

IN THE KENTUCKY PUBLIC SERVICE COMMISSION

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

IN RE: INVESTIGATION:

Case No. 2003-00433
AN ADJUSTMENT OF THE GAS AND ELECTRIC RATES,
TERMS, AND CONDITIONS OF LOUISVILLE GAS AND
ELECTRIC COMPANY

and

Case No. 2003-00434
AN ADJUSTMENT OF THE ELECTRIC RATES, TERMS, AND
CONDITIONS OF KENTUCKY UTILITIES COMPANY

* * *

SWORN STATEMENT

OF

IRIS SKIDMORE

AUGUST 5, 2005

received
8/15/05
MN

ELLEN L. COULTER, RPR
Coulter Reporting, LLC
101 East Kentucky Street
Suite 200
Louisville, Kentucky 40203
(502) 582-1627
FAX: (502) 587-6299
E-MAIL: CoulterLLC@bellsouth.net

A P P E A R A N C E S

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

SPECIAL GENERAL COUNSEL TO THE PUBLIC SERVICE
COMMISSION:

JONATHAN D. GOLDBERG
Goldberg & Simpson
3000 National City Tower
101 South Fifth Street
Louisville, Kentucky 40202

1 The sworn statement of IRIS SKIDMORE,
2 taken in the offices of the Public Service
3 Commission, 211 Sower Boulevard, Frankfort, Kentucky,
4 on Friday, the 5th day of August, 2005, at
5 approximately 1:25 p.m.

6
7 EXAMINATION

8
9 BY MR. GOLDBERG:

10 Q. Madam, could you state your name.

11 A. My name is Iris Skidmore.

12 Q. And your address?

13 A. 1033 Silver Creek Drive, Frankfort,
14 Kentucky, 40601.

15 Q. And are you presently employed?

16 A. No. I have retired from my position
17 in the Environmental and Public Protection Cabinet as
18 an attorney manager.

19 Q. All right. Let me take you back to
20 the -- a period in time starting with the fall of
21 2003 -- let's call that September 1st -- through mid
22 June 2004. Were you employed by the Commonwealth
23 during that period of time?

24 A. Yes.

25 Q. Okay. And can you tell me where you

1 were employed?

2 A. I was employed at the Environmental
3 and Public Protection Cabinet, which at that time was
4 probably still called the Environmental and Natural
5 Resources -- or Natural Resources and Environmental
6 Protection Cabinet, and it changed after that.

7 Q. And I take it you were a lawyer for
8 the department?

9 A. Yes.

10 Q. And can you tell me what you did for
11 the department as counsel.

12 A. I was the branch manager for the
13 surface mining and natural resources legal staff.
14 And what I did was I managed the attorneys, and I
15 also practiced some cases.

16 Q. Okay. It's related -- during that
17 period of time as it related to the Public Service
18 Commission, did you have any duties or obligations?

19 A. I was usually the person who
20 represented the Division of Energy, which was one of
21 the divisions in the cabinet. And I usually did
22 their legal work for them.

23 Q. Okay. And so that I have some
24 context, what was the Department of Energy's interest
25 as it related to the Public Service Commission?

1 A. It was actually the Division of
2 Energy. The interest that the Division of Energy
3 normally had in the Public Service Commission
4 proceedings was based on its demand side management
5 interest and its statutory role to look after that
6 interest.

7 Q. Okay. With regard to that same time
8 period and the Public Service Commission, did there
9 come a time in the fall of 2003 that you became aware
10 of the fact that LG&E and KU, Kentucky Utilities, had
11 given notice they were going to seek a rate increase?

12 A. Yes.

13 Q. Okay. Do you have a recollection of
14 whether the Division of Energy actually received
15 notice?

16 A. Division of Energy received notice.
17 And a representative from there, either Jeff Young or
18 John Davies, the director, notified me that the
19 division wished to intervene in that case.

20 Q. Okay. And tell me what course of
21 action you took at that point.

22 A. I'm sure I filed a motion with the
23 commission to intervene on behalf of the Division of
24 Energy.

25 Q. Okay.

1 A. And that was granted because we were a
2 party in that proceeding.

3 Q. All right. I have taken Mr. Young's
4 statement in the matter, and I want to take you back
5 again to that period of time. November of 2003,
6 LG&E/KU would have given their official notice of
7 intent, and then December of 2003 they actually filed
8 the rate increase complaint and/or documentation, if
9 you will. Do you recall participating in any
10 preparation or -- or at that time, November,
11 December 2003, with regard to your role?

12 A. Well, you know, I'm not certain of the
13 time that we moved to intervene. That's probably
14 correct. I just remember at some point they told me
15 this had been filed. I got a copy of it, and we -- I
16 prepared the motion, as I always did for them. And
17 we were -- at some point we received an order that
18 said we were a party. And then at that point we
19 participated in the proceeding.

20 Q. Okay. Do I take it that you'd
21 participated in other proceedings at the Public
22 Service Commission during your 25 years?

23 A. Yes, on behalf of the Division of
24 Energy.

25 Q. Okay. Let me ask you whether or not

1 you have a recollection with regard to the LG&E and
2 KU rate cases of having contact with the staff of the
3 Public Service Commission prior to the actual first
4 informal conference which I'm representing to you was
5 April 28th, 2004.

6 A. Whether I had any contact with the
7 staff?

8 Q. With regard to the rate cases.
9 LG&E/KU.

10 A. I don't recall. You know, I may have
11 e-mailed Richard or not. Sometimes I would e-mail
12 Richard Raff to find out like a date or a -- a time,
13 but I don't know if I did or not.

14 Q. Okay.

15 A. Don't remember.

16 Q. Other than --

17 A. I wouldn't have talked to anyone else,
18 I don't think, but Richard.

19 Q. Other than a procedural inquiry, do
20 you recall any conversation?

21 A. No. And I really don't recall a
22 procedural inquiry, so I -- if I'd had one, it would
23 have -- if there would have been any sort of contact
24 by me, I always would talk to Richard Raff, counsel
25 for the PSC, if I had a procedural question. But our

1 interest at the Division of Energy was so different
2 from everyone else's, and it was really kind of we
3 were a small player in that big proceeding. So I
4 really wasn't very much involved other than coming
5 over here for the hearing and the prehearing,
6 attending the actual conferences and the hearing.

7 Q. Okay. And I take it, then, that you
8 had no contact with any of the commissioners of the
9 Public Service Commission during that same time
10 period.

11 A. No. I -- I don't think I've ever met
12 any of those commissioners, actually, to be
13 introduced to them other than at the hearing where
14 they asked you to stand and give your name and who
15 you represent.

16 Q. Okay.

17 A. I mean, I've never seen them -- they
18 always -- you know, we go in the room. They come out
19 and -- as a group and the proceeding began. So I
20 don't think I've ever actually been introduced to
21 them on or seen them other than up there sitting on
22 the -- sitting at the -- on the bench.

23 Q. Okay. Do you have a recollection of
24 having appeared and participated in the first
25 informal conference which was April 28, 2004?

1 A. I'm sure I did.

2 Q. Okay. Would you have come with
3 Mr. Young?

4 A. I always came with Jeff Young. He was
5 my client representative.

6 Q. Other than Mr. Young, do you remember
7 any other client representatives?

8 A. John Davies was the director, and he
9 made the ultimate -- he would actually make the
10 ultimate decisions for the division's interest. But
11 Jeff was there on his behalf. But many times we
12 would also talk to John. Jeff and I would talk to
13 John about John's preference for how to proceed.

14 Q. Am I interpreting your statement
15 correctly that Mr. Davies was not physically at the
16 Public Service Commission during these hearings?

17 A. He may have been at a conference, but
18 I don't think he sat through the actual hearing.

19 Q. Okay. Take me through your --

20 A. But I don't -- I don't remember
21 completely. I mean, I don't think he was here, but
22 he might have been. I know we talked to him on the
23 telephone for sure.

24 Q. Tell me what you generally recall,
25 starting with the informal conference on April 28th,

1 2004, for the duration of the proceeding which I'll
2 represent to you is May 3rd, 4th, 5th, 6th and again
3 on May 12th.

4 A. I don't remember very much at all
5 about the informal conference. It -- I remember the
6 hearing. And we started to have the hearing, and
7 then there were settlement negotiations. And that
8 kind of took over, and we tried to work out a
9 settlement. We sort of did work out a partial
10 settlement, and then there was a hearing convened on
11 some of the -- the actual rate amount itself.

12 Q. Okay. Did the division participate in
13 the settlement discussions?

14 A. Yes.

15 Q. Okay. And it's been represented to me
16 that there were two large issues in the two rate
17 cases, euphemistically referred to as revenue
18 requirement -- does that term have a meaning to you?

19 A. Mm-hmm.

20 Q. -- and rate design or rate allocation.

21 A. Mm-hmm.

22 Q. Is that a fair description of the two
23 major issues --

24 A. Yes.

25 Q. -- in the rate cases?

1 A. That's correct.

2 Q. Okay. And I take it that the Division
3 of Energy had a position on both.

4 A. The Division of Energy had
5 originally -- when we intervened, we took a position
6 on the rate design, rate structure issues. I think
7 that was their bigger interest, more so than the --
8 the actual rate amount. But we were -- when the
9 settlement discussions began, we were involved in
10 trying to get something that would further our
11 interest in demand side management, and that's what
12 we concentrated on during the settlement
13 negotiations.

14 Q. Okay. Explain to me a little bit
15 about the demand side management and the concept of
16 that.

17 A. Well, it's energy conservation and
18 things that will conserve energy, and that's the
19 division's statutory mandate. We were looking at
20 trying to get a real time pricing program from LG&E,
21 something that would further that interest of demand
22 side management.

23 Q. It's been defined to me that revenue
24 requirement is how much increase LG&E and/KU would
25 get. Do you agree with that --

1 A. Yes.

2 Q. -- generally?

3 A. Mm-hmm.

4 Q. And that rate design or rate
5 allocation is who will pay amongst the various
6 customers. Do you agree with that definition also?

7 A. (Nods head up and down).

8 Q. And am I understanding it correctly
9 that the division's real interest was rate design?

10 A. Yes.

11 Q. Because --

12 A. That was our original reason for
13 getting in the case. We had -- the division had some
14 ideas about how the rate design should be constructed
15 that were very different from the way it's done.

16 Q. Okay. Now, let's go to the days in
17 which there were negotiations. Were there
18 negotiations pretty much every day that you attended?

19 A. I think so, except probably even the
20 day where we actually had -- they convened the
21 hearing. I think we did have some negotiations prior
22 to that.

23 Q. All right. And I've been informed
24 that the -- these discussions went in -- went on in
25 hearing room 2. Do you have a recollection of that?

1 A. I think that's right.

2 Q. Okay. And that all the, quote,
3 intervening parties participated along with
4 representatives of KU and LG&E. Is that a fair
5 statement?

6 A. Yes.

7 Q. And that different parties had
8 different issues that they were interested in.

9 A. Yes.

10 Q. By way of example, I take it you did
11 not participate in the North American Stainless
12 discussions with KU.

13 A. No.

14 Q. Okay. Did you have a recognition that
15 those discussions were ongoing at the same time?

16 A. Yes.

17 Q. Okay. And I take it you formed that
18 based upon the fact that there were reports that were
19 made from time to time?

20 A. Well, there were a group of counsel
21 there on their behalf. There were various caucuses
22 among counsel for various issues.

23 Q. All right. And am I correct that
24 reports were made by the different caucuses back to
25 the main body?

1 A. Well, I think so. I think that's a
2 fair statement. I mean, at some point we kind of
3 knew what we were going to put in this document.

4 Q. Right.

5 A. We knew what everybody's position was.

6 Q. Okay. Tell me during this period of
7 time what your perception of what the staff of the
8 Public Service Commission was doing, if you have any.

9 A. Well, I think there were possibly a
10 staff member or two present with Richard Raff during
11 the negotiations, but for the most part it was
12 counsel in the room.

13 Q. Okay. And --

14 A. I don't -- I think -- I think they
15 were staff persons rather than counsel, but usually
16 there were three people sitting at the Public Service
17 Commission's bench when we were having the
18 negotiations, so I assumed that they were staff
19 people.

20 Q. All right. You do not know them by
21 name, though?

22 A. Well, I know them, sort of. I think
23 that's -- I mean, I don't know if they're attorneys
24 or not, but I see them all the time when I'm up here,
25 yes.

1 Q. Fair enough. Do you know Mr. Isaac
2 Scott?

3 A. Yes. He was always there.

4 Q. Okay. And Jeff Shaw?

5 A. Jeff was usually there, Jeff and
6 Isaac. And I think they were the only two that I
7 remember.

8 Q. Okay. Just for your edification,
9 they're not lawyers.

10 A. I didn't think they were, but ...

11 Q. And like most nonlawyers, they don't
12 want to be a lawyer.

13 A. I didn't think they were, but I
14 thought possibly they could be.

15 Q. Okay. Do you have a recollection of
16 them speaking in any of those discussions?

17 A. Sure.

18 Q. Okay. And do I take it that all
19 three, Richard Raff, counsel, and the other two
20 gentlemen, Mr. Shaw and Mr. Scott, were called upon
21 from time to time by the intervening parties and KU
22 and LG&E for different views?

23 A. I think so.

24 Q. All right. Do you have a recollection
25 that the parties came to agreement on the issue the

1 Division of Energy was interested in, i.e., rate
2 design?

3 A. Well, we -- I think we were asked
4 what -- what would you-all need for a settlement, you
5 know, to be able to agree to this settlement. And at
6 that point I discussed it with Jeff Young and with
7 John Davies. And John wanted a real time pricing,
8 something -- some sort of a real time pricing program
9 that LG&E would institute. And that was what John
10 thought was worthwhile for the division.

11 Q. And was that obtained?

12 A. Yes, it was part of the settlement.

13 Q. All right. And, thus, I take it that
14 the issue that your client, the Division of Energy,
15 was interested in was resolved by way of discussion
16 and settlement.

17 A. Yes.

18 Q. Okay. Do you have a recollection that
19 when the hearing actually -- when evidence was
20 actually taken, that there was evidence taken on rate
21 design or not?

22 A. No. I think the evidence was taken on
23 the -- the --

24 Q. Revenue requirement?

25 A. Revenue requirement.

1 Q. Okay.

2 A. And I think that was the only thing.

3 Q. All right. What was your
4 understanding with regard to the settlement
5 discussions about revenue requirement? And when I
6 say "your understanding," did you have an
7 understanding that at one point there was an
8 agreement on revenue requirement?

9 A. You know, I think that we thought
10 there was. I'm really pretty fuzzy on this because
11 Division of Energy was not -- I didn't do a lot of
12 work for them, and so, you know, I wasn't just
13 absorbing this all the time. But I think that -- my
14 recollection is that we thought we had an agreement
15 on the whole thing and maybe we didn't. The attorney
16 general's office said, no, they couldn't agree.

17 Q. Okay.

18 A. So that's when we started -- when they
19 started putting on the proof.

20 Q. I understand. Now, did you have or
21 did you develop an understanding that prior to the
22 proof being put on -- and there was some proof put on
23 on May the 4th, all right, May the 5th and May the
24 6th, on each of those days. But prior to May the
25 4th, had you developed an understanding that there

1 was an agreement on revenue requirements between the
2 interveners, including the attorney general and
3 LG&E/KU?

4 A. I don't remember what day that I
5 thought there was an agreement on the revenue
6 requirement, but I think -- I'm trying to think back.
7 I think that we thought there was an agreement on
8 everything and then there wasn't.

9 Q. Okay. Trying to refresh your
10 memory --

11 A. That may not be right, but that's what
12 I ...

13 Q. Right. Trying to refresh your memory
14 a little bit, did you have an understanding that
15 there was some sort of agreement prior to the time --
16 first time testimony was put on before the
17 commissioners?

18 A. Well, I -- I don't remember for sure
19 when -- when we thought there was an agreement. But
20 at some point the attorney general said there was no
21 agreement.

22 Q. Okay.

23 A. But the counsel had -- I think this is
24 correct -- I think the counsel -- we thought we'd all
25 agreed on it, and then the attorney general said no.

1 Q. Okay. Let's focus in on that. You
2 have a recollection, I take it, that somewhere the
3 attorney general's representatives during these
4 discussions said, "We do not have an agreement on
5 revenue requirement."

6 A. I think they came in and announced
7 that at some point. I think that's correct. And I
8 don't have my notes from this case. You know, when I
9 left, I left them, of course. And I haven't
10 refreshed my memory, so it's kind of vague, and I'm
11 sorry.

12 Q. That's quite all right. Do you have a
13 perception or vision that either Ms. Blackford or
14 Mr. Howard got up and said that we do not have an
15 understanding on revenue requirement?

16 A. I think it was Mr. Howard.

17 Q. Okay. All right. See how memory
18 comes back? This -- and I trust you remember being
19 in hearing room 2 and there was some sort of
20 announcement made by Mr. Howard that there was not an
21 agreement on revenue requirement.

22 A. I think that's -- I believe that
23 that's where it was, and I believe that that's what
24 happened.

25 Q. Did you have the impression at the

1 time he made that statement that there had been,
2 prior to his statement, an agreement on revenue
3 requirement?

4 A. Well, I'm -- I believe that I thought
5 we had an agreement among everyone.

6 Q. Okay.

7 A. But I don't know.

8 Q. Fair enough. Did you have a revenue
9 requirement number that you thought there was an
10 agreement on?

11 A. Don't remember.

12 Q. Okay.

13 A. There was. There was a number, but --
14 I think, but I don't -- I don't remember it.

15 Q. Okay. Now, again, as time frame, the
16 week before -- as all Louisvillians would know -- is
17 Derby week. And the informal conference occurred on
18 the Wednesday of Derby week. Thursday would have
19 been the 29th. 30th would have been Friday. And
20 then the next week is when the actual hearings began.
21 Did you have a -- or did you develop an understanding
22 that there was some discussion amongst LG&E and KU
23 and the attorney general and KIUC, one of the
24 interveners, in the prior week? Did you ever have
25 that understanding?

1 A. Don't remember.

2 Q. Okay. No recollection. Fair enough.

3 Did the division always participate in its
4 discussions in hearing room 2, or did you have
5 caucuses also with LG&E and KU?

6 A. We had one caucus that I remember, and
7 that was with counsel for LG&E and KU --

8 Q. Okay.

9 A. -- when we talked about the real time
10 pricing.

11 Q. Anybody else present in that caucus?

12 A. Jeff -- Jeff Young was there with me.
13 And I don't remember if there was anyone there with
14 LG&E other than their counsel.

15 Q. Okay. And was it Mr. Riggs?

16 A. It was -- it was Mr. Riggs.

17 Q. Okay. So --

18 A. And, you know, there may have been
19 somebody else there too, but I don't remember for
20 sure.

21 Q. Okay.

22 A. And I don't have my notes.

23 Q. All right. Other -- do I take it no
24 member of the Public Service Commission staff was
25 present during that conversation?

1 A. Oh, I'm -- I'm fairly certain they
2 weren't.

3 Q. Okay.

4 A. It was just like a, you know,
5 five-minute -- wasn't a very lengthy -- it wasn't
6 what I would call a very lengthy caucus, but I don't
7 think there was anybody else there. I think it was
8 just LG&E and the Division of Energy.

9 Q. Okay. Other than that one caucus, do
10 I take it that all -- that your participation with
11 Mr. Young occurred in hearing room 2 with all the
12 other parties present with regard to the settlement
13 negotiation?

14 A. Well, I wouldn't say that there were
15 always every party present. I think that mostly I
16 just sat in the room, and other people who weren't
17 caucusing also sat in the room. And when -- so there
18 were different combinations of attorneys, but it was
19 mostly attorneys. There were hardly -- I don't think
20 there were very many client representatives in there.
21 Almost none. But there would be various groups of
22 attorneys sitting in there at any one time, so we
23 weren't always all in there.

24 Q. All right. I understand that. There
25 were different caucuses to deal with different

1 parties' issues with LG&E and KU.

2 A. I think when people would caucus, they
3 would leave the room. And then everybody who wasn't
4 caucusing would sit in the room. And there were lots
5 of lengthy sitting in the rooms. I do remember that.

6 Q. Okay. Well, everybody's testimony has
7 been consistent on that. And I take it after a
8 caucus would conclude, members -- people would come
9 back who participated in the caucus, the various
10 lawyers and make some sort of report to the group?

11 A. Generally that's how it worked. Like
12 any settlement negotiations where you have multiple
13 parties, you know, there's different interests. Now,
14 there wasn't 100 percent attendance of everyone
15 involved in the case for every discussion of every,
16 you know, issue.

17 Q. I take it there was a central focus at
18 the end of the day so that all of the agreements
19 could be captured in one settlement document?

20 A. Well --

21 Q. Or did you have a recollection of
22 that?

23 A. I don't -- I mean, I remember just
24 being there until late. I guess we'd sum things up
25 at the end or talked about what we would do the next

1 day, pretty much.

2 Q. Did you develop an understanding
3 during the course of that week that Mr. Watt, Bob
4 Watt, was the scrivener for the group in terms of
5 reflecting the settlement agreement?

6 A. I don't know who he is.

7 Q. Okay.

8 A. I don't even remember ever hearing his
9 name. If he was there, unknown to me.

10 Q. Did you have an understanding that
11 somebody was going to put a settlement agreement
12 together?

13 A. Yes.

14 Q. And who -- who or what was your
15 understanding as to that?

16 A. Well, I guess I thought Kendrick
17 Riggs' group would be putting it together.

18 Q. And as it turned out, was that
19 accurate? Is that who did put the settlement
20 agreement together?

21 A. Yes, because his associate would -- I
22 think that's correct because she seemed to be the one
23 who was making the copies and passing them out, and
24 so I assume that they're the ones who typed it up.

25 Q. Okay. I presume you were there for --

1 on those days where evidence was actually given.

2 A. Yes.

3 Q. Am I correct that evidence was only
4 given on revenue requirement?

5 A. Yes. I think that's correct.

6 Q. All right. And do you have a
7 recollection on what day -- and again, the days where
8 testimony and negotiations were ongoing were 4, 5 and
9 6 and a little bit on 12 also. Do you have a
10 recollection of when rate design was actually agreed
11 upon by the parties?

12 A. No.

13 Q. Fair enough. I take it during --
14 except for making an appearance and addressing the
15 commissioners themselves, at no time during any of
16 these proceedings did you have any conversations or
17 contact with the commissioners.

18 A. No. I've never been -- as far as I
19 know, I've never been introduced to any of the
20 commissioners.

21 Q. Okay. And with regard to the staff,
22 did you have any contact with the staff other than in
23 the caucuses that you've told us about and/or
24 settlement discussions in hearing room 2?

25 A. Not the staff. Now, I consider

1 Richard Raff counsel.

2 Q. Yes.

3 A. And I'm certain that I've, you know,
4 maybe talked to Richard Raff in the hall or outside
5 the room about -- I don't know -- I don't know --
6 nothing particularly relevant possibly to the case,
7 or I could have talked to him about something about
8 the case. But I'm sure I've had some sort of
9 conversation with him every day during that time
10 outside or inside the room, but not with the staff.

11 Q. All right. I'm including him when I
12 say "staff."

13 A. Okay.

14 Q. But let's -- I take it -- let's break
15 it down. I take it you had no conversations with
16 Mr. Scott or Mr. Shaw?

17 A. I don't think so.

18 Q. Fair enough. Am I understanding that
19 you may have had conversation with Mr. Raff?

20 A. Well, you know how you would talk to
21 any counsel involved in a case if you're just
22 standing around waiting.

23 Q. Sure. And some of that is what I
24 would call not substantive or on the merits, it's
25 just talking to people --

1 A. Right.

2 Q. -- because you have a personal
3 relationship.

4 A. Well, just because you're, you know,
5 standing around waiting.

6 Q. All right. Do you have any
7 recollection of having had any conversation on the
8 merits of the issues of the rate case with Richard
9 during that period of time other than either in a
10 caucus or in a settlement room with other parties?

11 A. I may have talked with him about the
12 division -- what the division was trying to get in
13 the settlement. I may have told him that we were
14 trying to get a real time pricing program. But I
15 don't recall talking to him -- and I certainly --
16 certainly, I didn't talk to him at length about the
17 merits of the case or the division's interest.

18 Q. I have heard it described that the
19 role the staff was playing was somewhat of a
20 mediation role. Did you get a sense of that?

21 A. Well, I think that's fair, a fair
22 assessment of what the staff was doing.

23 Q. Okay.

24 A. I mean, there were a lot of diverse
25 interests, and they seemed willing to assist in

1 trying to work out something that was to everyone's
2 satisfaction.

3 Q. Okay. Were you present at the Public
4 Service Commission on the day the attorney general
5 came to the Public Service Commission?

6 A. I saw him there at two different
7 times, and I don't know if it was all the same day.
8 I just remember once he was actually in the room, in
9 the hearing room when we were in -- when the hearing
10 had convened. I think he came in for a little bit
11 and maybe left.

12 Q. This is during -- while testimony was
13 being given?

14 A. I think it was during testimony. One
15 day he was out on the porch of the -- or the --
16 outside the building giving a press conference. I
17 saw him there one day.

18 Q. Any other times when you saw him?

19 A. Those are the only two times I
20 remember seeing him.

21 Q. Okay. Did you have an opportunity to
22 address him?

23 A. I don't know him.

24 Q. Okay. Do I take it that you did not
25 address him, though?

1 A. No.

2 Q. Okay. Do you have a recollection of
3 having been in the hearing room on the day that
4 Mr. Raff reported hearing a radio message by the
5 attorney general where he alleged that there was some
6 sort of ex parte, collusive and/or inappropriate
7 behavior going on at the Public Service Commission?

8 A. I remember something about that.

9 Q. Okay. Were you in the hearing room
10 itself?

11 A. Yes, because I think the commissioners
12 asked all the counsel if we were aware of any or
13 something.

14 Q. Okay.

15 A. I think that's what happened.

16 Q. All right. And do you have a
17 recollection of having been there?

18 A. Yes.

19 Q. Did you respond?

20 A. I responded that I wasn't aware of
21 any.

22 Q. Okay. It's been expressed to me that
23 Chairman Goss went around the room --

24 A. He did.

25 Q. -- and questioned --

1 A. He did.

2 Q. Asked counsel whether they knew of
3 anything.

4 A. He asked -- you know, right. And
5 everyone pretty much stood up and said no.

6 Q. Okay. Do you have a recollection that
7 anybody said that they were aware of some sort of ex
8 parte, collusive or inappropriate behavior?

9 A. I don't think anybody, including the
10 attorney general's counsel.

11 Q. I was getting ready to ask you that.
12 Including his --

13 A. Everybody said no, is my recollection.

14 Q. Okay. Now, as you've had an
15 opportunity to reflect upon it, and while "collusive"
16 and "inappropriate" are subjective terms, do you have
17 any knowledge of anything which you believe to be
18 collusive and/or inappropriate behavior that occurred
19 during the course of these hearings?

20 A. No.

21 MR. GOLDBERG: Okay. That's all I
22 have.

23 THE WITNESS: Thank you.

24 (STATEMENT CONCLUDED AT 2:00 P.M.)

25 * * *

1 STATE OF KENTUCKY) (
) (SS:
2 COUNTY OF JEFFERSON) (
3

4 I, ELLEN L. COULTER, Notary Public,
5 State of Kentucky at Large, hereby certify that the
6 foregoing sworn statement was taken at the time and
7 place stated in the caption; that the appearances
8 were as set forth in the caption; that prior to
9 giving testimony the witness was first duly sworn by
me; that said testimony was taken down by me in
stenographic notes and thereafter reduced under my
supervision to the foregoing typewritten pages and
that said typewritten transcript is a true, accurate
and complete record of my stenographic notes so
taken.

10 I further certify that I am not
11 related by blood or marriage to any of the parties
hereto and that I have no interest in the outcome of
captioned case.

12 My commission as Notary Public expires
November 5, 2007.

13 Given under my hand this the 11th
14 day of August, 2005, at Louisville,
15 Kentucky.

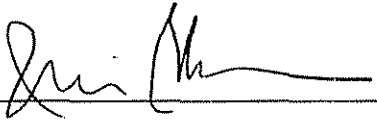


ELLEN L. COULTER
NOTARY PUBLIC

16
17
18
19
20
21
22
23
24
25

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

I, the undersigned, IRIS SKIDMORE, do hereby certify that I have read the foregoing sworn statement, and that, to the best of my knowledge, said sworn statement is true and accurate, with the exception of the corrections, if any, listed on the errata sheet.



IRIS SKIDMORE

Subscribed and sworn to before me this 17 day of October, 2005.



NOTARY PUBLIC

My commission expires 11-30-2008

COULTER REPORTING, LLC
101 EAST KENTUCKY STREET, SUITE 200
LOUISVILLE, KY 40203

ERRATA SHEET

NAME IRIS SKIDMORE DATE OF DEPOSITION 8/5/05

After having read my deposition, I wish to make the following changes:

Page _____ Line _____
Change _____
Reason for change _____

Page _____ Line _____
Change _____
Reason for change _____

Page _____ Line _____
Change _____
Reason for change _____

Page _____ Line _____
Change _____
Reason for change _____

Page _____ Line _____
Change _____
Reason for change _____

Page _____ Line _____
Change _____
Reason for change _____

Page _____ Line _____
Change _____
Reason for change _____

Page _____ Line _____
Change _____
Reason for change _____

Page _____ Line _____
Change _____
Reason for change _____

-	assessment [1] 27/22	23/8 23/9 27/10
-- [107]	assist [1] 27/25	caucuses [5] 13/21 13/24 21/5 22/25 25/23
A	associate [1] 24/21	caucusing [2] 22/17 23/4
a -- [2] 7/12 20/21	assume [1] 24/24	central [1] 23/17
able [1] 16/5	assumed [1] 14/18	certain [3] 6/12 22/1 26/3
about [14] 9/13 10/5 11/15 12/14 17/5 21/9 23/25 25/23 26/5 26/7 26/7 27/11 27/16 29/8	at [36]	certainly [2] 27/15 27/16
about -- [1] 26/5	attendance [1] 23/14	certainly -- [1] 27/15
absorbing [1] 17/13	attended [1] 12/18	certify [2] 31/4 31/10
accurate [2] 24/19 31/8	attending [1] 8/6	Chairman [1] 29/23
action [1] 5/21	attorney [10] 3/18 17/15 18/2 18/20 18/25 19/3 20/23 28/4 29/5 30/10	changed [1] 4/6
actual [6] 7/3 8/6 9/18 10/11 11/8 20/20	attorneys [5] 4/14 14/23 22/18 22/19 22/22	City [1] 2/5
actually [12] 5/1 5/14 6/7 8/12 8/20 9/9 12/20 16/19 16/20 25/1 25/10 28/8	AUGUST [2] 1/18 3/4	client [4] 9/5 9/7 16/14 22/20
actually -- [1] 16/19	aware [4] 5/9 29/12 29/20 30/7	collusive [4] 29/6 30/8 30/15 30/18
address [3] 3/12 28/22 28/25	B	combinations [1] 22/18
addressing [1] 25/14	back [6] 3/19 6/4 13/24 18/6 19/18 23/9	come [4] 5/9 8/18 9/2 23/8
ADJUSTMENT [2] 1/5 1/10	based [2] 5/4 13/18	comes [1] 19/18
after [3] 4/6 5/5 23/7	be [11] 8/12 12/14 15/12 15/14 16/5 18/11 22/21 23/19 24/17 24/22 30/17	coming [1] 8/4
again [4] 6/5 10/2 20/15 25/7	became [1] 5/9	commission [18] 1/1 2/3 3/3 4/18 4/25 5/3 5/8 5/23 6/22 7/3 8/9 9/16 14/8 21/24 28/4 28/5 29/7 31/12
agree [4] 11/25 12/6 16/5 17/16	because [8] 6/1 12/11 17/10 24/21 24/22 27/2 27/4 29/11	Commission's [1] 14/17
agreed [2] 18/25 25/10	Because -- [1] 12/11	commisloners [7] 8/8 8/12 18/17 25/15 25/17 25/20 29/11
agreement [17] 15/25 17/8 17/14 18/1 18/5 18/7 18/15 18/19 18/21 19/4 19/21 20/2 20/5 20/10 24/5 24/11 24/20	been [18] 6/15 7/23 8/20 9/17 9/22 10/15 11/23 12/23 20/1 20/19 20/19 21/18 23/7 25/18 25/19 29/3 29/17 29/22	Commonwealth [1] 3/22
agreements [1] 23/18	been -- [1] 25/18	COMPANY [2] 1/6 1/11
all [31] 3/19 6/3 10/4 12/23 13/2 13/23 14/20 14/24 15/18 15/24 16/13 17/3 17/13 17/23 18/24 19/12 19/17 20/16 21/23 22/10 22/11 22/23 22/24 23/18 25/6 26/11 27/6 28/7 29/12 29/16 30/21	before [2] 18/16 20/16	complaint [1] 6/8
all -- [1] 22/10	before -- [1] 20/16	complete [1] 31/9
all Louisvillians [1] 20/16	began [3] 8/19 11/9 20/20	completely [1] 9/21
alleged [1] 29/5	behalf [4] 5/23 6/23 9/11 13/21	concentrated [1] 11/12
allocation [2] 10/20 12/5	behavior [3] 29/7 30/8 30/18	concept [1] 11/15
Almost [1] 22/21	being [4] 17/22 19/18 23/24 28/13	conclude [1] 23/8
along [1] 13/3	believe [4] 19/22 19/23 20/4 30/17	CONCLUDED [1] 30/24
also [6] 4/15 9/12 12/6 21/5 22/17 25/9	bellsouth.net [1] 1/24	CONDITIONS [2] 1/6 1/11
always [8] 6/16 7/24 8/18 9/4 15/3 21/3 22/15 22/23	bench [2] 8/22 14/17	conference [7] 7/4 8/25 9/17 9/25 10/5 20/17 28/16
always -- [1] 8/18	between [1] 18/1	conferences [1] 8/6
am [6] 9/14 12/8 13/23 25/3 26/18 31/10	big [1] 8/3	conservation [1] 11/17
American [1] 13/11	bigger [1] 11/7	conserve [1] 11/18
among [2] 13/22 20/5	bit [4] 11/14 18/14 25/9 28/10	consider [1] 25/25
amongst [2] 12/5 20/22	Blackford [1] 19/13	consistent [1] 23/7
amount [2] 10/11 11/8	blood [1] 31/10	constructed [1] 12/14
and -- [2] 8/19 14/13	Bob [1] 24/3	contact [6] 7/2 7/6 7/23 8/8 25/17 25/22
announced [1] 19/6	body [1] 13/25	context [1] 4/24
announcement [1] 19/20	both [1] 11/3	convened [3] 10/10 12/20 28/10
any [24] 4/18 6/9 7/6 7/20 7/23 8/8 8/12 9/7 14/8 15/16 22/22 23/12 25/15 25/16 25/19 25/22 26/21 27/6 27/7 28/18 29/12 29/21 30/17 31/10	Boulevard [1] 3/3	conversation [5] 7/20 21/25 26/9 26/19 27/7
anybody [4] 21/11 22/7 30/7 30/9	branch [1] 4/12	conversations [2] 25/16 26/15
anyone [2] 7/17 21/13	break [1] 26/14	copies [1] 24/23
anything [2] 30/3 30/17	building [1] 28/16	copy [1] 6/15
appearance [1] 25/14	but [31] 7/13 7/18 7/25 9/10 9/11 9/17 9/20 9/21 11/8 14/11 14/15 14/24 15/10 15/13 17/13 17/24 18/6 18/11 18/19 18/23 20/7 20/13 20/14 21/19 22/6 22/18 22/21 26/8 26/10 26/14 27/14	correct [8] 6/14 11/1 13/23 18/24 19/7 24/22 25/3 25/5
appearances [1] 31/5	but [1] 15/10	correct -- [1] 18/24
appeared [1] 8/24	but -- [1] 20/13	correctly [2] 9/15 12/8
approximately [1] 3/5	C	could [4] 3/10 15/14 23/19 26/7
April [3] 7/5 8/25 9/25	cabinet [4] 3/17 4/3 4/6 4/21	couldn't [1] 17/16
are [3] 3/15 28/19 30/16	call [3] 3/21 22/6 26/24	COULTER [4] 1/21 1/21 31/4 31/18
around [3] 26/22 27/5 29/23	called [2] 4/4 15/20	CoulterLLC [1] 1/24
as [16] 3/17 4/11 4/17 4/25 6/16 8/19 10/17 20/15 20/16 24/15 24/18 25/18 25/18 30/14 31/6 31/12	came [5] 9/4 15/25 19/6 28/5 28/10	counsel [17] 2/2 4/11 7/24 13/20 13/22 14/12 14/15 15/19 18/23 18/24 21/7 21/14 26/1 26/21 29/12 30/2 30/10
ask [2] 6/25 30/11	can [2] 3/25 4/10	counsel -- [1] 18/24
asked [5] 8/14 16/3 29/12 30/2 30/4	caption [2] 31/5 31/6	COUNTY [1] 31/2
asked -- [1] 30/4	captioned [1] 31/11	course [4] 5/20 19/9 24/3 30/19
	captured [1] 23/19	Creek [1] 3/13
	case [12] 1/5 1/10 5/19 12/13 19/8 23/15 26/6 26/8 26/21 27/8 27/17 31/11	customers [1] 12/6
	cases [5] 4/15 7/2 7/8 10/17 10/25	D
	caucus [8] 21/6 21/11 22/6 22/9 23/2	date [1] 7/12
		Davies [4] 5/18 9/8 9/15 16/7
		day [14] 3/4 12/18 12/20 18/4 23/18 24/1

<p>D</p> <p>day... [8] 25/7 26/9 28/4 28/7 28/15 28/17 29/3 31/14</p> <p>day -- [1] 25/7</p> <p>days [4] 12/16 17/24 25/1 25/7</p> <p>deal [1] 22/25</p> <p>December [2] 6/7 6/11</p> <p>decisions [1] 9/10</p> <p>defined [1] 11/23</p> <p>definition [1] 12/6</p> <p>demand [4] 5/4 11/11 11/15 11/21</p> <p>department [3] 4/8 4/11 4/24</p> <p>Derby [2] 20/17 20/18</p> <p>described [1] 27/18</p> <p>description [1] 10/22</p> <p>design [8] 10/20 11/6 12/4 12/9 12/14 16/2 16/21 25/10</p> <p>develop [3] 17/21 20/21 24/2</p> <p>developed [1] 17/25</p> <p>did [36]</p> <p>didn't [5] 15/10 15/13 17/11 17/15 27/16</p> <p>different [11] 8/1 12/15 13/7 13/8 13/24 15/22 22/18 22/25 22/25 23/13 28/6</p> <p>director [2] 5/18 9/8</p> <p>discussed [1] 16/6</p> <p>discussion [3] 16/15 20/22 23/15</p> <p>discussions [10] 10/13 11/9 12/24 13/12 13/15 15/16 17/5 19/4 21/4 25/24</p> <p>diverse [1] 27/24</p> <p>division [21] 4/20 5/1 5/2 5/14 5/16 5/19 5/23 6/23 8/1 10/12 11/2 11/4 12/13 16/1 16/10 16/14 17/11 21/3 22/8 27/12 27/12</p> <p>division -- [1] 27/12</p> <p>division's [4] 9/10 11/19 12/9 27/17</p> <p>divisions [1] 4/21</p> <p>do [31] 5/13 6/9 6/20 7/19 8/23 9/6 11/25 12/6 12/25 14/20 15/1 15/15 15/18 15/24 16/18 17/11 19/4 19/12 19/14 21/23 22/9 23/5 23/25 25/6 25/9 27/6 28/24 29/2 29/16 30/6 30/16</p> <p>document [2] 14/3 23/19</p> <p>documentation [1] 6/8</p> <p>does [1] 10/18</p> <p>doing [2] 14/8 27/22</p> <p>don't [38]</p> <p>don't -- [4] 9/20 14/14 20/14 23/23</p> <p>done [1] 12/15</p> <p>down [3] 12/7 26/15 31/7</p> <p>Drive [1] 3/13</p> <p>duly [1] 31/6</p> <p>duration [1] 10/1</p> <p>during [18] 3/23 4/16 6/22 8/9 9/16 11/12 14/6 14/10 19/3 21/25 24/3 25/13 25/15 26/9 27/9 28/12 28/14 30/19</p> <p>during -- [2] 25/13 28/12</p> <p>duties [1] 4/18</p>	<p>6/24 8/1 11/3 11/4 11/17 11/18 16/1 16/14 17/11 22/8</p> <p>Energy's [1] 4/24</p> <p>enough [5] 15/1 20/8 21/2 25/13 26/18</p> <p>Environmental [4] 3/17 4/2 4/4 4/5</p> <p>euphemistically [1] 10/17</p> <p>even [2] 12/19 24/8</p> <p>ever [4] 8/11 8/20 20/24 24/8</p> <p>every [5] 12/18 22/15 23/15 23/15 26/9</p> <p>everybody [2] 23/3 30/13</p> <p>everybody's [2] 14/5 23/6</p> <p>everyone [4] 8/2 20/5 23/14 30/5</p> <p>everyone's [1] 28/1</p> <p>everything [1] 18/8</p> <p>evidence [5] 16/19 16/20 16/22 25/1 25/3</p> <p>ex [2] 29/6 30/7</p> <p>ex parte [1] 29/6</p> <p>EXAMINATION [1] 3/7</p> <p>example [1] 13/10</p> <p>except [2] 12/19 25/14</p> <p>expires [1] 31/12</p> <p>Explain [1] 11/14</p> <p>expressed [1] 29/22</p>	<p>H</p> <p>had [25] 5/3 5/10 6/15 7/6 7/22 7/25 8/8 11/3 11/4 12/13 12/13 12/20 13/7 17/14 17/25 18/23 20/1 20/5 21/6 26/8 26/15 26/19 27/7 28/10 30/14</p> <p>had -- [3] 12/13 12/20 18/23</p> <p>hall [1] 26/4</p> <p>hand [1] 31/13</p> <p>happened [2] 19/24 29/15</p> <p>hardly [1] 22/19</p> <p>hardly -- [1] 22/19</p> <p>has [1] 23/6</p> <p>have [62]</p> <p>haven't [1] 19/9</p> <p>having [6] 7/2 8/24 14/17 27/7 29/3 29/17</p> <p>he [18] 9/4 9/8 9/9 9/17 9/18 9/21 9/22 15/3 20/1 24/6 24/9 28/8 28/10 28/15 29/5 29/24 30/1 30/4</p> <p>head [1] 12/7</p> <p>heard [1] 27/18</p> <p>hearing [20] 8/5 8/6 8/13 9/18 10/6 10/6 10/10 12/21 12/25 16/19 19/19 21/4 22/11 24/8 25/24 28/9 28/9 29/3 29/4 29/9</p> <p>hearings [3] 9/16 20/20 30/19</p> <p>here [3] 8/5 9/21 14/24</p> <p>hereby [1] 31/4</p> <p>hereto [1] 31/11</p> <p>him [15] 9/22 26/7 26/9 26/11 27/11 27/13 27/15 27/16 28/6 28/17 28/18 28/20 28/22 28/23 28/25</p> <p>him -- [1] 27/15</p> <p>his [5] 9/11 20/2 24/8 24/21 30/12</p> <p>his -- [1] 30/12</p> <p>how [6] 9/13 11/24 12/14 19/17 23/11 26/20</p> <p>Howard [3] 19/14 19/16 19/20</p>
<p>E</p> <p>e-mail [2] 1/24 7/11</p> <p>e-mailed [1] 7/11</p> <p>each [1] 17/24</p> <p>East [1] 1/22</p> <p>edification [1] 15/8</p> <p>either [3] 5/17 19/13 27/9</p> <p>ELECTRIC [3] 1/5 1/6 1/10</p> <p>ELLEN [3] 1/21 31/4 31/18</p> <p>else [4] 7/17 21/11 21/19 22/7</p> <p>else's [1] 8/2</p> <p>employed [4] 3/15 3/22 4/1 4/2</p> <p>end [2] 23/18 23/25</p> <p>energy [16] 4/20 5/2 5/2 5/14 5/16 5/24</p>	<p>F</p> <p>fact [2] 5/10 13/18</p> <p>fair [10] 10/22 13/4 14/2 15/1 20/8 21/2 25/13 26/18 27/21 27/21</p> <p>fairly [1] 22/1</p> <p>fall [2] 3/20 5/9</p> <p>far [1] 25/18</p> <p>FAX [1] 1/24</p> <p>Fifth [1] 2/5</p> <p>filed [3] 5/22 6/7 6/15</p> <p>find [1] 7/12</p> <p>first [4] 7/3 8/24 18/16 31/6</p> <p>five-minute [1] 22/5</p> <p>five-minute -- [1] 22/5</p> <p>focus [2] 19/1 23/17</p> <p>for -- [1] 24/25</p> <p>foregoing [2] 31/5 31/8</p> <p>formed [1] 13/17</p> <p>forth [1] 31/6</p> <p>frame [1] 20/15</p> <p>Frankfort [2] 3/3 3/13</p> <p>Friday [2] 3/4 20/19</p> <p>further [3] 11/10 11/21 31/10</p> <p>fuzzy [1] 17/10</p>	<p>I</p> <p>I [1] 18/12</p> <p>I -- [3] 7/22 8/11 18/18</p> <p>I was [1] 4/19</p> <p>I'd [1] 7/22</p> <p>I'll [1] 10/1</p> <p>I'm [14] 5/22 6/12 7/4 9/1 14/24 17/10 18/6 19/10 20/4 22/1 22/1 26/3 26/8 26/11</p> <p>I'm -- [2] 20/4 22/1</p> <p>I've [8] 8/11 8/17 8/20 12/23 25/18 25/19 26/3 26/8</p> <p>i.e [1] 16/1</p> <p>ideas [1] 12/14</p> <p>if [12] 6/8 7/13 7/22 7/23 7/25 14/8 14/23 21/13 24/9 26/21 28/7 29/12</p> <p>impression [1] 19/25</p> <p>in [70]</p> <p>in -- [2] 12/24 28/9</p> <p>inappropriate [4] 29/6 30/8 30/16 30/18</p> <p>including [4] 18/2 26/11 30/9 30/12</p> <p>increase [3] 5/11 6/8 11/24</p> <p>informal [5] 7/4 8/25 9/25 10/5 20/17</p> <p>informed [1] 12/23</p> <p>inquiry [2] 7/19 7/22</p> <p>inside [1] 26/10</p> <p>institute [1] 16/9</p> <p>intent [1] 6/7</p> <p>interest [12] 4/24 5/2 5/5 5/6 8/1 9/10 11/7 11/11 11/21 12/9 27/17 31/11</p> <p>interested [3] 13/8 16/1 16/15</p> <p>interests [2] 23/13 27/25</p> <p>interpreting [1] 9/14</p> <p>intervene [3] 5/19 5/23 6/13</p>
	<p>G</p> <p>GAS [2] 1/5 1/6</p> <p>general [7] 2/2 18/2 18/20 18/25 20/23 28/4 29/5</p> <p>general's [3] 17/16 19/3 30/10</p> <p>generally [3] 9/24 12/2 23/11</p> <p>gentlemen [1] 15/20</p> <p>get [6] 11/10 11/20 11/25 27/12 27/14 27/20</p> <p>getting [2] 12/13 30/11</p> <p>give [1] 8/14</p> <p>given [6] 5/11 6/6 25/1 25/4 28/13 31/13</p> <p>giving [2] 28/16 31/6</p> <p>go [2] 8/18 12/16</p> <p>going [4] 5/11 14/3 24/11 29/7</p> <p>GOLDBERG [3] 2/4 2/4 3/9</p> <p>Goss [1] 29/23</p> <p>got [2] 6/15 19/14</p> <p>granted [1] 6/1</p> <p>group [5] 8/19 13/20 23/10 24/4 24/17</p> <p>groups [1] 22/21</p> <p>guess [2] 23/24 24/16</p>	

I	like [4] 7/12 15/11 22/4 23/11 little [4] 11/14 18/14 25/9 28/10 LLC [1] 1/21 look [1] 5/5 looking [1] 11/19 lot [2] 17/11 27/24 lots [1] 23/4 LOUISVILLE [4] 1/6 1/23 2/6 31/14 Louisvillians [1] 20/16	21/22 30/13 31/7 31/9 31/12 31/13
intervened [1] 11/5 interveners [2] 18/2 20/24 intervening [2] 13/3 15/21 introduced [3] 8/13 8/20 25/19 INVESTIGATION [1] 1/4 involved [4] 8/4 11/9 23/15 26/21 IRIS [3] 1/17 3/1 3/11 is [16] 3/11 10/2 10/22 11/24 12/5 13/4 17/14 18/23 20/16 20/20 24/6 24/19 26/23 28/12 30/13 31/8 Isaac [2] 15/1 15/6 issue [3] 15/25 16/14 23/16 issues [7] 10/16 10/23 11/6 13/8 13/22 23/1 27/8 issues -- [1] 10/23 it [49] it -- [2] 10/5 26/14 it's [8] 4/16 10/15 11/17 11/23 12/15 19/10 26/24 29/22 its [3] 5/4 5/5 21/3 itself [2] 10/11 29/10	M Madam [1] 3/10 made [5] 9/9 13/19 13/24 19/20 20/1 main [1] 13/25 major [1] 10/23 make [2] 9/9 23/10 making [2] 24/23 25/14 managed [1] 4/14 management [4] 5/4 11/11 11/15 11/22 manager [2] 3/18 4/12 mandate [1] 11/19 many [2] 9/11 22/20 marriage [1] 31/10 matter [1] 6/4 may [13] 7/10 9/17 10/2 10/3 17/23 17/23 17/23 17/24 18/11 21/18 26/19 27/11 27/13 maybe [3] 17/15 26/4 28/11 me [19] 3/19 3/25 4/10 5/18 5/20 6/14 6/25 7/24 9/19 9/24 10/15 11/14 11/23 14/6 21/12 24/9 29/22 31/7 31/7 mean [6] 8/17 9/21 14/2 14/23 23/23 27/24 meaning [1] 10/18 mediation [1] 27/20 member [2] 14/10 21/24 members [1] 23/8 members -- [1] 23/8 memory [4] 18/10 18/13 19/10 19/17 memory -- [1] 18/10 merits [3] 26/24 27/8 27/17 message [1] 29/4 met [1] 8/11 mid [1] 3/21 might [1] 9/22 mining [1] 4/13 Mm-hmm [3] 10/19 10/21 12/3 more [1] 11/7 most [2] 14/11 15/11 mostly [2] 22/15 22/19 motion [2] 5/22 6/16 moved [1] 6/13 MR [1] 3/9 Mr. [18] 6/3 9/3 9/6 9/15 15/1 15/20 15/20 19/14 19/16 19/20 21/15 21/16 22/11 24/3 26/16 26/16 26/19 29/4 Mr. Davies [1] 9/15 Mr. Howard [3] 19/14 19/16 19/20 Mr. Isaac [1] 15/1 Mr. Raff [2] 26/19 29/4 Mr. Riggs [2] 21/15 21/16 Mr. Scott [2] 15/20 26/16 Mr. Shaw [2] 15/20 26/16 Mr. Watt [1] 24/3 Mr. Young [3] 9/3 9/6 22/11 Mr. Young's [1] 6/3 Ms. [1] 19/13 Ms. Blackford [1] 19/13 much [6] 8/4 10/4 11/24 12/18 24/1 30/5 multiple [1] 23/12 my [12] 3/11 3/16 9/5 17/13 19/8 19/10	N name [5] 3/10 3/11 8/14 14/21 24/9 National [1] 2/5 natural [3] 4/4 4/5 4/13 need [1] 16/4 negotiation [1] 22/13 negotiations [9] 10/7 11/13 12/17 12/18 12/21 14/11 14/18 23/12 25/8 never [3] 8/17 25/18 25/19 next [2] 20/20 23/25 no [22] 1/5 1/10 3/16 7/21 8/8 8/11 13/13 16/22 17/16 18/20 18/25 21/2 21/23 25/12 25/15 25/18 26/15 29/1 30/5 30/13 30/20 31/11 Nods [1] 12/7 none [1] 22/21 nonlawyers [1] 15/11 normally [1] 5/3 North [1] 13/11 not [20] 6/12 6/25 7/11 7/13 9/15 13/11 14/20 14/24 15/9 16/21 17/11 18/11 19/4 19/14 19/20 25/25 26/10 26/24 28/24 31/10 not -- [1] 17/11 Notary [3] 31/4 31/12 31/18 notes [4] 19/8 21/22 31/7 31/9 nothing [1] 26/6 notice [4] 5/11 5/15 5/16 6/6 notified [1] 5/18 November [3] 6/5 6/10 31/12 Now [6] 12/16 17/20 20/15 23/13 25/25 30/14 number [2] 20/9 20/13
J	Jeff [10] 5/17 9/4 9/11 9/12 15/4 15/5 15/5 16/6 21/12 21/12 Jeff -- [1] 21/12 JEFFERSON [1] 31/2 John [7] 5/18 9/8 9/12 9/13 16/7 16/7 16/9 John's [1] 9/13 JONATHAN [1] 2/4 June [1] 3/22 just [11] 6/14 15/8 17/12 22/4 22/8 22/16 23/23 26/21 26/25 27/4 28/8	O obligations [1] 4/18 obtained [1] 16/11 occurred [3] 20/17 22/11 30/18 office [1] 17/16 offices [1] 3/2 official [1] 6/6 Oh [1] 22/1 Okay [62] on [51] on -- [1] 17/22 once [1] 28/8 one [11] 4/20 7/22 17/7 20/23 21/6 22/9 22/22 23/19 24/22 28/14 28/17 ones [1] 24/24 ongoing [2] 13/15 25/8 only [4] 15/6 17/2 25/3 28/19 opportunity [2] 28/21 30/15 or [39] or -- [1] 6/10 order [1] 6/17 original [1] 12/12 originally [1] 11/5 originally -- [1] 11/5 other [18] 6/21 7/16 7/19 8/4 8/13 8/21 9/6 9/7 15/19 21/14 21/23 22/9 22/12 22/16 25/22 27/9 27/10 28/18 Other -- [1] 21/23 our [3] 7/25 11/10 12/12 out [8] 7/12 8/18 10/8 10/9 24/18 24/23 28/1 28/15 outcome [1] 31/11 outside [3] 26/4 26/10 28/16 over [2] 8/5 10/8
K	Kendrick [1] 24/16 KENTUCKY [11] 1/1 1/11 1/22 1/23 2/6 3/3 3/14 5/10 31/1 31/4 31/15 kind [4] 8/2 10/8 14/2 19/10 KIUC [1] 20/23 knew [3] 14/3 14/5 30/2 know [29] 6/12 7/10 7/13 8/18 9/22 14/20 14/22 14/23 15/1 16/5 17/9 17/12 19/8 20/7 20/16 21/18 22/4 23/13 23/16 24/6 25/19 26/3 26/5 26/5 26/20 27/4 28/7 28/23 30/4 know -- [3] 20/16 26/5 26/5 knowledge [1] 30/17 KU [13] 5/10 6/6 7/2 7/9 11/24 13/4 13/12 15/21 18/3 20/22 21/5 21/7 23/1 KU -- [1] 21/7	
L	large [2] 10/16 31/4 late [1] 23/24 lawyer [2] 4/7 15/12 lawyers [2] 15/9 23/10 leave [1] 23/3 left [3] 19/9 19/9 28/11 legal [2] 4/13 4/22 length [1] 27/16 lengthy [3] 22/5 22/6 23/5 lengthy -- [1] 22/5 Let [2] 3/19 6/25 let's [5] 3/21 12/16 19/1 26/14 26/14 let's -- I [1] 26/14 LG [16] 5/10 6/6 7/1 7/9 11/20 11/24 13/4 15/22 16/9 18/3 20/22 21/5 21/7 21/14 22/8 23/1	

<p>P</p> <p>pages [1] 31/8 part [2] 14/11 16/12 parte [2] 29/6 30/8 partial [1] 10/9 participate [3] 10/12 13/11 21/3 participated [5] 6/19 6/21 8/24 13/3 23/9 participating [1] 6/9 participation [1] 22/10 particularly [1] 26/6 parties [9] 13/3 13/7 15/21 15/25 22/12 23/13 25/11 27/10 31/10 parties' [1] 23/1 party [3] 6/2 6/18 22/15 passing [1] 24/23 pay [1] 12/5 people [6] 14/16 14/19 22/16 23/2 23/8 26/25 people -- [1] 26/25 percent [1] 23/14 perception [2] 14/7 19/13 period [8] 3/20 3/23 4/17 5/8 6/5 8/10 14/6 27/9 person [1] 4/19 personal [1] 27/2 persons [1] 14/15 physically [1] 9/15 place [1] 31/5 player [1] 8/3 playing [1] 27/19 point [9] 5/21 6/14 6/17 6/18 14/2 16/6 17/7 18/20 19/7 porch [1] 28/15 position [4] 3/16 11/3 11/5 14/5 possibly [3] 14/9 15/14 26/6 practiced [1] 4/15 preference [1] 9/13 prehearing [1] 8/5 preparation [1] 6/10 prepared [1] 6/16 present [6] 14/10 21/11 21/25 22/12 22/15 28/3 presently [1] 3/15 press [1] 28/16 presume [1] 24/25 pretty [4] 12/18 17/10 24/1 30/5 pricing [5] 11/20 16/7 16/8 21/10 27/14 prior [8] 7/3 12/21 17/21 17/24 18/15 20/2 20/24 31/6 probably [3] 4/4 6/13 12/19 procedural [3] 7/19 7/22 7/25 proceed [1] 9/13 proceeding [5] 6/2 6/19 8/3 8/19 10/1 proceedings [3] 5/4 6/21 25/16 program [3] 11/20 16/8 27/14 proof [3] 17/19 17/22 17/22 Protection [3] 3/17 4/3 4/6 PSC [1] 7/25 PUBLIC [22] 1/1 2/2 3/2 3/17 4/3 4/17 4/25 5/3 5/8 6/21 7/3 8/9 9/16 14/8 14/16 21/24 28/3 28/5 29/7 31/4 31/12 31/18 put [6] 14/3 17/22 17/22 18/16 24/11 24/19 putting [2] 17/19 24/17</p>	<p>quote [1] 13/2</p> <p>R</p> <p>radio [1] 29/4 Raff [8] 7/12 7/24 14/10 15/19 26/1 26/4 26/19 29/4 rate [20] 5/11 6/8 7/2 7/8 10/11 10/16 10/20 10/20 10/25 11/6 11/6 11/8 12/4 12/4 12/9 12/14 16/1 16/20 25/10 27/8 RATES [2] 1/5 1/10 rather [1] 14/15 RE [1] 1/4 ready [1] 30/11 real [6] 11/20 12/9 16/7 16/8 21/9 27/14 really [4] 7/21 8/2 8/4 17/10 reason [1] 12/12 recall [6] 6/9 7/10 7/20 7/21 9/24 27/15 received [3] 5/14 5/16 6/17 recognition [1] 13/14 recollection [18] 5/13 7/1 8/23 12/25 15/15 15/24 16/18 17/14 19/2 21/2 23/21 25/7 25/10 27/7 29/2 29/17 30/6 30/13 record [1] 31/9 reduced [1] 31/7 referred [1] 10/17 reflect [1] 30/15 reflecting [1] 24/5 refresh [2] 18/9 18/13 refreshed [1] 19/10 regard [7] 5/7 6/11 7/1 7/8 17/4 22/12 25/21 related [4] 4/16 4/17 4/25 31/10 related -- [1] 4/16 relationship [1] 27/3 relevant [1] 26/6 remember [22] 6/14 7/15 9/6 9/20 10/4 10/5 15/7 18/4 18/18 19/18 20/11 20/14 21/1 21/6 21/13 21/19 23/5 23/23 24/8 28/8 28/20 29/8 report [1] 23/10 reported [1] 29/4 Reporting [1] 1/21 reports [2] 13/18 13/24 represent [2] 8/15 10/2 representative [2] 5/17 9/5 representatives [4] 9/7 13/4 19/3 22/20 represented [2] 4/20 10/15 representing [1] 7/4 requirement [13] 10/18 11/24 16/24 16/25 17/5 17/8 18/6 19/5 19/15 19/21 20/3 20/9 25/4 requirement -- [1] 10/18 requirements [1] 18/1 resolved [1] 16/15 resources [3] 4/5 4/5 4/13 Resources -- [1] 4/5 respond [1] 29/19 responded [1] 29/20 responded that [1] 29/20 retired [1] 3/16 revenue [14] 10/17 11/23 16/24 16/25 17/5 17/8 18/1 18/5 19/5 19/15 19/21 20/2 20/8 25/4 Richard [9] 7/11 7/12 7/18 7/24 14/10 15/19 26/1 26/4 27/8 Riggs [2] 21/15 21/16 Riggs' [1] 24/17 right [23] 3/19 6/3 12/23 13/1 13/23 14/4 14/20 15/24 16/13 17/3 17/23 18/11 18/13 19/12 19/17 21/23 22/24 25/6 26/11 27/1 27/6 29/16 30/4</p>	<p>role [4] 5/5 6/11 27/19 27/20 room [19] 8/18 12/25 14/12 19/19 21/4 22/11 22/16 22/17 23/3 23/4 25/24 26/5 26/10 27/10 28/8 28/9 29/3 29/9 29/23 room -- [1] 29/23 rooms [1] 23/5 RPR [1] 1/21</p> <p>S</p> <p>said [11] 6/18 17/16 18/20 18/25 19/4 19/14 30/5 30/7 30/13 31/7 31/8 same [4] 5/7 8/9 13/15 28/7 sat [3] 9/18 22/16 22/17 satisfaction [1] 28/2 saw [3] 28/6 28/17 28/18 say [3] 17/6 22/14 26/12 Scott [3] 15/2 15/20 26/16 scrivener [1] 24/4 see [2] 14/24 19/17 seeing [1] 28/20 seek [1] 5/11 seemed [2] 24/22 27/25 seen [2] 8/17 8/21 sense [1] 27/20 September [1] 3/21 SERVICE [17] 1/1 2/2 3/2 4/17 4/25 5/3 5/8 6/22 7/3 8/9 9/16 14/8 14/16 21/24 28/4 28/5 29/7 set [1] 31/6 settlement [20] 10/7 10/9 10/10 10/13 11/9 11/12 16/4 16/5 16/12 16/16 17/4 22/12 23/12 23/19 24/5 24/11 24/19 25/24 27/10 27/13 Shaw [3] 15/4 15/20 26/16 she [1] 24/22 should [1] 12/14 side [4] 5/4 11/11 11/15 11/22 Silver [1] 3/13 Simpson [1] 2/4 sit [1] 23/4 sitting [5] 8/21 8/22 14/16 22/22 23/5 SKIDMORE [3] 1/17 3/1 3/11 small [1] 8/3 so [20] 4/23 7/22 8/1 8/3 8/19 11/7 12/19 14/1 14/18 15/23 17/12 17/18 19/10 21/17 22/17 22/22 23/18 24/24 26/17 31/9 So -- [1] 21/17 some [20] 4/15 4/23 6/14 6/17 10/11 12/13 12/21 14/2 16/8 17/22 18/15 18/20 19/7 19/19 20/22 23/10 26/8 26/23 29/5 30/7 somebody [2] 21/19 24/11 something [7] 11/10 11/21 16/8 26/7 28/1 29/8 29/13 something -- [1] 16/8 Sometimes [1] 7/11 somewhat [1] 27/19 somewhere [1] 19/2 sorry [1] 19/11 sort [10] 7/23 10/9 14/22 16/8 18/15 19/19 23/10 26/8 29/6 30/7 South [1] 2/5 Sower [1] 3/3 speaking [1] 15/16 SPECIAL [1] 2/2 SS [1] 31/1 staff [15] 4/13 7/2 7/7 14/7 14/10 14/15 14/18 21/24 25/21 25/22 25/25 26/10 26/12 27/19 27/22 Stainless [1] 13/11 stand [1] 8/14</p>
<p>Q</p> <p>question [1] 7/25 questioned [1] 29/25 questioned -- [1] 29/25 quite [1] 19/12</p>		

<p>S</p> <p>standing [2] 26/22 27/5 started [3] 10/6 17/18 17/19 started -- [1] 17/18 starting [2] 3/20 9/25 state [3] 3/10 31/1 31/4 stated [1] 31/5 statement [10] 1/15 3/1 6/4 9/14 13/5 14/2 20/1 20/2 30/24 31/5 statutory [2] 5/5 11/19 stenographic [2] 31/7 31/9 still [1] 4/4 stood [1] 30/5 Street [2] 1/22 2/5 structure [1] 11/6 subjective [1] 30/16 substantive [1] 26/24 Suite [1] 1/22 sum [1] 23/24 supervision [1] 31/8 sure [8] 5/22 9/1 9/23 15/17 18/18 21/20 26/8 26/23 surface [1] 4/13 sworn [4] 1/15 3/1 31/5 31/6</p>	<p>things [2] 11/18 23/24 think [48] think -- [2] 14/14 18/6 this [11] 6/15 14/3 14/6 16/5 17/10 17/13 18/23 19/8 19/18 28/12 31/13 This -- [1] 19/18 those [6] 8/12 13/15 15/16 17/24 25/1 28/19 though [2] 14/21 28/25 thought [11] 15/14 16/10 17/9 17/14 18/5 18/7 18/19 18/24 20/4 20/9 24/16 three [2] 14/16 15/19 through [3] 3/21 9/18 9/19 Thursday [1] 20/18 thus [1] 16/13 time [33] time -- [1] 18/15 times [4] 9/11 28/7 28/18 28/19 together [3] 24/12 24/17 24/20 told [3] 6/14 25/23 27/13 too [1] 21/19 took [3] 5/21 10/8 11/5 Tower [1] 2/5 transcript [1] 31/8 tried [1] 10/8 true [1] 31/8 trust [1] 19/18 trying [8] 11/10 11/20 18/6 18/9 18/13 27/12 27/14 28/1 turned [1] 24/18 two [8] 10/16 10/16 10/22 14/10 15/6 15/19 28/6 28/19 typed [1] 24/24 typewritten [2] 31/8 31/8</p>	<p>Wednesday [1] 20/18 week [6] 20/16 20/17 20/18 20/20 20/24 24/3 Well [16] 6/12 11/17 13/20 14/1 14/9 14/22 16/3 18/18 20/4 22/14 23/6 23/20 24/16 26/20 27/4 27/21 Well -- [1] 23/20 went [3] 12/24 12/24 29/23 were [51] were -- [2] 6/17 11/8 weren't [3] 22/2 22/16 22/23 what [25] 4/10 4/14 4/24 5/20 9/24 11/11 14/3 14/5 14/7 14/7 16/4 16/4 16/9 17/3 18/4 18/11 19/23 22/6 23/25 24/14 25/7 26/23 27/12 27/22 29/15 what -- [1] 16/4 when [21] 11/5 11/8 14/17 14/24 16/19 16/19 17/5 17/18 17/18 18/19 18/19 19/8 20/20 21/9 22/17 23/2 25/10 26/11 28/9 28/9 28/18 when -- [2] 18/19 22/17 where [8] 3/25 8/13 12/20 19/23 23/12 25/1 25/7 29/5 whether [4] 5/14 6/25 7/6 30/2 which [7] 4/3 4/20 7/4 8/25 10/1 12/17 30/17 while [2] 28/12 30/15 who [12] 4/19 8/14 12/5 22/16 23/3 23/9 24/6 24/14 24/14 24/19 24/23 24/24 who -- [1] 24/14 whole [1] 17/15 will [3] 6/9 11/18 12/5 willing [1] 27/25 wished [1] 5/19 witness [1] 31/6 work [5] 4/22 10/8 10/9 17/12 28/1 worked [1] 23/11 worthwhile [1] 16/10 would [29] 6/6 7/11 7/22 7/23 7/24 9/2 9/9 9/12 9/12 11/10 11/21 11/24 16/4 16/9 20/16 20/18 20/19 22/6 22/21 23/2 23/3 23/4 23/8 23/8 23/25 24/17 24/21 26/20 26/24 would -- [1] 24/21 wouldn't [2] 7/17 22/14</p>
<p>T</p> <p>take [20] 3/19 4/7 6/4 6/20 8/7 9/19 11/2 13/10 13/17 15/18 16/13 19/2 21/23 22/10 23/7 23/17 25/13 26/14 26/15 28/24 taken [8] 3/2 6/3 16/20 16/20 16/22 31/5 31/7 31/9 talk [5] 7/24 9/12 9/12 26/20 27/16 talked [7] 7/17 9/22 21/9 23/25 26/4 26/7 27/11 talking [2] 26/25 27/15 telephone [1] 9/23 tell [5] 3/25 4/10 5/20 9/24 14/6 term [1] 10/18 terms [4] 1/6 1/10 24/4 30/16 testimony [7] 18/16 23/6 25/8 28/12 28/14 31/6 31/7 than [12] 7/16 7/19 8/4 8/13 8/21 9/6 11/7 14/15 21/14 22/9 25/22 27/9 than -- [1] 7/16 Thank [1] 30/23 that [143] that -- [1] 17/13 that's [20] 6/13 11/1 11/11 11/18 13/1 14/1 14/23 17/18 18/11 19/7 19/12 19/22 19/23 19/23 23/11 24/22 25/5 27/21 29/15 30/21 that's -- [2] 14/23 19/22 the -- [10] 3/20 8/22 8/22 10/11 11/7 12/24 16/23 16/23 28/15 28/15 their [5] 4/22 6/6 11/7 13/21 21/14 them [13] 4/22 6/16 8/13 8/17 8/21 8/21 14/20 14/22 14/24 15/16 17/12 19/9 24/23 them -- [1] 8/17 themselves [1] 25/15 then [9] 6/7 6/18 8/7 10/7 10/10 18/8 18/25 20/20 23/3 there [63] there's [1] 23/13 thereafter [1] 31/7 these [5] 9/16 12/24 19/3 25/16 30/19 they [23] 5/11 6/7 6/14 8/14 8/17 8/18 12/20 13/8 14/14 14/18 15/6 15/10 15/11 15/13 15/14 17/16 17/18 19/6 22/1 23/2 27/25 30/2 30/7 they're [3] 14/23 15/9 24/24 thing [2] 17/2 17/15</p>	<p>U</p> <p>ultimate [2] 9/9 9/10 ultimate -- [1] 9/9 under [2] 31/7 31/13 understand [2] 17/20 22/24 understanding [14] 12/8 17/4 17/6 17/7 17/21 17/25 18/14 19/15 20/21 20/25 24/2 24/10 24/15 26/18 unknown [1] 24/9 until [1] 23/24 up [7] 8/21 12/7 14/24 19/14 23/24 24/24 30/5 upon [4] 13/18 15/20 25/11 30/15 us [1] 25/23 usually [4] 4/19 4/21 14/15 15/5 UTILITIES [2] 1/11 5/10</p> <p>V</p> <p>vague [1] 19/10 various [5] 12/5 13/21 13/22 22/21 23/9 very [6] 8/4 10/4 12/15 22/5 22/6 22/20 views [1] 15/22 vision [1] 19/13</p>	<p>Y</p> <p>years [1] 6/22 yes [22] 3/24 4/9 5/12 6/23 10/14 10/24 12/1 12/10 13/6 13/9 13/16 14/25 15/3 16/12 16/17 24/13 24/21 25/2 25/5 26/2 29/11 29/18 you [100] you'd [1] 6/20 you're [2] 26/21 27/4 you've [2] 25/23 30/14 you-all [1] 16/4 Young [7] 5/17 9/3 9/4 9/6 16/6 21/12 22/11 Young's [1] 6/3 your [16] 3/10 3/12 6/11 6/22 8/14 9/14 9/19 14/7 15/8 16/14 17/3 17/6 18/9 18/13 22/10 24/14 your -- [1] 9/19</p>
	<p>W</p> <p>waiting [2] 26/22 27/5 want [2] 6/4 15/12 wanted [1] 16/7 was [95] was -- [1] 21/16 wasn't [8] 8/4 17/12 18/8 22/5 22/5 23/3 23/14 29/20 Watt [2] 24/3 24/4 way [3] 12/15 13/10 16/15 we [47] we -- [2] 6/15 16/3 we'd [2] 18/24 23/24</p>	