

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy Conservation Cost
Recovery Clause

DOCKET NO. 090002-EG

Filed: October 2, 2009

TESTIMONY AND EXHIBITS OF
JEFFRY POLLOCK

ON BEHALF OF
THE FLORIDA INDUSTRIAL POWER USERS GROUP



J. POLLOCK
INCORPORATED

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List of Acronyms

Term	Definition
CCR	Capacity Cost Recovery
CDR	Commercial/Industrial Demand Reduction Rider
CILC	Commercial/Industrial Load Control Program
ECCR	Energy Conservation Cost Recovery
FERC	Federal Energy Regulatory Commission
FIPUG	Florida Industrial Power Users Group
FPL	Florida Power & Light Company
FRCC	Florida Reliability Coordinating Council
kW	Kilowatts
kWh	Kilowatt-hours
MW	Megawatt
O&M	Operation and Maintenance
PEF	Progress Energy Florida
TECO	Tampa Electric Company
WCEC	West County Energy Center

1

1. INTRODUCTION, QUALIFICATIONS, AND SUMMARY

2 **Q PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

3 **A** Jeffrey Pollock; 12655 Olive Blvd., Suite 335, St. Louis, MO 63141.

4 **Q WHAT IS YOUR OCCUPATION AND BY WHOM ARE YOU EMPLOYED?**

5 **A** I am an energy advisor and President of J. Pollock, Incorporated.

6 **Q PLEASE STATE YOUR EDUCATIONAL BACKGROUND AND EXPERIENCE.**

7 **A** I have a Bachelor of Science Degree in Electrical Engineering and a Masters in
8 Business Administration from Washington University. Since graduation in 1975, I
9 have been engaged in a variety of consulting assignments, including energy
10 procurement and regulatory matters in both the United States and several
11 Canadian provinces. I have participated in regulatory matters before this
12 Commission since 1976. More details are provided in **Appendix A** to this
13 testimony.

14 **Q ON WHOSE BEHALF ARE YOU TESTIFYING IN THIS PROCEEDING?**

15 **A** I am testifying on behalf of the Florida Industrial Power Users Group (FIPUG).
16 FIPUG member companies are customers of and purchase electricity from
17 Florida Power & Light Company (FPL) and Progress Energy Company (PEF).
18 Many of these customers purchase non-firm power under the various programs
19 offered by FPL and PEF. Therefore, participating FIPUG companies have a
20 direct and significant interest in the outcome of this proceeding.

1 **Q WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

2 A In the pending FPL and PEF rate cases (Docket Nos. 080677-EI and 090079-EI),
3 the Commission Staff and the utilities have taken the position that the applicable
4 credits for non-firm rates is more properly addressed in a conservation
5 proceeding. Although FIPUG has addressed this issue in the FPL and PEF rate
6 cases, out of an abundance of caution, FIPUG is also filing testimony addressing
7 the appropriate credits for non-firm rates in this proceeding in an attempt to
8 ensure that its concerns are addressed on the merits since FIPUG will not know
9 the Commission's decision in the rate cases until after the testimony deadline in
10 this case.. The specific rates addressed in this testimony are PEF's Schedules
11 IS-1, IS-2, SS-2, and GSLM-2; FPL's Commercial and Industrial Load Control
12 (CILC) program; FPL's Interruptible Standby Service rate (ISST); and FPL's
13 Commercial/Industrial Demand Reduction (CDR) rider.

14 I am also addressing the design of FPL's and PEF's proposed Energy
15 Conservation Cost Recovery (ECCR) factors.

16 **Q ARE YOU FILING ANY EXHIBITS IN CONNECTION WITH YOUR**
17 **TESTIMONY?**

18 A Yes. I am filing **Exhibits JP-1** through **JP-3**. These exhibits were prepared by
19 me or under my direction and supervision.

1 Q HAVE YOU HAD AN OPPORTUNITY TO FULLY ANALYZE THE
2 ASSUMPTIONS BEHIND THE PROJECTED EXPENSES UNDER FPL'S AND
3 PEF'S NON-FIRM TARIFFS?

4 A No. FPL's testimony was filed on September 11, while PEF filed its testimony on
5 September 14. FIPUG submitted discovery on FPL and PEF on September 16.
6 With a 20-day turnaround for responses, we will not receive responses until
7 October 6, at the earliest. Thus, I reserve the right to supplement my testimony
8 after receiving the discovery responses.

9 **Summary**

10 Q PLEASE SUMMARIZE YOUR RECOMMENDATIONS.

11 A If the Commission decides that the level of incentive payments to PEF Schedule
12 IS and SS-2 customers and FPL's CILC, CDR, and ISST customers are more
13 appropriately addressed in this proceeding (rather than in the pending PEF and
14 FPL base rate cases), the following changes should be implemented:

- 15 1. PEF's Interruptible Demand Credit should be increased to \$7.13
16 per billing kW, which is based on PEF's most recent cost-
17 effectiveness analysis. PEF's analysis reveals that the general
18 body of ratepayers would benefit by paying \$10.49 per kW of
19 capacity for interruptible power rather than PEF building new
20 capacity. This capacity value should be used in setting the IS-1,
21 IS-2, and SS-2 rates.
- 22 2. The Interruptible Demand Credit should not be load factor
23 adjusted because there is no evidence of a linear relationship
24 between load factor and coincidence factor for the vast majority of
25 PEF's interruptible customers.

- 1 3. FPL has understated the cost of the CILC program because it is
2 requiring the CILC customers to absorb \$22.6 million (or 42.5%) of
3 the \$53.2 million of costs. This is despite the fact that the CILC
4 class is responsible for only 3.5% of FPL's production plant costs.
5 The total actual costs of the CILC program should be recovered
6 through the ECCR.
- 7 4. FPL's Rider CDR Credit should be increased to at least \$5.50 per
8 kW to reflect the current value of interruptible capacity.
- 9 5. The corresponding value of interruptible power should also be
10 reflected in the credits applicable to FPL's and PEF's standby
11 customers.
- 12 6. The customer should have the option to lock-in the Schedule IS
13 and CDR credits for at least three years, consistent with the
14 Commission's decision in the most recent Tampa Electric
15 Company (TECO) rate case.

16 The Commission should also require PEF to investigate whether the capacity
17 credits in GSLM-2 appropriately reflect PEF's current avoided capacity costs.

18 Finally, the ECCR factors should be re-designed to recover conservation
19 costs on a demand basis. This is consistent with cost-causation because the
20 majority of conservation costs are demand-related. A kW (kilowatt) charge is
21 consistent with Commission precedent in the design of FPL's and TECO's
22 Capacity Cost Recovery (CCR) clause and TECO's ECCR clause.

1

2. PROGRESS ENERGY FLORIDA

2 Q IS PEF PROJECTING ANY SIGNIFICANT CHANGE IN PROJECTED
3 PAYMENTS UNDER THE INTERRUPTIBLE LOAD MANAGMENT IN
4 DESIGNING ITS PROPOSED ECCR?

5 A No. PEF is projecting \$19.58 million of incentive payments under its Interruptible
6 Load Management program (PEF, *Schedule C-2*, page 3). This represents a
7 \$1.2 million (6.4%) increase from the estimated \$18.4 million of incentives paid in
8 2009.

9 Q WILL THE INCENTIVE PAYMENTS NECESSARILY INCREASE IN 2010?

10 A No. The level of the incentive payments is primarily related to the Interruptible
11 Demand Credits, whether Schedule IS-1 will be eliminated, and the applicable
12 interruptible billing demand. Currently, the Credit is applied to the customer's
13 billing demand in Schedule IS-1 and to load-factor adjusted billing demand in
14 Schedule IS-2.

15 In its pending base rate case, PEF is proposing (1) to maintain the current
16 Interruptible Demand Credits, (2) eliminate Schedule IS-1, and (3) transfer all IS-
17 1 customers to Schedule IS-2. If this proposal is approved, the incentive
18 payments made to interruptible customers will be significantly lower than the
19 existing credit, and substantially less than the system benefits and cost savings
20 that are provided to all PEF ratepayers by interruptible loads. This will in turn
21 reduce the proposed ECCR factor for the January-December 2010 period.

1 Q WHAT ARE THE INTERRUPTIBLE DEMAND CREDITS?

2 A The Interruptible Demand Credits are payments made to customers that
3 purchase interruptible power. These customers agree to curtail service when
4 capacity is needed to serve firm customers. As described below, the utility may
5 shut these customers off with no notice when capacity is needed. Thus, they pay
6 a lower rate because they receive a lower quality of service than do firm
7 customers.

8 Q WHAT IS INTERRUPTIBLE POWER?

9 A Interruptible power is a tariff option that allows a utility to curtail interruptible load
10 when resources are needed to maintain system reliability; that is, when there are
11 insufficient resources to meet customer demand, a utility can curtail interruptible
12 load. This allows the utility to maintain service to firm (*i.e.*, non-interruptible)
13 customers. Interruptible power is a lower quality of service than firm power. PEF
14 does not include interruptible load in determining the need for additional capacity.
15 For resource planning purposes, PEF avoids the need to plan capacity additions,
16 including associated reserve requirements, to serve interruptible load. Thus,
17 PEF avoids capital, operation and maintenance (O&M), fuel, emissions, spare
18 parts inventory, labor, property tax and other costs related to the capacity that
19 PEF otherwise would need, or incur sooner, were this resource not available.
20 This resource thus provides significant immediate and long term benefits to PEF
21 and all PEF ratepayers.

22 Under its prevailing tariffs, PEF can interrupt service to these loads with
23 no advance notice. As I explain in more detail below, this is especially important

1 for system reliability because this allows PEF to use this resource as contingency
2 reserve. PEF has roughly 300 MW (megawatts) of interruptible load on its
3 system today, making it an important resource for both planning purposes and for
4 assuring PEF system reliability. In addition, much of this capacity is provided by
5 large manufacturing customers, which allows PEF to quickly and efficiently shed
6 large blocks of load to avert system emergencies that may affect other PEF
7 customers.

8 **Q CAN INTERRUPTIBLE POWER PROVIDE ANY OTHER BENEFITS?**

9 **A** Yes. The Florida Reliability Coordinating Council (FRCC) requires that all
10 reserve sharing groups and balancing authorities maintain adequate Contingency
11 Reserves to cover the FRCC's most severe single contingency, which is currently
12 910 MW. Of this amount, PEF's contingency reserve requirement is currently
13 179 MW (*FRCC Handbook*, FRCC Contingency (Operating) Reserve Policy,
14 Appendix A, November 2008). PEF must supply this reserve when called upon
15 to replace reserve capacity that is no longer available due to sudden forced
16 outages of major generating facilities or the loss of transmission facilities.

17 Contingency reserves may be comprised of those generating resources
18 and Interruptible Load that are available within 15 minutes. Thus, interruptible
19 power can be used to meet PEF's contingency reserve obligations.

20 In fact, interruptible customers must curtail usage at any time (without
21 limit as to the number of interruptions or the duration of each interruption)
22 whenever "... the Company's available generating resources is required to a)
23 maintain service to the Company's firm power customers and firm power sales

1 commitments or b) supply emergency interchange service to another utility for its
2 firm load obligations only" (*Rate Schedule IS-1, Twenty-Third Revised Sheet No.*
3 *6.250*). In other words, PEF's IS customers can be interrupted to meet the
4 emergency demands not just of PEF, but of any FRCC utility in peninsular
5 Florida. Also, some of PEF's older combustion peaking resources cannot be
6 started in time to satisfy this requirement. Therefore, paying interruptible
7 customers to provide capacity is less costly than building new capacity.

8 **Q IS INTERRUPTIBLE POWER AN IMPORTANT RESOURCE FOR THE STATE**
9 **OF FLORIDA?**

10 A Yes. The interruptible tariffs have been in place for decades. As discussed
11 above, they have been (and currently are) a valuable resource to PEF and to the
12 State as a whole. When capacity is needed to serve firm load customers,
13 interruptible customers, statewide, may be called upon (with or without notice
14 and without limitation as to the frequency and duration of curtailments) to
15 discontinue service so that service will be maintained for the firm customer base.
16 Such interruption often causes production processes of interruptible customers to
17 be shut down resulting in economic losses for the interruptible customers.

18 **Q IS THE VALUE OF INTERRUPTIBLE POWER AFFECTED BY THE**
19 **FREQUENCY AND DURATION OF PHYSICAL INTERRUPTIONS?**

20 A No. Interruptible power provides "insurance" in the event that the utility
21 experiences extreme weather, understates load growth, or sustains forced
22 outages of a major resource. As the FERC has found:

1 *61804 [E]ven a limited right of interruption, if it enables the
2 Company to keep a customer from imposing demands on the
3 system during peak periods, gives a Company the ability to
4 control its capacity costs. Therefore, that customer shares no
5 responsibility for capacity costs under a peak responsibility
6 method.

7 It is, thus, the right to interrupt that is critical to the analysis, and
8 not the actual interruptions or even the number or length of such
9 interruptions. If a Company can keep a customer from imposing its
10 load on the system at system peak, as Entergy can do here, then,
11 under the peak responsibility method of cost allocation that
12 Entergy uses, "that customer shares no responsibility for capacity
13 costs...."

14 75. . . .When a utility makes a commitment to serve firm load, it
15 commits to serve that load at all times (absent a force majeure
16 event on the system). When a utility makes a commitment to
17 serve interruptible load, it does not commit to serve that load at all
18 times. To the contrary, it expressly reserves the right to
19 interrupt (even if there is no force majeure event on its
20 system). Moreover, when it curtails interruptible load, it does so to
21 protect its service to its firm load. That is, it curtails interruptible
22 load precisely because it has not undertaken to construct or
23 otherwise acquire the necessary facilities to serve interruptible
24 load at all times and most particularly when use of the system is
25 peaking; for firm load, in contrast, it has undertaken to construct or
26 otherwise acquire such facilities. (106 FERC ¶61,228, at 14 16;
27 emphasis added).

28 **Q HOW SHOULD THE COMMISSION ENCOURAGE THIS VALUABLE**
29 **RESOURCE?**

30 **A The Commission should reject PEF's proposal (in its pending rate case) to close**
31 **Schedule IS-1 and to transfer the IS-1 customers to Schedule IS-2 because it**
32 **would reduce the Credits by 44%. This would create a significant disincentive for**
33 **loads to continue under interruptible service. Interruptible service is actually far**
34 **more valuable to PEF and PEF ratepayers than the existing IS-1 and IS-2 credits**
35 **provide. The Interruptible Demand Credits in IS-1, IS-2, and SS-2 should be**

1 increased to at least \$10.49 per kW-month of capacity based on PEF's most
2 recent cost-effectiveness analysis. Further, the Credit should not be load factor
3 adjusted.

4 **Q HOW WOULD PEF'S PROPOSAL TO CLOSE SCHEDULE IS-1 IN ITS**
5 **PENDING BASE RATE CASE REDUCE THE INTERRUPTIBLE DEMAND**
6 **CREDIT?**

7 A Schedule IS-1 customers currently receive a \$3.62 per kW-month credit. The
8 corresponding credit for Schedule IS-2 customers is \$3.31 per kW-month of load
9 factor adjusted demand. PEF is proposing to eliminate Schedule IS-1 and move
10 customers to Schedule IS-2. The combined IS-1/IS-2 class is projected to have
11 an average billing load factor of about 61%. This would result in an average
12 load-factor adjusted credit of \$2.02. Thus, the Company's proposal would result
13 in a 44% reduction in the interruptible credits currently paid to Schedule IS-1
14 customers, despite the fact that the current credits are too low.

15 **Q IS IT APPROPRIATE TO REDUCE INTERRUPTIBLE DEMAND CREDITS BY**
16 **44% FOR ANY INTERRUPTIBLE CUSTOMER?**

17 A No. PEF's proposed reduction would significantly discourage continued
18 participation in this valuable service and more importantly, PEF has severely
19 undervalued the credit. Rather than decreasing the credits, such credits should
20 be increased. For example, PEF's *2009 Ten-Year Site Plan* identifies the next
21 capacity additions as Units P4 and P5 at the Suwannee Plant with a projected in-
22 service cost of \$800 per kW (which is the average of Unit P4 at \$976 per kW and

1 Unit P5 at \$672 per kW). The projected cost is well above PEF's embedded
2 generation capacity cost.

3 **Q HAS PEF CALCULATED THE LEVEL OF INTERRUPTIBLE DEMAND CREDIT**
4 **THAT WOULD BE COST-EFFECTIVE?**

5 A Yes. PEF provided an updated cost-effectiveness test that shows that the
6 resulting credit for interruptible customers should be \$10.49 per kW-Month of
7 capacity (Docket No. 090079, *PEF's Response to FIPUG's Production of*
8 *Documents Request No. 34*). A copy of this response is provided in
9 **Exhibit JP-1.**

10 **Q SHOULD THE INTERRUPTIBLE DEMAND CREDIT BE INCREASED?**

11 A Yes. PEF is projecting a need for additional cost-effective non-firm load. It is
12 unreasonable to expect an increase in non-firm load by paying only \$3.31 per
13 load factor adjusted kW. The present cost-effective interruptible credit is \$10.49
14 per kW-month of capacity.

15 **Q SHOULD THE INTERRUPTIBLE DEMAND CREDIT BE REDUCED BY A**
16 **CUSTOMER'S LOAD FACTOR?**

17 A No. The customer should be paid the full credit based on the amount of load
18 available for curtailment.

19 **Q IS A LOAD FACTOR ADJUSTMENT VALID?**

20 A No. First, PEF's proposal uses a customer's billing load factor as a proxy for the
21 customer's coincidence factor. This approach assumes that load factor and
22 coincidence factor are the same. They are not. The interruptible class has a

1 61% billing load factor. However, the average coincidence factor (with PEF's
2 monthly system peaks) is 68%.

3 Further, PEF has not provided any data supporting a load factor
4 adjustment. This adjustment assumes there is a linear relationship between a
5 customer's billing load factor and that customer's demand coincident with PEF's
6 monthly system peaks. Even assuming this were true, a load factor adjustment
7 would not be appropriate because PEF may impose interruptions at any time.
8 The load factor adjustment assumes, erroneously, that interruptions only occur
9 coincident with PEF's monthly system peaks.

10 Finally, the load factor adjustment would unduly penalize interruptible
11 load relative to PEF's generation resources. None of PEF's generation units
12 have 100% availability. All experience planned and unplanned outages (that may
13 occur during peak or off-peak periods). Just as the Commission doesn't reduce
14 production plant cost recovery when these units might not be available to deliver
15 power, it should also not load-factor adjust the Interruptible Demand Credit when
16 interruptible customers are not operating at full capacity during PEF's monthly
17 system peaks.

18 **Q WHY DO YOU CONTEND THAT THE RELATIONSHIP BETWEEN LOAD**
19 **FACTOR AND COINCIDENCE FACTOR IS NOT LINEAR, AS PEF ASSUMES?**

20 **A** The relationship between load factor and coincidence factor is known as the
21 "Bary Curve." An example of a Bary Curve is provided in Exhibit JP-2. As can
22 be seen, the load factor/coincidence factor relationship is curvilinear; that is, it
23 increases rapidly from 0% to 25% load factor and at load factors above 80%.

1 However, there is virtually no change in coincidence factor for load factors
2 ranging from 25% to nearly 80%. I would note that the vast majority of PEF's
3 interruptible customers have billing load factors that fall in this range. Thus, load
4 factor is not necessarily a valid predictor of coincidence factor, except at very low
5 and very high load factors.

6 **Q WHAT IS THE CONSEQUENCE OF THIS NON-LINEAR RELATIONSHIP**
7 **BETWEEN LOAD FACTOR AND COINCIDENCE FACTOR?**

8 **A**Because the vast majority of PEF's interruptible customers have load factors
9 within the 25% to 80% range, where there is little variation in coincidence factor,
10 there is no justification for reducing the Interruptible Demand Credit by a
11 customer's load factor. Therefore, the Interruptible Demand Credit should not be
12 less than \$7.13 per kW-Month ($\$10.49 \times 68\%$) of billing demand.

13 **Q SHOULD ANY OTHER CHANGES BE MADE TO SCHEDULE IS?**

14 **A**Yes. If the Commission establishes the Interruptible Demand Credit in this
15 proceeding and assuming that the Credit will be reset in subsequent ECCR
16 cases, existing customers should have the option of locking-in the credit for at
17 least three years. This will provide more stability than resetting the credits
18 annually and is consistent with the tariff requirement that loads give PEF 36
19 months notice to transfer from IS-2 to firm service. A stable rate design is
20 important to ensure customer participation. It is also consistent with the
21 treatment approved in TECO's last base rate case.

1 Q ARE THERE ANY OTHER IMPLICATIONS OF HIGHER AVOIDED CAPACITY
2 COSTS ON ANY OF PEF'S OTHER CONSERVATION PROGRAMS?

3 A Yes. PEF's Schedule GSLM-2 provides capacity and energy payments to
4 customers that agree to deploy standby generators at PEF's request. Such
5 deployments may occur as often as twice daily for up to twelve hours per day (or
6 longer in case of emergencies). The current capacity payment can be as high as
7 \$2.76 per kW if the generator is required to run more than 200 cumulative
8 running hours during the past twelve months. This tariff was last changed in
9 August 2007, and PEF is not proposing any change in this proceeding.

10 Q HAVE YOU CONDUCTED AN ANALYSIS TO DETERMINE A CAPACITY
11 PAYMENT THAT IS COST-EFFECTIVE?

12 A No. However, I would note that the present capacity payment is well below
13 PEF's current avoided capacity cost.

14 Q HOW SHOULD THIS ISSUE BE ADDRESSED?

15 A I recommend that the Commission order PEF to prepare an updated cost-
16 effectiveness analysis to determine whether the capacity payments should be
17 increased. This analysis should be conducted immediately so that any
18 appropriate changes can be timely implemented for January 2010 billings.

1 **3. FLORIDA POWER & LIGHT COMPANY**

2 **Q WHAT ISSUES DOES FPL'S ECCR FILING RAISE?**

3 A First, FPL has understated the amount of the incentive payments that should be
 4 recovered from all customer classes. This error is reflected in the projected
 5 ECCR factors. Second, FPL is not proposing to change the demand credits paid
 6 to CDR customers. This is improper because the current rate, which was initially
 7 set in 2004, no longer reflects the value of interruptible power.

8 **CILC Program Costs**

9 **Q HOW HAS FPL UNDERSTATED THE PROJECTED CILC PAYMENTS?**

10 A Based on the projections filed in its pending rate case, the cost of the CILC
 11 program is \$53.2 million. However, as shown in the chart below, only \$30.6
 12 million would be allocated to all customer classes.

Rate	CILC Payments Embedded in the Proposed Rate Design			CILC Payments Assumed in Determining Class Revenue Requirements (\$ Millions)
	Firm On-Peak - Load Control Charge (\$/kW)	Load Control Billing Demand (MW)	Embedded CILC Payments (\$ Millions)	
CILC-D	\$7.26	4,942.9	\$35.9	\$19.7
CILC-G	\$6.99	395.6	\$2.8	\$1.4
CILC-T	\$6.92	2,104.7	\$14.5	\$9.5
TOTAL	\$21.17	7,443.2	\$53.2	\$30.6

Source: MFR Schedule E-14 in Docket No. 080677-EI.

1 Thus, the CILC customers would absorb about \$22.6 million of incentive
2 payments. I will update the chart after FPL has responded to FIPUG's discovery
3 requests.

4 **Q SHOULD CILC CUSTOMERS PAY \$22.6 MILLION OF THE INCENTIVE**
5 **PAYMENTS UNDER THE CILC PROGRAM?**

6 A No. It would be unfair to require CILC customers to pay \$22.6 million or 42.5% of
7 the total program costs when these customers account for only 3.5% of FPL's
8 production plant costs. The \$53 million is the cost of funding the CILC program.
9 The program costs should be recovered from all customer classes through the
10 ECCR.

11 **Q WHAT IS THE IMPACT OF APPROPRIATELY COLLECTING THE CILC**
12 **COSTS?**

13 A The impact is to increase the CILC incentive costs recoverable in the ECCR.
14 FPL is currently projecting \$28.8 million of CILC incentives (FPL *Schedule C-2*,
15 page 3). The correct amount of the incentive payments will be closer to \$50
16 million, as demonstrated above.

17 **Q IS THE TOTAL COST OF THE CILC PROGRAM KNOWN TODAY?**

18 A No. The CILC program cost will ultimately depend on the level of the incentive
19 payments. The latter are related to the Firm On-Peak Demand charge and the
20 Load Control charge. The incentive payments are the product of (1) the
21 difference between Firm On-Peak Demand charge and the Load Control charge
22 and (2) the Load Control billing demand. However, these charges will not be

1 known until the Commission issues a final order in FPL's pending base rate case
2 and the compliance tariffs are approved.

3 **Q SHOULD THE FULL AMOUNT OF INCENTIVE PAYMENTS TO CILC**
4 **CUSTOMERS BE REFLECTED IN FPL'S ECCR?**

5 A Yes. The ECCR should allow FPL the opportunity to recover the CILC program
6 costs. Thus, the current recovery proposed by FPL in this docket must be
7 changed.

8 **CDR Rider**

9 **Q WHAT IS THE COMMERCIAL/INDUSTRIAL DEMAND REDUCTION RIDER?**

10 A The CDR Rider is an optional service under which a customer can elect to have
11 its electricity curtailed under a variety of circumstances. The customer is
12 required to have load control equipment installed to provide FPL direct control
13 over the customer's electrical load. Thus, curtailments are made by FPL and not
14 by the customer. This equipment is paid for by the customer through an
15 additional Customer Charge. In return for agreeing to curtail load, the
16 participating customers receive a credit. The current and proposed CDR Rider
17 Credit is \$4.68 per kW of the Customer's Utility Controlled Demand.

18 **Q UNDER WHAT CIRCUMSTANCES CAN FPL CURTAIL LOAD UNDER THE**
19 **CDR RIDER?**

20 A Load may be curtailed under any of the following circumstances:

21 Control Condition:
22 The Customer's controllable load served under this Rider is
23 subject to control when such control alleviates any emergency
24 conditions or capacity shortages, either power supply or

1 transmission, or whenever system load, actual or projected, would
2 otherwise require the peaking operation of the Company's
3 generators. Peaking operation entails taking base loaded units,
4 cycling units or combustion turbines above the continuous rated
5 output, which may overstress the generators.

6 Thus, curtailments may occur during shortages of either generation or
7 transmission capacity.

8 **Q HOW MUCH NOTICE IS REQUIRED BEFORE FPL CAN CURTAIL A**
9 **CUSTOMER'S LOAD?**

10 A The tariff states that FPL will typically provide four hours advance notice. In
11 emergencies, the required notice is 15 minutes. However, FPL reserves the right
12 to interrupt in "less than 15 minutes' notice ... in the event that failure to do so
13 would result in loss of power to firm service customers or the purchase of
14 emergency power to serve firm service customers."

15 **Q HAS FPL MADE SHORT NOTICE CURTAILMENTS?**

16 A Yes.

17 **Q IS THE SERVICE PROVIDED TO CDR RIDER CUSTOMERS THE SAME AS**
18 **THE SERVICE PROVIDED UNDER FPL'S FIRM TARIFFS?**

19 A No. CDR Rider customers can be curtailed (on very short notice) to allow FPL to
20 continue serving its firm customers. This includes instances when FPL is short of
21 operating reserves. Further, FPL does not include load management programs
22 in determining its future capacity needs (FPL, *Ten-Year Site Plan* at 51 and
23 Schedules 7.1 and 7.2). Thus, CDR Rider customers receive a lower quality of
24 service than firm service customers.

1 Q IS FPL PROPOSING TO REVISE THE CDR RIDER CREDIT?

2 A No. FPL is not proposing to change the CDR Rider credit either in this
3 proceeding or in its pending rate case.

4 Q DID FPL RAISE THE CDR RIDER CREDIT ISSUE IN THE CONSERVATION
5 GOALS DOCKET?

6 A No.

7 Q SHOULD THE CDR RIDER CREDIT REMAIN AT \$4.68 PER KW?

8 A No. The CDR Rider credit has not changed since 2004. However, costs for new
9 generation and transmission capacity, upon which the CDR Rider is based, have
10 increased since 2004. These higher costs are reflected in FPL's most recent
11 *Ten-Year Site Plan*. For example, West County Energy Center (WCEC) Units 1
12 and 2 are projected to cost \$512/kW based on 2009 in-service dates. However,
13 WCEC-3 (2011 in-service date) is projected to cost over \$780/kW, while
14 subsequent capacity additions are projected to cost over \$1,000/kW.

15 Further, load management is an important resource for the State of
16 Florida. Interruptible tariffs have been in place for decades. In fact, FPL is
17 projecting significant growth in non-firm load. Thus, this load has been and is
18 projected to be a valuable resource to FPL and to the State as a whole. When
19 capacity is needed to serve firm load customers, interruptible customers,
20 statewide, may be called upon (with or without notice and without limitation as to
21 the frequency and duration of curtailments) to discontinue service so that the
22 lights will stay on for the firm customer base. Such interruptions often cause
23 production to be shut down, resulting in losses for the interruptible customer.

1 Q IS THE PRESENT CDR RIDER CREDIT REASONABLE?

2 A No. The Commission should increase the CDR Rider credit to at least \$5.50/kW.
3 This modest increase would allow the Rider to remain a viable non-firm rate
4 option and encourage greater participation. The derivation of the \$5.50/kW credit
5 is shown in Exhibit JP-3.

6 Q HOW DID YOU DETERMINE THAT THE CDR RIDER CREDIT SHOULD BE
7 INCREASED TO AT LEAST \$5.50/KW?

8 A The \$5.50/kW Credit is based on FPL's most recent Standard Offer filing (Docket
9 No. 090166, filed April 1, 2009). FPL has conservatively assumed that its next
10 avoided unit will not come on line until 2021. Thus, I discounted the 2021
11 avoided capacity cost to the period 2010 through 2012, which is the period in
12 which FPL's new base rates are assumed to be in effect. This results in an
13 avoided cost of \$5.62 per kW at the generator (line 6). Adjusted for losses to
14 secondary voltage, the avoided cost becomes \$6.06 per kW at the meter (line 8).
15 I then reduced the credit to \$5.50 per kW to ensure that the benefit would
16 outweigh the cost.

17 Q WHY DO YOU CHARACTERIZE THE \$5.50 AS CONSERVATIVE?

18 A FPL's avoided unit assumptions are based on projected lower load growth and
19 the timely completion of its Turkey Point Units 6 and 7 in 2018 and 2020,
20 respectively. These units will be among the first advanced design nuclear plants
21 to be commissioned in the United States. No advanced design nuclear plants
22 have been built and placed in operation in the U.S. Thus, there is considerable
23 risk of delay. In fact, PEF recently announced a two-year delay of its planned

1 advanced design nuclear units. These units are of the same design and
2 manufacture as the Turkey Point additions. Any delay in completing these units
3 may require FPL to add capacity sooner than 2021.

4 **Q SHOULD ANY OTHER CHANGES BE MADE TO SCHEDULE IS?**

5 **A** Yes. For the reasons discussed previously in connection with PEF's Interruptible
6 Demand Credit, if the Commission decides to reset Rider CDR annually,
7 customers should have the option of locking-in the credit approved in this
8 proceeding for at least three years.

1 **4. ECCR RATE DESIGN**

2 **Q SHOULD ANY CHANGES BE MADE TO THE DESIGN OF THE ECCR?**

3 **A** Yes. Both FPL and PEF are proposing to recover conservation program costs
4 allocated to all customer classes entirely on a kWh (kilowatt hour) basis. This is
5 inappropriate for several reasons.

6 First, an increasing amount of conservation program costs are demand-
7 related. Second, in a proper cost-based rate design, demand-related costs
8 should be recovered on a demand or kW basis. Finally, TECO's ECCR factors
9 are already stated on a kW basis for its General Service Demand (GSD),
10 Standby Firm (SBF), and Interruptible Service (IS) rates. This treatment was
11 approved in Docket No. 080002-EG.

12 These are compelling reasons to require FPL and PEF to revise the
13 ECCR factors to a demand billing for their demand-metered rate classes.

14 **Q WHAT PORTION OF FPL'S AND PEF'S CONSERVATION PROGRAM COSTS**
15 **ARE DEMAND RELATED?**

16 **A** The projected costs are summarized in the table below:

Utility	Projected Conservation Costs	Demand-Related Costs	Percent of Demand Related Costs
FPL	\$179,713,962	\$116,472,616	64.8%
PEF	\$87,007,177	\$51,440,371	59.1%

17 As can be seen, the majority of the projected conservation program costs are
18 demand-related. If PEF's Interruptible Demand Credits are increased and/or

1 FPL's CILC incentives are restated, as I am recommending, the share of
2 demand-related conservation costs would be even higher than is shown above.

3 **Q WHY IS IT APPROPRIATE TO RECOVER DEMAND-RELATED COSTS**
4 **THROUGH A DEMAND CHARGE?**

5 A This is consistent with cost-causation. That is, peak demands are causing the
6 majority of the projected conservation costs. Further, rate design determines
7 how the costs that are allocated to each customer class are to be allocated or
8 recovered from the customers within each class. Thus, rate design is a
9 continuation of the cost allocation process. Therefore, a proper rate design
10 should mirror the way that costs are allocated. This means that demand charges
11 should reflect demand-related costs. A rate design that mirrors the cost
12 allocation process will send the appropriate price signals to customers.

13 **Q IS THERE ANY PRECEDENT FOR KW BILLING OF COST RECOVERY**
14 **CLAUSES?**

15 A Yes. Currently, both FPL and TECO bill the Capacity Cost Recovery (CCR)
16 clause on a demand basis. And, as previously stated, TECO is currently billing
17 its ECCR costs on a demand basis for its demand-metered classes.

18 **Q WOULD RE-DESIGNING THE ECCR ON A KW BASIS POSE ANY**
19 **PROBLEMS?**

20 A No. Both FPL and PEF have projected billing demands for 2010 in their pending
21 base rate cases. Thus, neither utility has to create a new process to re-design
22 the ECCR from a kWh to a kW charge.

1 Q PLEASE SUMMARIZE YOUR RECOMMENDATION?

2 A FPL should re-state the proposed ECCR factors into a per kW charge for the
3 GLSD (and related), standby, and CILC rates. PEF should re-state its proposed
4 ECCR factors into a per kW charge for the General Service Demand, Curtailable,
5 Interruptible, and Standby rates. These changes are consistent with the principle
6 of cost-causation and Commission precedent and will send more accurate price
7 signals to customers.

8 Q DOES THIS CONCLUDE YOUR TESTIMONY?

9 A Yes.

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APPENDIX A

Qualifications of Jeffrey Pollock

Q PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

A Jeffrey Pollock. My business mailing address is 12655 Olive Blvd., Suite 335, St. Louis, Missouri 63141.

Q WHAT IS YOUR OCCUPATION AND BY WHOM ARE YOU EMPLOYED?

A I am an energy advisor and President of J. Pollock, Incorporated.

Q PLEASE STATE YOUR EDUCATIONAL BACKGROUND AND EXPERIENCE.

A I have a Bachelor of Science Degree in Electrical Engineering and a Masters in Business Administration from Washington University. At various times prior to graduation, I worked for the McDonnell Douglas Corporation in the Corporate Planning Department; Sachs Electric Company; and L.K. Comstock & Company. While at McDonnell Douglas, I analyzed the direct operating cost of commercial aircraft.

Upon graduation in June 1975, I joined Drazen-Brubaker & Associates, Inc. (DBA). DBA was incorporated in 1972 assuming the utility rate and economic consulting activities of Drazen Associates, Inc., active since 1937. From April 1995 to November 2004, I was a managing principal at Brubaker & Associates (BAI).

During my tenure at both DBA and BAI, I have been engaged in a wide range of consulting assignments including energy and regulatory matters in both the United States and several Canadian provinces. This includes preparing financial

1 and economic studies of investor-owned, cooperative and municipal utilities on
2 revenue requirements, cost of service and rate design, and conducting site
3 evaluation. Recent engagements have included advising clients on electric
4 restructuring issues, assisting clients to procure and manage electricity in both
5 competitive and regulated markets, developing and issuing requests for proposals
6 (RFPs), evaluating RFP responses and contract negotiation. I was also responsible
7 for developing and presenting seminars on electricity issues.

8 I have worked on various projects in over 20 states and several Canadian
9 provinces, and have testified before the Federal Energy Regulatory Commission
10 and the state regulatory commissions of Alabama, Arizona, Colorado, Delaware,
11 Florida, Georgia, Illinois, Indiana, Iowa, Louisiana, Minnesota, Mississippi, Missouri,
12 Montana, New Jersey, New Mexico, Ohio, Pennsylvania, Texas, Virginia,
13 Washington, and Wyoming. I have also appeared before the City of Austin Electric
14 Utility Commission, the Board of Public Utilities of Kansas City, Kansas, the
15 Bonneville Power Administration, Travis County (Texas) District Court, and the U.S.
16 Federal District Court. A partial list of my appearances is attached hereto.

17 **Q PLEASE DESCRIBE J. POLLOCK, INCORPORATED.**

18 **A** J.Pollock assists clients to procure and manage energy in both regulated and
19 competitive markets. The J.Pollock team also advises clients on energy and
20 regulatory issues. Our clients include commercial, industrial and institutional energy
21 consumers. Currently, J.Pollock has offices in St. Louis, Missouri and Austin and
22 Houston, Texas.

Appendix A
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PROJECT	UTILITY	ON BEHALF OF	Docket	TYPE	Regulatory Jurisdiction	Subject	DATE
80805	ONCOR ELECTRIC DELIVERY COMPANY	Texas Industrial Energy Consumers	36958	Cross Rebuttal	TX	2010 energy efficiency cost recovery factor	8/18/2009
91001	PROGRESS ENERGY FLORIDA	Florida Industrial Power Users Group	90079	Direct	FL	rate design, depreciation and appropriate common equity ratio	8/10/2009
90404	CENTERPOINT	Texas Industrial Energy Consumers	36918	Cross Rebuttal	TX	Senate Bill 769 system restoration costs	7/17/2009
90301	FLORIDA POWER AND LIGHT COMPANY	Florida Industrial Power Users Group	080677	Direct	FL	Depreciation; class revenue allocation; rate design; cost allocation; and capital structure	7/16/2009
90201	ENTERGY TEXAS, INC.	Texas Industrial Energy Consumers	36956	Direct	TX	Approval to revise energy efficiency cost recovery factor	7/16/2009
90601	VARIOUS UTILITIES	Florida Industrial Power Users Group	VARIOUS DOCKETS	Direct	FL	Conservation goals	7/6/2009
90201	ENTERGY TEXAS, INC.	Texas Industrial Energy Consumers	36931	Direct	TX	System restoration costs under Senate Bill 769	6/30/2009
90502	SOUTHWESTERN ELECTRIC POWER COMPANY	Texas Industrial Energy Consumers	36986	Direct	TX	Authority to revise fixed fuel factors	8/18/2009
80805	TEXAS-NEW MEXICO POWER COMPANY	Texas Industrial Energy Consumers	36025	Cross-Rebuttal	TX	Cost allocation, revenue allocation and rate design	6/10/2009
80805	TEXAS-NEW MEXICO POWER COMPANY	Texas Industrial Energy Consumers	36025	Direct	TX	Cost allocation, revenue allocation, rate design	5/27/2009
81201	NORTHERN STATES POWER COMPANY	Xcel Large Industrials	08-1065	Surrebuttal	MN	Cost allocation, revenue allocation, rate design	5/27/2009
90403	VIRGINIA ELECTRIC AND POWER COMPANY	MeadWestvaco Corporation	PUE-2009-00018	Direct	VA	Transmission cost allocation and rate design	5/20/2009
90101	NORTHERN INDIANA PUBLIC SERVICE COMPANY	Beta Steel Corporation	43526	Direct	IN	Cost allocation and rate design	5/8/2009
81203	ENTERGY SERVICES, INC	Texas Industrial Energy Consumers	ER008-1056	Rebuttal	FERC	Rough Production Cost Equalization payments	5/7/2009
81201	NORTHERN STATES POWER COMPANY	Xcel Large Industrials	08-1065	Rebuttal	MN	Class revenue allocation and the classification of renewable energy costs	5/5/2009
81201	NORTHERN STATES POWER COMPANY	Xcel Large Industrials	08-1065	Direct	MN	Cost-of-service study, class revenue allocation, and rate design	4/7/2009
81203	ENTERGY SERVICES, INC	Texas Industrial Energy Consumers	ER08-1056	Answer	FERC	Rough Production Cost Equalization payments	3/6/2009
80901	ROCKY MOUNTAIN POWER	Wyoming Industrial Energy Consumers	20000-333-ER-08	Direct	WY	Cost of service study; revenue allocation; inverted rates; revenue requirements	1/30/2009
81203	ENTERGY SERVICES	Texas Industrial Energy Consumers	ER08-1056	Direct	FERC	Entergy's proposal seeking Commission approval to allocate Rough Production Cost Equalization payments	1/9/2009
80505	ONCOR ELECTRIC DELIVERY COMPANY & TEXAS ENERGY FUTURE HOLDINGS LTD	Texas Industrial Energy Consumers	35717	Cross Rebuttal	TX	Retail transformation; cost allocation, demand ratchet waivers, transmission cost allocation factor	12/24/2008
70101	GEORGIA POWER COMPANY	Georgia Industrial Group and Georgia Traditional Manufacturers Association	27800	Cross Rebuttal	GA	Cost allocation, Demand Ratchet Waivers	12/22/2008
70101	GEORGIA POWER COMPANY	Georgia Industrial Group and Georgia Traditional Manufacturers Association	27800	Direct	GA	Cash Return on CWIP associated with the Plant Vogtle Expansion	12/19/2008

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80505	ONCOR ELECTRIC DELIVERY COMPANY & TEXAS ENERGY FUTURE HOLDINGS LTD	Texas Industrial Energy Consumers	35717	Direct	TX	Revenue Requirement, class cost of service study, class revenue allocation and rate design	11/26/2008
80802	TAMPA ELECTRIC COMPANY	The Florida Industrial Power Users Group and Mosaic Company	080317-EI	Direct	FL	Revenue Requirements, retail class cost of service study, class revenue allocation, firm and non firm rate design and the Transmission Base Rate Adjustment	11/28/2008
80601	SOUTHWESTERN PUBLIC SERVICE COMPANY	Texas Industrial Energy Consumers	35763	Supplemental Direct	TX	Recovery of Energy Efficiency Costs	11/6/2008
80601	SOUTHWESTERN PUBLIC SERVICE COMPANY	Texas Industrial Energy Consumers	35763	Cross-Rebuttal	TX	Cost Allocation, Demand Ratchet, Renewable Energy Certificates (REC)	10/28/2008
80601	SOUTHWESTERN PUBLIC SERVICE COMPANY	Texas Industrial Energy Consumers	35763	Direct	TX	Revenue Requirements, Fuel Reconciliation Revenue Allocation, Cost-of-Service and Rate Design Issues	10/13/2008
50106	ALABAMA POWER COMPANY	Alabama Industrial Energy Consumers	18148	Direct	AL	Energy Cost Recovery Rate (WITHDRAWN)	9/16/2008
50701	ENERGY TEXAS, INC.	Texas Industrial Energy Consumers	35269	Direct	TX	Allocation of rough production costs equalization payments	7/9/2008
70703	ENERGY GULF STATES UTILITIES, TEXAS	Texas Industrial Energy Consumers	34800	Direct	TX	Non-Unanimous Stipulation	6/11/2008
50103	TEXAS PUC STAFF	Texas Industrial Energy Consumers	33672	Supplemental Rebuttal	TX	Transmission Optimization and Ancillary Services Studies	6/3/2008
50103	TEXAS PUC STAFF	Texas Industrial Energy Consumers	33672	Supplemental Direct	TX	Transmission Optimization and Ancillary Services Studies	5/23/2008
60104	SOUTHWESTERN ELECTRIC POWER COMPANY	Texas Industrial Energy Consumers	33891	Supplemental Direct	TX	Certificate of Convenience and Necessity	5/8/2008
70703	ENERGY GULF STATES UTILITES, TEXAS	Texas Industrial Energy Consumers	34800	Cross-Rebuttal	TX	Cost Allocation and Rate Design and Competitive Generation Service	4/18/2008
70703	ENERGY GULF STATES UTILITES, TEXAS	Texas Industrial Energy Consumers	34800	Direct	TX	Eligible Fuel Expense	4/11/2008
70703	ENERGY GULF STATES UTILITES, TEXAS	Texas Industrial Energy Consumers	34800	Direct	TX	Competitive Generation Service Tariff	4/11/2008
70703	ENERGY GULF STATES UTILITES, TEXAS	Texas Industrial Energy Consumers	34800	Direct	TX	Revenue Requirements	4/11/2008
70703	ENERGY GULF STATES UTILITES, TEXAS	Texas Industrial Energy Consumers	34800	Direct	TX	Cost of Service study, revenue allocation, design of firm, interruptible and standby service tariffs; interconnection costs	4/11/2008
41229	TEXAS-NEW MEXICO POWER COMPANY	Texas Industrial Energy Consumers	35038	Rebuttal	TX	Over \$5 Billion Compliance Filing	4/14/2008
71202	SOUTHWESTERN PUBLIC SERVICE COMPANY	Occidental Periman Ltd.	07-00319-UT	Rebuttal	NM	Revenue requirements, cost of service study, rate design	3/28/2008
61101	AEP TEXAS CENTRAL COMPANY	Texas Industrial Energy Consumers	35105	Direct	TX	Over \$5 Billion Compliance Filing	3/20/2008
51101	CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC	Texas Industrial Energy Consumers	32902	Direct	TX	Over \$5 Billion Compliance Filing	3/20/2008
71202	SOUTHWESTERN PUBLIC SERVICE COMPANY	Occidental Periman Ltd.	07-00319-UT	Direct	NM	Revenue requirements, cost of service study (COS); rate design	3/7/2008
50701	ENERGY GULF STATES UTILITIES TEXAS	Texas Industrial Energy Consumers	34724	Direct	TX	IPCR Rider increase and interim surcharge	11/28/2007
70601	GEORGIA POWER COMPANY	Georgia Industrial Group/Georgia Traditional Manufacturers Group	25080-U	Direct	GA	Return on equity; cost of service study; revenue allocation; ILR Rider; spinning reserve tariff; RTP	10/24/2007
70303	ONCOR ELECTRIC DELIVERY COMPANY & TEXAS ENERGY FUTURE HOLDINGS LTD	Texas Industrial Energy Consumers	34077	Direct	TX	Acquisition; public interest	9/14/2007

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60104	SOUTHWESTERN ELECTRIC POWER COMPANY	Texas Industrial Energy Consumers	33891	Direct	TX	Certificate of Convenience and Necessity	8/30/2007
61201	ALTAMAHA ELECTRIC MEMBERSHIP CORPORATION	SP Newsprint Company	25226-U	Rebuttal	GA	Discriminatory Pricing; Service Territorial Transfer	7/17/2007
61201	ALTAMAHA ELECTRIC MEMBERSHIP CORPORATION	SP Newsprint Company	25226-U	Direct	GA	Discriminatory Pricing; Service Territorial Transfer	7/6/2007
70502	PROGRESS ENERGY FLORIDA	Florida Industrial Power Users Group	070052-EI	Direct	FL	Nuclear uprate cost recovery	6/19/2007
70603	ELECTRIC TRANSMISSION TEXAS LLC	Texas Industrial Energy Consumers	33734	Direct	TX	Certificate of Convenience and Necessity	6/8/2007
60601	TEXAS PUC STAFF	Texas Industrial Energy Consumers	32795	Rebuttal Remand	TX	Interest rate on stranded cost reconciliation	6/15/2007
60601	TEXAS PUC STAFF	Texas Industrial Energy Consumers	32795	Remand	TX	Interest rate on stranded cost reconciliation	6/8/2007
50103	TEXAS PUC STAFF	Texas Industrial Energy Consumers	33672	Rebuttal	TX	CREZ Nominations	5/21/2007
50701	ENTERGY GULF STATES UTILITES, TEXAS	Texas Industrial Energy Consumers	33687	Direct	TX	Transition to Competition	4/27/2007
50103	TEXAS PUC STAFF	Texas Industrial Energy Consumers	33672	Direct	TX	CREZ Nominations	4/24/2007
61101	AEP TEXAS CENTRAL COMPANY	Texas Industrial Energy Consumers	33309	Cross-Rebuttal	TX	Cost Allocation, Rate Design, Riders	4/3/2007
50701	ENTERGY GULF STATES UTILITIES TEXAS	Texas Industrial Energy Consumers	32710	Cross-Rebuttal	TX	Fuel and Rider IPCR Reconciliation	3/16/2007
61101	AEP TEXAS NORTH COMPANY	Texas Industrial Energy Consumers	33310	Direct	TX	Cost Allocation, Rate Design, Riders	3/13/2007
61101	AEP TEXAS CENTRAL COMPANY	Texas Industrial Energy Consumers	33309	Direct	TX	Cost Allocation, Rate Design, Riders	3/13/2007
50701	ENTERGY GULF STATES UTILITIES TEXAS	Texas Industrial Energy Consumers	32710	Direct	TX	Fuel and Rider IPCR Reconciliation	2/28/2007
41219	AEP TEXAS NORTH COMPANY	Texas Industrial Energy Consumers	31461	Direct	TX	Rider CTC design	2/15/2007
50701	ENTERGY GULF STATES UTILITIES TEXAS	Texas Industrial Energy Consumers	33586	Cross-Rebuttal	TX	Hurricane Rita reconstruction costs	1/30/2007
60104	SOUTHWESTERN ELECTRIC POWER COMPANY	Texas Industrial Energy Consumers	32898	Direct	TX	Fuel Reconciliation	1/29/2007
50701	ENTERGY GULF STATES UTILITIES TEXAS	Texas Industrial Energy Consumers	33586	Direct	TX	Hurricane Rita reconstruction costs	1/18/2007
60303	GEORGIA POWER COMPANY	Georgia Industrial Group/Georgia Textile Manufacturers Group	23540-U	Direct	GA	Fuel Cost Recovery	1/11/2007
60503	SOUTHWESTERN PUBLIC SERVICE COMPANY	Texas Industrial Energy Consumers	32766	Cross Rebuttal	TX	Cost allocation, Cost of service, Rate design	1/8/2007
60503	SOUTHWESTERN PUBLIC SERVICE COMPANY	Texas Industrial Energy Consumers	32766	Direct	TX	Cost allocation, Cost of service, Rate design	12/22/2006
60503	SOUTHWESTERN PUBLIC SERVICE COMPANY	Texas Industrial Energy Consumers	32766	Direct	TX	Revenue Requirements,	12/17/2006
60503	SOUTHWESTERN PUBLIC SERVICE COMPANY	Texas Industrial Energy Consumers	32766	Direct	TX	Fuel Reconciliation	12/17/2006
50701	ENTERGY GULF STATES UTILITIES TEXAS	Texas Industrial Energy Consumers	32907	Cross Rebuttal	TX	Hurricane Rita reconstruction costs	10/12/06
50701	ENTERGY GULF STATES UTILITIES TEXAS	Texas Industrial Energy Consumers	32907	Direct	TX	Hurricane Rita reconstruction costs	10/09/06
60601	TEXAS PUC STAFF	Texas Industrial Energy Consumers	32795	Cross Rebuttal	TX	Stranded Cost Reallocation	09/07/06

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60101	COLQUITT EMC	ERCO Worldwide	23549-U	Direct	GA	Service Territory Transfer	08/10/06
60601	TEXAS PUC STAFF	Texas Industrial Energy Consumers	32795	Direct	TX	Stranded Cost Reallocation	09/07/06
60104	SOUTHWESTERN ELECTRIC POWER COMPANY	Texas Industrial Energy Consumers	32672	Direct	TX	ME-SPP Transfer of Certificate to SWEPCO	8/23/2006
50503	AEP TEXAS CENTRAL COMPANY	Texas Industrial Energy Consumers	32758	Direct	TX	Rider CTC design and cost recovery	08/24/06
60503	SOUTHWESTERN PUBLIC SERVICE COMPANY	Texas Industrial Energy Consumers	32685	Direct	TX	Fuel Surcharge	07/26/06
60301	PUBLIC SERVICE ELECTRIC AND GAS COMPANY	New Jersey Large Energy Consumers	171406	Direct	NJ	Gas Delivery Cost allocation and Rate design	06/21/06
60303	GEORGIA POWER COMPANY	Georgia Industrial Group/Georgia Textile Manufacturers Group	22403-U	Direct	GA	Fuel Cost Recovery Allowance	05/05/06
50503	AEP TEXAS CENTRAL COMPANY	Texas Industrial Energy Consumers	32475	Cross-Rebuttal	TX	ADFIT Benefit	04/27/06
50503	AEP TEXAS CENTRAL COMPANY	Texas Industrial Energy Consumers	32475	Direct	TX	ADFIT Benefit	04/17/06
41229	TEXAS-NEW MEXICO POWER COMPANY	Texas Industrial Energy Consumers	31994	Cross-Rebuttal	TX	Stranded Costs and Other True-Up Balances	3/16/2006
41229	TEXAS-NEW MEXICO POWER COMPANY	Texas Industrial Energy Consumers	31994	Direct	TX	Stranded Costs and Other True-Up Balances	3/10/2006
50303	SOUTHWESTERN PUBLIC SERVICE COMPANY	Occidental Periman Ltd. Occidental Power Marketing	ER05-168-001	Direct	NM	Fuel Reconciliation	3/6/2006
50701	ENTERGY GULF STATES UTILITIES TEXAS	Texas Industrial Energy Consumers	31544	Cross-Rebuttal	TX	Transition to Competition Costs	01/13/06
50701	ENTERGY GULF STATES UTILITIES TEXAS	Texas Industrial Energy Consumers	31544	Direct	TX	Transition to Competition Costs	01/13/06
50601	PUBLIC SERVICE ELECTRIC AND GAS COMPANY AND EXELON CORPORATION	New Jersey Large Energy Consumers Retail Energy Supply Association	BPU EM05020106 OAL PUC-1874-05	Surrebuttal	NJ	Merger	12/22/2005
50705	SOUTHWESTERN PUBLIC SERVICE COMPANY	Occidental Periman Ltd. Occidental Power Marketing	EL05-19-002; ER05-168-001	Responsive	FERC	Fuel Cost adjustment clause (FCAC)	11/18/2005
50601	PUBLIC SERVICE ELECTRIC AND GAS COMPANY AND EXELON CORPORATION	New Jersey Large Energy Consumers Retail Energy Supply Association	BPU EM05020106 OAL PUC-1874-05	Direct	NJ	Merger	11/14/2005
50102	PUBLIC UTILITY COMMISSION OF TEXAS	Texas Industrial Energy Consumers	31540	Direct	TX	Nodal Market Protocols	11/10/2005
50701	ENTERGY GULF STATES UTILITIES TEXAS	Texas Industrial Energy Consumers	31315	Cross-Rebuttal	TX	Recovery of Purchased Power Capacity Costs	10/4/2005
50701	ENTERGY GULF STATES UTILITIES TEXAS	Texas Industrial Energy Consumers	31315	Direct	TX	Recovery of Purchased Power Capacity Costs	9/22/2005
50705	SOUTHWESTERN PUBLIC SERVICE COMPANY	Occidental Periman Ltd. Occidental Power Marketing	EL05-19-002; ER05-168-001	Responsive	FERC	Fuel Cost Adjustment Clause (FCAC)	9/19/2005
50503	AEP TEXAS CENTRAL COMPANY	Texas Industrial Energy Consumers	31056	Direct	TX	Stranded Costs and Other True-Up Balances	9/2/2005
50705	SOUTHWESTERN PUBLIC SERVICE COMPANY	Occidental Periman Ltd. Occidental Power Marketing	EL05-19-00; ER05-188-00	Direct	FERC	Fuel Cost adjustment clause (FCAC)	8/19/2006
50203	GEORGIA POWER COMPANY	Georgia Industrial Group/Georgia Textile Manufacturers Group	19142-U	Direct	GA	Fuel Cost Recovery	4/8/2005
41230	CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC	Texas Industrial Energy Consumers	30706	Direct	TX	Competition Transition Charge	3/16/2005
41230	CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC	Texas Industrial Energy Consumers	30485	Supplemental Direct	TX	Financing Order	1/14/2005

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41230	CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC	Texas Industrial Energy Consumers	30485	Direct	TX	Financing Order	1/7/2005
8201	PUBLIC SERVICE COMPANY OF COLORADO	Colorado Energy Consumers	04S-184E	Cross Answer	CO	Cost of Service Study, Interruptible Rate Design	12/13/2004
8201	PUBLIC SERVICE COMPANY OF COLORADO	Colorado Energy Consumers	04S-184E	Answer	CO	Cost of Service Study, Interruptible Rate Design	10/12/2004
8244	GEORGIA POWER COMPANY	Georgia Industrial Group/Georgia Textile Manufacturers Group	18300-U	Direct	GA	Revenue Requirements, Revenue Allocation, Cost of Service, Rate Design, Economic Development	10/8/2004
8195	CENTERPOINT, RELIANT AND TEXAS GENCO	Texas Industrial Energy Consumers	29526	Direct	TX	True-Up	6/1/2004
8156	GEORGIA POWER COMPANY/SAVANNAH ELECTRIC AND POWER COMPANY	Georgia Industrial Group	17687-U/17688-U	Direct	GA	Demand Side Management	5/14/2004
8148	TEXAS-NEW MEXICO POWER COMPANY	Texas Industrial Energy Consumers	29206	Direct	TX	True-Up	3/29/2004
8095	CONNECTIV POWER DELIVERY	New Jersey Large Energy Consumers	ER03020110	Surrebuttal	NJ	Cost of Service	3/18/2004
8111	AEP TEXAS CENTRAL COMPANY	Texas Industrial Energy Consumers	28840	Rebuttal	TX	Cost Allocation and Rate Design	2/4/2004
8095	CONNECTIV POWER DELIVERY	New Jersey Large Energy Consumers	ER03020110	Direct	NJ	Cost Allocation and Rate Design	1/4/2004
7850	RELIANT ENERGY HL&P	Texas Industrial Energy Consumers	26195	Supplemental Direct	TX	Fuel Reconciliation	9/23/2003
8045	VIRGINIA ELECTRIC AND POWER COMPANY	Virginia Committee for Fair Utility Rates	PUE-2003-00285	Direct	VA	Stranded Cost	9/5/2003
8022	GEORGIA POWER COMPANY	Georgia Industrial Group/Georgia Textile Manufacturers Group	17066-U	Direct	GA	Fuel Cost Recovery	7/22/2003
8002	AEP TEXAS CENTRAL COMPANY	Flint Hills Resources, LP	25395	Direct	TX	Delivery Service Tariff Issues	5/9/2003
7857	PUBLIC SERVICE ELECTRIC AND GAS COMPANY	New Jersey Large Energy Consumers	ER02050303	Supplemental	NJ	Cost of Service	3/14/2003
7850	RELIANT ENERGY HL&P	Texas Industrial Energy Consumers	26195	Direct	TX	Fuel Reconciliation	12/31/2002
7857	PUBLIC SERVICE ELECTRIC AND GAS COMPANY	New Jersey Large Energy Consumers	ER02050303	Surrebuttal	NJ	Revenue Allocation	12/18/2002
7836	PUBLIC SERVICE COMPANY OF COLORADO	Colorado Energy Consumers	02S-315EG	Answer	CO	Incentive Cost Adjustment	11/22/2002
7857	PUBLIC SERVICE ELECTRIC AND GAS COMPANY	New Jersey Large Energy Consumers	ER02050303	Direct	NJ	Revenue Allocation	10/22/2002
7863	DOMINION VIRGINIA POWER	Virginia Committee for Fair Utility Rates	PUE-2001-00306	Direct	VA	Generation Market Prices	8/12/2002
7718	FLORIDA POWER CORPORATION	Florida Industrial Power Users Group	000824-EI	Direct	FL	Rate Design	1/18/2002
7833	GEORGIA POWER COMPANY	Georgia Industrial Group/Georgia Textile Manufacturers Group	14000-U	Direct	GA	Cost of Service Study, Revenue Allocation, Rate Design	10/12/2001
7555	TAMPA ELECTRIC COMPANY	Florida Industrial Power Users Group	010001-EI	Direct	FL	Rate Design	10/12/2001
7858	SOUTHWESTERN ELECTRIC POWER COMPANY	Texas Industrial Energy Consumers	24488	Direct	TX	Delay of Retail Competition	9/24/2001
7847	ENTERGY GULF STATES, INC.	Texas Industrial Energy Consumers	24489	Direct	TX	Delay of Retail Competition	9/22/2001
7608	RELIANT ENERGY HL&P	Texas Industrial Energy Consumers	23950	Direct	TX	Price to Beat	7/3/2001

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PROJECT	UTILITY	ON BEHALF OF	Docket	TYPE	Regulatory Jurisdiction	Subject	DATE
7593	GEORGIA POWER COMPANY	Georgia Industrial Group/Georgia Textile Manufacturers Group	13711-U	Direct	GA	Fuel Cost Recovery	5/11/2001
7520	GEORGIA POWER COMPANY SAVANNAH ELECTRIC & POWER COMPANY	Georgia Industrial Group/Georgia Textile Manufacturers Group	12499-U, 13305-U, 13306-U	Direct	GA	Integrated Resource Planning	5/11/2001
7303	ENTERGY GULF STATES, INC.	Texas Industrial Energy Consumers	22356	Rebuttal	TX	Allocation/Collection of Municipal Franchise Fees	3/31/2001
7309	SOUTHWESTERN PUBLIC SERVICE COMPANY	Texas Industrial Energy Consumers	22351	Cross-Rebuttal	TX	Energy Efficiency Costs	2/22/2001
7305	CPL, SWEPCO, and WTU	Texas Industrial Energy Consumers	22352, 22353, 22354	Cross-Rebuttal	TX	Allocation/Collection of Municipal Franchise Fees	2/20/2001
7423	GEORGIA POWER COMPANY	Georgia Industrial Group/Georgia Textile Manufacturers Group	13140-U	Direct	GA	Interruptible Rate Design	2/16/2001
7305	CPL, SWEPCO, and WTU	Texas Industrial Energy Consumers	22352, 22353, 22354	Supplemental Direct	TX	Transmission Cost Recovery Factor	2/13/2001
7310	TEXAS-NEW MEXICO POWER COMPANY	Texas Industrial Energy Consumers	22349	Cross-Rebuttal	TX	Rate Design	2/12/2001
7308	TXU ELECTRIC COMPANY	Texas Industrial Energy Consumers	22350	Cross-Rebuttal	TX	Unbundled Cost of Service	2/12/2001
7303	ENTERGY GULF STATES, INC.	Texas Industrial Energy Consumers	22356	Cross-Rebuttal	TX	Stranded Cost Allocation	2/6/2001
7308	TXU ELECTRIC COMPANY	Texas Industrial Energy Consumers	22350	Direct	TX	Rate Design	2/5/2001
7303	ENTERGY GULF STATES, INC.	Texas Industrial Energy Consumers	22356	Supplemental Direct	TX	Rate Design	1/25/2001
7307	RELIANT ENERGY HL&P	Texas Industrial Energy Consumers	22355	Cross-Rebuttal	TX	Stranded Cost Allocation	1/12/2001
7303	ENTERGY GULF STATES, INC.	Texas Industrial Energy Consumers	22356	Direct	TX	Stranded Cost Allocation	1/9/2001
7307	RELIANT ENERGY HL&P	Texas Industrial Energy Consumers	22355	Direct	TX	Cost Allocation	12/13/2000
7375	CENTRAL POWER AND LIGHT COMPANY	Texas Industrial Energy Consumers	22352	Cross-Rebuttal	TX	CTC Rate Design	12/11/2000
7375	CENTRAL POWER AND LIGHT COMPANY	Texas Industrial Energy Consumers	22352	Direct	TX	Cost Allocation	11/1/2000
7308	TXU ELECTRIC COMPANY	Texas Industrial Energy Consumers	22350	Direct	TX	Cost Allocation	11/1/2000
7308	TXU ELECTRIC COMPANY	Texas Industrial Energy Consumers	22350	Cross-Rebuttal	TX	Cost Allocation	11/1/2000
7305	CPL, SWEPCO, and WTU	Texas Industrial Energy Consumers	22352, 22353, 22354	Direct	TX	Excess Cost Over Market	11/1/2000
7315	VARIOUS UTILITIES	Texas Industrial Energy Consumers	22344	Direct	TX	Generic Customer Classes	10/14/2000
7308	TXU ELECTRIC COMPANY	Texas Industrial Energy Consumers	22350	Direct	TX	Excess Cost Over Market	10/10/2000
7315	VARIOUS UTILITIES	Texas Industrial Energy Consumers	22344	Rebuttal	TX	Excess Cost Over Market	10/1/2000
7310	TEXAS-NEW MEXICO POWER COMPANY	Texas Industrial Energy Consumers	22349	Cross-Rebuttal	TX	Generic Customer Classes	10/1/2000
7310	TEXAS-NEW MEXICO POWER COMPANY	Texas Industrial Energy Consumers	22349	Direct	TX	Excess Cost Over Market	9/27/2000
7307	RELIANT ENERGY HL&P	Texas Industrial Energy Consumers	22355	Cross-Rebuttal	TX	Excess Cost Over Market	9/26/2000
7307	RELIANT ENERGY HL&P	Texas Industrial Energy Consumers	22355	Direct	TX	Excess Cost Over Market	9/19/2000

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7334	GEORGIA POWER COMPANY	Georgia Industrial Group/Georgia Textile Manufacturers Group	11708-U	Rebuttal	GA	RTP Petition	3/24/2000
7334	GEORGIA POWER COMPANY	Georgia Industrial Group/Georgia Textile Manufacturers Group	11708-U	Direct	GA	RTP Petition	3/1/2000
7232	PUBLIC SERVICE COMPANY OF COLORADO	Colorado Industrial Energy Consumers	99A-377EG	Answer	CO	Merger	12/1/1999
7258	TXU ELECTRIC COMPANY	Texas Industrial Energy Consumers	21527	Direct	TX	Securitization	11/24/1999
7246	CENTRAL POWER AND LIGHT COMPANY	Texas Industrial Energy Consumers	21528	Direct	TX	Securitization	11/24/1999
7089	VIRGINIA ELECTRIC AND POWER COMPANY	Virginia Committee for Fair Utility Rates	PUE980813	Direct	VA	Unbundled Rates	7/1/1999
7090	AMERICAN ELECTRIC POWER SERVICE CORPORATION	Old Dominion Committee for Fair Utility Rates	PUE980814	Direct	VA	Unbundled Rates	5/21/1999
7142	SHARYLAND UTILITIES, L.P.	Sharyland Utilities	20292	Rebuttal	TX	Certificate of Convenience and Necessity	4/30/1999
7060	PUBLIC SERVICE COMPANY OF COLORADO	Colorado Industrial Energy Consumers Group	98A-511E	Direct	CO	Allocation of Pollution Control Costs	3/1/1999
7039	SAVANNAH ELECTRIC AND POWER COMPANY	Various Industrial Customers	10205-U	Direct	GA	Fuel Costs	1/1/1999
6945	TAMPA ELECTRIC COMPANY	Florida Industrial Power Users Group	950379-EI	Direct	FL	Revenue Requirement	10/1/1998
6873	GEORGIA POWER COMPANY	Georgia Industrial Group	9355-U	Direct	GA	Revenue Requirement	10/1/1998
6729	VIRGINIA ELECTRIC AND POWER COMPANY	Virginia Committee for Fair Utility Rates	PUE960036,PUE960296	Direct	VA	Alternative Regulatory Plan	8/1/1998
6713	CENTRAL POWER AND LIGHT COMPANY	Texas Industrial Energy Consumers	16995	Cross-Rebuttal	TX	IRR	1/1/1998
6582	HOUSTON LIGHTING & POWER COMPANY	Lyondell Petrochemical Company	96-02867	Direct	COURT	Interruptible Power	1997
6758	SOUTHWESTERN ELECTRIC POWER COMPANY	Texas Industrial Energy Consumers	17460	Direct	TX	Fuel Reconciliation	12/1/1997
6729	VIRGINIA ELECTRIC AND POWER COMPANY	Virginia Committee for Fair Utility Rates	PUE960036,PUE960296	Direct	VA	Alternative Regulatory Plan	12/1/1997
6713	CENTRAL POWER AND LIGHT COMPANY	Texas Industrial Energy Consumers	16995	Direct	TX	Rate Design	12/1/1997
6646	ENTERGY TEXAS	Texas Industrial Energy Consumers	16705	Rebuttal	TX	Competitive Issues	10/1/1997
6646	ENTERGY TEXAS	Texas Industrial Energy Consumers	16705	Rebuttal	TX	Competition	10/1/1997
6646	ENTERGY TEXAS	Texas Industrial Energy Consumers	473-96-2285/16705	Direct	TX	Rate Design	9/1/1997
6646	ENTERGY TEXAS	Texas Industrial Energy Consumers	16705	Direct	TX	Wholesale Sales	8/1/1997
6744	TAMPA ELECTRIC COMPANY	Florida Industrial Power Users Group	970171-EU	Direct	FL	Interruptible Rate Design	5/1/1997
6832	MISSISSIPPI POWER COMPANY	Colonial Pipeline Company	96-UN-390	Direct	MS	Interruptible Rates	2/1/1997
6558	TEXAS-NEW MEXICO POWER COMPANY	Texas Industrial Energy Consumers	15560	Direct	TX	Competition	11/11/1996
6508	TEXAS UTILITIES ELECTRIC COMPANY	Texas Industrial Energy Consumers	15195	Direct	TX	Treatment of margins	9/1/1996
6475	TEXAS UTILITIES ELECTRIC COMPANY	Texas Industrial Energy Consumers	15015	DIRECT	TX	Real Time Pricing Rates	8/8/1996

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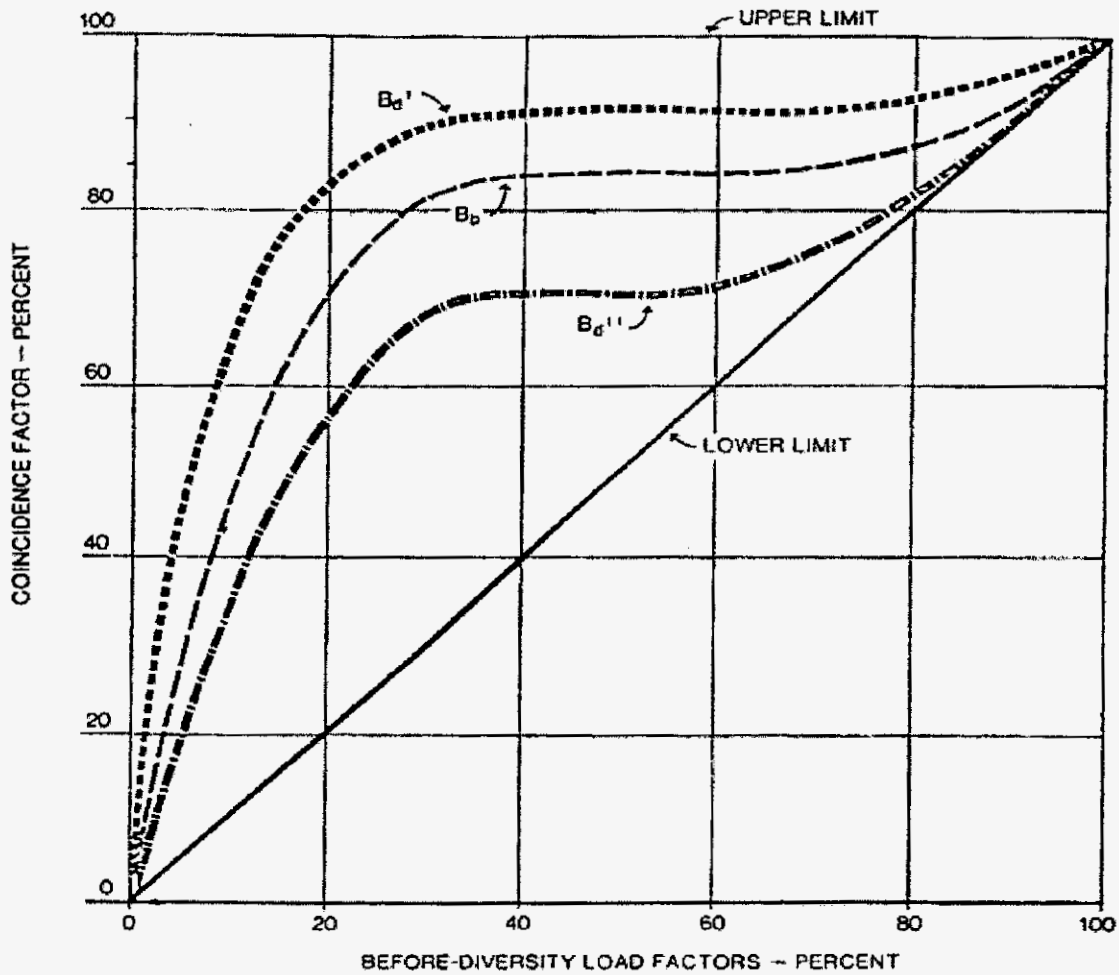
PROJECT	UTILITY	ON BEHALF OF	Docket	TYPE	Regulatory Jurisdiction	Subject	DATE
6449	CENTRAL POWER AND LIGHT COMPANY	Texas Industrial Energy Consumers	14965	Direct	TX	Quantification	7/1/1996
6449	CENTRAL POWER AND LIGHT COMPANY	Texas Industrial Energy Consumers	14965	Direct	TX	Interruptible Rates	5/1/1996
6449	CENTRAL POWER AND LIGHT COMPANY	Texas Industrial Energy Consumers	14965	Rebuttal	TX	Interruptible Rates	5/1/1996
6523	PUBLIC SERVICE COMPANY OF COLORADO	Multiple Intervenors	95A-531EG	Answer	CO	Merger	4/1/1996
6235	TEXAS UTILITIES ELECTRIC COMPANY	Texas Industrial Energy Consumers	13575	Direct	TX	Competitive Issues	4/1/1996
6435	SOUTHWESTERN PUBLIC SERVICE COMMISSION	Texas Industrial Energy Consumers	14499	Direct	TX	Acquisition	11/1/1995
6391	HOUSTON LIGHTING & POWER COMPANY	Grace, W.R. & Company	13988	Rebuttal	TX	Rate Design	8/1/1995
6353	SOUTHWESTERN PUBLIC SERVICE COMPANY	Texas Industrial Energy Consumers	14174	Direct	TX	Costing of Off-System Sales	8/1/1995
6157	WEST TEXAS UTILITIES COMPANY	Texas Industrial Energy Consumers	13369	Rebuttal	TX	Cancellation Term	8/1/1995
6391	HOUSTON LIGHTING & POWER COMPANY	Grace, W.R. & Company	13988	Direct	TX	Rate Design	7/1/1995
6157	WEST TEXAS UTILITIES COMPANY	Texas Industrial Energy Consumers	13369	Direct	TX	Cancellation Term	7/1/1995
6296	GEORGIA POWER COMPANY	Georgia Industrial Group	5601-U	Rebuttal	GA	EPACT Rate-Making Standards	5/1/1995
6296	GEORGIA POWER COMPANY	Georgia Industrial Group	5601-U	Direct	GA	EPACT Rate-Making Standards	5/1/1995
6278	COMMONWEALTH OF VIRGINIA	VCFUR/ODCFUR	PUE940067	Rebuttal	VA	Integrated Resource Planning	5/1/1995
6295	GEORGIA POWER COMPANY	Georgia Industrial Group	5600-U	Supplemental	GA	Cost of Service	4/1/1995
6063	PUBLIC SERVICE COMPANY OF COLORADO	Multiple Intervenors	94I-430EG	Rebuttal	CO	Cost of Service	4/1/1995
6063	PUBLIC SERVICE COMPANY OF COLORADO	Multiple Intervenors	94I-430EG	Reply	CO	DSM Rider	4/1/1995
6295	GEORGIA POWER COMPANY	Georgia Industrial Group	5600-U	Direct	GA	Interruptible Rate Design	3/1/1995
6278	COMMONWEALTH OF VIRGINIA	VCFUR/ODCFUR	PUE940067	Direct	VA	EPACT Rate-Making Standards	3/1/1995
6125	SOUTHWESTERN PUBLIC SERVICE COMPANY	Texas Industrial Energy Consumers	13456	Direct	TX	DSM Rider	3/1/1995
6235	TEXAS UTILITIES ELECTRIC COMPANY	Texas Industrial Energy Consumers	13575 13749	Direct	TX	Cost of Service	2/1/1995
6063	PUBLIC SERVICE COMPANY OF COLORADO	Multiple Intervenors	94I-430EG	Answering	CO	Competition	2/1/1995
6061	HOUSTON LIGHTING & POWER COMPANY	Texas Industrial Energy Consumers	12065	Direct	TX	Rate Design	1/1/1995
6181	GULF STATES UTILITIES COMPANY	Texas Industrial Energy Consumers	12852	Direct	TX	Competitive Alignment Proposal	11/1/1994
6061	HOUSTON LIGHTING & POWER COMPANY	Texas Industrial Energy Consumers	12065	Direct	TX	Rate Design	11/1/1994
5929	CENTRAL POWER AND LIGHT COMPANY	Texas Industrial Energy Consumers	12820	Direct	TX	Rate Design	10/1/1994
6107	SOUTHWESTERN ELECTRIC POWER COMPANY	Texas Industrial Energy Consumers	12855	Direct	TX	Fuel Reconciliation	8/1/1994
6112	HOUSTON LIGHTING & POWER COMPANY	Texas Industrial Energy Consumers	12957	Direct	TX	Standby Rates	7/1/1994

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5698	GULF POWER COMPANY	Misc. Group	931044-EI	Direct	FL	Standby Rates	7/1/1994
5698	GULF POWER COMPANY	Misc. Group	931044-EI	Rebuttal	FL	Competition	7/1/1994
6043	EL PASO ELECTRIC COMPANY	Phelps Dodge Corporation	12700	Direct	TX	Revenue Requirement	8/1/1994
6082	GEORGIA PUBLIC SERVICE COMMISSION	Georgia Industrial Group	4822-U	Direct	GA	Avoided Costs	5/1/1994
6075	GEORGIA POWER COMPANY	Georgia Industrial Group	4895-U	Direct	GA	FPC Certification Filing	4/1/1994
6025	MISSISSIPPI POWER & LIGHT COMPANY	MIEG	93-UA-0301	Comments	MS	Environmental Cost Recovery Clause	1/1/1994
5971	FLORIDA POWER & LIGHT COMPANY	Florida Industrial Power Users Group	940042-EI	Direct	FL	Section 712 Standards of 1992 EPACT	1/1/1994

CHART 5

BARY TYPE COINCIDENCE FACTOR VERSUS LOAD FACTOR CURVES



FLORIDA POWER & LIGHT COMPANY
Derivation of Rider CDR Credit

<u>Line</u>	<u>Description</u>	<u>2021</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>
		(1)	(2)	(3)	(4)
1	Net Present Revenue Requirement of Avoided Unit (\$000)	\$2,049,782			
2	Levelized Revenue Requirement (\$000)	\$206,824			
3	Discounted to Present Value (\$000)		\$74,895	\$81,909	\$89,616
4	Avoided Unit Capacity (MW)		1,219	1,219	1,219
5	Avoided Cost (\$/kW-Month)		\$5.12	\$5.60	\$6.13
6	Average Avoided Cost 2010-2012 (\$/kW-Month)		\$5.62		
7	Line Losses to Secondary		7.900%		
8	Average Avoided Cost 2010-2012 at the Meter (\$/kW-Month)		\$6.06		
9	Recommended CDR Credit		\$5.50		

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Florida Industrial Power Users Group's Testimony and Exhibits of Jeffrey Pollock was served by First Class United States Mail this 2nd day of October, 2009, to the following:

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