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June 2, 2022

Mr. Adam Teitzman  
Division of the Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

**Re:** Docket No. 20200241-EI; Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricane Sally, by Gulf Power Company.

Docket No. 20210178-EI; Petition for evaluation of Hurricane Isaias and Tropical Storm Eta storm costs, by Florida Power & Light Company.

Docket No. 20200179-EI; Petition for limited proceeding for recovery of incremental storm restoration costs and associated true-up process related to Hurricane Zeta, by Gulf Power Company.

Dear Mr. Teitzman:

Enclosed for filing please find a public version of the Office of Public Counsel's direct testimony and exhibits of Lane Kollen and Randy Futral (document number 02759-2022).

Please contact me if you or your staff have any questions regarding this filing at (561) 694-3850 or [kate.cotner@fpl.com](mailto:kate.cotner@fpl.com).

Sincerely,

/s/ Kate P. Cotner  
Kate P. Cotner

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

IN RE: PETITION FOR LIMITED PROCEEDING FOR RECOVER OF INCREMENTAL STORM RESTORATION COSTS RELATED TO HURRICANE SALLY, BY GULF POWER COMPANY.

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DOCKET NO. 20200241-EI

IN RE: PETITION FOR EVALUATION OF HURRICANE ISAIAS AND TROPICAL STORM ETA STORM COSTS, BY FLORIDA POWER & LIGHT COMPANY.

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DOCKET NO. 20210178-EI

IN RE: PETITION FOR LIMITED PROCEEDING FOR RECOVERY OF INCREMENTAL STORM RESTORATION COSTS AND ASSOCIATED TRUE-UP PROCESS RELATED TO HURRICANE ZETA, BY GULF POWER COMPANY.

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DOCKET NO. 20210179-EI

FILED: May 2, 2022

**DIRECT TESTIMONY & EXHIBITS**

**OF**

**LANE KOLLEN**

**ON BEHALF OF THE OFFICE OF PUBLIC COUNSEL**

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**DIRECT TESTIMONY**

**OF**

**Lane Kollen**

On Behalf of the Office of Public Counsel

Before the

Florida Public Service Commission

Docket No.

1

**I. QUALIFICATIONS AND PURPOSE**

2

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

3

A. My name is Lane Kollen. My business address is J. Kennedy and Associates, Inc. (“Kennedy and Associates”), 570 Colonial Park Drive, Suite 305, Roswell, Georgia 30075.

5

6

**Q. DESCRIBE YOUR EDUCATION AND PROFESSIONAL EXPERIENCE.**

7

A. I earned a Bachelor of Business Administration degree in accounting and a Master of Business Administration degree from the University of Toledo. I also earned a Master of Arts degree in theology from Luther Rice College & Seminary. I am a Certified Public Accountant, with a practice license, Certified Management Accountant, and Chartered Global Management Accountant. I am a member of numerous professional organizations, including the American Institute of Certified Public Accountants, Institute of Management Accounting, Georgia Society of CPAs, and Society of Depreciation Professionals.

10

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15

I have been an active participant in the utility industry for more than forty years, initially as an employee of a company that installed underground cablevision and telephone

1 wire from 1974 to 1976, then as an employee of The Toledo Edison Company in various  
2 accounting and planning positions from 1976 to 1983, and thereafter as a consultant in the  
3 industry. I have testified as an expert on planning, ratemaking, accounting, finance, tax,  
4 and other issues in proceedings before regulatory commissions and courts at the federal  
5 and state levels on hundreds of occasions.

6 I have testified before the Florida Public Service Commission (“FPSC” or  
7 “Commission”) on numerous occasions, including base rate, storm cost, fuel adjustment  
8 clause, acquisition, and territorial proceedings involving Florida Power & Light Company  
9 (“FPL”), Duke Energy Florida (“DEF”), Gulf Power Company, Talquin Electric  
10 Cooperative, the City of Tallahassee, and the City of Vero Beach.<sup>1</sup>

11  
12 **Q. ON WHOSE BEHALF ARE YOU PROVIDING TESTIMONY IN THIS**  
13 **PROCEEDING?**

14 A. I am providing testimony on behalf of the citizens of the State of Florida. Kennedy and  
15 Associates was retained by the Florida Office of Public Counsel (“OPC”) to perform a  
16 review of Gulf Power Company’s costs incurred in response to Hurricane Sally and  
17 Hurricane Zeta and FPL’s costs incurred in response to Hurricane Isaias and Tropical  
18 Storm Eta and to make recommendations in response to the Petitions filed in these  
19 proceedings.

20  
21 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

<sup>1</sup> I have attached a more detailed description of my qualifications and appearances as an expert in Exhibit LK-1.

1 A. The purpose of my testimony is to describe the Kennedy and Associates’ reviews of Gulf  
2 Power Company’s and FPL’s requests for recovery of the costs incurred in response to  
3 Hurricane Sally, Hurricane Zeta, Hurricane Isaias and Tropical Storm Eta, including their  
4 requests for a determination that the costs were prudently incurred, Gulf Power Company’s  
5 request for recovery of its costs through a storm recovery charge, and FPL’s proposed  
6 recovery through its “base O&M expense.”

7 I provide the conclusions and recommendations resulting from the Kennedy and  
8 Associates review, except for those that are separately addressed by OPC witness Randy  
9 Futral, including Gulf Power Company’s and FPL’s compliance with the requirements of  
10 Rule 25-6.0143, F.A.C. (“Rule”).<sup>2</sup> I also provide a summary of the Kennedy and  
11 Associates disallowance recommendations.

12

13 **II. SUMMARY OF GULF POWER COMPANY’S AND FPL’S REQUESTS,**  
14 **RATEMAKING IMPLICATIONS, AND STANDARDS FOR RECOVERY**

15 **A. Summary of Gulf Power Company’s and FPL’s Requests**

16 **Q. WERE GULF POWER COMPANY AND FPL A SINGLE ENTITY AT THE TIME**  
17 **THESE STORMS HIT THEIR RESPECTIVE TERRITORIES?**

18 A. No. Gulf Power Company and FPL were separate utilities at the time these storms hit their  
19 respective territories. Gulf Power Company merged with FPL effective January 1, 2021

<sup>2</sup> Kennedy and Associates relied on and all references to the Rule in my testimony are to the June 11, 2007 version of the Rule that was in effect during the storms addressed in these dockets. Gulf Power Company and FPL witness Mr. David Hughes stated that its requested recovery was quantified pursuant to “the version of the Rule that was in effect at the time of the storm event.” (Direct Testimony at p. 5 in Docket No. 20200241-EI and Direct Testimony at p. 6 in Docket No. 20210178-EI). After the storms at issue in these dockets, the Rule was subsequently modified with an effective date of June 28, 2021. The modified version of the Rule provides clarification regarding incremental costs and sets forth practical methodologies to determine the incremental costs. The positions taken by OPC in prior proceedings and in these proceeding under the prior version of the Rule are generally consistent with the clarifications and methodologies set forth in the modified version of the Rule.

1 and completely merged with FPL effective January 1, 2022. Therefore, for time periods  
2 prior to the completed merger, Gulf Power Company and FPL will be referred to as  
3 “Companies” and for post-merger time periods will be referred to as “Company.”

4  
5 **Q. BRIEFLY SUMMARIZE GULF POWER COMPANY’S REQUESTS IN THESE**  
6 **PROCEEDINGS.**

7 A. Gulf Power Company seeks a determination that its activities undertaken in response to  
8 Hurricane Sally and Hurricane Zeta were prudent, the costs incurred were prudent,  
9 reasonable, and recoverable, and that its requests were calculated in accordance with the  
10 requirements of the Incremental Cost and Capitalization Approach (“ICCA”) methodology  
11 set forth in the Rule. Gulf Power Company seeks recovery of \$186.8 in costs incurred for  
12 Hurricane Sally in 2020 (\$146.3 million after reduction for \$40.8 million in the storm  
13 reserve and addition of \$0.3 million in interest) and \$10.1 million in costs incurred for  
14 Hurricane Zeta in 2020. Gulf Power Company also seeks approvals for the Company’s  
15 proposed storm restoration recovery surcharges, proposed recovery periods, and true-up  
16 process.<sup>3</sup>

17 The Commission approved Gulf Power Company’s request for an interim surcharge  
18 for Hurricane Sally costs of \$3.00 per 1,000 kWh effective March 2, 2021. In these  
19 proceedings, Gulf Power Company seeks to maintain and extend the surcharge for  
20 Hurricane Sally costs at that same rate until the termination of the surcharge for Hurricane  
21 Michael costs, which presently is expected in October 2023, and then to increase the

<sup>3</sup> Petition in Docket No. 20200241-EI at p. 1 for Hurricane Sally costs and Petition in Docket No. 202100179-EI at p. 1 for Hurricane Zeta costs.

1 surcharge for Hurricane Sally costs to \$10.00 per 1,000 kWh. Gulf Power Company also  
2 seeks to establish a surcharge for Hurricane Zeta costs of \$9.34 per 1,000 kWh, effective  
3 with the termination of the Hurricane Sally surcharge.<sup>4</sup>  
4

5 **Q. BRIEFLY SUMMARIZE FPL’S REQUESTS IN THESE PROCEEDINGS.**

6 A. FPL seeks “a determination regarding the prudence of FPL’s activities and the reasonableness  
7 of costs incurred in responding to Hurricane Isaias (‘Hurricane Isaias Costs’) and Tropical  
8 Storm Eta (‘Tropical Storm Eta Costs’).”<sup>5</sup> FPL states that it “recorded its Hurricane Isaias  
9 Costs and Tropical Storm Eta Costs as base operations and maintenance (‘O&M’) expenses  
10 and is not seeking through this proceeding to establish a surcharge for the recovery of the  
11 Hurricane Isaias Costs or Tropical Storm Eta Costs, or replenishment of the storm reserve.”  
12 FPL states that it “filed the Petition and supporting testimony, together with supporting  
13 documentation, to facilitate an evaluation of the Hurricane Isaias Costs and Tropical Storm Eta  
14 Costs in support of the requested finding.”<sup>6</sup>

15 FPL incurred \$68.5 million in total costs to respond to Hurricane Isaias in 2020. It  
16 charged the entire \$68.5 million to base O&M expense and charged none of the costs to  
17 plant in service. FPL incurred \$115.9 million in total costs to respond to Tropical Storm  
18 Eta in 2020.<sup>7</sup> It charged \$115.5 million of these costs to base O&M expense and \$0.4  
19 million to plant in service. All of these amounts are total Company amounts without  
20 reduction for non-incremental costs and without reduction for the retail jurisdictional

<sup>4</sup> Petition in Docket No. 202100179-EI at p. 1.

<sup>5</sup> Petition in Docket No. 202100178-EI at p. 1.

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* FPL subsequently revised and slightly reduced this amount to correct an error in a letter to the Commission dated December 6, 2021 that was filed in this docket.

1 allocation. The amounts charged to base O&M expense on a retail jurisdictional basis were  
2 \$68.4 million for Hurricane Isaias and \$115.3 million for Tropical Storm Zeta.<sup>8</sup>

3 FPL claims that the ICCA methodology under the Rule is not applicable to its  
4 requests in these proceedings. Nevertheless, it claims that it would have charged \$66.3  
5 million for Hurricane Isaias and \$112.7 million for Tropical Storm Eta to the storm reserve  
6 under its interpretation and application of the ICCA methodology set forth in the Rule if it  
7 had not charged both the non-incremental and incremental costs to base O&M expense.<sup>9</sup>

8  
9 **B. Ratemaking Implications of FPL's Requests**

10 **Q. DESCRIBE THE RATEMAKING IMPLICATIONS OF FPL'S REQUESTS.**

11 A. FPL seeks a determination of prudence and an affirmation of its ratemaking recovery of  
12 the entirety of the \$183.2 million (on a retail jurisdictional basis) incurred to respond to the  
13 two storms and that it charged to base O&M expense, along with a grossed-up rate of return  
14 on that amount, albeit in a different form than through a storm surcharge. FPL  
15 acknowledges that if it sought recovery through a storm surcharge, the principal amount of  
16 the storm cost recovery would be limited to no more than \$179.1 million, although in prior  
17 storm proceedings where it did not elect to charge its storm costs to base O&M expense, it  
18 also sought a short-term debt interest only return.

19 If allowed without modification, FPL's claim will result in \$4.1 million in  
20 additional ratemaking recovery for the costs incurred plus another \$15.4 million in  
21 additional ratemaking recovery for the return on the costs incurred in just the first year

<sup>8</sup> Exhibit DH-1(Isaias) and Exhibit DH-2(Eta) attached to the Direct Testimony of David Hughes in Docket No. 202100178-EI.

<sup>9</sup> *Id.*

1 alone when compared to recovery through a storm surcharge, which I subsequently  
2 describe in more detail. This additional ratemaking recovery is a penalty imposed on  
3 customers that will continue each year.

4  
5 **Q. HOW DOES FPL'S DECISION TO CHARGE THE STORM COSTS TO BASE**  
6 **O&M EXPENSE RESULT IN ADDITIONAL RATEMAKING RECOVERY**  
7 **COMPARED TO CHARGING THE COSTS TO THE STORM RESERVE?**

8 A. In Docket No. 20120015-EI, *In re: Petition for Increase in Rates by Florida Power & Light*  
9 *Company*, the Commission found that FPL had a theoretical depreciation reserve surplus  
10 (“depreciation reserve”) and allowed FPL to amortize and use that depreciation reserve at  
11 its discretion to increase its earned return on equity up to a maximum threshold. FPL was  
12 required to restore the depreciation reserve to reduce its earned return on equity if it  
13 otherwise would exceed the maximum threshold.

14 In Docket No. 20160021-EI, *In re: Petition for Rate Increase by Florida Power &*  
15 *Light Company*, the Commission again found that FPL had a depreciation reserve surplus  
16 and authorized FPL to amortize and use (debit) the depreciation reserve at its discretion to  
17 increase its earned return on equity to no more than 11.60% or to restore (credit) the  
18 depreciation reserve to reduce its return on equity to no more than 11.60% if it otherwise  
19 would exceed that maximum threshold.<sup>10</sup>

20 If FPL earns in excess of the 11.60% maximum threshold, it then defers the revenue  
21 equivalent of the excess earnings as an increase to the depreciation reserve.<sup>11</sup> However, if

<sup>10</sup> The establishment of the reserve and the amortization parameters are set forth in paragraph 12 of the 2016 Settlement. I will refer to the use of the depreciation reserve in this manner as the reserve surplus amortization mechanism (“RSAM”) in my testimony.

<sup>11</sup> The excess earnings are after tax and must be grossed-up for income taxes to a revenue equivalent.

1 the storm costs are charged to base O&M expense, then the storm costs, net of the related  
2 income tax expense, will have the immediate effect of reducing the return on equity in the  
3 year expensed and reduce the revenue equivalent amount that otherwise would be deferred  
4 to and increase the depreciation reserve.

5 FPL's use of this ratemaking alternative provides immediate and greater recovery  
6 of storm costs compared to deferrals to the storm reserve and recovery through a storm  
7 surcharge. The depreciation reserve is a reduction to the rate base on which the utility  
8 earns a rate of return. If the amount that otherwise would have been added to the  
9 depreciation reserve under the RSAM is reduced because storm costs are charged to base  
10 O&M expense, then the rate base is increased by an equivalent amount.<sup>12</sup> The increase in  
11 rate base serves to reduce the earnings surplus that otherwise would have been used to  
12 increase the depreciation reserve, which effectively allows FPL to earn a return on the  
13 storm costs, including the return on equity. This increase in rate base will continue  
14 indefinitely and requires customers to pay a full return on these costs indefinitely, all else  
15 equal.

16 In 2020, FPL's earned return on equity exceeded the 11.60% maximum threshold  
17 on an FPSC Adjusted Earnings basis, even after FPL charged the storm costs to base O&M  
18 expense and reduced the depreciation reserve by an equivalent amount.<sup>13</sup> FPL would have  
19 deferred \$184.4 million to the depreciation reserve if it had not charged \$183.2 million to  
20 base O&M expense in 2020 for the Hurricane Isaias and Tropical Storm Zeta costs on a

<sup>12</sup> This effectively serves to defer the storm costs charged to base O&M expense, not as a regulatory asset, but rather, as a reduction to the depreciation reserve under the RSAM.

<sup>13</sup> FPL's December 2020 Rate of Return Surveillance Report filed with the Commission on February 15, 2021.

1 retail jurisdictional basis. Instead, it deferred only \$1.2 million,<sup>14</sup> the revenue equivalent  
2 of the excess earnings remaining after the charge to base O&M expense. This has the effect  
3 of increasing rate base by an amount equivalent to the storm costs charged to base O&M  
4 expense, thereby allowing FPL to earn a full return on those costs, including a return on  
5 equity. This causes a penalty to ratepayers, in that, they will pay higher rates than if a  
6 storm surcharge was used.

7  
8 **C. Standard for Recovery of Costs**

9 **Q. WHAT IS THE STANDARD FOR RECOVERY OF THE COMPANIES’**  
10 **CLAIMED COSTS?**

11 A. In their Petitions, both Gulf Power Company and FPL assert that the standards for recovery  
12 are prudence and reasonableness. In its Petition, Gulf Power Company cites a Commission  
13 Order for this prudence standard as “what a reasonable utility manager would do in light  
14 of the conditions and circumstances which he knew or reasonably should have known at  
15 the time the decision was made.” In addition, in their Petitions, both Gulf Power Company  
16 and FPL cite to the Rule as the standard for recovery of non-incremental costs through a  
17 storm surcharge, although FPL claims that the Rule is not applicable to its requests in these  
18 proceedings.

19 The Rule describes the ICCA methodology to quantify the recoverable amount of  
20 the costs incurred for “storm-related damages.” The Rule lists the types or categories of  
21 costs that qualify and may be deferred to the “storm account” for recovery, but only to the  
22 extent that the costs are “incremental” to costs that already are recovered through base

<sup>14</sup>*Id.*

1 and/or cost recovery clause rates or that are in excess of “normal” capital expenditures.  
2 The Rule also lists the types or categories of costs that do not qualify and may *not* be  
3 deferred to the “storm account.”

4 The Rule describes the ICCA methodology, which only allows the utility to charge  
5 costs to the storm account if they are incremental to “those costs that normally would be  
6 charged to non-cost recovery clause operating expenses in the absence of a storm”  
7 (“incremental expenses”) or if they are incremental to the “normal cost for the removal,  
8 retirement and replacement of those [damaged] facilities in the absence of a storm”  
9 (“incremental capital expenditures”). Rule 25-6.0143(1)(d), F.A.C., states specifically:

10 In determining the costs to be charged to cover storm-related damages, the  
11 utility shall use an Incremental Cost and Capitalization Approach  
12 methodology (ICCA). Under the ICCA methodology, the costs charged to  
13 cover storm-related damages shall exclude those costs that normally would  
14 be charged to non-cost recovery clause operating expenses in the absence  
15 of a storm. Under the ICCA methodology for determining the allowable  
16 costs to be charged to cover storm-related damages, the utility will be  
17 allowed to charge to Account No. 228.1 costs that are incremental to costs  
18 normally charged to non-cost recovery clause operating expenses in the  
19 absence of a storm. All costs charged to Account 228.1 are subject to review  
20 for prudence and reasonableness by the Commission. In addition, capital  
21 expenditures for the removal, retirement and replacement of damaged  
22 facilities charged to cover storm-related damages shall exclude the normal  
23 cost for the removal, retirement and replacement of those facilities in the  
24 absence of a storm.

25 Rule 25-6.0143(1)(e), F.A.C., specifically lists the types of storm-related costs that  
26 are allowed to be charged to the storm account under the ICCA methodology as follows:

- 27 1. Additional contract labor hired for storm restoration activities;
- 28 2. Logistics costs of providing meals, lodging, and linens for tents and other  
29 staging areas;
- 30 3. Transportation of crews for storm restoration;
- 31 4. Vehicle costs for vehicles specifically rented for storm restoration activities;

- 1                   5. Waste management costs specifically related to storm restoration activities;
- 2                   6. Rental equipment specifically related to storm restoration activities;
- 3                   7. Materials and supplies used to repair and restore service and facilities to pre-  
4                   storm condition, such as poles, transformers, meters, light fixtures, wire, and  
5                   other electrical equipment, excluding those costs that normally would be  
6                   charged to non-cost recovery clause operating expenses in the absence of a  
7                   storm;
- 8                   8. Overtime payroll and payroll-related costs for utility personnel included in  
9                   storm restoration activities;
- 10                  9. Fuel cost for company and contractor vehicles used in storm restoration  
11                  activities; and
- 12                  10. Cost of public service announcements regarding key storm-related issues, such  
13                  as safety and service restoration estimates.

14                  Rule 25-6.0143(1)(f), F.A.C., lists the types of storm-related costs that are  
15                  *prohibited* from being charged to the storm account under the ICCA methodology as  
16                  follows:

- 17                  1. Base rate recoverable regular payroll and regular payroll-related costs for utility  
18                  managerial and non-managerial personnel;
- 19                  2. Bonuses or any other special compensation for utility personnel not eligible for  
20                  overtime pay;
- 21                  3. Base rate recoverable depreciation expenses, insurance costs and lease expenses  
22                  for utility-owned or utility-leased vehicles and aircraft;
- 23                  4. Utility employee assistance costs;
- 24                  5. Utility employee training costs incurred prior to 72 hours before the storm  
25                  event;
- 26                  6. Utility advertising, media relations or public relations costs, except for public  
27                  service announcements regarding key storm-related issues as listed above in  
28                  subparagraph (1)(e)10.;
- 29                  7. Utility call center and customer service costs, except for non-budgeted overtime  
30                  or other non-budgeted incremental costs associated with the storm event;
- 31                  8. Tree trimming expenses, incurred in any month in which storm damage  
32                  restoration activities are conducted, that are less than the actual monthly

1 average of tree trimming costs charged to operation and maintenance expense  
2 for the same month in the three previous calendar years;

3 9. Utility lost revenues from services not provided; and

4 10. Replenishment of the utility's materials and supplies inventories.

5 In addition to the standards set forth in the Rule, Kennedy and Associates relied on  
6 Commission decisions adopting settlement agreements in other proceedings involving  
7 FPL, Duke Energy Florida, Gulf Power Company, and Tampa Electric Company.<sup>15</sup> These  
8 decisions adopt specific methodologies to quantify certain incremental costs pursuant to  
9 the Rule and adopt specific information filing requirements and review procedures that will  
10 be applicable in future storm proceedings for those utilities. Those decisions and the  
11 underlying settlement agreements provide a useful framework for the Commission to look  
12 to in order to ensure that costs are, in fact, incremental and reasonable, and in accordance  
13 with the standards set forth in the Rule. However, those decisions are based on settlements  
14 that fail to fully address all non-incremental costs not allowed recovery pursuant to the  
15 Rule.

16  
17 **Q. DOES THE RULE ALLOW THE UTILITY TO CHARGE THE STORM COSTS**  
18 **TO BASE O&M EXPENSE INSTEAD OF TO THE STORM RESERVE?**

19 A. Yes. The Rule states:

20 (h) A utility may, at its own option, charge storm-related costs as operating  
21 expenses rather than charging them to Account No. 228.1. The utility shall  
22 notify the Director of the Commission Clerk in writing and provide a  
23 schedule of the amounts charged to operating expenses for each incident  
24 exceeding \$5 million. The schedule shall be filed annually by February 15  
25 of each year for information pertaining to the previous calendar year.

<sup>15</sup> Docket No. 20170272-EI, Docket No. 20170271-EI, and Docket No. 20180049-EI, respectively.

1 **Q. WOULD A UTILITY TYPICALLY CHOOSE TO CHARGE STORM COSTS TO**  
2 **BASE O&M EXPENSE?**

3 A. No. A utility typically would not choose to charge storm costs to base O&M expense  
4 unless the amounts were minimal because the additional O&M expense would reduce its  
5 earned return, all else equal. However, the situation is unique with respect to FPL due to  
6 the availability and its use of the depreciation reserve under the RSAM to manage its earned  
7 return, recover its storm costs, and earn a return on the storm costs until its base rates are  
8 reset in a future base rate case proceeding.

9  
10 **Q. DOES THE RULE DISTINGUISH BETWEEN “THE STORM RELATED COSTS”**  
11 **CHARGED TO THE STORM RESERVE OR TO BASE O&M EXPENSES?**

12 A. No. The Rule has only one description of storm-related damages or storm costs that may  
13 be recovered from customers and that description is not dependent on the form of recovery,  
14 or in the case of FPL, the existence of the depreciation reserve under RSAM. Nor does the  
15 Rule incorporate an exculpatory term that relieves the utility from compliance with the  
16 Rule if it chooses to charge the storm costs to base O&M expense and, in the case of FPL,  
17 recover the storm costs through the depreciation reserve under RSAM.

18  
19 **III. SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS**

20 **Q. PLEASE SUMMARIZE YOUR CONCLUSIONS.**

21 A. I have separated the conclusions into process, methodology, and disallowance categories.  
22 Process conclusions relate to the Company’s planning and implementation, including  
23 management and procurement processes that may have resulted in excessive costs.

1 Methodology conclusions relate to the Company’s failure to correctly calculate the  
2 *incremental* storm-related costs pursuant to the requirements of the Rule that have resulted  
3 in excessive costs. Disallowance conclusions relate to costs that should not be included in  
4 the storm costs and that should be denied recovery either through a storm surcharge or  
5 through base O&M expense.

6  
7 **A. Process Conclusions**

8 The processes and the scope of those processes employed by the Companies,  
9 including procurement of resources, mobilization, demobilization, and other logistics are  
10 or should be a function of an ongoing assessment of potential physical damage and outage  
11 risk exposures, subject to a defined probability within a range of outcomes, and resourcing  
12 to meet that defined probability, as well as other defined decision criteria, including, but  
13 not limited to, specific outage restoration time targets.

14 My process conclusions are as follows:

- 15 1. The Companies utilize a storm damage model to assess the potential damage  
16 and estimate the construction manhours (“CMH”) and cost to restore service  
17 starting 96 to 72 hours before the forecast storm landfall. The Companies  
18 continue to update the potential damage as the storm develops or disperses and  
19 the weather forecasts are updated.
- 20 2. The storm damage model was developed in-house by FPL and is maintained  
21 and utilized exclusively by FPL. The Companies have not retained outside  
22 consulting assistance to review, develop, and enhance the storm damage model,  
23 nor have they evaluated the models used by other utilities, such as the Storm  
24 Resilience Model, which includes a Storm Impact Model, developed by 1898  
25 & Co. and used by Tampa Electric Company, and the model developed by  
26 Guidehouse and used by Duke Energy Florida.
- 27 3. The Companies have no users’ manual and no written documentation of the  
28 storm damage model, except for a very general description of its capabilities  
29 included in a pending patent application and a separate very general description  
30 in its emergency preparedness plan.

- 1 4. The Companies have no written policies that describe or require them to assess  
2 the potential physical damage and outage risk exposures from storms or to  
3 optimize the allocation of internal resources and acquisition of external  
4 resources necessary to respond to those potential exposures.
- 5 5. The damage and outage risk exposures have declined and should continue to  
6 decline further as the Companies make significant investments to harden and  
7 protect their systems from storm damages and outages pursuant to their  
8 approved Storm Protection Plans. The Companies and other utilities claim that  
9 these significant investment costs are justified, at least in part, through savings  
10 and reliability improvements resulting from less storm damage and fewer, less  
11 severe, and shorter outages.
- 12 6. The Companies have no written policies that describe or require them to plan  
13 or implement their outage responses to minimize costs. Their stated objectives  
14 are to restore service to as many customers as possible as quickly as possible.  
15 The Companies acknowledge that they do not plan or implement their storm  
16 responses to minimize costs. The failure to incorporate this objective in its  
17 assessing its resourcing needs may result in excessive resourcing and excessive  
18 costs once those resources are mobilized.
- 19 7. The Companies failed to demonstrate that they minimized the storm costs  
20 through a prudent assessment of damages before storm landfall, prudent  
21 resourcing to meet the assessment of damages, and a prudent mix of their own  
22 employees, affiliate company contractors, mutual assistance contractors, and  
23 other third-party contractors.
- 24 8. The Companies have no incentive to minimize storm costs.

## 25 26 **B. Methodology Conclusions**

27 The Companies' requests for cost recovery do not comply with the Rule in certain  
28 important respects and are overstated. My methodology conclusions are as follows.

- 29 1. FPL failed to limit its request to incremental costs, an overarching requirement  
30 of the Rule. Instead, FPL effectively circumvented the prohibition against  
31 recovery of non-incremental costs set forth in the Rule by utilizing the  
32 depreciation reserve to recover the entirety of the storm costs it incurred and  
33 charged to base O&M expense.
- 34 2. The Companies failed to limit their requests to incremental costs by not  
35 removing all straight time payroll costs (regular payroll) and related costs from  
36 the storm costs, as required by the Rule.

- 1 3. The Companies failed to limit their requests to incremental costs by failing to  
2 remove the non-incremental portion of overtime payroll and related costs from  
3 the storm costs, as required by the Rule. The Companies objected to and  
4 refused to provide the overtime payroll and related costs included in the base  
5 revenue requirement or the historic costs in response to OPC discovery.<sup>16</sup>
- 6 5. The Companies failed to limit their requests to incremental costs by failing to  
7 remove line contractor “costs that normally would be charged to non-cost  
8 recovery clause operating expenses in the absence of a storm,” as required by  
9 the Rule. The Companies objected to and refused to provide the historic  
10 embedded line contractor costs in response to OPC discovery.<sup>17</sup> The  
11 Commission previously has utilized a three year historic average to quantify  
12 and then exclude vegetation management contractor costs “that normally would  
13 be charged to non-cost recovery clause operating expenses” if, in fact, the  
14 historic average is greater than the costs in the month of the storm, excluding  
15 storm costs from the average and from the month of the current storm for which  
16 recovery is sought.
- 17 6. The Companies failed to limit their requests to incremental costs by failing to  
18 remove materials and supplies “costs that normally would be charged to non-  
19 cost recovery clause operating expenses in the absence of a storm,” as required  
20 by the Rule.
- 21 7. Gulf Power Company improperly included interest on the storm costs, which is  
22 not listed as a recoverable cost in the Rule.

23

24 **C. Disallowance Conclusions**

25 The Gulf Power Company storm costs charged to the Storm Reserve and the FPL storm  
26 costs charged to base O&M expense were excessive due to processes that failed to  
27 minimize costs and methodologies that overstated Gulf Power Company’s charges to the  
28 storm reserve, which results in excessive storm surcharges, and FPL’s charges to base

<sup>16</sup> Response to Interrogatory No. 33 in OPC’s First Set of Interrogatories in Docket No. 20200241-EI. Response to Interrogatory No. 31 in OPC’s First Set of Interrogatories in Docket No. 20210179-EI. Response to Interrogatory No. 34 in OPC’s First Set of Interrogatories in Docket No. 20210178-EI. I have attached copies of these responses as Exhibit LK-2.

<sup>17</sup> Responses to Interrogatory Nos. 5 and 6 in OPC’s First Set of Interrogatories in Docket Nos. 20200241-EI, 20210179-EI and 20210178-EI. I have attached copies of these responses as Exhibit LK-3.

1 O&M expense that improperly depleted the depreciation reserve, which effectively  
 2 imposes these costs on future FPL customers.

3 The following tables summarize the excessive costs included in each Company's  
 4 request for each storm and provide the basis for my recommendations to disallow or  
 5 otherwise remove these costs. The tables also reflect the disallowances recommended by  
 6 Mr. Futral.

Gulf Power Company OPC's Adjustments to Hurricane Sally Claimed Costs for Storm Restoration Based on Costs Accumulated through October 31, 2021 (\$000s)			
	Total Costs	Retail Jurisdictional Factor	OPC Adjusted Recoverable Amount
Total Claimed Costs Associated with Storm Restoration	187,995	99.39%	186,840
Less: As-Filed Additional Accruals to Storm Reserve		100.00%	(40,808)
Add: Interest on As-Filed Unrecovered Deficit		100.00%	311
Total As-Filed Recoverable Storm Losses			<u>146,343</u>
OPC Recommended Adjustments			
Remove Regular Payroll Costs	(966)	99.07%	(957)
Remove Non-Incremental Overtime Payroll Costs	(809)	99.09%	(802)
Remove Non-Incremental Line Contractor Costs	(1,421)	99.63%	(1,416)
Remove Non-Incremental Materials and Supplies	(63)	99.63%	(63)
Remove Accrued Estimated Amounts Not Paid	(231)	99.39%	(229)
Remove Interest on As-Filed Unrecovered Deficit	(311)	100.00%	(311)
Total OPC Adjustments to Claimed Costs	(3,801)	99.39%	(3,778)
OPC Maximum Recoverable Restoration Costs for Hurricane Sally			<u>142,565</u>

Gulf Power Company			
OPC's Adjustments to Hurricane Zeta Claimed Costs for Storm Restoration			
Based on Costs Accumulated through October 31, 2021			
(\$000s)			
	Total Costs	Retail Jurisdictional Factor	OPC Adjusted Recoverable Amount
Total Claimed Costs Associated with Storm Restoration	10,122	99.58%	10,079
Add: Interest on As-Filed Unrecovered Deficit		100.00%	<u>1</u>
Total As-Filed Recoverable Storm Losses			10,080
OPC Recommended Adjustments			
Remove Regular Payroll Costs	(135)	97.01%	(131)
Remove Non-Incremental Overtime Payroll Costs	(85)	99.45%	(84)
Remove Non-Incremental Line Contractor Costs	(109)	99.63%	(109)
Remove Non-Incremental Materials and Supplies	(63)	99.63%	(63)
Remove Accrued Estimated Amounts Not Paid	(5)	99.58%	(5)
Remove Interest on As-Filed Unrecovered Deficit	<u>(1)</u>	<u>100.00%</u>	<u>(1)</u>
Total OPC Adjustments to Claimed Costs	(397)	98.70%	(392)
OPC Maximum Recoverable Restoration Costs for Hurricane Zeta			<u><u>9,688</u></u>

Florida Power and Light Company			
OPC's Adjustments to Hurricane Isaias Claimed Costs for Storm Restoration			
Based on Costs Accumulated through July 31, 2021			
(\$000s)			
	Total Costs	Retail Jurisdictional Factor	OPC Adjusted Recoverable Amount
Total O&M Storm Restoration Costs Claimed	68,466	99.85%	68,363
Less: ICCA O&M	<u>(2,022)</u>	<u>99.72%</u>	<u>(2,017)</u>
Total Claimed Costs Associated with Storm Restoration	66,444	99.85%	66,346
OPC Recommended Adjustments			
Remove Regular Payroll Costs	(323)	98.93%	(320)
Remove Non-Incremental Overtime Payroll Costs	(1,157)	99.12%	(1,146)
Remove Non-Incremental Line Contractor Costs	(612)	99.99%	(612)
Remove Non-Incremental Materials and Supplies	(39)	97.04%	(38)
Remove Accrued Estimated Amounts Not Paid	<u>(81)</u>	<u>99.85%</u>	<u>(81)</u>
Total OPC Adjustments to Claimed Costs	(2,212)	99.32%	(2,197)
OPC Maximum Recoverable Restoration Costs for Hurricane Isaias			<u><u>64,149</u></u>

Florida Power and Light Company OPC's Adjustments to Tropical Storm Eta Claimed Costs for Storm Restoration Based on Costs Accumulated through July 31, 2021 (\$000s)			
	Total Costs	Retail Jurisdictional Factor	OPC Adjusted Recoverable Amount
Total O&M Storm Restoration Costs Claimed - Original	115,470	99.48%	114,871
Changes Reported by FPL in December 6, 2021 Letter	(78)	85.90%	(67)
Total O&M Storm Restoration Costs Claimed - Revised	115,392	99.49%	114,804
Less: ICCA O&M	(2,161)	99.11%	(2,142)
Total Claimed Costs Associated with Storm Restoration-Revised	113,231	99.50%	112,662
OPC Recommended Adjustments			
Remove Regular Payroll Costs	(1,478)	96.72%	(1,429)
Remove Non-Incremental Overtime Payroll Costs	(2,187)	95.88%	(2,097)
Remove Non-Incremental Line Contractor Costs	(1,325)	99.99%	(1,325)
Remove Non-Incremental Materials and Supplies	(185)	98.35%	(182)
Remove Accrued Estimated Amounts Not Paid	(116)	99.50%	(116)
Total OPC Adjustments to Claimed Costs	(5,292)	97.31%	(5,149)
OPC Maximum Recoverable Restoration Costs for Tropical Storm Eta			<u>107,513</u>

1 **Q. PLEASE SUMMARIZE YOUR RECOMMENDATIONS.**

2 A. Similar to the preceding conclusions, I have separated the Kennedy and Associates  
3 recommendations into process, methodology, and disallowance categories. The process  
4 recommendations address problems in Gulf Power Company's and FPL's procurement and  
5 management processes that resulted in excessive costs.<sup>18</sup> The methodology  
6 recommendations address the Companies' failure to correctly calculate the *incremental*  
7 storm-related costs pursuant to the requirements of the Rule. The disallowance  
8 recommendations address costs that were improperly charged by Gulf Power Company to  
9 the storm reserve and improperly charged by FPL to base O&M expense and recovered  
10 through the depreciation reserve and that should be restored to the depreciation reserve.

<sup>18</sup> In addition, Mr. Futral provides recommendations that will improve the review of the costs incurred by providing all relevant documents and information when the Companies file their Petitions for final cost recovery.

1           **D. Process Recommendations**

2           I recommend that the Commission adopt and direct the Companies to make the following  
3           improvements to their processes.

- 4                   1. The Companies should engage outside consulting assistance to review and  
5                   further develop or replace the storm damage model to enhance its capabilities  
6                   and predictive capability and acquire or develop resourcing optimization  
7                   software, all with the goals of systematizing the Companies' decision criteria  
8                   for restoration times and to minimize outage costs.
- 9                   2. The Companies should adopt written documentation of their storm damage  
10                  model and all related models, including: 1) a user manual; 2) their resourcing  
11                  models and methodologies; 3), and the decision criteria used to determine  
12                  resource requirements, procure embedded and external resources to meet those  
13                  requirements, and mobilize, move, and demobilize those resources throughout  
14                  and after the restoration process.
- 15                  3. The Companies should adopt written policies that describe and require them to  
16                  plan and implement its storm damage and outage responses to minimize costs.
- 17                  4. The Companies should adopt written policies that describe and require them to  
18                  optimize the allocation and acquisition of embedded and external resources  
19                  necessary to respond to the potential damage and outage risk exposures  
20                  identified in their assessments of those risk exposures.
- 21                  5. The Companies should adopt written policies that describe and require them to  
22                  minimize storm costs through careful management of the mobilization of its  
23                  contractors, including the acquisition and/or development of optimization  
24                  software.
- 25                  6. The Companies should adopt written policies that describe and require them to  
26                  minimize storm costs through careful management of the demobilization of its  
27                  contractors, including the acquisition and/or development of optimization  
28                  software  
29                  .

30           **E. Methodology Recommendations**

31           I recommend that the Commission adopt and direct the Companies to make the  
32           following changes to their methodologies.

- 1           1. The Commission should disallow and direct the Companies to quantify and  
2           exclude all costs that are not demonstrably incremental to “costs normally  
3           charged to non-cost recovery clause operating expenses in the absence of a  
4           storm” and incremental to “the normal cost for the removal, retirement and  
5           replacement of those facilities in the absence of a storm,” pursuant to the  
6           requirements set forth in the Rule.
- 7           2. The Commission should disallow and direct the Companies to exclude all  
8           straight time labor (regular payroll) costs in future storm cost proceedings in  
9           accordance with the prohibition against such costs set forth in the Rule.
- 10          3. The Commission should disallow and direct the Companies to quantify and  
11          exclude the non-incremental overtime payroll and related costs in future storm  
12          cost proceedings in accordance with the requirements set forth in the Rule.
- 13          4. The Commission should disallow and direct the Companies to quantify and  
14          exclude line contractor “costs that normally would be charged to non-cost  
15          recovery clause operating expenses in the absence of a storm” pursuant to the  
16          ICCA limitations set forth in the Rule.
- 17          5. The Commission should disallow and direct the Companies to quantify and  
18          exclude materials and supplies “costs that normally would be charged to non-  
19          cost recovery clause operating expenses in the absence of a storm” pursuant to  
20          the ICCA limitations set forth in the Rule.  
21

22           **F. Disallowance Recommendations**

23           I recommend that the Commission disallow or otherwise remove at least \$3.778 million in  
24           excessive costs for Hurricane Sally and \$0.392 million in excessive costs for Hurricane  
25           Zeta included in Gulf Power Company’s requests. I recommend that the Commission  
26           disallow or otherwise remove at least \$2.197 million in excessive costs for Hurricane Isaias  
27           and \$5.149 million in excessive costs for Tropical Storm Eta included in FPL’s requests.  
28           These costs are summarized in the tables in the preceding Disallowance Conclusions  
29           section of my testimony.  
30

1 **IV. PROCESS ISSUES**

2 **A. Storm Costs Are Excessive Compared to Actual System Damage and Customer**  
3 **Interruptions**

4 **Q. PLEASE SUMMARIZE THE SYSTEM DAMAGE, CUSTOMER**  
5 **INTERRUPTIONS, AND COSTS INCURRED FOR EACH STORM.**

6 A. The Companies prepared a Report after each of the storms, except for Hurricane Zeta,<sup>19</sup>  
7 that describes the storm characteristics and weather, the forecast and actual storm paths,  
8 transmission line and substation performance, distribution performance (poles, feeders,  
9 laterals, transformers, pad-mounted switches), smart grid performance, customer  
10 interruptions due to vegetation, and the effects of the Company’s hardening programs.

11 In addition to the reports prepared after each storm, except for Hurricane Zeta, Gulf  
12 Power Company witness Michael Spoor addressed Hurricane Sally and Hurricane Eta and  
13 FPL witness Manuel Miranda addressed the Hurricane Isaias and Tropical Storm Eta in  
14 their direct testimonies in these proceedings. More specifically, for each storm, they  
15 described the storm development and path, damages, customer outages, and Gulf Power  
16 Company’s and FPL’s response, and the costs that were incurred. Gulf Power Company  
17 witness Carmine Priore, III also addressed the damages at Plant Crist due to flooding from  
18 Hurricane Sally.

19  
20 **Q. DID THE COMPANIES MANAGE THEIR RESPONSES TO THE STORMS TO**  
21 **MINIMIZE COSTS?**

<sup>19</sup> Response to POD No. 32 in OPC’s Second Request for Production of Documents in Docket No. 20200241-EI (Confidential Hurricane Sally Report). Response to POD No. 26 in OPC’s First Request for Production of Documents in Docket No. 20210178-EI (Confidential Hurricane Isaias Report and Confidential Tropical Storm Eta Report). A copy of each report is attached as my Confidential Exhibit LK-4 for Hurricane Sally, Confidential Exhibit LK-5 for Hurricane Isaias, and Confidential Exhibit LK-6 for Tropical Storm Eta.

1 A. No. Both Mr. Spoor and Mr. Miranda described their storm response objectives as the  
2 restoration of service to as many customers as possible within the shortest time. More  
3 specifically, Mr. Spoor stated: “The primary objective of Gulf’s emergency preparedness  
4 plan and restoration process is to safely restore critical infrastructure and to restore power  
5 to the greatest number of customers in the least amount of time so that Gulf can return  
6 normalcy to the communities it serves.”<sup>20</sup> Similarly, Mr. Miranda stated: “The primary  
7 objective of FPL’s emergency preparedness plan and restoration process is to safely restore  
8 critical infrastructure and to restore power to the greatest number of customers in the least  
9 amount of time so that FPL can return the communities it serves to normalcy.”<sup>21</sup> Both Mr.  
10 Spoor and Mr. Miranda stated further that “the objective of safely restoring electric service  
11 as quickly as possible cannot, by definition, be pursued as a ‘least cost’ process.”<sup>22</sup>

12  
13 **Q. DOES THAT MEAN THE COMPANIES CANNOT OR SHOULD NOT ATTEMPT**  
14 **TO MINIMIZE THE COSTS THAT ARE INCURRED?**

15 A. No. To the contrary, the Companies have an obligation to minimize costs through every  
16 phase of the storm planning and restoration process. They have an obligation to accurately  
17 assess the range of potential damage, properly size the resourcing necessary to respond to  
18 the potential damage, and establish and abide by decision criteria to quantify, acquire, and  
19 mobilize the resources necessary to restore service to customers within a reasonable time  
20 at the minimum reasonable cost. The accuracy of the damage forecasts is critical. The  
21 resourcing is critical. However, the resourcing depends on the decision criteria to restore

<sup>20</sup> Direct Testimony of Michael Spoor at p. 5 in Docket No. 20200241-EI.

<sup>21</sup> Direct Testimony of Manuel Miranda at p. 6 in Docket No. 20210178-EI.

<sup>22</sup> Direct Testimony of Michael Spoor at p. 6 in Docket No. 20200241-EI and Direct Testimony of Manuel Miranda at p. 6 in Docket No. 20210178-EI.

1 service to the customers out of service within acceptable and reasonable outage time  
2 criteria, neither of which have been established or are used to determine resourcing.

3  
4 **Q. WHAT ARE YOUR RECOMMENDATIONS IN RESPONSE TO THESE**  
5 **CONCERNS?**

6 A. My recommendations are detailed in each of the following subsections of this section of  
7 my testimony. They address improvements in the planning process and in the  
8 implementation of the actual storm response, as well as providing an incentive or stake in  
9 the recovery of storm costs that will minimize the costs to customers incurred to respond  
10 to future storms and to align the Companies' interest in minimizing storm costs with those  
11 of their customers.

12  
13 **B. Prudent Planning And Implementation of Storm Responses Is Necessary In Order**  
14 **to Minimize Storm Costs and Customer Interruptions**

15 **Q. HAVE THE COMPANIES PROVIDED EVIDENCE THAT THEY PLAN OR**  
16 **IMPLEMENT THEIR STORM RESPONSES IN ORDER TO MINIMIZE COSTS?**

17 A. No. To the contrary, the Companies state that minimizing the storm costs is not a planning  
18 or implementation objective.<sup>23</sup> The Companies have no policy that requires them to  
19 minimize costs given specific decision criteria for reasonable outage restoration times.  
20 Perhaps rather obviously, the greater the resources that are acquired, the greater the number  
21 of customers that are restored, the fewer minutes of interruption, and the shorter the outage  
22 restoration times on average. Similarly, the fewer the resources that are acquired, the fewer

<sup>23</sup> Direct testimony of Manuel Miranda at p. 6 in Docket No. 20210178-EI.

1 the number of customers that are restored, the greater the minutes of interruption, and the  
2 longer the outage restoration times on average. However, between the excessive and  
3 inadequate range of outage restoration times, there are reasonable and appropriate decision  
4 criteria that balance the costs to acquire greater resources against the longer restoration  
5 times, especially in light of the nearly \$15 billion that FPL proposes to spend on storm  
6 hardening and protection activities in the next 10 years.<sup>24</sup>

7  
8 **Q. WHY IS THAT IMPORTANT?**

9 A. It is important because it affects the total costs of the storm response and the costs that  
10 customers pay through the ratemaking process, regardless of whether the recovery is  
11 obtained through the storm account and a storm surcharge or through the depreciation  
12 reserve. Gulf Power Company and FPL ultimately are reimbursed by customers for the  
13 entirety of their prudent and reasonable storm costs through the ratemaking process.

14 The Companies have an obligation to act prudently and reasonably to repair damage  
15 and restore service within a reasonable period of time. However, this must be balanced  
16 against the costs of doing so. The Company also has an obligation to act in an intentional  
17 manner to prudently and reasonably minimize costs. This requires more than an after-the-  
18 fact review of vendor invoices for resources that have been mobilized. It requires the  
19 adoption, communication, and implementation of policies to achieve this objective before  
20 resources are mobilized.

21  
<sup>24</sup> Docket No. 20220051-EI, Direct testimony of Michael Jarro, Exhibit MJ-1, APPENDIX C (Page 2 of 2).  
(Total SPP costs for 2023 – 2032 projected to be \$14,854 million (nominal)).

1 **C. Systematic And Accurate Assessments of Risk Exposures Are Necessary In Order**  
2 **to Optimize Resources and Minimize Cost of Storm Responses and Customer**  
3 **Interruptions**

4 **Q. SHOULD THE COMPANY OPTIMIZE THE SCOPE, AND MINIMIZE THE**  
5 **COSTS, OF ITS RESPONSES TO REFLECT THE CONTINUOUS HARDENING**  
6 **AND PROTECTION OF ITS SYSTEM ASSETS AND REDUCTIONS IN**  
7 **VEGETATION EXPOSURE?**

8 A. Yes. The reality is that, as Gulf Power Company and FPL have made investments in their  
9 transmission and distribution systems and expanded their vegetation management  
10 programs to improve the resiliency of their systems through storm hardening and storm  
11 protection programs and projects approved by the Commission. The investments and  
12 expenses incurred and recovered from customers for this purpose should significantly  
13 reduce the damage and the cost of the storm responses and service restoration activities.

14 The Companies and other utilities have claimed in multiple forums and in multiple  
15 SPP proceedings that these significant hardening and protection investments and  
16 vegetation management expenses are justified, at least in part, through savings and  
17 reliability improvements due to significant and continuous reductions in physical storm  
18 damages and fewer and less severe outages. Indeed, in their storm reports, Gulf Power  
19 Company and FPL repeatedly cited the various storm hardening and protection programs  
20 they already have implemented as the reasons for no or minimal physical damage to the  
21 hardened assets compared the non-hardened assets.<sup>25</sup> Thus, this should result in lower  
22 storm costs in response to future storm events, not the same or even increased costs.

<sup>25</sup> See Confidential Report for Hurricane Sally at pp. 4, 5, 6, 9, 46, 47, and 50 of Confidential Exhibit LK-4 [Bates pp. 024756, 024757, 024758, 024761, 024798, 024799, 024802]. See Confidential Report for Hurricane Isaias at pp. 3, 4, 5, 14, 15, and 16 of Confidential Exhibit LK-5 [Bates pp. 029092, 029093, 029094, 029103,

1 **Q. DESCRIBE FPL'S STORM DAMAGE MODEL.**

2 A. FPL has developed a storm damage model for use in assessing potential damage to its  
3 transmission and distribution systems prior to storm landfall. FPL used the storm damage  
4 model in the responses to the four storms addressed in these proceedings. Gulf Power  
5 Company and FPL provided general descriptions of the storm damage model in their  
6 Emergency Preparedness Plans and responses to OPC written discovery. FPL also  
7 participated in an informal technical conference with OPC and provided expedited  
8 response to OPC written discovery following the technical conference.

9 The FPL storm damage model was developed and is maintained and used  
10 exclusively by FPL employees.<sup>26</sup> FPL considers the storm damage model to be proprietary  
11 and has applied for a patent, which is pending. FPL never has had the model reviewed by  
12 an outside consulting firm or obtained external assistance for the purposes of improving  
13 the model, improving the model's predictive accuracy, or expanding the model to include  
14 algorithms for resourcing.

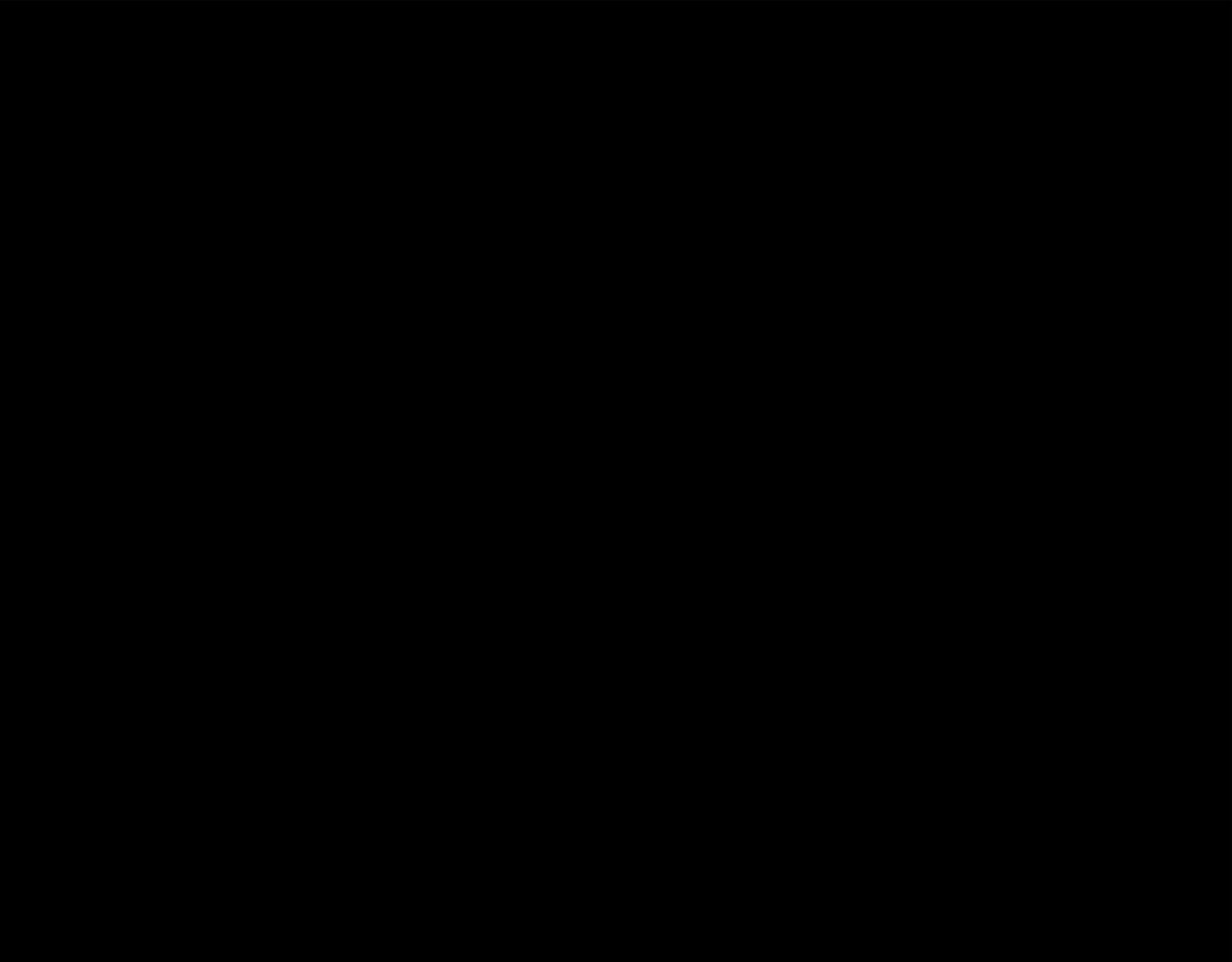
15 FPL provided a pictorial overview of the storm damage model in its Emergency  
16 Preparedness Plan showing the inputs and outputs of the model. Gulf Power Company and  
17 FPL provided additional public and confidential descriptions of the inputs and the use of  
18 the model in response to OPC discovery in these proceedings.<sup>27</sup>

029104, 029105]. See Confidential Report for Tropical Storm Eta at pp. 3, 4, 15, 16, 19, 20, 24, 28, 29, and 30 of Confidential Exhibit LK-6 [Bates pp. 029061, 029062, 029073, 029074, 029077, 029078, 029082, 029086, 029087, 029088].

<sup>26</sup> Responses to Interrogatory Nos. 55 and 56 in OPC's Fifth Set of Interrogatories provided in Docket No. 20200241-EI. I have attached a copy of these responses as my Exhibit LK-7.

<sup>27</sup> Responses to POD No. 18 (Public) in OPC's Second Request for Production of Documents and Interrogatory 52 (Confidential) in Docket No. 20200241-EI. Similar responses were filed for each of the other storms. I have attached copies of these responses in Docket No. 20200241-EI as my Confidential Exhibit LK-8.

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15



16 **Q. DOES FPL HAVE A USERS' MANUAL OR ANY OTHER FORMAL**  
17 **DOCUMENTATION OF THE STORM DAMAGE MODEL?**

18 A. No. There is no use users' manual for and no other formal documentation of the storm  
19 damage model, except for FPL's patent application.<sup>30</sup> FPL's patent application provides  
20 another general description of the storm damage model, but it does not rise to the level of

<sup>28</sup> Responses to Interrogatory Nos. 51 and 54 in OPC's Fifth Set of Interrogatories provided in Docket No. 20200241-EI. I have attached a copy of these responses as my Confidential Exhibit (LK-9).

<sup>29</sup> Response to Interrogatory No. 53 in OPC's Fifth Set of Interrogatories provided in Docket No. 20200241-EI. I have attached a copy of this response as my Exhibit LK-10.

<sup>30</sup> Response to POD No. 44 in OPC's Third Request for Production of Documents provided in Docket No. 20200241-EI. I have attached a copy of this response as my Exhibit LK-11.

1 a users' manual or provide detailed documentation as to the automated weather feeds, other  
2 data inputs, such as asset inventory, vegetation density, and damage curves, other  
3 interfaces, operation, sensitivities, outputs and or use of the outputs for resourcing, among  
4 other detail typically included in such documentation.

5  
6 **Q. IS THE LACK OF A USERS' MANUAL OR OTHER FORMAL**  
7 **DOCUMENTATION A CONCERN?**

8 A. Yes. In my experience, this is unusual. It is a concern because the development and the  
9 operation of the model rely solely on the collective knowledge of the team that develops,  
10 maintains, and uses the model, which may not be shared or accessible by all team members  
11 or new team members. It also limits the ability of any outside expert, OPC, or other parties  
12 to review and assess the model, including its structure and its use in minimizing costs  
13 through the predictive accuracy of the potential damage and the resulting CMH, and,  
14 ultimately, the resourcing necessary to repair damage and restore service within a  
15 reasonable time period.

16  
17 **Q. DOES FPL UTILIZE A RESOURCING MODEL TO OPTIMIZE ITS**  
18 **RESOURCING?**

19 A. No.<sup>31</sup> FPL resourcing analyses are performed manually by the Resource Allocation team,  
20 which reports to the Planning Section Chief, who then submits the recommendations to the

<sup>31</sup> Response to Interrogatory No. 50 in OPC's Fifth Set of Interrogatories provided in Docket No. 20200241-EI. I have attached a copy of this response as my Exhibit LK-12.

1 Area Commander for review and approval.<sup>32</sup>

2  
3 **Q. IS THE LACK OF A RESOURCE OPTIMIZATION MODEL A CONCERN?**

4 A. Yes. This is a concern because the resourcing is the single largest cost driver and the cost  
5 of those resources is the single largest cost incurred by both Companies to repair damage  
6 and restore service. Once resources are mobilized, especially contractor resources that  
7 must be mobilized and subsequently demobilized, the costs will be incurred, even if the  
8 storm damage is less than predicted by the storm damage model. Similarly, the greater the  
9 number of resources that are mobilized, the greater the costs that will be incurred.

10  
11 **Q. WHAT ARE THE CRITICAL INPUTS INTO A RESOURCE OPTIMIZATION**  
12 **MODEL?**

13 A. In addition to the potential damage output from the storm damage model, the optimization  
14 of resources requires specific and objective decision criteria in terms of reasonable outage  
15 times based on the potential damage, as well as inputs for the available resources and the  
16 cost of those resources, including the costs of mobilization, demobilization, and the related  
17 travel.

18  
19 **Q. DO GULF POWER COMPANY AND FPL HAVE DEFINED DECISION**  
20 **CRITERIA THAT INFORM THEIR RESOURCING AND THAT COULD BE**  
21 **UTILIZED IN A RESOURCE OPTIMIZATION MODEL?**

<sup>32</sup> Response to Interrogatory No. 37 in OPC's Second Set of Interrogatories provided in Docket No. 20200241-EI. Response to Interrogatory No. 36 in OPC's Second Set of Interrogatories provided in Docket No. 20210178-EI. I have attached copies of these responses as my Exhibit LK-13.

1 A. No. Gulf Power Company “does not have defined ‘decision criteria’ that can be applied  
2 consistently during each restoration event. . . resource decisions are based on the  
3 Construction Man Hours (CMH) damage forecast from the Storm Damage Model,  
4 information from historical events, onsystem resource, and the availability and location of  
5 external resources.”<sup>33</sup>

6

7 **Q. IS THE LACK OF DEFINED DECISION CRITERIA A CONCERN?**

8 A. Yes. Without objective decision criteria, the Companies have no practical ability to  
9 optimize their resourcing in order to minimize outage costs. The critical outage cost driver  
10 is the resourcing necessary to repair the potential damage and restore service.

11

12 **Q. WHAT ARE YOUR RECOMMENDATIONS?**

13 A. I have several process recommendations that, if adopted, will serve to optimize the quantify  
14 of resources acquired, allow the Companies to repair damage and restore service within  
15 reasonable outage times, and allow the Companies to minimize storm costs through their  
16 resourcing decisions and mobilizations before the costs actually are incurred.

17 First, the Companies should engage an external consulting assistance to review and  
18 further develop or replace the storm damage model to enhance its capabilities and  
19 predictive capability and accuracy.

20 Second, the Companies should acquire and/or develop resourcing optimization  
21 software, all with the goals of establishing and systematically implementing the  
22 Companies’ decision criteria for reasonable restoration times and to minimize outage costs.

<sup>33</sup> *Id.*

1 Third, the Companies should adopt written policies that describe and require them  
2 to plan and implement its storm damage and outage responses to minimize costs based on  
3 specific decision criteria, primarily reasonable outage times.

4 Fourth, the Companies should adopt written documentation of their storm damage  
5 model, all related models, and their resourcing models, both prior to landfall and after  
6 landfall, including: 1) users' manuals; 2) use of the models and the methodologies  
7 employed; 3) and the decision criteria that are used to determine resource requirements,  
8 procure embedded and external resources to meet those requirements, and mobilize, move,  
9 and demobilize those resources throughout and after the restoration process.

10  
11 **D. Prudent Management of Contractor Resources Is Necessary In Order to Minimize**  
12 **Storm Costs**

13 **Q. HAVE THE COMPANIES DEMONSTRATED THAT THEY MINIMIZED THE**  
14 **STORM COSTS THROUGH THEIR SELECTION OF RESOURCES,**  
15 **INCLUDING CONSIDERATION OF THE COSTS TO MOBILIZE AND**  
16 **DEMOBILIZE THIRD-PARTY LINE CONTRACTORS?**

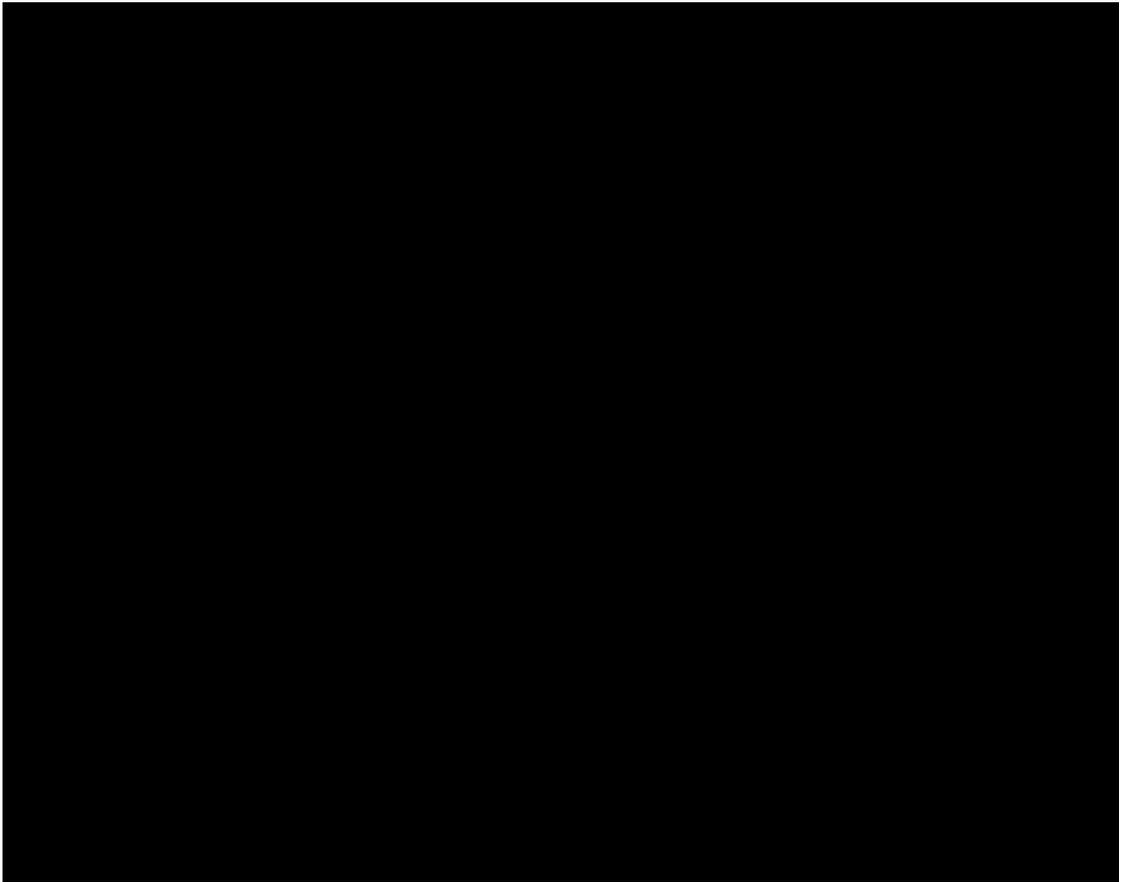
17 **A.** No. The quantity of resources acquired to respond to the potential storm damage is the  
18 primary driver of the costs that will be incurred. The mix of resources also is a driver of  
19 the costs that will be incurred. Embedded resources tend to be the lowest cost resources,  
20 followed closely by affiliate resources. Mutual assistance resources tend to be the next  
21 lowest cost, although it depends greatly on the contract terms and each mutual assistance  
22 company's determinations of its costs. Other third-party contractor resources tend to be the  
23 highest cost and greater than affiliate and mutual assistance costs, although there are  
24 exceptions. The costs for other third-party contractors include mobilization and

1 demobilization costs, including travel and standby costs, in addition to the costs incurred  
2 to repair damage and restore service.

3  
4 **Q. PLEASE COMPARE THE COMPANIES' USE OF AFFILIATES, MUTUAL**  
5 **ASSISTANCE COMPANIES, AND OTHER THIRD-PARTY LINE**  
6 **CONTRACTORS.**

7 A. The Companies relied primarily on third party contractors rather than their own employees,  
8 affiliate company contractors, or mutual assistance contractors, all of which may have  
9 provided lower cost alternatives compared to higher cost third-party contractors.

10 The following table provides a comparison for each storm of the costs for affiliate,  
11 mutual assistance utilities, and other third-party overhead line contractors incurred by each  
12 of the Companies. The affiliate charges in these proceedings reflect assistance by Gulf  
13 Power Company to FPL for Hurricane Isaias and Tropical Storm Eta and by FPL to Gulf  
14 Power Company for Hurricane Sally and Hurricane Zeta. The other third-party overhead  
15 line contractors includes both embedded contractors, who were redirected to provide storm  
16 services at higher rates and costs than the rates and costs for non-storm services, and non-  
17 embedded contractors subject to storm related contracts, who generally have the highest  
18 rates and costs.



1 **Q. WHAT IS YOUR RECOMMENDATION?**

2 A. The Companies should adopt written policies that describe and require them to optimize  
3 the allocation and acquisition of embedded and external resources necessary to respond to  
4 the potential damage and outage risk exposures identified in their assessments of those risk  
5 exposures.

6 In addition, the Companies should adopt written policies that describe and require  
7 them to minimize storm costs through careful management of the mobilization and  
8 demobilization of its contractors, including the acquisition and/or development of  
9 optimization software.

1 **E. Interest On Unamortized Storm Costs**

2 **Q. DESCRIBE THE INTEREST INCLUDED BY GULF POWER COMPANY IN ITS**  
3 **REQUESTS.**

4 A. Gulf Power Company included \$0.311 million in interest on the unamortized storm costs  
5 for Hurricane Sally and \$0.001 million for Hurricane Zeta.

6  
7 **Q. IS GULF POWER COMPANY ENTITLED TO RECOVER INTEREST?**

8 A. No. Interest is not identified as a recoverable cost in the Rule.

9  
10 **Q. WHAT IS YOUR RECOMMENDATION?**

11 A. I recommend that interest be disallowed.

12  
13 **F. The Companies Have No Incentive to Minimize Storm Cost**

14 **Q. DO THE COMPANIES HAVE AN INCENTIVE TO MINIMIZE STORM COSTS?**

15 A. No.

16  
17 **Q. IS THAT A CONCERN?**

18 A. Yes. If a utility has no direct interest or stake in minimizing storm costs, then its primary,  
19 and perhaps, only objective is to restore service as quickly as possible without  
20 consideration of the costs that are incurred. In fact, as I noted previously, both Companies  
21 state that their primary objective is to restore service as quickly as possible, although they  
22 claims that they attempt to do so efficiently.<sup>34</sup>

<sup>34</sup> Direct Testimony of Manuel Miranda at pp. 15-16 in Docket No. 20210178-EI.

1 **Q. WHAT IS YOUR RECOMMENDATION?**

2 A. I recommend that the Commission adopt a ratemaking incentive to ensure that the  
3 Companies are focused on continuous improvement in planning and implementation and  
4 other processes to minimize costs before costs for a specific storm are incurred, contractors  
5 are mobilized, and invoices are issued by the contractors and paid by the Companies. This  
6 is particularly important as the Companies expect to spend nearly \$15 billion in additional  
7 storm hardening and protection investments and vegetation management in the next 10  
8 years, the entirety of which will be recovered from customers through riders, such as the  
9 SPPCRC.

10 There are different forms that this incentive could take. For example, the incentive for  
11 Gulf Power Company could take the form of no return on the storm costs if the Commission  
12 otherwise is inclined to include interest in the recoverable storm costs, despite the fact that  
13 it is not identified as a recoverable cost in the Rule. As another example, the incentive for  
14 FPL could be to apply a 95% “recovery factor” that results in a sharing of storm costs 95%  
15 to customers and 5% to the Company if the storm costs are charged to base O&M expense  
16 and the Company otherwise would recover the costs and a return on the costs through the  
17 depreciation reserve under the RSAM. In these proceedings, FPL would be allocated  
18 \$3.418 million and \$5.744 million (5%) for Hurricane Isaias and tropical Storm Eta,  
19 respectively, and customers would be allocated \$64.945 million and \$109.127 million  
20 (95%), for Hurricane Isaias and Tropical Storm Eta, respectively, all else equal and before  
21 any other disallowances.

1 **V. METHODOLOGY ISSUES**

2 **A. ICCA Methodology Set Forth in The Rule Limits Recovery to Incremental Costs**

3 **Q. DID THE COMPANIES LIMIT THEIR CLAIMED COSTS TO INCREMENTAL**  
4 **COSTS PURSUANT TO THE REQUIREMENTS SET FORTH IN THE RULE?**

5 A. No. Gulf Power Company failed to limit the costs charged to the storm reserve and FPL  
6 failed to limit the costs charged to base O&M expense to the *incremental* costs incurred  
7 and failed to exclude all “costs that normally would be charged to non-cost recovery clause  
8 operating expenses in the absence of a storm” pursuant to the requirements of the Rule.

9 First, the Companies failed to exclude all straight time labor and related loadings  
10 costs as required by the Rule. In direct contravention of the Rule, the Companies excluded  
11 only a portion of the straight time labor and related loadings for non-cost recovery clause  
12 operating expenses included in its 2020 budget.<sup>35</sup> More specifically, Gulf Power Company  
13 excluded only 45% of the distribution straight time labor costs and 41% of the straight time  
14 transmission labor costs for Hurricane Sally and only 40% of the distribution straight time  
15 labor costs and 29% of the straight time transmission labor costs for Hurricane Zeta.<sup>36</sup> FPL  
16 excluded only 48% of the distribution straight time labor costs and 34% of the straight time  
17 transmission labor costs for Hurricane Isaias and only 37% of the distribution straight time  
18 labor costs and 16% of the straight time transmission labor costs for Tropical Storm Eta.<sup>37</sup>

19 Second, the Companies failed to exclude line contractor “costs that normally would  
20 be charged to non-cost recovery clause operating expenses in the absence of a storm.” The

<sup>35</sup> Response to Interrogatory No. 35 in OPC’s First Set of Interrogatories in Docket No. 20210178-EI, a copy of which is attached as Exhibit LK-14.

<sup>36</sup> Exhibit DH-1(Sally) and Exhibit DH-1(Zeta) attached to the Direct Testimonies of David Hughes in Docket Nos. 20200241-EI and 20210179-EI, respectively.

<sup>37</sup> Exhibit DH-1(Isaias) and Exhibit DH-2(Eta) attached to the Direct Testimony of David Hughes in Docket No. 20210178-EI.

1 Companies objected and refused to provide this information in response to OPC discovery,  
2 stating that it was irrelevant, immaterial, and not reasonably calculated to lead to the  
3 discovery of admissible evidence.<sup>38</sup> Only the Companies have this information. It is  
4 directly relevant to the review of its claimed storm costs to avoid double recovery of costs  
5 that already are included either in the base revenue requirement or in cost-recovery clause  
6 revenue requirements. These costs should be treated no differently than the vegetation  
7 management costs.

8 Third, the Companies failed to exclude the materials and supplies “costs that  
9 normally would be charged to non-cost recovery clause operating expenses in the absence  
10 of a storm” pursuant to the ICCA limitations on materials and supplies costs specifically  
11 set forth in the Rule. Only in response to OPC discovery did the Company provide the  
12 actual annual cost information necessary to calculate a three-year historic average of these  
13 operating expenses in the absence of a storm.<sup>39</sup> These costs should be treated no differently  
14 than the vegetation management costs.

15  
16 **B. The Rule Requires that Costs be Prudent and Reasonable**

17 **Q. DOES RULE 25-6.0143(1)(d), F.A.C., ALLOW RECOVERY OF IMPRUDENT OR**  
18 **UNREASONABLE COSTS?**

19 **A.** No. The Rule specifically states that “[a]ll costs charged to Account 228.1 are subject to  
20 review for prudence and reasonableness by the Commission.” Thus, all claimed costs must  
21 be prudent and reasonable to qualify for ratemaking recovery.

<sup>38</sup> Objections to Interrogatory No. 6 in OPC’s First Sets of Interrogatories in Docket Nos. 20200241-EI, 20210178-EI, and 20210179-EI.

<sup>39</sup> Responses to Interrogatory No. 8 in OPC’s First Set of Interrogatories in Docket Nos. 20200241-EI, 20210178-EI, and 20210179-EI. I have attached copies of these responses as Exhibit LK-15.

1 **Q. WHY IS IT IMPORTANT THAT NON-INCREMENTAL COSTS BE REMOVED**  
2 **AS REQUIRED BY THE RULE EVEN WHEN STORM COSTS ARE CHARGED**  
3 **TO BASE O&M?**

4 A. As I previously noted, FPL is not subject to the inherent disincentive against charging storm  
5 costs to base O&M in a given year, which typically would cause a utility to take a charge  
6 against earnings. The FPL RSAM settlement allows it to use the depreciation reserve to  
7 defer the storm costs as an offset to the depreciation reserve and to earn a rate of return on  
8 the storm costs due to the increase in rate base, all else equal. This form of ratemaking,  
9 without any reduction for non-incremental storm costs, allows FPL to recover those non-  
10 incremental costs through the depreciation reserve, a result that is contrary to the stated  
11 purpose of the Rule and the ICCA methodology. As I previously noted, it also allows the  
12 Company to earn a rate of return on those costs at its weighted cost of capital, including  
13 the 11.60% return on equity.

14  
15 **Q. IS IT REASONABLE OR PRUDENT TO ALLOW NON-INCREMENTAL STORM**  
16 **COSTS TO BE CHARGED TO BASE O&M?**

17 A. No, it is not. It causes ratepayers to pay higher rates than they should under the Rule. It is  
18 neither reasonable nor prudent to allow customers to pay more merely because of the  
19 recovery method the utility chooses to use.

20

21 **VI. DISALLOWANCE ISSUES**

22 **A. Non-Incremental Costs**

23 **Q. HAVE YOU REFLECTED AN ADJUSTMENT ON THE HURRICANE ISAIAS**  
24 **AND TROPICAL STORM ETA TABLES IN THE SUMMARY SECTION OF**

1           **YOUR TESTIMONY TO REMOVE FPL’s CALCULATION OF NON-**  
2           **INCREMENTAL COSTS FROM THE CHARGES TO BASE O&M EXPENSE?**

3    A.    Yes.<sup>40</sup> As I previously discussed, the Rule makes no distinction between the storm costs  
4           recoverable through the storm account and a storm surcharge compared to charging the  
5           costs to base O&M expense and recovering them through the Reserve. The inherent  
6           disincentive in the form of a reduction in the earned return on equity if the storm costs are  
7           charged to base O&M expense is not present in this proceeding given FPL’s use of the  
8           RSAM to recover its storm costs and its failure to apply, let alone properly apply, the ICCA  
9           set forth in the Rule.

10  
11           **B. Regular Payroll And Related Costs**

12    **Q.    DESCRIBE THE REMAINING REGULAR PAYROLL AND RELATED COSTS**  
13           **INCLUDED IN THE COMPANIES’ CLAIMED COSTS.**

14    A.    Gulf Power Company included \$0.966 million total Company, or \$0.957 million on a retail  
15           jurisdictional basis, in regular payroll and related costs in its claimed Hurricane Sally costs  
16           after reductions for “capitalizable” and “non-incremental” costs. Gulf Power Company  
17           included \$0.132 million total Company, or \$0.131 million on a retail jurisdictional basis,  
18           in regular payroll and related costs in its claimed Hurricane Zeta costs after reduction for  
19           “capitalizable” and “non-incremental” costs.<sup>41</sup>

<sup>40</sup> I used the amounts shown on Exhibit DH-1(Isaias) and Exhibit DH-2(Eta) attached to the Direct Testimony of Mr. David Hughes in Docket No. 202100178-EI for these adjustments.

<sup>41</sup> Exhibit DH-1(Sally) attached to the Direct Testimony of Mr. David Hughes in Docket No. 20200241-EI for Hurricane Sally amounts before retail jurisdictional allocation. Exhibit DH-1(Zeta) attached to the Direct Testimony of Mr. David Hughes in Docket No. 20210179-EI for Hurricane Zeta amounts before retail jurisdictional allocation. Retail allocations for both hurricanes were calculated by Mr. Kollen.

1 FPL included \$0.323 million total Company, or \$0.320 million on a retail  
2 jurisdictional basis, in regular payroll and related costs in its claimed Hurricane Isaias costs  
3 after reduction for “capitalizable” and “non-incremental” costs. FPL included \$1.478  
4 million total Company, or \$1.429 million on a retail jurisdictional basis, in regular payroll  
5 and related costs in its claimed Tropical Storm Eta costs after reduction for “capitalizable”  
6 and “non-incremental” costs.<sup>42</sup>

7  
8 **Q. HAVE YOU EXCLUDED THESE REMAINING REGULAR PAYROLL AND**  
9 **RELATED COSTS FROM EACH COMPANY’S CLAIMED COSTS?**

10 A. Yes. I excluded the remaining regular payroll and related costs as a disallowance on the  
11 tables in the Summary section of my testimony.

12  
13 **C. Non-Incremental Overtime Payroll And Related Costs**

14 **Q. DESCRIBE THE OVERTIME PAYROLL AND RELATED COSTS INCLUDED IN**  
15 **THE COMPANIES’ CLAIMED COSTS.**

16 A. Gulf Power Company included \$3.236 million total Company, or \$3.207 million on a retail  
17 jurisdictional basis, in overtime payroll and related costs in its claimed costs for Hurricane  
18 Sally. Gulf Power Company included \$0.339 million total Company, or \$0.337 million on  
19 a retail jurisdictional basis, in overtime payroll and related costs in its claimed costs for  
20 Hurricane Zeta.<sup>43</sup>

<sup>42</sup> Exhibit DH-1(Isaias) and Exhibit DH-2(Eta) attached to the Direct Testimony of Mr. David Hughes in Docket No. 202100178-EI for amounts before retail jurisdictional allocation. Retail allocations for both hurricanes were calculated by Mr. Kollen.

<sup>43</sup> Exhibit DH-1(Sally) attached to the Direct Testimony of Mr. David Hughes in Docket No. 20200241-EI for Hurricane Sally amounts before retail jurisdictional allocation. Exhibit DH-1(Zeta) attached to the Direct Testimony of Mr. David Hughes in Docket No. 20210179-EI for Hurricane Zeta amounts before retail jurisdictional allocation. Retail allocations for both hurricanes were calculated by Mr. Kollen.

1 FPL included \$4.626 million total Company, or \$4.582 million on a retail  
2 jurisdictional basis, in overtime payroll and related costs in its claimed costs for Hurricane  
3 Isaias. FPL included \$8.750 million total Company, or \$8.390 million on a retail  
4 jurisdictional basis, in overtime payroll and related costs in its claimed costs for Tropical  
5 Storm Eta.<sup>44</sup>

6 The Companies reflected no reductions for “capitalizable” or “non-incremental”  
7 overtime and related costs.<sup>45</sup> The Companies simply claim that the entirety of the overtime  
8 payroll and related costs is incremental, although the base revenue requirement includes  
9 overtime payroll and related costs.

10  
11 **Q. DID YOU ATTEMPT TO DETERMINE THE OVERTIME PAYROLL AND**  
12 **RELATED COSTS INCLUDED IN THE BASE REVENUE REQUIREMENTS?**

13 A. Yes. The Companies failed to provide the amounts included in the base revenue  
14 requirement in response to OPC discovery.<sup>46</sup> This information is necessary to quantify and  
15 exclude the costs that “normally would be charged to non-cost recovery clause operating  
16 expenses in the absence of a storm,” a requirement of the Rule. As a result, the costs  
17 claimed by the Companies for overtime payroll and related expenses are overstated.

<sup>44</sup> Exhibit DH-1(Isaias) and Exhibit DH-2(Eta) attached to the Direct Testimony of Mr. David Hughes in Docket No. 202100178-EI for amounts before retail jurisdictional allocation. Retail allocations for both storms were calculated by Mr. Kollen.

<sup>45</sup> Exhibit DH-1(Sally) attached to the Direct Testimony of Mr. David Hughes in Docket No. 20200241-EI for Hurricane Sally amounts before retail jurisdictional allocation. Exhibit DH-1(Zeta) attached to the Direct Testimony of Mr. David Hughes in Docket No. 20210179-EI for Hurricane Zeta amounts before retail jurisdictional allocation. Exhibit DH-1(Isaias) and Exhibit DH-2(Eta) attached to the Direct Testimony of Mr. David Hughes in Docket No. 202100178-EI for amounts before retail jurisdictional allocation. Retail allocations for all four storms were calculated by Mr. Kollen.

<sup>46</sup> Response to Interrogatory No. 33 in OPC’s First Set of Interrogatories in Docket No. 20200241-EI. Response to Interrogatory No. 31 in OPC’s First Set of Interrogatories in Docket No. 202100179-EI. Response to Interrogatory No. 34 in OPC’s First Set of Interrogatories in Docket No. 202100178-EI. See Exhibit LK-2.

1 **Q. WHAT IS YOUR RECOMMENDATION?**

2 A. I recommend that the Commission disallow 25%, or \$0.802 million, of Gulf Power  
3 Company's claimed overtime payroll and related costs for Hurricane Sally, and \$0.084  
4 million for Hurricane Zeta, in the absence of the information to calculate the non-  
5 incremental amount more precisely.

6 I recommend that the Commission disallow 25%, or \$1.146 million, of FPL's  
7 claimed overtime payroll and related costs for Hurricane Isaias, and \$2.097 million for  
8 Tropical Storm Eta, in the absence of the information to calculate the non-incremental  
9 amount more precisely

10 The Companies should not be rewarded simply because they refuse to provide the  
11 information that only they have access to for these embedded and non-incremental costs.

12

13 **D. Non-Incremental Line Contractor Costs**

14 **Q. PLEASE DESCRIBE THE COSTS INCURRED FOR LINE CONTRACTORS**  
15 **INCLUDED BY THE COMPANIES IN THEIR CLAIMED COSTS.**

16 A. Gulf Power Company included \$71.057 million total Company, or \$70.796 million on a  
17 retail jurisdictional basis, for line contractors in its claimed costs for Hurricane Sally and  
18 \$5.455 million total Company, or \$5.435 million on a retail jurisdictional basis, for  
19 Hurricane Zeta. FPL included \$30.622 million total Company, or \$30.618 million on a  
20 retail jurisdictional basis, for line contractors in its claimed costs for Hurricane Isaias and  
21 \$66.275 million total Company, or \$66.266 million on a retail jurisdictional basis, for  
22 Tropical Storm Eta.

1           Neither Company reflected reductions for non-incremental costs. They did not  
2 reduce these claimed costs by the “costs that normally would be charged to non-cost  
3 recovery clause operating expenses in the absence of a storm,” as required by the Rule. As  
4 a result, the claimed costs are overstated.

5  
6 **Q. HAVE YOU BEEN ABLE TO PRECISELY QUANTIFY THE LINE**  
7 **CONTRACTOR “COSTS THAT NORMALLY WOULD BE CHARGED TO NON-**  
8 **COST RECOVERY CLAUSE OPERATING EXPENSES IN THE ABSENCE OF A**  
9 **STORM”?**

10 A. No. As I previously noted, the Companies objected to and refused to provide the historic  
11 information necessary to quantify these embedded costs in response to OPC discovery.<sup>47</sup>  
12 The Companies used embedded line contractors to respond to the storms, which means that  
13 the contractors were not available for non-storm activities and did not charge their costs to  
14 the non-storm O&M expense accounts. However, the costs of the embedded contractors  
15 are recovered in the Companies’ base revenues. The Companies are not entitled to recover  
16 these costs twice, once in the base revenues and then again either through a storm surcharge  
17 or through a charge to base O&M expense and reduction to the depreciation reserve under  
18 the RSAM. The Companies should not be rewarded simply because they refuse to provide  
19 the information that only they have access to for these embedded costs.

<sup>47</sup> Responses to OPC Interrogatory Nos. 5 and 6 in OPC’s First Set of Interrogatories in Docket Nos. 20200241-EI, 20210179-EI, and 20210178-EI. See Exhibit LK-3.

1 **Q. WHAT IS YOUR RECOMMENDATION?**

2 A. I recommend that the Commission disallow \$1.416 million, or 2.0%, of Gulf Power  
3 Company’s claimed line contractor costs for Hurricane Sally, and \$0.109 million, or 2.0%  
4 of the costs for Hurricane Zeta. I recommend that the Commission disallow \$0.612 million,  
5 or 2.0%, of FPL’s claimed line contractor costs for Hurricane Isaias, and \$1.325 million,  
6 or 2.0% of the costs for Tropical Storm Eta. These recommendations are subject to rebuttal  
7 by the Companies if they choose to provide the information on embedded costs that OPC  
8 requested through discovery. If they do so, then I reserve the right to submit responsive  
9 testimony.

10 I also recommend that the Commission direct the Companies to provide and  
11 exclude line contractor “costs that normally would be charged to non-cost recovery clause  
12 operating expenses in the absence of a storm” pursuant to the ICCA limitations set forth in  
13 the Rule in future storm cost proceedings. If these costs cannot be directly quantified by  
14 the Companies, then the Commission should direct them to quantify the costs using a three-  
15 year historic average similar to the quantification of the three-year historic average used to  
16 exclude vegetation management costs pursuant to the Settlement in Docket No. 20180049-  
17 EI.

18

19 **E. Non-Incremental Materials and Supplies Costs**

20 **Q. DESCRIBE THE COSTS INCURRED FOR MATERIALS AND SUPPLIES**  
21 **INCLUDED IN THE COMPANIES’ CLAIMED COSTS.**

22 A. Gulf Power Company included \$7.385 million total Company, or \$7.248 million on a retail  
23 jurisdictional basis, after reduction for capitalizable costs for materials and supplies costs

1 in its claimed costs for Hurricane Sally and \$0.075 million total Company, or \$0.074  
2 million on a retail jurisdictional basis, for Hurricane Zeta.<sup>48</sup> FPL included \$0.039 million  
3 total Company, or \$0.038 million on a retail jurisdictional basis, after reduction for  
4 capitalizable costs for materials and supplies costs in its claimed costs for Hurricane Isaias  
5 and \$0.185 million total Company, or \$0.182 million on a retail jurisdictional basis, for  
6 Tropical Storm Eta.<sup>49</sup>

7 The Companies did not reduce their claimed costs for the non-incremental “costs  
8 that normally would be charged to non-cost recovery clause operating expenses in the  
9 absence of a storm,” as specifically required by the Rule.

10  
11 **Q. HAVE YOU BEEN ABLE TO QUANTIFY THE MATERIALS AND SUPPLIES**  
12 **“COSTS THAT NORMALLY WOULD BE CHARGED TO NON-COST**  
13 **RECOVERY CLAUSE OPERATING EXPENSES IN THE ABSENCE OF A**  
14 **STORM”?**

15 A. Yes. Although the Companies objected to providing the historic information necessary to  
16 quantify these embedded costs in response to OPC discovery, they nevertheless provided  
17 three years of history and the amount included in non-storm O&M expense for each storm  
18 for the month in which each storm occurred.<sup>50</sup>

19 Gulf Power Company calculated a three-year non-storm expense historic average  
20 of \$0.152 million for the months of September 2017, 2018, and 2019, and provided the

<sup>48</sup> Exhibit DH-1(Sally) and Exhibit DH-1(Zeta) attached to the Direct Testimonies of Mr. David Hughes in Docket Nos. 20200241-EI and 20210179-EI, respectively.

<sup>49</sup> Exhibit DH-1(Isaias) and Exhibit DH-2(Eta) attached to the Direct Testimony of Mr. David Hughes in Docket No. 20210178-EI.

<sup>50</sup> Responses to Interrogatory No. 8 in OPC’s First Set of Interrogatories in Docket Nos. 20200241-EI, 20210178-EI, and 20210179-EI. See Exhibit LK-15.

1 non-storm expense of \$0.089 million for September 2020, the month when Hurricane Sally  
2 occurred. On this basis, the non-incremental materials and supplies expense is \$0.063  
3 million for Hurricane Sally.

4 Gulf Power Company calculated a three-year non-storm expense historic average  
5 of \$0.219 million for the months of October 2017, 2018, and 2019, and provided the non-  
6 storm expense of \$0.156 million for October 2020, the month when Hurricane Zeta  
7 occurred. On this basis, the non-incremental materials and supplies expense is \$0.063  
8 million for Hurricane Zeta.

9 FPL calculated a three-year non-storm expense historic average of \$1.429 million  
10 for the months of August 2017, 2018, and 2019, and provided the non-storm expense of  
11 \$0.828 million for August 2020, the month when Hurricane Isaias occurred. On this basis,  
12 the non-incremental materials and supplies expense is \$0.601 million for Hurricane Isaias.

13 FPL calculated a three-year non-storm expense historic average of \$0.913 million  
14 for November 2017, 2018, and 2019, and provided the non-storm expense of negative  
15 \$0.194 million for November 2020, the month when Tropical Storm Eta occurred. On this  
16 basis, the non-incremental materials and supplies expense is \$1.107 million for Tropical  
17 Storm Eta.

18  
19 **Q. WHAT ARE YOUR RECOMMENDATIONS?**

20 A. I recommend that the Commission reduce Gulf Power Company's claimed materials and  
21 supplies costs by \$0.063 million total Company for Hurricane Sally and \$0.063 million  
22 total Company for Hurricane Zeta to remove the non-incremental costs, as required by the  
23 Rule. I recommend that the Commission reduce FPL's claimed materials and supplies

1 costs by \$0.039 million total Company for Hurricane Isaias and \$0.185 million total  
2 Company for Tropical Storm Eta. The reductions for FPL are the entirety of the materials  
3 and supplies costs claimed because the reduction in the actual costs incurred compared to  
4 the three-year average is greater than the amounts claimed by FPL for each storm.

5 In addition, I recommend that the Commission direct the Company to include such  
6 an adjustment to remove the non-incremental costs in future storm cost proceedings if it  
7 would reduce the storm costs recoverable through the ratemaking process, regardless of the  
8 form of the recovery.

9

10 **Q. DOES THIS COMPLETE YOUR PREPARED DIRECT TESTIMONY?**

11 A. Yes.

## **RESUME OF LANE KOLLEN, VICE PRESIDENT**

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### **EDUCATION**

**University of Toledo, BBA**  
Accounting

**University of Toledo, MBA**

**Luther Rice University, MA**

### **PROFESSIONAL CERTIFICATIONS**

**Certified Public Accountant (CPA)**

**Certified Management Accountant (CMA)**

**Chartered Global Management Accountant (CGMA)**

### **PROFESSIONAL AFFILIATIONS**

**American Institute of Certified Public Accountants**

**Georgia Society of Certified Public Accountants**

**Institute of Management Accountants**

**Society of Depreciation Professionals**

Mr. Kollen has more than forty years of utility industry experience in the financial, rate, tax, and planning areas. He specializes in revenue requirements analyses, taxes, evaluation of rate and financial impacts of traditional and nontraditional ratemaking, utility mergers/acquisition and diversification. Mr. Kollen has expertise in proprietary and nonproprietary software systems used by utilities for budgeting, rate case support and strategic and financial planning.

## RESUME OF LANE KOLLEN, VICE PRESIDENT

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### EXPERIENCE

**1986 to  
Present:**

**J. Kennedy and Associates, Inc.:** Vice President and Principal. Responsible for utility stranded cost analysis, revenue requirements analysis, cash flow projections and solvency, financial and cash effects of traditional and nontraditional ratemaking, and research, speaking and writing on the effects of tax law changes. Testimony before Connecticut, Florida, Georgia, Indiana, Louisiana, Kentucky, Maine, Maryland, Minnesota, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Texas, West Virginia and Wisconsin state regulatory commissions and the Federal Energy Regulatory Commission.

**1983 to  
1986:**

**Energy Management Associates:** Lead Consultant.  
Consulting in the areas of strategic and financial planning, traditional and nontraditional ratemaking, rate case support and testimony, diversification and generation expansion planning. Directed consulting and software development projects utilizing PROSCREEN II and ACUMEN proprietary software products. Utilized ACUMEN detailed corporate simulation system, PROSCREEN II strategic planning system and other custom developed software to support utility rate case filings including test year revenue requirements, rate base, operating income and pro-forma adjustments. Also utilized these software products for revenue simulation, budget preparation and cost-of-service analyses.

**1976 to  
1983:**

**The Toledo Edison Company:** Planning Supervisor.  
Responsible for financial planning activities including generation expansion planning, capital and expense budgeting, evaluation of tax law changes, rate case strategy and support and computerized financial modeling using proprietary and nonproprietary software products. Directed the modeling and evaluation of planning alternatives including:

Rate phase-ins.  
Construction project cancellations and write-offs.  
Construction project delays.  
Capacity swaps.  
Financing alternatives.  
Competitive pricing for off-system sales.  
Sale/leasebacks.

## RESUME OF LANE KOLLEN, VICE PRESIDENT

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### CLIENTS SERVED

#### Industrial Companies and Groups

Air Products and Chemicals, Inc.	Lehigh Valley Power Committee
Airco Industrial Gases	Maryland Industrial Group
Alcan Aluminum	Multiple Intervenors (New York)
Armco Advanced Materials Co.	National Southwire
Armco Steel	North Carolina Industrial
Bethlehem Steel	Energy Consumers
CF&I Steel, L.P.	Occidental Chemical Corporation
Climax Molybdenum Company	Ohio Energy Group
Connecticut Industrial Energy Consumers	Ohio Industrial Energy Consumers
ELCON	Ohio Manufacturers Association
Enron Gas Pipeline Company	Philadelphia Area Industrial Energy
Florida Industrial Power Users Group	Users Group
Gallatin Steel	PSI Industrial Group
General Electric Company	Smith Cogeneration
GPU Industrial Intervenors	Taconite Intervenors (Minnesota)
Indiana Industrial Group	West Penn Power Industrial Intervenors
Industrial Consumers for	West Virginia Energy Users Group
Fair Utility Rates - Indiana	Westvaco Corporation
Industrial Energy Consumers - Ohio	
Kentucky Industrial Utility Customers, Inc.	
Kimberly-Clark Company	

#### Regulatory Commissions and Government Agencies

Cities in Texas-New Mexico Power Company's Service Territory  
Cities in AEP Texas Central Company's Service Territory  
Cities in AEP Texas North Company's Service Territory  
City of Austin  
Georgia Public Service Commission Staff  
Florida Office of Public Counsel  
Indiana Office of Utility Consumer Counsel  
Kentucky Office of Attorney General  
Louisiana Public Service Commission  
Louisiana Public Service Commission Staff  
Maine Office of Public Advocate  
New York City  
New York State Energy Office  
South Carolina Office of Regulatory Staff  
Texas Office of Public Utility Counsel  
Utah Office of Consumer Services

## RESUME OF LANE KOLLEN, VICE PRESIDENT

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### Utilities

Allegheny Power System  
Atlantic City Electric Company  
Carolina Power & Light Company  
Cleveland Electric Illuminating Company  
Delmarva Power & Light Company  
Duquesne Light Company  
General Public Utilities  
Georgia Power Company  
Middle South Services  
Nevada Power Company  
Niagara Mohawk Power Corporation

Otter Tail Power Company  
Pacific Gas & Electric Company  
Public Service Electric & Gas  
Public Service of Oklahoma  
Rochester Gas and Electric  
Savannah Electric & Power Company  
Seminole Electric Cooperative  
Southern California Edison  
Talquin Electric Cooperative  
Tampa Electric  
Texas Utilities  
Toledo Edison Company

**Expert Testimony Appearances  
of  
Lane Kollen  
As of April 2022**

<b>Date</b>	<b>Case</b>	<b>Jurisdic.</b>	<b>Party</b>	<b>Utility</b>	<b>Subject</b>
10/86	U-17282 Interim	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Cash revenue requirements financial solvency.
11/86	U-17282 Interim Rebuttal	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Cash revenue requirements financial solvency.
12/86	9613	KY	Attorney General Div. of Consumer Protection	Big Rivers Electric Corp.	Revenue requirements accounting adjustments financial workout plan.
1/87	U-17282 Interim	LA 19th Judicial District Ct.	Louisiana Public Service Commission Staff	Gulf States Utilities	Cash revenue requirements, financial solvency.
3/87	General Order 236	WV	West Virginia Energy Users' Group	Monongahela Power Co.	Tax Reform Act of 1986.
4/87	U-17282 Prudence	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Prudence of River Bend 1, economic analyses, cancellation studies.
4/87	M-100 Sub 113	NC	North Carolina Industrial Energy Consumers	Duke Power Co.	Tax Reform Act of 1986.
5/87	86-524-E-SC	WV	West Virginia Energy Users' Group	Monongahela Power Co.	Revenue requirements, Tax Reform Act of 1986.
5/87	U-17282 Case In Chief	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Revenue requirements, River Bend 1 phase-in plan, financial solvency.
7/87	U-17282 Case In Chief Surrebuttal	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Revenue requirements, River Bend 1 phase-in plan, financial solvency.
7/87	U-17282 Prudence Surrebuttal	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Prudence of River Bend 1, economic analyses, cancellation studies.
7/87	86-524 E-SC Rebuttal	WV	West Virginia Energy Users' Group	Monongahela Power Co.	Revenue requirements, Tax Reform Act of 1986.
8/87	9885	KY	Attorney General Div. of Consumer Protection	Big Rivers Electric Corp.	Financial workout plan.
8/87	E-015/GR-87-223	MN	Taconite Intervenors	Minnesota Power & Light Co.	Revenue requirements, O&M expense, Tax Reform Act of 1986.
10/87	870220-EI	FL	Occidental Chemical Corp.	Florida Power Corp.	Revenue requirements, O&M expense, Tax Reform Act of 1986.
11/87	87-07-01	CT	Connecticut Industrial Energy Consumers	Connecticut Light & Power Co.	Tax Reform Act of 1986.
1/88	U-17282	LA 19th Judicial District Ct.	Louisiana Public Service Commission	Gulf States Utilities	Revenue requirements, River Bend 1 phase-in plan, rate of return.
2/88	9934	KY	Kentucky Industrial Utility Customers	Louisville Gas & Electric Co.	Economics of Trimble County, completion.
2/88	10064	KY	Kentucky Industrial Utility	Louisville Gas &	Revenue requirements, O&M expense, capital

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<b>Date</b>	<b>Case</b>	<b>Jurisdic.</b>	<b>Party</b>	<b>Utility</b>	<b>Subject</b>
			Customers	Electric Co.	structure, excess deferred income taxes.
5/88	10217	KY	Alcan Aluminum National Southwire	Big Rivers Electric Corp.	Financial workout plan.
5/88	M-87017-1C001	PA	GPU Industrial Intervenors	Metropolitan Edison Co.	Nonutility generator deferred cost recovery.
5/88	M-87017-2C005	PA	GPU Industrial Intervenors	Pennsylvania Electric Co.	Nonutility generator deferred cost recovery.
6/88	U-17282	LA 19th Judicial District Ct.	Louisiana Public Service Commission	Gulf States Utilities	Prudence of River Bend 1 economic analyses, cancellation studies, financial modeling.
7/88	M-87017-1C001 Rebuttal	PA	GPU Industrial Intervenors	Metropolitan Edison Co.	Nonutility generator deferred cost recovery, SFAS No. 92.
7/88	M-87017-2C005 Rebuttal	PA	GPU Industrial Intervenors	Pennsylvania Electric Co.	Nonutility generator deferred cost recovery, SFAS No. 92.
9/88	88-05-25	CT	Connecticut Industrial Energy Consumers	Connecticut Light & Power Co.	Excess deferred taxes, O&M expenses.
9/88	10064 Rehearing	KY	Kentucky Industrial Utility Customers	Louisville Gas & Electric Co.	Premature retirements, interest expense.
10/88	88-170-EL-AIR	OH	Ohio Industrial Energy Consumers	Cleveland Electric Illuminating Co.	Revenue requirements, phase-in, excess deferred taxes, O&M expenses, financial considerations, working capital.
10/88	88-171-EL-AIR	OH	Ohio Industrial Energy Consumers	Toledo Edison Co.	Revenue requirements, phase-in, excess deferred taxes, O&M expenses, financial considerations, working capital.
10/88	8800-355-EI	FL	Florida Industrial Power Users' Group	Florida Power & Light Co.	Tax Reform Act of 1986, tax expenses, O&M expenses, pension expense (SFAS No. 87).
10/88	3780-U	GA	Georgia Public Service Commission Staff	Atlanta Gas Light Co.	Pension expense (SFAS No. 87).
11/88	U-17282 Remand	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Rate base exclusion plan (SFAS No. 71).
12/88	U-17970	LA	Louisiana Public Service Commission Staff	AT&T Communications of South Central States	Pension expense (SFAS No. 87).
12/88	U-17949 Rebuttal	LA	Louisiana Public Service Commission Staff	South Central Bell	Compensated absences (SFAS No. 43), pension expense (SFAS No. 87), Part 32, income tax normalization.
2/89	U-17282 Phase II	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Revenue requirements, phase-in of River Bend 1, recovery of canceled plant.
6/89	881602-EU 890326-EU	FL	Talquin Electric Cooperative	Talquin/City of Tallahassee	Economic analyses, incremental cost-of-service, average customer rates.

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<b>Date</b>	<b>Case</b>	<b>Jurisdiction</b>	<b>Party</b>	<b>Utility</b>	<b>Subject</b>
7/89	U-17970	LA	Louisiana Public Service Commission Staff	AT&T Communications of South Central States	Pension expense (SFAS No. 87), compensated absences (SFAS No. 43), Part 32.
8/89	8555	TX	Occidental Chemical Corp.	Houston Lighting & Power Co.	Cancellation cost recovery, tax expense, revenue requirements.
8/89	3840-U	GA	Georgia Public Service Commission Staff	Georgia Power Co.	Promotional practices, advertising, economic development.
9/89	U-17282 Phase II Detailed	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Revenue requirements, detailed investigation.
10/89	8880	TX	Enron Gas Pipeline	Texas-New Mexico Power Co.	Deferred accounting treatment, sale/leaseback.
10/89	8928	TX	Enron Gas Pipeline	Texas-New Mexico Power Co.	Revenue requirements, imputed capital structure, cash working capital.
10/89	R-891364	PA	Philadelphia Area Industrial Energy Users Group	Philadelphia Electric Co.	Revenue requirements.
11/89 12/89	R-891364 Surrebuttal (2 Filings)	PA	Philadelphia Area Industrial Energy Users Group	Philadelphia Electric Co.	Revenue requirements, sale/leaseback.
1/90	U-17282 Phase II Detailed Rebuttal	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Revenue requirements, detailed investigation.
1/90	U-17282 Phase III	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Phase-in of River Bend 1, deregulated asset plan.
3/90	890319-EI	FL	Florida Industrial Power Users Group	Florida Power & Light Co.	O&M expenses, Tax Reform Act of 1986.
4/90	890319-EI Rebuttal	FL	Florida Industrial Power Users Group	Florida Power & Light Co.	O&M expenses, Tax Reform Act of 1986.
4/90	U-17282	LA 19 <sup>th</sup> Judicial District Ct.	Louisiana Public Service Commission	Gulf States Utilities	Fuel clause, gain on sale of utility assets.
9/90	90-158	KY	Kentucky Industrial Utility Customers	Louisville Gas & Electric Co.	Revenue requirements, post-test year additions, forecasted test year.
12/90	U-17282 Phase IV	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Revenue requirements.
3/91	29327, et. al.	NY	Multiple Intervenors	Niagara Mohawk Power Corp.	Incentive regulation.
5/91	9945	TX	Office of Public Utility Counsel of Texas	El Paso Electric Co.	Financial modeling, economic analyses, prudence of Palo Verde 3.

**Expert Testimony Appearances  
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<b>Date</b>	<b>Case</b>	<b>Jurisdic.</b>	<b>Party</b>	<b>Utility</b>	<b>Subject</b>
9/91	P-910511 P-910512	PA	Allegheny Ludlum Corp., Armco Advanced Materials Co., The West Penn Power Industrial Users' Group	West Penn Power Co.	Recovery of CAAA costs, least cost financing.
9/91	91-231-E-NC	WV	West Virginia Energy Users Group	Monongahela Power Co.	Recovery of CAAA costs, least cost financing.
11/91	U-17282	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Asset impairment, deregulated asset plan, revenue requirements.
12/91	91-410-EL-AIR	OH	Air Products and Chemicals, Inc., Armco Steel Co., General Electric Co., Industrial Energy Consumers	Cincinnati Gas & Electric Co.	Revenue requirements, phase-in plan.
12/91	PUC Docket 10200	TX	Office of Public Utility Counsel of Texas	Texas-New Mexico Power Co.	Financial integrity, strategic planning, declined business affiliations.
5/92	910890-EI	FL	Occidental Chemical Corp.	Florida Power Corp.	Revenue requirements, O&M expense, pension expense, OPEB expense, fossil dismantling, nuclear decommissioning.
8/92	R-00922314	PA	GPU Industrial Intervenors	Metropolitan Edison Co.	Incentive regulation, performance rewards, purchased power risk, OPEB expense.
9/92	92-043	KY	Kentucky Industrial Utility Consumers	Generic Proceeding	OPEB expense.
9/92	920324-EI	FL	Florida Industrial Power Users' Group	Tampa Electric Co.	OPEB expense.
9/92	39348	IN	Indiana Industrial Group	Generic Proceeding	OPEB expense.
9/92	910840-PU	FL	Florida Industrial Power Users' Group	Generic Proceeding	OPEB expense.
9/92	39314	IN	Industrial Consumers for Fair Utility Rates	Indiana Michigan Power Co.	OPEB expense.
11/92	U-19904	LA	Louisiana Public Service Commission Staff	Gulf States Utilities /Entergy Corp.	Merger.
11/92	8469	MD	Westvaco Corp., Eastalco Aluminum Co.	Potomac Edison Co.	OPEB expense.
11/92	92-1715-AU-COI	OH	Ohio Manufacturers Association	Generic Proceeding	OPEB expense.
12/92	R-00922378	PA	Armco Advanced Materials Co., The WPP Industrial Intervenors	West Penn Power Co.	Incentive regulation, performance rewards, purchased power risk, OPEB expense.
12/92	U-19949	LA	Louisiana Public Service Commission Staff	South Central Bell	Affiliate transactions, cost allocations, merger.

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<b>Date</b>	<b>Case</b>	<b>Jurisdic.</b>	<b>Party</b>	<b>Utility</b>	<b>Subject</b>
12/92	R-00922479	PA	Philadelphia Area Industrial Energy Users' Group	Philadelphia Electric Co.	OPEB expense.
1/93	8487	MD	Maryland Industrial Group	Baltimore Gas & Electric Co., Bethlehem Steel Corp.	OPEB expense, deferred fuel, CWIP in rate base.
1/93	39498	IN	PSI Industrial Group	PSI Energy, Inc.	Refunds due to over-collection of taxes on Marble Hill cancellation.
3/93	92-11-11	CT	Connecticut Industrial Energy Consumers	Connecticut Light & Power Co	OPEB expense.
3/93	U-19904 (Surrebuttal)	LA	Louisiana Public Service Commission Staff	Gulf States Utilities /Entergy Corp.	Merger.
3/93	93-01-EL-EFC	OH	Ohio Industrial Energy Consumers	Ohio Power Co.	Affiliate transactions, fuel.
3/93	EC92-21000 ER92-806-000	FERC	Louisiana Public Service Commission Staff	Gulf States Utilities /Entergy Corp.	Merger.
4/93	92-1464-EL-AIR	OH	Air Products Armco Steel Industrial Energy Consumers	Cincinnati Gas & Electric Co.	Revenue requirements, phase-in plan.
4/93	EC92-21000 ER92-806-000 (Rebuttal)	FERC	Louisiana Public Service Commission	Gulf States Utilities /Entergy Corp.	Merger.
9/93	93-113	KY	Kentucky Industrial Utility Customers	Kentucky Utilities	Fuel clause and coal contract refund.
9/93	92-490, 92-490A, 90-360-C	KY	Kentucky Industrial Utility Customers and Kentucky Attorney General	Big Rivers Electric Corp.	Disallowances and restitution for excessive fuel costs, illegal and improper payments, recovery of mine closure costs.
10/93	U-17735	LA	Louisiana Public Service Commission Staff	Cajun Electric Power Cooperative	Revenue requirements, debt restructuring agreement, River Bend cost recovery.
1/94	U-20647	LA	Louisiana Public Service Commission Staff	Gulf States Utilities Co.	Audit and investigation into fuel clause costs.
4/94	U-20647 (Surrebuttal)	LA	Louisiana Public Service Commission Staff	Gulf States Utilities Co.	Nuclear and fossil unit performance, fuel costs, fuel clause principles and guidelines.
4/94	U-20647 (Supplemental Surrebuttal)	LA	Louisiana Public Service Commission Staff	Gulf States Utilities Co.	Audit and investigation into fuel clause costs.
5/94	U-20178	LA	Louisiana Public Service Commission Staff	Louisiana Power & Light Co.	Planning and quantification issues of least cost integrated resource plan.
9/94	U-19904 Initial Post-Merger Earnings Review	LA	Louisiana Public Service Commission Staff	Gulf States Utilities Co.	River Bend phase-in plan, deregulated asset plan, capital structure, other revenue requirement issues.

**Expert Testimony Appearances  
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<b>Date</b>	<b>Case</b>	<b>Jurisdct.</b>	<b>Party</b>	<b>Utility</b>	<b>Subject</b>
9/94	U-17735	LA	Louisiana Public Service Commission Staff	Cajun Electric Power Cooperative	G&T cooperative ratemaking policies, exclusion of River Bend, other revenue requirement issues.
10/94	3905-U	GA	Georgia Public Service Commission Staff	Southern Bell Telephone Co.	Incentive rate plan, earnings review.
10/94	5258-U	GA	Georgia Public Service Commission Staff	Southern Bell Telephone Co.	Alternative regulation, cost allocation.
11/94	U-19904 Initial Post-Merger Earnings Review (Surrebuttal)	LA	Louisiana Public Service Commission Staff	Gulf States Utilities Co.	River Bend phase-in plan, deregulated asset plan, capital structure, other revenue requirement issues.
11/94	U-17735 (Rebuttal)	LA	Louisiana Public Service Commission Staff	Cajun Electric Power Cooperative	G&T cooperative ratemaking policy, exclusion of River Bend, other revenue requirement issues.
4/95	R-00943271	PA	PP&L Industrial Customer Alliance	Pennsylvania Power & Light Co.	Revenue requirements. Fossil dismantling, nuclear decommissioning.
6/95	3905-U Rebuttal	GA	Georgia Public Service Commission	Southern Bell Telephone Co.	Incentive regulation, affiliate transactions, revenue requirements, rate refund.
6/95	U-19904 (Direct)	LA	Louisiana Public Service Commission Staff	Gulf States Utilities Co.	Gas, coal, nuclear fuel costs, contract prudence, base/fuel realignment.
10/95	95-02614	TN	Tennessee Office of the Attorney General Consumer Advocate	BellSouth Telecommunications, Inc.	Affiliate transactions.
10/95	U-21485 (Direct)	LA	Louisiana Public Service Commission Staff	Gulf States Utilities Co.	Nuclear O&M, River Bend phase-in plan, base/fuel realignment, NOL and AltMin asset deferred taxes, other revenue requirement issues.
11/95	U-19904 (Surrebuttal)	LA	Louisiana Public Service Commission Staff	Gulf States Utilities Co. Division	Gas, coal, nuclear fuel costs, contract prudence, base/fuel realignment.
11/95	U-21485 (Supplemental Direct)	LA	Louisiana Public Service Commission Staff	Gulf States Utilities Co.	Nuclear O&M, River Bend phase-in plan, base/fuel realignment, NOL and AltMin asset deferred taxes, other revenue requirement issues.
12/95	U-21485 (Surrebuttal)				
1/96	95-299-EL-AIR 95-300-EL-AIR	OH	Industrial Energy Consumers	The Toledo Edison Co., The Cleveland Electric Illuminating Co.	Competition, asset write-offs and revaluation, O&M expense, other revenue requirement issues.
2/96	PUC Docket 14965	TX	Office of Public Utility Counsel	Central Power & Light	Nuclear decommissioning.
5/96	95-485-LCS	NM	City of Las Cruces	El Paso Electric Co.	Stranded cost recovery, municipalization.
7/96	8725	MD	The Maryland Industrial Group and Redland Genstar, Inc.	Baltimore Gas & Electric Co., Potomac Electric Power Co., and Constellation Energy Corp.	Merger savings, tracking mechanism, earnings sharing plan, revenue requirement issues.

**Expert Testimony Appearances  
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<b>Date</b>	<b>Case</b>	<b>Jurisdiction</b>	<b>Party</b>	<b>Utility</b>	<b>Subject</b>
9/96 11/96	U-22092 U-22092 (Surrebuttal)	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	River Bend phase-in plan, base/fuel realignment, NOL and AltMin asset deferred taxes, other revenue requirement issues, allocation of regulated/nonregulated costs.
10/96	96-327	KY	Kentucky Industrial Utility Customers, Inc.	Big Rivers Electric Corp.	Environmental surcharge recoverable costs.
2/97	R-00973877	PA	Philadelphia Area Industrial Energy Users Group	PECO Energy Co.	Stranded cost recovery, regulatory assets and liabilities, intangible transition charge, revenue requirements.
3/97	96-489	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Power Co.	Environmental surcharge recoverable costs, system agreements, allowance inventory, jurisdictional allocation.
6/97	TO-97-397	MO	MCI Telecommunications Corp., Inc., MCImetro Access Transmission Services, Inc.	Southwestern Bell Telephone Co.	Price cap regulation, revenue requirements, rate of return.
6/97	R-00973953	PA	Philadelphia Area Industrial Energy Users Group	PECO Energy Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, nuclear and fossil decommissioning.
7/97	R-00973954	PA	PP&L Industrial Customer Alliance	Pennsylvania Power & Light Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, nuclear and fossil decommissioning.
7/97	U-22092	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Depreciation rates and methodologies, River Bend phase-in plan.
8/97	97-300	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas & Electric Co., Kentucky Utilities Co.	Merger policy, cost savings, surcredit sharing mechanism, revenue requirements, rate of return.
8/97	R-00973954 (Surrebuttal)	PA	PP&L Industrial Customer Alliance	Pennsylvania Power & Light Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, nuclear and fossil decommissioning.
10/97	97-204	KY	Alcan Aluminum Corp. Southwire Co.	Big Rivers Electric Corp.	Restructuring, revenue requirements, reasonableness.
10/97	R-974008	PA	Metropolitan Edison Industrial Users Group	Metropolitan Edison Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, nuclear and fossil decommissioning, revenue requirements.
10/97	R-974009	PA	Penelec Industrial Customer Alliance	Pennsylvania Electric Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, nuclear and fossil decommissioning, revenue requirements.
11/97	97-204 (Rebuttal)	KY	Alcan Aluminum Corp. Southwire Co.	Big Rivers Electric Corp.	Restructuring, revenue requirements, reasonableness of rates, cost allocation.
11/97	U-22491	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Allocation of regulated and nonregulated costs, other revenue requirement issues.

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<b>Date</b>	<b>Case</b>	<b>Jurisdic.</b>	<b>Party</b>	<b>Utility</b>	<b>Subject</b>
11/97	R-00973953 (Surrebuttal)	PA	Philadelphia Area Industrial Energy Users Group	PECO Energy Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, nuclear and fossil decommissioning.
11/97	R-973981	PA	West Penn Power Industrial Intervenor	West Penn Power Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, fossil decommissioning, revenue requirements, securitization.
11/97	R-974104	PA	Duquesne Industrial Intervenor	Duquesne Light Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, nuclear and fossil decommissioning, revenue requirements, securitization.
12/97	R-973981 (Surrebuttal)	PA	West Penn Power Industrial Intervenor	West Penn Power Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, fossil decommissioning, revenue requirements.
12/97	R-974104 (Surrebuttal)	PA	Duquesne Industrial Intervenor	Duquesne Light Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, nuclear and fossil decommissioning, revenue requirements, securitization.
1/98	U-22491 (Surrebuttal)	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Allocation of regulated and nonregulated costs, other revenue requirement issues.
2/98	8774	MD	Westvaco	Potomac Edison Co.	Merger of Duquesne, AE, customer safeguards, savings sharing.
3/98	U-22092 (Allocated Stranded Cost Issues)	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Restructuring, stranded costs, regulatory assets, securitization, regulatory mitigation.
3/98	8390-U	GA	Georgia Natural Gas Group, Georgia Textile Manufacturers Assoc.	Atlanta Gas Light Co.	Restructuring, unbundling, stranded costs, incentive regulation, revenue requirements.
3/98	U-22092 (Allocated Stranded Cost Issues) (Surrebuttal)	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Restructuring, stranded costs, regulatory assets, securitization, regulatory mitigation.
3/98	U-22491 (Supplemental Surrebuttal)	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Allocation of regulated and nonregulated costs, other revenue requirement issues.
10/98	97-596	ME	Maine Office of the Public Advocate	Bangor Hydro-Electric Co.	Restructuring, unbundling, stranded costs, T&D revenue requirements.
10/98	9355-U	GA	Georgia Public Service Commission Adversary Staff	Georgia Power Co.	Affiliate transactions.
10/98	U-17735 Rebuttal	LA	Louisiana Public Service Commission Staff	Cajun Electric Power Cooperative	G&T cooperative ratemaking policy, other revenue requirement issues.

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11/98	U-23327	LA	Louisiana Public Service Commission Staff	SWEPCO, CSW and AEP	Merger policy, savings sharing mechanism, affiliate transaction conditions.
12/98	U-23358 (Direct)	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Allocation of regulated and nonregulated costs, tax issues, and other revenue requirement issues.
12/98	98-577	ME	Maine Office of Public Advocate	Maine Public Service Co.	Restructuring, unbundling, stranded cost, T&D revenue requirements.
1/99	98-10-07	CT	Connecticut Industrial Energy Consumers	United Illuminating Co.	Stranded costs, investment tax credits, accumulated deferred income taxes, excess deferred income taxes.
3/99	U-23358 (Surrebuttal)	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Allocation of regulated and nonregulated costs, tax issues, and other revenue requirement issues.
3/99	98-474	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas and Electric Co.	Revenue requirements, alternative forms of regulation.
3/99	98-426	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co.	Revenue requirements, alternative forms of regulation.
3/99	99-082	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas and Electric Co.	Revenue requirements.
3/99	99-083	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co.	Revenue requirements.
4/99	U-23358 (Supplemental Surrebuttal)	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Allocation of regulated and nonregulated costs, tax issues, and other revenue requirement issues.
4/99	99-03-04	CT	Connecticut Industrial Energy Consumers	United Illuminating Co.	Regulatory assets and liabilities, stranded costs, recovery mechanisms.
4/99	99-02-05	CT	Connecticut Industrial Utility Customers	Connecticut Light and Power Co.	Regulatory assets and liabilities, stranded costs, recovery mechanisms.
5/99	98-426 99-082 (Additional Direct)	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas and Electric Co.	Revenue requirements.
5/99	98-474 99-083 (Additional Direct)	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co.	Revenue requirements.
5/99	98-426 98-474 (Response to Amended Applications)	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas and Electric Co., Kentucky Utilities Co.	Alternative regulation.
6/99	97-596	ME	Maine Office of Public Advocate	Bangor Hydro-Electric Co.	Request for accounting order regarding electric industry restructuring costs.
7/99	U-23358	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Affiliate transactions, cost allocations.

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7/99	99-03-35	CT	Connecticut Industrial Energy Consumers	United Illuminating Co.	Stranded costs, regulatory assets, tax effects of asset divestiture.
7/99	U-23327	LA	Louisiana Public Service Commission Staff	Southwestern Electric Power Co., Central and South West Corp, American Electric Power Co.	Merger Settlement and Stipulation.
7/99	97-596 Surrebuttal	ME	Maine Office of Public Advocate	Bangor Hydro-Electric Co.	Restructuring, unbundling, stranded cost, T&D revenue requirements.
7/99	98-0452-E-GI	WV	West Virginia Energy Users Group	Monongahela Power, Potomac Edison, Appalachian Power, Wheeling Power	Regulatory assets and liabilities.
8/99	98-577 Surrebuttal	ME	Maine Office of Public Advocate	Maine Public Service Co.	Restructuring, unbundling, stranded costs, T&D revenue requirements.
8/99	98-426 99-082 Rebuttal	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas and Electric Co.	Revenue requirements.
8/99	98-474 98-083 Rebuttal	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co.	Revenue requirements.
8/99	98-0452-E-GI Rebuttal	WV	West Virginia Energy Users Group	Monongahela Power, Potomac Edison, Appalachian Power, Wheeling Power	Regulatory assets and liabilities.
10/99	U-24182 Direct	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Allocation of regulated and nonregulated costs, affiliate transactions, tax issues, and other revenue requirement issues.
11/99	PUC Docket 21527	TX	The Dallas-Fort Worth Hospital Council and Coalition of Independent Colleges and Universities	TXU Electric	Restructuring, stranded costs, taxes, securitization.
11/99	U-23358 Surrebuttal Affiliate Transactions Review	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Service company affiliate transaction costs.
01/00	U-24182 Surrebuttal	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Allocation of regulated and nonregulated costs, affiliate transactions, tax issues, and other revenue requirement issues.
04/00	99-1212-EL-ETP 99-1213-EL-ATA 99-1214-EL-AAM	OH	Greater Cleveland Growth Association	First Energy (Cleveland Electric Illuminating, Toledo Edison)	Historical review, stranded costs, regulatory assets, liabilities.

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05/00	2000-107	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Power Co.	ECR surcharge roll-in to base rates.
05/00	U-24182 Supplemental Direct	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Affiliate expense proforma adjustments.
05/00	A-110550F0147	PA	Philadelphia Area Industrial Energy Users Group	PECO Energy	Merger between PECO and Unicom.
05/00	99-1658-EL-ETP	OH	AK Steel Corp.	Cincinnati Gas & Electric Co.	Regulatory transition costs, including regulatory assets and liabilities, SFAS 109, ADIT, EDIT, ITC.
07/00	PUC Docket 22344	TX	The Dallas-Fort Worth Hospital Council and The Coalition of Independent Colleges and Universities	Statewide Generic Proceeding	Escalation of O&M expenses for unbundled T&D revenue requirements in projected test year.
07/00	U-21453	LA	Louisiana Public Service Commission	SWEPCO	Stranded costs, regulatory assets and liabilities.
08/00	U-24064	LA	Louisiana Public Service Commission Staff	CLECO	Affiliate transaction pricing ratemaking principles, subsidization of nonregulated affiliates, ratemaking adjustments.
10/00	SOAH Docket 473-00-1015 PUC Docket 22350	TX	The Dallas-Fort Worth Hospital Council and The Coalition of Independent Colleges and Universities	TXU Electric Co.	Restructuring, T&D revenue requirements, mitigation, regulatory assets and liabilities.
10/00	R-00974104 Affidavit	PA	Duquesne Industrial Intervenor	Duquesne Light Co.	Final accounting for stranded costs, including treatment of auction proceeds, taxes, capital costs, switchback costs, and excess pension funding.
11/00	P-00001837 R-00974008 P-00001838 R-00974009	PA	Metropolitan Edison Industrial Users Group Penelec Industrial Customer Alliance	Metropolitan Edison Co., Pennsylvania Electric Co.	Final accounting for stranded costs, including treatment of auction proceeds, taxes, regulatory assets and liabilities, transaction costs.
12/00	U-21453, U-20925, U-22092 (Subdocket C) Surrebuttal	LA	Louisiana Public Service Commission Staff	SWEPCO	Stranded costs, regulatory assets.
01/01	U-24993 Direct	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Allocation of regulated and nonregulated costs, tax issues, and other revenue requirement issues.
01/01	U-21453, U-20925, U-22092 (Subdocket B) Surrebuttal	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Industry restructuring, business separation plan, organization structure, hold harmless conditions, financing.
01/01	Case No. 2000-386	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas & Electric Co.	Recovery of environmental costs, surcharge mechanism.

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01/01	Case No. 2000-439	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co.	Recovery of environmental costs, surcharge mechanism.
02/01	A-110300F0095 A-110400F0040	PA	Met-Ed Industrial Users Group, Penelec Industrial Customer Alliance	GPU, Inc. FirstEnergy Corp.	Merger, savings, reliability.
03/01	P-00001860 P-00001861	PA	Met-Ed Industrial Users Group, Penelec Industrial Customer Alliance	Metropolitan Edison Co., Pennsylvania Electric Co.	Recovery of costs due to provider of last resort obligation.
04/01	U-21453, U-20925, U-22092 (Subdocket B) Settlement Term Sheet	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Business separation plan: settlement agreement on overall plan structure.
04/01	U-21453, U-20925, U-22092 (Subdocket B) Contested Issues	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Business separation plan: agreements, hold harmless conditions, separations methodology.
05/01	U-21453, U-20925, U-22092 (Subdocket B) Contested Issues Transmission and Distribution Rebuttal	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Business separation plan: agreements, hold harmless conditions, separations methodology.
07/01	U-21453, U-20925, U-22092 (Subdocket B) Transmission and Distribution Term Sheet	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Business separation plan: settlement agreement on T&D issues, agreements necessary to implement T&D separations, hold harmless conditions, separations methodology.
10/01	14000-U	GA	Georgia Public Service Commission Adversary Staff	Georgia Power Company	Revenue requirements, Rate Plan, fuel clause recovery.
11/01	14311-U Direct Panel with Bolin Killings	GA	Georgia Public Service Commission Adversary Staff	Atlanta Gas Light Co	Revenue requirements, revenue forecast, O&M expense, depreciation, plant additions, cash working capital.
11/01	U-25687 Direct	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Revenue requirements, capital structure, allocation of regulated and nonregulated costs, River Bend uprate.
02/02	PUC Docket 25230	TX	The Dallas-Fort Worth Hospital Council and the Coalition of Independent Colleges and Universities	TXU Electric	Stipulation. Regulatory assets, securitization financing.

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02/02	U-25687 Surrebuttal	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Revenue requirements, corporate franchise tax, conversion to LLC, River Bend uprate.
03/02	14311-U Rebuttal Panel with Bolin Killings	GA	Georgia Public Service Commission Adversary Staff	Atlanta Gas Light Co.	Revenue requirements, earnings sharing plan, service quality standards.
03/02	14311-U Rebuttal Panel with Michelle L. Thebert	GA	Georgia Public Service Commission Adversary Staff	Atlanta Gas Light Co.	Revenue requirements, revenue forecast, O&M expense, depreciation, plant additions, cash working capital.
03/02	001148-EI	FL	South Florida Hospital and Healthcare Assoc.	Florida Power & Light Co.	Revenue requirements. Nuclear life extension, storm damage accruals and reserve, capital structure, O&M expense.
04/02	U-25687 (Suppl. Surrebuttal)	LA	Louisiana Public Service Commission	Entergy Gulf States, Inc.	Revenue requirements, corporate franchise tax, conversion to LLC, River Bend uprate.
04/02	U-21453, U-20925 U-22092 (Subdocket C)	LA	Louisiana Public Service Commission	SWEPCO	Business separation plan, T&D Term Sheet, separations methodologies, hold harmless conditions.
08/02	EL01-88-000	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	System Agreement, production cost equalization, tariffs.
08/02	U-25888	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc. and Entergy Louisiana, Inc.	System Agreement, production cost disparities, prudence.
09/02	2002-00224 2002-00225	KY	Kentucky Industrial Utilities Customers, Inc.	Kentucky Utilities Co., Louisville Gas & Electric Co.	Line losses and fuel clause recovery associated with off-system sales.
11/02	2002-00146 2002-00147	KY	Kentucky Industrial Utilities Customers, Inc.	Kentucky Utilities Co., Louisville Gas & Electric Co.	Environmental compliance costs and surcharge recovery.
01/03	2002-00169	KY	Kentucky Industrial Utilities Customers, Inc.	Kentucky Power Co.	Environmental compliance costs and surcharge recovery.
04/03	2002-00429 2002-00430	KY	Kentucky Industrial Utilities Customers, Inc.	Kentucky Utilities Co., Louisville Gas & Electric Co.	Extension of merger surcredit, flaws in Companies' studies.
04/03	U-26527	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Revenue requirements, corporate franchise tax, conversion to LLC, capital structure, post-test year adjustments.
06/03	EL01-88-000 Rebuttal	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	System Agreement, production cost equalization, tariffs.

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06/03	2003-00068	KY	Kentucky Industrial Utility Customers	Kentucky Utilities Co.	Environmental cost recovery, correction of base rate error.
11/03	ER03-753-000	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	Unit power purchases and sale cost-based tariff pursuant to System Agreement.
11/03	ER03-583-000, ER03-583-001, ER03-583-002  ER03-681-000, ER03-681-001  ER03-682-000, ER03-682-001, ER03-682-002  ER03-744-000, ER03-744-001 (Consolidated)	FERC	Louisiana Public Service Commission	Entergy Services, Inc., the Entergy Operating Companies, EWO Marketing, L.P, and Entergy Power, Inc.	Unit power purchases and sale agreements, contractual provisions, projected costs, leveled rates, and formula rates.
12/03	U-26527 Surrebuttal	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Revenue requirements, corporate franchise tax, conversion to LLC, capital structure, post-test year adjustments.
12/03	2003-0334 2003-0335	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co., Louisville Gas & Electric Co.	Earnings Sharing Mechanism.
12/03	U-27136	LA	Louisiana Public Service Commission Staff	Entergy Louisiana, Inc.	Purchased power contracts between affiliates, terms and conditions.
03/04	U-26527 Supplemental Surrebuttal	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Revenue requirements, corporate franchise tax, conversion to LLC, capital structure, post-test year adjustments.
03/04	2003-00433	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas & Electric Co.	Revenue requirements, depreciation rates, O&M expense, deferrals and amortization, earnings sharing mechanism, merger surcredit, VDT surcredit.
03/04	2003-00434	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co.	Revenue requirements, depreciation rates, O&M expense, deferrals and amortization, earnings sharing mechanism, merger surcredit, VDT surcredit.
03/04	SOAH Docket 473-04-2459 PUC Docket 29206	TX	Cities Served by Texas-New Mexico Power Co.	Texas-New Mexico Power Co.	Stranded costs true-up, including valuation issues, ITC, ADIT, excess earnings.
05/04	04-169-EL-UNC	OH	Ohio Energy Group, Inc.	Columbus Southern Power Co. & Ohio Power Co.	Rate stabilization plan, deferrals, T&D rate increases, earnings.
06/04	SOAH Docket 473-04-4555 PUC Docket 29526	TX	Houston Council for Health and Education	CenterPoint Energy Houston Electric	Stranded costs true-up, including valuation issues, ITC, EDIT, excess mitigation credits, capacity auction true-up revenues, interest.

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08/04	SOAH Docket 473-04-4555 PUC Docket 29526 (Suppl Direct)	TX	Houston Council for Health and Education	CenterPoint Energy Houston Electric	Interest on stranded cost pursuant to Texas Supreme Court remand.
09/04	U-23327 Subdocket B	LA	Louisiana Public Service Commission Staff	SWEPCO	Fuel and purchased power expenses recoverable through fuel adjustment clause, trading activities, compliance with terms of various LPSC Orders.
10/04	U-23327 Subdocket A	LA	Louisiana Public Service Commission Staff	SWEPCO	Revenue requirements.
12/04	Case Nos. 2004-00321, 2004-00372	KY	Gallatin Steel Co.	East Kentucky Power Cooperative, Inc., Big Sandy Recc, et al.	Environmental cost recovery, qualified costs, TIER requirements, cost allocation.
01/05	30485	TX	Houston Council for Health and Education	CenterPoint Energy Houston Electric, LLC	Stranded cost true-up including regulatory Central Co. assets and liabilities, ITC, EDIT, capacity auction, proceeds, excess mitigation credits, retrospective and prospective ADIT.
02/05	18638-U	GA	Georgia Public Service Commission Adversary Staff	Atlanta Gas Light Co.	Revenue requirements.
02/05	18638-U Panel with Tony Wackerly	GA	Georgia Public Service Commission Adversary Staff	Atlanta Gas Light Co.	Comprehensive rate plan, pipeline replacement program surcharge, performance based rate plan.
02/05	18638-U Panel with Michelle Thebert	GA	Georgia Public Service Commission Adversary Staff	Atlanta Gas Light Co.	Energy conservation, economic development, and tariff issues.
03/05	Case Nos. 2004-00426, 2004-00421	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co., Louisville Gas & Electric	Environmental cost recovery, Jobs Creation Act of 2004 and §199 deduction, excess common equity ratio, deferral and amortization of nonrecurring O&M expense.
06/05	2005-00068	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Power Co.	Environmental cost recovery, Jobs Creation Act of 2004 and §199 deduction, margins on allowances used for AEP system sales.
06/05	050045-EI	FL	South Florida Hospital and Healthcare Assoc.	Florida Power & Light Co.	Storm damage expense and reserve, RTO costs, O&M expense projections, return on equity performance incentive, capital structure, selective second phase post-test year rate increase.
08/05	31056	TX	Alliance for Valley Healthcare	AEP Texas Central Co.	Stranded cost true-up including regulatory assets and liabilities, ITC, EDIT, capacity auction, proceeds, excess mitigation credits, retrospective and prospective ADIT.
09/05	20298-U	GA	Georgia Public Service Commission Adversary Staff	Atmos Energy Corp.	Revenue requirements, roll-in of surcharges, cost recovery through surcharge, reporting requirements.
09/05	20298-U	GA	Georgia Public Service	Atmos Energy Corp.	Affiliate transactions, cost allocations, capitalization,

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	Panel with Victoria Taylor		Commission Adversary Staff		cost of debt.
10/05	04-42	DE	Delaware Public Service Commission Staff	Artesian Water Co.	Allocation of tax net operating losses between regulated and unregulated.
11/05	2005-00351 2005-00352	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co., Louisville Gas & Electric	Workforce Separation Program cost recovery and shared savings through VDT surcredit.
01/06	2005-00341	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Power Co.	System Sales Clause Rider, Environmental Cost Recovery Rider. Net Congestion Rider, Storm damage, vegetation management program, depreciation, off-system sales, maintenance normalization, pension and OPEB.
03/06	PUC Docket 31994	TX	Cities	Texas-New Mexico Power Co.	Stranded cost recovery through competition transition or change.
05/06	31994 Supplemental	TX	Cities	Texas-New Mexico Power Co.	Retrospective ADFIT, prospective ADFIT.
03/06	U-21453, U-20925, U-22092 (Subdocket B)	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Jurisdictional separation plan.
03/06	NOPR Reg 104385-OR	IRS	Alliance for Valley Health Care and Houston Council for Health Education	AEP Texas Central Company and CenterPoint Energy Houston Electric	Proposed Regulations affecting flow-through to ratepayers of excess deferred income taxes and investment tax credits on generation plant that is sold or deregulated.
04/06	U-25116	LA	Louisiana Public Service Commission Staff	Entergy Louisiana, Inc.	2002-2004 Audit of Fuel Adjustment Clause Filings. Affiliate transactions.
07/06	R-00061366, Et. al.	PA	Met-Ed Ind. Users Group Pennsylvania Ind. Customer Alliance	Metropolitan Edison Co., Pennsylvania Electric Co.	Recovery of NUG-related stranded costs, government mandated program costs, storm damage costs.
07/06	U-23327	LA	Louisiana Public Service Commission Staff	Southwestern Electric Power Co.	Revenue requirements, formula rate plan, banking proposal.
08/06	U-21453, U-20925, U-22092 (Subdocket J)	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Jurisdictional separation plan.
11/06	05CVH03-3375 Franklin County Court Affidavit	OH	Various Taxing Authorities (Non-Utility Proceeding)	State of Ohio Department of Revenue	Accounting for nuclear fuel assemblies as manufactured equipment and capitalized plant.
12/06	U-23327 Subdocket A Reply Testimony	LA	Louisiana Public Service Commission Staff	Southwestern Electric Power Co.	Revenue requirements, formula rate plan, banking proposal.
03/07	U-29764	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc., Entergy Louisiana, LLC	Jurisdictional allocation of Entergy System Agreement equalization remedy receipts.

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03/07	PUC Docket 33309	TX	Cities	AEP Texas Central Co.	Revenue requirements, including functionalization of transmission and distribution costs.
03/07	PUC Docket 33310	TX	Cities	AEP Texas North Co.	Revenue requirements, including functionalization of transmission and distribution costs.
03/07	2006-00472	KY	Kentucky Industrial Utility Customers, Inc.	East Kentucky Power Cooperative	Interim rate increase, RUS loan covenants, credit facility requirements, financial condition.
03/07	U-29157	LA	Louisiana Public Service Commission Staff	Cleco Power, LLC	Permanent (Phase II) storm damage cost recovery.
04/07	U-29764 Supplemental and Rebuttal	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc., Entergy Louisiana, LLC	Jurisdictional allocation of Entergy System Agreement equalization remedy receipts.
04/07	ER07-682-000 Affidavit	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	Allocation of intangible and general plant and A&G expenses to production and state income tax effects on equalization remedy receipts.
04/07	ER07-684-000 Affidavit	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	Fuel hedging costs and compliance with FERC USOA.
05/07	ER07-682-000 Supplemental Affidavit	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	Allocation of intangible and general plant and A&G expenses to production and account 924 effects on MSS-3 equalization remedy payments and receipts.
06/07	U-29764	LA	Louisiana Public Service Commission Staff	Entergy Louisiana, LLC, Entergy Gulf States, Inc.	Show cause for violating LPSC Order on fuel hedging costs.
07/07	2006-00472	KY	Kentucky Industrial Utility Customers, Inc.	East Kentucky Power Cooperative	Revenue requirements, post-test year adjustments, TIER, surcharge revenues and costs, financial need.
07/07	ER07-956-000 Affidavit	FERC	Louisiana Public Service Commission	Entergy Services, Inc.	Storm damage costs related to Hurricanes Katrina and Rita and effects of MSS-3 equalization payments and receipts.
10/07	05-UR-103 Direct	WI	Wisconsin Industrial Energy Group	Wisconsin Electric Power Company, Wisconsin Gas, LLC	Revenue requirements, carrying charges on CWIP, amortization and return on regulatory assets, working capital, incentive compensation, use of rate base in lieu of capitalization, quantification and use of Point Beach sale proceeds.
10/07	05-UR-103 Surrebuttal	WI	Wisconsin Industrial Energy Group	Wisconsin Electric Power Company, Wisconsin Gas, LLC	Revenue requirements, carrying charges on CWIP, amortization and return on regulatory assets, working capital, incentive compensation, use of rate base in lieu of capitalization, quantification and use of Point Beach sale proceeds.
10/07	25060-U Direct	GA	Georgia Public Service Commission Public Interest Adversary Staff	Georgia Power Company	Affiliate costs, incentive compensation, consolidated income taxes, §199 deduction.

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11/07	06-0033-E-CN Direct	WV	West Virginia Energy Users Group	Appalachian Power Company	IGCC surcharge during construction period and post-in-service date.
11/07	ER07-682-000 Direct	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	Functionalization and allocation of intangible and general plant and A&G expenses.
01/08	ER07-682-000 Cross-Answering	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	Functionalization and allocation of intangible and general plant and A&G expenses.
01/08	07-551-EL-AIR Direct	OH	Ohio Energy Group, Inc.	Ohio Edison Company, Cleveland Electric Illuminating Company, Toledo Edison Company	Revenue requirements.
02/08	ER07-956-000 Direct	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	Functionalization of expenses, storm damage expense and reserves, tax NOL carrybacks in accounts, ADIT, nuclear service lives and effects on depreciation and decommissioning.
03/08	ER07-956-000 Cross-Answering	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	Functionalization of expenses, storm damage expense and reserves, tax NOL carrybacks in accounts, ADIT, nuclear service lives and effects on depreciation and decommissioning.
04/08	2007-00562, 2007-00563	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co., Louisville Gas and Electric Co.	Merger surcredit.
04/08	26837 Direct Bond, Johnson, Thebert, Kollen Panel	GA	Georgia Public Service Commission Staff	SCANA Energy Marketing, Inc.	Rule Nisi complaint.
05/08	26837 Rebuttal Bond, Johnson, Thebert, Kollen Panel	GA	Georgia Public Service Commission Staff	SCANA Energy Marketing, Inc.	Rule Nisi complaint.
05/08	26837 Suppl Rebuttal Bond, Johnson, Thebert, Kollen Panel	GA	Georgia Public Service Commission Staff	SCANA Energy Marketing, Inc.	Rule Nisi complaint.
06/08	2008-00115	KY	Kentucky Industrial Utility Customers, Inc.	East Kentucky Power Cooperative, Inc.	Environmental surcharge recoveries, including costs recovered in existing rates, TIER.

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07/08	27163 Direct	GA	Georgia Public Service Commission Public Interest Advocacy Staff	Atmos Energy Corp.	Revenue requirements, including projected test year rate base and expenses.
07/08	27163 Taylor, Kollen Panel	GA	Georgia Public Service Commission Public Interest Advocacy Staff	Atmos Energy Corp.	Affiliate transactions and division cost allocations, capital structure, cost of debt.
08/08	6680-CE-170 Direct	WI	Wisconsin Industrial Energy Group, Inc.	Wisconsin Power and Light Company	Nelson Dewey 3 or Colombia 3 fixed financial parameters.
08/08	6680-UR-116 Direct	WI	Wisconsin Industrial Energy Group, Inc.	Wisconsin Power and Light Company	CWIP in rate base, labor expenses, pension expense, financing, capital structure, decoupling.
08/08	6680-UR-116 Rebuttal	WI	Wisconsin Industrial Energy Group, Inc.	Wisconsin Power and Light Company	Capital structure.
08/08	6690-UR-119 Direct	WI	Wisconsin Industrial Energy Group, Inc.	Wisconsin Public Service Corp.	Prudence of Weston 3 outage, incentive compensation, Crane Creek Wind Farm incremental revenue requirement, capital structure.
09/08	6690-UR-119 Surrebuttal	WI	Wisconsin Industrial Energy Group, Inc.	Wisconsin Public Service Corp.	Prudence of Weston 3 outage, Section 199 deduction.
09/08	08-935-EL-SSO, 08-918-EL-SSO	OH	Ohio Energy Group, Inc.	First Energy	Standard service offer rates pursuant to electric security plan, significantly excessive earnings test.
10/08	08-917-EL-SSO	OH	Ohio Energy Group, Inc.	AEP	Standard service offer rates pursuant to electric security plan, significantly excessive earnings test.
10/08	2007-00564, 2007-00565, 2008-00251 2008-00252	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas and Electric Co., Kentucky Utilities Company	Revenue forecast, affiliate costs, ELG v ASL depreciation procedures, depreciation expenses, federal and state income tax expense, capitalization, cost of debt.
11/08	EL08-51	FERC	Louisiana Public Service Commission	Entergy Services, Inc.	Spindletop gas storage facilities, regulatory asset and bandwidth remedy.
11/08	35717	TX	Cities Served by Oncor Delivery Company	Oncor Delivery Company	Recovery of old meter costs, asset AD FIT, cash working capital, recovery of prior year restructuring costs, levelized recovery of storm damage costs, prospective storm damage accrual, consolidated tax savings adjustment.
12/08	27800	GA	Georgia Public Service Commission	Georgia Power Company	AFUDC versus CWIP in rate base, mirror CWIP, certification cost, use of short term debt and trust preferred financing, CWIP recovery, regulatory incentive.
01/09	ER08-1056	FERC	Louisiana Public Service Commission	Entergy Services, Inc.	Entergy System Agreement bandwidth remedy calculations, including depreciation expense, ADIT, capital structure.
01/09	ER08-1056 Supplemental Direct	FERC	Louisiana Public Service Commission	Entergy Services, Inc.	Blytheville leased turbines; accumulated depreciation.

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02/09	EL08-51 Rebuttal	FERC	Louisiana Public Service Commission	Entergy Services, Inc.	Spindletop gas storage facilities regulatory asset and bandwidth remedy.
02/09	2008-00409 Direct	KY	Kentucky Industrial Utility Customers, Inc.	East Kentucky Power Cooperative, Inc.	Revenue requirements.
03/09	ER08-1056 Answering	FERC	Louisiana Public Service Commission	Entergy Services, Inc.	Entergy System Agreement bandwidth remedy calculations, including depreciation expense, ADIT, capital structure.
03/09	U-21453, U-20925 U-22092 (Sub J) Direct	LA	Louisiana Public Service Commission Staff	Entergy Gulf States Louisiana, LLC	Violation of EGSI separation order, ETI and EGSL separation accounting, Spindletop regulatory asset.
04/09	Rebuttal				
04/09	2009-00040 Direct-Interim (Oral)	KY	Kentucky Industrial Utility Customers, Inc.	Big Rivers Electric Corp.	Emergency interim rate increase; cash requirements.
04/09	PUC Docket 36530	TX	State Office of Administrative Hearings	Oncor Electric Delivery Company, LLC	Rate case expenses.
05/09	ER08-1056 Rebuttal	FERC	Louisiana Public Service Commission	Entergy Services, Inc.	Entergy System Agreement bandwidth remedy calculations, including depreciation expense, ADIT, capital structure.
06/09	2009-00040 Direct- Permanent	KY	Kentucky Industrial Utility Customers, Inc.	Big Rivers Electric Corp.	Revenue requirements, TIER, cash flow.
07/09	080677-EI	FL	South Florida Hospital and Healthcare Association	Florida Power & Light Company	Multiple test years, GBRA rider, forecast assumptions, revenue requirement, O&M expense, depreciation expense, Economic Stimulus Bill, capital structure.
08/09	U-21453, U- 20925, U-22092 (Subdocket J) Supplemental Rebuttal	LA	Louisiana Public Service Commission	Entergy Gulf States Louisiana, LLC	Violation of EGSI separation order, ETI and EGSL separation accounting, Spindletop regulatory asset.
08/09	8516 and 29950	GA	Georgia Public Service Commission Staff	Atlanta Gas Light Company	Modification of PRP surcharge to include infrastructure costs.
09/09	05-UR-104 Direct and Surrebuttal	WI	Wisconsin Industrial Energy Group	Wisconsin Electric Power Company	Revenue requirements, incentive compensation, depreciation, deferral mitigation, capital structure, cost of debt.
09/09	09AL-299E Answer	CO	CF&I Steel, Rocky Mountain Steel Mills LP, Climax Molybdenum Company	Public Service Company of Colorado	Forecasted test year, historic test year, proforma adjustments for major plant additions, tax depreciation.

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09/09	6680-UR-117 Direct and Surrebuttal	WI	Wisconsin Industrial Energy Group	Wisconsin Power and Light Company	Revenue requirements, CWIP in rate base, deferral mitigation, payroll, capacity shutdowns, regulatory assets, rate of return.
10/09	09A-415E Answer	CO	Cripple Creek & Victor Gold Mining Company, et al.	Black Hills/CO Electric Utility Company	Cost prudence, cost sharing mechanism.
10/09	EL09-50 Direct	FERC	Louisiana Public Service Commission	Entergy Services, Inc.	Waterford 3 sale/leaseback accumulated deferred income taxes, Entergy System Agreement bandwidth remedy calculations.
10/09	2009-00329	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas and Electric Company, Kentucky Utilities Company	Trimble County 2 depreciation rates.
12/09	PUE-2009-00030	VA	Old Dominion Committee for Fair Utility Rates	Appalachian Power Company	Return on equity incentive.
12/09	ER09-1224 Direct	FERC	Louisiana Public Service Commission	Entergy Services, Inc.	Hypothetical versus actual costs, out of period costs, Spindletop deferred capital costs, Waterford 3 sale/leaseback ADIT.
01/10	ER09-1224 Cross-Answering	FERC	Louisiana Public Service Commission	Entergy Services, Inc.	Hypothetical versus actual costs, out of period costs, Spindletop deferred capital costs, Waterford 3 sale/leaseback ADIT.
01/10	EL09-50 Rebuttal  Supplemental Rebuttal	FERC	Louisiana Public Service Commission	Entergy Services, Inc.	Waterford 3 sale/leaseback accumulated deferred income taxes, Entergy System Agreement bandwidth remedy calculations.
02/10	ER09-1224 Final	FERC	Louisiana Public Service Commission	Entergy Services, Inc.	Hypothetical versus actual costs, out of period costs, Spindletop deferred capital costs, Waterford 3 sale/leaseback ADIT.
02/10	30442 Wackerly-Kollen Panel	GA	Georgia Public Service Commission Staff	Atmos Energy Corporation	Revenue requirement issues.
02/10	30442 McBride-Kollen Panel	GA	Georgia Public Service Commission Staff	Atmos Energy Corporation	Affiliate/division transactions, cost allocation, capital structure.
02/10	2009-00353	KY	Kentucky Industrial Utility Customers, Inc.,  Attorney General	Louisville Gas and Electric Company, Kentucky Utilities Company	Ratemaking recovery of wind power purchased power agreements.
03/10	2009-00545	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Power Company	Ratemaking recovery of wind power purchased power agreement.
03/10	E015/GR-09-1151	MN	Large Power Interveners	Minnesota Power	Revenue requirement issues, cost overruns on environmental retrofit project.

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04/10	2009-00459	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Power Company	Revenue requirement issues.
04/10	2009-00548, 2009-00549	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Company, Louisville Gas and Electric Company	Revenue requirement issues.
08/10	31647	GA	Georgia Public Service Commission Staff	Atlanta Gas Light Company	Revenue requirement and synergy savings issues.
08/10	31647 Wackerly-Kollen Panel	GA	Georgia Public Service Commission Staff	Atlanta Gas Light Company	Affiliate transaction and Customer First program issues.
08/10	2010-00204	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas and Electric Company, Kentucky Utilities Company	PPL acquisition of E.ON U.S. (LG&E and KU) conditions, acquisition savings, sharing deferral mechanism.
09/10	38339 Direct and Cross-Rebuttal	TX	Gulf Coast Coalition of Cities	CenterPoint Energy Houston Electric	Revenue requirement issues, including consolidated tax savings adjustment, incentive compensation FIN 48; AMS surcharge including roll-in to base rates; rate case expenses.
09/10	EL10-55	FERC	Louisiana Public Service Commission	Entergy Services, Inc., Entergy Operating Cos	Depreciation rates and expense input effects on System Agreement tariffs.
09/10	2010-00167	KY	Gallatin Steel	East Kentucky Power Cooperative, Inc.	Revenue requirements.
09/10	U-23327 Subdocket E Direct	LA	Louisiana Public Service Commission	SWEPCO	Fuel audit: SO2 allowance expense, variable O&M expense, off-system sales margin sharing.
11/10	U-23327 Rebuttal	LA	Louisiana Public Service Commission	SWEPCO	Fuel audit: SO2 allowance expense, variable O&M expense, off-system sales margin sharing.
09/10	U-31351	LA	Louisiana Public Service Commission Staff	SWEPCO and Valley Electric Membership Cooperative	Sale of Valley assets to SWEPCO and dissolution of Valley.
10/10	10-1261-EL-UNC	OH	Ohio OCC, Ohio Manufacturers Association, Ohio Energy Group, Ohio Hospital Association, Appalachian Peace and Justice Network	Columbus Southern Power Company	Significantly excessive earnings test.
10/10	10-0713-E-PC	WV	West Virginia Energy Users Group	Monongahela Power Company, Potomac Edison Power Company	Merger of First Energy and Allegheny Energy.

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10/10	U-23327 Subdocket F Direct	LA	Louisiana Public Service Commission Staff	SWEPCO	AFUDC adjustments in Formula Rate Plan.
11/10	EL10-55 Rebuttal	FERC	Louisiana Public Service Commission	Entergy Services, Inc., Entergy Operating Cos	Depreciation rates and expense input effects on System Agreement tariffs.
12/10	ER10-1350 Direct	FERC	Louisiana Public Service Commission	Entergy Services, Inc. Entergy Operating Cos	Waterford 3 lease amortization, ADIT, and fuel inventory effects on System Agreement tariffs.
01/11	ER10-1350 Cross-Answering	FERC	Louisiana Public Service Commission	Entergy Services, Inc., Entergy Operating Cos	Waterford 3 lease amortization, ADIT, and fuel inventory effects on System Agreement tariffs.
03/11	ER10-2001 Direct	FERC	Louisiana Public Service Commission	Entergy Services, Inc., Entergy Arkansas, Inc.	EAI depreciation rates.
04/11	Cross-Answering				
04/11	U-23327 Subdocket E	LA	Louisiana Public Service Commission Staff	SWEPCO	Settlement, incl resolution of SO2 allowance expense, var O&M expense, sharing of OSS margins.
04/11	38306 Direct	TX	Cities Served by Texas- New Mexico Power Company	Texas-New Mexico Power Company	AMS deployment plan, AMS Surcharge, rate case expenses.
05/11	Suppl Direct				
05/11	11-0274-E-GI	WV	West Virginia Energy Users Group	Appalachian Power Company, Wheeling Power Company	Deferral recovery phase-in, construction surcharge.
05/11	2011-00036	KY	Kentucky Industrial Utility Customers, Inc.	Big Rivers Electric Corp.	Revenue requirements.
06/11	29849	GA	Georgia Public Service Commission Staff	Georgia Power Company	Accounting issues related to Vogtle risk-sharing mechanism.
07/11	ER11-2161 Direct and Answering	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and Entergy Texas, Inc.	ETI depreciation rates; accounting issues.
07/11	PUE-2011-00027	VA	Virginia Committee for Fair Utility Rates	Virginia Electric and Power Company	Return on equity performance incentive.
07/11	11-346-EL-SSO 11-348-EL-SSO 11-349-EL-AAM 11-350-EL-AAM	OH	Ohio Energy Group	AEP-OH	Equity Stabilization Incentive Plan; actual earned returns; ADIT offsets in riders.
08/11	U-23327 Subdocket F Rebuttal	LA	Louisiana Public Service Commission Staff	SWEPCO	Depreciation rates and service lives; AFUDC adjustments.
08/11	05-UR-105	WI	Wisconsin Industrial Energy Group	WE Energies, Inc.	Suspended amortization expenses; revenue requirements.

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08/11	ER11-2161 Cross-Answering	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and Entergy Texas, Inc.	ETI depreciation rates; accounting issues.
09/11	PUC Docket 39504	TX	Gulf Coast Coalition of Cities	CenterPoint Energy Houston Electric	Investment tax credit, excess deferred income taxes; normalization.
09/11	2011-00161 2011-00162	KY	Kentucky Industrial Utility Consumers, Inc.	Louisville Gas & Electric Company, Kentucky Utilities Company	Environmental requirements and financing.
10/11	11-4571-EL-UNC 11-4572-EL-UNC	OH	Ohio Energy Group	Columbus Southern Power Company, Ohio Power Company	Significantly excessive earnings.
10/11	4220-UR-117 Direct	WI	Wisconsin Industrial Energy Group	Northern States Power-Wisconsin	Nuclear O&M, depreciation.
11/11	4220-UR-117 Surrebuttal	WI	Wisconsin Industrial Energy Group	Northern States Power-Wisconsin	Nuclear O&M, depreciation.
11/11	PUC Docket 39722	TX	Cities Served by AEP Texas Central Company	AEP Texas Central Company	Investment tax credit, excess deferred income taxes; normalization.
02/12	PUC Docket 40020	TX	Cities Served by Oncor	Lone Star Transmission, LLC	Temporary rates.
03/12	11AL-947E Answer	CO	Climax Molybdenum Company and CF&I Steel, L.P. d/b/a Evraz Rocky Mountain Steel	Public Service Company of Colorado	Revenue requirements, including historic test year, future test year, CACJA CWIP, contra-AFUDC.
03/12	2011-00401	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Power Company	Big Sandy 2 environmental retrofits and environmental surcharge recovery.
4/12	2011-00036 Direct Rehearing Supplemental Rebuttal Rehearing	KY	Kentucky Industrial Utility Customers, Inc.	Big Rivers Electric Corp.	Rate case expenses, depreciation rates and expense.
04/12	10-2929-EL-UNC	OH	Ohio Energy Group	AEP Ohio Power	State compensation mechanism, CRES capacity charges, Equity Stabilization Mechanism
05/12	11-346-EL-SSO 11-348-EL-SSO	OH	Ohio Energy Group	AEP Ohio Power	State compensation mechanism, Equity Stabilization Mechanism, Retail Stability Rider.
05/12	11-4393-EL-RDR	OH	Ohio Energy Group	Duke Energy Ohio, Inc.	Incentives for over-compliance on EE/PDR mandates.

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06/12	40020	TX	Cities Served by Oncor	Lone Star Transmission, LLC	Revenue requirements, including ADIT, bonus depreciation and NOL, working capital, self insurance, depreciation rates, federal income tax expense.
07/12	120015-EI	FL	South Florida Hospital and Healthcare Association	Florida Power & Light Company	Revenue requirements, including vegetation management, nuclear outage expense, cash working capital, CWIP in rate base.
07/12	2012-00063	KY	Kentucky Industrial Utility Customers, Inc.	Big Rivers Electric Corp.	Environmental retrofits, including environmental surcharge recovery.
09/12	05-UR-106	WI	Wisconsin Industrial Energy Group, Inc.	Wisconsin Electric Power Company	Section 1603 grants, new solar facility, payroll expenses, cost of debt.
10/12	2012-00221 2012-00222	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas and Electric Company, Kentucky Utilities Company	Revenue requirements, including off-system sales, outage maintenance, storm damage, injuries and damages, depreciation rates and expense.
10/12	120015-EI Direct	FL	South Florida Hospital and Healthcare Association	Florida Power & Light Company	Settlement issues.
11/12	120015-EI Rebuttal	FL	South Florida Hospital and Healthcare Association	Florida Power & Light Company	Settlement issues.
10/12	40604	TX	Steering Committee of Cities Served by Oncor	Cross Texas Transmission, LLC	Policy and procedural issues, revenue requirements, including AFUDC, ADIT – bonus depreciation & NOL, incentive compensation, staffing, self-insurance, net salvage, depreciation rates and expense, income tax expense.
11/12	40627 Direct	TX	City of Austin d/b/a Austin Energy	City of Austin d/b/a Austin Energy	Rate case expenses.
12/12	40443	TX	Cities Served by SWEPCO	Southwestern Electric Power Company	Revenue requirements, including depreciation rates and service lives, O&M expenses, consolidated tax savings, CWIP in rate base, Turk plant costs.
12/12	U-29764	LA	Louisiana Public Service Commission Staff	Entergy Gulf States Louisiana, LLC and Entergy Louisiana, LLC	Termination of purchased power contracts between EGSL and ETI, Spindletop regulatory asset.
01/13	ER12-1384 Rebuttal	FERC	Louisiana Public Service Commission	Entergy Gulf States Louisiana, LLC and Entergy Louisiana, LLC	Little Gypsy 3 cancellation costs.
02/13	40627 Rebuttal	TX	City of Austin d/b/a Austin Energy	City of Austin d/b/a Austin Energy	Rate case expenses.
03/13	12-426-EL-SSO	OH	The Ohio Energy Group	The Dayton Power and Light Company	Capacity charges under state compensation mechanism, Service Stability Rider, Switching Tracker.

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04/13	12-2400-EL-UNC	OH	The Ohio Energy Group	Duke Energy Ohio, Inc.	Capacity charges under state compensation mechanism, deferrals, rider to recover deferrals.
04/13	2012-00578	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Power Company	Resource plan, including acquisition of interest in Mitchell plant.
05/13	2012-00535	KY	Kentucky Industrial Utility Customers, Inc.	Big Rivers Electric Corporation	Revenue requirements, excess capacity, restructuring.
06/13	12-3254-EL-UNC	OH	The Ohio Energy Group, Inc., Office of the Ohio Consumers' Counsel	Ohio Power Company	Energy auctions under CBP, including reserve prices.
07/13	2013-00144	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Power Company	Biomass renewable energy purchase agreement.
07/13	2013-00221	KY	Kentucky Industrial Utility Customers, Inc.	Big Rivers Electric Corporation	Agreements to provide Century Hawesville Smelter market access.
10/13	2013-00199	KY	Kentucky Industrial Utility Customers, Inc.	Big Rivers Electric Corporation	Revenue requirements, excess capacity, restructuring.
12/13	2013-00413	KY	Kentucky Industrial Utility Customers, Inc.	Big Rivers Electric Corporation	Agreements to provide Century Sebree Smelter market access.
01/14	ER10-1350 Direct and Answering	FERC	Louisiana Public Service Commission	Entergy Services, Inc.	Waterford 3 lease accounting and treatment in annual bandwidth filings.
02/14	U-32981	LA	Louisiana Public Service Commission	Entergy Louisiana, LLC	Montauk renewable energy PPA.
04/14	ER13-432 Direct	FERC	Louisiana Public Service Commission	Entergy Gulf States Louisiana, LLC and Entergy Louisiana, LLC	Union Pacific Settlement benefits and damages.
05/14	PUE-2013-00132	VA	HP Hood LLC	Shenandoah Valley Electric Cooperative	Market based rate; load control tariffs.
07/14	PUE-2014-00033	VA	Virginia Committee for Fair Utility Rates	Virginia Electric and Power Company	Fuel and purchased power hedge accounting, change in FAC Definitional Framework.
08/14	ER13-432 Rebuttal	FERC	Louisiana Public Service Commission	Entergy Gulf States Louisiana, LLC and Entergy Louisiana, LLC	Union Pacific Settlement benefits and damages.
08/14	2014-00134	KY	Kentucky Industrial Utility Customers, Inc.	Big Rivers Electric Corporation	Requirements power sales agreements with Nebraska entities.
09/14	E-015/CN-12-1163 Direct	MN	Large Power Intervenors	Minnesota Power	Great Northern Transmission Line; cost cap; AFUDC v. current recovery; rider v. base recovery; class cost allocation.
10/14	2014-00225	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Power Company	Allocation of fuel costs to off-system sales.

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10/14	ER13-1508	FERC	Louisiana Public Service Commission	Entergy Services, Inc.	Entergy service agreements and tariffs for affiliate power purchases and sales; return on equity.
10/14	14-0702-E-42T 14-0701-E-D	WV	West Virginia Energy Users Group	First Energy-Monongahela Power, Potomac Edison	Consolidated tax savings; payroll; pension, OPEB, amortization; depreciation; environmental surcharge.
11/14	E-015/CN-12-1163 Surrebuttal	MN	Large Power Intervenors	Minnesota Power	Great Northern Transmission Line; cost cap; AFUDC v. current recovery; rider v. base recovery; class allocation.
11/14	05-376-EL-UNC	OH	Ohio Energy Group	Ohio Power Company	Refund of IGCC CWIP financing cost recoveries.
11/14	14AL-0660E	CO	Climax, CF&I Steel	Public Service Company of Colorado	Historic test year v. future test year; AFUDC v. current return; CACJA rider, transmission rider; equivalent availability rider; ADIT; depreciation; royalty income; amortization.
12/14	EL14-026	SD	Black Hills Industrial Intervenors	Black Hills Power Company	Revenue requirement issues, including depreciation expense and affiliate charges.
12/14	14-1152-E-42T	WV	West Virginia Energy Users Group	AEP-Appalachian Power Company	Income taxes, payroll, pension, OPEB, deferred costs and write offs, depreciation rates, environmental projects surcharge.
01/15	9400-YO-100 Direct	WI	Wisconsin Industrial Energy Group	Wisconsin Energy Corporation	WEC acquisition of Integrys Energy Group, Inc.
01/15	14F-0336EG 14F-0404EG	CO	Development Recovery Company LLC	Public Service Company of Colorado	Line extension policies and refunds.
02/15	9400-YO-100 Rebuttal	WI	Wisconsin Industrial Energy Group	Wisconsin Energy Corporation	WEC acquisition of Integrys Energy Group, Inc.
03/15	2014-00396	KY	Kentucky Industrial Utility Customers, Inc.	AEP-Kentucky Power Company	Base, Big Sandy 2 retirement rider, environmental surcharge, and Big Sandy 1 operation rider revenue requirements, depreciation rates, financing, deferrals.
03/15	2014-00371 2014-00372	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Company and Louisville Gas and Electric Company	Revenue requirements, staffing and payroll, depreciation rates.
04/15	2014-00450	KY	Kentucky Industrial Utility Customers, Inc. and the Attorney General of the Commonwealth of Kentucky	AEP-Kentucky Power Company	Allocation of fuel costs between native load and off-system sales.
04/15	2014-00455	KY	Kentucky Industrial Utility Customers, Inc. and the Attorney General of the Commonwealth of Kentucky	Big Rivers Electric Corporation	Allocation of fuel costs between native load and off-system sales.

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04/15	ER2014-0370	MO	Midwest Energy Consumers' Group	Kansas City Power & Light Company	Affiliate transactions, operation and maintenance expense, management audit.
05/15	PUE-2015-00022	VA	Virginia Committee for Fair Utility Rates	Virginia Electric and Power Company	Fuel and purchased power hedge accounting; change in FAC Definitional Framework.
05/15 09/15	EL10-65 Direct, Rebuttal Complaint	FERC	Louisiana Public Service Commission	Entergy Services, Inc.	Accounting for AFUDC Debt, related ADIT.
07/15	EL10-65 Direct and Answering Consolidated Bandwidth Dockets	FERC	Louisiana Public Service Commission	Entergy Services, Inc.	Waterford 3 sale/leaseback ADIT, Bandwidth Formula.
09/15	14-1693-EL-RDR	OH	Public Utilities Commission of Ohio	Ohio Energy Group	PPA rider for charges or credits for physical hedges against market.
12/15	45188	TX	Cities Served by Oncor Electric Delivery Company	Oncor Electric Delivery Company	Hunt family acquisition of Oncor; transaction structure; income tax savings from real estate investment trust (REIT) structure; conditions.
12/15 01/16	6680-CE-176 Direct, Surrebuttal, Supplemental Rebuttal	WI	Wisconsin Industrial Energy Group, Inc.	Wisconsin Power and Light Company	Need for capacity and economics of proposed Riverside Energy Center Expansion project; ratemaking conditions.
03/16 03/16 04/16 05/16 06/16	EL01-88 Remand Direct Answering Cross-Answering Rebuttal	FERC	Louisiana Public Service Commission	Entergy Services, Inc.	Bandwidth Formula: Capital structure, fuel inventory, Waterford 3 sale/leaseback, Vidalia purchased power, ADIT, Blythesville, Spindletop, River Bend AFUDC, property insurance reserve, nuclear depreciation expense.
03/16	15-1673-E-T	WV	West Virginia Energy Users Group	Appalachian Power Company	Terms and conditions of utility service for commercial and industrial customers, including security deposits.
04/16	39971 Panel Direct	GA	Georgia Public Service Commission Staff	Southern Company, AGL Resources, Georgia Power Company, Atlanta Gas Light Company	Southern Company acquisition of AGL Resources, risks, opportunities, quantification of savings, ratemaking implications, conditions, settlement.
04/16	2015-00343	KY	Office of the Attorney General	Atmos Energy Corporation	Revenue requirements, including NOL ADIT, affiliate transactions.
04/16	2016-00070	KY	Office of the Attorney General	Atmos Energy Corporation	R & D Rider.

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05/16	2016-00026 2016-00027	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co., Louisville Gas & Electric Co.	Need for environmental projects, calculation of environmental surcharge rider.
05/16	16-G-0058 16-G-0059	NY	New York City	Keyspan Gas East Corp., Brooklyn Union Gas Company	Depreciation, including excess reserves, leak prone pipe.
06/16	160088-EI	FL	South Florida Hospital and Healthcare Association	Florida Power and Light Company	Fuel Adjustment Clause Incentive Mechanism re: economy sales and purchases, asset optimization.
07/16	160021-EI	FL	South Florida Hospital and Healthcare Association	Florida Power and Light Company	Revenue requirements, including capital recovery, depreciation, ADIT.
07/16	16-057-01	UT	Office of Consumer Services	Dominion Resources, Inc. / Questar Corporation	Merger, risks, harms, benefits, accounting.
08/16	15-1022-EL-UNC 16-1105-EL-UNC	OH	Ohio Energy Group	AEP Ohio Power Company	SEET earnings, effects of other pending proceedings.
9/16	2016-00162	KY	Office of the Attorney General	Columbia Gas Kentucky	Revenue requirements, O&M expense, depreciation, affiliate transactions.
09/16	E-22 Sub 519, 532, 533	NC	Nucor Steel	Dominion North Carolina Power Company	Revenue requirements, deferrals and amortizations.
09/16	15-1256-G-390P (Reopened) 16-0922-G-390P	WV	West Virginia Energy Users Group	Mountaineer Gas Company	Infrastructure rider, including NOL ADIT and other income tax normalization and calculation issues.
10/16	10-2929-EL-UNC 11-346-EL-SSO 11-348-EL-SSO 11-349-EL-SSO 11-350-EL-SSO 14-1186-EL-RDR	OH	Ohio Energy Group	AEP Ohio Power Company	State compensation mechanism, capacity cost, Retail Stability Rider deferrals, refunds, SEET.
11/16	16-0395-EL-SSO Direct	OH	Ohio Energy Group	Dayton Power & Light Company	Credit support and other riders; financial stability of Utility, holding company.
12/16	Formal Case 1139	DC	Healthcare Council of the National Capital Area	Potomac Electric Power Company	Post test year adjust, merger costs, NOL ADIT, incentive compensation, rent.
01/17	46238	TX	Steering Committee of Cities Served by Oncor	Oncor Electric Delivery Company	Next Era acquisition of Oncor; goodwill, transaction costs, transition costs, cost deferrals, ratemaking issues.
02/17	16-0395-EL-SSO Direct (Stipulation)	OH	Ohio Energy Group	Dayton Power & Light Company	Non-unanimous stipulation re: credit support and other riders; financial stability of utility, holding company.
02/17	45414	TX	Cities of Midland, McAllen, and Colorado City	Sharyland Utilities, LP, Sharyland Distribution & Transmission Services, LLC	Income taxes, depreciation, deferred costs, affiliate expenses.

**Expert Testimony Appearances  
of  
Lane Kollen  
As of April 2022**

<b>Date</b>	<b>Case</b>	<b>Jurisdic.</b>	<b>Party</b>	<b>Utility</b>	<b>Subject</b>
03/17	2016-00370 2016-00371	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Company, Louisville Gas and Electric Company	AMS, capital expenditures, maintenance expense, amortization expense, depreciation rates and expense.
06/17	29849 (Panel with Philip Hayet)	GA	Georgia Public Service Commission Staff	Georgia Power Company	Vogtle 3 and 4 economics.
08/17	17-0296-E-PC	WV	West Virginia Energy Users Group	Monongahela Power Company, The Potomac Edison Power Company	ADIT, OPEB.
10/17	2017-00179	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Power Company	Weather normalization, Rockport lease, O&M, incentive compensation, depreciation, income taxes.
10/17	2017-00287	KY	Kentucky Industrial Utility Customers, Inc.	Big Rivers Electric Corporation	Fuel cost allocation to native load customers.
12/17	2017-00321	KY	Attorney General	Duke Energy Kentucky (Electric)	Revenues, depreciation, income taxes, O&M, regulatory assets, environmental surcharge rider, FERC transmission cost reconciliation rider.
12/17	29849 (Panel with Philip Hayet, Tom Newsome)	GA	Georgia Public Service Commission Staff	Georgia Power Company	Vogtle 3 and 4 economics, tax abandonment loss.
01/18	2017-00349	KY	Kentucky Attorney General	Atmos Energy Kentucky	O&M expense, depreciation, regulatory assets and amortization, Annual Review Mechanism, Pipeline Replacement Program and Rider, affiliate expenses.
06/18	18-0047	OH	Ohio Energy Group	Ohio Electric Utilities	Tax Cuts and Jobs Act. Reduction in income tax expense; amortization of excess ADIT.
07/18	T-34695	LA	LPSC Staff	Crimson Gulf, LLC	Revenues, depreciation, income taxes, O&M, ADIT.
08/18	48325	TX	Cities Served by Oncor	Oncor Electric Delivery Company	Tax Cuts and Jobs Act; amortization of excess ADIT.
08/18	48401	TX	Cities Served by TNMP	Texas-New Mexico Power Company	Revenues, payroll, income taxes, amortization of excess ADIT, capital structure.
08/18	2018-00146	KY	KIUC	Big Rivers Electric Corporation	Station Two contracts termination, regulatory asset, regulatory liability for savings
09/18	20170235-EI 20170236-EU	FL	Office of Public Counsel	Florida Power & Light Company	FP&L acquisition of City of Vero Beach municipal electric utility systems.
10/18	Direct Supplemental Direct				

**Expert Testimony Appearances  
of  
Lane Kollen  
As of April 2022**

<b>Date</b>	<b>Case</b>	<b>Jurisdic.</b>	<b>Party</b>	<b>Utility</b>	<b>Subject</b>
09/18	2017-370-E Direct	SC	Office of Regulatory Staff	South Carolina Electric & Gas Company and Dominion Energy, Inc.	Recovery of Summer 2 and 3 new nuclear development costs, related regulatory liabilities, securitization, NOL carryforward and ADIT, TCJA savings, merger conditions and savings.
10/18	2017-207, 305, 370-E Surrebuttal Supplemental Surrebuttal				
12/18	2018-00261	KY	Attorney General	Duke Energy Kentucky (Gas)	Revenues, O&M, regulatory assets, payroll, integrity management, incentive compensation, cash working capital.
01/19	2018-00294 2018-00295	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Company, Louisville Gas & Electric Company	AFUDC v. CWIP in rate base, transmission and distribution plant additions, capitalization, revenues generation outage expense, depreciation rates and expenses, cost of debt.
01/19	2018-00281	KY	Attorney General	Atmos Energy Corp.	AFUDC v. CWIP in rate base, ALG v. ELG depreciation rates, cash working capital, PRP Rider, forecast plant additions, forecast expenses, cost of debt, corporate cost allocation.
02/19	UD-18-17 Direct	New Orleans	Crescent City Power Users Group	Entergy New Orleans, LLC	Post-test year adjustments, storm reserve fund, NOL ADIT, FIN48 ADIT, cash working capital, depreciation, amortization, capital structure, formula rate plans, purchased power rider.
04/19	Surrebuttal and Cross-Answering				
03/19	2018-0358	KY	Attorney General	Kentucky American Water Company	Capital expenditures, cash working capital, payroll expense, incentive compensation, chemicals expense, electricity expense, water losses, rate case expense, excess deferred income taxes.
03/19	48929	TX	Steering Committee of Cities Served by Oncor	Oncor Electric Delivery Company LLC, Sempra Energy, Sharyland Distribution & Transmission Services, L.L.C., Sharyland Utilities, L.P.	Sale, transfer, merger transactions, hold harmless and other regulatory conditions.
06/19	49421	TX	Gulf Coast Coalition of Cities	CenterPoint Energy Houston Electric	Prepaid pension asset, accrued OPEB liability, regulatory assets and liabilities, merger savings, storm damage expense, excess deferred income taxes.
07/19	49494	TX	Cities Served by AEP Texas	AEP Texas, Inc.	Plant in service, prepaid pension asset, O&M, ROW costs, incentive compensation, self-insurance expense, excess deferred income taxes.
08/19	19-G-0309 19-G-0310	NY	New York City	National Grid	Depreciation rates, net negative salvage.

**Expert Testimony Appearances  
of  
Lane Kollen  
As of April 2022**

<b>Date</b>	<b>Case</b>	<b>Jurisdic.</b>	<b>Party</b>	<b>Utility</b>	<b>Subject</b>
10/19	42315	GA	Atlanta Gas Light Company	Public Interest Advocacy Staff	Capital expenditures, O&M expense, prepaid pension asset, incentive compensation, merger savings, affiliate expenses, excess deferred income taxes.
10/19	45253	IN	Duke Energy Indiana	Office of Utility Consumer Counselor	Prepaid pension asset, inventories, regulatory assets and liabilities, unbilled revenues, incentive compensation, income tax expense, affiliate charges, ADIT, riders.
12/19	2019-00271	KY	Attorney General	Duke Energy Kentucky	ADIT, EDIT, CWC, payroll expense, incentive compensation expense, depreciation rates, pilot programs
05/20	202000067-EI	FL	Office of Public Counsel	Tampa Electric Company	Storm Protection Plan.
06/20	20190038-EI	FL	Office of Public Counsel	Gulf Power Company	Hurricane Michael costs.
07/20	PUR-2020-00015 Direct	VA	Old Dominion Committee for Fair Utility Rates	Appalachian Power Company	Coal Amortization Rider, storm damage, prepaid pension and OPEB assets, return on joint-use assets.
09/20	Surrebuttal				
07/20	2019-226-E Direct	SC	Office of Regulatory Staff	Dominion Energy South Carolina	Integrated Resource Plan.
09/20	Surrebuttal				
10/20	2020-00160	KY	Attorney General	Water Service Corporation of Kentucky	Return on rate base v. operating ratio.
10/20	2020-00174	KY	Attorney General and Kentucky Industrial Utility Customers, Inc.	Kentucky Power Company	Rate base v. capitalization, Rockport UPA, prepaid pension and OPEB, cash working capital, incentive compensation, Rockport 2 depreciation expense, EDIT, AMI, grid modernization rider.
11/20	2020-125-E Direct	SC	Office of Regulatory Staff	Dominion Energy South Carolina	Summer 2 and 3 cancelled plant and transmission cost recovery; TCJA; regulatory assets.
12/20	Surrebuttal				
12/20	2020172-EI	FL	Office of Public Counsel	Florida Power & Light Company	Hurricane Dorian costs.
12/20	29849 (Panel with Philip Hayet, Tom Newsome)	GA	Georgia Public Service Commission Staff	Georgia Power Company	VCM23, Vogtle 3 and 4 rate impact analyses.
02/21	2019-224-E 2019-225-E Direct	SC	Office of Regulatory Staff	Duke Energy Carolinas, LLC, Duke Energy Progress, LLC	Integrated Resource Plans.
04/21	Surrebuttal				
03/21	51611	TX	Steering Committee of Cities Served by Oncor	Sharyland Utilities, L.L.C.	ADIT, capital structure, return on equity.

**Expert Testimony Appearances  
of  
Lane Kollen  
As of April 2022**

<b>Date</b>	<b>Case</b>	<b>Jurisdic.</b>	<b>Party</b>	<b>Utility</b>	<b>Subject</b>
03/21	2020-00349 2020-00350	KY	Attorney General and Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Company and Louisville Gas and Electric Company	Rate base v. capitalization, retired plant costs, depreciation, securitization, staffing + payroll, pension + OPEB, AML, off-system sales margins.
04/21 Direct	18-857-EL-UNC 19-1338-EL-UNC 20-1034-EL-UNC 20-1476-EL-UNC	OH	The Ohio Energy Group	First Energy Ohio Companies	Significantly Excessive Earnings Test; legacy nuclear plant costs.
07/21	Supplemental Direct				
05/21	2021-00004 Direct	KY	Attorney General and Kentucky Industrial Utility Customers, Inc.	Kentucky Power Company	CPCN for CCR/ELG Projects at Mitchell Plant.
06/21	Supplemental Direct				
06/21	29849 (Panel with Philip Hayet, Tom Newsome)	GA	Georgia Public Service Commission Staff	Georgia Power Company	VCM24, Vogtle 3 and 4 rate impact analyses.
06/21	2021-00103	KY	Attorney General and Nucor Steel Gallatin	East Kentucky Power Cooperative, Inc.	Revenues, depreciation, interest, TIER, O&M, regulatory asset.
07/21	U-35441 Direct	LA	Louisiana Public Service Commission Staff	Southwestern Electric Power Company	Revenues, O&M expense, depreciation, retirement rider.
08/21 10/21	Cross-Answering Surrebuttal				
09/21	2021-00190	KY	Attorney General	Duke Energy Kentucky	Revenues, O&M expense, depreciation, capital structure, cost of long-term debt, government mandate rider.
09/21	43838	GA	Public Interest Advocacy Staff	Georgia Power Company	Vogtle 3 base rates, NCCR rates; deferrals.
09/21	2021-00214	KY	Attorney General	Atmos Energy Corp.	NOL ADIT, working capital, affiliate expenses, amortization EDIT, capital structure, cost of debt, accelerated replacement Aldyl-A pipe, PRP Rider, Tax Act Adjustment Rider.
01/22	2021-00358	KY	Attorney General	Jackson Purchase Energy Corporation	Revenues, nonrecurring expenses, normalized expenses, interest expense, TIER.
01/22	2021-00421	KY	Attorney General and Kentucky Industrial Utility Customers, Inc.	Kentucky Power Company	Proposed Mitchell Plant Operations and Maintenance and Ownership Agreements; sale of Mitchell Plant interest.
02/22	2021-00481	KY	Attorney General and Kentucky Industrial Utility Customers, Inc.	Kentucky Power Company	Proposed Liberty Utilities, Inc. acquisition of Kentucky Power Company; harm to customers; conditions to mitigate harm.
03/22	2021-00407	KY	Attorney General	South Kentucky Rural Electric Cooperative Corporation	Revenues, interest income, interest expense, TIER, payroll.

**Expert Testimony Appearances  
of  
Lane Kollen  
As of April 2022**

<b>Date</b>	<b>Case</b>	<b>Jurisdiction</b>	<b>Party</b>	<b>Utility</b>	<b>Subject</b>
03/22	U-36190	LA	Louisiana Public Service Commission Staff	Entergy Louisiana, LLC	Certification of solar resources.
04/22	Direct Cross-Answering				

**Gulf Power Company**  
**Docket No. 20200241-EI**  
**OPC's First Set of Interrogatories**  
**Interrogatory No. 33**  
**Page 1 of 1**

QUESTION:

Sally - Payroll.

Provide the overtime transmission payroll expense and overtime distribution payroll expense included in the base rates that were in effect during 2020 based on the Company's last base rate proceeding. In addition, provide the percentage of overtime transmission payroll costs charged to expense and the percentage of overtime distribution payroll costs charged to expense in the last base rate proceeding. Identify and provide the source of these expense amounts and the percentages, e.g., rate filing schedule and/or workpapers.

RESPONSE:

The base rates in effect for 2020 were the result of a full comprehensive, black box settlement agreement approved by the Commission in Docket No. 160186-EI ("2017 Settlement"). The 2017 Settlement was achieved after extensive, good faith negotiations among the signatory parties and represented a compromise of many diverse and competing litigation positions. As a result, the actual revenue requirement adopted under the 2017 Settlement was significantly less than the as-filed revenue requirement. The fixed base rates approved under the 2017 Settlement were designed to achieve this settled revenue requirement, not the as-filed revenue requirement. Although the base rates charged to customers under the 2017 Settlement are fixed, the 2017 Settlement agreement did not fix or otherwise specify the amount of overtime transmission payroll expense and overtime distribution payroll expense to be charged to base rates in any given year. The actual amount of overtime transmission payroll expense and overtime distribution payroll expense to be charged to base rates can and does fluctuate from year to year – meaning the amount of overtime transmission payroll expense and overtime distribution payroll expense charged to base rates in one year could be the same, more, or less than the amount charged to base rates in prior or subsequent years. However, these fluctuations do not alter the fixed base rates charged to customers under the 2017 Settlement.

**Gulf Power Company****Docket No. 20210179-EI****OPC's First Set of Interrogatories****Interrogatory No. 31****Page 1 of 1****QUESTION:**

Zeta - Payroll.

Provide the overtime transmission payroll expense and overtime distribution payroll expense included in the base rates that were in effect during 2020 based on the Company's last base rate proceeding. In addition, provide the percentage of overtime transmission payroll costs charged to expense and the percentage of overtime distribution payroll costs charged to expense in the last base rate proceeding. Identify the source of these expense amounts and the percentages, e.g., rate filing schedule and/or workpapers.

**RESPONSE:**

The base rates in effect for 2020 were the result of a full comprehensive, black box settlement agreement approved by the Commission in Docket No. 160186-EI ("2017 Settlement"). The 2017 Settlement was achieved after extensive, good faith negotiations among the signatory parties and represented a compromise of many diverse and competing litigation positions. As a result, the actual revenue requirement adopted under the 2017 Settlement was significantly less than the as-filed revenue requirement. The fixed base rates approved under the 2017 Settlement were designed to achieve this settled revenue requirement, not the as-filed revenue requirement. Although the base rates charged to customers under the 2017 Settlement are fixed, the 2017 Settlement agreement did not fix or otherwise specify the amount of overtime transmission payroll expense and overtime distribution payroll expense to be charged to base rates in any given year. The actual amount of overtime transmission payroll expense and overtime distribution payroll expense to be charged to base rates can and does fluctuate from year to year – meaning the amount of overtime transmission payroll expense and overtime distribution payroll expense charged to base rates in one year could be the same, more, or less than the amount charged to base rates in prior or subsequent years. However, these fluctuations do not alter the fixed base rates charged to customers under the 2017 Settlement.

**QUESTION:**

Isaias and Eta - Payroll.

Provide the overtime transmission payroll expense and overtime distribution payroll expense included in the base rates that were in effect during 2020 based on the Company's last base rate proceeding. In addition, provide the percentage of overtime transmission payroll costs charged to expense and the percentage of overtime distribution payroll costs charged to expense in the last base rate proceeding. Identify and provide the source of these expense amounts and the percentages, e.g., rate filing schedule and/or workpapers.

**RESPONSE:**

The base rates in effect for 2020 were the result of a full comprehensive, black box settlement agreement approved by the Commission in Docket No. 20160021-EI ("2016 Settlement"). The 2016 Settlement was achieved after extensive, good faith negotiations among the signatory parties and represented a compromise of many diverse and competing litigation positions. As a result, the actual revenue requirement adopted under the 2016 Settlement was significantly less than the as-filed revenue requirement. The fixed base rates approved under the 2016 Settlement were designed to achieve this settled revenue requirement, not the as-filed revenue requirement. Although the base rates charged to customers under the 2016 Settlement are fixed, the 2016 Settlement agreement did not fix or otherwise specify the amount of overtime transmission payroll expense and overtime distribution payroll expense to be charged to base rates in any given year. The actual amount of overtime transmission payroll expense and overtime distribution payroll expense to be charged to base rates can and does fluctuate from year to year – meaning the amount of overtime transmission payroll expense and overtime distribution payroll expense charged to base rates in one year could be the same, more, or less than the amount charged to base rates in prior or subsequent years. However, these fluctuations do not alter the fixed base rates charged to customers under the 2016 Settlement.

QUESTION:

Sally - Embedded Line Contractors.

Provide the amount of annual expense associated with embedded line contractors providing day-to-day service that was included in base rates in effect during 2020. Identify and provide the source of this expense amount, e.g., rate filing schedule and/or workpapers.

RESPONSE:

The base rates in effect for 2020 were the result of a full comprehensive, black box settlement agreement approved by the Commission in Docket No. 160186-EI (“2017 Settlement”). The 2017 Settlement was achieved after extensive, good faith negotiations among the signatory parties and represented a compromise of many diverse and competing litigation positions. As a result, the actual revenue requirement adopted under the 2017 Settlement was significantly less than the as-filed revenue requirement. The fixed base rates approved under the 2017 Settlement were designed to achieve this settled revenue requirement, not the as-filed revenue requirement. Although the base rates charged to customers under the 2017 Settlement are fixed, the 2017 Settlement agreement did not fix or otherwise specify the amount attributable to embedded line contractors to be charged to base rates in any given year. The actual amount of embedded line contractor expense to be charged to base rates can and does fluctuate from year to year – meaning the amount of embedded line contractors charged to base rates in one year could be the same, more, or less than the amount charged to base rates in prior or subsequent years. However, these fluctuations do not alter the fixed base rates charged to customers under the 2017 Settlement.

**Gulf Power Company**

**Docket No. 20200241-EI**

**OPC's First Set of Interrogatories**

**Interrogatory No. 6**

**Page 1 of 1**

QUESTION:

Sally - Embedded Line Contractors.

Refer to the summary cost support Excel file included with the Confidential files attached to the November 12, 2021 petition for Hurricane Sally storm cost recovery entitled "DH-1 Sally 10.2021 Rev3." Refer further to worksheet tab 4(b) which shows the Company's ICCA calculation pertaining to line clearing costs. Provide the same type of calculation in similar format associated with embedded line contractors providing day-to-day service for each of the years 2017-2020, excluding any costs that were capitalized or deferred and included in storm recovery requests in unlocked format.

RESPONSE:

Gulf has filed an objection to OPC's First Set of Interrogatories No. 6.

Notwithstanding and without waiver of this objection, Gulf responds as follows. Gulf does not track embedded line contractors at the requested level of detail. Embedded line contractors are recorded to the same GL account as non-embedded line contractors and cannot be identified as embedded vs. non-embedded.

**Gulf Power Company****Docket No. 20210179-EI****OPC's First Set of Interrogatories****Interrogatory No. 5****Page 1 of 1****QUESTION:**

Zeta - Embedded Line Contractors.

Provide the amount of annual expense associated with embedded line contractors providing day-to-day service that was included in base rates in effect during 2020. Identify and provide the source of this expense amount, e.g., rate filing schedule and/or workpapers.

**RESPONSE:**

The base rates in effect for 2020 were the result of a full comprehensive, black box settlement agreement approved by the Commission in Docket No. 160186-EI ("2017 Settlement"). The 2017 Settlement was achieved after extensive, good faith negotiations among the signatory parties and represented a compromise of many diverse and competing litigation positions. As a result, the actual revenue requirement adopted under the 2017 Settlement was significantly less than the as-filed revenue requirement. The fixed base rates approved under the 2017 Settlement were designed to achieve this settled revenue requirement, not the as-filed revenue requirement. Although the base rates charged to customers under the 2017 Settlement are fixed, the 2017 Settlement agreement did not fix or otherwise specify the amount attributable for example to embedded line contractors to be charged to base rates in any given year. The actual amount of embedded line contractor expense to be charged to base rates can and does fluctuate from year to year – meaning the amount of embedded line contractors charged to base rates in one year could be the same, more, or less than the amount charged to base rates in prior or subsequent years. However, these fluctuations do not alter the fixed base rates charged to customers under the 2017 Settlement.

**Gulf Power Company**

**Docket No. 20210179-EI**

**OPC's First Set of Interrogatories**

**Interrogatory No. 6**

**Page 1 of 1**

**QUESTION:**

Zeta - Embedded Line Contractors.

Refer to the summary cost support Excel file included with the Confidential files attached to the November 12, 2021 petition for Hurricane Zeta storm cost recovery entitled "DH-1 Zeta 10.2021." Refer further to worksheet tab 3(b) which shows the Company's ICCA calculation pertaining to line clearing costs. Provide the same type of calculation in similar format associated with embedded line contractors providing day-to-day service for each of the years 2017-2020, excluding any costs that were capitalized or deferred and included in storm recovery requests in unlocked format.

**RESPONSE:**

Gulf has filed an objection to OPC's First Set of Interrogatories No. 6.

Notwithstanding and without waiver of this objection, Gulf responds as follows. Gulf does not track embedded line contractors at the requested level of detail. Embedded line contractors are recorded to the same GL account as non-embedded line contractors and cannot be identified as embedded vs. non-embedded.

QUESTION:

Isaias and Eta - Embedded Line Contractors.

Provide the amount of annual expense associated with embedded line contractors providing day-to-day service that was included in base rates in effect during 2020. Identify and provide the source of this expense amount, e.g., rate filing schedule and/or workpapers

RESPONSE:

The base rates in effect for 2020 were the result of a full comprehensive, black box settlement agreement approved by the Commission in Docket No. 20160021-EI ("2016 Settlement"). The 2016 Settlement was achieved after extensive, good faith negotiations among the signatory parties and represented a compromise of many diverse and competing litigation positions. As a result, the actual revenue requirement adopted under the 2016 Settlement was significantly less than the as-filed revenue requirement. The fixed base rates approved under the 2016 Settlement were designed to achieve this settled revenue requirement, not the as-filed revenue requirement. Although the base rates charged to customers under the 2016 Settlement are fixed, the 2016 Settlement agreement did not fix or otherwise specify the amount attributable for example to embedded line contractors to be charged to base rates in any given year. The actual amount of embedded line contractor expense to be charged to base rates can and does fluctuate from year to year – meaning the amount of embedded line contractors charged to base rates in one year could be the same, more, or less than the amount charged to base rates in prior or subsequent years. However, these fluctuations do not alter the fixed base rates charged to customers under the 2016 Settlement.

QUESTION:

Isaias and Eta - Embedded Line Contractors.

Refer to the summary cost support Excel files included with the Confidential files attached to the November 12, 2021 petition for Hurricane Isaias and Tropical Storm Eta storm cost recovery entitled "DH-1 Isaias Final Costs as of July 2021" and "DH-2 Eta Final Costs as of July 2021." Refer further to worksheet tabs 3(b) in each file which shows the Company's ICCA calculation pertaining to line clearing costs. Provide the same type of calculation for each storm in similar format associated with embedded line contractors providing day-to-day service for each of the years 2017-2020, excluding any costs that were capitalized or deferred and included in storm recovery requests in unlocked format.

RESPONSE:

FPL has filed an objection to OPC's First Set of Interrogatories No. 6.

Notwithstanding and without waiver of this objection, FPL responds as follows. FPL does not track embedded line contractors at the requested level of detail. Embedded line contractors are recorded to the same GL account as non-embedded line contractors and cannot be identified as embedded vs. non-embedded.

The confidential documents contained in Exhibit LK-4 are  
confidential in their entirety.

The confidential documents contained in Exhibit LK-5 are  
confidential in their entirety.

The confidential documents contained in Exhibit LK-6 are  
confidential in their entirety.

**Gulf Power Company****Docket No. 20200241-EI****OPC's Fifth Set of Interrogatories****Interrogatory No. 55****Page 1 of 1****QUESTION:**

Please describe the team(s) of Company employees and/or contractor employees that develop and maintain the Company's Storm Damage Model and each of related models, including the software itself, annual updates for changes in the asset inventory and vegetation data, among other updates unrelated to actual storm preparation. Provide a list of each Company employee position and/or contractor position and the responsibilities for each position. Indicate if the position is full-time or part-time.

**RESPONSE:**

The employee positions that develop, maintain, and operate the Storm Damage Model include Emergency Preparedness Product Owner, Meteorologist, and IT programmer. Other supporting individuals contribute to the team's work as required (including any additional data scientist and IT support). These individuals work to develop, maintain, and operate the Storm Damage Model on a part time basis as a part of their storm roles, in addition to their various other responsibilities within the Company. The table below includes the employee positions and their responsibilities relevant to the Storm Damage model.

<b>Employee Position</b>	<b>Responsibility</b>
Emergency Preparedness Product Owner	Analyze and summarize the results and disseminate the outputs from the Storm Damage Model
Meteorologist	Provide the meteorological forecast and analyze the meteorological aspects of the outputs
IT programmer	Input model data.

**Gulf Power Company**

**Docket No. 20200241-EI**

**OPC's Fifth Set of Interrogatories**

**Interrogatory No. 56**

**Page 1 of 1**

**QUESTION:**

Please describe the team(s) of Company employees and/or contractor employees that operate the Company's Storm Damage Model and each of the related models related to storm preparation prior to landfall and after landfall, if they are updated at all after landfall. Provide a list of each Company employee position and/or contractor position and the responsibilities for each position. Indicate if the position is full-time or part-time.

**RESPONSE:**

Please see FPL's response to OPC's Fifth Interrogatories No 55. The people in the positions identified in FPL's response to OPC's Fifth Interrogatories No. 55 also operate the Storm Damage Model. The team continually works to better calibrate and retrain the models during off hurricane season using the actual historical information.

The confidential documents contained in Exhibit LK-8 are  
confidential in their entirety.

The confidential documents contained in Exhibit LK-9 are  
confidential in their entirety.

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

IN RE: PETITION FOR LIMITED PROCEEDING )  
FOR RECOVER OF INCREMENTAL )  
STORM RESTORATION COSTS ) DOCKET NO. 20200241-EI  
RELATED TO HURRICANE SALLY, BY )  
GULF POWER COMPANY. )

IN RE: PETITION FOR EVALUATION OF )  
HURRICANE ISAIAS AND TROPICAL ) DOCKET NO. 20210178-EI  
STORM ETA STORM COSTS, BY FLORIDA )  
POWER & LIGHT COMPANY. )

IN RE: PETITION FOR LIMITED PROCEEDING )  
FOR RECOVERY OF INCREMENTAL )  
STORM RESTORATION COSTS AND ) DOCKET NO. 20210179-EI  
ASSOCIATED TRUE-UP PROCESS )  
RELATED TO HURRICANE ZETA, BY )  
GULF POWER COMPANY. )

FILED: May 2, 2022

**DIRECT TESTIMONY AND EXHIBITS**

**OF**

**RANDY A. FUTRAL**

On Behalf of the Office of Public Counsel

Richard Gentry  
Public Counsel

Patricia Christensen  
Associate Public Counsel

Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Rm. 812  
Tallahassee, Florida 32399-1400

Attorney for the Citizens  
of the State of Florida

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**DIRECT TESTIMONY OF RANDY A. FUTRAL**

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**I. QUALIFICATIONS AND PURPOSE**

**A. Qualifications**

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

A. My name is Randy A. Futral. My business address is J. Kennedy and Associates, Inc. (“Kennedy and Associates” or “JKA”), 570 Colonial Park Drive, Suite 305, Roswell, Georgia 30075.

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

A. I am a utility rate and planning consultant holding the position of Director of Consulting with the firm of Kennedy and Associates.

**Q. DESCRIBE YOUR EDUCATION AND PROFESSIONAL EXPERIENCE.**

A. I earned a Bachelor of Business and Science degree in Business Administration with an emphasis in Accounting from Mississippi State University. I have held various positions in the field of accounting for a period of over 35 years, both as an employee and more recently as a consultant. My experience has been focused in the areas of accounting, auditing, tax, budgeting, forecasting, financial reporting, and management.

Since 2003, I have been a consultant with Kennedy and Associates, providing services to state government agencies and large consumers of utility services in the ratemaking, financial, tax, accounting, and management areas.

From 1997 to 2003, I served both as the Corporate Controller and Assistant Controller of Telscape International, Inc., an international public company providing

1 telecommunication and high-end internet access services. My tenure with Telscape  
2 included responsibilities in the areas of accounting, financial reporting, budgeting,  
3 forecasting, banking, and management.

4 From 1988 to 1997, I was employed by Comcast Communications, Inc., then the  
5 world's third largest cable television provider, in a series of positions including Regional  
6 Controller for their South Central regional office. My duties with Comcast encompassed  
7 various accounting, tax, budgeting, forecasting, and managerial functions.

8 From 1984 to 1988, I held various staff and senior level accounting positions for  
9 both public accounting and private concerns focusing in the areas of accounting, budgeting,  
10 tax and financial reporting.

11 I have testified as an expert on ratemaking, accounting, finance, tax, and other  
12 issues in proceedings before regulatory commissions at the federal and state levels on  
13 numerous occasions. I have also acted as the lead expert in numerous proceedings  
14 involving audits of Louisiana fuel adjustment clauses, environmental adjustment clauses,  
15 purchase gas adjustment clauses, energy efficiency rider filings, and formula rate plan  
16 filings resulting in written reports that were ultimately approved by the Louisiana Public  
17 Service Commission.

18 I previously appeared before the Florida Public Service Commission ("FPSC" or  
19 "Commission") as a witness in the recent Tampa Electric Company base rate case  
20 settlement hearing in Docket No. 20210034-EI. In addition, I have assisted other Kennedy  
21 and Associates experts on numerous occasions in proceedings before the Commission,  
22 including base rate, storm cost, fuel adjustment clause, and acquisition proceedings

1 involving Florida Power & Light Company (“FPL”), Duke Energy Florida (“DEF”), and  
2 Gulf Power Company.<sup>1</sup>

3 **Q. ON WHOSE BEHALF ARE YOU PROVIDING TESTIMONY IN THIS**  
4 **PROCEEDING?**

5 A. I am providing testimony on behalf of the citizens of the State of Florida. Kennedy and  
6 Associates was retained by the Florida Office of Public Counsel (“OPC”) to perform a  
7 review of Gulf Power Company’s costs incurred in response to Hurricane Sally and  
8 Hurricane Zeta and FPL’s costs incurred in response to Hurricane Isaias and Tropical  
9 Storm Eta and to make recommendations in response to the Petitions, testimonies,  
10 discovery, responses, pleadings and Notices of Filings of the confidential documents  
11 submitted in these proceedings. My testimony distinguishes each company by name when  
12 applicable and also refers to them collectively as the “Companies” when more appropriate.

13 **B. Purpose of Testimony**

14 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

15 A. The purpose of my testimony is to describe the audits we performed of Gulf Power  
16 Company’s and FPL’s costs incurred in response to Hurricane Sally, Hurricane Zeta,  
17 Hurricane Isaias, and Tropical Storm Eta, and to present our conclusions and  
18 recommendations.

19 **C. Summary of Testimony**

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<sup>1</sup> My qualifications are further detailed in Exhibit RAF-1.

1 **Q. PLEASE SUMMARIZE YOUR TESTIMONY**

2 A. I was the lead Kennedy and Associates expert in charge of the audits we performed of the  
3 costs incurred for each of the four storms, all of which occurred in 2020. I describe the  
4 audits we performed, and present our findings and recommendations, for costs involving  
5 the use of the FPL-developed smart phone based iStormed Application (“iStormed App”)  
6 used for timesheet and expense costs submitted by all overhead line and vegetation  
7 management contractors. These contractor costs make up the great majority of the storm  
8 costs incurred. The iStormed App produces Excel-based workbook file invoice extracts  
9 that the Companies refer to as “flat files,” which are used by the Companies to perform  
10 their own internal audits of submitted cost elements. In addition, I describe the audits we  
11 performed, and present our findings and recommendations, for all other contractor and  
12 vendor invoice costs.

13 Our audit team found that overall the Companies’ iStormed App and resulting audit  
14 and verification processes for all overhead line and vegetation management contractor  
15 invoices were systematic, comprehensive, and effective in auditing all submitted costs  
16 elements. These processes proved to be very effective in auditing the overhead line and  
17 vegetation management vendor invoices, documenting exceptions, making reductions  
18 where appropriate, and ultimately in authorizing payments. I recommend no disallowances  
19 related to these invoice costs in addition to the exceptions and related disallowances already  
20 documented by the Companies.

21 Our audit team found that with the exception of certain reconciling differences  
22 between the general ledger and accounts payable transaction detail registers, the costs  
23 associated with all other contractor and vendor invoice costs other than those for overhead

1 line and vegetation management contractors were appropriate for storm cost recognition by  
2 storm, that the line item costs matched contract and purchase order pricing and limitations  
3 when applicable, that the total invoice levels matched details in the general ledger and  
4 accounts payable transaction registers, and that there were no duplications of individual cost  
5 items included in the storm cost summaries. As confirmed by the Companies in discovery,  
6 certain amounts associated with various vendors were accrued as estimates and posted to the  
7 general ledger, but the invoices were either double posted, not received and paid, or different  
8 in amounts compared to the original estimates. The Companies have committed to reducing  
9 the sum of incurred storm costs in the future related to these amounts. Thus, I recommend  
10 disallowances for the storms related to these corrections summing to \$0.431 million,  
11 amounting to \$0.229 million for Hurricane Sally, \$0.005 million for Hurricane Zeta, \$0.081  
12 million for Hurricane Isaias, and \$0.116 million for Tropical Storm Eta. Mr. Kollen has  
13 included these amounts on his tables that reflect the OPC's recommended disallowances.

14 I make recommendations for certain process improvements that would further  
15 streamline the audit process for future storms. I recommend that the Commission direct  
16 the Companies to provide copies of all correct contracts and detailed invoice information  
17 for overhead line and vegetation management contractors, as well as all other vendors, with  
18 its future Notices of Filings in order to avoid unnecessary delays for reviewers. I also  
19 recommend that the Commission direct the Companies to institute a Binder file structure  
20 similar to the one that was used by Gulf Power Company in its Hurricane Michael response  
21 in order to collect vendor invoices for processing and review by vendor name to streamline  
22 the auditing process. Currently, the Companies provide an accounts payable detail list of  
23 all invoices and related details as well as hundreds of scanned invoices saved as individual

1 pdf files with only document number references in the file names. This makes the review  
2 of all invoices for one particular vendor needlessly cumbersome as an auditor is required  
3 to first determine the document number for each applicable vendor invoice and then locate  
4 the pdf file associated with that ten-digit document number from a group of hundreds of  
5 similar-named files. Finally, assuming that the Companies have not already done so, I  
6 recommend that the Commission direct them to extend the application of the effective  
7 iStormed App process to all other storm restoration contractors, including, but not limited  
8 to, underground line contractors, arborists, transmission storm restoration contractors, and  
9 damage assessors.

10 **II. SUMMARY OF INCURRED STORM RECOVERY COSTS BY STORM AND**  
11 **DATA PROVIDED WITH EACH PETITION**

12 **Q. BRIEFLY SUMMARIZE GULF POWER COMPANY’S TOTAL REPORTED**  
13 **COSTS INCURRED IN THESE PROCEEDINGS.**

14 A. Gulf Power Company reported \$227.5 million in costs incurred for Hurricane Sally and  
15 \$11.4 million in costs incurred for Hurricane Zeta.<sup>2</sup> These were the totals for all costs  
16 incurred before reductions for Plant Crist insurance reimbursements, capitalized costs, and  
17 other non-incremental costs in accordance with the Incremental Cost and Capitalization  
18 Approach (“ICCA”) methodology required under Rule 25-6.0143, Florida Administrative  
19 Code (“the Rule”). After reflecting these reductions, Gulf Power Company reported  
20 incremental storm losses of \$188.0 million (total Company) for Hurricane Sally and \$10.1  
21 million (total Company) for Hurricane Zeta.<sup>3</sup>

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<sup>2</sup> Exhibit DH-1(Sally) at line 10 in Docket No. 20200241-EI for Hurricane Sally costs and Exhibit DH-1(Zeta) at line 10 in Docket No. 202100179-EI for Hurricane Zeta costs.

<sup>3</sup> *Id.* at line 49 of both exhibits.

1 **Q. BRIEFLY SUMMARIZE FPL’S TOTAL REPORTED COSTS INCURRED IN**  
2 **THESE PROCEEDINGS.**

3 A. FPL reported \$68.5 million in costs incurred for Hurricane Isaias and \$115.8 million in  
4 costs incurred for Tropical Storm Eta.<sup>4</sup> These were the totals for all costs incurred before  
5 reductions for capitalized costs and other non-incremental costs in accordance with the  
6 ICCA methodology. After reflecting these reductions, FPL reported incremental storm  
7 losses of \$66.4 million (total Company) for Hurricane Isaias and \$113.3 million (total  
8 Company) for Tropical Storm Eta.<sup>5</sup>

9 **Q. PLEASE DESCRIBE GULF POWER COMPANY’S AND FPL’S FILINGS AND**  
10 **COSTS CLAIMED FOR RECOVERY IN MORE DETAIL FOR EACH OF THE**  
11 **STORMS.**

12 A. On November 12, 2021, Gulf Power Company filed its Petitions, Direct Testimonies of Mr.  
13 Michael Spoor, Ms. Tiffany Cohen, Mr. Carmine Priore, III, Ms. Clare Gerard, and Mr.  
14 David Hughes, and confidential Notice of Filing materials in support of its Petitions related  
15 to Hurricanes Sally and Zeta. Gulf Power Company summarized its request for Hurricane  
16 Sally costs on Exhibit DH-1(Sally) and for Hurricane Zeta costs on Exhibit DH-1(Zeta),  
17 both of which were attached to the Direct Testimonies of Mr. Hughes associated with each  
18 storm.

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<sup>4</sup> Exhibit DH-1(Isaias) at line 10 in Docket No. 202100178-EI for Hurricane Isaias costs and Exhibit DH-2(Eta) at line 10 in Docket No. 202100178-EI for Tropical Storm Eta costs. This includes a small revision of costs communicated by FPL in a December 6, 2021 letter to the Commission regarding Tropical Storm Eta costs.

<sup>5</sup> *Id.* at line 42 of both exhibits.

1           On the same date, FPL filed its Petition, Direct Testimonies of Mr. Manuel  
2           Miranda, Ms. Gerard, and Mr. Hughes, and confidential Notice of Filing materials in  
3           support of its Petition related to Hurricane Isaias and Tropical Storm Eta. FPL summarized  
4           its request for Hurricane Isaias costs on Exhibit DH-1(Isaias) and for Tropical Storm Eta  
5           costs on Exhibit DH-2(Eta), both of which were attached to the Direct Testimonies of Mr.  
6           Hughes associated with each storm.

7           To support these four exhibits, Gulf Power Company and FPL provided the  
8           confidential Excel workbooks used to develop them as well as other confidential materials  
9           consisting of Excel workbooks that included invoice information for their overhead line  
10          and vegetation management contractors and travel logs. The Excel workbooks  
11          summarizing costs for the overhead line and vegetation management contractors are  
12          referred to by the two Companies as contractor “flat files.”<sup>6</sup> These “flat files” are extracts  
13          from the FPL-developed smart phone based iStormed App that is now required to be used  
14          by all such contractors of both Gulf Power Company and FPL. FPL committed to begin  
15          utilizing the iStormed App during the 2019 and 2020 hurricane seasons in phases as part  
16          of the Hurricane Irma Settlement Agreement.<sup>7</sup> As explained in the Direct Testimony of  
17          Ms. Gerard,<sup>8</sup> Gulf Power Company was not required to begin utilizing the iStormed App  
18          until the 2021 hurricane season but implemented its use during 2020. Each “flat file”  
19          contains detailed information for each contractor, its crews, and its individual employees.  
20          They contain daily timesheet information, hourly rates of pay, per diem reimbursement

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<sup>6</sup> Direct Testimony of Clare Gerard at p. 8 in Docket No. 20200241-EI. Similar references were made in Ms. Gerard’s Direct Testimonies in Docket Nos. 202100178-EI and 202100179-EI.

<sup>7</sup> Docket No. 20180049-EI, In re: Evaluation of storm restorations costs for Florida Power and Light Company related to Hurricane Irma (“Hurricane Irma Settlement Agreement”) at stipulated paragraphs 6 and 7.

<sup>8</sup> Direct Testimony of Clare Gerard at p. 4 in Docket No. 20200241-EI.

1 rates, other crew expenses such as lodging during mobilization and demobilization and  
2 miscellaneous equipment charges, approvals by responsible employees, documentation of  
3 exceptions, and applicable adjustments to final vendor invoices, if any.

4 **Q. PLEASE DESCRIBE THE INVOICE SUPPORT INCLUDED IN THE “FLAT**  
5 **FILES” THAT WERE PROVIDED BY GULF POWER COMPANY AND FPL**  
6 **WITH THEIR NOTICES OF FILINGS.**

7 A. For Hurricane Sally, Gulf Power Company provided 65 confidential “flat files” detailing  
8 costs and summaries for its embedded and non-embedded overhead line and vegetation  
9 management contractors.<sup>9</sup> These contractor costs comprised \$97.2 million of the \$227.5  
10 million in total Company costs incurred by Gulf Power Company, after reductions for  
11 disallowances resulting from its own audit of the contractor invoices, but before reductions  
12 for costs capitalized to plant and reductions to reflect its interpretation of incremental costs  
13 pursuant to the Rule. The outside overhead line contractor costs were \$71.1 million total  
14 Company, while the vegetation management contractor costs were \$26.1 million total  
15 Company.

16 For Hurricane Zeta, Gulf Power Company provided 25 confidential “flat files”  
17 detailing costs and summaries for its embedded and non-embedded overhead line and  
18 vegetation management contractors.<sup>10</sup> These contractor costs comprised \$6.9 million of  
19 the \$11.4 million in total Company costs incurred by Gulf Power Company, after

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<sup>9</sup> There were 53 Confidential Excel files related to overhead line contractors and 12 related to vegetation management contractors provided by Gulf Power Company as part of its Hurricane Sally Petition in Docket No. 20200241-EI.

<sup>10</sup> There were 19 Confidential Excel files related to overhead line contractors and 6 related to vegetation management contractors provided by Gulf Power Company as part of its Hurricane Zeta Petition in Docket No. 202100179-EI.

1 reductions for disallowances resulting from its own audit of the contractor invoices, but  
2 before reductions for costs capitalized to plant and reductions to reflect its interpretation of  
3 incremental costs pursuant to the Rule. The outside overhead line contractor costs were  
4 \$5.3 million total Company, while the vegetation management contractor costs were \$1.6  
5 million total Company.

6 For Hurricane Isaias, FPL provided 63 confidential “flat files” detailing costs and  
7 summaries for its embedded and non-embedded overhead line and vegetation management  
8 contractors.<sup>11</sup> These contractor costs comprised \$43.2 million of the \$68.5 million in total  
9 Company costs incurred by FPL, after reductions for disallowances resulting from its own  
10 audit of the contractor invoices, but before reductions for costs capitalized to plant and  
11 reductions to reflect its interpretation of incremental costs pursuant to the Rule. The  
12 outside overhead line contractor costs were \$30.4 million total Company, while the  
13 vegetation management contractor costs were \$12.8 million total Company.

14 For Tropical Storm Eta, FPL provided 69 confidential “flat files” detailing costs  
15 and summaries for its embedded and non-embedded overhead line and vegetation  
16 management contractors.<sup>12</sup> These contractor costs comprised \$75.8 million of the \$115.8  
17 million in total Company costs incurred by FPL, after reductions for disallowances  
18 resulting from its own audit of the contractor invoices, but before reductions for costs  
19 capitalized to plant and reductions to reflect its interpretation of incremental costs pursuant

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<sup>11</sup> There were 50 Confidential Excel files related to overhead line contractors and 13 related to vegetation management contractors provided by FPL as part of its Hurricane Isaias Petition in Docket No. 202100178-EI.

<sup>12</sup> There were 53 Confidential Excel files related to overhead line contractors and 16 related to vegetation management contractors provided by FPL as part of its Tropical Storm Eta Petition in Docket No. 202100178-EI.

1 to the Rule. The outside overhead line contractor costs were \$64.9 million total Company,  
2 while the vegetation management contractor costs were \$10.9 million total Company.

3 **Q. DID GULF POWER COMPANY AND FPL PROVIDE COPIES OF CONTRACTS,**  
4 **PURCHASE ORDERS, AND OTHER SUPPORTING DOCUMENTATION WITH**  
5 **THEIR NOTICES OF FILINGS?**

6 A. No. However, both Companies provided copies of contracts, purchase orders, and other  
7 supporting documents in response to OPC discovery including copies of all invoices over  
8 \$10,000 for all other outside contractors, mutual assistance companies, vehicle and fuel  
9 vendors, and logistics vendors utilized in the Companies' storm responses. The Companies  
10 supplied these documents in electronic scanned format as individual files and with  
11 supporting Excel files when available.

12 **III. AUDIT PROCESS, CONCLUSIONS, AND RECOMMENDATIONS FOR**  
13 **OVERHEAD LINE AND VEGETATION MANAGEMENT CONTRACTOR**  
14 **COSTS**

15 **Q. WHAT COMPONENTS OF THE OVERHEAD LINE AND VEGETATION**  
16 **MANAGEMENT CONTRACTOR COSTS REPRESENTED THE FOCUS OF**  
17 **YOUR AUDITS?**

18 A. Our audits focused on each of the Companies' cost summaries, contractor "flat files,"  
19 contracts, travel logs, general ledger transactions, accounts payable transactions, and other  
20 documentation supporting the sum of the total costs incurred related to the overhead line  
21 and vegetation management contractors for each individual storm.

1 **Q. PLEASE DESCRIBE THE INDIVIDUAL EXCEL “FLAT FILES” SUPPLIED BY**  
2 **THE COMPANIES FOR THE OVERHEAD LINE AND VEGETATION**  
3 **MANAGEMENT CONTRACTORS IN GREATER DETAIL.**

4 A. The costs summarized in the “flat files” comprised over 64% of the total storm costs for  
5 the three storms, Hurricane Isaias, Tropical Storm Eta, and Hurricane Zeta. The overhead  
6 line and vegetation management contractor costs comprised only 43% of the total costs for  
7 Hurricane Sally, which incurred \$45 million in generation-related costs due primarily to  
8 the flooding at Plant Crist. Of the total storm costs for all four storms, the overhead line  
9 and vegetation management contractor costs detailed in these Excel files comprise almost  
10 53% of the total storm costs. The “flat files” consist of linked multi-worksheet tab files  
11 and provide extensive detail. The files include various summary worksheet tabs as well as  
12 comprehensive “Timesheets” and “Expenses” worksheet tabs that provide hundreds of  
13 lines data containing time worked, rates of pay, and travel-related meal per diem rates for  
14 each employee for each day as well as hotel travel costs for all contractors and separate  
15 equipment charges for the vegetation management contractors.

16 The rates of pay for each of the overhead line and vegetation management  
17 contractors are provided on the “Timesheets” worksheet tab in each vendor file on a  
18 blended rate basis separately for work hours and for mobilization/demobilization hours for  
19 both regular and overtime hours. The same rate per hour was paid for each contractor  
20 employee, regardless of the level of expertise of each individual position. For the overhead  
21 line contractors, these hourly rates include equipment charges for the work-related hours  
22 and equipment and vehicle fuel and related costs for the mobilization/demobilization-  
23 related hours. The same generally applies to the vegetation management contractors as

1 well. However, certain vegetation management contracts specify additional hourly  
2 equipment charges that are not included in the hourly rates. The hourly rates paid for  
3 mobilization/demobilization are generally greater than those paid for normal work hours.

4 In each of the “Timesheets” tabs, hourly costs for each contractor employee are  
5 detailed by day and split between regular time and overtime and travel regular time and  
6 travel overtime and then multiplied by the contractor hourly rates noted above to determine  
7 the billed amount per day. Exceptions to any accepted billing practices are noted by the  
8 Companies for each applicable line item. Those exceptions are either explained in detail  
9 and accepted or used to reduce the invoice amounts paid to the contractors.

10 The “Expenses” worksheet tabs are designed very similarly to the “Timesheets”  
11 worksheet tabs. During mobilization and demobilization only, per diem meal or daily meal  
12 rates are detailed by day for each contractor employee. Hotel costs incurred during  
13 mobilization and demobilization are also detailed by day. Finally, pre-authorized  
14 specialized equipment charges are included for applicable vegetation management  
15 contractors. Like that on the “Timesheets” worksheet tab, exceptions to any accepted  
16 billing practices are noted by the Companies for each applicable line item. Those  
17 exceptions are either explained in detail and accepted or used to reduce the invoice amounts  
18 paid to the contractors.

19 **Q. PLEASE DESCRIBE YOUR AUDITS OF THE COSTS ASSOCIATED WITH THE**  
20 **CONTRACTOR “FLAT FILES” PERFORMED FOR EACH OF THE STORMS.**

21 A. Since the great majority of the costs incurred for the storms related to the overhead line  
22 and vegetation management first responder costs, our audits focused extensively on the  
23 review of each aspect of the contractor “flat files.” Four Kennedy and Associates

1 professionals, including myself, dedicated a portion of our time to a detailed audit of the  
2 “flat files.” To focus that review, I created a “flat file” audit plan to guide and ensure that  
3 our review of each of the “flat files” was consistent and complete. I held training sessions  
4 with each auditor and participated in numerous follow-up question discussions throughout  
5 the review process. We summarized our findings on summary spreadsheets that were  
6 created to coincide with the various levels of information contained in the “flat files.”<sup>13</sup> I  
7 reviewed the information summarized by each member of the audit team and verified the  
8 findings therein with the information contained in each of the individual “flat files” as  
9 another level of review. The information from these summaries proved invaluable in order  
10 to provide the basis to draft additional discovery required as well as to form our conclusions  
11 and recommendations, especially since we were auditing the costs of four separate storms  
12 simultaneously.

13 **Q. PLEASE IDENTIFY THE MAJOR COMPONENTS BEING VERIFIED IN YOUR**  
14 **REVIEW OF THE CONTRACTOR “FLAT FILES” PERFORMED FOR EACH OF**  
15 **THE STORMS.**

16 A. Below I have identified in bullet point format the major components we were seeking to  
17 verify in our review of the “flat files” for each contractor.

- 18 • Whether the total costs included in the “flat file” in the “Payment” tab matched the  
19 total costs for that contractor on worksheet tabs 1(c) and 1(d) in the Exhibit DH-1  
20 and DH-2 confidential Excel workbooks that were provided with the petitions;  
21

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<sup>13</sup> I have provided a copy of the Hurricane Sally summary review spreadsheets as my Confidential Exhibit RAF-2, a copy of the Hurricane Zeta summary review spreadsheets as my Confidential Exhibit RAF-3, a copy of the Hurricane Isaias summary review spreadsheets as my Confidential Exhibit RAF-4, and a copy of the Tropical Storm Eta summary review spreadsheets as my Confidential Exhibit RAF-5.

- 1 • Whether the total labor-related costs on the “Payment” tab matched the total costs  
2 for all detail lines on the “Timesheets” tab;  
3
- 4 • Whether the total expenses-related costs on the “Payment” tab matched the total  
5 costs for all detail lines on the “Expenses” tab;  
6
- 7 • Whether the hourly labor rates for each data line in the “Timesheets” tab matched  
8 the contracted regular and overtime rates for all labor distinctions (product IDs);  
9
- 10 • Whether the hourly labor rates included in the “Timesheets” tab appeared  
11 reasonable in comparison to those of other contractors and there were no outliers  
12 requiring further discovery;  
13
- 14 • Whether the hourly and daily per diem rates for each data line in the “Expenses”  
15 tab matched the contract rates for all product IDs and that they were consistent  
16 across all contracts;  
17
- 18 • Whether the specialized equipment costs summarized in the “Expenses” tab for  
19 applicable vegetation management contractors matched copies of separate invoice  
20 detail and contract rates per hour;  
21
- 22 • Whether there were any instances in which double time rates were utilized on the  
23 “Timesheets” tab;  
24
- 25 • Whether there were days in which more than the contracted and standard  
26 International Brotherhood of Electrical Workers (IBEW) 16 hours in a day were  
27 charged for overhead line contractors as reflected on the “Timesheets” tab;  
28
- 29 • Whether each regular working day for each individual line item was charged with  
30 8 hours of regular time and the remainder overtime on the “Timesheets” tab;  
31
- 32 • Whether the working day rates for overtime were appropriately charged for any  
33 weekend days or holidays on the “Timesheets” tab;
- 34 • Whether there were any contractors reflecting separate standby hours and hourly  
35 rates on the “Timesheets” tab and whether those very limited occasions were  
36 charged at separate contracted hourly rates;  
37
- 38 • Whether the timesheet dates for each individual line item on the “Timesheets” tab  
39 for mobilization, demobilization, and regular working hours matched the range of  
40 dates for actual storm restorations for each individual event;  
41
- 42 • Whether there were any instances in which fuel costs were charged for any reason  
43 on the “Expenses” tab since such costs are to be included as a part of hourly labor  
44 rates or paid for by the host utility at the staging site;

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- Whether there were any instances in which hotel costs were charged for days other than during mobilization and demobilization on the “Expenses” tab since such costs are to be paid by the host utility at the staging site or other prearranged sites;
  - Whether there were any separate equipment charges for any reason on the “Expenses” tab not preauthorized contractually;
  - Whether justifications for exceptions to any of the above were properly made and documented;
  - Whether there were any other cost items that appeared out of the ordinary; and
  - Whether there were additional invoices for the same contractors for which “flat files” were not produced.

16 **Q. DID THE COMPANIES PERFORM COMPREHENSIVE AUDITS OF THEIR**

17 **OVERHEAD LINE AND VEGETATION MANAGEMENT CONTRACTOR**

18 **INVOICES AND DISALLOW EXCESSIVE CHARGES THROUGH USE OF**

19 **THEIR iSTORMED APP AND RESULTING “FLAT FILE” REVIEWS FOR EACH**

20 **STORM?**

21 A. Yes. Both Companies utilized the iStormed App and “flat files” review processes that were

22 originally developed by FPL, and described above, to audit the overhead line and

23 vegetation management vendor invoices, document exceptions, make reductions where

24 appropriate, and ultimately to authorize payments. As explained in the Direct Testimony

25 of Ms. Gerard,<sup>14</sup> one of the most significant benefits of the iStormed App was the

26 conversion of the timesheet creation and review to a digital process and away from a more

27 cumbersome use of paper timesheets and manual approvals.

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<sup>14</sup> Direct Testimony of Clare Gerard at p. 13 in Docket No. 20200241-EI.

1 **Q. WERE THE COMPANIES' AUDITS EFFECTIVE IN IDENTIFYING AND**  
2 **EXCLUDING EXCESSIVE COSTS DUE TO CONTRACTOR INVOICES THAT**  
3 **DID NOT COMPLY WITH CONTRACT TERMS?**

4 A. Yes. The Companies' audits were effective and resulted in the comprehensive reviews and  
5 disallowances of costs originally invoiced by the overhead line and vegetation management  
6 contractors that otherwise would have been included in the storm costs charged. The  
7 Companies' audits of the invoices and individual line items were systematic and  
8 comprehensive.

9 The Companies compared the "flat file" invoice individual line items to the vendor  
10 contract provisions and pay rates, identified exceptions, followed-up with the contractors  
11 and authorized personnel from the Companies, and disallowed invoiced amounts that did  
12 not comply. The Companies reviewed the number of hours billed at each individual rate,  
13 the number of miles driven as captured on the travel logs and other travel coordinator  
14 documentation versus the claimed hours during mobilization/demobilization, and the  
15 claimed time versus approved timesheet data.

16 In those instances when the claimed number of hours did not match contract  
17 provisions, travel log and other travel coordinator entries, or timesheet data, the review  
18 team entered exception amounts and reasons. The review team reduced invoice amounts  
19 and communicated those reductions to the respective contractors or provided reasons why  
20 it did not do so, all of which it documented in the "flat file" Excel workbooks. There were  
21 some instances in which the number of travel-related hours invoiced exceeded the 16 hour  
22 per day contract stated norms by an hour or two per day and no exception explanations  
23 were identified. In those cases, exceptions were identified by the Companies but there

1 were no explanations as to the reasons why they were not reduced or why they were deemed  
2 acceptable. Nevertheless, those instances were few and did not lead to a material  
3 overstatement of costs. Regardless, we believe that the requirement for the Companies to  
4 document exceptions means that absent justification, the costs should not be passed on to  
5 customers.

6 **Q. DID THE NOTICES OF FILINGS FOR THE STORMS PROVIDE ALL**  
7 **NECESSARY INFORMATION IN SUFFICIENT DETAIL TO AUDIT THE “FLAT**  
8 **FILES” AND ALL OTHER STORM COSTS INCURRED?**

9 A. No. The Companies did not provide copies of any vendor contracts or purchase orders  
10 with their Notices of Filings. Matching contract pricing for the various contractors with  
11 the amounts invoiced was a key verification process in the “flat file” review we completed.  
12 The Companies also did not file any vendor invoices for those vendors that were not  
13 overhead line and vegetation management contractors with its Notices of Filings.

14 OPC had to attempt to obtain the missing information through discovery. The  
15 Companies still did not provide all of the correct missing information in response to OPC’s  
16 initial discovery. Thus, OPC had to attempt a second time to obtain the correct missing or  
17 incomplete information through additional discovery. These delays to OPC in obtaining  
18 vital information were avoidable and unnecessary.

19 **Q. YOU MENTION ABOVE THAT NOT ALL OF THE SUPPORTING**  
20 **INFORMATION OBTAINED BY OPC IN THE FIRST ROUND OF DISCOVERY**  
21 **WAS CORRECT. CAN YOU DESCRIBE WHAT YOU MEAN BY THAT**  
22 **STATEMENT?**

1 A. Yes. Among other supporting documentation requested in the first round of discovery,  
2 OPC sought copies of contracts in order to verify the pricing rates included in the “flat  
3 files” as well as for other vendor invoices. The “flat files” include references to the contract  
4 number associated with the costs for each overhead line and vegetation management  
5 contractor. The Companies complied with OPC’s data requests and sent scanned copies of  
6 contracts in pdf format by contract number for the vast majority of its contractors and other  
7 vendors. Although there was a small number of missing contract copies altogether, a  
8 bigger concern was that a large number of the contract copies provided containing pricing  
9 that either did not match the pricing contained in the “flat files” or contained no pricing per  
10 hour at all. The pricing in the provided contract copies was in some cases higher and in  
11 some cases lower than the 2020 storm rates per hour included in the “flat files.” It appeared  
12 that the higher rates in the contract copies originally provided were more applicable to  
13 2021. It also appeared that the lower rates in the contract copies originally provided were  
14 more applicable to 2019 or earlier pricing evidenced by the fact that a number of the  
15 contract effective dates on the copies provided ended as of December 31, 2019.

16 **Q. DID THE COMPANIES EVENTUALLY PROVIDE COPIES OF THE CORRECT**  
17 **CONTRACT PAGES PERTAINING TO THE 2020 STORM RATES PER HOUR?**

18 A. Yes. The Companies provided the correct contract page copies applicable to 2020 hourly  
19 rates in subsequent responses to discovery. Those responses also included the following  
20 explanation excerpt as to the reasons for the problems found, at least for those contract  
21 copies believed to be based on 2021 hourly rates:<sup>15</sup>

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<sup>15</sup> The data response excerpt provided was included in Gulf Power Company’s response to POD No. 52 in OPC’s Fourth Request for Production of Documents in Docket No. 202000241-EI. Similar responses were made in

1 The previously provided Flat Files contain the correct rates that were  
2 applicable to the work performed by overhead line and vegetation  
3 management contractors during the 2020 storm season. The rates included  
4 in the flat files were the rates used to pay contractors that provided storm-  
5 related assistance in 2020, and payments made at those rates were included  
6 in Gulf’s compilation of storm related costs.

7 Providing vendor contracts in response to discovery requests requires the  
8 Company to engage in a manual and time-consuming process. The FPL  
9 overhead line and vegetation management storm contracts are maintained  
10 as ‘Condition Records.’ This allows the Company to set up multi-year  
11 agreements without having to go in each year to manually change the labor  
12 rates. The system automatically changes the rate to the date of the condition  
13 record for the appropriate year. In 2021, when FPL pulled the individual  
14 contracts in anticipation of discovery in these proceedings, the system  
15 automatically pulled the then-current (i.e., 2021) contract rates, versus the  
16 2020 contract rates.

17 **Q. WHAT IS YOUR RECOMMENDATION?**

18 A. Since the correct 2020 hourly rates were used in the compilation of the “flat files” and the  
19 total storm related costs, I do not recommend a disallowance. However, assuming the  
20 Companies have not already done so, the Commission should direct them to provide a copy  
21 of all contracts and detailed invoice information for overhead line and vegetation  
22 management contractors, as well as all other vendors, with its future Notices of Filings.  
23 This will facilitate the ability of Commission Staff, OPC, and other parties to audit the  
24 Companies’ storm costs. The response excerpt above indicates that the supporting contract  
25 copies were pulled by the Companies in 2021 in anticipation of discovery in these  
26 proceedings. Thus, the supporting information was readily available when the Companies  
27 filed the Notices of Filings in November 2021. The Commission should also direct the

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Gulf Power Company’s response to POD No. 36 in OPC’s Second Request for Production of Documents in Docket No. 202100179-EI and FPL’s responses to POD Nos. 44 and 45 in OPC’s Third Request for Production of Documents in Docket No. 202100178-EI. I have attached copies of the narrative portion of these responses, which show lists of the incorrect contract copies originally provided, as my Confidential Exhibit RAF-6.

1 Companies to take greater care in pulling the correct supporting documentation in the  
2 future to avoid unnecessary delays for reviewers.

3 **IV. AUDIT PROCESS, CONCLUSIONS, AND RECOMMENDATIONS FOR**  
4 **ALL OTHER INVOICE COSTS**

5 **Q. WHAT COMPONENTS OF THE INVOICE COSTS NOT RELATED TO**  
6 **OVERHEAD LINE AND VEGETATION MANAGEMENT CONTRACTS**  
7 **REPRESENTED THE FOCUS OF YOUR AUDITS?**

8 A. While our audits focused first on the costs associated with each of the contractor “flat files”,  
9 we then turned our attention to a review of individual invoices for all other contractors and  
10 vendors. To do so, we reviewed invoice copies, contracts, purchase orders, general ledger  
11 transactions, accounts payable transactions, and other documentation supporting the sum  
12 of the total costs incurred for each individual storm that were not associated with overhead  
13 line and vegetation management contractors. As noted above, the Companies provided  
14 copies of all invoices over \$10,000 in response to OPC discovery for all other outside  
15 contractors, mutual assistance companies, vehicle and fuel vendors, and logistics vendors  
16 utilized in the Companies’ storm responses. The Companies supplied these invoice copies  
17 in electronic scanned format as individual files and with supporting Excel files when  
18 available.

19 **Q. BRIEFLY DESCRIBE THE AUDIT PROCESS RELATED TO ALL OF THESE**  
20 **OTHER INVOICE COSTS.**

21 A. Our audit team focused on the review of each individual invoice and the related contracts  
22 and purchase orders provided in response to discovery. We verified such things as the  
23 timing of the costs incurred, the costs being appropriate for storm cost recognition by

1 storm, line item costs matching contract and purchase order pricing and limitations when  
2 applicable, the total invoice levels matching cost details in the general ledger and accounts  
3 payable transaction registers, and there being no duplications of individual cost items  
4 included in the storm cost summaries.

5 **Q. DID THE AUDIT REVEAL ANY PROBLEMS LEADING TO RECOMMENDED**  
6 **DISALLOWANCES OF COSTS?**

7 A. Yes. As confirmed by the Companies in discovery,<sup>16</sup> certain amounts associated with  
8 various vendors were accrued based on estimated amounts due and posted to the general  
9 ledger, but the invoices were not received and paid or the amounts paid were different than  
10 the original estimates. These amounts were noted as reconciling differences in the  
11 Companies' accounts payable and general ledger detail registers. The Companies'  
12 discovery responses indicated three main reasons for each of the overstatements in storm  
13 costs that should be corrected.<sup>17</sup> First, the responses indicated that some accrual estimates  
14 represented double postings of costs in the general ledger. Second, some estimates were  
15 made for which no actual invoices were ever received. Third, some actual invoices  
16 received were less than the accrued estimates. The Companies have committed to reducing  
17 the sum of incurred storm costs in future filings related to these amounts. Thus, I  
18 recommend disallowances for the storms related to these corrections summing to \$0.431  
19 million, amounting to \$0.229 million for Hurricane Sally, \$0.005 million for Hurricane

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<sup>16</sup> Gulf Power Company's Confidential response to Interrogatory No. 48 in OPC's Fourth Set of Interrogatories in Docket No. 20200241-EI. Gulf Power Company's Confidential response to Interrogatory No. 42 in OPC's Third Set of Interrogatories in Docket No. 20210179-EI. FPL's Confidential responses to Interrogatory Nos. 49, 51, and 52 in OPC's Fourth Set of Interrogatories in Docket No. 20210178-EI. I have attached copies of these responses as Confidential Exhibit RAF-7.

<sup>17</sup> *Id.*

1 Zeta, \$0.081 million for Hurricane Isaias, and \$0.116 million for Tropical Storm Eta. Mr.  
2 Kollen has included these amounts on his tables that reflect the OPC's recommended  
3 disallowances. With the exception of these specific reconciling amounts, we found that  
4 the invoice supporting documentation and detailed general ledger and accounts payable  
5 transaction ledgers were sufficient to justify the costs included in the storm cost summaries.

6 **Q. DO YOU MAKE A SIMILAR RECOMMENDATION RELATED TO THESE**  
7 **OTHER INVOICE COSTS REGARDING THE COMPANIES' PROVISIONS OF**  
8 **INVOICE SUPPORTING DOCUMENTATION IN CONJUNCTION WITH THEIR**  
9 **NOTICES OF FILINGS?**

10 A. Yes. I recommend, for the same reasons as described above, that the Companies provide  
11 in future Notices of Filings copies of all relevant invoice supporting documentation related  
12 to all remaining contractors and vendors that do not utilize the iStormed App.

13 **Q. WAS THE COMPANIES' FILE STRUCTURES EFFICIENT FOR AUDITING**  
14 **THE INVOICES OTHER THAN THOSE FOR THE OVERHEAD LINE AND**  
15 **VEGETATION MANAGEMENT CONTRACTORS?**

16 A. No. The file structures used by the Companies are inefficient and make it unnecessarily  
17 difficult to audit these storm costs. As previously noted, the Companies provided general  
18 ledger and accounts payable detail in an Excel workbook that allows the user to search for  
19 a document number for each invoice. The Companies also provided a group of file folders  
20 in which hundreds of invoices were provided as individual files and simply named by  
21 document number. The individual files were not grouped or identified by vendor. In order  
22 to perform an audit, it was necessary to visually search through the hundreds of files in

1 these folders to search for individual document numbers to find the invoice for review and  
2 analysis purposes.

3 **Q. DO YOU RECOMMEND A PROCESS IMPROVEMENT THAT WOULD**  
4 **STREAMLINE THE AUDIT PROCESS?**

5 A. Yes. The Companies should institute a Binder file structure similar to the one that was  
6 used by Gulf Power Company in Docket No. 20190038-EI, in which it sought recovery of  
7 the costs it incurred in response to Hurricane Michael. In such a system, each vendor is  
8 assigned a Binder number, which is referenced in the accounting system and used to collect  
9 the vendor's invoices for processing and reference purposes. The Gulf Power Company  
10 file structure used in conjunction with Hurricane Michael costs would facilitate the review  
11 of the invoices, improve the efficiency of the auditing process, and potentially reduce the  
12 costs of the auditing process for the Companies, Commission Staff, OPC, and other parties.

13 **Q. WHY WAS THE iSTORMED APP AND RESULTING "FLAT FILES" NOT**  
14 **UTILIZED AS PART OF THE COMPANIES' AUDIT AND VERIFICATION**  
15 **PROCESSES FOR MORE TYPES OF CONTRACTORS?**

16 A. FPL originally committed to use the iStormed App in the Hurricane Irma Settlement  
17 Agreement for "line crews and vegetation management crews."<sup>18</sup> Although there was no  
18 distinction in the settlement between different kinds of line crews, FPL and Gulf Power  
19 Company have thus far interpreted that to mean overhead line crews only. That is due to

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<sup>18</sup> Docket No. 20180049-EI, Hurricane Irma Settlement Agreement at stipulated term paragraph 6.

1 the fact that the great majority of the restoration work following a storm is performed by  
2 the overhead line crews and vegetation management crews.

3 **Q. SHOULD THE USE OF THE iSTORMED APP AND THE RESULTING “FLAT**  
4 **FILES” BE EXPANDED TO APPLY TO MORE CONTRACTORS IN ORDER TO**  
5 **FURTHER STREAMLINE THE AUDIT PROCESS FOR FUTURE STORMS?**

6 A. Yes. As noted above, this new invoice verification process has proven to be systematic,  
7 comprehensive, and effective. Thus, it should be used in all cases in which it makes sense  
8 to do so. At a minimum, the Commission should direct the Companies to begin to use it  
9 for underground line crews that are instrumental in storm restoration activities. In response  
10 to discovery, the Companies described the activities of underground crews in the following  
11 manner:<sup>19</sup>

12 [T]hese underground crews assist with overhead restoration activities  
13 including switching, hereby allowing overhead crews to remain productive  
14 with major overhead restoration activities. Underground crews are also  
15 required during restoration to inspect, repair, replace, and restore service to  
16 underground areas that have the potential to be impacted by uprooted trees  
17 and possible flooding due to heavy rains and/or storm surge.

18 Many of the underground line crews utilized by the Companies work for the same  
19 contractor companies that are required to use the iStormed App, so an expansion of that  
20 process should not be unduly burdensome to the contractors.

21 The Commission should also direct the Companies to begin using the iStormed App  
22 process for all other storm restoration contractors, including, but not limited to, arborists,  
23 transmission storm restoration contractors, and damage assessors who work closely with

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<sup>19</sup> The description above was excerpted from FPL’s response to Interrogatory No. 43 in OPC’s Second Set of Interrogatories in Docket No. 20210178-EI.

1 other crews during the early restoration process and in many cases work for the same  
2 contractors that employ the overhead line and vegetation management crews.

3 **Q. DOES THIS COMPLETE YOUR PREPARED DIRECT TESTIMONY?**

4 A. Yes.



FERC Docket No. ER08-51 Entergy Services, Inc., LPSC Section 206 Filing Related to Spindletop Regulatory Asset in Rough Production Cost Equalization Computation, November 2008.

FERC Docket No. ER08-1056 Entergy Services, Inc., Company's 2008 Filing to be in Compliance with FERC Opinions' 480 and 480-A, January 2009.

LPSC Docket No. U-31066 Dixie Electric Membership Corporation, Company's Application to Implement a Storm Recovery Rate Rider, September 2009.

LPSC Docket No. U-30893 Dixie Electric Membership Corporation, Company's Application to Implement a Formula Rate Plan, September 2009.

FERC Docket No. EL09-61 (Phase I) Entergy Services, Inc., LPSC Complaint Regarding Single Operating Company Opportunity Sales, April 2010.

LPSC Docket No. U-31066 Dixie Electric Membership Corporation, Company's Application to Implement a Storm Recovery Rate Rider, May 2010.

FERC Docket No. EL10-55 Entergy Services, Inc.

LPSC Complaint Regarding Depreciation Rates, September 2010.

LPSC Docket No. U-23327, Subdocket E Southwestern Electric Power Company, 2003-2004 Fuel Audit, September 2010.

LPSC Docket No. U-23327, Subdocket F Southwestern Electric Power Company, 2009 Test Year Formula Rate Plan Filing, October 2010.

LPSC Docket No. U-23327, Subdocket C Southwestern Electric Power Company, 2007 Test Year Formula Rate Plan Filing, February 2011.

LPSC Docket No. U-23327, Subdocket D Southwestern Electric Power Company, 2008 Test Year Formula Rate Plan Filing, February 2011.

FERC Docket No. ER10-2001 Entergy Arkansas, Inc., Company's 2010 Filing to Request Approval of Changed Depreciation Rates, March 2011.

FERC Docket No. ER11-2161 Entergy Texas, Inc., Company's 2010 Filing to Request Approval of Changed Depreciation Rates, July 2011.

LPSC Docket No. U-31835 South Louisiana Electric Cooperative Association, Company's Application to Implement a Formula Rate Plan and Initial Revenue Adjustment, August 2011.

FERC Docket No. ER12-1384 Entergy Services, Inc., Company's Section 205 Filing Related to Little Gypsy 3 Cancellation Costs, September 2012.

LPSC Docket No. U-32315 Claiborne Electric Cooperative, Inc.'s Application to Implement a Formula Rate Plan and Initial Revenue Adjustment, September 2012.

FERC Docket No. ER10-1350 Entergy Services, Inc., Company's 2010 Filing to be in Compliance with FERC Opinions' 480 and 480-A, January 2014.

FERC Docket No. EL-01-88-015 Entergy Services, Inc., Company's 2005 Remand Filing to be in Compliance with FERC Opinions' 480 and 480-A, March 2016.

LPSC Docket No. U-33984 Claiborne Electric Cooperative, Inc., Formula Rate Plan Extension, October 2016.

FERC Docket No. EL09-61(Phase III) Entergy Services, Inc., LPSC Complaint Regarding Single Operating Company Opportunity Sales, November 2016.

LPSC Docket No. U-33323 Entergy Louisiana LLC, 2010-2013 Fuel Audit, July 2019.

LPSC Docket No. U-33324 Entergy Gulf States Louisiana LLC, 2010-2013 Fuel Audit, July 2019.

LPSC Docket No. U-35441 Southwestern Electric Power Company, Rate Case, July 2021 Direct, October 2021 Surrebuttal.

**Telscape International, Inc.**

**1997 - 2003**

**Corporate Controller**

**1999 - 2003**

**Assistant Controller**

**1997 - 1999**

Complete responsibility and accountability for the accounting and financial functions of a \$160 million newly public company providing telecommunication and high-end internet access services. Telscape served as a telephony carrier of services domestically and to Latin and Central America targeting other service carriers as well as individuals. Reported directly to CFO and managed a staff of eleven.

- Managed the day to day processes required to produce timely and accurate financial statements, including general ledger, account reconciliations, AP, AR, fixed assets, payroll, treasury, tax, internal and external reporting.
- Worked with attorneys and auditors on mergers and acquisitions including due diligence, audits, tax and integrating the accounting functions of eleven acquisitions.
- Grew the accounting department from four to eleven employees while developing and implementing company policies and procedures.
- Instituted capital investment policy and accounts payable management for twenty-one separate entities and twenty-four bank accounts to facilitate effective use of cash flow.
- Created capital and operating budgeting and variance analysis package for five separate business lines.
- Developed the consolidations and inter-company billings process across all entities including six in Latin and Central America.
- Worked with CFO to develop financial models and business plans in raising over \$240 million over a three-year period through private preferred placements, debenture offerings and asset based credit facilities.

- Responsible for relationship management with external auditors, attorneys, and the banking community while reviewing and approving all SEC filings, including quarterly and annual reports, proxies and informational filings.
- Developed line cost accounting for revenues and carrier invoices saving thousands monthly and providing the justification for invoice reductions.

<b>Comcast Communications, Inc.</b>	<b>1988 - 1997</b>
<b>Regional Controller</b>	<b>1993 - 1997</b>
<b>Regional Assistant Controller</b>	<b>1991 - 1992</b>
<b>Regional Senior Financial Analyst</b>	<b>1988 - 1991</b>

Complete responsibility and accountability for the accounting functions of a \$2.1 billion regional division of the world's third largest cable television provider serving approximately 490,000 subscribers. Reported to the Regional VP of Finance and managed a staff of twelve.

- Managed the day to day processes required to produce timely and accurate financial statements, including general ledger, account reconciliations, AP, AR, fixed assets and internal reporting.
- Controlled extensive budgeting, forecasting, and variance reporting for eighteen separate entities covering eight states, training employees and management throughout the region.
- Performed due diligence related to the acquisition of seven cable system entities and coordinated the integration of all accounting functions with the corporate office.
- Instituted all FCC informational and rate increase filings throughout the region based on the Cable Act of 1992.
- Responsible for the coordination of all subscriber reporting, sales and property tax filings, franchise fee and copyright filings.
- Grew the accounting department from seven to thirteen before its move to Atlanta, restaffing ninety percent of the department after the move.
- Directed all efforts throughout the region to implement Oracle as the new financial package and a new Access database for the budgeting and forecasting processes.

**Storer Cable Communications, Inc**  
**Senior Accountant for Operations**

**1987 - 1988**

Responsibility for the accounting, budgeting, and forecasting activities of this 82,000 subscriber area for this cable television concern that was acquired by Comcast listed above. Reported to the Area VP and General Manager and managed three employees.

- Implemented new Lotus based model for budgeting and forecasting, training all management on its use.
- Transitioned financial statement preparation from the regional office level to this area office.
- Managed the day to day processes required to produce timely and accurate financial statements for six separate entities including general ledger, AP, AR, fixed assets, subscriber reporting and other internal reporting.
- Developed and maintained tracking mechanism to track progress of cable plant rebuild and the associated competitor overbuild in the area's largest cable system.

**Tracey-Luckey Pecan & Storage, Inc.**  
**Senior Accountant**

**1986 - 1987**

Responsibility for the accounting, budgeting, and office management for a divisional office of this pecan production, processing, and storage entity annually grossing approximately \$22 million. Financial statements were produced for three entities. Reported directly to the president of the division and managed three employees.

**Tarpley & Underwood, CPA's**  
**Staff Accountant**

**1984 - 1986**

Responsibility for the completion of monthly and quarterly client write-up for twenty-three small businesses for this regional CPA firm that is now one of the top twenty-five firms in Atlanta. Performed all payroll tax, sales tax, property tax, and income tax filings for these and other clients as well as approximately eighty individual returns per year. Reported directly to both partners with dotted line responsibility to all managers.

The confidential documents contained in Exhibit RAF-2 are confidential in their entirety.

The confidential documents contained in Exhibit RAF-3 are confidential in their entirety.

The confidential documents contained in Exhibit RAF-4 are confidential in their entirety.

The confidential documents contained in Exhibit RAF-5 are  
confidential in their entirety.

The confidential documents contained in Exhibit RAF-6 are  
confidential in their entirety.

The confidential documents contained in Exhibit RAF-7 are  
confidential in their entirety.