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BEFORE THE

ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
ILLINOIS COMMERCE COMMISSION)
ON ITS OWN MOTION)
-vs-) No. 03-0160
MIDAMERICAN ENERGY COMPANY)
)
reconciliation of revenues)
collected under coal tar)
riders with prudent costs)
associated with coal tar)
clean-up expenditures)

Chicago, Illinois

November 18, 2003

Met, pursuant to adjournment

at 2:00 p.m.

BEFORE:

MR. IAN BRODSKY,
Administrative Law Judge

APPEARANCES:

MR. ROBERT JARED (via telephone)
106 East 2nd Street
Davenport, Iowa 52801
appearing for MidAmerican Energy
Company;

1 APPEARANCES (continued):

2 MS. BURMA JONES (via telephone)
3 527 East Capitol Avenue
4 Springfield, Illinois
5 appearing for Illinois Commerce
6 Commission

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I N D E X

<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re-</u> <u>direct</u>	<u>Re-</u> <u>cross</u>	<u>By</u> <u>Examiner</u>
ROBERT BUSCHBOM	17				19
CHARLES W. KRUEGER	22				24
	22				30
VERMA JONES					35

E X H I B I T S

<u>MidAmerican</u>	<u>For Identification</u>	<u>In Evidence</u>
No. 1.0		19
2.0		29
2.1		29
3.0		19
3.1		21
4.0		29
4.1		29
Staff		
1.0		37
1.01		37

1 MR. BRODSKY: Pursuant to the authority of the
2 Illinois Commerce Commission, I now call Docket
3 03-0160. This is the Illinois Commerce Commission
4 on its own motion versus MidAmerican Energy Company.
5 Let the record show this is a reconciliation of
6 revenues collected under coal tar riders with
7 prudent costs associated with coal tar clean-up
8 expenditures.

9 May I have appearances for the record,
10 please.

11 MR. JARED: On behalf of MidAmerican Energy
12 Company, Robert Jared, J-a-r-e-d, 106 East 2nd
13 Street, Davenport, Iowa, 52801.

14 MS. JONES: Burma Jones appearing on behalf of
15 the Financial Analysis Division of the Illinois
16 Commerce Commission, 527 East Capitol Avenue.

17 MR. BRODSKY: Okay. Thank you.

18 This is the evidentiary hearing in the
19 matter today, and since it seems that it would be
20 most logical for the company to proceed first, since
21 they're responding the initial set of numbers, I'm
22 going to ask them to do so.

1 MR. JARED: Thank you, your Honor.

2 Perhaps prior to moving to the
3 witnesses, MidAmerican would note that it has filed
4 two motions for protective order in this docket, one
5 with its direct testimony on May 9, 2003 and a
6 second one with its rebuttal testimony on October
7 30, 2003. MidAmerican would move -- would request
8 that those two motions be granted.

9 MR. BRODSKY: Any objection?

10 MS. JONES: No objection from staff.

11 MR. BRODSKY: Okay. I believe that motion's
12 noted that there were other protective orders
13 already entered and are concerning this docket; is
14 that correct?

15 MS. JONES: Correct.

16 MR. BRODSKY: Okay. So these two motions will be
17 granted on the same terms and conditions as are the
18 former motions for protective order.

19 MR. JARED: Thank you, your Honor.

20 MidAmerican would then call its first
21 witness, Robert R. Buschbom.

22 (Witness sworn.)

1 JUDGE BRODSKY: Thank you.

2 ROBERT BUSCHBOM,

3 called as a witness herein, having been first duly
4 sworn, was examined and testified as follows:

5 DIRECT EXAMINATION

6 BY

7 MR. JARED:

8 Q. Mr. Buschbom, would you please state your
9 name and business address for the record.

10 A. Robert R. Buschbom, B-u-s-c-h-b-o-m,
11 626 East San Marnan Drive in Waterloo, Iowa, 50702.

12 Q. Mr. Buschbom, are you the same Robert R.
13 Buschbom identified in the four-page document
14 entitled, "Direct testimony of Robert R. Buschbom,"
15 which has been marked as MidAmerican Energy Company
16 Exhibit No. 1.0?

17 A. Yes.

18 Q. Do you have a copy of that exhibit before
19 you?

20 A. Yes, I have.

21 Q. Do you also have before you a copy of a
22 two-page document entitled, "Rebuttal Testimony of

1 Robert R. Buschbom," which has been marked as
2 MidAmerican Energy Company Exhibit 3.0?

3 **A.** Yes, sir, I have.

4 **Q.** And is that a copy of the prefiled rebuttal
5 testimony prepared by you for this proceeding?

6 **A.** Yes, it is.

7 **Q.** Do you also have before you a copy of what
8 has been marked as MidAmerican Energy Company
9 Exhibit 3.1, consisting of MidAmerican Energy
10 Company responses to Staff Data Requests SDR-1
11 through 19 and SDR-21 and 22?

12 **A.** Yes, I have.

13 **Q.** Was MidAmerican Exhibit 3.1 prefiled with
14 your rebuttal testimony?

15 **A.** Yes, sir, it was.

16 **Q.** Was that exhibit prepared under your
17 supervision and direction?

18 **A.** Yes, it was.

19 **Q.** Mr. Buschbom, do you have any changes to
20 your direct testimony, your rebuttal testimony, or
21 the prefiled staff data request responses?

22 **A.** No, my testimony stands as is.

1 response and then an attachment.

2 Is there something specific in the
3 attachment that the company is referring to?

4 **A.** Those refer to the EPA's risk assessment
5 guidance --

6 **Q.** Can you repeat that, please.

7 **A.** This refers to the EPA's risk assessment
8 guidance for a superfund site.

9 **Q.** Which is the attachment?

10 **A.** Right.

11 **Q.** Is there something specific in the
12 attachment that this is referring to?

13 **A.** No, it's a guidance document overall.

14 **Q.** So this is just background information that
15 was used in generating the actual model implemented
16 in Moline (phonetic)?

17 **A.** That's correct.

18 JUDGE BRODSKY: All right. Without anything in
19 particular being referred to in this rather
20 voluminous document, I'm not inclined to include the
21 Attachment SDR-002. The one-page response of the
22 company itself is okay. So that would be -- in

1 terms of 3.1, it would be responses SDR-1 through, I
2 believe it was, 19 and 21 through 22 with the
3 exception of the attachment to SDR-2.

4 So with that, that will be the ruling
5 on the admission. 1.0 and 3.0 are in. 3.1 is in
6 with the exception of Attachments SDR-002A and B.

7 (Whereupon, MidAmerican
8 Exhibit No. 3.1 was
9 received in evidence.)

10 All right. Mr. Jared, you may proceed.

11 MR. JARED: Thank you, your Honor.

12 With that, MidAmerican would tender
13 Mr. Buschbom for cross-examination, sir.

14 JUDGE BRODSKY: Ms. Jones, do you have any
15 questions for Mr. Buschbom?

16 MS. JONES: No, sir, I do not.

17 JUDGE BRODSKY: Okay. Mr. Buschbom, I believe I
18 have no questions for you either. Thank you.

19 THE WITNESS: Thank you, your Honor.

20 JUDGE BRODSKY: Mr. Jared, you may call your next
21 witness.

22 MR. JARED: Thank you, your Honor.

1 MidAmerican would call its second
2 witness, Charles W. Krueger.

3 (Witness sworn.)

4 JUDGE BRODSKY: Thank you. Please proceed,
5 Mr. Jared.

6 MR. JARED: Thank you, sir.

7 CHARLES W. KRUEGER,
8 called as a witness herein, having been first duly
9 sworn, was examined and testified as follows:

10 DIRECT EXAMINATION

11 BY

12 MR. JARED:

13 Q. Mr. Krueger, will you please state your name
14 and business address for the record.

15 A. My name is Charles W. Krueger,
16 K-r-u-e-g-e-r, and my business address is 666 Grand
17 Avenue, Des Moines, Iowa, 50303.

18 Q. And are you the same Charles W. Krueger who
19 is identified in the three-page document entitled,
20 "Direct Testimony of Charles W. Krueger" --

21 A. Yes, I am.

22 Q. -- in MidAmerican Energy Company 2.0?

1 **A.** Yes.

2 **Q.** Is that a copy of the prefiled direct
3 testimony prepared by you for this proceeding?

4 **A.** Yes, it is.

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

6 **A.** No.

7 **Q.** And is it true and correct to the best of
8 your knowledge and belief?

9 **A.** Yes, it is.

10 **Q.** And if I were to ask you those questions
11 today, would your answers under oath be the same?

12 **A.** Yes, they would.

13 **Q.** Mr. Krueger, do you also have before you a
14 copy of what has been marked as MidAmerican Energy
15 Company Exhibit 2.1?

16 **A.** Yes, I do.

17 **Q.** That consists of 13 pages, including
18 confidential information, Pages 1, 2, 10, and 13?

19 **A.** Uh-huh. Yes.

20 **Q.** MidAmerican Exhibit 2.1 was prefiled with
21 your direct testimony?

22 **A.** Yes.

1 Q. And was that prepared under your supervision
2 and direction?

3 A. It was, yes.

4 Q. Do you have any changes or corrections to
5 make to MidAmerican Exhibit 2.1?

6 A. Well, I do have a correction on two pages,
7 and it was an inadvertent error on my part that
8 Burma Jones noticed, and I would like to make that
9 notation on pages -- or on Exhibit 2.1, Page 11 of
10 13, Line 21. An amount shows on the document as
11 \$11,492.90 and the correction would be \$48,080.42.
12 That would be one correction, and the other one is
13 on --

14 JUDGE BRODSKY: Hold on a second.

15 EXAMINATION

16 BY

17 JUDGE BRODSKY:

18 Q. Mr. Krueger, the \$48,080.42 would be in the
19 column headed Moline, and I assume also under the
20 total before carrying charges?

21 A. That's correct.

22 Q. Okay. And then do you have a new cumulative

1 balance number for Line 22?

2 **A.** Yes, I do. \$2,779,593.10.

3 **Q.** \$2,779,593.10?

4 **A.** Yes, sir.

5 **Q.** Okay. And that appears in both columns as
6 well?

7 **A.** Yes.

8 **Q.** Okay. And the second correction was on
9 Exhibit 2.1, Page 12, and it's on the right column,
10 Line 21. There's a number \$11,492.90 that I would
11 like to see replaced with the number \$48,080.42, and
12 that total underneath it would be \$2,980,387.33.

13 **Q.** Could you repeat that number, please.

14 **A.** Yes, sir, 2,980,000 -- or excuse me --
15 \$2,980,387.33.

16 **Q.** Okay. Now these numbers came out of the
17 testimony of Ms. Jones, correct?

18 **A.** Yes. She noticed that on my exhibit I had
19 failed to carry forward the corrected number, and
20 the corrected number was on my Exhibit 2.1. It just
21 wasn't carried forward.

22 **Q.** Where on Exhibit 2.1 is it?

1 **A.** It would be on Page 7 of 13.

2 **Q.** Okay. Is this the September '02 entry or
3 following it?

4 **A.** Following it.

5 **Q.** Okay. All right. Well, since this is the
6 scope of Ms. Jones's testimony, which came after
7 Exhibit 2.1, I'm going to leave 2.1 unchanged and
8 instead direct you to file these as a corrected
9 attachment within your rebuttal testimony.

10 **A.** Yes, sir.

11 **MR. JARED:** Your Honor, you would like that filed
12 then as a late-filed exhibit?

13 **JUDGE BRODSKY:** That's fine. So we'll do that as
14 a late-filed exhibit within Mr. Krueger's rebuttal
15 testimony. Okay.

16 Moving on, are there any other items,
17 Mr. Jared?

18 **MR. JARED:** Yes, your Honor.

19 DIRECT EXAMINATION (continued)

20 BY

21 **MR. JARED:**

22 **Q.** Mr. Krueger, do you also have before you a

1 copy of --

2 (A brief interruption.)

3 JUDGE BRODSKY: I'm sorry. The conflict seems to
4 have stopped. Could you repeat where you started
5 the question, Mr. Jared?

6 MR. JARED: Yes, your Honor.

7 MidAmerican had filed rebuttal
8 testimony of Mr. Krueger and also an Exhibit 4.1 I
9 believe the rebuttal testimony of Mr. Krueger --
10 I'm mistaken. I think we do need to proceed with
11 that now that I see it

12 MR. JARED: Q. Mr. Krueger, do you have before
13 you a copy of a two-page document entitled "Rebuttal
14 Testimony of Charles Krueger," which has been marked
15 as MidAmerican Exhibit 4.0?

16 A. I do, indeed.

17 Q. And that is a copy of prefiled rebuttal
18 testimony prepared for this proceeding?

19 A. Yes, sir.

20 Q. Do you have any changes to that rebuttal
21 testimony?

22 A. No changes.

1 **Q.** Correct to the best of your knowledge and
2 belief?

3 **A.** Yes, it is.

4 **Q.** You also have before you a copy of what's
5 been marked as MidAmerican Energy Company Exhibit
6 No. 4.1?

7 **A.** Yes.

8 **Q.** And with an earlier ruling on the admission
9 of Staff Data Request 20, Attachments A and B, does
10 your MidAmerican Exhibit No. 4.1 now consist solely
11 of the first sheet without the attachments to
12 SDR-020?

13 **A.** That's correct.

14 **Q.** Do you have any changes or corrections --

15 JUDGE BRODSKY: Mr. Jared --

16 MR. JARED: Yes, your Honor.

17 JUDGE BRODSKY: -- the attachment that was at
18 issue before was 002, not 020.

19 MR. JARED: Oh, I'm sorry. You are absolutely,
20 correct. Thank you for catching that.

21 MR. JARED: **Q.** Mr. Krueger, let me correct my
22 misstep. Does MidAmerican Exhibit No. 4.0 consist

1 of company's response to SDR-020 with the
2 attachment?

3 **A.** Yes, it does.

4 **Q.** And do you have any changes or corrections
5 to make to that exhibit?

6 **A.** No.

7 **MR. JARED:** Your Honor, MidAmerican would move
8 for the admission of MidAmerican Energy Company
9 Exhibits 2.0, 2.1, 4.0 and 4.1.

10 **JUDGE BRODSKY:** Is there any objection?

11 **MS. JONES:** No, your Honor.

12 **JUDGE BRODSKY:** Okay. Then those items will be
13 admitted subject to cross-examination.

14 (Whereupon, MidAmerican
15 Exhibit Nos. 2.0, 2.1,
16 4.0 and 4.1 were
17 received in evidence.)

18 And just so that the record is clear,
19 we have -- within 4.0 we have Attachment SDR-20B,
20 which is not labeled as confidential, within 4.1 an
21 Attachment 20.A, which is labeled as confidential,
22 is that correct, Mr. Jared?

1 MR. JARED: That is correct, your Honor. Thank
2 you.

3 JUDGE BRODSKY: Okay. All right. So with that
4 notation, let's proceed with cross, if any.

5 MS. JONES: Your Honor, staff has no cross, your
6 Honor.

7 JUDGE BRODSKY: I have a question for
8 you, Mr. Krueger.

9 EXAMINATION

10 BY

11 JUDGE BRODSKY:

12 Q. Would you basically -- without involving any
13 information that is confidential on the record,
14 would you just walk through the calculation that is
15 underlying this reconciliation proceeding today.

16 A. Well, I think the summary page on Exhibit
17 2.1, where basically we look at all the revenues we
18 have collected from ratepayers in Illinois and
19 compare it with the expense that we have accumulated
20 over the course of the project and basically at
21 the end of each reconciliation period examine the
22 individual costs that were recorded in the last year

1 to summarize those and basically have them examined
2 to see if they are appropriate charges, costs, and
3 at the end of each year, then we just see what over
4 or undercollection we may have through the course of
5 time.

6 And during the period of this clean-up,
7 we also make some recoveries of -- insurance
8 recoveries for clean-up costs, and we basically have
9 factored those recoveries into our calculation to
10 essentially offset the amount of recoveries that we
11 would be receiving from our ratepayers in Illinois,
12 and at the end of the reconciliation period, which
13 always end in September, we essentially assess how
14 much over or undercollection we are in.

15 Based on that, at the end of each year,
16 we file new tariffs to determine how much additional
17 we should collect from customers on a rate-by-rate
18 basis, both electric and gas customers, or how much
19 if we are overcollected we need to refund to
20 customers.

21 **Q.** Okay. So what we are looking at here are
22 the totals given on the summary sheet which

1 incorporate the recoveries and the outflows,
2 correct?

3 **A.** Uh-huh. Correct. And currently our
4 project -- clean-up project is basically approaching
5 an end, and we're at a point where we are now
6 looking for a method to basically bring this rider
7 to a close because the project is over and, for the
8 most part, we have recovered all the revenues that
9 would cover the costs from our ratepayers.

10 We have currently a bit of an
11 overcollection from customers and we're in our
12 January or rather December filing of new tariffs.
13 We will propose a plan on how to bring the rider to
14 an end to close it -- close it out.

15 **Q.** Okay. So there will be an overrecovery of
16 potentially after this reconciliation proceeding?

17 **A.** That's correct. There is still an
18 overcollection, and the reason that overcollection
19 occurred, I believe, is because we, earlier in the
20 course of the project, did not anticipate as much
21 insurance recoveries as we did, and when we did
22 recover the insurance monies, that essentially

1 amounted to the fact that we had recovered more than
2 really what our costs were and we didn't need to
3 have collected too much from our ratepayers because
4 of our insurance recovery.

5 **Q.** Okay. And so is this likely to be the last
6 reconciliation on this if there is something to be
7 included in a tariff filing?

8 **A.** I'm thinking in speaking with Burma Jones
9 earlier in the year, like a month or two ago, she
10 mentioned that there might be one more
11 reconciliation that would bring us from October to
12 2002 to I guess September 2003.

13 **Q.** Okay. All right. And just so that the
14 record is clear, it looks like we have the monthly
15 numbers underlying the total recoveries shown in the
16 beginning of 2.1 immediately following thereafter.
17 Is that a correct --

18 **A.** Yes.

19 **Q.** -- interpretation?

20 Okay. And then following that appears
21 to be the site expenditures; is that correct?

22 **A.** That's on page --

1 Q. That would be starting on 5.

2 A. Yes.

3 Q. Okay. And it looks like eight and nine are
4 your summary of the actual riders?

5 A. That's the breakdown of cost between
6 electric portion and gas portion.

7 Q. Okay. And so for each of the two service
8 types, you break the revenues down by each rate
9 type?

10 A. Yes. Yes.

11 Q. Okay. And that's what generates the numbers
12 that we see upon Page 1 and 2?

13 A. Uh-huh.

14 Q. Okay. Mr. Krueger, I believe that
15 concludes my questions for you.

16 JUDGE BRODSKY: Ms. Jones, do you have anything
17 further for Mr. Krueger?

18 MS. JONES: No, sir, I don't.

19 JUDGE BRODSKY: Mr. Jared, do you have anything
20 further for Mr. Krueger?

21 MR. JARED: No, sir I do not.

22 JUDGE BRODSKY: Okay. Thank you, Mr. Krueger.

1 THE WITNESS: Yes, sir.

2 JUDGE BRODSKY: Mr. Jared, do you have anything
3 further?

4 MR. JARED: No, sir, we do not.

5 JUDGE BRODSKY: Okay. Ms. Jones --

6 MS. JONES: Yes.

7 JUDGE BRODSKY: -- do you have anything?

8 MS. JONES: I have nothing.

9 I'm prepared to enter my documents into
10 admission into the record.

11 JUDGE BRODSKY: Okay. Let me swear you in,
12 Ms. Jones.

13 (Witness sworn.)

14 Thank you.

15 BURMA JONES,
16 called as a witness herein, having been first duly
17 sworn, was examined and testified as follows:

18 EXAMINATION

19 BY

20 JUDGE BRODSKY:

21 **Q.** Please state your name for the record.

22 **A.** Burma C. Jones.

1 Q. And please state your capacity in which you
2 work for the Commission.

3 A. I'm an accountant in the Accounting
4 Department of the Financial Analysis Division of the
5 Illinois Commerce Commission.

6 Q. And you prepared Exhibit 1.0 and Schedule
7 1.01 in this proceeding?

8 A. Yes, I did.

9 Q. And if you were asked the same questions
10 today, would your answers be the same?

11 A. Yes, they would.

12 Q. Are there any changes or corrections?

13 A. No, there are not.

14 Q. Okay. And then I take it that staff wants
15 to enter Exhibit 1.0 and Schedule 1.01 into the
16 record.

17 A. That's correct, your Honor.

18 JUDGE BRODSKY: Is there any objection?

19 MR. JARED: No objection, your Honor.

20 JUDGE BRODSKY: Okay. Then we'll enter those
21 items, Exhibit 1.0 and Schedule 1.01.

22

1 (Whereupon, Staff Exhibit
2 Nos. 1.0 & 1.01 were
3 received in evidence.)

4

5 Ms. Jones --

6 MS. JONES: Yes.

7 JUDGE BRODSKY: Actually, Mr. Jared, do you have
8 any questions for Ms. Jones?

9 MR. JARED: No, your Honor, I do not.

10 JUDGE BRODSKY: Okay. Then, Ms. Jones, I do have
11 one question for you.

12 JUDGE BRODSKY: Q. The source of the change that
13 you are proposing in Schedule 1.01, and that it
14 sounds like was agreed to by Mr. Krueger, do you
15 agree with Mr. Krueger's characterization that it
16 was just a number that was not carried forward?

17 A. Yes, that is correct.

18 Q. Okay. And so with that change, then you are
19 satisfied that the reconciliation is the proper
20 amount as shown at the end of your Schedule 1.01?

21 (No response.)

22 Ms. Jones, did you hear the question?

1 A. Yes, I'm sorry. I must not be speaking loud
2 enough. Yes, that is correct.

3 Q. Okay. So it's that number then that is
4 being adopted, correct?

5 A. Yes. The number on the first page of my
6 Schedule 1.01 identifies the amount that is
7 over-recovered at September 30, 2002.

8 Q. So we are using the number in the far right
9 column --

10 A. Yes.

11 Q. -- of Line 3?

12 A. Yes.

13 JUDGE BRODSKY: Okay. All right. That's all the
14 questions that I have for you, Ms. Jones.

15 Is there anything further that you wish
16 to add?

17 MS. JONES: No, sir, other than prior to the
18 hearing I discussed with the company the preparation
19 for the draft order. They have agreed to prepare a
20 draft order and submit it to staff for review prior
21 to filing.

22 JUDGE BRODSKY: Okay. So that -- that will be

1 the order. We'll expect a draft order in lieu of
2 briefs in this docket.

3 When is the schedule for filing
4 anticipated?

5 MR. JARED: Your Honor, I would request two weeks
6 in preparation of a draft order, two weeks to get it
7 to Commission staff.

8 JUDGE BRODSKY: Okay. And, Ms. Jones, how much
9 time does staff need?

10 MS. JONES: A week to review it.

11 JUDGE BRODSKY: Okay. So today is the 18th of
12 November. Why don't we set this then as due to be
13 filed on the 19th of December. That's okay with
14 everyone?

15 MS. JONES: That's agreeable with staff.

16 MR. JARED: Fine, your Honor.

17 JUDGE BRODSKY: Okay. So I'll expect a draft
18 order agreed to by parties to be filed by December
19 19th.

20 Is there anything further that we have
21 to do today?

22 MR. JARED: Not from MidAmerican, your Honor.

1 MS. JONES: Not from staff, your Honor.

2 JUDGE BRODSKY: So we have got additional
3 exhibits to be filed by MidAmerican.

4 So what we are going to do is we'll
5 just continue this generally to be looking for the
6 filing of the late-filed rebuttal and then also the
7 draft order in a month.

8 If there's anything -- if there's
9 nothing further, then that will conclude the hearing
10 for today.

11 MR. JARED: Thank you, your Honor.

12 MS. JONES: Thank you, your Honor.

13 JUDGE BRODSKY: Mr. Jared, are you still with me?

14 MR. JARED: Yes, sir.

15 JUDGE BRODSKY: I need you to send me -- in
16 addition to the late-filed material, I need a
17 complete set of unredacted copies. Is that okay?

18 MR. JARED: That's fine, your Honor. We also
19 request a copy of the transcript, please.

20 JUDGE BRODSKY: Okay. Are you -- you are
21 requesting it pursuant to what schedule?

22 MR. JARED: I would not propose the change to the

1 schedule at all. That's fine.

2 JUDGE BRODSKY: No, what you are getting a copy
3 of the transcript on the just the regular delivery?

4 MR. JARED: Oh, yes, sir.

5 JUDGE BRODSKY: Okay. All right. So that will
6 be that.

7 MR. JARED: Thank you very much.

8 JUDGE BRODSKY: Thank you. Have a good day.

9 (Whereupon, the above
10 matter was adjourned
11 sine die.)

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