

# PUBLIC SERVICE COMMISSION

Docket No. 21-035-54

## HEARING

March 14, 2022

### ADVANCED REPORTING SOLUTIONS

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1                   BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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4 Application of Rocky                    )  
5 Mountain Power for a                    )  
6 Certificate of Public                    )  
7 Convenience and Necessity                )  
8 for the Gateway South                    )  
9 Transmission Project                    )  
10 \_\_\_\_\_)                    Docket No. 21-035-54

11                   VIDEOCONFERENCED HEARING TAKEN THROUGH  
12                                   ADVANCED REPORTING SOLUTIONS

13                                   Taken on March 14, 2022  
14                                   1:00 p.m. to 1:25 p.m.

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20 Reported by: Michelle Mallonee, RPR, CCR

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3 Michael Hammer, Presiding Officer

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I N D E X

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1 P R O C E E D I N G S

2 -o0o-

3 PRESIDING OFFICER HAMMER: All right. Let's go  
4 ahead and go on the record, then.

5 Good afternoon. My name is Michael Hammer, and  
6 I'm the presiding officer. We should be here for the  
7 hearing noticed in the matter of the Application of Rocky  
8 Mountain Power for a Certificate of Public Convenience  
9 and Necessity for the Gateway South Transmission Project.  
10 It's Commission Docket No. 21-035-54.

11 Let's go ahead and take appearances, please,  
12 beginning with Rocky Mountain Power.

13 Mr. Hutchings, I see your lips moving, but I  
14 can't hear you.

15 MR. HUTCHINGS: I apologize. Can you hear me  
16 now?

17 PRESIDING OFFICER HAMMER: Yes.

18 MR. HUTCHINGS: Okay. Great. Thanks.

19 I'm John Hutchings, in-house counsel  
20 representing Rocky Mountain Power in this proceeding.  
21 Here with me today on behalf of the Company is Joelle  
22 Steward, Rick Link, Rick Vail, and Craig Eller.

23 Joelle Steward is the only witness that the  
24 Company plans to call, and she will give a summary of the  
25 settlement stipulation.

1 Mr. Link and Mr. Vail both submitted testimony  
2 in the proceeding, but they will not give a summary.  
3 They are here to address any questions, if needed.

4 And Mr. Eller did not submit testimony in the  
5 proceeding, but he is also here to address any questions,  
6 if needed. Thank you.

7 PRESIDING OFFICER HAMMER: Thank you.

8 And for the Division of Public Utilities.

9 MS. SCHMID: Good morning. Patricia E. Schmid  
10 with the Utah Attorney General's office, representing the  
11 Utah Division of Public Utilities.

12 The Division's witness today is Mr. David  
13 Williams. Thank you.

14 PRESIDING OFFICER HAMMER: Do we have anyone for  
15 the Office of Consumer Services?

16 MR. VASTAG: No. We will just be monitoring the  
17 hearing today. Thank you.

18 PRESIDING OFFICER HAMMER: Understood.

19 And for third parties, let me begin with  
20 Ms. Hickey. I see you.

21 MS. HICKEY: Thank you, sir. Lisa Tormoen  
22 Hickey of the law firm Tormoen Hickey, LLC.

23 Our witness is Mr. Jay Caspary, who is also on  
24 the line available to answer questions or provide a  
25 summary, whichever you would like from him.

1 Chris Leger is unable to attend, although he  
2 also represents Interwest Energy Alliance. Thank you.

3 PRESIDING OFFICER HAMMER: Thank you.

4 Oh, I see Mr. Russell. Are you here on behalf  
5 of -- well, you make your own appearance.

6 I think you're muted, Mr. Russell.

7 MR. RUSSELL: Thanks. Sorry.

8 Phillip Russell on behalf of the Utah  
9 Association of Energy Users. Similar to the Office,  
10 we're here to monitor. I don't have a witness available,  
11 but here to monitor.

12 PRESIDING OFFICER HAMMER: Understood.

13 And are there any other parties who would like  
14 to enter an appearance?

15 All right. Mr. Russell, if I understood you  
16 correctly, then, you don't intend to question witnesses.  
17 If at some point you'd like to interject, why don't you  
18 make that preference known to me, and I won't come to you  
19 otherwise.

20 MR. RUSSELL: I don't expect to have any  
21 questions, but I'll let you know if I do.

22 PRESIDING OFFICER HAMMER: Okay.

23 Are there any other matters before Rocky  
24 Mountain Power calls its first witness and only witness?

25 All right, Mr. Hutchings.

1 MR. HUTCHINGS: Thank you. Just as a  
2 preliminary matter before we call Ms. Steward, I'd like  
3 to move to admit the testimony of Rick Vail and Rick Link  
4 filed in this docket and all accompanying exhibits.

5 PRESIDING OFFICER HAMMER: I'll allow a few  
6 seconds for an objection, given that we are over  
7 videoconference.

8 Hearing none, those exhibits are admitted.

9 MR. HUTCHINGS: Thank you. Okay.

10 The Company calls Ms. Steward.

11 PRESIDING OFFICER HAMMER: Ms. Steward, do you  
12 swear to tell the truth.

13 THE WITNESS: I do.

14 PRESIDING OFFICER HAMMER: Thank you.

15  
16 JOELLE STEWARD,  
17 was called as a witness, and having been first duly  
18 sworn to tell the truth, the whole truth, and nothing  
19 but the truth, testified as follows:

20  
21 DIRECT EXAMINATION

22 BY MR. HUTCHINGS:

23 Q. Good afternoon, Ms. Steward. Please state and  
24 spell your name for the record.

25 A. My name is Joelle Steward, and that's



1 J-O-E-L-L-E, S-T-E-W-A-R-D.

2 Q. Thank you. And were you involved in reviewing  
3 and negotiating the settlement stipulation on behalf of  
4 the Company that was filed in this proceeding on  
5 February 22nd, 2022?

6 A. Yes, I was.

7 Q. Great. And can you please provide a summary of  
8 the settlement stipulation.

9 A. Yes.

10 Good afternoon. My name is Joelle Steward. I'm  
11 the senior vice president of regulation for PacifiCorp.  
12 PacifiCorp and the other parties in this docket are here  
13 today seeking the Commission's approval of a settlement  
14 stipulation that supports granting a Certificate of  
15 Public Convenience and Necessity, or CPCN, for the  
16 Gateway South Transmission Project.

17 On October 7, 2021, the Company filed an  
18 application with the Commission requesting a CPCN to  
19 construct the 416-mile Gateway South, 500-kilovolt  
20 transmission line. Approximately one-third of the  
21 Gateway South line, or 183 miles, is in Utah, with the  
22 balance located in the states of Colorado and Wyoming.

23 Interwest Energy Alliance, the Utah Division of  
24 Public Utilities, the Utah Association of Energy Users,  
25 the Office of Consumer Services, and Western Resource

1 Advocates are all parties to this docket.

2           On February 22nd, 2022, PacifiCorp, Interwest,  
3 and the DPU filed a settlement stipulation in this  
4 proceeding in support of the CPCN. Other parties in the  
5 proceeding, OCS, UAE, and WRA, have informed us they do  
6 not oppose the settlement.

7           In the settlement, the parties agreed that the  
8 present or future public convenience and necessity does  
9 and will require construction of the transmission line.

10           The parties further agreed that approval of the  
11 CPCN is limited to a determination that the transmission  
12 line is in the public interest and necessity, and that  
13 that prudence, cost allocation, and rate recovery will be  
14 addressed through a future regulatory process at the  
15 appropriate time.

16           Finally, the parties also agreed that other  
17 issues unrelated to the public need justifying the  
18 project that were raised in testimony submitted in this  
19 proceeding will be addressed in those future proceedings.

20           Therefore, because the transmission line is in  
21 the public convenience and necessity and all the other  
22 parties in this docket are either parties to the  
23 settlement agreement or at least do not oppose it, we  
24 request that the Commission approve the settlement and  
25 grant the CPCN for the Gateway South Transmission Line.

1 Thank you. That concludes my summary.

2 MR. HUTCHINGS: Thank you.

3 I have no further questions. Ms. Steward is  
4 available for cross-examination questions.

5 PRESIDING OFFICER HAMMER: Ms. Schmid.

6 MS. SCHMID: No questions from the Division.

7 Thank you.

8 PRESIDING OFFICER HAMMER: Ms. Hickey.

9 MS. HICKEY: No questions. Thank you.

10 PRESIDING OFFICER HAMMER: All right.

11 Any other witnesses, Mr. Hutchings?

12 MR. HUTCHINGS: No, thank you.

13 PRESIDING OFFICER HAMMER: Then we'll turn to  
14 you, Ms. Schmid.

15 MS. SCHMID: Thank you. The Division would like  
16 to call Mr. Williams, Mr. David Williams, as its witness.  
17 May he please be sworn?

18 PRESIDING OFFICER HAMMER: Mr. Williams, do you  
19 swear to tell the truth?

20 THE WITNESS: I do.

21

22 DAVID WILLIAMS,  
23 was called as a witness, and having been first duly  
24 sworn to tell the truth, the whole truth, and nothing  
25 but the truth, testified as follows:

DIRECT EXAMINATION

BY MS. SCHMID:

Q. Good morning.

A. Hello.

Q. Could you please state your full name, title, and business address for the record.

A. My name is David Williams. I'm a utility technical consultant with the Utah Division of Public Utilities. And I believe our address is 160 East 300 South, Salt Lake City 84111.

Q. In conjunction with your employment, have you participated on behalf of the Division in this docket?

A. Yes.

Q. Did that participation include the settlement discussions and internal meetings that resulted in the settlement agreement being filed before this Commission?

A. Yes.

Q. Did you prepare and cause to be filed your direct testimony on behalf of the Division, dated January 25th, 2022?

A. Yes.

Q. Do you have any changes or corrections to that testimony?

A. No.

Q. If I were to ask you the same questions today as

1 are contained in that prefiled testimony, would your  
2 answers be the same?

3 A. Yes.

4 Q. With that, the Division would like to move for  
5 the admission of Mr. Williams' prefiled testimony marked  
6 as DPU Exhibit 1.0.

7 PRESIDING OFFICER HAMMER: It's admitted.

8 MS. SCHMID: Thank you.

9 Q. (BY MS. SCHMID:) Mr. Williams, do you have a  
10 summary to present today?

11 A. I do.

12 Q. Please proceed.

13 A. Thank you.

14 Rocky Mountain Power, or the Company, submitted  
15 its application in this docket on October 7th, 2021. The  
16 Division filed direct testimony on January 25th, 2022.

17 In my direct testimony, the Division raised  
18 several issues regarding the overall process of new major  
19 transmission projects, such as Gateway South, including  
20 the following issues.

21 One, the extent to which public convenience and  
22 necessity requires the construction of Gateway South is  
23 at least partially influenced by the fact that the CPCN  
24 application comes late in the planning process after many  
25 decisions have been made that rely on Gateway South.

1 Two, past IRPs and RFPs have, to a certain  
2 extent, depended on the construction of Gateway South or  
3 assumed that its construction would occur long before the  
4 CPCN application was even filed.

5 Three, the Company has designated Gateway South  
6 as a contingent facility for numerous executed  
7 interconnection agreements, and many of these projects  
8 are on the short list of the 2020 All-Source RFP.  
9 Subsequently, these projects were referenced in the  
10 Company's application as part of the reasoning for why  
11 the CPCN should be granted.

12 And four, it would be impractical to switch to  
13 an alternate plan to Gateway South at this date, even if  
14 any were presented, due to the lag time of the permitting  
15 and other issues.

16 The Division believes that meaningful  
17 alternatives to proposed transmission projects should be  
18 considered and analyzed in detail at an earlier stage in  
19 the process before the first proposed project becomes set  
20 in stone, in this case the Energy Gateway project, and  
21 meaningful alternatives become impractical.

22 Despite these concerns about the transmission  
23 planning process, in my direct testimony for the  
24 Division, I testified that the Company has demonstrated  
25 that overall public convenience and necessity does or

1 will require the construction of Gateway South and that  
2 the Company has met the statutory requirements for the  
3 granting of a CPCN by the Commission.

4           On February 22nd of this year, the Division  
5 agreed to a settlement stipulation with the Company and  
6 with Interwest Energy Alliance, collectively the settling  
7 parties. This stipulation was agreed to by the settling  
8 parties after arms-length negotiations.

9           The Utah Association of Energy Users, UAE, is a  
10 party to this docket but did not enter into the  
11 stipulation; however, UAE does not oppose the  
12 stipulation. And my understanding is that other  
13 intervening parties also do not oppose the stipulation.

14           The Division believes that, overall, the  
15 agreement, as detailed in the settlement stipulation,  
16 meets the requirements of Utah Code Section 54-4-25, is  
17 just and reasonable in result, and is in the public  
18 interest.

19           Of particular importance to the Division were  
20 the following provisions of the stipulation and  
21 application.

22           Paragraph 12 of the stipulation, which states  
23 that prudence, cost allocation, and rate recovery will be  
24 addressed in another docket or other regulatory process.

25           Paragraph 13, which states that the parties

1 agree that the present or future public convenience and  
2 necessity does or will require construction of the  
3 project, thus meeting the requirement of Section  
4 54-4-25(1), and the Company's evidence in its  
5 application, that it has met the requirements of Sections  
6 54-4-25(4)(a) and (4)(b).

7           Taken as a whole, the settlement stipulation is  
8 just and reasonable in result and is in the public  
9 interest.

10           The issues raised in direct testimony by the  
11 Division and by UAE regarding transmission planning  
12 timing issues are best addressed in other proceedings.

13           The Division requests that the Commission  
14 approve the stipulation as filed. This concludes my  
15 summary.

16           **Q. Thank you.**

17           MS. SCHMID: Mr. Williams is available for  
18 cross-examination questions and questions from the  
19 Hearing Officer.

20           PRESIDING OFFICER HAMMER: Mr. Hutchings.

21           MR. HUTCHINGS: None. Thank you.

22           PRESIDING OFFICER HAMMER: Ms. Hickey.

23           MS. HICKEY: None, thank you.

24           PRESIDING OFFICER HAMMER: Any other witnesses,  
25 Ms. Schmid?



1 MS. SCHMID: No other witnesses for the  
2 Division.

3 PRESIDING OFFICER HAMMER: Thank you.

4 Ms. Hickey, we'll turn to you, then.

5 MS. HICKEY: Thank you, sir.

6 Again Lisa Hickey, representing the Interwest  
7 Energy Alliance. And I would call Mr. Jay Caspary, who  
8 is there on the screen with us today.

9 Mr. Caspary, would you please state your full  
10 name -- oh, please --

11 PRESIDING OFFICER HAMMER: I'm sorry.

12 MS. HICKEY: -- be sworn. Please raise your  
13 hand to be sworn.

14 PRESIDING OFFICER HAMMER: I'm sorry, I lost my  
15 audio for just one second, but I was about to swear in  
16 Mr. Caspary.

17 Mr. Caspary, do you swear to tell the truth?

18 THE WITNESS: I do.

19 PRESIDING OFFICER HAMMER: Thank you.

20 MS. HICKEY: Thank you.

21

22 JAY CASPARY,  
23 was called as a witness, and having been first duly  
24 sworn to tell the truth, the whole truth, and nothing  
25 but the truth, testified as follows:

DIRECT EXAMINATION

BY MS. HICKEY:

**Q. Mr. Caspary, please state your name and address for the record.**

A. My name is P. Jay Caspary. I go by my middle name, Jay, which is J-A-Y. Caspary is spelled C-A-S-P-A-R-Y. I reside at 194 Tice Road, Higden, Arkansas 72067.

**Q. Did you prepare direct testimony on behalf of the Interwest Energy Alliance that was filed in this proceeding on January 25, 2022?**

A. Yes, I did.

**Q. Do you have any changes to that prefiled testimony today?**

A. No, I do not.

**Q. If I asked you the questions stated in that testimony, would the answers be as are stated in that written testimony?**

A. Yes, they would.

MS. HICKEY: I move to admit Mr. Caspary's prefiled testimony into the record. And I'm afraid I don't have a separate marked exhibit copy.

PRESIDING OFFICER HAMMER: That's fine. It's on the Division's website. It's been filed with the Commission, and it should be fine.

1           Hearing no objection, it's admitted.

2           MS. HICKEY: Thank you.

3           **Q. (BY MS. HICKEY:) Mr. Caspary, have you**  
4 **prepared a brief summary of your testimony to present**  
5 **today?**

6           A. I have.

7           **Q. Please go ahead.**

8           A. Thank you, Ms. Hickey. And thanks to everybody  
9 for giving me an opportunity to speak briefly at this  
10 important hearing.

11           My name is Jay Caspary. I'm a vice president at  
12 Grid Strategies. I've been involved in transmission  
13 planning my entire career, which now exceeds over four  
14 decades.

15           I spent the first 20 years of my career in a  
16 vertically integrated utility in the upper Midwest that  
17 provided service to electric and gas customers prior to  
18 deregulation and prior to them joining the Midwest ISO.

19           After leaving the utility, I joined Southwest  
20 Power Pool and spent 20 years there, helping them stand  
21 up regional planning processes as well as improve  
22 generation interconnection cues and transmission service  
23 requests.

24           While at the Southwest Power Pool, I did spend  
25 over a year as a senior policy advisor during the Obama

1 Administration at the U.S. Department of Energy  
2 Forrestal's Building in Washington D.C., helping out with  
3 grid modernization research priorities.

4           Prior to joining Grid Strategies, I was director  
5 of research development and tariff services at Southwest  
6 Power Pool, where I was responsible for all tariff  
7 services, including generation interconnection as well as  
8 transmission services, which involved physical as well as  
9 financial rights.

10           And as a result of COVID, I was given an  
11 opportunity to join Grid Strategies a year and a half  
12 ago. And since that time, I've been helping our clients  
13 help us improve the current grid and make it more green  
14 as well as more efficient.

15           There are several purposes for this Gateway  
16 South project, which is almost always the case for  
17 well-planned and networked bulk power delivery  
18 facilities.

19           Transmission enables and defines markets.  
20 Transmission nearly always serves multiple needs and  
21 purposes, including reliability, interconnection of new  
22 resources, and reductions to overall system costs and  
23 risks.

24           Utilities often will be planning a line for a  
25 long time where they begin to see the need developing.

1 And like here, they complete the transmission projects in  
2 time for them to be fully used by interconnecting  
3 projects.

4 These transmission projects, including Gateway  
5 South, are part of a portfolio of projects which are  
6 designed to better integrate the PacifiCorp systems.

7 These projects are not "build it, and they will come."

8 Rocky Mountain Power has identified that these  
9 transmission projects are the best plan to serve both  
10 reliability needs and to allow for the interconnection of  
11 new low-cost renewable energy.

12 The timing is important right now because these  
13 new interconnecting wind projects with production tax  
14 credits will result in even lower-cost power to serve  
15 PacifiCorp customers.

16 There is no question that the current grid is  
17 very constrained and becoming more stressed. Rick Vail  
18 with Rocky Mountain Power did identify several NERC TPL  
19 mitigation needs, which signal the increasing importance  
20 of major backbone upgrades like Gateway South.

21 Rocky Mountain Power appears to be serving the  
22 needs of its customers in an effective and efficient  
23 manner. These lines are now part of the western  
24 long-term utility plans and have been for a number of  
25 years. So disapproval would be very disruptive.

1 Current plans are premised on these transmission  
2 projects being installed to address long-term needs.

3 These transmission projects have been permitted, and  
4 actions to acquire the rights-of-way, including over the  
5 Cross Mountain Ranch in Colorado, are nearly complete.

6 Transmission plans are often tested over  
7 successive rounds of power-flow studies, and these  
8 transmission projects have been modeled under changing  
9 assumptions over several years through the  
10 interconnection study process as well as the regional  
11 planning process.

12 As often happens, updated resource plans or  
13 market changes, such as lower-cost wind and federal tax  
14 credits which are available now, they speed up the  
15 momentum and make a timing window much more critical.  
16 That is what is happening now with Gateway South. The  
17 need for the new capacity and energy resources identified  
18 in the resource plans in the next few years, along with  
19 the federal tax credits and low-cost wind and solar  
20 resources available to PacifiCorp, will essentially pay  
21 for a large share of the transmission project. And this  
22 is unique timing for PacifiCorp.

23 Transmission upgrades and new lines provide a  
24 number of quantified and nonquantifiable benefits to  
25 customers. And these benefits almost always increase

1 over time. The value of transmission does increase over  
2 time. I've seen that in studies I've actually completed  
3 in my career. And typically, the studies are very  
4 conservative in trying to quantify the benefits of  
5 transmission compared to what really happens with extreme  
6 weather events and things like that.

7 Reliability issues must be identified and  
8 addressed long in advance of the long lead time for major  
9 transmission development projects such as Gateway South.

10 There's really no time to delay. We are -- we  
11 have really been underinvesting in our grid for many  
12 years. And PacifiCorp has been conservative and taken a  
13 long time to complete the permitting requirements for  
14 these lines, so it is critical that they begin  
15 construction very soon.

16 The transmission projects, such as Gateway  
17 South, will increase the value of both existing and  
18 future generation resources on the Rocky Mountain Power  
19 system. Although the existing resources provide  
20 geographic diversity, flexible service is a valuable,  
21 dispatchable resource that they are. Transmission  
22 redundancy is also a critical piece of providing resource  
23 adequacy.

24 Large-scale transmission projects, like Gateway  
25 South, will prevent grid outages in extreme weather

1 events. We've all seen how important that is to the grid  
2 in terms of resilience.

3 As a transmission planner, I look at the design  
4 of the transmission projects and the types of equipment  
5 that are being purchased and upgraded to substations. I  
6 talk about that more in my testimony. But PacifiCorp is  
7 leveraging the benefits of economies of scale by  
8 constructing these large transmission projects all at  
9 once, which reduces overall cost.

10 I note the need to verify that advance  
11 transmission technologies might need to be considered as  
12 we get into actual design and final design of these  
13 facilities.

14 I foresee that these lines, such as Gateway  
15 South, are going to be a critical part of the grid for a  
16 very long time, and we need to make sure that we get them  
17 placed in service as soon as we can. But there are some  
18 challenges with overdesigning lines, and the regulatory  
19 system currently only allows utilities to really plan for  
20 the shorter term.

21 PacifiCorp has demonstrated the need for these  
22 lines and that these are the right solutions and this is  
23 the best plan available to us under the current  
24 circumstances. And it is critical and most  
25 cost-effective under the existing federal tax regime that



1 we rely upon, that we get this plan in place soon.

2 That concludes my prepared statement. I look  
3 forward to any questions.

4 Q. Mr. Caspary, when you refer to "Gateway South,"  
5 are you referring to entire package of transmission  
6 upgrades referred to in your testimony and Rocky Mountain  
7 Power's testimony as the transmission projects?

8 A. Yes, that is true.

9 Q. Thank you, sir.

10 MS. HICKEY: I have no more questions, and  
11 Mr. Caspary is available for cross-examination or Hearing  
12 Officer questions.

13 PRESIDING OFFICER HAMMER: Mr. Hutchings.

14 MR. HUTCHINGS: No. None, thank you.

15 PRESIDING OFFICER HAMMER: Ms. Schmid.

16 MS. SCHMID: No questions. Thank you.

17 PRESIDING OFFICER HAMMER: And I have none.

18 Thank you, Mr. Caspary.

19 THE WITNESS: Thank you.

20 PRESIDING OFFICER HAMMER: No other witnesses,  
21 Ms. Hickey?

22 MS. HICKEY: No other witnesses. Thank you.

23 PRESIDING OFFICER HAMMER: All right.

24 Is there anything else from any party before we  
25 adjourn?

1           Excellent. I hope you a wonderful afternoon.  
2 Thank you for your participation today.

3           MS. SCHMID: Thank you.

4           PRESIDING OFFICER HAMMER: We're adjourned.

5                   (The matter concluded at 1:25 p.m.)

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CERTIFICATE

1  
2  
3 State of Utah )  
4 County of Salt Lake )  
5 ss.

6 I, Michelle Mallonee, a Registered  
7 Professional Reporter in and for the State of Utah, do  
8 hereby certify:

9 That the proceedings of said matter was  
10 reported by me in stenotype and thereafter transcribed  
11 into typewritten form;

12 That the same constitutes a true and correct  
13 transcription of said proceedings so taken and  
14 transcribed;

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

19 WITNESS MY HAND at Salt Lake City, Utah,  
20 this 15th day of March, 2022.

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23  
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25  


Michelle Mallonee, RPR, CCR  
Utah CCR #267114-7801  
Expires May 31, 2022

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