

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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In the Matter of the Joint
Application of X5 Solutions,
Inc., and X5 OpCo, LLC, for Docket No. 15-2580-02
Approval of Asset and Customer
Transfer Transaction

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HEARING PROCEEDINGS  
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TAKEN AT: Public Service Commission
Hearing Room 451
160 East 300 South
Salt Lake City, Utah

DATE: Thursday, May 7, 2015

TIME: 9:02 a.m.

REPORTED BY: Scott M. Knight, RPR

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A P P E A R A N C E S

ADMINISTRATIVE LAW JUDGE: MELANIE A. REIF
FOR DIVISION OF PUBLIC UTILITIES:

JUSTIN C. JETTER, ESQ.,
ASSISTANT ATTORNEY GENERAL
160 East 300 South, Fifth Floor
Salt Lake City, Utah 84114

FOR X5 OPCO, LLC:

GREGORY B. MONSON, ESQ.,
STOEL RIVES
201 South Main Street, Suite 1100
Salt Lake City, Utah 84111

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1 PROCEEDINGS

2 THE HEARING OFFICER: We're back on the record.

3 This is Docket 15-2580-02, entitled In the Matter
4 of the Joint Application of X5 Solutions, Inc., and X5 OpCo,
5 LLC, for Approval of Assets and Customer Transfer
6 Transaction. I'm Melanie Reif, and I'm the administrative
7 law judge for the Utah Public Service Commission.

8 And let's start with you, Mr. Monson. If you
9 would, kindly introduce yourself and your witnesses that are
10 on the line with us this morning.

11 MR. MONSON: Gregory Monson of Stoel Rives
12 appearing for the Applicants. And the witnesses on the--on
13 the phone with us are Mr. Robert Kristjanson and Barbara
14 Meyer.

15 THE HEARING OFFICER: Mr. Jetter?

16 MR. JETTER: Thank you. Justin Jetter
17 representing the Utah Division of Public Utilities. And
18 with me at counsel table is Ron Slusher, technical utility
19 consultant for the Utah Division of Public Utilities.

20 THE HEARING OFFICER: Okay. And just to make sure
21 we have a formality covered, because we do have potentially
22 two witnesses on the line and Mr. Slusher here, why don't we
23 go ahead and I'll just swear everybody in at the same time.

24 So Mr. Slusher and Ms. Meyer and Mr. Kristjanson
25 on the phone, if you kindly raise your right hand. And do

1 you swear that the testimony that you'll be providing today
2 will be the truth?

3 MS. MEYER: Yes, I do.

4 MR. KRISTJANSON: Yes, I do.

5 MR. SLUSHER: Yes, I do.

6 THE HEARING OFFICER: Thank you very much.

7 Mr. Monson, I'll let you go ahead.

8 ROBERT KRISTJANSON,

9 being first duly sworn, was examined and testified as

10 follows:

11 DIRECT EXAMINATION

12 BY MR. MONSON:

13 Q Mr. Kristjanson, could you please state your name
14 for the record?

15 A Robert Kristjanson.

16 Q And your employment?

17 A I'm a certified--certified--chief financial
18 officer of X5 OpCo, LLC.

19 Q And--and have you reviewed the application that's
20 been filed in this matter?

21 A Yes, I have.

22 Q And is it true and correct, to the best of your
23 knowledge, information, and belief?

24 A Yes, it is.

25 Q And just to summarize the application, do you

1 understand that those--well, first of all, that the
2 customers of X5 Solutions have all been notified of this
3 transfer, proposed transfer?

4 A Yes, they have--yes, they were.

5 Q And did you receive any objections from any of
6 them?

7 A To date, we have received no objections.

8 Q Okay. And X--as I understand it, X5 Solutions has
9 no assets, no property within the state of Utah. Is that
10 correct?

11 A That's correct.

12 Q And so the transfer is largely a transfer of
13 customers who have been receiving services from X5
14 Solutions. They will--will they receive the same services
15 from X5 OpCo on the same terms and conditions?

16 A Yes, they will.

17 Q Do you believe that this approval of this
18 application is in--is just and reasonable and in the public
19 interest?

20 A Yes, I do.

21 MR. MONSON: That's all I have.

22 THE HEARING OFFICER: Thank you, Mr. Monson.
23 Any questions, Mr. Jetter?

24 MR. JETTER: No questions from the Division.

25 Thank you, your Honor.

1 THE HEARING OFFICER: I'll let you go ahead, then.

2 MR. JETTER: Thank you.

3 RON SLUSHER,

4 being first duly sworn, was examined and testified as
5 follows:

6 DIRECT EXAMINATION

7 BY MR. JETTER:

8 Q Mr. Slusher, would you please state your name and
9 occupation for the record?

10 A My name is Ron Slusher. "S" as in "Sam,"
11 l-u-s-h-e-r. I'm a utility technical consultant for the
12 Division of Public Utilities.

13 Q Thank you. And in the course of your employment
14 for the Division of Public Utilities, have you had an
15 opportunity to review the joint application for approval of
16 asset and customer transfer?

17 A Yes, I have.

18 Q Did you prepare the document filed by the Division
19 labeled "Comments from the Division of Public Utilities" on
20 April 21st, 2015?

21 A Yes, I did.

22 Q And does that memorandum still accurately reflect
23 the opinion of the Division on the merits of this
24 application?

25 A Yes, it does.

1 Q Do you still believe that the application should
2 be approved as requested?

3 A Yes.

4 Q And do you believe that approval of the
5 application for transfer of customers is just, reasonable,
6 and in the public interest?

7 A Yes.

8 Q And finally, do you--are you aware of or do you
9 know of any objections or reasons that this application
10 should not be approved?

11 A I have not seen or heard of any objections.

12 Q Thank you.

13 MR. JETTER: I have no further questions for
14 Mr. Slusher.

15 THE HEARING OFFICER: Mr. Monson?

16 MR. MONSON: No questions.

17 THE HEARING OFFICER: Okay. Mr. Slusher, just one
18 issue, and I'm afraid I must take responsibility for this
19 myself. I think I failed to put you under oath in the prior
20 docket, so I just want to make sure that we have that issue
21 covered. So for purposes of the docket that preceded this
22 docket, the docket where we were hearing the application for
23 CPCN in Docket 15-2580-01, did you testify in that docket,
24 sir?

25 THE WITNESS: I did not, but I submitted

1 recommendation for it.

2 THE HEARING OFFICER: Okay. Okay. And--so just
3 for clarification, does--does your recommendation represent
4 anything different than what you would have offered the
5 Commission during the hearing?

6 THE WITNESS: No. Recommendation stands.

7 THE HEARING OFFICER: Okay. Very good. All
8 right. Thank you very much, sir.

9 Is there anyone who wishes to address the
10 Commission on the pending application for transfer of
11 customers and assets in this particular docket, 15-2580-02?

12 Hearing none, the matter will be under
13 consideration and we'll issue an order just as soon as
14 possible.

15 Thank you very much for being here today. And my
16 apologies for the technical difficulties with the telephone.

17 Thank you for joining us, Mr. Kristjanson and
18 Ms. Meyer. Have a good day.

19 (Proceedings concluded at 9:30 a.m.)

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CERTIFICATE

This is to certify that the foregoing proceedings were taken before me, SCOTT M. KNIGHT, a Registered Professional Reporter and Notary Public in and for the State of Utah, residing at South Jordan, Utah;

That the proceedings were reported by me in stenotype and thereafter caused by me to be transcribed into typewriting, and that a full, true, and correct transcription of said proceedings so taken and transcribed is set forth in the foregoing pages, inclusive.

I further certify that I am not of kin or otherwise associated with any of the parties to said cause of action, and that I am not interested in the event thereof



Scott M. Knight

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