

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

CARROLL COUNTY EMC
PURPA HEARING

TRANSCRIPT OF PROCEEDINGS

April 8, 2009

8:00 a.m.

Carroll EMC
155 North Highway 113
Carrollton, Georgia

Deborah P. Longoria, CCR B-1557, RPR

APPEARANCES

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

Moderator:

STEVEN T. MINOR, Esq.

TISINGER VANCE, P.C.

100 Wagon Yard Plaza

Carrollton, Georgia 30117

770.214.5108

Sminor@tisingervance.com

On behalf of Carroll EMC:

TISINGER, VANCE

RICHARD G. TISINGER, Sr., Esq.

100 Wagon Yard Plaza

Carroll, Georgia 30117

770.834.4467

Rtisingersr@tisingervance.com

1 INDEX TO WITNESSES

2 Witness Page

3

4 TIM MARTIN

Examination by Mr. Tisinger 5

5

HANNAH CARTER

6 Examination by Mr. Tisinger 10

7

8

9

10

11

INDEX TO EXHIBITS

12

CEMC

Exhibit Description Page

13

14 1 Example and List of Notices
and Dates Posted 5

15

16 2 Witness-Prepared Testimony
re Standards Required by New
PURPA Rules 8

17

3 Limited Appearance Sign-in Sheet 11

18

4 Formal Sign-in Sheet 11

19

20 (Original Exhibits 1 through 4 have been
attached to the original transcript.)

21

22

23

24

25

1 PURPA Hearing

2 April 8, 2009

3

4 THE MODERATOR: This is the hearing of
5 Carroll Electric Membership Corporation to
6 consider certain standards under the Public
7 Utility Regulatory Policies Act of 1978 as
8 amended by the Energy Independence and Security
9 Act of 2007.

10 It's now 8:00 o'clock a.m. Persons
11 desiring to participate in the hearing may
12 register. The hearing will begin promptly at
13 9:00 clock a.m.

14 (Recess from 8:03 a.m. to 9:00 a.m.)

15 THE MODERATOR: It's now just after 9:00
16 a.m., and I'd like to call the hearing to order.
17 I would like the record to reflect that attorney
18 Dick Tisinger is present to represent Carroll
19 EMC.

20 Mr. Tisinger, you may proceed. And I'll
21 ask that those Carroll EMC employees staffing
22 the registration desk remain in the reception
23 area to register anyone who may show up while
24 the hearing is taking place. Mr. Tisinger.

25 MR. TISINGER: I'd like to call Mr. Tim

1 A. It is.

2 Q. Just give us a general idea about where
3 you had these posted.

4 A. We posted it at all of our -- at our
5 headquarters and all our district offices and on our
6 web site. We ran legal notices in all the newspapers
7 in our service territory. We sent a letter to the
8 Secretary of Energy.

9 Q. Are all those included in this exhibit?

10 A. They are. We also published it in our
11 member newsletter, the SEMCO News.

12 Q. Is a copy of that in here as well?

13 A. Yes, sir.

14 MR. TISINGER: All right. I'll tender
15 then CE Exhibit 1 for the record.

16 MR. MINOR: Please admit that into the
17 record.

18 Q. (By Mr. Tisinger) Now, there was an
19 opportunity that it was notified included in these
20 notices about the opportunity to intervene as a
21 formal party in this matter.

22 Did you receive any applications or forms
23 asking to intervene as a formal part of the record?

24 A. I did not.

25 Q. There was also in our hearing manual a

1 rule that said that people could come and participate
2 in a limited appearance by coming this morning and
3 signing up.

4 To your knowledge, has anybody -- was that
5 notice also posted and included in all this material?

6 A. Yes, it was.

7 Q. And has anybody, to your knowledge, signed
8 up this morning?

9 A. No.

10 Q. So there will be no one here this morning
11 to submit any limited appearance testimony, and so
12 we'll go on over to your testimony.

13 THE MODERATOR: I'd like the record to
14 reflect that the reception area is still staffed
15 by Hannah Carter, and she's going to remain out
16 there with the sign-in sheet for those who may
17 wish to make a statement of record in this
18 hearing. And we're going to keep that open
19 until the conclusion of the hearing. So in the
20 event somebody signs up, they can come in and
21 testify.

22 MR. TISINGER: Thank you.

23 Q. (By Mr. Tisinger) Mr. Martin, what is
24 your -- you may have stated it, but state again what
25 is your regular position with Carroll EMC?

1 A. I'm the chief operating officer.

2 Q. All right. Were you assigned a role in
3 creating testimony or providing expert testimony in
4 this matter?

5 A. I was.

6 Q. What are your education and qualifications
7 that would enable you to do that?

8 A. Well, I have a degree in industrial
9 engineering from Georgia Institute of Technology and
10 a master's in business administration from University
11 of West Georgia. And I've worked at Carroll EMC for
12 the past ten years, specializing in engineering and
13 operations and working in all areas of the co-op and
14 progressively more responsible positions.

15 Q. So did you prepare testimony, written
16 testimony, that addresses the standards to be
17 addressed and required to be addressed by the new
18 PURPA rules?

19 A. I did.

20 Q. Do you have a copy of that for the record?

21 A. I do.

22 (CEMC Exhibit-2 was marked for
23 identification.)

24 Q. (By Mr. Tisinger) I show you a document
25 marked CEMC-2, Exhibit CEMC-2. Is this your

1 testimony?

2 A. It is.

3 Q. Is there any changes or additions or
4 modifications that you would like to make to that
5 testimony this morning?

6 A. No.

7 Q. Would you like to have the testimony
8 entered into the record for consideration by the
9 board of directors as required?

10 A. I would.

11 MR. TISINGER: Then I would like to tender
12 his testimony as CEMC Exhibit 2.

13 THE MODERATOR: Thank you. I'd like this
14 testimony entered into the record of this
15 hearing as they're read.

16 Q. (By Mr. Tisinger) Do you have anything
17 further to add, Mr. Martin?

18 A. No.

19 MR. TISINGER: Then I think it would be
20 appropriate to call Ms. Hannah Carter.

21 THE MODERATOR: Okay. I'll go see.

22 MR. TISINGER: And for the record, again,
23 I want to announce there's no other party or
24 member here in the room; just Mr. Martin,
25 Mr. Minor and myself and the court reporter.

1 HANNAH CARTER,
2 having been first duly sworn, testifies as follows:

3 EXAMINATION

4 BY MR. TISINGER:

5 Q. Would you state your name, please.

6 A. Hannah Carter.

7 Q. Are you employed by Carroll EMC?

8 A. Yes, sir. I'm a cooperative student.

9 Q. And did Mr. Martin assign you a role in
10 connection with the hearing this morning, or someone
11 else here at the co-op?

12 A. Yes.

13 Q. And what was that role? What were you
14 asked to do this morning?

15 A. I was to register in any affiliated people
16 coming to the area.

17 Q. And did you come here and man that desk
18 right outside this room about 8:00 o'clock?

19 A. Yes, sir.

20 Q. Did you stay there until you were just
21 called into the room here at 9:10?

22 A. Yes, sir.

23 Q. Did anyone come and present themselves to
24 be an informal party to this matter?

25 A. No one did.

1 MR. TISINGER: I think that's all. Do you
2 have the sign-up sheet there?

3 Q. (By Mr. Tisinger) And so at the
4 registration desk, did you have two documents there,
5 a Limited Appearance Sign-in and a Formal Sign-in --
6 Sign-Up sheet?

7 A. I did.

8 Q. And, of course, you're looking at those
9 right now. They're blank; is that correct?

10 A. Correct.

11 (CEMC Exhibit-3 was marked for
12 identification.)

13 (CEMC Exhibit-4 was marked for
14 identification.)

15 Q. (By Mr. Tisinger) I'm going to show you
16 the document marked CEMC Exhibit 3, which is titled
17 Limited Appearance Sign-in. That's the document that
18 you were just talking about; is that correct?

19 A. Yes, sir.

20 Q. And another document marked CEMC-4 says
21 Formal Parties Sign-in. Is that the other document
22 that you were just talking about?

23 A. Yes, sir.

24 MR. TISINGER: Okay. Thank you.

25 I tender CEMC Exhibits 4 and 3 for the

1 record.

2 MR. MINOR: Okay. I'll rule that both of
3 these exhibits be admitted into the record of
4 this hearing.

5 Do you have anything else, Mr. Tisinger?

6 MR. TISINGER: That's all I have.

7 THE MODERATOR: Okay. Seeing as it's past
8 9:00 o'clock, which is the deadline for
9 registering to participate in this hearing, I
10 will now declare the hearing in this matter to
11 be closed.

12 Carroll EMC may present a written position
13 statement within 30 days from the date of this
14 hearing as provided by Rule 13. Any interested
15 party may also submit a limited appearance
16 position statement within 30 days as permitted
17 and in accordance with Rule 5 C. As provided by
18 Rule 14, the record of this hearing shall close
19 45 days after today's date.

20 We are adjourned.

21 (Deposition concluded at 9:12 a.m.)

22

23

24

25

C E R T I F I C A T E

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

STATE OF GEORGIA:

COUNTY OF FULTON:

I hereby certify that the foregoing proceedings were taken down, as stated in the caption, and reduced to typewriting under my direction, and that the foregoing pages 1 through 12 represent a true, complete, and correct transcript of said proceedings.

This, the 28th day of April, 2009.

DEBORAH P. LONGORIA, CCR B-1557, RPR