

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

NASHVILLE, TENNESSEE

October 12, 2017

IN RE:

PETITION OF TENNESSEE-AMERICAN WATER
COMPANY IN SUPPORT OF THE CALCULATION
OF THE 2017 CAPITAL RECOVERY RIDERS
RECONCILIATION

)
)
)
)
)
)

DOCKET NO.
17-00020

ORDER GRANTING *PETITION* AS AMENDED

This matter came before Chairman David F. Jones, Vice-Chairman Robin L. Morrison and Commissioner Herbert H. Hilliard of the Tennessee Public Utility Commission (the “Commission” or “TPUC”), the voting panel assigned to this docket, during a regularly scheduled Commission Conference held on August 15, 2017, to hear and consider the *Petition in Support of the Calculation of the 2017 Capital Recovery Riders Reconciliation* (“*Petition*”) filed on March 1, 2017 by Tennessee-American Water Company (“TAWC,” “Tennessee-American” or the “Company”).

BACKGROUND AND *PETITION*

TAWC filed and gained approval to implement a Qualified Infrastructure Investment Program (“QIIP”) Rider, Economic Development Investment (“EDI”) Rider, Safety and Environmental Compliance (“SEC”) Rider (collectively “Investment Riders” or “Capital Riders”) and a Pass-Through Mechanism for Purchased Power, Chemicals, Purchased Water, and Wheeling Water in TPUC Docket No. 13-00130.¹ In accordance with its tariff, TAWC is

¹ See *In re: Petition of Tennessee-American Water Company for Approval of a Qualified Infrastructure Investment Program, an Economic Development Investment Rider, a Safety and Environmental Compliance Rider and Pass-Throughs for Purchased Power, Chemicals, Purchased Water, Wheeling Water Costs, Waste Disposal and TRA Inspection Fee*, Docket No. 13-00130, *Order Approving Amended Petition* (January 27, 2016).

required to submit a reconciliation of the Capital Riders no later than March 1st of every year.

On April 10, 2017, the Consumer Protection and Advocate Division of the Office of the Tennessee Attorney General (“CPAD” or “Consumer Advocate”) filed a *Petition to Intervene*, which was granted by the Hearing Officer in an Order dated May 5, 2017. On May 18, 2017, the Hearing Officer issued an *Order Establishing a Procedural Schedule*, and the parties engaged in discovery pursuant to that schedule. In its *Petition*, TAWC seeks approval of the 2017 Reconciliation of the Capital Riders to reflect the net under-recovery of capital expenditures for the 2016 period.

POSITION OF THE PARTIES

TAWC’s *Petition*

Tennessee-American’s *Petition* is proposing an additional QIIP surcharge of 2.029% resulting in revenue recovery of \$716,202; an EDI surcharge of -0.043% resulting in a revenue recovery of (\$15,050); and a SEC surcharge of -0.906 resulting in a revenue recovery of (\$138,940).² In pre-filed testimony submitted with the *Petition*, Ms. Linda C. Bridwell asserts that the Capital Riders reduce the need for rate cases, support essential improvements in the infrastructure, reduce the rate shock to customers, support economic growth and job creation and promote safe and reliable water service.³ Additionally, the Capital Riders allow the Company to make timely investments while maintaining a fair rate of return.⁴ Ms. Bridwell also states that no changes in market conditions or other factors have affected this public interest status.⁵ For these reasons, Ms. Bridwell concludes the Capital Riders remain in the public interest.

Ms. Bridwell attests the *Petition* is made to reconcile the investment period of calendar year 2016 and incorporates the adjustments and corrections ordered in TPUC Docket Nos. 14-

² Linda C. Bridwell, Pre-filed Direct Testimony, pp. 32-33 (March 1, 2017).

³ *Id.* at 36-37.

⁴ *Id.* at 12-15.

⁵ *Id.* 36-37.

00121, 15-00111, 15-00029 and 16-00022.⁶ According to Ms. Bridwell, the Company used the authorized cost of capital, depreciation rates, property tax rate, and annual revenues from its last rate case in TPUC Docket No. 12-00049, and no operating expenses were included for recovery in the Capital Riders.⁷

Ms. Bridwell testifies the *Petition* includes all of the information required by the Company's tariffs. The *Petition* includes (a) workpapers of all general ledger transactions included for recovery; (b) billing determinants by month from January 2016 to December 2016; (c) a copy of the capitalization policy was provided in TPUC Docket No. 15-00029 and it has not been revised; (d) a computation of the Annual Reconciliation Factor Percentage Rate along with workpaper calculations; (e) schedules of the Actual Investment Amount including general ledger support; (f) no prior period adjustment other than removing items in 2016 as ordered in previous dockets; (g) a discussion of market conditions that may affect the Riders; and (h) provided a cumulative amount collected from customers.⁸

In addition to previously ordered adjustments and corrections, Tennessee American made the following eight modifications to this Rider filing:

1. The Company provides a Workbook Info sheet providing the worksheet name and a brief description of the worksheet. This was provided in TPUC Docket No. 16-00126 and is continued in this filing;
2. To assist in the location of information, the Company is continuing to color code the worksheets;
3. To assist in identification, all hard coded numbers are colored in blue font with a footnote sourcing the number;

⁶ *Id.* at 3-4.

⁷ *Id.* at 20-23.

⁸ *Id.* at 33-34.

4. A Contributions in Aid of Construction worksheet is being provided for the first time;
5. Prior year Plant Addition amounts for 2015 are linked directly from the final calculations provided in TPUC Docket No. 16-00022;
6. Based on the first year of activity in 2016, new lines for utility accounts were added;
7. The tab labeled “SAP” contains a reconciliation of amounts of Additions and Retirements; and
8. A new workpaper (sourced from the monthly reports) is provided calculating an Earnings Test Adjustment.⁹

The Company asserts that due to unusually dry, hot weather, water sales in 2016 were greater than those projected in its last rate case, thus resulting in more revenues billed.¹⁰ The 2016 surcharge, however, was based on a twelve month recovery period when in reality it was only applied for ten months (March through December) thereby reducing the amount of surcharge revenues collected. Revenues were further affected by the projected 2015 Capital Rider reconciliation surcharge amount being based on recovery from April 1, 2016 through December 31, 2016, yet it only became effective October 11, 2016, which had the effect of reducing the overall amount of surcharge revenues collected in 2016. These differences amounted to \$460,100 less in revenue than was authorized for the Company to collect via the surcharges.¹¹ Further, Capital expenditures exceeded projections for 2016 due primarily to a break in a main that crosses the Tennessee River.¹²

An earnings test adjustment provides oversight to ensure the Company does not exceed its authorized rate of return. For the first time since implementation of the Capital Riders, Tennessee-American exceeded its authorized 7.23% ROR; the Company calculates this amount

⁹ *Id.* at 10-11.

¹⁰ *Id.* at 23.

¹¹ *Id.* at 27.

¹² *Id.* at 23.

of over-earnings at \$780,318.¹³ This amount is included in the determination of the surcharges and obviously has the effect of reducing the amount of surcharge revenues needed to cover the revenue requirement resulting from the aforementioned riders.

Company witness Brent O'Neill provided a discussion in his pre-filed testimony of the capital expenditures included for recovery in the *Petition*. Mr. O'Neill testifies the data used to prepare his exhibits were taken from the books and records of the Company, the officers and associates of the Company and other internal sources examined by him.¹⁴ Major capital projects are developed from the Comprehensive Planning Study; this study identifies necessary projects in order to maintain safe, dependable and reliable water service.¹⁵

Mr. O'Neil discussed how the Company monitors the construction budget. Tennessee-American utilizes a regional Capital Investment Management Committee ("CIMC") consisting of the Company President, Operations Manager, Engineering Project Manager, Financial Analyst, and Operations Specialist to establish capital budgets and review expenditures compared to budgets. Any necessary changes are reviewed by the CIMC, and movement of budget funds from one project to another is approved by the Committee.¹⁶ To provide an added level of coordination and Functional Sign-Off ("FSO"), the Committee signs off on projects and reviews spending.

Use of both of these committees allows Tennessee-American to immediately address projections in spending. These committees also review investment projects from inception to completion to ensure the projects meet the business need and usefulness.¹⁷ Procurement activities are completed through a bid solicitation process. American Water Works takes

¹³ *Id.* at 29; Revised Exhibits (August 4, 2017).

¹⁴ Brent E. O'Neill, Pre-filed Direct Testimony, pp. 2-3 (March 1, 2017).

¹⁵ *Id.* at 4-5.

¹⁶ *Id.* at 5-6.

¹⁷ *Id.* at. 6-7.

competitive bids for needed materials and supplies, and the Company has the advantage of purchasing these items on an as needed basis.¹⁸

For 2016, Tennessee-American overspent its capital budget in total by \$1,428,982 or 9.9%.¹⁹ The QIIP accounted for 5.5% due to unscheduled mains, primarily one under the Tennessee River. The EDI actual spending was 45% less than budget due to fewer requests for additional projects. The SEC actual spend was 61.5% over budget. This was primarily due to a carry-over of capital spending for the CITICO Wastewater Treatment and Handling Improvements from 2015. There were also some unexpected projects that arose at the end of 2016 for Suck Creek Pressure Filters contributing to this overspend.²⁰ Mr. O'Neill asserts, however, that after the CIMC and FSO processes were used to review these changes, funds were reallocated thereby aiding in reducing the overspend.²¹

Consumer Advocate's Direct Testimony

After reviewing the *Petition* and supporting documentation, the Consumer Advocate witness, Mr. William H. Novak, alleges the following five (5) issues which concern errors or inadequacies in Tennessee-American's filing:

1. Structural errors in the calculations that prohibit a reconciliation to the Capital Rider tariff such as the inclusion of \$307,171 relating to 2015 unrecovered revenues without any authorization in the tariff;
2. Inclusion of \$214,037 in capitalized incentive compensation for Service Company employees within the Capital Riders which was specifically disallowed in a prior rate case;
3. Inadequate documentation detailing Tennessee-American's earnings test calculation;

¹⁸ *Id.* at 7.

¹⁹ *Id.* at 9.

²⁰ *Id.* at 9-11.

²¹ *Id.* at 12.

4. Incorrect allocation of over-earnings to each Capital Rider; and
5. Tennessee-American's inability to adequately post and identify the revenues received from each of the Capital Rider surcharges in its ledger.²²

Issue 1: Under-collected Revenue From Previous Reconciliations

Mr. Novak takes issue with Tennessee-American's inclusion of \$307,171 in under-collected 2015 surcharge revenue in the 2017 rider surcharge calculation in this docket. Mr. Novak asserts that the Capital Rider tariff does not state that under-collected amounts from previous periods may be included in future rider calculations.²³ He argues that such collection results is inappropriate and results in "some double counting since a portion of this amount" has already been collected from customers.²⁴

Including \$59,364 in under-collections from the 2014 reconciliation filing in its 2016 reconciliation filing in TPUC Docket No. 16-00022, Mr. Novak calculates a total of \$366,535 for past under-collected amounts.²⁵ He recommends the entire \$366,535 related to the under-collected amounts be excluded from the 2016 Capital Rider surcharge calculation. To accomplish this, Mr. Novak recommends a negative balance of \$59,364 be included in this filing in order to offset what was previously included and collected from customers.²⁶

Issue 2: Incentive Compensation

In response to a Consumer Advocate data request, Tennessee-American identified \$214,037 of incentive compensation for Service Company employees that had been capitalized during 2013 through 2016, which was included in previous Capital Rider surcharge filings. Mr. Novak relies on the Commission's previous decision disallowing the Company's Long Term

²² William H. Novak, Pre-filed Direct Testimony, pp. 4-5 (June 30, 2017).

²³ *Id.* at 6-7.

²⁴ *Id.* at 8.

²⁵ *Id.*

²⁶ *Id.* at 8-9.

Incentive Plan (“LTIP”) and partial disallowance of the Annual Incentive Plan (“AIP”) for inclusion in rates.²⁷ Mr. Novak reasons that since incentive compensation is specifically disallowable for rate setting purposes, \$214,037 should be removed from the *Petition*’s surcharge calculation and that Tennessee-American be directed to exclude this compensation in all future Capital Rider filings.²⁸

Issue 3: Confirmation of Excess Earnings Calculation

The Consumer Advocate requested information to verify Tennessee-American’s \$780,318 in excess earnings included in this year’s capital rider surcharge calculations. Specifically, the Consumer Advocate requested the Company’s general ledger to support the monthly reports relied upon by the Company. Since the Company failed to provide the requested information, the Consumer Advocate claims it was unable to affirm Tennessee-American’s earnings test calculations.²⁹

Issue 4: Allocation of Earnings Test Adjustment

Mr. Novak asserts Tennessee-American did not allocate the earnings test adjustment based upon revenues as required by the tariff, but rather allocated the adjustment to each Capital Rider based upon the pro-rata pre-tax return on additions. For this reason, the Consumer Advocate recommends the Company be ordered to provide a copy of its ledger supporting this calculation before allowing inclusion of the \$780,318 reduction in the capital rider calculation, and that Tennessee-American provide the appropriate allocation of the Earnings Test Adjustment as required by the tariff prior to approving any surcharges.³⁰

²⁷ *Id.* at 9 citing *In re: Petition of Tennessee American Water Company for a General Rate Increase*, TPUC Docket No. 10-00189, *Final Order*, p. 63 (April 27, 2012).

²⁸ *Id.* at 9-11.

²⁹ *Id.* at 13.

³⁰ *Id.* at 11-15.

Issue 5: Ledger Posting Procedures

The Consumer Advocate attests the Company was unable to provide support enabling Mr. Novak to trace each capital rider to the Company's ledger. Mr. Novak asserts there is value in being able to individually identify these amounts in the ledger and, therefore, recommends that the Company be ordered to amend its ledger posting procedures in order to properly identify the revenues for each of the Capital Riders.

Tennessee-American's Rebuttal Testimony

In pre-filed rebuttal testimony, Ms. Bridwell acknowledges Tennessee-American included a reconciliation amount for the difference between the collected surcharge amounts and those authorized in Docket No. 16-00022. She attributes that over or under collections can occur due to water usage and the time period of recovery.³¹ As Ms. Bridwell explained in her direct testimony, while water usage per customer is declining, this was partially offset by hot and dry conditions in 2016. Further, the 2016 surcharge was based upon a twelve month calendar recovery period yet the surcharge did not become effective until March 15, 2016; these factors resulted in an under-recovery of \$460,100 capital rider surcharge revenues.³² The Company acknowledges this year's reconciliation included \$307,171 in under-collected surcharges from 2015. Ms. Bridwell testifies this practice is consistent with the tariff which allows for the inclusion of an "Over-Under Adjustment" to account for any over or under-collected amounts.³³

Tennessee-American acknowledges an error in the manner it capitalized performance compensation. In its supplemental response to the Consumer Advocate, the Company stated that on a going forward basis it would:

³¹ Linda C. Bridwell, Pre-Filed Rebuttal Testimony, pp. 2-3 (July 21, 2017).

³² *Id.*

³³ *Id.* at 4-8.

...apply a capitalization rate to 50% of its Annual Performance Plan expenditures for both Tennessee American employees and Tennessee American's portion of Support Services employees' equal to the capitalization of all labor expenses. Tennessee American will not capitalize any of its Long-Term Performance Plan expenditures. These capitalized expenditures will be included in an overhead account and applied to all capital expenditures annually on a pro-rated basis.³⁴

Based upon its review, Tennessee-American found that none of the expenditures for its employee APP or LTIP had been capitalized from 2013 through 2016. However, a portion of APP and LTIP expenditures for TAWC service company employees were capitalized. While excluding LTIP altogether, the methodology approved in TPUC Docket No. 12-00049 allowed 50% of the APP expenditures with a capitalization equal to all authorized labor expenses.³⁵ Ms. Bridwell therefore recommends that "it is more appropriate to reduce the Annual Performance compensation by 50%, of the total, and then apply the same capitalization as other labor and labor related expenses in each of the four years 2013 – 2016."³⁶ Ms. Bridwell argues it is not appropriate to exclude the full amount of capitalized performance compensation as recommended by the Consumer Advocate since Tennessee-American did not include all of the capital performance compensation in the Capital Recovery Riders.³⁷

To correct the error, Tennessee-American proposes to multiply the amount of annual performance compensation by 50% and then multiply the result by the rate equal to the amount of capitalized labor and labor related expenditures during each year from 2013 to 2016.³⁸ Any amount for each individual year over the actual amount capitalized would be removed from the Capital Riders. Tennessee-American would then further allocate the amount to be adjusted from each Capital Recovery Rider by multiplying the total by the allocation percentage for each

³⁴ *Id.* at 11.

³⁵ *Id.* at 10.

³⁶ *Id.* at 11.

³⁷ *Id.* at 10-11.

³⁸ *Id.* at 12-13.

Capital Recovery Rider compared to the overall 2016 capital expenditures as calculated in response to Item 2 of the Consumer Advocate's Third Discovery Request.³⁹

The Company agrees with the Consumer Advocate that the allocation of the earnings test adjustment did not follow the method defined in the tariff. In the filing, Tennessee-American prorated the Earnings Test Adjustment to each Capital Recovery Rider based on the overall amount of actual investment during 2016. The tariff, however, requires the proration of the Earnings Test Adjustment be based upon the actual revenues collected under each of the Capital Recovery Riders. Ms. Bridwell attests that while the individual components may change, both methods result in the same total revenue requirement. Tennessee-American, however, made the correction on the new exhibit attached to Ms. Bridwell's rebuttal testimony. Ms. Bridwell also states that Tennessee-American provided the general ledger detail requested by the Consumer Advocate in response to its Third Data Request Items No. 3.⁴⁰

With respect to Mr. Novak's concern regarding tying revenues for each rider to the general ledger, Ms. Bridwell claims that Tennessee American provided all of the detailed information of the amounts billed to customers by each of the Capital Recovery Riders in its response to the Consumer Advocate's Second Discovery Request Item 1. She also states "the Amount posted on the General Ledger in total tied to the exact amount of the revenues billed."⁴¹ Further, at the time the Capital Riders were approved, Tennessee-American investigated whether to amend its programming and found the cost to be between \$75,000 and \$100,000. The Company did not believe this expense was warranted given the information could be reconciled from the billing system.⁴²

³⁹ *Id.* at 13.

⁴⁰ *Id.* at 13-14.

⁴¹ *Id.* at 15.

⁴² *Id.* at 18.

Ms. Bridwell addresses an additional tariff issue regarding the Over-Under Collection Adjustment Tariff language. According to Ms. Bridwell, if the Company were to follow the current language and record the difference between Total Rider Revenue Collected from Customers and the Total Actual Rider Revenue Requirement, there would be a double counting of investment.⁴³ For this reason, Ms. Bridwell recommends altering the tariff language to eliminate this possibility with the following amendment to the current tariff language deleting the word “Actual”:

The Company will identify and record the total amount of the [QIIP/EDI/SEC] Collected from Customers for the Annual Review Period. The difference between the Total [QIIP/EDI/SEC] Collected from Customer and the Total ~~Actual~~ budgeted [QIIP/EDI/SEC] Revenue Requirement shall constitute the Over-Under Collection Adjustment.

The Company made this proposal based in part on the exchanges of information with the Consumer Advocate.⁴⁴

THE HEARING

The Hearing on the *Petition* was held before the voting panel assigned to this docket on August 15, 2017, as noticed by the Commission on August 4, 2017. Participating in the Hearing were:

Tennessee-American Water Company – Melvin J. Malone, Esq., Butler Snow LLP, 150 3rd Avenue South, Suite 1600, Nashville, Tennessee 37201.

Consumer Protection and Advocate Division – Daniel P. Whitaker, III. Esq., Post Office Box 20207, Nashville, Tennessee 37202-4015.

During the Hearing, Mr. O’Neill, Ms. Bridwell, and Mr. Novak ratified, then summarized their pre-filed testimony and were subject to cross-examination and questioning before the panel. Mr. Novak indicated that the contested issues had narrowed between the parties to a

⁴³ *Id.* at 18-19.

⁴⁴ *Id.* at 19.

disagreement regarding the treatment of unrecovered reconciliation costs from prior periods.⁴⁵

Members of the public were given an opportunity to offer comments, but no one sought recognition to do so.

STANDARD FOR COMMISSION APPROVAL

Tenn. Code Ann. § 65-5-103(d)(5) states:

(A) A public utility may request and the commission may authorize a mechanism to recover the operational expenses, capital costs or both related to other programs that are in the public interest.

(B) A utility may request and the commission may authorize a mechanism to allow for and permit a more timely adjustment of rates resulting from changes in essential, nondiscretionary expenses, such as fuel and power and chemical expenses.

(C) Upon a finding that such programs are in the public interest, the commission shall grant recovery and shall authorize a separate recovery mechanism or adjust rates to recover operational expenses, capital costs or both associated with the investment in other programs, including the rate of return approved by the commission at the public utility's most recent general rate case pursuant to § 65-5-101 and subsection (a).

FINDINGS AND CONCLUSIONS

After the hearing and upon consideration of the pleadings, pre-filed testimony, and the entire administrative record, the panel found the following with respect to the issues presented in the docket:

First, the components in the Rider Surcharge calculation, including an uncollected portion from 2015, are consistent with the requirements of the tariff, and there is no evidence that the calculations were misrepresented or inaccurate. The tariff allows for the calculation of a rider revenue requirement percentage based upon projected capital expenditures and relevant rate order volumetric and metered revenue and provides an annual reconciliation factor percentage rate based upon a budget to actual adjustment, over-under collection adjustment, earnings test

⁴⁵ Transcript of Commission Conference, pp. 68-69 (August 15, 2017).

adjustment and interest. The “Over-Under Collection Adjustment” accounts for any over or under-collected net surcharge amounts.

The reconciliation adjustment is authorized pursuant to the tariff when the Company failed to recover all necessary surcharge revenues due to usage variance and the delayed implementation date of the surcharge. Accordingly, the reconciliation amount of \$307,171 from prior year under-collections should remain in the calculation of the Capital Rider surcharges rather than be excluded as recommended by the Consumer Advocate.

Next, the panel found the Company adequately corrected its errors related to incentive compensation for the years 2013 to 2016, and the Company’s revised calculations for correcting the incentive compensation amounts are just and reasonable. Tennessee-American agreed that its Earnings Test Adjustment did not follow the procedure outlined in the Company’s tariff. This error was admitted and corrected in the Company’s rebuttal testimony and revised in the exhibits filed August 4, 2017. The panel adopted the corrections as presented by the Company and found the results, which reduces the revenue requirement by \$780,318, to be just and reasonable.

Throughout the course of discovery in this proceeding, data requests and testimony have identified certain errors in the surcharges as originally proposed in the *Petition*, and the Company has made adjustments for these errors. The *Petition*, as amended, complies with the original methodology approved in Docket No. 13-00130, as modified in Docket No. 14-00121, as well as with Tenn. Code Ann. § 65-5-103(d)(5). Based on the evidentiary record, the panel voted unanimously to adopt the following corrected surcharges:

1. A QIIP Rider surcharge of 1.763%;
2. An EDI Rider surcharge of -.031%; and
3. A SEC Rider surcharge of -.826%.

These amounts represent a total surcharge of .906%. The addition of the 2016 reconciliation surcharge results in a cumulative Capital Recovery Riders' monthly surcharge of 14.856%.

Although not impacting this year's reconciliation, the panel agreed with the Company that if the Over-Under Collection Adjustment were based on the Actual Revenue Requirement rather than Budget, it could essentially double count the difference between the actual investment and forecasted investment. Therefore, the panel approved the revised tariff language proposed by the Company to prevent this occurrence.

In order to aid in the timely review of the reconciliation process, the panel directed that all future Capital Rider Surcharge Reconciliation filings include documentation reconciling the monthly reports to the general ledger as recommended by the Consumer Advocate. Finally, in conjunction with approval of these surcharges, the panel required Tennessee-American to submit tariff provisions consistent with this motion.

IT IS THEREFORE ORDERED THAT:

1. The *Petition in Support of the Calculation of the 2017 Capital Riders Reconciliation* filed on March 1, 2017, by Tennessee-American Water Company requesting Commission approval of its Calculation of the 2017 Capital Riders Reconciliation is granted, subject to the corrections cited above.

2. The corrected Capital Rider surcharges are adopted as follows:

- A Qualified Infrastructure Investment Rider surcharge of 1.763%;
- An Economic Development Investment Rider surcharge of -.031%; and
- A Safety and Environmental Compliance Rider surcharge of -.826%.

These amounts represent a total surcharge of .906%.

3. Any person who is aggrieved by the Commission's decision in this matter may file a Petition for Reconsideration with the Commission within fifteen days from the date of this Order.

4. Any person who is aggrieved by the Commission's decision in this matter has the right to judicial review by filing a Petition for Review in the Tennessee Court of Appeals, Middle Section, within sixty (60) days from the date of this Order.

Chairman David F. Jones, Vice-Chairman Robin L. Morrison, and Commissioner Herbert H. Hilliard concur.

ATTEST:



Earl R. Taylor, Executive Director