

Minutes from the Public Hearing

APPEAL-DEMOCRAT

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Affidavit of Publication

(2015.5 C.C.P)

STATE OF CALIFORNIA,

Counties of Yuba and Sutter

California Water Service Company

Notice of Public Participation Hearings (Application No. 05-08-011)

I am not a party to, nor interested in the above entitled matter. I am the principal clerk of the printer and publisher of THE APPEAL-DEMOCRAT, a newspaper of general circulation, printed & published in the City of Marysville, County of Yuba, to which Newspaper has been adjudged a newspaper of general circulation by The Superior Court of the County of Yuba, State of California under the date of November 9, 1951, No. 11481, and County of Sutter to which Newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Sutter, State of California under the date of May 17, 1999, Case No. CV PT99-0819 that the notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

October 24, 2005

I declare under penalty of perjury
that the foregoing is true and correct.
Executed at Marysville, California

October 24, 2005

Date:

Spring Wall
(Signature)

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PROOF OF PUBLICATION

Notice of Public Participation Hearings California Water Service Company - Marysville Service Area Application No. 05-08-011

California Water Service Company (Cal Water) has filed Application 05-08-011 requesting rate increases in the MARYSVILLE district of \$592,959 or 31.19% in fiscal year 2006-2007, \$423,200 or 16.96% in fiscal year 2007-2008, and \$423,200 or 14.5% in fiscal year 2008-2009. The California Public Utilities Commission will hold Public Participation Hearings October 28, 2005 in Marysville on the Company's application to hear customers' views on the proposed increases and any other aspect of the company's operations. As part of the hearing, Cal Water is also seeking your comment on its Urban Water Management Plan filed with the Application. Copies of the plan are available from Cal Water's offices and will be provided at the hearings.

In three other current applications, Cal Water has also proposed a new, alternative ratemaking mechanism called a "rate base equalization account" (RBEA). If the Commission were to approve this proposal, the costs of major capital improvements necessary to meet water quality standards and water supply needs in high cost districts would be spread among all 24 Cal Water Districts statewide. Cal Water estimates that this would result in increased charges to all customers of approximately \$0.61 per month. The Commission's staff has also indicated that it may propose special rates to lessen the effects of any increases on qualifying low-income customers.

The Application

The following table shows Cal Water's forecasted rate changes by connection type:

Meter Sizes	Present Rates	2006 Rates	Proposed Rates in Cal Water's Application	
			2007 Rates	2008 Rates
5/8 x 3/4-inch	\$9.70	\$11.95	\$12.06	\$12.17
3/4-inch	\$14.55	\$17.93	\$18.09	\$18.26
1-inch	\$24.25	\$29.88	\$30.15	\$30.43
1 1/2-inch	\$48.50	\$59.75	\$60.30	\$60.85
2-inch	\$77.60	\$95.60	\$96.48	\$97.36
3-inch	\$130.00	\$179.25	\$180.90	\$182.55
4-inch	\$190.00	\$298.75	\$301.50	\$304.25
6-inch	\$280.00	\$542.01	\$603.00	\$663.99
8-inch	\$776.00	\$956.00	\$964.80	\$973.60
10-inch	\$1,115.50	\$1,374.25	\$1,386.90	\$1,399.55
12-inch	\$1,600.50	\$1,971.75	\$1,989.90	\$2,008.05
14-inch	\$2,182.50	\$2,688.75	\$2,713.50	\$2,738.25

Quantity Charges (Per Ccf)

Potable Water - \$0.7215 \$0.9856 \$1.2663 \$1.547

Monthly Flat Rate Charges

Lot Sizes	2006 Rates	2007 Rates	2008 Rates	
6,000 sq. ft. or less	\$29.55	\$38.77	\$45.35	\$51.93
6,001 to 10,000 sq. ft.	\$35.65	\$46.77	\$54.70	\$62.63
10,001 to 16,000 sq. ft.	\$43.95	\$57.66	\$67.44	\$77.22
16,001 to 25,000 sq. ft.	\$55.85	\$73.27	\$85.70	\$98.13
Add. single family unit	\$21.10	\$27.68	\$32.38	\$37.08

Under Cal Water's proposal, rates for each year would become effective on July 1. Rate increases for 2007 and 2008 are derived using current inflation factors. The actual 2007 and 2008 increases will be determined using the latest inflation factors available at the time the increases take effect. This means that if inflation is greater than that assumed here, rates for 2007 and 2008 may be higher than shown in this notice.

A majority of metered residential customers in the Marysville District have 5/8 x 3/4" meters. The average customer uses about 17 Ccf of water per month and would see their monthly water bill increase by \$6.74 or 30.7% from \$21.97 at present rates to \$28.70 in mid-2006, by an additional \$4.88 or 17% to \$33.59 in mid-2007, and by an additional \$4.88 or 14.5% to \$38.47 in mid-2008. The effect on your water bill will vary depending on whether you use more or less water than these averages, or if you have a different size meter.

For a 6,000 square foot flat rate customer, the monthly water bill will increase by \$9.22 or 31.2% in mid-2006, by \$6.58 or 17.0% in mid-2007, and by \$6.58 or 14.5% in mid-2008.

The rates shown on your monthly water bill may vary slightly from the existing rates shown above due to temporary surcredits or surcharges currently in effect in your area.

An Administrative Law Judge from the California Public Utilities Commission will conduct Public Participation Hearing sessions on October 28, 2005, at 2:00 PM and 7:00 p.m., in the Marysville City Hall Council Chambers, 526 "C" Street, Marysville

The Public Utilities Commission encourages you to attend these hearings and express your views. If specialized accommodations are needed, such as sign language or other interpreters, please contact the Commission's Public Advisor's Office at (415) 703-2074, toll-free at 1-866-849-8390, TTY toll-free at 1-866-836-7825, or regular TTY at (415) 703-5282 at least 5 working days before the event.

If you cannot attend a Public Participation Hearing, you may submit written comments to: Public Advisor's Office, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, CA 94102, or by e-mail to Public.advisor@cpuc.ca.gov. You may also call the Commission at 866-849-8390 (toll free). Please mention that you are writing about Application 05-08-011. Your comments will be circulated to the Commissioners and will become part of the correspondence file available to the Commission as it decides this application.

Evidentiary hearings devoted to analyzing the need for the requested rate increase and ways of allocating any approved increases among different classes of customers are scheduled to begin in January 2006 at the Commission's Offices in San Francisco. Please confirm the schedule by visiting the Commission's website at www.cpuc.ca.gov, then clicking on the Daily Calendar link. These are technical hearings at which the Commission receives the testimony of experts on both sides who have examined Cal Water's application in great detail. Evidentiary hearings are open to the public, but only those presenting evidence or cross-examining witnesses may participate. For more information about becoming a party and participating in the evidentiary hearings, contact the Commission's Public Advisor at the address above.

Parties at the evidentiary hearings may offer proposals that differ from those requested by Cal Water. After considering all proposals and evidence presented during the formal hearing process, the Commission will issue a final decision on Application 05-08-011 that may adopt all or part of Cal Water's proposal, amend or modify it, or deny the application. The Commission's final decision may be different from Cal Water's proposal.

A copy of Cal Water's Application and further information may be obtained from the company's local offices by calling (530) 742-6911. You may also contact the company's headquarters at 1720 North First Street, San Jose, California 95112-4598, or by calling (408) 367-8200.

CALIFORNIA WATER SERVICE COMPANY

October 24

Ad #02532895

1 MARYSVILLE, CALIFORNIA, OCTOBER 28, 2005 - 2:00 P.M.

2 * * * * *

3 ADMINISTRATIVE LAW JUDGE MC VICAR: Please come to
4 order.

5 This is the time and place set by the
6 California Public Utilities Commission for the public
7 participation hearing in Application 05-08-006 through
8 -013, the applications of California Water Service
9 Company for general rate increases at eight districts,
10 including Marysville district where we are today.

11 I'm Administrative Law Judge Jim McVicar. The
12 Commission has set this public participation hearing
13 today and another session this evening in this room at
14 7:00 to take statements from the public as to their
15 views of the company's service and the proposed rate
16 increases. Also, the Commission has received quite a
17 few letters, e-mails from customers throughout the eight
18 districts. Please be assured that we are reading those.
19 Those will be available to me and the Commissioners when
20 the Commissioners make their decision.

21 Everybody who would like to speak this
22 afternoon will get an opportunity to do so. So far we
23 only have one person signed up. In any case, I will not
24 adjourn this afternoon's session until at least one hour
25 has passed, and that will be 3:00, in case anybody shows
26 up later expecting to be able to make a statement.

27 We have present this afternoon representatives
28 from both California Water Service Company and from the

1 Commission's staff. I'm going to introduce each of
2 those in a moment.

3 The Commission's staff's responsibility is to
4 audit the company's showing and make an independent
5 determination of whether any increase is needed, and if
6 so, how much. First let's hear from Tom Smegal from
7 California Water Service Company. And he will explain
8 what it is the company is asking for and why they
9 believe it is needed. Mr. Smegal.

10 STATEMENT OF MR. SMEGAL

11 MR. SMEGAL: Thank you, your Honor.

12 My name is Thomas Smegal. I'm manager of
13 rates for California Water Service Company. I first
14 want to introduce a couple of people here that are on
15 our local and technical staff. Sitting next to me is
16 Lee Sydell, our district manager for Marysville
17 district. He lives and works here in town. In the back
18 is John Graham, our water quality manager for Cal Water.
19 He serves the regional area which includes this district
20 and ensures that the water quality provided to you meets
21 all applicable state and federal water quality
22 standards.

23 Cal Water has asked for a rate increase in
24 this application of \$592,959 or 31.2 percent. And that
25 increase would go into effect July 1st of 2006. We also
26 have requested an additional \$423,200, which is about
27 17 percent, which would go into effect on July 1st of
28 2007; and the same amount, \$423,200, and that is

1 14.5 percent, that would go into effect on July 1st of
2 2008. These rates that -- or the amount I quoted is Cal
3 Water's request to the Commission. The amount of your
4 rate increase cannot be more than that. We are limited
5 by law with the amount that we can get as far as what we
6 ask for.

7 We have a process where Cal Water submits its
8 application, and the application contains our best guess
9 of expenses and capital investment that we are going to
10 be making which we have made in the system over the last
11 three years and over the next three years. And those
12 combined generate summary of earnings. The summary of
13 earnings and all detailed information is actually
14 available in the pink-covered book which is on the front
15 table. You are welcome to take a copy of that. And a
16 copy of the application is in the blue-covered folder.
17 So, as I say, that is Cal Water's application.

18 The Office of Ratepayer Advocates -- they are
19 going to get into it in a moment -- is going to provide
20 additional information, make their own conclusions. So
21 the rate increase that you are going to receive at the
22 end of this process may not be the same as we have
23 requested.

24 The reason for the rate increase request is
25 that Cal Water is required every three years to file for
26 a general rate case in each of its districts. So we
27 filed this in 2005 for rates in -- rates to be effective
28 in 2006. The last general rate case you had was

1 effective in 2003, September 2003.

2 The reason for the large increase in
3 Marysville has to do with capital investments that we
4 are making on the system. We are building two new
5 500,000 gallon storage tanks; those have booster
6 stations with them; those are relatively expensive. We
7 are also drilling a new well. We are also proposing to
8 replace the customer and operations center that we have
9 in Marysville with a new facility. We are also over the
10 course of that time going to be replacing about
11 1400 feet of distribution main as part of an ongoing
12 program of replacing main. One additional thing we are
13 preparing and in the process now of completing is a
14 treatment plant to treat for iron and Manganese here. I
15 believe that will be done either by the end of this year
16 or early next year.

17 Last thing I wanted to mention is that Cal
18 Water has an obligation to the Department of Water
19 Resources to put out every five years an Urban Water
20 Management Plan for each of its districts. I have
21 copies of the draft of the Urban Water Management Plan
22 on the front desk. This will be submitted to the
23 Department of Water Resources at the end of the year.
24 If you have any comments on this plan, you are certainly
25 welcome to make them at this time, at this meeting. In
26 addition to that you could write to the company with
27 your comments once you get time to digest the plan. The
28 extra plans that are here will be available at the

1 office for others that want to read them.

2 That is all.

3 ALJ MC VICAR: Thank you, Mr. Smegal.

4 I would like next to introduce the two
5 representatives here today from the Commission's Office
6 of Ratepayer Advocates that will be looking at the
7 company's application and the figures and auditing and
8 so on. There are two folks here. The first is Yoke
9 Chan who is the project manager. She is a senior
10 engineer with the Commission. She is a licensed
11 engineer in California. She has working for her a
12 number of other analysts, CPAs, and so forth, financial
13 folks who are going to delve into these applications in
14 detail. And with her is the staff attorney assigned to
15 the case, Jason Reiger.

16 Ms. Chan, would you like to explain to these
17 folks what it is ORA does?

18 STATEMENT OF MS. CHAN

19 MS. CHAN: Thank you for the introduction.

20 Good afternoon. My name is Yoke Chan. I'm
21 the project lead, and I'm responsible for the
22 preparation and coordination of our report which will be
23 prepared by service staff members, including some
24 engineers and regulatory analysts. ORA's office at the
25 Commission is to protect the customers to ensure that
26 the customers have safe and reliable service at
27 reasonable rates.

28 Cal Water has filed an application in August.

1 Since then we have been reviewing the workpapers,
2 applications, and we have conducted field investigations
3 to check operations in the service area. We will
4 prepare independent estimates of revenue, expenses,
5 income tax depreciation, ratebase and rate of return.
6 We may suggest a different amount than Cal Water is
7 proposing. Our report will be available by December
8 19th.

9 Please feel free to discuss any issue with us.
10 Your comment is very important for us in preparing our
11 report and including those recommendation in our report.
12 Thank you for attending.

13 ALJ MC VICAR: Thank you.

14 We also have here this afternoon Judy Cooper
15 from the Commission's Public Advisor's office. The
16 function of the Public Advisor's office is to assist
17 members of the public, understand the Commission's
18 procedures so that they can participate if they would
19 like to do so. If you have any questions about getting
20 involved in the procedures to do that, Judy Cooper is
21 the person to talk to. She is also handling the sign-up
22 sheet today, if you decide that you would like to speak
23 after you hear the first speaker. In this case we will
24 be fairly informal about it. But this evening's
25 session, what we would have folks doing is make sure
26 everybody signs up ahead of time and take the speakers
27 in the order they have signed up.

28 Let me note that we have a reporter here today

1 to my right. And she will be taking down verbatim your
2 statements. So I would ask you to speak slowly enough
3 and clearly enough so that she can get an accurate
4 transcript. And then the transcript of your statements
5 is available later to the Commissioners when they make
6 their decision.

7 I only have one speaker signed up, and that is
8 Susan Townsend. If you would come to the podium,
9 please, and make your statement.

10 STATEMENT OF MS. TOWNSEND

11 MS. TOWNSEND: Thank you. Let me apologize for my
12 informal attire. I've had some health problems. I
13 wasn't sure I could be here today.

14 I'm speaking in two capacities. The first
15 capacity is as a record attorney of Yuba/Sutter Legal
16 Center for Seniors. We are located here in Marysville.
17 We provide free legal aid in the Yuba and Sutter
18 counties, including Marysville, as well as the Senior
19 Information Resource Center for the two counties where
20 we guide seniors to resources and services that are
21 available to them.

22 In looking at the one-page material that I
23 received in the mail, I noticed that there was some
24 mention that there might be provisions made for reduced
25 rates for low-income persons or persons on a fixed
26 income. I think that that is an absolute necessity in
27 this plan. I encourage both. PG&E has the CARE
28 program; the local garbage disposal offers a discount to

1 low-income seniors. And I think that is absolutely
2 something that must be included in this plan.

3 The rate increases you are talking about, and
4 using myself as an example, because I'm also a resident
5 of the city of Marysville and also a customer of Cal
6 Water Service Company, I'm on a fixed rate. And with
7 the increase, when the 75 percent increase becomes
8 effective, I believe my water bill will just be over
9 \$70. Then the sewer bill on top of that. That is close
10 to \$100 a month for utilities. That is going to be a
11 big chunk of fixed income among seniors, even if you
12 square it over three years. Therefore, we definitely
13 need to make some provisions for reduced rates for
14 low-income persons, both elderly and nonelderly. I
15 think that is in keeping with what the PUC requires
16 other utilities to do.

17 The second issue I would like to bring up is I
18 looked briefly at the water management plan referred to
19 by Cal Water Services. For one, I don't feel this plan
20 does very much to promote water conservation. For
21 persons like myself who are on a fixed rate, there is no
22 incentive to use less water. And I think any plan that
23 increases rates should have some incentives in it to
24 reduce usage, because water in California is becoming a
25 major issue due to population growth. Those of us who
26 live here in the north of the state know that the rains
27 that come through October and March, if they don't fill
28 up the reservoirs, we've got a problem in the summer.

1 And I think it is a given in this time of increasingly
2 scarce resources, a plan to conserve and to encourage
3 people to conserve needs to be much more specific. If
4 I've missed something, I'm sure that the company will
5 correct me.

6 But, as I said, on a flat rate I have no
7 incentive, other than my own personal concern about
8 waste, to save water. And having taken great many steps
9 to conserve water including low-flow showerheads and
10 faucets, drip irrigation as opposed to sprinkler
11 systems, drought resistant plants, et cetera. I'm sure
12 I use much less water than many people, but I get no
13 credit for it on a fixed rate. I think this plan should
14 have some built-in incentives for conserving water,
15 because otherwise there is no incentive, and people do
16 respond to what is in their self-interest. If I can use
17 as much water as I want because I've got a flat rate for
18 the size of my lot, there is no self-interest to
19 conserve. I think that needs to be incorporated in any
20 rate plan.

21 I would like -- and I have not had a chance to
22 read the Public Advisor's book either, but I would hope
23 after reviewing the information if I have more comments
24 that I can submit them in writing within a time
25 deadline?

26 ALJ MC VICAR: You can submit it at any point.
27 Just write to the Public Advisor's office and indicate
28 you are making comments on this application and it will

1 get to the right folks.

2 MS. TOWNSEND: Thank you very much. Does any one
3 of the presenters have any questions for me?

4 ALJ MC VICAR: If that completes your statement,
5 then what I'm going to do is I'm going to take a recess
6 for a little while since we don't have any more
7 speakers. And I and the company and the staff will all
8 be available to chat with you, if anybody wants to chat
9 about this application or the Commission's procedures
10 and so on. We will come back on the record later if
11 there are any other public commenters who show up and
12 would like to make a statement.

13 We will be off the record for 15 minutes.

14 (Recess taken)

15 ALJ MC VICAR: Back on the record.

16 While we were off the record another gentleman
17 indicated he would like to make a statement. You may
18 proceed.

19 STATEMENT OF MR. ROBINSON

20 MR. ROBINSON: My name is John Robinson. I've
21 lived in Marysville for 30-some-odd years. I'm here not
22 as a representative of any group or organization,
23 although I'm beginning to wonder, because as an adult
24 senior in retirement I need to get active again and
25 start working with organizations that protect what
26 little money we have left. I'm here also because my
27 wife drove me out of the comfortable chair I was in and
28 said if you don't say something, no one will understand

1 where you are and what your circumstances are.

2 In our situation -- by the way, I want to say
3 first thank you, thank the Lord for the PUC. I'm glad
4 there is an organization in our society that does
5 control organizations that are in a monopoly at one
6 source or the other. I'm grateful for that. I heard
7 some clues that we will be getting some information
8 further when you all are through. I'm glad for that as
9 well. But the bottom line of course is it is going to
10 tell us something when it is all settled and the
11 Commission has made a decision.

12 But for now I also want to say thank the Lord
13 for the Cal Water Service. I mean I wouldn't like to go
14 out to my own private well and be digging up water so I
15 can have it comfortably in my home. But I don't like
16 the thought of getting partway through the shower and
17 wonder if I'm going to have water to finish because of
18 the anxieties in the people's minds about how much
19 Northern California water will be shipped south.

20 We have a growing population in our state. It
21 is not going to stop. Although I guess some recent
22 events did slow it down a little bit, and maybe people
23 that come to visit will leave their money and then go
24 home. But mostly we have a growing state. And because
25 we have a growing state, then the population impacts our
26 water supply.

27 Marysville is a little unique, though we've
28 got levees all the way around. And we are just us.

1 There is not much space to expand here. So whenever
2 costs go up or necessary additions need to be included,
3 it falls upon fewer people. We don't have a chance to
4 expand over the levees and get a larger population that
5 will in turn help finance some of those things.

6 So I get a little anxious about what the next
7 10 years will bring. Maybe I won't be here tomorrow.
8 There is no guarantee that I have a life tomorrow. But
9 I know my kids are growing up in this town and they
10 never left. They tell me that they appreciate living
11 here.

12 So I want to thank Cal Water Service because
13 we have had good water service. And I remember a time
14 when I paid \$8 a month, and that is a long time ago, but
15 I never failed to have good service. Never. If I had a
16 problem, they came and took care of the problem. So
17 that we've always had an advantage. Maybe the
18 nongrowing population helped that, I don't know, a
19 larger work crew and all those things.

20 But why I'm really here is because I see our
21 money dwindling. In the face of the retirement that we
22 attempted to collect and continue to grow effectively,
23 I'm trying not to be emotional here, we have so much to
24 live on but it gets to become a fixed income. There is
25 an awful lot to be said about low-income people, there
26 are -- low-income people who are near poverty level.
27 That is all right. I think people in that state need to
28 have help and should have support and encouragement.

1 But at the same time when we look to see will I need
2 long-term special care, and the costs are going up, I
3 have no guarantee about my health. If everything else
4 keeps going up and I say nothing about it, then at least
5 I have come here to say something.

6 I want you to know that I have no axe to
7 grind. Although I'm beginning to look around for a tax
8 group, taxpayer group, and some of those. And maybe if
9 I lend my additional voice to that, or funds or
10 whatever, that we will have some additional protection.
11 But as you've already heard, you have some protection.
12 There are people who do speak out.

13 I'm not too carried away with putting limits
14 on the water in my toilet, if you will forgive me. I
15 haven't gotten there yet. Maybe I'm not modernized
16 enough to do it. I think at the same time we should
17 preserve our natural resources. I'm not against that.
18 At the same time I don't want to become an evangelist in
19 favor of confining the environment to the place where we
20 can't breathe or live anymore.

21 And I'm beginning to wonder about we poor
22 older folks. I'm not poor, but not rich either. I'm
23 headed toward poor with this many increases. I'm
24 beginning to wonder about the pressures that will be put
25 on our lives as time goes on. Some people lead me to
26 believe that they think it is wrong for me to keep
27 breathing. I'm breathing their air; I'm taking their
28 space; I'm using their resources. And yet we worked

1 through a lot of years to establish our retirement so
2 that we wouldn't be restricted and confined and in lines
3 for low-income care.

4 Now, once again, I want to say low-income
5 people need assistance. We should not neglect them.
6 But at the same time some place in the middle. Some of
7 us need to be recognized that we have fixed incomes and
8 those fixed incomes are being reduced and in turn are
9 restricting the kind of life we would like to live.

10 Finally, I just got my wife to start
11 traveling, well, all the way up to Washington and back.
12 I want you to know that that is a big trip for us. In
13 some places they retire and go on long cruises and
14 around the world and so forth. We haven't done that as
15 much as we have interest in the world, interest to learn
16 about the world.

17 So I'm only here because I'm concerned and
18 because my wife had the courage to drive me out. And
19 because the only reason I'm speaking is because nobody
20 is here, or hardly anyone else is here.

21 And I appreciate the Commission. I appreciate
22 the opportunity to speak. Thank you.

23 ALJ MC VICAR: Thank you, sir. Anybody else? We
24 don't have anybody else, do we? We will be in recess
25 again.

26 (Recess taken)

27 ALJ MC VICAR: Please come to order. It is now
28 3:00. There are no additional members of the public

1 that have shown up. We are in recess until 7:00 p.m.
2 this evening.

3 (Whereupon, at the hour of 3:15 p.m.,
4 a recess was taken until 7:00 p.m.)

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AFTERNOON SESSION - 7:45 P.M.

* * * * *

ALJ MC VICAR: Please come to order.

The time is 7:45. The staff and the company have been here since before 7:00, and no members of the public are present. There was one reporter who did not wish to participate. So we have zero attendance this evening. It is now 7:45. So we are going to adjourn. We are adjourned.

(Whereupon, at the hour of 7:45 p.m., this matter having been continued to 7:00 p.m., November 14, at Menlo Park, California, the Commission then adjourned.)

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