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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20220048-EI

Review of Storm Protection Plan,
pursuant to Rule 25-6.030, F.A.C.,
Tampa Electric Company.
_____ /

PROCEEDINGS: COMMISSION CONFERENCE AGENDA
ITEM NO. 4

COMMISSIONERS
PARTICIPATING: CHAIRMAN ART GRAHAM
COMMISSIONER GARY F. CLARK
COMMISSIONER MIKE LA ROSA
COMMISSIONER GABRIELLA PASSIDOMO

DATE: Tuesday, October 4, 2022

PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: DEBRA R. KRICK
Court Reporter and
Notary Public in and for
the State of Florida at Large

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

2 COMMISSIONER GRAHAM: Okay. Back around to
3 the top of the agenda, Item No. 4.

4 Oh, by the way, Item No. 13 is deferred, as I
5 said before.

6 Everybody just take a deep breath.

7 MS. RAMOS: Good morning, Commissioners.

8 Item 4 is staff's recommendation for Docket
9 No. 220048-EI, review of Tampa Electric Company's
10 Storm Protection Plan.

11 TECO's proposed plan covers the period of 2022
12 through 2031, and included eight programs, which
13 are a continuation of TECO's 2020 SPP, which was
14 the result of a settlements agreement. This is the
15 first time that all SPPs have been fully litigated.

16 Staff's recom-- staff's recommendation
17 highlights the following issues:

18 Issue 1, did the plan comply with the
19 Commission rules?

20 Issue 6, the rate impact.

21 And Issue 10, is it in the public interest to
22 approve, modify or deny the plan?

23 Staff recommends that TECO's SPP is in the
24 public interest with the following modifications:

25 One, TECO should continue the level of

1 spending for the distribution lateral
2 undergrounding program at the 2021 level, estimated
3 to be approximately 79.5 million per year, and
4 remove the transmission access enhancement program.

5 In addition, staff is recommending that TECO
6 file an amended SPP within 30 days of the final
7 order for administrative approval by Commission
8 staff.

9 If staff's recommendation is approved, TECO's
10 projected costs would be reduced by 86.3 million
11 over the three years.

12 No customer comments were filed in this
13 docket, and staff is available for any questions
14 that you may have.

15 COMMISSIONER GRAHAM: Thank you, staff.

16 Commissioners, any questions, comments or
17 concerns?

18 Commissioner La Rosa.

19 COMMISSIONER LA ROSA: Thank you, Chairman.

20 And this is a -- this is a general comment,
21 and obviously, this is the first storm protection
22 plan we are hearing today. Of course, we've got
23 three others following this.

24 When I was -- when I was downtown, and I was
25 in the Legislature, we passed this law back in

1 2019. And, you know, at the time we were under --
2 we were fresh coming out of a major hurricane,
3 Hurricane Irma, that had truly impacted almost 75
4 percent of the state.

5 So most members felt that it was necessary to
6 ultimately do something, and in talking to their
7 constituents all coming -- all going through the
8 recovery process, and that meant something
9 different for every single person that was -- that
10 was there serving, and of course, every person of
11 the public as well.

12 But undergrounding was a major concern, is
13 that ultimately how do we get electric restored as
14 past fast as possible? There was a concern of what
15 the impact to everyday life was, what the impact to
16 the health of folks.

17 I remember the stories, not just of everyday
18 life and getting back to business, but those that
19 were affected by medical conditions that relied on
20 electricity to either keep them alive or keep them
21 sustained. And then there was the impact of
22 business, of what that did to our economy, both
23 locally and to our state.

24 So it's ironic that I am now here serving on
25 the Public Service Commission, getting to make

1 decisions in more depth and more detail. But that
2 is fresh in my mind, and unfortunately, over this
3 last couple of days events, and a major hurricane
4 hitting our state, we are in that similar scenario.

5 But I just wanted to make that point, you
6 know, I was there. I listened to the stories. The
7 Legislature, I think, overwhelmingly asked us to
8 ultimately take action, and here we are, and I just
9 wanted to make sure that I pointed that out, that
10 here we are taking that action today on having four
11 programs, or four different companies presenting
12 their different programs and what they plan to do.

13 So with that, I just wanted to make sure that
14 that point was known, and I am happy to kind of dig
15 into this detail a little more.

16 COMMISSIONER GRAHAM: Thank you, Commissioner
17 La Rosa.

18 Commissioner Clark.

19 COMMISSIONER CLARK: I hit the wrong button
20 there.

21 Thank you, Mr. Chairman.

22 Just a couple of observations as well. I
23 thank Commissioner La Rosa for the wisdom the
24 Legislature saw in putting an emphasis on needing
25 to do storm hardening for utility companies.

1 I think there is a lot of things that we are
2 going to continue to work our way through in this
3 process as we get this program out and rolling a
4 little bit more. There is a lot of questions that
5 I still have that remain unanswered, and I think
6 that this particular storm may give us some really
7 good insight into how some of our systems have
8 performed over the last couple of years, since we
9 began doing the hardening process.

10 My particular concerns have to do with
11 underground, has to do with the impacts this storm,
12 unlike, I believe, any that we've really had since
13 the effort -- the focus was put on storm protection
14 plan, we had -- we had a surge event, we had a
15 water event this time, and that's going to have a
16 different effect on underground than wind would.
17 So I am very interested in seeing how the
18 restoration times for the repairs of undergrounds
19 come out of this storm, and how the underground
20 systems performed.

21 We also have to keep in mind that there is a
22 balance. We are never going to build a system that
23 is storm proof. It's not possible. I think that
24 we have a system now that is probably as resilient
25 as any system in the country. And right now, we

1 are chasing that last point 002 or three percent of
2 customers that, or reliability that's left out
3 there. And it's -- it's an expensive push. It's
4 an expensive push right now in a time when rates
5 have been climbing for the last two years because
6 of the high gas prices primarily.

7 We haven't seen those prices make the
8 reversal, I think, that everyone kind of thought
9 they would by this time. And it doesn't look like
10 we are going to see an end to that any time soon.
11 We are going to be paying for the gas that we've
12 already burned for the next two years.

13 I am concerned about the impacts that adding
14 additional costs to the residential bills primarily
15 are going to have on consumers, especially in the
16 northwest region. We are -- we are dealing with a
17 little bit higher rates right now than we've ever
18 experienced.

19 We are also fixing to -- I would assume all
20 the utilities are going to come in and ask for
21 storm recovery costs after this is over with, and
22 we are going to be dealing with some significant
23 rate impacts from this hurricane. And I have
24 serious concerns about where our bills and where
25 residential rates are going, and I think we need to

1 be taking into consideration everything possible to
2 mitigate these rising costs.

3 My gut said, okay, if we could just hit the
4 pause button for a little bit, maybe that would be
5 the best thing that we could do. And I have
6 evaluated the storm protection plans that each of
7 the utilities submitted, and I am really still just
8 kind of torn on which direction that I think that
9 we should go as a commission.

10 We have a plan that seems to be working. The
11 effects that we have seen, the early preliminary
12 results that we have seen over the last two years
13 have been very positive on the effects that
14 hardening has played on increasing resiliency. And
15 I think that's very positive effect.

16 We also have a mandate that came from the
17 Legislature that we were to look at these costs and
18 determine that was feasible, what was prudent. And
19 I think we -- we've done a pretty good job in that
20 regard as well.

21 With that said, I think that looking through
22 each of the plans, there were a couple of things
23 that I saw in there that I don't believe fit the
24 definition of storm hardening. And I have read
25 staff's recommendation, and I have really been --

1 really, really torn on this issue. I think that I
2 am somewhere in the middle between staff's
3 recommendation and the plan right now.

4 And I don't know how we are going to go on
5 each one of these, Mr. Chairman, but, you know, we
6 have a line item breakdown of the categories that
7 we will be spending money on, and that the
8 customers will be paying for these additional storm
9 hardening costs, and I have my personal picks of
10 what should stay in and what should not stay in. I
11 am willing to share that.

12 And I would just -- just throw that out there
13 as a consideration as we go through them. Maybe we
14 could look at the costs and see where -- where the
15 Commission thinks that the dollars need to be
16 spent, or if the dollars are going to be recovered
17 from.

18 Thank you, Mr. Chairman.

19 COMMISSIONER GRAHAM: I think we should do
20 these one at a time, but feel free to reference
21 forward or reference back if you quantity to do
22 some compare and contrast.

23 Commissioner Passidomo.

24 MS. PASSIDOMO: Thank you, Mr. Chair.

25 I have sort of similar concerns as

1 Commissioner Clark and similar torns. I think you
2 made an important point by saying right now we are
3 only catching these last few bits of customers in
4 restoration and so I -- I have to put on my lawyer
5 hat in this and really just continue to reference
6 the statute. And I -- absolutely, we are mandated
7 by subsection (d) to look at annual rate impact,
8 but also importantly, we need to look at total
9 costs and benefits to the utilities and the utility
10 customers.

11 So we need see -- these are, again, as
12 Commissioner Clark pointed out, these are more
13 discretionary than the fuel -- fuel clauses and
14 those other -- those other costs that are going to
15 be compounding on customers in the next couple of
16 years.

17 So I just -- I want to keep that in mind as
18 we -- as we make our decisions today about looking
19 at certain projects, for instance, like the
20 undergrounding. There is no doubt that there
21 are -- that there is benefits to this, and I think
22 that's probably why staff did not say to exclude
23 it, or to -- there's just -- maybe we just need to
24 temper our pace a little bit in these investments
25 and reassess over time about how effective they are

1 in certain -- in certain areas; because, as we've
2 seen, every storm is very different.

3 So I just -- I just want to put that out there
4 as we kind of go through. And, obviously, you
5 know, we are -- we are talking about one utility
6 right now in this one item, but we are -- seeing
7 similar programs are going to, you know, they
8 repeat themselves with different companies. So we
9 will have to -- I also think it's important we stay
10 somewhat consistent in that approach about how we
11 make statements about certain programs moving
12 forward.

13 COMMISSIONER GRAHAM: Well, as everybody said
14 so far, this is all new and we are all feeling our
15 way through it, and just trying to do, as we said
16 before, the best thing for the ratepayers of the
17 state of Florida. And, you know, the great thing
18 is where it's going to be slow, and so we can just
19 make corrections as we go along, and nothing is,
20 you know, devastating one way or the other. We
21 just got to make sure we are doing the right thing.

22 Commissioner La Rosa.

23 COMMISSIONER LA ROSA: Thank you, Chairman.

24 And I am glad the analogy of torn was used,
25 because that sums up the last couple of months, and

1 certainly the last couple of weeks, as I have been
2 reviewing through all this.

3 I have been all over the place to try to best
4 understand where this thing fits, and I am going to
5 go back to my comment earlier about the
6 Legislature. And I remember sitting back and
7 thinking to myself, I said, who's the best to
8 ultimately handle this? And it is the PSC. And
9 it's for this exact reason, is that we have the
10 time and the ability, and certainly the staff and
11 the assets here, to be able to dig as deep as
12 necessary. And I know that the time and attention
13 that I have paid personally is more than I ever
14 could in that process downtown.

15 So I think the intention was for us to dig,
16 dig deep, and also consider what's actually
17 happening today in the discussion, or the item of
18 cost is real. We have to consider cost. Not just
19 of what the programs are, but at the end of the
20 day, what the impact to the customers are.

21 Some of the programs that are presented,
22 frankly, are good programs, and probably would
23 help. Do they fit in the SPP? Some of the answers
24 are no, in my opinion.

25 So there is certain an area for modification,

1 and I am happy to start to dig into that. But
2 thank you, Chairman. And I don't know how you want
3 to kind of start this -- this first item, or go one
4 through five or --

5 COMMISSIONER GRAHAM: We can go issue by issue
6 if we care to do that. Let's just start with
7 Issues 1 through 3, and if someone has got comments
8 on those first three in Item No. 4.

9 And since I don't have my display in front of
10 me, you guys are going to have to wave.

11 Commissioner Clark.

12 COMMISSIONER CLARK: Mr. Chairman, I am trying
13 to discern how we -- how we break this down.

14 I think that, in my opinion, all of the issues
15 are okay. I want to go -- my main interest is in
16 the cost. And if we look at the line items of the
17 costs, there are some things I would like to
18 disallow from that. That's just my personal --

19 COMMISSIONER GRAHAM: Let's do that, then.
20 Let's -- we will let you do the first bite of the
21 apple.

22 COMMISSIONER CLARK: All right.

23 COMMISSIONER GRAHAM: And then we will let
24 everybody else kind of chime in from there.

25 COMMISSIONER CLARK: On TECO's program cost, I

1 can -- I am good with all of the items except for
2 the transition access enhancement. My
3 recommendation would be that that be removed from
4 the program cost. I can accept the rest.

5 COMMISSIONER GRAHAM: Other Commissioners?
6 Commissioner La Rosa.

7 COMMISSIONER LA ROSA: Thank you.

8 And I agree on the transmission access
9 enhancement, and, I know, each company has
10 something similar. And this is mainly what I was
11 talking about, is should this be included or should
12 this not be? I agree with you, Commissioner Clark,
13 that it should not be.

14 But just for clarity, so we are okay -- are
15 you okay with the distribution lateral
16 undergrounding as proposed by the company, or
17 modified by staff?

18 COMMISSIONER CLARK: As proposed by the
19 company.

20 I am working off the proposal that the company
21 gave. That's the -- in the storm protection plan.
22 That is the document I am working off of.

23 COMMISSIONER LA ROSA: Yeah, just clarifying.

24 And I have got my notes both ways --

25 COMMISSIONER CLARK: Okay.

1 COMMISSIONER LA ROSA: -- so I want to make
2 sure I am referencing the same one.

3 COMMISSIONER GRAHAM: So you are fine with
4 everything that's proposed by the company other
5 than the transition asset assessment?

6 COMMISSIONER CLARK: Yes, that is correct.

7 COMMISSIONER GRAHAM: Commissioner La Rosa,
8 any other comments on that?

9 COMMISSIONER LA ROSA: No. I am just -- I am,
10 you know, I am looking at the numbers and I am
11 looking at the modified numbers -- or we don't
12 really have the exact modification numbers.

13 This is a main push, understanding all the
14 other programs are necessary to get to this point,
15 I agree with Commissioner Clark on this.

16 COMMISSIONER GRAHAM: Commissioner Passidomo.

17 MS. PASSIDOMO: I am looking -- I am thinking
18 if this should go to -- so program costs, is that
19 Issue 5, versus the overall plan being in the
20 public interest, Issue 10, if we are -- if -- if
21 Commissioner Clark wants to modify staff's
22 recommendation on this issue, is that more
23 encompassing of the over -- of the entire item,
24 then, if we modify -- if that was the consensus of
25 modifying Issue 10?

1 COMMISSIONER GRAHAM: Staff, feel free to
2 chime in.

3 COMMISSIONER PASSIDOMO: Yeah, will you?

4 MS. RAMOS: I think Commissioner Clark is
5 looking to amend staff's recommendation on Issue
6 6A. That's where staff recommended to tailor the
7 program spending on just the distribution lateral
8 undergrounding program to revert back to --

9 COMMISSIONER CLARK: The '19 level.

10 MS. RAMOS: 2021 annual spending levels. So
11 Issue 6A would be modified. And also I think there
12 is some language in Issue 10 where we just
13 reiterate that 6A, and then we could leave the
14 transmission access enhancement program to be
15 excluded in Issue 10A.

16 COMMISSIONER CLARK: I think she said what I
17 was thinking, Mr. Chairman. Between -- I am
18 between 6A and 10 too. I am trying to find the
19 pieces.

20 Commissioner Passidomo, I think you were -- I
21 see where you were referring to in part 10 as well,
22 in 10A.

23 MR. BALLINGER: Commissioner, if I could help.

24 If I understand, I think you are saying in 6
25 is where we address the rate mitigation strategy,

1 and you would deny staff on that, that there is no
2 need to do a rate mitigation strategy for TECO.
3 But in Issue 10 is where we've address the
4 transmission access program, and we removed it
5 because it's not storm protection activity.

6 COMMISSIONER CLARK: That sounds right to me,
7 Mr. Chairman.

8 COMMISSIONER GRAHAM: Okay.

9 COMMISSIONER CLARK: He's got the parts right.

10 COMMISSIONER GRAHAM: Is that still consistent
11 with your thoughts, Commissioner La Rosa?

12 COMMISSIONER LA ROSA: Yes, Chairman.

13 COMMISSIONER PASSIDOMO: I might -- I have --
14 my only issue is -- I agree with the transmission
15 access removing part, removing that, but I would
16 advocate for continuing at the 2021 level as
17 proposed by staff for the lateral undergrounding.
18 I might be a little bit different than my
19 colleagues on that.

20 COMMISSIONER GRAHAM: And why so?

21 MS. PASSIDOMO: I just think we can take a
22 more measured approach. It seems like the -- these
23 are large capital costs we are talking about over
24 time. I understand it's hard to calculate, and I
25 think we -- I am not going to go too far in because

1 I don't think during the hearing we had much of a
2 record to develop per program cost rate impacts,
3 you know, monthly 1,000 kWh impact for this -- for
4 one program. So since we don't have that
5 information, but hopefully maybe over time we
6 could, but I just think we can take a little bit
7 more of a measured approach when we are looking
8 about compounding costs for customers in the next
9 -- the next year.

10 I mean, I am not trying to bring in outside
11 issues, but we know that customers are going to be
12 facing increased fuel costs in the next year as
13 well. So I think just taking a little bit more of
14 a measured approach is better -- is a better tactic
15 here.

16 COMMISSIONER GRAHAM: Commissioner Clark.

17 COMMISSIONER CLARK: So, Commissioner
18 Passidomo, you would say, in the 2022 program cost,
19 to change the distribution lateral undergrounding
20 to 79.5? That was the recommendation for
21 subsequent years, keeping it at that?

22 MS. PASSIDOMO: Yes, sir.

23 COMMISSIONER CLARK: My question would be for
24 you or staff, one: At what point would we have the
25 opportunity for the company to come back in? Is it

1 a three-year --

2 MS. PASSIDOMO: Three year.

3 COMMISSIONER CLARK: -- we're on a three-year
4 cycle?

5 MS. RAMOS: Three-year minimum. They can come
6 back before that.

7 COMMISSIONER CLARK: So they could come back
8 next year. Let's just say, for example, fuel costs
9 begin to come down. We feel like rates are in a
10 much better place. The company could come back in
11 next year with a revised storm protection plan to
12 increase their program costs back up -- just saying
13 this one category, the distribution undergrounding
14 -- back up to the level they had requested?

15 MS. RAMOS: Correct. They could come back
16 next year.

17 MS. PASSIDOMO: And I would be comfortable
18 with that as well. I just think I would like to
19 have a little bit more data before making such an
20 impactful decision on customers just at this kind
21 of pretty critical time with their bills and stuff.
22 I think -- I am not opposed at all. Like I said
23 before. I think that there is a lot of merit to
24 allowing the lateral undergrounding program. I
25 think, I appreciate just the way staff laid it out,

1 about maybe taking just a little bit more of a
2 measured approach in those investments. That's all
3 I want.

4 COMMISSIONER GRAHAM: Commissioner La Rosa.

5 COMMISSIONER LA ROSA: I second the data part
6 of it, because I do agree with getting, any time we
7 can have more data.

8 So then, just so I understand, and this may
9 sound like a question that was just asked. We
10 would be retracting roughly \$25 million back to the
11 \$79.5 million at the expense of 2021?

12 MS. RAMOS: If you went with staff's
13 recommendation.

14 COMMISSIONER LA ROSA: I would say -- I would
15 say this: If we decide to go this direction, and
16 that does not preclude the company from coming
17 sooner, am I correct on that assumption?

18 MS. RAMOS: Correct, and that's per the
19 statute. They have to come back at least every
20 three years, so that does not preclude them from
21 coming sooner.

22 COMMISSIONER LA ROSA: Okay. And they can
23 also suggest -- they can also request to spend more
24 than what they've laid out?

25 MS. RAMOS: They could.

1 MR. BALLINGER: Commissioners, I am sorry, if
2 I could help.

3 COMMISSIONER CLARK: Real quick. What would
4 that filing look like? What with would that look
5 like if they came back? Is this a total
6 resubmission of the SPP, or is this just -- Tom?

7 MR. BALLINGER: I believe it could be in the
8 clause actually. They could ask for an amendment
9 through that if things change, because that's where
10 you are reviewing costs every year, and they may
11 have a justification to increase costs because
12 other costs have gone down. That's one
13 possibility. Another one would be a separate
14 filing to amend their plan.

15 I just wanted to point out, in all of these
16 recommendations, staff basically had two primary
17 compliments. One was a rate mitigation strategy if
18 you so desire, in Issue 6. And we picked programs
19 that we thought had a high cost and low impact to
20 customers that could be eligible, if you will, for
21 rate mitigation and not defer benefits too much.
22 And then in Issues 9 and -- well, 10 for most
23 companies, is where we address did it fit storm
24 hardening or not. So those are your two primary
25 levers, if you will, that we worked with.

1 COMMISSIONER GRAHAM: Commissioner Clark.

2 COMMISSIONER CLARK: I am good.

3 COMMISSIONER GRAHAM: That's your answer?

4 COMMISSIONER CLARK: Yes.

5 COMMISSIONER GRAHAM: Okay. All right. We
6 are deep in thought. Other than this issue,
7 anything else in this item that is of concern?

8 COMMISSIONER CLARK: No.

9 COMMISSIONER GRAHAM: All right. So let's
10 take about three minutes, because I need for
11 someone to make a motion. So think about what you
12 want, and I will entertain a motion from somebody.
13 So we will take a little three-minute recess.

14 (Brief recess.)

15 COMMISSIONER GRAHAM: All right. If we can
16 find a seat, please.

17 Okay. Who wants to make their motion?
18 Commissioner Passidomo?

19 MS. PASSIDOMO: I will make the motion -- or I
20 will make my motion.

21 I feel -- I feel a lot more comfortable now
22 hearing that, you know, the company is going to
23 have an opportunity to come back in in the year
24 and, you know, just demonstrate. I just think our
25 job is really balancing those interests between the

1 customers and the utilities. And when I am looking
2 at rate impact, right now, compounding with other
3 issues, the other, other, you know, prices that
4 costs that customers are going to feel, I -- with
5 the understanding that the utilities can come back
6 in within the year, I would move approval of
7 staff's recommendation on all issues.

8 COMMISSIONER GRAHAM: No changes?

9 MS. PASSIDOMO: No changes.

10 COMMISSIONER GRAHAM: Is there a second?

11 Okay. Commissioner La Rosa, would you like to
12 make a motion?

13 Dies for lack of a second.

14 COMMISSIONER LA ROSA: Very good. I guess I
15 am sitting closest to the Chairman.

16 So I am -- and I asked the question obviously
17 about overall cost spending, because I understand
18 what that looked like. And I imagine \$25 million,
19 calculating what that's going to be to when cal--
20 when considering your rate impact to a customer and
21 the programs that are happening, it is a balance,
22 and it's a darn tough balance.

23 I am going to suggest and motion on staff's
24 recommendation with the modification the
25 distribution lateral undergrounding to be at the

1 spending in which the company has presented in the
2 storm protection plan.

3 COMMISSIONER GRAHAM: Is there a second?

4 COMMISSIONER CLARK: I will second -- that's
5 transmission access enhancement, right?

6 COMMISSIONER LA ROSA: That is my intent,
7 correct.

8 COMMISSIONER CLARK: I will second the motion.

9 COMMISSIONER GRAHAM: Okay. There is a motion
10 on the floor duly seconded.

11 Discussion on that motion?

12 Amendments to that motion?

13 Commissioner Passidomo.

14 MS. PASSIDOMO: I guess I am just going to
15 dissent, then, on that.

16 COMMISSIONER GRAHAM: Okay. Any further
17 discussion on the motion?

18 Seeing none. All in favor say aye.

19 (Chorus of ayes.)

20 COMMISSIONER GRAHAM: Any opposed?

21 (Commissioner Passidomo opposed.)

22 COMMISSIONER GRAHAM: By your action, the
23 motion passed three to one.

24 (Agenda item concluded.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, DEBRA KRICK, Court Reporter, do hereby
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time and place herein stated.

IT IS FURTHER CERTIFIED that I
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financially interested in the action.

DATED this 10th day of October, 2022.



DEBRA R. KRICK
NOTARY PUBLIC
COMMISSION #HH31926
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