. STAPLES: Right.

MR. OLSON: Yeah, this is meant to enhance your ability to do your project.

MR. STAPLES: Well --

MR. OLSON: And the point of the Emergency was, there were quite a few companies that were making good claims that it was a significant short-term, near-term problem. The Emergency basically did a short-term elimination of that; which we're trying to make that permanent, eliminate that restriction permanently.

MR. STAPLES: Well, then, that's very encouraging, although I would add one caveat, that it should only be for those that -- as well as particular technologies -- have the lowest of carbon and that have a sustainability factor figured in -- none of the Renewable Energy Standards, whether it be federal or state, take into consideration sustainability –- and are capable to be able to provide a solution.

I mean, none of these -- the only ones that I believe that -- well, that are, is the renewable hydrogen part of it because that can provide a sustainable solution for petroleum and all other fossil fuels, I mean, ultimately, when fully implemented.

And so, therefore, this is a very good thing for us from that standpoint because, you know, we're kind of like the guys out here trying to, you know, right the ship and feel like sometimes we're ignored because of the fact that there's a lot of big money in with the fossil fuel people trying to basically make their fossil fuel as low of carbon as possible. Even though they call it biofuels, it's still hydrocarbon atoms.

And so, therefore, my point being is that it should be for those who need it the most, which is the lowest possible carbon footprint (indiscernible). Because they're the ones that are out there, you know, howling at the moon - okay? -- just to try and get them to pay attention so that we can do this, and they need the economic benefits more than anyone else.

That's all I have to say. But, yes, this is a very good thing, and I thank you for doing it, especially for us that are being awarded. I appreciate it.

MR. OLSON: Okay, Paul. And you're welcome to submit a written comment on that by --

we would appreciate getting that by April 24th if you're going to give a written comment.

MR. STAPLES: I certainly will. And I thank you for allowing me to comment on this and participate today.

MR. OLSON: Okay. If there's no other comments, then -- any other comments, Andre?

(Whereupon, at 2:14 p.m., the workshop concluded.)

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 April, 2015.

Kent J. Odell

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 12th day of May, 2015.

____

Kelly Farrell
Certified Transcriber
AAERT No. CET**D-772