


COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Milk Marketing Board

In the Matter of: December 6, 2017 Over-Order Premium Hearing

Witness and Exhibit List

The Pennsylvania Association of Milk Dealers (PAMD) will participate in the hearing by and through the undersigned counsel and is expected to offer two witnesses to support PAMD's case in chief requesting that the Milk Marketing Board lower the mandated Over Order Premium from \$1.60 to 75-cents for the period following the pending proceeding through September 2018.

Evan Kinser, Vice President – Milk Supply for Dean Foods Company is expected to testify as an expert in milk marketing and agricultural economics in accordance with the attached pre-submitted testimony and exhibits.

John Pierce will testify for the Pennsylvania Association of Milk Dealers as its current President and will also testify for Dean Foods Company as Senior Manager for Lehigh Valley, Schuylkill Haven, Swiss, Sharpsville and Meadowbrook Dairies. Mr. Pierce is expected to testify as a lay witness in support of PAMD's request to lower the Over Order Premium from \$1.60 to 75-cents through September 2018. He is expected to discuss the competitive landscape facing fluid milk processors within Pennsylvania and in particular Dean Foods. In addition, Mr. Pierce is expected to explain why the PAMD request to lower the Over Order Premium to 75-cents through September of 2018 is important in light of: (1) the level of RFP activity facing Dean Foods and the critical importance of raw milk costs in that process, (2) competition associated with excess capacity in fluid milk plants, **[BEGIN CONFIDENTIAL ATTORNEY EYES ONLY MATERIAL]** 

[REDACTED] . [END CONFIDENTIAL
ATTORNEY EYES ONLY MATERIAL]

Respectfully submitted,

/s/ Wendy Yoviene

Wendy M. Yoviene

CERTIFICATE OF SERVICE

On this 25th day of October, 2017, I, Samira Fredericks, a secretary in the law office of Baker Donelson, hereby certify that I have served on this day true and correct copies of the foregoing on behalf of the Pennsylvania Association of Milk Dealers by e-mail to the following persons:

INTERESTED PARTIES

1. Chief Counsel

Douglas Eberly
PA Milk Marketing Board
2301 North Cameron Street
Harrisburg, PA 17110-9408

deberly@state.pa.us

2. Board Staff

Andrew L. Saylor, Esq.
PA Milk Marketing Board
2301 North Cameron Street
Harrisburg, PA 17110-9408

asaylor@pa.gov

3. Pennsylvania Farm Bureau

John J. Bell, Esq.
510 S. 31st Street
P.O. Box 8736
Camp Hill, PA 17011-8736

jjbell@pfb.com

4. Pennsylvania Association of Dairy Cooperatives

Marvin Beshore, Esq.
130 State Street
Harrisburg, PA 17101-1026

mbeshore@beshorelaw.com

Dean Ellinwood
Dairy Marketing Services
P.O. Box 4844
Syracuse, NY 13221-4844

Dean.Ellinwood@DairyMarketingServices.com

Troye Cooper
Maryland & Virginia Milk Producers Cooperative Association, Inc.
1985 Isaac Newton Square West
Reston, VA 20190

tcooper@mdvamilk.com

5. Pennsylvania Food Merchants Association

Allen Warshaw, Esq.
1035 McCormick Road
Mechanicsburg, PA 17055

allen.warshaw@gmail.com

Thomas Price, CPA
Herbein+Company, Inc.
2763 Century Boulevard
Reading, PA 19610

tjprice@herbein.com

6. Commonwealth of Pennsylvania, Department of Agriculture

John H. Howard, Esq.
Pennsylvania Department of Agriculture
2301 North Cameron Street
Harrisburg, PA 17110

johoward@pa.gov

7. Pennsylvania State Grange

Matthew Espenshade
213 Black Swamp Road
Bainbridge, PA 17502

in.the.shade@comcast.net

8. Progressive Agriculture Organization

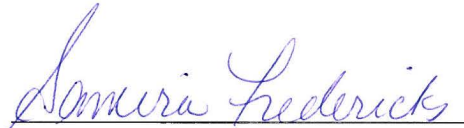
Arden Tewksbury
1300 Rattlesnake Hill Road
Meshoppen, PA 18630

progressiveagricultureorg@gmail.com

9. Dean Foods Company

Charles M. English, Jr., Esq.
Davis Wright Tremaine LLP
Suite 800
1919 Pennsylvania Avenue, NW
Washington, DC 20006

chipenglish@dwt.com


Samira Fredericks