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NEW YORK STATE PUBLIC SERVICE COMMISSION

CASE 12-E-0201
CASE 12-G-0202

ELECTRIC AND GAS DELIVERY RATES FOR
NIAGARA MOHAWK POWER CORPORATION
D/B/A NATIONAL GRID FOR ELECTIRC
AND GAS SERVICE

DATE: January 10, 2013
TIME: 3:30 p.m. to 5:30 p.m.
LOCATION: Fowler High School
227 Magnolia Street
Syracuse, New York
BEFORE: A.L.J. DAVID PRESTEMON

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY

2 (The public hearing commenced at
3 3:30 p.m.)

4 A.L.J. PRESTEMON: Good
5 afternoon, ladies and gentlemen, and welcome to the
6 public statement hearing in Public Service
7 Commission cases twelve E O two O one and twelve G
8 O two O two, which are concerning the rates for
9 electric and gas delivery service charged by
10 National Grid in the service territory of Niagara
11 Mohawk Power Corporation.

12 My name is David Prestemon. I'm
13 an administrative law judge with the Department of
14 Public Service. With me at the table is
15 Commissioner Gregg Sayre. Mr. Sayre is one of the
16 five Commissioners who have ultimate responsibility
17 for making a decision in this case.

18 In the back of the room also from
19 the Department of Public Service is Jeff Wagner.
20 Mr. Wagner has materials, including a summary of
21 the issues in this case, and he can give you
22 information about providing comments to the Public
23 Service Commission, either here or in other ways.

24 The cases we are concerned about
25 here today began in April 2012 with the filing by

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 National Grid of -- of a rate case seeking
3 Commission approval to raise rates for electric
4 delivery service by about one hundred and
5 forty-five million dollars per year, and to raise
6 rates for gas service by about twenty-nine million
7 dollars per year. After the filing of the rate
8 case, testimony was filed in the case by the staff
9 of the Department of Public Service, by the Utility
10 Intervention Unit of the Division of Consumer
11 Protection of the New York Department of State, by
12 the Public Utility Law Project, and other parties.

13 After filing of the testimony the
14 parties entered into negotiations in attempt to
15 develop a resolution to the case. That resulted in
16 the filing on December 7th of what is called a
17 joint proposal to the Commission. The joint
18 proposal was signed by the companies, National
19 Grid, by the Department staff, the Utility
20 Intervention Unit, the U.S. Department of Defense,
21 multiple interveners which represents large
22 customers, and others. This joint proposal in the
23 case is just that. It is only a proposal to the
24 Commission. The Commission may reject it
25 completely, accept it completely, modify it, or

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 object -- accept or reject any part of the
3 proposal.

4 Under the joint proposal,
5 electric -- the rates for electric -- electric
6 delivery service would be raised by about one
7 hundred and twenty-three million dollars compared
8 to the one hundred and forty-five million that
9 National Grid filed for. The raise would be
10 stepped in over three years, however, with the
11 increase in the first year being about forty-three
12 million dollars. Gas rates would rise by about
13 nine million dollars compared to the twenty-nine
14 million that National Grid requested, and this
15 increase would also be in three steps over three
16 years, with the first year actually being a
17 decrease in rates of about three million dollars.

18 Now the impact of these delivery
19 rate increases would be completely offset in the
20 case of electric service by the expiration of a
21 surcharge that National Grid is currently
22 collecting and also by the return to customers of
23 certain credits that have built up over time that
24 can be refunded. The impact on gas rates will also
25 be substantially mitigated by the return of some

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 credits, but there will still be an increase. And,
3 of course, without the increase in delivery rates
4 the impact of those -- that expiring surcharge and
5 those return credits would be much greater in
6 lowering rates.

7 The purpose of this hearing is to
8 give an opportunity to anyone who wishes to comment
9 live and in person on the joint proposal in this
10 case. No prepared statement is necessary. You
11 don't have to have anything in writing. To keep
12 the process orderly, all we ask is that if you want
13 to speak, you see Mr. Wagner in the back and fill
14 out a card with your name and address. And we will
15 generally take speakers in the order in which they
16 submit the cards, although we try to -- we try to
17 accommodate those who need to leave early.

18 All comments that are made here
19 will be taken down by our reporter, Mr. Michael
20 France, to my left. They will be transcribed.
21 They will be filed in the record of this case and
22 will be before the Commission when it makes its
23 decision. We will remain here until everyone who
24 wants to speak has been heard or five thirty,
25 whichever comes last. We'll stay until everybody

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY

2 has spoken.

3 And with that -- oh, I should
4 emphasize, and one thing I almost forgot. If you
5 don't want to speak live and in person here, you
6 don't have to. It's not the only way you can get
7 your comments to the Commission. You can get
8 comments in by mail, by e-mail, by -- through the
9 Commission's website or by telephone. And if you'd
10 like more information about how to do that for
11 either yourself or your friends or neighbors who
12 might want to comment, again, see Mr. Wagner in the
13 back and he's got information on all that.

14 And with that, we will begin.
15 I'd appreciate it when you step to the podium if
16 you would just give your name and address so that
17 it will be on the -- on the transcript. And taking
18 first, because I understand you have to leave
19 early, from St. Joseph's Hospital, Kristen Heath.

20 MS. HEATH: Thank you. You'd
21 like me to spell my name? It's K-R-I-S-T-E-N
22 H-E-A-T-H, and I'm with St. Joseph's in Syracuse,
23 New York. That's at 301 Prospect Ave.

24 On behalf of St. Joseph's
25 Hospital Health Center in Syracuse, New York, I'd

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 like to offer our support for National Grid's most
3 recent rate filing. To be brief, we understand the
4 need for continued upgrades to an investment in our
5 energy transmission infrastructure. While no
6 business or household would like to see their
7 respective rates increase, a reliable transmission
8 infrastructure is a necessity rather than an
9 option.

10 We understand the rate increases
11 proposed by National Grid are necessary to support
12 the capital improvements required for safe and
13 reliable operation of our transmission system. We
14 support the reinvestment of funds into economic
15 development projects in the National Grid service
16 territory. We also appreciate the provisions of
17 the plan encompassing support, education, and
18 assistance for low-income individuals and
19 households, such as the gas and electric low-income
20 discount programs and the affordability program.

21 Unfortunately, too many of the
22 residents in the neighborhood within which St.
23 Josephs is situated, rely on some form of
24 assistance to accommodate their cost of living.
25 Our organization believes in providing a

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 comprehensive system of supports for the
3 accomplishment of better health outcomes and
4 believe National Grid shares the same belief. For
5 these reasons and others, we support the approval
6 by the Public Service Commission of the current
7 rate proposal by National Grid. Do you have any
8 questions?

9 A.L.J. PRESTEMON: No. Thank
10 you, Ms. Heath.

11 MS. HEATH: Thanks.

12 A.L.J. PRESTEMON: All right.
13 Next, Deborah Smith. Would you like -- would you
14 like the microphone brought down? If you could
15 give us your name and address?

16 MS. SMITH: Yes. Hi. My name is
17 Deborah Smith. I live at 411 Bradley Street,
18 Syracuse, New York 13204. Good afternoon. My name
19 is Deborah Smith. I am a volunteer delegate to the
20 Central New York Worker's Benefit Council and as
21 such I am speaking on behalf of twenty thousand
22 low-income, unemployed, and disabled workers and
23 their families.

24 We demand that the P.S.C. fulfill
25 its mandate to protect the ratepayers by denying

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 National Grid's one hundred and twenty three
3 million electric rate increase and eight point
4 eight million natural gas rate increase.
5 Furthermore, we are asking that the Commission
6 consider the demands we brought forward five years
7 ago to lower the utility rates, establish a -- a
8 memorandum -- moratorium on electricity shutoffs,
9 and direct National Grid to revise its debt
10 forgiveness program as it is grossly inadequate to
11 deal with the hundreds of thousands of customers
12 that can't afford the utilities.

13 Okay. This area once boasted
14 thousands of good paying manufacturing jobs. In
15 recent years, companies like Syracuse China and New
16 Process Gear have shut down. In the financial
17 crisis that began in 2008, the economy sheds eight
18 point eight million jobs. Since then, the economy
19 has created less than half of that number of jobs,
20 mostly part-time and in low paid service sectors.
21 It is not surprising to see the number of families
22 living below the poverty line in Central New York
23 has increased by another thirteen percent in the
24 past three years, with fifty-three percent of
25 children in the city of Syracuse living below the

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 poverty line. Syracuse has the highest poverty
3 rate in northeastern cities with populations over a
4 hundred thousand.

5 I am here today to call on this
6 body to -- you HAVE AN official mandate to
7 service -- to serve the residents of this state,
8 according to the Public Service Commission 1907
9 mandate, and I quote, to protect utility customers
10 from the potential abuse of monopoly power as well
11 as to protect the rights of New Yorker's while
12 ensuring access to reliable and low cost utility
13 service.

14 The working poor of Central New
15 York are suffering because the P.S.C. has failed to
16 fulfill its obligation to protect the customers.
17 We pay the third highest utility rates in the
18 United States. Since the Public Service Commission
19 issued its vision order in 1996 ushering a utility
20 deregulation, the utility costs have increased
21 instead of decreasing as was promised. Instead,
22 the State has worked with utility companies in
23 other industries -- insiders to guarantee their
24 profits at the expense of the ratepayers' ability
25 to afford utility services.

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY

2 For example, the Commission
3 proposed that the New York State Independent System
4 Operator would cost taxpayers less to run than the
5 New York Power Pool that was established in 1996 --
6 1966. The Power Pool cost fourteen point five
7 million annually to run in 1996. The Independent
8 System Operator cost forty-four -- a hundred and
9 forty-four million to run annually today. The
10 executives that run the Independent System
11 Operators are some of the highest paid nonprofit
12 executives in the Capital District. That hundred
13 and forty-four million comes out of the pockets of
14 the ratepayers each year, ratepayers that are
15 barely making ends meet.

16 According to the study
17 commissioned by the state government last year, the
18 poorest New Yorkers pay more than forty percent of
19 their income for heat and electricity despite the
20 P.S.C.'s mandate to ensure costs are affordable.
21 National Grid carried out an average of four
22 hundred and twenty-three shutoffs per day from
23 December 2010 until March 2011, some of ten
24 thousand households while National Grid made four
25 point ninety-nine billion in operating profits.

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY

2 And the P.S.C. is protecting
3 National Grid's profit at eight point nine percent,
4 allowing increases -- increasing rates on growing
5 number of households who can't afford utility
6 service and merely do without. There is nowhere to
7 run, no other company to get heat and electric
8 from. I know this situation personally because I
9 have been a low-income worker all my life and I am
10 living on a fixed income now. Because I have not
11 been able to afford utility services, utilities eat
12 up forty percent of my income. I have a large debt
13 with the utility company that I will never be able
14 to pay off in my lifetime. I have a payment plan
15 which is a struggle to keep up with, but if I am
16 five or ten dollars short of that payment plan,
17 my -- in my given month, and I am just one example
18 out of tens of thousands, then National Grid can
19 shut me off.

20 The P.S.C. must end this clear
21 abuse of monopoly power. Let me be clear. We are
22 not saying National Grid can't make profit, but
23 we'd object to the State protecting the profits of
24 the company at the expense of the low-income
25 households and small business that the P.S.C.

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 should be protecting. Section 65 of the New York
3 State Public Service Law states every gas
4 corporation, every electric corporation shall
5 furnish and provide such service as shall be safe
6 and adequate in all respect just and reasonable.
7 All charges should be just and reasonable. Every
8 unjust and unreasonable charge is prohibited.

9 Furthermore, Section 51 of the
10 New York State Public Service Law states the
11 Commission shall adopt additional rules and
12 regulations as it's -- as it deems necessary and
13 proper to implement the provisions of this act.
14 Clearly, the Commission has -- has both the duty
15 and the power to act in the interest of low income
16 rate payers in order to fulfill its most basic
17 mandate to ensure access to low cost utilities for
18 all New Yorkers.

19 We, the Central New York Workers
20 Benefit Council, demand that the Public Service
21 Commission install the following policies. Deny
22 National Grid request for the hundred and
23 twenty-three million electric rate increase and the
24 eight point eight million national -- natural gas
25 rate increase. Two, implement a year-round

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 moratorium on utility shutoff for families whose
3 income is at or below two hundred and fifty of the
4 poverty level -- percent. Three, allow for
5 reconnection and renegotiation of payment plans
6 without penalty or fee or down payment for those
7 whose service has been terminated due to economy --
8 due to economic inability to pay. And finally,
9 cancel all utility debts for those that are at or
10 below two hundred and fifty percent of the federal
11 poverty guidelines. Thank you.

12 A.L.J. PRESTEMON: Thank you, Ms.
13 Smith.

14 Next, also from the Central New
15 York Workers Benefit Council, Ann Reynolds.

16 MS. REYNOLDS: Good afternoon.
17 My name is Ann Reynolds. I'm a volunteer of
18 delegate to the Central New York's Benefits
19 Council. I live here in Syracuse. I live on
20 Lydell Street. I'm retired and I'm -- I'm one of
21 the retired workers struggling with this income.

22 The Public Service Commission has
23 a legal responsibility to ensure low-cost utilities
24 to all New Yorkers. You are ensuring just and
25 responsible rates, but they are not just or reason

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 if we can't afford them. I'm here to present you
3 with nine hundred and twenty-nine signatures of
4 people who signed who are against this rate hike.

5 I -- we want to lower the rates,
6 stop the shutoffs of low-income families, those who
7 are below two hundred and fifty percent of the
8 poverty level, debt forgiveness for low-income
9 families, those that owe thousands and thousands of
10 dollars but who will never be able to pay off their
11 debts of two hundred and fifty percent of the
12 income, reconnect service to all those shut off
13 without a penalty fee. I'm asking you what are you
14 going to do about our demands. Thank you.

15 A.L.J. PRESTEMON: Thank you.

16 MS. REYNOLDS: What are you going
17 to do? What are you going to do?

18 A.L.J. PRESTEMON: I'm not going
19 to do anything. I'm not on --.

20 MS. REYNOLDS: You're the
21 commissioner.

22 A.L.J. PRESTEMON: No, I'm not.

23 MR. SAYRE: I'm one of the
24 commissioners.

25 MS. REYNOLDS: Well, that's what

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY

2 I'm saying.

3 MR. SAYRE: We will -- we will
4 take into account everything in the record,
5 including your statements, including your
6 petitions.

7 MS. REYNOLDS: Well, taking into
8 account isn't helping people that can't afford
9 their National Grid bills.

10 MR. SAYRE: At -- at this
11 point --.

12 MS. REYNOLDS: This -- in
13 Syracuse, there's no jobs. People are living --
14 they don't know whether they're going to heat, eat,
15 or buy medication.

16 MR. SAYRE: I can promise you
17 that your points will be carefully considered. I
18 can't --.

19 MS. REYNOLDS: There's a lot of
20 people in Syracuse who are really scratching and
21 they don't know what they're going to do. Do we
22 want Syracuse to become a ghost town? No. We want
23 National Grid to help these people. We want to
24 stop these December to May shutoffs. We don't want
25 people burning up with candles that they have to

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY

2 use to keep warm.

3 A.L.J. PRESTEMON: All right.

4 There -- your petition will be marked as Exhibit

5 One included in the record.

6 MS. REYNOLDS: Thank you.

7 MS. BUSH: Good afternoon. My

8 name is Tammie Bush. And I also am a delegate from

9 the Central New York Workers Benefits Council. I

10 worked at -- as a home health aide in hospice and

11 all kinds of specials. I got a job which I work

12 very hard and I made little money. So now I'm on

13 disability because of the hard work I did. Now I'm

14 living on a fixed income and it is very hard to

15 make ends meet.

16 I have health problems such as I

17 have a cardio CPAP machine and a nebulizer, so I

18 can -- so I can't afford to be without electricity.

19 I certainly can't afford to be without heat in the

20 winter. I've been hospitalized four times in the

21 last year because I could not afford to accommodate

22 heat -- or adequately heat or cool my apartment for

23 fear of high utility bills that result from doing

24 that.

25 When inquired about the Lifelong

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 Program in National Grid, representatives said I
3 did not qualify, that I should go to a neighbor's
4 house if I don't have power. I can't sleep at my
5 neighbor's house, though my neighbors are very
6 nice. I know other people in my circumstance that
7 contacted the P.S.C. and the P.S.C. will not do
8 anything to protect people who are low income and
9 have health problems that require electricity.

10 This is a lot of stress to
11 undergo when you don't have money and you have
12 health problems. Since there is no other place I
13 can get electricity or gas service from, National
14 Grid is a monopoly. And then to live under the
15 constant fear that you could get shut off, I
16 consider that abuse of monopoly power. This is
17 against the P.S.C.'s basic mandate. I demand that
18 the P.S.C. do its job, represent the ratepayers,
19 and not the profiteer. Freeze the rates not the
20 ratepayers. Stop the shutoffs of low-income
21 families and start a real debt forgiveness program
22 for low income and lower the rates. Thank you so
23 much.

24 A.L.J. PRESTEMON: Thank you, Ms.
25 Bush.

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY

2 Next we have Michael Treadwell.

3 MR. TREADWELL: Good afternoon.

4 I am L. Michael Treadwell. I'm executive director
5 of Upper Eastern Oswego County, 44 West Bridge
6 Street, Oswego, New York. O.C. is a not-for-profit
7 economic development organization. It's been in
8 existence since 1953. I'm also C.E.O. of the
9 County of Oswego I.D.A. at the same address.

10 Oswego County is the -- to brag a
11 little bit, we're the proud home of about five
12 thousand megawatts of electrical generating
13 capacity. Both of the economic development
14 organizations that I'm representing have a long and
15 extensive working relationship with National Grid
16 and its predecessor Niagara Mohawk. National Grid
17 has been an essential ally to our efforts to
18 promote and encourage economic development, job
19 creation, and retention in Oswego County.

20 I am here to support the proposed
21 change in the electric and gas delivery rates as
22 outlined in the joint proposal. This support is
23 predicated on the reductions in year one for
24 electric and gas delivery, six point two percent
25 and four point three percent respectively, and a

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 fair and reasonable increase in years two and three
3 of one point nine for electric and two point nine
4 for gas.

5 Energy cost is a very important
6 factor as it relates to the ability to enhance
7 business development, encourage capital investment
8 in the private sector, and to maximize
9 opportunities for job creation and job retention in
10 our local communities. From my vantage point as an
11 economic developer, the proposed three-year plan
12 would reduce delivery costs initially, help to
13 stabilize energy costs, allow for one point six
14 billion to be committed to enhance and improve the
15 electrical and gas infrastructure system, and would
16 continue National Grid's commitment in supporting
17 quality economic development projects with twelve
18 million dollars in direct funding.

19 I would like to thank the P.S.C.
20 for the opportunity to -- to make this comment and
21 to support the joint proposal. We believe it would
22 have a very positive impact on the economics of
23 Central New York and in Oswego County specifically.
24 Thank you.

25 A.L.J. PRESTEMON: Thank you, Mr.

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY

2 Treadwell.

3 Next Deborah Warner.

4 MR. WARNER: I'm Deborah Warner,
5 Vice President -- Deborah Warner, Vice President
6 for Public Policy at Center State C.E.O. Our
7 offices are at 572 South Salina Street, Syracuse,
8 New York. We're a twelve-county regional business
9 and economic development organization with two
10 thousand members. Our membership is diverse,
11 representing key sectors such as advanced
12 manufacturing, high technology and defense,
13 healthcare and education, agribusiness, and
14 financial services. Employment in our member firms
15 ranges from sole proprietors to large institutions
16 with over ten thousand employees.

17 Regardless of the size of the
18 business, the cost availability and reliability of
19 energy in our region is absolutely critical to our
20 members and to the overall regional economy. A
21 dependable energy supply moving through an
22 up-to-date, well-maintained distribution system is
23 lifeblood to our economy and our quality of life.
24 Importantly, this plan includes one point six
25 billion dollars in continued investment in electric

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 and natural gas networks and infrastructure in
3 Upstate New York.

4 Increasingly, as we interact with
5 business attraction prospects, the reliability of
6 energy delivery especially electricity, is
7 identified as a critical factor in the decision
8 making process as to where a company locates,
9 invests private capital, and creates jobs. While
10 issues such as work force, quality, labor
11 availability, access to markets, and operating --
12 operating costs remain important, electric service
13 reliability and quality can be added to what is
14 frequently evaluated by site location consultants
15 and corporate real estate executives. This is true
16 whether the prospect is planning to produce
17 something as ceramic capacitors or maintain an
18 in -- global inbound customer support center.

19 In addition to focusing on
20 providing a dependable energy infrastructure,
21 National Grid continues to support specific
22 economic development projects that both retain and
23 attract jobs to our region. With approval of this
24 plan, twelve million dollars will be invested in
25 new projects. And there was a strong track record

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 of this program here with National Grid. To date
3 some of the key projects in our region that have
4 benefited in our -- in our area, the Pike Block in
5 downtown Syracuse, a commercial and residential
6 development project, the growth of Tessy Plastics,
7 a thriving and expanding manufacturer in Onondaga
8 County, the Syracuse Center of Excellence in Energy
9 and Environmental Systems, and efforts to leverage
10 the region's unique strength in electronics and
11 sensing technology for business development just,
12 to name a few.

13 Additionally, given the current
14 growing supply and historically low natural gas
15 commodity cost, National Grid's plans to
16 investigate expansion of natural gas service in
17 Upstate to take advantage of this situation are
18 worthwhile and a wise long-term investment.

19 In summary, reliable, high
20 quality energy and its effective delivery is a
21 critical element of our region's economic
22 infrastructure. It is undeniably a critical asset
23 to keep growing and attracting jobs. We believe
24 this plan recognizes this tenet and provides the
25 level and type of investment required. Thank you

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY

2 very much.

3 A.L.J. PRESTEMON: Thank you, Ms.

4 Warner.

5 Next, Arlene Fordock.

6 MS. FORDOCK: Can you put your

7 in -- microphones on, please? Nobody in the back

8 can hear what you are saying.

9 A.L.J. PRESTEMON: We don't have
10 any, unfortunately.

11 MS. FORDOCK: You have
12 microphones in front of you.

13 A.L.J. PRESTEMON: They're --
14 they're to the recording machine.

15 MS. FORDOCK: Oh, my. Okay. The
16 Public Service Commission is composed of a -- what
17 I could call a decision-making body type person.
18 Is there an electrical engineer on the P.S.C.? Is
19 there a mechanical engineer on the P.S.C.? Is
20 there a C.P.A. that understands what National Grid
21 is trying to pull off on the Commission? Is there
22 ever a citizen survey done by the P.S.C.? These
23 public meetings are not doing the work that should
24 be done. We do not have computers, the majority of
25 us that are over sixty-five. We don't have the

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 money to even pay for the software needed to make a
3 computer function in this day and age. We have
4 money expenses otherwise. Not to match the low
5 income because I'm retired and I have a pension.
6 Most of the low-income do not have pensions because
7 they never worked at a job that gave pensions.
8 They never worked at a job that gave 401c3s.

9 Now there are discrepancies in
10 the ranking of users of electricity and gas. Some
11 kind of a reasonable solution must exist to put the
12 rate payers in different categories so that
13 National Grid understands every single one of the
14 rate payers' low income status or high income
15 status or medium income status, so as a monopoly
16 they will not ever again want to take advantage.

17 I've had enough of this foreign
18 company being allowed to run a monopoly in the
19 United States. The Public Service Commission
20 should have a mandate that says they have to hire
21 and put into use a company from the United States.
22 I will not go through an electric and gas fiasco
23 like what has recently happened with H.S.B.C. Bank.
24 It is unreal to expect a foreign company to operate
25 to the proper standards or recognize what citizens'

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 involvement really is. I will make bets in their
3 country they never have a session like this. They
4 run a monopoly in their own country. That's just a
5 side issue.

6 We have a problem here in this
7 area because Hancock International Airbase is the
8 home of the drones. We have been on the two
9 hundred possible bombing sites since World War Two.
10 What has been done by the P.S.C. to take into
11 account that when the generators work at Hancock
12 International Airport for the military and all the
13 employees over there and the citizens will go
14 without power? Where is the emergency plan for
15 that?

16 I've heard the term hardening of
17 the power grid. Does the P.S.C. know anything
18 about hardening the power grid and making it a
19 primary responsibility of National Grid to take
20 steps to harden the power grid? Entire New York
21 State, I'm talking about, not just this little
22 area. The Homeland Security office that they
23 should be working with is called interoperable. I
24 have done many phone calls in order to research
25 this and get to the proper point. We need to be

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 protected not just by the P.S.C., but by the
3 workings of the P.S.C. in concert with Homeland
4 Security. This day and age is not like when the
5 1940s made it so easy for everybody to leave their
6 doors open. It does not make it possible for us to
7 have jobs to a proper extent. It does not make
8 citizens have any response that would please the
9 P.S.C.

10 I'm putting you into a hard spot
11 and the P.S.C. deserves to be a in a hard spot.
12 This has been going on for too many years that
13 certain parts of the citizens have been ignored.
14 When I call customer service for National Grid, I
15 am now required to give the last four digits of my
16 social security number. Why? The rampant thing
17 that happens in our country now is I.D. being
18 stolen. I have given my account number, my name
19 and address, and my name. Why do they ask us? For
20 some unknown mandated reason, they need my last
21 four digits of my social security number? I think
22 it's illegal as you know what. Nobody is supposed
23 to use your social security number even with your
24 health insurance anymore on your I.D. cards for
25 your health insurance. They have had to convert

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 out of that social security number into a separate
3 number system. Why hasn't National Grid done the
4 same thing?

5 My personal concern, besides
6 National Grid being a monopoly that I don't think
7 is worth two cents, is that I've lived in my house
8 nineteen years. The bank and I own it. My gas
9 meter's never been calibrated. My electric meter's
10 never been calibrated. There should be spot checks
11 required of National Grid to do such things. There
12 also should be spot checks to make sure that the
13 substations in every neighborhood are up to par.

14 In the last eight years, we have had too many
15 outages and, oh, they say it's a squirrel, then the
16 next time they say it's a fire in the substation.
17 You wouldn't have a fire in the substation if you
18 had brought all your mechanical and electrical
19 equipment up to date. Something is wrong with
20 their spot checks.

21 I appreciate all the time that
22 the P.S.C. will take to figure all this out. The
23 raises that are going to happen in the first --
24 pardon me -- the second two years of the reduction
25 of the delivery service I understand is what's

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 being considered by the P.S.C. We have had lousy
3 consideration for years as citizens. The
4 businesses get priority, get put into the empire
5 zones, or they get money from the government which
6 is really taxpayer money that they are getting to
7 use for their independent purposes. I would like
8 to see a different attitude of the P.S.C. like was
9 brought up by this committee here that you were
10 mandated in so many years to do thus and so for the
11 citizens. I would like to see a reduction of the
12 delivery fee for the next ten years. No increases
13 in the delivery fee for the next ten years. That
14 doesn't even count the nineteen years or the thirty
15 years that the low-income people have been negated.

16 I am upset. You are doing a good
17 job to listen to me, but I guarantee you there are
18 more people like me that don't have the guts enough
19 to come here and talk. Thank you very much.

20 A.L.J. PRESTEMON: Thank you.

21 Thank you.

22 Next, Mr. Paul Nojaim.

23 MR. NOJAIM: Hi. My name is Paul
24 Nojaim. I own Nojaim's Supermarket, 307 Gifford
25 Street, Syracuse, New York, Near West Side. I know

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 it's not popular to speak in favor of a rate filing
3 and I understand what these folks are saying and I
4 know they experience it. I don't receive any
5 special rates or any programs from National Grid
6 and I have to write that check and I know what a
7 hardship it is.

8 But I think it also has to be
9 weighed with the other part of it. We're in a
10 neighborhood that's the poorest in New York State,
11 one of the poorest in the country. The last five
12 or six years, for the first time in decades, folks
13 have taken an interest in that neighborhood and are
14 actually revitalizing that neighborhood. We've had
15 the opportunity to see, through the Brownfield
16 Redevelopment, the Main Street Program, the Urban
17 Corridor Program, numerous businesses come in from
18 Lincoln Supply, 601 Tully Street, King and King,
19 W.C.N.Y., ProLiteracy. And for the first time in
20 decades, we are actually seeing our tax base
21 improve in that community.

22 And, you know, my family's been
23 there for ninety-four years. That was a
24 neighborhood that was robust. It was a
25 neighborhood that had opportunity. People there

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 could walk to work. There were jobs along West
3 Street. There were jobs along Fayette Street.
4 There were jobs along Geddes Street. Every one of
5 these organizations that is coming back in is
6 parlaying National Grid redevelopment money into
7 tens of millions of dollars in investment, and I
8 think that has to be weighed into this.

9 Short term, it is a decrease
10 in -- in our rates which we badly need. I know
11 this is -- this is difficult for people that's --
12 you know, we have some of the highest taxes in the
13 country. Onondaga County's fifth highest in the
14 nation, so it's very difficult. And when you have
15 an opportunity to push back, rightfully so, people
16 are here to push back and say we -- we need help
17 and fairness. But I think the other side of the
18 coin also has to be weighed as well. Thank you.

19 A.L.J. PRESTEMON: Thank you.

20 Marlene Hoyer?

21 MS. HOYER: Sir, I'm not up here
22 to judge you or anything like that. I'm up here
23 for pacific (sic) reasons. I'm not going to set
24 here and quote you any of your percentages. I'm
25 not going to set here and -- stand here and quote

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 you how much you want. All I know is that this.
3 If we could play a game and I was your boss, you
4 were a -- or you a customer or you are under me,
5 and I came to you and said to you, sir, sir, I'm
6 the boss here. I'm going to take, in three years,
7 five dollars away from you every month and I'm
8 going to keep it for myself. The next year, I'm
9 going to take ten more dollars from your paycheck
10 and I'm going to keep that for myself. And on the
11 following year, I'm going to take twenty. What are
12 you going to do to me? What are you going to say
13 to me? You ain't going to like me.

14 I think if a person, a citizen
15 that I'm probably not as bad off as mostly all
16 these people here, but I find myself and my husband
17 both in a situation where maybe in the next couple
18 years, I'm going to be like that, but I'm going to
19 have to come up here and quote data from whatever I
20 find in the paper, data from whatever I look up in
21 the computer, and tell you that, hey, look I can't
22 afford this anymore. I'm paying my own insurance
23 and I'm a senior citizen. I'm paying for somebody
24 else down the road because I feel sorry for them,
25 they don't have the food. And I know this for a

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 fact because I live in the same neighborhoods as
3 most of these people here do. And I know that most
4 of them can't afford an extra five or ten dollars a
5 month in their electric bill; right? And I know
6 this.

7 Right at this moment -- and
8 Mrs. -- Ms. Reynolds knows that I have a husband
9 that has one lung that needs oxygen. That's
10 electric. I'm on two machines at night. That's
11 electric. So if in the meantime they're going to
12 keep adding this up and then my taxes are going up
13 and everything else is going up, I have to look
14 back at this and say, hey, is this ten dollars more
15 for me to pay out of the budget that I have right
16 now? Because God only knows my taxes just -- my
17 school taxes just went up four hundred dollars
18 because I'm on a corner property. But that's not
19 your problem.

20 My problem here is that I set in
21 my home and I put a new furnace in my house, I had
22 all my electrical changed so that maybe I could
23 lower my payments to you. I look at my bills and I
24 see that guess what? I lowered the -- I lowered
25 the amount -- amount that I use and I'm freezing

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 with a blanket over me and so is my husband cold.
3 And I put a new furnace in my house, I insulated my
4 house this year, and it's colder than when it was
5 before. And -- and delivery rate is going up and
6 I'm saying what the hell are you delivering to me.
7 And I'm sorry -- I'm sorry for using that word.
8 What are you delivering to me? What are you
9 delivering to them that don't have as much money?
10 And my husband at seventy-one is still out there
11 working with one lung, wanted to quit this year
12 because he's so sick and I got him at the V.A.
13 every other month, and he won't quit because we
14 can't keep up. Once our social security is gone on
15 the 3rd, he has to make that extra money for us to
16 survive. And that is not fair to us.

17 But I'm not really here for me.
18 Don't feel sorry for me because God takes care of
19 me. Somehow He puts something in my hands so that
20 I can pay my bills. But what happens if tomorrow
21 my husband finds out he's got cancer in that other
22 lung? Or I got something with my lung and I can't
23 afford that electricity that goes into my machine
24 every day? I'm talking about these other people
25 that I know that live in poverty and I'm not -- I

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 don't degrade anybody because everybody is equal.
3 But, sir, like I said, I could have went through
4 all this stuff because I have two degrees, and I
5 could go -- come up here and tell you quotes on
6 this percentage and that. I wanted to talk to you
7 like a human being and tell you that these people
8 are suffering.

9 But I do have a suggestion if
10 maybe you would write down this. Maybe if some of
11 the people that don't have a home, that are
12 renting, get on the tails of the -- the -- the
13 homeowners to upgrade, make it a -- a thing to
14 upgrade their furnace, or upgrade their old
15 electric that they got in their house so that they
16 can possibly lower their bills like I lowered my
17 gas bill by putting a new efficiency furnace in.
18 Thank God for the city helping me for that because
19 of our -- both of our illnesses. Thank God for
20 that. And I'm borrowing money from our life
21 insurance policies to pay to insulate the house so
22 that we will be warm. Yes, I still cover myself
23 with blankets.

24 UNIDENTIFIED FEMALE SPEAKER:

25 That's not right.

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY

2 MS. HOYER: And when -- and then
3 this is the funniest thing that I want to ask you.
4 Is there -- on the warm days my furnace with this
5 furnace that I have now comes on constantly. I
6 know it has nothing to do with you. I was
7 wondering if it had something to do with the city
8 or whoever delivers this stuff or whatever. On the
9 days that it's cold, that furnace won't turn on and
10 that thermostat is way down here and I'm still not
11 getting heat. And I call and, no, it's not the
12 furnace. It's the delivery. And I'm -- this is
13 what I'm saying to you. If you're going to charge
14 more for delivery, please, by all means, make sure
15 that we get a little heat in our house. I don't
16 want to turn my thing up to seventy-five or
17 seventy-two even.

18 UNIDENTIFIED MALE SPEAKER: We
19 got ours on seventy all the time and she wears this
20 jacket in the house most of the time.

21 MS. HOYER: That's what I'm
22 saying to you, sir. And with all the flus that are
23 going around if I catch pneumonia, which I have had
24 twice this year --

25 MS. REYNOLDS: You'll be in the

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 hospital.

3 MS. HOYER: I'm in the hospital.
4 I almost died this -- three months ago because of
5 this. This is crazy.

6 MS. SMITH: It would be less than
7 what it is right now.

8 MS. HOYER: And -- and to set
9 here and go over statistics, everybody can go
10 through whatever statistics they want. No matter
11 what, you will probably win in the end. We know
12 this; right? When we were there last year?

13 MS. SMITH: Yes.

14 MS. HOYER: She knows. You
15 won -- you won a little bit extension last year.
16 Now here we are again and I'm not begging for me,
17 sir. I'm begging for the people that are on my
18 street, the people that I see all the time, her,
19 that I know she doesn't have too much. She's
20 retired. She lives up the street from me, Mrs.
21 Reynolds, that -- that, you know, once you pay all
22 your bills, if you're the type of person like I am,
23 the bills come first. Then comes the food and my
24 house.

25 MS. SMITH: Either got to heat or

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY

2 eat.

3 MS. HOYER: Yeah, that's what you
4 got to -- that's what you got to look at, sir, is
5 do I heat my house? Do I put that oxygen machine
6 on at night so that I can breathe and not have a
7 heart attack and my lungs stop? Or do I eat? I
8 pay my bills first, sir. You can check on
9 everything. And then I go to a discount store and
10 buy my food. That's with my husband working. And
11 what I'm saying to you is, sir, don't feel sorry
12 for me. Feel sorry for those people that cannot
13 make it. I'm just making it. And now with this --
14 with this added thing that coming on, does my
15 husband have to work until he drops dead before
16 everybody stops taking a ten dollars here, five
17 dollars here, twenty dollars here? You understand
18 what I'm saying -- saying to you, sir? If it was
19 your wife, you'd be standing in my position. My
20 husband's worked hard all his life. He wanted to
21 retire and he can't. And I'm sure these people
22 have similar situations where they have illness in
23 their family and the medication and the stuff. And
24 to add ten -- I don't care if it's five dollars
25 more, they may not be able to get it.

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY

2 UNIDENTIFIED MALE SPEAKER:

3 That's the bottom end.

4 MS. HOYER: The bottom end is
5 that even if they went down to HEAP, sometimes they
6 tell you that, well, guess what, you make five
7 dollars more than what we can allow you to have.

8 MS. SMITH: No; it's two dollars
9 more.

10 MS. HOYER: Well, now it's two
11 dollars. I don't know. But, you know, but I --
12 like I said, I came here just to say what I felt
13 inside. And I don't want no pity on my part. And
14 I don't want really pity on them either. I just
15 want you to be fair with them.

16 UNIDENTIFIED FEMALE SPEAKER:
17 Yeah, heat's a right. It's a right.

18 MS. HOYER: It's a right.

19 UNIDENTIFIED FEMALE SPEAKER:
20 It's a right for everybody to have.

21 UNIDENTIFIED FEMALE SPEAKER:
22 It's a necessity.

23 MS. HOYER: You know, this is
24 not -- it getting to be like it's not the home of
25 the brave and the free anymore, sir. Think about

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 it. It's not -- it's not free anymore here. We
3 don't want a free ride. We know that you have --
4 there's people up on a pole that's taking care of
5 our electricity. There's people down in the ground
6 that takes care of the electricity. And there's
7 heat -- people that take care of our gas that come
8 through. It's more than normal they get paid for
9 it just like you and I do, but there's also these
10 people here that can't work or somebody in their
11 family they have to stay home with. They need your
12 help, sir. Honest to God they do.

13 UNIDENTIFIED MALE SPEAKER: I
14 believe now there's a shareholder profits, too.

15 MS. HOYER: Yeah. And I -- I
16 don't want to go on to profit sharing or anything
17 like that. Like I know all of that stuff. I was
18 kind of going to come up here and go through all
19 that spiel, but I notice that mostly a lot --
20 everybody has gone through all the percentages,
21 like I said. I just came up here as a human being
22 to tell you that these people are suffering. I'm
23 suffering. I'm cold. I know and every once in a
24 while my husband gets where he says put the heat
25 up, you know. You turn it up and then as soon as

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 he gets in the bed, then you close it down because
3 the blankets are heating him up. But five or ten
4 dollars more a month is -- is eventually going to
5 kill us.

6 UNIDENTIFIED MALE SPEAKER: Can't
7 pay it now -- can't pay it now.

8 MS. HOYER: The delivery thing.
9 I mean, you know, it wouldn't be so bad if you cut
10 back a little on the delivery. I mean, give me a
11 break. I pay twice. I've got all my bills here
12 from last year. I'm paying twice the amount of
13 what I used.

14 UNIDENTIFIED FEMALE SPEAKER:
15 Yeah, that's right. There's something wrong with
16 that.

17 MS. HOYER: Here it is -- here it
18 is, eighty some odd dollars for delivery and I only
19 use, folks, between gas and electric, forty-three
20 dollars. Why in the hell is my delivery charge
21 that much, sir?

22 UNIDENTIFIED MALE SPEAKER:
23 Really, because you're not -- they're not bringing
24 it to us.

25 MS. HOYER: I'm not using it.

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY

2 UNIDENTIFIED MALE SPEAKER: It
3 should go on what they're getting.

4 MS. SMITH: That's right. That's
5 where their profit's coming from.

6 MS. HOYER: And I'm paying for
7 it. Why? That's what I'd like to know. Why?

8 UNIDENTIFIED FEMALE SPEAKER:
9 That's right.

10 MS. HOYER: And I know mine is
11 small, but that's because I keep everything down.

12 MS. SMITH: So do I. Ours is on
13 seventy. We got over a two hundred dollar bill
14 this month.

15 MS. HOYER: See, I don't -- -- I
16 don't get to two hundred because when my husband's
17 not home during -- and he goes out to work, I turn
18 my thing right off. I'd rather set there with a
19 lot of clothes on. And we are -- we are considered
20 probably middle -- middle -- they consider us
21 middle class or just about middle class. What the
22 hell is middle class? Middle class last year -- a
23 few years ago was fifty thousand dollars. We don't
24 even make that.

25 MS. SMITH: I make like eight

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 thousand dollars a year.

3 MS. HOYER: There you go. That's
4 all I make on social security, sir.

5 A.L.J. PRESTEMON: Okay.

6 MS. HOYER: Thank you.

7 A.L.J. PRESTEMON: Thank you for
8 your comments.

9 Michael Kelleher?

10 MR. KELLEHER: My name's Michael
11 Kelleher. I work at the State University of New
12 York College of Environmental Science and Forestry
13 work on energy and environmental studies. SUNY
14 E.S.F. has been a customer of Niagara Mohawk and
15 National Grid's for since its beginning, about a
16 hundred years ago. We have a good working
17 relationship with the company.

18 We think that the balance of the
19 rate plan is positive. We think that the reduction
20 in the charges, first strand of costs that are
21 coming off the bill are being used appropriately
22 to -- and partially offset the increases in
23 delivery charge and also to invest in -- in
24 infrastructure to help maintain the reliable
25 service and infrastructure that the company uses to

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY

2 provide power to us.

3 We believe that the company has
4 been a good partner in the community. They have
5 supported some of our educational efforts through
6 their economic development programs. They've
7 supported projects of ours and of other community
8 members that have helped grow jobs and -- and grow
9 the community. So we consider them a good -- good
10 partner in environmental and energy matters.
11 They've helped us invest in energy efficiency
12 projects and combined heat and power projects that
13 have helped lower both our bills and lower the cost
14 of service for -- for all customers by lowering
15 total supply charges. So we think that, on
16 balance, we support the rate case and -- and we --
17 we are supportive of -- of the program and think
18 that they've been good -- good partners for us.
19 Thank you.

20 A.L.J. PRESTEMON: Thank you, Mr.
21 Kelleher.

22 Okay. Brian O'Shaughnessy?

23 MR. O'SHAUGHNESSY: My name is
24 Brian O'Shaughnessy. I'm the chairman of Revere
25 Copper Products and a member of the Board of

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 Directors of Multiple Intervenors. Just by way of
3 background before I go into my testimony, Revere is
4 the largest consumer of electricity in the Mohawk
5 Valley in Central New York. I think we're a larger
6 consumer of electricity than any single company in
7 Syracuse.

8 It happens I have a unique
9 background in that I'm not only on the board of
10 Multiple Intervenors, which typically intervenes
11 when filings are made by public utilities to
12 increase their rates, will intervene to fight those
13 increases; yet, and I'm also on the board of
14 directors of a public utility headquartered in New
15 Hampshire, Unitil, which has T and D operations in
16 New Hampshire, Massachusetts and Maine. So I -- I
17 don't know anyone else that is on the board of a
18 public utility and also on the board of a
19 intervention group, fighting public utility rate
20 increases. And so I think -- I think I bring a
21 unique perspective also with respect to the -- of
22 the large customer and a homeowner here and have
23 children in their homes as well in Rome.

24 Revere Copper, of course, is also
25 a member of Multiple Intervenors which executed the

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 joint proposal and supports its adoption in this
3 case. While a joint proposal provides for electric
4 and gas rate delivery increases, Revere Copper
5 believes that these increases are reasonable under
6 the circumstances. Energy costs are a significant
7 cost to doing business for Revere Copper and for
8 that reason we obviously would like to see rates
9 reduced or frozen, particularly in these difficult
10 economic circumstances.

11 That being said, reliability also
12 is extremely important to Revere Copper. And we
13 recognize that Niagara Mohawk or National Grid has
14 an aging infrastructure that requires additional
15 investment. I -- I can see that and we experience
16 that. We believe the joint proposal fairly
17 balances customers' needs for reasonable rates with
18 Niagara Mohawk's need for adequate revenues to
19 invest in and upgrade the electric and gas systems.

20 Revere Copper also supports the
21 use of rate moderators in the joint proposal. We
22 understand that Niagara Mohawk is projected to owe
23 customers substantial amounts of money in deferrals
24 at the time of the three-year rate plan. The joint
25 proposal uses a fair amount of those projected

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 deferrals to moderate delivery rate increases on
3 customers. That's a good thing.

4 The joint proposal also is a --
5 is reasonable because it provides three years of
6 general rate and revenue stability for Niagara
7 Mohawk and its customers. It reflects parties with
8 often adverse interest, and I'm one of those often,
9 but coming together to reach a settlement that
10 works for all parties including the utility, large
11 customers, and small customers.

12 So I'd suggest to you that at a
13 point when our national leaders in Washington can't
14 seem to reach across the aisle to reach an
15 agreement, to come to do -- to do something to
16 compromise, to move a good agenda forward, that's
17 what's happening here as Multiple Intervenors has
18 worked with National Grid, Niagara Mohawk, to come
19 to what we think is a fair and a reasonable
20 compromise. And I wish the leaders of our country
21 could do the same. Thank you.

22 A.L.J. PRESTEMON: Thank you, Mr.
23 O'Shaughnessy.

24 That is all the speakers who have
25 signed up so far. Is there anyone here who's

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY
2 interested in speaking who has not filled out a
3 card?

4 All right. Well, we will --
5 we'll -- we have --. You might as well come on up.
6 You're the only one.

7 MR. TETRAULT: Well, thank you.

8 A.L.J. PRESTEMON: Okay. Mr. --
9 I'll let you say it.

10 MR. TETRAULT: Jeff Tetrault.

11 A.L.J. PRESTEMON: Tetrault.

12 MR. TETRAULT: T-E-T-R-A-U-L-T.

13 Good afternoon. I'm Jeff Tetrault, Director of
14 Facilities and Construction at Crouse Hospital. I
15 am here this afternoon to express Crouse Hospital's
16 support of National Grid's proposed rate
17 settlement. As a major Central New York business
18 and contributor to the economic health of our
19 community, this rate settlement provides a level of
20 stability consistency that will support our mission
21 at Crouse Hospital to provide comprehensive and
22 safe healthcare services to our community.

23 Furthermore, the relationship we
24 have with National Grid for energy initiatives have
25 truly benefited us and we appreciate those

1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY

2 benefits. Thank you.

3 A.L.J. PRESTEMON: Thank you.

4 All right. That is all the speakers who have
5 signed up. We will stay here for a few more
6 minutes in case there is somebody that comes in
7 late, and you can sit with us if you like. But it
8 might get boring.

9 MR. SAYRE: Or chat with us.

10 A.L.J. PRESTEMON: Yes.

11 (The public hearing recessed at
12 4:45 p.m.)

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1 Cases 12-E-0201, 12-G-0202 - Syracuse, NY

2 STATE OF NEW YORK

3 I, G. Michael France, do hereby certify that the
4 foregoing was reported by me, in the cause, at the
5 time and place, as stated in the caption hereto, at
6 Page 1 hereof; that the foregoing typewritten
7 transcription consisting of pages 1 through 49, is
8 a true record of all proceedings had at the
9 hearing.

10 IN WITNESS WHEREOF, I have hereunto
11 subscribed my name, this the 16th day of January,
12 2013.

13 _____
14 G. Michael France, Reporter

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A	
ability 10:24 20:6	amount 33:25,25 41:12 46:25
able 12:11,13 15:10 38:25	amounts 46:23
absolutely 21:19	Ann 14:15,17
abuse 10:10 12:21 18:16	annually 11:7,9
accept 3:25 4:2	anybody 35:2
access 10:12 13:17 22:11	anymore 27:24 32:22 39:25 40:2
accommodate 5:17 7:24 17:21	apartment 17:22
accomplishment 8:3	appreciate 6:15 7:16 28:21 48:25
account 16:4,8 26:11 27:18	appropriately 43:21
act 13:13,15	approval 3:3 8:5 22:23
add 38:24	April 2:25
added 22:13 38:14	area 9:13 23:4 26:7,22
adding 33:12	Arlene 24:5
addition 22:19	asking 9:5 15:13
additional 13:11 46:14	asset 23:22
Additionally 23:13	assistance 7:18,24
address 5:14 6:16 8:15 19:9 27:19	attack 38:7
adequate 13:6 46:18	attempt 3:14
adequately 17:22	attitude 29:8
administrative 2:13	attract 22:23
adopt 13:11	attracting 23:23
adoption 46:2	attraction 22:5
advanced 21:11	availability 21:18 22:11
advantage 23:17 25:16	Ave 6:23
adverse 47:8	average 11:21
afford 9:12 10:25 12:5,11 15:2 16:8 17:18,19,21 32:22 33:4 34:23	A.L.J 1:15 2:4 8:9,12 14:12 15:15,18,22 17:3 18:24 20:25 24:3,9,13 29:20 31:19 43:5,7 44:20 47:22 48:8,11 49:3,10
affordability 7:20	
affordable 11:20	B
afternoon 2:5 8:18 14:16 17:7 19:3 48:13,15	back 2:18 5:13 6:13 24:7 31:5 31:15,16 33:14 41:10
age 25:3 27:4	background 45:3,9
agenda 47:16	bad 32:15 41:9
aging 46:14	badly 31:10
ago 9:7 37:4 42:23 43:16	balance 43:18 44:16
agreement 47:15	balances 46:17
agribusiness 21:13	bank 25:23 28:8
aide 17:10	barely 11:15
ain't 32:13	base 30:20
Airbase 26:7	basic 13:16 18:17
Airport 26:12	bed 41:2
aisle 47:14	began 2:25 9:17
allow 14:4 20:13 39:7	begging 37:16,17
allowed 25:18	beginning 43:15
allowing 12:4	behalf 6:24 8:21
ally 19:17	belief 8:4
	believe 8:4 20:21 23:23 40:14

<p>44:3 46:16 believes 7:25 46:5 Benefit 8:20 13:20 14:15 benefited 23:4 48:25 benefits 14:18 17:9 49:2 bets 26:2 better 8:3 bill 33:5 35:17 42:13 43:21 billion 11:25 20:14 21:25 bills 16:9 17:23 33:23 34:20 35:16 37:22,23 38:8 41:11 44:13 bit 19:11 37:15 blanket 34:2 blankets 35:23 41:3 Block 23:4 board 44:25 45:9,13,17,18 boasted 9:13 body 10:6 24:17 bombing 26:9 boring 49:8 borrowing 35:20 boss 32:3,6 bottom 39:3,4 Bradley 8:17 brag 19:10 brave 39:25 break 41:11 breathe 38:6 Brian 44:22,24 Bridge 19:5 brief 7:3 bring 45:20 bringing 41:23 brought 8:14 9:6 28:18 29:9 Brownfield 30:15 budget 33:15 built 4:23 burning 16:25 Bush 17:7,8 18:25 business 7:6 12:25 20:7 21:8,18 22:5 23:11 46:7 48:17 businesses 29:4 30:17 buy 16:15 38:10</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>calibrated 28:9,10 call 10:5 24:17 27:14 36:11 called 3:16 26:23 calls 26:24</p>	<p>cancel 14:9 cancer 34:21 candles 16:25 capacitors 22:17 capacity 19:13 capital 7:12 11:12 20:7 22:9 caption 50:3 card 5:14 48:3 cardio 17:17 cards 5:16 27:24 care 34:18 38:24 40:4,6,7 carefully 16:17 carried 11:21 case 1:5,5 2:17,21 3:2,8,8,15 3:23 4:20 5:10,21 44:16 46:3 49:6 cases 2:1,7,24 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 catch 36:23 categories 25:12 cause 50:3 center 6:25 21:6 22:18 23:8 Central 8:20 9:22 10:14 13:19 14:14,18 17:9 20:23 45:5 48:17 cents 28:7 ceramic 22:17 certain 4:23 27:13 certainly 17:19 certify 50:2 chairman 44:24 change 19:21 changed 33:22 charge 13:8 36:13 41:20 43:23 charged 2:9 charges 13:7 43:20 44:15 chat 49:9 check 30:6 38:8 checks 28:10,12,20 children 9:25 45:23 China 9:15 circumstance 18:6 circumstances 46:6,10</p>
---	--

<p> cities 10:3 citizen 24:22 32:14,23 citizens 25:25 26:13 27:8,13 29:3,11 city 9:25 35:18 36:7 class 42:21,21,22,22 clear 12:20,21 Clearly 13:14 close 41:2 clothes 42:19 coin 31:18 cold 34:2 36:9 40:23 colder 34:4 collecting 4:22 College 43:12 combined 44:12 come 29:19 30:17 32:19 35:5 37:23 40:7,18 47:15,18 48:5 comes 5:25 11:13 36:5 37:23 49:6 coming 31:5 38:14 42:5 43:21 47:9 commenced 2:2 comment 5:8 6:12 20:20 comments 2:22 5:18 6:7,8 43:8 commercial 23:5 Commission 1:2 2:7,23 3:3,17,24 3:24 5:22 6:7 8:6 9:5 10:8,18 11:2 13:11,14,21 14:22 24:16 24:21 25:19 commissioned 11:17 commissioner 2:15 15:21 commissioners 2:16 15:24 Commission's 6:9 commitment 20:16 committed 20:14 committee 29:9 commodity 23:15 communities 20:10 community 30:21 44:4,7,9 48:19 48:22 companies 3:18 9:15 10:22 company 12:7,13,24 22:8 25:18 25:21,24 43:17,25 44:3 45:6 compared 4:7,13 completely 3:25,25 4:19 composed 24:16 comprehensive 8:2 48:21 compromise 47:16,20 computer 25:3 32:21 </p>	<p> computers 24:24 concern 28:5 concerned 2:24 concerning 2:8 concert 27:3 consider 9:6 18:16 42:20 44:9 consideration 29:3 considered 16:17 29:2 42:19 consistency 48:20 consisting 50:4 constant 18:15 constantly 36:5 Construction 48:14 consultants 22:14 consumer 3:10 45:4,6 contacted 18:7 continue 20:16 continued 7:4 21:25 continues 22:21 contributor 48:18 convert 27:25 cool 17:22 Copper 44:25 45:24 46:4,7,12,20 corner 33:18 corporate 22:15 corporation 1:7 2:11 13:4,4 Corridor 30:17 cost 7:24 10:12 11:4,6,8 13:17 20:5 21:18 23:15 44:13 46:7 costs 10:20 11:20 20:12,13 22:12 43:20 46:6 Council 8:20 13:20 14:15,19 17:9 count 29:14 country 26:3,4 27:17 30:11 31:13 47:20 County 19:5,9,10,19 20:23 23:8 County's 31:13 couple 32:17 course 5:3 45:24 cover 35:22 CPAP 17:17 crazy 37:5 created 9:19 creates 22:9 creation 19:19 20:9 credits 4:23 5:2,5 crisis 9:17 critical 21:19 22:7 23:21,22 Crouse 48:14,15,21 </p>
---	--

<p>current 8:6 23:13 currently 4:21 customer 22:18 27:14 32:4 43:14 45:22 customers 3:22 4:22 9:11 10:9 10:16 44:14 46:17,23 47:3,7 47:11,11 cut 41:9 C.E.O 19:8 21:6 C.P.A 24:20</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D 45:15 data 32:19,20 date 1:11 23:2 28:19 David 1:15 2:12 day 11:22 25:3 27:4 34:24 50:6 days 36:4,9 dead 38:15 deal 9:11 Deborah 8:13,17,19 21:3,4,5 debt 9:9 12:12 15:8 18:21 debts 14:9 15:11 decades 30:12,20 December 3:16 11:23 16:24 decision 2:17 5:23 22:7 decision-making 24:17 decrease 4:17 31:9 decreasing 10:21 deems 13:12 defense 3:20 21:12 deferrals 46:23 47:2 degrade 35:2 degrees 35:4 delegate 8:19 14:18 17:8 delivering 34:6,8,9 delivers 36:8 delivery 1:6 2:9 3:4 4:6,18 5:3 19:21,24 20:12 22:6 23:20 28:25 29:12,13 34:5 36:12,14 41:8,10,18,20 43:23 46:4 47:2 demand 8:24 13:20 18:17 demands 9:6 15:14 Deny 13:21 denying 8:25 Department 2:13,19 3:9,11,19,20 dependable 21:21 22:20 deregulation 10:20 deserves 27:11 despite 11:19</p>	<p>develop 3:15 developer 20:11 development 7:15 19:7,13,18 20:7,17 21:9 22:22 23:6,11 44:6 died 37:4 different 25:12 29:8 difficult 31:11,14 46:9 digits 27:15,21 direct 9:9 20:18 director 19:4 48:13 directors 45:2,14 disability 17:13 disabled 8:22 discount 7:20 38:9 discrepancies 25:9 distribution 21:22 District 11:12 diverse 21:10 Division 3:10 doing 17:23 24:23 29:16 46:7 dollar 42:13 dollars 3:5,7 4:7,12,13,17 12:16 15:10 20:18 21:25 22:24 31:7 32:7,9 33:4,14,17 38:16 38:17,17,24 39:7,8,11 41:4,18 41:20 42:23 43:2 doors 27:6 downtown 23:5 drones 26:8 drops 38:15 due 14:7,8 duty 13:14 D/B/A 1:7</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>E 2:7 early 5:17 6:19 Eastern 19:5 easy 27:5 eat 12:11 16:14 38:2,7 economic 7:14 14:8 19:7,13,18 20:11,17 21:9 22:22 23:21 44:6 46:10 48:18 economics 20:22 economy 9:17,18 14:7 21:20,23 education 7:17 21:13 educational 44:5 effective 23:20 efficiency 35:17 44:11</p>
--	---

<p>efforts 19:17 23:9 44:5 eight 9:3,4,17,18 12:3 13:24,24 28:14 42:25 eighty 41:18 either 2:23 6:11 37:25 39:14 ELECTIRC 1:7 electric 1:6 2:9 3:3 4:5,5,5,20 7:19 9:3 12:7 13:4,23 19:21 19:24 20:3 21:25 22:12 25:22 28:9 33:5,10,11 35:15 41:19 46:3,19 electrical 19:12 20:15 24:18 28:18 33:22 electricity 9:8 11:19 17:18 18:9,13 22:6 25:10 34:23 40:5 40:6 45:4,6 electronics 23:10 element 23:21 emergency 26:14 emphasize 6:4 empire 29:4 employees 21:16 26:13 Employment 21:14 encompassing 7:17 encourage 19:18 20:7 ends 11:15 17:15 energy 7:5 20:5,13 21:19,21 22:6,20 23:8,20 43:13 44:10 44:11 46:6 48:24 engineer 24:18,19 enhance 20:6,14 ensure 11:20 13:17 14:23 ensuring 10:12 14:24 entered 3:14 Entire 26:20 environmental 23:9 43:12,13 44:10 equal 35:2 equipment 28:19 especially 22:6 essential 19:17 establish 9:7 established 11:5 estate 22:15 evaluated 22:14 eventually 41:4 everybody 5:25 27:5 35:2 37:9 38:16 39:20 40:20 example 11:2 12:17 Excellence 23:8</p>	<p>executed 45:25 executive 19:4 executives 11:10,12 22:15 Exhibit 17:4 exist 25:11 existence 19:8 expanding 23:7 expansion 23:16 expect 25:24 expense 10:24 12:24 expenses 25:4 experience 30:4 46:15 expiration 4:20 expiring 5:4 express 48:15 extension 37:15 extensive 19:15 extent 27:7 extra 33:4 34:15 extremely 46:12 e-mail 6:8 E.S.F 43:14</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>Facilities 48:14 fact 33:2 factor 20:6 22:7 failed 10:15 fair 20:2 34:16 39:15 46:25 47:19 fairly 46:16 fairness 31:17 families 8:23 9:21 14:2 15:6,9 18:21 family 38:23 40:11 family's 30:22 far 47:25 favor 30:2 Fayette 31:3 fear 17:23 18:15 federal 14:10 fee 14:6 15:13 29:12,13 feel 32:24 34:18 38:11,12 felt 39:12 FEMALE 35:24 39:16,19,21 41:14 42:8 fiasco 25:22 fifth 31:13 fifty 14:3,10 15:7,11 42:23 fifty-three 9:24</p>
--	---

<p>fight 45:12 fighting 45:19 figure 28:22 filed 3:8 4:9 5:21 filing 2:25 3:7,13,16 7:3 30:2 filings 45:11 fill 5:13 filled 48:2 finally 14:8 financial 9:16 21:14 find 32:16,20 finds 34:21 fire 28:16,17 firms 21:14 first 4:11,16 6:18 28:23 30:12 30:19 37:23 38:8 43:20 five 2:16 5:24 9:6 11:6 12:16 19:11 30:11 32:7 33:4 38:16 38:24 39:6 41:3 fixed 12:10 17:14 flus 36:22 focusing 22:19 folks 30:3,12 41:19 following 13:21 32:11 food 32:25 37:23 38:10 force 22:10 Fordock 24:5,6,11,15 foregoing 50:3,4 foreign 25:17,24 Forestry 43:12 forgiveness 9:10 15:8 18:21 forgot 6:4 form 7:23 forty 11:18 12:12 forty-five 3:5 4:8 forty-four 11:8,9,13 forty-three 4:11 41:19 forward 9:6 47:16 four 11:21,24 17:20 19:25 27:15 27:21 33:17 fourteen 11:6 Fowler 1:13 France 5:20 50:2,8 free 39:25 40:2,3 Freeze 18:19 freezing 33:25 frequently 22:14 friends 6:11 front 24:12 frozen 46:9</p>	<p>fulfill 8:24 10:16 13:16 function 25:3 funding 20:18 funds 7:14 funniest 36:3 furnace 33:21 34:3 35:14,17 36:4,5,9,12 furnish 13:5 Furthermore 9:5 13:9 48:23</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>G 2:7 50:2,8 game 32:3 gas 1:6,8 2:9 3:6 4:12,24 7:19 9:4 13:3,24 18:13 19:21,24 20:4,15 22:2 23:14,16 25:10 25:22 28:8 35:17 40:7 41:19 46:4,19 Gear 9:16 Geddes 31:4 general 47:6 generally 5:15 generating 19:12 generators 26:11 gentlemen 2:5 getting 29:6 36:11 39:24 42:3 ghost 16:22 Gifford 29:24 give 2:21 5:8 6:16 8:15 27:15 41:10 given 12:17 23:13 27:18 global 22:18 go 18:3 25:22 26:13 35:5 37:9,9 38:9 40:16,18 42:3 43:3 45:3 God 33:16 34:18 35:18,19 40:12 goes 34:23 42:17 going 15:14,16,17,18 16:14,21 27:12 28:23 31:23,25 32:6,8,9 32:10,11,12,12,13,18,18 33:11 33:12,13 34:5 36:13,23 40:18 41:4 good 2:4 8:18 9:14 14:16 17:7 19:3 29:16 43:16 44:4,9,9,18 44:18 47:3,16 48:13 government 11:17 29:5 greater 5:5 Gregg 2:15 grid 1:7 2:10 3:2,19 4:9,14,21 7:11,15 8:4,7 9:9 11:21,24 12:18,22 13:22 16:9,23 18:2</p>
---	---

18:14 19:15,16 22:21 23:2 24:20 25:13 26:17,18,19,20 27:14 28:3,6,11 30:5 31:6 46:13 47:18 48:24 Grid's 7:2 9:2 12:3 20:16 23:15 43:15 48:16 grossly 9:10 ground 40:5 group 45:19 grow 44:8,8 growing 12:4 23:14,23 growth 23:6 guarantee 10:23 29:17 guess 33:24 39:6 guidelines 14:11 guts 29:18	hereof 50:4 hereto 50:3 hereunto 50:6 hey 32:21 33:14 Hi 8:16 29:23 high 1:13 17:23 21:12 23:19 25:14 highest 10:2,17 11:11 31:12,13 hike 15:4 hire 25:20 historically 23:14 home 17:10 19:11 26:8 33:21 35:11 39:24 40:11 42:17 Homeland 26:22 27:3 homeowner 45:22 homeowners 35:13 homes 45:23 Honest 40:12 hospice 17:10 hospital 6:19,25 37:2,3 48:14 48:21 hospitalized 17:20 Hospital's 48:15 house 18:4,5 28:7 33:21 34:3,4 35:15,21 36:15,20 37:24 38:5 household 7:6 households 7:19 11:24 12:5,25 Hoyer 31:20,21 36:2,21 37:3,8 37:14 38:3 39:4,10,18,23 40:15 41:8,17,25 42:6,10,15 43:3,6 human 35:7 40:21 hundred 3:4 4:7,8 9:2 10:4 11:8 11:12,22 13:22 14:3,10 15:3,7 15:11 26:9 33:17 42:13,16 43:16 hundreds 9:11 husband 32:16 33:8 34:2,10,21 38:10,15 40:24 husband's 38:20 42:16 H-E-A-T-H 6:22 H.S.B.C 25:23
<hr/> H <hr/>	<hr/> I <hr/>
half 9:19 Hampshire 45:15,16 Hancock 26:7,11 hands 34:19 happen 28:23 happened 25:23 happening 47:17 happens 27:17 34:20 45:8 hard 17:12,13,14 27:10,11 38:20 harden 26:20 hardening 26:16,18 hardship 30:7 headquartered 45:14 health 6:25 8:3 17:10,16 18:9 18:12 27:24,25 48:18 healthcare 21:13 48:22 HEAP 39:5 hear 24:8 heard 5:24 26:16 hearing 2:2,6 5:7 49:11 50:5 heart 38:7 heat 11:19 12:7 16:14 17:19,22 17:22 36:11,15 37:25 38:5 40:7,24 44:12 Heath 6:19,20 8:10,11 heating 41:3 heat's 39:17 hell 34:6 41:20 42:22 help 16:23 20:12 31:16 40:12 43:24 helped 44:8,11,13 helping 16:8 35:18	identified 22:7 ignored 27:13 illegal 27:22 illness 38:22 illnesses 35:19 impact 4:18,24 5:4 20:22

<p>implement 13:13,25 important 20:5 22:12 46:12 Importantly 21:24 improve 20:14 30:21 improvements 7:12 inability 14:8 inadequate 9:10 inbound 22:18 included 17:5 includes 21:24 including 2:20 16:5,5 47:10 income 11:19 12:10,12 13:15 14:3,21 15:12 17:14 18:8,22 25:5,14,14,15 increase 4:11,15 5:2,3 7:7 9:3 9:4 13:23,25 20:2 45:12 increased 9:23 10:20 increases 4:19 7:10 12:4 29:12 43:22 45:13,20 46:4,5 47:2 increasing 12:4 Increasingly 22:4 independent 11:3,7,10 29:7 individuals 7:18 industries 10:23 information 2:22 6:10,13 infrastructure 7:5,8 20:15 22:2 22:20 23:22 43:24,25 46:14 initially 20:12 initiatives 48:24 inquired 17:25 inside 39:13 insiders 10:23 install 13:21 institutions 21:15 insulate 35:21 insulated 34:3 insurance 27:24,25 32:22 35:21 interact 22:4 interest 13:15 30:13 47:8 interested 48:2 International 26:7,12 interoperable 26:23 intervene 45:12 interveners 3:21 intervenes 45:10 Intervenors 45:2,10,25 47:17 intervention 3:10,20 45:19 invest 43:23 44:11 46:19 invested 22:24 investigate 23:16</p>	<p>investment 7:4 20:7 21:25 23:18 23:25 31:7 46:15 invests 22:9 involvement 26:2 issue 26:5 issued 10:19 issues 2:21 22:10 I.D 27:17,24 I.D.A 19:9</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>jacket 36:20 January 1:11 50:6 Jeff 2:19 48:10,13 job 17:11 18:18 19:18 20:9,9 25:7,8 29:17 jobs 9:14,18,19 16:13 22:9,23 23:23 27:7 31:2,3,4 44:8 joint 3:17,17,22 4:4 5:9 19:22 20:21 46:2,3,16,21,24 47:4 Josephs 7:23 Joseph's 6:19,22,24 judge 2:13 31:22</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>keep 5:11 12:15 17:2 23:23 32:8 32:10 33:12 34:14 42:11 Kelleher 43:9,10,11 44:21 key 21:11 23:3 kill 41:5 kind 25:11 40:18 kinds 17:11 King 30:18,18 know 12:8 16:14,21 18:6 26:17 27:22 29:25 30:4,6,22 31:10 31:12 32:2,25 33:3,5 34:25 36:6 37:11,19,21 39:11,11,23 40:3,17,23,25 41:9 42:7,10 45:17 knows 33:8,16 37:14 Kristen 6:19 K-R-I-S-T-E-N 6:21</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>L 19:4 labor 22:10 ladies 2:5 large 3:21 12:12 21:15 45:22 47:10 larger 45:5</p>
--	--

largest 45:4	Main 30:16
late 49:7	Maine 45:16
law 2:13 3:12 13:3,10	maintain 22:17 43:24
leaders 47:13,20	major 48:17
leave 5:17 6:18 27:5	majority 24:24
left 5:20	making 2:17 11:15 22:8 26:18
legal 14:23	38:13
level 14:4 15:8 23:25 48:19	MALE 36:18 39:2 40:13 41:6,22
leverage 23:9	42:2
life 12:9 21:23 35:20 38:20	mandate 8:25 10:6,9 11:20 13:17
lifeblood 21:23	18:17 25:20
Lifelong 17:25	mandated 27:20 29:10
lifetime 12:14	manufacturer 23:7
Lincoln 30:18	manufacturing 9:14 21:12
line 9:22 10:2	March 11:23
listen 29:17	marked 17:4
little 17:12 19:11 26:21 36:15	markets 22:11
37:15 41:10	Marlene 31:20
live 5:9 6:5 8:17 14:19,19	Massachusetts 45:16
18:14 33:2 34:25	match 25:4
lived 28:7	materials 2:20
lives 37:20	matter 37:10
living 7:24 9:22,25 12:10 16:13	matters 44:10
17:14	maximize 20:8
local 20:10	mean 41:9,10
locates 22:8	means 36:14
location 1:13 22:14	mechanical 24:19 28:18
long 19:14	medication 16:15 38:23
long-term 23:18	medium 25:15
look 32:20,21 33:13,23 38:4	meet 11:15 17:15
lot 16:19 18:10 40:19 42:19	meetings 24:23
lousy 29:2	megawatts 19:12
low 9:20 10:12 13:15,17 18:8,22	member 21:14 44:25 45:25
23:14 25:4,14	members 21:10,20 44:8
lower 9:7 15:5 18:22 33:23	membership 21:10
35:16 44:13,13	memorandum 9:8
lowered 33:24,24 35:16	merely 12:6
lowering 5:6 44:14	meter's 28:9,9
low-cost 14:23	Michael 5:19 19:2,4 43:9,10
low-income 7:18,19 8:22 12:9,24	50:2,8
15:6,8 18:20 25:6 29:15	microphone 8:14
lung 33:9 34:11,22,22	microphones 24:7,12
lungs 38:7	middle 42:20,20,21,21,22,22
Lydell 14:20	military 26:12
	million 3:5,6 4:7,8,12,13,14,17
M	9:3,4,18 11:7,9,13 13:23,24
machine 17:17 24:14 34:23 38:5	20:18 22:24
machines 33:10	millions 31:7
Magnolia 1:13	mine 42:10
mail 6:8	minutes 49:6

<p>mission 48:20 mitigated 4:25 moderate 47:2 moderators 46:21 modify 3:25 Mohawk 1:7 2:11 19:16 43:14 45:4 46:13,22 47:7,18 Mohawk's 46:18 moment 33:7 money 17:12 18:11 25:2,4 29:5,6 31:6 34:9,15 35:20 46:23 monopoly 10:10 12:21 18:14,16 25:15,18 26:4 28:6 month 12:17 32:7 33:5 34:13 41:4 42:14 months 37:4 moratorium 9:8 14:2 move 47:16 moving 21:21 multiple 3:21 45:2,10,25 47:17</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>name 2:12 5:14 6:16,21 8:15,16 8:18 14:17 17:8 23:12 27:18 27:19 29:23 44:23 50:6 name's 43:10 nation 31:14 national 1:7 2:10 3:2,18 4:9,14 4:21 7:2,11,15 8:4,7 9:2,9 11:21,24 12:3,18,22 13:22,24 16:9,23 18:2,13 19:15,16 20:16 22:21 23:2,15 24:20 25:13 26:19 27:14 28:3,6,11 30:5 31:6 43:15 46:13 47:13 47:18 48:16,24 natural 9:4 13:24 22:2 23:14,16 Near 29:25 nebulizer 17:17 necessary 5:10 7:11 13:12 necessity 7:8 39:22 need 5:17 7:4 26:25 27:20 31:10 31:16 40:11 46:18 needed 25:2 needs 33:9 46:17 negated 29:15 negotiations 3:14 neighborhood 7:22 28:13 30:10 30:13,14,24,25 neighborhoods 33:2 neighbors 6:11 18:5</p>	<p>neighbor's 18:3,5 networks 22:2 never 12:13 15:10 25:7,8 26:3 28:9,10 new 1:2,14 3:11 6:23,25 8:18,20 9:15,22 10:11,14 11:3,5,18 13:2,10,18,19 14:14,18,24 17:9 19:6 20:23 21:8 22:3,25 26:20 29:25 30:10 33:21 34:3 35:17 43:11 45:5,14,16 48:17 50:2 Niagara 1:7 2:10 19:16 43:14 46:13,18,22 47:6,18 nice 18:6 night 33:10 38:6 nine 4:13 12:3 15:3 20:3,3 nineteen 28:8 29:14 ninety-four 30:23 ninety-nine 11:25 Nojaim 29:22,23,24 Nojaim's 29:24 nonprofit 11:11 normal 40:8 northeastern 10:3 notice 40:19 not-for-profit 19:6 number 9:19,21 12:5 27:16,18,21 27:23 28:2,3 numerous 30:17 NY 2:1 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>O 2:7,7,8,8 object 4:2 12:23 obligation 10:16 obviously 46:8 odd 41:18 offer 7:2 office 26:22 offices 21:7 official 10:6 offset 4:19 43:22 oh 6:3 24:15 28:15</p>
---	--

<p>Okay 9:13 24:15 43:5 44:22 48:8 old 35:14 once 9:13 34:14 37:21 40:23 Onondaga 23:7 31:13 open 27:6 operate 25:24 operating 11:25 22:11,12 operation 7:13 operations 45:15 Operator 11:4,8 Operators 11:11 opportunities 20:9 opportunity 5:8 20:20 30:15,25 31:15 option 7:9 order 5:15 10:19 13:16 26:24 orderly 5:12 organization 7:25 19:7 21:9 organizations 19:14 31:5 Oswego 19:5,6,9,10,19 20:23 outages 28:15 outcomes 8:3 outlined 19:22 overall 21:20 owe 15:9 46:22 oxygen 33:9 38:5 O'Shaughnessy 44:22,23,24 47:23 O.C 19:6</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>pacific 31:23 Page 50:4 pages 50:4 paid 9:20 11:11 40:8 paper 32:20 par 28:13 pardon 28:24 parlaying 31:6 part 4:2 30:9 39:13 partially 43:22 particularly 46:9 parties 3:12,14 47:7,10 partner 44:4,10 partners 44:18 parts 27:13 part-time 9:20 Paul 29:22,23 pay 10:17 11:18 12:14 14:8 15:10 25:2 33:15 34:20 35:21 37:21 38:8 41:7,7,11</p>	<p>paycheck 32:9 payers 13:16 25:12,14 paying 9:14 32:22,23 41:12 42:6 payment 12:14,16 14:5,6 payments 33:23 penalty 14:6 15:13 pension 25:5 pensions 25:6,7 people 15:4 16:8,13,20,23,25 18:6,8 29:15,18 30:25 31:11 31:15 32:16 33:3 34:24 35:7 35:11 37:17,18 38:12,21 40:4 40:5,7,10,22 percent 9:23,24 11:18 12:3,12 14:4,10 15:7,11 19:24,25 percentage 35:6 percentages 31:24 40:20 person 5:9 6:5 24:17 32:14 37:22 personal 28:5 personally 12:8 perspective 45:21 petition 17:4 petitions 16:6 phone 26:24 Pike 23:4 pity 39:13,14 place 18:12 50:3 plan 7:17 12:14,16 20:11 21:24 22:24 23:24 26:14 43:19 46:24 planning 22:16 plans 14:5 23:15 Plastics 23:6 play 32:3 please 24:7 27:8 36:14 pneumonia 36:23 pockets 11:13 podium 6:15 point 9:3,18 11:6,25 12:3 13:24 16:11 19:24,25 20:3,3,10,13 21:24 26:25 47:13 points 16:17 pole 40:4 policies 13:21 35:21 Policy 21:6 Pool 11:5,6 poor 10:14 poorest 11:18 30:10,11 popular 30:2 populations 10:3</p>
---	--

<p>position 38:19 positive 20:22 43:19 possible 26:9 27:6 possibly 35:16 potential 10:10 poverty 9:22 10:2,2 14:4,11 15:8 34:25 power 1:7 2:11 10:10 11:5,6 12:21 13:15 18:4,16 26:14,17 26:18,20 44:2,12 predecessor 19:16 predicated 19:23 prepared 5:10 present 15:2 President 21:5,5 Prestemon 1:15 2:4,12 8:9,12 14:12 15:15,18,22 17:3 18:24 20:25 24:3,9,13 29:20 31:19 43:5,7 44:20 47:22 48:8,11 49:3,10 primary 26:19 priority 29:4 private 20:8 22:9 probably 32:15 37:11 42:20 problem 26:6 33:19,20 problems 17:16 18:9,12 proceedings 50:5 process 5:12 9:16 22:8 produce 22:16 Products 44:25 profit 12:3,22 40:16 profiteer 18:19 profits 10:24 11:25 12:23 40:14 profit's 42:5 program 7:20 9:10 18:2,21 23:2 30:16,17 44:17 programs 7:20 30:5 44:6 prohibited 13:8 project 3:12 23:6 projected 46:22,25 projects 7:15 20:17 22:22,25 23:3 44:7,12,12 ProLiteracy 30:19 promise 16:16 promised 10:21 promote 19:18 proper 13:13 25:25 26:25 27:7 property 33:18 proposal 3:17,18,22,23 4:3,4 5:9 8:7 19:22 20:21 46:2,3,16</p>	<p>46:21,25 47:4 proposed 7:11 11:3 19:20 20:11 48:16 proprietors 21:15 prospect 6:23 22:16 prospects 22:5 protect 8:25 10:9,11,16 18:8 protected 27:2 protecting 12:2,23 13:2 Protection 3:11 proud 19:11 provide 13:5 44:2 48:21 provides 23:24 46:3 47:5 48:19 providing 2:22 7:25 22:20 provisions 7:16 13:13 public 1:2 2:2,6,6,14,19,22 3:9 3:12 8:6 10:8,18 13:3,10,20 14:22 21:6 24:16,23 25:19 45:11,14,18,19 49:11 pull 24:21 purpose 5:7 purposes 29:7 push 31:15,16 put 24:6 25:11,21 29:4 33:21 34:3 38:5 40:24 puts 34:19 putting 27:10 35:17 p.m 1:12,12 2:3 49:12 P.S.C 8:24 10:15 11:20 12:2,20 12:25 18:7,7,17,18 20:19 24:18,19,22 26:10,17 27:2,3,9 27:11 28:22 29:2,8</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>qualify 18:3 quality 20:17 21:23 22:10,13 23:20 questions 8:8 quit 34:11,13 quote 10:9 31:24,25 32:19 quotes 35:5</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>raise 3:3,5 4:9 raised 4:6 raises 28:23 rampant 27:16 ranges 21:15 ranking 25:10 rate 3:2,7 4:19 7:3,10 8:7 9:3</p>
---	---

9:4 10:3 13:16,23,25 15:4 25:12,14 30:2 34:5 43:19 44:16 45:19 46:4,21,24 47:2,6 48:16,19 ratepayers 8:25 10:24 11:14,14 18:18,20 rates 1:6 2:8 3:3,6 4:5,12,17 4:24 5:3,6 7:7 9:7 10:17 12:4 14:25 15:5 18:19,22 19:21 30:5 31:10 45:12 46:8,17 reach 47:9,14,14 real 18:21 22:15 really 16:20 26:2 29:6 34:17 39:14 41:23 reason 14:25 27:20 46:8 reasonable 13:6,7 20:2 25:11 46:5,17 47:5,19 reasons 8:5 31:23 receive 30:4 recessed 49:11 recognize 25:25 46:13 recognizes 23:24 reconnect 15:12 reconnection 14:5 record 5:21 16:4 17:5 22:25 50:5 recording 24:14 redevelopment 30:16 31:6 reduce 20:12 reduced 46:9 reduction 28:24 29:11 43:19 reductions 19:23 reflects 47:7 refunded 4:24 Regardless 21:17 region 21:19 22:23 23:3 regional 21:8,20 region's 23:10,21 regulations 13:12 reinvestment 7:14 reject 3:24 4:2 relates 20:6 relationship 19:15 43:17 48:23 reliability 21:18 22:5,13 46:11 reliable 7:7,13 10:12 23:19 43:24 rely 7:23 remain 5:23 22:12 renegotiation 14:5 renting 35:12	reported 50:3 reporter 5:19 50:8 represent 18:18 representatives 18:2 representing 19:14 21:11 represents 3:21 request 13:22 requested 4:14 require 18:9 required 7:12 23:25 27:15 28:11 requires 46:14 research 26:24 residential 23:5 residents 7:22 10:7 resolution 3:15 respect 13:6 45:21 respective 7:7 respectively 19:25 response 27:8 responsibility 2:16 14:23 26:19 responsible 14:25 result 17:23 resulted 3:15 retain 22:22 retention 19:19 20:9 retire 38:21 retired 14:20,21 25:5 37:20 return 4:22,25 5:5 revenue 47:6 revenues 46:18 Revere 44:24 45:3,24 46:4,7,12 46:20 revise 9:9 revitalizing 30:14 Reynolds 14:15,16,17 15:16,20 15:25 16:7,12,19 17:6 33:8 36:25 37:21 ride 40:3 right 8:12 17:3 33:5,7,15 35:25 37:7,12 39:17,17,18,20 41:15 42:4,9,18 48:4 49:4 rightfully 31:15 rights 10:11 rise 4:12 road 32:24 robust 30:24 Rome 45:23 room 2:18 rules 13:11 run 11:4,7,9,10 12:7 25:18 26:4
--	---

S	
s 11:20 18:17	shutoffs 9:8 11:22 15:6 16:24 18:20
safe 7:12 13:5 48:22	sic 31:23
Salina 21:7	sick 34:12
saying 12:22 16:2 24:8 30:3 34:6 36:13,22 38:11,18,18	side 26:5 29:25 31:17
Sayre 2:15,15 15:23 16:3,10,16 49:9	signatures 15:3
says 25:20 40:24	signed 3:18 15:4 47:25 49:5
school 1:13 33:17	significant 46:6
Science 43:12	similar 38:22
scratching 16:20	single 25:13 45:6
second 28:24	sir 31:21 32:5,5 35:3 36:22 37:17 38:4,8,11,18 39:25 40:12 41:21 43:4
Section 13:2,9	sit 49:7
sector 20:8	site 22:14
sectors 9:20 21:11	sites 26:9
security 26:22 27:4,16,21,23 28:2 34:14 43:4	situated 7:23
see 5:13 6:12 7:6 9:21 29:8,11 30:15 33:24 37:18 42:15 46:8 46:15	situation 12:8 23:17 32:17
seeing 30:20	situations 38:22
seeking 3:2	six 19:24 20:13 21:24 30:12
senior 32:23	sixty-five 24:25
sensing 23:11	size 21:17
separate 28:2	sleep 18:4
serve 10:7	small 12:25 42:11 47:11
service 1:2,8 2:6,9,10,14,19,23 3:4,6,9 4:6,20 7:15 8:6 9:20 10:7,8,13,18 12:6 13:3,5,10 13:20 14:7,22 15:12 18:13 22:12 23:16 24:16 25:19 27:14 28:25 43:25 44:14	Smith 8:13,16,17,19 14:13 37:6 37:13,25 39:8 42:4,12,25
services 10:25 12:11 21:14 48:22	social 27:16,21,23 28:2 34:14 43:4
session 26:3	software 25:2
set 31:23,25 33:20 37:8 42:18	sole 21:15
settlement 47:9 48:17,19	solution 25:11
seventy 36:19 42:13	somebody 32:23 40:10 49:6
seventy-five 36:16	soon 40:25
seventy-one 34:10	sorry 32:24 34:7,7,18 38:11,12
seventy-two 36:17	South 21:7
shareholder 40:14	speak 5:13,24 6:5 30:2
shares 8:4	SPEAKER 35:24 36:18 39:2,16,19 39:21 40:13 41:6,14,22 42:2,8
sharing 40:16	speakers 5:15 47:24 49:4
sheds 9:17	speaking 8:21 48:2
short 12:16 31:9	special 30:5
shut 9:16 12:19 15:12 18:15	specials 17:11
shutoff 14:2	specific 22:21
	specifically 20:23
	spell 6:21
	spiel 40:19
	spoken 6:2
	spot 27:10,11 28:10,12,20
	squirrel 28:15
	St 6:19,22,24 7:22

<p>stability 47:6 48:20 stabilize 20:13 staff 3:8,19 stand 31:25 standards 25:25 standing 38:19 start 18:21 state 1:2 3:11 10:7,22 11:3,17 12:23 13:3,10 21:6 26:21 30:10 43:11 50:2 stated 50:3 statement 2:6 5:10 statements 16:5 states 10:18 13:3,10 25:19,21 statistics 37:9,10 status 25:14,15,15 stay 5:25 40:11 49:5 step 6:15 stepped 4:10 steps 4:15 26:20 stolen 27:18 stop 15:6 16:24 18:20 38:7 stops 38:16 store 38:9 strand 43:20 street 1:13 8:17 14:20 19:6 21:7 29:25 30:16,18 31:3,3,4 37:18,20 strength 23:10 stress 18:10 strong 22:25 struggle 12:15 struggling 14:21 studies 43:13 study 11:16 stuff 35:4 36:8 38:23 40:17 submit 5:16 subscribed 50:6 substantial 46:23 substantially 4:25 substation 28:16,17 substations 28:13 suffering 10:15 35:8 40:22,23 suggest 47:12 suggestion 35:9 summary 2:20 23:19 SUNY 43:13 Supermarket 29:24 supply 21:21 23:14 30:18 44:15 support 7:2,11,14,17 8:5 19:20</p>	<p>19:22 20:21 22:18,21 44:16 48:16,20 supported 44:5,7 supporting 20:16 supportive 44:17 supports 8:2 46:2,20 supposed 27:22 surcharge 4:21 5:4 sure 28:12 36:14 38:21 surprising 9:21 survey 24:22 survive 34:16 Syracuse 1:14 2:1 3:1 4:1 5:1 6:1,22,25 7:1 8:1,18 9:1,15 9:25 10:1,2 11:1 12:1 13:1 14:1,19 15:1 16:1,13,20,22 17:1 18:1 19:1 20:1 21:1,7 22:1 23:1,5,8 24:1 25:1 26:1 27:1 28:1 29:1,25 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1,7 46:1 47:1 48:1 49:1 50:1 system 7:13 8:2 11:3,8,10 20:15 21:22 28:3 systems 23:9 46:19</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>T 45:15 table 2:14 tails 35:12 take 5:15 16:4 23:17 25:16 26:10,19 28:22 32:6,9,11 40:7 taken 5:19 30:13 takes 34:18 40:6 talk 29:19 35:6 talking 26:21 34:24 Tammie 17:8 tax 30:20 taxes 31:12 33:12,16,17 taxpayer 29:6 taxpayers 11:4 technology 21:12 23:11 telephone 6:9 tell 32:21 35:5,7 39:6 40:22 ten 11:23 12:16 21:16 29:12,13 32:9 33:4,14 38:16,24 41:3 tenet 23:24 tens 12:18 31:7 term 26:16 31:9</p>
---	--

<p>terminated 14:7 territory 2:10 7:16 Tessy 23:6 testimony 3:8,13 45:3 Tetrault 48:7,10,10,11,12,13 thank 6:20 8:9 14:11,12 15:14 15:15 17:6 18:22,24 20:19,24 20:25 23:25 24:3 29:19,20,21 31:18,19 35:18,19 43:6,7 44:19,20 47:21,22 48:7 49:2,3 Thanks 8:11 thermostat 36:10 thing 6:4 27:16 28:4 35:13 36:3 36:16 38:14 41:8 42:18 47:3 things 28:11 think 27:21 28:6 30:8 31:8,17 32:14 39:25 43:18,19 44:15,17 45:5,20,20 47:19 third 10:17 thirteen 9:23 thirty 5:24 29:14 thousand 8:21 10:4 11:24 19:12 21:10,16 42:23 43:2 thousands 9:11,14 12:18 15:9,9 three 4:10,15,15,17 9:2,24 14:4 19:25 20:2 32:6 37:4 47:5 three-year 20:11 46:24 thriving 23:7 time 1:12 4:23 28:16,21 30:12 30:19 36:19,20 37:18 46:24 50:3 times 17:20 today 2:25 10:5 11:9 tomorrow 34:20 total 44:15 town 16:22 track 22:25 transcribed 5:20 transcript 6:17 transcription 50:4 transmission 7:5,7,13 Treadwell 19:2,3,4 21:2 true 22:15 50:5 truly 48:25 try 5:16,16 trying 24:21 Tully 30:18 turn 36:9,16 40:25 42:17 twelve 2:7,7 20:17 22:24 twelve-county 21:8</p>	<p>twenty 8:21 9:2 32:11 38:17 twenty-nine 3:6 4:13 15:3 twenty-three 4:7 11:22 13:23 twice 36:24 41:11,12 two 2:7,8,8 13:25 14:3,10 15:7 15:11 19:24 20:2,3 21:9 26:8 26:9 28:7,24 33:10 35:4 39:8 39:10 42:13,16 type 23:25 24:17 37:22 typewritten 50:4 typically 45:10 T-E-T-R-A-U-L-T 48:12</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>ultimate 2:16 undeniably 23:22 undergo 18:11 understand 6:18 7:3,10 28:25 30:3 38:17 46:22 understands 24:20 25:13 unemployed 8:22 unfortunately 7:21 24:10 UNIDENTIFIED 35:24 36:18 39:2 39:16,19,21 40:13 41:6,14,22 42:2,8 unique 23:10 45:8,21 Unit 3:10,20 United 10:18 25:19,21 Unitil 45:15 University 43:11 unjust 13:8 unknown 27:20 unreal 25:24 unreasonable 13:8 upgrade 35:13,14,14 46:19 upgrades 7:4 Upper 19:5 upset 29:16 Upstate 22:3 23:17 up-to-date 21:22 Urban 30:16 use 17:2 25:21 27:23 29:7 33:25 41:19 46:21 users 25:10 uses 43:25 46:25 ushering 10:19 utilities 9:12 12:11 13:17 14:23 45:11 utility 3:9,12,19 9:7 10:9,12 10:17,19,20,22,25 12:5,11,13</p>
--	---

14:2,9 17:23 45:14,18,19 47:10 U.S 3:20	43:13 worked 10:22 17:10 25:7,8 38:20 47:18 worker 12:9 workers 8:22 13:19 14:15,21 17:9 Worker's 8:20 working 10:14 19:15 26:23 34:11 38:10 43:16 workings 27:3 works 47:10 World 26:9 worth 28:7 worthwhile 23:18 wouldn't 28:17 41:9 write 30:6 35:10 writing 5:11 wrong 28:19 41:15 W.C.N.Y 30:19
V	Y
Valley 45:5 vantage 20:10 Vice 21:5,5 vision 10:19 volunteer 8:19 14:17 V.A 34:12	Yeah 38:3 39:17 40:15 41:15 year 3:5,7 4:11,16 11:14,17 17:21 19:23 32:8,11 34:4,11 36:24 37:12,15 41:12 42:22 43:2 years 4:10,16 9:6,15,24 20:2 27:12 28:8,14,24 29:3,10,12 29:13,14,15 30:12,23 32:6,18 42:23 43:16 47:5 year-round 13:25 York 1:2,14 3:11 6:23,25 8:18 8:20 9:22 10:15 11:3,5 13:2 13:10,19 14:15 17:9 19:6 20:23 21:8 22:3 26:20 29:25 30:10 43:12 45:5 48:17 50:2 Yorkers 11:18 13:18 14:24 Yorker's 10:11 York's 14:18
W	Z
Wagner 2:19,20 5:13 6:12 walk 31:2 want 5:12 6:5,12 15:5 16:22,22 16:23,24 25:16 32:2 36:3,16 37:10 39:13,14,15 40:3,16 wanted 34:11 35:6 38:20 wants 5:24 War 26:9 warm 17:2 35:22 36:4 Warner 21:3,4,4,5 24:4 Washington 47:13 way 6:6 36:10 45:2 ways 2:23 wears 36:19 website 6:9 weighed 30:9 31:8,18 welcome 2:5 well-maintained 21:22 went 33:17 35:3 39:5 West 19:5 29:25 31:2 we'll 5:25 48:5 we're 19:11 21:8 30:9 45:5 We've 30:14 WHEREOF 50:6 whichever 5:25 wife 38:19 win 37:11 winter 17:20 wise 23:18 wish 47:20 wishes 5:8 WITNESS 50:6 won 37:15,15 wondering 36:7 word 34:7 work 17:11,13 22:10 24:23 26:11 31:2 38:15 40:10 42:17 43:11	zones 29:5
	1
	1 50:4,4 10 1:11 12-E-0201 1:5 2:1 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1

24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1	65 13:2
12-G-0202 1:5 2:1 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1	<hr/> 7 <hr/>
13204 8:18 16th 50:6 1907 10:8 1940s 27:5 1953 19:8 1966 11:6 1996 10:19 11:5,7	7th 3:16
<hr/> 2 <hr/>	
2008 9:17 2010 11:23 2011 11:23 2012 2:25 2013 1:11 50:7 227 1:13	
<hr/> 3 <hr/>	
3rd 34:15 3:30 1:12 2:3 301 6:23 307 29:24	
<hr/> 4 <hr/>	
4:45 49:12 401c3s 25:8 411 8:17 44 19:5 49 50:4	
<hr/> 5 <hr/>	
5:30 1:12 51 13:9 572 21:7	
<hr/> 6 <hr/>	
601 30:18	