STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE

April 4, 2017 - 12:52 p.m.    AFTERNOON SESSION
49 Donovan Street
Concord, New Hampshire

ONLY

SENT VIA EMAIL 4-15-17

IN RE: SEC DOCKET NO. 2016-05
NORTHERN PASS TRANSMISSION - EVERSOURCE
Joint Application of Northern Pass
Transmission LLC and Public Service of
New Hampshire d/b/a Eversource Energy
for a Certificate of Site and Facility
(Prehearing conference)

PRESIDING: Michael J. Iacopino, Esq. (Brennan...
(Presiding as the Presiding Officer)

Pamela G. Monroe, SEC Administrator

ALSO PRESENT: Iryna N. Dore, Esq.
(Brennan, Caron, Lenehan & Iacopino)

(All other appearances as noted in the
Morning Session ONLY transcript.)

COURT REPORTER: Cynthia Foster, LCR No. 14
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MR. IACOPINO: Welcome back from lunch, everybody. We're going to switch up the order from the agenda just for a minute. We need to address the site visits because there's apparently some very nasty weather that's going on up north right now, and it's supposed to be pretty bad Thursday.

What we wanted to throw out there is the fact that we may need to cancel the site visits that are scheduled this week. Postpone. Yes. Postpone. Sorry. Do them on another day. Part of the difficulty, I guess, that we are running into is flooding up in the North Country, and if we get an inch of rain Thursday like is scheduled, that's going to make that part of the site visit very difficult as I understand that there are, on Thursday there's many points of interest where we're supposed to get out of the bus and some of those look at simulations. And the weather isn't, if we're going to get an inch of rain during the course of the day, it's probably not conducive to that.

So let me ask the group assembled. Does anybody have a huge objection to rescheduling
these site visits? There's been a lot of work that's gone into them, getting them scheduled, unfortunately, but how about on the Applicant's part? What's your pleasure?

MR. NEEDLEMAN: We have no strong feelings. I guess if we're going to go, we should make sure when we do they're productive, and it sounds like they may not be productive this week.

MR. IACOPINO: Mr. Roth?

MR. ROTH: Yes. We agree with that. We already had a bad weather tour. We know what that's like.

ADMINISTRATOR MONROE: We had one bad day.

MR. IACOPINO: Ms. Pacik?

MS. PACIK: In terms of rescheduling, will we be rescheduling them to a day on a hearing we already had set aside? For example, the first week of May, there's four days. I'm just trying to make sure that they're not scheduled on a day that's not already on my calendar, at least for May. I thought we had all the dates for the Site Evaluation Committee at least for the upcoming months.
MR. IACOPINO: Madam Administrator?

ADMINISTRATOR MONROE: I don't believe we would cancel a hearing day. We would schedule it at some other time.

MS. PACIK: Some of us are leaving in May for vacation, and I would just not want --

ADMINISTRATOR MONROE: There's a two-week block in May which I don't anticipate any activities of the Committee will be happening. So if that's when the two weeks that you and I have discussed, you're probably okay.

MS. PACIK: That would make me happy. Thank you.

MR. IACOPINO: Counsel for the Committee is going away one of those weeks as well so --

ADMINISTRATOR MONROE: So it would be some other date, some other dates to be determined. I believe we indicated in the Notice of the visit that the Committee was open to the third day up in the north section, and the roads up there are not open until after May 1st. So the logistics of these things are not easy. It's unfortunate the weather is not cooperating because, as Mike said, there's been a lot of...
time and effort put into the current schedule, but we want it to be productive.

MR. IACOPINO: So I think that you will see something indicating that the site visits are cancelled. Not cancelled but postponed. We will get a new date and notify everybody of that.

What is likely to happen is on Thursday in lieu of the site visit the Committee is likely to meet, and we have three motions, I believe, that require full Committee consideration. They will deliberate on those three motions. We do not anticipate any argument. And take a vote on how to rule on those three motions. The three motions being the Sabbow motion to revisit the intervention order, the motion filed by Mr. Whitley to suspend the proceedings, and the motion filed by, I think, Mr. Palmer to suspend the proceedings as well. And we'll get into a written notice out that complies with RSA 91-A about that deliberative meeting. You're all welcome to come and watch, but I don't think that there will be any, we don't anticipate holding arguments or hearing testimony or
anything like that. Those are motions that, I think, at least initially, has been determined the full Subcommittee must rule on.

So Jim, I think you can cancel. Thank you.

ADMINISTRATOR MONROE: For those of you that, I will send out, we will send out the notice and I'll send out an email to the parties' Service List but there were some folks from the AMC. If you know of particular people in your groups that were planning on attending, if you could help me out with that and let them know we will be rescheduling that, I'd appreciate it.

MR. IACOPINO: Let's deal with a couple of other smaller issues before we get into the exhibit marking and things like that.

Ms. Manzelli, you raised an issue about time of day. Why don't you tell us your concerns.

MS. MANZELLI: Yes. Thank you. The concern is just that we have that all of the parties can have an anticipation of when the day might conclude. So that we know we start at 9 and then we finish at 4 or 5 or 4:30 or whatever
it is that we decide but that we have some certainty with the conclusion of the day.

MR. IACOPINO: Should we take a vote on what time we should conclude? I think that generally you can plan on the day ending some time between 4:30 and 5:15. However, there have been times in the past through experience where if we have two people left to cross-examine a witness and that witness is not going to be around where we have gone later. I'm sure there will be in this docket, like there have been in other dockets, situations like that.

The best way to deal with those situations is for you all to let us know because you're going to know those issues before we do. You all know when you have to leave, when you have things that might be a problem. You also know, I think some of you will know, how much longer other parties that you may have been working with have to go with the witness. So, you know, raise the issue as early as it is apparent to you so that we can make a decision as to how to deal with it as early as possible, and that way takes some of the concern out of the day for
you. Danielle?

MS. PACIK: Just a question is if we could look or try to shoot for 4:30 it would be appreciated. This is a project where people have to travel from around the state. There's a lot of dates where we have consecutive days with different witnesses. We have to go back to the office, prepare for the following day, maybe eat something, and this is a long hearing that's going to be draining on all of us. So if we could try to get out at 4:30, that would be very helpful.

MR. NEEDLEMAN: I appreciate the burdens of travel on people and the fact that this is going to take a long time, but what I would say is every half hour or 45 minutes we gain every day could save us several days by the end.

MR. IACOPINO: I'm sorry. I didn't hear what you said.

MR. NEEDLEMAN: Every half hour or 45 minutes that we gain every day could save us considerable time at the end and avoid extra hearing days so we would really be in favor of going as long as we can on those days within...
reason.

MS. PACIK: I mean, I would just note that for a lot of us there's one attorney handling this case, not six, so it's a lot of work on us.

MR. IACOPINO: Ms. Saffo?

MS. SAFFO: I would just also note that for many people it's literally three to four, sometimes five hours of travel on each end of it, too. For me, it's two hours of travel on each end of it so you're adding my day by four hours which I understand is part of the situation, but 4:30 is far preferable to us as well. People are just going to get tired.

MR. IACOPINO: Anybody else want to chime in in terms of the appropriate time to conclude?

MR. ROTH: I don't have a problem with the 4:30 stopping time, but as we've experienced in the technical sessions and in other hearings that I've been involved in, there are times when it does make sense to go until 6 to finish it up on a particular day. And the 8 o'clock pizza party is what I'm trying to, I think we all want to avoid, but I think if the circumstances demand it, going into, and we appreciated the
pizza, Mike.

MR. IACOPINO: Well, it was a pizza. I wouldn't say it was a party.

MR. ROTH: If the circumstances require finishing a little later than 4:30, I think that that ought to be fine on occasion, but I support the general rule for the reasons that we've just stated to stop at 4:30.

MR. IACOPINO: I'm going to let the Chair know that the -- I'm sorry, Steve. Go ahead.

MR. WHITLEY: I wanted to concur with the request for 4:30 and also point out that that's typically when courts wrap up their sessions for the day, and that seems a reasonable corollary for what the SEC is doing.

MR. IACOPINO: But the court has lots of staff that has regular hours.

MR. WHITLEY: Look to your left and your right.

MR. IACOPINO: She works whenever I tell her to, and Ms. Monroe wants to get to -- not you. And I'm sure you want to get these hearings concluded as soon as possible. Ms. Menard?
MS. MENARD: Yes. Deerfield Abutters also would like to concur with the 4:30 goal for end time.

MR. IACOPINO: I guess that's what we'll recommend to the Chair then. Commissioner?

MR. SAMSON: As a closing comment, the 160-mile drive that those of us in Municipal Group 1 in Northwood concur with the 4:30 stop time as well. Thank you.

MR. IACOPINO: Thank you. Let's turn to public comment because I think that's going to be a relatively short discussion as well. It has been the tradition of the Site Evaluation Committee to set aside time for public comment. It's been done in different ways over the course of time. Generally, we have determined during the course of the hearing certain days, usually it's about a half day at a time, where we will have the Committee here and we will take comment from the public.

In the past the way that that has operated is that we provide a Notice to the Service List and to the website. It's also posted, I believe at DES and the PUC, and the public is invited to
come in. A period of time is set aside. They sign in, depending on the attendance. They are permitted a period of time to make public comment. Understanding that this public comment is not to the exclusion of the public comment that we've already received which we've received lots of it. Generally at these public comment sessions we prefer and actually make it may order that those who are intervenor parties not make public comments at those times because you're going to have an opportunity, some of you, to actually testify if you filed Prefiled Testimony and also at the end of the case to make argument with respect to what the Site Evaluation Committee should do with this Application. So you kind of have a venue already, and it lowers for time for the folks who have not been able to participate or become Intervenors to come and make their thoughts known to the Committee.

One question that I have, one of the things that we've been batting around is a way to have people sign up in advance. In other words, if we set aside a morning, we know it's going to be
say from 9 to noon, we're just going to take public comment, one thing that we've been considering is there some way that we can have folks sign up in advance and that way we'll have a better idea of how long it's going to actually take. Because quite frankly, once everybody's in the room, we go until they're done, and sometimes that goes, that plays havoc with the rest of the schedule. So anybody got any ideas out there on ways to get --

MR. ROTH: I do.

MR. IACOPINO: Let me hear from Ms. More, Peter. She raised her hand first, Peter. Then we'll discuss with you.

MS. MORE: I just was going to say that plenty of places, the university I work in, students just register. We have a big speaker like David Cameron came, students sign up online, they register for a time, they say they're going to make a comment, that goes into a rota, and they are assigned a time. Very simple.

MR. ROTH: What I was going to suggest is that the Committee schedule appointment slots
for actually each day of the hearing a limited number, and perhaps have one day that's sort of the jamboree of public comment but to allow that kind of flexibility, and if nobody signs up for those appointments for public comment slots, then they will go over to testimony, but at least provide a couple of opportunities on each day of the hearing for people for whom the timing or the subject matter work to speak at that time.

MR. IACOPINO: Have you got any idea on how that gets communicated to the public and how the public actually signs up for that?

MR. ROTH: Thinking out loud --

MR. IACOPINO: You're familiar with the State OIT is --

MR. ROTH: I guess I would leave it to the Committee staff to keep an appointment book.

MR. IACOPINO: All our pull with the OIT, right?

MR. ROTH: And that there be a notice to that effect posted and an appointment book kept by Committee staff through email or telephone conversations.
MR. IACOPINO: Mr. Whitley?

MR. WHITLEY: Are you, and I don't know what the past practice has been, but are you anticipating publishing some sort of a notice once a decision is made?

MR. IACOPINO: Yes. There will be a notice published as I indicated before. It will be on our website. It will be posted in the same way that we do 91-A, although probably with plenty of time for people to prepare and plan to be there.

MR. WHITLEY: My followup suggestion was obviously the more time you can give members of the general public to plan for something like this the better. And in terms of getting the word out, you know, I'm sure that you can work with the host municipalities to try to get them to communicate it to their residents, too, because I don't know if people know to look, for instance, on the SEC website to see when something like that is announced.

MR. IACOPINO: Anybody else want to address -- Mr. Needleman?

MR. NEEDLEMAN: I think the past practice
the Committee has used where you designate portions of a couple of particular days would work much better than having a segment every day. One particular concern I have about that is trying to put the puzzle together of witnesses and their availability is a bit challenging, and I've heard others suggest that that's the same issue that they've got, and I think if we're sitting aside time every day, it could interfere to some extent with the scheduling of some of those witnesses, and I think if there were more predictability to those days, we knew we were going to set aside half a day on "X" day, I think that would work better from a witness scheduling standpoint.

MR. IACOPINO: Anybody else want to address the issue of public comment? Commissioner?

MR. SAMSON: Mr. Iacopino, would there, realizing there will be a time constraint on the public input, would there be made available to the public perhaps a place to show a couple of slides or something short of that nature?

MR. IACOPINO: To show to?

MR. SAMSON: If they had a slide or two in
their presentation, would there be something available for them to use to show that?

MR. IACOPINO: If they made advance arrangements with us, it can probably be arranged, and one of the things we're going to do here today at the end of the day is deal with this presentation system that you guys see here, but I don't, I don't know what's necessary to do that. I assume if it's just a Power Point or something, and it's something that can be done within whatever time constraints are set forth, I don't see why not. Of course, somebody can always bring their own computer and show it, too, if they're interested in doing that, but I don't think we've ever had any real rules on whether they can present pictures or anything like that, and I doubt that we would limit it unless it's something that's just too long. So yes, if somebody has pictures they want to show during public comment, we would likely permit that.

MR. SAMSON: Okay. Thank you very much.

MR. IACOPINO: Anybody else want to address the public comment issue? All right. We will
issue in the report from this conference, it may not have the actual dates in it, but we'll issue in the report how we recommend that the Chair schedule them. I don't know what we're going to do yet. But we've got at least two, actually three different things if we can find a way to preschedule these folks we'll do what we can. I just don't think that the State has the capacity in its website to do that. At least as far as I know.

I'm going to turn to Ms. Manzelli for a moment. Ms. Manzelli, on paragraph 11 of your Prehearing Conference memo, you mention that there are certain Track 2 issues that you think would be helpful to discuss generally at this meeting. Why don't you fill us in.

MS. MANZELLI: I guess those two topics were, one, whether there is any information that you can provide us right now of when additional trial dates might be scheduled, and by Track 2, I guess we meant anything after Track 1, including deliberations as to whether there's any plan as to when deliberations might be scheduled, and if any parties knew as, I
apologize, I know that we know, but I don't have the information with me today right now. I'm awaiting it. One of our experts is not available for a two-week period of time during Track 2. So it seems easy to work around, but since we know that information now we'd like to share it, and if others know similar information we thought it would be helpful to share now. So that's what I thought it would be helpful for us to discuss so everybody can plan accordingly.

MR. IACOPINO: All right. Why don't we go around to the parties and just, I mean, I don't know that we can accommodate everybody, but if I think what, let me know if I misunderstand you, Ms. Manzelli, but what you're saying is if we know of blocks of times where certain witnesses are not going to available, let's get them out on the table now so that people can schedule around them. Mr. Boldt?

MR. BOLDT: Isn't that a question we can't answer yet because we don't know when our Track 3 time period is going to come. We have to go after the Applicant and after Counsel for Public.
MR. IACOPINO: Yes, and I don't think this is to hold anybody to, so if you say well, I don't know of any from my experts and find out that there isn't, this isn't to hold you to that. This is just a get an idea of times when various witnesses may or may not be available and that can be known for our planning purposes.

Why don't I start with Counsel for the Public? Is there any time that your witnesses are just not available?

MR. ROTH: Yes, but it's complicated. We have, what, 8 witnesses, 7 witnesses, and we have some of them --

ADMINISTRATOR MONROE: Could you speak up a little bit, Peter? Thank you.

MR. ROTH: We have 7 witnesses, I guess, and varying availability in May and June so it could take some time to outline it all and perhaps some graphing. I guess I can't really answer that question without getting into a super amount of detail that is probably unnecessary at the moment.

MR. PAPPAS: I think what might be helpful is to just have a sense of if there are
additional days, when that might be. For instance, not in May. But if it would be some time in that July period between the end of June and the July 20/21 if you have a sense.

ADMINISTRATOR MONROE: My only sense right now is possibly June 1st and 2nd. And then July 31, August 1, August 2. July 31, August 1, August 2. And August 3. There are no other available July dates to my knowledge. I've pretty much covered the May dates. So anything beyond those two June dates would be further out into August. June 1 and June 2, July 31, August 1, August 2 and August 3, subject to confirmation with the Subcommittee.

MR. PAPPAS: As Peter said, we've asked all our witnesses and they've all given their availability on the dates that are already scheduled, and it is a bit of a chart, and it's easier just to know what potential dates will be, and we can reach out say, best you can, block these out, but it's going to be a puzzle until we get close to it.

MR. NEEDLEMAN: Mike, wouldn't it make more sense maybe to revisit this issue at the third
prehearing conference when we get near the end of our case and folks have a clearer sense of exactly what days are left?

MR. IACOPINO: It probably would, but if we people know now, we can take that into consideration. Mr. Whitley?

MR. WHITLEY: To Barry's points, we, for instance, know that one of our experts, Mr. Sansoucy, has pretty limited availability, and so if we wait until the Track 3 prehearing conference, whenever that is, that may put us in a real bind. You know, I think that his availability of the dates we know currently and not including the ones that Pam just mentioned, I think his availability is limited to June 15th and 16th, and, you know, where that falls on the Track 1, Track 2, Track 3, we don't know, but that's where he is in terms of his availability right now. And, obviously, we'll go back to him with these additional dates and see if there's, any of those work as well but just wanted you guys to be aware of that at this time as well as the other parties.

MR. IACOPINO: Any other parties have
information like such as what Mr. Whitley just
shared with us? For instance, he knows that
Mr. Sansoucy is only available on the 15th and
16th. Is there any other information like that
that any of the parties have about their
prospective witnesses? I know you have
something, but I didn't think you knew when it
was.

MR. REIMERS: Mike, it might make sense
today to figure out, you know, we talked about
the order of questioning of witnesses, but then
once we get to Track 3, it might be helpful to
know the order of presentation because then that
could help, you know, if the Forest Society is
going to go last, we can kind of game out in the
calendar whether we're in June or August. Maybe
it's the same order of questioning as it is
presentation.

MR. IACOPINO: It probably will be,
although I don't think anybody is prepared to
actually, doesn't sound like anybody's prepared
to actually say yeah, I can do it in that order
or I can't and I know that people weren't
prepared to come here today to do that.
MR. REIMERS: We hadn't thought of it either.

MR. IACOPINO: So really what I'm looking for is days that we know that witnesses you're definitely calling are unavailable.

MS. MANZELLI: So Harry Dodson is unavailable from 6/20 through 7/3. And Will Abbott is unavailable from 7/7 to 7/25.

MR. IACOPINO: Thank you. Mr. Baker?

MR. BAKER: I represent four clients, and I'm not exactly aware of their schedules, but I am familiar with their attorney's schedule, and I will not be available from July 17 to July 26th.

MR. IACOPINO: July 17th to July 26th?

MR. BAKER: Yes, and my only request is that my clients not be scheduled to testify during that period.

MR. IACOPINO: Anybody else know information like that that would be helpful? Mr. Boldt and then Mr. Judge?

MR. BOLDT: We obviously have very minor witnesses in this. The mayor of Berlin is available in May and early June, but thereafter
it gets very dicey, but I doubt we would be reached by then in all candor. The town administrator of Franklin is not available May 24th or 5th or June 14, 15 or 16. Those are the dates that have been provided to me so far.

MR. IACOPINO: What were the ones in June?

MR. BOLDT: For Elizabeth Dragon, June 14th, 15th and 16 are bad days.

MR. IACOPINO: Thank you. Anybody else? I'm sure some of you -- Mr. Judge and then anybody else.

MR. JUDGE: Since we brought this to attorney availability, I don't think I have an issue given the dates that Pam has identified, but I just want to put on the record that my daughter is receiving her master's degree from ELTE University in Budapest in July around the 17th so --

MR. IACOPINO: Short commute.

MR. JUDGE: So I'll be gone for the first part of July. My son's also in Brussels so --

MR. IACOPINO: I saw one other hand go up. I'm sure some of you folks have vacation scheduled in the Intervenors' Groups, don't you?
No? Okay. Is there any other dates that we know you're not going to be available? All right. We'll do our best to watch out for those dates. Obviously, there's going to be more discussion with this as we move on. Did I miss you again, Mr. Whitley?

MR. WHITLEY: That's all right.

MR. IACOPINO: If you're taking a vacation, you can let us know.

MR. WHITLEY: I am, but I have one scheduled for the July 24th which is currently not an adjudicatory date, but it sounded like that's the range that Ms. Monroe mentioned as being an add-on. No. Did I get that wrong?

ADMINISTRATOR MONROE: July 31st.

MR. IACOPINO: Your first day back.

MR. ROTH: Mike, I have not scheduled any vacation for this period on purpose. I may go to Germany in May, but that's different.

One of the concerns that we have about is we want to make sure that we'll able to structure our presentation in the way that we want, and, obviously, we're going to have some constraints with respect to our own...
availability, and I think what we're prepared to
do is provide you a list of the people we know
about and their availability and
nonavailability, but, ultimately, the decision
about how we order them is going to have to be
made later and hours.

MR. IACOPINO: I don't think we can sit
here and do the Track 2 order of witnesses. I
don't think we're going to be able to do that
here today. I'm just trying to get an idea on
those days because we do have a calendar and we
can figure out what days are problematic. You
know, as we go through this, it looks like
they're all problematic, but that's the way
things always are. Danielle?

MS. PACIK: Just a quick question. For
scheduling the dates of the Site Evaluation
Committee, are you requiring all of the members
to be present?

MR. IACOPINO: Are we?

MS. PACIK: Is it anticipated that all of
the members of Site Evaluation Committee will be
present or just a quorum?

ADMINISTRATOR MONROE: Most, it varies from
day to day, but the general view was to try and get as many Subcommittee members on a given day, so there may be a day here and there where folks are not, an individual may not be available, but generally the plan was to have all 7. The expectation is they can review the transcripts for days they're not there. But generally the scheduling was to try and have them all here. So there will be days sprinkled in, and they might have things come up, too. Life happens. But that has been the approach.

MR. IACOPINO: And that will apply for those public comment, however we decide do it as well. Ms. Saffo?

MS. SAFFO: Just to confirm, are the current dates that are scheduled for adjudicatory hearings still the ones from the December 20th notice? Just we start on the 13th.

ADMINISTRATOR MONROE: Yes. There's been no change to that, although I anticipate getting something out with the days, I just need to reconfirm with the Committee that nothing has happened that filled up those dates, and I'll be
getting a notice of this schedule out. There may also be some days that were previously scheduled, maybe half days, where we may take some of this public testimony also. So welcome to my scheduling hell.

MS. SAFFO: Yeah. You have fun with that.

MR. IACOPINO: Any other scheduling issues? All right. Let's move on and discuss exhibits.

V. Discussion of exhibits, exhibit lists and marking of exhibits

MR. IACOPINO: First of all, thank you all who have filed exhibit lists. I think in general you all did a good job of following the directions in my memo. I know that sometimes it's confusing, but I'm just going to go through a quick rundown on exhibits, and then we're going to discuss exchange and how to exchange them amongst the various parties and also any other questions that you all might have about exhibits.

There is a FAQ that I sent around, it's out there somewhere, on the proper way to mark exhibits. Again, if anybody has any questions about what's in that, you can come up and ask me
afterwards. I think it's pretty basic. The only idea behind the exhibits is to create a nice clean record so that when the Committee deliberates or when an Appellate Court reviews the record, they know what we're talking about. So the idea is that every exhibit will have a mark on it, preferably in the upper right-hand corner of the exhibit, that will have your parties' designated abbreviation which went out in either the memo or an order a couple weeks ago and a number. Your number should be sequential and there will be, we need that on a list. Like I say, we don't need the whole list today. We will set up a deadline for the filing of the exhibit lists for both the Track 2 and the rest of the parties and what we've been referring to as Track 3, I guess, today.

But basically, with respect to the exhibits, I know my memorandum requested that you provide a paper copy and an electronic copy of your exhibits to each of the other parties. I have a question. How many of you really want it on paper? I'm not seeing a single, well, I'm seeing half a hand raised.
MS. SAFFO: That may change.

MR. IAOCOPINO: That's okay. Because we can, I know that the requirements that are in the memo are kind of a pain in the butt because it's a lot of paper to make copies of. My goal here is to have that every member of the Subcommittee will have their own copy of the entire set of exhibits from everybody. Obviously, that makes much more sense to have it electronically. One of the difficulties that we have is I understand the State doesn't let people put flash drives into the State computers, and that's one of the difficulties why we have asked for 8 copies. One for our reporter and 7 for the Committee. We are working on making it so that is less. We're trying to find out, some of our Committee members may want it electronically. I assume they all will prefer electronically and may want it electronically and may use their own equipment, particularly our two public members, because I don't believe they have any State-issued computer. So we're working on that. But I think that if everybody in this --
I'll get to you, Ms. Pastoriza, and to you, Mr. Pappas, but as far as the exhibits themselves go, if you all are in an agreement that you don't need paper copies, I will put that in the record as well. Our rules actually require paper copies so we will get an order that says that we don't need paper. Let me start with Ms. Pastoriza in the back?

MS. PASTORIZA: I have a request for the latest DOT permit packages, hard copy, half size.

MR. IACOPINO: Okay.

MS. PASTORIZA: They have yet to be sent out to everybody, but they're in existence.

MR. IACOPINO: Do you guys have, what did you call them? DOT package half-size?

MS. PASTORIZA: Printed at half size?

MR. IACOPINO: Ms. Fillmore?

MS. FILLMORE: Attorney Getz and I are working together to resolve that request.

MR. IACOPINO: Okay. So that's something that your counsel is working on with the Applicant, Ms. Pastoriza. Mr. Pappas?

MR. PAPPAS: Let's first talk about copies
to the other parties. If we were to provide
electronic copies of all our exhibits which
would include the Prefiled Testimony and the
exhibits to the Prefiled Testimony, we couldn't
do that either by FTP site or by attachments or
thumb drive. It would require a separate hard
drive for each party because it's just so large.
The Prefiled Testimony of our witnesses and
their exhibits is one gigabyte, and that only
fits on a hard drive. So we would have to copy
30 hard drives and send them around in order to,
in order to produce those, what's already been
produced.

MR. IACOPINO: There are flash drives that
are 16 gigabytes. I know we've used them with
the Committee.

MR. PAPPAS: Maybe I'm getting my
terminology wrong, but we've had --

MR. IACOPINO: Next one up would be a
terabyte.

MR. PAPPAS: We've had both our IT folks
and vendors look at this, and we would have to
put on a hard drive in order to send around, and
that would be not only extraordinarily expensive
but also very time consuming.

MR. IACOPINO: What are your exhibits? You mentioned your prefiled testimony.

MR. PAPPAS: Prefiled Testimony and the Prefiled Testimony, many of which are maps and photo simulations and that kind of thing and apparently they take up a lot of room.

MR. IACOPINO: Are these things that you've already filed with the Committee?

MR. PAPPAS: Correct.

MR. IACOPINO: How did you file them with the Committee?

MR. PAPPAS: We provided a hard drive.

MR. IACOPINO: A hard drive?

MR. PAPPAS: Or a hard disk, whatever they call it.

MR. IACOPINO: I don't think you did.

MS. MANZELLI: ADMINISTRATOR MONROE: The ones that are all on the website already?

MR. IACOPINO: Did we get all of your Prefiled Testimony up on the website? I think we did.

MR. PAPPAS: My point is that if it's already on the website, much like the
Application is already on the website, it doesn't make sense to have to reproduce it again as exhibits to all the parties because everybody already has access to it.

MR. IACOPINO: The difficulty that I see with that is that what's on the website is not marked, and the problem being is that you're going to have a roomful of people that are going to be looking for a document, and in some cases even when it's marked they may wind up going on the website anyway, but it's -- you're only talking about the sharing with the other parties, right?

MR. PAPPAS: Right now, yes.

MR. IACOPINO: So the concern that I see for that aspect of it is that, yeah, there's all sorts of information that's been shared, but nobody knows until you say I'm going to use it as an exhibit that it's going to be an exhibit, and it's not marked and nobody has any way to get to it in that case. I mean, they're going to be searching around the website, which our website is pretty hard to navigate as it is, and they're going to be searching around the website
Mr. Pappas: It's no different than the Application though. The Application is on the website, and that doesn't have Bates stamp numbers or marked. If we're going to put on a witness, that witness's Prefiled Testimony is his Prefiled Testimony. It's not going to change. The exhibits to the Prefiled Testimony are the same exhibits. That's what I'm talking about. To reproduce all of that to all the parties is going to be very expensive, and it's going to be very time consuming, and we can't get that done in less than a month. What I'm told.

Mr. Iacopino: Ms. Manzelli, I see you had your hand up.

Ms. Manzelli: Two points. I just wanted to reiterate your comment about the difference between what's on the docket already and what would be used at the hearing is the marking or not marking, and I do think that it would be very confusing if we don't have them marked. Now, I totally share Attorney Pappas's concern
that reproducing everything we already produced is really not an efficient process and potentially not possible before the start of Track 1. I don't necessarily have a great solution for all of this. You know, we even considered why don't we just take the docket and number them 1, 2, 3, in that fashion.

So I think it bears some discussion of the parties today, and one thing I would throw into the mix of that discussion is many of the parties have submitted photo simulations. There are photo simulations in Counsel for the Public's aesthetic experts material and the Applicant's aesthetic experts and in the Forest Society and in other parties' testimony. I think we might want to consider making an exception, if we're going pretty much paperless, that we make an exception for photo simulations.

As I know you're aware, there are some that prescribe that they be viewed at a certain size, at a certain distance, and I think it's going to be, certain paper. There's a lot of specifications to view them properly, and I think it's going to be important for the SEC, at
a minimum the SEC, potentially parties also, to be able to view those in that fashion.

MR. IACOPINO: I don't disagree with that, and there may also be charts that people create during the course of the hearing and whatnot that would also be marked and become part of the record, but they can be done both ways. I mean, you can provide the electronic version of the photo simulation and bring the mockup into the hearing room, and if you do do that, by the way, mark them accordingly. You might want to mark them 1 and then 1 A or however, but so they are, so the difference can be told by anybody reading the record.

Okay. Anybody else want to address this? Ms. Pacik?

MS. PACIK: Would it be possible for all Prefiled Testimony just to be marked for ID with some sort of exhibit number? And that way will also prevent duplication of every party filing months' Prefiled Testimony, and it would be up to somebody at some point to introduce that Prefiled Testimony and the attachments as a full exhibit?
MR. IACOPINO: Meaning the Committee should do that is what you're saying? Committee should mark all the Prefiled Testimony, and then leave it up to the parties whether they're going to use it or not?

MS. PACIK: If there's a way just to put a Bates stamp at the top of it and drag it into another -- I don't know what Pam was planning to do. If she was going to have a separate link for exhibits that were introduced.

MR. IACOPINO: Eventually, yes. I assume, right? Actually our exhibits aren't usually on the website.

MR. ROTH: No, the exhibits never make it to the website. But this could be the exception.

MR. IACOPINO: Well, yes.

MR. ROTH: You just convert all of the stuff on the website into exhibits. That is, the testimony.

MR. IACOPINO: Mr. Boldt?

MR. BOLDT: Would it not be feasible since the Applicant's not having to reproduce everything in their Application that those of us
who have filed Prefiled Testimony or anybody that's got the exhibits already filed could do a chart or a summary sheet that simply says the Prefiled Testimony of Mayor Grenier filed on December 30th is our Franklin/Berlin Exhibit 1, and do something down like that so there is not this massive duplication effort. I know we are simple. We have two. But for everyone else that has multiple exhibits that have already been filed, it sure seems like a massive waste of effort to have to duplicate everything again.

MR. IACOPINO: The problem from the Committee's standpoint, at least from the Committee staff's standpoint, with respect to that is that if there's an appeal from whatever this Committee decides, we have to put together the record to send up to the Supreme Court which requires that the exhibits be identified. Also requires that they be numbered from 1 to whatever the end of the record is. So that if all you've provided is a reference and somebody is, or even like a hyperlink, then someone is going around and having to print that because right now the Supreme Court is only going to
take the paper, and they're going to have to go
and find that and get it, print it, mark it, and
then put the record markings as the Supreme
Court requires on it. Go ahead.

MR. BOLDT: If that is the problem, then we
were required to file one paper copy, use it for
the marked exhibit to give to the reporter, we
all then have everything else that is of
reference. If there's an important document we
feel is necessary for cross-examination of a
witness, we can print that out, but then
otherwise just refer to it either on downloaded
or on computer or on the SEC website.

MR. IACOPINO: Well, okay. I don't know.
That means the Committee doesn't -- anybody else
have anything they want to offer with respect to
this issue of trading, this is trading exhibits
amongst the parties, I guess, is where we
started, but we've gotten a little bit ahead of
ourselves as well. Ms. Menard?

MS. MENARD: Jeanne Menard, Deerfield
Abutters. What if we were to provide nine
copies and then you would have an extra copy as
a master copy for the SEC for any future use?
MR. IACOPINO: I think that's one of the issues that we're going to get to, that people, nine copies of some of these collections of exhibits is massive.

MS. MENARD: Oh, I understand. Thank you.

MR. PAPPAS: Let's stick within the parties first because before we get to the Committee. I started this by the parties. I think Chris's suggestion is fine in terms of the parties. You could say here's our exhibit list. Exhibit 1 is this Prefiled Testimony, it's already up on the website, you've already got it. Exhibit 2 is this Prefiled Testimony. To the extent that it's not on the website, it's not Prefiled Testimony, or an exhibit to Prefiled Testimony, then I think that we can make those available to parties, but that greatly reduces the amount of electronics that you have to send around.

The Committee we can deal with separately. We can provide to the Committee exhibits with numbers on it so you can have it for the Committee's record and for the appeal. Right now I'm talking about among all the parties because we've got 30 some-odd parties that need
to be circulated and that I think is the first
problem to address, and I think Chris's
suggestion is a good one, that as long as you
have a list of the exhibits, if people already
have those exhibits, no need to reproduce them.
If they don't, that's different. And if we're
coming up with new exhibits that people don't
have they should make those available. But they
already there them, and all they have to do is
point to them and people can go on the website
and download them if they want paper or keep it
electronic. I think that should be fine for
circulating among the parties. Let's talk about
the Subcommittee separately.

    MR. IACOPINO: Mr. Whitley?

    MR. WHITLEY: The parties have already been
using the ShareFile site to exchange documents,
and it seems that that would be something people
are already familiar with doing, and I'm
wondering if that is one way to address this
because of the size and the volume of the
documents.

    MR. PAPPAS: A couple of ours don't fit on
the file site. They were so big.
MR. IACOPINO: Speak into the microphone, please, Tom.

MR. PAPPAS: A couple of our witnesses' documents were so big I had to send an email around saying if you want them, send us, I thought it was a hard drive and we'll download onto it and send it to you because they just wouldn't fit on a FTP site. They were just too big to fit.

MR. IACOPINO: I don't know because, obviously, we did not participate in the discovery documents, but that's the same, I understand that in discovery you might have volumes like that, but when you're talking about the exhibits, I mean, are you planning on putting everything that you provided or got in discovery in as an exhibit?

MR. PAPPAS: No. No. Of course not. But I'm told that some of them are so large they won't fit on an FTP site and so the only way to circulate them would be to put them on hard drive and mail them to everybody.

MR. IACOPINO: I'm amazed we got them on to the State website then. How about the
Applicant? You've been quiet about this issue? There's been a couple of things floated around. The possibility just floated by Mr. Pappas about having at least amongst the parties simply references as opposed to actually trading marked exhibits. There's been a suggestion that they use your ShareFile site. There's been a suggestion that, I forget who, somebody made a suggestion of nine paper copies. What does the Applicant think of all this?

MR. NEEDLEMAN: There's nothing I've heard among any of these suggestions that I think causes us a great deal of concern. A lot of it sounds like in one way or another it may help to make things easier for everyone. There's no particular path I've heard that we're necessarily in favor of. I think whatever makes it easiest for the greatest number of people, I think, is a the good way to go.

One thing I would say is the more we can lean toward relying on electronic documents rather than paper copies, that's something we'd certainly be in favor of.

MR. IACOPINO: Ms. Pasik?
MS. PACIK: I would note that I do have a strong preference to uploading documents to the share file rather than just references only because I can see spending a lot of time looking through the ShareFile. It's big at this point. Trying to find what exact documents somebody is talking about.

MR. IACOPINO: And because I'm uninitiated in using ShareFile, is uploading to the ShareFile right now something that all of the parties can do or should be able to do?

MS. PACIK: It is. All the spokespeople can get the documents off of the ShareFile.

MR. IACOPINO: I'm talking about the uploading.

MS. PACIK: They can unload, yes. We can all upload to the ShareFile.

MR. IACOPINO: And they can download?

MS. PACIK: And we can download. The only document that Tom was referencing in terms of being too large were data responses from Boyle and that was, we did have to get them a hard drive, but those were responses to data requests. I don't know if he's intending to use
that as an exhibit, but certainly we could work on, if there's a document that that's big, we could work with different parties if that issue came up.

MR. NEEDLEMAN: Mike?

MR. IACOPINO: Yes.

MR. NEEDLEMAN: One cautionary note. We've had experiences in other proceedings, partly here and partly over at the PUC, where when too many parties are relying on the internet at the same time to access documents, it doesn't work particularly well.

MR. IACOPINO: Meaning on the wireless?

MR. NEEDLEMAN: Right. Wherever we might be. So whatever we choose to do, I think we've got to have that in mind.

MR. IACOPINO: Ms. Manzelli?

MS. MANZELLI: I just wanted to say there are a large number of documents in this case. Many of the documents are large in and of themselves. ShareFile is not the only internet issue. You know, if we don't do something like that, then parties in and of themselves may set up their own internet-based way of managing
these documents.

So in many of the scenarios with which we could roll forward here, many of us are going to be using the internet at the same time, and so I'm not sure if there's a technology solution to that. That's way above my pay grade, but I just wanted to be clear. I think we're all going to be sucking down a lot of internet power during this.

MR. IACOPINO: I've heard a lot from the lawyers. How about the folks back there who are doing this on their own? Ms. Pastoriza?

MS. PASTORIZA: I found the ShareFile site is almost impossible to find anything on there. There's unlabeled PDFs within unlabeled files. Nothing is labeled except the largest categories. You can go in there looking for one thing and come out two hours later with a lot of other stuff, but it wasn't what you were looking for. It's a mess. Things won't download because they're too big. Unless you download them to your computer, there's no preview. It's been a problem from the start and everyone dropped it because they were too busy trying to
move forward with the information. It's a disaster. That site is designed to repel access. So please don't put anything more on there.

MR. IACOPINO: Ms. Saffo?

MS. SAFFO: I agree the site is very hard to find information on it. Just wanted to voice that.

MR. IACOPINO: Okay. Ms. Menard?

MS. MENARD: Deerfield Abutters similarly have been having a hard time. If things are coming in batches and you know it's coming, then you can view it, but then to go back to try to retrieve something or to access it and find it again has been difficult.

MR. IACOPINO: Doesn't sound like the use of the ShareFile site is popular. Ms. Fillmore?

MS. FILLMORE: If we do use the ShareFile site, I would expect that it would be with an organized labeling system so that we could clearly know it's this party's exhibits, and we would presumably have a list of what those things are so that we could avoid that problem.

MR. IACOPINO: I don't use the ShareFile
site because it's discovery, but if it's like
other Dropboxes or boxes where you upload stuff
to it, it's usually the person who is uploading
the document that labels it. Is that correct?

MS. FILLMORE: Yes. That's exactly right.
So I would expect that we would have a naming
convention and a labeling convention that we
would all have to follow.

MR. IACOPINO: You know it better than I
do. Is the abbreviation system that we
typically use that we're using in this case for
exhibits so far appropriate for the labeling on
there?

MS. FILLMORE: Yes. I think it is. And if
the exhibit, this is just my feeling, if each
exhibit within that folder were marked as, say,
Muni Group 2, Exhibit 1, 2 and 3, whatever, and
presumably we would all have a list of what
those things are, the title of what those things
are, then that would be much more user friendly.

MR. IACOPINO: Mr. Baker?

MR. BAKER: On the labeling system, some of
the groups have long labels like the Ashland
Deerfield --
ADMINISTRATOR MONROE: Could you speak into the microphone, Mr. Baker?

MR. BAKER: The labeling system, sorry. The labels that have been given to some of the groups have very long names like the Ashland Deerfield and Abutter and then number. Is there any way to further abbreviate those.

MR. IACOPINO: You should have seen it when first started. Those are abbreviated.

MR. BAKER: I'm quite sure.

MR. IACOPINO: I mean, you know, I'm just trying to find them. I can say this, is that if there is, obviously, having a long abbreviation doesn't inconvenience anybody except for the person that has to mark them, what I would ask you is if you have a problem and you've got what you think is a better abbreviation to use, come and see us, and if it makes sense so that we'll still know who we're talking about, we probably are just going to use your abbreviation. But come and see me first because we're going to have to let everybody know if there is a change to an abbreviation.

MR. ROTH: How about assign every group a
National Hockey Team group name?

MR. IACOPINO: Right. I don't think we'll get agreement over that.

MR. REIMERS: I don't think there's enough teams.

MR. IACOPINO: As we get into the Abutting Groups and Non-Abutting Groups, I know that they get long. But if you have a suggestion for your group or anybody who has that same concern, let us know, and if there's something that will still make it clear, I mean, one of the things we want is that the people who are reviewing this to know who it's coming from, and in many cases, it's a geographic thing as well. But some of these were longer before.

The only other thing is is at Mr. Whitley's request there is one group of exhibits that will not be using the Munis' labels. It's Mr. Sansoucy's exhibits, and it's just going to be S A N S followed by the number of the exhibit because he's a witness for several different intervenor groups.

I don't really have a clear consensus on what you all want to do amongst yourselves.
except for one thing. I think the one thing
that I've heard is everybody agrees on is they
don't want the paper other than the issue that
Mr. Getz and Ms. Fillmore are working out with
respect to the DOT package. Is everybody in
agreement that they don't want paper? So that
all we need to do now is find a way to exchange
electronically that isn't going to take
terabytes.

MR. ROTH: I just want to join that getting
paper copy of the maps from the Applicant and
I'll talk to them separately. I'm sure that
won't be a problem.

MR. IACOPINO: Sounds like something is
already in the works.

MS. DRAPER: This is Gretchen Draper from
PRLAC. When I think about trying to get
information, it would help if we had, say, for
example, a file for each intervenor. Then I
could go to that file of the so-and-so abutters,
and their Prefiled Testimony would be in that
same folder, maybe in a folder within a folder,
and then you've got exhibits so that things are
just in one place for that group of people. If
each one were labeled in one system, I feel like that -- it could be ShareFile. I don't know if it can be done as a separate, I don't know, a separate thing on the SEC list. I mean, right now we've got public comments. We've got the comments that go along with all of us. If there's a third place where people are just identifying, there's discrete files for each group. Does that make sense?

MR. IACOPINO: Yes. I think that's what we initially had hoped would be accomplished before I learned of this problem that Counsel for the Public can't get their exhibits onto a flash drive, but what would happen is you'd get a flash drive from each of the other parties and then you could then work off of the flash drives, plug them in and unplug them as you go along, or you could copy it down into your computer into whatever way you wanted to set up your file directory. So at this point, that's becoming an issue so we're trying to figure that out.

MS. DRAPER: So I'm hoping we can do that like through the ShareFile. One place, each
person has a folder. I mean, right now the folders are pretty well scrambled.

MR. IACOPINO: The perception that I'm hearing from most folks with the ShareFile is that it doesn't work very well for at least so far. So I don't know if that's going to be really a possibility. Steve?

MR. WHITLEY: I think the ShareFile issue is a fixable one. I think that taking the suggestions that I think Christine and Gretchen have said is that if people do create a new folder, and then put their Prefiled Testimony in there, various exhibits that they intend to use, that that would simplify things. The issue with the ShareFile site, and I know you haven't seen it so you don't know, is that it's typically organized by how it was produced and why it was produced. And so there's a folder that says, you know, Technical Session Number 4. And so you have to do a bit of homework to figure out what witnesses were at Technical Session 4 and what date it was. So it's not very obvious from just looking at the description of the folder what's going to be in there.
But I think that the ShareFile site is a useful mechanism for this because most people are familiar with at least attempting to navigate it, and it's already somewhat set up, and I'm hoping there's some ability to copy or move items that are in one folder to the new one that is created to help lessen this confusion so that people don't have to necessarily reupload things they've already uploaded to the ShareFile site before.

But I think that the issue is, just to say it again, the issues that I think are coming up are fixable ones as long as we kind of agree on how to label, a naming convention, folder convention, that sort of thing.

MR. IACOPINO: Can somebody from the Applicant after we're finished with the Prehearing Conference today take me through the ShareFile?

MR. NEEDLEMAN: Yes.

MR. IACOPINO: Thank you.

MR. PAPPAS: I think it would free up a lot of space if we just segregated the Prefiled Testimony. Because that's been on the website
for a long time. I think we take Chris's suggestion to just simply identify that without having to reproduce it either through the ShareFile or a separate box. That would free up a lot of space and time, and then we could probably make it much easier for people to find the other stuff. And since that's already been out there for a long time, some of it since November 15th, the rest of it since December 30th, I think just identifying that for the other members. The Committee would have to mark it and provide it, but just for the other members that would free up a lot of space and some of the clutter up there, and I think it would make it easier for people to find the other stuff.

MR. IACOPINO: Okay. I'm going to take a look at the ShareFile after our meeting today, and we will issue something. It's really just the manner. Everybody's sort of in agreement it should be electronic, and it's just a manner of -- yes, ma'am. Please identify yourself, too.

MS. QUINN: Maureen Quinn.
Ashland/Deerfield Non-Abutters Group. I'm just wanting to clarify, will the Applicant's Supplemental Prefiled Testimonies and their exhibits and things also be made available on the ShareFile so everything is in one place?

MR. IACOPINO: My plan would be that everybody's going to follow the same rule so that if that's the way that it's going to be that the order issues that it's going to be shared with the parties, that's what they'll be following the same rule. I mean, we typically don't have them provide another copy of the Application because they've already provided a roomful of Applications, and it's the way in almost every one of our cases is that we get on the initial filing a ton of paper for the Application, just because of what we require.

Mr. Baker?

MR. BAKER: After consultation with everyone who's here from these Groups, I'm going to request that the Clarksville and Stewartstown Abutting and Non-Abuttings, their Prefiled Testimony exhibits be CS. That's item 10 under parties in paragraph 4.
MR. IACOPINO: We will change that designation to CS.

MR. BAKER: Then I have one more. Eleven. Dummer, Stark and Northumberland. Instead of Dummer/Northumberland Abutter, DNA.

MR. IACOPINO: Okay. Barry?

MR. NEEDLEMAN: So a couple of suggestions. It may be that with respect to the distribution of exhibits among parties, maybe one size doesn't fit all. So, for example, our plan was to give every party all the exhibits that we've listed on a stick. So that they'll all just be able to have them, plug it in and they're set to go.

MR. IACOPINO: That's what I thought at the beginning, too.

MR. NEEDLEMAN: I recognize everybody may not want to do that. To the extent people do want to do that, maybe they should have that option. There are a lot of parties here, I think, that don't have many exhibits. Chris was talking for a moment ago. He has two. Chris could email his exhibits, Exhibit 1, Exhibit 2, to the list, and then everyone would have them
very easily. So it may be that if you try to create the flexibility for people to share these exhibits in the most efficient way, we may get through a lot of this.

MR. IACOPINO: Danielle?

MS. PACIK: I can just speak for myself and the two people next to me which is the three of us would prefer not having everybody do it in a different manner. Because trying to find thumb drives and looking for emails and going to the ShareFile drive is going to take a lot of time.

MR. IACOPINO: Well, doesn't look like we're going to get overall agreement. So I'm going to look at the ShareFile after the meeting today. The only thing I think we have agreement on is that you prefer to trade it electronically, and we're going to change those two designations at Mr. Baker's request. So Danielle?

MS. PACIK: Sorry. If we do use thumb drives, can we make sure they're labeled because I have a lot of unlabeled thumb drives in my bag right now. Please.

MR. IACOPINO: And please make sure that
they don't have any viruses on them.

Ms. Menard?

MS. MENARD: Jeanne Menard. Could Deerfield Abutters be abbreviated, please? Currently, we're spelled out as Deerfield, and if we can just shorten that a little bit it would help. DFLD.

MR. IACOPINO: Sounds good to me.

MS. MENARD: Thank you.

MR. IACOPINO: Ms. More?

MS. MORE: The Nonabutters, we have been, we created for ourselves NAPO-SB back in July. So it would be easier for us if it's permissible to stick with that. Non-Abutters Stark to Bethlehem. Thank you.

The other option you have is you could assign everybody a finding number. Kind of standard library practice.

MR. IACOPINO: Right. But one of the concerns that we have is when the Committee members look at the exhibit so they know what the party is. I think I'm going to start to get some pushback from my Committee. Mr. Palmer?

MR. PALMER: I guess I'll jump in here and
ask for a shorter abbreviation as well. For the Abutting Property Owners from Bethlehem to Plymouth, could we just have APOBP.

ADMINISTRATOR MONROE: Ms. More, what was your designation again?

MS. MORE: NAPO-SB. For Non-Abutting Property Owners, Stark to Bethlehem.

ADMINISTRATOR MONROE: Okay.

MS. MORE: Okay? Thank you.

MR. IACOPINO: Chris?

MR. BOLDT: Not a change in designation but a question. How many, if we are bringing thumb drives or paper copies, how many do we bring? Do we bring one for each 150 intervenor?

MR. IACOPINO: No. One for each entire Intervenor Group.

MR. BOLDT: Which now is how many.

MR. IACOPINO: 26.

MR. BOLDT: 26.

MR. IACOPINO: At least my list has 26.

All right. The report from this will have a final determination in terms of how we're going to do that. Like I said, I'll look at the ShareFile this afternoon.
Where were we. Exhibits for the Committee. You said you had a plan for the exhibits for the Committee, Mr. Pappas.

MR. PAPPAS: No. I just wanted to separate the other parties from the Committee. I understand the Committee would like 8 paper copies and 8 electronic copies. Is that supposed to be 8 separate electronic copies?

MR. IACOPINO: Eight thumb drives. But at the time it was written, I believed you could fit your exhibits on a thumb drive. Apparently you can't.

MR. PAPPAS: Whether it's thumb drive or hard drive, but 8 separate things. Whether it's a thumb drive, a hard drive or whatever, 8 of those plus 8 paper copies.

MR. IACOPINO: Yes. That's what we originally planned.

MR. PAPPAS: I want to make sure I understand it.

MR. IACOPINO: But you're saying you want to do that or you don't want to do that?

MR. PAPPAS: It's not that I want to do that, but it seems that that is much more
manageable than doing 26 of those for everybody else. I mean, that's, 8 is much more manageable than 26. That's why I wanted to separate the other parties and Subcommittee.

MR. IACOPINO: Okay. Mr. Whitley?

MR. WHITLEY: You were talking earlier about the Committee members and their maybe past practice or preference to use electronic. You know, if there's a way we can reduce the amount of paper copies to the Committee as well, I think that would be appreciated.

MR. IACOPINO: We'll trying to canvas and find out if we can do that. As I said before, one issue that we're running into is the inability of the Office of Information Technology to allow state computers to use thumb drives from other folks.

MR. ROTH: Can I ask a question about the 8 electronic copies. It seems to me that that is a bit archaic in and of itself.

MR. IACOPINO: It is.

MR. ROTH: Why doesn't the Committee get one electronic copy and find a way to disseminate that amongst itself?
MR. IACOPINO: You mean take it and plug it into each computer and just pass it down and copy it?

MR. ROTH: Yes. Something like that.

MR. IACOPINO: Because I think that some people want to take them home and put them in their home computers when they consider these things at home. I think that's where it comes from.

MR. ROTH: My information technology people would probably tell me that using a home computer for State business is probably a violation of 91-A. I'll leave you to figure that out.

MR. IACOPINO: Not if there's not any meeting. If I'm reviewing documents because I have a hearing the next day and I want to know what the witnesses are going to talk about or if I'm reading the Prefiled Testimony on the day before they're cross-examined, how is that a 91-A violation?

MR. ROTH: That document on that computer is probably a record subject to discovery under 91-A, but I'll leave that to you and your
contact at the Attorney General's Office to figure out. But be that as it may, it seems to me to have this Committee assume responsibility for distributing the electronic copy that is delivered to it doesn't sound terribly unreasonable to me.

MR. IACOPINO: Ms. Manzelli, were you going to address that?

MS. MANZELLI: No. Thank you.

MR. IACOPINO: Ms. Birchard?

MS. BIRCHARD: Melissa Birchard. NGO Intervenors. Just for my clarification, if we are submitting our exhibits in three separate tranches, this means everything we're doing is three times whatever our determination is here; is that correct?

MR. IACOPINO: I don't understand the question.

MS. BIRCHARD: So if we have Track 1, Track 2, and Track 3, and each has a different deadline, does this mean this is actually multiplied by 3 is my clarification question.

MR. IACOPINO: Yes. But those three things would contain different exhibits, I would
presume.

MS. BIRCHARD: Correct.

MS. QUINN: Maureen Quinn. Ashland/Deerfield Non-Abutter. Is it possible that we could just do one hard copy for the record for future appeals or whatever that's labeled and just provide an electronic copy to the SEC? You know, the 8 different electronic copies?

MR. IACOPINO: It might be possible. As I said before, we're going to try to see if we can eliminate some of those paper copies. Whether it will be one, five, three, I don't know yet.

MS. QUINN: Okay. Thank you.

MR. IACOPINO: All right. So I don't hear the same objection to providing the electronic copies other than whether it's one thumb drive or 8 to the Committee. And as I've said to everybody, the 8 paper copies I know is a pain and we're going to try to figure out if we can whittle that down. Yes. Mr. Boldt.

MR. BOLDT: Would it be possible to provide the Committee the exhibits electronically in advance? Even if it's the night before. So
that it comes to Pam for dissemination through your internal system rather than us hopping up each morning, giving a new thumb drive?

MR. IACOPINO: With something like your two exhibits, that might be feasible. The problem becomes when it's a large amount. When it's a large file. Because what Pam is going to do is she's going to email it to us or to the Committee. That would be the only way she would get it from -- or she's going to put a thumb drive into her computer and copy it and put it on other people's computers so -- but we'll work on it.

MR. IACOPINO: Did anybody have any questions about their exhibits, what to do with them, how they're used? You will have a deadline for your Track 2 exhibits that will come out in a memorandum. Ms. Lee, did you have your hand up?

MS. LEE: As it stands right now, we'll get a memo on how many copies to provide.

MR. IACOPINO: Yes.

MS. LEE: Electronically only.

MR. IACOPINO: To provide to each other
electronically. You may still have to provide
some paper copies for the Committee's purposes.

MS. LEE: All right.

MR. IACOPINO: But amongst the parties, it
sounds like everybody's electronic. How they
will be traded electronically is still to be
determined.

MS. LEE: Thank you.

MR. IACOPINO: I want to go with Mr. Baker
first and then Mr. Pappas?

MR. BAKER: Quick question on file format.
Your memo says that PDF formats are preferred.
For photographs are JPEGs okay?

MR. IACOPINO: Yes. Yes. The JPEGs, I
mean, PDF, JPEG. I know there's some video like
Avia or MPEG are the common files that are
commonly used so that somebody with a regular
computer without too many additional software
programs can view them is basically what we're
looking for. Mr. Pappas?

MR. PAPPAS: Let's talk a minute about
impeachment exhibits.

MR. IACOPINO: We're going to get there.

MR. PAPPAS: Okay. Now? Or do you want to
wait?

MR. IACOPINO: Well, what is Ms. Manzelli offering here?

MS. MANZELLI: I had a couple wrap-ups on the transmission of exhibits. Can you just confirm, Mike, we talked about this on the phone. If we are sharing amongst email or even on a thumb drive and we have an unusually large file, whether JPEG or PDF, the preference I know is to not break up files, but if it's problematic to transmit we can break them up, right?

MR. IACOPINO: Yes. If you need to break up a file in order to transmit. Please make sure, though, same concerns that have been expressed, that it's labeled in a way that common sense says okay, this is the second part of that file or third part or whatever.

MS. MANZELLI: Then the second followup is just with illustrative exhibits I want to check my understanding of what we're supposed to do. So for Harry Dodson, for example, there are a bunch of photo simulations in there. We will have his entire report as an exhibit. It will
be SPNF 1 or whatever it ends up being. Now, when it comes to the day when Mr. Dodson is going to take the stand and we want the Committee to be viewing a particular photo simulation, you know, like I said, certain size, certain distance, then on that day, we would bring in those illustrative exhibits. So I guess when do you want me to identify those? And I don't need to separately exchange those with the parties or the SEC, right?

MR. IACOPINO: Well, you've already exchanged them electronically. What you're bringing in is just the mockup. I think that, I think if you've already exchanged them electronically, you wouldn't have to exchange them again. Obviously, everybody is going to get a chance to look at them before you use them. They should be marked though. I think they should be on your exhibit list whenever that is required to be provided, and they should be marked so that in such a way or I would prefer that they be marked in such a way so that you have, for instance, the electronic file is Exhibit 1, you might make this Exhibit 1-A or...
1-1 or whatever. So that we know it's the same thing.

Some of them might not. I mean, if there's a simulation in the report itself that's not separate like sometimes there's a sim that's just a small one that's on a page with text, in that case you may not be able to do that. You'll just have to give it another number.

MS. MANZELLI: When we bring those in, do we just need to bring in one copy? You know, one mockup on the foam board?

MR. IACOPINO: Yes. I don't think the Committee is going to be bringing foam boards home with them so just one.

MS. MANZELLI: And one would be sufficient for other parties to view.

MR. IACOPINO: Yes. It will be here. They can see it. I'm assuming these are physical exhibits you're going to bring in, not something you're going to show over the TV sets?

MS. MANZELLI: I think that's true for the most part, but we may have something in the nature that would be shown on the TV sets. We'll identify those.
MR. IACOPINO: Thank you.

MS. PACIK: When we label the PDF and whether it's being emailed or uploaded to the ShareFile, put on thumb drives, can that label and what we name the PDF be consistent with what the exhibit number is so we don't have a variation between the two?

MR. IACOPINO: That would be the most common sense approach to that. I hope that everybody would try to do that. I don't know of any reason why you couldn't. That's what we would ask that people do. I don't know if that's going to make it into the order, that detail though, but everybody should, I mean if it's Exhibit 1 on your exhibit list, don't label the PDF file "French fries from McDonald's." So label it Exhibit 1 unless there's some reason why you simply can't do that. And no, it doesn't say anything about my dietary experience.

MS. MANZELLI: I just wanted to put in a plug, in addition for McDonald French fries, for if you could I think it would really assist the parties and make things a lot clearer and a lot
more efficient and, therefore, quicker at trial if you could attempt to get into that level of detail in the report resulting from this Prehearing Conference. I think it would be a great assistance.

MR. IACOPINO: I'll try.

MS. MANZELLI: Thank you.

MR. IACOPINO: Okay. Impeachment exhibits. Is somebody objecting to providing their impeachment exhibits?

MR. PAPPAS: Yes.

MR. IACOPINO: Why.

MR. PAPPAS: My understanding is that the concern is you don't slow up the process by having to stop and make copies for people. So it would seem to me, and you don't even know what impeachment exhibits you may use or not use depending on how the witness testifies. It seems to me that the party brings in a sufficient number of copies which would be probably on the order of 40 of any impeachment exhibit and labeled; that if they want to use it, they can disseminate it and use it, and if they don't want to use it, it never makes the
exhibit list. But many impeachment exhibits we
don't know if we're going to use them until
you're questioning a witness, and some
impeachment exhibits you don't want the witness
necessarily to see them until you show them the
exhibit.

So it seems to me, as long as you have a
sufficient number of copies, that that takes
care of not slowing the proceeding down at all,
and it takes care of the record should it go up
on appeal, and, therefore, that should avoid the
need to premark impeachment exhibits.

MR. IACOPINO: Why would you not -- the
witness has already testified by providing
Prefiled Testimony. What is the concern about
the witness knowing that you may use an exhibit
for impeachment?

MR. PAPPAS: Because you don't know what
the witness is going to say on cross until they
say it.

MR. IACOPINO: True.

MR. PAPPAS: Then there might be a need for
an impeachment exhibit and there may not be a
need for an impeachment exhibit. You don't know
that until they testify.

MR. IACOPINO: Why would you not, the fact that you may use it or may not use it is accomplished even when you file the exhibits in advance because you can choose just not to admit it. You can choose not to use it for impeachment. So that doesn't change anything.

It seems to me that the only reason to have an impeachment exhibit that you don't want to provide in advance, especially when direct testimony has already occurred is because you want the element of surprise.

MR. PAPPAS: Certainly.

MR. IACOPINO: I don't know that the element of surprise is something that trumps the efficient operation of the Committee and the efficient running of the hearings.

MR. PAPPAS: But if you have a sufficient number of impeachment exhibits already marked, and you've taken away the efficiency concern so then there is no efficiency concern and so there's no need to trump. The element of surprise is what's left.

MR. IACOPINO: Ms. Saffo?
MS. SAFFO: I was just going to say I completely agree, and there is a point where it's not so much element of surprise but you're playing your hand. I mean, what I mean by that is you're telling the defense attorney where you're going on a case ahead of time, and we shouldn't have to do that. It's not a surprise thing. It's just what's going on in your work product, what's going on in your mind, but definitely I agree. If you want us to mark everything you possibly could use, then I'm going to be giving you many extra exhibits that I end up not using because I don't know exactly what's going to happen. We have the prefiled testimony. I totally appreciate that. But if all this was was submit prefiled testimony and go by that, then we wouldn't even be having a hearing. So I just wanted to, again, voice my support for what he's saying. I think I'm going to be giving you a lot of extra documents if I can't use it unless I give it to you ahead of time.

MR. IACOPINO: Mr. Needleman?

MR. NEEDLEMAN: I agree with both of those
statements, and I want to add something else as well. If the other folks in this room prepare the way I prepare, frequently it's not until right before you're ready to cross-examine a witness that you actually have a sense of what you're going to do, and I certainly know with respect to my preparation, witnesses that I will be cross-examining aren't going to be appearing until some point in July or August. And for me to have to figure out what exhibit I'm going to use with those people and identify them well in advance, it's not even an element of surprise issue. It's just not possible given the way we do preparation.

MR. IACOPINO: But you're not going to have your exhibit deadline until some time around that third track that we discussed.

MR. NEEDLEMAN: But, again, collectively we have how many hundreds of witnesses to examine? I don't even know. Like I said, I'm not going to have those examinations ready at the time that deadline comes and probably not going to have the vast majority of them ready.

MR. PAPPAS: I'd agree with that.
MR. IACOPINO: I'm sure you will.

MR. PAPPAS: That's the way you do it.

MR. IACOPINO: I'm surprised because I would think that as the Applicant you would be the person that would be least wanting the surprise.

MR. NEEDLEMAN: I will add one other thing. Based on the experiences we've had in other dockets, I pretty much appreciate the concern you're trying to address about trying to keep things moving along, and I actually support that, and what I would say is to the extent that people can figure out what they might use, they should identify it. If they can't, they should do what Tom is talking about or come up with other mechanisms to move this along really smoothly. I do agree with trying to address those concerns, but I just don't think it's possible to completely do it the way it's been proposed here.

MR. IACOPINO: For some of the folks who might not know exactly what we're talking about, impeachment exhibits are exhibits that are used for the purposes of showing that there is some
lack of credibility in the direct testimony of
the witness, whether it's what's sometimes
preferred to as a prior inconsistent statement,
which doesn't really happen that much in
administrative hearings like this. Usually,
it's more somebody will take out a treatise or
something technical and say well, this does not,
you've said this, this says that. It's usually
something like that in an administrative
proceeding. It's rarely something that goes to
the actual integrity of the witness.

The problem that we have had with, not just
with impeachment exhibits but with unmarked
exhibits in general in the past is that we'll be
in the middle of a hearing and somebody will
pull out a document that they want to use. In
most cases they only have one copy of it, and
they want to start putting it under the
witness's nose or reading it to the witness, and
everybody else in the room is like what is that.

We then take a break, Pam runs out to the
copier and makes copies for everybody. Then we
come back and 25 minutes is gone. And then in
some cases we've had it where that's happened,
and then 15 minutes later it happens again.
That's the whole, that's the major concern
behind any unmarked exhibits, including
impeachment exhibits.

I understand what Mr. Pappas is saying.
He'll mark his own impeachment exhibits, but I
don't know if that's going to solve anything
either. So Mr. Whitley?

MR. WHITLEY: We haven't done the technical
training in the room yet, but my understanding
was that some of the things that we're seeing
here are designed to address that very issue by
putting a document underneath the -- I don't
know what you call it. On the table right
there. The overhead.

ADMINISTRATOR MONROE: ELMO.

MR. WHITLEY: Thank you. The ELMO.
Presumably is then displayed on all these
screens so that you don't have that issue where
if there's an impeachment document that's sprung
on someone and you have to stop everything. So
I guess I also, I couch that in my, I'm joining
the other parties that have expressed some
opposition to identifying impeachment exhibits
ahead of time.

MR. IACOPINO: I thought you would all be happy that you would get these exhibits ahead of time. Anyway. Ms. Fillmore?

MR. ROTH: We're happy to get them. We just don't want to give them up.

MS. FILLMORE: I think this is the unusual situation where all the parties agree.

MR. IACOPINO: Since we're in an agreeing mood, can we move on to something substantive?

MS. FILLMORE: If the Applicant, who is presumably the most concerned in the room about moving things along efficiently, if the Applicant's attorneys would prefer not to distribute impeachment exhibits, mark, admit, all of that ahead of time, I think we should probably all agree about that. If they don't have that concern, then I think maybe the Committee doesn't need to be quite as concerned about it.

MR. IACOPINO: Ms. Manzelli?

MS. MANZELLI: Just a couple points. I'm not prepared to brief this. You know, I didn't come with a legal memo on this issue, but we did
do a little bit of legal research, and I wanted
to state on the record it's our position that
it's not really supported having to provide
impeachment exhibits in advance. And I think it
would be helpful to the parties, for other
issues you've said okay, we're going to put it
in the order. We're probably going to write up
like this. If you agree with everybody else, I
think --

MR. IACOPINO: I don't.

MS. MANZELLI: You don't. Okay. In that
case, perhaps this bears more discussion, and
I'd like to also add for all of the reasons that
everybody has stated, I don't think that it
would, there's no efficiency concerns if
everybody agrees we're going to come prepared
with the copies. And if there's no efficiency
concern, then there's no need to do this. So if
everybody agrees, you know --

MR. IACOPINO: I hear you.

MS. MANZELLI: Okay. Thank you.

MR. IACOPINO: Anybody else want to address
impeachment exhibits? Ms. Pacik?

MS. PACIK: I don't think anybody wants to
be here all summer, and we would like to get this moving along as much as possible. So the idea of marking as much as we can would be helpful.

MR. IACOPINO: So are you agreeing with me?

MS. PACIK: My opinion is we try to mark as much as we can, and if there's documents, though, that we're preparing the night before and we realize, oh, this is a great document, that we're not precluded from bringing it in and using it.

MS. SAFFO: I second that. We do our best efforts, and there's going to be some things I don't mind marking or have concerns about, but I agree that as you prep things you think of other questions based on what happened during the day. So that might be a good middle ground where we share what's ready and what we're not concerned about disclosing, but then we realize that at the hearing there might be some additional things we bring forward. We're just not precluded from bringing additional information at the hearings.

MR. IACOPINO: Okay. Anybody else want to
address impeachment exhibits? It will be addressed in the order.

We dealt with the site visit.

Any other concerns about exhibits that anybody has that we haven't already addressed? Ms. Pasik?

MS. PACIK: Thank you. One concern that I have is the duplication of exhibits that we've already seen in the exhibit list where each person has identified the same exhibit so we're going to have the same document with a lot of different identifying. For example, I might mark it, the Applicants might mark it, Counsel for the Public. So is there a way to try to just have one version of the document that when we're referring to it we're consistent?

MR. IACOPINO: The best thing that I can recommend to you is talk to the other parties. If there are things you know that the other party is going to use, talk with them and make sure that they're going to and choose not to put it on your list. If there's some that you suspect, do that. You know, speak with them.

But the problem is is that if we create some
kind of system and then somebody doesn't have an exhibit that they wanted, then we're back at square one trying to get it into the record.

MS. PACIK: What about Prefiled Testimony of other parties?

MR. IACOPINO: I assume that every party is going to submit its own Prefiled Testimony. Well, actually there's a way to deal with that. Are there any witnesses who have submitted Prefiled Testimony that the parties intend to withdraw their testimony?

I don't see anybody saying that. So, I mean, I wouldn't think that that would be the type of exhibit that would cause your concern. There might be other types of exhibits that may be duplicated. We see duplicated exhibits in almost all of our hearings. It's just, it happens. But I don't think that there's any, in fact, I think we have the opposite issue here. I think we have some people who are listed on witness lists who have not provided Prefiled Testimony which we're going to deal with in a couple minutes, but I think that if somebody has submitted Prefiled Testimony, they're going to
be a witness, I don't know why you would want to
mark it anyway, but it's likely they're going to
submit it as their exhibit, and they're going to
get up there and swear to it, and you'll get to
cross-examine them.

MS. PACIK: Thank you. And just one last
question. What I understand is at least from
the exhibit list submitted by the Applicants,
they have a lot of Prefiled Testimony of
witnesses who are not relevant to Track 1 as
well as reports that I don't think are relevant
to Track 1. These are all being marked for
identification, and they have to actually move
to introduce it as a full exhibit; is that
correct?

MR. IACOPINO: All of the exhibits will
have to be moved.

MS. PACIK: Okay.

MR. IACOPINO: Everybody's. Not just the
Applicant's. Everybody's. If I understand it,
and, Mr. Needleman, correct me, was this meant
to be solely a Track 1 exhibit list? Or were
you trying to be more inclusive?

MR. NEEDLEMAN: Well, it's generally Track
There are things on there that are universal. Things having to do with the Application. But as far as specific witnesses go, yes, it's meant to be only Track 1. We're going to have additional for Track 2 obviously.

MR. IACOPINO: So, for example, if anybody has your exhibit list in front of them, we see Exhibit 11 through 31 is all Prefiled Testimony. That's basically of all of your witnesses, right?

MR. NEEDLEMAN: Well, because that was the Prefiled Testimony that was included in the Application originally.

MR. IACOPINO: So that came on Day 1. So that's why -- you don't anticipate that these witnesses are going to testify --

MR. NEEDLEMAN: No.

MR. IACOPINO: I think he's just being more inclusive than what the order required, and it would make sense because those things if somebody is rummaging around looking for them, they're going to be with the Application. So it would make sense to do it at somewhat in a chronological order if you're the Applicant.
Does that answer your question, Ms. Pasik?

MS. PACIK: Yes. Thank you.

MR. IACOPINO: Let's turn to the issue then of there are a couple of witness lists who have witnesses who did not provide Prefiled Testimony. I believe that one of them is from Ms. Lee with Mr. Kucman, and let me turn to the Applicant because I know this is a problem that you've noted. Can you tell us which witnesses there is the problem with?

MR. NEEDLEMAN: Well, I'm not sure I'm going to be able to identify every one, but I know, for example, that in the filing that Mr. Thompson submitted last night there were several on there. I believe that with the filing that Mr. Cunningham put in, there is at least one, perhaps more on there. I don't have a complete list but those are the ones that come to the top of my mind.

MR. IACOPINO: Let me turn first to Ms. Lee then. You've submitted Mr. Kucman as a witness on your list, but he has not provided Prefiled Testimony.

MS. LEE: Right. And being pro se, I
wasn't sure if his testimony would be germane to my health and safety issue which is the Track 1, and I know in conversation during a couple of the tech sessions we're on the same grouping of abutters, Ashland to Allenstown, so we've had that discussion so I thought he would be a perfect witness for speaking to the issue of public health and safety.

MR. IACOPINO: Okay, but there was a deadline for the filing of the Prefiled Testimony of your witnesses, of everybody's witnesses, and you did not file testimony from him. There was no Prefiled Testimony from Mr. Kucman. So let me just tell you is that in those circumstances, Mr. Kucman normally would not be permitted to be a witness unless you seek relief from the Committee and the Committee grants you that relief.

So, you know, I mean, nobody has ruled on Mr. Kucman's ability to testify or not, but I would tell you that the procedure generally used in those circumstances is to file a motion with the Committee asking to allow you to late-file Mr. Kucman's testimony. I don't know whether
that would be granted or not, and I know that Mr. Kucman is going to participate with you in some of the cross-examination. That's different. That's not being a witness. So just a fair warning to you about what may happen there.

MS. LEE: All right. So --

MR. IACOPINO: If you have any questions about it, you can always come up and ask us as well, but there is no Prefiled Testimony from Mr. Kucman so it's unlikely that he's going to be permitted to testify, at least if the Chair follows the rules that we've always been following.

MS. LEE: I see. All right. Thank you.

MR. IACOPINO: Mr. Thompson, there's been a suggestion that you have witnesses on your witness list who didn't provide Prefiled Testimony. Do you know who they are?

MR. THOMPSON: I could guess.

MR. IACOPINO: Why don't you guess for me. I'll bet it's a knowing guess.

MR. THOMPSON: Probably the two road agents. Former Road Agent Robert Brooks and
Aaron Yost. And the Fire Chief of Colebrook.

MR. IACOPINO: And what's his name?

MR. THOMPSON: Brett Brooks.

MR. IACOPINO: So we've got two Brooks. Brooks, Yost and Brooks?

MR. THOMPSON: Brooks, Yost and Brooks.

Yes.

MR. IACOPINO: Yes. Same goes for you, Mr. Thompson. You did not file Prefiled Testimony from them.

MR. THOMPSON: It's hard to believe I didn't understand how to do everything.

MR. IACOPINO: No, I understand. But same that I said to Ms. Lee is that normally they would not be permitted to testify unless they've filed Prefiled Testimony. The deadline is gone. So in order to --

MR. THOMPSON: So I would have to file for relief.

MR. IACOPINO: Yes. And Mr. Cunningham, there's been a suggestion that you've listed witnesses that were not on, and you've been through this more than these guys so --

MR. CUNNINGHAM: I am totally guilty of not
filing Prefiled Testimony. Let me tell you what I want to do with Kevin Spencer and Mark Legasse. Kevin, this is a home-built project. Kevin is the carpenter that has been building the lodge. Mark Legasse is the equipment and money guy. What I want to do during the proceeding is to have all three of my witnesses on the witness stand. Karen's the secretary/treasurer of the LOC. She did the Prefiled Testimony, took the pictures and so on. But what I propose to do is have all three on the witness stand as a group. And should there be a question about who did what or why they did it and what money they spent to develop this property, Kevin will be there and Mark Legasse will be there to answer any questions.

MR. IACOPINO: So basically backup in case Karen can't answer.

MR. CUNNINGTON: Precisely.

MR. IACOPINO: You might want to talk to the Applicant about whether they'll agree to that or not, but if not, the same goes for you with respect to those witnesses as to the process.
MR. CUNNINGHAM: I think it would be particularly useful to have those two business owners and contributors available to answer questions should they arise.

MR. IACOPINO: But because they didn't file Prefiled Testimony, you may have to convince the Chair that it's particularly useful. You may want to speak to the Applicant first because I know sometimes when we have Applicants in here, they have backup people who provide bits of information here and there. So you may want to, I don't know if they plan on having any of that in this, I tend to doubt it, but you may want to speak to them about whether or not they'll agree with that before you file a motion if you choose to do so.

MR. CUNNINGHAM: I don't expect any difficulty from Barry or Tom or Marvin.

MR. IACOPINO: Okay. Were there any other parties that had witnesses that you did not receive Prefiled Testimony on?

MR. NEEDLEMAN: There are no other parties that we identified. I think there were additional ones on Mr. Thompson's list beyond
the ones he mentioned, but I'm guessing he understands the issue.

MR. IACOPINO: Okay. So apparently they think there's somebody besides Brooks, Yost and Brooks on your list.

MR. THOMPSON: Brandon Kernan. That could be very true.

MR. IACOPINO: We don't need to go through them. The situation is what it is, and you understand.

MR. THOMPSON: I do understand. Thank you.

MR. ROTH: Seeing Brandon Kernan's name on this list, and I'm not trying to make a point other than so that people are aware of this. It is my assumption that there will not be people from, for example, the Department of Environmental Services or the Department of Transportation who can be questioned about the permit conditions that they have rendered or I guess also the Department of Historic and Cultural Resources and their responses. There will not be people present who can be cross-examined by any of the parties from any of
those agencies in this docket.

MR. IACOPINO: They have not been named as witnesses by any of the parties that I'm aware of. None of them have chosen to participate under the various means in which the statute allows state agencies to participate as parties here, whether it be by intervention or by simply naming liaison and working in there.

Now, that doesn't mean that the Committee itself might not summons somebody from one of those agencies to come in and explain something. That's happened in the past as well. But right now, as far as the parties' presentations go, that's my understanding is that there are no witnesses from the state agencies who will be called as witnesses.

Ms. Menard, I'm sorry. Your hand was up before.

MS. MENARD: No problem. Jeanne Menard. Can the witnesses that have not filed Prefiled Testimony testify as rebuttal witnesses?

MR. IACOPINO: You would have to make a case for it to the Chairman of the Committee, although I don't know what you're rebutting
because the Prefiled Testimony from the Applicant has been filed. If you're going to rebut that, you would have done that in Prefiled Testimony filed by you. So I don't know that it's actually proper for rebuttal unless there is something that occurs on their cross-examination that might call for rebuttal, but it would be a stretch. But the proper way to deal with that would be to ask the permission of the chair.

MS. MENARD: Thank you.

MR. IACOPINO: Anybody else have any questions about witnesses not being on witness lists? Okay. All right.

Couple just minor things. Other than for the Applicant's team and Counsel for the Public, we don't have assigned seating in this room. But it is nice if once you guys get accustomed to being here, once we're in the hearings, you sit in the same place. I don't know if you've noticed, but the way the sound is is somebody will say something from the front row and I'm looking back there because it's just the way it sounds. Sounds like it's coming from further
away. But if you're in the same place, it will make it easier for our court reporters, and there will be more than one during the course of these proceedings, to know who's speaking. And again, just as most of you have done very well today, identify yourself before you speak, and we should get a nice clean record that way.

I think we've addressed everything that I had on my agenda. I'm pretty sure we got through most of the issues raised in Ms. Manzelli's memo. Is there anything that I missed in your memo, Ms. Manzelli?

MS. MANZELLI: I was looking for some confirmation today that you would put into the order when historic and public interests should be addressed.

MR. IACOPINO: Oh, I wanted to address that with the Applicant. What is your understanding of when you're going to present your, I mean, I'll go back to my -- none of the witnesses that you have on your list right now are Historic. Some of them might have to do something with the Public Interest but depends how broadly you define that, I suppose.
MR. NEEDLEMAN: Our cultural resources experts, which is what I would call it, will be a panel in what we're calling Track 2.

MR. IACOPINO: So basically that Historic aspect would be Track 2. Now, public interest is interesting because it's we've only had one hearing where the new statute has been in effect. Our experience in that is sort of the public interest sort of involves every other aspect of it, and I don't know, is there a witness who -- I don't believe there's a witness in this case who addresses solely the public interest. So I would think that any public interest cross-examination really could be asked of any witness in the context of what they know and what they testify about.

MS. MANZELLI: And we agree with that. I think it's important for the record that there be an order stating when we could expect to address Historic and when we could address Public Interest, and that Public Interest would pervade Track 1, 2 and 3, et cetera.

MR. IACOPINO: I think that will make it into the order as well. Obviously, though, I
mean, I don't think that the Chair is going to allow somebody to stretch something that a witness is not either qualified or maybe prepared to testify or hasn't testified about into a public interest issue just because you label it public interest, but I think the public interest issue does spread across all of the other criteria.

Mr. Baker, you had a question about witness panels.

MR. BAKER: Yes.

MR. IACOPINO: Generally what we do is we allow the party who is presenting the witness or witnesses to make a determination as to whether or not those witnesses should be in a panel. For instance, the witness list that has been provided by the Applicant for Track 1 has a panel in it. They've decided they would like to present their evidence in that fashion. Generally, that's the same for everybody although we ask that you keep it to the same issues.

Sometimes, for instance, in the Antrim Wind case, we had a panel of witnesses who were all,
I think there were non-abutters. They all had the same interests in the case, it was all primarily aesthetic although there was some noise-related issues that they testified about, and I think there was four of them testified as a panel. They happened to be all the members of that intervenor group as well. There was nobody who was a subject matter expert. They all had just the interest of their homes were near, and they were asserting that they were going to be affected by the project.

Generally, we allow the party putting forth the witness to determine if they want to present them in a panel or not. But if you do present a panel, it should be on an issue basis. If everybody says the same thing, it makes a good panel but --

MR. BAKER: I'm thinking of my four clients. They're all North Country land owners. Some are under the right-of-way, some are on roads, but they all have similar interests in primarily the aesthetics.

MR. IACOPINO: And they've filed Prefiled Testimony.
MR. BAKER: And they all four filed prefilled, yes.

MR. IACOPINO: I don't see any problem with that proposal to present them as a panel. I think it makes things more efficient, and it's generally worked. I don't think the Applicant has any objection to that? You've done it before.

MR. NEEDLEMAN: Yes. Certainly.

MR. IACOPINO: At least your lawyers have.

MR. NEEDLEMAN: Certainly not in that case, and typically it's up to the party presenting witnesses to make the determination.

MR. IACOPINO: I mean, the thing is even if the panel is made up of people who might have a little bit of diverse interests which generally happens, then somebody will turn to the Chair and say I'm going to ask questions of witness A first and then witness B next. But nonetheless, yes. I think that you should, and for all of the parties, you can proceed by panel if that's the way you choose to present your evidence. It's just that the panel members should have some consistency amongst them in what they're
testifying about. Is there any other questions about panel presentations?

Ms. Manzelli, anything else you wanted to address?

MS. MANZELLI: Were we going to go through and poll the parties on how long they expected to cross-examine the Applicant's witnesses?

MR. IACOPINO: We can do that. Let's start with Forest Society.

MS. MANZELLI: Sure. And if the will of the room is to not do this, that's fine with us.

MR. IACOPINO: I actually think it will be helpful.

MS. MANZELLI: Okay.

MR. IACOPINO: Why don't we.

MS. MANZELLI: So for Mr. Quinlan, one and a half hours. For the Bowes and Ausere panel, two hours. For the Bailey/Johnson/Bell panel, 30 to 60 minutes and for Mr. Andrew, 15 minutes.

MR. IACOPINO: Tom?

MR. PAPPAS: To be determined. I really don't know. We haven't prepared yet so --

MR. REIMERS: Can I ask Tom a question?

MR. IACOPINO: Sure.
MR. REIMERS: Tom, do you think it's realistic, for example, Mr. Quinlan to be finished in a day?

MR. PAPPAS: With just me?

MR. REIMER: If we're going to have up to an hour and a half. And if you guys go first.

MR. PAPPAS: We're not going first because Chris is going in front of me.

MR. REIMERS: Right.

MR. PAPPAS: I really don't know. I mean, I'd be guessing, and I don't want to guess and have 60 people rely on a guess when I haven't prepared yet.

MS. MANZELLI: And we should say these are guesstimates. These are estimates for the purpose of scheduling or figuring out logistics.

MR. IACOPINO: Mr. Thompson.

MR. THOMPSON: Are you talking about Track 1 only?

MR. IACOPINO: Yes. We're talking about the witnesses, Mr. Quinlan, the Bowes panel, Bowes and Ausere panel, the Bailey/Johnson/Bell panel and then Mr. Andrew.

MR. THOMPSON: I would say that the only
one that I will definitely want to talk to is Mr. Bowes. I am going to review the prefiling testimony of the others just in case, but I doubt there will be any questions.

MR. IACOPINO: Do you know how long you might be spending with Mr. Bowes?

MR. THOMPSON: 45 minutes to an hour maybe.

MR. IACOPINO: Mr. Baker?

MR. BAKER: I'd have to pass that question to Art.

MR. IACOPINO: Mr. Cunningham?

MR. CUNNINGHAM: I do not know, do not want to say.

MR. IACOPINO: Mr. Judge? You indicated you were going to do one of these guys, if I remember correctly.

MR. JUDGE: Yes. Quinlan just filed Supplemental Testimony. In the interest of adding a little levity to this, can we also guess where the Red Sox are going to finish this year?

MR. IACOPINO: I don't think there's much dispute about that in this room.

MR. JUDGE: Very well. They'll be behind
the Mets.

MR. IACOPINO: So you don't have any estimate?

MR. JUDGE: I have no estimate that would be accurate.

MR. IACOPINO: Okay. Ms. Saffo?

MS. SAFFO: I'm clearly hoping not to duplicate questions asked by other people. So I'm going to estimate 15 minutes to a half an hour for each panel, but, definitely, I'll be listening to other people in front of me.

MR. IACOPINO: I appreciate that.

MS. SAFFO: And if it's already asked, I'm not going to ask. So I think it's really hard to estimate is the reality of it.

MR. IACOPINO: It is, but we're in the exercise anyway. Mr. Belliveau and Mr. Raff? I think Mr. Raff disappeared.

MR. BELLIVEAU: I think Attorney Raff has left for the day, but our time will be brief.

MR. IACOPINO: I'll write brief. Mr. Boldt, while I'm on the ones who are going first.

MR. BOLDT: Maybe 30 minutes on
Mr. Quinlan, maybe 45 minutes on the Bowes, Ausere. Don't know on the following panel or on Mr. Andrew at all yet.

    MR. IACOPINO: Mr. Palmer?

    MR. PALMER: We'll estimate 15 to 30 minutes for each of the witnesses.

    MR. IACOPINO: Thank you. Who's the next party?

    MR. SAMSON: Commissioner Samson. In Mr. Ellis's absence of volunteering to be the one asking the questions, I don't have an answer for you. I'm sorry.

    MR. IACOPINO: Okay. Is there another group back there that I can't identify? Ms. Percy?

    MS. PERCY: Brief.

    MR. IACOPINO: Okay. Mr. Foulkes?

    MR. FOULKES: With any luck, the questions will have been asked, but we figure with Mr. Quinlan maybe 15 minutes. For Bowes and company, no more than 20, and very brief for Bailey, maybe ten minutes, if that. Twenty minutes. She wants 20 minutes.

    MR. IACOPINO: Okay. Who's next back in
that row?

MS. MENARD: Deerfield Abutters?

MR. IACOPINO: Thank you, Ms. Menard.

MS. MENARD: Thirty minutes for Mr. Quinlan. 30 minutes for the panel of Bailey, Bell and Johnson. Five minutes for Mr. Andrew. And 15 minutes for Mr. Ausere. And Bob Cote has checked in, and he is available and will be the spokesperson.

MR. IACOPINO: Great. Thank you.

MS. MENARD: For the economic.

MS. BILODEAU: Joan and Phil Bilodeau. Probably brief, and like Mr. Foulkes, probably our questions will have been answered but maybe five minutes. Thank you.

MR. IACOPINO: Thank you. Have I missed --

MR. STAMP: Twenty minutes total.

MR. IACOPINO: I'm sorry?

MR. STAMP: Twenty minutes total.

MR. IACOPINO: Of all four of them?

MS. DRAPER: Twenty minutes for each.

Gretchen Draper. PRLAC. Thank you. Pemi.

MR. IACOPINO: Ms. Birchard?

MS. BIRCHARD: I will attempt, again, this
is Melissa Birchard. NGO Intervenors. I will attempt to avoid duplication, but if I had to guesstimate, I would suggest, probably on the outside, but for Mr. Quinlan one hour, for the Bowes panel one hour, no questions for the Bailey panel and 30 minutes for the Andrew examination.

MR. IACOPINO: Mr. Whitley?

MR. WHITLEY: We don't have any estimates at this time, unfortunately. I mean, I anticipate we'll have cross-examination for all of them, but I couldn't give you an estimate right now.

MR. IACOPINO: Ms. Pasik?

MR. WHITLEY: I think that goes for all of the represented municipalities.

MR. IACOPINO: You, too, Ms. Fillmore?

MS. FILLMORE: Yes.

MR. IACOPINO: Ms. Lee?

MS. LEE: I'll reserve 15 minutes.

MR. IACOPINO: For each one?

MR. LEE: For the whole lot.

MR. IACOPINO: Is there anybody I missed that's here? Yes?
MS. MENARD: I'm sorry. We had an omission. Could we also add 15 minutes for Mr. Bowes?

MR. IACOPINO: I thought you already said that. So 30 minutes for Bowes/Ausere then. You had indicated 15 minutes for Mr. Ausere. I thought. And he's in a panel with Mr. Bowes.

MS. MENARD: Yes. Okay. I'm sorry for the confusion.

MR. IACOPINO: So you're saying you want an additional 15 minutes for that panel.

MS. MENARD: Yes, please.

MR. IACOPINO: Okay. So that would be 30 minutes for that panel. And nobody's going to hold you, we're not going to have a buzzer up here and buzz you off. This is just really for planning purposes. Actually, I've just been advised that the Chairman may. But I doubt it. Although we did have at the public hearing, I believe at a couple of them we did have a red light like in the Supreme Court. That's always fun.

I think we've exhausted all the Prehearing Conference issues that I'm aware of. Is there
any other business that anybody thinks should be
taken up? Ms. Manzelli?

MS. MANZELLI: Can we incorporate the
hearing room technology as part of the
Prehearing Conference so the information about
that is incorporated into the report? I don't
understand why it's -- there seems to be some
sort of bifurcation, you know, that this is the
end of the Prehearing Conference, and now we're
going to talk about hearing room technology.

MR. IACOPINO: My concern is we have a
court reporter, and I was envisioning we're all
going to go down here around the thing and see
how it works and whatnot, and it would be very
difficult to take that down in a transcript.

MS. MANZELLI: I understand that and
appreciate that. That's totally acceptable, of
course. But could you perhaps give us a verbal
overview of what these screens at this table
will be used for, what those will be used for?
I believe, you know, there are work stations
over there. What those will be used for, the
big screens, just kind of lay that out for us?

MR. IACOPINO: I am not the person to do
that. Let's take a ten-minute break, and we'll figure it out. Okay?

(Recess taken)

VI. **Discussion of hearing room layout and presentation of exhibits**

ADMINISTRATOR MONROE: Okay. So you can see there are a number of TV screens and monitors here as Amy has pointed out. So I'm going to give you what little I know. I just had a quick primer on this myself.

So what you're saying here are basically video screens. This is ELMO looking at a happy person, and you will see that the happy person shows on all the monitors and all the screens. So this device here will be able to be used for people if they want to show their exhibits and use the screen. All these screens right here are for the Subcommittee. Will also show exactly what's on here. So it's on the big screen and all the little screens here. So that's for people who don't want to actually -- can you see, Melissa?

MS. BIRCHARD: Yes. I just wanted to know if it was face up or face down?
ADMINISTRATOR MONROE: It's looking at it. So that's for those of you that don't want to actually plug into the system. So we have, this is the control box over here. All this is is Dawn Gagnon can switch what we're actually looking at. So I guess I'm going to switch you over. We don't have a computer. Can you plug in there, Mike? Maybe we can get Mike plugged in. Mike's going to plug in his computer and we're going to switch over to the, going to shut off ELMO. You're going to switch over? No, I still see ELMO.

So now you're looking at, if you wanted to plug in. So we've got four essential plug-ins. There's one here at the Counsel for the Public table. That's hard-wired. We've got one over here for the Applicants. We've got one over here for the witnesses. So if you wanted and this, for your experts, Amy, if you wanted to use it for your witnesses to pull up their visual impact assessments.

MS. MANZELLI: Can I take a stab at technology explanation which is not my strong suit, but I just looked at my computer and I
think that this is called an HDMI?

ADMINISTRATOR MONROE: That is an HDMI.

Correct, Dawn?

MS. GAGNON: Yes.

ADMINISTRATOR MONROE: We also have adaptors for folks, but if you have a HDMI, if your computer has the ability to have an HDMI adaptor, this is the other port right here that Mike has plugged in. We're going to make some larger tables up here. That's why we've got the microphone up here. So that folks that want to come. It's just the amount of wires, we're limited. So if folks want to be able to come up when they do their cross-examination and use their computers to pull up their exhibits, they can be able to plug in right here so that's the four.

MS. FILLMORE: Will there be any problem with the Mac?

ADMINISTRATOR MONROE: My understanding is she has Apple TV that runs on the Wi-Fi, correct, Dawn?

MS. GAGNON: Yes.

MS. FILLMORE: So if I plug the HDMI into
my MacBook, it will still be okay?

MS. GAGNON: Can you go to AirPlay?

ADMINISTRATOR MONROE: We can also set up some specific times, Christine. Dawn has been very accommodating and perhaps we can do some dry runs on? There's Dawn's phone on the screen. She's showing her Apple TV. Now we're going to link somebody in. There you are.

MS. FILLMORE: We will not clear my cookies. That's okay.

ADMINISTRATOR MONROE: So now we're looking at Christine's -- so she can do it without being plugged in. The beauty of Apple products, I guess. I'm a Droid user myself.

Hold on. Hold on. We're actually still on the record here so we need to have some semblance of order. So Mr. Kucman, do you have a question? If you do, please identify yourself and use the microphone for the court reporter.

MR. KUCMAN: This is Taras Kucman from Concord. I'm just looking, and this is all great, but how does one take precedence over another? You had Mr. Iacopino plugged in and then somebody else plugged in from over there.
and somebody else plugged in from over there.
How do the monitors know?

ADMINISTRATOR MONROE: It's a switch.

MS. GAGNON: Only one person can be live at
a time.

MR. KUCMAN: Who controls the switch? You
would be the coordinator?

MS. GAGNON: Yes. If you were up there,
whoever is cross-examining or asking questions
would be live. If they wanted to use electronic
technology. So they would be live whether they
use Apple TV, whether they use the ELMO, whether
you use a laptop. You just need to tell me
which one because each one has a different port.
I plug in your port number and you're live. To
disconnect, you just unplug.

ADMINISTRATOR MONROE: Only one person at a
time. Thank you. That's a good question.

So I guess this has been a learning
experience for me. If you want to use your
Apple products, you don't actually have to come
plug in here.

MS. PACIK: Is there a way to get
additional ports for people like us over here
where we're trying to look up so that we could have, if we brought in a monitor or did something we could have something on this table?

ADMINISTRATOR MONROE: Another monitor?

Well, that was the intent of these right here. You can't see them?

MS. PACIK: I have a short neck.

ADMINISTRATOR MONROE: Can we move the tables? The plan was this is what we have. So I don't know if that's possible or not.

MS. PACIK: Okay.

ADMINISTRATOR MONROE: But we certainly have the ability to reconfigure the -- and you don't have to sit there. You could find a more comfortable spot. Maureen Quinn?

MS. QUINN: For those of us whose Apple laptops are not as new perhaps, and we might not have the capability to use Apple TV, will that device, that's USB on one end?

MS. GAGNON: It's an HDMI cable, and there's either a video port to your computer or a micro. Like a thunderbolt flash? You know, the input to your computer that would connect it to the HDMI. So you can test it. Can actually
try it and see if it works.

ADMINISTRATOR MONROE: And we can do that if you're willing to stay, Dawn, and once we go off the record if folks want to try and plug in there if you have it with you, Ms. Quinn. We can try to plug folks in. Yes. Ms. Pacik?

MS. PACIK: So when our witnesses are testifying, as attorneys or spokespeople, we will be up at the table with them? Is that correct?

MR. IACOPINO: No. Not normally. Usually your questions are asked from your table or if you want to move up here because for some reason you have to take the witness to look at something.

ADMINISTRATOR MONROE: The witnesses can see on the screen.

MR. IACOPINO: The witnesses will be over here, but the lawyer examining them, if he or she wishes to be, because they want to use the technology, can be right up here at this table. We can bring a chair there, and they can either show the document on the document projector or plug in their, whether it's a laptop or iPad or
whatever to connect and show the documents that you want to show to the witness.

MS. PACIK: Okay. So for both direct examination of our own witnesses and cross-examination of others, we will do it from our table.

MR. IACOPINO: Yes, but let's remember. Most direct testimony is basically is this your Prefiled Testimony? Yes, it is. Do you swear that it's true? Yes, I do. I mean, your direct is already done.

MS. PACIK: That's fine. I just wanted clarification on that. Thank you.

MR. WHITLEY: Followup on that question. So if one of our witnesses is being cross-examined, the witness is the only one sitting at those tables.

ADMINISTRATOR MONROE: This is the witness table.

MR. WHITLEY: In contrast to the technical session when we were seated up there with our witnesses and you guys were at the witness table, in other words, attorneys will not be present at the table with the witnesses.
MR. IACOPINO: Correct.

ADMINISTRATOR MONROE: Correct. The Committee will be here, Subcommittee will be here and this is for the witnesses. Ms. Manzelli?

MS. MANZELLI: Where will you and SEC counsel be?

MR. IACOPINO: At one end or the other of this table.

ADMINISTRATOR MONROE: I know where he'll be. I'm not sure where I'll be. I'll probably be everywhere.

MR. IACOPINO: I'll probably be right here. Usually, well, not always, sometimes, most of the time the Chair wants counsel next to him. Generally, Pam has been at one end or the other of the table so that she can get out there.

ADMINISTRATOR MONROE: I can run. Do whatever I need to do.

MR. IACOPINO: But that's generally the way he wants it.

ADMINISTRATOR MONROE: We also have a scanner over there so if folks want to use the ELMO, we will have the ability for the, I can
scan and then send it out to people afterwards
so that people have the exhibit.

MR. IACOPINO: You mean if there's a
document that hasn't been marked?

ADMINISTRATOR MONROE: Or if we don't have
enough copies.

MR. IACOPINO: Or if some impeachment
evidence?

ADMINISTRATOR MONROE: Any other questions?
Okay. I guess we can close the record.

(Discussion off-the-record)

MR. THOMPSON: Is there audio to go with
this?

ADMINISTRATOR MONROE: No. This is the
audio.

MR. THOMPSON: How would our video that we
produced --

MR. IACOPINO: You put the microphone to
the speaker on your computer.

MR. THOMPSON: And that will work?

MR. IACOPINO: I'll tell you what. We'll
try it out after we close the record. I might
have a something that's audio on here. Maybe a
little Bruce Springsteen on here or something.
ADMINISTRATOR MONROE: Okay. Any other questions? We also are prepared to, we don't want to give anybody legal advise, but some of the pro se folks that are here, if you have specific questions that Mike and I can possibly help you with as far as what's going to happen here, I mean, we've covered a lot of ground today, but we're happy to help you the best that we can without giving you legal advice so that things go as smoothly as possible. So folks that want to stay, feel free to come up, and if you have questions, we'll answer them. So that will close the record. Thank you, Cindy.

(Prehearing Conference ended at 3:50 p.m.)