

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

= = = = =

IN THE MATTER OF THE APPLICATION OF TC11-087  
NATIVE AMERICAN TELECOM, LLC FOR A  
CERTIFICATE OF AUTHORITY TO PROVIDE  
INTEREXCHANGE TELECOMMUNICATIONS  
SERVICES AND LOCAL EXCHANGE SERVICES  
IN SOUTH DAKOTA

= = = = =

Transcript of Proceedings  
September 10, 2013

= = = = =

BEFORE THE PUBLIC UTILITIES COMMISSION,  
GARY HANSON, CHAIRMAN  
CHRIS NELSON, VICE CHAIRMAN  
KRISTIE FIEGEN, COMMISSIONER

COMMISSION STAFF  
Rolayne Ailts Wiest  
John Smith  
Karen Cremer  
Kristen Edwards  
Greg Rislov  
Brian Rounds  
Patrick Steffensen  
Brittany Mehlhaff  
Darren Kearney  
Eric Paulson  
Deb Gregg  
Sherry Dickerson

APPEARANCES

Scott Swier, Native American Telecom  
Jay Shultz, Native American Telecom  
Phil Schenkenberg, Sprint Communications

Reported By Cheri McComsey Wittler, RPR, CRR

1                   TRANSCRIPT OF PROCEEDINGS, via the internet,  
2 held in the above-entitled matter, at the South Dakota  
3 State Capitol Building, 500 East Capitol Avenue, Pierre,  
4 South Dakota, on the 10th day of September, 2013,  
5 commencing at 9:30 a.m.

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

1           CHAIRMAN HANSON: We will take up  
2           Telecommunication Docket TC11-087, In the Matter of the  
3           Application of Native American Telecom, LLC For a  
4           Certificate of Authority to Provide Interexchange  
5           Telecommunications Services and Local Exchange Services  
6           in South Dakota.

7           The question before the Commission is today  
8           shall the Commission grant Sprint's Motions to Quash  
9           Deposition Notices?

10          And we will take those in an order of Sprint's  
11          Motion to Quash Deposition Notice to Farrar. We'll move  
12          to Motion to Quash Deposition Notice of Sprint. Then we  
13          will move into the separate deposition -- the requests.

14          And after those, we will move to -- excuse me,  
15          NAT specific deposition topics and deposition notice of  
16          Sprint. Then we'll move to Sprint's request for fees.

17          And it seems like I missed one there. It seems  
18          like there's a lot more than that. If I did, catch me as  
19          we go through the process.

20          What I would like to do is argue -- have the  
21          arguments on Sprint's Motion to Quash Deposition Notice  
22          of Farrar first and argue those points. Please be brief.  
23          We've had numerous exchanges on this information, and I'd  
24          like you to stick to the point, if you would.

25          We will then rule on that and move to Sprint's

1 Motion to Quash Deposition Notice of Sprint, argue, and  
2 rule on that.

3 So first up is Sprint's Motion to Quash. So,  
4 Sprint, you have the floor.

5 MR. SCHENKENBERG: Thank you, Chair Hanson,  
6 members of the Commission. This is Phil Schenkenberg  
7 from Briggs & Morgan in Minneapolis on behalf of Sprint.

8 Can you hear me okay?

9 CHAIRMAN HANSON: We hear you fine. Thank you.

10 MR. SCHENKENBERG: At your request I will begin  
11 with our Motion to Quash the Deposition Notice of  
12 Randy Farrar. We are essentially asking for an order  
13 that Mr. Farrar need not appear for a deposition as  
14 noticed by NAT.

15 Mr. Farrar is a Sprint employee who has now  
16 filed expert opinion testimony regarding NAT's  
17 application for a Certificate of Authority.

18 Our argument on Mr. Farrar's Notice emanates  
19 from the Civil Rules of Procedure. We set out the  
20 applicable rule on page 5 and 6 of our Brief. I'm not  
21 going to repeat that.

22 But essentially under the civil rules, which  
23 apply here in this case, a party is required to serve  
24 Interrogatories to obtain the subject matter of an expert  
25 witness's testimony and the facts on which that expert

1 will rely.

2 As a matter of litigation practice then, you  
3 show up at the hearing, and you cross-examine the witness  
4 on the stand, and the judge or the jury or in this case  
5 the Commission can evaluate that testimony. And that  
6 applies -- that's the default rule in civil litigation,  
7 including complex litigation in the State of South  
8 Dakota.

9 A party that wants more than that has to come to  
10 court, convince the judge or in this case the Commission  
11 that there's a compelling reason that that's not enough,  
12 and must agree to pay for the expenses of the expert and  
13 the attorney for the party on the other side.

14 As we explained, NAT simply violated the rule,  
15 didn't follow the rule, served the notice. We met and  
16 conferred, served it again, forcing us to bring the  
17 Motion rather than NAT to bring the Motion.

18 NAT's only legal argument in the Brief is that  
19 the rule in Federal Court is different. Which might be  
20 true. But we're not in Federal Court. And here the  
21 State Court rules apply, and we think you ought to  
22 enforce those rules.

23 NAT has no compelling reason why it can't simply  
24 cross-examine Mr. Farrar at the hearing. Mr. Farrar has  
25 provided opinion testimony. We did not have a Reply

1 Brief so I want to very briefly respond to one thing that  
2 NAT said about Mr. Farrar's testimony in its Brief.

3 NAT said that Mr. Farrar had made broad sweeping  
4 accusations that Sprint has been forced to pay NAT's  
5 exorbitant rates and that Sprint is losing money due to  
6 the access charges that were billed. And that's simply  
7 not in Mr. Farrar's testimony.

8 There aren't any cites to his testimony in the  
9 Brief. It's a statement that's not cited -- for which  
10 there are no cites. And if Mr. Shultz has such cites, he  
11 ought to provide them. But I've read the testimony  
12 again. That's not something that Mr. Farrar said.

13 These are opinions that rely on documents  
14 provided by NAT and other publicly available information.  
15 He can be cross-examined, and you can decide whether you  
16 agree with those opinions and accept those or not. And  
17 that's all I have on Mr. Farrar.

18 Thank you.

19 CHAIRMAN HANSON: Thank you.

20 Mr. Shultz.

21 MR. SHULTZ: Thank you, Mr. Chair, members of  
22 the Commission.

23 Here it's, you know, customary and normal  
24 practice in South Dakota to take opposing expert --  
25 testifying expert's depositions. I mean, that's been a

1 routine customary practice in my 29 years of experience  
2 practicing law in South Dakota.

3 And, as I indicated, our civil practice rules,  
4 our rules of procedure, are essentially adopted from the  
5 federal rules. Unfortunately, from time to time our  
6 rules don't get updated as the federal rules get updated.  
7 And so what now is, you know, standard practice in the  
8 federal courts to allow for depositions of experts, the  
9 South Dakota rules have not quite kept up with that.

10 And technically, yes, Mr. Schenkenberg is right.  
11 NAT would be forced to file a motion, have it heard  
12 before the Commission as to why it needs a deposition of  
13 the opposing expert. And, of course, Sprint is relying,  
14 you know, largely on the testimony of its expert to  
15 support what we contend are broad sweeping allegations of  
16 sham entity, traffic pumping.

17 It's fine to make these allegations and  
18 assertions, but to be able to support them, back them up,  
19 you know, it's unprecedented that a party is not allowed  
20 discovery. The door swings both ways.

21 And, of course, they're not arguing this is  
22 privileged material, attorney-client, or otherwise any  
23 other protection. They're not claiming that we're  
24 trying -- NAT is trying to discover trade secrets or any  
25 confidential, highly sensitive, you know, information

1 from Sprint.

2 But at the end of the day NAT is required its  
3 full -- it should be entitled to its full opportunity  
4 to discover all facts and present those to the  
5 Commission.

6 We're not talking about here admissibility.  
7 And, of course, we can cross that bridge when we get  
8 there. But to close the door, slam the door, in NAT's  
9 face at this stage of the proceeding and not allow any  
10 discovery on -- you know, Sprint essentially has given  
11 NAT zero in the way of discovery.

12 We have bold, sweeping accusations being made,  
13 tossed about, by Sprint. And, you know, NAT is entitled  
14 to probe. And, you know, what are the facts supporting  
15 these allegations?

16 It's entitled to find out, for example, what the  
17 terminating access rates that Sprint's own subsidiary  
18 companies are charging for local exchange traffic. And  
19 to say on one instance that NAT is -- their application  
20 is not in the public interest, which is a conclusion that  
21 Mr. Farrar gives in his direct testimony, and then not  
22 allow NAT to discover from Sprint what Sprint is paying  
23 other local exchange carriers for terminating access fees  
24 across the country, which we have good reason to believe  
25 is substantially higher, for higher volume, much, much



1 higher volume than what NAT traffic being terminated is,  
2 is simply unfair.

3 You know, it's not a fair fight to allow Sprint  
4 through its expert to make these bold, unsupported  
5 accusations and then hide behind the veneer that, you  
6 know, this is NAT's application, they should stand arise  
7 on NAT's own.

8 But in the same regard for Sprint to come  
9 forward and assert that this is not in the public  
10 interest to -- you know, NAT's rates, terminating access  
11 rates are, we believe, some of the lowest, if not the  
12 lowest, access rates in the nation. And certainly in  
13 South Dakota.

14 You know, so to say with a broad brush that the  
15 application put forth by NAT is not in the public  
16 interest and then hide behind the cloak of, well, this is  
17 not relevant, you know, relevancy is a broad, you know,  
18 standard and discovery is the hallmark of our system.  
19 And it's designed to get at the truth.

20 So to slam the door in NAT's face at this early  
21 stage and not allow it to discover the basis and the  
22 facts supporting Mr. Farrar's direct testimony and  
23 conclusions we think is not supported by the law and the  
24 Motion to Quash should be denied.

25 That's all I have.

1 CHAIRMAN HANSON: Thank you.

2 Ms. Cremer, did you have anything?

3 MS. CREMER: Staff has nothing. Thank you.

4 CHAIRMAN HANSON: Thank you.

5 Ms. Wiest, did you have anything at this time?

6 MS. AILTS WIEST: Well, I would just ask NAT, to  
7 the extent that Sprint pointed out the statute, why  
8 didn't NAT come with the motion?

9 Or do you think that the Commission considering  
10 this issue now would comply with that statute since we  
11 are talking about whether to allow the deposition of the  
12 expert?

13 MR. SHULTZ: Well, I was hopeful that, you know,  
14 we wouldn't have to go to a hearing and separately  
15 address, you know, what is essentially a discovery  
16 mechanism. It's no -- it's part and parcel of, you know,  
17 methods of discovery, including Interrogatories, requests  
18 for admission, requests for production of documents.

19 And, again, I was hopeful that we wouldn't have  
20 to be here facing arguments that, you know, we should  
21 have first filed a motion. And, you know, the procedural  
22 scheduling order that was entered encompassed and I think  
23 envisioned the taking of depositions certainly of an  
24 expert offering testimony in the case.

25 So I just was hopeful that we would avoid an

1 extra step by having to come forward and argue the merits  
2 of what otherwise is a routine, customary practice in  
3 contested cases in South Dakota.

4 MS. AILTS WIEST: Well, but to the extent isn't  
5 that what we're doing now?

6 MR. SHULTZ: By virtue of this Motion to Quash  
7 the Discovery, yes.

8 MS. AILTS WIEST: And then Mr. Schenkenberg  
9 brought up your quotes in your response in which you have  
10 in quotations that Sprint has stated that NAT's access  
11 rates are too high, and having to pay those access rates  
12 is causing Sprint to lose money.

13 And where did you come up with those citations  
14 or quotes?

15 MR. SHULTZ: Well, again, I'm drawing from  
16 the -- you know, Sprint's forceful accusation that this  
17 application for the Certificate of Authority is not in  
18 the public interest.

19 And I'm not pointing to the testimony of  
20 Mr. Farrar, the most recent direct testimony, which was  
21 filed just last month at the end of August, August 30, I  
22 believe, but clearly that's the tenor of accusations,  
23 again broad and sweeping, being put forth by Sprint  
24 that --

25 And I think as a bottom line we're talking about

1 what's best for the consumer here in South Dakota. And  
2 as far as the marketplace goes, Sprint is painting with a  
3 broad brush and saying that, you know, NAT shouldn't be  
4 allowed to do business and operate in South Dakota and  
5 that it's going to harm, in this case, the consumers, the  
6 public.

7 And we want an opportunity to demonstrate that  
8 Sprint pays our higher access rates for terminating  
9 traffic -- or is being -- I mean, is being charged higher  
10 access rates for the terminating traffic, terminating  
11 calls, across the country than what it pays -- or what is  
12 being charged by NAT. And that the volume is  
13 substantially higher than what we're talking about in  
14 terms of NAT's terminating traffic.

15 MS. AILTS WIEST: That's all I have.

16 CHAIRMAN HANSON: Mr. Schenkenberg, did you have  
17 a rebuttal?

18 MR. SCHENKENBERG: I will be brief. Thank you.  
19 And I will not -- I believe Mr. Shultz bled into some of  
20 the relevance arguments that will be taken up with  
21 respect to the second deposition notice. I'm not going  
22 to respond to those because we haven't objected on  
23 relevance grounds. We've objected to this deposition  
24 under the rules.

25 Very briefly, in response to Ms. Wiest's

1 question, these deposition notices were served twice.  
2 They were served once, and we had a meet and confer. And  
3 at that meet and confer we had these discussions,  
4 Mr. Shultz and I.

5 And the way we left it was he was going to  
6 reserve them and force us to bring a Motion to Quash  
7 rather than bring a Motion For Permission, which I think  
8 is just wrong under the rules and bad practice.

9 Second, in response to the question from  
10 Ms. Wiest, if Mr. Shultz is not pointing to Mr. Farrar's  
11 testimony with respect to those broad sweeping  
12 allegations, then there is no reason to take a deposition  
13 of Mr. Farrar. There's no compelling reason.

14 He's got the statement of opinions. He's got  
15 all the facts on which Mr. Farrar relies. They're all in  
16 his testimony. And if they are baseless and unsupported,  
17 he can skillfully cross-examine Mr. Farrar at the  
18 hearing, and he will agree with him they're baseless and  
19 unsupported. But that's the way we ought to proceed.

20 Thank you.

21 CHAIRMAN HANSON: Thank you.

22 Questions by the Commission?

23 Commissioner Nelson?

24 COMMISSIONER NELSON: One question for  
25 Mr. Schenkenberg. I understand your argument based on

1 the procedural rules. But, I mean, does Sprint really  
2 have any opposition to allowing this deposition to help  
3 all of us get to the basis of the facts and the opinions  
4 that are involved here as quickly as possible so that we  
5 can get this resolved?

6 Is there any real opposition to that?

7 MR. SCHENKENBERG: Thank you, Commissioner.  
8 There is opposition to that. This is going to take time.  
9 It's going to be expensive. And when we prefiled the  
10 testimony we filed all of Mr. Farrar's opinions. NAT has  
11 them. The Commission has them.

12 All of the facts on which he relies are  
13 contained in or referenced in that testimony. There are  
14 citations to transcripts, documents, numerous  
15 attachments. You have it all, and NAT has had it all  
16 since the 30th of August. There isn't a need to take a  
17 deposition to obtain the opinions and facts of  
18 Mr. Farrar.

19 COMMISSIONER NELSON: Thank you.

20 CHAIRMAN HANSON: Commissioner Fiegen.

21 COMMISSIONER FIEGEN: Yes, for Mr. Shultz.  
22 Sprint asked -- or in his testimony talked about the  
23 repayment of the expert witness and the attorney fees.

24 MR. SHULTZ: Right.

25 COMMISSIONER FIEGEN: I think in your Brief you

1 said expert witness and expenses associated with that.  
2 Would that be the attorney fees also?

3 MR. SHULTZ: Well, the rules are clear about  
4 that, that an expert fee is owed. It doesn't speak in  
5 terms of attorney fees. But -- and we've indicated to  
6 Sprint that we are -- will gladly pay the expert fees  
7 associated with taking the deposition, including the  
8 preparation of the testimony to be given at the  
9 deposition, and consistent with the rules.

10 So originally we set these depositions to take  
11 place in Sioux Falls. Sprint objected and said if  
12 they're going to go forward, we're going to do them, we  
13 insist on doing them at our home office, regional office  
14 in Overland Park, Kansas. And we have no problem with  
15 that.

16 So, yes, we fully intend to comply with, you  
17 know, paying the expert witness to come, give his  
18 deposition testimony and, to prepare for the  
19 deposition --

20 COMMISSIONER FIEGEN: Okay. Thank you.

21 MR. SHULTZ: -- in Overland Park.

22 CHAIRMAN HANSON: Are there any further  
23 questions?

24 Ms. Wiest?

25 MS. AILTS WIEST: Yes, to NAT. Then NAT's

1 position is essentially that you are required to file a  
2 motion, but you just didn't file the motion?

3 MR. SHULTZ: I think technical, again, reading  
4 of the rule in South Dakota, which is antiquated --  
5 again, I haven't kept pace with the federal rules which  
6 freely allow without leave of court or an administrative  
7 body, you know, the requirement to first come with a  
8 motion.

9 And that is antiquated practice. And it largely  
10 is not -- I can tell you customary practice in  
11 South Dakota is both sides, because they feel it  
12 necessary, will take the opposing parties' expert  
13 deposition.

14 And in many ways that's the only way to really  
15 snuff out what we're talking about in terms of basis and  
16 the factual support for expert opinions. And, I mean,  
17 it's a critical phase of many cases when it comes to  
18 expert testimony, much like it is here. It's largely  
19 dependent on, you know, the testimony brought forth by  
20 experts.

21 So technically the answer to that is yes. Under  
22 the rule NAT would first have to come to the Commission  
23 with a motion to show why it is necessary to take the  
24 other side's expert. And we just contemplated in this  
25 case that, you know, this is just another discovery



1 vehicle and to avoid an extra step and embroiling or  
2 involving the Commission in a discovery spat that we  
3 could work this out and come to an agreement.

4 And I guess in this case, not surprisingly,  
5 Sprint is throwing up, you know, many roadblocks to -- it  
6 doesn't -- it would prefer to not present any background  
7 evidence to support its expert opinions or its -- you  
8 know, its contentions in this case and force NAT to  
9 provide all of its evidence.

10 But discovery doesn't work like that. And  
11 relevancy is a broad -- it's anything, any matter that's  
12 related to the subject of the contested case, including  
13 the claims being put forth by all parties, including in  
14 this case Sprint and the other Interveners.

15 So, again, rather than slam the door in NAT's  
16 face, not allow any discovery, again, it's a truth  
17 seeking endeavor, which is really at the base of our --  
18 you know, our civil justice system, including a contested  
19 case such as this, we think is a drastic remedy, this  
20 Motion to Quash.

21 MS. AILTS WIEST: But with respect to the Farrar  
22 deposition, I don't see how NAT avoided coming before the  
23 Commission because now we're here because there's a  
24 Motion to Quash because you didn't follow what the  
25 statute stated.

1           MR. SHULTZ: Well, I guess, in answer to that,  
2 you know, I think the same arguments that would have been  
3 presented at that hearing, you know, are being presented  
4 at this proceeding. And, you know, we're still talking  
5 about the same thing.

6           Again, we were willing to accommodate Sprint's  
7 request that the deposition take place in Overland Park,  
8 that the expert be paid for his time, giving the  
9 deposition, and preparing his testimony for the  
10 deposition.

11           And, again, it's, you know, freely countenanced  
12 under the federal rules. And, again, the custom and  
13 practice in South Dakota is for expert depositions to be  
14 on both sides to be freely allowed. And this really is  
15 no different.

16           The parties are making use of all the rules of  
17 procedure, including the Motions For Summary Judgment,  
18 Motions to Compel, Motions, you know -- Request For  
19 Production of Documents, Requests for Admissions. And so  
20 in that regard we didn't think we needed to go back to  
21 square one and redraw what is custom and practice in any  
22 other case.

23           CHAIRMAN HANSON: Thank you. As I'm looking at  
24 this, and I'm not sure whether I'm going to formulate a  
25 question -- I think I am -- are we not arguing a point

1 that if we, in fact, decide that regardless of what  
2 common practice may or may not be -- and I don't know  
3 what the weight is of how many go through the process of  
4 filing ahead of time and following the South Dakota Law  
5 on it.

6 In my experience I don't know that I've ever  
7 seen it not done that way. So I suspect the common  
8 practice is to follow the law, and we certainly want to  
9 follow the law here. However, if we -- if we denied --  
10 excuse me. If we granted Sprint's Motion to Quash, would  
11 NAT then just simply turn around and file and then we'd  
12 be right back with the same question again?

13 MR. SHULTZ: I believe that is the case,  
14 Mr. Chair.

15 MS. AILTS WIEST: I assume they would file the  
16 motion.

17 CHAIRMAN HANSON: And then we'll have the same  
18 arguments all over again.

19 MS. AILTS WIEST: I would ask Mr. Schenkenberg  
20 if he would have additional arguments if such a motion  
21 was filed.

22 CHAIRMAN HANSON: Mr. Schenkenberg.

23 MR. SCHENKENBERG: Thank you, Mr. Chair, members  
24 of the Commission.

25 I think my position would be on such a motion

1 that on these papers NAT has not identified a compelling  
2 reason why the default under the rules -- and, in fact, a  
3 rule that was amended in 2011 and is not antiquated, why  
4 that's not sufficient to go to trial like is required in  
5 civil procedure in State Courts in South Dakota.

6 So if the question -- if the Commission wants to  
7 move to the question of whether NAT has demonstrated a  
8 need under Rule 26 to have more than Interrogatories,  
9 then I think you can do that on this record, and you  
10 ought to find that NAT has not.

11 CHAIRMAN HANSON: Thank you.

12 Any further questions?

13 Commissioner Nelson, go ahead with your motion.

14 COMMISSIONER NELSON: I move that we grant  
15 Sprint's Motion to Quash.

16 CHAIRMAN HANSON: Thank you.

17 Discussion on that motion? And I'll allow you  
18 to go first.

19 COMMISSIONER NELSON: Thank you. I appreciate  
20 the discussion on both sides today. And, frankly, I  
21 agree with much of what Mr. Shultz has said today, right  
22 up to the point where he says the law is antiquated and,  
23 therefore, we don't have to follow it.

24 And I can think of several laws that I'd love to  
25 find antiquated and not follow. But that's not what

1 we're called to do. We're called to follow the law,  
2 follow the procedure so that both sides are treated  
3 fairly under the law. And I find at this point that NAT  
4 has not done that and, therefore, I think it's  
5 appropriate that we grant the Motion to Quash.

6 And, yeah, might we be right back here arguing  
7 this again. But at least we're going to be arguing it  
8 based on the law and not something else.

9 So with that would I ask support of the motion.

10 CHAIRMAN HANSON: Thank you.

11 Further discussion on the motion?

12 I will just say that I appreciate that motion.  
13 I've struggled with this on the basis that certainly we  
14 want to follow the law in every aspect and dotting the Is  
15 and crossing the Ts.

16 And as I read Sprint's arguments for denial --  
17 excuse me, denial of quash, I was looking at it from the  
18 standpoint that creating the delay is really hard to  
19 prove one way or another, whether it is or isn't. I  
20 don't know that there's been anything sufficiently to  
21 argue that point.

22 The fact that the Notice of Deposition was  
23 served in violation of South Dakota Law, I certainly am  
24 not a practicing attorney, and from my experience I  
25 don't -- like I say, I have -- I've never seen a

1 situation where there wasn't a lot of papers that went  
2 back and forth and filings of notice in order to take a  
3 deposition. And I just can't bring --

4 Even though we're looking at this from the  
5 standpoint that we're going to -- it's going to be  
6 deja vu all over again, I just can't bring myself to  
7 trying to take that shortcut.

8 And I agree with Mr. Commissioner Nelson that we  
9 cannot shortcut the laws of the State of South Dakota.  
10 So I will be supporting the motion.

11 Any further discussion?

12 If not, Commissioner Nelson.

13 COMMISSIONER NELSON: Aye.

14 CHAIRMAN HANSON: Commissioner Fiegen.

15 COMMISSIONER FIEGEN: Fiegen votes no.

16 CHAIRMAN HANSON: Hanson votes aye.

17 The motion carries.

18 We then go to Sprint's Motion to Quash  
19 Deposition Notice of Sprint. And we will allow argument  
20 on that.

21 MR. SCHENKENBERG: Thank you, Mr. Chairman.

22 This is Phil Schenkenberg.

23 In your introduction before we argued the Farrar  
24 motion you indicated this was going to be broken up into  
25 Farrar, Sprint, and then kind of specifics of the topics

1 in the document request. I wonder whether we can address  
2 the Sprint -- I think the Sprint notice can be considered  
3 out of the context of what the requests are. So I guess  
4 I would ask if we could address the entire Sprint notice  
5 together?

6 CHAIRMAN HANSON: Yes. That is what I would  
7 prefer.

8 MR. SCHENKENBERG: Okay. Thank you.

9 The second deposition to talk about is the  
10 deposition of Sprint. And the procedural rules in the  
11 civil rules allow a litigant to depose an entity rather  
12 than a person to find out the knowledge -- the relevant  
13 knowledge and information in possession of the entity.

14 And we talked about this back a year ago, two  
15 years ago perhaps when Sprint and Northern Valley were  
16 having disputes over some of these similar issues. And I  
17 know I expressed at that time that this is a big  
18 obligation of an entity.

19 A corporate entity that's asked to collect all  
20 information it has on a topic, educate a representative  
21 witness on all that information, prepare the witness, put  
22 the witness up, and have that process go forward, it's a  
23 big obligation. And it's not something that should be  
24 taken lightly.

25 The legal standard to apply here again comes

1 from the rules. And relevance, as this Commission knows,  
2 is broad. Anything that might lead to admissible  
3 evidence is implied. But this is not without its  
4 boundaries. And, in fact, in this case we have litigated  
5 and you have set boundaries in this case.

6 In 2012 when NAT tried to obtain substantive  
7 information from Sprint about Sprint's business  
8 practices, delivery of calls, its revenues, its pricing,  
9 the Commission issued an order, deliberated per these  
10 arguments, issued an order, finding the issue in the  
11 docket is whether NAT meets the requirements to get a  
12 certificate, not whether Sprint meets the requirements  
13 for a certificate.

14 That was the right result, and it's now what  
15 courts would call law of the case, which is a principle  
16 that when a court or in this case the Commission resolves  
17 a dispute, enters an order early in the case, that ruling  
18 applies throughout the case.

19 And so the standard to apply is not just the  
20 relevance rules but the standards you set back in May of  
21 2012.

22 And our opposition to the Sprint deposition  
23 notice is based on the fact that the information  
24 requested, the documents that were requested as part of  
25 this notice and then in conjunction to the topics that



1 were identified for testimony, which cross-referenced the  
2 documents, have nothing to do with NAT's ability --  
3 excuse me -- to meet the requirements for a certificate.

4 NAT doesn't address your May 4, 2012, Order at  
5 all. Instead it makes the same argument you've already  
6 rejected, that Sprint's business activities bear on  
7 whether NAT can get a certificate. But NAT hasn't  
8 distinguished this discovery from the 2012 discovery.  
9 Your ruling applies now as it did then. And you ought to  
10 enforce it the same way that you did.

11 I'm not inclined to go through topic by topic,  
12 document by document on relevance because NAT didn't  
13 address it at all in its Brief. I can certainly do that  
14 if you'd like. But, again, it simply just ignored that  
15 concept in that order.

16 NAT did claim in its Brief that Sprint wants to  
17 hide what access rates it pays others for pumped traffic.  
18 And I would like to respond to that.

19 One of the Affidavits that we've submitted was  
20 an Affidavit of Regina Roach in which she testified that  
21 to her knowledge -- and this is her job. She manages the  
22 group responsible for access verification -- that Sprint  
23 has not knowingly paid access charges for pumped traffic,  
24 that the business practices in her group are to when you  
25 identify it as pumped traffic you dispute it. And that's

1 happened consistently in the State of South Dakota.

2 So to the extent that NAT suggests that Sprint's  
3 trying to hide the access rates to pay for pumped  
4 traffic, that's not consistent with the record facts that  
5 you have before you.

6 The second substantive issue that we raise on  
7 this motion is the issue of burden. And burden  
8 outweighing relevance.

9 This was something that you did when we had a  
10 dispute with Northern Valley. You considered the  
11 relevance of questions that were many of the same  
12 questions NAT asks here, many of the same topics and  
13 documents.

14 And in that case there was a -- there were  
15 dollars at issue. There were financial ramifications.  
16 It was a complaint case that had impact, unlike in this  
17 case, which is an application for a certificate filed by  
18 NAT. So the relevance is even more attenuated here than  
19 it would have been there.

20 NAT didn't address the issue of burden, but we  
21 demonstrated through our Affidavits and our Brief that  
22 the burden of responding to many of these requests is  
23 significant, that it could take hundreds of man hours to  
24 try to find the information requested and, again, prepare  
25 information -- I'm sorry. Prepare a witness to know that

1 information, know how to answer the questions and then do  
2 so.

3           Again, I'm disinclined to talk through each one  
4 of these one by one, given that NAT hasn't addressed it  
5 in their Brief. Instead I think you ought to find that  
6 NAT's waived any argument on burden.

7           All it did in its Brief is say that the requests  
8 are narrowly tailored, without support, without citation,  
9 or without significant thought. Those requests are not  
10 narrowly tailored. There's a request for us to provide  
11 information on all the rates we've ever paid any RECs  
12 nationwide for conferencing traffic, far beyond this  
13 Commission's intrastate jurisdiction, far beyond what  
14 could ever be relevant even in a financial dispute  
15 between these two parties.

16           So we think you ought to do what you did, do the  
17 analysis you did back in the Northern Valley Sprint  
18 dispute and weigh the minimal, if any, probative value of  
19 this information, again, the burden requiring Sprint to  
20 respond.

21           Thank you.

22           CHAIRMAN HANSON: Thank you.

23           Mr. Shultz.

24           MR. SHULTZ: Thank you, Mr. Chair, members of  
25 the Commission.

1           It's easy for the attorney and it's commonplace  
2 in these kinds of disputes for the attorney to use the  
3 word hundreds of man hours, it's overly burdensome to  
4 have to dig out documents.

5           And the truth is on that that companies that are  
6 in business, and Sprint is no different, have at their  
7 ready access by a couple of clicks of a computer keyboard  
8 access to printed out documents. They pull those up on a  
9 monthly, if not a weekly, basis to present to their  
10 superiors or, you know, for the purposes of board  
11 meetings.

12           And NAT is not asking Sprint to create any  
13 documents. These are reports that are routinely kept,  
14 you know, and easily categorized and filed away in terms  
15 of rate DEC's and access fees paid to carrier by carrier.  
16 And they're readily available in a moment's notice with a  
17 few clicks of a computer keyboard.

18           And we all know that this is not requiring  
19 somebody to go to a warehouse and search through banker's  
20 boxes of hard copies of documents and that are all over  
21 the country in several different offices. That is not  
22 21st century business undertaken by a long distance  
23 carrier like Sprint.

24           So, yeah, it's easy for Mr. Schenkenberg to say  
25 that, oh, this is going to require that we take 18 of our

1 employees and task them with locating documents for three  
2 weeks. It's not true.

3 In fact, NAT in a corresponding way has devoted  
4 substantial time and effort in bringing forth and  
5 responding by producing documents in response to Sprint's  
6 discovery requests. And there have been many. There  
7 have been two or three sets now of discovery served by  
8 Sprint.

9 And so Sprint would like nothing more than to  
10 close the door, slam it in NAT's face, not allow any  
11 discovery of -- not allow NAT to probe, you know, Sprint  
12 through a corporate representative, which most likely  
13 would be Mr. Farrar as to its accusations leveled at NAT  
14 in this case regarding access stimulation.

15 And, again, we're early on in these proceedings.  
16 Any suggestion of delay can be laid at the doorstep of  
17 Sprint. They've foisted and resurrected every possible  
18 roadblock, whether it's payment of expert fees or, oh,  
19 you didn't file a motion for permission to take an expert  
20 deposition. These are all delay tactics.

21 So the unsupported accusation of unduly  
22 burdensome falls flat, I believe, again, in 21st century  
23 business practices.

24 With regard to each of the areas of -- and these  
25 are asking for Sprint to produce documents that already

1 exist, most likely in a computer database that is, again,  
2 easily accessible. And the corporate deposition is  
3 nothing more than to be assured that all the documents  
4 that are responsive to the request are produced, are, in  
5 fact, produced.

6 And, again, we're not talking about whether this  
7 information is necessarily admissible because we're not  
8 at that stage of the proceeding. We're not at the  
9 hearing stage. We're at the discovery stage where  
10 relevancy, again, is given a broad construction.

11 And NAT is entitled to discovery, through  
12 Sprint's corporate representative, what its business  
13 practices are in terms of access charges being paid to  
14 local exchange carriers from elsewhere besides  
15 South Dakota. And we think, and we have a well founded  
16 basis for believing, that Sprint is paying far, far, far  
17 more in terms of access fees for terminating its long  
18 distance traffic to other local exchange carriers than  
19 what NAT proposes to charge Sprint.

20 So we would ask again that this Motion to Quash,  
21 which is otherwise considered part and parcel of common  
22 practice and procedure, should not -- you know, not be  
23 granted, and NAT should be given its full opportunity to  
24 discover these facts and bring them forward at the time  
25 of the hearing in this matter.

1 MR. SCHENKENBERG: Mr. Chairman, may I respond  
2 briefly?

3 CHAIRMAN HANSON: I'm just looking at Ms. Cremer  
4 to see if she has anything at this juncture.

5 MS. CREMER: Staff takes no position on this  
6 motion.

7 CHAIRMAN HANSON: Thank you.

8 Please, go ahead, Mr. Schenkenberg.

9 MR. SCHENKENBERG: Thank you. I feel compelled  
10 to respond as to Mr. Schultz's statement that the  
11 information in our supporting Affidavit is not true.

12 I was not -- I didn't say hundreds of man hours  
13 because I made that up. I said hundreds of man hours  
14 because it's supported by the Affidavit of someone whose  
15 job it is to know what is available and how you get it.

16 I haven't interacted with Mr. Shultz other than  
17 in the last couple of months. I don't believe he has any  
18 knowledge about Sprint's actual capabilities. And we  
19 rely on Affidavits. So I strongly object to any  
20 suggestion either I'm making up numbers or that our  
21 employees filed false testimony.

22 Thank you.

23 CHAIRMAN HANSON: Thank you.

24 I'll go to questions. And, Mr. Shultz, on  
25 your -- you stated that NAT's access rates are -- that --

1 excuse me. That Sprint has stated that NAT's access  
2 rates are too high and that having to pay these access  
3 rates is causing Sprint to lose money.

4 It seems like that may have been said, but I  
5 cannot find where it was stated in any of the documents.

6 Do you have a reference for that?

7 MR. SHULTZ: Mr. Chair, again, I'm going on what  
8 is the general thrust of Sprint's argument going to the  
9 public benefit in this case of offering to consumers in  
10 South Dakota, whether on or off the reservation, the  
11 opportunity to, you know, take advantage of far below --  
12 you know, lower access fees, and to enjoy the benefits  
13 of, you know, free conference calling, for example.

14 CHAIRMAN HANSON: So you don't have a reference  
15 point where you can say that -- on your quote that having  
16 to pay these access rates is causing Sprint to lose  
17 money?

18 MR. SHULTZ: No. I was just paraphrasing what I  
19 believe is the thrust and the general tenor of Sprint's  
20 accusations in this case.

21 CHAIRMAN HANSON: Thank you.

22 COMMISSIONER FIEGEN: Could I just ask a follow  
23 up on that, please.

24 Mr. Shultz, on September 6 when you submitted it  
25 and signed it on page 5 it is in a quote. So normally,



1 you know, what Commissioner Hanson is asking, it's in a  
2 quote so it has to be -- how did you put it in a quote on  
3 what you filed on September 6?

4 MR. SHULTZ: Again, I'm not pointing to any  
5 specific testimony or, you know, references because we  
6 don't have, you know -- all I was doing was summarizing  
7 the general basis in the overall, you know, tenor of what  
8 Sprint is putting forth in this case as going towards  
9 specifically the public benefit.

10 COMMISSIONER FIEGEN: Okay. I just  
11 misunderstood. Because usually when I read something in  
12 a quote I try to look where somebody said that. So it  
13 was my misunderstanding in how your Brief was filed or  
14 your information was filed on September 6, I guess.

15 MR. SHULTZ: I understand.

16 CHAIRMAN HANSON: Further questions?

17 Commissioner Nelson?

18 COMMISSIONER NELSON: For Mr. Shultz, if I could  
19 just make sure we're very clear on this, and I'm looking  
20 particularly at Document Request 8, and you've asked for  
21 some very specific information regarding conferencing  
22 traffic.

23 And what I'm hearing you say is that you believe  
24 that Sprint has that information readily at hand and that  
25 you believe Ms. Roach is -- and the word you used is

1 "lying" in her Affidavit; is that correct?

2 MR. SHULTZ: I don't think I said lying. What I  
3 was driving across is, again, we're not asking for Sprint  
4 to go out and create a database or create any documents.  
5 But to the extent that they have access, ready access, to  
6 these documents, which I believe they do, again, this is  
7 information that's, you know, access rates for  
8 terminating conferencing traffic, I believe until Sprint  
9 responds and says otherwise, that I believe that's  
10 available.

11 COMMISSIONER NELSON: Mr. Schenkenberg, can  
12 you specifically address Document Request 8 in that  
13 regard?

14 MR. SCHENKENBERG: I can. Thank you. This  
15 request -- my first note is identical to the one you  
16 addressed back in the spring of '12 and denied their  
17 request.

18 These are -- if you start at the beginning --  
19 related to payments made by Sprint of other local  
20 exchange carriers' access rates or the termination of  
21 conferencing traffic. But then there's an including. So  
22 you've got identify all the local exchange carriers,  
23 rates, rationale. What Ms. Roach says in her Affidavit  
24 is a number of things.

25 One, we don't know what traffic is conferencing

1 traffic. Sprint doesn't traffic conferencing traffic,  
2 first of all. And that's what's asked for. That's not  
3 something that's tracked anywhere.

4 If you assume that what NAT meant was pumped  
5 traffic, then you're talking about nationwide, if it's  
6 not limited to South Dakota, and NAT hasn't limited it to  
7 South Dakota. It's with respect to many, many LECs, time  
8 periods before disputes were identified, time periods  
9 during disputes.

10 You'd have to look at bills. You'd have to pull  
11 invoices, some of which for time periods are in paper.  
12 Sprint gets thousands of bills every month from local  
13 exchange carriers. Rates change frequently. Interstate  
14 rate elements change. Intrastate rates change.

15 And so what she's done is she read the request,  
16 looked back at what information is available, either  
17 things we've had to deal with in other similar pieces of  
18 litigation, and has provided testimony as to what she  
19 believes it would take from an hour standpoint. 150  
20 hours to compile the data, if you read it broadly as it  
21 was intended, and then 300 man hours to respond.

22 COMMISSIONER NELSON: Thank you. If I could go  
23 back to Mr. Shultz, is there any way that Document  
24 Request 8 could be pared back and you would still be  
25 satisfied with what you're asking?

1 MR. SHULTZ: Yes. Definitely.

2 COMMISSIONER NELSON: Well, help me out. How  
3 can we pare this back to something that might actually  
4 exist, first of all, and then --

5 MR. SHULTZ: Right. I would take out and  
6 eliminate the conferencing traffic, and if we're talking  
7 about access stimulation, you know, I'm more than willing  
8 to narrow that, pare it back to just the traffic that  
9 Mr. Schenkenberg refers to as pumped, pumping traffic.

10 COMMISSIONER NELSON: And so essentially you  
11 would cross out the word "conferencing" and insert the  
12 word "pumping"; is that correct?

13 MR. SHULTZ: Right. Yeah.

14 COMMISSIONER NELSON: Okay.

15 MS. AILTS WIEST: I believe Document Request 13  
16 already requests Sprint's payments to LECs access  
17 stimulation traffic?

18 MR. SHULTZ: Yeah. That's right.

19 MS. AILTS WIEST: So then would there be any  
20 need to even address Document Request 8?

21 MR. SHULTZ: Yeah. I think we could eliminate  
22 Request 8.

23 COMMISSIONER NELSON: If I could follow up --  
24 and thank you, Rolayne -- on Document Request 13,  
25 Mr. Shultz, there's no time limitation there. Is there

1 any way we can put some boundaries on that?

2 MR. SHULTZ: Yeah. I think if we made it  
3 consistent with the other requests and --

4 COMMISSIONER NELSON: I think there's a couple  
5 different dates found throughout. So --

6 MR. SHULTZ: I think it was 2009. January 1 of  
7 '09 to the present would be sufficient.

8 COMMISSIONER NELSON: Okay. Thank you.

9 CHAIRMAN HANSON: May I suggest that since we  
10 have about 15 of these that we attempt to take them one  
11 at a time with the exception that there will be some that  
12 coincide with other ones, as I think we all have lots of  
13 questions on them.

14 COMMISSIONER NELSON: Yeah. However you'd like  
15 to proceed. I think I've only got one more question, but  
16 if you want to take them individually, I think I'll just  
17 wait until we get to that one. That's just fine.

18 CHAIRMAN HANSON: Great. Let's look at Request  
19 No. 1 at this juncture then.

20 Commissioner Fiegen, did you have a question on  
21 that?

22 COMMISSIONER FIEGEN: First of all, Mr. Shultz,  
23 in your testimony this morning you talked about it takes  
24 a couple of clicks and that the reports are kept.

25 So are you saying like in Document No. 1 if they

1 have a report on this, this is what you want; otherwise,  
2 they don't have to like hire a programmer to go find the  
3 data?

4 MR. SHULTZ: Exactly. Yeah.

5 COMMISSIONER FIEGEN: So if they have a report  
6 on this, that's what you want. So it's something that no  
7 programmer has to do, it's readily available at one  
8 click?

9 MR. SHULTZ: Yes.

10 COMMISSIONER FIEGEN: And so then Request No. 1  
11 I was originally going to ask you if this can be narrowed  
12 some. But if they already have the report and it's one  
13 click, then maybe it doesn't have to be narrowed. I  
14 don't know what the other fellow Commissioners think  
15 but --

16 CHAIRMAN HANSON: Thank you. Any further  
17 questions on --

18 Ms. Wiest, did you have something on that?

19 MS. AILTS WIEST: Yeah. My question to NAT,  
20 when you refer to wholesale rate, are you just referring  
21 to terminating access rates?

22 MR. SHULTZ: I think it's the -- I think that is  
23 true.

24 MS. AILTS WIEST: And then to the extent you  
25 want information for terminating access rates to compare

1       them to the rate that you're providing in order to narrow  
2       this down, is there -- what would be the problem with  
3       having Sprint provide the range of access rates that they  
4       charge to other carriers?

5               MR. SHULTZ:  Are you asking what -- I'm sorry.  
6       I didn't follow that.

7               MS. AILTS WIEST:  Well, to the extent you're  
8       looking for -- if you're wanting every document relating  
9       to Sprint's wholesale rate DECs from January 1, 2009, to  
10      the present and your point is to state that they have  
11      rates that are perhaps higher than the rates that NAT are  
12      charging, I'm just trying to see if this can be narrowed  
13      somewhat.

14              I would expect that if you're only talking about  
15      terminating access rates, many of those rates are found  
16      in Sprint's interstate and intrastate tariffs.  Those  
17      would be publicly available documents; would that be  
18      correct?

19              MR. SHULTZ:  Right.  These are, as I understand  
20      it, wholesale rates, which I believe are different.

21              MR. SCHENKENBERG:  This is Phil Schenkenberg.  
22      If I can jump in, I think maybe there was just a little  
23      bit of confusion.  I think what they've asked for is the  
24      rates that Sprint charges other carriers, if it does, to  
25      deliver traffic from those other carriers to NAT.

1 MR. SHULTZ: That's right.

2 MR. SCHENKENBERG: Now the "to NAT" isn't in the  
3 request. This appears to relate to rates they charge  
4 carriers to deliver traffic anywhere in the world. But  
5 if we're talking about limiting -- I think, and we're not  
6 agreeing that anything's appropriate here, but if we're  
7 going to focus on calls to NAT, this would be what does  
8 Sprint charge other carriers to deliver calls to NAT.  
9 That's what's being asked for, I think.

10 MS. AILTS WIEST: So to the extent that is in  
11 Document Request 12, I believe documents relating to  
12 Sprint's services to NAT -- so I guess then my point  
13 would be can this be limited to those rates charged to  
14 other carriers to deliver to NAT?

15 MR. SHULTZ: Yes.

16 MS. AILTS WIEST: Okay. Thank you.

17 MR. SHULTZ: Thank you.

18 CHAIRMAN HANSON: Ms. Wiest, as I'm quickly  
19 looking at Document Request 12, are you saying that that  
20 incorporates enough of -- of course, that -- well, we can  
21 get to that when we get to it, I guess.

22 MS. AILTS WIEST: Well, I think if you look at  
23 12A, Sprint's rates to the NAT exchange as listed in its  
24 wholesale rate DEC, if I'm understanding this -- and  
25 either party can correct me -- if NAT's agreeing that



1 that -- they're looking for other carriers' charges  
2 delivered to NAT, it would appear to be under 12A, and  
3 then they -- Sprint would not have to respond to Document  
4 Request 1, which requests -- which does not appear to be  
5 that limited.

6 CHAIRMAN HANSON: Thank you.

7 MS. AILTS WIEST: Would that be correct,  
8 Mr. Shultz?

9 MR. SHULTZ: I believe it is. Except for, yeah,  
10 what Sprint charges other carriers.

11 MS. AILTS WIEST: Or, in other words, we could  
12 limit Document Request 1 to what Sprint charges other  
13 carriers when they're delivering calls to NAT; is that  
14 correct?

15 MR. SHULTZ: Yes.

16 MS. AILTS WIEST: Okay. Thank you.

17 MR. SHULTZ: Thank you.

18 CHAIRMAN HANSON: Any further questions on  
19 Document Request 1?

20 Seeing none, is there a motion on Request 1?  
21 Commissioner Nelson.

22 COMMISSIONER NELSON: Mr. Chairman, I would move  
23 to deny the Motion to Quash Document Request 1 as has  
24 been amended per the discussion that Ms. Wiest has just  
25 led.

1           CHAIRMAN HANSON: So you're denying it in its  
2 entirety and not -- I was trying to follow your motion.

3           COMMISSIONER NELSON: I'm denying the Motion to  
4 Quash, and so I would allow this document request as  
5 amended by the discussion that we've just had.

6           CHAIRMAN HANSON: Thank you for the  
7 clarification.

8           Any discussion on that motion?

9           Hearing none, Commissioner Nelson.

10          COMMISSIONER NELSON: Aye.

11          CHAIRMAN HANSON: Commissioner Fiegen.

12          COMMISSIONER FIEGEN: Fiegen votes aye.

13          CHAIRMAN HANSON: Hanson votes aye.

14          The motion carries.

15          Document Request No. 2.

16          MS. AILTS WIEST: I think we can take 2 and 3  
17 together.

18          CHAIRMAN HANSON: Yes. I was just going to say  
19 that. Thank you, Ms. Wiest.

20          Document 2 and Document 3 are quite similar,  
21 although I've written in my notes that I'm leaning  
22 towards supporting one and denying the other.

23          MS. AILTS WIEST: I was wondering given the  
24 limitation in Document Request 1 whether -- I assumed  
25 that this is somewhat of a subset of 1. So is there

1 any -- is NAT's position based on the Commission's  
2 decision for Document 1, is there any reason to go  
3 forward with Document Request 2 and 3?

4 MR. SHULTZ: I don't believe so.

5 MS. AILTS WIEST: Okay. So we can skip those.

6 COMMISSIONER FIEGEN: Or do we have to grant?

7 CHAIRMAN HANSON: We have to take action on  
8 those, I guess.

9 MS. AILTS WIEST: Well, unless NAT is  
10 withdrawing their Document Request 2 and 3. Then we  
11 don't have to take any action.

12 MR. SHULTZ: I guess the only distinction there  
13 is that these are wholesale rates being charged to NAT  
14 specifically for interstate is Request 2, and then  
15 intrastate on Request 3.

16 And, again, to the extent that those documents  
17 exist, again, I think that's still -- you know, that's  
18 relevant.

19 CHAIRMAN HANSON: Are there any questions by the  
20 Commissioners on Document Request 2 or 3?

21 MR. SCHENKENBERG: Mr. Chairman, can I just ask  
22 a point of clarification?

23 CHAIRMAN HANSON: Please, go ahead.

24 MR. SCHENKENBERG: I just want to make sure we  
25 were all talking about the same thing. I was with the

1 discussion until the last thing Mr. Shultz said.

2 I do think the wording of 2 and 3 are a little  
3 bit off, where it says "Sprint's wholesale interstate  
4 rates to NAT." I think what was meant was interstate and  
5 intrastate rates charged to others to deliver calls to  
6 NAT, which would be duplicative of 1.

7 And I didn't understand Mr. Schultz's statement  
8 if he was suggesting there was perhaps rates we were  
9 charging to NAT. Because we're not charging any rates to  
10 NAT.

11 I also -- I guess there wasn't a discussion of  
12 whether 1 extended to interstate rates or not. And I  
13 don't know if this is the time to pick that question  
14 up.

15 MR. SHULTZ: I think Request 1 was, you know,  
16 directed at, you know, whatever wholesale rate DEC's there  
17 are that -- for rates being charged, you know, by Sprint  
18 to other carriers for, you know, calls being directed to  
19 NAT.

20 MS. AILTS WIEST: And 2 and 3 are not? You're  
21 saying that Sprint is charging wholesale interstate rates  
22 to NAT?

23 MR. SHULTZ: No. No. I agree with  
24 Mr. Schenkenberg on that.

25 MS. AILTS WIEST: So are you withdrawing 2 and

1 3?

2 MR. SHULTZ: I think, yeah.

3 CHAIRMAN HANSON: I would prefer to take action  
4 on them since they are before us and they are on the  
5 agenda and we've had arguments on them. I'd prefer to  
6 dispose of them.

7 COMMISSIONER FIEGEN: So do we need to dispose  
8 of them if the party withdraws? I just don't know.

9 CHAIRMAN HANSON: It's a ruling by the Chair,  
10 and the Chair can be --

11 COMMISSIONER FIEGEN: And I'm going to support  
12 the Chair.

13 CHAIRMAN HANSON: And the Chair can be  
14 challenged. It only takes two votes.

15 COMMISSIONER FIEGEN: I'm supporting the Chair.

16 CHAIRMAN HANSON: Okay. Well, then I will make  
17 a motion to support Sprint's Motion to Quash Document  
18 Request 2 and Document Request 3.

19 Is there any discussion on that motion?

20 Hearing none, Commissioner Nelson.

21 COMMISSIONER NELSON: Aye.

22 CHAIRMAN HANSON: Commissioner Fiegen.

23 COMMISSIONER FIEGEN: Fiegen votes aye.

24 CHAIRMAN HANSON: Hanson votes aye.

25 Motion carries.

1           That brings us to Document Request 4 --

2           COMMISSIONER FIEGEN: And if the record could  
3 reflect I voted for that because the attorneys withdrew  
4 that.

5           CHAIRMAN HANSON: Thank you.

6           Document Request 4 and 5 are quite similar, and  
7 we'll take those together as well.

8           Are there any questions by the Commissioners on  
9 4 and 5?

10           From my perspective, as I wrestled with this I  
11 looked at the same argument that NAT failed to follow the  
12 statute that requires that the party requesting  
13 additional expert discovery shall request it through a  
14 motion with the court.

15           And I guess what's good for the goose is good  
16 for the gander. I'm interested if I'm mistaken, but I  
17 believe that on Document Request 4 and 5 that NAT did not  
18 follow the statute requiring that through discovery it  
19 should file a motion with the court.

20           MS. AILTS WIEST: Mr. Chairman, I would think  
21 that this is just requesting documents that's supporting  
22 Mr. Farrar's assertions that were made -- or alluded to  
23 in testimony.

24           And I think the Motion to Quash then should be  
25 denied for these, for 4 and 5, and allowed to go

1 forward.

2 CHAIRMAN HANSON: And you don't see that the  
3 argument that Sprint put forward regarding the statute  
4 has any substantive --

5 MS. AILTS WIEST: No.

6 CHAIRMAN HANSON: Okay. Thank you.

7 COMMISSIONER FIEGEN: You know, and I had  
8 similar questions, Chairman Hanson, and all the sudden I  
9 read "all documents" so I changed my mind on that.

10 MR. SCHENKENBERG: May I be heard briefly?

11 CHAIRMAN HANSON: Please, go ahead,  
12 Mr. Schenkenberg.

13 MR. SCHENKENBERG: I should have mentioned this  
14 earlier and did not. Earlier -- I suppose it was last  
15 week, early last week -- Sprint supplemented its prior  
16 discovery responses.

17 NAT had asked a number of questions about  
18 Mr. Farrar's earlier testimony at a time in which that  
19 testimony had been -- Sprint had decided it would not be  
20 submitting the earlier testimony as an exhibit at trial.

21 As soon as we filed Mr. Farrar's updated new  
22 testimony that will be offered at trial, we supplemented  
23 our discovery responses. So we've provided all of the  
24 expert discovery that -- have identified the documents  
25 that support these allegations as all the documents that

1 are either referred to or attached -- referred to in or  
2 attached to Mr. Farrar's testimony. So we've fully  
3 answered 4 and 5.

4 I think the problem I have with 4 and 5 is that  
5 this is another situation in which NAT didn't follow the  
6 rule. When you deal with a party you're supposed to  
7 serve a discovery request, not attach it to a subpoena.  
8 If it's a nonparty, then attach a document request to a  
9 subpoena.

10 So I think the conundrum here is that we've got  
11 no document, no additional documents, we've already  
12 provided all the documents, is that then a back doorway  
13 to get Mr. Farrar to have to show up to talk about the  
14 documents, which is inconsistent with the motion you just  
15 decided?

16 CHAIRMAN HANSON: So you'll simply be filing a  
17 statement if we grant their document request, that  
18 documents do not exist?

19 MR. SCHENKENBERG: That all of the documents are  
20 either identified in or attached to Mr. Farrar's  
21 testimony.

22 And I guess I want clarification that if we do  
23 that, if there aren't any additional documents other than  
24 what's referred to in the testimony, that we don't have  
25 to put up a witness to then explain that.



1 MS. AILTS WIEST: So I would ask NAT to the  
2 extent that they have already essentially answered this  
3 question, is there any reason to go forward with those?

4 They've already stated that their documents they  
5 relied on are in the testimony.

6 Mr. Shultz.

7 MR. SHULTZ: Yeah. The only problem I'm having  
8 is that, you know, the Rule 30(b)(6) deposition notice is  
9 meant to -- for NAT to be assured that all of these  
10 documents that are responsive have, in fact, been  
11 produced.

12 And to that extent, you know, we still want that  
13 opportunity to make sure that Sprint has fully complied  
14 with the discovery requests.

15 CHAIRMAN HANSON: Thank you.

16 And I would like to have a record of it. And it  
17 appears that Sprint will simply be able to file a letter  
18 back, a notice back that they've already complied so we  
19 have a track record of it.

20 MR. SHULTZ: Chair, I need to attend a hearing  
21 in Federal Court here starting in about 10 minutes. So  
22 I'm going to have to skip out. But I think Mr. Swier's  
23 on the line.

24 CHAIRMAN HANSON: Mr. Swier, are you on the  
25 line?

1 MR. SWIER: I am, Mr. Chair.

2 CHAIRMAN HANSON: Thank you. And thank you,  
3 Mr. Shultz.

4 MR. SHULTZ: Thank you very much.

5 CHAIRMAN HANSON: We'll proceed then -- I'll  
6 make a motion -- Commissioner Fiegen, did you wish to  
7 make a motion?

8 On Document Request 4 and 5 I move to deny  
9 Sprint's Motion to Quash Document Request 4 and 5.

10 Any discussion on that motion?

11 If not, Commissioner Nelson.

12 COMMISSIONER NELSON: Aye.

13 CHAIRMAN HANSON: Commissioner Fiegen.

14 COMMISSIONER FIEGEN: Fiegen votes aye.

15 CHAIRMAN HANSON: Hanson votes aye.

16 The motion carries.

17 That brings us to Document Request No. 6. And  
18 we'll take that by itself. Any questions by the  
19 Commission on --

20 Commissioner Fiegen.

21 COMMISSIONER FIEGEN: My same question that I  
22 had on Document No. 1. Mr. Shultz said that if the  
23 reports were all kept, that's what you would like.

24 I would assume that Sprint wouldn't have such a  
25 report like this it, but I could be wrong. Or are you

1 going to narrow this down a little bit, NAT, or --

2 MR. SWIER: Well, this is Mr. Swier.

3 Whether they have a document that exists or not,  
4 I don't think any of us know. We're asking if the  
5 document exists, that they provide it to us. I would  
6 certainly think a large company like Sprint would have  
7 documents that demonstrate the profits and losses  
8 regarding NAT's exchange. I would certainly think they  
9 have the sophistication to provide something like that.

10 And, again, if they don't, and if they provide  
11 that under oath to us that they don't have that  
12 information, then we take it at face value.

13 The rules of discovery, of course, do not  
14 require Sprint to make up documents that don't exist.  
15 But I would surely think that those documents on No. 6  
16 certainly do exist.

17 CHAIRMAN HANSON: Commissioner, did you have a  
18 follow up?

19 COMMISSIONER FIEGEN: It just -- you know, it  
20 appears to me that it would be very complex because of  
21 all the different carriers and -- but maybe they have a  
22 report that is at their hands and at two clicks they can  
23 have it.

24 CHAIRMAN HANSON: Mr. Swier, Sprint argues that  
25 the information has nothing to do with NAT's ability to

1 meet the requirements for a certificate -- a COA. How do  
2 you respond to that?

3 MR. SWIER: Well, again, I think the standard  
4 under discovery is not relevancy. It's a very broad  
5 discovery standard. And when we look at -- they're  
6 alleging in their testimony, I believe, that they are  
7 losing money because of NAT.

8 And we should have the ability that if they have  
9 documents to support that allegation, then we should have  
10 the ability to review those documents to see if any  
11 allegation such as that is actually true or false. And  
12 that would be shown by profits or losses, which we've  
13 specifically limited to traffic terminated at the NAT  
14 exchange.

15 MR. SCHENKENBERG: May I be heard?

16 CHAIRMAN HANSON: You can. I'm going to ask one  
17 more question, and then I would like you to respond.

18 Mr. Swier, NAT's request extends to interstate  
19 revenues. And as Commissioner Fiegen was referring to  
20 Sprint stating that they do not track revenue information  
21 of this level -- and I understand your response to the  
22 second part of that question, but I'm still wrestling  
23 with the interstate revenue portion of it.

24 MR. SWIER: Sure, Mr. Chair, if I may. When you  
25 look at what has been presented by Sprint to Mr. Farrar

1 in his written testimony, one of the factors that the  
2 Commission has to look at is NAT's financial ability to  
3 provide the services that it proposes to give.

4 Mr. Farrar has taken NAT's entire profit and  
5 loss statement, its entire general ledger material that  
6 we've provided, hundreds and hundreds of pages. He does  
7 not differentiate between interstate and intrastate  
8 revenues. He puts it all in a ball and says that NAT is  
9 not going to be able to financially provide the services  
10 it proposes.

11 So they did not break it down in Farrar's  
12 testimony regarding interstate or intrastate. They threw  
13 it all together. We need to be able to see the  
14 information that's relevant to this particular request,  
15 both inter and intrastate.

16 If Sprint would have broken it down into  
17 intrastate and Farrar's testimony would be limited to  
18 intrastate, then I would agree. But the fact of the  
19 matter is is that wasn't done in this case. His analysis  
20 takes into consideration both interstate and intrastate  
21 revenues.

22 CHAIRMAN HANSON: Mr. Schenkenberg.

23 MR. SCHENKENBERG: Thank you.

24 I think that just highlights how far afield we  
25 have gone from what this Commission decided in May of

1 2012 to the question here is whether NAT can meet the  
2 requirements for a certificate. And the kinds of  
3 information we're talking about here simply just doesn't  
4 bear on that.

5 The question of what Sprint's interstate  
6 revenues are have nothing to do with NAT's financial  
7 viability. There isn't any reason to break down the  
8 Financial Viability Analysis into interstate and  
9 minuscule, if any, intrastate revenue.

10 I think NAT is on record saying it doesn't allow  
11 intrastate calling anyway. So there shouldn't be any  
12 intrastate revenue, if they're right.

13 But the question of Sprint's profits don't bear  
14 on NAT's ability to demonstrate the financial capacity to  
15 perform services for which it seeks a certificate.

16 I will also say that I know we've had this  
17 discussion already this morning, and Mr. Swier said  
18 Mr. Farrar's testimony is that Sprint is losing money.  
19 That's not true. That's not in his testimony. That's  
20 not a position we've taken. It's not a position we will  
21 take at hearing. So the discovery into that is not  
22 relevant.

23 CHAIRMAN HANSON: Thank you.

24 Any further questions by the Commission?

25 Is there a motion?

1 Commissioner Nelson.

2 COMMISSIONER NELSON: I move to grant Sprint's  
3 Motion to Quash.

4 CHAIRMAN HANSON: Discussion on that motion?

5 COMMISSIONER NELSON: I am compelled to agree  
6 with Mr. Schenkenberg's last argue. I fail to see how  
7 Sprint's profit and loss impacts the ultimate question  
8 we're going to have to resolve here today. I just don't  
9 see it being relevant or leading to anything relevant  
10 whatsoever, and I think it just goes too far afield.

11 CHAIRMAN HANSON: Absolutely. I agree  
12 100 percent.

13 With that, any further discussion on the motion?  
14 Commissioner Nelson.

15 COMMISSIONER NELSON: Aye.

16 CHAIRMAN HANSON: Commissioner Fiegen.

17 COMMISSIONER FIEGEN: Fiegen votes no.

18 CHAIRMAN HANSON: Hanson votes aye.

19 The motion carries.

20 Brings us to Request 7. Questions by the  
21 Commissioners on 7.

22 Mr. Swier's, Sprint's main arguments here are  
23 that Request 7 is vague. Is there some way that this can  
24 be clarified, shortly?

25 MR. SWIER: Mr. Chair, if I may, even though I

1 asked for all documents, I don't think it's vague. I  
2 think what we're asking for is we've narrowed it to the  
3 Crow Creek Reservation. And we're just asking for any  
4 documents related to Sprint providing telecommunications  
5 services on the reservation, which includes local and  
6 long distance.

7 So I think we have narrowed it. All we want is  
8 documents regarding and relating to the Crow Creek  
9 Reservation as Sprint provision of telecom services  
10 there.

11 We're not asking for any other venue. We're not  
12 asking for any other reservation. We're not asking for  
13 any other local exchange. We're simply asking for  
14 documents that relate specifically to Crow Creek and the  
15 provision of telecom services.

16 So we don't think it's vague. We think it's  
17 very narrow to the reservation and Fort Thompson. And I  
18 think those would just be some fundamental documents that  
19 we need to see, again, if they exist.

20 MS. AILTS WIEST: So this is limited to -- I  
21 think Mr. Schenkenberg asked the -- or referred to this  
22 in his response.

23 So it is limited to Sprint's provisions of  
24 service on the reservation; correct?

25 MR. SWIER: Yes.



1 MS. AILTS WIEST: Okay. Thank you.

2 CHAIRMAN HANSON: Any further questions?

3 Hearing none, is there a motion?

4 Commissioner Fiegen.

5 COMMISSIONER FIEGEN: Mr. Chairman, in Docket  
6 Request No. 7, move to deny the Motion to Squash [sic].

7 CHAIRMAN HANSON: Discussion on that motion?

8 Commissioner Nelson.

9 COMMISSIONER NELSON: Aye.

10 CHAIRMAN HANSON: Commissioner Fiegen.

11 COMMISSIONER FIEGEN: Fiegen votes aye.

12 CHAIRMAN HANSON: Hanson votes aye.

13 The motion carries.

14 Request 8. Through previous discussion I  
15 believe we arrived at the conclusion that this one could  
16 be supported.

17 COMMISSIONER FIEGEN: So, Mr. Chairman, do you  
18 want a motion on that one?

19 CHAIRMAN HANSON: Yes, I would. I'd like to  
20 have a --

21 MR. SCHENKENBERG: Mr. Chairman.

22 CHAIRMAN HANSON: Yes.

23 MR. SCHENKENBERG: And I apologize. When this  
24 was discussed earlier, I didn't get a chance to weigh in.

25 I think the intent of the Commissioners was to

1 try to narrow it in a way that could be responded to.  
2 And we jumped back to No. 1 before I had a chance to  
3 weigh in.

4 CHAIRMAN HANSON: Mr. Schenkenberg, I believe  
5 that the discussion right now is to support Sprint's  
6 Motion to Quash.

7 MR. SCHENKENBERG: Okay.

8 CHAIRMAN HANSON: So as my father used to tell  
9 me, don't talk after the sale.

10 MR. SCHENKENBERG: Thank you.

11 CHAIRMAN HANSON: Is there a motion?

12 COMMISSIONER FIEGEN: Mr. Chairman, in Docket  
13 Request No. 8, move to grant the motion to squash.

14 CHAIRMAN HANSON: Thank you. Discussion on that  
15 motion?

16 Commissioner Nelson.

17 COMMISSIONER NELSON: Aye.

18 CHAIRMAN HANSON: Commissioner Fiegen.

19 COMMISSIONER FIEGEN: Fiegen votes aye.

20 CHAIRMAN HANSON: Hanson votes aye.

21 The motion carries.

22 COMMISSIONER FIEGEN: Just for discussionary  
23 purposes, that was because the party withdrew.

24 CHAIRMAN HANSON: Okay. Request No. 9, 10, and  
25 11 will be taken together.

1 Any questions by the Commission on 9, 10, and  
2 11?

3 Anyone else wishing to weigh in?

4 And I look at Ms. Cremer and Ms. Wiest when I  
5 asked that question.

6 Commissioners, do you have a motion on 9, 10,  
7 and 11?

8 Commissioner Nelson.

9 COMMISSIONER NELSON: Move to deny the Motion to  
10 Quash.

11 CHAIRMAN HANSON: Discussion on the motion.

12 Commissioner Nelson.

13 COMMISSIONER NELSON: Aye.

14 CHAIRMAN HANSON: Commissioner Fiegen.

15 COMMISSIONER FIEGEN: Fiegen votes aye.

16 CHAIRMAN HANSON: Hanson votes aye.

17 The motion carries.

18 Document Request 12. Questions by the  
19 Commission.

20 Commissioner Fiegen.

21 COMMISSIONER FIEGEN: Is Docket No. 12 very  
22 similar to Docket No. 1 Request, Ms. Wiest?

23 MS. AILTS WIEST: Oh, I think 12A is very  
24 similar, Sprint's rate to the NAT exchange as listed in  
25 its wholesale rate DEC.

1           CHAIRMAN HANSON: Can that one be -- I have to  
2 look back at what we did on 1.

3           MS. AILTS WIEST: I believe 1 was clarified that  
4 we were talking about rates Sprint charges other carriers  
5 to deliver calls to NAT.

6           CHAIRMAN HANSON: Correct.

7           MS. AILTS WIEST: And it seems to be similar to  
8 A here.

9           CHAIRMAN HANSON: Commissioner Fiegen, you have  
10 the floor.

11           Do you have any further questions?

12           COMMISSIONER FIEGEN: So B would be a new  
13 request yet?

14           MS. AILTS WIEST: I believe so.

15           COMMISSIONER FIEGEN: Thank you.

16           CHAIRMAN HANSON: Commissioner Nelson?

17           MS. AILTS WIEST: I think you could still  
18 include A, but it might be somewhat duplicative of the  
19 first one, depending on what the motion is.

20           CHAIRMAN HANSON: Are there any further  
21 questions by the Commissioners on Request 12?

22           Is there a motion?

23           COMMISSIONER NELSON: And I really hate to do  
24 this, but I'm going to split this. I am going to move to  
25 grant the Motion to Quash on 12C and deny the Motion on

1 12A and B. And if I might --

2 CHAIRMAN HANSON: Go ahead.

3 COMMISSIONER NELSON: My rationale being we just  
4 dealt with a question of profit and loss and agreed that  
5 that was not an appropriate item for a document request,  
6 that it was too far afield. And 12C deals with profits  
7 again.

8 And so I'm not sure that in keeping with our  
9 prior decision that that ought to be included, but  
10 certainly A and B should be.

11 MR. SWIER: May I respond to that, Mr. Chair?  
12 This is Mr. Swier.

13 CHAIRMAN HANSON: Go ahead.

14 MR. SWIER: Regarding 12C, I think that that  
15 information is important because unlike the previous  
16 Interrogatory, we're not asking for wide ranging profit  
17 and loss statements from Sprint here. We're asking are  
18 there profits from the traffic to the NAT exchange, such  
19 as employing methods such as nonpayment.

20 I think what we're looking at here is there is a  
21 bias and a reason as to why Sprint is combatting this  
22 CLEC application as hard as it is. And I think as part  
23 of that bias obviously any profit or loss regarding this  
24 particular exchange would be relevant to show bias on  
25 behalf of Sprint and their witnesses to show that one

1 of the reasons they're doing this is for financial  
2 reasons.

3 And I think that because of those financial  
4 reasons, any testimony presented by Sprint, we should be  
5 able to show that one of the reasons that they're doing  
6 this and showing the bias to the witnesses is because the  
7 bottom line for a huge company.

8 And I think since we've limited it just to NAT's  
9 exchange, that with all due respect, I think that  
10 information should be provided because it is limited just  
11 to the NAT exchange.

12 MR. SCHENKENBERG: May I, Mr. Chairman?

13 CHAIRMAN HANSON: Yes. We're -- the three of us  
14 are reading and pondering and absorbing. So please go  
15 ahead.

16 MR. SCHENKENBERG: Thank you. I think B and C  
17 are both within the ruling on 6. I guess minutes of use  
18 wasn't addressed in 6. But it's payments. I think B and  
19 C are both addressed by 6 and are too far afield. And I  
20 think B and C -- B is certainly covered by  
21 Mr. Tillotson's Affidavit, and I would certainly hope  
22 consistent with prior discussions to the extent any  
23 motion is denied on B and C that what Sprint's obligation  
24 is is to provide that which it already has or that which  
25 can be generated in what I think Mr. Swier referred to as

1 a couple of clicks. But I don't believe Sprint has or  
2 keeps profits with respect to traffic to a single  
3 exchange.

4 CHAIRMAN HANSON: Are there any further  
5 questions from the Commissioners?

6 We have a motion before us.

7 Any discussion on that motion?

8 I will ask for a vote then.

9 Commissioner Nelson.

10 COMMISSIONER NELSON: Aye.

11 CHAIRMAN HANSON: Commissioner Fiegen.

12 COMMISSIONER FIEGEN: Fiegen votes no.

13 CHAIRMAN HANSON: Hanson votes no.

14 The motion fails.

15 You may wish to take those individually, B and  
16 C. I don't know -- and the motion was to deny A and B  
17 and support C.

18 COMMISSIONER FIEGEN: First of all,  
19 Mr. Chairman, if I could have one second.

20 CHAIRMAN HANSON: Go ahead.

21 COMMISSIONER FIEGEN: In A I believe that that  
22 is already asked for. So I think we could grant the  
23 motion to squash because I think it's already in a  
24 similar document request; is that correct?

25 MS. AILTS WIEST: I wouldn't then grant it to

1 quash, though. I mean, there wouldn't be any harm with  
2 denying the Motion to Quash.

3 I think it sends a mixed message if you say it's  
4 already been granted then we're denying it here.

5 COMMISSIONER FIEGEN: Because the party hasn't  
6 agreed to withdraw or eliminate it.

7 MS. AILTS WIEST: Right. It wasn't one of  
8 those. It's not the same situation as some of these  
9 others.

10 COMMISSIONER FIEGEN: Okay.

11 CHAIRMAN HANSON: Forgive me. I was  
12 following -- reading some other portion. You're saying  
13 on A then that it would not be appropriate to support  
14 Sprint's Motion to Quash A?

15 MS. AILTS WIEST: Right.

16 COMMISSIONER FIEGEN: Okay. So then at this  
17 time if you'd like a motion on A, we are certainly ready  
18 for that one.

19 CHAIRMAN HANSON: I'm -- the Chair is open to  
20 entertain any motions on Document Request 12.

21 COMMISSIONER NELSON: Go ahead.

22 COMMISSIONER FIEGEN: So, Mr. Chairman, in  
23 Document Request 12, Subsection A, move to deny the  
24 motion to squash.

25 CHAIRMAN HANSON: Discussion on that motion.



1 Commissioner Nelson.

2 COMMISSIONER NELSON: Aye.

3 CHAIRMAN HANSON: Commissioner Fiegen.

4 COMMISSIONER FIEGEN: Fiegen votes aye.

5 CHAIRMAN HANSON: Hanson votes aye.

6 The motion carries.

7 Document Request 12(b).

8 COMMISSIONER FIEGEN: Mr. Chairman, on Docket  
9 Request 12(b) move to deny the motion to squash.

10 CHAIRMAN HANSON: Discussion on the motion.

11 Commissioner Nelson.

12 COMMISSIONER NELSON: Aye.

13 CHAIRMAN HANSON: Commissioner Fiegen.

14 COMMISSIONER FIEGEN: Fiegen votes aye.

15 CHAIRMAN HANSON: Hanson votes no.

16 The motion carries.

17 Document 12C.

18 COMMISSIONER FIEGEN: And this is the one that  
19 Commissioner Nelson and Fiegen probably disagree on. So  
20 whoever wants to make the motion is fine.

21 CHAIRMAN HANSON: Commissioner Fiegen.

22 COMMISSIONER NELSON: I lost my motion so go  
23 ahead and try one that might pass.

24 CHAIRMAN HANSON: Commissioner Nelson is  
25 acquiescing [sic] to Commissioner Fiegen for making a

1 motion on 12C.

2 COMMISSIONER FIEGEN: So on -- Mr. Chairman, on  
3 12, Subsection C, I move to deny the motion to squash.

4 CHAIRMAN HANSON: Any discussion on that motion?

5 COMMISSIONER NELSON: If I might, Mr. -- well --  
6 if I might, Mr. Chairman, I would simply reiterate on  
7 Document Request 6 where we were dealing with almost the  
8 very same question dealing with profits or losses  
9 realized by Sprint traffic terminated at NAT, which is  
10 essentially the same question we're dealing with here, we  
11 said that that was too far afield, that that was  
12 inappropriate. And so I'm not understanding the --

13 COMMISSIONER FIEGEN: And that was a split vote.

14 COMMISSIONER NELSON: I understand. And so I'm  
15 not understanding what the difference is, and I think we  
16 need to be consistent in our decisions, and so,  
17 therefore, I'm not going to support the motion.

18 CHAIRMAN HANSON: And Commissioner Fiegen would  
19 argue that she's being consistent on her side, and you're  
20 being consistent on your side. Whether I will be  
21 inconsistent or consistent is the question.

22 COMMISSIONER NELSON: You're feeling that pinch,  
23 huh?

24 CHAIRMAN HANSON: Are we done with discussion?

25 Commissioner Nelson, this is on the vote.

1 COMMISSIONER NELSON: Nay.

2 CHAIRMAN HANSON: Commissioner Fiegen.

3 COMMISSIONER FIEGEN: Fiegen votes aye.

4 CHAIRMAN HANSON: Commissioner Hanson votes no.  
5 The motion does not carry.

6 On parliamentary procedure, only the person in  
7 the majority may reconsider the vote, move to make  
8 reconsideration of the vote.

9 So, Commissioner Nelson, do you wish to make a  
10 motion to reconsider the vote on the Document Request 12  
11 so that we can --

12 Oh, excuse me. I'm wondering if we disposed of  
13 it. I think we disposed of it because we had a -- the  
14 motion was not to quash. Okay. We're fine then.

15 COMMISSIONER NELSON: No.

16 MS. AILTS WIEST: There hasn't been a decision  
17 on 12C then; right?

18 CHAIRMAN HANSON: The motion was not --

19 COMMISSIONER FIEGEN: Could I ask the question  
20 of counsel?

21 CHAIRMAN HANSON: Please, go ahead.

22 COMMISSIONER FIEGEN: If we now split the vote,  
23 we've split it three different ways, is that considered a  
24 different motion where Commissioner Nelson can make  
25 another motion, or is that --

1           CHAIRMAN HANSON: He cannot make a motion that  
2 would include A and B because we've disposed of those.  
3 The parliamentary procedure is such that only a party in  
4 the majority may make a Motion For Reconsideration of a  
5 vote.

6           I'm just now looking at your motion was to deny  
7 Sprint's profit -- deny Sprint's Motion to Quash. So we  
8 have disposed of C, in my estimate.

9           COMMISSIONER FIEGEN: But it failed; correct?

10          CHAIRMAN HANSON: Oh, that's correct. Thank  
11 you. I knew there was some machinations there I was --  
12 so at this juncture, Commissioner Nelson or I can make a  
13 motion to reconsider that motion and to make it a double  
14 motion.

15          Excuse me. It would be a new motion. Forgive  
16 me for wrestling in front of everyone here. But we need  
17 to do this correctly.

18          So since that motion failed and a new motion  
19 would be a completely different one to deny since --  
20 yours was to deny so we can make one to support. Now  
21 that I've wrestled --

22          COMMISSIONER NELSON: Mr. Chairman, I agree with  
23 where you come out. If I might, I would move that we  
24 grant Sprint's Motion to Quash 12C.

25          CHAIRMAN HANSON: Thank you.

1           Any further discussion now that I'm done arguing  
2 with myself?

3           Commissioner Nelson.

4           COMMISSIONER NELSON: Aye.

5           CHAIRMAN HANSON: Commissioner Fiegen.

6           COMMISSIONER FIEGEN: Fiegen votes no.

7           CHAIRMAN HANSON: Hanson votes aye.

8           The motion carries.

9           We will then move to Document Request 13. And  
10 there has been some discussion on limiting that from  
11 January 9 to the present. Is there any further questions  
12 to be asked of the parties?

13           Commissioners?

14           If not, is there a motion?

15           COMMISSIONER NELSON: Mr. Chairman, I would move  
16 to deny the Motion to Quash with the understanding that  
17 it be documents beginning January 1, 2009.

18           CHAIRMAN HANSON: Thank you.

19           Discussion on that motion?

20           MR. SCHENKENBERG: Mr. Chairman, I'm sorry. May  
21 I be heard on -- maybe I'm confused.

22           CHAIRMAN HANSON: Go ahead, Mr. Schenkenberg.

23           MR. SCHENKENBERG: I'm sorry. I thought the  
24 discussion was this was tied to Document Request 8, which  
25 asks about documents related to payments by Sprint to

1 other local exchange carriers. And I thought -- and that  
2 was granted.

3 So I think this is a request for information  
4 regarding all of Sprint's payments for all access  
5 stimulation traffic nationwide. We've had evidence in on  
6 burdens as well as relevance and extending beyond that  
7 and beyond South Dakota.

8 COMMISSIONER NELSON: If I might, Mr. Chairman,  
9 my understanding was that, you know, these covered --  
10 that, yes, Document Request 13 was more expansive than 8  
11 and that, you know, we disposed of 8 but that wasn't  
12 determinative of what we were going to do with 13 since  
13 it's more expansive.

14 MR. SCHENKENBERG: Thank you. And I apologize  
15 for my confusion. I just wanted to be real clear that  
16 this is an extraordinarily burdensome request.

17 The testimony of Ms. Roach really was about what  
18 do you have to do to identify the payments that you've  
19 made for that which has been determined to be pumped  
20 traffic or access stimulation traffic going back even to  
21 2009, given the number of disputes Sprint has had in this  
22 area throughout the country.

23 This is not something that you ordered Sprint to  
24 produce in the Northern Valley case because of burden.

25 CHAIRMAN HANSON: Thank you.

1           MR. SWIER:  If I may, Mr. Chair, this is  
2 Mr. Swier.

3           CHAIRMAN HANSON:  Go ahead, Mr. Swier.

4           MR. SWIER:  Sprint has been involved in dozens  
5 of these type of lawsuits throughout the country.  I  
6 would find it highly unusual if they don't have this  
7 information readily available and have had to produce it  
8 in several other of the dozens of cases throughout the  
9 country.

10           So to say that this would be burdensome, again,  
11 Sprint is the party who intervened in this case.  The  
12 information -- this is not the first time this question  
13 has been asked, and I'm confident in saying that other  
14 courts have probably made Sprint produce this.

15           Do they like to produce it?  No.  But they put  
16 themselves in this case, and to say that they've never  
17 had to provide that information in any of the other cases  
18 and it would be incredibly burdensome, I find that  
19 difficult to believe.  I'm guessing it's done and it's  
20 sitting either in an e-mail or it's sitting on CD  
21 somewhere and could be easily produced.

22           CHAIRMAN HANSON:  Mr. Swier, you've stated  
23 probably and you guess.  I'm inferring from that that you  
24 don't have any proof that these documents exist.

25           MR. SWIER:  Well, I don't know what documents

1 exist, Mr. Chair. That's why we're asking for them. If  
2 they say under oath that the documents don't exist, of  
3 course, we take that as face value.

4 But I don't know if they exist. That's why  
5 we're asking the question that if they do, they should be  
6 ordered to provide them.

7 CHAIRMAN HANSON: Well, I take  
8 Mr. Schenkenberg's -- just as I do with you, his  
9 statements as officers of the court that you're telling  
10 us the truth when you're chatting with us here today.

11 Any further questions by the Commissioners?

12 Is there a motion?

13 COMMISSIONER FIEGEN: So I'm assuming, once  
14 again, NAT has expressed that if the reports are readily  
15 available, like they said -- Mr. Shultz said, with a  
16 couple of clicks, that's what they're looking for.  
17 They're not looking for some programmer to go find all of  
18 this information.

19 CHAIRMAN HANSON: I'll inquiring of --  
20 Mr. Schenkenberg's saying that it's quite burdensome to  
21 provide the information.

22 Any further questions or discussion?

23 MR. SCHENKENBERG: Mr. Chairman, can I just  
24 speak briefly as to South Dakota?

25 CHAIRMAN HANSON: Mr. Schenkenberg, go ahead.



1 MR. SCHENKENBERG: Thank you.

2 I think as to South Dakota what Ms. Roach has  
3 said is these are disputed when we find them, and then  
4 the cases get settled. And there are settlement  
5 agreements and payments made or whatever arrangements are  
6 made within settlement agreements.

7 I think part of the question I have here is if  
8 you move forward whether you're ordering Sprint to  
9 produce settlement agreements that Sprint has. As this  
10 Commission knows with Sancom, Northern Valley, and I'm  
11 sorry I'm blanking on the third, but there were three  
12 that were involved that were local exchange carriers.  
13 And if I recall, I think that's maybe what you did in the  
14 Northern Valley case was say produce those.

15 We'd argue those aren't going to be admissible  
16 anyway because settlement agreements aren't admissible.  
17 But the payments related to access stimulation traffic,  
18 technically I think that request refers to settlement  
19 agreements, and I just wanted to make sure that was  
20 understood by the Commission.

21 CHAIRMAN HANSON: Thank you.

22 MR. SWIER: And if I may, this is Mr. Swier  
23 again. May I, Mr. Chair?

24 CHAIRMAN HANSON: Go ahead.

25 MR. SWIER: With regard to the settlement

1 agreements, the reason that we way back when this case  
2 started we have a protective order in place, which covers  
3 both confidential and attorneys' eyes only production.

4 We have already provided hundreds and hundreds  
5 of documents to Sprint which we designated either  
6 confidential or AEO under the Commission's protective  
7 order. Those documents that Mr. Schenkenberg's talking  
8 about.

9 First of all, he said confidential documents  
10 are never admissible in a proceeding. I believe that's  
11 what he said. And that's absolutely false, as the  
12 Commission knows. The Commission has procedures for  
13 dealing with confidential, trade secret, or financial  
14 information.

15 So, yeah, we're asking for those confidential  
16 settlements, and if they want to designate those as  
17 confidential or AEO like we've done with documents, then  
18 they can do that, and we'll abide by the protective  
19 order.

20 But to just say that because they're  
21 confidential that they're not discoverable is absolutely  
22 wrong. So we think that we should have access to those  
23 as part of this request.

24 CHAIRMAN HANSON: Further questions by the  
25 Commissioners?

1           Is there a motion?

2           Do we have a motion before us? I don't believe  
3 we do. I will make a motion that the Commission support  
4 Sprint's Motion to Quash Document Request 13.

5           Discussion on that motion.

6           Hearing none, Commissioner Nelson.

7           COMMISSIONER NELSON: Nay.

8           CHAIRMAN HANSON: Commissioner Fiegen.

9           COMMISSIONER FIEGEN: Nay.

10          CHAIRMAN HANSON: Hanson votes aye.

11          The motion fails.

12          Waiting for a motion.

13          COMMISSIONER NELSON: Move to deny the Motion to  
14 Quash on Document Request 13.

15          CHAIRMAN HANSON: Discussion on that motion.

16          Commissioner Nelson.

17          COMMISSIONER NELSON: Aye.

18          CHAIRMAN HANSON: Commissioner Fiegen.

19          COMMISSIONER FIEGEN: Fiegen votes aye.

20          CHAIRMAN HANSON: Hanson votes no.

21          Motion carries.

22          Document Request 14. Are there any questions by  
23 the Commissioners on 14?

24          Is there a motion on Document Request 14?

25          MS. AILTS WIEST: I have a question.

1           CHAIRMAN HANSON: Ms. Wiest, do you have a  
2 comment or question?

3           MS. AILTS WIEST: Right. To NAT. I believe  
4 Sprint stated that the information is vague. Can you be  
5 clearer in what kind of documents or written statements  
6 you're referring to here?

7           MR. SWIER: I can. First of all, of course,  
8 these document requests were provided to Sprint before we  
9 received their written testimony on the 30th.

10           Sprint has indicated that with regard to  
11 Mr. Farrar's testimony that they have provided all the  
12 documents. And as the Commission and the Staff know, we  
13 received probably 1,000 pages of various exhibits and  
14 things like that with Mr. Farrar's testimony.

15           My position on 14 would be if there are any  
16 other documents that were not included as an attachment  
17 to Mr. Farrar's written testimony, that those documents  
18 be provided.

19           I'm sure the documents provided with  
20 Mr. Farrar's testimony would be favorable to Sprint and  
21 its expert. So what we're asking for is anything that's  
22 not produced yet as an attachment from Mr. Farrar's  
23 written testimony.

24           MS. AILTS WIEST: I'm still not clear as to any  
25 documents that were not produced? That seems very

1 vague.

2 MR. SWIER: Well, any documents that Sprint  
3 would have in its possession regarding anything that they  
4 relied upon relating to NAT's application. So, in other  
5 words, any documents nonprivileged that relate to NAT's  
6 application, those should have to be produced, as long as  
7 they're not privileged documents.

8 MS. AILTS WIEST: I believe that  
9 Mr. Schenkenberg stated that all documents that he relied  
10 on were produced.

11 Is that correct, Mr. Schenkenberg?

12 MR. SCHENKENBERG: All of the documents that  
13 Mr. Farrar relies on are referred to or attached. I  
14 think they're all attached. But we're certainly not  
15 hiding anything.

16 And we don't have any other witnesses. So there  
17 aren't any other written statements of potential  
18 witnesses, which is what I always understand this request  
19 to go to.

20 MS. AILTS WIEST: So, you know, it could be that  
21 the Commission could deny the Motion to Quash, and then I  
22 believe Sprint's response would be that it has already  
23 been provided.

24 CHAIRMAN HANSON: Any further questions by the  
25 Commission?

1 Commissioner Nelson?

2 COMMISSIONER NELSON: Move to deny the Motion to  
3 Quash.

4 CHAIRMAN HANSON: Discussion on that motion?  
5 Commissioner Nelson.

6 COMMISSIONER NELSON: Aye.

7 CHAIRMAN HANSON: Fiegen.

8 COMMISSIONER FIEGEN: Fiegen votes aye.

9 CHAIRMAN HANSON: Hanson votes aye.  
10 The motion carries.

11 Document Request 15. Are there -- this does not  
12 appear to be an uncommon request.

13 Mr. Schenkenberg?

14 MR. SCHENKENBERG: Yes, Mr. Chairman. I think  
15 we can -- given you denied the motion as it relates to  
16 some other request, I believe we can provide -- I believe  
17 I can ask Mr. Swier to provide something that be  
18 satisfactory to him on this.

19 CHAIRMAN HANSON: Thank you. It just refers to  
20 policy that's in effect at that time. So is there a  
21 motion on --

22 MR. SCHENKENBERG: Can we make that 2009, which  
23 is --

24 CHAIRMAN HANSON: Consistent?

25 MR. SCHENKENBERG: Consistent with when NAT

1 started providing service?

2 MR. SWIER: And I don't object to that. This is  
3 Mr. Swier.

4 CHAIRMAN HANSON: Thank you. I will move  
5 that -- that the Commission, excuse me, deny Sprint's  
6 Motion to Quash Deposition on Request 15 and that it  
7 relate to policy documents that were in effect from 2009  
8 to the present.

9 Any discussion on that motion?

10 Commissioner Nelson?

11 COMMISSIONER NELSON: Aye.

12 CHAIRMAN HANSON: Commissioner Fiegen.

13 COMMISSIONER FIEGEN: Fiegen votes aye.

14 CHAIRMAN HANSON: Hanson votes aye.

15 The motion carries.

16 That brings us to NAT's specific deposition  
17 topics and deposition notice of Sprint. I'll give the  
18 parties an opportunity to make brief comments on that at  
19 this juncture, although I -- well, I'll let NAT go  
20 first.

21 MR. SWIER: Mr. Chair, you're talking about the  
22 30(b)(6) notice that we've provided to Sprint; is that  
23 correct?

24 CHAIRMAN HANSON: We have specific deposition  
25 topics. I'm not sure if you're following them.

1 MR. SCHENKENBERG: Can I make a suggestion?

2 CHAIRMAN HANSON: Go ahead.

3 MR. SCHENKENBERG: As I noted earlier, I think  
4 standard practice would have been to serve this document  
5 request, get the documents, and then identify deposition  
6 topics coming out of those.

7 I think perhaps if documents are produced, when  
8 documents are produced, I suspect the parties can then  
9 revisit these topics to identify for -- what witnesses  
10 would need to be available.

11 I mean, if we provide the documents that are  
12 responsive, Mr. Swier may or may not need to have a  
13 witness on the existence of those documents. I think we  
14 can probably work out deposition topics when documents  
15 are produced. And certainly Mr. Swier is going to want  
16 documents produced ahead of time.

17 MR. SWIER: Mr. Chair, I'm sorry. This is  
18 Mr. Swier. I wouldn't oppose Mr. Schenkenberg in order  
19 to save some of the Commission's time on tediously going  
20 through this next document, I would hope that Mr. Shultz  
21 and Mr. Schenkenberg could maybe work something out here  
22 so that the Commission could get on with its remaining  
23 agenda today.

24 CHAIRMAN HANSON: Thank you. So if we make a  
25 Motion to Deny Sprint's Motion to Quash on -- excuse me.



1 This is NAT's specific deposition.

2 MS. AILTS WIEST: I would just take no action.

3 CHAIRMAN HANSON: Yeah. We're no longer on  
4 Sprint's Motion to Quash.

5 MR. SWIER: And then, of course, NAT would  
6 reserve the right that if Mr. Schenkenberg and Mr. Shultz  
7 can't agree -- hopefully they can, but if they can't  
8 we'd, of course, reserve the right to come back before  
9 the Commission to make specific rulings.

10 CHAIRMAN HANSON: Thank you. We appreciate the  
11 two of you working together on that.

12 That brings us to Sprint's request for fees.  
13 And since we granted and did not grant -- excuse me.  
14 Since we did not grant some of Sprint's Motion to Quash,  
15 it's not appropriate to grant fees.

16 Is there a motion?

17 COMMISSIONER NELSON: Move to deny.

18 CHAIRMAN HANSON: Discussion on the motion?

19 Commissioner Nelson.

20 COMMISSIONER NELSON: Aye.

21 CHAIRMAN HANSON: Commissioner Fiegen.

22 COMMISSIONER FIEGEN: Fiegen votes aye.

23 CHAIRMAN HANSON: Hanson votes aye. The motion  
24 carries.

25 Thank you, everyone for your participation in

1 that item.

2 (The proceeding is concluded at 11:35 a.m.)

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF SOUTH DAKOTA)

2 :SS CERTIFICATE

3 COUNTY OF SULLY )

4

5 I, CHERI MCCOMSEY WITTLER, a Registered  
6 Professional Reporter, Certified Realtime Reporter and  
7 Notary Public in and for the State of South Dakota:

8 DO HEREBY CERTIFY that as the duly-appointed  
9 shorthand reporter, I took in shorthand the proceedings  
10 had in the above-entitled matter on the 10th day of  
11 September, 2013, and that the attached is a true and  
12 correct transcription of the proceedings so taken.

13 Dated at Onida, South Dakota this 23rd day of  
14 September, 2013.

15

16

17

18

Cheri McComsey Wittler,  
Notary Public and  
Registered Professional Reporter  
Certified Realtime Reporter

19

20

21

22

23

24

25

	<b>21st</b> [2] - 28:22, 29:22 <b>23rd</b> [1] - 83:13 <b>26</b> [1] - 20:8 <b>29</b> [1] - 7:1	<b>9:30</b> [1] - 2:5	<b>admissions</b> [1] - 18:19 <b>adopted</b> [1] - 7:4 <b>advantage</b> [1] - 32:11 <b>AEO</b> [2] - 74:6, 74:17 <b>Affidavit</b> [6] - 25:20, 31:11, 31:14, 34:1, 34:23, 62:21 <b>Affidavits</b> [3] - 25:19, 26:21, 31:19 <b>afield</b> [5] - 53:24, 55:10, 61:6, 62:19, 66:11 <b>agenda</b> [2] - 45:5, 80:23 <b>ago</b> [2] - 23:14, 23:15 <b>agree</b> [11] - 5:12, 6:16, 13:18, 20:21, 22:8, 44:23, 53:18, 55:5, 55:11, 68:22, 81:7 <b>agreed</b> [2] - 61:4, 64:6 <b>agreeing</b> [2] - 40:6, 40:25 <b>agreement</b> [1] - 17:3 <b>agreements</b> [6] - 73:5, 73:6, 73:9, 73:16, 73:19, 74:1 <b>ahead</b> [18] - 19:4, 20:13, 31:8, 43:23, 47:11, 61:2, 61:13, 62:15, 63:20, 64:21, 65:23, 67:21, 69:22, 71:3, 72:25, 73:24, 80:2, 80:16 <b>Ailts</b> [1] - 1:14 <b>AILTS</b> [45] - 10:6, 11:4, 11:8, 12:15, 15:25, 17:21, 19:15, 19:19, 36:15, 36:19, 38:19, 38:24, 39:7, 40:10, 40:16, 40:22, 41:7, 41:11, 41:16, 42:16, 42:23, 43:5, 43:9, 44:20, 44:25, 46:20, 47:5, 49:1, 56:20, 57:1, 59:23, 60:3, 60:7, 60:14, 60:17, 63:25, 64:7, 64:15, 67:16, 75:25, 76:3, 76:24, 77:8, 77:20, 81:2 <b>allegation</b> [2] - 52:9, 52:11 <b>allegations</b> [5] - 7:15, 7:17, 8:15, 13:12, 47:25 <b>alleging</b> [1] - 52:6 <b>allow</b> [15] - 7:8, 8:9, 8:22, 9:3, 9:21, 10:11, 16:6, 17:16,	20:17, 22:19, 23:11, 29:10, 29:11, 42:4, 54:10 <b>allowed</b> [4] - 7:19, 12:4, 18:14, 46:25 <b>allowing</b> [1] - 14:2 <b>alluded</b> [1] - 46:22 <b>almost</b> [1] - 66:7 <b>amended</b> [3] - 20:3, 41:24, 42:5 <b>American</b> [3] - 1:21, 1:22, 3:3 <b>AMERICAN</b> [1] - 1:4 <b>analysis</b> [3] - 27:17, 53:19, 54:8 <b>AND</b> [1] - 1:6 <b>answer</b> [3] - 16:21, 18:1, 27:1 <b>answered</b> [2] - 48:3, 49:2 <b>antiquated</b> [5] - 16:4, 16:9, 20:3, 20:22, 20:25 <b>anyway</b> [2] - 54:11, 73:16 <b>apologize</b> [2] - 57:23, 70:14 <b>appear</b> [4] - 4:13, 41:2, 41:4, 78:12 <b>APPEARANCES</b> [1] - 1:20 <b>applicable</b> [1] - 4:20 <b>APPLICATION</b> [1] - 1:4 <b>application</b> [10] - 3:3, 4:17, 8:19, 9:6, 9:15, 11:17, 26:17, 61:22, 77:4, 77:6 <b>applies</b> [3] - 5:6, 24:18, 25:9 <b>apply</b> [4] - 4:23, 5:21, 23:25, 24:19 <b>appointed</b> [1] - 83:8 <b>appreciate</b> [3] - 20:19, 21:12, 81:10 <b>appropriate</b> [5] - 21:5, 40:6, 61:5, 64:13, 81:15 <b>area</b> [1] - 70:22 <b>areas</b> [1] - 29:24 <b>argue</b> [8] - 3:20, 3:22, 4:1, 11:1, 21:21, 55:6, 66:19, 73:15 <b>argued</b> [1] - 22:23 <b>argues</b> [1] - 51:24 <b>arguing</b> [5] - 7:21, 18:25, 21:6, 21:7, 69:1 <b>argument</b> [9] - 4:18, 5:18, 13:25, 22:19,
<b>'09</b> [1] - 37:7 <b>'12</b> [1] - 34:16		<b>A</b>		
<b>1</b>	<b>3</b>	<b>a.m</b> [2] - 2:5, 82:2 <b>abide</b> [1] - 74:18 <b>ability</b> [6] - 25:2, 51:25, 52:8, 52:10, 53:2, 54:14 <b>able</b> [5] - 7:18, 49:17, 53:9, 53:13, 62:5 <b>above-entitled</b> [2] - 2:2, 83:10 <b>absolutely</b> [3] - 55:11, 74:11, 74:21 <b>absorbing</b> [1] - 62:14 <b>accept</b> [1] - 6:16 <b>access</b> [38] - 6:6, 8:17, 8:23, 9:10, 9:12, 11:10, 11:11, 12:8, 12:10, 25:17, 25:22, 25:23, 26:3, 28:7, 28:8, 28:15, 29:14, 30:13, 30:17, 31:25, 32:1, 32:2, 32:12, 32:16, 34:5, 34:7, 34:20, 36:7, 36:16, 38:21, 38:25, 39:3, 39:15, 70:4, 70:20, 73:17, 74:22 <b>accessible</b> [1] - 30:2 <b>accommodate</b> [1] - 18:6 <b>accusation</b> [2] - 11:16, 29:21 <b>accusations</b> [6] - 6:4, 8:12, 9:5, 11:22, 29:13, 32:20 <b>acquiring</b> [1] - 65:25 <b>action</b> [4] - 43:7, 43:11, 45:3, 81:2 <b>activities</b> [1] - 25:6 <b>actual</b> [1] - 31:18 <b>additional</b> [4] - 19:20, 46:13, 48:11, 48:23 <b>address</b> [8] - 10:15, 23:1, 23:4, 25:4, 25:13, 26:20, 34:12, 36:20 <b>addressed</b> [4] - 27:4, 34:16, 62:18, 62:19 <b>administrative</b> [1] - 16:6 <b>admissibility</b> [1] - 8:6 <b>admissible</b> [5] - 24:2, 30:7, 73:15, 73:16, 74:10 <b>admission</b> [1] - 10:18		
	<b>4</b>			
<b>1</b> [22] - 37:6, 37:19, 37:25, 38:10, 39:9, 41:4, 41:12, 41:19, 41:20, 41:23, 42:24, 42:25, 43:2, 44:6, 44:12, 44:15, 50:22, 58:2, 59:22, 60:2, 60:3, 69:17 <b>1,000</b> [1] - 76:13 <b>10</b> [5] - 1:9, 49:21, 58:24, 59:1, 59:6 <b>100</b> [1] - 55:12 <b>10th</b> [2] - 2:4, 83:10 <b>11</b> [3] - 58:25, 59:2, 59:7 <b>11:35</b> [1] - 82:2 <b>12</b> [9] - 40:11, 40:19, 59:18, 59:21, 60:21, 64:20, 64:23, 66:3, 67:10 <b>12(b)</b> [1] - 65:9 <b>12(b)</b> [1] - 65:7 <b>12A</b> [4] - 40:23, 41:2, 59:23, 61:1 <b>12C</b> [7] - 60:25, 61:6, 61:14, 65:17, 66:1, 67:17, 68:24 <b>13</b> [7] - 36:15, 36:24, 69:9, 70:10, 70:12, 75:4, 75:14 <b>14</b> [4] - 75:22, 75:23, 75:24, 76:15 <b>15</b> [3] - 37:10, 78:11, 79:6 <b>150</b> [1] - 35:19 <b>18</b> [1] - 28:25	<b>3</b> [10] - 42:16, 42:20, 43:3, 43:10, 43:15, 43:20, 44:2, 44:20, 45:1, 45:18 <b>30</b> [1] - 11:21 <b>30(b)(6)</b> [2] - 49:8, 79:22 <b>300</b> [1] - 35:21 <b>30th</b> [2] - 14:16, 76:9			
	<b>5</b>			
<b>1</b> [22] - 37:6, 37:19, 37:25, 38:10, 39:9, 41:4, 41:12, 41:19, 41:20, 41:23, 42:24, 42:25, 43:2, 44:6, 44:12, 44:15, 50:22, 58:2, 59:22, 60:2, 60:3, 69:17 <b>1,000</b> [1] - 76:13 <b>10</b> [5] - 1:9, 49:21, 58:24, 59:1, 59:6 <b>100</b> [1] - 55:12 <b>10th</b> [2] - 2:4, 83:10 <b>11</b> [3] - 58:25, 59:2, 59:7 <b>11:35</b> [1] - 82:2 <b>12</b> [9] - 40:11, 40:19, 59:18, 59:21, 60:21, 64:20, 64:23, 66:3, 67:10 <b>12(b)</b> [1] - 65:9 <b>12(b)</b> [1] - 65:7 <b>12A</b> [4] - 40:23, 41:2, 59:23, 61:1 <b>12C</b> [7] - 60:25, 61:6, 61:14, 65:17, 66:1, 67:17, 68:24 <b>13</b> [7] - 36:15, 36:24, 69:9, 70:10, 70:12, 75:4, 75:14 <b>14</b> [4] - 75:22, 75:23, 75:24, 76:15 <b>15</b> [3] - 37:10, 78:11, 79:6 <b>150</b> [1] - 35:19 <b>18</b> [1] - 28:25	<b>4</b> [10] - 25:4, 46:1, 46:6, 46:9, 46:17, 46:25, 48:3, 48:4, 50:8, 50:9			
	<b>6</b>			
<b>1</b> [22] - 37:6, 37:19, 37:25, 38:10, 39:9, 41:4, 41:12, 41:19, 41:20, 41:23, 42:24, 42:25, 43:2, 44:6, 44:12, 44:15, 50:22, 58:2, 59:22, 60:2, 60:3, 69:17 <b>1,000</b> [1] - 76:13 <b>10</b> [5] - 1:9, 49:21, 58:24, 59:1, 59:6 <b>100</b> [1] - 55:12 <b>10th</b> [2] - 2:4, 83:10 <b>11</b> [3] - 58:25, 59:2, 59:7 <b>11:35</b> [1] - 82:2 <b>12</b> [9] - 40:11, 40:19, 59:18, 59:21, 60:21, 64:20, 64:23, 66:3, 67:10 <b>12(b)</b> [1] - 65:9 <b>12(b)</b> [1] - 65:7 <b>12A</b> [4] - 40:23, 41:2, 59:23, 61:1 <b>12C</b> [7] - 60:25, 61:6, 61:14, 65:17, 66:1, 67:17, 68:24 <b>13</b> [7] - 36:15, 36:24, 69:9, 70:10, 70:12, 75:4, 75:14 <b>14</b> [4] - 75:22, 75:23, 75:24, 76:15 <b>15</b> [3] - 37:10, 78:11, 79:6 <b>150</b> [1] - 35:19 <b>18</b> [1] - 28:25	<b>5</b> [10] - 4:20, 32:25, 46:6, 46:9, 46:17, 46:25, 48:3, 48:4, 50:8, 50:9 <b>500</b> [1] - 2:3			
	<b>7</b>			
<b>1</b> [22] - 37:6, 37:19, 37:25, 38:10, 39:9, 41:4, 41:12, 41:19, 41:20, 41:23, 42:24, 42:25, 43:2, 44:6, 44:12, 44:15, 50:22, 58:2, 59:22, 60:2, 60:3, 69:17 <b>1,000</b> [1] - 76:13 <b>10</b> [5] - 1:9, 49:21, 58:24, 59:1, 59:6 <b>100</b> [1] - 55:12 <b>10th</b> [2] - 2:4, 83:10 <b>11</b> [3] - 58:25, 59:2, 59:7 <b>11:35</b> [1] - 82:2 <b>12</b> [9] - 40:11, 40:19, 59:18, 59:21, 60:21, 64:20, 64:23, 66:3, 67:10 <b>12(b)</b> [1] - 65:9 <b>12(b)</b> [1] - 65:7 <b>12A</b> [4] - 40:23, 41:2, 59:23, 61:1 <b>12C</b> [7] - 60:25, 61:6, 61:14, 65:17, 66:1, 67:17, 68:24 <b>13</b> [7] - 36:15, 36:24, 69:9, 70:10, 70:12, 75:4, 75:14 <b>14</b> [4] - 75:22, 75:23, 75:24, 76:15 <b>15</b> [3] - 37:10, 78:11, 79:6 <b>150</b> [1] - 35:19 <b>18</b> [1] - 28:25	<b>6</b> [10] - 4:20, 32:24, 33:3, 33:14, 50:17, 51:15, 62:17, 62:18, 62:19, 66:7			
	<b>8</b>			
<b>1</b> [22] - 37:6, 37:19, 37:25, 38:10, 39:9, 41:4, 41:12, 41:19, 41:20, 41:23, 42:24, 42:25, 43:2, 44:6, 44:12, 44:15, 50:22, 58:2, 59:22, 60:2, 60:3, 69:17 <b>1,000</b> [1] - 76:13 <b>10</b> [5] - 1:9, 49:21, 58:24, 59:1, 59:6 <b>100</b> [1] - 55:12 <b>10th</b> [2] - 2:4, 83:10 <b>11</b> [3] - 58:25, 59:2, 59:7 <b>11:35</b> [1] - 82:2 <b>12</b> [9] - 40:11, 40:19, 59:18, 59:21, 60:21, 64:20, 64:23, 66:3, 67:10 <b>12(b)</b> [1] - 65:9 <b>12(b)</b> [1] - 65:7 <b>12A</b> [4] - 40:23, 41:2, 59:23, 61:1 <b>12C</b> [7] - 60:25, 61:6, 61:14, 65:17, 66:1, 67:17, 68:24 <b>13</b> [7] - 36:15, 36:24, 69:9, 70:10, 70:12, 75:4, 75:14 <b>14</b> [4] - 75:22, 75:23, 75:24, 76:15 <b>15</b> [3] - 37:10, 78:11, 79:6 <b>150</b> [1] - 35:19 <b>18</b> [1] - 28:25	<b>7</b> [4] - 55:20, 55:21, 55:23, 57:6			
	<b>9</b>			
<b>1</b> [22] - 37:6, 37:19, 37:25, 38:10, 39:9, 41:4, 41:12, 41:19, 41:20, 41:23, 42:24, 42:25, 43:2, 44:6, 44:12, 44:15, 50:22, 58:2, 59:22, 60:2, 60:3, 69:17 <b>1,000</b> [1] - 76:13 <b>10</b> [5] - 1:9, 49:21, 58:24, 59:1, 59:6 <b>100</b> [1] - 55:12 <b>10th</b> [2] - 2:4, 83:10 <b>11</b> [3] - 58:25, 59:2, 59:7 <b>11:35</b> [1] - 82:2 <b>12</b> [9] - 40:11, 40:19, 59:18, 59:21, 60:21, 64:20, 64:23, 66:3, 67:10 <b>12(b)</b> [1] - 65:9 <b>12(b)</b> [1] - 65:7 <b>12A</b> [4] - 40:23, 41:2, 59:23, 61:1 <b>12C</b> [7] - 60:25, 61:6, 61:14, 65:17, 66:1, 67:17, 68:24 <b>13</b> [7] - 36:15, 36:24, 69:9, 70:10, 70:12, 75:4, 75:14 <b>14</b> [4] - 75:22, 75:23, 75:24, 76:15 <b>15</b> [3] - 37:10, 78:11, 79:6 <b>150</b> [1] - 35:19 <b>18</b> [1] - 28:25	<b>8</b> [10] - 33:20, 34:12, 35:24, 36:20, 36:22, 57:14, 58:13, 69:24, 70:10, 70:11			
	<b>10</b>			
<b>1</b> [22] - 37:6, 37:19, 37:25, 38:10, 39:9, 41:4, 41:12, 41:19, 41:20, 41:23, 42:24, 42:25, 43:2, 44:6, 44:12, 44:15, 50:22, 58:2, 59:22, 60:2, 60:3, 69:17 <b>1,000</b> [1] - 76:13 <b>10</b> [5] - 1:9, 49:21, 58:24, 59:1, 59:6 <b>100</b> [1] - 55:12 <b>10th</b> [2] - 2:4, 83:10 <b>11</b> [3] - 58:25, 59:2, 59:7 <b>11:35</b> [1] - 82:2 <b>12</b> [9] - 40:11, 40:19, 59:18, 59:21, 60:21, 64:20, 64:23, 66:3, 67:10 <b>12(b)</b> [1] - 65:9 <b>12(b)</b> [1] - 65:7 <b>12A</b> [4] - 40:23, 41:2, 59:23, 61:1 <b>12C</b> [7] - 60:25, 61:6, 61:14, 65:17, 66:1, 67:17, 68:24 <b>13</b> [7] - 36:15, 36:24, 69:9, 70:10, 70:12, 75:4, 75:14 <b>14</b> [4] - 75:22, 75:23, 75:24, 76:15 <b>15</b> [3] - 37:10, 78:11, 79:6 <b>150</b> [1] - 35:19 <b>18</b> [1] - 28:25	<b>9</b> [4] - 58:24, 59:1, 59:6, 69:11			

<p>25:5, 27:6, 32:8, 46:11, 47:3</p> <p><b>arguments</b> [10] - 3:21, 10:20, 12:20, 18:2, 19:18, 19:20, 21:16, 24:10, 45:5, 55:22</p> <p><b>arise</b> [1] - 9:6</p> <p><b>arrangements</b> [1] - 73:5</p> <p><b>arrived</b> [1] - 57:15</p> <p><b>aspect</b> [1] - 21:14</p> <p><b>assert</b> [1] - 9:9</p> <p><b>assertions</b> [2] - 7:18, 46:22</p> <p><b>associated</b> [2] - 15:1, 15:7</p> <p><b>assume</b> [3] - 19:15, 35:4, 50:24</p> <p><b>assumed</b> [1] - 42:24</p> <p><b>assuming</b> [1] - 72:13</p> <p><b>assured</b> [2] - 30:3, 49:9</p> <p><b>attach</b> [2] - 48:7, 48:8</p> <p><b>attached</b> [6] - 48:1, 48:2, 48:20, 77:13, 77:14, 83:11</p> <p><b>attachment</b> [2] - 76:16, 76:22</p> <p><b>attachments</b> [1] - 14:15</p> <p><b>attempt</b> [1] - 37:10</p> <p><b>attend</b> [1] - 49:20</p> <p><b>attenuated</b> [1] - 26:18</p> <p><b>attorney</b> [8] - 5:13, 7:22, 14:23, 15:2, 15:5, 21:24, 28:1, 28:2</p> <p><b>attorney-client</b> [1] - 7:22</p> <p><b>attorneys</b> [1] - 46:3</p> <p><b>attorneys'</b> [1] - 74:3</p> <p><b>August</b> [3] - 11:21, 14:16</p> <p><b>Authority</b> [3] - 3:4, 4:17, 11:17</p> <p><b>AUTHORITY</b> [1] - 1:5</p> <p><b>available</b> [10] - 6:14, 28:16, 31:15, 34:10, 35:16, 38:7, 39:17, 71:7, 72:15, 80:10</p> <p><b>Avenue</b> [1] - 2:3</p> <p><b>avoid</b> [2] - 10:25, 17:1</p> <p><b>avoided</b> [1] - 17:22</p> <p><b>aye</b> [43] - 22:13, 22:16, 42:10, 42:12, 42:13, 45:21, 45:23, 45:24, 50:12, 50:14, 50:15, 55:15, 55:18, 57:9, 57:11, 57:12, 58:17, 58:19, 58:20, 59:13,</p>	<p>59:15, 59:16, 63:10, 65:2, 65:4, 65:5, 65:12, 65:14, 67:3, 69:4, 69:7, 75:10, 75:17, 75:19, 78:6, 78:8, 78:9, 79:11, 79:13, 79:14, 81:20, 81:22, 81:23</p> <p style="text-align: center;"><b>B</b></p> <p><b>background</b> [1] - 17:6</p> <p><b>bad</b> [1] - 13:8</p> <p><b>ball</b> [1] - 53:8</p> <p><b>banker's</b> [1] - 28:19</p> <p><b>base</b> [1] - 17:17</p> <p><b>based</b> [4] - 13:25, 21:8, 24:23, 43:1</p> <p><b>baseless</b> [2] - 13:16, 13:18</p> <p><b>basis</b> [7] - 9:21, 14:3, 16:15, 21:13, 28:9, 30:16, 33:7</p> <p><b>bear</b> [3] - 25:6, 54:4, 54:13</p> <p><b>BEFORE</b> [1] - 1:11</p> <p><b>begin</b> [1] - 4:10</p> <p><b>beginning</b> [2] - 34:18, 69:17</p> <p><b>behalf</b> [2] - 4:7, 61:25</p> <p><b>behind</b> [2] - 9:5, 9:16</p> <p><b>believes</b> [1] - 35:19</p> <p><b>below</b> [1] - 32:11</p> <p><b>benefit</b> [2] - 32:9, 33:9</p> <p><b>benefits</b> [1] - 32:12</p> <p><b>best</b> [1] - 12:1</p> <p><b>between</b> [2] - 27:15, 53:7</p> <p><b>beyond</b> [4] - 27:12, 27:13, 70:6, 70:7</p> <p><b>bias</b> [4] - 61:21, 61:23, 61:24, 62:6</p> <p><b>big</b> [2] - 23:17, 23:23</p> <p><b>billed</b> [1] - 6:6</p> <p><b>bills</b> [2] - 35:10, 35:12</p> <p><b>bit</b> [3] - 39:23, 44:3, 51:1</p> <p><b>blanking</b> [1] - 73:11</p> <p><b>bled</b> [1] - 12:19</p> <p><b>board</b> [1] - 28:10</p> <p><b>body</b> [1] - 16:7</p> <p><b>bold</b> [2] - 8:12, 9:4</p> <p><b>bottom</b> [2] - 11:25, 62:7</p> <p><b>boundaries</b> [3] - 24:4, 24:5, 37:1</p> <p><b>boxes</b> [1] - 28:20</p> <p><b>break</b> [2] - 53:11, 54:7</p> <p><b>Brian</b> [1] - 1:16</p>	<p><b>bridge</b> [1] - 8:7</p> <p><b>brief</b> [3] - 3:22, 12:18, 79:18</p> <p><b>Brief</b> [12] - 4:20, 5:18, 6:1, 6:2, 6:9, 14:25, 25:13, 25:16, 26:21, 27:5, 27:7, 33:13</p> <p><b>briefly</b> [5] - 6:1, 12:25, 31:2, 47:10, 72:24</p> <p><b>Briggs</b> [1] - 4:7</p> <p><b>bring</b> [7] - 5:16, 5:17, 13:6, 13:7, 22:3, 22:6, 30:24</p> <p><b>bringing</b> [1] - 29:4</p> <p><b>brings</b> [5] - 46:1, 50:17, 55:20, 79:16, 81:12</p> <p><b>Brittany</b> [1] - 1:17</p> <p><b>broad</b> [11] - 6:3, 7:15, 9:14, 9:17, 11:23, 12:3, 13:11, 17:11, 24:2, 30:10, 52:4</p> <p><b>broadly</b> [1] - 35:20</p> <p><b>broken</b> [2] - 22:24, 53:16</p> <p><b>brought</b> [2] - 11:9, 16:19</p> <p><b>brush</b> [2] - 9:14, 12:3</p> <p><b>Building</b> [1] - 2:3</p> <p><b>burden</b> [7] - 26:7, 26:20, 26:22, 27:6, 27:19, 70:24</p> <p><b>burdens</b> [1] - 70:6</p> <p><b>burdensome</b> [6] - 28:3, 29:22, 70:16, 71:10, 71:18, 72:20</p> <p><b>business</b> [8] - 12:4, 24:7, 25:6, 25:24, 28:6, 28:22, 29:23, 30:12</p> <p style="text-align: center;"><b>C</b></p> <p><b>cannot</b> [3] - 22:9, 32:5, 68:1</p> <p><b>capabilities</b> [1] - 31:18</p> <p><b>capacity</b> [1] - 54:14</p> <p><b>Capitol</b> [2] - 2:3</p> <p><b>carrier</b> [3] - 28:15, 28:23</p> <p><b>carriers</b> [18] - 8:23, 30:14, 30:18, 34:22, 35:13, 39:4, 39:24, 39:25, 40:4, 40:8, 40:14, 41:10, 41:13, 44:18, 51:21, 60:4, 70:1, 73:12</p> <p><b>carriers'</b> [2] - 34:20,</p>	<p>41:1</p> <p><b>carries</b> [15] - 22:17, 42:14, 45:25, 50:16, 55:19, 57:13, 58:21, 59:17, 65:6, 65:16, 69:8, 75:21, 78:10, 79:15, 81:24</p> <p><b>carry</b> [1] - 67:5</p> <p><b>case</b> [32] - 4:23, 5:4, 5:10, 10:24, 12:5, 16:25, 17:4, 17:8, 17:12, 17:14, 17:19, 18:22, 19:13, 24:4, 24:5, 24:15, 24:16, 24:17, 24:18, 26:14, 26:16, 26:17, 29:14, 32:9, 32:20, 33:8, 53:19, 70:24, 71:11, 71:16, 73:14, 74:1</p> <p><b>cases</b> [5] - 11:3, 16:17, 71:8, 71:17, 73:4</p> <p><b>catch</b> [1] - 3:18</p> <p><b>categorized</b> [1] - 28:14</p> <p><b>causing</b> [3] - 11:12, 32:3, 32:16</p> <p><b>CD</b> [1] - 71:20</p> <p><b>century</b> [2] - 28:22, 29:22</p> <p><b>certainly</b> [15] - 9:12, 10:23, 19:8, 21:13, 21:23, 25:13, 51:6, 51:8, 51:16, 61:10, 62:20, 62:21, 64:17, 77:14, 80:15</p> <p><b>CERTIFICATE</b> [2] - 1:5, 83:2</p> <p><b>Certificate</b> [3] - 3:4, 4:17, 11:17</p> <p><b>certificate</b> [8] - 24:12, 24:13, 25:3, 25:7, 26:17, 52:1, 54:2, 54:15</p> <p><b>Certified</b> [2] - 83:6, 83:19</p> <p><b>CERTIFY</b> [1] - 83:8</p> <p><b>Chair</b> [22] - 4:5, 6:21, 19:14, 19:23, 27:24, 32:7, 45:9, 45:10, 45:12, 45:13, 45:15, 49:20, 50:1, 52:24, 55:25, 61:11, 64:19, 71:1, 72:1, 73:23, 79:21, 80:17</p> <p><b>Chairman</b> [22] - 22:21, 31:1, 41:22, 43:21, 46:20, 47:8, 57:5, 57:17, 57:21, 58:12, 62:12, 63:19, 64:22,</p>	<p>65:8, 66:2, 66:6, 68:22, 69:15, 69:20, 70:8, 72:23, 78:14</p> <p><b>CHAIRMAN</b> [151] - 1:11, 1:12, 3:1, 4:9, 6:19, 10:1, 10:4, 12:16, 13:21, 14:20, 15:22, 18:23, 19:17, 19:22, 20:11, 20:16, 21:10, 22:14, 22:16, 23:6, 27:22, 31:3, 31:7, 31:23, 32:14, 32:21, 33:16, 37:9, 37:18, 38:16, 40:18, 41:6, 41:18, 42:1, 42:6, 42:11, 42:13, 42:18, 43:7, 43:19, 43:23, 45:3, 45:9, 45:13, 45:16, 45:22, 45:24, 46:5, 47:2, 47:6, 47:11, 48:16, 49:15, 49:24, 50:2, 50:5, 50:13, 50:15, 51:17, 51:24, 52:16, 53:22, 54:23, 55:4, 55:11, 55:16, 55:18, 57:2, 57:7, 57:10, 57:12, 57:19, 57:22, 58:4, 58:8, 58:11, 58:14, 58:18, 58:20, 58:24, 59:11, 59:14, 59:16, 60:1, 60:6, 60:9, 60:16, 60:20, 61:2, 61:13, 62:13, 63:4, 63:11, 63:13, 63:20, 64:11, 64:19, 64:25, 65:3, 65:5, 65:10, 65:13, 65:15, 65:21, 65:24, 66:4, 66:18, 66:24, 67:2, 67:4, 67:18, 67:21, 68:1, 68:10, 68:25, 69:5, 69:7, 69:18, 69:22, 70:25, 71:3, 71:22, 72:7, 72:19, 72:25, 73:21, 73:24, 74:24, 75:8, 75:10, 75:15, 75:18, 75:20, 76:1, 77:24, 78:4, 78:7, 78:9, 78:19, 78:24, 79:4, 79:12, 79:14, 79:24, 80:2, 80:24, 81:3, 81:10, 81:18, 81:21, 81:23</p> <p><b>challenged</b> [1] - 45:14</p> <p><b>chance</b> [2] - 57:24, 58:2</p> <p><b>change</b> [3] - 35:13, 35:14</p> <p><b>changed</b> [1] - 47:9</p>
---	---	---	---	--

<p><b>charge</b> [4] - 30:19, 39:4, 40:3, 40:8  <b>charged</b> [6] - 12:9, 12:12, 40:13, 43:13, 44:5, 44:17  <b>charges</b> [8] - 6:6, 25:23, 30:13, 39:24, 41:1, 41:10, 41:12, 60:4  <b>charging</b> [5] - 8:18, 39:12, 44:9, 44:21  <b>chatting</b> [1] - 72:10  <b>CHERI</b> [1] - 83:5  <b>Cheri</b> [2] - 1:24, 83:18  <b>CHRIS</b> [1] - 1:12  <b>citation</b> [1] - 27:8  <b>citations</b> [2] - 11:13, 14:14  <b>cited</b> [1] - 6:9  <b>cites</b> [3] - 6:8, 6:10  <b>Civil</b> [1] - 4:19  <b>civil</b> [6] - 4:22, 5:6, 7:3, 17:18, 20:5, 23:11  <b>claim</b> [1] - 25:16  <b>claiming</b> [1] - 7:23  <b>claims</b> [1] - 17:13  <b>clarification</b> [3] - 42:7, 43:22, 48:22  <b>clarified</b> [2] - 55:24, 60:3  <b>clear</b> [4] - 15:3, 33:19, 70:15, 76:24  <b>clearer</b> [1] - 76:5  <b>clearly</b> [1] - 11:22  <b>CLEC</b> [1] - 61:22  <b>click</b> [2] - 38:8, 38:13  <b>clicks</b> [6] - 28:7, 28:17, 37:24, 51:22, 63:1, 72:16  <b>client</b> [1] - 7:22  <b>cloak</b> [1] - 9:16  <b>close</b> [2] - 8:8, 29:10  <b>COA</b> [1] - 52:1  <b>coincide</b> [1] - 37:12  <b>collect</b> [1] - 23:19  <b>combatting</b> [1] - 61:21  <b>coming</b> [2] - 17:22, 80:6  <b>commencing</b> [1] - 2:5  <b>comment</b> [1] - 76:2  <b>comments</b> [1] - 79:18  <b>Commission</b> [37] - 3:7, 3:8, 4:6, 5:5, 5:10, 6:22, 7:12, 8:5, 10:9, 13:22, 14:11, 16:22, 17:2, 17:23, 19:24, 20:6, 24:1, 24:9, 24:16, 27:25, 50:19, 53:2, 53:25,</p>	<p>54:24, 59:1, 59:19, 73:10, 73:20, 74:12, 75:3, 76:12, 77:21, 77:25, 79:5, 80:22, 81:9  <b>COMMISSION</b> [3] - 1:1, 1:11, 1:13  <b>Commission's</b> [4] - 27:13, 43:1, 74:6, 80:19  <b>Commissioner</b> [64] - 13:23, 14:7, 14:20, 20:13, 22:8, 22:12, 22:14, 33:1, 33:17, 37:20, 41:21, 42:9, 42:11, 45:20, 45:22, 50:6, 50:11, 50:13, 50:20, 51:17, 52:19, 55:1, 55:14, 55:16, 57:4, 57:8, 57:10, 58:16, 58:18, 59:8, 59:12, 59:14, 59:20, 60:9, 60:16, 63:9, 63:11, 65:1, 65:3, 65:11, 65:13, 65:19, 65:21, 65:24, 65:25, 66:18, 66:25, 67:2, 67:4, 67:9, 67:24, 68:12, 69:3, 69:5, 75:6, 75:8, 75:16, 75:18, 78:1, 78:5, 79:10, 79:12, 81:19, 81:21  <b>COMMISSIONER</b> [107] - 1:12, 13:24, 14:19, 14:21, 14:25, 15:20, 20:14, 20:19, 22:13, 22:15, 32:22, 33:10, 33:18, 34:11, 35:22, 36:2, 36:10, 36:14, 36:23, 37:4, 37:8, 37:14, 37:22, 38:5, 38:10, 41:22, 42:3, 42:10, 42:12, 43:6, 45:7, 45:11, 45:15, 45:21, 45:23, 46:2, 47:7, 50:12, 50:14, 50:21, 51:19, 55:2, 55:5, 55:15, 55:17, 57:5, 57:9, 57:11, 57:17, 58:12, 58:17, 58:19, 58:22, 59:9, 59:13, 59:15, 59:21, 60:12, 60:15, 60:23, 61:3, 63:10, 63:12, 63:18, 63:21, 64:5, 64:10, 64:16, 64:21, 64:22, 65:2, 65:4, 65:8, 65:12, 65:14, 65:18, 65:22, 66:2, 66:5, 66:13, 66:14,</p>	<p>66:22, 67:1, 67:3, 67:15, 67:19, 67:22, 68:9, 68:22, 69:4, 69:6, 69:15, 70:8, 72:13, 75:7, 75:9, 75:13, 75:17, 75:19, 78:2, 78:6, 78:8, 79:11, 79:13, 81:17, 81:20, 81:22  <b>Commissioners</b> [12] - 38:14, 43:20, 46:8, 55:21, 57:25, 59:6, 60:21, 63:5, 69:13, 72:11, 74:25, 75:23  <b>common</b> [3] - 19:2, 19:7, 30:21  <b>commonplace</b> [1] - 28:1  <b>Communications</b> [1] - 1:22  <b>companies</b> [2] - 8:18, 28:5  <b>company</b> [2] - 51:6, 62:7  <b>compare</b> [1] - 38:25  <b>compel</b> [1] - 18:18  <b>compelled</b> [2] - 31:9, 55:5  <b>compelling</b> [4] - 5:11, 5:23, 13:13, 20:1  <b>compile</b> [1] - 35:20  <b>complaint</b> [1] - 26:16  <b>completely</b> [1] - 68:19  <b>complex</b> [2] - 5:7, 51:20  <b>complied</b> [2] - 49:13, 49:18  <b>comply</b> [2] - 10:10, 15:16  <b>computer</b> [3] - 28:7, 28:17, 30:1  <b>concept</b> [1] - 25:15  <b>concluded</b> [1] - 82:2  <b>conclusion</b> [2] - 8:20, 57:15  <b>conclusions</b> [1] - 9:23  <b>confer</b> [2] - 13:2, 13:3  <b>conference</b> [1] - 32:13  <b>conferencing</b> [8] - 27:12, 33:21, 34:8, 34:21, 34:25, 35:1, 36:6, 36:11  <b>conferred</b> [1] - 5:16  <b>confident</b> [1] - 71:13  <b>confidential</b> [8] - 7:25, 74:3, 74:6, 74:9, 74:13, 74:15, 74:17, 74:21  <b>confused</b> [1] - 69:21  <b>confusion</b> [2] - 39:23,</p>	<p>70:15  <b>conjunction</b> [1] - 24:25  <b>consideration</b> [1] - 53:20  <b>considered</b> [4] - 23:2, 26:10, 30:21, 67:23  <b>considering</b> [1] - 10:9  <b>consistent</b> [10] - 15:9, 26:4, 37:3, 62:22, 66:16, 66:19, 66:20, 66:21, 78:24, 78:25  <b>consistently</b> [1] - 26:1  <b>construction</b> [1] - 30:10  <b>consumer</b> [1] - 12:1  <b>consumers</b> [2] - 12:5, 32:9  <b>contained</b> [1] - 14:13  <b>contemplated</b> [1] - 16:24  <b>contend</b> [1] - 7:15  <b>contentions</b> [1] - 17:8  <b>contested</b> [3] - 11:3, 17:12, 17:18  <b>context</b> [1] - 23:3  <b>conundrum</b> [1] - 48:10  <b>convince</b> [1] - 5:10  <b>copies</b> [1] - 28:20  <b>corporate</b> [4] - 23:19, 29:12, 30:2, 30:12  <b>correct</b> [14] - 34:1, 36:12, 39:18, 40:25, 41:7, 41:14, 56:24, 60:6, 63:24, 68:9, 68:10, 77:11, 79:23, 83:12  <b>correctly</b> [1] - 68:17  <b>corresponding</b> [1] - 29:3  <b>counsel</b> [1] - 67:20  <b>countenanced</b> [1] - 18:11  <b>country</b> [6] - 8:24, 12:11, 28:21, 70:22, 71:5, 71:9  <b>COUNTY</b> [1] - 83:3  <b>couple</b> [6] - 28:7, 31:17, 37:4, 37:24, 63:1, 72:16  <b>course</b> [9] - 7:13, 7:21, 8:7, 40:20, 51:13, 72:3, 76:7, 81:5, 81:8  <b>court</b> [6] - 5:10, 16:6, 24:16, 46:14, 46:19, 72:9  <b>Court</b> [4] - 5:19, 5:20, 5:21, 49:21</p>	<p><b>Courts</b> [1] - 20:5  <b>courts</b> [3] - 7:8, 24:15, 71:14  <b>covered</b> [2] - 62:20, 70:9  <b>covers</b> [1] - 74:2  <b>create</b> [3] - 28:12, 34:4  <b>creating</b> [1] - 21:18  <b>Creek</b> [3] - 56:3, 56:8, 56:14  <b>CREMER</b> [2] - 10:3, 31:5  <b>Cremer</b> [4] - 1:15, 10:2, 31:3, 59:4  <b>critical</b> [1] - 16:17  <b>cross</b> [7] - 5:3, 5:24, 6:15, 8:7, 13:17, 25:1, 36:11  <b>cross-examine</b> [3] - 5:3, 5:24, 13:17  <b>cross-examined</b> [1] - 6:15  <b>cross-referenced</b> [1] - 25:1  <b>crossing</b> [1] - 21:15  <b>Crow</b> [3] - 56:3, 56:8, 56:14  <b>CRR</b> [1] - 1:24  <b>custom</b> [2] - 18:12, 18:21  <b>customary</b> [4] - 6:23, 7:1, 11:2, 16:10</p> <hr/> <p style="text-align: center;"><b>D</b></p> <hr/> <p><b>DAKOTA</b> [3] - 1:2, 1:6, 83:1  <b>Dakota</b> [28] - 2:2, 2:4, 3:6, 5:8, 6:24, 7:2, 7:9, 9:13, 11:3, 12:1, 12:4, 16:4, 16:11, 18:13, 19:4, 20:5, 21:23, 22:9, 26:1, 30:15, 32:10, 35:6, 35:7, 70:7, 72:24, 73:2, 83:7, 83:13  <b>Darren</b> [1] - 1:18  <b>data</b> [2] - 35:20, 38:3  <b>database</b> [2] - 30:1, 34:4  <b>Dated</b> [1] - 83:13  <b>dates</b> [1] - 37:5  <b>deal</b> [2] - 35:17, 48:6  <b>dealing</b> [4] - 66:7, 66:8, 66:10, 74:13  <b>deals</b> [1] - 61:6  <b>dealt</b> [1] - 61:4  <b>Deb</b> [1] - 1:19  <b>DEC</b> [2] - 40:24, 59:25</p>
---	--	---	--	---

<p><b>decide</b> [2] - 6:15, 19:1  <b>decided</b> [3] - 47:19, 48:15, 53:25  <b>decision</b> [3] - 43:2, 61:9, 67:16  <b>decisions</b> [1] - 66:16  <b>DECs</b> [3] - 28:15, 39:9, 44:16  <b>default</b> [2] - 5:6, 20:2  <b>definitely</b> [1] - 36:1  <b>deja</b> [1] - 22:6  <b>delay</b> [3] - 21:18, 29:16, 29:20  <b>deliberated</b> [1] - 24:9  <b>deliver</b> [6] - 39:25, 40:4, 40:8, 40:14, 44:5, 60:5  <b>delivered</b> [1] - 41:2  <b>delivering</b> [1] - 41:13  <b>delivery</b> [1] - 24:8  <b>demonstrate</b> [3] - 12:7, 51:7, 54:14  <b>demonstrated</b> [2] - 20:7, 26:21  <b>denial</b> [2] - 21:16, 21:17  <b>denied</b> [6] - 9:24, 19:9, 34:16, 46:25, 62:23, 78:15  <b>deny</b> [20] - 41:23, 50:8, 57:6, 59:9, 60:25, 63:16, 64:23, 65:9, 66:3, 68:6, 68:7, 68:19, 68:20, 69:16, 75:13, 77:21, 78:2, 79:5, 80:25, 81:17  <b>denying</b> [5] - 42:1, 42:3, 42:22, 64:2, 64:4  <b>dependent</b> [1] - 16:19  <b>depose</b> [1] - 23:11  <b>deposition</b> [37] - 3:9, 3:13, 3:15, 4:11, 4:13, 7:12, 10:11, 12:21, 12:23, 13:1, 13:12, 14:2, 14:17, 15:7, 15:9, 15:18, 15:19, 16:13, 17:22, 18:7, 18:9, 18:10, 22:3, 23:9, 23:10, 24:22, 29:20, 30:2, 49:8, 79:6, 79:16, 79:17, 79:24, 80:5, 80:14, 81:1  <b>Deposition</b> [6] - 3:11, 3:12, 3:21, 4:1, 21:22, 22:19  <b>depositions</b> [5] - 6:25, 7:8, 10:23, 15:10,</p>	<p>18:13  <b>designate</b> [1] - 74:16  <b>designated</b> [1] - 74:5  <b>designed</b> [1] - 9:19  <b>determinative</b> [1] - 70:12  <b>determined</b> [1] - 70:19  <b>devoted</b> [1] - 29:3  <b>Dickerson</b> [1] - 1:19  <b>difference</b> [1] - 66:15  <b>different</b> [10] - 5:19, 18:15, 28:6, 28:21, 37:5, 39:20, 51:21, 67:23, 67:24, 68:19  <b>differentiate</b> [1] - 53:7  <b>difficult</b> [1] - 71:19  <b>dig</b> [1] - 28:4  <b>direct</b> [3] - 8:21, 9:22, 11:20  <b>directed</b> [2] - 44:16, 44:18  <b>disagree</b> [1] - 65:19  <b>discover</b> [5] - 7:24, 8:4, 8:22, 9:21, 30:24  <b>discoverable</b> [1] - 74:21  <b>discovery</b> [29] - 7:20, 8:10, 8:11, 9:18, 10:15, 10:17, 11:7, 16:25, 17:2, 17:10, 17:16, 25:8, 29:6, 29:7, 29:11, 30:9, 30:11, 46:13, 46:18, 47:16, 47:23, 47:24, 48:7, 49:14, 51:13, 52:4, 52:5, 54:21  <b>discussed</b> [1] - 57:24  <b>discussion</b> [34] - 20:17, 20:20, 21:11, 22:11, 41:24, 42:5, 42:8, 44:1, 44:11, 45:19, 50:10, 54:17, 55:4, 55:13, 57:7, 57:14, 58:5, 58:14, 59:11, 63:7, 64:25, 65:10, 66:4, 66:24, 69:1, 69:10, 69:19, 69:24, 72:22, 75:5, 75:15, 78:4, 79:9, 81:18  <b>discussionary</b> [1] - 58:22  <b>discussions</b> [2] - 13:3, 62:22  <b>disinclined</b> [1] - 27:3  <b>dispose</b> [2] - 45:6, 45:7  <b>disposed</b> [5] - 67:12, 67:13, 68:2, 68:8,</p>	<p>70:11  <b>dispute</b> [5] - 24:17, 25:25, 26:10, 27:14, 27:18  <b>disputed</b> [1] - 73:3  <b>disputes</b> [5] - 23:16, 28:2, 35:8, 35:9, 70:21  <b>distance</b> [3] - 28:22, 30:18, 56:6  <b>distinction</b> [1] - 43:12  <b>distinguished</b> [1] - 25:8  <b>DO</b> [1] - 83:8  <b>Docket</b> [4] - 57:5, 58:12, 59:21, 59:22  <b>docket</b> [3] - 3:2, 24:11, 65:8  <b>Document</b> [39] - 33:20, 34:12, 35:23, 36:15, 36:20, 36:24, 37:25, 40:11, 40:19, 41:3, 41:12, 41:19, 41:23, 42:15, 42:24, 43:10, 43:20, 45:17, 45:18, 46:1, 46:6, 46:17, 50:8, 50:9, 50:17, 50:22, 59:18, 64:20, 64:23, 66:7, 67:10, 69:9, 69:24, 70:10, 75:4, 75:14, 75:22, 75:24, 78:11  <b>document</b> [21] - 23:1, 25:12, 39:8, 42:4, 42:20, 43:2, 43:3, 48:8, 48:11, 48:17, 51:3, 51:5, 61:5, 63:24, 65:7, 65:17, 76:8, 80:4, 80:20  <b>documents</b> [71] - 6:13, 10:18, 14:14, 18:19, 24:24, 25:2, 26:13, 28:4, 28:8, 28:13, 28:20, 29:1, 29:5, 29:25, 30:3, 32:5, 34:4, 34:6, 39:17, 40:11, 43:16, 46:21, 47:9, 47:24, 47:25, 48:11, 48:12, 48:14, 48:18, 48:19, 48:23, 49:4, 49:10, 51:7, 51:14, 51:15, 52:9, 52:10, 56:1, 56:4, 56:8, 56:14, 56:18, 69:17, 69:25, 71:24, 71:25, 72:2, 74:5, 74:7, 74:9, 74:17, 76:5, 76:12, 76:16, 76:17, 76:19, 76:25, 77:2, 77:5,</p>	<p>77:7, 77:9, 77:12, 79:7, 80:5, 80:7, 80:8, 80:11, 80:13, 80:14, 80:16  <b>dollars</b> [1] - 26:15  <b>done</b> [8] - 19:7, 21:4, 35:15, 53:19, 66:24, 69:1, 71:19, 74:17  <b>door</b> [6] - 7:20, 8:8, 9:20, 17:15, 29:10  <b>doorstep</b> [1] - 29:16  <b>doorway</b> [1] - 48:12  <b>dotting</b> [1] - 21:14  <b>double</b> [1] - 68:13  <b>down</b> [5] - 39:2, 51:1, 53:11, 53:16, 54:7  <b>dozens</b> [2] - 71:4, 71:8  <b>drastic</b> [1] - 17:19  <b>drawing</b> [1] - 11:15  <b>driving</b> [1] - 34:3  <b>due</b> [2] - 6:5, 62:9  <b>duly</b> [1] - 83:8  <b>duly-appointed</b> [1] - 83:8  <b>duplicative</b> [2] - 44:6, 60:18  <b>during</b> [1] - 35:9</p>	<p>25:10  <b>enjoy</b> [1] - 32:12  <b>entered</b> [1] - 10:22  <b>enters</b> [1] - 24:17  <b>entertain</b> [1] - 64:20  <b>entire</b> [3] - 23:4, 53:4, 53:5  <b>entirety</b> [1] - 42:2  <b>entitled</b> [6] - 2:2, 8:3, 8:13, 8:16, 30:11, 83:10  <b>entity</b> [5] - 7:16, 23:11, 23:13, 23:18, 23:19  <b>envisioned</b> [1] - 10:23  <b>Eric</b> [1] - 1:18  <b>essentially</b> [9] - 4:12, 4:22, 7:4, 8:10, 10:15, 16:1, 36:10, 49:2, 66:10  <b>estimate</b> [1] - 68:8  <b>evaluate</b> [1] - 5:5  <b>evidence</b> [4] - 17:7, 17:9, 24:3, 70:5  <b>exactly</b> [1] - 38:4  <b>examine</b> [3] - 5:3, 5:24, 13:17  <b>examined</b> [1] - 6:15  <b>example</b> [2] - 8:16, 32:13  <b>except</b> [1] - 41:9  <b>exception</b> [1] - 37:11  <b>exchange</b> [20] - 3:5, 8:18, 8:23, 30:14, 30:18, 34:20, 34:22, 35:13, 40:23, 51:8, 52:14, 56:13, 59:24, 61:18, 61:24, 62:9, 62:11, 63:3, 70:1, 73:12  <b>EXCHANGE</b> [1] - 1:6  <b>exchanges</b> [1] - 3:23  <b>excuse</b> [10] - 3:14, 19:10, 21:17, 25:3, 32:1, 67:12, 68:15, 79:5, 80:25, 81:13  <b>exhibit</b> [1] - 47:20  <b>exhibits</b> [1] - 76:13  <b>exist</b> [11] - 30:1, 36:4, 43:17, 48:18, 51:14, 51:16, 56:19, 71:24, 72:1, 72:2, 72:4  <b>existence</b> [1] - 80:13  <b>exists</b> [2] - 51:3, 51:5  <b>exorbitant</b> [1] - 6:5  <b>expansive</b> [2] - 70:10, 70:13  <b>expect</b> [1] - 39:14  <b>expenses</b> [2] - 5:12, 15:1  <b>expensive</b> [1] - 14:9</p>	4
<b>E</b>					
<p><b>e-mail</b> [1] - 71:20  <b>early</b> [4] - 9:20, 24:17, 29:15, 47:15  <b>easily</b> [3] - 28:14, 30:2, 71:21  <b>East</b> [1] - 2:3  <b>easy</b> [2] - 28:1, 28:24  <b>educate</b> [1] - 23:20  <b>Edwards</b> [1] - 1:15  <b>effect</b> [2] - 78:20, 79:7  <b>effort</b> [1] - 29:4  <b>either</b> [7] - 31:20, 35:16, 40:25, 48:1, 48:20, 71:20, 74:5  <b>elements</b> [1] - 35:14  <b>eliminate</b> [3] - 36:6, 36:21, 64:6  <b>elsewhere</b> [1] - 30:14  <b>emanates</b> [1] - 4:18  <b>embroiling</b> [1] - 17:1  <b>employee</b> [1] - 4:15  <b>employees</b> [2] - 29:1, 31:21  <b>employing</b> [1] - 61:19  <b>encompassed</b> [1] - 10:22  <b>end</b> [2] - 8:2, 11:21  <b>endeavor</b> [1] - 17:17  <b>enforce</b> [2] - 5:22,</p>					

<p><b>experience</b> [3] - 7:1, 19:6, 21:24  <b>expert</b> [27] - 4:16, 4:24, 4:25, 5:12, 6:24, 7:13, 7:14, 9:4, 10:12, 10:24, 14:23, 15:1, 15:4, 15:6, 15:17, 16:12, 16:16, 16:18, 16:24, 17:7, 18:8, 18:13, 29:18, 29:19, 46:13, 47:24, 76:21  <b>expert's</b> [1] - 6:25  <b>experts</b> [2] - 7:8, 16:20  <b>explain</b> [1] - 48:25  <b>explained</b> [1] - 5:14  <b>expressed</b> [2] - 23:17, 72:14  <b>extended</b> [1] - 44:12  <b>extending</b> [1] - 70:6  <b>extends</b> [1] - 52:18  <b>extent</b> [11] - 10:7, 11:4, 26:2, 34:5, 38:24, 39:7, 40:10, 43:16, 49:2, 49:12, 62:22  <b>extra</b> [2] - 11:1, 17:1  <b>extraordinarily</b> [1] - 70:16  <b>eyes</b> [1] - 74:3</p>	<p>27:13, 30:16, 32:11, 53:24, 55:10, 61:6, 62:19, 66:11  <b>Farrar</b> [24] - 3:11, 3:22, 4:12, 4:13, 4:15, 5:24, 6:3, 6:12, 6:17, 8:21, 11:20, 13:13, 13:15, 13:17, 14:18, 17:21, 22:23, 22:25, 29:13, 48:13, 52:25, 53:4, 77:13  <b>Farrar's</b> [19] - 4:18, 6:2, 6:7, 9:22, 13:10, 14:10, 46:22, 47:18, 47:21, 48:2, 48:20, 53:11, 53:17, 54:18, 76:11, 76:14, 76:17, 76:20, 76:22  <b>father</b> [1] - 58:8  <b>favorable</b> [1] - 76:20  <b>Federal</b> [3] - 5:19, 5:20, 49:21  <b>federal</b> [5] - 7:5, 7:6, 7:8, 16:5, 18:12  <b>fee</b> [1] - 15:4  <b>fees</b> [12] - 3:16, 8:23, 14:23, 15:2, 15:5, 15:6, 28:15, 29:18, 30:17, 32:12, 81:12, 81:15  <b>fellow</b> [1] - 38:14  <b>few</b> [1] - 28:17  <b>FIGEN</b> [56] - 1:12, 14:21, 14:25, 15:20, 22:15, 32:22, 33:10, 37:22, 38:5, 38:10, 42:12, 43:6, 45:7, 45:11, 45:15, 45:23, 46:2, 47:7, 50:14, 50:21, 51:19, 55:17, 57:5, 57:11, 57:17, 58:12, 58:19, 58:22, 59:15, 59:21, 60:12, 60:15, 63:12, 63:18, 63:21, 64:5, 64:10, 64:16, 64:22, 65:4, 65:8, 65:14, 65:18, 66:2, 66:13, 67:3, 67:19, 67:22, 68:9, 69:6, 72:13, 75:9, 75:19, 78:8, 79:13, 81:22  <b>Fiegen</b> [47] - 14:20, 22:14, 22:15, 37:20, 42:11, 42:12, 45:22, 45:23, 50:6, 50:13, 50:14, 50:20, 52:19, 55:16, 55:17, 57:4, 57:10, 57:11, 58:18, 58:19, 59:14, 59:15,</p>	<p>59:20, 60:9, 63:11, 63:12, 65:3, 65:4, 65:13, 65:14, 65:19, 65:21, 65:25, 66:18, 67:2, 67:3, 69:5, 69:6, 75:8, 75:18, 75:19, 78:7, 78:8, 79:12, 79:13, 81:21, 81:22  <b>fight</b> [1] - 9:3  <b>file</b> [8] - 7:11, 16:1, 16:2, 19:11, 19:15, 29:19, 46:19, 49:17  <b>filed</b> [12] - 4:16, 10:21, 11:21, 14:10, 19:21, 26:17, 28:14, 31:21, 33:3, 33:13, 33:14, 47:21  <b>filing</b> [2] - 19:4, 48:16  <b>filings</b> [1] - 22:2  <b>financial</b> [9] - 26:15, 27:14, 53:2, 54:6, 54:8, 54:14, 62:1, 62:3, 74:13  <b>financially</b> [1] - 53:9  <b>fine</b> [5] - 4:9, 7:17, 37:17, 65:20, 67:14  <b>first</b> [16] - 3:22, 4:3, 10:21, 16:7, 16:22, 20:18, 34:15, 35:2, 36:4, 37:22, 60:19, 63:18, 71:12, 74:9, 76:7, 79:20  <b>flat</b> [1] - 29:22  <b>floor</b> [2] - 4:4, 60:10  <b>focus</b> [1] - 40:7  <b>foisted</b> [1] - 29:17  <b>follow</b> [17] - 5:15, 17:24, 19:8, 19:9, 20:23, 20:25, 21:1, 21:2, 21:14, 32:22, 36:23, 39:6, 42:2, 46:11, 46:18, 48:5, 51:18  <b>following</b> [3] - 19:4, 64:12, 79:25  <b>FOR</b> [1] - 1:4  <b>force</b> [2] - 13:6, 17:8  <b>forced</b> [2] - 6:4, 7:11  <b>forceful</b> [1] - 11:16  <b>forcing</b> [1] - 5:16  <b>forgive</b> [2] - 64:11, 68:15  <b>formulate</b> [1] - 18:24  <b>Fort</b> [1] - 56:17  <b>forth</b> [7] - 9:15, 11:23, 16:19, 17:13, 22:2, 29:4, 33:8  <b>forward</b> [10] - 9:9, 11:1, 15:12, 23:22,</p>	<p>30:24, 43:3, 47:1, 47:3, 49:3, 73:8  <b>founded</b> [1] - 30:15  <b>frankly</b> [1] - 20:20  <b>free</b> [1] - 32:13  <b>freely</b> [3] - 16:6, 18:11, 18:14  <b>frequently</b> [1] - 35:13  <b>front</b> [1] - 68:16  <b>full</b> [3] - 8:3, 30:23  <b>fully</b> [3] - 15:16, 48:2, 49:13  <b>fundamental</b> [1] - 56:18</p>	<p>65:15, 67:4, 69:7, 75:10, 75:20, 78:9, 79:14, 81:23  <b>HANSON</b> [150] - 1:11, 3:1, 4:9, 6:19, 10:1, 10:4, 12:16, 13:21, 14:20, 15:22, 18:23, 19:17, 19:22, 20:11, 20:16, 21:10, 22:14, 22:16, 23:6, 27:22, 31:3, 31:7, 31:23, 32:14, 32:21, 33:16, 37:9, 37:18, 38:16, 40:18, 41:6, 41:18, 42:1, 42:6, 42:11, 42:13, 42:18, 43:7, 43:19, 43:23, 45:3, 45:9, 45:13, 45:16, 45:22, 45:24, 46:5, 47:2, 47:6, 47:11, 48:16, 49:15, 49:24, 50:2, 50:5, 50:13, 50:15, 51:17, 51:24, 52:16, 53:22, 54:23, 55:4, 55:11, 55:16, 55:18, 57:2, 57:7, 57:10, 57:12, 57:19, 57:22, 58:4, 58:8, 58:11, 58:14, 58:18, 58:20, 58:24, 59:11, 59:14, 59:16, 60:1, 60:6, 60:9, 60:16, 60:20, 61:2, 61:13, 62:13, 63:4, 63:11, 63:13, 63:20, 64:11, 64:19, 64:25, 65:3, 65:5, 65:10, 65:13, 65:15, 65:21, 65:24, 66:4, 66:18, 66:24, 67:2, 67:4, 67:18, 67:21, 68:1, 68:10, 68:25, 69:5, 69:7, 69:18, 69:22, 70:25, 71:3, 71:22, 72:7, 72:19, 72:25, 73:21, 73:24, 74:24, 75:8, 75:10, 75:15, 75:18, 75:20, 76:1, 77:24, 78:4, 78:7, 78:9, 78:19, 78:24, 79:4, 79:12, 79:14, 79:24, 80:2, 80:24, 81:3, 81:10, 81:18, 81:21, 81:23  <b>hard</b> [3] - 21:18, 28:20, 61:22  <b>harm</b> [2] - 12:5, 64:1  <b>hate</b> [1] - 60:23  <b>hear</b> [2] - 4:8, 4:9  <b>heard</b> [4] - 7:11,</p>
<b>F</b>				
<p><b>face</b> [6] - 8:9, 9:20, 17:16, 29:10, 51:12, 72:3  <b>facing</b> [1] - 10:20  <b>fact</b> [9] - 19:1, 20:2, 21:22, 24:4, 24:23, 29:3, 30:5, 49:10, 53:18  <b>factors</b> [1] - 53:1  <b>facts</b> [10] - 4:25, 8:4, 8:14, 9:22, 13:15, 14:3, 14:12, 14:17, 26:4, 30:24  <b>factual</b> [1] - 16:16  <b>fail</b> [1] - 55:6  <b>failed</b> [3] - 46:11, 68:9, 68:18  <b>fails</b> [2] - 63:14, 75:11  <b>fair</b> [1] - 9:3  <b>fairly</b> [1] - 21:3  <b>falls</b> [1] - 29:22  <b>Falls</b> [1] - 15:11  <b>false</b> [3] - 31:21, 52:11, 74:11  <b>far</b> [12] - 12:2, 27:12,</p>	<p>14:21, 14:25, 15:20, 22:15, 32:22, 33:10, 37:22, 38:5, 38:10, 42:12, 43:6, 45:7, 45:11, 45:15, 45:23, 46:2, 47:7, 50:14, 50:21, 51:19, 55:17, 57:5, 57:11, 57:17, 58:12, 58:19, 58:22, 59:15, 59:21, 60:12, 60:15, 63:12, 63:18, 63:21, 64:5, 64:10, 64:16, 64:22, 65:4, 65:8, 65:14, 65:18, 66:2, 66:13, 67:3, 67:19, 67:22, 68:9, 69:6, 72:13, 75:9, 75:19, 78:8, 79:13, 81:22  <b>Fiegen</b> [47] - 14:20, 22:14, 22:15, 37:20, 42:11, 42:12, 45:22, 45:23, 50:6, 50:13, 50:14, 50:20, 52:19, 55:16, 55:17, 57:4, 57:10, 57:11, 58:18, 58:19, 59:14, 59:15,</p>	<p>11:1, 15:12, 23:22,</p>	<p><b>G</b></p> <p><b>gander</b> [1] - 46:16  <b>GARY</b> [1] - 1:11  <b>general</b> [4] - 32:8, 32:19, 33:7, 53:5  <b>generated</b> [1] - 62:25  <b>given</b> [8] - 8:10, 15:8, 27:4, 30:10, 30:23, 42:23, 70:21, 78:15  <b>gladly</b> [1] - 15:6  <b>goose</b> [1] - 46:15  <b>grant</b> [14] - 3:8, 20:14, 21:5, 43:6, 48:17, 55:2, 58:13, 60:25, 63:22, 63:25, 68:24, 81:13, 81:14, 81:15  <b>granted</b> [5] - 19:10, 30:23, 64:4, 70:2, 81:13  <b>great</b> [1] - 37:18  <b>Greg</b> [1] - 1:16  <b>Gregg</b> [1] - 1:19  <b>grounds</b> [1] - 12:23  <b>group</b> [2] - 25:22, 25:24  <b>guess</b> [13] - 17:4, 18:1, 23:3, 33:14, 40:12, 40:21, 43:8, 43:12, 44:11, 46:15, 48:22, 62:17, 71:23  <b>guessing</b> [1] - 71:19</p>	<p><b>H</b></p> <p><b>hallmark</b> [1] - 9:18  <b>hand</b> [1] - 33:24  <b>hands</b> [1] - 51:22  <b>Hanson</b> [2] - 4:5, 22:16, 33:1, 42:13, 45:24, 47:8, 50:15, 55:18, 57:12, 58:20, 59:16, 63:13, 65:5,</p>



<p>47:10, 52:15, 69:21  <b>hearing</b> [14] - 5:3, 5:24, 10:14, 13:18, 18:3, 30:9, 30:25, 33:23, 42:9, 45:20, 49:20, 54:21, 57:3, 75:6  <b>held</b> [1] - 2:2  <b>help</b> [2] - 14:2, 36:2  <b>HEREBY</b> [1] - 83:8  <b>hide</b> [4] - 9:5, 9:16, 25:17, 26:3  <b>hiding</b> [1] - 77:15  <b>high</b> [2] - 11:11, 32:2  <b>higher</b> [7] - 8:25, 9:1, 12:8, 12:9, 12:13, 39:11  <b>highlights</b> [1] - 53:24  <b>highly</b> [2] - 7:25, 71:6  <b>hire</b> [1] - 38:2  <b>home</b> [1] - 15:13  <b>hope</b> [2] - 62:21, 80:20  <b>hopeful</b> [3] - 10:13, 10:19, 10:25  <b>hopefully</b> [1] - 81:7  <b>hour</b> [1] - 35:19  <b>hours</b> [6] - 26:23, 28:3, 31:12, 31:13, 35:20, 35:21  <b>huge</b> [1] - 62:7  <b>hundreds</b> [8] - 26:23, 28:3, 31:12, 31:13, 53:6, 74:4</p>	<p>10:17, 15:7, 17:12, 17:13, 17:18, 18:17, 34:21  <b>inconsistent</b> [2] - 48:14, 66:21  <b>incorporates</b> [1] - 40:20  <b>incredibly</b> [1] - 71:18  <b>indicated</b> [4] - 7:3, 15:5, 22:24, 76:10  <b>individually</b> [2] - 37:16, 63:15  <b>inferring</b> [1] - 71:23  <b>information</b> [36] - 3:23, 6:14, 7:25, 23:13, 23:20, 23:21, 24:7, 24:23, 26:24, 26:25, 27:1, 27:11, 27:19, 30:7, 31:11, 33:14, 33:21, 33:24, 34:7, 35:16, 38:25, 51:12, 51:25, 52:20, 53:14, 54:3, 61:15, 62:10, 70:3, 71:7, 71:12, 71:17, 72:18, 72:21, 74:14, 76:4  <b>inquiring</b> [1] - 72:19  <b>insert</b> [1] - 36:11  <b>insist</b> [1] - 15:13  <b>instance</b> [1] - 8:19  <b>instead</b> [2] - 25:5, 27:5  <b>intend</b> [1] - 15:16  <b>intended</b> [1] - 35:21  <b>intent</b> [1] - 57:25  <b>inter</b> [1] - 53:15  <b>interacted</b> [1] - 31:16  <b>interest</b> [4] - 8:20, 9:10, 9:16, 11:18  <b>interested</b> [1] - 46:16  <b>INTEREXCHANGE</b> [1] - 1:5  <b>interexchange</b> [1] - 3:4  <b>internet</b> [1] - 2:1  <b>Interrogatories</b> [3] - 4:24, 10:17, 20:8  <b>interrogatory</b> [1] - 61:16  <b>interstate</b> [14] - 35:13, 39:16, 43:14, 44:3, 44:4, 44:12, 44:21, 52:18, 52:23, 53:7, 53:12, 53:20, 54:5, 54:8  <b>intervened</b> [1] - 71:11  <b>Interveners</b> [1] - 17:14  <b>intrastate</b> [14] - 27:13, 35:14, 39:16, 43:15, 44:5, 53:7, 53:12,</p>	<p>53:15, 53:17, 53:18, 53:20, 54:9, 54:11, 54:12  <b>introduction</b> [1] - 22:23  <b>invoices</b> [1] - 35:11  <b>involved</b> [3] - 14:4, 71:4, 73:12  <b>involving</b> [1] - 17:2  <b>issue</b> [6] - 10:10, 24:10, 26:6, 26:7, 26:15, 26:20  <b>issued</b> [2] - 24:9, 24:10  <b>issues</b> [1] - 23:16  <b>item</b> [2] - 61:5, 82:1  <b>itself</b> [1] - 50:18</p>	<p style="text-align: center;"><b>L</b></p> <p><b>laid</b> [1] - 29:16  <b>large</b> [1] - 51:6  <b>largely</b> [3] - 7:14, 16:9, 16:18  <b>last</b> [6] - 11:21, 31:17, 44:1, 47:14, 47:15, 55:6  <b>Law</b> [2] - 19:4, 21:23  <b>law</b> [10] - 7:2, 9:23, 19:8, 19:9, 20:22, 21:1, 21:3, 21:8, 21:14, 24:15  <b>laws</b> [2] - 20:24, 22:9  <b>lawsuits</b> [1] - 71:5  <b>lead</b> [1] - 24:2  <b>leading</b> [1] - 55:9  <b>leaning</b> [1] - 42:21  <b>least</b> [1] - 21:7  <b>leave</b> [1] - 16:6  <b>LECs</b> [2] - 35:7, 36:16  <b>led</b> [1] - 41:25  <b>ledger</b> [1] - 53:5  <b>left</b> [1] - 13:5  <b>legal</b> [2] - 5:18, 23:25  <b>letter</b> [1] - 49:17  <b>level</b> [1] - 52:21  <b>leveled</b> [1] - 29:13  <b>lightly</b> [1] - 23:24  <b>likely</b> [2] - 29:12, 30:1  <b>limit</b> [1] - 41:12  <b>limitation</b> [2] - 36:25, 42:24  <b>limited</b> [10] - 35:6, 40:13, 41:5, 52:13, 53:17, 56:20, 56:23, 62:8, 62:10  <b>limiting</b> [2] - 40:5, 69:10  <b>line</b> [4] - 11:25, 49:23, 49:25, 62:7  <b>listed</b> [2] - 40:23, 59:24  <b>litigant</b> [1] - 23:11  <b>litigated</b> [1] - 24:4  <b>litigation</b> [4] - 5:2, 5:6, 5:7, 35:18  <b>LLC</b> [2] - 1:4, 3:3  <b>local</b> [12] - 3:5, 8:18, 8:23, 30:14, 30:18, 34:19, 34:22, 35:12, 56:5, 56:13, 70:1, 73:12  <b>LOCAL</b> [1] - 1:6  <b>locating</b> [1] - 29:1  <b>look</b> [9] - 33:12, 35:10, 37:18, 40:22, 52:5, 52:25, 53:2, 59:4,</p>	<p>60:2  <b>looked</b> [2] - 35:16, 46:11  <b>looking</b> [12] - 18:23, 21:17, 22:4, 31:3, 33:19, 39:8, 40:19, 41:1, 61:20, 68:6, 72:16, 72:17  <b>lose</b> [3] - 11:12, 32:3, 32:16  <b>losing</b> [3] - 6:5, 52:7, 54:18  <b>loss</b> [5] - 53:5, 55:7, 61:4, 61:17, 61:23  <b>losses</b> [3] - 51:7, 52:12, 66:8  <b>lost</b> [1] - 65:22  <b>love</b> [1] - 20:24  <b>lower</b> [1] - 32:12  <b>lowest</b> [2] - 9:11, 9:12  <b>lying</b> [2] - 34:1, 34:2</p>
<p style="text-align: center;"><b>I</b></p> <p><b>identical</b> [1] - 34:15  <b>identified</b> [5] - 20:1, 25:1, 35:8, 47:24, 48:20  <b>identify</b> [5] - 25:25, 34:22, 70:18, 80:5, 80:9  <b>ignored</b> [1] - 25:14  <b>impact</b> [1] - 26:16  <b>impacts</b> [1] - 55:7  <b>implied</b> [1] - 24:3  <b>important</b> [1] - 61:15  <b>IN</b> [2] - 1:4, 1:6  <b>inappropriate</b> [1] - 66:12  <b>inclined</b> [1] - 25:11  <b>include</b> [2] - 60:18, 68:2  <b>included</b> [2] - 61:9, 76:16  <b>includes</b> [1] - 56:5  <b>including</b> [8] - 5:7,</p>	<p style="text-align: center;"><b>J</b></p> <p><b>January</b> [4] - 37:6, 39:9, 69:11, 69:17  <b>Jay</b> [1] - 1:22  <b>job</b> [2] - 25:21, 31:15  <b>John</b> [1] - 1:14  <b>judge</b> [2] - 5:4, 5:10  <b>judgment</b> [1] - 18:17  <b>jump</b> [1] - 39:22  <b>jumped</b> [1] - 58:2  <b>juncture</b> [4] - 31:4, 37:19, 68:12, 79:19  <b>jurisdiction</b> [1] - 27:13  <b>jury</b> [1] - 5:4  <b>justice</b> [1] - 17:18</p>	<p style="text-align: center;"><b>J</b></p> <p><b>January</b> [4] - 37:6, 39:9, 69:11, 69:17  <b>Jay</b> [1] - 1:22  <b>job</b> [2] - 25:21, 31:15  <b>John</b> [1] - 1:14  <b>judge</b> [2] - 5:4, 5:10  <b>judgment</b> [1] - 18:17  <b>jump</b> [1] - 39:22  <b>jumped</b> [1] - 58:2  <b>juncture</b> [4] - 31:4, 37:19, 68:12, 79:19  <b>jurisdiction</b> [1] - 27:13  <b>jury</b> [1] - 5:4  <b>justice</b> [1] - 17:18</p>	<p style="text-align: center;"><b>K</b></p> <p><b>Kansas</b> [1] - 15:14  <b>Karen</b> [1] - 1:15  <b>Kearney</b> [1] - 1:18  <b>keeping</b> [1] - 61:8  <b>keeps</b> [1] - 63:2  <b>kept</b> [5] - 7:9, 16:5, 28:13, 37:24, 50:23  <b>keyboard</b> [2] - 28:7, 28:17  <b>kind</b> [2] - 22:25, 76:5  <b>kinds</b> [2] - 28:2, 54:2  <b>knowingly</b> [1] - 25:23  <b>knowledge</b> [4] - 23:12, 23:13, 25:21, 31:18  <b>knows</b> [3] - 24:1, 73:10, 74:12  <b>Kristen</b> [1] - 1:15  <b>KRISTIE</b> [1] - 1:12</p>	<p style="text-align: center;"><b>M</b></p> <p><b>machinations</b> [1] - 68:11  <b>mail</b> [1] - 71:20  <b>main</b> [1] - 55:22  <b>majority</b> [2] - 67:7, 68:4  <b>man</b> [5] - 26:23, 28:3, 31:12, 31:13, 35:21  <b>manages</b> [1] - 25:21  <b>marketplace</b> [1] - 12:2  <b>material</b> [2] - 7:22, 53:5  <b>matter</b> [8] - 2:2, 3:2, 4:24, 5:2, 17:11, 30:25, 53:19, 83:10  <b>MATTER</b> [1] - 1:4  <b>MCCOMSEY</b> [1] - 83:5  <b>McComsey</b> [2] - 1:24, 83:18  <b>mean</b> [6] - 6:25, 12:9, 14:1, 16:16, 64:1, 80:11  <b>meant</b> [3] - 35:4, 44:4, 49:9  <b>mechanism</b> [1] - 10:16  <b>meet</b> [5] - 13:2, 13:3, 25:3, 52:1, 54:1  <b>meetings</b> [1] - 28:11  <b>meets</b> [2] - 24:11, 24:12  <b>Mehlhoff</b> [1] - 1:17  <b>members</b> [4] - 4:6, 6:21, 19:23, 27:24  <b>mentioned</b> [1] - 47:13</p>

<p><b>merits</b> <sup>[1]</sup> - 11:1  <b>message</b> <sup>[1]</sup> - 64:3  <b>met</b> <sup>[1]</sup> - 5:15  <b>methods</b> <sup>[2]</sup> - 10:17, 61:19  <b>might</b> <sup>[11]</sup> - 5:19, 21:6, 24:2, 36:3, 60:18, 61:1, 65:23, 66:5, 66:6, 68:23, 70:8  <b>mind</b> <sup>[1]</sup> - 47:9  <b>minimal</b> <sup>[1]</sup> - 27:18  <b>Minneapolis</b> <sup>[1]</sup> - 4:7  <b>minuscule</b> <sup>[1]</sup> - 54:9  <b>minutes</b> <sup>[2]</sup> - 49:21, 62:17  <b>missed</b> <sup>[1]</sup> - 3:17  <b>mistaken</b> <sup>[1]</sup> - 46:16  <b>misunderstanding</b> <sup>[1]</sup> - 33:13  <b>misunderstood</b> <sup>[1]</sup> - 33:11  <b>mixed</b> <sup>[1]</sup> - 64:3  <b>moment's</b> <sup>[1]</sup> - 28:16  <b>money</b> <sup>[6]</sup> - 6:5, 11:12, 32:3, 32:17, 52:7, 54:18  <b>month</b> <sup>[2]</sup> - 11:21, 35:12  <b>monthly</b> <sup>[1]</sup> - 28:9  <b>months</b> <sup>[1]</sup> - 31:17  <b>Morgan</b> <sup>[1]</sup> - 4:7  <b>morning</b> <sup>[2]</sup> - 37:23, 54:17  <b>most</b> <sup>[3]</sup> - 11:20, 29:12, 30:1  <b>motion</b> <sup>[112]</sup> - 5:17, 7:11, 10:8, 10:21, 13:7, 16:2, 16:8, 16:23, 19:16, 19:20, 19:25, 20:13, 20:17, 21:9, 21:11, 21:12, 22:10, 22:17, 22:24, 26:7, 29:19, 31:6, 41:20, 42:2, 42:8, 42:14, 45:17, 45:19, 45:25, 46:14, 46:19, 48:14, 50:6, 50:7, 50:10, 50:16, 54:25, 55:4, 55:13, 55:19, 57:3, 57:7, 57:13, 57:18, 58:11, 58:13, 58:15, 58:21, 59:6, 59:11, 59:17, 60:19, 60:22, 60:25, 62:23, 63:6, 63:7, 63:14, 63:16, 63:23, 64:17, 64:24, 64:25, 65:6, 65:9, 65:10, 65:16, 65:20, 65:22, 66:1, 66:3, 66:4, 66:17,</p>	<p>67:5, 67:10, 67:14, 67:18, 67:24, 67:25, 68:1, 68:6, 68:13, 68:14, 68:15, 68:18, 69:8, 69:14, 69:19, 72:12, 75:1, 75:2, 75:3, 75:5, 75:11, 75:12, 75:15, 75:21, 75:24, 78:4, 78:10, 78:15, 78:21, 79:9, 79:15, 80:25, 81:16, 81:18, 81:23  <b>Motion</b> <sup>[40]</sup> - 3:11, 3:12, 3:21, 4:1, 4:3, 4:11, 9:24, 11:6, 13:6, 17:20, 17:24, 19:10, 20:15, 21:5, 22:18, 30:20, 41:23, 42:3, 45:17, 46:24, 50:9, 55:3, 57:6, 58:6, 59:9, 60:25, 64:2, 64:14, 68:4, 68:7, 68:24, 69:16, 75:4, 75:13, 77:21, 78:2, 79:6, 80:25, 81:4, 81:14  <b>Motions</b> <sup>[1]</sup> - 3:8  <b>motions</b> <sup>[4]</sup> - 18:17, 18:18, 64:20  <b>move</b> <sup>[26]</sup> - 3:11, 3:13, 3:14, 3:16, 3:25, 20:7, 20:14, 41:22, 50:8, 55:2, 57:6, 58:13, 59:9, 60:24, 64:23, 65:9, 66:3, 67:7, 68:23, 69:9, 69:15, 73:8, 75:13, 78:2, 79:4, 81:17  <b>MR</b> <sup>[97]</sup> - 4:5, 4:10, 6:21, 10:13, 11:6, 11:15, 12:18, 14:7, 14:24, 15:3, 15:21, 16:3, 18:1, 19:13, 19:23, 22:21, 23:8, 27:24, 31:1, 31:9, 32:7, 32:18, 33:4, 33:15, 34:2, 34:14, 36:1, 36:5, 36:13, 36:18, 36:21, 37:2, 37:6, 38:4, 38:9, 38:22, 39:5, 39:19, 39:21, 40:1, 40:2, 40:15, 40:17, 41:9, 41:15, 41:17, 43:4, 43:12, 43:21, 43:24, 44:15, 44:23, 45:2, 47:10, 47:13, 48:19, 49:7, 49:20, 50:1, 50:4, 51:2, 52:3, 52:15, 52:24, 53:23,</p>	<p>55:25, 56:25, 57:21, 57:23, 58:7, 58:10, 61:11, 61:14, 62:12, 62:16, 69:20, 69:23, 70:14, 71:1, 71:4, 71:25, 72:23, 73:1, 73:22, 73:25, 76:7, 77:2, 77:12, 78:14, 78:22, 78:25, 79:2, 79:21, 80:1, 80:3, 80:17, 81:5  <b>MS</b> <sup>[47]</sup> - 10:3, 10:6, 11:4, 11:8, 12:15, 15:25, 17:21, 19:15, 19:19, 31:5, 36:15, 36:19, 38:19, 38:24, 39:7, 40:10, 40:16, 40:22, 41:7, 41:11, 41:16, 42:16, 42:23, 43:5, 43:9, 44:20, 44:25, 46:20, 47:5, 49:1, 56:20, 57:1, 59:23, 60:3, 60:7, 60:14, 60:17, 63:25, 64:7, 64:15, 67:16, 75:25, 76:3, 76:24, 77:8, 77:20, 81:2  <b>must</b> <sup>[1]</sup> - 5:12</p> <p style="text-align: center;"><b>N</b></p> <p><b>narrow</b> <sup>[5]</sup> - 36:8, 39:1, 51:1, 56:17, 58:1  <b>narrowed</b> <sup>[5]</sup> - 38:11, 38:13, 39:12, 56:2, 56:7  <b>narrowly</b> <sup>[2]</sup> - 27:8, 27:10  <b>NAT</b> <sup>[94]</sup> - 3:15, 4:14, 5:14, 5:17, 5:23, 6:2, 6:3, 6:14, 7:11, 7:24, 8:2, 8:11, 8:13, 8:19, 8:22, 9:1, 9:15, 10:6, 10:8, 12:3, 12:12, 14:10, 14:15, 15:25, 16:22, 17:8, 17:22, 19:11, 20:1, 20:7, 20:10, 21:3, 24:6, 24:11, 25:4, 25:7, 25:12, 25:16, 26:2, 26:12, 26:18, 26:20, 27:4, 28:12, 29:3, 29:11, 29:13, 30:11, 30:19, 30:23, 35:4, 35:6, 38:19, 39:11, 39:25, 40:2, 40:7, 40:8, 40:12, 40:14, 40:23, 41:2, 41:13, 43:9, 43:13, 44:4,</p>	<p>44:6, 44:9, 44:10, 44:19, 44:22, 46:11, 46:17, 47:17, 48:5, 49:1, 49:9, 51:1, 52:7, 52:13, 53:8, 54:1, 54:10, 59:24, 60:5, 61:18, 62:11, 66:9, 72:14, 76:3, 78:25, 79:19, 81:5  <b>NAT's</b> <sup>[31]</sup> - 4:16, 5:18, 6:4, 8:8, 9:6, 9:7, 9:10, 9:20, 11:10, 12:14, 15:25, 17:15, 25:2, 27:6, 29:10, 31:25, 32:1, 40:25, 43:1, 51:8, 51:25, 52:18, 53:2, 53:4, 54:6, 54:14, 62:8, 77:4, 77:5, 79:16, 81:1  <b>nation</b> <sup>[1]</sup> - 9:12  <b>nationwide</b> <sup>[3]</sup> - 27:12, 35:5, 70:5  <b>NATIVE</b> <sup>[1]</sup> - 1:4  <b>Native</b> <sup>[3]</sup> - 1:21, 1:22, 3:3  <b>nay</b> <sup>[3]</sup> - 67:1, 75:7, 75:9  <b>necessarily</b> <sup>[1]</sup> - 30:7  <b>necessary</b> <sup>[2]</sup> - 16:12, 16:23  <b>need</b> <sup>[12]</sup> - 4:13, 14:16, 20:8, 36:20, 45:7, 49:20, 53:13, 56:19, 66:16, 68:16, 80:10, 80:12  <b>needed</b> <sup>[1]</sup> - 18:20  <b>needs</b> <sup>[1]</sup> - 7:12  <b>Nelson</b> <sup>[32]</sup> - 13:23, 20:13, 22:8, 22:12, 33:17, 41:21, 42:9, 45:20, 50:11, 55:1, 55:14, 57:8, 58:16, 59:8, 59:12, 60:16, 63:9, 65:1, 65:11, 65:19, 65:24, 66:25, 67:9, 67:24, 68:12, 69:3, 75:6, 75:16, 78:1, 78:5, 79:10, 81:19  <b>NELSON</b> <sup>[52]</sup> - 1:12, 13:24, 14:19, 20:14, 20:19, 22:13, 33:18, 34:11, 35:22, 36:2, 36:10, 36:14, 36:23, 37:4, 37:8, 37:14, 41:22, 42:3, 42:10, 45:21, 50:12, 55:2, 55:5, 55:15, 57:9, 58:17, 59:9, 59:13,</p>	<p>60:23, 61:3, 63:10, 64:21, 65:2, 65:12, 65:22, 66:5, 66:14, 66:22, 67:1, 67:15, 68:22, 69:4, 69:15, 70:8, 75:7, 75:13, 75:17, 78:2, 78:6, 79:11, 81:17, 81:20  <b>never</b> <sup>[3]</sup> - 21:25, 71:16, 74:10  <b>new</b> <sup>[4]</sup> - 47:21, 60:12, 68:15, 68:18  <b>next</b> <sup>[1]</sup> - 80:20  <b>none</b> <sup>[5]</sup> - 41:20, 42:9, 45:20, 57:3, 75:6  <b>nonparty</b> <sup>[1]</sup> - 48:8  <b>nonpayment</b> <sup>[1]</sup> - 61:19  <b>nonprivileged</b> <sup>[1]</sup> - 77:5  <b>normal</b> <sup>[1]</sup> - 6:23  <b>normally</b> <sup>[1]</sup> - 32:25  <b>Northern</b> <sup>[6]</sup> - 23:15, 26:10, 27:17, 70:24, 73:10, 73:14  <b>Notary</b> <sup>[2]</sup> - 83:7, 83:18  <b>note</b> <sup>[1]</sup> - 34:15  <b>noted</b> <sup>[1]</sup> - 80:3  <b>notes</b> <sup>[1]</sup> - 42:21  <b>nothing</b> <sup>[6]</sup> - 10:3, 25:2, 29:9, 30:3, 51:25, 54:6  <b>Notice</b> <sup>[6]</sup> - 3:11, 3:12, 3:21, 4:1, 21:22, 22:19  <b>notice</b> <sup>[15]</sup> - 3:15, 4:11, 4:18, 5:15, 12:21, 22:2, 23:2, 23:4, 24:23, 24:25, 28:16, 49:8, 49:18, 79:17, 79:22  <b>noticed</b> <sup>[1]</sup> - 4:14  <b>notices</b> <sup>[2]</sup> - 3:9, 13:1  <b>number</b> <sup>[3]</sup> - 34:24, 47:17, 70:21  <b>numbers</b> <sup>[1]</sup> - 31:20  <b>numerous</b> <sup>[2]</sup> - 3:23, 14:14</p> <p style="text-align: center;"><b>O</b></p> <p><b>oath</b> <sup>[2]</sup> - 51:11, 72:2  <b>object</b> <sup>[2]</sup> - 31:19, 79:2  <b>objected</b> <sup>[3]</sup> - 12:22, 12:23, 15:11  <b>obligation</b> <sup>[3]</sup> - 23:18, 23:23, 62:23</p>	7
---	--	---	---	--	---

<p><b>obtain</b> [3] - 4:24, 14:17, 24:6  <b>obviously</b> [1] - 61:23  <b>OF</b> [8] - 1:2, 1:4, 1:5, 2:1, 83:1, 83:3  <b>offered</b> [1] - 47:22  <b>offering</b> [2] - 10:24, 32:9  <b>office</b> [2] - 15:13  <b>officers</b> [1] - 72:9  <b>offices</b> [1] - 28:21  <b>once</b> [2] - 13:2, 72:13  <b>one</b> [33] - 3:17, 6:1, 8:19, 13:24, 18:21, 21:19, 25:19, 27:3, 27:4, 34:15, 34:25, 37:10, 37:15, 37:17, 38:7, 38:12, 42:22, 52:16, 53:1, 57:15, 57:18, 60:1, 60:19, 61:25, 62:5, 63:19, 64:7, 64:18, 65:18, 65:23, 68:19, 68:20  <b>ones</b> [1] - 37:12  <b>Onida</b> [1] - 83:13  <b>open</b> [1] - 64:19  <b>operate</b> [1] - 12:4  <b>opinion</b> [2] - 4:16, 5:25  <b>opinions</b> [8] - 6:13, 6:16, 13:14, 14:3, 14:10, 14:17, 16:16, 17:7  <b>opportunity</b> [6] - 8:3, 12:7, 30:23, 32:11, 49:13, 79:18  <b>oppose</b> [1] - 80:18  <b>opposing</b> [3] - 6:24, 7:13, 16:12  <b>opposition</b> [4] - 14:2, 14:6, 14:8, 24:22  <b>order</b> [14] - 3:10, 4:12, 10:22, 22:2, 24:9, 24:10, 24:17, 25:4, 25:15, 39:1, 74:2, 74:7, 74:19, 80:18  <b>ordered</b> [2] - 70:23, 72:6  <b>ordering</b> [1] - 73:8  <b>originally</b> [2] - 15:10, 38:11  <b>otherwise</b> [5] - 7:22, 11:2, 30:21, 34:9, 38:1  <b>ought</b> [8] - 5:21, 6:11, 13:19, 20:10, 25:9, 27:5, 27:16, 61:9  <b>outweighing</b> [1] - 26:8  <b>overall</b> [1] - 33:7  <b>Overland</b> [3] - 15:14,</p>	<p>15:21, 18:7  <b>overly</b> [1] - 28:3  <b>owed</b> [1] - 15:4  <b>own</b> [2] - 8:17, 9:7</p> <p style="text-align: center;"><b>P</b></p> <p><b>pace</b> [1] - 16:5  <b>page</b> [2] - 4:20, 32:25  <b>pages</b> [2] - 53:6, 76:13  <b>paid</b> [5] - 18:8, 25:23, 27:11, 28:15, 30:13  <b>painting</b> [1] - 12:2  <b>paper</b> [1] - 35:11  <b>papers</b> [2] - 20:1, 22:1  <b>paraphrasing</b> [1] - 32:18  <b>parcel</b> [2] - 10:16, 30:21  <b>pare</b> [2] - 36:3, 36:8  <b>pared</b> [1] - 35:24  <b>Park</b> [3] - 15:14, 15:21, 18:7  <b>parliamentary</b> [2] - 67:6, 68:3  <b>part</b> [7] - 10:16, 24:24, 30:21, 52:22, 61:22, 73:7, 74:23  <b>participation</b> [1] - 81:25  <b>particular</b> [2] - 53:14, 61:24  <b>particularly</b> [1] - 33:20  <b>parties</b> [6] - 17:13, 18:16, 27:15, 69:12, 79:18, 80:8  <b>parties'</b> [1] - 16:12  <b>party</b> [12] - 4:23, 5:9, 5:13, 7:19, 40:25, 45:8, 46:12, 48:6, 58:23, 64:5, 68:3, 71:11  <b>pass</b> [1] - 65:23  <b>Patrick</b> [1] - 1:17  <b>Paulson</b> [1] - 1:18  <b>pay</b> [7] - 5:12, 6:4, 11:11, 15:6, 26:3, 32:2, 32:16  <b>paying</b> [3] - 8:22, 15:17, 30:16  <b>payment</b> [1] - 29:18  <b>payments</b> [8] - 34:19, 36:16, 62:18, 69:25, 70:4, 70:18, 73:5, 73:17  <b>pays</b> [3] - 12:8, 12:11, 25:17  <b>per</b> [2] - 24:9, 41:24  <b>percent</b> [1] - 55:12</p>	<p><b>perform</b> [1] - 54:15  <b>perhaps</b> [4] - 23:15, 39:11, 44:8, 80:7  <b>periods</b> [3] - 35:8, 35:11  <b>permission</b> [2] - 13:7, 29:19  <b>person</b> [2] - 23:12, 67:6  <b>perspective</b> [1] - 46:10  <b>phase</b> [1] - 16:17  <b>Phil</b> [4] - 1:22, 4:6, 22:22, 39:21  <b>pick</b> [1] - 44:13  <b>pieces</b> [1] - 35:17  <b>Pierre</b> [1] - 2:3  <b>pinch</b> [1] - 66:22  <b>place</b> [3] - 15:11, 18:7, 74:2  <b>point</b> [9] - 3:24, 18:25, 20:22, 21:3, 21:21, 32:15, 39:10, 40:12, 43:22  <b>pointed</b> [1] - 10:7  <b>pointing</b> [3] - 11:19, 13:10, 33:4  <b>points</b> [1] - 3:22  <b>policy</b> [2] - 78:20, 79:7  <b>pondering</b> [1] - 62:14  <b>portion</b> [2] - 52:23, 64:12  <b>position</b> [7] - 16:1, 19:25, 31:5, 43:1, 54:20, 76:15  <b>possession</b> [2] - 23:13, 77:3  <b>possible</b> [2] - 14:4, 29:17  <b>potential</b> [1] - 77:17  <b>practice</b> [15] - 5:2, 6:24, 7:1, 7:3, 7:7, 11:2, 13:8, 16:9, 16:10, 18:13, 18:21, 19:2, 19:8, 30:22, 80:4  <b>practices</b> [4] - 24:8, 25:24, 29:23, 30:13  <b>practicing</b> [2] - 7:2, 21:24  <b>prefer</b> [4] - 17:6, 23:7, 45:3, 45:5  <b>prefiled</b> [1] - 14:9  <b>preparation</b> [1] - 15:8  <b>prepare</b> [4] - 15:18, 23:21, 26:24, 26:25  <b>preparing</b> [1] - 18:9  <b>present</b> [7] - 8:4, 17:6, 28:9, 37:7, 39:10, 69:11, 79:8</p>	<p><b>presented</b> [4] - 18:3, 52:25, 62:4  <b>previous</b> [2] - 57:14, 61:15  <b>pricing</b> [1] - 24:8  <b>principle</b> [1] - 24:15  <b>printed</b> [1] - 28:8  <b>privileged</b> [2] - 7:22, 77:7  <b>probative</b> [1] - 27:18  <b>probe</b> [2] - 8:14, 29:11  <b>problem</b> [4] - 15:14, 39:2, 48:4, 49:7  <b>procedural</b> [3] - 10:21, 14:1, 23:10  <b>Procedure</b> [1] - 4:19  <b>procedure</b> [7] - 7:4, 18:17, 20:5, 21:2, 30:22, 67:6, 68:3  <b>procedures</b> [1] - 74:12  <b>proceed</b> [3] - 13:19, 37:15, 50:5  <b>proceeding</b> [5] - 8:9, 18:4, 30:8, 74:10, 82:2  <b>PROCEEDINGS</b> [1] - 2:1  <b>Proceedings</b> [1] - 1:8  <b>proceedings</b> [3] - 29:15, 83:9, 83:12  <b>process</b> [3] - 3:19, 19:3, 23:22  <b>produce</b> [7] - 29:25, 70:24, 71:7, 71:14, 71:15, 73:9, 73:14  <b>produced</b> [12] - 30:4, 30:5, 49:11, 71:21, 76:22, 76:25, 77:6, 77:10, 80:7, 80:8, 80:15, 80:16  <b>producing</b> [1] - 29:5  <b>production</b> [2] - 10:18, 74:3  <b>Production</b> [1] - 18:19  <b>Professional</b> [2] - 83:6, 83:19  <b>profit</b> [6] - 53:4, 55:7, 61:4, 61:16, 61:23, 68:7  <b>profits</b> [7] - 51:7, 52:12, 54:13, 61:6, 61:18, 63:2, 66:8  <b>programmer</b> [3] - 38:2, 38:7, 72:17  <b>proof</b> [1] - 71:24  <b>proposes</b> [3] - 30:19, 53:3, 53:10  <b>protection</b> [1] - 7:23  <b>protective</b> [3] - 74:2, 74:6, 74:18</p>	<p><b>prove</b> [1] - 21:19  <b>provide</b> [17] - 3:4, 6:11, 17:9, 27:10, 39:3, 51:5, 51:9, 51:10, 53:3, 53:9, 62:24, 71:17, 72:6, 72:21, 78:16, 78:17, 80:11  <b>PROVIDE</b> [1] - 1:5  <b>provided</b> [14] - 5:25, 6:14, 35:18, 47:23, 48:12, 53:6, 62:10, 74:4, 76:8, 76:11, 76:18, 76:19, 77:23, 79:22  <b>providing</b> [3] - 39:1, 56:4, 79:1  <b>provision</b> [2] - 56:9, 56:15  <b>provisions</b> [1] - 56:23  <b>Public</b> [2] - 83:7, 83:18  <b>public</b> [7] - 8:20, 9:9, 9:15, 11:18, 12:6, 32:9, 33:9  <b>PUBLIC</b> [2] - 1:1, 1:11  <b>publicly</b> [2] - 6:14, 39:17  <b>pull</b> [2] - 28:8, 35:10  <b>pumped</b> [7] - 25:17, 25:23, 25:25, 26:3, 35:4, 36:9, 70:19  <b>pumping</b> [3] - 7:16, 36:9, 36:12  <b>purposes</b> [2] - 28:10, 58:23  <b>put</b> [9] - 9:15, 11:23, 17:13, 23:21, 33:2, 37:1, 47:3, 48:25, 71:15  <b>puts</b> [1] - 53:8  <b>putting</b> [1] - 33:8</p> <p style="text-align: center;"><b>Q</b></p> <p><b>quash</b> [3] - 21:17, 64:1, 67:14  <b>Quash</b> [39] - 3:8, 3:11, 3:12, 3:21, 4:1, 4:3, 4:11, 9:24, 11:6, 13:6, 17:20, 17:24, 19:10, 20:15, 21:5, 22:18, 30:20, 41:23, 42:4, 45:17, 46:24, 50:9, 55:3, 58:6, 59:10, 60:25, 64:2, 64:14, 68:7, 68:24, 69:16, 75:4, 75:14, 77:21, 78:3, 79:6,</p>
---	---	--	---	--

<p>80:25, 81:4, 81:14  <b>questions</b> [30] - 13:22, 15:23, 20:12, 26:11, 26:12, 27:1, 31:24, 33:16, 37:13, 38:17, 41:18, 43:19, 46:8, 47:8, 47:17, 50:18, 54:24, 55:20, 57:2, 59:1, 59:18, 60:11, 60:21, 63:5, 69:11, 72:11, 72:22, 74:24, 75:22, 77:24  <b>quickly</b> [2] - 14:4, 40:18  <b>quite</b> [4] - 7:9, 42:20, 46:6, 72:20  <b>quotations</b> [1] - 11:10  <b>quote</b> [5] - 32:15, 32:25, 33:2, 33:12  <b>quotes</b> [2] - 11:9, 11:14</p>	<p>62:14, 64:12  <b>ready</b> [3] - 28:7, 34:5, 64:17  <b>real</b> [2] - 14:6, 70:15  <b>realized</b> [1] - 66:9  <b>really</b> [7] - 14:1, 16:14, 17:17, 18:14, 21:18, 60:23, 70:17  <b>Realtime</b> [2] - 83:6, 83:19  <b>reason</b> [11] - 5:11, 5:23, 8:24, 13:12, 13:13, 20:2, 43:2, 49:3, 54:7, 61:21, 74:1  <b>reasons</b> [4] - 62:1, 62:2, 62:4, 62:5  <b>rebuttal</b> [1] - 12:17  <b>received</b> [2] - 76:9, 76:13  <b>recent</b> [1] - 11:20  <b>reconsider</b> [3] - 67:7, 67:10, 68:13  <b>reconsideration</b> [1] - 67:8  <b>Reconsideration</b> [1] - 68:4  <b>record</b> [6] - 20:9, 26:4, 46:2, 49:16, 49:19, 54:10  <b>RECs</b> [1] - 27:11  <b>redraw</b> [1] - 18:21  <b>refer</b> [1] - 38:20  <b>reference</b> [2] - 32:6, 32:14  <b>referenced</b> [2] - 14:13, 25:1  <b>references</b> [1] - 33:5  <b>referred</b> [6] - 48:1, 48:24, 56:21, 62:25, 77:13  <b>referring</b> [3] - 38:20, 52:19, 76:6  <b>refers</b> [3] - 36:9, 73:18, 78:19  <b>reflect</b> [1] - 46:3  <b>regard</b> [6] - 9:8, 18:20, 29:24, 34:13, 73:25, 76:10  <b>regarding</b> [11] - 4:16, 29:14, 33:21, 47:3, 51:8, 53:12, 56:8, 61:14, 61:23, 70:4, 77:3  <b>regardless</b> [1] - 19:1  <b>Regina</b> [1] - 25:20  <b>regional</b> [1] - 15:13  <b>Registered</b> [2] - 83:5, 83:19  <b>reiterate</b> [1] - 66:6</p>	<p><b>rejected</b> [1] - 25:6  <b>relate</b> [4] - 40:3, 56:14, 77:5, 79:7  <b>related</b> [5] - 17:12, 34:19, 56:4, 69:25, 73:17  <b>relates</b> [1] - 78:15  <b>relating</b> [4] - 39:8, 40:11, 56:8, 77:4  <b>relevance</b> [9] - 12:20, 12:23, 24:1, 24:20, 25:12, 26:8, 26:11, 26:18, 70:6  <b>relevancy</b> [4] - 9:17, 17:11, 30:10, 52:4  <b>relevant</b> [9] - 9:17, 23:12, 27:14, 43:18, 53:14, 54:22, 55:9, 61:24  <b>relied</b> [3] - 49:5, 77:4, 77:9  <b>relies</b> [3] - 13:15, 14:12, 77:13  <b>rely</b> [3] - 5:1, 6:13, 31:19  <b>relying</b> [1] - 7:13  <b>remaining</b> [1] - 80:22  <b>remedy</b> [1] - 17:19  <b>repayment</b> [1] - 14:23  <b>repeat</b> [1] - 4:21  <b>Reply</b> [1] - 5:25  <b>report</b> [5] - 38:1, 38:5, 38:12, 50:25, 51:22  <b>Reported</b> [1] - 1:24  <b>Reporter</b> [4] - 83:6, 83:19, 83:19  <b>reporter</b> [1] - 83:9  <b>reports</b> [4] - 28:13, 37:24, 50:23, 72:14  <b>representative</b> [3] - 23:20, 29:12, 30:12  <b>Request</b> [52] - 18:18, 33:20, 34:12, 35:24, 36:15, 36:20, 36:22, 36:24, 37:18, 38:10, 40:11, 40:19, 41:4, 41:12, 41:19, 41:20, 41:23, 42:15, 42:24, 43:10, 43:14, 43:15, 43:20, 44:15, 45:18, 46:1, 46:6, 46:17, 50:8, 50:9, 50:17, 55:20, 55:23, 57:6, 57:14, 58:13, 58:24, 59:18, 60:21, 64:20, 64:23, 66:7, 67:10, 69:9, 69:24, 70:10, 75:4, 75:14, 75:22, 75:24, 78:11  <b>request</b> [34] - 3:16,</p>	<p>4:10, 18:7, 23:1, 27:10, 30:4, 34:15, 34:17, 35:15, 40:3, 42:4, 43:3, 46:13, 48:7, 48:8, 48:17, 52:18, 53:14, 59:22, 60:13, 61:5, 63:24, 65:7, 65:9, 70:3, 70:16, 73:18, 74:23, 77:18, 78:12, 78:16, 79:6, 80:5, 81:12  <b>requested</b> [3] - 24:24, 26:24  <b>requesting</b> [2] - 46:12, 46:21  <b>requests</b> [14] - 3:13, 10:17, 10:18, 18:19, 23:3, 26:22, 27:7, 27:9, 29:6, 36:16, 37:3, 41:4, 49:14, 76:8  <b>require</b> [2] - 28:25, 51:14  <b>required</b> [4] - 4:23, 8:2, 16:1, 20:4  <b>requirement</b> [1] - 16:7  <b>requirements</b> [5] - 24:11, 24:12, 25:3, 52:1, 54:2  <b>requires</b> [1] - 46:12  <b>requiring</b> [3] - 27:19, 28:18, 46:18  <b>Reservation</b> [2] - 56:3, 56:9  <b>reservation</b> [5] - 32:10, 56:5, 56:12, 56:17, 56:24  <b>reserve</b> [3] - 13:6, 81:6, 81:8  <b>resolve</b> [1] - 55:8  <b>resolved</b> [1] - 14:5  <b>resolves</b> [1] - 24:16  <b>respect</b> [6] - 12:21, 13:11, 17:21, 35:7, 62:9, 63:2  <b>respond</b> [11] - 6:1, 12:22, 25:18, 27:20, 31:1, 31:10, 35:21, 41:3, 52:2, 52:17, 61:11  <b>responded</b> [1] - 58:1  <b>responding</b> [2] - 26:22, 29:5  <b>responds</b> [1] - 34:9  <b>response</b> [7] - 11:9, 12:25, 13:9, 29:5, 52:21, 56:22, 77:22  <b>responses</b> [2] - 47:16, 47:23  <b>responsible</b> [1] -</p>	<p>25:22  <b>responsive</b> [3] - 30:4, 49:10, 80:12  <b>result</b> [1] - 24:14  <b>resurrected</b> [1] - 29:17  <b>revenue</b> [4] - 52:20, 52:23, 54:9, 54:12  <b>revenues</b> [5] - 24:8, 52:19, 53:8, 53:21, 54:6  <b>review</b> [1] - 52:10  <b>revisit</b> [1] - 80:9  <b>Rislov</b> [1] - 1:16  <b>Roach</b> [5] - 25:20, 33:25, 34:23, 70:17, 73:2  <b>roadblock</b> [1] - 29:18  <b>roadblocks</b> [1] - 17:5  <b>Rolayne</b> [2] - 1:14, 36:24  <b>Rounds</b> [1] - 1:16  <b>routine</b> [2] - 7:1, 11:2  <b>routinely</b> [1] - 28:13  <b>RPR</b> [1] - 1:24  <b>rule</b> [11] - 3:25, 4:2, 4:20, 5:6, 5:14, 5:15, 5:19, 16:4, 16:22, 20:3, 48:6  <b>Rule</b> [2] - 20:8, 49:8  <b>Rules</b> [1] - 4:19  <b>rules</b> [23] - 4:22, 5:21, 5:22, 7:3, 7:4, 7:5, 7:6, 7:9, 12:24, 13:8, 14:1, 15:3, 15:9, 16:5, 18:12, 18:16, 20:2, 23:10, 23:11, 24:1, 24:20, 51:13  <b>ruling</b> [4] - 24:17, 25:9, 45:9, 62:17  <b>rulings</b> [1] - 81:9</p>
<b>R</b>				
<p><b>raise</b> [1] - 26:6  <b>ramifications</b> [1] - 26:15  <b>Randy</b> [1] - 4:12  <b>range</b> [1] - 39:3  <b>ranging</b> [1] - 61:16  <b>rate</b> [9] - 28:15, 35:14, 38:20, 39:1, 39:9, 40:24, 44:16, 59:24, 59:25  <b>rates</b> [42] - 6:5, 8:17, 9:10, 9:11, 9:12, 11:11, 12:8, 12:10, 25:17, 26:3, 27:11, 31:25, 32:2, 32:3, 32:16, 34:7, 34:20, 34:23, 35:13, 35:14, 38:21, 38:25, 39:3, 39:11, 39:15, 39:20, 39:24, 40:3, 40:13, 40:23, 43:13, 44:4, 44:5, 44:8, 44:9, 44:12, 44:17, 44:21, 60:4  <b>rather</b> [4] - 5:17, 13:7, 17:15, 23:11  <b>rationale</b> [2] - 34:23, 61:3  <b>read</b> [6] - 6:11, 21:16, 33:11, 35:15, 35:20, 47:9  <b>readily</b> [5] - 28:16, 33:24, 38:7, 71:7, 72:14  <b>reading</b> [3] - 16:3,</p>				
<b>S</b>				
				<p><b>sale</b> [1] - 58:9  <b>Sancom</b> [1] - 73:10  <b>satisfactory</b> [1] - 78:18  <b>satisfied</b> [1] - 35:25  <b>save</b> [1] - 80:19  <b>scheduling</b> [1] - 10:22  <b>Schenkenberg</b> [27] - 1:22, 4:6, 7:10, 11:8, 12:16, 13:25, 19:19, 19:22, 22:22, 28:24, 31:8, 34:11, 36:9, 39:21, 44:24, 47:12, 53:22, 56:21, 58:4, 69:22, 72:25, 77:9,</p>

<p>77:11, 78:13, 80:18, 80:21, 81:6</p> <p><b>SCHENKENBERG</b> [36] - 4:5, 4:10, 12:18, 14:7, 19:23, 22:21, 23:8, 31:1, 31:9, 34:14, 39:21, 40:2, 43:21, 43:24, 47:10, 47:13, 48:19, 52:15, 53:23, 57:21, 57:23, 58:7, 58:10, 62:12, 62:16, 69:20, 69:23, 70:14, 72:23, 73:1, 77:12, 78:14, 78:22, 78:25, 80:1, 80:3</p> <p><b>Schenkenberg's</b> [4] - 55:6, 72:8, 72:20, 74:7</p> <p><b>Schultz's</b> [2] - 31:10, 44:7</p> <p><b>Scott</b> [1] - 1:21</p> <p><b>search</b> [1] - 28:19</p> <p><b>second</b> [6] - 12:21, 13:9, 23:9, 26:6, 52:22, 63:19</p> <p><b>secret</b> [1] - 74:13</p> <p><b>secrets</b> [1] - 7:24</p> <p><b>see</b> [9] - 17:22, 31:4, 39:12, 47:2, 52:10, 53:13, 55:6, 55:9, 56:19</p> <p><b>seeing</b> [1] - 41:20</p> <p><b>seeking</b> [1] - 17:17</p> <p><b>seeks</b> [1] - 54:15</p> <p><b>sends</b> [1] - 64:3</p> <p><b>sensitive</b> [1] - 7:25</p> <p><b>separate</b> [1] - 3:13</p> <p><b>separately</b> [1] - 10:14</p> <p><b>September</b> [7] - 1:9, 2:4, 32:24, 33:3, 33:14, 83:11, 83:14</p> <p><b>serve</b> [3] - 4:23, 48:7, 80:4</p> <p><b>served</b> [6] - 5:15, 5:16, 13:1, 13:2, 21:23, 29:7</p> <p><b>service</b> [2] - 56:24, 79:1</p> <p><b>SERVICES</b> [2] - 1:6</p> <p><b>services</b> [9] - 3:5, 40:12, 53:3, 53:9, 54:15, 56:5, 56:9, 56:15</p> <p><b>set</b> [4] - 4:19, 15:10, 24:5, 24:20</p> <p><b>sets</b> [1] - 29:7</p> <p><b>settled</b> [1] - 73:4</p> <p><b>settlement</b> [6] - 73:4, 73:6, 73:9, 73:16,</p>	<p>73:18, 73:25</p> <p><b>settlements</b> [1] - 74:16</p> <p><b>several</b> [3] - 20:24, 28:21, 71:8</p> <p><b>shall</b> [2] - 3:8, 46:13</p> <p><b>sham</b> [1] - 7:16</p> <p><b>Sherry</b> [1] - 1:19</p> <p><b>shortcut</b> [2] - 22:7, 22:9</p> <p><b>shorthand</b> [2] - 83:9</p> <p><b>shortly</b> [1] - 55:24</p> <p><b>show</b> [6] - 5:3, 16:23, 48:13, 61:24, 61:25, 62:5</p> <p><b>showing</b> [1] - 62:6</p> <p><b>shown</b> [1] - 52:12</p> <p><b>Shultz</b> [24] - 1:22, 6:10, 6:20, 12:19, 13:4, 13:10, 14:21, 20:21, 27:23, 31:16, 31:24, 32:24, 33:18, 35:23, 36:25, 37:22, 41:8, 44:1, 49:6, 50:3, 50:22, 72:15, 80:20, 81:6</p> <p><b>SHULTZ</b> [42] - 6:21, 10:13, 11:6, 11:15, 14:24, 15:3, 15:21, 16:3, 18:1, 19:13, 27:24, 32:7, 32:18, 33:4, 33:15, 34:2, 36:1, 36:5, 36:13, 36:18, 36:21, 37:2, 37:6, 38:4, 38:9, 38:22, 39:5, 39:19, 40:1, 40:15, 40:17, 41:9, 41:15, 41:17, 43:4, 43:12, 44:15, 44:23, 45:2, 49:7, 49:20, 50:4</p> <p><b>sic</b> [1] - 65:25</p> <p><b>sic</b> [1] - 57:6</p> <p><b>side</b> [3] - 5:13, 66:19, 66:20</p> <p><b>side's</b> [1] - 16:24</p> <p><b>sides</b> [4] - 16:11, 18:14, 20:20, 21:2</p> <p><b>signed</b> [1] - 32:25</p> <p><b>significant</b> [2] - 26:23, 27:9</p> <p><b>similar</b> [9] - 23:16, 35:17, 42:20, 46:6, 47:8, 59:22, 59:24, 60:7, 63:24</p> <p><b>simply</b> [11] - 5:14, 5:23, 6:6, 9:2, 19:11, 25:14, 48:16, 49:17, 54:3, 56:13, 66:6</p> <p><b>single</b> [1] - 63:2</p>	<p><b>Sioux</b> [1] - 15:11</p> <p><b>sitting</b> [2] - 71:20</p> <p><b>situation</b> [3] - 22:1, 48:5, 64:8</p> <p><b>skillfully</b> [1] - 13:17</p> <p><b>skip</b> [2] - 43:5, 49:22</p> <p><b>slam</b> [4] - 8:8, 9:20, 17:15, 29:10</p> <p><b>Smith</b> [1] - 1:14</p> <p><b>snuff</b> [1] - 16:15</p> <p><b>someone</b> [1] - 31:14</p> <p><b>somewhat</b> [3] - 39:13, 42:25, 60:18</p> <p><b>somewhere</b> [1] - 71:21</p> <p><b>soon</b> [1] - 47:21</p> <p><b>sophistication</b> [1] - 51:9</p> <p><b>sorry</b> [6] - 26:25, 39:5, 69:20, 69:23, 73:11, 80:17</p> <p><b>SOUTH</b> [3] - 1:2, 1:6, 83:1</p> <p><b>South</b> [28] - 2:2, 2:4, 3:6, 5:7, 6:24, 7:2, 7:9, 9:13, 11:3, 12:1, 12:4, 16:4, 16:11, 18:13, 19:4, 20:5, 21:23, 22:9, 26:1, 30:15, 32:10, 35:6, 35:7, 70:7, 72:24, 73:2, 83:7, 83:13</p> <p><b>spat</b> [1] - 17:2</p> <p><b>specific</b> [7] - 3:15, 33:5, 33:21, 79:16, 79:24, 81:1, 81:9</p> <p><b>specifically</b> [5] - 33:9, 34:12, 43:14, 52:13, 56:14</p> <p><b>specifics</b> [1] - 22:25</p> <p><b>split</b> [4] - 60:24, 66:13, 67:22, 67:23</p> <p><b>spring</b> [1] - 34:16</p> <p><b>Sprint</b> [109] - 1:22, 3:12, 3:16, 4:1, 4:4, 4:7, 4:15, 6:4, 6:5, 7:13, 8:1, 8:10, 8:13, 8:22, 9:3, 9:8, 10:7, 11:10, 11:12, 11:23, 12:2, 12:8, 14:1, 14:22, 15:6, 15:11, 17:5, 17:14, 22:19, 22:25, 23:2, 23:4, 23:10, 23:15, 24:7, 24:12, 24:22, 25:16, 25:22, 27:17, 27:19, 28:6, 28:12, 28:23, 29:8, 29:9, 29:11, 29:17, 29:25, 30:16, 30:19, 32:1, 32:3,</p>	<p>32:16, 33:8, 33:24, 34:3, 34:8, 34:19, 35:1, 35:12, 39:3, 39:24, 40:8, 41:3, 41:10, 41:12, 44:17, 44:21, 47:3, 47:15, 47:19, 49:13, 49:17, 50:24, 51:6, 51:14, 51:24, 52:20, 52:25, 53:16, 54:18, 56:4, 56:9, 60:4, 61:17, 61:21, 61:25, 62:4, 63:1, 66:9, 69:25, 70:21, 70:23, 71:4, 71:11, 71:14, 73:8, 73:9, 74:5, 76:4, 76:8, 76:10, 76:20, 77:2, 79:17, 79:22</p> <p><b>Sprint's</b> [50] - 3:8, 3:10, 3:16, 3:21, 3:25, 4:3, 8:17, 11:16, 18:6, 19:10, 20:15, 21:16, 22:18, 24:7, 25:6, 26:2, 29:5, 30:12, 31:18, 32:8, 32:19, 36:16, 39:9, 39:16, 40:12, 40:23, 44:3, 45:17, 50:9, 54:5, 54:13, 55:2, 55:7, 55:22, 56:23, 58:5, 59:24, 62:23, 64:14, 68:7, 68:24, 70:4, 75:4, 77:22, 79:5, 80:25, 81:4, 81:12, 81:14</p> <p><b>square</b> [1] - 18:21</p> <p><b>Squash</b> [1] - 57:6</p> <p><b>squash</b> [5] - 58:13, 63:23, 64:24, 65:9, 66:3</p> <p><b>SS</b> [1] - 83:2</p> <p><b>Staff</b> [3] - 10:3, 31:5, 76:12</p> <p><b>STAFF</b> [1] - 1:13</p> <p><b>stage</b> [5] - 8:9, 9:21, 30:8, 30:9</p> <p><b>stand</b> [2] - 5:4, 9:6</p> <p><b>standard</b> [7] - 7:7, 9:18, 23:25, 24:19, 52:3, 52:5, 80:4</p> <p><b>standards</b> [1] - 24:20</p> <p><b>standpoint</b> [3] - 21:18, 22:5, 35:19</p> <p><b>start</b> [1] - 34:18</p> <p><b>started</b> [2] - 74:2, 79:1</p> <p><b>starting</b> [1] - 49:21</p> <p><b>state</b> [1] - 39:10</p> <p><b>State</b> [7] - 2:3, 5:7, 5:21, 20:5, 22:9, 26:1, 83:7</p>	<p><b>STATE</b> [2] - 1:2, 83:1 10</p> <p><b>statement</b> [6] - 6:9, 13:14, 31:10, 44:7, 48:17, 53:5</p> <p><b>statements</b> [4] - 61:17, 72:9, 76:5, 77:17</p> <p><b>stating</b> [1] - 52:20</p> <p><b>statute</b> [6] - 10:7, 10:10, 17:25, 46:12, 46:18, 47:3</p> <p><b>Steffensen</b> [1] - 1:17</p> <p><b>step</b> [2] - 11:1, 17:1</p> <p><b>stick</b> [1] - 3:24</p> <p><b>still</b> [7] - 18:4, 35:24, 43:17, 49:12, 52:22, 60:17, 76:24</p> <p><b>stimulation</b> [6] - 29:14, 36:7, 36:17, 70:5, 70:20, 73:17</p> <p><b>strongly</b> [1] - 31:19</p> <p><b>struggled</b> [1] - 21:13</p> <p><b>subject</b> [2] - 4:24, 17:12</p> <p><b>submitted</b> [2] - 25:19, 32:24</p> <p><b>submitting</b> [1] - 47:20</p> <p><b>subpoena</b> [2] - 48:7, 48:9</p> <p><b>subsection</b> [2] - 64:23, 66:3</p> <p><b>subset</b> [1] - 42:25</p> <p><b>subsidiary</b> [1] - 8:17</p> <p><b>substantial</b> [1] - 29:4</p> <p><b>substantially</b> [2] - 8:25, 12:13</p> <p><b>substantive</b> [3] - 24:6, 26:6, 47:4</p> <p><b>sudden</b> [1] - 47:8</p> <p><b>sufficient</b> [2] - 20:4, 37:7</p> <p><b>sufficiently</b> [1] - 21:20</p> <p><b>suggest</b> [1] - 37:9</p> <p><b>suggesting</b> [1] - 44:8</p> <p><b>suggestion</b> [3] - 29:16, 31:20, 80:1</p> <p><b>suggests</b> [1] - 26:2</p> <p><b>SULLY</b> [1] - 83:3</p> <p><b>summarizing</b> [1] - 33:6</p> <p><b>summary</b> [1] - 18:17</p> <p><b>superiors</b> [1] - 28:10</p> <p><b>supplemented</b> [2] - 47:15, 47:22</p> <p><b>support</b> [16] - 7:15, 7:18, 16:16, 17:7, 21:9, 27:8, 45:11, 45:17, 47:25, 52:9, 58:5, 63:17, 64:13, 66:17, 68:20, 75:3</p>
--	--	---	--	--

<p><b>supported</b> [3] - 9:23, 31:14, 57:16</p> <p><b>supporting</b> [7] - 8:14, 9:22, 22:10, 31:11, 42:22, 45:15, 46:21</p> <p><b>suppose</b> [1] - 47:14</p> <p><b>supposed</b> [1] - 48:6</p> <p><b>surely</b> [1] - 51:15</p> <p><b>surprisingly</b> [1] - 17:4</p> <p><b>suspect</b> [2] - 19:7, 80:8</p> <p><b>sweeping</b> [5] - 6:3, 7:15, 8:12, 11:23, 13:11</p> <p><b>SWIER</b> [19] - 50:1, 51:2, 52:3, 52:24, 55:25, 56:25, 61:11, 61:14, 71:1, 71:4, 71:25, 73:22, 73:25, 76:7, 77:2, 79:2, 79:21, 80:17, 81:5</p> <p><b>Swier</b> [17] - 1:21, 49:24, 51:2, 51:24, 52:18, 54:17, 61:12, 62:25, 71:2, 71:3, 71:22, 73:22, 78:17, 79:3, 80:12, 80:15, 80:18</p> <p><b>Swier's</b> [2] - 49:22, 55:22</p> <p><b>swings</b> [1] - 7:20</p> <p><b>system</b> [2] - 9:18, 17:18</p>	<p><b>terminated</b> [3] - 9:1, 52:13, 66:9</p> <p><b>terminating</b> [12] - 8:17, 8:23, 9:10, 12:8, 12:10, 12:14, 30:17, 34:8, 38:21, 38:25, 39:15</p> <p><b>termination</b> [1] - 34:20</p> <p><b>terms</b> [6] - 12:14, 15:5, 16:15, 28:14, 30:13, 30:17</p> <p><b>testified</b> [1] - 25:20</p> <p><b>testifying</b> [1] - 6:25</p> <p><b>testimony</b> [52] - 4:16, 4:25, 5:5, 5:25, 6:2, 6:7, 6:8, 6:11, 7:14, 8:21, 9:22, 10:24, 11:19, 11:20, 13:11, 13:16, 14:10, 14:13, 14:22, 15:8, 15:18, 16:18, 16:19, 18:9, 25:1, 31:21, 33:5, 35:18, 37:23, 46:23, 47:18, 47:19, 47:20, 47:22, 48:2, 48:21, 48:24, 49:5, 52:6, 53:1, 53:12, 53:17, 54:18, 54:19, 62:4, 70:17, 76:9, 76:11, 76:14, 76:17, 76:20, 76:23</p> <p><b>THE</b> [5] - 1:1, 1:2, 1:4, 1:11</p> <p><b>themselves</b> [1] - 71:16</p> <p><b>therefore</b> [3] - 20:23, 21:4, 66:17</p> <p><b>they've</b> [5] - 29:17, 39:23, 49:4, 49:18, 71:16</p> <p><b>third</b> [1] - 73:11</p> <p><b>Thompson</b> [1] - 56:17</p> <p><b>thousands</b> [1] - 35:12</p> <p><b>three</b> [5] - 29:1, 29:7, 62:13, 67:23, 73:11</p> <p><b>threw</b> [1] - 53:12</p> <p><b>throughout</b> [5] - 24:18, 37:5, 70:22, 71:5, 71:8</p> <p><b>throwing</b> [1] - 17:5</p> <p><b>thrust</b> [2] - 32:8, 32:19</p> <p><b>tid</b> [1] - 69:24</p> <p><b>Tillotson's</b> [1] - 62:21</p> <p><b>TO</b> [1] - 1:5</p> <p><b>today</b> [6] - 3:7, 20:20, 20:21, 55:8, 72:10, 80:23</p> <p><b>together</b> [6] - 23:5, 42:17, 46:7, 53:13, 58:25, 81:11</p>	<p><b>took</b> [1] - 83:9</p> <p><b>topic</b> [3] - 23:20, 25:11</p> <p><b>topics</b> [9] - 3:15, 22:25, 24:25, 26:12, 29:17, 79:25, 80:6, 80:9, 80:14</p> <p><b>tossed</b> [1] - 8:13</p> <p><b>towards</b> [2] - 33:8, 42:22</p> <p><b>track</b> [2] - 49:19, 52:20</p> <p><b>tracked</b> [1] - 35:3</p> <p><b>trade</b> [2] - 7:24, 74:13</p> <p><b>traffic</b> [34] - 7:16, 8:18, 9:1, 12:9, 12:10, 12:14, 25:17, 25:23, 25:25, 26:4, 27:12, 30:18, 33:22, 34:8, 34:21, 34:25, 35:1, 35:5, 36:6, 36:8, 36:9, 36:17, 39:25, 40:4, 52:13, 61:18, 63:2, 66:9, 70:5, 70:20, 73:17</p> <p><b>Transcript</b> [1] - 1:8</p> <p><b>TRANSCRIPT</b> [1] - 2:1</p> <p><b>transcription</b> [1] - 83:12</p> <p><b>transcripts</b> [1] - 14:14</p> <p><b>treated</b> [1] - 21:2</p> <p><b>trial</b> [3] - 20:4, 47:20, 47:22</p> <p><b>tried</b> [1] - 24:6</p> <p><b>true</b> [7] - 5:20, 29:2, 31:11, 38:23, 52:11, 54:19, 83:11</p> <p><b>truth</b> [4] - 9:19, 17:16, 28:5, 72:10</p> <p><b>try</b> [4] - 26:24, 33:12, 58:1, 65:23</p> <p><b>trying</b> [6] - 7:24, 22:7, 26:3, 39:12, 42:2</p> <p><b>Ts</b> [1] - 21:15</p> <p><b>turn</b> [1] - 19:11</p> <p><b>twice</b> [1] - 13:1</p> <p><b>two</b> [6] - 23:14, 27:15, 29:7, 45:14, 51:22, 81:11</p> <p><b>type</b> [1] - 71:5</p>	<p><b>understood</b> [1] - 73:20</p> <p><b>undertaken</b> [1] - 28:22</p> <p><b>unduly</b> [1] - 29:21</p> <p><b>unfair</b> [1] - 9:2</p> <p><b>unfortunately</b> [1] - 7:5</p> <p><b>unless</b> [1] - 43:9</p> <p><b>unlike</b> [2] - 26:16, 61:15</p> <p><b>unprecedented</b> [1] - 7:19</p> <p><b>unsupported</b> [4] - 9:4, 13:16, 13:19, 29:21</p> <p><b>unusual</b> [1] - 71:6</p> <p><b>up</b> [22] - 3:1, 4:3, 5:3, 7:9, 7:18, 11:9, 11:13, 12:20, 17:5, 20:22, 22:24, 23:22, 28:8, 31:13, 31:20, 32:23, 36:23, 44:14, 48:13, 48:25, 51:14, 51:18</p> <p><b>updated</b> [3] - 7:6, 47:21</p> <p><b>UTILITIES</b> [2] - 1:1, 1:11</p>	<p>55:18, 57:11, 57:12, 11:58:19, 58:20, 59:15, 59:16, 63:12, 63:13, 65:4, 65:5, 65:14, 65:15, 67:3, 67:4, 69:6, 69:7, 75:10, 75:19, 75:20, 78:8, 78:9, 79:13, 79:14, 81:22, 81:23</p> <p><b>vu</b> [1] - 22:6</p>
<b>T</b>			<b>V</b>	<b>W</b>
<p><b>tactics</b> [1] - 29:20</p> <p><b>tailored</b> [2] - 27:8, 27:10</p> <p><b>tariffs</b> [1] - 39:16</p> <p><b>task</b> [1] - 29:1</p> <p><b>TC11-087</b> [2] - 1:4, 3:2</p> <p><b>technical</b> [1] - 16:3</p> <p><b>technically</b> [3] - 7:10, 16:21, 73:18</p> <p><b>tediously</b> [1] - 80:19</p> <p><b>telecom</b> [2] - 56:9, 56:15</p> <p><b>Telecom</b> [3] - 1:21, 1:22, 3:3</p> <p><b>TELECOM</b> [1] - 1:4</p> <p><b>telecommunication</b> [1] - 3:2</p> <p><b>TELECOMMUNICATIONS</b> [1] - 1:5</p> <p><b>telecommunications</b> [2] - 3:5, 56:4</p> <p><b>tenor</b> [3] - 11:22, 32:19, 33:7</p>	<p><b>THE</b> [5] - 1:1, 1:2, 1:4, 1:11</p> <p><b>themselves</b> [1] - 71:16</p> <p><b>therefore</b> [3] - 20:23, 21:4, 66:17</p> <p><b>they've</b> [5] - 29:17, 39:23, 49:4, 49:18, 71:16</p> <p><b>third</b> [1] - 73:11</p> <p><b>Thompson</b> [1] - 56:17</p> <p><b>thousands</b> [1] - 35:12</p> <p><b>three</b> [5] - 29:1, 29:7, 62:13, 67:23, 73:11</p> <p><b>threw</b> [1] - 53:12</p> <p><b>throughout</b> [5] - 24:18, 37:5, 70:22, 71:5, 71:8</p> <p><b>throwing</b> [1] - 17:5</p> <p><b>thrust</b> [2] - 32:8, 32:19</p> <p><b>tid</b> [1] - 69:24</p> <p><b>Tillotson's</b> [1] - 62:21</p> <p><b>TO</b> [1] - 1:5</p> <p><b>today</b> [6] - 3:7, 20:20, 20:21, 55:8, 72:10, 80:23</p> <p><b>together</b> [6] - 23:5, 42:17, 46:7, 53:13, 58:25, 81:11</p>	<p><b>ultimate</b> [1] - 55:7</p> <p><b>uncommon</b> [1] - 78:12</p> <p><b>under</b> [13] - 4:22, 12:24, 13:8, 16:21, 18:12, 20:2, 20:8, 21:3, 41:2, 51:11, 52:4, 72:2, 74:6</p>	<p><b>vague</b> [5] - 55:23, 56:1, 56:16, 76:4, 77:1</p> <p><b>Valley</b> [6] - 23:15, 26:10, 27:17, 70:24, 73:10, 73:14</p> <p><b>value</b> [3] - 27:18, 51:12, 72:3</p> <p><b>various</b> [1] - 76:13</p> <p><b>vehicle</b> [1] - 17:1</p> <p><b>veneer</b> [1] - 9:5</p> <p><b>venue</b> [1] - 56:11</p> <p><b>verification</b> [1] - 25:22</p> <p><b>via</b> [1] - 2:1</p> <p><b>viability</b> [2] - 54:7, 54:8</p> <p><b>VICE</b> [1] - 1:12</p> <p><b>violated</b> [1] - 5:14</p> <p><b>violation</b> [1] - 21:23</p> <p><b>virtue</b> [1] - 11:6</p> <p><b>volume</b> [3] - 8:25, 9:1, 12:12</p> <p><b>vote</b> [8] - 63:8, 66:13, 66:25, 67:7, 67:8, 67:10, 67:22, 68:5</p> <p><b>voted</b> [1] - 46:3</p> <p><b>votes</b> [36] - 22:15, 22:16, 42:12, 42:13, 45:14, 45:23, 45:24, 50:14, 50:15, 55:17,</p>	<p><b>wait</b> [1] - 37:17</p> <p><b>waiting</b> [1] - 75:12</p> <p><b>waived</b> [1] - 27:6</p> <p><b>wants</b> [4] - 5:9, 20:6, 25:16, 65:20</p> <p><b>warehouse</b> [1] - 28:19</p> <p><b>ways</b> [3] - 7:20, 16:14, 67:23</p> <p><b>week</b> [2] - 47:15</p> <p><b>weekly</b> [1] - 28:9</p> <p><b>weeks</b> [1] - 29:2</p> <p><b>weigh</b> [4] - 27:18, 57:24, 58:3, 59:3</p> <p><b>weight</b> [1] - 19:3</p> <p><b>whatsoever</b> [1] - 55:10</p> <p><b>wholesale</b> [9] - 38:20, 39:9, 39:20, 40:24, 43:13, 44:3, 44:16, 44:21, 59:25</p> <p><b>wide</b> [1] - 61:16</p> <p><b>Wiest</b> [11] - 1:14, 10:5, 13:10, 15:24, 38:18, 40:18, 41:24, 42:19, 59:4, 59:22, 76:1</p> <p><b>WIEST</b> [45] - 10:6, 11:4, 11:8, 12:15, 15:25, 17:21, 19:15, 19:19, 36:15, 36:19, 38:19, 38:24, 39:7, 40:10, 40:16, 40:22, 41:7, 41:11, 41:16, 42:16, 42:23, 43:5, 43:9, 44:20, 44:25, 46:20, 47:5, 49:1, 56:20, 57:1, 59:23, 60:3, 60:7, 60:14, 60:17, 63:25, 64:7, 64:15, 67:16, 75:25, 76:3, 76:24, 77:8, 77:20, 81:2</p> <p><b>Wiest's</b> [1] - 12:25</p> <p><b>willing</b> [2] - 18:6, 36:7</p> <p><b>wish</b> [3] - 50:6, 63:15, 67:9</p> <p><b>wishing</b> [1] - 59:3</p>

**withdraw** <sup>[1]</sup> - 64:6  
**withdrawing** <sup>[2]</sup> -  
 43:10, 44:25  
**withdraws** <sup>[1]</sup> - 45:8  
**withdrew** <sup>[2]</sup> - 46:3,  
 58:23  
**witness** <sup>[10]</sup> - 5:3,  
 14:23, 15:1, 15:17,  
 23:21, 23:22, 26:25,  
 48:25, 80:13  
**witness's** <sup>[1]</sup> - 4:25  
**witnesses** <sup>[5]</sup> - 61:25,  
 62:6, 77:16, 77:18,  
 80:9  
**Wittler** <sup>[2]</sup> - 1:24,  
 83:18  
**WITTLER** <sup>[1]</sup> - 83:5  
**wonder** <sup>[1]</sup> - 23:1  
**wondering** <sup>[2]</sup> - 42:23,  
 67:12  
**word** <sup>[4]</sup> - 28:3, 33:25,  
 36:11, 36:12  
**wording** <sup>[1]</sup> - 44:2  
**words** <sup>[2]</sup> - 41:11,  
 77:5  
**world** <sup>[1]</sup> - 40:4  
**wrestled** <sup>[2]</sup> - 46:10,  
 68:21  
**wrestling** <sup>[2]</sup> - 52:22,  
 68:16  
**written** <sup>[7]</sup> - 42:21,  
 53:1, 76:5, 76:9,  
 76:17, 76:23, 77:17

## Y

**year** <sup>[1]</sup> - 23:14  
**years** <sup>[2]</sup> - 7:1, 23:15

## Z

**zero** <sup>[1]</sup> - 8:11