SUPPLEMENTAL TESTIMONY OF STEVEN ZALMAN BEFORE THE PENNSYLVANIA MILK MARKETING BOARD COST REPLACEMENT HEARING – MILK MARKETING AREA 2 May 1, 2019

My name is Steven Zalman. I am the Director of Accounting and Enforcement for the PA Milk Marketing Board. I would like to address the issues raised by the Board at the Area 2 post hearing conference about the process of proposing changes to the Area 2 cross-section.

In a phone conference with the Pennsylvania Association of Milk Dealers (PAMD) on November 20, 2018, Ron Mong made the suggestion to add three additional dealers to the Area 2 cross-section (Balford Farms, Pocono Mountain, and Valley Farms). To determine Board Staff's position with adding the additional dealers I took the following steps:

- I calculated the controlled sales by dealers for 2017, not only into Area 2, but for all areas.
- A percentage of sales into each area was calculated by taking the pounds sold per crosssection dealer divided by the total pounds sold into the area.
- Starting with the highest percentages, I selected dealers to be included in each of the areas. I continued selecting dealers by sales percentages to obtain a consistent volume threshold for selection in all areas.

We found that all areas but one could be more representative of dealer costs, and one area had a dealer that will need to be added in 2018 that is not currently a cross-section dealer. Using this method of selection eliminated any chance of choosing a dealer on a subjective basis, such as being a high cost dealer.

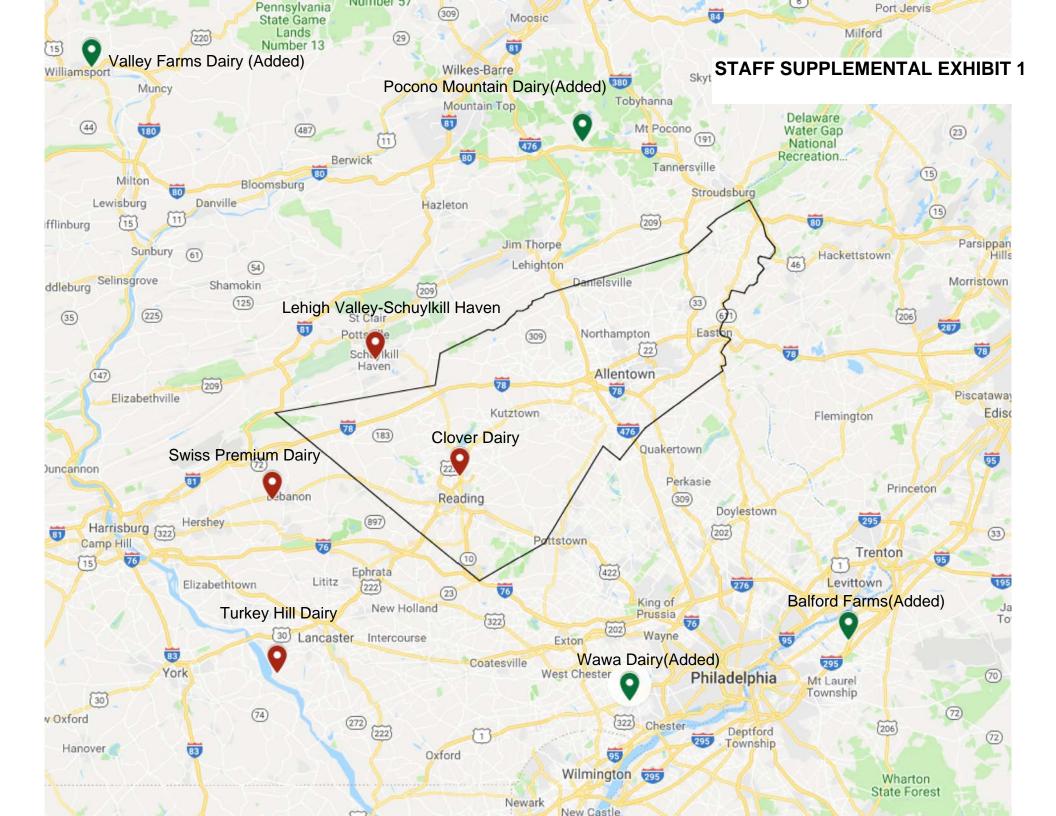
We communicated our position with the new cross-section selections to PAMD. To our knowledge, there were no plant specific issues at the time, nor would it have changed our selections. The sole reason for the change was to develop an objective cross-section that most represented costs of dealers.

Last year's cross-section was representative, but the 2017 cross-section is more representative of dealer costs. The 2016 cross-section accounted for 63.7% of Class 1 sales. The 2017 cross-section accounted for 79.8% of controlled sales.

The 2016 Area 2 cross-section had four dealers, all located in Pennsylvania, one of them located in Area 2. The 2017 Area 2 cross-section has eight dealers, one located in Area 2, and one located in New Jersey. The 2017 cross-section is more geographically diverse (See Board Staff Supplemental Exhibit 1).

The 2017 cross-section sells milk in various container sizes like the 2016 cross-section did, with the addition of paper quarts. The cross-section sells all the common container sizes and we consider the 2017 cross-section representative in this respect.

Board Staff continues to believe that the proposed changes to the cross-section in Area 2 are appropriate, and accurately reflect dealer costs selling into the area.



STAFF SUPPLEMENTAL TESTIMONY OF GARY GOJSOVICH BEFORE THE PENNSYLVANIA MILK MARKETING BOARD COST REPLACEMENT HEARING – MILK MARKETING AREA 2 May 1, 2019

Staff Supplemental Exhibit 2 shows the factors that contributed to the increase in the price of standard (whole) milk in the various container sizes. The increase in the Area 2 wholesale price for a gallon of whole milk is approximately \$0.32 which is mostly attributable to the increase in processing costs per point. The proposed processing costs per point increased from Year 2016 by \$0.0631 per point (or \$0.2524 per gallon) as shown in Staff Supplemental Exhibit 3.

Four Dealers were added to the cross-section for Year 2017; two of which are processing Dealers (Valley Farms and Wawa) and two of which are non-processing Dealers (Balford and Pocono). This had the effect of increasing the Area 2 processing costs per point. The non-processing Dealers generally purchase large, tractor-trailer loads of packaged product from other Dealers and distribute this product. These non-processing Dealers then generally make smaller, more costly deliveries into the Area. The addition of non-processing Dealers would therefore be likely to lead to an increase in the Delivery processing costs per point.

Staff Supplemental Exhibit 2 shows that the processing costs per point increase from adding the four Dealers is \$0.2524 per whole milk gallon. The increase without adding them would have been \$0.0484 per gallon. Most of this increase is in the delivery cost center.

The Area 2 price increase is relatively large. However, with this increase, Area 2 would be within the range of the prices for all Areas. The retail prices for a 2% gallon in each of these areas, as proposed in these cost replacement hearings, are:

3
-
)
-
)
•

The average of these 2% gallon prices is \$3.60 which is only \$0.02 higher than the proposed Area 2 price,

Thank you. I'd be happy to answer any questions you may have.

PENNSYLVANIA MILK MARKETING BOARD MILK MARKETING AREA 2

Explanation of Wholesale Increases/(Decreases) Year 2017

			EXH. 11		Variance between Proposed and Existing											
	Container Size	Ir	holesale ncrease ecrease)	E	container fficiency djustment	Ρ	rocessing Cost	А	Cost Update djustment	Pro	Bulk ofit / (Loss)	TOTAL				
	GALLON	\$	0.3223	\$	0.0189	\$	0.2524	\$	0.0192	\$	0.0224	\$	0.3129			
(WHOLE)	1/2 GALLON	\$	0.1537	\$	0.0055	\$	0.1262	\$	0.0096	\$	0.0112	\$	0.1525			
Р Н	QUART	\$	0.0855	\$	0.0061	\$	0.0631	\$	0.0048	\$	0.0056	\$	0.0796			
	PINT	\$	0.0343	\$	(0.0023)	\$	0.0316	\$	0.0024	\$	0.0028	\$	0.0345			
STANDARD MILK	12 OUNCE	\$	(0.0052)	\$	(0.0323)	\$	0.0237	\$	0.0018	\$	0.0021	\$	(0.0047)			
	10 OUNCE	\$	(0.0088)	\$	(0.0311)	\$	0.0197	\$	0.0015	\$	0.0017	\$	(0.0082)			
NA	1/2 PINT	\$	0.0124	\$	(0.0068)	\$	0.0158	\$	0.0012	\$	0.0014	\$	0.0116			
ST	4 OUNCE	\$	(0.0007)	\$	(0.0108)	\$	0.0079	\$	0.0006	\$	0.0007	\$	(0.0016)			
	Bulk per Quart	\$	0.1383	\$	0.0576	\$	0.0631	\$	0.0048	\$	0.0056	\$	0.1311			

PENNSYLVANIA MILK MARKETING BOARD MILK MARKETING AREA 2

Comparison of Processing Costs per Point

	Year 2016 ⁽¹⁾			Year 2017 ⁽¹⁾					Year 2017 ⁽²⁾				
					thout Balford, Poc	Valley & Wawa	with Balford, Pocono, Valley & Wawa						
Cost Center	Processing Costs per Point			Processing Costs per Point		Variance (2017 vs. 2016)		Processing Costs per Point		Variance (2017 vs. 2016)			
Receiving, Lab & Field	\$	0.0104		\$	0.0145	\$	0.0041	\$	0.0135	\$	0.0031		
Stand. & Past	\$	0.0208		\$	0.0228	\$	0.0020	\$	0.0232	\$	0.0024		
Bottling	\$	0.0318		\$	0.0347	\$	0.0029	\$	0.0361	\$	0.0043		
Cold Room	\$	0.0311		\$	0.0298	\$	(0.0013)	\$	0.0392	\$	0.0081		
Delivery	\$	0.0804		\$	0.0832	\$	0.0028	\$	0.1213	\$	0.0409		
Selling	\$	0.0167		\$	0.0183	\$	0.0016	\$	0.0210	\$	0.0043		
TOTAL	\$	0.1912		\$	0.2033	\$	0.0121	\$	0.2543	\$	0.0631		
Quarts per Gallon							x 4				х 4		
Gallon Effect						\$	0.0484			\$	0.2524		

cross-section includes:	* Clover Farms
	* LVD - Schuylkill Haven
	* Swiss Premium
	* Turkey Hill
cross-section includes:	* Balford Farms (addition)
	* Clover Farms

Footnotes: 1.

2.

- Clover Farms
- * LVD Schuylkill Haven
- * Pocono Mountain (addition)
- * Swiss Premium
- * Turkey Hill
- * Valley Farms (addition)
- * Wawa (addition)

PENNSYLVANIA MILK MARKETING BOARD STAFF AREA 2 COST REPLACEMENT HEARING MAY 1, 2019 LIST OF WITNESSES

The following individuals will testify at the Milk Marketing Area 2 Cost Replacement Hearing on May 1, 2019 on behalf of the Milk Marketing Board Staff. Copies of their curriculum vitae will be available upon request at the hearing.

Steven Zalman, Milk Marketing Board Director of Enforcement and Accounting, will testify as an expert on milk industry cost accounting and regulation. His testimony will address the subjects included in his presubmitted testimony, but it is not necessarily limited to the presubmitted testimony.

Gary Gojsovich, Milk Marketing Board Audit Supervisor, will testify as an expert on milk industry cost accounting and regulation. His testimony will address the subjects included in his presubmitted testimony, but it is not necessarily limited to the presubmitted testimony.

Date: April 26, 2019

Respectfully submitted,

Andrew L. Saylor

Staff Attorney Pennsylvania Milk Marketing Board

AREA 2 COST REPLACEMENT HEARING MAY 1, 2019 CERTIFICATE OF SERVICE

I hereby certify that on April 26, 2019, I have served true and correct copies of the foregoing by email on behalf of the Milk Marketing Board Staff to the following (all of whom will accept service by email):

Pennsylvania Milk Marketing Board

Douglas L. Eberly, Esquire, Chief Counsel 2301 North Cameron Street Harrisburg PA 17110 deberly@pa.gov

Pennsylvania Association of Milk Dealers

Wendy Yoviene, Esquire Baker, Donelson, Bearman, Caldwell & Berkowitz 1401 H Street, NW Washington DC 20005 wyoviene@bakerdonelson.com

David W. Stonesifer, CPA Herbein+Company, Inc 2763 Century Boulevard Reading, PA 19610 dwstonesifer@herbein.com

Pennsylvania Association of Dairy Cooperatives

Marvin Beshore, Esquire 130 State Street – PO Box 946 Harrisburg, PA 17108-0946 Mbeshore@beshorelaw.com

Dean Ellinwood Dairy Marketing Services PO Box 4844 Syracuse, NY 13221-4844 Dean.Ellinwood@dfamilk.com

Troye Cooper Maryland & Virginia Milk Prod Coop Assoc., Inc. 1985 Isaac Newton Square West Reston VA 20190 tcooper@mdvamilk.com

Pennsylvania Food Merchants Association

Allen Warshaw, Esquire 1035 McCormick Road Mechanicsburg PA 17055 allen.warshaw@gmail.com Josh A. Pollet, CPA Herbein + Company, Inc. 2763 Century Boulevard Reading PA 19610 japollet@herbein.com

Pennsylvania Farm Bureau

John J. Bell, Esquire Pennsylvania Farm Bureau 510 S. 31st Street – P.O. Box 8736 Camp Hill, PA 17011-8736 jjbell@pfb.com

Commonwealth of Pennsylvania Department of Agriculture

John H. Howard, Esquire Pennsylvania Department of Agriculture 2301 N. Cameron Street Harrisburg, PA 17110 johoward@pa.gov

Dean Foods

Charles M. English, Jr., Esquire Davis Wright Tremaine LLP 1919 Pennsylvania Avenue NW, Suite 800 Washington, DC 20006 chipenglish@dwt.com

Andrew L. Saylor

Staff Attorney Pennsylvania Milk Marketing Board