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March 26, 2002

John Mykrantz
Office of Federal Milk
Market Administrator
Western Milk Marketing Order
Seattle, Washington

By email attachment only
JMykrantz@FMMASEATTLE.com

Re: Western/PNW Hearing, April 16, 2002

Dear Mr. Mykrantz:

To follow up my prior email, and your response, I submit the following request for statistical information to be compiled by the Market Administrator's office for use at the hearing.

General instructions and definitions: Data is requested in most cases for 1999 to date, for the Western and predecessor Great Basin and SW Idaho-E. Oregon markets. If reasonably possible, I would like data on a monthly and annual basis. If not, in order of priority, I would like annual and representative month (say, June and December) data, or just representative months. If monthly data is not available in any form without revealing confidential information, but data may be produced in annual form (or multiple month aggregation), please attempt so to aggregate it. A representative month should avoid, if possible, months in which significant volumes of milk were voluntarily depooled. Logical groupings are OK if necessary to obscure confidential information. For "receipts" or "deliveries," I mean milk physically received at a plant unless otherwise stated in context of the request.

1- Producer milk received at *Idaho plants* within the Marketing Area of Order 135 or prior Order 139 (pool and non-pool plants), pounds by class of utilization, 1999-2002.

- 2- Producer milk received at *Utah plants* within the marketing area of Order 135 or predecessor 139 (pool and nonpool), pounds by class of utilization, 1999-2002.
- 3- Producer milk receipts at Idaho and Utah plants within the marketing area of Orders 135 and its predecessors (pool and non-pool plants, aggregate) by class of utilization by pricing zone, 1999-2002.
- 4- Producer milk by state and county *other than Section 9(c) milk*, 1999-2002.
- 5- Volume of Grade A milk *produced* within the geographic boundaries of federal marketing orders 135 and 139 that was *not* regularly pooled on the Western (or predecessor) marketing order, 1999-2002. Pooled for this purpose includes producer milk voluntarily depooled by a pool handler.
- 6- Volume of Grade A milk produced, by county or county groupings, within the Idaho and Utah portion of geographic boundaries of federal marketing orders 135 and 139 that was pooled on other federal order markets, 1999-2002, by pooling market.
- 7- List name and location of Section 1135.8 nonpool plants located outside of the states of Idaho and Utah, 1999-2002.
- 8- For plants listed in response to # 7, by state groupings, producer milk received by class of use for 1999-2002.
- 9- In-area Class I sales by (a) pool plants, (b) other order plants, and (c) producer-handler/exempt plants, for Orders 135 and 139, 1999.
- 10- In-area Class I sales by (a) Idaho Pool Plants, (b) Utah pool plants, (c) other order plants, and (d) producer-handler/exempt plants, for Orders 135, 2000-2002.
- 11- In aggregate, for Order 135 pool distributing plants that are reporting handlers for producer milk receipts pursuant to Sec. 1135.30(a)(1)(i), total receipts, plant receipts, diversions (& % diversions), and bulk milk transfers, 2000-2002. If possible, subdivide data by state groupings of plants for Idaho and Utah.

12- For distributing plants under Orders 135 and 139 (1999), and by state groupings (Utah and Idaho) of Order 135 distributing plants for 2000-2001, plant receipts by week and day of the week (weekly high day and low day may do), for December and June.

13- For plants covered by request No. 11, Number of plants and total plant receipts by intra-week daily receipts variability groupings. Suggested example as follows

<u>High receipts as % of low day</u>	<u>No. Plants in group</u>	<u>Total mo. receipts of plants in group</u>
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Dec., Wk. 1

> 200 %

150 – 200%

< 200%

Dec., Wk. 2

> 200 %

150 – 200%

etc.

14- With respect to pool handler diversions pursuant to Sec. 1135.13(d)(2), and pursuant to Sections 1135.13(f)(3)-(5) and 1139.13(d)(2)-(3) of each of the predecessor orders, the volume of diversions and pooled milk of handlers by diversion grouping for 1999 – 2002 as follows:

<u>Handler diversion %</u>	<u># Handlers</u>	<u>Lbs. of diversions</u>	<u>Total pooled milk</u>
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Less than 50%

1999

FO 139

FO 135

2000

FO 135

2001

FO 135

2001
FO135
50% to 70%
1999
FO 139
FO 135
2000
FO 135
2001
FO 135
2001
FO135

More than 70%
1999
FO 139
FO 135
2000
FO 135
2001
FO 135
2001
FO135

15- Total transfers and diversions of milk from pool distributing plants (11357(a) and (b)), 2000-2002, within the meaning of proposed Sec. 1135.13(d)(3) of Proposal 7.

16- Volume of producer milk and number of producers by state and county pooled during 1999-2002 that would have been required to perform as "individual state units" if proposals 2 and 9 (§ 1135.13(d)(6)) had been in effect.

17- Volume of producer milk, and origin by state and county, delivered to plants physically located outside of the geography described in proposal 9, §1135.7(c)(3), grouping producers and pooled milk by those inside the geographic area, and those distant producers delivering milk to the same plants. Please group plants and milk supplies by state (or state groupings, if necessary). Please also list all plants so located. This request is not limited to "supply plants" to which proposal 9 would

apply, since there currently are none, but rather to all plants (pool and nonpool) located in the designated "distant" area that received producer milk.

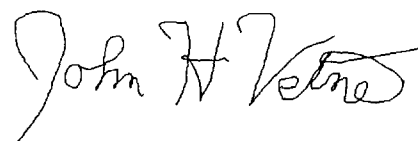
18- Volume of producer milk reported by pool handlers, *not including* 9(c) handlers, as delivered by bulk transfer or diversion to a pool distributing plant of another handler. List all distributing plants that received milk so reported at any time during calendar years 1999-2002. List all handlers (*not including* 9(c) handlers) who reported making such transfers to pool distributing plants at any time during calendar years 1999-2002.

19- Volume of producer milk, and affect on the producer price (PPD), that would not have qualified as marketed during 2000-2002 if each of the following proposals had been in place during 2000 to 2002: Proposals 3 and 7, combined; Proposal 6; Proposal 10; Proposals 2 and 9, combined. Additionally, the portion of milk that would not have qualified which was reported as 9(c) milk, and which was reported as other than 9(c) milk.

Please phone or email me with any questions or problems you may have concerning these requests.

Your cooperation is greatly appreciated.

Very truly yours,



John H. Vetne
Attorney for Davisco Foods and
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John Mykrantz

From: John Vetne [jvetne@justice.com]
Sent: Tuesday, March 26, 2002 1:29 PM
To: JMykrantz@FMMASEATTLE.com
Cc: JDaugherty@FMMASEATTLE.com; GJablonski@FMMASEATTLE.com; WiseW@fmma.net
Subject: Apr 16 hearing; data request



JV-HearingRequests.d

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Dear John,

Attached is a request for information relevant to the proposals noticed for hearing on April 16. Please call me at 978-388-2480 or email reply if you perceive problems, or if I can help facilitate the effort.

Thank you.

john

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