

have the rest of my time to respond. The first question I'll ask you is, why do you think, if you're talking about this being a fairness issue, the money, my understanding was \$300,000 to be appropriated equally among the three communities originally. So there is a \$300,000 account, a cash fund, and that money then was for this purpose. And so then in all fairness, can you explain to me why you don't think it's fair that those that received more than they should have gotten don't pay it back then, I mean if you're talking about fairness. The second question is, and I'm looking through your little handout here on the second page at the bottom, because the question I was asking myself is where is the money going to come from for the new monies? Would it be appropriation and you say, no, there wouldn't be any General Fund appropriation, and the money will be taken from a Low-Level Cash Fund according to this. Can you explain to me what you mean by a Low-Level Cash Fund? Where would that money come from? What is that fund? Those two questions, please. Thank you.

SENATOR MORRISSEY: Okay. Thank you, Senator Smith, I'd gladly answer those. If, indeed, this were General Fund money I would have a hard time not asking that the money be repaid. These folks were acting under the direction of a state agency. The state agency told them and requested three different times, even after the law had changed they requested clarification on a properly filed application. They were acting under the direction of a state agency who continued to converse with them and request that they file, continue to file for this money under this provision. Unfortunately, that provision was repealed long since. So, since it is ratepayer money spread across, it is power company money which comes from the ratepayers spread across five states and it's, as I said, \$34,000. The total would be, if all the other political subs that were cheated out of this money because of lack of oversight or lack of paying attention by the department, it would total not quite \$100,000. There is \$500,000 in this Low-Level Cash Fund, number 4840, that was drawn from the ratepayers that is to be used for certain purposes. One of the purposes the department could use the funds for was to hire additional staff to act as community liaisons and to technical support staff. They decided not to use that money for that reason. If they had used that money for that reason they could have had extra people on board for oversight, for following the procedure and thus, I feel it is the department's fault, no question about it. They could have used this money to hire these people for oversight