

SENATOR CAPITO HOSTS EPW

SENATORIAL HEARING

HELD ON OCTOBER 5, 2016

1:00 - 3:00 P.M.

Chief Logan State Park

Logan, West Virginia

HELD BEFORE:

SENATOR SHELLEY MOORE CAPITO

SENATOR JOE MANCHIN

CONGRESSMAN EVAN JENKINS

Panelists present:

Eugene Trisko, United Mine Workers  
Bob Pasley, Wayne County Commissioner  
Jimmy "Bo" Copley, WV coal miner  
Karan Ireland, WV Solar United Neighborhoods  
James Van Nostrand, WVU

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1                   SENATOR CAPITO: So welcome and good  
2 afternoon. This hearing will come to order. I like  
3 that part.

4                   Anyway, again, I'd like to thank the  
5 witnesses and my colleagues for being here today. And  
6 this is a very important hearing, and it's very  
7 important that we're in Logan County, West Virginia, one  
8 of the most deeply affected parts of our country on the  
9 topic that we're going to talk about.

10                  Last week the United States Court of Appeals  
11 for the District of Columbia heard the oral arguments on  
12 the legality of the EPA's Clean Power Plan which as you  
13 might recall -- and I think some of the testimony  
14 reinforces this decision -- this power plan was stayed,  
15 which means it was halted by the U.S. Supreme Court in  
16 February. Afterward, Attorney General Patrick Morrisey  
17 and Senator Manchin and I and others had a press  
18 conference on the grounds of the United States Capitol  
19 to talk about this case.

20                  While we are understandably focused on the  
21 projected impacts of the Clean Power Plan, it is  
22 important that we hear from both sides and all sides  
23 about this issue. Coal industry bankruptcies caused at  
24 least in part by regulations -- and this is a discussion

1 that I had on the radio this morning and that we have  
2 quite a bit -- is it all about the regulations? No.  
3 It's not all about the regulations. Is it about -- all  
4 about natural gas? No. It's not all about natural gas.  
5 Is it all about market forces? No, it's not.

6 Each one of those I believe plays  
7 individually a very strong part in what we see happening  
8 to our coal industry. I'm also working hard with my  
9 colleagues here and others from West Virginia to make  
10 sure that the UMW Health and Pension Fund is restored  
11 for those miners who are set to lose their healthcare at  
12 the end of the year.

13 We worked it I think very well through the  
14 committee. Senator Manchin's the main sponsor; I'm the  
15 cosponsor of the bill. And Congressman Jenkins has been  
16 fighting hard on the House side. So we see some blue  
17 sky there, although the end of the year we are going to  
18 have to really put the big press on which we will.

19 You know, coal jobs are good jobs. There  
20 are many coal miners in the audience today. The Bureau  
21 of Labor and Statistics puts the average miner's wage at  
22 \$84,000 a year which is much higher than our average  
23 here in West Virginia of \$39,000 of a non-mining annual  
24 salary. Coal jobs also support other jobs, and I don't

1 think they get talked about enough or as much. Every  
2 vendor in the supply chain is affected. For every one  
3 job, seven other jobs are affected.

4 Coal miners out of work have less disposable  
5 incomes to spend in their communities. You could ask  
6 any vendor here in Logan County and they can say how  
7 affected they've been by this downturn.

8 And so today we will hear from Gene Trisko  
9 who I've had the pleasure of meeting and hearing  
10 testimony from Mr. Trisko before. He will talk about  
11 the impacts of the Clean Power Plan just on West  
12 Virginia, including I believe it's a relatively new  
13 report that is out that shows a loss of 47 -- a  
14 potential loss of \$47 billion just in the State of West  
15 Virginia over the life -- or I think it's to 2040 is  
16 the -- it's a projected.

17 We'll also hear from Bob Pasley who's our  
18 Wayne County Commissioner to talk about the effects in  
19 our local county commission. And then Bo Copley, who's  
20 our coal miner who has been affected by this downturn.  
21 We'll also hear from Ms. Ireland and Mr. Van Nostrand  
22 about their position and their opinions on where and how  
23 we should be moving forward.

24 So I'm going to leave it there. I think

1 I've been very frustrated with the EPA as many of us  
2 have been. One of the most frustrating points for me  
3 was in questioning Janet McCabe, who is the EPA acting  
4 assistant administrator, about why EPA had not conducted  
5 any of their listening sessions -- any of their  
6 listening sessions in the State of West Virginia when  
7 they were drafting the Clean Power Plan. And the  
8 response I got from her was pretty startling.

9 She basically said, "Well, we went to  
10 Pittsburgh," and that -- which shocked me enough, but  
11 then she continued and she said, "EPA wanted to have  
12 these discussions in locations where people were  
13 comfortable."

14 That to me says that they weren't ready to  
15 face what we're going to be hearing a lot of what we're  
16 hearing today and some of the folks in the audience.  
17 Well, we're here. We're here listening. We're making  
18 this part of the public record. We're making this so  
19 that our colleagues in the House and Senate that  
20 we've -- that disagree with the direction that we want  
21 to go and we disagree with the direction they want to  
22 go, they know how we feel and how you-all feel. You're  
23 putting a face on this for many people across this  
24 country, and we appreciate the time and energy that

1 you've come.

2 And I would say -- I will speak for Senator  
3 Manchin and for Congressman Jenkins who I very rarely  
4 speak for the two of them -- but I would say we feel  
5 very comfortable here and are very glad to be here with  
6 you.

7 Senator Manchin.

8 SENATOR MANCHIN: First of all, thank you,  
9 Madam Chairman. I want to thank all of you for coming,  
10 and all of our presenters and all of you in the audience  
11 for showing up today because it's extremely important  
12 for all of us. I would like to also thank  
13 Chairman Inhofe, Republican Chairman of the EPW and also  
14 Ranking Member Barbara Boxer for having this and  
15 allowing our Chairwoman here, Capito, for inviting us to  
16 speak and also holding this.

17 Let me set the record straight for where I  
18 believe that this administration has not understood the  
19 grasp of the -- what we call global, a global climate.  
20 A global climate means the entire globe. It doesn't  
21 mean that the wind and the ocean current start and stop  
22 in North America. And when you talk about the globe, it  
23 should be a global -- basically a fix. What we have  
24 right now -- there's 8 billion tons of coal being burned

1 in the world -- 8 billion tons. United States of  
2 America burns about 900 million. We're less than 1  
3 billion. If they quit burning every lump of coal in  
4 America -- every lump of coal in America, it's not going  
5 to change more than two-tenths of 1 percent. These are  
6 by scientists and people who's evaluated it.

7           Knowing that this product's going to be  
8 needed to energize our country for the next two to three  
9 decades -- everyone has said that -- that's the hardest  
10 thing that we have to grasp with. If you really want to  
11 tackle global climate -- I was at the Global Climate  
12 Conference in Poland with our NATO countries. Not one  
13 of them -- not one country's administering any of the  
14 environmental protection things that we do now. They're  
15 not using their scrubbers, they're not using low-NOx  
16 boilers or they're not using baghouses. We've perfected  
17 all that.

18           And this is what really is baffling to us.  
19 Why are we hindering the United States' economy and  
20 basically just dismantling economies and communities --  
21 not just West Virginia but other coal communities --  
22 Kentucky, Southwest Virginia, Eastern Ohio. So with  
23 that, it's no secret that we in West Virginia are facing  
24 severe economic challenges.



1           The coal economy of our state has been  
2 devastated. Cheap natural gas prices compounded by  
3 regulatory onslaught by the EPA, an agency that  
4 overstepped its authority time and time again, have put  
5 coal production in a downward spiral. Being a former  
6 governor, I've always said this: You can't regulate  
7 what's not been legislated. That's not the role of an  
8 agency. That's not the role of any one branch of  
9 government. And that's why it has to go through that  
10 process because a representative -- myself, Shelley,  
11 Evan, all of us who represent basically should have  
12 input and we had none.

13           We continue to experience persistently high  
14 unemployment rates in this county and the surrounding  
15 area traditionally. Our largest coal producing regions  
16 we are consistently posting unemployment numbers in the  
17 double digits. Some of our southern counties are  
18 posting unemployment rates more than double the national  
19 average.

20           I have said this and I've said it all over  
21 Washington, everybody I can speak to, we've got a  
22 minimum of six counties not in a recession but in a  
23 depression. The difference between a recession and a  
24 depression: In a recession you're waiting for a

1 rebound. It'll come back. We've been through the highs  
2 and lows before. A depression, we've given up. We're  
3 walking out. Our assets -- there are no assets. We  
4 could care less. Here bank. There's my keys to my  
5 house. Take it. It's not worth anything to me. That's  
6 a depression. That's what we're in.

7                   For more -- for the month of August,  
8 Workforce West Virginia reported that here in Logan  
9 County the unemployment remains at about 10 percent;  
10 Mingo County 11.7; Clay County 9.1; Wyoming County 9.4;  
11 Boone County 8.4; and McDowell County 12.9. Those are  
12 artificially low because other people have quit  
13 looking -- they've left or they quit looking. There's  
14 no work.

15                   Since 2008, West Virginia has lost 13,000  
16 coal jobs. The Mine Safety Health Administration  
17 reports that in 2008 there were 2,129 coal mines and  
18 prep plants. In 2015 that number was only 1,459 coal  
19 mines and prep plants. That's a loss of 670. Countless  
20 companies have declared bankruptcy. And Workforce West  
21 Virginia reports that between July 2015 and July 2016 --  
22 in one year -- we lost 4,800 mining and logging jobs,  
23 700 manufacturing jobs and 1,700 in trade,  
24 transportation and utility jobs.

1                   The ripple effect of the near total loss of  
2 our state's biggest energy industry is affecting the  
3 daily quality of West Virginia lives -- whether it be  
4 fewer and fewer grocery stores, childcare options or  
5 healthcare services or just closing schools because of  
6 lack of students.

7                   To complicate matters, we just experienced a  
8 once-in-a-century flood that took West Virginia lives,  
9 homes and businesses, and that's an absolutely tragic  
10 event from which we will be recovering for years to  
11 come. So when I look at the manner in which the Obama  
12 administration and the EPA have handed down regulation  
13 after regulation entirely outside the bounds of what  
14 Congress intended when it passed legislation like the  
15 Clean Air Act and the Clean Water Act, I can't help but  
16 believe that they did not have a plan. I mean, no plan  
17 for our state or any other state to be affected the way  
18 we have.

19                   And that is not only infuriating me and  
20 everybody else, it's a tragic, tragic occurrence.  
21 Historically, West Virginia has been an energy export.  
22 I think you all know that. Our home state sits in the  
23 abundant reserves of coal and natural gas.

24                   In 2016 Annual Energy Outlook, the Energy

1 Information Administration -- the EIA which is part of  
2 the Department of Energy -- projected that in a clean  
3 power plant scenario -- this is their scenario -- coal  
4 consumption by the electricity sector -- this is the  
5 worst scenario you can absolutely paint. If they  
6 adopted everything that's in the Clean Power Plan, even  
7 with their plan they say about 18 percent of our  
8 generation for base load fuel, base load electricity,  
9 base load energy will still be coal. Even in the worst  
10 case scenario.

11 While cheap natural gas has been a major  
12 factor in the downturn of coal production, it is  
13 important to remember that we have ridden the markets up  
14 and down before. We've always ridden the markets.  
15 We've just never had the Federal Government jump on our  
16 back and try to drown us during these difficult times.  
17 And it's also clear to me that there was no and is no  
18 consideration by this administration of how West  
19 Virginia will secure a role in the nation's clean energy  
20 future.

21 I said you know what, if you've got a plan,  
22 use your tax plan. We give what we call tax credits.  
23 Okay. We call them extenders. We fluffed them up a  
24 little bit in Washington so you won't think we're just

1 giving things away, but they truly are. They're called  
2 extenders or tax credits. If I'm going to give a wind  
3 company as a policy of the United States of America or a  
4 solar energy company credits for developing wind and  
5 solar, don't you think they ought to use those credits  
6 in the areas that have been displaced?

7           You want us to build you a wind factory. We  
8 can build you a windmill. We can build you a solar  
9 factory. Just keep our people working. There was no  
10 plan. None at all.

11           The EPA's new source performance standard  
12 for power plants and the Clean Power Plan for existing  
13 power plants are both examples of the EPA legislating  
14 instead of regulating. I have introduced, co-sponsored  
15 and supported legislation that would roll back climate  
16 regulations and other harmful EPA roles.

17           I've co-sponsored, along with my colleague  
18 here Senator Capito, Affordable Reliable Energy Act  
19 called the ARENA Act reining in harmful effects of the  
20 Clean Power Plan. I introduced Clean Air, Strong  
21 Economies Act which stems the economic harm of the new  
22 ozone standards. I also supported the Ozone Standards  
23 Implementation Act. I sponsored the Coal Ash  
24 Legislation which we just passed in the Senate, and I

1 introduced legislation that would require EPA to base  
2 its regulatory standards on technology that is actually  
3 proven and commercially available for use.

4 I'm almost done. I get on a roll here  
5 sometimes. I go a little bit longer than I'm supposed  
6 to.

7 The first bill that I introduced as a United  
8 States senator was legislation that would prevent the  
9 EPA from retroactively -- retroactively vetoing a mine  
10 permit. These are mine permits that have gone through  
11 five, six, seven, eight, nine, ten years. They went  
12 back and reached back arbitrarily and said okay, no  
13 more. And that's not right. We fought that.

14 An unprecedented legal action in 2010, I  
15 sued the EPA as governor at that time for overstepping  
16 its bounds regarding mountaintop removal practice in  
17 West Virginia's coal industry to ensure states that have  
18 the power to oversee, regulate and protect their  
19 citizens and resources. That's basically protecting the  
20 10th Amendment to the Constitution. State's rights.  
21 Our founding fathers never intended for the overreach  
22 and basically the micromanagement of government to come  
23 from Washington.

24 We have responsibilities and rights. And

1 earlier this year I joined 33 of my colleagues in the  
2 Senate and 171 members of the House in filing a brief  
3 with the D.C. Circuit Court of Appeals challenging the  
4 legality of the Clean Power Plan. Oral arguments were  
5 just heard last week in West Virginia versus the EPA.  
6 We were both there. We had good representation.

7 And right now when I talk to people that  
8 basically -- I think, Gene, we talked coming in -- it's  
9 a 50/50. It could be tossed up and go either way. I  
10 think we're going to end up in the Supreme Court. I  
11 really do. And we have got to fight. We have got to  
12 fight it hard.

13 Furthermore, I do not believe the EPA  
14 consulted with the Federal Energy Regulatory Commission  
15 which is FERC. With energy, base-loaded energy in the  
16 United States of America should be dependable, reliable  
17 and affordable. They never basically talked to FERC to  
18 find out will the system be reliable if you take this  
19 much coal-fired energy off the grid. How are you going  
20 to back it up?

21 The vortex, the polar vortex almost shut  
22 down the East Coast. There would've been people dying,  
23 arbitrarily dying across the East Coast because of that  
24 polar storm. They did not take that in consideration

1    whatsoever.

2                    So fossil fuels are going to continue to be  
3    a major part of both domestic and global energy.  As we  
4    speak -- I believe I'm correct in this number -- over  
5    500 new coal-fired plants are being built in India.  
6    Close to 400 are still being built in China.  The  
7    product is the most abundant fuel in the world, and for  
8    us to deny other countries from developing -- first time  
9    energy users -- this is the first time in some of these  
10   countries, especially in rural India, they've ever had a  
11   refrigerator, they've ever had a light bulb in their  
12   home, they've ever had anything.

13                   And we're going to say oh, I'm sorry, you  
14   can't do that.  That's not going to happen.  So we  
15   better get with it and development the technology that  
16   we can use coal in a cleaner fashion.

17                   So I believe that we must further develop  
18   and commercialize carbon capture, utilization and  
19   sequestration, but you just can't make it so expensive  
20   that basically it runs every coal plant out of  
21   existence.  And right now we don't have technology that  
22   can use it in an affordable way.  We must put the  
23   necessary infrastructure in place to take advantage of  
24   the robust opportunities that come from our abundant



1 natural resources while ensuring the reliability.

2           Instead of looking to technology and  
3 infrastructure to clean up those fossil fuels and secure  
4 the future of energy-producing states like West  
5 Virginia, the EPA under this administration has taken it  
6 upon itself to legislate a climate agenda that Congress  
7 never authorized. We haven't had one input. We're just  
8 playing defense all the way through.

9           West Virginia has helped power the nation  
10 for decades. We have done the heavy lifting and I -- to  
11 the high heavens, I shout out basically what this little  
12 state has done and I want you all to know that basically  
13 we have as the State of West Virginia, we have done the  
14 heavy lifting. We've mined the coal that made the steel  
15 that built the guns and ships. We have more patriots.  
16 We have more veterans per capita than any other state.  
17 We have shed more blood. Lost more lives for the cause  
18 of freedom.

19           This little state has given her all. And  
20 now we feel -- and I've told them this -- my state  
21 across the board -- forget politics -- Democrat,  
22 Republican -- across the board we feel like the  
23 returning Vietnam veteran. We've done everything you've  
24 asked us to do. We put our life on the line, and now

1 you've turned your back on us. And now you want people  
2 to believe that we didn't do our job or what we did you  
3 didn't like.

4 We built the greatest nation on Earth and we  
5 have. The only super power in the world is the United  
6 States of America because of domestic energy, mostly  
7 coal. Someone's got to recognize that, and someone's  
8 got to have a pathway for it that is humane and it will  
9 work.

10 So I would say I'm happy to work -- and  
11 Shelley and I have been working hard on the Miners'  
12 Protection Act. It's imperative. If we don't pass that  
13 before the end of the year, 16,000 miners -- retired  
14 miners, will lose their healthcare by the end of this  
15 year. 7,000 more by July of next year. After that, by  
16 the end of next year, the pensions that all of our  
17 retired miners -- United Mine Workers are receiving  
18 right now will start spiralling down. They're  
19 irrecoverable.

20 And that bill has passed. They've asked us,  
21 both Shelley and I, they said go through regular order.  
22 We did that. The finance committee passed it 18 to 8 --  
23 18 to 8. It was bipartisan. All we need is for Mitch  
24 McConnell to put it on the agenda, and it will pass.

1 That's all we need. So anybody that knows Mitch, close  
2 to him, can call him, talk to him, please do so. We  
3 need it on the agenda. We've got to pass it before  
4 December the 9th.

5 Thank you, Madam Chairman. I can't thank  
6 you enough for this hearing.

7 SENATOR CAPITO: Thank you, Senator Manchin.  
8 I feel a bit like the person who did the  
9 vice-presidential debate last night. I feel like I've  
10 already lost control of my own hearing. In any event,  
11 Congressman Jenkins, thank you.

12 CONGRESSMAN JENKINS: Thank you, Senator.  
13 There were no interruptions along the way, so --

14 SENATOR CAPITO: That's true.

15 SENATOR MANCHIN: Very nice.

16 CONGRESSMAN JENKINS: We're old friends.

17 Senator Capito, thank you so much for the  
18 wonderful opportunity. You know, the folks in this room  
19 see us altogether -- Democrats, Republicans, House,  
20 Senate -- working hard for West Virginia. What you may  
21 not realize is the opportunity for me to participate in  
22 a Senate hearing is probably bending the rules a little  
23 bit that Senator Capito went to the mat in her  
24 leadership role in the subcommittee calling this and I

1 am sincerely appreciative of the opportunity of being  
2 able to participate directly. I don't get to go down  
3 the hall on the Senate side and sit in on the Senate  
4 hearing, so we appreciate it very much. Senator  
5 Manchin, great to be with you.

6 This is a unique opportunity. It was  
7 referenced about communicating with the EPA and their  
8 unwillingness to come to West Virginia, and it reminds  
9 me when I had Gina McCarthy -- not even as far as  
10 Commissioner Pasley and I are apart here -- a few feet.  
11 I asked Gina McCarthy, I said, "Ms. McCarthy, have you  
12 ever been to West Virginia as the EPA Secretary?" You  
13 know, the lawyers and a lot of people say you never ask  
14 a question you don't already know the answer. And she  
15 said, "Well, I can't recall." And I said, "Well, I know  
16 you've not been to West Virginia, and I know you know  
17 you haven't been to West Virginia. You just can't even  
18 bring yourself to acknowledge that no, I've been  
19 unwilling to even come to West Virginia."

20 So having this subcommittee hearing under  
21 Senator Capito's leadership is quite an opportunity for  
22 our voices to be heard, and I appreciate the opportunity  
23 for these voices. These are important voices. You  
24 know, times are tough here in Logan County and

1 throughout Southern West Virginia. And it's really in  
2 large part and it is because of the war on coal. And  
3 there is a war on coal, and we feel it. We see it. We  
4 actually can taste it right here in Southern West  
5 Virginia.

6           You know, coal jobs are good jobs. As  
7 Senator Capito very accurately said, Bureau of Labor  
8 Statistics -- average coal job \$84,000 a year. You can  
9 support a family on that. You can raise a family. You  
10 can provide for a family. You can put food on the table  
11 for that.

12           Whereas, the average wage in West Virginia  
13 is \$39,000. So over twice the average is a coal miner's  
14 wage. And we talked about the unemployment rate. Eight  
15 years ago West Virginia had one of the lowest  
16 unemployment rates in the entire county. Today, we  
17 tragically are one of the highest. So what's happened  
18 in the last eight years? We all see it. I hear time  
19 and time again from moms, dads, retirees who are worried  
20 about their futures and worried about their children's  
21 futures. They're forced to make some very tough  
22 decisions.

23           One of those is with us today, Bo Copley.  
24 Bo joined me at an event here not long ago where I was

1 highlighting our efforts to extend unemployment  
2 compensation benefits for our laid off, employed coal  
3 miners. We were bringing a national spotlight to this  
4 tragedy. I also brought two coal miners --  
5 Jordan Bridges is with us, Doug Killan. We brought them  
6 to Washington. We put them in front of a congressional  
7 committee to tell the story of the plight of the West  
8 Virginia coal miners.

9           But there's another story. I heard from  
10 Tammy Bateman of Logan County. She's lived here all her  
11 life, but she and her husband -- and her husband worked  
12 for CI Walker Machinery in their Logan branch for almost  
13 20 years and they had to move. And here's what she  
14 wrote me. "Due to the decline in coal industry, we had  
15 to move to another state and move our daughter from the  
16 school she loves. We have a lot of friends and family  
17 that have either had to pack up and move away also and  
18 some that have stayed and have had to be laid off and  
19 are suffering. This is all due to Obama's war on coal.  
20 You see, when coal is affected, so are small businesses,  
21 schools and much more -- especially people's  
22 livelihoods."

23           Just as Tammy wrote to me and said that, the  
24 war on coal impacts so many people and businesses, so

1 many more than just the thousands of direct coal mining  
2 jobs as we've heard today. It hurts our schools. It  
3 hurts our police and fire departments all of which are  
4 funded by the coal severance tax. We've got Bob Pasley  
5 here from Wayne County who's going to talk about the  
6 fact that coal severance tax revenue has dropped 88  
7 percent from 2013 to 2016. And as coal mines shut down,  
8 communities have less and less and have had to make  
9 tough choices.

10 So Senator Capito, thank you for this  
11 opportunity. I look forward to the testimony of the  
12 panelists. I appreciate the fact that we are in  
13 Southern West Virginia, in the 3rd Congressional  
14 District, in front of coal miners who are going to have  
15 their voices heard, and they've not had that opportunity  
16 enough in the past. So it's an honor to be here, and  
17 thank you for this opportunity.

18 SENATOR CAPITO: Thank you both for our  
19 opening statements, and now we will begin with the  
20 witnesses. We're going to begin on the left with  
21 Mr. Gene Trisko. Gene is the counsel to the United Mine  
22 Workers of America, and he's from Berkley Springs, West  
23 Virginia. And he is no stranger to helping us analyze  
24 the effects of legislation for many years.

1 Welcome, Gene.

2 MR. TRISKO: Thank you, Chair Capito,  
3 Senator Manchin, Congressman Jenkins. It's a great  
4 pleasure for me to be here. I've represented the United  
5 Mine Workers for some 30 years in environmental matters,  
6 and I must say, ladies and gentlemen, I've never seen it  
7 like this before.

8 I'm here today to talk about the impacts of  
9 EPA's Clean Power Plan and also to express our  
10 appreciation to you Chair Capito, Senator Manchin and  
11 Congressman Jenkins for your leadership and your support  
12 of the Miner's Protection Act. We must get that  
13 accomplished this year, as you have clearly stated, and  
14 we're all committed to working together later this year  
15 with Senator McConnell in order to ensure that result.

16 The mine workers, along with West Virginia  
17 and other petitioners -- and there are more than a  
18 hundred petitioners -- have challenged the validity of  
19 the EPA Clean Power Plan in Federal Court. In May the  
20 Supreme Court issued an unprecedented stay of the rule  
21 pending the conclusion of all legal challenges. We  
22 believe that the Power Plan oversteps EPA's legal  
23 authority under Section 111(d) of the Clean Air Act  
24 because it forces utilities to switch from coal to



1 natural gas or renewable energy in a manner inconsistent  
2 with the legal requirements of the Clean Air Act.

3 West Virginia depends on coal for 96 percent  
4 of its electricity. West Virginia's economy, coal  
5 miners, communities, electric generators and the allied  
6 industries that depend on coal for their livelihoods and  
7 all of these industries share the high wage structure,  
8 Senator Capito, that you noted -- all of these  
9 industries share that characteristic. They will all  
10 suffer greatly if this rule is implemented.

11 Recent studies by the PJM Interconnection --  
12 and this is the multistate power grid that covers West  
13 Virginia and eight or nine other states -- indicate that  
14 EPA's rule could cause West Virginia to lose up to 34  
15 percent of its coal-based electric generation by 2025 if  
16 the state met its EPA targets by instate means.

17 There could be smaller losses if West  
18 Virginia engaged in an interstate trading program, but  
19 in effect what that would mean is that West Virginia  
20 rate payers would be asked to subsidize the construction  
21 of renewable energy facilities in other states. So  
22 hundreds of millions of dollars would leave the pockets  
23 of West Virginia rate payers in order to create those  
24 renewable facilities mainly in other states -- Iowa for

1 wind, New Mexico for solar and so forth.

2           These impacts do not consider the loses of  
3 coal production that would result from the loss of coal  
4 shipments to other states that are affected by the EPA  
5 rule. This is a very important point. Less than  
6 one-third of West Virginia's coal production is consumed  
7 in state. That's what makes it impossible for West  
8 Virginia to control its destiny, so to speak, in the  
9 implementation of the Clean Power Plan.

10           Between 2009 and 2014, West Virginia lost 32  
11 million tons of coal output, and all of the high wage  
12 jobs associated with that. Those losses are  
13 attributable to lower natural gas prices and to the EPA  
14 mercury MATS rule.

15           The Department of Energy estimates that the  
16 mercury rule has caused the closure of some 40,000  
17 megawatts of coal capacity across the nation. EPA at  
18 the time of issuing that rule estimated the loss of coal  
19 capacity at 4,700 megawatts. The WVU Bureau of Business  
20 and Economic Research has estimated that the EPA power  
21 plan would lead to the loss of about 20 million tons of  
22 West Virginia coal production. This is on top of the  
23 losses that already have occurred.

24           Using data from DOE's analysis of the Carbon

1 Rule and an extended Clean Power Plan, we estimate that  
2 another 20 million tons of production would be lost if  
3 the national CO2 reduction were expanded from 32 percent  
4 in the current rule to 45 percent by 2040.

5 DOE's extended power plan scenario is  
6 consistent with the pledges that the United States of  
7 America made in the December 2015 Paris agreement. This  
8 would reduce total West Virginia coal production from a  
9 current level of about a hundred million tons today to  
10 60 million tons by 2040. The consequences of these  
11 production losses would be devastating for jobs, for the  
12 overall state economy.

13 Applying U. S. Department of Commerce  
14 economic multipliers specific to the West Virginia  
15 mining sector, we estimate that the EPA Carbon Rule --  
16 and this is just a rule that's on the books today --  
17 would lead to the cumulative loss of \$47 billion of  
18 state economic output, 11 billion of household income  
19 and 229,000 job years of employment by 2040. A job year  
20 is one job held for one year.

21 Even larger losses would occur if an  
22 extended power plan were adopted along the lines of the  
23 Paris agreement. West Virginia's state output could be  
24 reduced by a cumulative \$60 billion by 2040 along with

1 \$14 billion loss of household income. A total of  
2 288,000 job years of employment would be lost. Clearly,  
3 West Virginia cannot afford such draconian economic  
4 impacts.

5 The U. S. Census Bureau reports that the  
6 pretax median household income in West Virginia in 2015  
7 was \$42,800, and that is 24 percent below the national  
8 median income and \$5,300 below West Virginia's 2007  
9 pre-recession levels.

10 You know, there was a lot of talk in the  
11 last few weeks about the big increase in median incomes.  
12 Well, there was a bump in 2015. The first time really  
13 since 2009. But as it stands, West Virginia's median  
14 household income, you're \$5,300 below where you were in  
15 2007. So not so much of an impact in West Virginia.

16 The UMWA supports reasonable measures to  
17 address climate change consistent with established Clean  
18 Air Act principles, but we cannot support rules that  
19 cause massive loss of jobs and income in already  
20 depressed rural communities like Southern West Virginia.  
21 We need instead a major infusion of R&D capital -- both  
22 federal and private -- to lower the cost of carbon  
23 capture technologies so that coal can continue to play a  
24 vital role in base load power generation.

1                   We look forward to working with the  
2 Congress, the Department of Energy and other interested  
3 parties to ensure this future for our members and for  
4 our nation. Thank you very much.

5                   SENATOR CAPITO: Thank you very much,  
6 Mr. Trisko. Our next person is our commissioner, our  
7 Wayne County commissioner, Bob Pasley. Before he was  
8 commissioner, he was for many years the county clerk in  
9 Wayne County. So thank you Commissioner for coming. We  
10 look forward to your comments.

11                   MR. PASLEY: Senator Capito, let me tell you  
12 I appreciate this opportunity to come before and the  
13 invitation was very pleasing. It's always good to be  
14 with Senator Manchin, Congressman Jenkins. Thank you  
15 all for this opportunity.

16                   I have a -- you know, folks who might be  
17 listening to this see the world from 35,000 feet, but as  
18 county commissioner, I have the honor and the privilege  
19 of serving on the ground and I -- where the services are  
20 rendered so many times to our people. So this is coming  
21 from a dollars-and-cents standpoint but also from here  
22 (indicating).

23                   Wayne County is located in the southwest  
24 corner of West Virginia. According to the 2010 census,

1 we had 42,481 citizens, and I think that's been reduced  
2 now because we've had losses. But of those, 65 percent  
3 were rural, and 35 percent were urban. So we have a  
4 unique county in that we have a city part and we have a  
5 country part.

6 Two companies that I want to bring to -- or  
7 three actually -- to mention today. Argus Energy and  
8 Kiah Creek Transport closed in 2013 resulting in the  
9 loss of 236 jobs directly related to the coal mining  
10 industry. In 2015, Alpha Natural Resources closed its  
11 Rock Spring Mine operation resulting in the loss of 429  
12 jobs at their mine and preparation plant.

13 Now, for these communities this is what was  
14 involved: Argus Energy was a business partner with  
15 Dunlow Elementary School. According to Ms. Kim Mills,  
16 principal of Dunlow Elementary, the loss of their  
17 business partner has been devastating. As a business  
18 partner, Argus Energy provided playground equipment,  
19 beautification and equipment repairs.

20 Additionally, Argus provided the labor and  
21 materials for painting the entire school building. And  
22 for -- and they provided a copier every three years for  
23 that school, and they did many other things around that  
24 school that they no longer have available to them.

1                   Rock Spring Development, likewise, was a  
2 business partner with East Lynn Elementary School. I  
3 contacted Ms. Melissa Maynard, principal of East Lynn  
4 Elementary School, and she also said that the loss of  
5 the school's business partner was a severe blow to the  
6 school and the students. Rock Spring owners and  
7 employees provided many benefits to the school.  
8 Playground equipment, a new sign, classroom improvements  
9 were some the projects undertaken.

10                   Additionally, Ms. Maynard said that Rock  
11 Spring adopted the preschool students and provided  
12 additional items for them, including a Christmas party  
13 for all the preschool students and their families along  
14 with presents for each child. Ms. Maynard stated that  
15 the Rock Spring family was always willing to help any  
16 time she called upon them.

17                   Now, Wayne County's coal severance revenues  
18 have all but disappeared. That was mentioned awhile  
19 ago. I think the Congressman mentioned it. From fiscal  
20 year 2013, was \$728,500 and for fiscal year 2016,  
21 \$86,523. Based on what we know now, this was a -- this  
22 was when we budgeted in March. We were probably  
23 optimistic even at the \$86,000 mark. I have that as  
24 Exhibit 1 in my presentation.

1                   And you'll see down there at the fiscal year  
2   2016, the first quarter, second quarter, the third  
3   quarter and fourth quarter -- the third and fourth  
4   quarter had zero money from the 75 percent allocation.  
5   Now, when you have two operating mines in the county and  
6   they're gone and you have zero income, you just can't  
7   take much more than that away from us. And that's one  
8   of the things that we have known.

9                   Now, what do we use coal severance money  
10   for? Well, thankfully we didn't operate it for  
11   unimportant things. The money was used for goods and  
12   services that we do not have -- did not have in our  
13   county, general county budget. We used to -- we did  
14   give \$50,000 each year to the volunteer fire department  
15   for an ambulance for our people. We have a program  
16   where we had two police cruisers replaced every year for  
17   our sheriff department. This will be the third year  
18   that we haven't been able to do that. We're going to be  
19   in critical need before long.

20                   Capital building projects, senior citizen  
21   programs, utilities, economic development and many other  
22   worthwhile projects were part of this coal severance  
23   that we no longer have. And then now that we don't have  
24   the funding, we have to look at a already tight general



1 county budget to plan those in and it's not there. And  
2 I'll go on and tell you exactly why.

3 The general county fund loss is more  
4 critical because more money is involved. During this  
5 time the Wayne County Commission -- we saw our insurance  
6 premiums continue to rise -- utilities, property and  
7 liability insurance. And I forgot to mention here our  
8 regional jail bill. And so those things that we have to  
9 provide as county services, a very tight budget is now  
10 even strained further.

11 Based on figures compiled by the Assessor's  
12 Office -- Wayne County Assessor's Office, coal tax  
13 revenue by Argus and Rock Spring Development and three  
14 other coal-related industries declined from 1,702,000 to  
15 1,340,000 from 2013 to 2016 -- a total decrease of 21  
16 percent.

17 Personal property for this period saw a  
18 total decrease of 22 percent, while the real estate  
19 taxes for this period decreased by 5 percent. That  
20 doesn't even get into the leased properties that they  
21 leased for coal that when they're no longer mineable,  
22 that value disappears too. With that value  
23 disappearing, so does our revenues.

24 Even more a telling statistic is the

1 increase in tax delinquencies -- and, Senator Capito, I  
2 think you touched on this -- by these industries for the  
3 period. In 2015/2016 Rock Springs Development had a  
4 total tax delinquency of \$2,426,000, while Argus and  
5 Lincoln Leasing have tax delinquencies of 380,000 and  
6 \$137,000 respectfully.

7 This resulted in the net loss of \$3 million  
8 in coal tax revenues to Wayne County. The loss  
9 constitutes a \$2,371,000 loss in tax revenues to Wayne  
10 County Board of Education who is now struggling because  
11 of these losses, and \$810,867 lost in general county  
12 revenues -- revenues which are critical for our  
13 education system and general county operations. And I  
14 have shown on Exhibit 2 here the -- by -- from fiscal  
15 year '13 to fiscal year '16 the decline in the values  
16 and revenues that we have now to work with.

17 And as mentioned before too, I've worked at  
18 the Wayne County Courthouse for 39 years. 31 of which  
19 has been served either elected official as county clerk  
20 or county commissioner. And during that time -- and I  
21 was the bookkeeper and I know -- I do not believe that  
22 Wayne County has been so challenged to provide for its  
23 citizens that it is now experiencing, and the forecast  
24 for the foreseeable future is very bleak.

1                   So I hope that this has been some kind of  
2                   informative thing that you can use and you can take back  
3                   with you and know that this comes from the ground.  
4                   Thank you very much.

5                   SENATOR CAPITO: Thank you, Commissioner.  
6                   Our next panelist is Jimmy "Bo" Copley who is a coal  
7                   miner here in Southern West Virginia. He's also a  
8                   family man. And he's going to tell his story to all of  
9                   us. Thank you, Bo, for coming.

10                  MR. COPLEY: Senators Capito, Manchin,  
11                  Congressman Jenkins, thank you for having me here today.  
12                  As I said, my name is Bo Copley. I'm a 39-year-old  
13                  child of God, I'm a husband to one, a father to three, a  
14                  proud West Virginian and unfortunately a former coal  
15                  miner.

16                  I was formally employed at Coalmac,  
17                  Incorporated in Holden, West Virginia, which is a  
18                  subsidiary of Arch Coal in St. Louis, Missouri, and I  
19                  was employed there from July 26, 2004 to September 18,  
20                  2015. My duties at that job were that of a maintenance  
21                  planner, EMT, rescue team member and a certified surface  
22                  mine foreman.

23                  Just slightly over a year ago, I was  
24                  notified that my services were no longer needed due to a

1 reduction in force, and we were told that we wouldn't  
2 have to see that kind of reduction possibly until the  
3 beginning of 2016. But unfortunately, that wasn't the  
4 case. We were the only company in Arch Coal that had  
5 not suffered such a loss in workforce.

6           Every Monday during our weekly safety  
7 meetings we were told how increasingly difficult it was  
8 becoming to acquire mining permits due to EPA  
9 regulations. Weekly we were told how fortunate we were  
10 to not have our pay cut and how fortunate we were to  
11 even be mining and still working in general. My duties  
12 as a maintenance planner required me to work in an  
13 office. That's where I saw numerous state and federal  
14 mine inspectors that would come to our jobs as they  
15 started their inspections.

16           With increasing regulations forcing other  
17 mines to close, we'd see more and more inspectors on our  
18 job. At one point we had 12 inspectors on our property  
19 on the same day. They told us that they were all there  
20 because they had nowhere else to go. Many times we  
21 would see underground inspectors who had no idea what  
22 they were looking at because they had never been on a  
23 surface mine. What would -- that would lead to more  
24 violations because of their interpretation of our laws.

1 And as we all know, more violations lead to higher costs  
2 per ton, higher cost per ton leads to less profits and  
3 less profits lead to job loss.

4 My job also required me to build  
5 relationships with vendors that performed various tasks  
6 related to our industry. As each major coal corporation  
7 has faced bankruptcies and downsizing, every vendor down  
8 the line has had to face the same ramifications of those  
9 actions. From large companies like Walker Machinery to  
10 smaller, locally owned companies like Guyan Heavy  
11 Equipment, every vendor that's related to our industry  
12 has taken their share of loss due to this  
13 administration's EPA overreach. For every coal mining  
14 job lost, there are countless more that are also  
15 affected.

16 Heavy equipment vendors face the hardship of  
17 trying to keep people working versus making a profit.  
18 School administrators face decreased funding because  
19 their enrollments have dropped due to people moving to  
20 find work. Many commercial businesses locally have  
21 closed their doors due to the lack of spending in our  
22 region, and many small business owners -- just like my  
23 wife -- see a decline in their business because people  
24 don't have extra money to pay for things that are

1 outside of their necessities. Our entire state feels  
2 the ramifications of a targeted industry.

3 My family has been very fortunate to have my  
4 wife's photography business to help sustain us in what  
5 otherwise would be a very dark time, but many coal  
6 miners don't have that luxury. They don't have the  
7 second income to depend on like we do.

8 For many years coal mining has produced  
9 great wages that have allowed spouses the opportunity to  
10 be stay-at-home parents and to be able to do the various  
11 things that are vital for a family to operate and  
12 function properly. For a long time, my wife didn't --  
13 she didn't have a second job. She didn't have the small  
14 business because we felt it was more important for her  
15 to be at home to raise our children so we didn't have to  
16 put them in daycare, and working in a coal mine provided  
17 us that opportunity.

18 Finally, but definitely most importantly,  
19 our family's faith in God as our provider,  
20 Jehovah-Jireh, has allowed us to be able to carry on  
21 with our everyday life. Our God is able to bring his  
22 people through any circumstance that they may face, and  
23 we believe that West Virginian's unwavering faith in God  
24 is what will separate us from those who mean to do us

1 harm. Our faith in Him will guide us to the type of  
2 people and leaders that will ultimately lead us to  
3 prominence.

4 While coal is not a nonrenewable energy  
5 source, I believe that He has given us this resource to  
6 provide clean and affordable energy. I also believe  
7 that He will lead us to elect the type of people that  
8 will allow us to use this energy source until a better  
9 all-around source is available to compete with, if not  
10 eventually take its place.

11 I want to thank you again for the  
12 opportunity to be here today and to speak before this  
13 committee, to share concerns on behalf of so many  
14 people. In our great state it is a tremendous honor  
15 that I don't take lightly, and I pray that I'm able to  
16 represent the people of this state in a way that shows  
17 the honor and dignity that they truly deserve.

18 So have a good afternoon and God bless you.

19 SENATOR MANCHIN: Thank you. That certainly  
20 is honor and dignity. Thank you.

21 Our next panelist is Ms. Karan Ireland with  
22 the West Virginia -- she's the program director for West  
23 Virginia SUN. She's also an at large member of the  
24 Charleston City Council --

1 MS. IRELAND: That's correct.

2 SENATOR CAPITO: -- and on Urban Renewal in  
3 Charleston.

4 MS. IRELAND: Yes.

5 SENATOR CAPITO: So you're my city  
6 councilwoman.

7 MS. IRELAND: Yeah. Absolutely.

8 SENATOR CAPITO: Welcome.

9 MS. IRELAND: Thank you, Chair Capito.

10 SENATOR CAPITO: And yours too.

11 MS. IRELAND: That's right.

12 Thank you Chair Capito and Senator Manchin  
13 and Congressman Jenkins for the opportunity to talk here  
14 today. So I'm talking to you as both a person who works  
15 in renewable energy and also as an elected official that  
16 is responsible to my constituents and who knows  
17 intimately what it's like to fight to retain and attract  
18 population and make sure that people have a way to make  
19 a fair living. And I'm also here as a proud West  
20 Virginian. I -- and I really appreciate hearing  
21 Mr. Copley's comments.

22 West Virginia SUN is a nonprofit that helps  
23 communities start their own solar co-ops. So when  
24 people are interested in going solar, that can be a --



1 sometimes complex process if you don't know what  
2 questions to ask. So we help communities come together  
3 and learn more about solar power, and we help them with  
4 competitive bids and help them ultimately install solar  
5 arrays -- usually on their homes but sometimes on their  
6 businesses.

7 And part of our overall goal is to scale the  
8 solar industry in West Virginia, and I wanted to talk a  
9 little bit about the economic opportunities related to  
10 increasing renewable energy and energy efficiency as  
11 part of West Virginia's compliance under the Clean Power  
12 Plan.

13 When I started with West Virginia SUN one  
14 year ago -- just a little bit over a year ago, as I  
15 said, we'd go around the state and help different  
16 communities -- like Morgantown had a successful co-op,  
17 Fayette County, Monroe County -- and we solicit bids.  
18 And when I started, it was almost impossible to get a  
19 bid from a West Virginia company. And I'm happy to say  
20 that a year later, almost all of our bids come from  
21 people working in West Virginia -- West Virginians who  
22 are certified solar installers.

23 And that's exciting, but it just hints at  
24 what's happening nationwide. Renewable energy jobs have

1 grown. They've outpaced all other job creation -- forms  
2 of job creation by a factor of 12, and so we expect to  
3 see that start happening in West Virginia as demand  
4 grows.

5 As a member of Charleston City Council, like  
6 I said, I'm familiar with the challenges of population  
7 loss and what that does to the tax base, what it does to  
8 rate payers, and we are consistently seeking new ways to  
9 attract and retain young families. It's clear that West  
10 Virginia's economy is in transition and has been in  
11 transition due to a convergence of factors, and so I'm  
12 here today, I guess, just to say that I think we need to  
13 take advantage of the opportunities in some of these  
14 emerging energy sectors while we have the chance.

15 Finally, as a West Virginian, I understand  
16 and appreciate how important coal is to our state and  
17 our very identity. I have felt the frustration of  
18 talking to friends from out of state who think they have  
19 all the answers to climate change or energy policy, but  
20 they don't seem to appreciate that they owe -- we all  
21 owe a debt of gratitude for every modern convenience  
22 that we have. And that's to the people who have mined  
23 coal -- mined coal in this state, and I do appreciate  
24 that. And I'm proud to have stood with UMW workers in

1 demanding safe work practices and the payment of  
2 benefits that they worked hard to earn.

3 Compliance under the Clean Power Plan does  
4 not mean right now at least no coal. We truly can have  
5 an all-of-the-above energy portfolio and at the same  
6 time take advantage of the job and wealth creation that  
7 comes with investment in emerging energy sectors. In  
8 this way, West Virginia can continue to be a leading  
9 energy state.

10 We have the flexibility to do that. We have  
11 flexibility in how we comply. And energy efficiency and  
12 renewable energy should be central to the plan for  
13 compliance so that we can at least enjoy the economic  
14 gains and the sharp increase in clean energy jobs that  
15 we've seen across the rest of the country, and will also  
16 help mitigate the negative consequences we see related  
17 to compliance.

18 And I want to thank you for having me today.  
19 I also like to be in Southern West Virginia so thanks.

20 SENATOR CAPITO: Thank you very much.

21 And our final panelist is -- participated in  
22 a similar panel that we had in Morgantown, and I  
23 appreciate that. And I appreciate that Mr. James Van  
24 Nostrand has returned. He's a professor of law and

1 director of the Center of Energy and Sustainable  
2 Development at West Virginia University College of Law.  
3 Welcome.

4 MR. VAN NOSTRAND: Thank you very much,  
5 Senator Capito. It's good to see you, Senator Manchin,  
6 Congressman Jenkins again. I really appreciate being  
7 invited to this hearing. I appreciate having it being  
8 held in Logan County, a very beautiful part of the state  
9 and a beautiful day for a drive.

10 I've been in West Virginia only since July  
11 2011. I can't claim to have the deep roots that either  
12 Karan or Bo or the other panelists have. I can't claim  
13 to have a deep understanding of the history and the  
14 culture of the state. I've done a lot in the last five  
15 years to catch up and to get up to speed on the issues  
16 that are important to West Virginia.

17 We've had five energy conferences at WVU.  
18 Senator Manchin's keynoted at two of them. Senator  
19 Manchin and Congressman Jenkins both participated in our  
20 last conference via video.

21 And I got to say, one of things you hear a  
22 lot about and Congressman Jenkins mentioned it this  
23 morning is the war on coal. And so I've spent a lot of  
24 time studying the war on coal -- the drivers for that.

1 And I guess I characterize them more as the forces that  
2 are aligned against the coal industry in West Virginia.

3 But sticking with the war analogy, here is  
4 my take on the artillery that's being deployed in this  
5 war. First, the main driver is economics -- primarily  
6 cheap natural gas which has been referred to a few times  
7 this morning is resulted in massive displacement of  
8 coal-fired generation with highly efficient, new  
9 combined-cycle combustion turbines. In terms of the  
10 artillery in the war on coal, this is the aircraft  
11 carrier. It's a Nimitz class aircraft carrier. It's  
12 the big dog.

13 Second is geology. The cheap seams are gone  
14 in central Appalachia. We're working our way up the  
15 cost curve. Our coal is more expensive. Our mines are  
16 less productive. Not because our miners are working  
17 less hard, but the -- the productivity is simply gone.  
18 The mines are less productive. And in terms of the  
19 artillery of the war on coal, this is probably a  
20 destroyer. It's damaging but it's not a game-changer.

21 Third, I would point to climate change. Not  
22 in the sense that we get it in West Virginia or even get  
23 it in the United States of America. Sometimes I think  
24 we'll be debating that until the coasts are under the

1 water due to sea level rise or our valleys and hollows  
2 continue to be flooded by extreme weather events. It's  
3 in the sense that the world gets it. And they aren't  
4 going to be buying any more of our coal for exports.

5           And Senator Manchin might know this -- India  
6 signed the Paris Agreement on Sunday and it was  
7 ratified. And it's now going to be taking effect  
8 because we now have enough countries that are part of  
9 that. But in terms of the artillery of the war on coal,  
10 this is maybe a submarine. It's underwater but it's  
11 having some impact.

12           And then finally what we're here to talk  
13 about today, it's the EPA and the Clean Power Plan. And  
14 I've read documents from this issue by this  
15 administration over the last seven years. I would say  
16 there's certainly been a hostility towards mountaintop  
17 removal, and there's been a clear desire to address  
18 climate change through reducing greenhouse gas  
19 emissions. Coal is obviously the biggest source of  
20 greenhouse gas emissions.

21           But in terms of its impact, it's something  
22 like a shoulder-fired rocket launcher. A tool to be  
23 deployed in minor skirmishes, but it's not going to win  
24 a war. We're spending all our time and energy talking

1 about the casualties we are suffering in this war from  
2 things getting occasionally blown up with a rocket  
3 launcher. The real heavy fire is coming from economics  
4 and geology and international concern about climate  
5 change.

6 I'd like to talk a little bit more about the  
7 battleship -- the aircraft carrier that's the economic  
8 forces. There's a revolution underway in the energy  
9 industry in the United States. It's not just cheap  
10 natural gas. It's wind technology which keeps  
11 improving.

12 Charles Patton spoke at our conference in  
13 April and talked about Appalachian Power doing an RFP.  
14 \$46 a megawatt for a wind farm in southern Indiana.  
15 Wind technology keeps getting better. It's more  
16 competitive.

17 Solar photovoltaics have gotten so cheap  
18 it's a fundamental threat to the utility business model  
19 around the country. In many states customers are not  
20 that far from being able to drop off the grid entirely.  
21 We have energy efficiency demand response. Using  
22 technology to help people manage their energy costs.  
23 There's truly a revolution underway in the  
24 energy industry.

1                   And what are we doing about it? How are we  
2 doing in West Virginia in that revolution? We're  
3 getting killed by friendly fire. For the last several  
4 years virtually everything that we have done in this  
5 state has been in the wrong direction from what it takes  
6 us to position ourselves well in this new energy  
7 economy.

8                   We've got the alternative renewable energy  
9 portfolio standard was passed when Senator Manchin was  
10 governor. That was repealed in one of the first actions  
11 of the legislature last year. We now have nothing to  
12 promote renewable energy in the state. There's nothing  
13 to encourage energy efficiency that Karan talks about.

14                   The legislature passed a law to handcuff the  
15 DEP in developing a compliant strategy for the Clean  
16 Power Plan that would minimize the compliance cost for  
17 West Virginia -- be least disruptive to our economy.  
18 DEP is handcuffed from adopting the least disruptive  
19 plan.

20                   The legislature went after net meterings.  
21 Well, the solar potential that Karan talks about is very  
22 much in peril because there's a cloud of uncertainty  
23 hanging over net metering. We have one utility that's  
24 positioning to buy an uneconomic coal plant and put in



1 the rate bases in West Virginia as though we're going to  
2 win the war on coal they're putting on the backs of West  
3 Virginia rate payers.

4 It's a new game in the energy industry.  
5 It's about zero carbon or low carbon resources, and the  
6 markets that are coming into play as a result of that.  
7 It's all about carbon allowances and carbon credits.  
8 And as West Virginia get's ready to participate in this  
9 new game, we have a zero balance in our account.

10 I know Mr. Trisko talked about subsidizing  
11 renewable projects outside the State of West Virginia.  
12 It does not need to be that way. We can be building  
13 those renewable projects in West Virginia. We can be  
14 investing in energy efficiency in West Virginia.

15 And we can -- we have the resources. We  
16 have the people. We can succeed in this new game --  
17 this new energy economy. But we have a tremendous  
18 opportunity, but we need to keep our eye -- what are the  
19 drivers of this change in order to craft a solution  
20 that's going to make us be winners in this new energy  
21 economy.

22 Thank you very much.

23 SENATOR CAPITO: Thank you. Thank you all  
24 very much. And now we'll move to the question portion.

1 I will take my five minutes and ask questions, and then  
2 we'll just kind of rotate around. So anyway, I want to  
3 thank all of you. Very good.

4 Mr. Trisko, you know, one thing that I've  
5 wondered about and in your testimony you mentioned that  
6 if West Virginia participated in an international -- or  
7 an interstate trading program to meet the demands of the  
8 Clean Power Plan, that we would be subsidizing -- and  
9 Mr. Van Nostrand mentioned this too -- subsidizing other  
10 types of energy in other types of state. So just in  
11 terms of a -- in terms of meeting the Clean Power Plan  
12 through trading, I've always thought if we've got 96  
13 percent coal-fired generation, who's going to want to  
14 trade with us? Because what do we really have to offer  
15 as a state? And I just feel like it disadvantages us  
16 even more.

17 So could you talk a little bit about that  
18 for me.

19 MR. TRISKO: Senator, one of the compliance  
20 options that is available under the Clean Power Plan is  
21 participation in an interstate trading program, either  
22 on a tonnage mass basis or an emission rate basis. And  
23 the PJM study found generally that the least cost  
24 approach for most of the states it evaluated was the

1 interstate rate approach.

2 Now, in effect what that requires is the  
3 purchase of emission allowances for states that are coal  
4 heavy like West Virginia. The purchase of emission  
5 allowances from carbon-free generators such as wind and  
6 solar.

7 SENATOR CAPITO: Right.

8 MR. TRISKO: Now, the economics of wind and  
9 solar industry are complex and it depends upon whether  
10 you're talking about residential solar rooftop kinds of  
11 applications, utility scale solar which is a different  
12 and more economic option in the long run, but bottom  
13 line is that the renewable energy resources are most  
14 cost effective where the renewable energy is located.

15 And that is, for example, why Iowa is the  
16 wind capital of the Midwest because it has tremendous  
17 wind resources and will continue to develop those  
18 resources. They've been selling emission reduction  
19 credits to other states subject to renewable portfolio  
20 standards for many years, and they will continue to do  
21 so under the Clean Power Plan.

22 If you want to develop large scale solar  
23 applications -- and it's really only the large scale  
24 ones that are economically competitive -- you go to

1 where the sun shines with the greatest intensity  
2 watts -- kilowatt hour per square meter of land, and  
3 that's not in West Virginia. It's in Arizona. It's in  
4 New Mexico. It's in California. It's in the sunbelt;  
5 it's not here.

6 So, you know, while there may be some  
7 applications for rooftop solar and the like in West  
8 Virginia, sure -- that doesn't even dent the State's  
9 requirements-- reduction requirements under the Clean  
10 Power Plan.

11 SENATOR CAPITO: So let me just follow up on  
12 here because I'm going to kind of keep it under my five  
13 minutes in the questioning. So basically if you're  
14 buying -- if West Virginia would have to buy credits  
15 which we would have to do, those credits are -- come at  
16 the expense of the state, of the rate payer, and our  
17 electricity would go up. I mean, is -- that would be  
18 the result of --

19 MR. TRISKO: Correct. The dollars would  
20 leave the State of West Virginia --

21 SENATOR CAPITO: Right.

22 MR. TRISKO: -- and this was -- this was a  
23 mainstay of the state and non-state petitioners'  
24 arguments last week before the Court of Appeals that

1 this rule requires generation shifting in a way that in  
2 effect requires utilities in states such as West  
3 Virginia to open their checkbook -- which is their rate  
4 payers' money -- and subsidize development of new -- and  
5 it has to be new -- renewable energy development in  
6 other states.

7 SENATOR CAPITO: Thank you.

8 Mr. Copley, thank you for your testimony and  
9 I'm not sure that anything can be added, but I know  
10 you're a proud coal miner and we're proud of you.  
11 There's been a lot of talk about young people leaving  
12 the state. What are you seeing here anecdotally in your  
13 church, in your communities? Are people leaving? Are  
14 they able to leave? Can they sell their homes? Can  
15 they reposition themselves in other jobs? What -- for  
16 the folks who are in positions like you, where are they  
17 right now?

18 MR. COPLEY: We've had a lot of people from  
19 our community that have either moved to another state or  
20 moved away. We see it in our school systems. Mingo  
21 Central High School was once four separate schools in  
22 our county, but each of those coal mining counties  
23 have -- or excuse me -- coal mining communities have  
24 withered over the last several years.

1                   And so you see young people who see jobs not  
2                   in our area but in other places and they see  
3                   hopelessness. There's nothing here. There's nothing  
4                   for us to stay here for. So when they leave school,  
5                   they leave the state --

6                   SENATOR CAPITO: Right.

7                   MR. COPLEY: -- or they go to other places  
8                   where economic opportunity is. And not just in energy,  
9                   just for economic diversity in general.

10                  SENATOR CAPITO: Right. Thank you.

11                  Senator Manchin.

12                  SENATOR MANCHIN: First of all, again, thank  
13                  you. Thank all of you for being here. I think to  
14                  Mr. Van Nostrand, I would like to -- a few questions.  
15                  The first I want to say is on the energy portfolio that  
16                  was repealed in West Virginia had nothing to do with cap  
17                  and trade. There's not a single word of cap and trade  
18                  in that.

19                  Basically, it said we could utilize coal in  
20                  a cleaner fashion and get credits. We're the only state  
21                  to say that. I think it was very short-sighted on what  
22                  was done there because we were moving to where  
23                  recognizing if coal was used with more technology, that  
24                  gave us the credits that we were needing and that makes

1 no sense to me.

2 MR. VON NOSTRAND: Senator, I've been  
3 consistent on the point that cap and trade is the  
4 complete misnomer as applied to that. But that was used  
5 as the basis for repealing it. What it did have was  
6 some measures in there that actually encouraged  
7 renewable development because you did have greater  
8 credits being allowed if it was renewable energy versus  
9 alternative energy.

10 And what the legislature did by repealing it  
11 was sending a signal -- we do not want to encourage  
12 renewable energy in West Virginia. And that has been a  
13 disservice in terms of positioning us for the new  
14 clean --

15 SENATOR MANCHIN: Also in that piece of  
16 legislation, it had net metering back which they found  
17 out that was pretty popular and they were -- had to pull  
18 back off of them. We could get into that all day long.

19 MR. VAN NOSTRAND: They passed another bill  
20 that said that PSE needs to avoid cross-subsidization  
21 and so there's a cloud over net metering because what's  
22 the PSE going to do in cross-subsidization.

23 SENATOR MANCHIN: One thing I want to ask  
24 you very quickly, sir. Do you think that the U.S. can

1 basically operate and provide the energy this country  
2 needs to be a super power, if you will, and an economy  
3 of \$19 trillion EDP in a fossil-free -- no fossil --

4 MR. VAN NOSTRAND: No.

5 SENATOR MANCHIN: -- anytime soon? So --

6 MR. VON NOSTRAND: No. I --

7 SENATOR MANCHIN: -- even though -- so I've  
8 said this. I want you all to know. I'm not a denier.  
9 I think the 7 billion people on the planet Earth have --  
10 we have an impact. We have a responsibility. Now, we  
11 can argue all day long how much of an impact humans  
12 have, but there's no denying 7 billion people have had  
13 an impact. Okay. I'm not a denier.

14 But when I have people saying that we can  
15 run this country -- we can run the world without fossil,  
16 they're worse deniers than the people that deny that  
17 there's climate change. So until we can get people  
18 looking for solutions to move forward, we're not going  
19 to solve it. So you're saying that fossil has to be  
20 used. Coal and gas and oil will be used.

21 MR. VAN NOSTRAND: Senator, I looked at the  
22 same EIA data that you referred --

23 SENATOR MANCHIN: Right.

24 MR. VON NOSTRAND: -- to this morning. And



1 coal will continue to play a dominant role in the  
2 nation's future, and I -- what I cited in my testimony  
3 was even -- even without the Clean Power Plan, coal is  
4 still --

5 SENATOR MANCHIN: Without tax -- without tax  
6 credits, do you think renewables could survive and  
7 basically fill what we're -- we're looking at -- EIA's  
8 looking down the path at -- renewables are going to have  
9 to jump up to 18, 20 percent.

10 MR. VAN NOSTRAND: Correct.

11 SENATOR MANCHIN: They're not out of single  
12 digits yet. And we keep pouring more and more tax  
13 credits to them, when you have coal and natural gas and  
14 the things that are carrying the load right now, having  
15 no -- very little research being done. That's what  
16 we're talking about. We're trying to get some sort of a  
17 balance.

18 We can carry the load, but we need some  
19 investment for clean coal technology and how we have  
20 more efficient combustibles.

21 MR. VON NOSTRAND: I think a lot of the  
22 effort you make in the way of clean coal technology, I  
23 think it's more about innovation. That's the way we  
24 solve problems in America is we innovate and we solve

1 things and we invent things. So devoting the resources  
2 to clean coal technology -- let's talk about burning the  
3 stuff more cleanly and being able to capture the carbon.  
4 That's the future. It's not necessarily defending that  
5 we need to --

6 SENATOR MANCHIN: But if the credits -- but  
7 if the credits right now is about 2, 2 and a half cents  
8 per kilowatt hour --

9 MR. VON NOSTRAND: 2.5, yes, for wind.

10 SENATOR MANCHIN: -- for wind -- okay -- if  
11 that went away and if the other countries don't adopt  
12 the --

13 MR. VON NOSTRAND: The Paris agreement.

14 SENATOR MANCHIN: -- tax credits, are they  
15 going to be able to fill in and basically bring  
16 renewables onboard across the country -- across the  
17 world if you will?

18 MR. VAN NOSTRAND: I think --

19 SENATOR MANCHIN: Would they adopt that?

20 MR. VON NOSTRAND: The solar credit is  
21 substantial and -- but I've talked to people in the  
22 solar industry. I don't think they think it's necessary  
23 if solar prices are going down so rapidly that's it's  
24 achieving grid parity. Wind out West -- they're

1 bringing wind projects online now for --

2 SENATOR MANCHIN: We've tried to take it  
3 away and they won't let go of it. They keep every penny  
4 they can keep.

5 MR. VAN NOSTRAND: Well, I don't think we  
6 want to get in to all the embedded subsidies that are in  
7 the tax code that favor the fossil fuel industry. We'd  
8 have an interesting debate about that. It would last  
9 for days.

10 SENATOR MANCHIN: So basically you do agree  
11 that we cannot operate this country without fossil fuel.

12 MR. VAN NOSTRAND: I would never take that.

13 SENATOR MANCHIN: Okay. We've all got that.

14 MR. VON NOSTRAND: Yes.

15 SENATOR MANCHIN: So nobody's in denial  
16 right now.

17 Bo, have you been able to have any job  
18 offers since you've left? Have you had any  
19 opportunities for jobs since you've left?

20 MR. COPLEY: No, sir. Not really.

21 SENATOR MANCHIN: No jobs at all. Nothing  
22 substantial whatsoever --

23 MR. COPLEY: No.

24 SENATOR MANCHIN: -- with benefits or good

1 pay?

2 MR. COPLEY: No. Nothing that would ever  
3 compare to --

4 SENATOR MANCHIN: Oh, I know the 84, but I'm  
5 just saying --

6 MR. COPLEY: Yeah.

7 SENATOR MANCHIN: -- the average job --  
8 30-\$40,000 in West Virginia, anything in that  
9 neighborhood or above that that you've seen?

10 MR. COPLEY: No.

11 SENATOR MANCHIN: Okay. Bob, I don't need  
12 to -- I know what's going on. I know how difficult it  
13 is. And the bottom line is is that the severance tax --  
14 there was a bill trying to reduce the severance taxes  
15 they were already paying.

16 MR. PASLEY: Even further, even further.

17 SENATOR MANCHIN: Were you for that or  
18 against it?

19 MR. PASLEY: Oh --

20 SENATOR MANCHIN: You'd be against that,  
21 right?

22 MR. PASLEY: Much so, yes.

23 SENATOR MANCHIN: And it's not going to save  
24 one coal job.

1 MR. PASLEY: No.

2 SENATOR MANCHIN: I've talked to coal people  
3 and --

4 MR. PASLEY: It just benefits those -- it  
5 benefits those that get the credits.

6 SENATOR MANCHIN: So we can't -- basically  
7 it'd degradate our tax base that we have now -- what  
8 little bit we have left.

9 MR. PASLEY: Yeah.

10 SENATOR MANCHIN: And Gene, I guess I would  
11 just say to you is that what future do you see where  
12 we're going to be at? I mean, we're hoping this -- the  
13 Miners' Protection Act, without that, we throw every  
14 health clinic in Southern West Virginia -- and most all  
15 health clinics --

16 MR. TRISKO: Most.

17 SENATOR MANCHIN: -- in jeopardy of staying  
18 open. I don't know if people know that or not. If we  
19 don't get this passed, our clinics who basically support  
20 the retired miners in the communities that have been hit  
21 hardest are not going to be able to survive. Is that --

22 MR. TRISKO: Absolutely correct, Senator.  
23 We support -- the UMWA funds support the medical  
24 infrastructure in Southern West Virginia.

1                   SENATOR MANCHIN: Yeah. All right. Thank  
2 you.

3                   SENATOR CAPITO: All right. Representative  
4 Jenkins.

5                   CONGRESSMAN JENKINS: Thank you, Madame  
6 Chair. Couple of quick questions.

7                   Ms. Ireland, I appreciate the sensitivity  
8 and the concern you clearly expressed in the -- I think,  
9 as you say, kind of this challenging balance of an area  
10 that you see economic opportunity but fiscal  
11 responsibilities in your governing capacity.

12                   I took a look at your testimony. I don't  
13 remember hearing it, but you referenced that the average  
14 wage in the industry is 20 to \$24 an hour in the solar  
15 industry. And I guess these are the installers. You  
16 referenced a little bit higher for the what you call an  
17 inside job. I guess these are the -- kind of the  
18 management people in the office.

19                   MS. IRELAND: Right.

20                   CONGRESSMAN JENKINS: Okay.

21                   MS. IRELAND: Sales, engineers.

22                   CONGRESSMAN JENKINS: Well, I was struck by  
23 your comment and you did use the words these folks can  
24 make, quote, "a fair living." I want people to have a

1 good living. And we talked here a moment ago about the  
2 average coal miner making well in excess of \$80,000 a  
3 year. And I did some quick math. At the 20, 21, \$22 an  
4 hour for these solar installers that you think we have  
5 real opportunity for, I calculate that to be somewhere  
6 in the low \$30,000-a-year jobs. Is my math wrong?

7 MS. IRELAND: I haven't done the math. I  
8 mean, you multiple it by 2080 hours.

9 CONGRESSMAN JENKINS: Well, that's part of  
10 the challenge. And, again, I recognize that you are  
11 advancing the sense that we have of job opportunities in  
12 the solar, but I think it's important that we point out  
13 that that may be considered as a fair job. It's a  
14 \$20-an-hour job. And should we be focused on trying to  
15 grow \$20-an-hour jobs or \$89,000-a-year jobs in coal and  
16 that's what I think we've giving up.

17 Mr. Van Nostrand, the -- I'm fascinated that  
18 you're referencing and apparently adopting and accepting  
19 some of the EIA numbers and the research of the impact  
20 of the Clean Power Plan. You're nodding yes now. Part  
21 of the research that's been done and all this talk about  
22 climate change and saving our planet and the impact of  
23 the adoption of the Clean Power Plan and what was argued  
24 before the D.C. Circuit Court, as I understand the

1 research and studies suggest that the benefits -- the  
2 benefits that are argued that full implementation of the  
3 Clean Power Plan by 2100 -- you know, we're in 2016  
4 now -- but full implementation of the Clean Power Plan  
5 till the year 2100 -- at the end -- so we're talking 84  
6 years from now with full implementation, the effects of  
7 that will be to reduce temperatures by .018 degrees  
8 centigrade, and the reduction in the sea level rise will  
9 be -- I'm going to get it here -- the equivalent of  
10 three pieces of paper.

11 So the economic devastation that we're going  
12 to have over -- it's 2050 -- less than .3 millimeters.  
13 So we're going to reduce the sea level rise by 2050 --  
14 2050, 2-0-5-0 -- by .3 millimeters, and that's three  
15 pieces of paper. And for the benefit of that we're  
16 going to have a lot more Bo Copleys. We're going to  
17 have a lot more bankrupt, challenging situations in our  
18 counties. We're going to have retired coal miners who  
19 are going to lose their pensions and widows.

20 Now, I want to ask you, Commissioner -- and  
21 you're going to be mad at me for asking this question  
22 because the good Senator on the end said cutting that  
23 tax isn't going to save one job, and I want to come back  
24 and ask you one more time. Do you think tax policies



1 and rates impact employment? I bet you do. I don't  
2 know how anybody can think that taxes don't matter to  
3 jobs.

4 MR. PASLEY: Well, they certainly do.  
5 That's the whole picture -- the whole business world  
6 picture.

7 CONGRESSMAN JENKINS: That's my  
8 understanding, so -- but my -- so I just -- I think it's  
9 a tough message. And I understand the unique  
10 environment of our fiscal house, and I understand your  
11 strong responsibility for the fiscal responsibility of  
12 Wayne County. You've got a tough, tough situation. But  
13 I want to come back to the taxes that employers pay  
14 because I bet you're out there promoting tax breaks to  
15 attract employers to come in to Wayne County. I know we  
16 do to West Virginia.

17 MR. PASLEY: We do to a point, but we have  
18 given the farm away. We need people to come in now and  
19 set up businesses and hire people and put them to work.  
20 This coal severance tax, as the Senator was alluding to,  
21 was paid on extraction from minerals from our state, our  
22 county. Why don't we get some of that back in our  
23 county where it come from?

24 They have raped this state for years from

1 timber and coal and oil and gas. We should be sending  
2 rebates back to our citizens like a lot of states do.  
3 No one matches our state for natural resources.

4 CONGRESSMAN JENKINS: I agree.

5 MR. PASLEY: And so -- but where does the  
6 money go? It's not landing in Wayne County, West  
7 Virginia.

8 CONGRESSMAN JENKINS: Well, it's not landing  
9 in Wayne County, West Virginia, because the payers are  
10 those that -- Alpha, and those employers that aren't  
11 there anymore. They're not there, and they're not  
12 paying taxes as a result. And we're all paying -- we're  
13 all hurting as a result. Wouldn't we like to have those  
14 jobs back?

15 MR. PASLEY: Tell me how to do it. Any  
16 cost. Let's get it done.

17 CONGRESSMAN JENKINS: That's what we're all  
18 in this together. Absolutely. To get it done.

19 MR. PASLEY: But they are -- they have not  
20 paid taxes that were due in '14 and '15. We've already  
21 operated two years on that. And now they want us to go  
22 back and lower those taxes. Below zero? We're not  
23 going to send them a rebate check. So there is a --  
24 they're good, corporate citizens.

1                   CONGRESSMAN JENKINS: Yes.

2                   MR. PASLEY: We were blessed with good,  
3 corporate citizens, but they have a responsibility as a  
4 corporation also to take care of what got them where  
5 they are.

6                   CONGRESSMAN JENKINS: I understand.  
7 Absolutely. Thank you.

8                   SENATOR CAPITO: I think we're going to do  
9 another round if that's okay with everybody. I'm -- as  
10 the Chair, I'm mandating that.

11                  MR. VAN NOSTRAND: Senator, could I have a  
12 chance to respond? I know Congressman Jenkins had a  
13 long statement there, but didn't actually ask me a  
14 question that would give me a chance to respond to what  
15 he said.

16                  CONGRESSMAN JENKINS: Absolutely.

17                  SENATOR CAPITO: Yes, please.

18                  MR. VAN NOSTRAND: Well, first you talked  
19 about the economic devastation. I mean, I think most  
20 would see this as huge economic opportunities that are  
21 being created, and the question is are we going to  
22 position ourselves to take advantage of those  
23 opportunities.

24                  Economic devastation -- I don't know how you

1 put a price on the calamities that are occurring around  
2 the world as extreme weather events occur with more and  
3 more frequency. And the damage that we saw in West  
4 Virginia, at least some newspapers in this state have  
5 attributed that to climate change and extreme weather  
6 events caused by increase in concentrations of  
7 greenhouse gases in the atmosphere.

8           Finally, you're talking about number three  
9 on my list of the forces that are affecting West  
10 Virginia. You chose to talk about climate change.  
11 Let's talk about economics. You talk about economic  
12 devastations. Climate change is not doing this to West  
13 Virginia. It's economics. It's cheap natural gas.  
14 It's cheap renewables. We can -- we can talk about  
15 climate change and we can continue to debate about that,  
16 but that is not the big driver of what's happening in  
17 West Virginia.

18           SENATOR CAPITO: Thank you. I'd --

19           MS. IRELAND: Could I also respond -- I'm  
20 sorry. He did ask me a question, and I wanted to answer  
21 that more fully.

22           SENATOR CAPITO: Okay. Go.

23           MS. IRELAND: Congressman, you mentioned the  
24 \$84,000-a-year jobs, and I understand that that's a good

1 living. But those jobs have been on the decline for a  
2 long time, and the Clean Power Plan's not even been  
3 enacted. So as a city official, yeah, I will take good  
4 jobs that pay between 30 -- and if you look at the \$44  
5 an hour -- \$80,000 a year and the support that goes  
6 along with them -- marketing, legal, engineering, sales.  
7 So that's my answer to that.

8 SENATOR CAPITO: Thank you. All right.

9 Now, I want to say something. We have  
10 before us on the -- in a conference committee right now  
11 an energy bill. It doesn't address much of what we've  
12 talked about today, but it does address one of the  
13 topics that's been brought up as a solution to some of  
14 our issues in West Virginia. That's energy efficiency.  
15 I think all three of us believe -- and, again, I'm  
16 speaking for them but I'm pretty sure we all agree --  
17 energy efficiency is a goal that we should all be trying  
18 to achieve both in the county businesses, in our own  
19 homes, in our vehicles and everything.

20 So we are working on this as a Senate at the  
21 federal level to push energy efficiency initiatives  
22 throughout the entire country, so I agree with that.

23 Mr. Trisko, let's talk about economic  
24 impact. My understanding of -- the Supreme Court came

1 back and disallowed the MATS rule on the premise that --  
2 which for those of you who don't know was the previous  
3 rule that was -- that has caused a lot of our power  
4 generation to go by the wayside -- and they turned it  
5 back because the EPA had not considered appropriately  
6 the economic impact that that rule would have and that  
7 regulation would have on certain communities. Is that  
8 in short the reason?

9 MR. TRISKO: Senator, that is exactly the  
10 reason. The historical context is this goes back to the  
11 Clinton administration -- the last days of the Clinton  
12 administration when EPA issued a determination regarding  
13 the health impact of mercury. And EPA did not make any  
14 findings at that time on the implications of controlling  
15 mercury -- the cost of controlling mercury from the  
16 electric generating sector. And that's what the Supreme  
17 Court found to be --

18 SENATOR CAPITO: So in the Clean Power --

19 MR. TRISKO: -- inconsistent with the law.

20 SENATOR CAPITO: In the Clean Power Plan,  
21 does not the EPA have the same parameters -- that they  
22 have to consider what the cost is? When you look at a  
23 small state like West Virginia -- \$47 billion of  
24 economic output, 11 billion of household income, 229,000

1 job years by the year 2040.

2 Now, you know, on the other side, there --  
3 you might say well, it's all going to be worth it  
4 because of what we see, you know, moving forward. But  
5 we're trying to get a balance here to try to figure out  
6 how do you balance the economic and environmental  
7 impacts. Was -- were these economic impacts considered  
8 in their regulatory assessment? I'm not satisfied --

9 MR. TRISKO: No.

10 SENATOR CAPITO: -- they were. In short?

11 MR. TRISKO: No.

12 SENATOR CAPITO: No.

13 MR. TRISKO: No. Those calculations are  
14 based at root upon changes in the price of coal and  
15 changes in the amount of coal that will be shipped and  
16 sold as a consequence of the Clean Air --

17 SENATOR CAPITO: And these metrics --

18 MR. TRISKO: -- of the Clean Power Plan.

19 SENATOR CAPITO: -- were not considered?

20 MR. TRISKO: No. No. And there was a  
21 cursory look at job impacts. And the agency determined  
22 that the overall Clean Power Plan would cost for  
23 implementation to utilities on the order of 3 to \$4  
24 billion a year. I mean, not as large as the MATS rule

1 which had been estimated at \$9 billion a year.

2 SENATOR CAPITO: Right. Right.

3 Commissioner, let me ask you this --

4 MR. TRISKO: Pardon me. Senator, just --  
5 add one more point.

6 SENATOR CAPITO: Okay.

7 MR. TRISKO: Since we are talking about the  
8 Clean Power Plan which is ostensibly the centerpiece of  
9 the administration's climate change agenda, EPA did not  
10 make any attempt to estimate the climate-related  
11 benefits of the Clean Power Plan. All of its benefits  
12 assessments were based upon co-benefits from reductions  
13 of criteria pollutants such as ozone, sulphur dioxide,  
14 PM 2.5.

15 SENATOR MANCHIN: More economic.

16 MR. TRISKO: We've seen it so many times.

17 SENATOR CAPITO: Thank you.

18 Mister -- Commissioner, I think I just read  
19 just the other day that one of your neighboring counties  
20 here in West Virginia has had a lot of -- lost a lot of  
21 people. Their school system, suffering the same  
22 budgetary constraints that you are in Wayne County, were  
23 unable to buy science books. Did you read that article.

24 MR. PASLEY: Yes.



1                   SENATOR CAPITO: For -- I think they got  
2 them for the middle school but they didn't -- couldn't  
3 get them for either the younger or the high school. I  
4 can't recall that.

5                   What kind of impacts are you seeing? You  
6 mentioned about the business partnerships with your  
7 schools. But in terms of being able to run a school  
8 system, what are you seeing in Wayne County?

9                   MR. PASLEY: Well, now, that department is  
10 across the street from the courthouse, and I don't  
11 intend to speak for them except the news headline was  
12 last week they had a \$1.7 million deficit. Then they  
13 were in the news because they could not provide  
14 substitute teachers in classrooms, and there were doubts  
15 that the children were getting a good education because  
16 they herd them all into a commons area because they  
17 didn't have the substitute teachers to fill the  
18 classrooms.

19                   And then they were looking at other -- they  
20 are looking at other ways to cut expenditures, but  
21 they -- they're under so many mandates, both state and  
22 federal, that there's only a certain number that they  
23 can cut. So they're facing a \$1.7 million loss now,  
24 and -- according to the paper -- and that doesn't appear

1 to be anything that's going to change next year even.

2 SENATOR CAPITO: Let me ask you Karan -- or  
3 Ms. Ireland -- sorry, excuse me -- you're on city  
4 council in Charleston. Charleston is in -- on the cusp  
5 of moving below that critical 50,000 population  
6 number --

7 MS. IRELAND: Right.

8 SENATOR CAPITO: Right -- for eligibility  
9 for CDGB and other federal benefits. And I know the  
10 Mayor. I've talked with him a couple times about it,  
11 and it is -- I think it could be difficult for you as a  
12 councilwoman and others to cope with that. Part of the  
13 population loss I'm sure is tied to what's gone on --  
14 even though I couldn't document it --

15 MS. IRELAND: Absolutely.

16 SENATOR CAPITO: -- I'm certain is what's  
17 gone on in the coal mining situation.

18 So I guess my question to you would be -- I  
19 think -- here, again, I'll speak for all of us -- were  
20 all for solar energy. I mean, yeah, that would be  
21 great. But as Senator Manchin says, that's not going to  
22 replace the 30 percent base load. Sun doesn't shine all  
23 the time, and I was just down in McDowell County where  
24 it's pretty steep down there. And if you're down in the

1 hollow, you can't --

2 SENATOR MANCHIN: Couple hours.

3 SENATOR CAPITO: It takes a while to find  
4 the sun even on a sunny day like today. And so -- and I  
5 know that you don't believe that, you know, this is  
6 going to be the replacement for a whole energy.

7 MS. IRELAND: Right.

8 SENATOR CAPITO: You talk about employment  
9 as well. Is your business -- you're in a nonprofit.  
10 You're then coordinating --

11 MS. IRELAND: Right.

12 SENATOR CAPITO: -- manufacturers with  
13 installers for personal homes. Does somebody call you  
14 on the phone and ask you? I mean, does that bring --  
15 you mentioned in your things that more people are  
16 employed in this 300 than have been in the past.

17 MS. IRELAND: Right. So the -- what we're  
18 seeing across the country -- and West Virginia does have  
19 85 percent of the sun that Miami, Florida, has, so we're  
20 in a -- we're well-situated to have people go solar --  
21 but as we see demand -- and there are all kinds of  
22 reasons that people want to go solar. They might want  
23 to save on their electric bills. They might want energy  
24 independence. I think someone talked about being off

1 the grid, so with battery backup you have the ability to  
2 have more self-reliance.

3 And as people become more interested and the  
4 prices have dropped, we're seeing an upswing in jobs  
5 across the country. But it's been slower to come here  
6 to West Virginia, and I think -- I think we're starting  
7 to see more of that demand. And so my job is to help  
8 those homeowners, small businessowners, farmers --  
9 someone -- someone talked about the USDA. They have a  
10 great grant program to help those people and connect  
11 them with installers.

12 SENATOR CAPITO: Thank you.

13 Mr. Copley, let me just ask you a question.  
14 This might be -- I hope this isn't too personal for you.  
15 But when you were being informed that you were -- as you  
16 put it, your services were no longer needed, did you  
17 receive a warn notice at the time before that?

18 MR. COPLEY: No, ma'am.

19 SENATOR CAPITO: Was that because of the  
20 position you held or --

21 MR. COPLEY: No. I'm not sure. I actually  
22 received a severance package in lieu of a warn notice,  
23 so I was compensated somewhat.

24 SENATOR CAPITO: Yeah. Okay. And I'm sure

1 you now -- and there are probably some in the audience  
2 here who have received those warn notices -- many people  
3 that you know. Could you describe for us -- for the  
4 folks that you know -- you didn't personally experience  
5 this but you've I'm certain talked with folks -- what  
6 that feeling is -- to get that warn notice and know that  
7 in 60 days you may or may not lose your job?

8 MR. COPLEY: We see it a lot, especially in  
9 our church. We have a lot of people who work for  
10 different organizations, people who work union jobs,  
11 people who work non-union jobs so a wide array of people  
12 in the industry. And I've heard them talk about their  
13 warn notices. I've seen spouses who have worried  
14 themselves, fretted and talked to their husbands about  
15 well, we need to move. We need to leave. We need to do  
16 things because I can't wait around for two months to  
17 find out if I'm going to have a job or you're going to  
18 have a job. What are our kids going to do? What are  
19 they going to be facing? We've seen it quite a lot in  
20 our communities.

21 And fortunately some of those in our church  
22 were spared that, and they were able to continue  
23 working. But a lot of them received the same fate that  
24 I did. They were -- went ahead and given their -- or

1 not given their notice but actually losing their jobs  
2 and being laid off.

3           SENATOR CAPITO: Well, thank you. I would  
4 say just -- and I'll turn it over to Senator Manchin  
5 after this -- the experience that I've had in talking  
6 with folks who find themselves in the same position that  
7 you're in and the experience that I've had in talking  
8 with communities that are affected, the faith community  
9 in West Virginia -- the churches -- if we didn't have  
10 such a strong church and belief system -- and you  
11 pointed this out in your statement -- to really fill the  
12 gaps to help these families, these children that are  
13 affected -- so I know your church has been very active,  
14 but I think it's important for us to realize what a role  
15 our community -- our religious community has played to  
16 keep us going.

17           Senator Manchin.

18           MR. COPLEY: It's everything for us.

19           SENATOR CAPITO: Thank you.

20           SENATOR MANCHIN: Gene, first of all, Gene  
21 Trisko, if I may ask you, this question is asked of me  
22 quite a bit about -- West Virginia has an environmental  
23 target on its back by the environmental community -- not  
24 just the environmental community, the State of West

1 Virginia or in the United States but let's say  
2 globally -- right, wrong or indifferent. Do you think  
3 that target is placed because of our mountaintop mining,  
4 underground mining, combination of both or people just  
5 don't like mining at all?

6 MR. TRISKO: Senator, I don't believe that  
7 it has to do with the type of mining that is practiced  
8 in West Virginia.

9 SENATOR MANCHIN: So you don't believe  
10 mountaintop --

11 MR. TRISKO: Mountaintop --

12 SENATOR MANCHIN: -- brings any more  
13 attention?

14 MR. TRISKO: No.

15 SENATOR MANCHIN: Okay.

16 MR. TRISKO: Mountaintop removal gets some  
17 media and headline attention, and there are some groups  
18 who've focused upon that particular issue. The driving  
19 force that is impacting West Virginia's longer-term  
20 future in terms of its coal industry is climate change  
21 and the perception that the utility industry under the  
22 Paris agreement eventually will need to move in the  
23 direction of decarbonization. And that's a rather  
24 frightening prospect.

1           But I would note this, Senator, because you  
2 mentioned earlier concerns about electric reliability  
3 and the EIA data. The EIA data that I used to construct  
4 these estimates of the impact of just going to a 45  
5 percent reduction target, which is little more than  
6 halfway toward the 80 percent Paris target, those  
7 projections by EIA showed that coal nationally would  
8 decline from one-third of the supply of electric  
9 generation today to 13 percent in the year 2040.

10           Now, most of the difference would be made up  
11 by natural gas and renewables. I think it's appropriate  
12 for the Congress to initiate -- to request an inquiry  
13 into the impacts -- not only on electric reliability but  
14 on our economy generally and particularly of jobs for  
15 the unions that I represent.

16           The impact of a future in which coal is  
17 consigned to 13 percent of total U.S. electric  
18 generation -- and that represents only about 200 million  
19 tons of national production from a billion tons five  
20 years ago -- because it has very profound implications.  
21 And let me cite a historic precedent that is extremely  
22 relevant in the climate context.

23           The Clinton administration before going to  
24 Kyoto for the negotiations in 1997 for the Kyoto



1 Protocol, commissioned an interagency task force to  
2 evaluate the economic job and environmental impacts of  
3 the then considered U.S. commitment which was  
4 stabilization of U.S. CO2 emissions at 1990 levels. The  
5 administration engaged the Department of Energy, the  
6 Department of Commerce, FERC, EPA, all of the relevant  
7 agencies, hired a slew of consultants to analyze what  
8 will happen to this economy if we go down the road of  
9 the Kyoto Protocol.

10 The consultants produced their studies in  
11 good faith. The interagency task force evaluated them.  
12 Produced a report. Now, the bottom line is this: That  
13 that interagency task force commissioned by President  
14 Clinton found that the implementation of the Kyoto  
15 Protocol would result in the loss of 1 million American  
16 jobs.

17 As a consequence of that analysis, President  
18 Clinton had the good sense never to submit the Kyoto  
19 Protocol to the Senate for ratification. It was then  
20 subject to the terms of S. Res. No. 98, the Byrd-Hagle  
21 amendment, and President Clinton knew that that  
22 agreement could not be ratified.

23 Well, here we are again in the context of a  
24 Paris agreement -- allegedly a voluntary, nonbinding

1 agreement but that nonetheless which contains very  
2 ambitious emission targets that are being taken as if  
3 they were legally binding upon this country. It is  
4 timely for the Congress to request an assessment on the  
5 impacts of a second Paris commitment period.

6 EIA used this number 45 percent reduction in  
7 this analysis. What kind of number should the United  
8 States put forward if we do put forward a number and  
9 what are the impacts? In short, we need to look before  
10 we leap.

11 SENATOR MANCHIN: Let me say this though --  
12 I've been saying all along, I said, you know if -- in  
13 China right now it's not CO2 that's killing people; it's  
14 SO2. It's particulates. All of us are old enough  
15 remember that you couldn't hang your -- you couldn't  
16 hang your laundry on the line -- what would happen back  
17 from the plants being closed or if you went to  
18 Pittsburgh and drove through the Fort Pitt tunnels, you  
19 couldn't see on the other side.

20 We have cleaned up the environment in the  
21 United States more in the last two to three decades than  
22 ever in the history of the world. We've done more.  
23 SOx, NOx, mercury. Then all of a sudden they hit us  
24 with the CO2 and just about shut us out of -- so I'm

1 just saying -- real quick if I may.

2 Bo, if I may ask you. If you're talking to  
3 the laid off miners that we have right now and you're  
4 talking to the families that are affected, do they  
5 believe that all of this is because of the overreach of  
6 the Federal Government, EPA and the Obama administration  
7 or do they also recognize that low-price energy such  
8 as -- so much abundant reserves of natural gas have been  
9 unleashed on us or which ones -- how would you say they  
10 weight it?

11 MR. COPLEY: Well, for the most part, the  
12 people that I communicate with, we talk about those  
13 things. We talk about the EPA's overreach more than  
14 anything, and we understand there's an abundance of  
15 natural gas as well. But coal can compete when it's not  
16 regulated as much as it is.

17 From our understanding, coal is regulated  
18 far more greatly than natural gas is which makes it  
19 harder to produce at an affordable price.

20 SENATOR MANCHIN: So basically you all would  
21 say -- if you're talking to your family and friends and  
22 people in that industry, dependent on that industry,  
23 it'd be most of the policy -- political policies more so  
24 than the market-driven forces.

1 MR. COPLEY: Yes.

2 SENATOR MANCHIN: That's what they believe.

3 Okay. I needed to know that.

4 For the record, Bob, I want to make sure  
5 people understand. This severance tax, you're not  
6 saying put a new tax on?

7 MR. PASLEY: No.

8 SENATOR MANCHIN: You're saying keep the tax  
9 that's been there forever just about -- the 5 percent.

10 MR. PASLEY: They had served a purpose.

11 SENATOR MANCHIN: Severance.

12 MR. PASLEY: It sent some money back to the  
13 coal-producing counties --

14 SENATOR MANCHIN: Right.

15 MR. PASLEY: -- to do the things that we do  
16 with them which were good things for our people. I  
17 think that's --

18 SENATOR MANCHIN: For the record, I'd like  
19 to say also so you know that when you do any type of  
20 mining on BLM which is the Bureau of Land Mines -- which  
21 is the United States owns this property -- they charge 7  
22 percent. 7 percent severance on coal from the Federal  
23 Government's land. We charge 5 percent.

24 But I want to say this also. If it wasn't

1 for the coal industry, we would not have ever privatized  
2 workers' comp. We would not have moved forward because  
3 it was a .56 cent surcharge that the miners and the coal  
4 companies paid that took care of a \$4 billion deficit we  
5 had, and we could have never gotten out of that hole  
6 without it. So credit has to be given where credit is  
7 due.

8 MR. PASLEY: Well, and when it was paid, it  
9 was removed.

10 SENATOR MANCHIN: That's exactly -- that  
11 came off. I think we paid it off early, so we showed a  
12 good stewardship. Thank you. I know we've gone over.

13 CONGRESSMAN JENKINS: Thank you, again.

14 SENATOR CAPITO: Yes, Congressman Jenkins.

15 CONGRESSMAN JENKINS: Bo, one more  
16 follow-up. You've articulated very clearly about the  
17 plight of those like in your own situation that's been  
18 put out of work. One of the things that I hear  
19 oftentimes and I've been underground a number of times  
20 and talking to coal miners is what they call job scare.  
21 So somebody's actually going into the mine today to  
22 work. Job scare is you're worried about whether or not  
23 you're going to get a layoff slip or a warn notice or  
24 pink slip when you come out at the end of the day.

1                   Is that on your mind as an active, working  
2 coal miner -- job scare -- and can that impact your  
3 ability to work, work safely, focus on what you're doing  
4 or are you thinking about how am I going to provide for  
5 my family if -- because of job scare, I'm going to come  
6 out and be put out of work?

7                   MR. COPLEY: That's definitely on everyone's  
8 mind. I mean, even though we talked about it, like I  
9 said, in my statement -- we were told we would be okay  
10 till the beginning of 2016. Every day we sat down and  
11 had a meeting to go over our maintenance plans for the  
12 day. We would talk about how we were going to do what  
13 we had to do and do it safely. Before our managers  
14 would come in and we would already be sitting there,  
15 everyone was talking about well, what will you do if  
16 they come in and tell us we're having a layoff. What  
17 will you do if, you know, they tell us at the end of the  
18 day, hey, don't come back?

19                   So it's on everybody's mind. And whether  
20 you want it to be or not, it will cloud your judgment.  
21 It will make you lose concentration on the things that  
22 you do every day that keep you safe.

23                   CONGRESSMAN JENKINS: Thank you.

24                   Gene, you've sat in on the D.C. Circuit

1 Court to a hearing. One of the aspects of this that I  
2 don't understand is that this current administration is  
3 advancing rules based on laws that were put on the books  
4 40, 45 years ago. And in the rules that are being put  
5 into place today, based on that decades old law, nobody  
6 in the past has ever thought -- even conceived that what  
7 they're trying to do by rules today was actually  
8 authorized by the law 40, 45 years ago.

9 Am I off base on that? Because, you know,  
10 part of my feeling is that this administration is not  
11 only using tools in their toolbox, but they're trying to  
12 use tools that aren't even in their toolbox and they are  
13 taking this interpretation of a law from decades ago in  
14 a way that nobody ever conceived of, but they're doing  
15 it to advance their ideological agenda.

16 MR. TRISKO: Congressman, you're spot on.  
17 The provision that the administration is relying on in  
18 the Clean Power Plan, Section 111(d) of the Clean Air  
19 Act is an oddball provision that does not apply either  
20 to hazardous air pollutants regulated under Section 112  
21 or to criteria air pollutants regulated under 108, 109  
22 and numerous other provisions of the Act.

23 EPA has used Section 111(d) on only five  
24 occasions in its history -- mainly for municipal

1 landfills and unusual kinds of situations. And 111(d)  
2 has been used only once since the enactment of the 1990  
3 Clean Air Act amendments. And that's indicative of its  
4 rare status among Clean Air Act provisions.

5 CONGRESSMAN JENKINS: I have a very strong  
6 feeling about this -- another tool that the  
7 administration is using in its war on coal, and that is  
8 the use and adoption of what they're characterizing as  
9 this social cost of carbon. And in my opinion -- and  
10 tell me if I'm off base -- they have crafted up this  
11 concept of a social cost of carbon to justify  
12 economically their -- what I characterize as very  
13 onerous regulations that have this economic impact.

14 So they're -- what can you tell me about  
15 this concept of social cost of carbon? Is it in the  
16 law? Is it something they've just cooked up to justify  
17 their regulations? And it's my understanding that the  
18 OMB has even pointedly told the administration with some  
19 of their factors you're not even, you know, using the  
20 right numbers. What do you know about that issue?

21 MR. TRISKO: Congressman, it is largely a  
22 regulatory invention and not a creature of statute.  
23 There are numerous conceptual problems with the social  
24 cost of carbon which typically is applied in terms of a



1 dollar value per ton of CO2 avoided and based upon a  
2 variety of estimates of avoided damages associated with  
3 climate change -- sea level rise, temperature increase,  
4 forestry impacts, so and so forth.

5           And all of those underlying estimates of  
6 future damage function and avoidance miss one  
7 unavoidable fact and that is that this planet is facing  
8 a steadily increasing concentration of greenhouse gas  
9 emissions led largely by emissions by developing  
10 nations -- not us; not the EU. Those concentrations  
11 will continue into the foreseeable future, not  
12 withstanding the Paris agreement.

13           Because the facts on the ground in most of  
14 the world -- and I'm not talking about rich, industrial  
15 nations like the United States or the EU -- the facts on  
16 the ground are that people need energy in order to  
17 improve their economic conditions, to alleviate poverty,  
18 to provide basic education, healthcare, clean water  
19 services. And they will rely on coal as a mainstay of  
20 that energy future, and that will increase over time CO2  
21 concentrations.

22           Our social cost of carbon estimates are  
23 purely a fiction of damage avoidance based upon a house  
24 of cards of assumptions of damage avoidance. You need

1 to be focused upon what's going to happen in the real  
2 world, and the rest of the world is more focused upon  
3 putting food on the dinner table at night as a primary  
4 objective than they are upon reducing their carbon  
5 footprints.

6 CONGRESSMAN JENKINS: Thank you.

7 Thank you, Madame Chair.

8 SENATOR MANCHIN: Well, thank you all. I  
9 think we've had a great discussion here. I want to  
10 thank the panelists particularly. Many of you traveled  
11 long distances so thank you for that.

12 I would like to say for the record that my  
13 ranking member on the subcommittee, Senator Tom Carper  
14 from Delaware, expressed his regret that he was unable  
15 to attend today. But he's a -- he was actually born in  
16 West Virginia, but he represents Delaware. So I wanted  
17 to make sure that officially we recognize that Senator  
18 Carper did try to make this hearing today.

19 And with that, we'll adjourn the hearing and  
20 thank you all.

21 (Hearing concluded at 2:58 p.m.)

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**CERTIFICATION**

This is to certify that the attached EPW hearing held before Senator Shelley Moore Capito on October 5, 2016, was held according to the record, and that this is the original, complete and true and accurate transcript that has been compared to the video record.

  
**Marilyn Highland**  
**Court Reporter**

	<b>1,340,000</b> 32:15	<b>2025</b> 24:15
<b>\$</b>	<b>1,702,000</b> 32:14	<b>2040</b> 26:4,10,19,24 70:1 79:9
<b>\$1.7</b> 72:12,23	<b>108</b> 86:21	<b>2050</b> 63:12,13,14
<b>\$137,000</b> 33:6	<b>109</b> 86:21	<b>2080</b> 62:8
<b>\$14</b> 27:1	<b>10th</b> 13:20	<b>21</b> 32:15 62:3
<b>\$19</b> 55:3	<b>11</b> 26:18 69:24	<b>2100</b> 63:3,5
<b>\$2,371,000</b> 33:9	<b>111(d)</b> 23:23 86:18,23 87:1	<b>22</b> 32:18
<b>\$2,426,000</b> 33:4	<b>112</b> 86:20	<b>229,000</b> 26:19 69:24
<b>\$20-an-hour</b> 62:14,15	<b>12</b> 35:18 41:2	<b>236</b> 29:9
<b>\$22</b> 62:3	<b>13</b> 33:15 79:9,17	<b>24</b> 27:7
<b>\$24</b> 61:14	<b>14</b> 65:20	<b>26</b> 34:19
<b>\$3</b> 33:7	<b>15</b> 65:20	<b>288,000</b> 27:2
<b>\$30,000-a-year</b> 62:6	<b>16</b> 33:15	<b>2:58</b> 89:21
<b>\$39,000</b> 20:13	<b>16,000</b> 17:13	<hr/> <b>3</b> <hr/>
<b>\$4</b> 70:23 84:4	<b>171</b> 14:2	<b>3</b> 63:12,14 70:23
<b>\$42,800</b> 27:7	<b>18</b> 11:7 17:22,23 34:19 56:9	<b>30</b> 23:5 68:4 73:22
<b>\$44</b> 68:4	<b>1990</b> 80:4 87:2	<b>30-\$40,000</b> 59:8
<b>\$46</b> 46:14	<b>1997</b> 79:24	<b>300</b> 74:16
<b>\$47</b> 26:17 69:23	<hr/> <b>2</b> <hr/>	<b>31</b> 33:18
<b>\$5,300</b> 27:8,14	<b>2</b> 33:14 57:7	<b>32</b> 25:10 26:3
<b>\$50,000</b> 31:14	<b>2-0-5-0</b> 63:14	<b>33</b> 14:1
<b>\$60</b> 26:24	<b>2.5</b> 57:9 71:14	<b>34</b> 24:14
<b>\$728,500</b> 30:20	<b>20</b> 21:13 25:21 26:2 56:9 61:14 62:3	<b>35</b> 29:3
<b>\$80,000</b> 62:2 68:5	<b>200</b> 79:18	<b>35,000</b> 28:17
<b>\$810,867</b> 33:11	<b>2004</b> 34:19	<b>380,000</b> 33:5
<b>\$84,000</b> 20:8	<b>2007</b> 27:8,15	<b>39</b> 33:18
<b>\$84,000-a-year</b> 67:24	<b>2009</b> 25:10 27:13	<b>39-year-old</b> 34:12
<b>\$86,000</b> 30:23	<b>2010</b> 13:14 28:24	<b>3rd</b> 22:13
<b>\$86,523</b> 30:21	<b>2011</b> 43:11	<hr/> <b>4</b> <hr/>
<b>\$89,000-a-year</b> 62:15	<b>2013</b> 22:7 29:8 30:20 32:15	<b>4,700</b> 25:19
<b>\$9</b> 71:1	<b>2014</b> 25:10	<b>40</b> 86:4,8
<hr/> <b>0</b> <hr/>	<b>2015</b> 26:7 27:6,12 29:10 34:20	<b>40,000</b> 25:16
<b>018</b> 63:7	<b>2015/2016</b> 33:3	<b>400</b> 15:6
<hr/> <b>1</b> <hr/>	<b>2016</b> 22:7 30:20 31:2 32:15 35:3 63:3 85:10	<b>42,481</b> 29:1
<b>1</b> 30:24 80:15		

<b>429</b> 29:11	<b>abundant</b> 15:7,24 82:8	38:6 82:19
<b>45</b> 26:4 79:4 81:6 86:4,8	<b>accepting</b> 62:18	<b>afternoon</b> 38:18
<hr/> <b>5</b> <hr/>	<b>accomplished</b> 23:13	<b>agencies</b> 80:7
<b>5</b> 32:19 83:9,23	<b>account</b> 48:9	<b>agency</b> 70:21
<b>50,000</b> 73:5	<b>accurately</b> 20:7	<b>agenda</b> 16:6 17:24 18:3 71:9 86:15
<b>50/50</b> 14:9	<b>achieve</b> 68:18	<b>agree</b> 58:10 65:4 68:16,22
<b>500</b> 15:5	<b>achieving</b> 57:24	<b>agreement</b> 26:7,23 45:6 57:13 78:22 80:22,24 81:1 88:12
<b>56</b> 84:3	<b>acknowledge</b> 19:18	<b>ahead</b> 76:24
<hr/> <b>6</b> <hr/>	<b>acquire</b> 35:8	<b>air</b> 12:20 23:23 24:2 27:18 70:16 86:18,20,21 87:3,4
<b>60</b> 26:10 76:7	<b>Act</b> 12:18,19,21,23 17:12 23:12,23 24:2 27:18 60:13 86:19,22 87:3,4	<b>aircraft</b> 44:10,11 46:7
<b>65</b> 29:2	<b>action</b> 13:14	<b>aligned</b> 44:2
<hr/> <b>7</b> <hr/>	<b>actions</b> 36:9 47:10	<b>all-around</b> 38:9
<b>7</b> 55:9,12 83:21,22	<b>active</b> 77:13 85:1	<b>all-of-the-above</b> 42:5
<b>7,000</b> 17:15	<b>add</b> 71:5	<b>allegedly</b> 80:24
<b>75</b> 31:4	<b>added</b> 52:9	<b>alleviate</b> 88:17
<hr/> <b>8</b> <hr/>	<b>additional</b> 30:12	<b>allied</b> 24:5
<b>8</b> 17:22,23	<b>Additionally</b> 29:20 30:10	<b>allocation</b> 31:4
<b>80</b> 79:6	<b>address</b> 27:17 45:17 68:11,12	<b>allowances</b> 48:7 50:3,5
<b>84</b> 59:4 63:5	<b>adjourn</b> 89:19	<b>allowed</b> 37:9,20 54:8
<b>85</b> 74:19	<b>administration</b> 11:1,18 16:5 45:15 69:11,12 79:23 80:5 82:6 86:2,10,17 87:7,18	<b>alluding</b> 64:20
<b>88</b> 22:6	<b>administration's</b> 36:13 71:9	<b>Alpha</b> 29:10 65:10
<hr/> <b>9</b> <hr/>	<b>administrators</b> 36:18	<b>alternative</b> 47:8 54:9
<b>96</b> 24:3 49:12	<b>adopt</b> 57:11,19	<b>altogether</b> 18:19
<b>98</b> 80:20	<b>adopted</b> 11:6 26:22 30:11	<b>ambitious</b> 81:2
<b>9th</b> 18:4	<b>adopting</b> 47:18 62:18	<b>ambulance</b> 31:15
<hr/> <b>A</b> <hr/>	<b>adoption</b> 62:23 87:8	<b>amendment</b> 13:20 80:21
<b>ability</b> 75:1 85:3	<b>advance</b> 86:15	<b>amendments</b> 87:3
<b>absolutely</b> 11:5 39:7 60:22 65:18 66:7,16 73:15	<b>advancing</b> 62:11 86:3	<b>America</b> 12:3 14:16 17:6 22:22 26:7 44:23 56:24
<b>abundance</b> 82:14	<b>advantage</b> 15:23 41:13 42:6 66:22	<b>American</b> 80:15
	<b>affected</b> 21:20 25:4 36:15 77:8,13 82:4	<b>amount</b> 70:15
	<b>affecting</b> 67:9	<b>analogy</b> 44:3
	<b>afford</b> 27:3	<b>analysis</b> 25:24 80:17 81:7
	<b>affordable</b> 12:18 14:17 15:22	<b>analyze</b> 22:23 80:7

<b>anecdotally</b> 52:12	<b>Assessor's</b> 32:11,12	82:20
<b>answers</b> 41:19	<b>assumptions</b> 88:24	<b>basis</b> 49:22 54:5
<b>anymore</b> 65:11	<b>atmosphere</b> 67:7	<b>Bateman</b> 21:10
<b>anytime</b> 55:5	<b>attempt</b> 71:10	<b>battery</b> 75:1
<b>Appalachia</b> 44:14	<b>attend</b> 89:15	<b>battleship</b> 46:7
<b>Appalachian</b> 46:13	<b>attention</b> 78:13,17	<b>beautification</b> 29:19
<b>apparently</b> 62:18	<b>attract</b> 39:17 41:9 64:15	<b>beautiful</b> 43:8,9
<b>Appeals</b> 14:3 51:24	<b>attributable</b> 25:13	<b>begin</b> 22:19,20
<b>applications</b> 50:11,23 51:7	<b>attributed</b> 67:5	<b>beginning</b> 35:3 85:10
<b>applied</b> 54:4 87:24	<b>audience</b> 76:1	<b>behalf</b> 38:13
<b>apply</b> 86:19	<b>authority</b> 23:23	<b>belief</b> 77:10
<b>Applying</b> 26:13	<b>authorized</b> 16:7 86:8	<b>bending</b> 18:22
<b>appreciation</b> 23:10	<b>average</b> 20:8,12,13 59:7	<b>benefit</b> 63:15
<b>appreciative</b> 19:1	61:13 62:2	<b>benefits</b> 21:2 30:7 42:2 58:24
<b>approach</b> 49:24 50:1	<b>avoid</b> 54:20	60:4,5 63:1,2 71:11 73:9
<b>appropriately</b> 69:5	<b>avoidance</b> 88:6,23,24	<b>Berkley</b> 22:22
<b>April</b> 46:13	<b>avoided</b> 88:1,2	<b>bet</b> 64:1,14
<b>arbitrarily</b> 13:12 14:23	<b>awhile</b> 30:18	<b>bid</b> 40:19
<b>Arch</b> 34:18 35:4		<b>bids</b> 40:4,17,20
<b>area</b> 53:2 61:9 72:16	<b>B</b>	<b>big</b> 27:11 44:12 67:16
<b>areas</b> 12:6		<b>biggest</b> 45:19
<b>ARENA</b> 12:19	<b>back</b> 11:16 12:15 13:12 14:20	<b>bill</b> 13:7 17:20 32:8 54:19
<b>argue</b> 55:11	17:1 34:2 54:16,18 63:23	59:14 68:11
<b>argued</b> 62:23 63:2	64:13,22 65:2,14,22 69:1,5,10	<b>billion</b> 26:17,18,24 27:1 55:9,
<b>arguments</b> 14:4 51:24	77:23 81:16 83:12 85:18	12 69:23,24 70:24 71:1 79:19
<b>Argus</b> 29:7,14,18,20 32:13	<b>backs</b> 48:2	84:4
33:4	<b>backup</b> 75:1	<b>bills</b> 74:23
<b>Arizona</b> 51:3	<b>balance</b> 48:9 56:17 61:9 70:5,	<b>binding</b> 81:3
<b>array</b> 76:11	6	<b>bipartisan</b> 17:23
<b>arrays</b> 40:5	<b>bankrupt</b> 63:17	<b>bit</b> 11:24 13:5 18:8,23 40:9,14
<b>article</b> 71:23	<b>bankruptcies</b> 36:7	46:6 49:17 60:8 61:16 77:22
<b>articulated</b> 84:16	<b>base</b> 11:8,9 13:1 27:24 41:7	<b>bleak</b> 33:24
<b>artillery</b> 44:4,10,19 45:9	60:7 73:22 86:9 87:10	<b>bless</b> 38:18
<b>Ash</b> 12:23	<b>base-loaded</b> 14:15	<b>blessed</b> 66:2
<b>aspects</b> 86:1	<b>based</b> 30:21 32:11 70:14	<b>BLM</b> 83:20
<b>assessment</b> 70:8 81:4	71:12 86:3,5 88:1,23	<b>blood</b> 16:17
<b>assessments</b> 71:12	<b>bases</b> 48:1	<b>blow</b> 30:5
	<b>basic</b> 88:18	<b>blown</b> 46:2
	<b>basically</b> 13:19,22 14:8,17	
	15:20 16:11,12 51:13 53:19	
	55:1 56:7 57:15 58:10 60:6,19	

<b>Bo</b> 20:23,24 34:6,9,12 43:12 58:17 63:16 82:2 84:15	<b>calculate</b> 62:5	<b>centerpiece</b> 71:8
<b>board</b> 16:21,22 33:10	<b>calculations</b> 70:13	<b>centigrade</b> 63:8
<b>Bob</b> 22:4 28:7 59:11 83:4	<b>California</b> 51:4	<b>central</b> 42:12 44:14 52:21
<b>bookkeeper</b> 33:21	<b>call</b> 11:22,23 18:2 61:16 74:13 84:20	<b>cents</b> 57:7
<b>books</b> 26:16 71:23 86:3	<b>called</b> 12:1,19 30:16	<b>certified</b> 34:21 40:22
<b>born</b> 89:15	<b>calling</b> 18:24	<b>Chair</b> 23:2,10 39:9,12 61:6 66:10 89:7
<b>bottom</b> 50:12 59:13 80:12	<b>cap</b> 53:16,17 54:3	<b>Chairman</b> 18:5
<b>bounds</b> 13:16	<b>capacity</b> 25:17,19 61:11	<b>challenge</b> 62:10
<b>branch</b> 21:12	<b>capita</b> 16:16	<b>challenged</b> 23:18 33:22
<b>breaks</b> 64:14	<b>capital</b> 27:21 31:20 50:16	<b>challenges</b> 23:21 41:6
<b>Bridges</b> 21:5	<b>Capito</b> 12:18 18:7,14,17,23 20:7 22:10,18 23:2,10 24:8 28:5,11 33:1 34:5,10 39:2,5,8, 9,10,12 42:20 43:5 48:23 50:7 51:11,21 52:7 53:6,10 61:3 66:8,17 67:18,22 68:8 69:18, 20 70:10,12,17,19 71:2,6,17 72:1 73:2,8,16 74:3,8,12 75:12,19,24 77:3,19 84:14	<b>challenging</b> 14:3 61:9 63:17
<b>bring</b> 19:18 29:6 37:21 57:15 74:14	<b>Capito's</b> 19:21	<b>chance</b> 41:14 66:12,14
<b>bringing</b> 21:3 58:1	<b>capture</b> 15:18 27:23 57:3	<b>change</b> 27:17 41:19 44:21 45:18 46:5 48:19 55:17 62:22 67:5,10,12,15 71:9 73:1 78:20 88:3
<b>brings</b> 78:12	<b>carbon</b> 15:18 25:24 26:15 27:22 48:5,7 57:3 87:9,11,15, 24 88:22 89:4	<b>characteristic</b> 24:9
<b>brought</b> 21:4,5 68:13	<b>carbon-free</b> 50:5	<b>characterize</b> 44:1 87:12
<b>budget</b> 31:13 32:1,9	<b>cards</b> 88:24	<b>characterizing</b> 87:8
<b>budgetary</b> 71:22	<b>care</b> 66:4 84:4	<b>charge</b> 83:21,23
<b>budgeted</b> 30:22	<b>Carper</b> 89:13,18	<b>Charles</b> 46:12
<b>build</b> 12:7,8 36:4	<b>carrier</b> 44:11 46:7	<b>Charleston</b> 38:24 39:3 41:5 73:4
<b>building</b> 29:21 31:20 48:12	<b>carry</b> 37:20 56:18	<b>cheap</b> 11:11 44:6,13 46:9,17 67:13,14
<b>built</b> 15:5,6 16:15 17:4	<b>carrying</b> 56:14	<b>check</b> 65:23
<b>bulb</b> 15:11	<b>case</b> 11:10 35:4	<b>checkbook</b> 52:3
<b>bump</b> 27:12	<b>casualties</b> 46:1	<b>child</b> 30:14 34:13
<b>Bureau</b> 20:7 25:19 27:5 83:20	<b>catch</b> 43:15	<b>children</b> 37:15 72:15 77:12
<b>burning</b> 57:2	<b>caused</b> 25:16 67:6 69:3	<b>children's</b> 20:20
<b>business</b> 25:19 29:14,17 30:2,5 36:22,23 37:4,14 46:18 64:5 72:6 74:9	<b>CDGB</b> 73:9	<b>China</b> 15:6 81:13
<b>businesses</b> 21:20,24 36:20 40:6 64:19 68:18	<b>census</b> 27:5 28:24	<b>choices</b> 22:9
<b>businessowners</b> 75:8	<b>cent</b> 84:3	<b>chose</b> 67:10
<b>buy</b> 47:24 51:14 71:23	<b>Center</b> 43:1	<b>Christmas</b> 30:12
<b>buying</b> 45:4 51:14		<b>church</b> 52:13 76:9,21 77:10, 13
<b>Byrd-hagle</b> 80:20		<b>churches</b> 77:9
		<b>CI</b> 21:12
<hr/> <b>C</b> <hr/>		
<b>calamities</b> 67:1		

<b>Circuit</b> 14:3 62:24 85:24	<b>co-ops</b> 39:23	<b>Commission</b> 14:14 32:5
<b>circumstance</b> 37:22	<b>co-sponsored</b> 12:14,17	<b>commissioned</b> 80:1,13
<b>cite</b> 79:21	<b>CO2</b> 26:3 80:4 81:13,24 88:1,20	<b>commissioner</b> 19:10 28:6,7,8,9,18 33:20 34:5 63:20 71:3,18
<b>cited</b> 56:2	<b>coal</b> 11:3,9,12 12:23 13:17 15:16,20 16:14 17:7 20:2,3,6,8,13 21:2,4,8,14,19,20,24 22:1,4,6,7,14 23:24 24:3,4,6 25:3,6,11,17,18,22 26:8 27:23 29:9 30:17 31:9,22 32:12,21 33:8 34:6,14,18 35:4 36:6,13 37:5,8,16 38:4 41:16,23 42:4 43:23,24 44:2,10,15,19 45:4,9,19 47:24 48:2 50:3 52:10,22,23 53:19,23 55:20 56:1,3,13,19,22 57:2 59:24 60:2 62:2,15 63:18 64:20 65:1 70:14,15 73:17 78:20 79:7,16 82:15,17 83:22 84:1,3,20 85:2 87:7 88:19	<b>commitment</b> 80:3 81:5
<b>citizen</b> 31:20	<b>coal-based</b> 24:15	<b>committed</b> 23:14
<b>citizens</b> 13:19 29:1 33:23 65:2,24 66:3	<b>coal-fired</b> 14:19 15:5 44:8 49:13	<b>committee</b> 17:22 21:7 38:13 68:10
<b>city</b> 29:4 38:24 39:5 41:5 68:3 73:3	<b>coal-producing</b> 83:13	<b>commons</b> 72:16
<b>claim</b> 43:11,12	<b>coal-related</b> 32:14	<b>communicate</b> 82:12
<b>class</b> 44:11	<b>Coalmac</b> 34:16	<b>communicating</b> 19:7
<b>classroom</b> 30:8	<b>Coast</b> 14:22,23	<b>communities</b> 22:8 24:5 27:20 29:13 39:23 40:2,16 52:13,23 60:20 69:7 76:20 77:8
<b>classrooms</b> 72:14,18	<b>coasts</b> 44:24	<b>community</b> 52:19 77:8,15,23,24
<b>clean</b> 11:2,6,19 12:12,20 14:4 16:3 23:9,19,23 24:2 25:9 26:1 27:17 38:6 40:11 42:3,14 45:13 47:15 49:8,11,20 50:21 51:9 54:14 56:3,19,22 57:2 62:20,23 63:3,4 68:2 69:18,20 70:16,18,22 71:8,11 86:18 87:3,4 88:18	<b>code</b> 58:7	<b>comp</b> 84:2
<b>cleaned</b> 81:20	<b>colleague</b> 12:17	<b>companies</b> 29:6 36:9,10 84:4
<b>cleaner</b> 15:16 53:20	<b>colleagues</b> 14:1	<b>company</b> 12:3,4 35:4 40:19
<b>cleanly</b> 57:3	<b>College</b> 43:2	<b>compare</b> 59:3
<b>clear</b> 11:17 41:9 45:17	<b>combination</b> 78:4	<b>compensated</b> 75:23
<b>clerk</b> 28:8 33:19	<b>combined-cycle</b> 44:9	<b>compensation</b> 21:2
<b>climate</b> 12:15 16:6 27:17 41:19 44:21 45:18 46:4 55:17 62:22 67:5,10,12,15 71:9 78:20 79:22 88:3	<b>combustibles</b> 56:20	<b>compete</b> 38:9 82:15
<b>climate-related</b> 71:10	<b>combustion</b> 44:9	<b>competitive</b> 40:4 46:16 50:24
<b>clinic</b> 60:14	<b>comment</b> 61:23	<b>compiled</b> 32:11
<b>clinics</b> 60:15,19	<b>comments</b> 28:10 39:21	<b>complete</b> 54:4
<b>Clinton</b> 69:11 79:23 80:14,18,21	<b>Commerce</b> 26:13 80:6	<b>complex</b> 40:1 50:9
<b>close</b> 15:6 18:1 35:17	<b>commercial</b> 36:20	<b>compliance</b> 40:11 42:3,13,17 47:16 49:19
<b>closed</b> 29:8,10 36:21 81:17	<b>commercialize</b> 15:18	<b>compliant</b> 47:15
<b>closure</b> 25:16	<b>commercially</b> 13:3	<b>comply</b> 42:11
<b>cloud</b> 47:22 54:21 85:20		<b>conceived</b> 86:6,14
<b>co-benefits</b> 71:12		<b>concentration</b> 85:21 88:8
<b>co-op</b> 40:16		<b>concentrations</b> 67:6 88:10,21
		<b>concept</b> 87:11,15
		<b>conceptual</b> 87:23
		<b>concern</b> 46:4 61:8



<b>concerns</b> 38:13 79:2	<b>control</b> 18:10 25:8	<b>Court</b> 14:3,10 23:19,20 51:24 62:24 68:24 69:17 86:1
<b>concluded</b> 89:21	<b>controlling</b> 69:14,15	<b>courthouse</b> 33:18 72:10
<b>conclusion</b> 23:21	<b>convenience</b> 41:21	<b>covers</b> 24:12
<b>conditions</b> 88:17	<b>convergence</b> 41:11	<b>craft</b> 48:19
<b>conference</b> 43:20 46:12 68:10	<b>cooked</b> 87:16	<b>crafted</b> 87:10
<b>conferences</b> 43:17	<b>coordinating</b> 74:10	<b>create</b> 24:23
<b>Congress</b> 16:6 28:2 79:12 81:4	<b>cope</b> 73:12	<b>created</b> 66:21
<b>congressional</b> 21:6 22:13	<b>copier</b> 29:22	<b>creation</b> 41:1,2 42:6
<b>Congressman</b> 18:11,12,16 23:3,11 28:14 30:19 34:11 39:13 43:6,19,22 61:5,20,22 62:9 64:7 65:4,8,17 66:1,6,12, 16 67:23 84:13,14,15 85:23 86:16 87:5,21 89:6	<b>Copley</b> 20:23 34:6,10,12 52:8, 18 53:7 58:20,23 59:2,6,10 75:13,18,21 76:8 77:18 82:11 83:1 85:7	<b>creature</b> 87:22
<b>connect</b> 75:10	<b>Copley's</b> 39:21	<b>credit</b> 57:20 84:6
<b>consequence</b> 70:16 80:17	<b>Copleys</b> 63:16	<b>credits</b> 11:22 12:2,4,5 48:7 50:19 51:14,15 53:20,24 54:8 56:6,13 57:6,7,14 60:5
<b>consequences</b> 26:10 42:16	<b>corner</b> 28:24	<b>Creek</b> 29:8
<b>consideration</b> 11:18 14:24	<b>corporate</b> 65:24 66:3	<b>criteria</b> 71:13 86:21
<b>considered</b> 62:13 69:5 70:7, 19 80:3	<b>corporation</b> 36:6 66:4	<b>critical</b> 31:19 32:4 33:12 73:5
<b>consigned</b> 79:17	<b>correct</b> 15:4 39:1 51:19 56:10 60:22	<b>cross-subsidization</b> 54:20, 22
<b>consistent</b> 26:6 27:17 54:3	<b>cost</b> 27:22 36:2 44:15 47:16 49:23 50:14 65:16 69:15,22 70:22 87:9,11,15,24 88:22	<b>cruisers</b> 31:16
<b>consistently</b> 41:8	<b>costs</b> 36:1 46:22	<b>culture</b> 43:14
<b>constituents</b> 39:16	<b>council</b> 38:24 41:5 73:4	<b>cumulative</b> 26:17,24
<b>constitutes</b> 33:9	<b>councilwoman</b> 39:6 73:12	<b>current</b> 26:4,9 86:2
<b>Constitution</b> 13:20	<b>counsel</b> 22:21	<b>cursor</b> 70:21
<b>constraints</b> 71:22	<b>counties</b> 52:22 63:18 71:19 83:13	<b>curve</b> 44:15
<b>construct</b> 79:3	<b>countless</b> 36:14	<b>cuspid</b> 73:4
<b>construction</b> 24:20	<b>countries</b> 15:8,10 45:8 57:11	<b>customers</b> 46:19
<b>consultants</b> 80:7,10	<b>country</b> 29:5 42:15 46:19 55:1,15 57:16 58:11 68:22 74:18 75:5 81:3	<b>cut</b> 35:10 72:20,23
<b>consulted</b> 14:14	<b>county</b> 19:24 20:16 21:10 22:5 28:7,8,9,18,23 29:4 31:5, 13 32:1,3,5,9,12 33:8,10,11, 13,18,19,20,22 40:17 43:8 52:22 64:12,15,22,23 65:6,9 68:18 71:22 72:8 73:23	<b>cutting</b> 63:22
<b>consumed</b> 25:6	<b>County's</b> 30:17	
<b>consumption</b> 11:4	<b>couple</b> 61:6 73:10 74:2	
<b>contacted</b> 30:3		
<b>context</b> 69:10 79:22 80:23		
<b>continue</b> 15:2 27:23 32:6 42:8 45:2 50:17,20 56:1 67:15 76:22 88:11		

---

**D**

---

**D.C.** 14:3 62:24 85:24  
**dads** 20:19  
**damage** 67:3 88:6,23,24  
**damages** 88:2  
**damaging** 44:20  
**dark** 37:5  
**data** 25:24 55:22 79:3

<b>daughter</b> 21:15	<b>denying</b> 55:12	<b>director</b> 38:22 43:1
<b>day</b> 35:19 43:9 54:18 55:11 71:19 74:4 84:24 85:10,12,18, 22	<b>DEP</b> 47:15,18	<b>disadvantages</b> 49:15
<b>daycare</b> 37:16	<b>department</b> 11:2 25:15 26:13 28:2 31:14,17 72:9 80:5,6	<b>disallowed</b> 69:1
<b>days</b> 58:9 69:11 76:7	<b>departments</b> 22:3	<b>disappeared</b> 30:18
<b>debate</b> 18:9 58:8 67:15	<b>depend</b> 24:6 37:7	<b>disappearing</b> 32:23
<b>debating</b> 44:24	<b>dependable</b> 14:16	<b>disappears</b> 32:22
<b>debt</b> 41:21	<b>dependent</b> 82:22	<b>discussion</b> 89:9
<b>decades</b> 16:10 81:21 86:5,13	<b>depends</b> 24:3 50:9	<b>displaced</b> 12:6
<b>decarbonization</b> 78:23	<b>deployed</b> 44:4 45:23	<b>displacement</b> 44:7
<b>December</b> 18:4 26:7	<b>depressed</b> 27:20	<b>disruptive</b> 47:17,18
<b>decisions</b> 20:22	<b>describe</b> 76:3	<b>disservice</b> 54:13
<b>decline</b> 21:14 33:15 36:23 68:1 79:8	<b>deserve</b> 38:17	<b>distances</b> 89:11
<b>declined</b> 32:14	<b>desire</b> 45:17	<b>District</b> 22:14
<b>decrease</b> 32:15,18	<b>destiny</b> 25:8	<b>diversity</b> 53:9
<b>decreased</b> 32:19 36:18	<b>destroyer</b> 44:20	<b>document</b> 73:14
<b>deep</b> 43:11,13	<b>determination</b> 69:12	<b>documents</b> 45:14
<b>defending</b> 57:4	<b>determined</b> 70:21	<b>DOE'S</b> 25:24 26:5
<b>defense</b> 16:8	<b>devastating</b> 26:11 29:17	<b>dog</b> 44:12
<b>deficit</b> 72:12 84:4	<b>devastation</b> 63:11 66:19,24	<b>dollar</b> 88:1
<b>degrade</b> 60:7	<b>devastations</b> 67:12	<b>dollars</b> 24:22 51:19
<b>degrees</b> 63:7	<b>develop</b> 15:17 50:17,22	<b>dollars-and-cents</b> 28:21
<b>Delaware</b> 89:14,16	<b>developing</b> 12:4 15:8 47:15 88:9	<b>domestic</b> 15:3 17:6
<b>delinquencies</b> 33:1,5	<b>development</b> 15:15 30:1 31:21 32:13 33:3 43:2 52:4,5 54:7	<b>dominant</b> 56:1
<b>delinquency</b> 33:4	<b>devoting</b> 57:1	<b>doors</b> 36:21
<b>demand</b> 41:3 46:21 74:21 75:7	<b>difference</b> 79:10	<b>doubts</b> 72:14
<b>demanding</b> 42:1	<b>difficult</b> 11:16 35:7 59:12 73:11	<b>Doug</b> 21:5
<b>demands</b> 49:7	<b>digits</b> 56:12	<b>downsizing</b> 36:7
<b>Democrat</b> 16:21	<b>dignity</b> 38:17,20	<b>downturn</b> 11:12
<b>Democrats</b> 18:19	<b>dinner</b> 89:3	<b>draconian</b> 27:3
<b>denial</b> 58:15	<b>dioxide</b> 71:13	<b>drive</b> 43:9
<b>denier</b> 55:8,13	<b>direct</b> 22:1	<b>driver</b> 44:5 67:16
<b>deniers</b> 55:16	<b>direction</b> 47:5 78:23	<b>drivers</b> 43:24 48:19
<b>dent</b> 51:8	<b>directly</b> 19:2 29:9	<b>driving</b> 78:18
<b>deny</b> 15:8 55:16		<b>drop</b> 46:20
		<b>dropped</b> 22:6 36:19 75:4
		<b>drove</b> 81:18
		<b>drown</b> 11:16

**due** 21:14,19 34:24 35:8  
36:12,19,21 41:11 45:1 65:20  
84:7  
**Dunlow** 29:15,16  
**duties** 34:20 35:11  
**dying** 14:22,23

---

**E**

---

**earlier** 14:1 79:2  
**early** 84:11  
**earn** 42:2  
**Earth** 17:4 55:9  
**East** 14:22,23 30:2,3  
**economic** 12:21 25:20 26:14,  
18 27:3 31:21 40:9 42:13 46:7  
50:12 53:8,9 61:10 63:11  
66:19,20,24 67:11 68:23 69:6,  
24 70:6,7 71:15 80:2 87:13  
88:17  
**economically** 50:24 87:12  
**economics** 44:5 46:3 50:8  
67:11,13  
**Economies** 12:21  
**economy** 24:4 26:12 41:10  
47:7,17 48:17,21 55:2 79:14  
80:8  
**EDP** 55:3  
**education** 33:10,13 72:15  
88:18  
**effect** 24:19 45:7 50:2 52:2  
**effective** 50:14  
**effects** 12:19 22:24 63:6  
**efficiency** 40:10 42:11 46:21  
47:13 48:14 68:14,17,21  
**efficient** 44:8 56:20  
**effort** 56:22  
**efforts** 21:1  
**EIA** 11:1 55:22 62:19 79:3,7  
81:6  
**EIA'S** 56:7  
**elect** 38:7

**elected** 33:19 39:15  
**electric** 24:5,15 69:16 74:23  
79:2,8,13,17  
**electricity** 11:4,8 24:4 51:17  
**Elementary** 29:15,16 30:2,4  
**eligibility** 73:8  
**embedded** 58:6  
**emerging** 41:14 42:7  
**emission** 49:22 50:3,4,18  
81:2  
**emissions** 45:19,20 80:4 88:9  
**employed** 21:2 34:16,19  
74:16  
**employees** 30:7  
**employers** 64:13,15 65:10  
**employment** 26:19 27:2 64:1  
74:8  
**EMT** 34:21  
**enacted** 68:3  
**enactment** 87:2  
**encourage** 47:13 54:11  
**encouraged** 54:6  
**end** 14:10 17:13,14,16 63:5,22  
84:24 85:17  
**energy** 11:2,9,19 12:4,18  
14:14,15,19 15:3,9 17:6 24:1,  
21 25:15 28:2 29:7,14,18 38:4,  
6,8 39:15 40:10,24 41:14,19  
42:5,7,9,11,12,14 43:1,17  
45:24 46:8,21,22,24 47:6,8,12,  
13 48:4,14,17,20 49:10 50:13,  
14 52:5 53:8,15 54:8,9,12 55:1  
68:11,14,17,21 73:20 74:6,23  
80:5 82:7 88:16,20  
**energy-producing** 16:4  
**engaged** 24:18 80:5  
**engineering** 68:6  
**engineers** 61:21  
**enjoy** 42:13  
**enrollments** 36:19  
**ensure** 13:17 23:15 28:3

**ensuring** 16:1  
**entire** 20:16 29:21 37:1 68:22  
**environment** 64:10 81:20  
**environmental** 23:5 70:6  
77:22,23,24 80:2  
**EPA** 12:13,16 13:1,9,15 14:5,  
13 16:5 19:7,12 23:19 24:16  
25:4,13,17,20 26:15 35:8  
36:13 45:13 69:5,12,13,21  
71:9 80:6 82:6 86:23  
**EPA'S** 12:11 23:9,22 24:14  
82:13  
**equipment** 29:18,19 30:8  
36:11,16  
**equivalent** 63:9  
**established** 27:17  
**estate** 32:18  
**estimate** 26:1,15 71:10  
**estimated** 25:18,20 71:1  
**estimates** 25:15 79:4 88:2,5,  
22  
**EU** 88:10,15  
**evaluate** 80:2  
**evaluated** 49:24 80:11  
**event** 18:10 20:24  
**events** 45:2 67:2,6  
**eventually** 38:10 78:22  
**everybody's** 85:19  
**everyday** 37:21  
**everyone's** 85:7  
**examples** 12:13  
**excess** 62:2  
**exciting** 40:23  
**excuse** 52:23 73:3  
**Exhibit** 30:24 33:14  
**existence** 15:21  
**existing** 12:12  
**expanded** 26:3  
**expect** 41:2

<b>expenditures</b> 72:20	<b>fascinated</b> 62:17	<b>folks</b> 18:18 28:16 52:16 61:23 76:4,5 77:6
<b>expense</b> 51:16	<b>fashion</b> 15:16 53:20	<b>follow</b> 51:11
<b>expensive</b> 15:19 44:15	<b>fate</b> 76:23	<b>follow-up</b> 84:16
<b>experience</b> 76:4 77:5,7	<b>father</b> 34:13	<b>food</b> 20:10 89:3
<b>experiencing</b> 33:23	<b>fathers</b> 13:21	<b>footprints</b> 89:5
<b>exports</b> 45:4	<b>favor</b> 58:7	<b>force</b> 35:1 78:19 80:1,11,13
<b>express</b> 23:9	<b>Fayette</b> 40:17	<b>forced</b> 20:21
<b>expressed</b> 61:8 89:14	<b>federal</b> 11:15 14:14 23:19 27:22 35:13 68:21 72:22 73:9 82:6 83:22	<b>forces</b> 23:24 44:1 46:8 67:9 82:24
<b>extend</b> 21:1	<b>feel</b> 16:20,22 18:8,9 20:3 49:15	<b>forcing</b> 35:16
<b>extended</b> 26:1,5,22	<b>feeling</b> 76:6 86:10 87:6	<b>forecast</b> 33:23
<b>extenders</b> 11:23 12:2	<b>feels</b> 37:1	<b>foreman</b> 34:22
<b>extra</b> 36:24	<b>feet</b> 19:10 28:17	<b>foreseeable</b> 33:24 88:11
<b>extraction</b> 64:21	<b>felt</b> 37:14 41:17	<b>forestry</b> 88:4
<b>extreme</b> 45:2 67:2,5	<b>FERC</b> 14:15,17 80:6	<b>forever</b> 83:9
<b>extremely</b> 79:21	<b>fiction</b> 88:23	<b>forget</b> 16:21
<b>eye</b> 48:18	<b>fight</b> 14:11,12 39:17	<b>forgot</b> 32:7
<hr/> <b>F</b> <hr/>		
<b>face</b> 36:8,16,18 37:22	<b>figure</b> 70:5	<b>formally</b> 34:16
<b>faced</b> 36:7	<b>figures</b> 32:11	<b>forms</b> 41:1
<b>facilities</b> 24:21,24	<b>filing</b> 14:2	<b>Fort</b> 81:18
<b>facing</b> 72:23 76:19 88:7	<b>fill</b> 56:7 57:15 72:17 77:11	<b>fortunate</b> 35:9,10 37:3
<b>fact</b> 22:6,12 88:7	<b>final</b> 42:21	<b>fortunately</b> 76:21
<b>factor</b> 11:12 41:2	<b>finally</b> 37:18 41:15 45:12 67:8	<b>forward</b> 22:11 28:1,10 55:18 70:4 81:8 84:2
<b>factors</b> 41:11 87:19	<b>finance</b> 17:22	<b>fossil</b> 15:2 16:3 55:3,15,19 58:7,11
<b>factory</b> 12:7,9	<b>find</b> 14:18 36:20 74:3 76:17 77:6	<b>fossil-free</b> 55:3
<b>facts</b> 88:13,15	<b>findings</b> 69:14	<b>fought</b> 13:13
<b>fair</b> 39:19 61:24 62:13	<b>fire</b> 22:3 31:14 46:3 47:3	<b>found</b> 49:23 54:16 69:17 80:14
<b>faith</b> 37:19,23 38:1 77:8 80:11	<b>fiscal</b> 30:19,20 31:1 33:14,15 61:10 64:10,11	<b>founding</b> 13:21
<b>familiar</b> 41:6	<b>flexibility</b> 42:10,11	<b>fourth</b> 31:3
<b>families</b> 30:13 41:9 77:12 82:4	<b>flooded</b> 45:2	<b>freedom</b> 16:18
<b>family</b> 20:9,10 21:16 30:15 34:8 37:3,11 82:21 85:5	<b>Florida</b> 74:19	<b>frequency</b> 67:3
<b>family's</b> 37:19	<b>fluffed</b> 11:23	<b>fretted</b> 76:14
<b>farm</b> 46:14 64:18	<b>focus</b> 85:3	<b>friendly</b> 47:3
<b>farmers</b> 75:8	<b>focused</b> 62:14 78:18 89:1,2	<b>friends</b> 18:16 21:16 41:18 82:21

<b>frightening</b> 78:24	<b>geology</b> 44:13 46:4	<b>Guyan</b> 36:10
<b>front</b> 21:6 22:14	<b>get's</b> 48:8	
<b>frustration</b> 41:17	<b>Gina</b> 19:9,11	<hr/> <b>H</b> <hr/>
<b>fuel</b> 11:8 15:7 58:7,11	<b>give</b> 11:22 12:2 31:14 66:14	<b>half</b> 57:7
<b>fuels</b> 15:2 16:3	<b>giving</b> 12:1 62:16	<b>halfway</b> 79:6
<b>full</b> 63:2,4,6	<b>global</b> 15:3	<b>hall</b> 19:3
<b>fully</b> 67:21	<b>globally</b> 78:2	<b>handcuff</b> 47:14
<b>function</b> 37:12 88:6	<b>goal</b> 40:7 68:17	<b>handcuffed</b> 47:18
<b>fund</b> 32:3	<b>God</b> 34:13 37:19,21,23 38:18	<b>hang</b> 81:15,16
<b>fundamental</b> 46:18	<b>good</b> 14:6 20:6 28:13 38:18 43:5 49:3 58:24 62:1 63:22 65:24 66:2 67:24 68:3 72:15 80:11,18 83:16 84:12	<b>hanging</b> 47:23
<b>funded</b> 22:4	<b>goods</b> 31:11	<b>happen</b> 15:14 80:8 81:16 89:1
<b>funding</b> 31:24 36:18	<b>governing</b> 61:11	<b>happened</b> 20:17
<b>funds</b> 60:23	<b>government</b> 11:15 13:22 82:6	<b>happening</b> 40:24 41:3 67:16
<b>future</b> 11:20 16:4 28:3 33:24 56:2 57:4 60:11 78:20 79:16 88:6,11,20	<b>Government's</b> 83:23	<b>happy</b> 17:10 40:19
<b>futures</b> 20:20,21	<b>governor</b> 13:15 47:10	<b>hard</b> 14:12 17:11 18:20 42:2 44:17
<hr/> <b>G</b> <hr/>	<b>grant</b> 75:10	<b>harder</b> 82:19
<b>gains</b> 42:14	<b>gratitude</b> 41:21	<b>hardest</b> 60:21
<b>game</b> 48:4,9,16	<b>great</b> 19:5 23:3 37:9 38:14 73:21 75:10 89:9	<b>hardship</b> 36:16
<b>game-changer</b> 44:20	<b>greater</b> 54:7	<b>harm</b> 12:21 38:1
<b>gaps</b> 77:12	<b>greatest</b> 17:4 51:1	<b>harmful</b> 12:16,19
<b>gas</b> 11:11 24:1 25:13 44:6 45:18,20 46:10 55:20 56:13 65:1 67:13 79:11 82:8,15,18 88:8	<b>greatly</b> 24:10 82:18	<b>hazardous</b> 86:20
<b>gases</b> 67:7	<b>greenhouse</b> 45:18,20 67:7 88:8	<b>headline</b> 72:11 78:17
<b>gave</b> 53:24	<b>grid</b> 14:19 24:12 46:20 57:24 75:1	<b>health</b> 60:14,15 69:13
<b>Gene</b> 14:8 22:21 23:1 60:10 77:20 85:24	<b>ground</b> 28:19 34:3 88:13,16	<b>healthcare</b> 17:14 88:18
<b>general</b> 31:13,24 32:3 33:11, 13 35:11 53:9	<b>groups</b> 78:17	<b>hear</b> 20:18 43:21 84:18
<b>generally</b> 49:23 79:14	<b>grow</b> 62:15	<b>heard</b> 14:5 19:22 21:9 22:2,15 76:12
<b>generating</b> 69:16	<b>grown</b> 41:1	<b>hearing</b> 18:6,10,22 19:4,20 39:20 43:7 61:13 86:1 89:18, 19,21
<b>generation</b> 11:8 24:15 27:24 44:8 49:13 52:1 69:4 79:9,18	<b>grows</b> 41:4	<b>heavens</b> 16:11
<b>generators</b> 24:5 50:5	<b>guess</b> 41:12 44:1 60:10 61:15, 17 73:18	<b>heavy</b> 16:10,14 36:10,16 46:3 50:4
<b>gentlemen</b> 23:6	<b>guide</b> 38:1	<b>held</b> 26:20 43:8 75:20
	<b>guns</b> 16:15	<b>helped</b> 16:9
		<b>helping</b> 22:23
		<b>helps</b> 39:22

<b>herd</b> 72:16	<b>hundred</b> 23:18 26:9	<b>increasingly</b> 35:7
<b>hey</b> 85:18	<b>hundreds</b> 24:22	<b>independence</b> 74:24
<b>high</b> 16:11 24:7 25:11 52:21 72:3	<b>hurting</b> 65:13	<b>India</b> 15:5,10 45:5
<b>higher</b> 36:1,2 61:16	<b>hurts</b> 22:2,3	<b>Indiana</b> 46:14
<b>highest</b> 20:17	<b>husband</b> 21:11 34:13	<b>indicating</b> 28:22
<b>highlighting</b> 21:1	<b>husbands</b> 76:14	<b>indicative</b> 87:3
<b>highly</b> 44:8	<hr/> <b>I</b> <hr/>	<b>indifferent</b> 78:2
<b>hints</b> 40:23	<b>idea</b> 35:21	<b>industrial</b> 88:14
<b>hire</b> 64:19	<b>identity</b> 41:17	<b>industries</b> 24:6,7,9 32:14 33:2
<b>hired</b> 80:7	<b>ideological</b> 86:15	<b>industry</b> 13:17 21:14 29:10 36:6,11 37:2 40:8 44:2 46:9,24 48:4 50:9 57:22 58:7 61:14,15 76:12 78:20,21 82:22 84:1
<b>historic</b> 79:21	<b>impact</b> 27:15 45:11,21 55:10, 11,13 62:19,22 64:1 68:24 69:6,13 79:4,16 85:2 87:13	<b>Information</b> 11:1
<b>historical</b> 69:10	<b>impacting</b> 78:19	<b>informative</b> 34:2
<b>history</b> 43:13 81:22 86:24	<b>impacts</b> 21:24 23:8 25:2 27:4 70:7,21 72:5 79:13 80:2 81:5,9 88:4	<b>informed</b> 75:15
<b>hit</b> 60:20 81:23	<b>imperative</b> 17:12	<b>infrastructure</b> 15:23 16:3 60:24
<b>Holden</b> 34:17	<b>implementation</b> 12:23 25:9 63:2,4,6 70:23 80:14	<b>infusion</b> 27:21
<b>hole</b> 84:5	<b>implemented</b> 24:10	<b>initiate</b> 79:12
<b>hollow</b> 74:1	<b>implications</b> 69:14 79:20	<b>initiatives</b> 68:21
<b>hollows</b> 45:1	<b>important</b> 11:13 19:23 25:5 37:14 41:16 43:16 62:12 77:14	<b>innovate</b> 56:24
<b>home</b> 15:12 37:15	<b>importantly</b> 37:18	<b>innovation</b> 56:23
<b>homeowners</b> 75:8	<b>impossible</b> 25:7 40:18	<b>input</b> 16:7
<b>homes</b> 40:5 52:14 68:19 74:13	<b>improve</b> 88:17	<b>inquiry</b> 79:12
<b>honor</b> 22:16 28:18 38:14,17, 20	<b>improvements</b> 30:8	<b>inside</b> 61:17
<b>hope</b> 34:1 75:14	<b>improving</b> 46:11	<b>inspections</b> 35:15
<b>hopelessness</b> 53:3	<b>including</b> 30:12	<b>inspectors</b> 35:14,17,18,21
<b>hoping</b> 60:12	<b>income</b> 26:18 27:1,6,8,14,19 31:6 37:7 69:24	<b>install</b> 40:4
<b>hostility</b> 45:16	<b>incomes</b> 27:11	<b>installers</b> 40:22 61:15 62:4 74:13 75:11
<b>hour</b> 51:2 57:8 61:14 62:4 68:5	<b>inconsistent</b> 24:1 69:19	<b>instate</b> 24:16
<b>hours</b> 62:8 74:2	<b>Incorporated</b> 34:17	<b>insurance</b> 32:5,7
<b>house</b> 14:2 18:19 64:10 88:23	<b>increase</b> 27:11 33:1 42:14 67:6 88:3,20	<b>intend</b> 72:11
<b>household</b> 26:18 27:1,6,14 69:24	<b>increasing</b> 35:16 40:10 88:8	<b>intended</b> 13:21
<b>huge</b> 66:20		<b>intensity</b> 51:1
<b>humane</b> 17:8		<b>interagency</b> 80:1,11,13
<b>humans</b> 55:11		<b>Interconnection</b> 24:11

<b>interested</b> 28:2 39:24 75:3	61:17 62:11,13,14 63:23 70:1, 21 75:7 76:7,17,18 80:2 84:20, 22 85:2,5	<b>landfills</b> 87:1
<b>interesting</b> 58:8		<b>landing</b> 65:6,8
<b>international</b> 46:4 49:6	<b>jobs</b> 20:6 22:2 25:12 26:11 27:19 29:9,12 35:14 40:24 42:14 52:15 53:1 58:19,21 62:6,15 64:3 65:14 67:24 68:1, 4 75:4 76:10,11 77:1 79:14 80:16	<b>large</b> 20:2 36:9 38:23 50:22,23 70:24
<b>interpretation</b> 35:24 86:13		<b>largely</b> 87:21 88:9
<b>interruptions</b> 18:13		<b>larger</b> 26:21
<b>interstate</b> 24:18 49:7,21 50:1		<b>launcher</b> 45:22 46:3
<b>intimately</b> 39:17	<b>joined</b> 14:1 20:24	<b>laundry</b> 81:16
<b>introduced</b> 12:14,20 13:1,7	<b>Jordan</b> 21:5	<b>law</b> 42:24 43:2 47:14 69:19 86:5,8,13 87:16
<b>invent</b> 57:1	<b>judgment</b> 85:20	<b>laws</b> 35:24 86:3
<b>invention</b> 87:22	<b>July</b> 17:15 34:19 43:10	<b>lawyers</b> 19:13
<b>investing</b> 48:14	<b>jump</b> 11:15 56:9	<b>layoff</b> 84:23 85:16
<b>investment</b> 42:7 56:19	<b>justify</b> 87:11,16	<b>lead</b> 25:21 26:17 35:23 36:1,3 38:2,7
<b>invitation</b> 28:13		<b>leaders</b> 38:2
<b>invited</b> 43:7	<hr/> <b>K</b> <hr/>	<b>leadership</b> 18:24 19:21 23:11
<b>involved</b> 29:14 32:4	<b>Karan</b> 38:21 43:12 47:13,21 73:2	<b>leading</b> 42:8
<b>Iowa</b> 24:24 50:15	<b>keynoted</b> 43:18	<b>leads</b> 36:2
<b>Ireland</b> 38:21 39:1,4,7,9,11 61:7,19,21 62:7 67:19,23 73:3, 7,15 74:7,11,17	<b>Kiah</b> 29:8	<b>leap</b> 81:10
<b>irrecoverable</b> 17:19	<b>kids</b> 76:18	<b>learn</b> 40:3
<b>issue</b> 45:14 78:18 87:20	<b>Killan</b> 21:5	<b>leased</b> 32:20,21
<b>issued</b> 23:20 69:12	<b>killed</b> 47:3	<b>Leasing</b> 33:5
<b>issues</b> 43:15 68:14	<b>killing</b> 81:13	<b>leave</b> 24:22 51:20 52:14 53:4, 5 76:15
<b>issuing</b> 25:18	<b>kilowatt</b> 51:2 57:8	<b>leaving</b> 52:11,13
<b>items</b> 30:12	<b>Kim</b> 29:15	<b>led</b> 88:9
<hr/> <b>J</b> <hr/>	<b>kind</b> 34:1 35:2 49:2 51:12 61:9,17 72:5 81:7	<b>left</b> 22:20 58:18,19 60:8
<b>jail</b> 32:8	<b>kinds</b> 50:10 74:21 87:1	<b>legal</b> 13:14 23:21,22 24:2 68:6
<b>James</b> 42:23	<b>knew</b> 80:21	<b>legality</b> 14:4
<b>Jehovah-jireh</b> 37:20	<b>Kyoto</b> 79:24 80:9,14,18	<b>legally</b> 81:3
<b>Jenkins</b> 18:11,12,16 23:3,11 28:14 34:11 39:13 43:6,19,22 61:4,5,20,22 62:9 64:7 65:4,8, 17 66:1,6,12,16 84:13,14,15 85:23 87:5 89:6	<hr/> <b>L</b> <hr/>	<b>legislate</b> 16:6
<b>jeopardy</b> 60:17	<b>labor</b> 20:7 29:20	<b>legislating</b> 12:13
<b>Jimmy</b> 34:6	<b>lack</b> 36:21	<b>legislation</b> 12:15,24 13:1,8 22:24 54:16
<b>job</b> 17:2 20:8 26:19,20 27:2 34:20 35:18 36:3,4,14 37:13 41:1,2 42:6 58:17 59:7,24	<b>ladies</b> 23:6	<b>legislature</b> 47:11,14,20 54:10
	<b>laid</b> 21:2,18 77:2 82:3	<b>level</b> 26:9 45:1 63:8,13 68:21 88:3
	<b>land</b> 51:2 83:20,23	<b>levels</b> 27:9 80:4

<b>liability</b> 32:7	<b>Louis</b> 34:18	<b>mandating</b> 66:10
<b>lieu</b> 75:22	<b>loves</b> 21:16	<b>manner</b> 24:1
<b>life</b> 16:24 21:11 37:21	<b>low</b> 48:5 62:6	<b>manufacturers</b> 74:12
<b>lifting</b> 16:10,14	<b>low-price</b> 82:7	<b>March</b> 30:22
<b>light</b> 15:11	<b>lower</b> 25:13 27:22 65:22	<b>mark</b> 30:23
<b>lightly</b> 38:15	<b>lowest</b> 20:15	<b>market-driven</b> 82:24
<b>likewise</b> 30:1	<b>luxury</b> 37:6	<b>marketing</b> 68:6
<b>Lincoln</b> 33:5	<b>Lynn</b> 30:2,3	<b>markets</b> 11:13,14 48:6
<b>lines</b> 26:22		<b>mass</b> 49:22
<b>list</b> 67:9	<hr/> <b>M</b> <hr/>	<b>massive</b> 27:19 44:7
<b>listening</b> 28:17	<b>Machinery</b> 21:12 36:9	<b>mat</b> 18:23
<b>lived</b> 21:10	<b>mad</b> 63:21	<b>matches</b> 65:3
<b>livelihoods</b> 21:22 24:6	<b>Madam</b> 18:5	<b>materials</b> 29:21
<b>lives</b> 16:17	<b>Madame</b> 61:5 89:7	<b>math</b> 62:3,6,7
<b>living</b> 39:19 61:24 62:1 68:1	<b>made</b> 16:14 26:7 79:10	<b>MATS</b> 25:14 69:1 70:24
<b>load</b> 11:8,9 27:24 56:14,18 73:22	<b>main</b> 44:5	<b>matter</b> 64:2
<b>locally</b> 36:10,20	<b>mainstay</b> 51:23 88:19	<b>matters</b> 23:5
<b>located</b> 28:23 50:14	<b>maintenance</b> 34:20 35:12 85:11	<b>Maynard</b> 30:3,10,14
<b>Logan</b> 19:24 21:10,12 43:8	<b>major</b> 11:11 15:3 27:21 36:6	<b>Mayor</b> 73:10
<b>long</b> 20:24 31:19 37:12 50:12 54:18 55:11 66:13 68:2 89:11	<b>make</b> 15:19 20:21 22:8 39:18 48:20 56:22 61:24 69:13 71:10 83:4 85:21 89:17,18	<b>Mccarthy</b> 19:9,11
<b>longer</b> 13:5 29:24 31:23 32:21 34:24 75:16	<b>makes</b> 25:7 53:24 82:18	<b>Mconnell</b> 17:24 23:15
<b>longer-term</b> 78:19	<b>making</b> 36:17 62:2	<b>Mcdowell</b> 73:23
<b>looked</b> 55:21	<b>man</b> 34:8	<b>means</b> 24:16
<b>lose</b> 17:14 24:14 63:19 76:7 85:21	<b>manage</b> 46:22	<b>measures</b> 27:16 54:6
<b>loses</b> 24:17 25:2 26:11	<b>management</b> 61:18	<b>media</b> 78:17
<b>losing</b> 77:1	<b>managers</b> 85:13	<b>median</b> 27:6,8,11,13
<b>loss</b> 25:3,18,21 26:17 27:1,19 29:9,11,16 30:4 32:3 33:7,8,9 35:5 36:3,12 41:7 72:23 73:13 80:15	<b>Manchin</b> 18:7,15 19:5 23:3,10 28:14 34:10 38:19 39:12 43:5, 19 45:5 47:9 53:11,12 54:15, 23 55:5,7,23 56:5,11 57:6,10, 14,19 58:2,10,13,15,21,24 59:4,7,11,17,20,23 60:2,6,10, 17 61:1 71:15 73:21 74:2 77:4, 17,20 78:9,12,15 81:11 82:20 83:2,8,11,14,18 84:10 89:8	<b>medical</b> 60:23
<b>losses</b> 25:12,23 26:21 29:2 33:11	<b>Manchin's</b> 43:18	<b>meet</b> 49:7
<b>lost</b> 16:17 18:10 25:10 26:2 27:2 33:11 36:14 71:20	<b>mandates</b> 72:21	<b>meeting</b> 49:11 85:11
<b>lot</b> 19:13 21:16 27:10 43:14, 22,23 52:11,18 56:21 63:16,17 65:2 69:3 71:20 76:8,9,19,23		<b>meetings</b> 35:7
		<b>megawatt</b> 46:14
		<b>megawatts</b> 25:17,19
		<b>Melissa</b> 30:3
		<b>member</b> 34:21 38:23 41:5 89:13
		<b>members</b> 14:2 28:3
		<b>mention</b> 29:7 32:7



<b>mentioned</b> 30:18,19 33:17 43:22 49:5,9 67:23 72:6 74:15 79:2	<b>minor</b> 45:23	<b>necessarily</b> 57:4
<b>mercury</b> 25:14,16 69:13,15 81:23	<b>minutes</b> 49:1 51:13	<b>necessities</b> 37:1
<b>message</b> 64:9	<b>misnomer</b> 54:4	<b>needed</b> 34:24 75:16 83:3
<b>met</b> 24:16	<b>Missouri</b> 34:18	<b>needing</b> 53:24
<b>meter</b> 51:2	<b>Mister</b> 71:18	<b>negative</b> 42:16
<b>metering</b> 47:23 54:16,21	<b>Mitch</b> 17:23 18:1	<b>negotiations</b> 79:24
<b>meterings</b> 47:20	<b>mitigate</b> 42:16	<b>neighborhood</b> 59:9
<b>metrics</b> 70:17	<b>model</b> 46:18	<b>neighboring</b> 71:19
<b>Mexico</b> 25:1 51:4	<b>modern</b> 41:21	<b>net</b> 33:7 47:20,23 54:16,21
<b>Miami</b> 74:19	<b>moment</b> 62:1	<b>news</b> 72:11,13
<b>micromanagement</b> 13:22	<b>moms</b> 20:19	<b>newspapers</b> 67:4
<b>middle</b> 72:2	<b>Monday</b> 35:6	<b>nice</b> 18:15
<b>Midwest</b> 50:16	<b>money</b> 31:4,9,11 32:4 36:24 52:4 65:6 83:12	<b>night</b> 18:9 89:3
<b>millimeters</b> 63:12,14	<b>Monroe</b> 40:17	<b>Nimitz</b> 44:11
<b>million</b> 25:11,21 26:2,9,10 33:7 72:12,23 79:18 80:15	<b>months</b> 76:16	<b>nobody's</b> 58:15
<b>millions</b> 24:22	<b>Morgantown</b> 40:16 42:22	<b>nodding</b> 62:20
<b>Mills</b> 29:15	<b>morning</b> 43:23 44:7 55:24	<b>non-state</b> 51:23
<b>mind</b> 85:1,8,19	<b>mountaintop</b> 13:16 45:16 78:3,10,11,16	<b>non-union</b> 76:11
<b>mine</b> 13:9,10 17:17 22:21 23:5,16 29:11,12 34:22 35:14, 23 37:16 84:21	<b>move</b> 21:13,15,17 48:24 55:18 76:15 78:22	<b>nonbinding</b> 80:24
<b>mineable</b> 32:21	<b>moved</b> 52:19,20 84:2	<b>nonetheless</b> 81:1
<b>mined</b> 16:14 41:22,23	<b>moving</b> 36:19 53:22 70:4 73:5	<b>nonprofit</b> 39:22 74:9
<b>miner</b> 34:7,15 52:10 62:2 85:2	<b>multiple</b> 62:8	<b>nonrenewable</b> 38:4
<b>miner's</b> 20:13 23:12	<b>multipliers</b> 26:14	<b>Nostrand</b> 42:24 43:4 49:9 53:14 54:2,19 55:4,6,21,24 56:10,21 57:9,13,18,20 58:5, 12,14 62:17 66:11,18
<b>minerals</b> 64:21	<b>multistate</b> 24:12	<b>note</b> 79:1
<b>miners</b> 17:13,14,17 21:3,4,8 22:14 24:5 37:6 44:16 60:20 63:18 82:3 84:3,20	<b>municipal</b> 86:24	<b>noted</b> 24:8
<b>Miners'</b> 17:11 60:13		<b>notice</b> 75:17,22 76:6 77:1 84:23
<b>mines</b> 22:7 31:5 35:17 44:15, 18 83:20	<hr/> <b>N</b> <hr/>	<b>notices</b> 76:2,13
<b>Mingo</b> 52:20	<b>nation</b> 16:9 17:4 25:17 28:4	<b>notified</b> 34:24
<b>minimize</b> 47:16	<b>nation's</b> 11:19 56:2	<b>NOX</b> 81:23
<b>mining</b> 22:1 26:15 29:9 35:8, 11 36:13 37:8 52:22,23 73:17 78:3,4,5,7 83:20	<b>national</b> 21:3 26:3 27:7 79:19	<b>number</b> 15:4 67:8 72:22 73:6 81:6,7,8 84:19
	<b>nationally</b> 79:7	<b>numbers</b> 62:19 87:20
	<b>nations</b> 88:10,15	<b>numerous</b> 35:13 86:22 87:23
	<b>nationwide</b> 40:24	
	<b>natural</b> 11:11 16:1 24:1 25:13 29:10 44:6 46:10 56:13 65:3 67:13 79:11 82:8,15,18	

<hr/> <b>O</b> <hr/>		
<b>Obama</b> 82:6	<b>optimistic</b> 30:23	<b>part</b> 11:1 15:3 20:2 29:4,5 31:22 40:7,11 43:8 45:8 62:9, 20 73:12 82:11 86:10
<b>Obama's</b> 21:19	<b>option</b> 50:12	<b>participate</b> 18:21 19:2 48:8
<b>objective</b> 89:4	<b>options</b> 49:20	<b>participated</b> 42:21 43:19 49:6
<b>occasionally</b> 46:2	<b>Oral</b> 14:4	<b>participation</b> 49:21
<b>occasions</b> 86:24	<b>order</b> 17:21 23:15 24:23 48:19 70:23 88:16	<b>particulates</b> 81:14
<b>occur</b> 26:21 67:2	<b>organizations</b> 76:10	<b>parties</b> 28:3
<b>occurred</b> 25:23	<b>ostensively</b> 71:8	<b>partner</b> 29:14,17,18 30:2,5
<b>occurring</b> 67:1	<b>outpaced</b> 41:1	<b>partnerships</b> 72:6
<b>oddball</b> 86:19	<b>output</b> 25:11 26:18,23 69:24	<b>party</b> 30:12
<b>offer</b> 49:14	<b>overreach</b> 13:21 36:13 82:5, 13	<b>Pasley</b> 19:10 22:4 28:7,11 59:16,19,22 60:1,4,9 64:4,17 65:5,15,19 66:2 71:24 72:9 83:7,10,12,15 84:8
<b>offers</b> 58:18	<b>oversee</b> 13:18	<b>pass</b> 17:12,24 18:3
<b>office</b> 32:12 35:13 61:18	<b>overstepping</b> 13:15	<b>passed</b> 12:24 17:20,22 47:9, 14 54:19 60:19
<b>official</b> 33:19 39:15 68:3	<b>oversteps</b> 23:22	<b>past</b> 22:16 74:16 86:6
<b>officially</b> 89:17	<b>owe</b> 41:20,21	<b>path</b> 56:8
<b>oftentimes</b> 84:19	<b>owned</b> 36:10	<b>pathway</b> 17:8
<b>oil</b> 55:20 65:1	<b>owners</b> 30:6 36:22	<b>patriots</b> 16:15
<b>OMB</b> 87:18	<b>owns</b> 83:21	<b>Patton</b> 46:12
<b>onboard</b> 57:16	<b>ozone</b> 12:22 71:13	<b>pay</b> 35:10 36:24 59:1 64:13 68:4
<b>one-third</b> 25:6 79:8		<b>payer</b> 51:16
<b>onerous</b> 87:13		<b>payers</b> 24:20,23 41:8 48:3 65:9
<b>online</b> 58:1		<b>payers'</b> 52:4
<b>open</b> 52:3 60:18		<b>paying</b> 59:15 65:12
<b>opening</b> 22:19		<b>payment</b> 42:1
<b>operate</b> 31:10 37:11 55:1 58:11		<b>pending</b> 23:21
<b>operated</b> 65:21		<b>penny</b> 58:3
<b>operating</b> 31:5		<b>pensions</b> 17:16 63:19
<b>operation</b> 29:11		<b>people</b> 12:9 14:7,22 17:1 19:13 21:24 28:20 31:15 36:17,19,23 37:22 38:2,7,14, 16 39:18,24 40:21 41:22 46:22 48:16 52:11,13,18 53:1 55:9, 12,14,16,17 57:21 60:2,18 61:18,24 64:18,19 71:21 74:15,20,22 75:3,10 76:2,9,10,
<b>operations</b> 33:13		
<b>opinion</b> 87:9		
<b>opportunities</b> 15:24 40:9 41:13 58:19 62:11 66:20,23		
<b>opportunity</b> 18:18,21 19:1,6, 21,22 22:11,15,17 28:12,15 37:9,17 38:12 39:13 48:18 53:8 61:10 62:5		
	<hr/> <b>P</b> <hr/>	
	<b>p.m.</b> 89:21	
	<b>pack</b> 21:17	
	<b>package</b> 75:22	
	<b>paid</b> 64:21 65:20 84:4,8,11	
	<b>paint</b> 11:5	
	<b>painting</b> 29:21	
	<b>panel</b> 42:22	
	<b>panelist</b> 34:6 38:21 42:21	
	<b>panelists</b> 22:12 43:12 89:10	
	<b>paper</b> 63:10,15 72:24	
	<b>parameters</b> 69:21	
	<b>Pardon</b> 71:4	
	<b>parents</b> 37:10	
	<b>Paris</b> 26:7,23 45:6 57:13 78:22 79:6 80:24 81:5 88:12	
	<b>parody</b> 57:24	

11 78:4 81:13 82:12,22 83:5,  
16 88:16

**people's** 21:21

**percent** 11:7 22:7 24:3,15  
26:3,4 27:7 29:2,3 31:4 32:16,  
18,19 49:13 56:9 73:22 74:19  
79:5,6,9,17 81:6 83:9,22,23

**perception** 78:21

**performance** 12:11

**performed** 36:5

**peril** 47:22

**period** 32:17,19 33:3 81:5

**permit** 13:10

**permits** 13:10 35:8

**person** 18:8 28:6 39:14

**personal** 32:17 74:13 75:14

**personally** 76:4

**petitioners** 23:17,18

**petitioners'** 51:23

**phone** 74:14

**photography** 37:4

**photovoltaics** 46:17

**picture** 64:5,6

**piece** 54:15

**pieces** 63:10,15

**pink** 84:24

**Pitt** 81:18

**Pittsburgh** 81:18

**PJM** 24:11 49:23

**place** 15:23 38:10 86:5

**places** 53:2,7

**plan** 11:6,7,21,22 12:10,12,20  
14:4 23:9,19,22 25:9,21 26:1,  
5,22 32:1 40:12 42:3,12 45:13  
47:16,19 49:8,11,20 50:21  
51:10 56:3 62:20,23 63:3,4  
69:20 70:18,22 71:8,11 86:18

**Plan's** 68:2

**planet** 55:9 62:22 88:7

**planner** 34:21 35:12

**plans** 85:11

**plant** 11:3 15:20 29:12 47:24

**plants** 12:12,13 15:5 81:17

**play** 27:23 48:6 56:1

**played** 77:15

**playground** 29:18 30:8

**playing** 16:8

**pleasing** 28:13

**pleasure** 23:4

**pledges** 26:6

**plight** 21:7 84:17

**PM** 71:14

**pockets** 24:22

**point** 25:5 35:18 44:21 54:3  
62:12 64:17 71:5

**pointed** 77:11

**pointedly** 87:18

**polar** 14:21,24

**police** 22:3 31:16

**policies** 63:24 82:23

**policy** 12:3 41:19 82:23

**political** 82:23

**politics** 16:21

**pollutants** 71:13 86:20,21

**popular** 54:17

**population** 39:18 41:6 73:5,  
13

**portfolio** 42:5 47:9 50:19  
53:15

**portion** 48:24

**position** 47:6 66:22 75:20  
77:6

**positioning** 47:24 54:13

**positions** 52:16

**possibly** 35:2

**potential** 47:21

**pouring** 56:12

**poverty** 88:17

**power** 11:3,6 12:12,13,20  
13:18 14:4 16:9 17:5 23:9,19,  
22 24:12 25:9,20 26:1,5,22  
27:24 40:3,11 42:3 45:13  
46:13 47:16 49:8,11,20 50:21  
51:10 55:2 56:3 62:20,23 63:3,  
4 68:2 69:3,18,20 70:18,22  
71:8,11 86:18

**practice** 13:16

**practiced** 78:7

**practices** 42:1

**pray** 38:15

**pre-recession** 27:9

**precedent** 79:21

**premise** 69:1

**premiums** 32:6

**preparation** 29:12

**preschool** 30:11,13

**presentation** 30:24

**presents** 30:14

**President** 80:13,17,21

**pretax** 27:6

**pretty** 54:17 68:16 73:24

**prevent** 13:8

**previous** 69:2

**price** 67:1 70:14 82:19

**prices** 25:13 57:23 75:4

**primarily** 44:5

**primary** 89:3

**principal** 29:16 30:3

**principles** 27:18

**private** 27:22

**privatized** 84:1

**privilege** 28:18

**problems** 56:24 87:23

**process** 40:1

**produce** 82:19

**produced** 37:8 80:10,12

**product** 15:7

<b>production</b> 11:12 25:3,6,22 26:2,8,11 79:19	<b>purely</b> 88:23	<b>reason</b> 69:8,10
<b>productive</b> 44:16,18	<b>purpose</b> 83:10	<b>reasonable</b> 27:16
<b>productivity</b> 44:17	<b>push</b> 68:21	<b>reasons</b> 74:22
<b>professor</b> 42:24	<b>put</b> 15:22 16:24 17:24 20:10 21:6 37:16 47:24 64:19 67:1 75:16 81:8 83:6 84:18 85:6 86:3,4	<b>rebate</b> 65:23
<b>profit</b> 36:17	<b>putting</b> 48:2 89:3	<b>rebates</b> 65:2
<b>profits</b> 36:2,3		<b>recall</b> 19:15 72:4
<b>profound</b> 79:20		<b>receive</b> 75:17
<b>program</b> 24:18 31:15 38:22 49:7,21 75:10	<hr/> <b>Q</b> <hr/>	<b>received</b> 75:22 76:2,23
<b>programs</b> 31:21	<b>quarter</b> 31:2,3,4	<b>receiving</b> 17:17
<b>projected</b> 11:2	<b>question</b> 19:14 48:24 63:21 66:14,21 67:20 73:18 75:13 77:21	<b>Recent</b> 24:11
<b>projections</b> 79:7	<b>questioning</b> 51:13	<b>recognize</b> 17:7 62:10 82:7 89:17
<b>projects</b> 30:9 31:20,22 48:11, 13 58:1	<b>questions</b> 40:2 49:1 53:14 61:6	<b>recognizing</b> 53:23
<b>prominence</b> 38:3	<b>quick</b> 61:6 62:3 82:1	<b>record</b> 83:4,18 89:12
<b>promote</b> 47:12	<b>quickly</b> 54:24	<b>reduce</b> 26:8 59:14 63:7,13
<b>promoting</b> 64:14	<b>quote</b> 61:24	<b>reduced</b> 26:24 29:1
<b>properly</b> 37:12		<b>reducing</b> 45:18 89:4
<b>properties</b> 32:20	<hr/> <b>R</b> <hr/>	<b>reduction</b> 26:3 35:1,2 50:18 51:9 63:8 79:5 81:6
<b>property</b> 32:6,17 35:18 83:21	<b>R&amp;d</b> 27:21	<b>reductions</b> 71:12
<b>prospect</b> 78:24	<b>raise</b> 20:9 37:15	<b>referenced</b> 19:7 61:13,16
<b>protect</b> 13:18	<b>ramifications</b> 36:8 37:2	<b>referencing</b> 62:18
<b>protecting</b> 13:19	<b>ranking</b> 89:13	<b>referred</b> 44:6 55:22
<b>Protection</b> 17:12 23:12 60:13	<b>raped</b> 64:24	<b>refrigerator</b> 15:11
<b>Protocol</b> 80:1,9,15,19	<b>rapidly</b> 57:23	<b>region</b> 36:22
<b>proud</b> 34:14 39:19 41:24 52:10	<b>rare</b> 87:4	<b>regional</b> 32:8
<b>proven</b> 13:3	<b>rate</b> 20:14 24:20,23 41:8 48:1, 3 49:22 50:1 51:16 52:3	<b>regret</b> 89:14
<b>provide</b> 20:10 32:9 33:22 38:6 55:1 72:13 85:4 88:18	<b>rates</b> 20:16 64:1	<b>regular</b> 17:21
<b>provided</b> 29:18,20,22 30:7,11 37:16	<b>ratification</b> 80:19	<b>regulate</b> 13:18
<b>provider</b> 37:19	<b>ratified</b> 45:7 80:22	<b>regulated</b> 82:16,17 86:20,21
<b>provision</b> 86:17,19	<b>reached</b> 13:12	<b>regulating</b> 12:14
<b>provisions</b> 86:22 87:4	<b>read</b> 45:14 71:18,23	<b>regulation</b> 69:7
<b>PSE</b> 54:20,22	<b>ready</b> 48:8	<b>regulations</b> 12:16 35:9,16 87:13,17
<b>pull</b> 54:17	<b>real</b> 32:18 46:3 62:5 82:1 89:1	<b>regulatory</b> 13:2 14:14 70:8 87:22
<b>purchase</b> 50:3,4	<b>realize</b> 18:21 77:14	<b>reining</b> 12:19
		<b>related</b> 29:9 36:6,11 40:9 42:16

<b>relationships</b> 36:5	<b>requirements--</b> 51:9	<b>road</b> 80:8
<b>relevant</b> 79:22 80:6	<b>requires</b> 50:2 52:1,2	<b>robust</b> 15:24
<b>reliability</b> 16:1 79:2,13	<b>Res</b> 80:20	<b>Rock</b> 29:11 30:1,6,10,15 32:13 33:3
<b>reliable</b> 12:18 14:16,18	<b>rescue</b> 34:21	<b>rocket</b> 45:22 46:2
<b>religious</b> 77:15	<b>research</b> 25:20 56:15 62:19, 21 63:1	<b>role</b> 11:19 18:24 27:24 56:1 77:14
<b>rely</b> 88:19	<b>reserves</b> 82:8	<b>roles</b> 12:16
<b>relying</b> 86:17	<b>residential</b> 50:10	<b>roll</b> 12:15 13:4
<b>remember</b> 11:13 61:13 81:15	<b>resource</b> 38:5	<b>rooftop</b> 50:10 51:7
<b>reminds</b> 19:8	<b>resources</b> 13:19 16:1 29:10 48:5,15 50:13,17,18 57:1 65:3	<b>room</b> 18:18
<b>removal</b> 13:16 45:17 78:16	<b>respectfully</b> 33:6	<b>root</b> 70:14
<b>removed</b> 84:9	<b>respond</b> 66:12,14 67:19	<b>roots</b> 43:11
<b>rendered</b> 28:20	<b>response</b> 46:21	<b>rotate</b> 49:2
<b>renewable</b> 24:1,21,24 39:15 40:10,24 42:12 47:8,12 48:11, 13 50:13,14,19 52:5 54:7,8,12	<b>responsibilities</b> 13:24 61:11	<b>round</b> 66:9
<b>renewables</b> 56:6,8 57:16 67:14 79:11	<b>responsibility</b> 55:10 64:11 66:3	<b>rule</b> 23:20 24:10,14 25:5,14, 16,18 26:1,4,15,16 52:1 69:1, 3,6 70:24
<b>Renewal</b> 39:2	<b>responsible</b> 39:16	<b>rules</b> 18:22 27:18 86:3,4,7
<b>repairs</b> 29:19	<b>rest</b> 42:15 89:2	<b>run</b> 50:12 55:15 72:7
<b>repealed</b> 47:10 53:16	<b>result</b> 23:15 25:3 48:6 51:18 65:12,13 80:15	<b>runs</b> 15:20
<b>repealing</b> 54:5,10	<b>resulted</b> 33:7 44:7	<b>rural</b> 15:10 27:20 29:3
<b>replace</b> 73:22	<b>resulting</b> 29:8,11	
<b>replaced</b> 31:16	<b>retain</b> 39:17 41:9	<hr/> <b>S</b> <hr/>
<b>replacement</b> 74:6	<b>retired</b> 17:13,17 60:20 63:18	<b>safe</b> 42:1 85:22
<b>report</b> 80:12	<b>retirees</b> 20:19	<b>safely</b> 85:3,13
<b>reports</b> 27:5	<b>retroactively</b> 13:9	<b>safety</b> 35:6
<b>reposition</b> 52:15	<b>returned</b> 42:24	<b>sales</b> 61:21 68:6
<b>represent</b> 38:16 79:15	<b>returning</b> 16:23	<b>sat</b> 85:10,24
<b>representation</b> 14:6	<b>revenue</b> 22:6 32:13	<b>satisfied</b> 70:8
<b>Representative</b> 61:3	<b>revenues</b> 30:17 32:23 33:8,9, 12,16	<b>save</b> 59:23 63:23 74:23
<b>represented</b> 23:4	<b>revolution</b> 46:8,23 47:2	<b>saving</b> 62:22
<b>represents</b> 79:18 89:16	<b>RFP</b> 46:13	<b>scale</b> 40:7 50:11,22,23
<b>Republican</b> 16:22	<b>rich</b> 88:14	<b>scare</b> 84:20,22 85:2,5
<b>Republicans</b> 18:19	<b>ridden</b> 11:13,14	<b>scenario</b> 11:3,5,10 26:5
<b>request</b> 79:12 81:4	<b>rights</b> 13:20,24	<b>school</b> 21:16 29:15,21,23,24 30:2,4,6,7 36:18 52:20,21 53:4 71:21 72:2,3,7
<b>require</b> 13:1	<b>rise</b> 32:6 45:1 63:8,13 88:3	<b>school's</b> 30:5
<b>required</b> 35:12 36:4		
<b>requirements</b> 24:2 51:9		

<b>schools</b> 21:21 22:2 52:21 72:7	<b>sequestration</b> 15:19	<b>sit</b> 19:3
<b>science</b> 71:23	<b>served</b> 33:19 83:10	<b>sitting</b> 85:14
<b>sea</b> 45:1 63:8,13 88:3	<b>services</b> 28:19 31:12 32:9 34:24 75:16 88:19	<b>situation</b> 64:12 73:17 84:17
<b>seams</b> 44:13	<b>servicing</b> 28:19	<b>situations</b> 63:17 87:1
<b>Secretary</b> 19:12	<b>set</b> 64:19	<b>skirmishes</b> 45:23
<b>Section</b> 23:23 86:18,20,23	<b>severance</b> 22:4,6 30:17 31:9, 22 59:13,14 64:20 75:22 83:5, 11,22	<b>slew</b> 80:7
<b>sector</b> 11:4 26:15 69:16	<b>severe</b> 30:5	<b>slightly</b> 34:23
<b>sectors</b> 41:14 42:7	<b>share</b> 24:7,9 36:12 38:13	<b>slip</b> 84:23,24
<b>secure</b> 11:19 16:3	<b>sharp</b> 42:14	<b>slower</b> 75:5
<b>seeking</b> 41:8	<b>shed</b> 16:17	<b>small</b> 21:20 36:22 37:13 69:23 75:8
<b>self-reliance</b> 75:2	<b>Shelley</b> 17:11,21	<b>smaller</b> 24:17 36:10
<b>sell</b> 52:14	<b>sheriff</b> 31:17	<b>SO2</b> 81:14
<b>selling</b> 50:18	<b>shifting</b> 52:1	<b>social</b> 87:9,11,15,23 88:22
<b>Senate</b> 12:24 14:2 18:20,22 19:3 68:20 80:19	<b>shine</b> 73:22	<b>solar</b> 12:4,5,8 25:1 39:23,24 40:3,4,8,22 46:17 47:21 50:6, 9,10,11,22 51:7 57:20,22,23 61:14 62:4,12 73:20 74:20,22
<b>senator</b> 12:18 13:8 18:7,12, 14,15,17,23 19:4,21 20:7 22:10,18 23:3,10,15 24:8 28:5, 11,14 33:1 34:5 38:19 39:2,5, 8,10,12 42:20 43:5,18 45:5 47:9 48:23 49:19 50:7 51:11, 21 52:7 53:6,10,11,12 54:2,15, 23 55:5,7,21,23 56:5,11 57:6, 10,14,19 58:2,10,13,15,21,24 59:4,7,11,17,20,23 60:2,6,10, 17,22 61:1,3 63:22 64:20 66:8, 11,17 67:18,22 68:8 69:9,18, 20 70:10,12,17,19 71:2,4,6,15, 17 72:1 73:2,8,16,21 74:2,3,8, 12 75:12,19,24 77:3,4,17,19, 20 78:6,9,12,15 79:1 81:11 82:20 83:2,8,11,14,18 84:10, 14 89:8,13,17	<b>shines</b> 51:1	<b>sold</b> 70:16
<b>Senators</b> 34:10	<b>shipments</b> 25:4	<b>solicit</b> 40:17
<b>send</b> 65:23	<b>shipped</b> 70:15	<b>solution</b> 48:19 68:13
<b>sending</b> 54:11 65:1	<b>ships</b> 16:15	<b>solutions</b> 55:18
<b>senior</b> 31:20	<b>short</b> 69:8 70:10 81:9	<b>solve</b> 55:19 56:24
<b>sense</b> 44:22 45:3 54:1 62:11 80:18	<b>short-sighted</b> 53:21	<b>somebody's</b> 84:21
<b>sensitivity</b> 61:7	<b>shoulder-fired</b> 45:22	<b>someone's</b> 17:7
<b>separate</b> 37:24 52:21	<b>shout</b> 16:11	<b>sort</b> 56:16
<b>September</b> 34:19	<b>showed</b> 79:7 84:11	<b>source</b> 12:11 38:5,8,9 45:19
	<b>shown</b> 33:14	<b>southern</b> 20:1,4 22:13 27:20 34:7 42:19 46:14 60:14,24
	<b>shows</b> 38:16	<b>southwest</b> 28:23
	<b>shut</b> 14:21 22:7 81:24	<b>SOX</b> 81:23
	<b>side</b> 19:3 70:2 81:19	<b>spared</b> 76:22
	<b>sign</b> 30:8	<b>speak</b> 15:4 25:8 38:12 72:11 73:19
	<b>signal</b> 54:11	<b>speaking</b> 68:16
	<b>signed</b> 45:6	<b>specific</b> 26:14
	<b>similar</b> 42:22	<b>speed</b> 43:15
	<b>simply</b> 44:17	<b>spending</b> 36:21 45:24
	<b>sincerely</b> 19:1	<b>spent</b> 43:23
	<b>single</b> 53:17 56:11	
	<b>sir</b> 54:24 58:20	

<b>spiralling</b> 17:18	<b>stay-at-home</b> 37:10	<b>successful</b> 40:16
<b>spoke</b> 46:12	<b>stayed</b> 21:18	<b>sudden</b> 81:23
<b>sponsored</b> 12:23	<b>staying</b> 60:17	<b>sued</b> 13:15
<b>spot</b> 86:16	<b>steadily</b> 88:8	<b>suffer</b> 24:10
<b>spotlight</b> 21:3	<b>steel</b> 16:14	<b>suffered</b> 35:5
<b>spouses</b> 37:9 76:13	<b>steep</b> 73:24	<b>suffering</b> 21:19 46:1 71:21
<b>Spring</b> 29:11 30:1,6,11,15 32:13	<b>stems</b> 12:21	<b>suggest</b> 63:1
<b>Springs</b> 22:22 33:3	<b>stewardship</b> 84:12	<b>sulphur</b> 71:13
<b>square</b> 51:2	<b>sticking</b> 44:3	<b>sun</b> 38:23 39:22 40:13 51:1 73:22 74:4,19
<b>St</b> 34:18	<b>stood</b> 41:24	<b>sunbelt</b> 51:4
<b>stabilization</b> 80:4	<b>storm</b> 14:24	<b>Sunday</b> 45:6
<b>standard</b> 12:11 47:9	<b>story</b> 21:7,9 34:8	<b>sunny</b> 74:4
<b>standards</b> 12:22 13:2 50:20	<b>strained</b> 32:10	<b>super</b> 17:5 55:2
<b>standpoint</b> 28:21	<b>stranger</b> 22:23	<b>supply</b> 79:8
<b>stands</b> 27:13	<b>strategy</b> 47:15	<b>support</b> 20:9 23:11 27:18 60:19,23 68:5
<b>start</b> 17:18 39:23 41:3	<b>street</b> 72:10	<b>supported</b> 12:15,22
<b>started</b> 35:15 40:13,18	<b>strong</b> 12:20 64:11 77:10 87:5	<b>supports</b> 27:16
<b>starting</b> 75:6	<b>struck</b> 61:22	<b>supposed</b> 13:5
<b>state</b> 16:12,13,16,19,20 21:15 24:16 25:7 26:12,18,23 35:13 37:1 38:14,16 40:15 41:16,18, 23 42:9 43:8,14 47:5,12 48:11 49:10,15 51:16,20,23 52:12,19 53:5,20 64:21,24 65:3 67:4 69:23 72:21 77:24	<b>structure</b> 24:7	<b>Supreme</b> 14:10 23:20 68:24 69:16
<b>State's</b> 13:20 51:8	<b>struggling</b> 33:10	<b>surcharge</b> 84:3
<b>stated</b> 23:13 30:14	<b>students</b> 30:6,11,13	<b>surface</b> 34:21 35:23
<b>statement</b> 66:13 77:11 85:9	<b>studies</b> 24:11 63:1 80:10	<b>survive</b> 56:6 60:21
<b>statements</b> 22:19	<b>study</b> 49:23	<b>sustain</b> 37:4
<b>states</b> 12:3 13:8,17 14:16 16:4 17:6 24:13,21,24 25:4 26:6 44:23 46:9,19 49:24 50:3,19 52:2,6 65:2 78:1 81:8,21 83:21 88:15	<b>studying</b> 43:24	<b>Sustainable</b> 43:1
<b>statistic</b> 32:24	<b>stuff</b> 57:3	<b>switch</b> 23:24
<b>Statistics</b> 20:8	<b>subcommittee</b> 18:24 19:20 89:13	<b>system</b> 14:18 33:13 71:21 72:8 77:10
<b>status</b> 87:4	<b>subject</b> 50:19 80:20	<b>systems</b> 52:20
<b>statute</b> 87:22	<b>submarine</b> 45:10	
<b>stay</b> 23:20 53:4	<b>submit</b> 80:18	
	<b>subsidiary</b> 34:18	
	<b>subsidies</b> 58:6	
	<b>subsidize</b> 24:20 52:4	
	<b>subsidizing</b> 48:10 49:8,9	
	<b>substantial</b> 57:21 58:22	
	<b>substitute</b> 72:14,17	
	<b>succeed</b> 48:16	
		<hr/> <b>T</b> <hr/>
		<b>table</b> 20:10 89:3
		<b>takes</b> 47:5 74:3
		<b>taking</b> 45:7 86:13
		<b>talk</b> 14:7 18:2 22:5 23:8 27:10 39:13 40:8 45:12 46:6 49:17 52:11 57:2 62:21 67:10,11,14

68:23 74:8 76:12 82:12,13 85:12	83:15,16 84:18 85:21	<b>trading</b> 24:18 49:7,12,21
<b>talked</b> 14:8,17 20:14 46:13 48:10 57:21 60:2 62:1 66:18 68:12 73:10 74:24 75:9 76:5, 14 85:8	<b>thinking</b> 85:4	<b>tragedy</b> 21:4
<b>talking</b> 39:14 41:18 45:24 50:10 56:16 63:5 67:8 71:7 77:5,7 82:2,4,21 84:20 85:15 88:14	<b>thought</b> 49:12 86:6	<b>tragically</b> 20:17
<b>talks</b> 47:13,21	<b>thousands</b> 22:1	<b>transition</b> 41:10,11
<b>Tammy</b> 21:10,23	<b>threat</b> 46:18	<b>Transport</b> 29:8
<b>target</b> 77:23 78:3 79:5,6	<b>throw</b> 60:13	<b>traveled</b> 89:10
<b>targeted</b> 37:2	<b>tied</b> 73:13	<b>tremendous</b> 38:14 48:17 50:16
<b>targets</b> 24:16 81:2	<b>tight</b> 31:24 32:9	<b>trillion</b> 55:3
<b>task</b> 80:1,11,13	<b>till</b> 63:5 85:10	<b>Trisko</b> 22:21 23:2 28:6 48:10 49:4,19 50:8 51:19,22 60:16, 22 68:23 69:9,19 70:9,11,13, 18,20 71:4,7,16 77:21 78:6,11, 14,16 86:16 87:21
<b>tasks</b> 36:5	<b>timber</b> 65:1	<b>true</b> 18:14
<b>taste</b> 20:4	<b>time</b> 13:15 15:8,9 20:18,19 25:18 27:12 30:16 32:5 33:20 37:5,12 42:6 43:24 45:24 63:24 68:2 69:14 73:23 75:17 88:20	<b>tunnels</b> 81:18
<b>tax</b> 11:22 12:2 22:4,6 32:12 33:1,4,5,8,9 41:7 56:5,12 57:14 58:7 59:13 60:7 63:23, 24 64:14,20 83:5,6,8	<b>timely</b> 81:4	<b>turbines</b> 44:9
<b>taxes</b> 32:19 59:14 64:2,13 65:12,20,22	<b>times</b> 11:16 19:24 28:20 35:20 44:6 71:16 73:10 84:19	<b>turn</b> 77:4
<b>teachers</b> 72:14,17	<b>today</b> 20:16,23 22:2 23:8 26:9, 16 29:7 34:11 38:12 39:14 41:12 42:18 45:13 68:12 74:4 79:9 84:21 86:5,7 89:15,18	<b>turned</b> 17:1 69:4
<b>team</b> 34:21	<b>told</b> 16:20 35:1,7,9,19 85:9 87:18	<b>type</b> 38:1,7 78:7 83:19
<b>technologies</b> 27:23	<b>Tom</b> 89:13	<b>types</b> 49:10
<b>technology</b> 13:2 15:15,21 16:2 46:10,15,22 53:23 56:19, 22 57:2	<b>ton</b> 36:2 88:1	<b>typically</b> 87:24
<b>telling</b> 32:24	<b>tonnage</b> 49:22	<hr/> <b>U</b> <hr/>
<b>temperature</b> 88:3	<b>tons</b> 25:11,21 26:2,9,10 79:19	<b>U.S.</b> 54:24 79:17 80:3,4
<b>temperatures</b> 63:7	<b>tool</b> 45:22 87:6	<b>ultimately</b> 38:2 40:4
<b>ten</b> 13:11	<b>toolbox</b> 86:11,12	<b>UMW</b> 41:24
<b>terms</b> 44:9,18 45:9,21 49:11 54:13 72:7 78:20 80:20 87:24	<b>tools</b> 86:11,12	<b>UMWA</b> 27:16 60:23
<b>testimony</b> 22:11 49:5 52:8 56:2 61:12	<b>top</b> 25:22	<b>unable</b> 71:23 89:14
<b>thankfully</b> 31:10	<b>topics</b> 68:13	<b>unavoidable</b> 88:7
<b>thing</b> 34:2 49:4 54:23	<b>tossed</b> 14:9	<b>uncertainty</b> 47:22
<b>things</b> 12:1 29:23 31:8,11 32:8 36:24 37:11 43:21 46:2 56:14 57:1 74:15 76:16 82:13	<b>total</b> 26:8 27:1 32:15,18 33:4 79:17	<b>underground</b> 35:21 78:4 84:19
	<b>touched</b> 33:2	<b>underlying</b> 88:5
	<b>tough</b> 19:24 20:21 22:9 64:9, 12	<b>understand</b> 41:15 62:24 64:9,10 66:6 67:24 82:14 83:5 86:2
	<b>trade</b> 49:14 53:17 54:3	<b>understanding</b> 43:13 64:8 68:24 82:17 87:17
		<b>undertaken</b> 30:9



<b>underwater</b> 45:10	<b>vendors</b> 36:5,16	<b>Walker</b> 21:12 36:9
<b>underway</b> 46:8,23	<b>versus</b> 14:5 36:17 54:8	<b>wanted</b> 40:8 67:20 89:16
<b>uneconomic</b> 47:24	<b>veteran</b> 16:23	<b>war</b> 20:2,3 21:19,24 43:23,24 44:3,5,10,19 45:9,24 46:1 48:2 87:7
<b>unemployment</b> 20:14,16 21:1	<b>veterans</b> 16:16	<b>warn</b> 75:17,22 76:2,6,13 84:23
<b>unimportant</b> 31:11	<b>vetoing</b> 13:9	<b>Washington</b> 11:24 13:23 21:6
<b>union</b> 76:10	<b>vice-presidential</b> 18:9	<b>water</b> 45:1 88:18
<b>unions</b> 79:15	<b>video</b> 43:20	<b>watts</b> 51:2
<b>unique</b> 19:6 29:4 64:9	<b>Vietnam</b> 16:23	<b>Wayne</b> 22:5 28:7,9,23 30:17 32:5,12 33:8,9,18,22 64:12,15 65:6,9 71:22 72:8
<b>United</b> 12:3 13:7 14:16 17:5, 17 22:21 23:4 26:6 44:23 46:9 78:1 81:7,21 83:21 88:15	<b>violations</b> 35:24 36:1	<b>ways</b> 41:8 72:20
<b>University</b> 43:2	<b>Virginia</b> 11:19 14:5 16:5,9,13 18:20 19:8,12,16,17,19 20:1,5, 12,15 21:8 22:13,23 23:16 24:3,13,14,18,19,23 25:8,10, 22 26:8,14 27:3,6,15,20 28:24 34:7,17 38:22,23 39:22 40:8, 13,19,21 41:3 42:8,19 43:2,10, 16 44:2,22 47:2,17 48:1,3,8, 11,13,14 49:6 50:4 51:3,8,14, 20 52:3 53:16 54:12 59:8 60:14,24 64:16 65:7,9 67:4,10, 13,17 68:14 69:23 71:20 74:18 75:6 77:9,22 78:1,8 89:16	<b>wealth</b> 42:6
<b>unleashed</b> 82:9	<b>Virginia's</b> 13:17 24:4 25:6 26:23 27:8,13 40:11 41:10 78:19	<b>weather</b> 45:2 67:2,5
<b>unprecedented</b> 13:14 23:20	<b>Virginian</b> 34:14 39:20 41:15	<b>week</b> 14:5 51:24 72:12
<b>unusual</b> 87:1	<b>Virginian's</b> 37:23	<b>weekly</b> 35:6,9
<b>unwavering</b> 37:23	<b>Virginians</b> 40:21	<b>weeks</b> 27:11
<b>unwilling</b> 19:19	<b>virtually</b> 47:4	<b>weight</b> 82:10
<b>unwillingness</b> 19:8	<b>vital</b> 27:24 37:11	<b>well-situated</b> 74:20
<b>upswing</b> 75:4	<b>voices</b> 19:22,23 22:15	<b>West</b> 11:18 13:17 14:5 16:4,9, 13 18:20 19:8,12,16,17,19 20:1,4,12,15 21:7 22:13,22 23:16 24:3,4,12,14,17,19,23 25:6,7,10,22 26:8,14,23 27:3, 6,8,13,15,20 28:24 34:7,14,17 37:23 38:22 39:19,22 40:8,11, 13,19,21 41:3,9,15 42:8,19 43:2,10,16 44:2,22 47:2,17 48:1,2,8,11,13,14 49:6 50:4 51:3,7,14,20 52:2 53:16 54:12 57:24 59:8 60:14,24 64:16 65:6,9 67:3,9,12,17 68:14 69:23 71:20 74:18 75:6 77:9, 22,24 78:8,19 89:16
<b>urban</b> 29:3 39:2	<b>voluntary</b> 80:24	<b>whatsoever</b> 15:1 58:22
<b>USDA</b> 75:9	<b>volunteer</b> 31:14	<b>who've</b> 78:18
<b>users</b> 15:9	<b>VON</b> 54:2 55:6,24 56:21 57:9, 13,20 58:14	<b>wide</b> 76:11
<b>utilities</b> 23:24 31:21 32:6 52:2 70:23	<b>vortex</b> 14:21	<b>widows</b> 63:19
<b>utility</b> 46:18 47:23 50:11 78:21		<b>wife</b> 36:23 37:12
<b>utilization</b> 15:18		<b>wife's</b> 37:4
<b>utilize</b> 53:19		
	<hr/> <b>V</b> <hr/>	
<b>validity</b> 23:18		
<b>valleys</b> 45:1		
<b>values</b> 33:15		
<b>Van</b> 42:23 43:4 49:9 53:14 54:19 55:4,21 56:10 57:18 58:5,12 62:17 66:11,18	<hr/> <b>W</b> <hr/>	
<b>variety</b> 88:2	<b>wage</b> 20:12,14 24:7 25:11 61:14	
<b>vehicles</b> 68:19	<b>wages</b> 37:9	
<b>vendor</b> 36:7,11	<b>wait</b> 76:16	

**win** 45:23 48:2

**wind** 12:2,4,7 25:1 46:10,14,  
15 50:5,8,16,17 57:9,10,24  
58:1

**windmill** 12:8

**winners** 48:20

**withered** 52:24

**withstanding** 88:12

**witnesses** 22:20

**wondered** 49:5

**wonderful** 18:18

**word** 53:17

**words** 61:23

**work** 17:9,10 33:16 35:12  
36:20 42:1 64:19 76:9,10,11  
84:18,22 85:3,6

**worked** 21:11 33:17 42:2

**workers** 17:17 22:22 23:5,16  
41:24

**workers'** 84:2

**workforce** 35:5

**working** 12:9 17:11 18:20  
23:14 28:1 35:11 36:17 37:16  
40:21 44:14,16 68:20 76:23  
85:1

**works** 39:14

**world** 15:7 17:5 28:17 45:3  
55:15 57:17 64:5 67:2 81:22  
88:14 89:2

**worried** 20:19,20 76:13 84:22

**worse** 55:16

**worst** 11:5,9

**worth** 70:3

**worthwhile** 31:22

**would've** 14:22

**wrong** 47:5 62:6 78:2

**wrote** 21:14,23

**WVU** 25:19 43:17

---

**Y**

---

**year** 14:1 17:13,15,16 20:8  
23:13,14 26:19,20 30:20 31:1,  
14,16,17 33:15 34:23 40:14,20  
47:11 62:3 63:5 68:5 70:1,24  
71:1 73:1 79:9

**years** 13:11 20:15,18 21:13  
22:24 23:5 26:19 27:2 28:8  
29:22 33:18 37:8 43:15 45:15  
47:4 50:20 52:24 63:6 64:24  
65:21 70:1 79:20 86:4,8

**young** 41:9 52:11 53:1

**younger** 72:3