

Received

MAY 11 2021

WV Ethics Commission

West Virginia Ethics Commission

Lobbyist Activity Report Form

2021-01

West Virginia Ethics Commission

Attn: Lobbyist Registrar

210 Brooks St., Ste. 300

Charleston, WV 25301

304-558-0664

No faxed copies

For office use only:

Postmark _____

Rec'd _____

Days late _____

Fine _____

Late reporting fine - \$10 per business day past the due date (\$250 maximum)

1. Name and contact information

Name Benjamin R. Beakes

Phone 304-993-8917

Address _____

Email ben@3pswv.com

PO Box 7058

City, State Zip Benjamin R. Beakes

2. Reporting period for which this activity report is being filed

Check	Report	Period	Due Date				
x	2021-01	1/1/21 - 4/30/21	5/17/21				

3. List all employers/organizations that you represent as a lobbyist

Use additional reporting forms if necessary.

- | | |
|------------------------------|----------|
| 1. <u>Benjamin R. Beakes</u> | 4. _____ |
| 2. <u>05/11/2021</u> | 5. _____ |
| 3. _____ | 6. _____ |

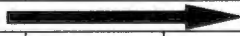
4. Lobbying activity summary - If there was no activity or expenditures, indicate "none."

05/11/2021

5. Expenditures See attached sheet for client expenditure detail

If no expenditures, including campaign contributions, mark here:

If you spent money on any public official, employee or member of his or her immediate family, list the amounts spent in each of the following categories per each employer you represent. Complete and attach Schedule A to this report.

Expenditure Categories	Employer 1	Employer 2	Employer 3	Employer 4	Employer 5	Employer 6	Total Expended
A. Meals and Beverages	\$	\$	\$	\$	\$	\$	\$ 638.13
B. Lodging	\$	\$	\$	\$	\$	\$	\$
C. Advertising	\$	\$	\$	\$	\$	\$	\$
D. Travel	\$	\$	\$	\$	\$	\$	\$
E. Gifts	\$	\$	\$	\$	\$	\$	\$
F. Other Expenses	\$	\$	\$	\$	\$	\$	\$
G. Group Expenditures	\$	\$	\$	\$	\$	\$	\$ 796.38
H. Campaign Contributions	LIST AMOUNT IN "TOTAL EXPENDED" COLUMN. 						\$ 500.00
I. TOTAL of all expenditures	\$	\$	\$	\$	\$	\$	\$ 1,934.51

If you sponsored or contributed to any group event or shared expenses, list the total expended in category 5G immediately above. Complete and attach a Schedule B for each event.

Continued on page 2

Lobbyist Activity Report Form

3. List all employers/organizations that you represent as a lobbyist

- 1 Alpha Metallurgical Resources
- 2 TC Energy
- 3 AT&T
- 4 Stride
- 5 WV Regional Technology Park
- 6 Republic Services
- 7 Yes, Every Kid, Inc.
- 8 WV Association of Health Plans
- 9 WV Independent Colleges & Universities
- 10 Three Point Strategies, LLC (3PS)
- 11 AAA
- 12 WV Child Advocacy Network (WVCAN)
- 13 Metallurgical Coal Producers Association
- 14 HNTB

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5. Total of All Expenditures from Schedule A and Schedule B

	Alpha	TC Energy	AT&T	Stride	WVRTP	Republic	Yes, EK, Inc.	WVAHP	WVICU	3PS	AAA	WVCAN	MCPA	HNTB	Total
	Employer 1	Employer 2	Employer 3	Employer 4	Employer 5	Employer 6	Employer 7	Employer 8	Employer 9	Employer 10	Employer 11	Employer 12	Employer 13	Employer 14	
A. Meals and Beverages	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 638.13	\$ -	\$ 638.13
B. Lodging	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
C. Advertising															\$ -
D. Travel	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
E. Gifts	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
F. Other Expenses	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
G. Group Expenditures (From Schedule B)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 417.30	\$ -	\$ -	\$ -	\$ -	\$ 379.08	\$ -	\$ 796.38
H. Campaign Contributions															\$ 500.00
I. Total of all expenditures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 417.30	\$ -	\$ -	\$ -	\$ -	\$ 1,017.21	\$ -	\$ 1,934.51

Schedule A: WV Lobbyist Expenditure Details

(Attach this completed sheet to the Lobbyist Activity Report)

Complete this form if you have made or shared any expenditure **other** than group entertainment on a public official or employee during this reporting period. If you have made expenditures in these categories - (1) *Meals & Beverages*, (2) *Lodging*, (3) *Travel*, (4) *Gifts*, (5) *Other Expenditures* - list below, you must report it in sections 1 or 2 on this form.

If you shared any of these expenditures with another lobbyist, note who shared the expenditures in the area below the recipient's name. You are not required to report on Schedule A detailed expenditures on Advertising, Contributions [including political contributions] and Group Entertainment. Expenditures in those categories must be reported on the Lobbyist Activity Report and/or Schedule B.

1. Expenditure Details - (include shared expenditures not reported on Schedule B)

Report all expenditures in any of the categories listed below on a particular person or member of their immediate family EXCEPT those reported in Section 1a or 2 (below) or any portion of a "Group Entertainment" OR "Shared Expense" event which are to be reported on Schedule B. Transfer the totals to section 5 on the Lobbyist Activity Report. If you shared expenditures with another lobbyist, identify who shared the cost in the area below each recipient's name.

Recipient name(s) and date of expenditure	Meals & beverages	Lodging	Travel	Gifts	Other	Total \$ expended
see attached sheet						
TOTAL Expenditures						

1a Gifts (Group)

Ordinarily gifts to individual legislators must not exceed \$25. Gifts such as key chains, mugs, and calendars given to ALL members of the House or Senate, the entire Legislature or to standing or joint committees must be listed here. Describe the item, to which group it was given and the total cost. You need not list each legislator who received the gift, only the name of the group. Transfer the total cost to the Lobbyist Activity Report, section 5E.

Describe the gift(s)	Which employer provided the gift?	Which group received the gift?	Total cost of gift(s)
none			

2. Participation in a Panel or Speaking Engagement

Report expenditures on a particular person in the categories listed below when such expenditure was for the individual's participation in a panel or speaking engagement. Transfer the totals to section 5 on the Lobbyist Activity Report.

Recipient name and event	Meals & beverages	Lodging	Travel	Gifts	Scheduled entertainment & other	Total \$ expended
none						

3. Subjects of Lobbying

For each recipient identified in 1, 1a & 2 above, explain briefly the subjects of lobbying. List the individual or group recipient and then the subject matter of the lobbying. Example: "Del. Joe Jones – Health Care" or "House Finance Committee - Environment."

see attached sheet

Schedule A**3. Subjects of Lobbying**

Expenditure Detail	Name	Topic
03-08-2021 Dinner	Riley Keaton, Adam Burkhammer, Jonathan Pinson	Coal mining policies
03-09-2021 Breakfast	Eric Householder	Tax policy
03-09-2021 Dinner	Rupie Phillips, Mike Azinger	Coal mining policies
04-10-2021 Lunch	Roger Hanshaw, Jeff Pack, Amy Summers, Gary Howell, Paul Espinosa, Kayla Kessinger (Staff: V.Pendell, D Greear, J Billings, M Humphrey, Nate [analyst], A Ali, K Howell [spouse])	None. Last day session luncheon.

Schedule B: Group Entertainment & Shared Expenses

(Attach to the Lobbyist Activity Report)

Instructions: *Group Entertainment* functions include only the functions that fall within the following groups. Report expenditures for a dinner party, reception or other similar function if you invited ALL members of any of these four specific groups. Individual names of attendees do not need to be listed for these four specific groups.

- | | |
|---|-------------------------------------|
| 1. the Legislature | 3. either house of the Legislature |
| 2. a standing or select committee of either house | 4. a joint committee of both houses |

Use the worksheet below to figure the amount spent on legislators and other governmental officials and employees for each "event." Enter this amount on the Lobbyist Activity Report.

List each group event separately. **Make additional copies of this page if necessary.** Record total expenditures for each group event in **Section B**. You must then calculate and post on the Lobbyist Activity Report only the amount actually spent on public officials. If you share expenses with another reporting lobbyist, report only your portion of the expenses and list the names of other co-sponsors in **Section C** below.

Section A: Event Information

Lobbying expenses for entertainment of "OTHER" group events are reported in the "Meals & Beverages" category on the Lobbyist Activity Report Form. List the names of attendees on this form or attach additional information pages. If using this form, list the names in item 5 below, as well as other event information requested in items 1 through 4 and complete the Section B calculations.

1. Date of event: 04/09/2021 Location: WV Capitol House Finance Committee Room
2. Type of event (reception, dinner, etc.): Lunch
3. Event sponsor: Metallurgical Coal Producers Association (If you shared the sponsorship and expenses with others, you must also complete Section C below.)
4. Which of the following governmental groups were invited? All members of:
- | | |
|---|---|
| <input type="checkbox"/> a. the Legislature | <input checked="" type="checkbox"/> c. a standing or select committee of either house |
| <input type="checkbox"/> b. either house of the Legislature | <input type="checkbox"/> d. a joint committee of both houses |

OR

5. OTHER: If the event was not in one of the four specific groups listed above, you must list the names of all public employees or public officials in attendance here or on an attachment to this form. List attendees here:

Section B: Calculate Reportable Expenses*Some calculations must be performed manually.*

$$1. \frac{379.08}{(total\ cost\ of\ event)} \div \frac{30}{(total\ attendance)} = \$ \frac{12.64}{(per\ capita\ cost)}$$

2. Number of governmental officials or employees in attendance:

$$\frac{30}{(governmental\ attendees)} \times \frac{12.636}{(per\ capita\ cost)} = \boxed{379.08^1}$$

If this was a true Group Entertainment event and you were the sponsor, report the amount above as Group Entertainment on the Lobbyist Activity Report in Section 5G. If you shared expenses with others, complete section C below, and report only your portion of the cost. Note: If you classified the expenditure described in section A as "OTHER," it is reported on the Lobbyist Activity Report Form as a Meals & Beverages expense (5A), not as a "Group Expenditure" (5G).

Section C: Shared Sponsorship Expenses

1. Were any other lobbyists co-sponsors of this event? no (yes or no)
2. If yes, with how many others are sharing the cost? _____ List the names of all sponsors below:

3. What is your share of Box 1 above? \$ _____

Record that amount in Box 2 and on the Lobbyist Activity Report in Section 5G.

BOX 2

Schedule B: Group Entertainment & Shared Expenses

(Attach to the Lobbyist Activity Report)

Instructions: *Group Entertainment* functions include only the functions that fall within the following groups. Report expenditures for a dinner party, reception or other similar function if you invited ALL members of any of these four specific groups. Individual names of attendees do not need to be listed for these four specific groups.

- | | |
|---|-------------------------------------|
| 1. the Legislature | 3. either house of the Legislature |
| 2. a standing or select committee of either house | 4. a joint committee of both houses |

Use the worksheet below to figure the amount spent on legislators and other governmental officials and employees for each "event." Enter this amount on the Lobbyist Activity Report.

List each group event separately. **Make additional copies of this page if necessary.** Record total expenditures for each group event in **Section B**. You must then calculate and post on the Lobbyist Activity Report only the amount actually spent on public officials. If you share expenses with another reporting lobbyist, report only your portion of the expenses and list the names of other co-sponsors in **Section C** below.

Section A: Event Information

Lobbying expenses for entertainment of "OTHER" group events are reported in the "Meals & Beverages" category on the Lobbyist Activity Report Form. List the names of attendees on this form or attach additional information pages. If using this form, list the names in item 5 below, as well as other event information requested in items 1 through 4 and complete the Section B calculations.

1. Date of event: 04/10/2021 Location: WV Capitol House Finance Committee Room
2. Type of event (reception, dinner, etc.): Lunch
3. Event sponsor: WV Association of Health Plans (If you shared the sponsorship and expenses with others, you must also complete Section C below.)
4. Which of the following governmental groups were invited? All members of:
- | | |
|---|---|
| <input type="checkbox"/> a. the Legislature | <input checked="" type="checkbox"/> c. a standing or select committee of either house |
| <input type="checkbox"/> b. either house of the Legislature | <input type="checkbox"/> d. a joint committee of both houses |
- OR
5. OTHER: If the event was not in one of the four specific groups listed above, you must list the names of all public employees or public officials in attendance here or on an attachment to this form. List attendees here:
- _____
- _____

Section B: Calculate Reportable Expenses

$$1. \frac{417.30}{(total\ cost\ of\ event)} \div \frac{30}{(total\ attendance)} = \$13.91 \text{ (per capita cost)}$$

2. Number of governmental officials or employees in attendance:

$$\frac{30}{(governmental\ attendees)} \times \frac{13.91}{(per\ capita\ cost)} = \boxed{417.30}$$

If this was a true Group Entertainment event and you were the sponsor, report the amount above as Group Entertainment on the Lobbyist Activity Report in Section 5G. If you shared expenses with others, complete section C below, and report only your portion of the cost. Note: If you classified the expenditure described in section A as "OTHER," it is reported on the Lobbyist Activity Report Form as a Meals & Beverages expense (5A), not as a "Group Expenditure" (5G).

Section C: Shared Sponsorship Expenses

1. Were any other lobbyists co-sponsors of this event? no (yes or no)
2. If yes, with how many others are sharing the cost? _____ List the names of all sponsors below:
- _____
- _____

3. What is your share of Box 1 above? \$ _____

Record that amount in Box 2 and on the Lobbyist Activity Report in Section 5G.

BOX 2