

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Milk Marketing Board

In the Matter of: June 7, 2023 Over-Order Premium Hearing

Surrebuttal Witness and Exhibit List

The Pennsylvania Association of Milk Dealers (PAMD), by and through Baker, Donelson, Bearman, Caldwell & Berkowitz, is expected to utilize the following official sources, for which official notice may be request, for purposes of examination of rebuttal witnesses.

- (1) Dairy Products: Per capita consumption, United States (pounds per person)

<https://www.ers.usda.gov/data-products/dairy-data/dairy-data/#Historical%20dairy%20data>

- (2) USA Facts, Population Data, Pennsylvania

<https://usafacts.org/data/topics/people-society/population-and-demographics/our-changing-population/state/pennsylvania/?endDate=2020-01-01&startDate=2017-01-01>

- (3) Over Order Premium Effect

See Attachment 1988 to 2011

<https://www.mmb.pa.gov/Legal/Documents/Premium%20Effect%20by%20%20month.pdf>

- (4) All Milk Price

<https://downloads.usda.library.cornell.edu/usda-esmis/files/c821gj76b/hm50w661q/1g05gt52t/agpr0523.pdf>

- (5) Mailbox Prices

<https://hoards.com/article-22-mailbox-prices.html>
<https://www.ams.usda.gov/resources/marketing-order-statistics/mailbox-milk-prices>

- (6) Class I Price Surface

[https://www.fmna30.com/Maps/ClassIDifferences--Map--US\(Effective5-1-2008\).pdf](https://www.fmna30.com/Maps/ClassIDifferences--Map--US(Effective5-1-2008).pdf)

Respectfully submitted,

/s/ Wendy Yoviene

Wendy M. Yoviene

PENNSYLVANIA MILK MARKETING BOARD

**OVER-ORDER PREMIUM EFFECT
SEPTEMBER 1988 THROUGH MARCH 2007**

| OGO | HEARING CALL | PERIOD | MONTHS | AVE. MONTHLY | | |
|-------|-------------------|---------------------------|--------|--------------|-------------|---------------|
| | | | | RATE | POUNDS | AMOUNT |
| A-856 | DROUGHT | 09/01/88 THROUGH 02/28/89 | 6 | \$1.05 | 160,000,000 | \$10,080,000 |
| A-857 | DROUGHT | 03/01/89 THROUGH 08/31/89 | 6 | \$1.05 | 160,000,000 | \$10,080,000 |
| A-861 | DROUGHT | 09/01/89 THROUGH 04/30/90 | 8 | \$1.05 | 160,000,000 | \$13,440,000 |
| A-865 | DROUGHT | 05/01/90 THROUGH 06/30/91 | 14 | \$1.05 | 160,000,000 | \$23,520,000 |
| A-867 | FUEL COST | 12/01/90 THROUGH 06/30/91 | 7 | \$0.30 | 160,000,000 | \$3,360,000 |
| A-868 | DROUGHT | 07/01/91 THROUGH 06/30/92 | 12 | \$1.05 | 160,000,000 | \$20,160,000 |
| A-869 | FUEL COST | 02/01/92 THROUGH 06/30/92 | 5 | \$0.25 | 160,000,000 | \$2,000,000 |
| A-872 | MARKET CONDITIONS | 07/01/92 THROUGH 06/30/93 | 12 | \$0.80 | 160,000,000 | \$15,360,000 |
| A-877 | MARKET CONDITIONS | 07/01/93 THROUGH 07/31/95 | 25 | \$0.80 | 160,000,000 | \$32,000,000 |
| A-889 | MARKET CONDITIONS | 08/01/95 THROUGH 08/31/95 | 1 | \$0.70 | 160,000,000 | \$1,120,000 |
| A-889 | MARKET CONDITIONS | 09/01/95 THROUGH 12/31/95 | 4 | \$0.60 | 160,000,000 | \$3,840,000 |
| A-892 | MARKET CONDITIONS | 01/01/96 THROUGH 10/31/96 | 10 | \$0.50 | 160,000,000 | \$8,000,000 |
| A-893 | PRODUCTION COST | 11/01/96 THROUGH 10/31/97 | 12 | \$0.80 | 160,000,000 | \$15,360,000 |
| A-895 | PRODUCTION COST | 11/01/97 THROUGH 04/30/98 | 6 | \$1.20 | 160,000,000 | \$11,520,000 |
| A-897 | PRODUCTION COST | 05/01/98 THROUGH 10/31/98 | 6 | \$0.80 | 160,000,000 | \$7,680,000 |
| A-898 | PRODUCTION COST | 11/01/98 THROUGH 04/30/99 | 6 | \$0.50 | 181,558,671 | \$5,446,760 |
| A-901 | PRODUCTION COST | 05/01/99 THROUGH 05/31/99 | 1 | \$1.45 | 166,099,282 | \$2,408,440 |
| A-901 | PRODUCTION COST | 06/01/99 THROUGH 06/30/99 | 1 | \$1.26 | 154,832,964 | \$1,950,895 |
| A-901 | PRODUCTION COST | 07/01/99 THROUGH 07/31/99 | 1 | \$1.81 | 164,534,976 | \$2,978,083 |
| A-901 | PRODUCTION COST | 08/01/99 THROUGH 08/31/99 | 1 | \$1.65 | 163,222,772 | \$2,693,176 |
| A-904 | PRODUCTION COST | 09/01/99 THROUGH 09/30/99 | 1 | \$0.40 | 168,525,339 | \$674,101 |
| A-905 | PRODUCTION COST | 10/01/99 THROUGH 12/31/99 | 3 | \$0.40 | 176,936,957 | \$2,123,243 |
| | | 09/01/88 THROUGH 12/31/99 | | | | \$195,794,699 |

FOR SPECIFIC INFORMATION ON YEARS PRIOR TO 2000, PLEASE CONTACT THE BOARD

| | | | | | | |
|-------|----------------------|---------------------------|----|--------|-------------|--------------|
| A-906 | PRODUCTION COST | 01/01/00 THROUGH 06/30/00 | 6 | \$1.20 | 173,560,111 | \$12,496,328 |
| A-909 | PRODUCTION COST | 07/01/00 THROUGH 10/31/00 | 4 | \$1.00 | 174,964,635 | \$6,998,585 |
| A-908 | FUEL COST | 04/01/00 THROUGH 01/31/02 | 22 | \$0.25 | 174,419,142 | \$9,593,053 |
| A-909 | PRODUCTION COSTS | 11/01/00 THROUGH 12/31/00 | 2 | \$1.20 | 181,626,987 | \$4,359,048 |
| A-912 | PRODUCTION COSTS | 01/01/01 THROUGH 06/30/01 | 6 | \$1.40 | 170,483,462 | \$14,320,611 |
| A-914 | PRODUCTION COSTS | 07/01/01 THROUGH 10/31/01 | 4 | \$1.10 | 175,333,050 | \$7,714,654 |
| A-914 | PRODUCTION COSTS | 11/01/01 THROUGH 01/31/02 | 3 | \$1.40 | 180,483,137 | \$7,580,292 |
| A-915 | ADVERSE CONDITIONS | 02/01/02 THROUGH 06/30/02 | 5 | \$1.65 | 165,150,922 | \$13,624,951 |
| A-916 | ADVERSE CONDITIONS | 07/01/02 THROUGH 08/31/02 | 2 | \$1.65 | 164,015,586 | \$5,412,514 |
| A-917 | ADVERSE CONDITIONS | 09/01/02 THROUGH 12/31/02 | 4 | \$1.65 | 171,459,516 | \$11,316,328 |
| A-918 | ADVERSE CONDITIONS | 01/01/03 THROUGH 02/28/03 | 2 | \$1.50 | 167,875,179 | \$5,036,255 |
| A-920 | ADVERSE CONDITIONS | 03/01/03 THROUGH 06/30/03 | 4 | \$1.40 | 151,566,101 | \$8,487,702 |
| A-922 | INCREASED FUEL COSTS | 04/01/03 THROUGH 06/30/03 | 3 | \$0.15 | 151,288,829 | \$680,800 |
| A-923 | MARKET CONDITIONS | 07/01/03 THROUGH 12/31/03 | 6 | \$1.65 | 152,619,505 | \$15,109,331 |
| A-924 | MARKET CONDITIONS | 01/01/04 THROUGH 06/30/04 | 6 | \$1.65 | 148,655,323 | \$14,716,877 |
| A-927 | INCREASED FUEL COSTS | 07/01/04 THROUGH 08/31/04 | 2 | \$0.10 | 150,009,021 | \$300,018 |
| A-927 | INCREASED FUEL COSTS | 09/01/04 THROUGH 09/30/04 | 1 | \$0.14 | 150,004,722 | \$210,007 |
| A-929 | MARKET CONDITIONS | 07/01/04 THROUGH 09/30/04 | 3 | \$1.30 | 150,884,037 | \$5,884,477 |
| A-927 | INCREASED FUEL COSTS | 10/01/04 THROUGH 11/30/04 | 2 | \$0.17 | 159,546,245 | \$542,457 |
| A-927 | INCREASED FUEL COSTS | 12/01/04 THROUGH 01/31/05 | 2 | \$0.26 | 161,662,090 | \$840,643 |
| A-927 | INCREASED FUEL COSTS | 02/01/05 THROUGH 04/30/05 | 3 | \$0.23 | 152,135,884 | \$1,049,738 |
| A-927 | INCREASED FUEL COSTS | 05/01/05 THROUGH 07/31/05 | 3 | \$0.29 | 144,745,184 | \$1,259,283 |
| A-927 | INCREASED FUEL COSTS | 08/01/05 THROUGH 08/31/05 | 1 | \$0.32 | 151,217,194 | \$483,895 |
| A-927 | INCREASED FUEL COSTS | 09/01/05 THROUGH 10/31/05 | 2 | \$0.35 | 161,344,337 | \$1,129,410 |
| A-927 | INCREASED FUEL COSTS | 11/01/05 THROUGH 12/31/05 | 2 | \$0.47 | 164,801,218 | \$1,549,131 |
| A-927 | INCREASED FUEL COSTS | 01/01/06 THROUGH 01/31/06 | 1 | \$0.38 | 163,312,486 | \$620,587 |
| A-927 | INCREASED FUEL COSTS | 02/01/06 THROUGH 02/28/06 | 1 | \$0.35 | 149,844,840 | \$524,457 |
| A-927 | INCREASED FUEL COSTS | 03/01/06 THROUGH 03/31/06 | 1 | \$0.38 | 166,720,409 | \$641,138 |
| A-927 | INCREASED FUEL COSTS | 04/01/06 THROUGH 04/30/06 | 1 | \$0.35 | 145,976,560 | \$510,918 |
| A-927 | INCREASED FUEL COSTS | 05/01/06 THROUGH 05/31/06 | 1 | \$0.38 | 158,796,367 | \$603,426 |
| A-927 | INCREASED FUEL COSTS | 06/01/06 THROUGH 06/30/06 | 1 | \$0.44 | 144,861,100 | \$637,389 |
| A-927 | INCREASED FUEL COSTS | 07/01/06 THROUGH 09/30/06 | 3 | \$0.47 | 150,765,866 | \$2,125,799 |
| A-927 | INCREASED FUEL COSTS | 10/01/06 THROUGH 10/31/06 | 1 | \$0.50 | 163,815,692 | \$819,078 |
| A-927 | INCREASED FUEL COSTS | 11/01/06 THROUGH 11/30/06 | 1 | \$0.44 | 163,924,056 | \$721,266 |
| A-927 | INCREASED FUEL COSTS | 12/01/06 THROUGH 01/31/07 | 2 | \$0.38 | 164,742,231 | \$1,252,041 |
| A-927 | INCREASED FUEL COSTS | 02/01/07 THROUGH 02/28/07 | 1 | \$0.41 | 154,020,755 | \$631,485 |
| A-927 | INCREASED FUEL COSTS | 03/01/07 THROUGH 03/31/07 | 1 | \$0.35 | 163,338,982 | \$571,686 |
| A-931 | MARKET CONDITIONS | 10/01/04 THROUGH 12/31/04 | 3 | \$1.55 | 161,246,434 | \$7,497,959 |
| A-932 | MARKET CONDITIONS | 01/01/05 THROUGH 06/30/05 | 6 | \$1.55 | 151,000,225 | \$14,043,021 |
| A-933 | MARKET CONDITIONS | 07/01/05 THROUGH 12/31/05 | 6 | \$1.55 | 157,804,587 | \$14,675,827 |
| A-935 | MARKET CONDITIONS | 01/01/06 THROUGH 06/30/06 | 6 | \$1.55 | 155,251,960 | \$14,438,432 |
| A-938 | MARKET CONDITIONS | 07/01/06 THROUGH 12/31/06 | 6 | \$1.60 | 156,938,593 | \$15,066,105 |
| A-941 | MARKET CONDITIONS | 01/01/07 THROUGH 03/31/07 | 3 | \$1.85 | 161,749,997 | \$8,977,125 |

TOTAL

\$430,848,826

PENNSYLVANIA MILK MARKETING BOARD

OVER-ORDER PREMIUM EFFECT

SEPTEMBER 1988 THROUGH DECEMBER 2011

| OGO | HEARING CALL | PERIOD | MONTHS | AVE. MONTHLY | | |
|--|----------------------|---------------------------|--------|--------------|-------------|---------------|
| | | | | RATE | POUNDS | AMOUNT |
| FOR SPECIFIC INFORMATION ON ORDERS PRIOR TO 2006, PLEASE CONTACT THE BOARD | | | | | | \$362,545,269 |
| FOR SPECIFIC INFORMATION ON A-927 PRIOR TO 2007, PLEASE CONTACT THE BOARD | | | | | | \$14,306,632 |
| A-927 | INCREASED FUEL COSTS | 12/01/06 THROUGH 01/31/07 | 2 | \$0.38 | 162,169,129 | \$1,232,485 |
| A-927 | INCREASED FUEL COSTS | 02/01/07 THROUGH 02/28/07 | 1 | \$0.41 | 148,036,866 | \$606,951 |
| A-927 | INCREASED FUEL COSTS | 03/01/07 THROUGH 04/30/07 | 2 | \$0.35 | 154,382,401 | \$1,080,677 |
| A-927 | INCREASED FUEL COSTS | 05/01/07 THROUGH 05/31/07 | 1 | \$0.41 | 152,810,161 | \$626,522 |
| A-927 | INCREASED FUEL COSTS | 06/01/07 THROUGH 08/31/07 | 3 | \$0.44 | 142,898,626 | \$1,886,262 |
| A-927 | INCREASED FUEL COSTS | 09/01/07 THROUGH 10/31/07 | 2 | \$0.47 | 155,808,173 | \$1,464,597 |
| A-927 | INCREASED FUEL COSTS | 11/01/07 THROUGH 11/30/07 | 1 | \$0.50 | 161,530,918 | \$807,655 |
| A-927 | INCREASED FUEL COSTS | 12/01/07 THROUGH 12/31/07 | 1 | \$0.53 | 159,114,895 | \$843,309 |
| A-927 | INCREASED FUEL COSTS | 01/01/08 THROUGH 02/29/08 | 2 | \$0.65 | 155,971,394 | \$2,027,628 |
| A-927 | INCREASED FUEL COSTS | 03/01/08 THROUGH 03/31/08 | 1 | \$0.62 | 155,505,816 | \$964,136 |
| A-927 | INCREASED FUEL COSTS | 04/01/08 THROUGH 04/30/08 | 1 | \$0.65 | 149,787,255 | \$973,617 |
| A-927 | INCREASED FUEL COSTS | 05/01/08 THROUGH 05/31/08 | 1 | \$0.80 | 157,243,648 | \$1,257,949 |
| A-927 | INCREASED FUEL COSTS | 06/01/08 THROUGH 06/30/08 | 1 | \$0.86 | 132,523,981 | \$1,139,706 |
| A-927 | INCREASED FUEL COSTS | 07/01/08 THROUGH 07/31/08 | 1 | \$0.98 | 144,159,173 | \$1,412,760 |
| A-927 | INCREASED FUEL COSTS | 08/01/08 THROUGH 09/30/08 | 2 | \$1.04 | 151,335,998 | \$3,147,789 |
| A-927 | INCREASED FUEL COSTS | 10/01/08 THROUGH 10/31/08 | 1 | \$0.95 | 162,492,826 | \$1,543,682 |
| A-927 | INCREASED FUEL COSTS | 11/01/08 THROUGH 11/30/08 | 1 | \$0.83 | 150,795,723 | \$1,251,605 |
| A-927 | INCREASED FUEL COSTS | 12/01/08 THROUGH 12/31/08 | 1 | \$0.71 | 165,629,171 | \$1,175,967 |
| A-927 | INCREASED FUEL COSTS | 01/01/09 THROUGH 01/31/09 | 1 | \$0.53 | 156,890,809 | \$831,521 |
| A-927 | INCREASED FUEL COSTS | 02/01/09 THROUGH 02/28/09 | 1 | \$0.38 | 143,424,012 | \$545,011 |
| A-927 | INCREASED FUEL COSTS | 03/01/09 THROUGH 03/31/09 | 1 | \$0.35 | 158,247,149 | \$553,865 |
| A-927 | INCREASED FUEL COSTS | 04/01/09 THROUGH 04/30/09 | 1 | \$0.32 | 149,175,040 | \$477,360 |
| A-927 | INCREASED FUEL COSTS | 05/01/09 THROUGH 07/31/09 | 3 | \$0.29 | 141,311,567 | \$1,229,411 |
| A-927 | INCREASED FUEL COSTS | 08/01/09 THROUGH 09/30/09 | 2 | \$0.38 | 146,558,192 | \$1,113,842 |
| A-927 | INCREASED FUEL COSTS | 10/01/09 THROUGH 12/31/09 | 3 | \$0.41 | 158,679,065 | \$1,951,752 |
| A-927 | INCREASED FUEL COSTS | 01/01/10 THROUGH 01/31/10 | 1 | \$0.47 | 147,532,513 | \$693,403 |
| A-927 | INCREASED FUEL COSTS | 02/01/10 THROUGH 02/28/10 | 1 | \$0.44 | 144,867,846 | \$637,419 |
| A-927 | INCREASED FUEL COSTS | 03/01/10 THROUGH 04/30/10 | 2 | \$0.47 | 152,150,751 | \$1,430,217 |
| A-927 | INCREASED FUEL COSTS | 05/01/10 THROUGH 05/31/10 | 1 | \$0.50 | 143,689,146 | \$718,446 |
| A-927 | INCREASED FUEL COSTS | 06/01/10 THROUGH 06/30/10 | 1 | \$0.53 | 131,130,387 | \$694,991 |
| A-927 | INCREASED FUEL COSTS | 07/01/10 THROUGH 07/31/10 | 1 | \$0.56 | 139,173,186 | \$779,370 |
| A-927 | INCREASED FUEL COSTS | 08/01/10 THROUGH 11/30/10 | 4 | \$0.50 | 146,182,122 | \$2,923,642 |
| A-927 | INCREASED FUEL COSTS | 12/01/10 THROUGH 12/31/10 | 1 | \$0.53 | 157,509,628 | \$834,801 |
| A-927 | INCREASED FUEL COSTS | 01/01/11 THROUGH 01/31/11 | 1 | \$0.56 | 151,737,068 | \$849,728 |
| A-927 | INCREASED FUEL COSTS | 02/01/11 THROUGH 02/28/11 | 1 | \$0.59 | 134,589,042 | \$794,075 |
| A-927 | INCREASED FUEL COSTS | 03/01/11 THROUGH 03/31/11 | 1 | \$0.65 | 152,473,189 | \$991,076 |
| A-927 | INCREASED FUEL COSTS | 04/01/11 THROUGH 04/30/11 | 1 | \$0.71 | 145,531,205 | \$1,033,272 |
| A-927 | INCREASED FUEL COSTS | 05/01/11 THROUGH 05/31/11 | 1 | \$0.80 | 141,629,593 | \$1,133,037 |
| A-927 | INCREASED FUEL COSTS | 06/01/11 THROUGH 07/31/11 | 2 | \$0.83 | 127,958,321 | \$2,124,108 |
| A-927 | INCREASED FUEL COSTS | 08/01/11 THROUGH 10/31/11 | 3 | \$0.80 | 145,032,419 | \$3,480,778 |
| A-927 | INCREASED FUEL COSTS | 11/01/11 THROUGH 12/31/11 | 2 | \$0.77 | 147,217,732 | \$2,267,153 |
| A-935 | MARKET CONDITIONS | 01/01/06 THROUGH 06/30/06 | 6 | \$1.55 | 153,068,955 | \$14,235,413 |
| A-938 | MARKET CONDITIONS | 07/01/06 THROUGH 12/31/06 | 6 | \$1.60 | 154,783,370 | \$14,859,203 |
| A-941 | MARKET CONDITIONS | 01/01/07 THROUGH 06/30/07 | 6 | \$1.85 | 152,069,338 | \$16,879,696 |
| A-944 | MARKET CONDITIONS | 07/01/07 THROUGH 11/30/07 | 5 | \$1.60 | 152,745,220 | \$12,219,618 |
| A-947 | MARKET CONDITIONS | 12/01/07 THROUGH 03/31/08 | 4 | \$1.35 | 156,640,875 | \$8,458,607 |
| A-950 | MARKET CONDITIONS | 04/01/08 THROUGH 12/31/08 | 9 | \$2.15 | 151,700,419 | \$29,354,031 |
| A-959 | MARKET CONDITIONS | 01/01/09 THROUGH 06/30/09 | 6 | \$2.15 | 148,271,012 | \$19,126,961 |
| A-964 | MARKET CONDITIONS | 07/01/09 THROUGH 10/31/09 | 4 | \$2.15 | 148,971,622 | \$12,811,560 |
| A-966 | MARKET CONDITIONS | 11/01/09 THROUGH 12/31/09 | 2 | \$2.65 | 157,656,364 | \$8,355,787 |
| A-967 | MARKET CONDITIONS | 01/01/10 THROUGH 06/30/10 | 6 | \$2.65 | 145,253,566 | \$23,095,317 |
| A-969 | MARKET CONDITIONS | 07/01/10 THROUGH 12/31/10 | 6 | \$2.65 | 146,901,884 | \$23,357,400 |
| A-970 | MARKET CONDITIONS | 01/01/11 THROUGH 06/30/11 | 6 | \$2.15 | 142,151,181 | \$18,337,502 |
| A-971 | MARKET CONDITIONS | 07/01/11 THROUGH 12/31/11 | 6 | \$2.15 | 143,083,729 | \$18,457,801 |

\$ 647,932,371