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EVIDENTIARY HEARING BEFORE THE
ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
CALIFORNIA ENERGY COMMISSION

In the matter of,)
) Docket No. 19-SPPE-05
Mission College Data Center)
Backup Generating Facility)

PREHEARING CONFERENCE

REMOTE ACCESS ONLY

VIA ZOOM VIRTUAL MEETING PLATFORM

MONDAY, JUNE 15, 2020

1:33 P.M.

Reported by:

Peter Petty

APPEARANCES

COMMISSIONERS (AND THEIR ADVISORS) PRESENT:

Karen Douglas, Commissioner, Presiding Member

Kourtney Vaccaro, Advisor to Commissioner Douglas

Eli Harland, Advisor to Commissioner Douglas

Janea Scott, Vice Chair, Associate Member

Rhett DeMesa, Advisor to Commissioner Scott

Linda Barrera, Advisor to Commissioner Scott

HEARING OFFICER:

Ralph Lee, California Energy Commission

CEC STAFF PRESENT:

Lisa DeCarlo, Staff Counsel

Michael Murza

Matthew Layton, Supervising Mechanical Engineer

Rosemary Avalos, Public Advisor's Office

Patricia Carlos

Patricia Pham

Tao Jiang, PhD

Huei-An Chu, PhD

Shahab Khoshmashrab, PE

Kenneth Salyphone

APPEARANCES

STAFF WITNESSES

Kevin Kolnowski, Silicon Valley Power

Caryn Quist, BAAQMD

Brewster Birdsall, PE, Aspen Environmental Group

APPLICANT:

Scott Galati, Esq.
DayZen, LLC

APPLICANT WITNESSES:

Drew Johnson, VP of Development, Oppidan Investment Company

Michael Lisenbee, David J. Powers & Associates

Elizabeth Geller, Trinity Consultants

INTERVENOR:

Robert Sarvey

PUBLIC AGENCIESBAAQMD

Jakub Zielkiewicz,

Caryn Quist

SILICON VALLEY POWER (CITY OF SANTA CLARA)

Kevin Kolnowski

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P R O C E E D I N G S

1
2 JUNE 15, 2020

1:33 P.M.

3 COMMISSIONER DOUGLAS: All right. Well, in that case
4 we are on the record and I will kick us off.

5 So, again, this is Commissioner Douglas. This is the
6 prehearing conference for the application for a Small Power
7 Plant Exemption, or SPPE, for the Mission College Backup
8 Generating Facility. I am the Presiding Member of the
9 Committee assigned to conduct proceedings on this
10 application.

11 Before we begin, I'd like to make introductions and
12 ask the parties to identify themselves for the record.

13 Janea Scott, who you just heard from, is the Vice
14 Chair of the Energy Commission and the Associate Member for
15 the Committee.

16 My Advisors, Kourtney Vaccaro and Eli Harland are on
17 this call, as are I believe Chair Scott's Advisors Rhetta
18 DeMesa and Linda Barrera.

19 The Public Advisor's Office is represented here today
20 and let me just pause and ask Noemi Gallardo or Rosemary
21 Avalos are either of you on? Dorothy Murimi?

22 Okay, well, we'll keep going for now. And then,
23 Ralph Lee, of course is the assigned Hearing Officer.

24 At this point I'll ask the parties to please
25 introduce themselves and their representatives, starting with

1 the Applicant.

2 MR. GALATI: Good afternoon. This is Scott Galati,
3 representing Oppidan Investment Company which is the owner of
4 the Mission College Data Center and its backup generating
5 facility.

6 I have some other witnesses with me that I think I'll
7 just introduce when it's time for them to speak.

8 COMMISSIONER DOUGLAS: That sounds very good. Thank
9 you very much.

10 Now, staff.

11 MS. DECARLO: Good afternoon. Lisa DeCarlo
12 representing Energy Commission staff. With me as well is my
13 colleague and co-counsel Michael Murza. And we have various
14 staff and witnesses available who we can introduce as they're
15 needed.

16 COMMISSIONER DOUGLAS: Thank you very much. And now,
17 Intervenor Robert Sarvey, are you on the line?

18 MR. SARVEY: Yeah, this is Bob Sarvey, Intervenor.

19 COMMISSIONER DOUGLAS: All right, thank you all very
20 much.

21 At this point I'm going to ask if there are any
22 representatives from federal government agencies, or federal
23 elected officials on the line.

24 What about representatives of state agencies, other
25 than the Energy Commission?

1 Native American Tribes?

2 Is anyone here representing the Bay Area Air Quality
3 Management District?

4 COMMISSIONER DOUGLAS: What about City of --

5 MS. QUIST: This is Caryn Quist.

6 COMMISSIONER DOUGLAS: Oh, sorry, go ahead.

7 MS. DECARLO: I believe -- this is Lisa DeCarlo. I
8 believe that was Caryn Quist. And also, I believe Jakub, I'm
9 sorry Zielkiewicz is also here from the Bay Area.

10 COMMISSIONER DOUGLAS: Thank you, Ms. DeCarlo.

11 Is anybody here from the City of Santa Clara and
12 Silicon Valley Power?

13 MR. KOLNOWSKI: Kevin Kolnowski is here.

14 COMMISSIONER DOUGLAS: Thank you.

15 Is there anybody else here from a local government
16 agency?

17 All right, at this time I'll hand over the conduct of
18 this hearing to the Hearing Officer Ralph Lee.

19 HEARING OFFICER LEE: Thank you. Good morning. The
20 Committee provided notice of today's Prehearing Conference by
21 the Notice of Prehearing Conference and Evidentiary Hearing
22 Revised Scheduling Order and Further Orders issues on May 28,
23 2020. The Committee amended that information in its revised
24 Notice of Prehearing Conference and Evidentiary Hearing,
25 Scheduling Order and Further Orders including Order Granting

1 Request to Modify Schedule by Moving Evidentiary Hearing to
2 June 15th, which it issued on June 5th, 2020.

3 Going forward I may refer to the Revised Notice as
4 the June 5th Notice.

5 As explained in the June 5th Notice, the basic
6 purposes of the Prehearing Conference are to assess the
7 parties' readiness for evidentiary hearing, to clarify areas
8 of agreement or dispute, to identify witnesses and exhibits,
9 to determine the areas parties wish to provide oral
10 testimony, and to cross-examine other parties' witnesses, and
11 to discuss procedural and other matters as needed.

12 The Prehearing Conference, as well as the Evidentiary
13 Hearing that will follow immediately afterwards are being
14 held remotely. That is we are in separate locations and
15 communicating only through electronic means. We are meeting
16 in this fashion consistent with Executive Order N-2520 and N-
17 2920, and the recommendations from the California Department
18 of Public Health to encourage physical distancing in order to
19 slow the spread of COVID-19.

20 Before we proceed I want to discuss two housekeeping
21 issues. First, in Zoom we have set this Zoom meeting up so
22 that all participants should be able to mute and unmute
23 themselves. In other words, all participants will be able to
24 control their ability to be heard or not during the hearing.

25 That said I expect everybody to abide by the

1 following protocols to ensure everyone is able to
2 meaningfully participate in today's hearing in an orderly
3 manner. Only one person is to speak at a time, use the raise
4 hand feature if you want to be recognized.

5 If you're participating by phone only, you may use
6 star 9 to raise your hand and star 6 to unmute. After you've
7 been called on please lower your hand so that I can make sure
8 that you've been recognized. But if you're on the phone,
9 we'll have to do that for you.

10 Please do not use the chat function or Q&A function
11 if it's enabled, as it could be distracting to other hearing
12 participants and the decision makers. Anything that is
13 placed in the chat function may also become part of the
14 official record for this proceeding.

15 The second housekeeping matter is to please identify
16 yourself before you speak. That's important for me and for
17 the court reporter. If you do not identify yourself, either
18 the court reporter or I may interrupt you to ask that you do
19 so to ensure that we have a complete and accurate record of
20 the proceeding.

21 Are there any questions?

22 So, now, moving on to the substance, this Prehearing
23 Conference concerns the application for a Small Power Plant
24 Exemption, known as an SPPE, for the Mission College Backup
25 Generating Facility, which was filed by the Applicant on

1 November 25th, 2019. The application and many of the other
2 documents that we will discuss today are available on the
3 online docketing system on the Energy Commission's website.
4 Specifically, the documents are accessible from the project
5 webpage at www2.energy.ca.gov/siting/cases/missioncollege.

6 The Mission College Backup Generating Facility or
7 backup generating facility would be used to ensure an
8 uninterruptable power supply for the Mission College Data
9 Center located at 2305 Mission College Boulevard in Santa
10 Clara, California.

11 The backup generating facility would consist of 432.5
12 megawatt diesel-fired emergency backup generators, four of
13 which are redundant. And also, two 600-kilowatt diesel-fired
14 life safety emergency generators. All would be located in
15 two onsite generator yards.

16 The backup generating facility would help provide an
17 uninterruptable power supply to the data center of up to 78.1
18 megawatts, which if ultimately permitted would be the maximum
19 load of the data center. The data center would consist of
20 two three-story data center buildings, totaling about 490,000
21 square feet. The Applicant also intends to construct a
22 substation and related facilities. The substation would
23 allow delivery of power from Silicon Valley Power, known as
24 SVP, but the substation would not allow any electricity
25 generated from the backup generating facility to be

1 distributed offsite.

2 Under the law that is Public Resource Code Section
3 25541, the Energy Commission may grant an SPPE only when it
4 makes three separate and distinct findings. These are that
5 the proposed power plant has a generating capacity of up to
6 100 megawatts; that no substantial adverse impact on the
7 environment will result from the construction or operation of
8 the power plant; and that no substantial adverse impact on
9 energy resources will result from the construction or
10 operation of the power plant.

11 In addition, the Energy Commission acts as the lead
12 agency under CEQA. In reviewing an SPPE, the Energy
13 Commission considers the whole of the action. In this
14 particular application, the whole of the action means the
15 backup generating facility, the data center, and other
16 related features such as the substation. I may refer to the
17 whole of the action as the project.

18 In furtherance of the legal requirements and to aid
19 the consideration -- to aid the Committee in consideration of
20 the application under both the Warren-Alquist Act and CEQA,
21 on April 21st, 2020 staff prepared and published an Initial
22 Study and Proposed Mitigated Negative Declaration, known as
23 an ISPMND.

24 The ISPMND was subject to a public review and comment
25 period that ended on May 2nd, 2020. Comments were received

1 from the Bay Area Air Quality Management District, BAAQMD for
2 short, and from the National Fuel Cell Research Center. No
3 comments were received from any intervenor, the general
4 public or the Applicant.

5 Prehearing Conference Statements. To conduct this
6 Prehearing Conference efficiently, we required that a party
7 file a Prehearing Conference Statement so that the parties,
8 any party who wanted to participate in this proceeding, or
9 present evidence, or cross-examine witnesses in the
10 Evidentiary Hearing.

11 The Committee received Prehearing Conference
12 Statements from the Applicant, staff, and the Intervenor
13 Robert Sarvey.

14 As set forth in the June 5th Notice, the Evidentiary
15 Hearings will be conducted using a formal hearing procedure,
16 modified to fit the remote nature of the hearing. First, we
17 will be using Zoom as set forth in the May 28th and June 5th
18 Notices. The Committee may share a screen to display
19 documents such as exhibits. Nobody will be sharing live
20 video of themselves or their witnesses.

21 I see we have the agenda displayed. Ms. Carlos,
22 would you mind displaying the Exhibit List?

23 Next, while we're using formal hearing procedures to
24 conduct the hearing, we will not specifically describe the
25 exhibits that are moved into evidence during the Evidentiary

1 Hearing or to describe topics covered by the declaration.

2 The exhibit list displayed on the screen here, in a
3 minute, was compiled by the Hearing Office and is a complete
4 list of the exhibits identified by the parties.

5 Let's hold on a second and let it come up. Ah, there
6 it is. Would you mind, can you make that a little bit bigger
7 and scroll through it so we can see the exhibits. Yeah,
8 thank you.

9 MS. DECARLO: Hearing Officer Lee, is this a good
10 time to discuss adding an exhibit number to this list? We
11 had identified in our staff's Prehearing Conference that we
12 would be identifying that document as Exhibit 203 because it
13 does contain staff's declarations and resumes. But it does
14 not appear on this list. We just want to make sure that that
15 doesn't create a void in our exhibit list.

16 HEARING OFFICER LEE: Yes, thank you for letting me
17 know. Are there any other comments on the exhibit list? Or,
18 should I say does the exhibit list contain all of the other
19 exhibits the parties intend to rely on at the Evidentiary
20 Hearing?

21 MR. GALATI: Mr. Lee, this is Scott Galati. Could
22 you do me a favor, could you please, or Ms. Carlos could you
23 please scroll up. It looks like some of the numbers of mine
24 might have been changed. I just want to make sure that I
25 have everything. I need to see 1 through -- I had 1 through

1 20. So, there. Okay.

2 HEARING OFFICER LEE: I think I can shed some light
3 on that. This is Ralph Lee. You had Exhibit 17 and 20 and
4 those two TN numbers had already been identified at that time
5 by the Intervenor, Mr. Sarvey. And so, those two exhibits
6 are in there with Mr. Sarvey's identification numbers. That
7 would be Exhibits 302 and 305, the 2018 Integrated Resource
8 Plan and SVP email to Santa Clara re carbon intensity factor.

9 MR. GALATI: Okay. Okay, thank you very much. Then
10 all of my exhibits are represented.

11 HEARING OFFICER LEE: Yeah, thank you.

12 Okay, with that I'll move on. Regarding direct
13 examination, we will deem all parties' opening and rebuttal
14 testimonies as their direct examination. There's no need to
15 discuss experts' resumes, if we have them in writing, and if
16 no party objects to the witness as an expert.

17 If witnesses testify who have not filed a written
18 testimony, please have them identify themselves such as Mr.
19 John Doe, Air Quality Environmental Specialist, California
20 Energy Commission.

21 If any party has an objection to the qualifications
22 of a witness, please be prepared to state the objection and
23 its basis during the Evidentiary Hearing. Any objections
24 will be decided during the Evidentiary Hearing or taken under
25 submission.

1 One more request, Ms. Carlos can we please display
2 the June 5th Notice, page 5? Yeah, this is the part of the
3 Notice describing the process. Have the parties had a chance
4 to review the June 5th Notice that sets forth the process of
5 the Evidentiary Hearing and are there any questions? Let me
6 start with Applicant.

7 MR. GALATI: We've reviewed it with no questions,
8 thank you.

9 HEARING OFFICER LEE: Staff?

10 MS. DECARLO: Oh, I'm sorry, I didn't unmute. Yes,
11 we have reviewed it and we have no questions. Thank you.

12 HEARING OFFICER LEE: Thank you. Mr. Sarvey?

13 MR. SARVEY: Yes, I've reviewed it. I have no
14 questions.

15 HEARING OFFICER LEE: Thank you. So, as set forth in
16 the June 5th Notice, you may only use a document that has
17 been previously identified as an exhibit when questioning a
18 witness. When asking your questions state by identifying the
19 document, either by exhibit number or its TN number, and the
20 specific page number you may be referencing. Allow each
21 party representative to finish their question before making
22 an objection. Allow the witness to finish their answer
23 before moving on to the next question.

24 For the benefit of the court reporter and the
25 transcript, please remind your witnesses to identify

1 themselves. If testifying as a panel, please remind them not
2 to talk over each other or over the person asking questions.

3 Again, I'll ask are there any questions, Applicant?

4 MR. GALATI: I don't know if now is the right time,
5 but I think with the order what we had done in the past,
6 which I think is respectful of the witnesses from the
7 agencies, we went out of order and took Silicon Valley Power
8 and Bay Area Air Quality Management District first, instead
9 of the Applicant testifying first. I'd like to propose that
10 again.

11 HEARING OFFICER LEE: Great. I'll get to that in
12 just a minute.

13 MR. GALATI: Okay.

14 HEARING OFFICER LEE: Any other questions?

15 MR. GALATI: No, thank you.

16 HEARING OFFICER LEE: Staff?

17 MS. DECARLO: No questions, thank you.

18 HEARING OFFICER LEE: And Mr. Sarvey?

19 MR. SARVEY: No questions.

20 HEARING OFFICER LEE: Okay. On June 9th -- now, I'm
21 going to discuss the Prehearing Conference Statements. On
22 June 9th, 2020 Applicant filed a Prehearing Conference
23 Statement, stating it agreed with staff on all issues.

24 And likewise, on June 9th Energy Commission staff
25 filed a Prehearing Conference Statement that stated it does

1 not have any dispute with the Applicant in any subject area.
2 But staff proposed oral testimony in the following technical
3 areas. They proposed as a group we take Air Quality, Public
4 Health and Greenhouse Gas Emission, Energy, and Energy
5 Resources, and Generating Capacity.

6 Staff also requested time to question Mr. Sarvey on
7 anything he files prior to the hearing.

8 Then, on June 11th, by leave of the Committee the
9 Intervenor, Mr. Sarvey filed a Prehearing Conference
10 Statement that indicated the following areas require oral
11 testimony at hearing. He listed Air Quality, GHG Emissions.
12 And by the way, that's Greenhouse Gas Emissions. I'll be
13 calling them GHG Emissions. Utility Service Systems and
14 Energy Resources.

15 In addition, on June 12th, 2020, by leave of the
16 Committee, the Applicant filed a revised Prehearing
17 Conference Statement requesting that it be allowed to give
18 testimony by panel at the hearing.

19 And I had a question of Mr. Galati. Should that be
20 -- is Applicant's panel proposing to testify on all the
21 issues that will be discussed at the hearing?

22 MR. GALATI: No, Mr. Lee. Again, this is Scott
23 Galati. No, Mr. Lee, we will have Mr. Johnson who will
24 testify and all of this will be most likely our summary of
25 our rebuttal to Mr. Sarvey's filings. So, Air Quality,

1 Greenhouse Gas, and I think that's it.

2 HEARING OFFICER LEE: Okay. And just to be clear,
3 will Mr. Johnson be offering direct testimony?

4 MR. GALATI: Yes, Mr. Johnson will be offering direct
5 testimony, so will Ms. Elizabeth Geller, and so will Mr.
6 Michael Lisenbee. They'll testify as a panel and they
7 represent the project Applicant, and Air Quality and
8 Greenhouse Gas Emissions as a panel.

9 HEARING OFFICER LEE: Okay, thank you.

10 So, this question goes to all the parties and please
11 raise your hand if you wish to discuss, in summary the topics
12 that we may need to discuss in the hearing are Utilities and
13 Service Systems, Air Quality, Public Health, Greenhouse Gas
14 Emissions, Energy Resources, and Generating Capacity.

15 Is this the list of topics that we need for live
16 testimony and are there any other topics?

17 MR. SARVEY: This is Bob Sarvey. There's one other
18 topic. It's Environmental Justice, but it's included in Air
19 Quality, so we're not going to provide any extra testimony in
20 that area.

21 HEARING OFFICER LEE: Okay, thank you for that. So,
22 just to be clear should we call separately for an
23 Environmental Justice or is that just going to be handled
24 through your testimony in Air Quality?

25 MR. SARVEY: This is Bob Sarvey. I would say it

1 would be handled in Air Quality and Public Health. I don't
2 think it (indiscernible) -- topic.

3 HEARING OFFICER LEE: Okay, thank you. I do see a
4 hand raised. Ah-ha it looks like Jakub.

5 MR. ZIELKIEWICZ: I'm sorry. This is Jakub
6 Zielkiewicz from the Bay Area Air Quality Management
7 District. I was just having difficulty speaking earlier on,
8 so I'll lower my hand now.

9 HEARING OFFICER LEE: Understood. Thank you for
10 joining us.

11 MR. ZIELKIEWICZ: Thank you for having me.

12 HEARING OFFICER LEE: Okay. So, do we have any
13 witnesses with time constraints today? In the event that
14 we're unable to finish the Evidentiary Hearing today, are
15 people available on June 18th? June 18th was the original
16 date for Evidentiary Hearing and the Committee may use that
17 date to complete the proceeding, if necessary.

18 I'll handle these two issues together and this is
19 probably where I would like to discuss what Mr. Galati
20 brought up earlier that we might want to take SVP and BAAQMD
21 witnesses first. Let me ask -- let me go to the Applicant
22 first.

23 MR. GALATI: I would have to confer with my witnesses
24 about June 18th. When this got moved to June 15th we were
25 available then, so I'll have to get back to you on that.

1 We'd very much like to complete this Evidentiary Hearing
2 today.

3 HEARING OFFICER LEE: Okay. Do any of your witnesses
4 have time constraints this afternoon or evening?

5 MR. GALATI: No.

6 HEARING OFFICER LEE: Okay. Staff?

7 MS. DECARLO: Lisa DeCarlo for staff. I think we can
8 be generally available June 18th. We have endeavored to
9 shorten our direct testimony compared to at least what was
10 provided in Sequoia. So, we are hopeful that we can finish
11 today. And we should be able to -- staff should be able to
12 go a little bit later today if that's required, as well.

13 HEARING OFFICER LEE: Thank you. Mr. Sarvey?

14 MR. SARVEY: I'm available all day today and I'm
15 available on the 18th.

16 HEARING OFFICER LEE: Well, thank you. And as I
17 mentioned, staff's Prehearing Conference indicated it was
18 sponsoring witnesses from BAAQMD and SVP to participate in
19 the Evidentiary Hearing. And it sounds like we have those
20 witnesses with us today.

21 Mr. Galati asked if maybe the parties would not
22 object to moving them toward the front of testimony. Ms.
23 DeCarlo, do you have an opinion on that?

24 MS. DECARLO: Yes. What we did in Sequoia worked
25 well, which is having SVP go first, as Mr. Galati suggested,

1 followed by the BAAQMD representative, and then followed by
2 the subject areas where the parties' witnesses themselves
3 will be testifying starting with Air Quality/Public
4 Health/Greenhouse Gas Emissions in one panel. And then,
5 followed by Energy, Energy Resources, and Generating Capacity
6 in a separate panel, at least for staff's purposes.

7 HEARING OFFICER LEE: Thank you. Any objection to
8 that, Mr. Sarvey?

9 MR. SARVEY: No, whatever accommodates the Applicant
10 that's fine with me.

11 HEARING OFFICER LEE: Thank you. Then, as a courtesy
12 the Committee will allow witnesses from SVP and BAAQMD to go
13 first.

14 Now, in Mr. Sarvey's Prehearing Conference Statement
15 he requested briefing. In staff and Applicant's Prehearing
16 Conference Statements they both said they did not anticipate
17 that briefing would be necessary. The Committee is going to
18 allow briefing limited to 15 pages and due in 7 business days
19 after the reporter's transcript from the Evidentiary Hearing
20 is published. The Committee will give details about this
21 later at the Evidentiary Hearing or in a written order after
22 the Evidentiary Hearing.

23 So, if we provide an opportunity for briefing would
24 the parties still like to request closing statements?

25 MR. GALATI: This is Scott Galati on behalf of the

1 Applicant. Yes, I would like a closing statement and again,
2 oppose the concept of briefs.

3 MS. DECARLO: Lisa DeCarlo for staff. Yes, we would
4 request the ability to do a closing statement. We find that
5 they are helpful at least to sum up the testimony heard. And
6 we also do not believe general briefs are necessary. But
7 certainly, if the Committee has a specific legal question
8 they feel needs to be explained, then we would be happy to
9 dive into that.

10 MR. SARVEY: This is Bob Sarvey. I don't need a
11 closing argument since you're providing a brief.

12 HEARING OFFICER LEE: Right. I think the closing
13 statement serves a purpose. So, the Committee will allow
14 closing statements if you wish.

15 So, Mr. Galati, it's your burden of proof. Would you
16 like to give your closing statement first or last?

17 MR. GALATI: I'm happy to go last. Thank you for
18 asking and finally recognizing I have the burden of proof.
19 I'd like to go last.

20 HEARING OFFICER LEE: Yeah, thank you. Now, at this
21 time I ask whether Commissioner Douglas or Vice Chair Scott
22 would like to make any final remarks.

23 COMMISSIONER DOUGLAS: This is Commissioner Douglas,
24 nothing from me.

25 VICE CHAR SCOTT: This is Vice Chair Scott. I also

1 do not have any comments right now.

2 HEARING OFFICER LEE: Very good. Then at this time
3 we're going to move to public comment. I ask that if I have
4 any members of the public who wish to make a public comment,
5 please use the raise hand feature so that we can unmute you,
6 so that we can obtain your public comments.

7 Please use the raise hand feature. Again, on Zoom
8 that would be star 9. And I do see one raised hand. That's
9 the Public Advisor's Office. Okay, please Ms. Avalos go
10 ahead.

11 MS. AVALOS: Ralph, this is Rosemary Avalos from the
12 Public Advisor. I'm just on the phone on Zoom and I was just
13 trying to unmute myself and then mute myself. So, I
14 apologize, it's just me working on the phone. But I don't
15 have any public comment right now.

16 HEARING OFFICER LEE: Okay, thank you. I'm going to
17 lower your hand. Well, it looks like I can't. I'll ask Ms.
18 Carlos to do that, please.

19 Okay, I see no raised hands. And so, I think -- I
20 don't suspect we have any public comment, but just to be
21 extra sure I'm going to ask Ms. Carlos is it possible to
22 unmute all the phone lines?

23 MS. CARLOS: There's nobody who has raised their
24 hand, the attendees' hands.

25 HEARING OFFICER LEE: All right. Yeah, we have

1 nobody who raised their hand so we are going to leave public
2 comment. Going once, going twice, okay.

3 Then, I'm going to turn the conduct of the hearing
4 back over to Commissioner Douglas to adjourn.

5 COMMISSIONER DOUGLAS: All right. So, we are
6 adjourned. The Prehearing Conference is adjourned.

7 (The Prehearing Conference was adjourned
8 at 2:05 p.m.)

9 --oOo--

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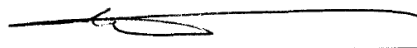
25

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 18th day of June, 2020.



PETER PETTY
CER**D-493
Notary Public

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 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 18th day of June, 2020.



Barbara Little
Certified Transcriber
AAERT No. CET**D-520