

**BEFORE THE  
KANSAS CORPORATION COMMISSION**

IN THE MATTER OF THE JOINT )  
APPLICATION OF SUNFLOWER )  
ELECTRIC POWER CORPORATION AND )  
MID-KANSAS ELECTRIC COMPANY, )  
INC. FOR AN ORDER APPROVING THE ) Docket No. 19-SEPE-054-MER  
MERGER OF MID-KANSAS ELECTRIC )  
COMPANY, INC. INTO SUNFLOWER )  
ELECTRIC POWER CORPORATION )  
)  
)

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**DIRECT TESTIMONY OF DAVID E. DISMUKES, PH.D.**

**ON BEHALF OF**

**KANSAS ELECTRIC POWER COOPERATIVE, INC.**

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**January 4, 2019**

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1   **I.     INTRODUCTION**

2   **Q.     WOULD YOU PLEASE STATE YOUR NAME AND BUSINESS ADDRESS?**

3   A.     My name is David E. Dismukes. My business address is 5800 One Perkins Place Drive,  
4         Suite 5-F, Baton Rouge, Louisiana, 70808.

5   **Q.     WOULD YOU PLEASE STATE YOUR OCCUPATION AND CURRENT PLACE**  
6         **OF EMPLOYMENT?**

7   A.     I am a Consulting Economist with the Acadian Consulting Group (“ACG”), a research  
8         and consulting firm that specializes in the analysis of regulatory, economic, financial,  
9         accounting, statistical, and public policy issues associated with regulated and energy  
10        industries. ACG is a Louisiana-registered partnership, formed in 1995, and is located in  
11        Baton Rouge, Louisiana.

12  **Q.     DO YOU HOLD ANY ACADEMIC POSITIONS?**

13  A.     Yes. I am a full Professor, Executive Director, and Director of Policy Analysis at the  
14         Center for Energy Studies, Louisiana State University (“LSU”). I am also a full  
15         Professor in the Department of Environmental Sciences and the Director of the Coastal  
16         Marine Institute in the College of the Coast and Environment at LSU. I also serve as an  
17         Adjunct Professor in the E. J. Ourso College of Business Administration (Department of  
18         Economics), and I am a member of the graduate research faculty at LSU.

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

20  A.     I have been asked by the Kansas Electric Power Cooperative, Inc. (“KEPCo”) to provide  
21         an expert opinion before the Kansas Corporation Commission (“KCC” or “the  
22         Commission”) on the proposed merger of Mid-Kansas Electric Company, LLC (“Mid-

Kansas”) into Sunflower Electric Power Corporation (“Sunflower”), collectively referred to as the “Joint Applicants.”

**Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE KCC?**

A. Yes, I have testified before the Commission in two prior proceedings, Docket Nos. 16-KCPE-593-ACQ and 18-KCPE-095-MER. Exhibit DED-1 is my academic vitae, which includes a list of my publications, presentations, pre-filed expert witness testimony in other jurisdictions, expert reports, expert legislative testimony, and affidavits.

**Q. HOW IS THE REMAINDER OF YOUR TESTIMONY ORGANIZED?**

A. The remainder of my testimony is organized into the following sections:

- Section 2: Executive Summary of Findings and Recommendations
- Section 3: Description of Proposed Transaction and Interest of KEPCo
- Section 4: Analysis of Public Interest
- Section 5: Proposed Merger Conditions
- Section 6: Conclusions and Recommendations

**II. EXECUTIVE SUMMARY OF FINDINGS AND RECOMMENDATIONS**

**Q. PLEASE SUMMARIZE THE CURRENT MERGER PROPOSAL.**

A. The merger application before the Commission involves a proposal to integrate the assets and operations of Mid-Kansas into its affiliate, Sunflower. According to the Joint Applicants, this proposed merger has been envisioned by Sunflower since it created Mid-Kansas in 2007 to purchase a set of financially-distressed assets that were (and are) located in close proximity to many of Sunflower’s member cooperative utilities. Because of this, Mid-Kansas has not operated as a truly separate entity from Sunflower for years, removing the opportunity for any significant merger-related synergy savings, while, at

1 the same time, leading to a number of unique concerns that have not been addressed  
2 through any traditional merger-related commitments commonly included in electric  
3 utility mergers.

4 **Q. PLEASE DISCUSS THESE MERGER-RELATED RISKS.**

5 A. This merger, and its absence of any meaningful merger-related commitments, leads to a  
6 number of risks and uncertainties that could lead to increases in costs for rural Kansas  
7 electric customers (wholesale and retail). Some examples of these risks include the  
8 uncertain rate impacts that could arise from combining the Joint Applicants' transmission  
9 zones in the Southwest Power Pool ("SPP"), as well as changes to the Joint Applicant  
10 Members' KCC-regulated Local Delivery Service. KEPCo has been unable to find  
11 answers to eliminate these uncertainties, despite repeated attempts to secure documents  
12 and other merger-related analyses explaining how management has internally-examined  
13 these issues (tariff integration, the provisions and terms of local delivery service, and  
14 other items). To date, these documents and analyses have either not been provided or  
15 appear to not exist, thus shifting considerable post-merger performance and regulatory  
16 risks onto parties like KEPCo and their distribution members' retail electricity customers.

17 **Q. PLEASE EXPLAIN YOUR MERGER RECOMMENDATIONS.**

18 A. The mismatch between *di minimus* merger-related savings, on the one hand, and post-  
19 merger performance risks and uncertainty, on the other, can be reconciled if the Joint  
20 Applicants were required by the Commission to adopt a set of merger commitments that I  
21 have provided in Exhibit DED-2. My proposed merger commitments are based in  
22 substantial part on the assertions Joint Applicants have made in this proceeding in  
23 support of the merger and are intended to mitigate unanticipated future rate increases and

1 other possible post-merger actions that shift performance and regulatory risks and costs  
2 onto transmission, wholesale, and retail customers in Kansas. In effect, my proposed  
3 merger conditions take Joint Applicants' assertions and make them commitments. For  
4 example, as set out more fully below, Joint Applicants assert that there are no market  
5 power issues created by the merger because of the existence of the Southwest Power  
6 Pool, Inc. Open Access Transmission Tariff ("SPP OATT") and the SPP Integrated  
7 Market. My second proposed condition would require that Joint Applicants commit to  
8 provide KEPCo and the other parties to this proceeding with a minimum, five-year notice  
9 prior to any filing by the newly combined company or by a party on its behalf terminating  
10 the new company's membership and participation in SPP.

11 In another example, my sixth proposed merger commitment requires that the  
12 newly merged Sunflower will continue to serve as the provider of transmission service  
13 that is subject to Commission regulation. The commitment also holds that the new entity  
14 will take over as administrator of Mid-Kansas' OATT until such time as the Commission  
15 approves changes to Mid-Kansas' OATT that formally installs Sunflower as the  
16 administrator of the tariff.

17 Additionally, the Joint Applicants, throughout their filing, state that ratepayers  
18 and wholesale customers will not be harmed in any way through the proposed merger.<sup>1</sup>  
19 My seventh and eight merger commitments are hold-harmless provisions that hold  
20 KEPCo harmless from any unanticipated new or increased costs or rates resulting from  
21 the merger, *i.e.*, costs not identified in the Application and supporting testimony.  
22 Proposed commitments seven and eight hold the Joint Applicants to their assertions.

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<sup>1</sup> See, Direct Testimony of Bruce Mueller, 5:19 to 6:4.

1           The foregoing are examples that show the tenor and scope of the merger  
2           conditions I propose. A review of the conditions that I propose in Exhibit DED-2 shows  
3           that those conditions will establish as binding commitments on Joint Applicants little  
4           more than what Joint Applicants have represented to this Commission will be the  
5           consequences of the proposed merger and what they and their members are already  
6           obligated to do. Adoption of my proposed merger commitments will provide greater  
7           certainty for KEPCo and other Kansas wholesale customers, holding them, as well as  
8           many rural Kansas retail customers, such as the customers of KEPCo's distribution  
9           cooperative members, harmless from many of the merger's uncertain, and potentially  
10          negative outcomes.

11   **Q.   DOES KEPCO OPPOSE THE MERGER?**

12   A.   No, KEPCo would not oppose the merger if the merger approval is conditioned on the  
13          adoption of the merger commitments I propose to mitigate the potential adverse  
14          consequences of the merger on entities such as KEPCo.

15   **III.   DESCRIPTION OF PROPOSED TRANSACTION AND INTEREST OF KEPCO**

16          **A.   Overview of Proposed Transaction**

17   **Q.   PLEASE PROVIDE A HIGH-LEVEL OVERVIEW OF SUNFLOWER.**

18   A.   Sunflower is a nonprofit, membership corporation organized and operating as a  
19          generation and transmission ("G&T") cooperative utility to "generate, furnish, transmit,  
20          and sell electric power and energy at wholesale" on behalf of its members.<sup>2</sup> Sunflower's  
21          principal office is located in Hays, Kansas, and is owned and operated by its six member  
22          rural cooperatives operating throughout western Kansas: Lane-Scott Electric

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<sup>2</sup> Application, ¶ 1.

Cooperative, Inc. (“Lane-Scott”); Pioneer Electric Cooperative, Inc. (“Pioneer”); Prairie Land Electric Cooperative, Inc. (“Prairie Land”); The Victory Electric Cooperative Association, Inc. (“Victory”); Western Cooperative Electric Association, Inc. (“Western”); and Wheatland Electric Cooperative, Inc. (“Wheatland”).<sup>3</sup> Collectively the member cooperative utilities of Sunflower will be referred to as “JA Members” in the remainder of my testimony.

**Q. PLEASE BRIEFLY DISCUSS SUNFLOWER’S ORIGIN.**

A. Sunflower’s predecessor company, Sunflower Electric Cooperative, Inc. (“SEC”), was formed in 1957 to provide wholesale power to cooperative members operating in western Kansas.<sup>4</sup> SEC was a rural electric cooperative, as defined by the Rural Electrification Act of 1936, and was primarily financed through the Rural Utilities Service (“RUS”). During the 1980s, SEC experienced financial hardships during a period of severe economic decline in western Kansas driven by the farm crisis in rural America.<sup>5</sup> As a result, SEC and its creditors entered into a debt restructuring agreement that ran until 2002, at which time SEC was dissolved and replaced by Sunflower.<sup>6</sup> According to Joint Applicants, part of this debt restructuring agreement included certain restrictions that limited SEC and Sunflower’s ability to borrow money.<sup>7</sup> These restrictions were designed to assure that Sunflower’s restructured debt obligations were paid off first, before any new debt could be assumed.<sup>8</sup> Sunflower notes in this proceeding that it made its final debt payment

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<sup>3</sup> Application, ¶ 2.

<sup>4</sup> Application, ¶ 5.

<sup>5</sup> Application, ¶ 9.

<sup>6</sup> Application, ¶¶ 8-11.

<sup>7</sup> Application, ¶ 11.

<sup>8</sup> Application, ¶ 11.

1 under this agreement in December 2016, which, in turn, allows it to propose this potential  
2 merger with Mid-Kansas.<sup>9</sup>

3 **Q. PLEASE PROVIDE A HIGH-LEVEL OVERVIEW OF MID-KANSAS.**

4 A. Mid-Kansas, similar to Sunflower, is a nonprofit, membership corporation organized and  
5 operating as a G&T utility for the purposes of generating, furnishing, transmitting, and  
6 selling electric power and energy at wholesale on behalf of its members.<sup>10</sup> Mid-Kansas  
7 was formed by the six-member cooperative utilities of Sunflower<sup>11</sup> in July 2005 to pursue  
8 the acquisition of the western Kansas wholesale and retail electric operations of Aquila,  
9 Inc., d/b/a Aquila Networks – WPK (“Aquila”).<sup>12</sup>

10 **Q. PLEASE BRIEFLY DISCUSS MID-KANSAS’ ORIGIN.**

11 A. Mid-Kansas arose from the unique situation created by Aquila’s financial meltdown  
12 during the middle part of the past decade.<sup>13</sup> In March 2005, the Commission, after an  
13 extensive review of Aquila’s finances, concluded that the utility was facing “extra-  
14 ordinary financial distress,” and that “divestiture of investments in domestic utilities and  
15 unregulated business arrangements is in the best interest of ratepayers and shareholders  
16 alike.”<sup>14</sup> The Joint Applicants state that the proximity of the Aquila assets in Western  
17 Kansas to its own customers attracted their interest during this time period.<sup>15</sup> The Aquila  
18 terms of sale, however, permitted only single bids offered by single bidders. Sunflower,  
19 as noted above, was also facing financial distress around the same time, and was

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<sup>9</sup> Application, ¶ 12.

<sup>10</sup> Application, ¶ 3.

<sup>11</sup> Application, ¶ 4; for technical reasons inconsequential to this testimony, Pioneer is not a member of Mid-Kansas; however, a wholly-owned subsidiary of Pioneer, Southern Pioneer Electric Company (“Southern Pioneer”), was formed by the cooperative to manage its interest in Mid-Kansas.

<sup>12</sup> Application, ¶ 15.

<sup>13</sup> Application, ¶ 15.

<sup>14</sup> “Kansas Commission Says Aquila Must Sell Utilities to Fix Debt,” (March 24, 2005) Natural Gas Intelligence.

<sup>15</sup> Application, ¶ 16.

1 restricted from assuming additional debt that would be necessary to acquire the Aquila  
2 assets. Instead, Mid-Kansas was formed by the JA Members for the purpose of bidding  
3 on the Aquila assets.<sup>16</sup> Mid-Kansas was the successful bidder, and in February 2007 the  
4 Commission approved Mid-Kansas' acquisition of the Aquila assets.<sup>17</sup>

5 **Q. PLEASE EXPLAIN THE RELEVANCE OF MID-KANSAS' FORMATION TO**  
6 **THE CURRENT MERGER PROCEEDING.**

7 A. The Joint Applicants state that it was never their intention to keep Mid-Kansas as a stand-  
8 alone entity, and a merger with Sunflower had been contemplated at the time of the  
9 Aquila asset acquisition:

10 18. From the inception of the acquisition, it was the intent of the Mid-  
11 Kansas Members to separate the generation and transmission functions  
12 from the distribution functions with Mid-Kansas to retain the generation  
13 and transmission functions and the Mid-Kansas Members to succeed to the  
14 distribution functions. The operational structure was to be a mirror image  
15 of the Sunflower and Member structure in which Sunflower maintains and  
16 operates the generation and transmission functions and the Sunflower  
17 Members maintain and operate the distribution functions.

18 19. It was also always the Sunflower and Mid-Kansas Members'  
19 intention to merge Sunflower and Mid-Kansas at the first opportune time  
20 to do so.<sup>18</sup>

21 The Joint Applicants state that in December 2016 Sunflower made the final  
22 payment on secured debt to the RUS, thus "remov[ing]" "a major impediment to the  
23 merger."<sup>19</sup> As support for their claimed merger benefits, the Joint Applicants point to the

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<sup>16</sup> Application, ¶ 16.

<sup>17</sup> Application, ¶ 17. *See also* Application, ¶¶ 22-23 (explaining subsequent Commission approvals, including approval to transfer ownership of the distribution assets of Mid-Kansas to the Members of Mid-Kansas).

<sup>18</sup> Application, ¶¶ 18-19.

<sup>19</sup> Application, ¶ 12.

fact that a large number of Mid-Kansas' operations have already been integrated with Sunflower in such a fashion that Mid-Kansas currently has no employees.<sup>20</sup>

**Q. PLEASE PROVIDE AN OVERVIEW OF THE PROPOSED MERGER.**

A. The Joint Applicants state that this transaction represents a merger of equals and should be “relatively simple” to execute.<sup>21</sup> Members of Mid-Kansas will contribute their equity ownership in Mid-Kansas to Sunflower, merging Mid-Kansas, including its capital accounts, into Sunflower with Sunflower becoming the surviving entity.<sup>22</sup> Sunflower's current Board of Directors will continue until the time of its next meeting when it will be reconstituted pursuant to the bylaws of the new merged entity.<sup>23</sup>

**Q. WILL THE TRANSACTION INVOLVE ANY PURCHASE PRICE OR ACQUISITION PREMIUM?**

A. The Joint Applicants state that this transaction is a “true merger of two electric utilities that are equals,” without payment of a purchase price, an acquisition premium, or other financial consideration,<sup>24</sup> and without an exchange ratio.<sup>25</sup>

**Q. WHAT IS THE PROPOSED TIMELINE FOR THE INTEGRATION OF MID-KANSAS INTO SUNFLOWER?**

A. The Joint Applicants have not provided a detailed merger timeline of actions it will need to take to execute this proposed merger. The limited timeline provided by the Company appears to indicate that most post-merger activities – including property transfers, department alignments, and website updates – will not be started until early 2020, with an

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<sup>20</sup> Direct Testimony of Stuart Lowry, 2:9, and 7:22 to 11:7.

<sup>21</sup> Application, ¶ 28.

<sup>22</sup> Application, ¶¶ 29-30.

<sup>23</sup> Application, ¶ 31, Exhibit JA-2; bylaws attached to Agreement and Plan of Merger.

<sup>24</sup> Application, ¶ 36.

<sup>25</sup> Response to KEPCo 1-17; “No exchange ratio or similar metric was calculated or required.”

1 expected date for completion of all merger activities by the end of February 2020.<sup>26</sup>  
2 Importantly, no timeline associated with required legal and regulatory filings beyond the  
3 KCC are discussed in the Company's timeline.<sup>27</sup> A timeline and other documents created  
4 by management such as an integration plan are important tools to manage a transaction,  
5 including Joint Applicants' proposed merger. It would be unusual for merging entities to  
6 not have prepared a detailed merger timeline or a post-transaction integration plan setting  
7 out the timing of important activities associated with the proposed merger.

8 **Q. WHAT ARE THE TRANSACTION COSTS OF THE PROPOSED MERGER?**

9 A. The Joint Applicants have not provided information about their anticipated merger-  
10 related transaction costs or post-merger integration costs in the application; nor have they  
11 provided any supporting information subsequent to the filing of their application in this  
12 matter.<sup>28</sup> The costs of a transaction like the merger proposed by the Joint Applicants are  
13 not typically permitted to be passed through to customers in cost-of-service rates.

14 **Q. HAVE THE JOINT APPLICANTS PROVIDED ENOUGH INFORMATION**  
15 **ABOUT THE PROPOSED TRANSACTION TO ASSESS THE MERGER**  
16 **AGAINST THE PUBLIC INTEREST CRITERIA?**

17 A. No. The Joint Applicants have not provided the analyses and other information that  
18 management of the combining companies typically would undertake in connection with a  
19 merger.<sup>29</sup> These types of studies help to assess whether the proposed transaction

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<sup>26</sup> Joint Applicants' Response to Data Request KEPCo 4-18, attachment "KEPCo\_DR 4-18\_Merger Project Schedule.pdf"

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

<sup>29</sup> *See*, Joint Applicants' Response to Data Requests KEPCo 4-19, 4-24, and 4-25.

promotes the public interest. It appears in this case that management either has not performed those expected analyses or those analyses have not been provided.

**Q. WHAT ARE THE PROPOSED SYNERGY SAVINGS ASSOCIATED WITH THIS PROPOSED TRANSACTION.**

A. The Joint Applicants state that the proposed merger will result in very small synergy savings<sup>30</sup> since Mid-Kansas' operations, over the past several years, have already been subsumed within Sunflower; thus any savings that could be achieved have likely already been realized due to the consolidation of the two entities' operations.<sup>31</sup>

**Q. WHAT ARE THE TRANSACTION'S PURPORTED RATEPAYER BENEFITS?**

A. The Joint Applicants state that the proposed merger will produce an entity with (1) greater credit strength and lower borrowing costs than the individual companies,<sup>32</sup> (2) the elimination of duplicative efforts mainly in financial and regulatory reporting,<sup>33</sup> and (3) improved rate stabilization from increased scale and greater diversification of generation resources.<sup>34</sup>

**Q. EXPLAIN HOW THE JOINT APPLICANTS HAVE QUANTIFIED THE TRANSACTION'S MERGER BENEFITS.**

A. Joint Applicants have only identified two ostensible monetary merger benefits but have not quantified one and provided a questionable estimate of the other. Joint Applicants contend they anticipate savings from an annual workload reduction of 1,200 man-hours related to the elimination of approximately 125 to 200 duplicate processes particularly in

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<sup>30</sup> Direct Testimony of Stuart Lowery, 16:14-16. *See also*, Application at pp. 13-14.

<sup>31</sup> Direct Testimony of Stuart Lowery, 8:3-6.

<sup>32</sup> Direct Testimony of H. Davis Rooney, 4:8-13.

<sup>33</sup> Direct Testimony of H. Davis Rooney, 4:14-19.

<sup>34</sup> Direct Testimony of H. Davis Rooney, 4:20 to 5:2; and Joint Applicants' response to Data Request KEPCo 1-16, Attachment "Rooney\_Direct\_Workpapers.xls."

1 the financial services area.<sup>35</sup> However, Joint Applicants have provided no dollar  
2 estimates of the projected savings that they contend would be realized from these reduced  
3 man-hours. Further, the Joint Applicants do not envision any employee positions will be  
4 eliminated as a result of the merger, and instead claim that any benefit from reduced  
5 workload will be seen in increased productivity rather than a reduction in annual  
6 salaries.<sup>36</sup> No quantification of the claimed productivity benefits has been provided.<sup>37</sup>

7 Second, the Joint Applicants state that some reductions in the need for outside  
8 services may arise, post-merger. These outside service reductions, namely consultants,  
9 are supposedly associated with a consolidation of financial audits and various regulatory  
10 filings currently performed separately for each company (i.e., load forecasts, rate filings,  
11 and depreciation studies).<sup>38</sup> The Joint Applicants estimate these efficiencies to lead to  
12 annual savings of \$500,000 per year.<sup>39</sup> As discussed below, however, this estimate  
13 appears overstated.

14 **Q. HAVE THE JOINT APPLICANTS IDENTIFIED ANY OTHER POTENTIAL**  
15 **BENEFITS?**

16 A. Yes. The Joint Applicants state that the merged entity will have better credit metrics than  
17 either of the two cooperatives have on a stand-alone basis,<sup>40</sup> but this appears to be  
18 controverted by their own analyses.<sup>41</sup> According to the Joint Applicants, the credit

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<sup>35</sup> Direct Testimony of H. Davis Rooney, 12:1-4.

<sup>36</sup> Direct Testimony of H. Davis Rooney, 12:4-5 and 12:10.

<sup>37</sup> See Joint Applicants' response to Data Request KEPCo 1-16, Attachment "Rooney\_Direct\_Workpapers.xls;" while the Joint Applicants did provide a limited itemization of anticipated internal labor savings, the Joint Applicants did not provide an estimated monetary savings associated with this claimed benefit.

<sup>38</sup> Direct Testimony of H. Davis Rooney, 12:12-16.

<sup>39</sup> Direct Testimony of H. Davis Rooney, 12:17; and Joint Applicants' response to Data Request KEPCo 1-16.

<sup>40</sup> Direct Testimony of H. Davis Rooney, 10:8-11.

<sup>41</sup> Joint Applicants' response to Data Request KEPCo 1-16, Attachment "Rooney\_Direct\_Workpapers.xls."

1 metrics of the newly combined entity would produce a Moody's credit rating of A3.<sup>42</sup>  
2 This is one notch lower than the estimated current credit rating for Sunflower of A2, but  
3 one notch better than the estimated current credit rating for Mid-Kansas of Baa1.<sup>43</sup> The  
4 Joint Applicants estimate that the proposed merger will result in an improvement to Mid-  
5 Kansas' borrowing rates of between 0.125 percent (12.5 basis points) to 0.50 percent (50  
6 basis points).<sup>44</sup> These credit spread estimates are not specific to Mid-Kansas; they are  
7 average credit spreads reported in a Weekly US Investment Grade Market Update (Jan.  
8 2017).<sup>45</sup> As discussed below, I have concerns about the robustness of this analysis.

9 Finally, the Joint Applicants estimate that the load share of the single largest  
10 customer on Sunflower and Mid-Kansas' system currently comprises 9.11% and 9.85%  
11 respectively of each utility's total annual electric sales to members.<sup>46</sup> After merging, the  
12 Joint Applicants find that these two customers' load share will be about 4.61% to 4.84%  
13 of the total annual load of the new entity.<sup>47</sup>

14 **Q. WHAT IS THE PROPOSED MERGER'S IMPACT ON EXISTING**  
15 **COMPETITION?**

16 A. The Joint Applicants state that they do not believe the proposed transaction will have any  
17 adverse effect on competition in Kansas.<sup>48</sup> The Joint Applicants state that size of the two  
18 companies is "relatively small" and will continue to be "relatively small" even after the

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<sup>42</sup> Joint Applicants' Response to Data Request KEPCo 1-16, Attachment "Rooney\_Direct\_Workpapers.xls."

<sup>43</sup> *Id.*

<sup>44</sup> Direct Testimony of H. Davis Rooney, 11:2-4; and Joint Applicants' Response to Data Request KEPCo 1-16, Attachment "Rooney\_Direct\_Workpapers.xls."

<sup>45</sup> *Id.*

<sup>46</sup> Joint Applicants' Response to Data Request KEPCo 1-16, Attachment "Rooney\_Direct\_Workpapers.xls."

<sup>47</sup> *Id.*

<sup>48</sup> Application at p. 14.

1 completion of the proposed transaction.<sup>49</sup> Furthermore, the Joint Applicants state that the  
2 combined entity will continue to be a market participant and transmission owner in the  
3 SPP and subject to the SPP OATT.<sup>50</sup> Indeed, the Joint Applicants state that “(t)he advent  
4 of open access transmission service combined with a maturing structured market in the  
5 SPP eliminates any market power concerns with this transaction.”<sup>51</sup> The Joint  
6 Applicants, however, have not performed vertical and horizontal market power  
7 analyses.<sup>52</sup> Unless exempted, these analyses are required in merger applications  
8 submitted to the Federal Energy Regulatory Commission or (“FERC”). This transaction,  
9 however, does not appear to be subject to the “public interest” merger review set out in  
10 Section 203 of the Federal Power Act.

11 **B. Potential Merger Impacts on KEPCo**

12 **Q. BRIEFLY DESCRIBE THE KANSAS ELECTRIC POWER COOPERATIVE.**

13 A. KEPCo is a non-profit generation and transmission cooperative, organized in 1975, that  
14 serves 19 rural electric cooperative member systems and over 120,000 electric meters in  
15 territory that spans two-thirds of Kansas. KEPCo is responsible for supplying the full  
16 power and energy requirements at the designated delivery points of its members. KEPCo  
17 was organized for the purpose of providing its member distribution systems affordable,  
18 reliable electric energy from a diverse portfolio of generation resources. KEPCo’s owned

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<sup>49</sup> Application at p. 14.

<sup>50</sup> Application at p. 14.

<sup>51</sup> Application at p. 14; Joint Applicants appear to assume that the relevant geographic market for the market power analyses is the entire SPP footprint.

<sup>52</sup> Joint Applicants’ Response to Data Request KEPCo 4-22.

1 and purchase power resources include nuclear, hydroelectric power, coal, natural gas,  
2 wind, and solar.<sup>53</sup>

3 **Q. PLEASE DESCRIBE KANSAS ELECTRIC POWER COOPERATIVE'S**  
4 **RELATIONSHIPS WITH SUNFLOWER AND MID-KANSAS?**

5 A. KEPCo currently has two agreements with Sunflower for power service and associated  
6 energy to serve approximately 16% of KEPCo members' total annual energy  
7 requirements.<sup>54</sup> KEPCo also relies extensively on transmission service provided over  
8 Mid-Kansas and Sunflower facilities to serve their members' load requirements.<sup>55</sup>  
9 KEPCo has obtained Network Integration Transmission Service ("NITS") from SPP for  
10 delivery of power and associated energy from designated resources of Sunflower and  
11 Western Area Power Administration ("WAPA") to serve two members, CMS and  
12 Victory, at 24 delivery points on Sunflower and Mid-Kansas' transmission systems. One  
13 of these delivery points is along the 115 kV Seward line and is interconnected with  
14 Sunflower transmission facilities. The other 23 delivery points are interconnected to the  
15 transmission system through either Mid-Kansas transmission facilities or the Local  
16 Access Delivery facilities of Mid-Kansas' members.<sup>56</sup> Finally, KEPCo has obtained  
17 NITS from SPP for delivery of power owned or purchased by KEPCo at approximately  
18 81 delivery points interconnected with either the Mid-Kansas transmission system or the  
19 Local Access Delivery system of Mid-Kansas' Members.<sup>57</sup>

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<sup>53</sup> Kansas Electric Power Cooperative, Inc. *2017 Annual Report*. p. 1.

<sup>54</sup> Petition of Kansas Electric Power Cooperative, Inc. to Intervene, ¶ 4.

<sup>55</sup> Petition of Kansas Electric Power Cooperative, Inc. to Intervene, ¶ 5.

<sup>56</sup> Petition of Kansas Electric Power Cooperative, Inc. to Intervene, ¶ 5.

<sup>57</sup> Petition of Kansas Electric Power Cooperative, Inc. to Intervene, ¶ 5.

1 **Q. PLEASE EXPLAIN THE RELEVANCE OF THE STIPULATION AND**  
2 **AGREEMENT APPROVED BY THE COMMISSION IN DOCKET NO. 11-**  
3 **GIME-597-GIE.**

4 A. The Commission initiated Docket No. 11-GIME-597-GIE after the Kansas Power Pool  
5 (“KPP”) filed a complaint against Mid-Kansas and Mid-Kansas member Southern  
6 Pioneer about local access charges KPP was being assessed for its wholesale use of  
7 Southern Pioneer’s local access facilities to transport generation from a wind facility.<sup>58</sup>  
8 The Commission set up Docket No. 11-GIME-597-GIE as a general investigation since  
9 the issues in question impacted other parties, including KEPCo.<sup>59</sup>

10 The investigation was ultimately resolved by a stipulation of the parties. As  
11 summarized by the Commission in its order approving the stipulation and agreement in  
12 that case:

13 the S&A [Stipulation and Agreement] resolves the issue of classification  
14 of the 34.5 kV facilities owned by the members through a stipulated  
15 finding that the 34.5 kV facilities at issue are not "transmission facilities"  
16 as per Attachment AI to SPP's Open Access Transmission Tariff under the  
17 Federal Energy Regulatory Commission (FERC) Seven Factor Test, an  
18 agreement that a necessary condition for inclusion of the member facilities  
19 in the SPP transmission system and under the SPP OATT is not met  
20 because ownership and control of the facilities resides with the MKEC  
21 Members who are not members of SPP, and a stipulated finding that the  
22 facilities that currently provide or are necessary to provide transmission  
23 service to one or more wholesale customers (Member Facilities) are being  
24 used to provide "transmission service" under Kansas law and such service

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<sup>58</sup> In the Matter of a General Investigation Into the Classification as Transmission or Distribution of Certain 34.5 kV Facilities Owned by Certain Members of Mid-Kansas Electric Company, LLC and Into Certain Agreements Relating to the Provision of Wholesale Service by Mid-Kansas Electric Company, LLC to Kansas Power Pool and Kansas Electric Power Cooperative, Inc. on Such Facilities, February 28, 2011, Docket No. 11-GIME-597-GIE, Order Opening Docket, ¶1.

<sup>59</sup> In the Matter of a General Investigation Into the Classification as Transmission or Distribution of Certain 34.5 kV Facilities Owned by Certain Members of Mid-Kansas Electric Company, LLC and Into Certain Agreements Relating to the Provision of Wholesale Service by Mid-Kansas Electric Company, LLC to Kansas Power Pool and Kansas Electric Power Cooperative, Inc. on Such Facilities, February 28, 2011, Docket No. 11-GIME-597-GIE, Order Opening Docket, ¶3.

1 must be provided under the Mid-Kansas open access transmission tariff  
2 (OATT) under the jurisdiction of the Commission. The service and  
3 operating agreements agreed upon by the parties and appended to the S&A  
4 are stipulated to be essential components that KEPCo and KPP require for  
5 network integration transmission service.  
6

7 Mid-Kansas and each of the Members, KPP and KEPCo, agreed by and  
8 among themselves that the Member Facilities constitute "essential  
9 facilities" within the meaning of federal antitrust laws and are subject to  
10 all applicable statutory and regulatory requirements, including pursuant to  
11 the Federal Power Act, requiring non-public utility transmitting facilities,  
12 as defined by federal law, to provide open access or other transmission  
13 service and enable third party interconnections and delivery of wholesale  
14 power.<sup>60</sup>

15 It is important to note that the Commission found that the facilities are necessary for the  
16 provision of transmission service to one or more wholesale customers and thus must be  
17 provided under an OATT that is subject to the Commission's, not FERC's, jurisdiction.<sup>61</sup>

18 **Q. HAS THE KCC REVIEWED ANY OTHER DISAGREEMENTS BETWEEN**  
19 **PARTIES CONCERNING OPERATIONS OF THE LOCAL ACCESS DELIVERY**  
20 **SYSTEM?**

21 A. Yes. Disputes concerning Local Access Delivery System operations have arisen in the  
22 past, and these disputes involved KEPCo's interests as well as that of its member  
23 cooperatives. For instance, the Commission recently reviewed an application from the  
24 Joint Applicants to modify elements of the Local Access Tariff ("LAT") and the entities'

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<sup>60</sup> In the Matter of a General Investigation Into the Classification as Transmission or Distribution of Certain 34.5 kV Facilities Owned by Certain Members of Mid-Kansas Electric Company, LLC and Into Certain Agreements Relating to the Provision of Wholesale Service by Mid-Kansas Electric Company, LLC to Kansas Power Pool and Kansas Electric Power Cooperative, Inc. on Such Facilities, December 1, 2011, Docket No. 11-GIME-597-GIE, Order Addressing Joint Motion to Approve Stipulation and Agreement, ¶¶ 8-9, internal citations removed.

<sup>61</sup> In the Matter of a General Investigation Into the Classification as Transmission or Distribution of Certain 34.5 kV Facilities Owned by Certain Members of Mid-Kansas Electric Company, LLC and Into Certain Agreements Relating to the Provision of Wholesale Service by Mid-Kansas Electric Company, LLC to Kansas Power Pool and Kansas Electric Power Cooperative, Inc. on Such Facilities, December 1, 2011, Docket No. 11-GIME-597-GIE, Order Addressing Joint Motion to Approve Stipulation and Agreement, ¶8.

1 KCC-filed OATT in Docket No. 18-MKEE-160-TFR.<sup>62</sup> That proceeding itself was a  
2 direct result of an earlier Commission directive arising out of a prior proceeding that  
3 ended in a settlement agreement between Mid-Kansas, Southern Pioneer, and Kansas  
4 Municipal Energy Agency (“KMEA”) in Docket No. 15-MKEE-461-TAR. In the Order  
5 approving the settlement, the Commission agreed with a Staff recommendation and  
6 ordered Mid-Kansas to submit a revised version of its KCC-regulated OATT by July 12,  
7 2017 given certain prior “ambiguities and inconsistencies” in both Mid-Kansas’ and  
8 Sunflower’s OATT and the NITS Agreement (“NITSA”) between Mid-Kansas and  
9 KMEA.<sup>63</sup>

10 **Q. SHOULD THE LAT PROCEEDING IN DOCKET NO. 15-MKEE-461-TAR**  
11 **INFORM THE CURRENT MERGER REVIEW?**

12 A. Yes, Docket No. 15-MKEE-461-TAR addressed a dispute between KMEA and Mid-  
13 Kansas (and its member Southern Pioneer) related to provisions of Mid-Kansas’ OATT  
14 and Southern Pioneer’s Local Access Delivery Service (“LADS”) tariff. Specifically,  
15 KMEA sought to utilize Mid-Kansas’ system assets to effectuate delivery of 16 MW of  
16 capacity and energy from a generator in the city of Kingman, Kansas, to Garden City,  
17 Kansas.<sup>64</sup> The parties disputed whether a form of “first mile” point-to-point local  
18 delivery service would be required and how charges associated with such a point-to-point

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<sup>62</sup> In the Matter of the Joint Application of Mid-Kansas Electric Company, LLC, Sunflower Electric Power Corporation, Prairie Land Electric Cooperative, Inc., Pioneer Electric Cooperative, Inc., The Victory Electric Cooperative Association, Inc., Western Cooperative Electric Association, Inc., Wheatland Electric Cooperative, Inc. and Southern Pioneer Electric Company for Approval of a Local Access Tariff and Mid-Kansas and Sunflower Open Access Transmission Tariff, Docket No. 18-MKEE-160-TFR.

<sup>63</sup> In the Matter of the Joint Application of Mid-Kansas Electric Company Requesting Approval of a Settlement Agreement Regarding “First Mile” Local Delivery Service Over Southern Pioneer’s 34.5 kV Facilities, Docket No. 15-MKEE-461-TAR, Order Granting Joint Application for Approval of Settlement Agreement, ¶12.

<sup>64</sup> In the Matter of the Joint Application of Mid-Kansas Electric Company Requesting Approval of a Settlement Agreement Regarding “First Mile” Local Delivery Service Over Southern Pioneer’s 34.5 kV Facilities, Docket No. 15-MKEE-461-TAR, Staff Report and Recommendation.

1 service offering would be determined.<sup>65</sup> Cumulatively, these disputes inform the analysis  
2 of the currently-proposed merger between Sunflower and Mid-Kansas and my  
3 recommendations for merger conditions.

#### 4 **IV. ANALYSIS OF PUBLIC INTEREST**

##### 5 **A. Commission Merger Review Standards**

##### 6 **Q. PLEASE EXPLAIN THE COMMISSION'S MERGER APPROVAL** 7 **STANDARDS.**

8 A. The Commission evaluates whether a proposed transaction promotes the public interest  
9 by testing the transaction against several criteria. The Commission adopted these criteria  
10 in a 1991 merger case, and recently affirmed the application of those criteria in  
11 proceedings concerning a merger-of-equals between Westar Energy, Inc. and Great  
12 Plains Energy, Inc.<sup>66</sup> These criteria are as follows:

13 (a) The effect of the transaction on consumers, including:

14 (i) the effect of the proposed transaction on the financial  
15 condition of the newly created entity as compared to the financial  
16 condition of the stand-alone entities if the transaction did not  
17 occur;

18 (ii) reasonableness of the purchase price, including whether the  
19 purchase price was reasonable in light of the savings that can be  
20 demonstrated from the merger and whether the purchase price is  
21 within a reasonable range;

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<sup>65</sup> In the Matter of the Joint Application of Mid-Kansas Electric Company Requesting Approval of a Settlement Agreement Regarding "First Mile" Local Delivery Service Over Southern Pioneer's 34.5 kV Facilities, December 17, 2015, Docket No. 15-MKEE-461-TAR, Staff Report and Recommendation.

<sup>66</sup> See In the Matter of the Application of Great Plains Energy Incorporated, Kansas Power and Light Company, and Westar Energy, Inc. for Approval of the Merger of Westar Energy, Inc. and Great Plains Energy Incorporated, Docket No 18-KCPE-095-MER, Order Approving Merger; *see also*, In the Matter of the Joint Applicant of Great Plains Energy Incorporated, Kansas City Power & Light Company and Westar Energy, Inc. for approval of the Acquisition of Westar Energy, Inc. by Great Plains Energy Incorporated, Docket No. 16-KCPE-593-ACQ, Order on Merger Standards, ¶ 5.

1 (iii) whether ratepayer benefits resulting from the transaction  
2 can be quantified;

3 (iv) whether there are operational synergies that justify payment  
4 of a premium in excess of book value; and

5 (v) the effect of the proposed transaction on the existing  
6 competition.

7 (b) The effect of the transaction on the environment.

8 (c) Whether the proposed transaction will be beneficial on an overall  
9 basis to state and local economies and to communities in the area served  
10 by the resulting public utility operations in the state. Whether the proposed  
11 transaction will likely create labor dislocations that may be particularly  
12 harmful to local communities, or the state generally, and whether  
13 measures can be taken to mitigate the harm.

14 (d) Whether the proposed transaction will preserve the jurisdiction of  
15 the KCC and the capacity of the KCC to effectively regulate and audit  
16 public utility operations in the state.

17 (e) The effect of the transaction on affected public utility shareholders.

18 (f) Whether the transaction maximizes the use of Kansas energy  
19 resources.

20 (g) Whether the transaction will reduce the possibility of economic  
21 waste.

22 (h) What impact, if any, the transaction has on the public safety.<sup>67</sup>

23 **Q. DOES A MERGER HAVE TO MEET ALL OF THE COMMISSION'S MERGER**  
24 **STANDARDS IN ORDER TO BE APPROVED?**

25 A. No. The Commission has noted in the past that:

26 The merger standards serve as factors to evaluate whether a proposed  
27 merger is in the public interest, rather than a strict checklist. Therefore an

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<sup>67</sup> In the Matter of the Joint Applicant of Great Plains Energy Incorporated, Kansas City Power & Light Company and Westar Energy, Inc. for approval of the Acquisition of Westar Energy, Inc. by Great Plains Energy Incorporated, Docket No. 16-KCPE-593-ACQ, Order on Merger Standards, ¶ 5.

1 application does not need to satisfy each and every standard, but needs to  
2 satisfy enough standards to demonstrate it advances the public interest.<sup>68</sup>

3 **Q. DOES THE COMMISSION REQUIRE THAT RATEPAYER BENEFITS AND**  
4 **SYNERGY SAVINGS BE QUANTIFIED?**

5 A. The Commission’s merger standards clearly take into account whether claimed ratepayer  
6 benefits can be quantified in the Commission’s review of a merger transaction (see  
7 condition (a)(iii) above). In recent merger decisions, the Commission clearly stated that  
8 these benefits need to be both quantified and adequate. The Commission’s order in the  
9 Westar and GPE merger, for instance, holds that “in order to promote the public interest,  
10 *adequate* ratepayer benefits, resulting from a *balanced* and *equitable* sharing of the  
11 benefits attributed to a merger, is required.”<sup>69</sup> In this transaction, it is important to  
12 understand whether the Joint Applicants’ proposed merger would provide a balanced and  
13 equitable sharing of the benefits among the member-owners and transmission and  
14 wholesale customers of Joint Applicants, and the retail customers such as retail customers  
15 served by KEPCo’s members.

16 **B. Analysis of the Public Interest**

17 **Q. HOW DID YOU ANALYZE THIS PROPOSED MERGER RELATIVE TO THE**  
18 **PUBLIC INTEREST?**

19 A. I considered a variety of factors, all of which are part of the Commission’s merger  
20 standards. My focus, however, has been on those merger criteria that have particular  
21 ramifications for transmission and wholesale customers and ultimately retail ratepayers to

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<sup>68</sup> In the Matter of the Joint Applicant of Great Plains Energy Incorporated, Kansas City Power & Light Company and Westar Energy, Inc. for approval of the Acquisition of Westar Energy, Inc. by Great Plains Energy Incorporated, Docket No. 16-KCPE-593-ACQ, Order, ¶ 37.

<sup>69</sup> In the Matter of the Application of Great Plains Energy Incorporated, Kansas City Power & Light Company, and Westar Energy, Inc. for Approval of the Merger of Westar Energy, Inc. and Great Plains Energy Incorporated, Docket No. 18-KCPE-095-MER, Order Approving Merger, p. 23, *emphasis added*.

1       whom KEPCo's member distribution cooperatives provide service. My analysis focuses  
2       on reviewing the degree to which there are any new net incremental merger benefits as  
3       well as the Joint Applicants' ability to mitigate post-merger performance and regulatory  
4       risks and uncertainties. Too often, merger commitments offered by merging utilities  
5       focus heavily on either maintaining the status quo or, alternatively, assuring that  
6       ratepayers bear no post-merger risks. While such commitments are valuable and  
7       meritorious, they do not meet the merger approval standards (by themselves) held by  
8       most commissions, including this Commission, to assure that a proposed merger delivers  
9       benefits that would not arise "but for" the merger. My concerns about this particular  
10      merger are that its new incremental benefits are almost non-measurable, and yet, there are  
11      a number of new post-merger costs, created primarily by a number of post-merger  
12      performance and regulatory risks and uncertainties. These risks and uncertainties  
13      currently lead to a merger that is not in the public interest, at least as it has been proposed  
14      by the Joint Applicants in this proceeding.

15   **Q.   HAVE THE JOINT APPLICANTS MADE A NUMBER OF THEIR INTERNAL**  
16   **MERGER-RELATED DOCUMENTS AVAILABLE FOR YOUR REVIEW?**

17   A.   No. An important analysis that needs to be conducted in a merger review is an analysis  
18       of the internal business documents relied upon by the applicants to evaluate and decide  
19       that a merger (or other transaction) is a prudent decision. A prudent utility will assess the  
20       public benefits of a proposed transaction in addition to the private benefits to the utility, a  
21       fact that is doubly true when talking about member-owned cooperative utilities. To this  
22       end, KEPCo requested all internal documents in the Joint Applicants' possession  
23       distributed to or viewed by members of the Board of Directors in connection with the

1 proposed merger.<sup>70</sup> The Joint Applicants produced some Board documents; however,  
2 these documents were heavily redacted making it impossible to discern the contents of  
3 the analyses.

4 **Q. HAVE YOU REVIEWED INTERNAL ANALYSES RELIED UPON BY**  
5 **INDIVIDUAL JA MEMBERS IN DECIDING THAT THE PROPOSED MERGER**  
6 **WAS BENEFICIAL TO THEIR MEMBERS?**

7 A. I have been unable to review any information relied upon by individual JA Members in  
8 supporting the decision that the proposed merger was beneficial to their members. Each  
9 member was asked through discovery to provide all documents reviewed by, created by,  
10 or relied upon by the JA Member's supporting witness in stating that the proposed merger  
11 was beneficial to their members.<sup>71</sup> Except for one,<sup>72</sup> none of the JA Members provided  
12 any such documentation. According to Joint Applicants, "It would be literally impossible  
13 to provide all the documents that he may have reviewed, created or relied upon to inform  
14 and form his testimony related to the subject matter of his testimony."<sup>73</sup> Indeed, when  
15 asked through discovery for analyses utilized by the JA Members to ascertain that the  
16 proposed merger was in the best interest of their members, each JA Member responded  
17 that no such analysis independent of that produced by the Joint Applicants was  
18 prepared.<sup>74</sup>

19 **Q. HAVE YOU ANALYZED THE PROPOSED MERGER AGAINST THE**  
20 **STANDARD OF PROMOTING THE PUBLIC INTEREST?**

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<sup>70</sup> Joint Applicants' Response to Data Request KEPCo 1-10.

<sup>71</sup> Joint Applicants' Response to Data Requests KEPCo 3-01 to 3-09.

<sup>72</sup> Joint Applicants' Response to Data Request KEPCo 3-02. Joint Applicants supplied five documents that Mr. Laws relied upon in preparing his testimony on behalf of Victory in support of the proposed merger.

<sup>73</sup> Joint Applicants' Response to Data Requests KEPCo 3-01 to 3-09.

<sup>74</sup> Joint Applicants' Response to Data Requests KEPCo 4-01, 4-06, 4-10, 4-15.

1 A. Yes. I analyzed the proposed merger against a standard of promoting the public interest  
2 and applied the Commission's merger review standards. As noted, one of my primary  
3 concerns about the merger proposal is that it fails to show any positive net incremental  
4 benefits required by the Commission for merger approval. In addition, it shifts a  
5 considerable amount of post-merger performance and regulatory risk away from the Joint  
6 Applicants and onto other parties. The Joint Applicants, for instance, fully acknowledge  
7 in their application that the proposed merger will not produce the levels of benefits from  
8 cost savings typically seen in a merger proposal,<sup>75</sup> principally because Sunflower and  
9 Mid-Kansas have operated with little distinction from one another for some time now.  
10 Because of this, benefits from the proposed transaction are minimal in nearly every  
11 aspect. Approval of this transaction without a showing of positive net incremental  
12 benefits would be inconsistent with the Commission's merger review standards. Further,  
13 the lack of positive incremental net benefits raises serious questions about "why"  
14 regulators should approve a proposal that makes no material change but could create  
15 unanticipated challenges and regulatory risks that I will discuss later in my direct  
16 testimony.

17 **Q. PLEASE EXPLAIN THE EFFECT OF THE PROPOSED TRANSACTION ON**  
18 **THE FINANCIAL CONDITIONS OF THE PROPOSED ENTITY COMPARED**  
19 **TO THE CURRENT STAND-ALONE FINANCIAL CONDITIONS OF THE**  
20 **JOINT APPLICANTS.**

21 A. The Commission's Merger Evaluation Criteria (a)(i) asks for an evaluation of a proposed  
22 merger transaction on the financial condition of the merging entities. The Joint

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<sup>75</sup> Direct Testimony of Stuart Lowery, 16:14-16.

1 Applicants claim that the proposed transaction will produce a stronger credit profile and  
2 lower debt costs than either Sunflower or Mid-Kansas.<sup>76</sup> Specifically, the Joint  
3 Applicants find that the proposed transaction will result in anywhere between a 12.5 to 50  
4 basis point improvement to financing rates when compared against Mid-Kansas.<sup>77</sup>

5 **Q. HOW DID THE JOINT APPLICANTS CALCULATE THESE FINANCIAL**  
6 **BENEFITS?**

7 A. Neither Sunflower nor Mid-Kansas have been rated by a credit rating agency.<sup>78</sup>  
8 However, the Joint Applicants have developed a type of financial analysis using a credit  
9 rating matrix for Cooperative G&T utilities published by Moody's. According to the  
10 Joint Applicants, this financial analysis shows that Sunflower would be rated "A2" while  
11 Mid-Kansas would be rated "Baa1" if reviewed on a stand-alone basis by a credit rating  
12 agency (using Moodys' comparable ratings).<sup>79</sup> The Joint Applicants, using this same  
13 credit rating matrix, estimate that the newly merged entity would be rated as "A3:" a  
14 "joint" or "post-merger" rating that is one notch higher than Mid-Kansas, and one notch  
15 lower than Sunflower, on a stand-alone basis.<sup>80</sup> A replication of this credit rating  
16 (financial) analysis has been provided in Exhibit DED-3.

17 **Q. HOW DO THE JOINT APPLICANTS EXPLAIN THE DETERIORATION THIS**  
18 **TRANSACTION WOULD HAVE ON SUNFLOWER'S STAND-ALONE CREDIT**  
19 **RATING?**

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<sup>76</sup> Application at p. 12.

<sup>77</sup> Direct Testimony of H. Davis Rooney, 11:2-4.

<sup>78</sup> Direct Testimony of H. Davis Rooney, 10:2-3.

<sup>79</sup> Direct Testimony of H. Davis Rooney, 10:2-4; and Joint Applicants' Response to Data Request KEPCo 1-16, Attachment "Rooney\_Direct\_Workpapers.xls."

<sup>80</sup> Joint Applicants' Response to Data Request KEPCo 1-16, Attachment "Rooney\_Direct\_Workpapers.xls."

1 A. The Joint Applicants argue that, although the proposed transaction weakens Sunflower's  
2 credit profile, the new combined entity would have a stronger credit profile than the  
3 existing Mid-Kansas.<sup>81</sup> Furthermore, Mid-Kansas has historically had greater borrowing  
4 needs, even though it has had a lower stand-alone credit profile compared to Sunflower.<sup>82</sup>  
5 Because of this, the Joint Applicants claim that the effective interest rates associated with  
6 new borrowings in the merged entity will be better than rates associated with current  
7 borrowings of the standalone entities.<sup>83</sup>

8 **Q. WOULD YOU CHARACTERIZE THIS AS A BENEFIT?**

9 A. No. This financial benefit appears to be overstated and not entirely accurate in its  
10 representation. Consider, for instance, that the Joint Applicants' own analysis finds that  
11 the proposed transaction will worsen the financial strength of Sunflower. The Joint  
12 Applicants minimize this fact and instead claim that the benefits to Mid-Kansas outweigh  
13 the costs to Sunflower due to the historical borrowing requirements of Mid-Kansas that  
14 exceed the borrowing requirements of Sunflower. However, the Joint Applicants'  
15 calculations do not reflect this nuance, and the Commission should recognize that the  
16 hypothetical 12.5 to 50 basis point benefit only considers the benefit over and above Mid-  
17 Kansas' existing estimated credit profile,<sup>84</sup> and does not consider the costs associated  
18 with Sunflower's expected weakening credit profile from an A2 to A3 rating. Thus, this  
19 financial "benefit" is not "net" of its anticipated costs, making it overstated.

20 **Q. HOW DOES THE PURCHASE PRICE COMPARE TO THE ANTICIPATED**  
21 **MERGER SAVINGS?**

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<sup>81</sup> Direct Testimony of H. Davis Rooney, 10:13-14.

<sup>82</sup> Direct Testimony of H. Davis Rooney, 10:8-11.

<sup>83</sup> *Id.*

<sup>84</sup> Joint Applicants' Response to KEPCo 1-16.

1 A. The Commission's Merger Evaluation Criteria (a)(ii) requires a review of the proposed  
2 merger's purchase price with its anticipated synergy savings. The Joint Applicants note  
3 that the proposed merger is a merger of equals, with no purchase price, acquisition  
4 premium, or any other financial consideration associated with the transaction.<sup>85</sup>  
5 However, as mentioned earlier, the Joint Applicants also recognize that the proposed  
6 transaction will not generate the level of synergy savings typically associated with  
7 proposed transactions due to the organization of Mid-Kansas relative to Sunflower.<sup>86</sup>  
8 The Joint Applicants do, however, claim that the proposed transaction will free up over  
9 1,200 hours annually of staff time<sup>87</sup> and reduce fuel risks of the Joint Applicants by  
10 creating a single, more balanced generation portfolio.<sup>88</sup>

11 **Q. WHAT UNDERLIES THE JOINT APPLICANTS' STAFF TIME REDUCTION**  
12 **ESTIMATE?**

13 A. The Joint Applicants state that they have identified approximately 125 to 200 duplicate  
14 processes that will be eliminated as part of the merger.<sup>89</sup> Importantly, however, the Joint  
15 Applicants do not identify 200, or even 125 duplicate processes that will be avoided by  
16 the proposed merger. It appears that, instead, the Joint Applicants polled relevant  
17 individuals in different budget areas of the Joint Applicants' operations and asked for a  
18 generic estimate of the number of duplicate processes in their section.<sup>90</sup> Most polled  
19 sections responded that no duplicate processes would be avoided by the proposed merger.  
20 For those that did report duplicate processes that could be avoided by the proposed

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<sup>85</sup> Application at pp. 13-14.

<sup>86</sup> *Id.*

<sup>87</sup> *Id.*

<sup>88</sup> *Id.*

<sup>89</sup> Direct Testimony of H. Davis Rooney, 12:1-2.

<sup>90</sup> Joint Applicants' Response to Data Request KEPCo 1-16, Attachment "Rooney\_Direct\_Workpapers.xls."

1 merger, most sections could not specifically quantify the duplicated processes. For these,  
2 the Joint Applicants assumed a generic 5 to 10 duplicated processes. Only three sections  
3 reported notable duplicated processes that would be eliminated with the proposed merger:  
4 financial services (around 50 processes, literally “~50”); regulatory and market affairs  
5 (40 processes), and power supply and contracts (25 to 40 processes).<sup>91</sup>

6 **Q. WHAT SAVINGS DO THE JOINT APPLICANTS QUANTIFY WILL RESULT**  
7 **FROM THE AVOIDED “125 TO 200” DUPLICATE PROCESSES?**

8 A. While the Joint Applicants state they have identified 125 to 200 duplicate processes, only  
9 52 processes are identified beyond a generic process estimate, of which only 44 are  
10 quantified as saving any staff time.<sup>92</sup> These are presented in Exhibit DED-4. Nearly a  
11 quarter of the avoided labor hours result from the elimination of the need to annually  
12 audit Mid-Kansas workpapers. Other savings include the elimination of the need to  
13 prepare income tax returns and projections for Mid-Kansas.<sup>93</sup>

14 **Q. HAVE THE JOINT APPLICANTS QUANTIFIED THE MONETARY SAVINGS**  
15 **ASSOCIATED WITH THE AVOIDED DUPLICATE PROCESSES?**

16 A. No. Importantly, the Joint Applicants are not claiming that any position will be  
17 eliminated or reduced with the proposed merger, so there is no direct labor savings  
18 associated with the elimination of the duplicate processes that will flow to ratepayers.  
19 The Joint Applicants characterize the labor savings as an increase to productivity rather  
20 than a monetary savings. Internal discussions by the Company highlight this fact:

21 Statement:

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<sup>91</sup> *Id.*

<sup>92</sup> *Id.*

<sup>93</sup> *Id.*

1 We are not expecting any actual headcount reductions, so labor savings  
2 will translate into high productivity (and maybe some lower overtime) **but**  
3 **not real/immediate budget dollars that can flow to rate reductions.**

4 Response:

5 Exactly right. **The only immediate dollars saved would be hourly**  
6 **overtime costs. But those would be very insignificant.** The only  
7 significant savings would be not hiring a person to replace one employee  
8 when he retires.<sup>94</sup>

9 **Q. WOULD YOU CHARACTERIZE THE PURPORTED LABOR REDUCTIONS AS**  
10 **A SAVINGS RESULTING FROM THE PROPOSED MERGER?**

11 A. No. While the proposed merger may reduce some internal burdens, the fact that the Joint  
12 Applicants are not proposing any elimination or reduction in positions suggests no longer  
13 term savings will arise from these “labor reduction;” instead, it will just be a shifting of  
14 effort from one function to another in the post-merger organization. Thus, no ratepayer  
15 benefits will arise from a reduction in operations costs. To the extent any such benefits  
16 do arise, these will only arise through attrition of not replacing retired employees, and the  
17 Joint Applicants do not produce any evidence establishing when this may occur. Further,  
18 to the extent that this does occur, it can hardly be said to reflect a new incremental  
19 merger-related benefit since such an action could be taken today, absent the merger.

20 **Q. WHAT OTHER SAVINGS DO THE JOINT APPLICANTS ARGUE WILL**  
21 **RESULT FROM THE PROPOSED MERGER?**

22 A. The Joint Applicants also claim that the proposed merger will result in approximately  
23 \$500,000 in annual savings associated with reduced outside service costs.<sup>95</sup> These are

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<sup>94</sup> Joint Applicants’ Response to Data Request KEPCo 1-16, Attachment “Rooney\_Direct\_Workpapers.xls,” *emphasis added*.

<sup>95</sup> Direct Testimony of H. Davis Rooney, 12:17.

costs associated with consultants for analyses such as financial audits, load forecasts, rate filings, and depreciation studies.<sup>96</sup>

**Q. HOW DID THE JOINT APPLICANTS CALCULATE THE PURPORTED \$500,000 IN ANNUAL OUTSIDE SERVICE SAVINGS?**

A. It appears that the Joint Applicants, as part of its labor savings review, also surveyed its budget areas where it typically hires outside consultants.<sup>97</sup> However, only three of the Company's budget areas reported any outside service savings: Regulatory and Market Affairs; Financial Services; and Legal.<sup>98</sup> Exhibit DED-5 presents a detailed break-down of this purported savings.

**Q. HAS THE COMPANY ACCURATELY ACCOUNTED FOR THESE REDUCTIONS IN OUTSIDE SERVICES COSTS?**

A. No. The Company has not accurately quantified the amount of savings associated with a reduction in outside services. For example, an internal discussion by the Joint Applicants criticized the estimate of \$115,000 in annual financial service savings, arguing that the per hour amount used to calculate this, \$95 per hour, was "a little high," and that a more realistic estimate would be \$70 per hour, or a total of \$85,000.<sup>99</sup> Likewise, the Joint Applicants state that it will save \$275,000 per year associated with reduced regulatory and market affairs costs. However, this estimate is based on the reduced need to file a formula-based rate annually, which is estimated to be \$300,000 when implementing a new rate, minus \$50,000 savings for an existing tariff rate.<sup>100</sup> The Joint Applicants mis-

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<sup>96</sup> Direct Testimony of H. Davis Rooney, 12:12-17.

<sup>97</sup> Joint Applicants' Response to Data Request KEPCo 1-16, Attachment "Rooney\_Direct\_Workpapers.xls."

<sup>98</sup> *Id.*

<sup>99</sup> *Id.*

<sup>100</sup> *Id.*

1 report this as \$275,000 rather than \$250,000. In total, it appears the Joint Applicants  
2 over-estimate annual savings by at least \$55,000, or more than 10 percent.

3 **Q. ARE THERE ANY OTHER ISSUES WITH THE JOINT APPLICANTS’**  
4 **OUTSIDE SERVICES BENEFITS ESTIMATE?**

5 A. Yes. The Joint Applicants do not include the non-trivial expenses that it will incur as part  
6 of the proposed transaction. Internal discussions appear to indicate an estimate of  
7 upwards of \$200,000 associated with reprograming financial and other reporting  
8 requirements.<sup>101</sup>

9 **Q. DO THE JOINT APPLICANTS PROVIDE ANY ADDITIONAL BENEFITS**  
10 **ASSOCIATED WITH THE PROPOSED MERGER?**

11 A. Yes. The Joint Applicants claim that the proposed merger will “stabilize rates against  
12 short-term and long-term potential rate shocks”<sup>102</sup> and, furthermore, help stabilize rates  
13 by increasing the diversification of generation resources.<sup>103</sup>

14 **Q. PLEASE EXPLAIN HOW THE MERGER IS SUPPOSED TO STABILIZE**  
15 **RATES.**

16 A. The Joint Applicants state that in 2013 the largest electricity user on the Sunflower  
17 system accounted for 9.11 percent of its total annual load, while the largest customer on  
18 Mid-Kansas’ system accounted for 9.85 percent of its total annual load.<sup>104</sup> The Joint  
19 Applicants argue that the merged entity will be better positioned to absorb the loss of  
20 load from large customers should they discontinue service. Specifically, the Joint  
21 Applicants find that these customers would only account for 4.61 and 4.84 percent of the

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<sup>101</sup> *Id.*

<sup>102</sup> Direct Testimony of H. Davis Rooney, 13:13-14.

<sup>103</sup> *Id.*

<sup>104</sup> Joint Applicants’ Response to Data Request KEPCo 1-16, Attachment “Rooney\_Direct\_Workpapers.xls.”

1 total load of the combined entity.<sup>105</sup> The Joint Applicants also state that commercial and  
2 industrial customers “likely represent the best opportunity for load growth in western  
3 Kansas,”<sup>106</sup> and that Mid-Kansas has a higher percentage of such customers compared to  
4 Sunflower.<sup>107</sup> In this sense, the Joint Applicants argue that the proposed merger will  
5 allow Sunflower greater growth opportunities, while providing Mid-Kansas with  
6 additional load stability.

7 **Q. DO YOU AGREE THAT THE PROPOSED MERGER WILL PROVIDE**  
8 **ADDITIONAL RATE STABILITY BENEFITS?**

9 A. No. First, these are simply not known and measurable benefits that are likely to arise  
10 post-merger, and, indeed, the JA Members have provided no analysis supporting their  
11 assertion of a monetary benefit.<sup>108</sup> In addition, the Joint Applicants have shifted the  
12 performance risk of this purported benefit entirely onto ratepayers since they have not  
13 committed to any rate stability guarantee nor any other type of “hold harmless” provision  
14 that puts into place a rate impact cap should any large customer leave the merged system  
15 in the future. The Commission should focus on known and quantifiable benefits to  
16 ratepayers when evaluating whether the proposed transaction is in the public interest.  
17 Further, if the Joint Applicants make an assertion about a potential merger benefit, like  
18 rate stability, they should be held to these assertions if such assertions are to be  
19 considered for merger approval. The Joint Applicants have not committed to any  
20 quantifiable rate stability benefit and thus, any rate stability claims should be highly

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<sup>105</sup> *Id.*

<sup>106</sup> Direct Testimony of Stuart Lowry, 14:3-5.

<sup>107</sup> Direct Testimony of Stuart Lowry, 14:2-3.

<sup>108</sup> *See*, Joint Applicants’ Response to Data Requests KEPCo 4-11, 4-12, 4-14, and 4-16.

discounted or ignored until such time that the Joint Applicants are willing to back this claim up with a specific merger commitment.

**Q. DO THE JOINT APPLICANTS CLAIM ANY OTHER RATE STABILITY BENEFITS?**

A. Yes. The Joint Applicants claim that the newly merged utility will experience greater fuel diversity compared to either Mid-Kansas or Sunflower pre-merger.<sup>109</sup> Sunflower's current resources are heavily weighted to coal, while Mid-Kansas' resources are heavily weighted to natural gas.<sup>110</sup> The Joint Applicants state that by merging the two utilities, each entity will gain greater fuel diversity, especially in light of a 2019 retirement of an existing purchase power agreement ("PPA") Mid-Kansas has with Westar's Jeffrey Energy Center.<sup>111</sup>

**Q. DO YOU AGREE WITH THE JOINT APPLICANTS THAT THE PROPOSED MERGER WILL PROVIDE SIGNIFICANT BENEFITS ASSOCIATED WITH INCREASED FUEL DIVERSITY?**

A. No. The Joint Applicants' position appears to be based on the mistaken belief that coal generation will mitigate "potentially" volatile gas prices,<sup>112</sup> and does not appear to be supported by documentable studies or analyses.<sup>113</sup> The view that natural gas prices are volatile relative to coal prices is not supportable by empirical evidence. For instance, natural gas price trends over the past decade reflect a material decrease in commodity price volatility. Further, and perhaps more importantly, the Joint Applicants are not

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<sup>109</sup> Direct Testimony of H. Davis Rooney, 14:4-6.

<sup>110</sup> Direct Testimony of H. Davis Rooney, 14:14-17.

<sup>111</sup> Direct Testimony of H. Davis Rooney, 14:17-19.

<sup>112</sup> See, Direct Testimony of Stuart Lowry, 17:6-7.

<sup>113</sup> See, Joint Applicants' Response to Data Requests KEPCo 4-04, 4-08, 4-09, and 4-13.

1 backing this claim with any concrete performance-based benefit such as a commitment to  
2 cap future rate volatility by some fixed percent over some fixed time period. As a result,  
3 the entire performance risk of this assertion is shifted away from the Joint Applicants and  
4 entirely onto ratepayers. As I noted earlier, if a particular assertion made by the Joint  
5 Applicants is something that will be considered for approval of this proposed merger,  
6 then it should be backed with an explicit merger commitment. The Joint Applicants, in  
7 this instance, have not provided a concrete merger commitment relative to fuel diversity  
8 and the rate benefits that will purportedly arise, post-merger, from this resource diversity.

9 **Q. DO YOU HAVE ANY CONCERNS ABOUT ANY POST-MERGER**  
10 **REGULATORY ACTIONS OF THE MERGED ENTITY?**

11 A. Yes. Joint Applicants intend to file a new consolidated transmission formula rate with  
12 FERC. The Joint Applicants are generally silent about this fact, stating only that the  
13 current transmission rate differential between the Mid-Kansas zone and the Sunflower  
14 zone is two percent,<sup>114</sup> suggesting that the ultimate impact on transmission rates will be  
15 minimal. The Joint Applicants, in response to discovery, state that they still needed “to  
16 confirm with SPP and FERC (on) the particular steps that must be taken to converge the  
17 Mid-Kansas and Sunflower transmission formula rates under the SPP OATT, post-  
18 merger;”<sup>115</sup> however, the Joint Applicants have indicated that their “tentative plan” is to  
19 file for a merged transmission formula rate at FERC in the first quarter of 2019.<sup>116</sup> The  
20 Commission should recognize, however, that the proposed transaction will have an  
21 impact on transmission rates, as the Joint Applicants plan to create a single transmission

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<sup>114</sup> Direct Testimony of H. Davis Rooney, 8:1-3.

<sup>115</sup> Joint Applicants’ Response to Data Request KCC-7.

<sup>116</sup> Joint Applicants’ Response to Data Request KEPCo 4-23.

1 zone for the new post-merger Sunflower.<sup>117</sup> Mr. Mark Doljac, another witness appearing  
2 on behalf of KEPCo, will be providing an analysis of these potential integration costs and  
3 making recommendations on how to mitigate certain transition costs, particularly relative  
4 to prior year true-ups, that could arise during the integration of these two zones.

5 **Q. HAVE THE JOINT APPLICANTS ADEQUATELY ADDRESSED ISSUES**  
6 **RELATED TO PRIOR LOCAL ACCESS SYSTEM AGREEMENTS?**

7 A. No. As mentioned previously, the Commission has heard complaints over the years from  
8 a number of parties relating to Mid-Kansas' operations of its Local Access System. The  
9 Joint Applicants do not address the issue of the impact of the proposed transaction on the  
10 JA Members' Local Access Systems or their associated Local Access Charges ("LAC").  
11 The only statements from the Joint Applicants are that the proposed merger will have "no  
12 impact" on the provision of LADS, or the LAC,<sup>118</sup> or that the proposed merger will  
13 impact the LADS and LAC, but only immaterially.<sup>119</sup> To this final point, the Joint  
14 Applicants state that any required change will be addressed in a future docket filing with  
15 the Commission.<sup>120</sup>

16 **Q. DO YOU BELIEVE THE JOINT APPLICANTS' RESPONSE IS SUFFICIENT?**

17 A. No. I do not believe it is appropriate to approve a proposed merger on the premise that a  
18 major concern will be addressed in a future filing. If the required changes in the JA  
19 Members' LADS or the JA Members' LACs were as immaterial as the Joint Applicants  
20 and JA Members claim, there should be no reason not to include these changes as an  
21 element of the proposed merger. The Joint Applicants' position serves no purpose other

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<sup>117</sup> Joint Applicants' Response to Data Request KCC-7.

<sup>118</sup> See, Direct Testimony of Allan J. Miller, 6:12-15.

<sup>119</sup> See, Direct Testimony of Shane Laws, 6:4-5.

<sup>120</sup> Joint Applicants' Response to KEPCo 1-26.

1 than to allow for the potential for changes in the LADS or LACs as a consequence of the  
2 proposed merger to be made in future filings that are unanticipated by intervenors and the  
3 Commission but planned for by the Joint Applicants.

4 **V. PROPOSED MERGER COMMITMENTS**

5 **Q. CAN YOU SUMMARIZE YOUR CONCERNS ABOUT THE PROPOSED**  
6 **MERGER RELATIVE TO THE COMMISSION'S MERGER STANDARDS?**

7 A. Yes. The proposed merger offers few quantifiable benefits, while creating new risks and  
8 uncertainties (and costs) for transmission, wholesale, and retail customers: this outcome  
9 is inconsistent with the Commission's merger standards. Because the Joint Applicants  
10 have not provided business documents related to the proposed transaction, or have  
11 provided documents that are heavily redacted, it is not possible to validate the Joint  
12 Applicants' claims of benefits (and no harm); nor is it possible to eliminate the potential  
13 risks associated with the transaction for transmission, wholesale, and retail customers.  
14 For this reason, I recommend that the Commission require the Joint Applicants to abide  
15 by a set of merger commitments designed to bring the proposed merger into the public  
16 interest by mitigating against these potential negative impacts. These merger  
17 commitments are individually listed in Exhibit DED-2. I am sponsoring most of these  
18 comments, although there are a few that will be sponsored by KEPCo witness Mr. Mark  
19 Doljac.

20 **Q. PLEASE EXPLAIN YOUR FIRST MERGER COMMITMENT.**

21 A. First, I propose that the Joint Applicants make a long-term commitment to providing  
22 KEPCo, and other parties to this docket, a minimum, five-year notice prior to any filing  
23 by the newly combined company or by a party on behalf of the newly combined company

1 terminating the new company's membership or participation in SPP. The Joint  
2 Applicants, in their application, state that the proposed transaction will have no adverse  
3 effect on competition in the State in part because the combined company will continue to  
4 be a market participant and a transmission owner in SPP, subject to all provisions of its  
5 tariff and transmission process.<sup>121</sup> The Joint Applicants also note that the advent of open  
6 access transmission and the structure of SPP "eliminates" any market power concerns  
7 associated with the proposed merger.<sup>122</sup> My proposed commitment will ensure that these  
8 conditions hold into the future by assuring that the Joint Applicants maintain their SPP  
9 membership, including remaining subject to SPP's tariff and transmission process.

10 **Q. PLEASE EXPLAIN YOUR SECOND MERGER COMMITMENT.**

11 A. Second, I recommend that the Joint Applicants commit to providing no less than a 30-day  
12 written notice to KEPCo and other parties to this docket prior to filing any application  
13 with FERC to combine the existing transmission formula rates of Sunflower and Mid-  
14 Kansas. The Joint Applicants have represented in this proceeding that their ultimate goal  
15 is to merge the existing two zone structure into a single area transmission rate.<sup>123</sup> The  
16 Joint Applicants have furthermore acknowledged that this plan is still a work in progress  
17 requiring input from SPP and others as to how this combination of transmission rates will  
18 proceed.<sup>124</sup> The proposed merger commitment obligates the Joint Applicants to notify  
19 parties with sufficient lead time once the details of this process have been ironed out.  
20 This condition will allow KEPCo and the other parties to this proceeding adequate time,

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<sup>121</sup> Application at 14.

<sup>122</sup> *Id.*

<sup>123</sup> Joint Applicants' Response to Data Request KCC-7.

<sup>124</sup> *Id.*

1 with the cooperation of the merged entity, to develop an understanding of the substance  
2 of the proposed filing and possibly to resolve perceived concerns before the filing.

3 **Q. PLEASE EXPLAIN YOUR THIRD MERGER COMMITMENT.**

4 A. My third proposed commitment is that each member of the newly-combined Sunflower  
5 agrees: (1) to continue to provide open access transmission service over its respective  
6 34.5 kV and below transmission facilities pursuant to the open access transmission tariff  
7 filed with the Commission; and (2) affirms and agrees that nothing in this case, or the  
8 Commission's disposition of this case, shall affect in any way the commitments set forth  
9 in the Stipulation and Agreement between parties in Docket No. 11-GIME-597-GIE. As  
10 mentioned previously, KEPCo and other parties rely extensively on transmission service  
11 provided over Sunflower and Mid-Kansas facilities and facilities owned by JA Members  
12 to serve load. Furthermore, disputes have arisen previously concerning the fair operation  
13 of these facilities that are a part of the JA Members' Local Access Delivery systems and  
14 are regulated by the KCC. The Stipulation and Agreement in Docket No. 11-GIME-597-  
15 GIE represents a significant agreement between parties on appropriate implementation of  
16 LADS, and this proposed commitment affirms the importance of this agreement.

17 **Q. PLEASE EXPLAIN YOUR FOURTH MERGER COMMITMENT.**

18 A. My fourth merger commitment obligates the JA Members to maintain separate divisional  
19 books and records until the Commission approves an application to combine divisional  
20 LACs for LADS for one or more JA Members. This maintains an important auditability  
21 component to the Joint Applicants' plans if the Commission approves this transaction and  
22 for that reason a proposal to combine divisional LAC for LADS is subsequently  
23 presented to the Commission.

1 **Q. PLEASE EXPLAIN YOUR FIFTH MERGER COMMITMENT.**

2 A. My fifth merger commitment holds that the Joint Applicants shall agree to provide  
3 KEPCo and the other parties to this docket at least a 30-day notice prior to any filing any  
4 of the JA Members that would seek to remove Commission jurisdiction over or oversight  
5 of transmission service over the LADS. The proposed merger commitment obligates the  
6 Joint Applicants to notify parties with sufficient lead time prior to any filing that would  
7 materially affect service for KEPCo members and other affected transmission-dependent  
8 wholesale customers of the Joint Applicants.

9 **Q. PLEASE EXPLAIN YOUR SIXTH MERGER COMMITMENT.**

10 A. My sixth proposed merger commitment requires that the newly merged Sunflower  
11 assume the responsibilities of Transmission Service Provider under the Mid-Kansas  
12 OATT that is subject to Commission regulation. The commitment also holds that the  
13 new entity serve as administrator of the Mid-Kansas OATT until such time as the  
14 Commission approves changes to the Mid-Kansas OATT that formally replaces  
15 Sunflower as the transmission provider of the tariff. This commits the Joint Applicants to  
16 fulfilling its plan to seek limited changes to the OATT and JA Members' LACs.<sup>125</sup>

17 **Q. PLEASE EXPLAIN YOUR SEVENTH AND EIGHTH MERGER**  
18 **COMMITMENTS.**

19 A. My seventh and eight merger commitments are hold-harmless provisions that hold  
20 KEPCo harmless from any unanticipated new or increased costs or rates resulting from  
21 the merger, *i.e.*, costs not identified in the Application and supporting testimony. These  
22 commitments prohibit the recovery of such unexpected costs through either existing

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<sup>125</sup> Company Response to Data Requests KEPCo 1-14, 1-27, 1-28, and 1-29.

1 purchase power contracts or current or future transmission service contracts. The Joint  
2 Applicants, throughout their filing, state that ratepayers and wholesale customers will not  
3 be harmed in any way through the proposed merger.<sup>126</sup> These proposed commitments  
4 hold the Joint Applicants to this statement.

5 **Q. PLEASE EXPLAIN YOUR NINTH MERGER COMMITMENT.**

6 A. My ninth merger commitment prohibits the allocation of transaction and transition costs  
7 associated with the proposed merger to KEPCo. The Joint Applicants' filing is  
8 noticeably absent on how the Joint Applicants propose to treat such costs. However, as  
9 the proposed merger is not envisioned by the Joint Applicants to produce noticeable cost  
10 savings, it makes sense that the Joint Applicants should be prohibited from passing  
11 transaction and transaction costs that would not have been incurred but for the merger to  
12 wholesale customers. Otherwise, an entity not a party to the transaction, such as KEPCo,  
13 could be materially harmed by the proposed merger.

14 **Q. PLEASE EXPLAIN YOUR TENTH MERGER COMMITMENT.**

15 A. My tenth proposed commitment is that the Joint Applicants commit to providing no less  
16 than a 30-day written notice to KEPCo and other parties to this Docket prior to the filing  
17 of any application, whether submitted by the merged entity or by SPP on behalf of the  
18 merged entity, with FERC seeking changes to the transmission rate formula that is part of  
19 the SPP OATT. The Joint Applicants have stated that they do not intend to propose  
20 changes to the current formula rate that the Commission approved earlier this year,<sup>127</sup> but  
21 they have not provided any information concerning planned changes that may come after

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<sup>126</sup> See, Direct Testimony of Bruce Mueller, 5:19 to 6:4; Direct Testimony of Stuart Lowry, 17:14-15 and 18:9-11; and H. Davis Rooney, 17:18-19.

<sup>127</sup> Joint Applicants' response to Data Request KCC-7.

1 the transaction is consummated. Similar to proposed Commitment 2, this proposed  
2 commitment would provide notice to the Commission and participants in this Docket and  
3 would allow KEPCo and the other parties to this proceeding adequate time, with the  
4 cooperation of the merged entity, to develop an understanding of the proposed changes  
5 and potentially to resolve disputes before commencement of the administrative  
6 proceeding.

7 **Q. PLEASE EXPLAIN THE ELEVENTH MERGER COMMITMENT.**

8 A. The eleventh merger commitment is sponsored by Mr. Doljac in his Direct Testimony.  
9 This commitment requires the Joint Applicants to file with FERC a transition method for  
10 the annual true-up adjustments included in Sunflower and Mid-Kansas transmission rates.  
11 As explained by Mr. Doljac, the handling of these annual true-up adjustments materially  
12 affects transmission rates for transmission customers, and the Joint Applicants should  
13 provide details on their proposed calculation in any proposal to merge the transmission  
14 rates of the two entities.

15 **Q. PLEASE EXPLAIN YOUR TWELFTH MERGER COMMITMENT.**

16 A. My twelfth merger commitment obligates the Joint Applicants to assume all existing  
17 agreements between KEPCo and the merged entity. For example, this commitment  
18 would include the Stipulation and Agreements between parties in Docket Nos. 11-GIME-  
19 597-GIE and 09-MKEE-969-RTS. This is a rather standard commitment which requires  
20 that the newly merged Sunflower honor the previous agreements of Sunflower and Mid-  
21 Kansas that the entity was created from.

22 **Q. PLEASE EXPLAIN THE THIRTEENTH MERGER COMMITMENT.**

1 A. The thirteenth merger commitment is sponsored by Mr. Doljac in his Direct Testimony.  
2 The Commitment requires the Joint Applicants to file an updated transmission loss study  
3 and file the necessary FERC approvals to update relevant components of the newly  
4 merged entity's OATT, concurrent with any filing to consolidate Joint Applicants'  
5 transmission zones or within one year after merger approval, whichever event occurs  
6 first. As explained by Mr. Doljac, the proposed merger will materially affect the  
7 calculation of transmission loss adjustments currently used, independently, for Sunflower  
8 and Mid-Kansas. New, merged, transmission rates should be accompanied by updated  
9 examination of system losses on the new entity's system.

10 **Q. PLEASE EXPLAIN THE FOURTEENTH MERGER COMMITMENT.**

11 A. The fourteenth merger commitment is sponsored by Mr. Doljac in his Direct Testimony.  
12 This commitment requires that the Joint Applicants maintain separate books until the  
13 effective date of any FERC approval to combine the two entity's transmission zones.

14 **Q. DO YOU VIEW THE RECOMMENDED MERGER CONDITIONS AS AN**  
15 **UNREASONABLE BURDEN FOR THE JOINT APPLICANTS?**

16 A. No. My proposed merger commitments are based in substantial part on the assertions  
17 Joint Applicants have made in this proceeding in support of the merger and are intended  
18 to mitigate unanticipated future rate increases and other possible post-merger actions that  
19 shift performance and regulatory risks and costs onto transmission, wholesale and retail  
20 customers in Kansas. In effect, my proposed merger conditions take Joint Applicants'  
21 assertions and make them commitments. To the extent the proposed merger condition is  
22 not based on the assertions the Joint Applicants have made in this proceeding, they are  
23 merely commitments to provide reasonable advanced notice to impacted parties prior to

1 making future regulatory filings directly resulting from the proposed merger, or  
2 commitments to maintain prior commitments made by Sunflower or Mid-Kansas prior to  
3 the proposed merger. I do not believe any of the proposed merger commitments being  
4 recommended represent a substantive burden on the Joint Applicants going forward.

5 **VI. CONCLUSIONS AND RECOMMENDATIONS**

6 **Q. PLEASE SUMMARIZE THE CONCERNS YOU HAVE ABOUT THE**  
7 **PROPOSED MERGER.**

8 A. The proposed merger, by the Joint Applicants' own admission, offers very little benefits  
9 to ratepayers and is therefore not consistent with the Commission's merger review  
10 standards. The proposal is not premised on quantifiable operations and administrative  
11 cost savings required by the Commission's merger standards. Further, the proposed  
12 merger has the potential to negatively impact rates. Wholesale customers may be  
13 negatively impacted by this merger through the Joint Applicants' proposed transmission  
14 rate integration and through future actions JA Members may take through the operation  
15 of their Local Access System. These negative impacts, however, can be mitigated by the  
16 adoption of a number of commitments that both codify representations made by the Joint  
17 Applicants in their application and testimony and also go beyond what has been offered  
18 by the Joint Applicants in this proceeding where necessary to protect their ratepayers and  
19 the public interest. To that end, I am recommending that the Commission adopt a series  
20 of merger commitments, outlined in Exhibit DED-2 that will hold rural ratepayers (retail  
21 and wholesale) harmless from many of the merger's potential negative outcomes. These  
22 commitments will mitigate (a) future rate increases and (b) other post-merger actions that  
23 could shift risks and other costs onto rural wholesale and retail Kansas ratepayers.

1    **Q.     DOES THIS CONCLUDE YOUR TESTIMONY FILED ON JANUARY 4, 2019?**

2    **A.     Yes.**

**BEFORE THE CORPORATION COMMISSION  
OF THE STATE OF KANSAS**

In the Matter of the Joint Application of )  
Sunflower Electric Power Corporation and )  
Mid-Kansas Electric Company, Inc. for an )  
Order Approving the Merger of Mid-Kansas )  
Electric Company, Inc. into Sunflower )  
Electric Power Corporation. )

Docket No. 19-SEPE-054-MER

**AFFIDAVIT OF DAVID E. DISMUKES**

STATE OF LOUISIANA )

) ss

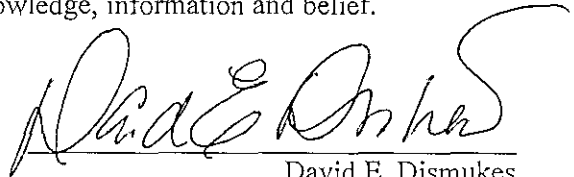
EAST BATON ROUGE PARISH )

David E. Dismukes, being first duly sworn on his oath, states:

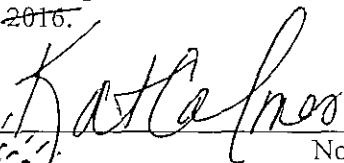
1. My name is David E. Dismukes. I work in Baton Rouge, Louisiana, and I am employed by Acadian Consulting Group as a Consulting Economist.

2. Attached hereto and made a part hereof for all purposes is my Direct Testimony on behalf of Kansas Electric Power Cooperative, Inc. consisting of forty-four (44) pages, having been prepared in written form for introduction into evidence in the above-captioned docket.

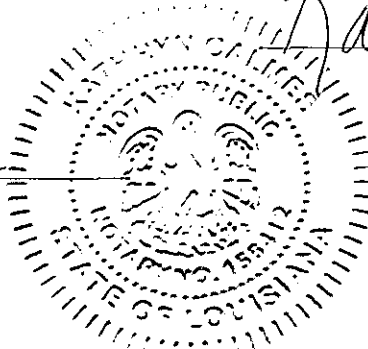
3. I have knowledge of the matters set forth therein. I hereby swear and affirm that my answers contained in the attached testimony to the questions therein propounded, including any attachments thereto, are true and accurate to the best of my knowledge, information and belief.

  
David E. Dismukes

Subscribed and sworn before me this 27 day of December, 2018.

  
Notary Public

My commission expires: at death



**KATHRYN CALMES**  
NOTARY PUBLIC ID #156412  
STATE OF LOUISIANA  
MY COMMISSION IS FOR LIFE

## Table of Exhibits

Witness Dismukes  
Docket No. 19-SEPE-054-MER

Title	Exhibit
Academic Vitae of David E. Dismukes, PH.D.	DED-1
Proposed Merger Conditions	DED-2
Analysis of Credit Rating	DED-3
Estimate of Internal Labor Savings	DED-4
Breakdown of Estimated Outside Services Savings	DED-5
Cited Responses to Information Requests	DED-6

**DAVID E. DISMUKES, PH.D.**

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**EDUCATION**

Ph.D., Economics, Florida State University, 1995.  
M.S., Economics, Florida State University, 1992.  
M.S., International Affairs, Florida State University, 1988.  
B.A., History, University of West Florida, 1987.  
A.A., Liberal Arts, Pensacola State College, 1985.

Master's Thesis: *Nuclear Power Project Disallowances: A Discrete Choice Model of Regulatory Decisions*

Ph.D. Dissertation: *An Empirical Examination of Environmental Externalities and the Least-Cost Selection of Electric Generation Facilities*

**ACADEMIC APPOINTMENTS**

Louisiana State University, Baton Rouge, Louisiana

**Center for Energy Studies**

2014-Current	Executive Director
2007-Current	Director, Division of Policy Analysis
2006-Current	Professor
2003-2014	Associate Executive Director
2001-2006	Associate Professor
1999-2001	Research Fellow and Adjunct Assistant Professor
1995-2000	Assistant Professor

**College of the Coast and the Environment (Department of Environmental Studies)**

2014-Current	Professor (Joint Appointment with CES)
2010-Current	Director, Coastal Marine Institute
2010-2014	Adjunct Professor

**E.J. Ourso College of Business Administration (Department of Economics)**

2006-Current	Adjunct Professor
2001-2006	Adjunct Associate Professor

1999-2000                      Adjunct Assistant Professor

Michigan State University, East Lansing, Michigan

**Institute of Public Utilities**

2018-current                      Senior Fellow

Florida State University, Tallahassee, Florida

**College of Social Sciences, Department of Economics**

1995                                  Instructor

**PROFESSIONAL EXPERIENCE**

Acadian Consulting Group, Baton Rouge, Louisiana

2001-Current                      Consulting Economist/Principal

1995-1999                          Consulting Economist/Principal

Econ One Research, Inc., Houston, Texas

1999-2001                          Senior Economist

Florida Public Service Commission, Tallahassee, Florida

**Division of Communications, Policy Analysis Section**

1995                                  Planning & Research Economist

**Division of Auditing & Financial Analysis, Forecasting Section**

1993                                  Planning & Research Economist

1992-1993                          Economist

Project for an Energy Efficient Florida/FlaSEIA, Tallahassee, Florida

1994                                  Energy Economist

Ben Johnson Associates, Inc., Tallahassee, Florida

1991-1992                          Research Associate

1989-1991                          Senior Research Analyst

1988-1989                          Research Analyst

**GOVERNMENT APPOINTMENTS**

2017-Current                      Member, National Petroleum Council.  
U.S. Department of Energy.

2007-Current                      Louisiana Representative, Interstate Oil and Gas Compact  
Commission; Energy Resources, Research & Technology  
Committee.

2007-Current                      Louisiana Representative, University Advisory Board  
Representative; Energy Council (Center for Energy,

	Environmental and Legislative Research).
2005	Member, Task Force on Energy Sector Workforce and Economic Development (HCR 322).
2003-2005	Member, Energy and Basic Industries Task Force, Louisiana Economic Development Council
2001-2003	Member, Louisiana Comprehensive Energy Policy Commission.

#### **PUBLICATIONS: BOOKS AND MONOGRAPHS**

1. *Power System Operations and Planning in a Competitive Market.* (2002). With Fred I. Denny. New York: CRC Press.
2. *Distributed Energy Resources: A Practical Guide for Service.* (2000). With Ritchie Priddy. London: Financial Times Energy.

#### **PUBLICATIONS: PEER REVIEWED ACADEMIC JOURNALS**

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2. "The feasibility of repurposing natural gas pipelines to transport carbon dioxide: a Louisiana case study and analysis. (2018). With Brian Snyder and Michael Layne. *International Journal of Greenhouse Gas Control*. Forthcoming.
3. "A cash flow model of an integrated industrial CCS-EOR project in a petrochemical corridor: a case study in Louisiana. (2018). With Brian Snyder and Michael Layne. *International Journal of Greenhouse Gas Control*. Forthcoming.
4. "Understanding the challenges of industrial carbon capture and storage: an example in a U.S. petrochemical corridor." (2018). With Brian Snyder and Michael Layne. *International Journal of Sustainable Energy*.
5. "Sea level rise and coastal inundation: a case study of the Gulf Coast energy infrastructure." (2018). With Siddhartha Narra. *Natural Resources*. 9: 150-174.
6. "The energy pillars of society: perverse interactions among human resource use, the economy and environmental degradation." (2018). With Adrian R.H. Wiegman, John W. Day, Christopher F. D'Elia, Jeffrey S. Rutherford, Charles Hall. *BioPhysical Economics and Resource Quality*. 3(2) 1-16.
7. "Modeling the impacts of sea-level rise, oil price, and management strategy on the costs of sustaining Mississippi delta marshes with hydraulic dredging." (2018). with Adrian R.H. Wiegman, John W. Day, Christopher F. D'Elia, Jeffrey S. Rutherford, James T. Morris, Eric D. Roy, Robert R. Lane, and Brian F. Snyder. *Science of the Total Environment* 618 (2018): 1547-1559.
8. "Identifying Vulnerabilities of Working Coasts Supporting Critical Energy Infrastructure." (2016). With Siddhartha Narra. *Water*. 8(1).

9. "Economies of Scale, Learning Effects and Offshore Wind Development Costs" (2015). With Gregory B. Upton, Jr. *Renewable Energy*. 61-66.
10. "Economic impact of Gulf of Mexico ecosystem goods and services and integration into restoration decision-making." (2014) With Shepard, A.N., J.F. Valentine, C.F. D'Elia, D.W. Yoskowitz. *Gulf Science*.
11. "An Empirical Analysis of Differences in Interstate Oil and Natural Gas Drilling Activity." (2012). With Mark J. Kaiser and Christopher J. Peters. *Exploration & Production: Oil and Gas Review*. 30(1): 18-22.
12. "The Value of Lost Production from the 2004-2005 Hurricane Seasons in the Gulf of Mexico." (2009). With Mark J. Kaiser and Yunke Yu. *Journal of Business Valuation and Economic Loss Analysis*. 4(2).
13. "Estimating the Impact of Royalty Relief on Oil and Gas Production on Marginal State Leases in the US." (2006). With Jeffrey M. Burke and Dmitry V. Mesyanzhinov. *Energy Policy* 34(12): 1389-1398.
14. "Using Competitive Bidding As A Means of Securing the Best of Competitive and Regulated Worlds." (2004). With Tom Ballinger and Elizabeth A. Downer. *NRRI Journal of Applied Regulation*. 2 (November): 69-85. (Received 2005 Best Paper Award by NRRI)
15. "Deregulation of Generating Assets and the Disposition of Excess Deferred Federal Income Taxes." (2004). With K.E. Hughes II. *International Energy Law and Taxation Review*. 10 (October): 206-212.
16. "Reflections on the U.S. Electric Power Production Industry: Precedent Decisions Vs. Market Pressures." (2003). With Robert F. Cope III and John W. Yeargain. *Journal of Legal, Ethical, and Regulatory Issues*. Volume 6, Number 1.
17. "A is for Access: A Definitional Tour Through Today's Energy Vocabulary." (2001) *Public Resources Law Digest*. 38: 2.
18. "A Comment on the Integration of Price Cap and Yardstick Competition Schemes in Electrical Distribution Regulation." (2001). With Steven A. Ostrover. *IEEE Transactions on Power Systems*. 16 (4): 940 -942.
19. "Modeling Regional Power Markets and Market Power." (2001). With Robert F. Cope. *Managerial and Decision Economics*. 22:411-429.
20. "A Data Envelopment Analysis of Levels and Sources of Coal Fired Electric Power Generation Inefficiency" (2000). With Williams O. Olatubi. *Utilities Policy*. 9 (2): 47-59.
21. "Cogeneration and Electric Power Industry Restructuring" (1999). With Andrew N. Kleit. *Resource and Energy Economics*. 21:153-166.
22. "Capacity and Economies of Scale in Electric Power Transmission" (1999). With Robert F. Cope and Dmitry Mesyanzhinov. *Utilities Policy* 7: 155-162.
23. "Oil Spills, Workplace Safety, and Firm Size: Evidence from the U.S. Gulf of Mexico OCS." (1997). With O. O. Iledare, A. G. Pulsipher, and Dmitry Mesyanzhinov. *Energy Journal* 4: 73-90.

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25. "The Demand for Long Distance Telephone Communication: A Route-Specific Analysis of Short-Haul Service." (1996). *Studies in Economics and Finance* 17:33-45.

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1. "Hydraulic Fracturing: A Look at Efficiency and the Environmental Effects of Fracking" (2014). With Emily C. Jackson. *Environmental Science and Technology: Proceedings from the 7<sup>th</sup> International Conference on Environmental Science and Technology*. Volume 1 of 2: edited by George A. Sorial and Jihua Hong. (Houston, TX: American Science Press, ISBN: 978-0976885368): 42-46.
2. "Economic and Policy Issues in Sustaining an Adequate Oil Spill Contingency Fund in the Aftermath of a Catastrophic Incident." (2014). With Stephen R. Barnes and Gregory B. Upton. *Proceedings of the Thirty-seventh AMOP Technical Seminar on Environmental contamination and Response*. June: 506-524.
3. "Technology Based Ethical Issues Surrounding the California Energy Crisis." (2002). With Robert F. Cope III and John Yeargain. *Proceedings of the Academy of Legal, Ethical, and Regulatory Issues*. September: 17-21.
4. "Electric Utility Restructuring and Strategies for the Future." (2001). With Scott W. Geiger. *Proceedings of the Southwest Academy of Management*. March.
5. "Applications for Distributed Energy Resources in Oil and Gas Production: Methods for Reducing Flare Gas Emissions and Increasing Generation Availability" (2000). With Ritchie D. Priddy. *Proceedings of the International Energy Foundation – ENERGEX 2000*. July.
6. "Power System Operations, Control, and Environmental Protection in a Restructured Electric Power Industry" (1998). With Fred I. Denny. *IEEE Proceedings: Large Engineering Systems Conference on Power Engineering*. June: 294-298.
7. "New Paradigms for Power Engineering Education." (1997). With Fred I. Denny. *Proceedings of the International Association of Science and Technology for Development*. October: 499-504.
8. "Safety Regulations, Firm Size, and the Risk of Accidents in E&P Operations on the Gulf of Mexico Outer Continental Shelf" (1996). With Allan Pulsipher, Omowumi Iledare, and Bob Baumann. *Proceedings of the American Society of Petroleum Engineers: Third International Conference on Health, Safety, and the Environment in Oil and Gas Exploration and Production*, June.
9. "Comparing the Safety and Environmental Records of Firms Operating Offshore Platforms in the Gulf of Mexico." (1996). With Allan Pulsipher, Omowumi Iledare, Dmitry Mesyanzhinov, William Daniel, and Bob Baumann. *Proceedings of the American Society of Mechanical Engineers: Offshore and Arctic Operations 1996*, January.

**PUBLICATIONS: OTHER SCHOLARLY PROCEEDINGS**

1. "A Collaborative Investigation of Baseline and Scenario Information for Environmental Impact Statements" (2005). *Proceedings of the 23<sup>rd</sup> Annual Information Technology Meetings*. U.S. Department of the Interior, Minerals Management Service, Gulf Coast Region, New Orleans, LA. January 12, 2005.
2. "Trends and Issues in the Natural Gas Industry and the Development of LNG: Implications for Louisiana. (2004) *Proceedings of the 51<sup>st</sup> Mineral Law Institute*, Louisiana State University, Baton Rouge, LA. April 2, 2004.
3. "Competitive Bidding in the Electric Power Industry." (2003). *Proceedings of the Association of Energy Engineers*. December 2003.
4. "The Role of ANS Gas on Southcentral Alaskan Development." (2002). With William Nebesky and Dmitry Mesyanzhinov. *Proceedings of the International Association for Energy Economics: Energy Markets in Turmoil: Making Sense of It All*. October.
5. "A New Consistent Approach to Modeling Regional Economic Impacts of Offshore Oil and Gas Activities." (2002). With Vicki Zatarain. *Proceedings of the 2002 National IMPLAN Users Conference*: 241-258.
6. "Analysis of the Economic Impact Associated with Oil and Gas Activities on State Leases." (2002). With Dmitry Mesyanzhinov, Robert H. Baumann, and Allan G. Pulsipher. *Proceedings of the 2002 National IMPLAN Users Conference*: 149-155.
7. "Do Deepwater Activities Create Different Impacts to Communities Surrounding the Gulf OCS?" (2001). *Proceedings of the International Association for Energy Economics: 2001: An Energy Odyssey?* April.
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10. "Asymmetric Choice and Customer Benefits: Lessons from the Natural Gas Industry." (1999). With Rachelle F. Cope and Dmitry Mesyanzhinov. *Proceedings of the International Association for Energy Economics: The Only Constant is Change* August: 444-452.
11. "Modeling Electric Power Markets in a Restructured Environment" (1998). With Robert F. Cope and Dan Rinks. *Proceedings of the International Association for Energy Economics: Technology's Critical Role in Energy and Environmental Markets*. October: 48-56.
12. "Assessing Environmental and Safety Risks of the Expanding Role of Independents in E&P Operations on the Gulf of Mexico OCS." (1996). With Allan Pulsipher, Omowumi Iledare, Bob Baumann, and Dmitry Mesyanzhinov. *Proceedings of the 16<sup>th</sup> Annual*

*Information Transfer Meeting.* U.S. Department of Interior, Minerals Management Service: New Orleans, Louisiana: 162-166.

13. "Comparing the Safety and Environmental Performance of Offshore Oil and Gas Operators." (1995). With Allan Pulsipher, Omowumi Iledare, Dmitry Mesyanzhinov, William Daniel, and Bob Baumann. *Proceedings of the 15<sup>th</sup> Annual Information Transfer Meeting.* U.S. Department of Interior, Minerals Management Service: New Orleans, Louisiana.

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1. "The Role of Distributed Energy Resources in a Restructured Power Industry." (2006). In *Electric Choices: Deregulation and the Future of Electric Power.* Edited by Andrew N. Kleit. Oakland, CA: The Independent Institute (Rowman & Littlefield Publishers, Inc.), 181-208.
2. "The Road Ahead: The Outlook for Louisiana Energy." (2006). In *Commemorating Louisiana Energy: 100 Years of Louisiana Natural Gas Development.* Houston, TX: Harts Energy Publications, 68-72.
3. "Competitive Power Procurement An Appropriate Strategy in a Quasi-Regulated World." (2004). In *Electric and Natural Gas Business: Using New Strategies, Understanding the Issues.* With Elizabeth A. Downer. Edited by Robert Willett. Houston, TX: Financial Communications Company, 91-104.
4. "Alaskan North Slope Natural Gas Development." (2003). In *Natural Gas and Electric Industries Analysis 2003.* With William E. Nebesky, Dmitry Mesyanzhinov, and Jeffrey M. Burke. Edited by Robert Willett. Houston, TX: Financial Communications Company, 185-205.
5. "Challenges and Opportunities for Distributed Energy Resources in the Natural Gas Industry." (2002). In *Natural Gas and Electric Industries Analysis 2001-2002.* Edited by Robert Willett. With Martin J. Collette, Ritchie D. Priddy, and Jeffrey M. Burke. Houston, TX: Financial Communications Company, 114-131.
6. "The Hydropower Industry of the United States." (2000). With Dmitry Mesyanzhinov. In *Renewable Energy: Trends and Prospects.* Edited by E.W. Miller and A.I. Panah. Lafayette, PN: The Pennsylvania Academy of Science, 133-146.
7. "Electric Power Generation." (2000). In the *Macmillan Encyclopedia of Energy.* Edited by John Zumerchik. New York: Macmillan Reference.

#### **PUBLICATIONS: BOOK REVIEWS**

1. Review of ***Renewable Resources for Electric Power: Prospects and Challenges.*** Raphael Edinger and Sanjay Kaul. (Westport, Connecticut: Quorum Books, 2000), pp 154. ISBN 1-56720-233-0. *Natural Resources Forum.* (2000).

2. Review of ***Electricity Transmission Pricing and Technology***, edited by Michael Einhorn and Riaz Siddiqi. (Boston: Kluwer Academic Publishers, 1996) pp. 282. ISBN 0-7923-9643-X. *Energy Journal* 18 (1997): 146-148.
3. Review of ***Electric Cooperatives on the Threshold of a New Era*** by Public Utilities Reports. (Vienna, Virginia: Public Utilities Reports, 1996) pp. 232. ISBN 0-910325-63-4. *Energy Journal* 17 (1996): 161-62.

#### **PUBLICATIONS: TRADE AND PROFESSIONAL JOURNALS**

1. "The Challenges of the Regulatory Review of Diversification Mergers." (2016). With Michael W. Deupree. *Electricity Journal*. 29 (2016): 9-14.
2. "Unconventional Natural Gas and the U.S. Manufacturing Renaissance" (2013). *BIC Magazine*. Vol. 30: No. 2, p. 76 (March).
3. "Louisiana's Tuscaloosa Marine Shale Development: Emerging Resource and Economic Potentials" (2012). *Spectrum*. January-April: 18-20.
4. "The Impact of Legacy Lawsuits on Louisiana's Conventional Drilling Activity" (2012). *LOGA Industry Report*. Spring 2012: 27-34.
5. "Value of Production Losses Tallied for 2004-2005 Storms." (2008). With Mark J. Kaiser and Yunke Yu. *Oil and Gas Journal*. Vol. 106.27: 32-26 (July 21) (part 3 of 3).
6. "Model Framework Can Aid Decision on Redevelopment." (2008). With Mark J. Kaiser and Yunke Yu. *Oil and Gas Journal*. Vol. 106.26: 49-53 (July 14) (part 2 of 3).
7. "Field Redevelopment Economics and Storm Impact Assessment." (2008). With Mark J. Kaiser and Yunke Yu. *Oil and Gas Journal*. Vol. 106.25: 42-50 (July 7) (part 1 of 3).
8. "The IRS' Latest Proposal on Tax Normalization: A Pyrrhic Victory for Ratepayers," (2006). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 55(1): 217-236
9. "Executive Compensation in the Electric Power Industry: Is It Excessive?" (2006). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 54(4): 913-940.
10. "Renewable Portfolio Standards in the Electric Power Industry." With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 54(3): 693-706.
11. "Regulating Mercury Emissions from Electric Utilities: Good Environmental Stewardship or Bad Public Policy?" (2005). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 54 (2): 401-424
12. "Using Industrial-Only Retail Choice as a Means of Moving Competition Forward in the Electric Power Industry." (2005). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 54(1): 211-223
13. "The Nuclear Power Plant Endgame: Decommissioning and Permanent Waste Storage. (2005). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 53 (4): 981-997
14. "Can LNG Preserve the Gas-Power Convergence?" (2005). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 53 (3):783-796.

15. "Competitive Bidding as a Means of Securing Opportunities for Efficiency." (2004). With Elizabeth A. Downer. *Electricity and Natural Gas* 21 (4): 15-21.
16. "The Evolving Markets for Polluting Emissions: From Sulfur Dioxide to Carbon Dioxide." (2004). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 53(2): 479-494.
17. "The Challenges Associated with a Nuclear Power Revival: Its Past." (2004). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 53 (1): 193-211.
18. "Deregulation of Generating Assets and The Disposition of Excess Deferred Federal Income Taxes: A 'Catch-22' for Ratepayers." (2004). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 52: 873-891.
19. "Will Competitive Bidding Make a Comeback?" (2004). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 52: 659-674
20. "An Electric Utility's Exposure to Future Environmental Costs: Does It Matter? You Bet!" (2003). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 52: 457-469.
21. "White Paper or White Flag: Do FERC's Concessions Represent A Withdrawal from Wholesale Power Market Reform?" (2003). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 52: 197-207.
22. "Clear Skies" or Storm Clouds Ahead? The Continuing Debate over Air Pollution and Climate Change" (2003). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 51: 823-848.
23. "Economic Displacement Opportunities in Southeastern Power Markets." (2003). With Dmitry V. Mesyanzhinov. *USAEE Dialogue*. 11: 20-24.
24. "What's Happened to the Merchant Energy Industry? Issues, Challenges, and Outlook" (2003). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 51: 635-652.
25. "Is There a Role for the TVA in Post-Restructured Electric Markets?" (2002). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 51: 433-454.
26. "The Role of Alaska North Slope Gas in the Southcentral Alaska Regional Energy Balance." (2002). With William Nebesky and Dmitry Mesyanzhinov. *Natural Gas Journal*. 19: 10-15.
27. "Standardizing Wholesale Markets For Energy." (2002). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 51: 207-225.
28. "Do Economic Activities Create Different Economic Impacts to Communities Surrounding the Gulf OCS?" (2002). With Williams O. Olatubi. *IAEE Newsletter*. Second Quarter: 16-20.
29. "Will Electric Restructuring Ever Get Back on Track? Texas is not California." (2002). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 50: 943-960.
30. "An Assessment of the Role and Importance of Power Marketers." (2002). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 50: 713-731.
31. "The EPA v. The TVA, et. al. Over New Source Review." (2001) With K.E. Hughes, II.

*Oil, Gas and Energy Quarterly*. 50:531-543.

32. "Energy Policy by Crisis: Proposed Federal Changes for the Electric Power Industry." (2001). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 50:235-249.
33. "A is for Access: A Definitional Tour Through Today's Energy Vocabulary." (2001). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 49:947-973.
34. "California Dreaming: Are Competitive Markets Achievable?" (2001). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 49: 743-759.
35. "Distributed Energy Must Be Watched As Opportunity for Gas Companies." (2001). With Martin Collette, and Ritchie D. Priddy. *Natural Gas Journal*. January: 9-16.
36. "Clean Air, Kyoto, and the Boy Who Cried Wolf." (2000). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. December: 529-540.
37. "Energy Conservation Programs and Electric Restructuring: Is There a Conflict?" (2000). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. September: 211-224.
38. "The Post-Restructuring Consolidation of Nuclear-Power Generation in the Electric Power Industry." (2000) With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 49: 751-765.
39. "Issues and Opportunities for Small Scale Electricity Production in the Oil Patch." (2000). With Ritchie D. Priddy. *American Oil and Gas Reporter*. 49: 78-82.
40. "Distributed Energy Resources: The Next Paradigm Shift in the Electric Power Industry." (2000). With K.E. Hughes II. *Oil, Gas and Energy Quarterly*. 48:593-602.
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44. "Reliability or profit? Why Entergy quit the Southwest Power Pool." (1998). With Fred I. Denny. *Public Utilities Fortnightly*. February 1: 30-33.
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#### **PUBLICATIONS: OPINION AND EDITORIAL ARTICLES**

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2. "The whys and hows of maintaining the oil price rise." (2018). *10/12 Industry Report*. *Baton Rouge Business Report*, Q1.
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6. "Reading the tea leaves for 2017's crude oil markets." (2017). *10/12 Industry Report*. Baton Rouge Business Report. Q:1.
7. "The unappreciated role of energy infrastructure." (2016). *10/12 Industry Report*. Baton Rouge Business Report. Q:4.
8. "Other ways in which the energy world is changing." (2016). *10/12 Industry Report*. Baton Rouge Business Report. Q:3.
9. "Are oil prices bouncing back?" (2016). *Baton Rouge Business Report*, May 10 edition. (reprint of Industry Report article).
10. "Are we there yet? Have energy prices started to rebound?" (2016). *10/12 Industry Report*. Baton Rouge Business Report. Q:2.
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12. "Reading the Signs for the Energy Complex" (2015). *10/12 Industry Report*. Baton Rouge Business Report. Q:1.
13. "Louisiana's Export Opportunities." (2015). *10/12 Industry Report*. Baton Rouge Business Report. September, 15.
14. "Don't Kill Hydraulic Fracturing: It's the Golden Goose." (2015). *Mobile Press Register*. May 22. Also carried by Alabama Media Group and the following newspapers: *Birmingham News*, *Huntsville Times*, and *Birmingham Magazine*.
15. "The Least Effective Way to Invest in Green Energy." (2014). *Wall Street Journal*. Journal Reports: Energy. New York: Dow Jones & Company, October 2.
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3. *Opportunities and challenges in using industrial CHP as a resiliency measure in Louisiana*. (2017). Baton Rouge, LA: Louisiana Department of Natural Resources, December 17, 52 pp.
4. *Efficiency and emissions reduction opportunities at existing Louisiana combined heat and power applications*. (2017). Baton Rouge, LA: Louisiana Department of Natural

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6. *The potential economic impacts of the Washington Parish Energy Center.* (2017). With Gregory B. Upton, Jr. Report prepared on behalf of Calpine Corporation. 5 pp.
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11. *Estimating the Impact of Net Metering on LPSC Jurisdictional Ratepayers.* (2015). Louisiana Public Service Commission, *In re: Examination of the Comprehensive Costs and Benefits of Net Metering in Louisiana*, Docket No. X-33192. Notice of Issuance of Final Report dated September 11, 2015, 187 pp.
12. *Beyond the Energy Roadmap: Starting Mississippi's Energy-Based Economic Development Venture.* (2014). Report prepared on behalf of the Mississippi Energy Institute, 310 pp.
13. *Combined Heat and Power in Louisiana: Status, Potentials, and Policies.* Phase 4 Report: *Policy and Market Opportunities and Challenges for CHP Development.* (2013). Louisiana Department of Natural Resources, Baton Rouge, Louisiana. 17 pp.
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16. *Combined Heat and Power in Louisiana: Status, Potentials, and Policies.* Phase 1 Report: *Resource Characterization and Database.* (2013). Louisiana Department of Natural Resources, Baton Rouge, Louisiana. 62 pp.
17. *Onshore Oil and Gas Infrastructure to Support Development in the Mid-Atlantic OCS Region.* (2014). U.S. Department of the Interior, Bureau of Ocean Energy Management, Gulf of Mexico OCS Region, New Orleans, LA. OCS Study BOEM 2014-657. 360 pp.
18. *Unconventional Resources and Louisiana's Manufacturing Development Renaissance* (2013). Baton Rouge, LA: LSU Center for Energy Studies, 93 pp.
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  21. *Diversifying Energy Industry Risk in the GOM: Post-2004 Changes in Offshore Oil and Gas Insurance Markets.* (2011) With Christopher P. Peters. U.S. Department of the Interior, Bureau of Ocean Energy Management, Gulf of Mexico Region, New Orleans, LA. OCS Study BOEM 2011-054. 95pp.
  22. *OCS-Related Infrastructure Fact Book. Volume I: Post-Hurricane Impact Assessment.* (2011). U.S. Department of the Interior, Bureau of Ocean Energy Management, Gulf of Mexico Region, New Orleans, LA. OCS Study BOEM 2011-043. 372 pp.
  23. *Fact Book: Offshore Oil and Gas Industry Support Sectors.* (2010). U.S. Department of the Interior, Bureau of Ocean Energy Management, Gulf of Mexico Region, New Orleans, LA. OCS Study BOEM 2010-042. 138pp.
  24. *The Impacts of Greenhouse Gas Regulation on the Louisiana Economy.* (2011). With Michael D. McDaniel, Christopher Peters, Kathryn R. Perry, and Lauren L. Stuart. Louisiana Greenhouse Gas Inventory Project, Task 3 and 4 Report. Prepared for the Louisiana Department of Economic Development. Baton Rouge, LA: LSU Center for Energy Studies, 134 pp.
  25. *Overview of States' Climate Action and/or Alternative Energy Policy Measures.* (2010). With Michael D. McDaniel, Christopher Peters, Kathryn R. Perry, and Lauren L. Stuart. Louisiana Greenhouse Gas Inventory Project, Task 2 Report. Prepared for the Louisiana Department of Economic Development. Baton Rouge, LA: LSU Center for Energy Studies, 30 pp.
  26. *Louisiana Greenhouse Gas Inventory.* (2010). With Michael D. McDaniel, Christopher Peters, Kathryn R. Perry, Lauren L. Stuart, and Jordan L. Gilmore. Louisiana Greenhouse Gas Inventory Project, Task 1 Report. Prepared for the Louisiana Department of Economic Development. Baton Rouge, LA: LSU Center for Energy Studies, 114 pp.
  27. *Opportunities for Geo-pressured Thermal Energy in Southwestern Louisiana.* (2010). Report prepared on behalf of Louisiana Geothermal, L.L.C, 41 pp.
  28. *Economic and Energy Market Benefits of the Proposed Cavern Expansions at the Jefferson Island Storage and Hub Facility.* (2009). Report prepared on behalf of Jefferson Island Storage and Hub, LLC, 28 pp.
  29. *The Benefits of Continued and Expanded Investments in the Port of Venice.* (2009). With Christopher Peters and Kathryn Perry. Baton Rouge, LA: LSU Center for Energy Studies. 83 pp.
  30. *Examination of the Development of Liquefied Natural Gas on the Gulf of Mexico.* (2008). U.S. Department of the Interior, Minerals Management Service, Gulf of Mexico OCS Region, New Orleans, LA OCS Study MMS 2008-017. 106 pp.
  31. *Gulf of Mexico OCS Oil and Gas Scenario Examination: Onshore Waste Disposal.* (2007). With Michelle Barnett, Derek Vitano, and Kristen Strellec. OCS Report, MMS 2007-051.

New Orleans, LA: U.S. Department of the Interior, Minerals Management Service, Gulf of Mexico Region.

32. *Economic Impact Analysis of the Proposed Lake Charles Gasification Project.* (2007). Report Prepared on Behalf of Leucadia Corporation.
33. *The Economic Impacts of New Jersey's Proposed Renewable Portfolio Standard.* (2005) Report Prepared on Behalf of the New Jersey Division of Ratepayer Advocate.
34. *The Importance of Energy Production and Infrastructure in Plaquemines Parish.* (2006). Report Prepared on Behalf of Project Rebuild Plaquemines.
35. *Louisiana's Oil and Gas Industry: A Study of the Recent Deterioration in-State Drilling Activity.* (2005). With Kristi A.R. Darby, Jeffrey M. Burke, and Robert H. Baumann. Baton Rouge, LA: Louisiana Department of Natural Resources.
36. *Comparison of Methods for Estimating the NO<sub>x</sub> Emission Impacts of Energy Efficiency and Renewable Energy Projects Shreveport, Louisiana Case Study.* (2005). With Adam Chambers, David Kline, Laura Vimmerstedt, Art Diem, and Dmitry Mesyanzhinov. Golden, Colorado: National Renewable Energy Laboratory.
37. *Economic Opportunities for a Limited Industrial Retail Choice Plan in Louisiana.* (2004). With Elizabeth A. Downer and Dmitry V. Mesyanzhinov. Baton Rouge, LA: Louisiana State University Center for Energy Studies.
38. *Economic Opportunities for LNG Development in Louisiana.* (2004). With Elizabeth A. Downer and Dmitry V. Mesyanzhinov. Baton Rouge, LA: Louisiana Department of Economic Development and Greater New Orleans, Inc.
39. *Marginal Oil and Gas Production in Louisiana: An Empirical Examination of State Activities and Policy Mechanisms for Stimulating Additional Production.* (2004). With Dmitry V. Mesyanzhinov, Jeffrey M. Burke, Robert H. Baumann. Baton Rouge, LA: Louisiana Department of Natural Resources, Office of Mineral Resources.
40. *Deepwater Program: OCS-Related Infrastructure in the Gulf of Mexico Fact Book.* (2004). With Louis Berger Associates, University of New Orleans National Ports and Waterways Institute, and Research and Planning Associates. MMS Study No. 1435-01-99-CT-30955. U.S. Department of the Interior, Minerals Management Service.
41. *The Power of Generation: The Ongoing Benefits of Independent Power Development in Louisiana.* With Dmitry V. Mesyanzhinov, Jeffrey M. Burke, and Elizabeth A. Downer. Baton Rouge, LA: LSU Center for Energy Studies, 2003.
42. *Modeling the Economic Impact of Offshore Oil and Gas Activities in the Gulf of Mexico: Methods and Application.* (2003). With Williams O. Olatubi, Dmitry V. Mesyanzhinov, and Allan G. Pulsipher. Prepared by the Center for Energy Studies, Louisiana State University, Baton Rouge, LA. OCS Study MMS2000-0XX. U.S. Department of the Interior, Minerals Management Service, Gulf of Mexico OCS Region, New Orleans, LA.
43. *An Analysis of the Economic Impacts Associated with Oil and Gas Activities on State Leases.* (2002) With Robert H. Baumann, Dmitry V. Mesyanzhinov, and Allan G. Pulsipher. Baton Rouge, LA: Louisiana Department of Natural Resources, Office of

Mineral Resources.

44. *Alaska In-State Natural Gas Demand Study*. (2002). With Dmitry Mesyanzhinov, et.al. Anchorage, Alaska: Alaska Department of Natural Resources, Division of Oil and Gas.
45. *Moving to the Front of the Lines: The Economic Impacts of Independent Power Plant Development in Louisiana*. (2001). With Dmitry Mesyanzhinov and Williams O. Olatubi. Baton Rouge, LA: Louisiana State University, Center for Energy Studies.
46. *The Economic Impacts of Merchant Power Plant Development in Mississippi*. (2001). Report Prepared on Behalf of the US Oil and Gas Association, Alabama and Mississippi Division. Houston, TX: Econ One Research, Inc.
47. *Energy Conservation and Electric Restructuring in Louisiana*. (2000). With Dmitry Mesyanzhinov, Ritchie D. Priddy, Robert F. Cope III, and Vera Tabakova. Baton Rouge, LA: Louisiana State University, Center for Energy Studies.
48. *Assessing the Environmental and Safety Risks of the Expanded Role of Independents in Oil and Gas E&P Operations on the U.S. Gulf of Mexico OCS*. (1996). With Allan Pulsipher, Omowumi Iledare, Dmitry Mesyanzhinov, William Daniel, and Bob Baumann. Baton Rouge, LA: Louisiana State University, Center for Energy Studies.
49. *Restructuring the Electric Utility Industry: Implications for Louisiana*. (1996). With Allan Pulsipher and Kimberly H. Dismukes. Baton Rouge, LA: Louisiana State University, Center for Energy Studies.

**GRANT RESEARCH**

1. *Co-investigator*. Estimating offshore Gulf of Mexico carbon capture, sequestration, and utilization opportunities. (2018). With Southern States Energy Board, Advanced Resources International, Argonne Laboratories, University of Alabama, University of South Carolina, and Oklahoma State University. U.S. Department of Energy, National Energy Technology Laboratory. \$731,031 (LSU share of \$4.0 million project, three years, in progress).
2. *Principal Investigator*. Understanding MISO long term infrastructure needs and stakeholder positions. (2017). Midcontinent Independent System Operator. Total Project: \$9,500, six months. Status: In Progress.
3. *Principal Investigator*. Offshore oil and gas activity impacts on ecosystem services in the Gulf of Mexico. (2017) With Brian F. Snyder. U.S. Department of the Interior, Bureau of Ocean Energy Management. Total Project: \$240,982, two years. Status: In Progress.
4. *Principal Investigator*. Economic Impacts of the Bayou Bridge pipeline. (2017). With Gregory B. Upton, Jr., Energy Transfer Corporation. \$9,900. Status: Completed.
5. *Principal Investigator*. Integrated carbon capture, storage and utilization in the Louisiana chemical corridor. (2017). U.S. Department of Energy/National Energy Technology Laboratory. Total funding: \$1,300,000 (18 months). Status: In progress
6. *Co-Principal Investigator*. Gulf coast energy outlook and analysis. (2016). With Gregory B. Upton and Mallory Vachon. Regions Bank. Total funding: \$20,000, one year. Status:

Completed.

7. *Principal Investigator.* GOM energy infrastructure trends and factbook update. (2016). With Gregory B. Upton and Mallory Vachon. U.S. Department of the Interior, Bureau of Ocean Energy Management ("BOEM"). Total funding: \$224,995, two years. Status: In progress.
8. *Principal Investigator.* Examining Louisiana's Industrial Carbon Sequestration Potential. Phase 2: Follow-up and estimation. (2016). With Brian F. Snyder. Southern States Energy Board. Total Project: \$69,990, three months. Status: Completed.
9. *Principal Investigator.* Examining Louisiana's Industrial Carbon Sequestration Potential. Phase 1: Scoping and Identification. (2016). With Brian F. Snyder. Southern States Energy Board. Total Project: \$29,919, three months. Status: Completed.
10. *Principal Investigator.* Energy efficiency building codes for Louisiana. (2016). With Brian F. Snyder. Louisiana Department of Natural Resources. Total Project: \$50,000, one year. Status: Completed.
11. *Principal Investigator.* An update of Louisiana's combined heat and power potentials, current utilizations, and barriers to improved operating efficiencies. (2016). Louisiana Department of Natural Resources. Total Project: \$90,000, one year. Status: Completed.
12. *Principal Investigator.* Combined Heat and Power Stakeholder Meeting. (2016). Southeastern Energy Efficiency Council. Total Project \$9,160, two months. Status: Completed.
13. *Co-Investigator.* "Expanding Ecosystem Service Provisioning from Coastal Restoration to Minimize Environmental and Energy Constraints" (2015). With John Day and Chris D'Elia. Gulf Research Program. Total Project: \$147,937. Status: Completed.
14. *Principal Investigator.* "Coastal Marine Institute Administrative Grant" (2104). U.S. Department of the Interior. Total Project \$45,000. Status: Completed.
15. *Principal Investigator.* "Analysis of the Potential for Combined Heat and Power (CHP) in Louisiana." (2013). Louisiana Department of Natural Resources. Total Project: \$90,000. Status: Completed.
16. *Co-Investigator.* "CNH: A Tale of Two Louisianas: Coupled Natural-Human Dynamics in a Vulnerable Coastal System" (2013) With Nina Lam, Margaret Reams, Kam-Biu Liu, Victor Rivera, Yi-Jun Xu and Kelley Pace. National Science Foundation. Total Project: \$1.5 million. Status: In Progress (Sept 2012-Feb 2017).
17. *Principal Investigator.* "Examination of Unconventional Natural Gas and Industrial Economic Development" (2012). America's Natural Gas Alliance. Total Project: \$48,210. Status: Completed.
18. *Principal Investigator.* "Investigation of the Potential Economic Impacts Associated with Shell's Proposed Gas-To-Liquids Project" (2012). Shell Oil Company, North America. Total Project: \$76,708. Status: Completed.
19. *Principal Investigator.* "Analysis of the Federal Wind Energy Production Tax Credit." American Energy Alliance. Total Project: \$20,000. Status: Completed.

20. *Principal Investigator.* "Energy Sector Impacts Associated with the Deepwater Horizon Oil Spill." Louisiana Department of Economic Development. Total Project: approximately \$50,000. Status: Completed.
21. *Principal Investigator.* "Economic Contributions and Benefits Support by the Port of Venice." Port of Venice Coalition. Total Project: \$20,000. Status: Completed.
22. *Principal Investigator.* "Energy Policy Development in Louisiana." Louisiana Department of Natural Resources. Total Project: \$150,000. Status: Completed.
23. *Principal Investigator.* "Preparing Louisiana for the Possible Federal Regulation of Greenhouse Gas Regulation." With Michael D. McDaniel. Louisiana Department of Economic Development. Total Project: \$98,543. Status: Completed.
24. *Principal Investigator.* "OCS Studies Review: Louisiana and Texas Oil and Gas Activity and Production Forecast; Pipeline Position Paper; and Geographical Units for Observing and Modeling Socioeconomic Impact of Offshore Activity." (2008). With Mark J. Kaiser and Allan G. Pulsipher. U.S. Department of the Interior, Minerals Management Service. Total Project: \$377,917 (3 years). Status: Completed.
25. *Principal Investigator.* "State and Local Level Fiscal Effects of the Offshore Petroleum Industry." (2007). With Loren C. Scott. U.S. Department of the Interior, Minerals Management Service. Total Project: \$241,216 (2.5 years). Status: Completed.
26. *Principal Investigator.* "Understanding Current and Projected Gulf OCS Labor and Ports Needs." (2007). With Allan. G. Pulsipher, Kristi A. R. Darby. U.S. Department of the Interior, Minerals Management Service. Total Project: \$169,906. (one year). Status: Completed.
27. *Principal Investigator.* "Structural Shifts and Concentration of Regional Economic Activity Supporting GOM Offshore Oil and Gas Activities." (2007). With Allan. G. Pulsipher, Michelle Barnett. U.S. Department of the Interior, Minerals Management Service. Total Project: \$78,374 (one year). Status: Awarded, In Progress.
28. *Principal Investigator.* "Plaquemine Parish's Role in Supporting Critical Energy Infrastructure and Production." (2006). With Seth Cureington. Plaquemines Parish Government, Office of the Parish President and Plaquemines Association of Business and Industry. Total Project: \$18,267. Status: Completed.
29. *Principal Investigator.* "Diversifying Energy Industry Risk in the Gulf of Mexico." (2006). With Kristi A. R. Darby. U.S. Department of the Interior, Minerals Management Service. Total Project: \$65,302 (two years). Status: Awarded, In Progress.
30. *Principal Investigator.* "Post-Hurricane Assessment of OCS-Related Infrastructure and Communities in the Gulf of Mexico Region." (2006). U.S. Department of the Interior, Minerals Management Service. Total Project Funding: \$244,837. Status: In Progress.
31. *Principal Investigator.* "Ultra-Deepwater Road Mapping Process." (2005). With Kristi A. R. Darby, Subcontract with the Texas A&M University, Department of Petroleum Engineering. Funded by the Gas Technology Institute. Total Project Funding: \$15,000. Status: Completed.

32. *Principal Investigator*. "An Examination of the Opportunities for Drilling Incentives on State Leases." (2004). With Robert H. Baumann and Kristi A. R. Darby. Louisiana Office of Mineral Resources. Total Project Funding: \$75,000. Status: Completed.
33. *Principal Investigator*. "An Examination on the Development of Liquefied Natural Gas Facilities on the Gulf of Mexico." (2004). With Dmitry V. Mesyanzhinov and Mark J. Kaiser. U.S. Department of the Interior, Minerals Management Service. Total Project Funding: \$101,054. Status: Completed.
34. *Principal Investigator*. "Examination of the Economic Impacts Associated with Large Customer, Industrial Retail Choice." (2004). With Dmitry V. Mesyanzhinov. Louisiana Mid-Continent Oil and Gas Association. Total Project Funding: \$37,000. Status: Completed.
35. *Principal Investigator*. "Economic Opportunities from LNG Development in Louisiana." (2003). With Dmitry V. Mesyanzhinov. Metrovision/New Orleans Chamber of Commerce and the Louisiana Department of Economic Development. Total Project Funding: \$25,000. Status: Completed.
36. *Principal Investigator*. "Marginal Oil and Gas Properties on State Leases in Louisiana: An Empirical Examination and Policy Mechanisms for Stimulating Additional Production." (2002). With Robert H. Baumann and Dmitry V. Mesyanzhinov. Louisiana Office of Mineral Resources. Total Project Funding: \$72,000. Status: Completed.
37. *Principal Investigator*. "A Collaborative Investigation of Baseline and Scenario Information for Environmental Impact Statements." (2002). With Dmitry V. Mesyanzhinov and Williams O. Olatubi. U.S. Department of Interior, Minerals Management Service. Total Project Funding: \$557,744. Status: Awarded, In Progress.
38. *Co-Principal Investigator*. "An Analysis of the Economic Impacts of Drilling and Production Activities on State Leases." (2002). With Robert H. Baumann, Allan G. Pulsipher, and Dmitry V. Mesyanzhinov. Louisiana Office of Mineral Resources. Total Project Funding: \$8,000. Status: Completed.
39. *Principal Investigator*. "Cost Profiles and Cost Functions for Gulf of Mexico Oil and Gas Development Phases for Input Output Modeling." (1998). With Dmitry Mesyanzhinov and Allan G. Pulsipher. U.S. Department of Interior, Minerals Management Service. Total Project Funding: \$244,956. Status: Completed.
40. *Principal Investigator*. "An Economic Impact Analysis of OCS Activities on Coastal Louisiana." (1998). With Dmitry Mesyanzhinov and David Hughes. U.S. Department of Interior, Minerals Management Service. Total Project Funding: \$190,166. Status: Completed.
41. *Principal Investigator*. "Energy Conservation and Electric Restructuring in Louisiana." (1997). Louisiana Department of Natural Resources." Petroleum Violation Escrow Program Funds. Total Project Funding: \$43,169. Status: Completed.
42. *Principal Investigator*. "The Industrial Supply of Electricity: Commercial Generation, Self-Generation, and Industry Restructuring." (1996). With Andrew Kleit. Louisiana Energy Enhancement Program, LSU Office of Research and Development. Total Project

Funding: \$19,948. Status: Completed.

43. *Co-Principal Investigator*. "Assessing the Environmental and Safety Risks of the Expanded Role of Independents in Oil and Gas E&P Operations on the U.S. Gulf of Mexico OCS." (1996). With Allan Pulsipher, Omowumi Iledare, Dmitry Mesyanzhinov, William Daniel, and Bob Baumann. U.S. Department of Interior, Minerals Management Service, Grant Number 95-0056. Total Project Funding: \$109,361. Status: Completed.

#### **ACADEMIC CONFERENCE PAPERS/PRESENTATIONS**

1. "The changing nature of Gulf of Mexico energy infrastructure." (2017). Session 3B: New Directions in Social Science Research. 27<sup>th</sup> Gulf of Mexico Region Information Technology Meetings. U.S. Department of the Interior, Bureau of Ocean Energy Management, Environmental Studies Program. New Orleans, LA. August 24.
2. "Capacity utilization, efficiency trends, and economic risks for modern CHP installations." (2017). U.S. Department of Energy, 2017 Industrial Energy Technology Conference, New Orleans, LA June 21.
3. "The Impact of Infrastructure Cost Recovery Mechanisms on Pipeline Replacements and Leaks." (2015). With Gregory Upton. Southern Economic Association Meeting 2015. New Orleans, Louisiana. November 23.
4. "The Impact of Infrastructure Cost Recovery Mechanisms on Pipeline Replacements and Leaks" (2015). With Gregory Upton. 38<sup>th</sup> IAEE International Conference, Antalya, Turkey. May 26.
5. "Modifying Renewables Policies to Sustain Positive Economic and Environmental Change" (2015). IEEE Annual Green Technologies ("Greentech") Conference. April 17.
6. "The Gulf Coast Industrial Investment Renaissance and New CHP Development Opportunities." (2014). Industrial Energy and Technology Conference, New Orleans, Louisiana. May 20.
7. "Estimating Critical Energy Infrastructure Value at Risk from Coastal Erosion" (2014). With Siddhartha Narra. American's Estuaries: 7<sup>th</sup> Annual Summit on Coastal and Estuarine Habitat Restoration. Washington, D.C., November 3-6.
8. "Economies of Scale, Learning Curves, and Offshore Wind Development Costs" (2012). With Gregory Upton. Southern Economic Association Annual Conference, New Orleans, LA November 17.
9. "Analysis of Risk and Post-Hurricane Reaction." (2009). 25<sup>th</sup> Annual Information Transfer Meeting. U.S. Department of the Interior, Minerals Management Service. January 7.
10. "Legacy Litigation, Regulation, and Other Determinants of Interstate Drilling Activity Differentials." (2008). With Christopher Peters and Mark Kaiser. 28<sup>th</sup> Annual USAEE/IAEE North American Conference: Unveiling the Future of Future of Energy Frontiers. New Orleans, LA, December 3.

11. "Gulf Coast Energy Infrastructure Renaissance: Overview." (2008). 28<sup>th</sup> Annual USAEE/IAEE North American Conference: Unveiling the Future of Future of Energy Frontiers. New Orleans, LA, December 3.
12. "Understanding the Impacts of Katrina and Rita on Energy Industry Infrastructure." (2008). American Chemical Society National Meetings, New Orleans, Louisiana. April 7.
13. "Determining the Economic Value of Coastal Preservation and Restoration on Critical Energy Infrastructure." (2007). With Kristi A. R. Darby and Michelle Barnett. International Association for Energy Economics, Wellington, New Zealand, February 19.
14. "Regulatory Issues in Rate Design, Incentives, and Energy Efficiency." (2007). 34<sup>th</sup> Annual Public Utilities Research Center Conference, University of Florida. Gainesville, FL. February 16.
15. "An Examination of LNG Development on the Gulf of Mexico." (2007). With Kristi A.R. Darby. US Department of the Interior, Minerals Management Service. 24<sup>th</sup> Annual Information Technology Meeting. New Orleans, LA. January 9.
16. "OCS-Related Infrastructure on the GOM: Update and Summary of Impacts." (2007). U.S. Department of the Interior, Minerals Management Service. 24<sup>th</sup> Annual Information Technology Meeting. New Orleans, LA. January 10.
17. "The Economic Value of Coastal Preservation and Restoration on Critical Energy Infrastructure." (2006). With Michelle Barnett. Third National Conference on Coastal and Estuarine Habitat Restoration. Restore America's Estuaries. New Orleans, Louisiana, December 11.
18. "The Impact of Implementing a 20 Percent Renewable Portfolio Standard in New Jersey." (2006). With Seth E. Cureington. Mid-Continent Regional Science Association 37<sup>th</sup> Annual Conference, Purdue University, Lafayette, Indiana, June 9.
19. "The Impacts of Hurricane Katrina and Rita on Energy infrastructure Along the Gulf Coast." (2006). Environment Canada: 2006 Arctic and Marine Oilspill Program. Vancouver, British Columbia, Canada.
20. "Hurricanes, Energy Markets, and Energy Infrastructure in the Gulf of Mexico: Experiences and Lessons Learned." (2006). With Kristi A.R. Darby and Seth E. Cureington. 29<sup>th</sup> Annual IAEE International Conference, Potsdam, Germany, June 9.
21. "An Examination of the Opportunities for Drilling Incentives on State Leases in Louisiana." (2005). With Kristi A.R. Darby. 28<sup>th</sup> Annual IAEE International Conference, Taipei, Taiwan (June).
22. "Fiscal Mechanisms for Stimulating Oil and Gas Production on Marginal Leases." (2004). With Jeffrey M. Burke. International Association of Energy Economics Annual Conference, Washington, D.C. (July).
23. "GIS and Applied Economic Analysis: The Case of Alaska Residential Natural Gas Demand." (2003). With Dmitry V. Mesyanzhinov. Presented at the Joint Meeting of the East Lakes and West Lakes Divisions of the Association of American Geographers in Kalamazoo, MI, October 16-18.

24. "Are There Any In-State Uses for Alaska Natural Gas?" (2002). With Dmitry V. Mesyanzhinov and William E. Nebesky. IAEE/USAEE 22<sup>nd</sup> Annual North American Conference: "Energy Markets in Turmoil: Making Sense of It All." Vancouver, British Columbia, Canada. October 7.
25. "The Economic Impact of State Oil and Gas Leases on Louisiana." (2002). With Dmitry V. Mesyanzhinov. 2002 National IMPLAN Users' Conference. New Orleans, Louisiana, September 4-6.
26. "Moving to the Front of the Lines: The Economic Impact of Independent Power Plant Development in Louisiana." (2002). With Dmitry V. Mesyanzhinov and Williams O. Olatubi. 2002 National IMPLAN Users' Conference. New Orleans, Louisiana, September 4-6.
27. "New Consistent Approach to Modeling Regional Economic Impacts of Offshore Oil and Gas Activities in the Gulf of Mexico." (2002). With Vicki Zatarain. 2002 National IMPLAN Users' Conference. New Orleans, Louisiana, September 4-6.
28. "Distributed Energy Resources, Energy Efficiency, and Electric Power Industry Restructuring." (1999). American Society of Environmental Science Fourth Annual Conference. Baton Rouge, Louisiana. December.
29. "Estimating Efficiency Opportunities for Coal Fired Electric Power Generation: A DEA Approach." (1999). With Williams O. Olatubi. Southern Economic Association Sixty-ninth Annual Conference. New Orleans, November.
30. "Applied Approaches to Modeling Regional Power Markets." (1999.) With Robert F. Cope. Southern Economic Association Sixty-ninth Annual Conference. New Orleans, November 1999.
31. "Parametric and Non-Parametric Approaches to Measuring Efficiency Potentials in Electric Power Generation." (1999). With Williams O. Olatubi. International Atlantic Economic Society Annual Conference, Montreal, October.
32. "Asymmetric Choice and Customer Benefits: Lessons from the Natural Gas Industry." (1999). With Rachelle F. Cope and Dmitry Mesyanzhinov. International Association of Energy Economics Annual Conference. Orlando, Florida. August.
33. "Modeling Regional Power Markets and Market Power." (1999). With Robert F. Cope. Western Economic Association Annual Conference. San Diego, California. July.
34. "Economic Impact of Offshore Oil and Gas Activities on Coastal Louisiana" (1999). With Dmitry Mesyanzhinov. Annual Meeting of the Association of American Geographers. Honolulu, Hawaii. March.
35. "Empirical Issues in Electric Power Transmission and Distribution Cost Modeling." (1998). With Robert F. Cope and Dmitry Mesyanzhinov. Southern Economic Association. Sixty-Eighth Annual Conference. Baltimore, Maryland. November.
36. "Modeling Electric Power Markets in a Restructured Environment." (1998). With Robert F. Cope and Dan Rinks. International Association for Energy Economics Annual Conference. Albuquerque, New Mexico. October.

37. "Benchmarking Electric Utility Distribution Performance." (1998) With Robert F. Cope and Dmitry Mesyanzhinov. Western Economic Association, Seventy-sixth Annual Conference. Lake Tahoe, Nevada. June.
38. "Power System Operations, Control, and Environmental Protection in a Restructured Electric Power Industry." (1998). With Fred I. Denny. IEEE Large Engineering Systems Conference on Power Engineering. Nova Scotia, Canada. June.
39. "Benchmarking Electric Utility Transmission Performance." (1997). With Robert F. Cope and Dmitry Mesyanzhinov. Southern Economic Association, Sixty-seventh Annual Conference. Atlanta, Georgia. November 21-24.
40. "A Non-Linear Programming Model to Estimate Stranded Generation Investments in a Deregulated Electric Utility Industry." (1997). With Robert F. Cope and Dan Rinks. Institute for Operations Research and Management Science Annual Conference. Dallas Texas. October 26-29.
41. "New Paradigms for Power Engineering Education." (1997). With Fred I. Denny. International Association of Science and Technology for Development, High Technology in the Power Industry Conference. Orlando, Florida. October 27-30
42. "Cogeneration and Electric Power Industry Restructuring." (1997). With Andrew N. Kleit. Western Economic Association, Seventy-fifth Annual Conference. Seattle, Washington. July 9-13.
43. "The Unintended Consequences of the Public Utilities Regulatory Policies Act of 1978." (1997). National Policy History Conference on the Unintended Consequences of Policy Decisions. Bowling Green State University. Bowling Green, Ohio. June 5-7.
44. "Assessing Environmental and Safety Risks of the Expanding Role of Independents in E&P Operations on the Gulf of Mexico OCS." (1996). With Allan Pulsipher, Omowumi Iledare, Dmitry Mesyanzhinov, and Bob Baumann. U.S. Department of Interior, Minerals Management Service, 16th Annual Information Transfer Meeting. New Orleans, Louisiana.
45. "Empirical Modeling of the Risk of a Petroleum Spill During E&P Operations: A Case Study of the Gulf of Mexico OCS." (1996). With Omowumi Iledare, Allan Pulsipher, and Dmitry Mesyanzhinov. Southern Economic Association, Sixty-Sixth Annual Conference. Washington, D.C.
46. "Input Price Fluctuations, Total Factor Productivity, and Price Cap Regulation in the Telecommunications Industry" (1996). With Farhad Niami. Southern Economic Association, Sixty-Sixth Annual Conference. Washington, D.C.
47. "Recovery of Stranded Investments: Comparing the Electric Utility Industry to Other Recently Deregulated Industries" (1996). With Farhad Niami and Dmitry Mesyanzhinov. Southern Economic Association, Sixty-Sixth Annual Conference. Washington, D.C.
48. "Spatial Perspectives on the Forthcoming Deregulation of the U.S. Electric Utility Industry." (1996) With Dmitry Mesyanzhinov. Southwest Association of American Geographers Annual Meeting. Norman, Oklahoma.

49. "Comparing the Safety and Environmental Performance of Offshore Oil and Gas Operators." (1995). With Allan Pulsipher, Omowumi Iledare, Dmitry Mesyanzhinov, William Daniel, and Bob Baumann. U.S. Department of Interior, Minerals Management Service, 15th Annual Information Transfer Meeting. New Orleans, Louisiana.
50. "Empirical Determinants of Nuclear Power Plant Disallowances." (1995). Southern Economic Association, Sixty-Fifth Annual Conference. New Orleans, Louisiana.
51. "A Cross-Sectional Model of IntraLATA MTS Demand." (1995). Southern Economic Association, Sixty-Fifth Annual Conference. New Orleans, Louisiana.

#### **ACADEMIC SEMINARS AND PRESENTATIONS**

1. "Air Emissions Regulation and Policy: The Recently Proposed Cross State Air Pollution Rule and the Implications for Louisiana Power Generation." Lecture before School of the Coast & Environment. November 5, 2011.
2. "Energy Regulation: Overview of Power and Gas Regulation." Lecture before School of the Coast & Environment, Course in Energy Policy and Law. October 5, 2009.
3. "Trends and Issues in Renewable Energy." Presentation before the School of the Coast & Environment, Louisiana State University. Spring Guest Lecture Series. May 4, 2007.
4. "CES Research Projects and Status." Presentation before the U.S. Department of the Interior, Minerals Management Service, Outer Continental Shelf Scientific Committee Meeting, New Orleans, LA May 22, 2007.
5. "Hurricane Impacts on Energy Production and Infrastructure." Presentation Before the 53<sup>rd</sup> Mineral Law Institute, Louisiana State University. April 7, 2006.
6. "Trends and Issues in the Natural Gas Industry and the Development of LNG: Implications for Louisiana. (2004) 51<sup>st</sup> Mineral Law Institute, Louisiana State University, Baton Rouge, LA. April 2, 2004.
7. "Electric Restructuring and Conservation." (2001). Presentation before the Department of Electrical Engineering, McNeese State University. Lake Charles, Louisiana. May 2, 2001.
8. "Electric Restructuring and the Environment." (1998). Environment 98: Science, Law, and Public Policy. Tulane University. Tulane Environmental Law Clinic. March 7, New Orleans, Louisiana.
9. "Electric Restructuring and Nuclear Power." (1997). Louisiana State University. Department of Nuclear Science. November 7, Baton Rouge, Louisiana.
10. "The Empirical Determinants of Co-generated Electricity: Implications for Electric Power Industry Restructuring." (1997). With Andrew N. Kleit. Florida State University. Department of Economics: Applied Microeconomics Workshop Series. October 17, Tallahassee, Florida.

**PROFESSIONAL AND CIVIC PRESENTATIONS**

1. "MISO Grid Vision 2033." (2018). 2018 Winter Regulatory and Policymaker Forum. New Orleans, LA, December 11.
2. "Gulf Coast Energy Outlook 2019." (2018). LSU Center for Energy Studies, Baton Rouge, LA, Fall 2018.
3. "How LNG is transforming Louisiana's energy economy." (2018). Louisiana State Bar Association, Public Utility Section. Baton Rouge, LA, November 30.
4. "Overview of Louisiana LNG issues and trends." (2018). Kean Miller Law Firm: Energy and Environmental Practice Group. Baton Rouge, LA, November 28.
5. "Infrastructure and capacity: challenges for development." (2018). Society of Utility and Regulatory Financial Analysts (SURFA) Annual Meeting, New Orleans, LA, April 20.
6. "Louisiana industrial cogeneration trends." (2018). Annual Louisiana Solid Waste Association Conference, Lafayette, LA, March 16.
7. "Gulf Coast industrial development: overview of trends and issues." (2018). Gulf Coast Power Association Meetings, New Orleans, LA, February 8.
8. "Energy outlook – reflection on market trends and Louisiana implications." (2017). IberiaBank Corporation Bank Board of Directors Meeting, New Orleans, LA. November 15.
9. "Integrated Carbon Capture and Storage in the Louisiana Chemical Corridor." (2017). Industry Associates Advisory Council Meeting, Baton Rouge, LA. November 7.
10. "The outlook for natural gas and energy development on the Gulf Coast." (2017). Louisiana Chemical Association, Annual Meeting, New Orleans, LA. October 26.
11. "Critical energy infrastructure: the big picture on resiliency research." (2017). National Academies of Science, Engineering, and Medicine. New Orleans, LA. September 18.
12. "The changing nature of Gulf of Mexico energy infrastructure." (2017). 27<sup>th</sup> Gulf of Mexico Region Information Technology Meetings, New Orleans, LA, August 24.
13. "Capacity utilization, efficiency trends, and economic risks for modern CHP installations." (2017). Industrial Energy Technology Conference, New Orleans, LA. June 21.
14. "Crude oil and natural gas outlook: Where are we and where are we going?" (2017). CCREDC Economic Trends Panel. Corpus Christi, TX, June 15.
15. "Navigating through the energy landscape." (2017). Baton Rouge Rotary Luncheon. Baton Rouge, LA, May 24.
16. "The 2017-2018 Louisiana energy outlook." (2017). Junior Achievement of Greater New Orleans, JA BizTown Speaker Series. New Orleans, LA, May 12.
17. "The Gulf Coast energy economy: trends and outlook." (ma2017). Society for Municipal Analysts. New Orleans, LA, April 21.

18. "Gulf coast energy outlook." (2017). E.J. Ourso College of Business, Dean's Advisory Council, Energy Committee Meeting. Baton Rouge, LA, March 31.
19. "Recent trends in energy: overview and impact for the banking community." (2017). Oil and Gas Industry Update, Louisiana Bankers Association. Baton Rouge, LA, March 24.
20. "How supply, demand and prices have influenced unconventional development." (2016). Energy Annual Meeting, CLEER-University Advisory Board Lecture. New Orleans, LA, September 17.
21. "The Basics of Natural Gas Production, Transportation, and Markets." (2016). Center for Energy Studies. Baton Rouge, LA, August 1.
22. "Gulf Coast industrial development: trends and outlook." (2016). Investor Relations Group Meeting, Edison Electric Institute. New Orleans, LA, June 23.
23. "The future of policy and regulation: Unlocking the Treasures of Utility Regulation." (2016). Annual Meeting, National Conference of Regulatory Attorneys. Tampa, FL, June 20.
24. "Utility mergers: where's the beef?". (2016). National Association of State Utility Consumer Advocates Mid-Year Meetings. New Orleans, LA, June 6.
25. "Overview of the Clean Power Plan and its application to Louisiana." (2016). Shell Oil Company Internal Meeting. April 12.
26. "Energy and economic development on the Gulf Coast: trends and emerging challenges." (2016). Gas Processors Association Meeting. New Orleans, LA, April 11.
27. "Unconventional Oil and Gas Drilling Trends and Issues." (2016). French Delegation Visit, LSU Center for Energy Studies. March 16.
28. "Gulf Coast Industrial Growth: Passing clouds or storms on the horizon?" (2016). Gulf Coast Power Association Meetings. New Orleans, LA, February 18.
29. "The Transition to Crisis: What do the recent changes in energy markets mean for Louisiana?" (2016). Louisiana Independent Study Group. February 2.
30. "Regulatory and Ratepayer Issues in the Analysis of Utility Natural Gas Reserves Purchases" (2016). National Association of State Utility Consumer Advocates Gas Consumer Monthly Meeting. January 25.
31. "Emerging Issues in Fuel Procurement: Opportunities & Challenges in Natural Gas Reserves Investment." (2015). National Association of State Utility Consumer Advocates Annual Meeting. Austin, Texas. November 9.
32. "Trends and Issues in Net Metering and Solar Generation." (2015). Louisiana Rural Electric Cooperative Meeting. November 5.
33. "Electric Power: Industry Overview, Organization, and Federal/State Distinctions." (2015). EUCI. October 16.
34. "Natural Gas 101: The Basics of Natural Gas Production, Transportation, and Markets." (2015). Council of State Governments Special Meeting on Gas Markets. New Orleans, LA. October 14.

35. "Update and General Business Matters." (2015). CES Industry Associates Meeting. Baton Rouge, Louisiana. Fall 2015.
36. "The Impact of Infrastructure Cost Recovery Mechanisms on Pipeline Replacements and Leaks." (2015). 38<sup>th</sup> IAEE 2015 International Conference. Antalya, Turkey. May 26.
37. "Industry on the Move – What's Next?" (2015). Event Sponsored by Regional Bank and 1012 Industry Report. May 5.
38. "The State of the Energy Industry and Other Emerging Issues." (2015). Lex Mundi Energy & Natural Resources Practice Group Global Meeting. May 5.
39. "Energy, Louisiana, and LSU." (2015). LSU Science Café. Baton Rouge, Louisiana. April 28.
40. "Energy Market Changes and Impacts for Louisiana." (2015). Kinetica Partners Shippers Meeting, New Orleans, Louisiana. April 22.
41. "Incentives, Risk and the Changing Nature of Utility Regulation." (2015). NARUC Staff Subcommittee on Accounting and Finance Meetings, New Orleans, Louisiana. April 22.
42. "Modifying Renewables Policies to Sustain Positive and Economic Change." (2015). IEEE Annual Green Technologies ("Greentech Conference"). April 17.
43. "Louisiana's Changing Energy Environment." (2015). John P. Laborde Energy Law Center Advisory Board Spring Meeting, Baton Rouge, Louisiana. March 27.
44. "The Latest and the Long on Energy: Outlooks and Implications for Louisiana." (2015). Iberia Bank Advisory Board Meeting, Baton Rouge, Louisiana. February 23.
45. "A Survey of Recent Energy Market Changes and their Potential Implications for Louisiana." (2015). Vistage Group, New Orleans, Louisiana. February 4.
46. "Energy Prices and the Outlook for the Tuscaloosa Marine Shale." (2015). Baton Rouge Rotary Club, Baton Rouge, Louisiana. January 28.
47. "Trends in Energy & Energy-Related Economic Development." (2014). Miller and Thompson Presentation, Baton Rouge, Louisiana. December 30.
48. "Overview EPA's Proposed Rule Under Section 111(d) of the Clean Air Act: Impacts for Louisiana." (2014). Louisiana State Bar: Utility Section CLE Annual Meeting, Baton Rouge, Louisiana. November 7.
49. "Overview EPA's Proposed Clean Power Plan and Impacts for Louisiana." (2014). Clean Cities Coalition Meeting, Baton Rouge, Louisiana. November 5.
50. "Impacts on Louisiana from EPA's Proposed Clean Power Plan." (2014). Air & Waste Management Annual Environmental Conference (Louisiana Chapter), Baton Rouge, Louisiana. October 29, 2014.
51. "A Look at America's Growing Demand for Natural Gas." (2014). Louisiana Chemical Association Annual Meeting, New Orleans, Louisiana. October 23.
52. "Trends in Energy & Energy-Related Economic Development." (2014). 2014 Government Finance Officer Association Meetings, Baton Rouge, Louisiana. October 9.

53. "The Conventional Wisdom Associated with Unconventional Resource Development." (2014). National Association for Business Economics Annual Conference, Chicago, Illinois. September 28.
54. Unconventional Oil & Natural Gas: Overview of Resources, Economics & Policy Issues. (2014). Society of Environmental Journalists Annual Meeting. New Orleans, Louisiana. September 4.
55. "Natural Gas Leveraged Economic Development in the South." (2014). Southern Governors Association Meeting, Little Rock, Arkansas. August 16.
56. "The Past, Present and Future of CHP Development in Louisiana." (2014). Louisiana Public Service Commission CHP Workshop, Baton Rouge, Louisiana. June 25.
57. "Regional Natural Gas Demand Growth: Industrial and Power Generation Trends." (2014). Kinetica Partners Shippers Meeting, New Orleans, Louisiana. April 30.
58. "The Technical and Economic Potential for CHP in Louisiana and the Impact of the Industrial Investment Renaissance on New CHP Capacity Development." (2014). Electric Power 2014, New Orleans, Louisiana. April 1.
59. "Industry Investments and the Economic Development of Unconventional Development." (2014). Tuscaloosa Marine Shale Conference & Expo, Natchez, Mississippi. March 31.
60. Discussion Panelist. Energy Outlook 2035: The Global Energy Industry and Its Impact on Louisiana, (2014). Grow Louisiana Coalition, Baton Rouge, Louisiana. March 18.
61. "Natural Gas and the Polar Vortex: Has Recent Weather Led to a Structural Change in Natural Gas Markets?" (2014). National Association of State Utility Consumer Advocates Monthly Gas Committee Meeting. February 19.
62. "Some Unconventional Thoughts on Regional Unconventional Gas and Power Generation Requirements." (2014). Gulf Coast Power Association Special Briefing, New Orleans, Louisiana. February 6.
63. "Leveraging Energy for Industrial Development." (2013). 2013 Governor's Energy Summit, Jackson, Mississippi. December 5.
64. "Natural Gas Line Extension Policies: Ratepayer Issues and Considerations." (2013). National Association of State Utility Consumer Advocates Annual Meeting, Orlando, Florida. November 19.
65. "Replacement, Reliability & Resiliency: Infrastructure & Ratemaking Issues in the Power & Natural Gas Distribution Industries." (2013). Louisiana State Bar, Public Utility Section Meetings. November 15.
66. "Natural Gas Markets: Leveraging the Production Revolution into an Industrial Renaissance." (2013). International Technical Conference, Houston, TX. October 11.
67. "Natural Gas, Coal & Power Generation Issues and Trends." (2013). Southeast Labor and Management Public Affairs Committee Conference, Chattanooga, Tennessee. September 27.
68. "Recent Trends in Pipeline Replacement Trackers." (2013). National Association of

- Statue Utility Consumer Advocates Monthly Gas Committee Meeting. September 19.
69. Discussion Panelist (2013). Think About Energy Summit, America's Natural Gas Alliance, Columbus Ohio. September 16-17.
  70. "Future Test Years: Issues to Consider." (2013). National Regulatory Research Institute, Teleseminar on Future Test Years. August 28.
  71. "Industrial Development Outlook for Louisiana." (2013). Louisiana Water Synergy Project Meetings, Jones Walker Law Firm, Baton Rouge, Louisiana. July 30.
  72. "Natural Gas & Electric Power Coordination Issues and Challenges." (2013). Utilities State Government Organization Conference, Pointe Clear, Alabama. July 9.
  73. "Natural Gas Market Issues & Trends." (2013). Western Conference of Public Service Commissioners, Santa Fe, New Mexico. June 3.
  74. "Louisiana Unconventional Natural Gas and Industrial Redevelopment." (2013). Louisiana Chemical Association/Louisiana Chemical Industry Alliance Annual Legislative Conference, Baton Rouge, Louisiana. May 8.
  75. "Infrastructure Cost Recovery Mechanism: Overview of Issues." (2013). Energy Bar Association Annual Meeting, Washington, D.C. May 1.
  76. "GOM Offshore Oil and Gas." (2013). Energy Executive Roundtable, New Orleans, Louisiana. March 27.
  77. "Louisiana Unconventional Natural Gas and Industrial Redevelopment." (2013). Risk Management Association Luncheon, March 21.
  78. "Natural Gas Market Update and Emerging Issues." (2013). NASUCA Gas Committee Conference Call/Webinar, March 12.
  79. "Unconventional Resources and Louisiana's Manufacturing Development Renaissance." (2013). Baton Rouge Press Club, De La Ronde Hall, Baton Rouge, LA, January 28.
  80. "New Industrial Operations Leveraged by Unconventional Natural Gas." (2013) American Petroleum Institute-Louisiana Chapter. Lafayette, LA, Petroleum Club, January 14.
  81. "What's Going on with Energy? How Unconventional Oil and Gas Development is Impacting Renewables, Efficiency, Power Markets, and All that Other Stuff." (2012). Atlanta Economics Club Monthly Meeting. Atlanta, GA. December 11.
  82. "Trends, Issues, and Market Changes for Crude Oil and Natural Gas." (2012). East Iberville Community Advisory Panel Meeting. St. Gabriel, LA. September 26.
  83. "Game Changers in Crude and Natural Gas Markets." (2012). Chevron Community Advisory Panel Meeting. Belle Chase, LA, September 17.
  84. "The Outlook for Renewables in a Changing Power and Natural Gas Market." (2012). Louisiana Biofuels and Bioprocessing Summit. Baton Rouge, LA. September 11.
  85. "The Changing Dynamics of Crude and Natural Gas Markets." (2012). Chalmette Refining Community Advisory Panel Meeting. Chalmette, LA, September 11.
  86. "The Really Big Game Changer: Crude Oil Production from Shale Resources and the

- Tuscaloosa Marine Shale.” (2012). Baton Rouge Chamber of Commerce Board Meeting. Baton Rouge, LA, June 27.
87. “The Impact of Changing Natural Gas Prices on Renewables and Energy Efficiency.” (2012). NASUCA Gas Committee Conference Call/Webinar. 12 June 2012.
  88. “Issues in Gas-Renewables Coordination: How Changes in Natural Gas Markets Potentially Impact Renewable Development” (2012). Energy Bar Association, Louisiana Chapter, Annual Meeting, New Orleans, LA. April 12, 2012.
  89. “Issues in Natural Gas End-Uses: Are We Really Focusing on the Real Opportunities?” (2012). Energy Bar Association, Louisiana Chapter, Annual Meeting, New Orleans, LA. April 12, 2012.
  90. “The Impact of Legacy Lawsuits on Conventional Oil and Gas Drilling in Louisiana.” (2012). Louisiana Oil and Gas Association Annual Meeting, Lake Charles, LA. February 27, 2012.
  91. “The Impact of Legacy Lawsuits on Conventional Oil and Gas Drilling in Louisiana.” (2012) Louisiana Oil and Gas Association Annual Meeting. Lake Charles, Louisiana. February 27, 2012.
  92. “Louisiana’s Unconventional Plays: Economic Opportunities, Policy Challenges. Louisiana Mid-Continent Oil and Gas Association 2012 Annual Meeting. (2012) New Orleans, Louisiana. January 26, 2012.
  93. “EPA’s Recently Proposed Cross State Air Pollution Rule (“CSAPR”) and Its Impacts on Louisiana.” (2011). Bossier Chamber of Commerce. November 18, 2011.
  94. “Facilitating the Growth of America’s Natural Gas Advantage.” (2011). BASF U.S. Shale Gas Workshop Management Meeting. Florham Park, New Jersey. November 1, 2011.
  95. “CSAPR and EPA Regulations Impacting Louisiana Power Generation.” (2011). Air and Waste Management Association (Louisiana Section) Fall Conference. Environmental Focus 2011: a Multi-Media Forum. Baton Rouge, LA. October 25, 2011.
  96. “Natural Gas Trends and Impact on Industrial Development.” (2011). Central Gulf Coast Industrial Alliance Conference. Arthur R. Outlaw Convention Center. Mobile, AL. September 22, 2011.
  97. “Energy Market Changes and Policy Challenges.” (2011). Southeast Manpower Tripartite Alliance (“SEMTA”) Summer Conference. Nashville, TN September 2, 2011.
  98. “EPA Regulations, Rates & Costs: Implications for U.S. Ratepayers.” (2011). Workshop: “A Smarter Approach to Improving Our Environment.” 38<sup>th</sup> Annual American Legislative Exchange Council (“ALEC”) Meetings. New Orleans, LA. August 5, 2011.
  99. Panelist/Moderator. Workshop: “Why Wait? Start Energy Independence Today.” 38<sup>th</sup> Annual American Legislative Exchange Council (“ALEC”) Meetings. New Orleans, LA. August 4, 2011.
  100. “Facilitating the Growth of America’s Natural Gas Advantage.” Texas Chemical Council, Board of Directors Summer Meeting. San Antonio, TX. July 28, 2011.

101. "Creating Ratepayer Benefits by Reconciling Recent Gas Supply Opportunities with Past Policy Initiatives." National Association of State Utility Consumer Advocates ("NASUCA"), Monthly Gas Committee Meeting. July 12, 2011.
102. "Energy Market Trends and Policies: Implications for Louisiana." (2011). Lakeshore Lion's Club Monthly Meeting. Baton Rouge, Louisiana. June 20, 2011.
103. "America's Natural Gas Advantage: Securing Benefits for Ratepayers Through Paradigm Shifts in Policy." Southeastern Association of Regulatory Commissioners ("SEARUC") Annual Meeting. Nashville, Tennessee. June 14, 2011.
104. "Learning Together: Building Utility and Clean Energy Industry Partnerships in the Southeast." (2011). American Solar Energy Society National Solar Conference. Raleigh Convention Center, Raleigh, North Carolina. May 20, 2011.
105. "Louisiana Energy Outlook and Trends." (2011). Executive Briefing. Consul General of Canada. LSU Center for Energy Studies, Baton Rouge, Louisiana. May 24, 2011.
106. "Louisiana's Natural Gas Advantage: Can We Hold It? Grow It? Or Do We Need to be Worrying About Other Problems?" (2011). Louisiana Chemical Association Annual Legislative Conference, Baton Rouge, Louisiana, May 5, 2011.
107. "Energy Outlook and Trends: Implications for Louisiana. (2011). Executive Briefing, Legislative Staff, Congressman William Cassidy. LSU Center for Energy Studies, Baton Rouge, Louisiana. March 25, 2011.
108. "Regulatory Issues in Inflation Adjustment Mechanisms and Allowances." (2011). Gas Committee, National Association of State Utility Consumer Advocates ("NASUCA"). February 15, 2011.
109. "Regulatory Issues in Inflation Adjustment Mechanisms and Allowances." (2010). 2010 Annual Meeting, National Association of State Utility Consumer Advocates ("NASUCA"), Omni at CNN Center, Atlanta, Georgia, November 16, 2010.
110. "How Current and Proposed Energy Policy Impacts Consumers and Ratepayers." (2010). 122<sup>nd</sup> Annual Meeting, National Association of Regulatory Utility Commissioners ("NARUC"), Omni at CNN Center, Atlanta, Georgia, November 15, 2010.
111. "Energy Outlook: Trends and Policies." (2010). 2010 Tri-State Member Service Conference; Arkansas, Louisiana, and Mississippi Electric Cooperatives. L'Auberge du Lac Casino Resort, Lake Charles, Louisiana, October 14, 2010.
112. "Deepwater Moratorium and Louisiana Impacts." (2010). The Energy Council Annual Meeting. Gulf of Mexico Deepwater Horizon Accident, Response, and Policy. Beau Rivage Conference Center. Biloxi, Mississippi. September 25, 2010.
113. "Overview on Offshore Drilling and Production Activities in the Aftermath of Deepwater Horizon." (2010) Jones Walker Banking Symposium. The Oil Spill: What Will it Mean for Banks in the Region? New Orleans, Louisiana. August 31, 2010.
114. "Long-Term Energy Sector Impacts from the Oil Spill." (2010). Second Annual Louisiana Oil & Gas Symposium. The BP Gulf Oil Spill: Long-Term Impacts and Strategies. Baton Rouge Geological Society. August 16, 2010.

115. "Overview and Issues Associated with the Deepwater Horizon Accident." (2010). Global Interdependence Meeting on Energy Issues. Baton Rouge, LA. August 12, 2010.
116. "Overview and Issues Associated with the Deepwater Horizon Accident." (2010). Regional Roundtable Webinar. National Association for Business Economics. August 10, 2010.
117. "Deepwater Moratorium: Overview of Impacts for Louisiana." Louisiana Association of Business and Industry Meeting. Baton Rouge, LA. June 25, 2010.
118. Moderator. Senior Executive Roundtable on Industrial Energy Efficiency. U.S. Department of Energy Conference on Industrial Efficiency. Office of Renewable Energy and Energy Efficiency. Royal Sonesta Hotel, New Orleans, LA. May 21, 2010.
119. "The Energy Outlook: Trends and Policies Impacting Southeastern Natural Gas Supply and Demand Growth." Second Annual Local Economic Analysis and Research Network ("LEARN") Conference. Federal Reserve Bank of Atlanta. March 29, 2010.
120. "Natural Gas Supply Issues: Gulf Coast Supply Trends and Implications for Louisiana." Energy Bar Association, New Orleans Chapter Meeting. Jones Walker Law Firm. January 28, 2010, New Orleans, LA.
121. "Potential Impacts of Federal Greenhouse Gas Legislation on Louisiana Industry." LCA Government Affairs Committee Meeting. November 10, 2009. Baton Rouge, LA
122. "Regulatory and Ratemaking Issues Associated with Cost and Revenue Tracker Mechanisms." National Association of State Utility Consumer Advocates ("NASUCA") Annual Meeting. November 10, 2009.
123. "Louisiana's Stakes in the Greenhouse Gas Debate." Louisiana Chemical Association and Louisiana Chemical Industry Alliance Annual Meeting: The Billing Dollar Budget Crisis: Catastrophe or Change? New Orleans, LA.
124. "Gulf Coast Energy Outlook: Issues and Trends." Women's Energy Network, Louisiana Chapter. September 17, 2009. Baton Rouge, LA.
125. "Gulf Coast Energy Outlook: Issues and Trends." Natchez Area Association of Energy Service Companies. September 15, 2009, Natchez, MS.
126. "The Small Picture: The Cost of Climate Change to Louisiana." Louisiana Association of Business and Industry, U.S. Chamber of Commerce, Louisiana Oil and Gas Association, and LSU Center for Energy Studies Conference: Can Louisiana Make a Buck After Climate Change Legislation? August 21, 2009. Baton Rouge, LA.
127. "Carbon Legislation and Clean Energy Markets: Policy and Impacts." National Association of Conservation Districts, South Central Region Meeting. August 14, 2009. Baton Rouge, LA.
128. "Evolving Carbon and Clean Energy Markets." The Carbon Emissions Continuum: From Production to Consumption." Jones Walker Law Firm and LSU Center for Energy Studies Workshop. June 23, 2009. Baton Rouge, LA
129. "Potential Impacts of Cap and Trade on Louisiana Ratepayers: Preliminary Results." (2009). Briefing before the Louisiana Public Service Commission. Business and Executive

Meeting, May 12, 2009. Baton Rouge, LA.

130. "Natural Gas Outlook." (2009). Briefing before the Louisiana Public Service Commission. Business and Executive Meeting, May 12, 2009. Baton Rouge, LA.
131. "Gulf Coast Energy Outlook: Issues and Trends." (2009). ISA-Lafayette Technical Conference & Expo. Cajundome Conference Center. Lafayette, Louisiana. March 12, 2009.
132. "The Cost of Energy Independence, Climate Change, and Clean Energy Initiatives on Utility Ratepayers." (2009). National Association of Business Economics (NABE). 25<sup>th</sup> Annual Washington Economic Policy Conference: Restoring Financial and Economic Stability. Arlington, VA March 2, 2009.
133. Panelist, "Expanding Exploration of the U.S. OCS" (2009). Deep Offshore Technology International Conference and Exhibition. PennWell. New Orleans, Louisiana. February 4, 2009.
134. "Gulf Coast Energy Outlook." (2008.) Atmos Energy Regional Management Meeting. Louisiana and Mississippi Division. New Orleans, Louisiana. October 8, 2008.
135. "Background, Issues, and Trends in Underground Hydrocarbon Storage." (2008). Presentation before the LSU Center for Energy Studies Industry Advisory Board Meeting. Baton Rouge, Louisiana. August 27, 2008.
136. "Greenhouse Gas Regulations and Policy: Implications for Louisiana." (2008). Presentation before the Praxair Customer Seminar. Houston, Texas, August 14, 2008.
137. "Market and Regulatory Issues in Alternative Energy and Louisiana Initiatives." (2008). Presentation before the 2008 Statewide Clean Cities Coalition Conference: Making Sense of Alternative Fuels and Advanced Technologies. New Orleans, Louisiana, March 27, 2008.
138. "Regulatory Issues in Rate Design, Incentives, and Energy Efficiency." (2007) Presentation before the New Hampshire Public Utilities Commission. Workshop on Energy Efficiency and Revenue Decoupling. November 7, 2007.
139. "Regulatory Issues for Consumer Advocates in Rate Design, Incentives, and Energy Efficiency." (2007). National Association of State Utility Consumer Advocates, Mid-Year Meeting. June 12, 2007.
140. "Regulatory and Policy Issues in Nuclear Power Plant Development." (2007). LSU Center for Energy Studies Industry Advisory Council Meeting. Baton Rouge, LA. March 23, 2007.
141. "Oil and Gas in the Gulf of Mexico: A North American Perspective." (2007). Canadian Consulate, Heads of Mission EnerNet Workshop, Houston, Texas. March 20, 2007.
142. "Regulatory Issues for Consumer Advocates in Rate Design, Incentives & Energy Efficiency." (2007). National Association of State Utility Consumer Advocates ("NASUCA") Gas Committee Monthly Meeting. February 13, 2006.
143. "Recent Trends in Natural Gas Markets." (2006). National Association of Regulatory Utility Commissioners, 118<sup>th</sup> Annual Convention. Miami, FL November 14, 2006.

144. "Energy Markets: Recent Trends, Issues & Outlook." (2006). Association of Energy Service Companies (AESC) Meeting. Petroleum Club, Lafayette, LA, November 8, 2006.
145. "Energy Outlook" (2006). National Business Economics Issues Council. Quarterly Meeting, Nashville, TN, November 1-2, 2006.
146. "Global and U.S. Energy Outlook." (2006). Energy Virginia Conference. Virginia Military Institute, Lexington, VA October 17, 2006.
147. "Interdependence of Critical Energy Infrastructure Systems." (2006). Cross Border Forum on Energy Issues: Security and Assurance of North American Energy Systems. Woodrow Wilson Center for International Scholars. Washington, DC, October 13, 2006.
148. "Determining the Economic Value of Coastal Preservation and Restoration on Critical Energy Infrastructure." (2006) The Economic and Market Impacts of Coastal Restoration: America's Wetland Economic Forum II. Washington, DC September 28, 2006.
149. "Relationships between Power and Other Critical Energy Infrastructure." (2006). Rebuilding the New Orleans Region: Infrastructure Systems and Technology Innovation Forum. United Engineering Foundation. New Orleans, LA, September 24-25, 2006.
150. "Outlook, Issues, and Trends in Energy Supplies and Prices." (2006.) Presentation to the Southern States Energy Board, Associate Members Meeting. New Orleans, Louisiana. July 14, 2006.
151. "Energy Sector Outlook." (2006). Baton Rouge Country Club Meeting. Baton Rouge, Louisiana. July 11, 2006.
152. "Oil and Gas Industry Post 2005 Storm Events." (2006). American Petroleum Institute, Teche Chapter. Production, Operations, and Regulations Annual Meeting. Lafayette, Louisiana. June 29, 2006.
153. "Concentration of Energy Infrastructure in Hurricane Regions." (2006). Presentation before the National Commission on Energy Policy Forum: Ending the Stalemate on LNG Facility Siting. Washington, DC. June 21, 2006.
154. "LNG—A Premier." (2006). Presentation Given to the U.S. Department of Energy's "LNG Forums." Los Angeles, California. June 1, 2006.
155. "Regional Energy Infrastructure, Production and Outlook." (2006). Executive Briefing for Board of Directors, Louisiana Oil and Gas Plc., Enhanced Exploration, Inc. and Energy Self-Service, Inc. Covington, Louisiana, May 12, 2006.
156. "The Impacts of the Recent Hurricane Season on Energy Production and Infrastructure and Future Outlook." Presentation before the Industrial Energy Technology Conference 2006. New Orleans, Louisiana, May 9, 2006.
157. "Update on Regional Energy Infrastructure and Production." (2006). Executive Briefing for Delegation Participating in U.S. Department of Commerce Gulf Coast Business Investment Mission. Baton Rouge, Louisiana May 5, 2006.
158. "Hurricane Impacts on Energy Production and Infrastructure." (2006). Presentation before the Interstate Natural Gas Association of America Mid-Year Meeting. Hyatt Regency Hill

Country. April 21, 2006.

159. "LNG—A Premier." Presentation Given to the U.S. Department of Energy's "LNG Forums." Astoria, Washington. April 28, 2006.
160. Natural Gas Market Outlook. Invited Presentation Given to the Georgia Public Service Commission and Staff. Georgia Institute of Technology, Atlanta, Georgia. March 10, 2006.
161. The Impacts of Hurricanes Katrina and Rita on Louisiana's Energy Industry. Presentation to the Louisiana Economic Development Council. Baton Rouge, Louisiana. March 8, 2006.
162. Energy Markets: Hurricane Impacts and Outlook. Presentation to the 2006 Louisiana Independent Oil and Gas Association Annual Conference. L'Auberge du Lac Resort and Casino. Lake Charles, Louisiana. March 6, 2006
163. Energy Market Outlook and Update on Hurricane Damage to Energy Infrastructure. Presentation to the Energy Council 2005 Global Energy and Environmental Issues Conference. Santa Fe, New Mexico, December 10, 2005.
164. "Putting Our Energy Infrastructure Back Together Again." Presentation Before the 117<sup>th</sup> Annual Convention of the National Association of Regulatory Utility Commissioners (NARUC). November 15, 2005. Palm Springs, CA
165. "Hurricanes and the Outlook for Energy Markets." Presentation before the Baton Rouge Rotary Club. November 9, 2005, Baton Rouge, LA.
166. "Hurricanes, Energy Supplies and Prices." Presentation before the Louisiana Department of Natural Resources and Atchafalaya Basin Committee Meeting. November 8, 2005. Baton Rouge, LA.
167. "The Impact of the Recent Hurricane's on Louisiana's Energy Industry." Presentation before the Louisiana Independent Oil and Gas Association Board of Directors Meeting. November 8, 2005. Baton Rouge, LA.
168. "The Impact of the Recent Hurricanes on Louisiana's Infrastructure and National Energy Markets." Presentation before the Baton Rouge City Club Distinguished Speaker Series. October 13, 2005. Baton Rouge, LA.
169. "The Impact of the Recent Hurricanes on Louisiana's Infrastructure and National Energy Markets." Presentation before Powering Up: A Discussion About the Future of Louisiana's Energy Industry. Special Lecture Series Sponsored by the Kean Miller Law Firm. October 13, 2005. Baton Rouge, LA.
170. "The Impact of Hurricane Katrina on Louisiana's Energy Infrastructure and National Energy Markets." Special Lecture on Hurricane Impacts, LSU Center for Energy Studies, September 29, 2005.
171. "Louisiana Power Industry Overview." Presentation before the Clean Air Interstate Rule Implementation Stakeholders Meeting. August 11, 2005. Louisiana Department of Environmental Quality.

172. "CES 2005 Legislative Support and Outlook for Energy Markets and Policy." Presentation before the LMOGA/LCA Annual Post-Session Legislative Committee Meeting. August 10-13, 2005. Perdido Key, Florida.
173. "Electric Restructuring: Past, Present, and Future." Presentation to the Southeastern Association of Tax Administrators Annual Conference. Sheraton Hotel and Conference Facility. New Orleans, LA July 12, 2005.
174. "The Outlook for Energy." Lagniappe Studies Continuing Education Course. Baton Rouge, LA. July 11, 2005.
175. "The Outlook for Energy." Sunshine Rotary Club. Baton Rouge, LA. April 27, 2005.
176. "Background and Overview of LNG Development." Energy Council Workshop on LNG/CNG. Biloxi, Ms: Beau Rivage Resort and Hotel, April 9, 2005.
177. "Natural Gas Supply, Prices, and LNG: Implications for Louisiana Industry." Cytec Corporation Community Advisory Panel. Fortier, LA January 14, 2005.
178. "The Economic Opportunities for a Limited Industrial Retail Choice Plan." Louisiana Department of Economic Development. Baton Rouge, Louisiana. November 19, 2004.
179. "Energy Issues for Industrial Customers of Gas and Power." Louisiana Association of Business and Industry, Energy Council Meeting. Baton Rouge, Louisiana. October 11, 2004.
180. "Energy Issues for Industrial Customers of Gas and Power." Annual Meeting of the Louisiana Chemical Association and the Louisiana Chemical Industry Alliance. Point Clear, Alabama. October 8, 2004.
181. "Energy Issues for Industrial Customers of Gas and Power." American Institute of Chemical Engineers – New Orleans Section. New Orleans, LA. September 22, 2004.
182. "Natural Gas Supply, Prices and LNG: Implications for Louisiana Industry." Dow Chemical Company Community Advisory Panel Meeting. Plaquemine, LA. August 9, 2004.
183. "Energy Issues for Industrial Customers of Gas and Power." Louisiana Chemical Association Post-Legislative Meeting. Springfield, LA. August 9, 2004.
184. "LNG In Louisiana." Joint Meeting of the Louisiana Economic Development Council and the Governors Cabinet Advisory Council. Baton Rouge, LA. August 5, 2004.
185. "Louisiana Energy Issues." Louisiana Mid-Continent Oil and Gas Association Post Legislative Meetings. Sandestin, Florida. July 28, 2004.
186. "The Gulf South: Economic Opportunities Related to LNG." Presentation before the Energy Council's 2004 State and Provincial Energy and Environmental Trends Conference. Point Clear, AL, June 26, 2004.
187. "Natural Gas and LNG Issues for Louisiana." Presentation before the Rhodia Community Advisory Panel. May 20, 2004, Baton Rouge, LA.

188. "The Economic Opportunities for LNG Development in Louisiana." Presentation before the Louisiana Chemical Association Plant Managers Meeting. May 27, 2004. Baton Rouge, LA.
189. "The Economic Opportunities for LNG Development in Louisiana." Presentation before the Louisiana Chemical Association/Louisiana Chemical Industry Alliance Legislative Conference. May 26, 2004. Baton Rouge, LA.
190. "The Economic Opportunities for LNG Development in Louisiana." Presentation before the Petrochemical Industry Cluster, Greater New Orleans, Inc. May 19, 2004, Destrehan, LA.
191. "Industry Development Issues for Louisiana: LNG, Retail Choice, and Energy." Presentation before the LSU Center for Energy Studies Industry Associates. May 14, 2004, Baton Rouge, LA.
192. "The Economic Opportunities for LNG Development in Louisiana." Presentation before the Board of Directors, Greater New Orleans, Inc. May 13, 2004, New Orleans, LA.
193. "Natural Gas Outlook: Trends and Issues for Louisiana." Presentation before the Louisiana Joint Agricultural Association Meetings. January 14, 2004, Hotel Acadiana, Lafayette, Louisiana.
194. "Natural Gas Outlook" Presentation before the St. James Parish Community Advisory Panel Meeting. January 7, 2004, IMC Production Facility, Convent, Louisiana.
195. "Competitive Bidding in the Electric Power Industry." Presentation before the Association of Energy Engineers. Business Energy Solutions Expo. December 11-12, 2003, New Orleans, Louisiana.
196. "Regional Transmission Organization in the South: The Demise of SeTrans" Presentation before the LSU Center for Energy Studies Industry Associates Advisory Council Meeting. December 9, 2003. Baton Rouge, Louisiana.
197. "Affordable Energy: The Key Component to a Strong Economy." Presentation before the National Association of Regulatory Utility Commissioners ("NARUC"), November 18, 2003, Atlanta, Georgia.
198. "Natural Gas Outlook." Presentation before the Louisiana Chemical Association, October 17, 2003, Pointe Clear, Alabama.
199. "Issues and Opportunities with Distributed Energy Resources." Presentation before the Louisiana Biomass Council. April 17, 2003, Baton Rouge, Louisiana.
200. "What's Happened to the Merchant Energy Industry? Issues, Challenges, and Outlook" Presentation before the LSU Center for Energy Studies Industry Associates Advisory Council Meeting. November 12, 2002. Baton Rouge, Louisiana.
201. "An Introduction to Distributed Energy Resources." Presentation before the U.S. Department of Energy, Office of Renewable Energy and Energy Efficiency, State Energy Program/Rebuild America Conference, August 1, 2002, New Orleans, Louisiana.

202. "Merchant Energy Development Issues in Louisiana." Presentation before the Program Committee of the Center for Legislative, Energy, and Environmental Research (CLEER), Energy Council. April 19, 2002.
203. "Power Plant Siting Issues in Louisiana." Presentation before 24<sup>th</sup> Annual Conference on Waste and the Environment. Sponsored by the Louisiana Department of Environmental Quality. Lafayette, Louisiana, Cajundome. March 12, 2002.
204. "Merchant Power and Deregulation: Issues and Impacts." Presentation before the Air and Waste Management Association Annual Meeting. Baton Rouge, LA, November 15, 2001.
205. "Moving to the Front of the Lines: The Economic Impact of Independent Power Production in Louisiana." Presentation before the LSU Center for Energy Studies Merchant Power Generation and Transmission Conference, Baton Rouge, LA. October 11, 2001.
206. "Economic Impacts of Merchant Power Plant Development in Mississippi." Presentation before the U.S. Oil and Gas Association Annual Oil and Gas Forum. Jackson, Mississippi. October 10, 2001.
207. "Economic Opportunities for Merchant Power Development in the South." Presentation before the Southern Governor's Association/Southern State Energy Board Meetings. Lexington, KY. September 9, 2001.
208. "The Changing Nature of the Electric Power Business in Louisiana." Presentation before the Louisiana Department of Environmental Quality. Baton Rouge, LA, August 27, 2001.
209. "Power Business in Louisiana: Background and Issues." Presentation before the Louisiana Interagency Group on Merchant Power Development. Baton Rouge, LA, July 16, 2001.
210. "The Changing Nature of the Electric Power Business in Louisiana: Background and Issues." Presentation before the Louisiana Office of the Governor. Baton Rouge, LA, July 16, 2001.
211. "The Changing Nature of the Electric Power Business in Louisiana: Background and Issues." Presentation before the Louisiana Department of Economic Development. Baton Rouge, LA, July 3, 2001.
212. "The Economic Impacts of Merchant Power Plant Development In Mississippi." Presentation before the Mississippi Public Service Commission. Jackson, Mississippi, March 20, 2001.
213. "Energy Conservation and Electric Restructuring." With Ritchie D. Priddy. Presentation before the Louisiana Department of Natural Resources. Baton Rouge, Louisiana, October 23, 2000.
214. "Pricing and Regulatory Issues Associated with Distributed Energy." Joint Conference by Econ One Research, Inc., the Louisiana State University Distributed Energy Resources Initiative, and the University of Houston Energy Institute: "Is the Window Closing for Distributed Energy?" Houston, Texas, October 13, 2000.
215. "Electric Reliability and Merchant Power Development Issues." Technical Meetings of the Louisiana Public Service Commission. Baton Rouge, LA. August 29, 2000.

216. "A Introduction to Distributed Energy Resources." Summer Meetings, Southeastern Association of Regulatory Utility Commissioners (SEARUC). New Orleans, LA. June 27, 2000.
217. Roundtable Moderator/Discussant. Mid-South Electric Reliability Summit. U.S. Department of Energy. New Orleans, Louisiana. April 24, 2000.
218. "Electricity 101: Definitions, Precedents, and Issues." Energy Council's 2000 Federal Energy and Environmental Matters Conference. Loews L'Enfant Plaza Hotel, Washington, D.C. March 11-13, 2000.
219. "LSU/CES Distributed Energy Resources Initiatives." Los Alamos National Laboratories. Office of Energy and Sustainable Systems. Los Alamos, New Mexico. February 16, 2000.
220. "Distributed Energy Resources Initiatives." Louisiana State University, Center for Energy Studies Industry Associates Meeting. Baton Rouge, Louisiana. December 15, 1999.
221. "Merchant Power Opportunities in Louisiana." Louisiana Mid-Continent Oil and Gas Association (LMOGA) Power Generation Committee Meetings. Baton Rouge, Louisiana. November 10, 1999.
222. Roundtable Discussant. "Environmental Regulation in a Restructured Market" The Big E: How to Successfully Manage the Environment in the Era of Competitive Energy. PUR Conference. New Orleans, Louisiana. May 24, 1999.
223. "The Political Economy of Electric Restructuring In the South" Southeastern Electric Exchange, Rate Section Annual Conference. New Orleans, Louisiana. May 7, 1999.
224. "The Dynamics of Electric Restructuring in Louisiana." Joint Meeting of the American Association of Energy Engineers and the International Association of Facilities Managers. Metairie, Louisiana. April 29, 1999.
225. "The Implications of Electric Restructuring on Independent Oil and Gas Operations." Petroleum Technology Transfer Council Workshop: Electrical Power Cost Reduction Methods in Oil and Gas Field Operations. Lafayette, Louisiana, March 24, 1999.
226. "What's Happened to Electricity Restructuring in Louisiana?" Louisiana State University, Center for Energy Studies Industry Associates Meeting. March 22, 1999.
227. "A Short Course on Electric Restructuring." Central Louisiana Electric Company. Sales and Marketing Division. Mandeville, Louisiana, October 22, 1998.
228. "The Implications of Electric Restructuring on Independent Oil and Gas Operations." Petroleum Technology Transfer Council Workshop: Electrical Power Cost Reduction Methods in Oil and Gas Field Operations. Shreveport, Louisiana, October 13, 1998.
229. "How Will Utility Deregulation Affect Tourism." Louisiana Travel Promotion Association Annual Meeting, Alexandria, Louisiana. January 15, 1998.
230. "Reflections and Predictions on Electric Utility Restructuring in Louisiana." With Fred I. Denny. Louisiana State University, Center for Energy Studies Industry Associates Meeting. November 20, 1997.

- 231. "Electric Utility Restructuring in Louisiana." Hammond Chamber of Commerce, Hammond, Louisiana. October 30, 1997.
- 232. "Electric Utility Restructuring." Louisiana Association of Energy Engineers. Baton Rouge, Louisiana. September 11, 1997.
- 233. "Electric Utility Restructuring: Issues and Trends for Louisiana." Opelousas Chamber of Commerce, Opelousas, Louisiana. June 24, 1997.
- 234. "The Electric Utility Restructuring Debate In Louisiana: An Overview of the Issues." Annual Conference of the Public Affairs Research Council of Louisiana. Baton Rouge, Louisiana. March 25, 1997.
- 235. "Electric Restructuring: Louisiana Issues and Outlook for 1997." Louisiana State University, Center for Energy Studies Industry Associates Meeting, Baton Rouge, Louisiana, January 15, 1997.
- 236. "Restructuring the Electric Utility Industry." Louisiana Propane Gas Association Annual Meeting, Alexandria, Louisiana, December 12, 1996.
- 237. "Deregulating the Electric Utility Industry." Eighth Annual Economic Development Summit, Baton Rouge, Louisiana, November 21, 1996.
- 238. "Electric Utility Restructuring in Louisiana." Jennings Rotary Club, Jennings, Louisiana, November 19, 1996.
- 239. "Electric Utility Restructuring in Louisiana." Entergy Services, Transmission and Distribution Division, Energy Centre, New Orleans, Louisiana, September 12, 1996
- 240. "Electric Utility Restructuring" Louisiana Electric Cooperative Association, Baton Rouge, Louisiana, August 27, 1996.
- 241. "Electric Utility Restructuring -- Background and Overview." Louisiana Public Service Commission, Baton Rouge, Louisiana, August 14, 1996.
- 242. "Electric Utility Restructuring." Sunshine Rotary Club Meetings, Baton Rouge, Louisiana, August 8, 1996.
- 243. Roundtable Moderator, "Stakeholder Perspectives on Electric Utility Stranded Costs." Louisiana State University, Center for Energy Studies Seminar on Electric Utility Restructuring in Louisiana, Baton Rouge, May 29, 1996.
- 244. Panelist, "Deregulation and Competition." American Nuclear Society: Second Annual Joint Louisiana and Mississippi Section Meetings, Baton Rouge, Louisiana, April 20, 1996.

**EXPERT WITNESS, LEGISLATIVE, AND PUBLIC TESTIMONY; EXPERT REPORTS, RECOMMENDATIONS, AND AFFIDAVITS**

- 1. Expert Testimony. Docket No. 18-046-FR. (2018). Before the Arkansas Public Service Commission. *In the Matter of the Formula Rate Plan Filings of Oklahoma Gas and Electric Company Pursuant to APSC Docket No. 16-052-U*. Issues:
- 2. Expert Report. Docket No. 20180055-GU. (2018). Before the Florida Public Service Commission. *In re: Petition to resolve territorial dispute in Sumter County and/or Lake*

*County with City of Leesburg and/or South Sumter Gas Company, LLC, by Peoples Gas System. Issues:*

3. Expert Testimony. Docket No. 16-036-FR. (2018). Before the Arkansas Public Service Commission. *In the Matter of the Formula Rate Plan Filings of Entergy Arkansas, Inc., Pursuant to APSC Docket No. 15-015-U.* Issues: rate design, reliability, and formula rate plan.
4. Expert Testimony. Docket No. 2017-AD-0112. (2018). Before the Mississippi Public Service Commission. *In Re: Encouraging Stipulation of Matters in Connection with the Kemper County IGCC Project.* Issues: cost of service and rate design.
5. Expert Testimony. Docket No. QO18080843. (2018). Before the New Jersey Board of Public Utilities. *In the Matter of the Petition of Nautilus Offshore Wind, LLC for the Approval of the State Waters Wind Project and Authorizing Offshore Wind Renewable Energy Certificates.* Issues: regulatory policy and cost-benefit analyses.
6. Expert Testimony. Docket No. ER18010029 and GR18010030. (2018). Before the New Jersey Board of Public Utilities. *In the Matter of the Petition of Public Service Electric and Gas Company for Approval of an Increase in Electric and Gas Rates and for Changes in the Tariffs for Electric and Gas Service, B.P.U.N.J. No. 16 Electric and B.P.U.N.J No. 16 Gas, and for Changes in Depreciation Rates, Pursuant to N.J.S.A. 48:2-18, N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1, and for Other Appropriate Relief.* Issues: rate proposal, revenue decoupling, regulatory policy, cost benchmarking.
7. Expert Testimony. Docket No. T-34695. (2018). Before the Louisiana Public Service Commission. *In re: Application for a rate increase on service originating at Grand Isle and termination at St. James for Crude Petroleum as currently outlined in LPSC Tariff No. 75.2.* Issues: cost of service, rate design, and alternative regulation.
8. Expert Testimony. Docket No. 17-071-U. (2018). Before the Arkansas Public Service Commission. *In the Matter of the Application of Black Hills Energy Arkansas, Inc. for Approval of a General Change in Rates and Tariffs.* Issues: cost of service, rate design, billing determinates.
9. Expert Testimony. Docket No. 17-010-FR. (2018). Before the Arkansas Public Service Commission. *In the Matter of the Formula Rate Plan Filing of CenterPoint Energy Resources Corp. D/B/A CenterPoint Energy Arkansas Gas Pursuant to APSC Docket No. 15-098-U.* Issues: cost of service, rate design, alternative regulation, formula rate plan.
10. Expert Testimony. Case No. PU-17-398. (2018). Before the North Dakota Public Service Commission. *In the Matter of the Application of Otter Tail Power Company for Authority to Increase Rates for Electric Utility Service in North Dakota.* Issues: cost of service, marginal cost of service, and rate design.
11. Expert Testimony. Docket No. 20170179-GU. (2018). Before the Florida Public Service Commission. *In re: Petition for rate increase and approval of depreciation study by Florida City Gas. On Behalf of the Citizens of the State of Florida.* Issues: policy issues concerning long-term gas capacity procurement.
12. Expert Testimony. Docket No. 18-KCPE-095-MER. (2018). Before the Kansas

Corporation Commission. *In the Matter of the Joint Application of Great Plains Energy Incorporated, Kansas City Power & Light Company, and Westar Energy, Inc. for Approval of the Merger of Westar, Inc. and Great Plains Energy Incorporated.* On the Behalf of the Kansas Electric Power Cooperative, Inc. Issues: merger/acquisition policy, financial risk, and ring-fencing.

13. Expert Testimony. Docket No. GR17070776. (2018). Before the New Jersey Board of Public Utilities. In the Matter of the Petition of Public Service Electric and Gas Company for Approval of the Next Phase of the Gas System Modernization Program and Associated Cost Recovery Mechanism ("GSMP II"). Issues: economic impact, infrastructure replacement program rider, pipeline replacement, leak rate comparisons and cost benefit analysis.
14. Expert Affidavit. Case No. 18-489. (2018). Before the Civil District Court for the Parish of Orleans, State of Louisiana. *Bayou Bridge Pipeline, LLC versus The White Castle Lumber and Shingle Company Limited and Jeanerette Lumber & Shingle CO. L.L.C.* Issues: economic impact of crude oil pipeline development.
15. Expert Testimony. Docket No. 16-036-FR. (2017). Before the Arkansas Public Service Commission. *In the Matter of the Formula Rate Plan Filings of Entergy Arkansas, Inc., Pursuant to APSC Docket No. 15-015-U.* On behalf of the Office of the Arkansas Attorney General Leslie Rutledge. Issue: cost of service, rate design, alternative regulation, formula rate plan.
16. Expert Testimony. Docket No. 2017-AD-0112. (2017). Before the Mississippi Public Service Commission. *In re: Encouraging Stipulation of Matters in Connection with the Kemper County IGCC Project.* On Behalf of the Mississippi Public Utilities Staff. Issues: financial analysis, rates and cost trends, economic impacts of proposal.
17. Expert Testimony. Case No. 2017-00179. (2017). Before the Public Service Commission, Commonwealth of Kentucky. *Electronic Application of Kentucky power Company For (1) A General Adjustment of Its Rates for Electric Service; (2) An Order Approving Its 2017 Environmental Compliance Plan; (3) An Order Approving Its Tariffs and Riders; (4) An Order Approving Accounting Practices to Establish a Regulatory Asset or Liability Related to the Big Sandy 1 Operation Rider; and (5) An Order Granting All Other Required Approvals and Relief.* Issues: rate design, revenue allocation, economic development.
18. Expert Testimony. Docket No. 17-010-FR. (2017). Before the Arkansas Public Service Commission. *In the Matter of the Formula Rate Plan Filing of CenterPoint Energy Resources Corp. D/B/A CenterPoint Energy Arkansas Gas Pursuant to APSC Docket No. 15-098-U.* Issues: cost of service, rate design, alternative regulation, formula rate plan.
19. Expert Testimony. Formal Case No. 1142. (2017). Before the Public Service Commission of the District of Columbia. *In the Matter of the Merger of AltaGas Ltd. and WGL Holdings, Inc.* On Behalf of the Office of the People's Counsel. Issues: merger/acquisition policy, financial risk, ring-fencing, and reliability.
20. Expert Testimony. D.P.U. 17-05. (2017). Before the Massachusetts Department of Public Utilities. *Petition of NSTAR Electric Company and Western Massachusetts Electric Company each d/b/a Eversource Energy for Approval of an Increase in Base Distribution*

*Rates for Electric Service Pursuant to G.L. c. 164, § 94 and 220 C.M.R. § 5.00.* On Behalf of the Massachusetts Office of the Attorney General Office of Ratepayer Advocacy. Issues: performance-based ratemaking, multi-factor productivity estimation.

21. Deposition and Testimony. (2017) Before the Nebraska Section 70, Article 13 Arbitration Panel. *Northeast Nebraska Public Power District, City of South Sioux City Nebraska; City of Wayne, Nebraska; City of Valentine, Nebraska; City of Beatrice, Nebraska; City of Scribner, Nebraska; Village of Walthill, Nebraska, vs. Nebraska Public Power District.* On the Behalf of Baird Holm LLP for the Plaintiffs. Issues: rate discounts; cost of service; utility regulation, economic harm.
22. Expert Testimony. Docket No. 16-052-U. (2017). Before the Arkansas Public Service Commission. *In the Matter of the Application of the Oklahoma Gas and Electric Company for Approval of a General Change in Rates, Charges and Tariffs.* On the Behalf of the Office of Arkansas Attorney General Leslie Rutledge. Issues: cost of service, rate design, alternative regulation, formula rate plan.
23. Expert Testimony. Docket No. 16-KCPE-593-ACQ. (2016). Before the Kansas Corporation Commission. *In the Matter of the Joint Application of Great Plains Energy Incorporated, Kansas City Power & Light Company, and Westar Energy, Inc. for Approval of the Acquisition of Westar, Inc. by Great Plains Energy Incorporated.* On the Behalf of the Kansas Electric Power Cooperative, Inc. Issues: merger/acquisition policy, financial risk, and ring-fencing.
24. Expert Testimony. Formal Case No. 1139. (2016). Before the Public Service Commission of the District of Columbia. *In the Matter of the Application of Potomac Electric Power Company for Authority to Increase Existing Retail Rates and Charges for Electric Distribution Service.* On the Behalf of the Office of the People's Counsel for the District of Columbia. Issues: cost of service, rate design, alternative regulation.
25. Expert Affidavit. Docket No. CP15-558-000 (2016). Before the United States of America Federal Energy Regulatory Commission. *PennEast Pipeline Company, LLC.* Affidavit and Reply Affidavit. On the Behalf of the New Jersey Division of Rate Counsel. Issues: pipeline capacity, peak day requirements.
26. Expert Testimony. Docket No. RPU-2016-0002. (2016). Before the Iowa Utilities Board. *In re: Iowa American Water Company application for revision of rates.* On behalf of the Citizens of the State of Florida. Issue: revenue stabilization mechanism, revenue decoupling.
27. Expert Testimony. Docket No. 15-015-U. (2016). Before the Arkansas Public Service Commission. *In the Matter of the Formula Rate Plan Filings of Entergy Arkansas, Inc., Pursuant to APSC Docket No. 15-015-U.* On behalf of the Office of the Arkansas Attorney General Leslie Rutledge. Issue: formula rate plan evaluation.
28. Expert Testimony. Docket Nos. 160021-EI, 160061-EI, 160062-EI, and 160088-EI. (2016). Before the Florida Public Service Commission. *In re: Petition for rate increase by Florida Power & Light Company (consolidated).* On behalf of the Office of Consumer Advocate, Iowa Department of Justice. Issue: load forecasting.

29. Expert Testimony. Docket Nos. 160021-EI, 160061-EI, 160062-EI, and 160088-EI. (2016). Before the Florida Public Service Commission. *In re: Petition for rate increase by Florida Power & Light Company (consolidated)*. On behalf of the Citizens of the State of Florida. Issue: off-system sales incentives.
30. Expert Testimony. Project No. 5-103. (2016). United States of America Federal Energy Regulatory Commission. *Confederated Salish and Kootenai Tribes Energy Keepers, Incorporated*. On behalf of the Flathead, Mission, and Jocko Valley Irrigation Districts and the Flathead Joint Board of Control of the Flathead, Mission, and Jocko Valley Irrigation Districts.
31. Expert Testimony. Docket No. 15-098-U. (2016). Before the Arkansas Public Service Commission. *In the Matter of the Application of CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Arkansas Gas for a General Change or Modification in its Rates, Charges and Tariffs*. On behalf of the Office of the Arkansas Attorney General. Issues: formula rate plan, cost of service and rate design.
32. Expert Testimony. BPU Docket No. GM15101196. (2016). *In the Matter of the Merger of Southern Company and AGL Resources, Inc.* On behalf of the New Jersey Division of Rate Counsel. Issues: merger standards of review, customer dividend contributions, synergy savings and costs to achieve, ratemaking treatment of merger-related costs.
33. Expert Testimony. Docket No. 15-078-U. (2015). Before the Arkansas Public Service Commission. *In the Matter of the Joint Application of SourceGas Inc., SourceGas LLC, SourceGas Holdings LLC and Black Hills Utility Holdings, Inc. for all Necessary Authorizations and Approvals for Black Hills Utility Holdings, Inc. to Acquire SourceGas Holdings LLC*. On behalf of the Office of the Arkansas Attorney General. Issues: public policy and regulatory policy associated with the acquisition.
34. Expert Testimony. Docket No. 15-031-U. (2015). Before the Arkansas Public Service Commission. *In the Matter of the Application of SourceGas Arkansas Inc. for an Order Approving the Acquisition of Certain Storage Facilities and the Recovery of Investments and Expenses Associated Therewith*. On behalf of the Office of the Arkansas Attorney General. Issues: cost-benefit analysis, transmission cost analysis, and a due diligence analysis.
35. Expert Testimony. Docket No. 15-015-U. (2015). Before the Arkansas Public Service Commission. *In the Matter of the Application of Entergy Arkansas, Inc. for Approval of Changes in Rates for Retail Electric Service*. On behalf of the Office of the Arkansas Attorney General. Issues: economic development riders and production plant cost allocation.
36. Expert Testimony. Docket No. 7970. (2015). Before the Vermont Public Service Board. *Petition of Vermont Gas Systems, Inc., for a certificate of public good pursuant to 30 V.S.A. § 248, authorizing the construction of the "Addison Natural Gas Project" consisting of approximately 43 miles of new natural gas transmission pipeline in Chittenden and Addison Counties, approximately 5 miles of new distribution mainlines in Addison County, together with three new gate stations in Williston, New Haven, and Middlebury, Vermont*. On behalf of AARP-Vermont. Issues: net economic benefits of proposed natural gas transmission project.

37. Expert Testimony. File No. ER-2014-0370 (2015). Before the Public Service Commission of the State of Missouri. *In the Matter of Kansas City Power & Light Company for Authority Implement A General Rate Increase for Electric Service*. On behalf of the Missouri Office of the People's Counsel. Issues: customer charges, rate design, revenue distribution, class cost of service, and policy and ratemaking considerations in connection with electric vehicle charging stations.
38. Expert Testimony. File No. ER-2014-0351 (2015). Before the Public Service Commission of the State of Missouri. *In the Matter of The Empire District Electric Company for Authority To File Tariffs Increasing Rates for Electric Service Provided to Customers In the Company's Missouri Service Area*. On behalf of the Missouri Office of the People's Counsel. Issues: customer charges, rate design, revenue distribution, and class cost of service.
39. Expert Testimony. D.P.U. 14-130 (2015). Before the Massachusetts Department of Public Utilities. *Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for approval by the Department of Public Utilities of the Company's 2015 Gas System Enhancement Program Plan, pursuant to G.L. c. 164, § 145, and for rates effective May 1, 2015*. On behalf of the Attorney General's Office. Issues: ratepayer protections, cost allocations, rate design, performance metrics.
40. Expert Testimony. D.P.U. 14-131 (2015). Before the Massachusetts Department of Public Utilities. *Petition of The Berkshire Gas Company for approval by the Department of Public Utilities of the Company's Gas System Enhancement Program Plan for 2015, pursuant to G.L. c. 164, § 145, and for rates effective May 1, 2015*. On behalf of the Attorney General's Office. Issues: ratepayer protections, cost allocations, rate design, performance metrics.
41. Expert Testimony. D.P.U. 14-132 (2015). Before the Massachusetts Department of Public Utilities. *Petition of Boston Gas Company and Colonial Gas Company d/b/a National Grid for approval by the Department of Public Utilities of the Companies' Gas System Enhancement Program for 2015, pursuant to G.L. c. 164, § 145, and for rates effective May 1, 2015*. On behalf of the Attorney General's Office. Issues: ratepayer protections, cost allocations, rate design, performance metrics.
42. Expert Testimony. D.P.U. 14-133 (2015). Before the Massachusetts Department of Public Utilities. *Petition of Liberty Utilities for approval by the Department of Public Utilities of the Company's Gas System Enhancement Program Plan for 2015, pursuant to G.L. c. 164, § 145, and for rates effective May 1, 2015*. On behalf of the Attorney General's Office. Issues: ratepayer protections, cost allocations, rate design, performance metrics.
43. Expert Testimony. D.P.U. 14-134 (2015). Before the Massachusetts Department of Public Utilities. *Petition of Bay State Gas Company d/b/a Columbia Gas of Massachusetts for approval by the Department of Public Utilities of the Company's Gas System Enhancement Program Plan for 2015, pursuant to G.L. c. 164, § 145, and for rates to be effective May 1, 2015*. On behalf of the Attorney General's Office. Issues: ratepayer protections, cost allocations, rate design, performance metrics.
44. Expert Testimony. D.P.U. 14-135 (2015). Before the Massachusetts Department of Public Utilities. *Petition of NSTAR Gas Company for approval by the Department of Public Utilities of the Company's Gas System Enhancement Program Plan for 2015, pursuant to*

- G.L. c. 164, § 145, and for rates to be effective May 1, 2015.* On behalf of the Attorney General's Office. Issues: ratepayer protections, cost allocations, rate design, performance metrics.
45. Expert Report. Docket No. X-33192 (2015). Before the Louisiana Public Service Commission. *Examination of the Comprehensive Costs and Benefits of Net Metering in Louisiana.* On behalf of the Louisiana Public Service Commission. Issues: cost-benefit, cost of service, rate impact.
  46. Expert Testimony. F.C. 1119 (2014). Before the District of Columbia Public Service Commission. *In the Matter of the Merger of Exelon Corporation, Pepco Holdings, Inc., Potomac Electric Power Company, Exelon Energy Delivery Company, LLC, and new Special Purpose Entity, LLC.* On behalf of the Office of the People's Counsel. Issues: economic impact analysis, reliability, consumer investment fund, regulatory oversight, impacts to competitive electricity markets.
  47. Expert Report. Civil Action 1:08-cv-0046 (2014). Before the U.S. District Court for the Southern District of Ohio. *Anthony Williams, et al., v. Duke Energy International, Inc., et al.* On behalf of Markovits, Stock & DeMarco, Attorneys & Counselors at Law. Issues: public utility regulation, electric power markets, economic harm.
  48. Expert Testimony. D.P.U. 14-64 (2014). Before the Massachusetts Department of Public Utilities. *NSTAR Gas Company/HOPCO Gas Services Agreement.* On behalf of the Office of the Public Advocate. Issues: certain ratemaking features associated with the proposed Gas Service Agreement.
  49. Expert Testimony. Docket Nos. 14-0224 and 14-0225 (2014). Before the Illinois Commerce Commission. *In the Matter of the Peoples Gas Light and Coke Company and North Shore Gas Company Proposed General Increase in Rates for Gas Service (consolidated).* On behalf of the People of the State of Illinois. Issues: test year expenses, cost benchmarking analysis, pipeline replacement, and leak rate comparisons.
  50. Expert Testimony. Docket 8191 (2014). Before the Vermont Public Service Board. *In Re: Petition of Green Mountain Power Corporation for Approval of a Successor Alternative Regulation Plan.* On the behalf of AARP-Vermont. Issues: Alternative Regulation.
  51. Expert Testimony. Docket No. 2013-00168 (2014). Before the Maine Public Utilities Commission. *In the Matter of the Request for Approval of an Alternative Rate Plan (ARP 2014) Pertaining to Central Maine Power Company.* On behalf of the Office of the Public Advocate. Issues: class cost of service study, marginal cost of service study, revenue distribution and rate design.
  52. Expert Testimony. D.P.U. 13-90 (2013). Before the Massachusetts Department of Public Utilities. *Petition of Fitchburg Gas and Electric Light Company (Electric Division) d/b/a Until to the Department of Public Utilities for approval of the rates and charges and increase in base distribution rates for electric service.* On behalf of the Office of the Ratepayer Advocate. Issues: capital cost adjustment mechanism and performance-based regulation.
  53. Expert Testimony. BPU Docket Nos. EO13020155 and GO13020156. (2013). Before the State of New Jersey Board of Public Utilities. *I/M/O The Petition of Public Service Electric*

- & Gas Company for the Approval of the Energy Strong Program. On behalf of the Division of Rate Counsel. Issues: economic impact, infrastructure replacement program rider, pipeline replacement, leak rate comparisons and cost benefit analysis.
54. Expert Testimony. D.P.U. 13-75 (2013). Before the Massachusetts Department of Public Utilities. *Investigation by the Department of Public Utilities on its Own Motion as to the Propriety of the Rates and Charges by Bay State Gas Company d/b/a Columbia Gas of Massachusetts set forth in Tariffs M.D.P.U. Nos. 140 through 173, and Approval of an Increase in Base Distribution Rates for Gas Service Pursuant to G.L. c. 164, § 94 and 220 C.M.R. § 5.00 et seq., filed with the Department on April 16, 2013, to be effective May 1, 2013.* On the Behalf of the Office of the Attorney General, Office of Ratepayer Advocacy. Issues: Target infrastructure replacement program rider, pipeline replacement, and leak rate comparisons; environmental benefits analysis; O&M offset; and cost benchmarking analysis.
  55. Expert Testimony. Docket No. 13-115 (2013). Before the Delaware Public Service Commission. *In the Matter of the Application of Delmarva Power & Light Company FOR an Increase in Electric Base Rates and Miscellaneous Tariff Changes* (Filed March 22, 2013). On the Behalf of Division of the Public Advocate. Issues: pro forma infrastructure proposal, class cost of service study, revenue distribution, and rate design.
  56. Expert Testimony. Formal Case No. 1103 (2013). Before the Public Service Commission of the District of Columbia. *In the Matter of the Application of the Potomac Electric Power Company for Authority to Increase Existing Retail Rates and Charges for Electric Distribution Service.* On the Behalf of the Office of the People's Counsel of the District of Columbia. Issues: Pro forma adjustment for reliability investments.
  57. Expert Testimony. Case No. 9326 (2013). Before the Public Service Commission of Maryland. *In the Matter of the Application of Baltimore Gas and Electric Company for Adjustments to its Electric and Gas Base Rates.* On the Behalf of the Maryland Office of the People's Counsel. Issues: Electric Reliability Investment ("ERI") initiatives, pro forma gas infrastructure proposal, tracker mechanisms, class cost of service study, revenue distribution, and rate design
  58. Rulemaking Testimony. (2013). Before the Louisiana Tax Commission. Examination of Louisiana Assessors' Association Well Diameter Analysis, economic development policies regarding midstream assets and industrial development.
  59. Expert Testimony. Case No. 9317 (2013). Before the Public Service Commission of Maryland. *In the Matter of the Application of Delmarva Power & Light Company for Adjustments to its Retail Rates for the Distribution of Electric Energy.* Direct, and Surrebuttal. On the Behalf of the Maryland Office of the People's Counsel. Issues: Grid Resiliency Charge, tracker mechanisms, pipeline replacement, class cost of service study, revenue distribution, and rate design.
  60. Expert Testimony. Case No. 9311 (2013). Before the Public Service Commission of Maryland. *In the Matter of the Application of Potomac Electric Power Company for an Increase in its Retail Rates for the Distribution of Electric Energy.* Direct, and Surrebuttal. On the Behalf of the Maryland Office of the People's Counsel. Issues: Grid Resiliency Charge, tracker mechanisms, pipeline replacement, class cost of service study, revenue

distribution, and rate design.

61. Expert Testimony. Docket No. 12AL-1268G (2013). Before the Public Utilities Commission of the State of Colorado. *In the Matter of the Tariff Sheets Filed by Public Service Company of Colorado with Advice No. 830 – Gas. Answer.* On the Behalf of the Colorado Office of Consumer Counsel. Issues: Pipeline System Integrity Adjustment, tracker mechanisms, pipeline replacement and leak rate comparisons.
62. Expert Testimony. BPU Docket No. EO12080721 (2013). Before the New Jersey Board of Public Utilities. *In the Matter of the Public Service Electric & Gas Company for Approval of an Extension of Solar Generation Program.* On the Behalf of the New Jersey Division of Rate Counsel. Direct, Rebuttal, Surrebuttal. Issues: solar energy market design, solar energy market conditions, solar energy program design and net economic benefits.
63. Expert Testimony. BPU Docket No. EO12080726 (2013). Before the New Jersey Board of Public Utilities. *In the Matter of the Petition of Public Service Electric & Gas Company for Approval of a Solar Loan III Program.* On the Behalf of the New Jersey Division of Rate Counsel. Direct, Rebuttal and Surrebuttal. Issues: solar energy market design, solar energy market conditions, solar energy program design.
64. Expert Testimony. BPU Docket No. EO11050314V. (2012). Before the New Jersey Board of Public Utilities. *In the Matter of the Petition of Fishermen’s Atlantic City Windfarm, LLC for the Approval of the State Waters Project and Authorizing Offshore Wind Renewable Energy Certificates.* On the Behalf of the New Jersey Division of Rate Counsel. December 17, 2012. Issues: approval of offshore wind project and ratepayer financial support for the proposed project.
65. Expert Testimony. D.P.U. 12-25. (2012). Before the Massachusetts Department of Public Utilities. *In the Matter of Bay State Gas Company d/b/a/ Columbia Gas Company of Massachusetts Request for Increase in Rates.* On the Behalf of the Office of the Attorney General, Office of Ratepayer Advocacy. Issues: Target infrastructure replacement program rider, pipeline replacement and leak rate comparisons.
66. Expert Testimony. Docket Nos. UE-120436, et.al. (consolidated). (2012). Before the Washington Utilities and Transportation Commission. *Washington Utilities and Transportation Commission v. Avista Corporation D/B/A Avista Utilities.* On the Behalf of the Washington Attorney General, Office of the Public Counsel. Issues: Revenue Decoupling, lost revenues, tracker mechanisms, attrition adjustments.
67. Expert Testimony. Case No. 9286. (2012) Before the Public Service Commission of Maryland. *In Re: Potomac Electric Power Company (“Pepco”) General Rate Case.* On the Behalf of the Maryland Office of the People’s Counsel. Issues: Capital tracker mechanisms/reliability investment mechanisms, reliability issues, regulatory lag, class cost of service, revenue distribution, rate design.
68. Expert Testimony. Case No 9285. (2012) Before the Public Service Commission of Maryland. *In Re: the Delmarva Power and Light Company General Rate Case.* On the Behalf of the Maryland Office of the People’s Counsel. Issues: Capital tracker mechanisms/reliability investment mechanisms, reliability issues, regulatory lag, class cost of service, revenue distribution, rate design.

69. Expert Testimony. Docket Nos. UE-110876 and UG-110877 (consolidated). (2012). Before the Washington Utilities and Transportation Commission. *Washington Utilities and Transportation Commission v. Avista Corporation D/B/A Avista Utilities*. On the Behalf of the Washington Attorney General, Office of the Public Counsel. Issues: Revenue Decoupling, lost revenues, tracker mechanisms.
70. Expert Testimony. BPU Docket No. EO11050314V. (2012). Before the New Jersey Board of Public Utilities. *In the Matter of the Petition of Fishermen's Atlantic City Windfarm, LLC for the Approval of the State Waters Project and Authorizing Offshore Wind Renewable Energy Certificates*. On the Behalf of the New Jersey Division of Rate Counsel. February 3, 2012. Issues: approval of offshore wind project and ratepayer financial support for the proposed project.
71. Expert Testimony. Docket No. NG 0067. (2012). Before the Public Service Commission of Nebraska. *In the Matter of the Application of SourceGas Distribution, LLC Approval of a General Rate Increase*. On the Behalf of the Public Advocate. January 31, 2012. Issues: Revenue Decoupling, Customer Adjustments, Weather Normalization Adjustments, Class Cost of Service Study, Rate Design.
72. Expert Testimony. Docket No. G-04204A-11-0158. (2011). Before the Arizona Corporation Commission. On the Behalf of the Arizona Corporation Commission Staff. *In the Matter of the Application of UNS Gas, Inc. for the Establishment of Just and Reasonable Rates and Charges Designed to Realize a Reasonable Rate of Return on the Fair Value of Its Arizona Properties*. Issues: Revenue Decoupling; Class Cost of Service Modeling; Revenue Distribution; Rate Design.
73. Expert Testimony. Formal Case Number 1087. (2011). Before the Public Service Commission of the District of Columbia. On the Behalf of the Office of the People's Counsel of the District of Columbia. *In the Matter of the Application of Potomac Electric Power Company for Authority to Increase Existing Retail Rates and Charges for Electric Distribution Service*. Issues: Regulatory lag, ratemaking principles, reliability-related capital expenditure tracker proposals.
74. Expert Affidavit. Case No. 11-1364. (2011). *The State of Louisiana, the Louisiana Department of Environmental Quality, and the Louisiana Public Service Commission v. United States Environmental Protection Agency and Lisa P. Jackson*. Before the United States Court of Appeals for the District of Columbia Circuit. On the behalf of the State of Louisiana, the Louisiana Department of Environmental Quality, and the Louisiana Public Service Commission. Issues: Impacts of environmental costs on electric utilities, compliance requirements, investment cost of mitigation equipment, multi-area dispatch modeling and plant retirements.
75. Expert Affidavit. Docket No. EPA-HQ-OAR-2009-0491. (2011). Before the U.S. Environmental Protection Agency. *Federal Implementation Plans: Interstate Transport of Fine Particulate Matter and Ozone and Correction of SIP Approvals*. On the Behalf of the Louisiana Public Service Commission. Issues: Impacts of environmental costs on electric utilities, compliance requirements, investment cost of mitigation equipment, multi-area dispatch modeling and plant retirements.
76. Expert Testimony. Case No. 9296. (2011). Before the Maryland Public Service

- Commission. *On the Behalf of the Maryland Office of People's Counsel. In the Matter of the Application of Washington Gas Light Company for Authority to Increase Existing Rates and Charges and Revise its Terms and Conditions for Gas Service.* Issues: Infrastructure Cost Recovery Rider; Class Cost of Service Modeling; Revenue Distribution; Rate Design.
77. Expert Testimony. Docket No. G-01551A-10-0458. (2011). Before the Arizona Corporation Commission. On the Behalf of the Arizona Corporation Commission Staff. *In the Matter of the Application of Southwest Gas Corporation for the Establishment of Just and Reasonable Rates and Charges Designed to Realize A Reasonable Rate of Return on the Fair Value of its Properties throughout Arizona.* Issues: Revenue Decoupling; Class Cost of Service Modeling; Revenue Distribution; Rate Design.
78. Expert Testimony. Docket No. 11-0280 and 11-0281. (2011). Before the Illinois Commerce Commission. On the Behalf of the Illinois Attorney General, the Citizens Utility Board, and the City of Chicago, Illinois. *In re: Peoples Gas Light and Coke Company and North Shore Natural Gas Company.* Issues: Revenue Decoupling and Rate Design. (Direct and Rebuttal)
79. Expert Testimony. D.P.U. 11-01. (2011). Before the Massachusetts Department of Public Utilities. On the Behalf of the Office of the Attorney General, Office of Ratepayer Advocacy. *Petition of the Fitchburg Electric and Gas Company (Electric Division) for Approval of A General Increase in Electric Distribution Rates and Approval of a Revenue Decoupling Mechanism.* Issues: Capital Cost Rider, Revenue Decoupling.
80. Expert Testimony. D.P.U. 11-02. (2011). Before the Massachusetts Department of Public Utilities. On the Behalf of the Office of the Attorney General, Office of Ratepayer Advocacy. *Petition of the Fitchburg Electric and Gas Company (Gas Division) for Approval of A General Increase in Electric Distribution Rates and Approval of a Revenue Decoupling Mechanism.* Issues: Pipeline Replacement Rider, Revenue Decoupling.
81. Expert Affidavit. Docket No. EL-11-13 (2011). Before the Federal Energy Regulatory Commission. *Petition for Preliminary Ruling, Atlantic Grid Operations.* On the Behalf of the New Jersey Division of Rate Counsel. Issues: Offshore wind generation development, offshore wind transmission development, ratemaking treatment of development costs, transmission development incentives.
82. Expert Opinion. Case No. CI06-195. (2011). Before the District Court of Jefferson County, Nebraska. On the Behalf of the City of Fairbury, Nebraska and Michael Beachler. *In re: Endicott Clay Products Co. vs. City of Fairbury, Nebraska and Michael Beachler.* Issues: rate design and ratemaking, time of use and time differentiated rate structures, empirical analysis of demand and usage trends for tariff eligibility requirements.
83. Expert Testimony. D.P.U. 10-114. (2010). Before the Massachusetts Department of Public Utilities. On the Behalf of the Office of the Attorney General, Office of Ratepayer Advocacy. *Petition of the New England Gas Company for Approval of A General Increase in Electric Distribution Rates and Approval of a Revenue Decoupling Mechanism.* Issues: infrastructure replacement rider.
84. Expert Testimony. D.P.U. 10-70. (2010). Before the Massachusetts Department of Public Utilities. *Petition of the Western Massachusetts Electric Company for Approval of A*

- General Increase in Electric Distribution Rates and Approval of a Revenue Decoupling Mechanism. On the Behalf of the Office of the Attorney General, Office of Ratepayer Advocacy. Issues: Revenue decoupling; infrastructure replacement rider; performance-based regulation; inflation adjustment mechanisms; and rate design.
85. Expert Testimony. G.U.D. Nos. 998 & 9992. (2010). Before the Texas Railroad Commission. In the Matter of the Rate Case Petition of Texas Gas Services, Inc. On the Behalf of the City of El Paso, Texas. Issues: Cost of service, revenue distribution, rate design, and weather normalization.
  86. Expert Testimony. B.P.U Docket No. GR10030225. (2010). Before the New Jersey Board of Public Utilities. In the Matter of the Petition of New Jersey Natural Gas Company for Approval of Regional Greenhouse Gas Initiative Programs and Associated Cost Recovery Mechanisms Pursuant to N.J.S.A. 48:3-98.1. On the Behalf of the Department of the Public Advocate, Division of Rate Counsel. Issues: solar energy proposals, solar securitization issues, solar energy policy issues.
  87. Expert Testimony. D.P.U. 10-55. (2010). Before the Massachusetts Department of Public Utilities. Investigation Into the Propriety of Proposed Tariff Changes for Boston Gas Company, Essex Gas Company, and Colonial Gas Company. (d./b./a. National Grid). On the Behalf of the Office of the Attorney General, Office of Ratepayer Advocacy. Issues: Revenue decoupling; pipeline-replacement rider; performance-based regulation; partial productivity factor estimates, inflation adjustment mechanisms; and rate design.
  88. Expert Testimony. Cause No.43839. (2010). Before the Indiana Utility Regulatory Commission. In the Matter of Southern Indiana Gas and Electric Company d/b/a/ Vectren Energy Delivery of Indiana, Inc. (Vectren South-Electric). On the behalf of the Indiana Office of Utility Consumer Counselor (OUCC). Issues: revenue decoupling, variable production cost riders, gains on off-system sales, transmission cost riders.
  89. Congressional Testimony. Before the United States Congress. (2010). U.S. House of Representatives, Committee on Natural Resources. Hearing on the Consolidated Land, Energy, and Aquatic Resources Act. June 30, 2010.
  90. Expert Testimony. Before the City Counsel of El Paso, Texas; Public Utility Regulatory Board. (2010). On the Behalf of the City of El Paso. In Re: Rate Application of Texas Gas Services, Inc. Issues: class cost of service study (minimum system and zero intercept analysis), rate design proposals, weather normalization adjustment, and its cost of service adjustment clause, conservation adjustment clause proposals, and other cost tracker policy issues.
  91. Expert Testimony. Docket 09-00183. (2010). Before the Tennessee Regulatory Authority. In the Matter of the Petition of Chattanooga Gas Company for a General Rate Increase, Implementation of the EnergySMART Conservation Programs, and Implementation of a Revenue Decoupling Mechanism. On the Behalf of Tennessee Attorney General, Consumer Advocate & Protection Division. Issues: revenue decoupling and energy efficiency program review and cost effectiveness analysis.
  92. Expert Testimony and Exhibits. Docket No. 10-240. (2010). Before the Louisiana Office of Conservation. In Re: Cadeville Gas Storage, LLC. On the Behalf of Cardinal Gas

- Storage, LLC. Issues: alternative uses and relative economic benefits of conversion of depleted hydrocarbon reservoir for natural gas storage purposes.
93. Expert Testimony. Docket No. 09505-EI. (2010). Before the Florida Public Service Commission. In Re: Review of Replacement Fuel Costs Associated with the February 26, 2008 outage on Florida Power & Light's Electrical System. On the Behalf of the Florida Office of Public Counsel for the Citizens of the State of Florida. Issues: Replacement costs for power outage, regulatory policy/generation development incentives, renewable and energy efficiency incentives.
  94. Expert Testimony. Docket 09-00104. (2009). Before the Tennessee Regulatory Authority. In the Matter of the Petition of Piedmont Natural Gas Company, Inc. to Implement a Margin Decoupling Tracker Rider and Related Energy Efficiency and Conservation Programs. On the Behalf of the Tennessee Attorney General, Consumer Advocate & Protection Division. Issues: revenue decoupling, energy efficiency program review, weather normalization.
  95. Expert Testimony. Docket Number NG-0060. (2009). Before the Nebraska Public Service Commission. In the Matter of SourceGas Distribution, LLC Approval for a General Rate Increase. On the Behalf of the Nebraska Public Advocate. October 29, 2009. Issues: revenue decoupling, inflation trackers, infrastructure replacement riders, customer adjustment rider, weather normalization rider, weather normalization adjustments, estimation of normal weather for ratemaking purposes.
  96. Expert Report and Deposition. Before the 23<sup>rd</sup> Judicial District Court, Parish of Assumption, State of Louisiana. On the Behalf of Dow Hydrocarbons and Resources, Inc. September 1, 2009. (Deposition, November 23-24, 2009). Issues: replacement and repair costs for underground salt cavern hydrocarbon storage.
  97. Expert Testimony. D.P.U. 09-39. Before the Massachusetts Department of Public Utilities. (2009). Investigation Into the Propriety of Proposed Tariff Changes for Massachusetts Electric Company and Nantucket Electric Company (d./b./a. National Grid). On the Behalf of the Office of the Attorney General, Office of Ratepayer Advocacy. Issues: Revenue decoupling; infrastructure rider; performance-based regulation; inflation adjustment mechanisms; revenue distribution; and rate design.
  98. Expert Testimony. D.P.U. 09-30. Before the Massachusetts Department of Public Utilities. (2009). In the Matter of Bay State Gas Company Request for Increase in Rates. On the Behalf of the Office of the Attorney General, Office of Ratepayer Advocacy. Issues: Revenue decoupling; target infrastructure replacement program rider; revenue distribution; and rate design.
  99. Expert Testimony. Docket EO09030249. (2009). Before the New Jersey Board of Public Utilities. In the Matter of the Petition of Public Service Electric and Gas Company for Approval of a Solar Loan II Program and An Associated Cost Recovery Mechanism. On the Behalf of the Department of the Public Advocate, Division of Rate Counsel. Issues: solar energy market design, renewable portfolio standards, solar energy, and renewable financing/loan program design.
  100. Expert Testimony. Docket EO0920097. (2009). Before the New Jersey Board of Public Utilities. In the Matter of the Verified Petition of Rockland Electric Company for Approval

- of an SREC-Based Financing Program and An Associated Cost Recovery Mechanism. On the Behalf of the Department of the Public Advocate, Division of Rate Counsel. Issues: solar energy market design; renewable energy portfolio standards; solar energy.
101. Expert Rebuttal Report. Civil Action No.: 2:07-CV-2165. (2009). Before the U.S. District Court, Western Division of Louisiana, Lake Charles Division. Prepared on the Behalf of the Transcontinental Pipeline Corporation. Issues: expropriation and industrial use of property.
  102. Expert Testimony. Docket EO06100744. (2008). Before the New Jersey Board of Public Utilities. In the Matter of the Renewable Portfolio Standard – Amendments to the Minimum filing Requirements for Energy Efficiency, Renewable Energy, and Conservation Programs and For Electric Distribution Company Submittals of Filings in connection with Solar Financing (Atlantic City Electric Company). On the Behalf of the Department of the Public Advocate, Division of Rate Counsel. Issues: Solar energy market design; renewable energy portfolio standards; solar energy. (Rebuttal and Surrebuttal)
  103. Expert Testimony. Docket EO08090840. (2008). Before the New Jersey Board of Public Utilities. In the Matter of the Renewable Portfolio Standard – Amendments to the Minimum filing Requirements for Energy Efficiency, Renewable Energy, and Conservation Programs and For Electric Distribution Company Submittals of Filings in connection with Solar Financing (Jersey Central Power & Light Company). On the Behalf of the Department of the Public Advocate, Division of Rate Counsel. Issues: Solar energy market design; renewable energy portfolio standards; solar energy. (Rebuttal and Surrebuttal)
  104. Expert Testimony. Docket UG-080546. (2008). Before the Washington Utilities and Transportation Commission. On the Behalf of the Washington Attorney General (Public Counsel Section). Issues: Rate Design, Cost of Service, Revenue Decoupling, Weather Normalization.
  105. Congressional Testimony. (2008). Senate Republican Conference: Panel on Offshore Drilling in the Restricted Areas of the Outer Continental Shelf. September 18, 2008.
  106. Expert Testimony. Appeal Number 2007-125 and 2007-299. (2008). Before the Louisiana Tax Commission. On the Behalf of Jefferson Island Storage and Hub, LLC (AGL Resources). Issues: Valuation Methodologies, Underground Storage Valuation, LTC Guidelines and Policies, Public Purpose of Natural Gas Storage. July 15, 2008 and August 20, 2008.
  107. Expert Testimony. Docket Number 07-057-13. (2008). Before the Utah Public Service Commission. In the Matter of the Application of Questar Gas Company to File a General Rate Case. On the Behalf of the Utah Committee of Consumer Services. Issues: Cost of Service, Rate Design. August 18, 2008 (Direct, Rebuttal, Surrebuttal).
  108. Rulemaking Testimony. (2008). Before the Louisiana Tax Commission. Examination of Replacement Cost Tables, Depreciation and Useful Lives for Oil and Gas Properties. Chapter 9 (Oil and Gas Properties) Section. August 5, 2008.
  109. Legislative Testimony. (2008). Examination of Proposal to Change Offshore Natural Gas Severance Taxes (HB 326 and Amendments). Joint Finance and Appropriations

Committee of the Alabama Legislature. March 13, 2008.

110. Public Testimony. (2007). Issues in Environmental Regulation. Testimony before Gubernatorial Transition Committee on Environmental Regulation (Governor-Elect Bobby Jindal). December 17, 2007.
111. Public Testimony. (2007). Trends and Issues in Alternative Energy: Opportunities for Louisiana. Testimony before Gubernatorial Transition Committee on Natural Resources (Governor-Elect Bobby Jindal). December 13, 2007.
112. Expert Report and Recommendation: Docket Number S-30336 (2007). Before the Louisiana Public Service Commission. In re: Entergy Gulf States, Inc. Application for Approval of Advanced Metering Pilot Program. Issues: pilot program for demand response programs and advanced metering systems.
113. Expert Testimony. Docket EO07040278 (2007). Before the New Jersey Board of Public Utilities. In the Matter of the Petition of Public Service Electric & Gas Company for Approval of a Solar Energy Program and An Associated Cost Recovery Mechanism. On the Behalf of the Department of the Public Advocate, Division of Rate Counsel. Issues: renewable energy market development, solar energy development, SREC markets, rate impact analysis, cost recovery issues.
114. Expert Testimony: Docket Number 05-057-T01 (2007). Before the Utah Public Service Commission. In the Matter of: Joint Application of Questar Gas Company, the Division of Public Utilities, and Utah Clean Energy for Approval of the Conservation Enabling Tariff Adjustment Options and Accounting Orders. On the behalf of the Utah Committee of Consumer Services. Issues: Revenue Decoupling, Demand-side Management; Energy Efficiency policies. (Direct, Rebuttal, and Surrebuttal Testimony)
115. Expert Testimony (Non-sworn rulemaking testimony) Docket Number RR-2008, (2007). Before the Louisiana Tax Commission. In re: Commission Consideration of Amendment and/or Adoption of Tax Commission Real/Personal Property Rules and Regulations. Issues: Louisiana oil and natural gas production trends, appropriate cost measures for wells and subsurface property, economic lives and production decline curve trends.
116. Expert Report, Recommendation, and Proposed Rule: Docket Number R-29213 & 29213-A, ex parte, (2007). Before the Louisiana Public Service Commission. In re: Investigation to determine if it is appropriate for LPSC jurisdictional electric utilities to provide and install time-based meters and communication devices for each of their customers which enable such customers to participate in time-based pricing rate schedules and other demand response programs. On the behalf of the Louisiana Public Service Commission Staff. Report and Recommendation. Issues: demand response programs, advanced meter systems, cost recovery issues, energy efficiency issues, regulatory issues.
117. Expert Report, Recommendation, and Proposed Rule: Docket Number R-29712, ex parte, (2007) Before the Louisiana Public Service Commission. In re: Investigation into the ratemaking and generation planning implications of nuclear construction in Louisiana. On the behalf of the Louisiana Public Service Commission Staff. Report and Recommendation. Issues: nuclear cost power plant development, generation planning

issues, and cost recovery issues.

118. Expert Testimony, Case Number U-14893, (2006). Before the Michigan Public Service Commission. In the Matter of SEMCO Energy Gas Company for Authority to Redesign and Increase Its Rates for the Sale and Transportation of Natural Gas In its MPSC Division and for Other Relief. On the behalf of the Michigan Attorney General. Issues: Rate Design, revenue decoupling, financial analysis, demand-side management program and energy efficiency policy. (Direct and Rebuttal Testimony).
119. Expert Report, Recommendation, and Proposed Rule: Docket Number R-29380, ex parte, (2006). Before the Louisiana Public Service Commission. In re: An Investigation Into the Ratemaking and Generation Planning Implications of the U.S. EPA Clean Air Interstate Rule. On the behalf of the Louisiana Public Service Commission Staff. Report and Recommendation. Issues: environmental regulation and cost recovery; allowance allocations and air credit markets; ratepayer impacts of new environmental regulations.
120. Expert Affidavit Before the Louisiana Tax Commission (2006). On behalf of ANR Pipeline, Tennessee Gas Transmission and Southern Natural Gas Company. Issues: Competitive nature of interstate and intrastate transportation services.
121. Expert Affidavit Before the 19<sup>th</sup> Judicial District Court (2006). Suit Number 491, 453 Section 26. On behalf of Transcontinental Pipeline Corporation, et.al. Issues: Competitive nature of interstate and intrastate transportation services.
122. Expert Testimony: Docket Number 05-057-T01 (2006). Before the Utah Public Service Commission. In the Matter of: Joint Application of Questar Gas Company, the Division of Public Utilities, and Utah Clean Energy for Approval of the Conservation Enabling Tariff Adjustment Options and Accounting Orders. On the behalf of the Utah Committee of Consumer Services. Issues: Revenue Decoupling, Demand-side Management; Energy Efficiency policies. (Rebuttal and Supplemental Rebuttal Testimony)
123. Legislative Testimony (2006). Senate Committee on Natural Resources. Senate Bill 655 Regarding Remediation of Oil and Gas Sites, Legacy Lawsuits, and the Deterioration of State Drilling.
124. Expert Report: Rulemaking Docket (2005). Before the New Jersey Bureau of Public Utilities. In re: Proposed Rulemaking Changes Associated with New Jersey's Renewable Portfolio Standard. Expert Report. The Economic Impacts of New Jersey's Proposed Renewable Portfolio Standard. On behalf of the New Jersey Office of Ratepayer Advocate. Issues: Renewable Portfolio Standards, rate impacts, economic impacts, technology cost forecasts.
125. Expert Testimony: Docket Number 2005-191-E. (2005). Before the South Carolina Public Service Commission. On behalf of NewSouth Energy LLC. In re: General Investigation Examining the Development of RFP Rules for Electric Utilities. Issues: Competitive bidding; merchant development. (Direct and Rebuttal Testimony).
126. Expert Testimony: Docket No. 05-UA-323. (2005). Before the Mississippi Public Service Commission. On the behalf of Calpine Corporation. In re: Entergy Mississippi's Proposed Acquisition of the Attala Generation Facility. Issues: Asset acquisition; merchant power development; competitive bidding.

127. Expert Testimony: Docket Number 050045-EI and 050188-EI. (2005). Before the Florida Public Service Commission. On the behalf of the Citizens of the State of Florida. In re: Petition for Rate Increase by Florida Power & Light Company. Issues: Load forecasting; O&M forecasting and benchmarking; incentive returns/regulation.
128. Expert Testimony (non-sworn, rulemaking): Comments on Decreased Drilling Activities in Louisiana and the Role of Incentives. (2005). Louisiana Mineral Board Monthly Docket and Lease Sale. July 13, 2005
129. Legislative Testimony (2005). Background and Impact of LNG Facilities on Louisiana. Joint Meeting of Senate and House Natural Resources Committee. Louisiana Legislature. May 19, 2005.
130. Public Testimony. Docket No. U-21453. (2005). Technical Conference before the Louisiana Public Service Commission on an Investigation for a Limited Industrial Retail Choice Plan.
131. Expert Testimony: Docket No. 2003-K-1876. (2005). On Behalf of Columbia Gas Transmission. Expert Testimony on the Competitive Market Structure for Gas Transportation Service in Ohio. Before the Ohio Board of Tax Appeals.
132. Expert Report and Testimony: Docket No. 99-4490-J, *Lafayette City-Parish Consolidated Government, et. al. v. Entergy Gulf States Utilities, Inc. et. al.* (2005, 2006). On behalf of the City of Lafayette, Louisiana and the Lafayette Utilities Services. Expert Rebuttal Report of the Harborfront Consulting Group Valuation Analysis of the LUS Expropriation. Filed before 15<sup>th</sup> Judicial District Court, Lafayette, Louisiana.
133. Expert Testimony: ANR Pipeline Company v. Louisiana Tax Commission (2005), Number 468,417 Section 22, 19th Judicial District Court, Parish of East Baton Rouge, State of Louisiana Consolidated with Docket Numbers: 480,159; 489,776; 480,160; 480,161; 480,162; 480,163; 480,373; 489,776; 489,777; 489,778; 489,779; 489,780; 489,803; 491,530; 491,744; 491,745; 491,746; 491,912; 503,466; 503,468; 503,469; 503,470; 515,414; 515,415; and 515,416. In re: Market structure issues and competitive implications of tax differentials and valuation methods in natural gas transportation markets for interstate and intrastate pipelines.
134. Expert Report and Recommendation: Docket No. U-27159. (2004). On Behalf of the Louisiana Public Service Commission Staff. Expert Report on Overcharges Assessed by Network Operator Services, Inc. Before the Louisiana Public Service Commission.
135. Expert Testimony: Docket Number 2004-178-E. (2004). Before the South Carolina Public Service Commission. On behalf of Columbia Energy LLC. In re: Rate Increase Request of South Carolina Electric and Gas. (Direct and Surrebuttal Testimony)
136. Expert Testimony: Docket Number 040001-EI. (2004). Before the Florida Public Service Commission. On behalf of Power Manufacturing Systems LLC, Thomas K. Churbuck, and the Florida Industrial Power Users Group. In re: Fuel Adjustment Proceedings; Request for Approval of New Purchase Power Agreements. Company examined: Florida Power & Light Company.
137. Expert Affidavit: Docket Number 27363. (2004). Before the Public Utilities Commission

of Texas. Joint Affidavit on Behalf of the Cities of Texas and the Staff of the Public Utilities Commission of Texas Regarding Certified Issues. In Re: Application of Valor Telecommunications, L.P. For Authority to Establish Extended Local Calling Service (ELCS) Surcharges For Recovery of ELCS Surcharge.

138. Expert Report and Testimony. Docket 1997-4665-PV, 1998-4206-PV, 1999-7380-PV, 2000-5958-PV, 2001-6039-PV, 2002-64680-PV, 2003-6231-PV. (2003) Before the Kansas Board of Tax Appeals. (2003). In the Matter of the Appeals of CIG Field Services Company from orders of the Division of Property Valuation. On the Behalf of CIG Field Services. Issues: the competitive nature of natural gas gathering in Kansas.
139. Expert Report and Testimony: Docket Number U-22407. Before the Louisiana Public Service Commission (2002). On the Behalf of the Louisiana Public Service Commission Staff. Company examined: Louisiana Gas Services, Inc. Issues: Purchased Gas Acquisition audit, fuel procurement and planning practices.
140. Expert Testimony: Docket Number 000824-EI. Before the Florida Public Service Commission. (2002). On the Behalf of the Citizens of the State of Florida. Company examined: Florida Power Corporation. Issues: Load Forecasts and Billing Determinants for the Projected Test Year.
141. Public Testimony: Louisiana Board of Commerce and Industry (2001). Testimony on the Economic Impacts of Merchant Power Generation.
142. Expert Testimony: Docket Number 24468. (2001). On the Behalf of the Texas Office of Public Utility Counsel. Public Utility Commission of Texas Staff's Petition to Determine Readiness for Retail Competition in the Portion of Texas Within the Southwest Power Pool. Company examined: AEP-SWEPCO.
143. Expert Report. (2001) On Behalf of David Liou and Pacific Richland Products, Inc. to Review Cogeneration Issues Associated with Dupont Dow Elastomers, L.L.C. (DDE) and the Dow Chemical Company (Dow).
144. Expert Testimony: Docket Number 01-1049, Docket Number 01-3001. (2001) On behalf the Nevada Office of Attorney General, Bureau of Consumer Protection. Petition of Central Telephone Company-Nevada D/b/a Sprint of Nevada and Sprint Communications L.P. for Review and Approval of Proposed Revised Performance Measures and Review and Approval of Performance Measurement Incentive Plans. Before the Public Utilities Commission of Nevada.
145. Expert Affidavit: Multiple Dockets (2001). Before the Louisiana Tax Commission. On the Behalf of Louisiana Interstate Pipeline Companies. Testimony on the Competitive Nature of Natural Gas Transportation Services in Louisiana.
146. Expert Affidavit before the Federal District Court, Middle District of Louisiana (2001). Issues: Competitive Nature of the Natural Gas Transportation Market in Louisiana. On behalf of a Consortium of Interstate Natural Gas Transportation Companies.
147. Public Testimony: Louisiana Board of Commerce and Industry (2001). Testimony on the Economic and Ratepayer Benefits of Merchant Power Generation and Issues Associated with Tax Incentives on Merchant Power Generation and Transmission.

148. Expert Testimony: Docket Number 01-1048 (2001). Before the Public Utilities Commission of Nevada. On the Behalf of the Nevada Office of the Attorney General, Bureau of Consumer Protection. Company analyzed: Nevada Bell Telephone Company. Issues: Statistical Issues Associated with Performance Incentive Plans.
149. Expert Testimony: Docket 22351 (2001). Before the Public Utility Commission of Texas. On the Behalf of the City of Amarillo. Company analyzed: Southwestern Public Service Company. Issues: Unbundled cost of service, affiliate transactions, load forecasting.
150. Expert Testimony: Docket 991779-EI (2000). Before the Florida Public Service Commission. On the Behalf of the Citizens of the State of Florida. Companies analyzed: Florida Power & Light Company; Florida Power Corporation; Tampa Electric Company; and Gulf Power Company. Issues: Competitive Nature of Wholesale Markets, Regional Power Markets, and Regulatory Treatment of Incentive Returns on Gains from Economic Energy Sales.
151. Expert Testimony: Docket 990001-EI (1999). Before the Florida Public Service Commission. On the Behalf of the Citizens of the State of Florida. Companies analyzed: Florida Power & Light Company; Florida Power Corporation; Tampa Electric Company; and Gulf Power Company. Issues: Regulatory Treatment of Incentive Returns on Gains from Economic Energy Sales.
152. Expert Testimony: Docket 950495-WS (1996). Before the Florida Public Service Commission. On the Behalf of the Citizens of the State of Florida. Company analyzed: Southern States Utilities, Inc. Issues: Revenue Repression Adjustment, Residential and Commercial Demand for Water Service.
153. Legislative Testimony. Louisiana House of Representatives, Special Subcommittee on Utility Deregulation. (1997). On Behalf of the Louisiana Public Service Commission Staff. Issue: Electric Restructuring.
154. Expert Testimony: Docket 940448-EG -- 940551-EG (1994). Before the Florida Public Service Commission. On the Behalf of the Legal Environmental Assistance Foundation. Companies analyzed: Florida Power & Light Company; Florida Power Corporation; Tampa Electric Company; and Gulf Power Company. Issues: Comparison of Forecasted Cost-Effective Conservation Potentials for Florida.
155. Expert Testimony: Docket 920260-TL, (1993). Before the Florida Public Service Commission. On the Behalf of the Florida Public Service Commission Staff. Company analyzed: BellSouth Communications, Inc. Issues: Telephone Demand Forecasts and Empirical Estimates of the Price Elasticity of Demand for Telecommunication Services.
156. Expert Testimony: Docket 920188-TL, (1992). Before the Florida Public Service Commission. On the Behalf of the Florida Public Service Commission Staff. Company analyzed: GTE-Florida. Issues: Telephone Demand Forecasts and Empirical Estimates of the Price Elasticity of Demand for Telecommunication Services.

#### **REFEREE AND EDITORIAL APPOINTMENTS**

Contributor, 2014-Current, *Wall Street Journal*, *Journal Reports*, *Energy*

Editorial Board Member, 2015-2017, *Utilities Policy*

Referee, 2014-Current, *Utilities Policy*

Referee, 2010-Current, *Economics of Energy & Environmental Policy*

Referee, 1995-Current, *Energy Journal*

Contributing Editor, 2000-2005, *Oil, Gas and Energy Quarterly*

Referee, 2005, *Energy Policy*

Referee, 2004, *Southern Economic Journal*

Referee, 2002, *Resource & Energy Economics*

Committee Member, IAEE/USAEE Student Paper Scholarship Award Committee, 2003

### **PROPOSAL TECHNICAL REVIEWER**

California Energy Commission, Public Interest Energy Research (PIER) Program (1999).

### **PROFESSIONAL ASSOCIATIONS**

American Economic Association, American Statistical Association, Southern Economic Association, Western Economic Association, International Association of Energy Economists ("IAEE"), United States Association of Energy Economics ("USAEE"), the National Association for Business Economics ("NABE"), and the Energy Bar Association (National and Louisiana Chapter; current Board member of LA chapter).

### **HONORS AND AWARDS**

National Association of Regulatory Utility Commissioners (NARUC). Best Paper Award for papers published in the *Journal of Applied Regulation* (2004).

*Baton Rouge Business Report*, Selected as "Top 40 Under 40" (2003).

Omicron Delta Epsilon (1992-Current).

Interstate Oil and Gas Compact Commission (IOGCC) "Best Practice" Award for Research on the Economic Impact of Oil and Gas Activities on State Leases for the Louisiana Department of Natural Resources (2003).

Distinguished Research Award, Academy of Legal, Ethical and Regulatory Issues, Allied Academics (2002).

Florida Public Service Commission, Staff Excellence Award for Assistance in the Analysis of Local Exchange Competition Legislation (1995).

### **TEACHING EXPERIENCE**

Energy and the Environment (Survey Course)

Principles of Microeconomic Theory

Principles of Macroeconomic Theory

Lecturer, Environmental Management and Permitting. Lecture in Natural Gas Industry, LNG and Markets.

Lecturer, Electric Power Industry Environmental Issues, Field Course on Energy and the Environment. (Dept. of Environmental Studies).

Lecturer, Electric Power Industry Trends, Principles Course in Power Engineering (Dept. of Electric Engineering).

Lecturer, LSU Honors College, Senior Course on "Society and the Coast."

Continuing Education. Electric Power Industry Restructuring for Energy Professionals.

"The Gulf Coast Energy Situation: Outlook for Production and Consumption." Educational Course and Lecture Prepared for the Foundation for American Communications and the Society for Professional Journalists, New Orleans, LA, December 2, 2004

"The Impact of Hurricane Katrina on Louisiana's Energy Infrastructure and National Energy Markets." Educational Course and Lecture Prepared for the Foundation for American Communications and the Society for Professional Journalists, Houston, TX, September 13, 2005.

"Forecasting for Regulators: Current Issues and Trends in the Use of Forecasts, Statistical, and Empirical Analyses in Energy Regulation." Instructional Course for State Regulatory Commission Staff. Institute of Public Utilities, Kellogg Center, Michigan State University. July 8-9, 2010.

"Regulatory and Ratemaking Issues with Cost and Revenue Trackers." Michigan State University, Institute of Public Utilities. Advanced Regulatory Studies Program. September 29, 2010.

"Demand Modeling and Forecasting for Regulators." Michigan State University, Institute of Public Utilities. Advanced Regulatory Studies Program. September 30, 2010.

"Demand Modeling and Forecasting for Regulators." Michigan State University, Institute of Public Utilities, Forecasting Workshop, Charleston, SC. March 7-9, 2011.

"Regulatory and Cost Recovery Approaches for Smart Grid Applications." Michigan State University, Institute of Public Utilities, Smart Grid Workshop for Regulators. Charleston, SC. March 7-11, 2011.

"Regulatory and Ratemaking Issues Associated with Cost and Expense Adjustment Mechanisms." Michigan State University, Institute of Public Utilities, Advanced Regulatory Studies Program. Lansing, Michigan. September 28, 2011.

"Utility Incentives, Decoupling, and Renewable Energy Programs." Michigan State University, Institute of Public Utilities, Advanced Regulatory Studies Program. Lansing, Michigan. September 29, 2011.

"Regulatory and Cost Recovery Approaches for Smart Grid Applications." Michigan State University, Institute of Public Utilities, Smart Grid Workshop for Regulators. Charleston, SC. March 6-8, 2012.

“Traditional and Incentive Ratemaking Workshop.” New Mexico Public Utilities Commission Staff. Santa Fe, NM October 18, 2012.

“Traditional and Incentive Ratemaking Workshop.” New Jersey Board of Public Utilities Staff. Newark, NJ. March 1, 2013.

“Natural Gas Issues and Recent Market Trends.” Michigan State University Institute of Public Utilities, GridSchool Regulatory Studies Program, East Lansing, Mich., March 29, 2017.

“Gas Supply Planning and Procurement: Regulatory Overview and issues.” Michigan State University Institute of Public Utilities, Basic Regulatory Studies Program, East Lansing, Mich., Aug 17, 2017.

“Natural Gas Supply Issues and Challenges.” Michigan State University Institute of Public Utilities, Basic Regulatory Studies Program, East Lansing, Mich., Aug 17, 2017.

“Incentives, Risk and Changes in the Nature of Regulation.” Michigan State University Institute of Public Utilities, Basic Regulatory Studies Program, East Lansing, Mich., Aug 18, 2017.

“Traditional and Alternative Forms of Regulation: Background and Overview.” Michigan State University Institute of Public Utilities, Advanced Regulatory Studies Program, East Lansing, Mich., October 2, 2017.

“Traditional and Alternative Forms of Regulation: Utility and policy motivations for risk and change.” Michigan State University Institute of Public Utilities, Advanced Regulatory Studies Program, East Lansing, Mich., October 2, 2017.

“Traditional and Alternative Forms of Regulation: Incentives and Formula Based Methods.” Michigan State University Institute of Public Utilities, Advanced Regulatory Studies Program, East Lansing, Mich., October 2, 2017.

## **THESIS/DISSERTATIONS COMMITTEES**

### **Active:**

- 1 Thesis Committee Memberships (Environmental Studies)
- 2 Ph.D. Dissertation Committee (Economics)

### **Completed:**

- 8 Thesis Committee Memberships (Environmental Studies, Geography)
- 4 Doctoral Committee Memberships (Information Systems & Decision Sciences, Agricultural and Resource Economics, Economics, Education and Workforce Development).
- 2 Doctoral Examination Committee Membership (Information Systems & Decision Sciences, Education and Workforce Development)
- 1 Senior Honors Thesis (Journalism, Loyola University)

**LSU SERVICE AND COMMITTEE MEMBERSHIPS**

Committee Member, Energy Education Curriculum Committee. E.J. Ourso College of Business. LSU (2016-Current).

Chairman, LSU Energy Initiative/LSU Energy Council (2014-Current).

Co-Director & Steering Committee Member, LSU Coastal Marine Institute (2009-2014).

CES Promotion Committee, Division of Radiation Safety (2006).

Search Committee Chair (2006), Research Associate 4 Position.

Search Committee Member (2005), Research Associate 4 Position.

Search Committee Member (2005), CES Communications Manager.

LSU Graduate Research Faculty, Associate Member (1997-2004); Full Member (2004-2010); Affiliate Member with Full Directional Rights (2011-2014); Full Member (2014-current).

LSU Faculty Senate (2003-2006).

Conference Coordinator. (2005-Current) Center for Energy Studies Conference on Alternative Energy.

LSU CES/SCE Public Art Selection Committee (2003-2005).

Conference Coordinator. Center for Energy Studies Annual Energy Conference/Summit. (2003-Current).

Conference Coordinator. Center for Energy Studies Seminar Series on Electric Utility Restructuring and Wholesale Competition. (1996-2003).

Co-Chairman, Review Committee, Louisiana Port Construction and Development Priority Program Rules and Regulations, On Behalf of the LSU Ports and Waterways Institute. (1997).

LSU Main Campus Cogeneration/Turbine Project, (1999-2000).

LSU InterCollege Environmental Cooperative. (1999-2001).

LSU Faculty Senate Committee on Public Relations (1997-1999).

LSU Faculty Senate Committee on Student Retention and Recruitment (1999-2003).

**PROFESSIONAL SERVICE**

Board Member (2018). Energy Bar Association, Louisiana Chapter.

Program Committee Member (2017). Gulf Coast Power Association Conference. New Orleans, LA.

Program Committee Member (2016). Gulf Coast Power Association Conference. New Orleans, LA.

Program Committee Member (2015). Gulf Coast Power Association Workshop/Special Briefing. "Gulf Coast Disaster Readiness: A Past, Present and Future Look at Power and Industry Readiness in MISO South."

Advisor (2008). National Association of Regulatory Utility Commissioners ("NARUC"). Study Committee on the Impact of Executive Drilling Moratoria on Federal Lands.

Steering Committee Member, Louisiana Representative (2008-Current). Southeast Agriculture & Forestry Energy Resources Alliance. Southern Policies Growth Board.

Advisor (2007-Current). National Association of State Utility Consumer Advocates ("NASUCA"), Natural Gas Committee.

Program Committee Chairman (2007-2008). U.S. Association of Energy Economics ("USAEE") Annual Conference, New Orleans, LA

Finance Committee Chairman (2007-2008). USAEE Annual Conference, New Orleans, LA

Committee Member (2006), International Association for Energy Economics ("IAEE") Nominating Committee.

Founding President (2005-2007) Louisiana Chapter, USAEE.

Secretary (2001) Houston Chapter, USAEE.

Advisor, Louisiana LNG Buyers/Developers Summit, Office of the Governor/Louisiana Department of Economic Development/Louisiana Department of Natural Resources, and Greater New Orleans, Inc. (2004).

# Proposed Merger Conditions

Witness: Dismukes  
Docket No. 19-SEPE-054-MER  
Exhibit DED-2  
Page 1 of 3

Condition Number	Merger Condition
1	The Combined Company shall provide no less than a five calendar-year notice prior to any filing to be submitted to either the KCC, FERC, or SPP terminating the Combined Company's membership in SPP. The Combined Company's transmission facilities shall continue to be subject to SPP operation and control pursuant to the SPP OATT until such time as the Combined Company's membership in SPP is terminated.
2	The Combined Company shall provide no less than thirty (30) days prior written notice to KEPCo and the other parties to KCC Docket No. 19-SEPE-054-MER of any filing to be submitted to FERC by SPP and/or the Combined Company that is necessary to effectuate the combination of transmission formula rates for Sunflower and Mid-Kansas, including changes to Attachment H, Addendums 19 or 20, of the SPP OATT or other conforming changes to the SPP OATT that may be necessary to effectuate combining of the transmission formula rates.
3	Each Member of the Combined Company shall agree to continue to provide open access transmission service over its respective 34.5 kV and below transmission facilities pursuant to an open access transmission tariff filed with and subject to KCC jurisdiction and regulation, and shall affirm and agree that nothing in this case, or the Commission's disposition of this case, shall affect in any way the commitments set forth in the Stipulation and Agreement, dated December 1, 2011, on file in KCC Docket No. 11-GIME-597-GIE.
4	Each Member of the Combined Company shall agree to maintain separate divisional books and records until the Commission approves combined divisional Local Access Charges for the Local Access Delivery Systems.
5	Each Member of the Combined Company shall agree to provide KEPCo and the other parties to KCC Docket No. 19-SEPE-054-MER no less than thirty (30) days prior written notice of the Member's intent to file material changes to the rates, terms, and conditions of transmission service over its 34.5 kV and below transmission system or to seek a KCC ruling or other action that would in any way impair, preclude, or eliminate KCC jurisdiction over, or regulation of, such transmission service.
6	The Combined Company and each Member of the Combined Company shall agree that the Combined Company shall continue to serve as the transmission provider of transmission service that is subject to the jurisdiction of the KCC, and shall step into the shoes of MKEC as the administrator of the MKEC OATT until the KCC approves changes to the MKEC OATT including changes that replace Sunflower as the transmission provider.
7	Joint Applicants acknowledge that the application for merger does not specify any new or increased costs, including transaction costs and transition costs, resulting from the merger, but to the contrary identifies anticipated cost reductions, and therefore agree that the Combined Company shall hold KEPCo harmless from, and shall not pass through to KEPCo under any existing power purchase contract, by amendment or otherwise, unanticipated new or increased costs or rates resulting from or caused by the merger.
8	Joint Applicants acknowledge that the application for merger does not specify any new or increased costs resulting from the merger but to the contrary identifies anticipated cost reductions, and therefore agree that the Combined Company shall hold KEPCo harmless from, and shall not pass through to KEPCo under any existing contract or future contract for the purchase of transmission service unanticipated new or increased costs or rates resulting from or caused by the merger.

# Proposed Merger Conditions

Witness: Dismukes  
Docket No. 19-SEPE-054-MER  
Exhibit DED-2  
Page 2 of 3

Condition Number	Merger Condition
9	<p>Jont Applicants shall hold KEPCo harmless from merger-related transaction costs and transition costs, as those terms are defined below, and shall exclude these costs from cost-based transmission and power supply rates.</p> <p>Merger-related transaction costs are costs that would not be incurred but for the merger, and shall include but not be limited to:</p> <ul style="list-style-type: none"> <li>- securing appraisals, evaluations, and fairness opinions related to the proposed merger;</li> <li>- retaining strategic advisors or consultants;</li> <li>- structuring the transaction, negotiating the structure and terms of the transaction, and obtaining accounting and legal advice (including tax) on the structure of the transaction;</li> <li>- all due diligence-related matters related to the proposed merger, including obtaining lien, judgment and similar searches related to the transaction parties and their subsidiaries;</li> <li>-- preparing, reviewing and negotiating the documents effectuating the transaction (e.g., the costs and expenses to transfer legal title of an asset (including the discharge of any existing liens; filings and recording charges; and the costs and charges of title agents, or assignment of a contract or permit), building permits, valuation fees, the merger agreement or purchase agreement and any related financing documents);</li> <li>-- internal labor costs of employees (including the reasonable allocated amounts for internal counsel) and the costs of external, third-party, consultants and advisors (including legal counsel and accountants), and other vendors to negotiate merger terms, to draft, negotiate and execute financing and legal contracts, and to secure regulatory approvals; and</li> <li>-- other professional service fees incurred in the transaction (e.g., fees for accountants, surveyors and title agents, structural, environmental and other engineers, and legal counsel).</li> </ul> <p>Merger-related transition costs are costs that would not be incurred but for the merger, and shall include but not be limited to:</p> <ul style="list-style-type: none"> <li>- installation, integration, testing, and monitoring related to ensuring the inter-operability of merged facilities;</li> <li>- engineering studies needed for transition planning, whether those studies were conducted prior to and after closing the merger;</li> <li>- integration of environmental monitoring and compliance;</li> <li>- union labor agreement negotiations;</li> <li>- employment retention and severance payments;</li> <li>- operational integration, including internal and third-party costs for organization, process, and technology integration planning, training, and execution;</li> <li>- accounting and operating systems integration costs;</li> <li>- systems training, including employee time and outside consultant fees;</li> <li>- termination of duplicative leases, contracts, and operations;</li> <li>- internal and external communications and advertising of the basis for, implications for, and rebranding associated with the transaction;</li> <li>- financing and related transaction costs and charges, including commitment and similar lenders' fees, to refinance existing obligations in order to achieve operational and financial synergies;</li> <li>- rebranding and marketing costs; and</li> <li>- all internal and external legal costs related to the foregoing.</li> </ul>

# Proposed Merger Conditions

Witness: Dismukes  
Docket No. 19-SEPE-054-MER  
Exhibit DED-2  
Page 3 of 3

Condition Number	Merger Condition
10	The Combined Company shall provide no less than thirty (30) days prior written notice to KEPCo and the other parties to KCC Docket No. 19-SEPE-054-MER of any filing to be submitted to FERC by SPP and/or the Combined Company that seeks changes to the transmission rate formula set forth in an addendum to Attachment H of the SPP OATT.
11	Joint Applicants shall agree to file with FERC a transition method for the Annual True-Up Adjustments and associated interest calculations that is based on the separate zonal constructs that existed prior to convergence of the transmission formula rates, and that deploys transmission customer-specific rate adjustments and associated interest calculations. The transition method would (1) equitably direct refunds and associated interest to wholesale transmission customers that would otherwise overcompensate either Joint Applicant for overprojected zonal transmission charges under a socialized true-up approach, and (2) direct collections and associated interest due to wholesale transmission customers that would otherwise undercompensate either Joint Applicant for underprojected zonal transmission charges. The transition method would address all True-Up Adjustments and corrections for the period of transmission service up until the effectuation of a combined transmission zone. Such proposal will be filed with its proposal to merge the transmission formula rate.
12	Joint Applicants shall acknowledge ongoing obligations under prior agreements between KEPCo and each Joint Applicant will be maintained until those agreements are terminated (e.g. 11-597 docket, 09-969 docket, etc.)
13	Joint Applicants shall agree to conduct a transmission system losses study for the combined transmission zone to be established under the SPP Tariff in which Joint Applicants' transmission facilities are located and to coordinate with SPP to file for the necessary FERC approvals to update the transmission system losses for the combined system concurrent with their filing to combine transmission zones in the corresponding open access transmission tariff(s) (OATT). Additionally, if Joint Applicants do not coordinate with SPP to make a filing to combine the Sunflower and Mid-Kansas transmission zones within 12 months of any merger approval, Joint Applicants shall agree to conduct a transmission losses study and to coordinate with SPP to file for the necessary FERC approvals to update the transmission system losses for the Mid-Kansas transmission zone in the corresponding OATT(s).
14	Joint Applicants shall agree that Sunflower and Mid-Kansas shall maintain separate books until the effective date for any FERC approval to combine Sunflower and Mid-Kansas transmission zones.

# Analysis of Credit Rating

Witness: Dismukes  
Docket No. 19-SEPE-054-MER  
Exhibit DED-3

Factor Weighting		Rating Factor		Sunflower			Mid-Kansas			Combined Entity		
				Calculated	Points	Metric	Calculated	Points	Metric	Calculated	Points	Metric
20%	Wholesale Power Contracts and Regulatory Status	20%	Percent Members Load Served by Long-Term Wholesale Power Contract and Regulatory Status	-	6	A	-	6	A	-	6	A
20%	Rate Flexibility	5%	Board Involvement/Rate Adjustment Mechanism	-	6	A	-	6	A	-	6	A
		5%	Purchased Power/Sales Percent	73%	15	B	97%	15	B	79%	15	B
		5%	New Build Capex (Percent of Net Property, Plant, and Equipment)	53%	9	Baa	16%	3	Aa	30%	6	A
		5%	Rate Shock Exposure	-	9	Baa	-	6	A	-	9	Baa
10%	Member/Owner Profile	5%	Residential Sales to Total Sales	20-40%	12	Ba	20-40%	12	Ba	20-40%	12	Ba
		5%	Members' Consolidated Equity/Capitalization	25-50%	9	Baa	25-50%	9	Baa	25-50%	9	Baa
40%	3-Year Average G&T Financial Metrics	5%	Times Interest Earned Ratio	3.10	1	Aaa	1.48	3	Aa	1.98	1	Aaa
		5%	Debt Service Coverage Ratio	2.04	1	Aaa	1.32	6	A	1.46	3	Aa
		10%	Funds From Operations to Debt Ratio	18%	1	Aaa	5%	9	Baa	9%	6	A
		10%	Funds From Operations to Interest	4.88	1	Aaa	2.18	6	A	3.02	3	Aa
		10%	Equity Portion of Capital Structure	50%	1	Aaa	12%	9	Baa	29%	6	A
10%	Cooperative's Size	5%	Annual MWh Sales (Million MWh)	3.59	12	Ba	2.38	15	B	4.96	9	Baa
		5%	Net Property, Plant, and Equipment (Billion \$)	0.28	15	B	0.47	9	Baa	0.75	9	Baa
			Weighted Average		5.95	A2		7.80	Baa1		6.65	A3

Source: Joint Applicants' Response to Data Request KEPCo 1-16; Attachment "Rooney\_Direct\_Workpapers.xls"

## Estimate of Internal Labor Savings

Witness: Dismukes  
Docket No. 19-SEPE-054-MER  
Exhibit DED-4

Budget Area	Number of Duplicate Processes	Percent of Total
President and Vice Presidents	0	0%
Member Services & External Affairs	-	0%
Legal	-	0%
Information Management	0	0%
Financial Services	~50	21.3% - 29.4%
Planning/Analysis	5	2.1% - 2.9%
Regulatory and Market Affairs	40	17% - 23.5%
Power Supply & Contracts	25-40	14.7% - 17.0%
Corporate Services	5-10*	2.9% - 4.3%
Change Management	0	0%
Organizational Development	-	0%
Human Resources	0	0%
Safety	0	0%
Infrastructure Services	-	0%
Supply Chain	0	0%
Critical Infrastructure Protection	5-10*	2.9% - 4.3%
Business Support Systems	0	0%
Training	0	0%
Generation Maintenance	0	0%
Gas Operations	0	0%
Coal Operations	0	0%
Coal Material & Handling	0	0%
Generation Laboratory	5-10*	2.9% - 4.3%
Generation Environmental	5-10*	2.9% - 4.3%
Generation Engineering	5-10*	2.9% - 4.3%
Transmission Engineering	5-10*	2.9% - 4.3%
System Control Operations	0	0%
Transmission Planning/Supervision	5-10*	2.9% - 4.3%
Substation Automation and Protection	0	0%
Telecommunications	0	0%
Metering	5-10*	2.9% - 4.3%
Lines	5-10*	2.9% - 4.3%
Substations	5-10*	2.9% - 4.3%
Corporate Compliance	-	0%
Control Systems	0	0%
Energy Systems	0	0%
<b>Total</b>	<b>170-235</b>	<b>100%</b>

Note: [\*] Duplicate processes are assumed removed from budget areas where, savings are acknowledged, but unable to be quantified.

Source: Joint Applicants' Response to Data Request KEPCo 1-16; Attachment "Rooney\_Direct\_Workpapers.xls"

## Breakdown of Estimated Outside Services Savings

Witness: Dismukes  
Docket No. 19-SEPE-054-MER  
Exhibit DED-5

Budget Area	Outside Services Savings	Percent of Total
Legal	\$110,000	22%
Financial Services	\$115,000	23%
Regulatory and Market Affairs	\$275,000	55%
<b>Total</b>	<b>\$500,000</b>	<b>100%</b>

**Exhibit DED-6**  
**Cited Responses to Information Requests**

This exhibit presents a compilation of the documents and responses to discovery requests cited in the testimony of David E. Dismukes, Ph.D. on Behalf of the Kansas Electric Power Cooperative, Inc., as follows:

<b>KEPCo 1-17 .....</b>	<b>3</b>
<b>KEPCo 4-18 .....</b>	<b>5</b>
<b>KEPCo 4-19 .....</b>	<b>8</b>
<b>KEPCo 4-24 .....</b>	<b>10</b>
<b>KEPCo 4-25 .....</b>	<b>12</b>
<b>KEPCo 1-16 .....</b>	<b>15</b>
<b>KEPCo 4-22 .....</b>	<b>17</b>
<b>KEPCo 1-10 .....</b>	<b>20</b>
<b>KEPCo 3-1 .....</b>	<b>23</b>
<b>KEPCo 3-2 .....</b>	<b>26</b>
<b>KEPCo 3-5 .....</b>	<b>30</b>
<b>KEPCo 3-6 .....</b>	<b>33</b>
<b>KEPCo 3-7 .....</b>	<b>36</b>
<b>KEPCo 3-8 .....</b>	<b>39</b>
<b>KEPCo 3-3 .....</b>	<b>42</b>
<b>KEPCo 3-4 .....</b>	<b>45</b>
<b>KEPCo 3-9 .....</b>	<b>48</b>
<b>KEPCo 4-1 .....</b>	<b>51</b>
<b>KEPCo 4-6 .....</b>	<b>54</b>
<b>KEPCo 4-10 .....</b>	<b>57</b>
<b>KEPCo 4-15 .....</b>	<b>60</b>
<b>KEPCo 4-11 .....</b>	<b>63</b>
<b>KEPCo 4-12 .....</b>	<b>66</b>
<b>KEPCo 4-14 .....</b>	<b>69</b>
<b>KEPCo 4-16 .....</b>	<b>72</b>
<b>KEPCo 4-4 .....</b>	<b>75</b>

<b>KEPCo 4-8.....</b>	<b>78</b>
<b>KEPCo 4-9.....</b>	<b>81</b>
<b>KEPCo 4-13.....</b>	<b>84</b>
<b>KEPCo 4-23.....</b>	<b>87</b>
<b>KCC 7 .....</b>	<b>90</b>
<b>KEPCo 1-26.....</b>	<b>93</b>
<b>KEPCo 1-14.....</b>	<b>95</b>
<b>KEPCo 1-27 .....</b>	<b>98</b>
<b>KEPCo 1-28.....</b>	<b>101</b>
<b>KEPCo 1-29.....</b>	<b>105</b>

## **KEPCo 1-17**

Kansas Electric Power Cooperative, Inc.  
Information Request

Company Name

Mid-Kansas Electric Company, Inc. and  
Sunflower Electric Power Corporation

Request No: 1-17

Docket Number

19-SEPE-054-MER

Request Date

October 25, 2018

Date Information Needed

November 8, 2018

**Please Provide the Following:**

Mr. Rooney testifies that in some ways the merger is similar to the Evergy transaction because "[t]here is no cash being exchanged, and no acquisition premium being paid. The Members combine their equity in Mid-Kansas with their equity in Sunflower. There will be no change in the equity ownership by Member." Rooney Direct Test. at 5:16-18. Have Joint Applicants calculated an "exchange ratio" or similar metric for this transaction? Please state the value and explain how it is derived. If no exchange ratio or other metric was performed, please explain the basis or bases for the statement.

11/8/2018 Response:

No exchange ratio or similar metric was calculated or required.

For example, at December 31, 2017, Sunflower has \$190.7mm of accumulated book surplus. Of this \$9.2mm has been allocated to our member Lane-Scott. See footnote 1(n) of Sunflower's audited financial statements, publicly available at <https://www.sunflower.net/wp-content/uploads/2018/05/SEPC-2017-financials.pdf>. Mid-Kansas has \$54.8mm of accumulated book surplus. Of this \$0.5mm has been allocated to our member Lane-Scott. See footnote 1(n) of Mid-Kansas's audited financial statements, publicly available at <http://www.midkansaselectric.net/documents/MKEC2017Financialreport.pdf>. Upon merger, the merged amounts will be the sum of the individual amounts. Lane-Scott will still be allocated the sum of its amounts, \$9.7mm. Therefore, there will be no change in the equity ownership by member.

Submitted By: KEPCo

Submitted To: Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to KEPCo any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: \_\_\_\_\_

Davis Rooney

Date: November 8, 2018

## **KEPCo 4-18**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 4-18

Company Name                      **SUNFLOWER ELECTRIC POWER CORPORATION,  
and MID-KANSAS ELECTRIC COMPANY, INC.**

Docket No.                        19-SEPE-054-MER

Request Date                      December 11, 2018

Date Information Needed        December 27, 2018

RE:    In the Matter of the Joint Application of Sunflower Electric Power Corporation and  
Mid-Kansas Electric Company, Inc. for an Order Approving the Merger of Mid-  
Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

Provide all integration plans and timelines developed by or for the Joint Applicants regarding the integration process if the proposed merger is approved. In the response please provide the date the integration plan was developed and include details on the annual integration costs, costs to achieve, and annual synergy savings that will result if the merger is approved.

**12/27/2018 Response:**

See "KEPCo\_DR\_4-18\_Merger Project Schedule" PDF in the external file share.

Submitted By KEPCo

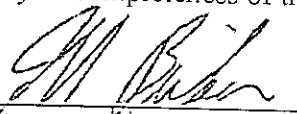
Submitted To Joint Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed:

  
Jeff Bieker

Dated: 12/27/2018

Indicators	ID	Active	Mode	Task Name	Duration	Start	Finish	% Complete	Work	Resource Names
	1	Yes	Auto scheduled	<b>LOE Estimate</b>	804d	1/19/2017	2/28/2020	0%	3,765.84h	
	2	Yes	Auto scheduled	<b>Internal Labor</b>	804d	1/19/2017	2/28/2020	0%	3,765.84h	
	3	Yes	Auto scheduled	ILE - Pre-KCC Filing Date Work	596d	1/19/2017	5/3/2019	0%	1,830h	101 President Vice Presidents, 105 Legal, 221 AP Treasury, 222 Planning_Analysis, 224 Regulatory_Market Affairs
	4	Yes	Auto scheduled	ILE - Pre-Merger Work	193d	4/29/2019	1/31/2020	0%	1,495.84h	101 President Vice Presidents, 102 External Affairs, Member Services, 105 Legal, 221 Accountant, 221 AP Treasury, 222 Planning_Analysis, 224
	5	Yes	Auto scheduled	ILE - Post-Merger Work	42d	1/2/2020	2/28/2020	0%	440h	Regulatory_Market Affairs, 260 Power Supply_Contracts, 320 Business Support Systems, 563 Planning Engineering, 564 Transmission Policy
	6	Yes	Auto scheduled	LOE Finish (Do Not Delete)	0d	2/28/2020	2/28/2020	0%	0h	105 Legal, 562 Transmission Engineering, 582 Telecommunications
	7	Yes	Auto scheduled	Permissions for Project Lead	0d	2/13/2017	2/13/2017	100%	0h	Bieker; Jeff, Kelley; Dustin
	8	Yes	Auto scheduled	<b>Project Schedule</b>	785d	2/13/2017	2/26/2020	46%	66,680h	
	9	Yes	Auto scheduled	<b>Pre-Filing</b>	492d	2/13/2017	1/2/2019	68%	52,870h	
	10	Yes	Auto scheduled	<b>Determine Merger Structure</b>	455d	2/13/2017	11/9/2018	81%	29,008h	
	11	Yes	Auto scheduled	Dual representation by Counsel Waiver for SEPC/MKEC	1d	11/17/2017	11/17/2017	0%	8h	Legal
	12	Yes	Auto scheduled	Review governing docs for issues existing now or post-merger	230d	2/13/2017	12/29/2017	100%	1,840h	Legal
	13	Yes	Auto scheduled	Revise governing docs to implement optimal structure	200d	2/13/2017	11/17/2017	100%	1,600h	Legal
	14	Yes	Auto scheduled	Change formulation of allocation entries	160d	4/2/2018	11/9/2018	0%	1,280h	Accountant
	15	Yes	Auto scheduled	Review governing docs and determine patronage allocations	152d	8/1/2017	2/28/2018	50%	2,432h	Accountant, Legal
	16	Yes	Auto scheduled	Review docs based on patronage agreements	109d	8/1/2017	12/29/2017	100%	1,744h	Accountant, Legal
	17	Yes	Auto scheduled	Patronage equalization Payment	160d	2/13/2017	9/22/2017	100%	1,280h	Accountant
	18	Yes	Auto scheduled	Determine whether merger of rates will be part of the transaction	167d	10/1/2017	5/22/2018	76%	1,320h	Regulatory Affairs
	19	Yes	Auto scheduled	Southern Pioneer taxability/non-taxable merger	160d	2/13/2017	9/22/2017	100%	2,560h	Accountant, Legal
	20	Yes	Auto scheduled	Other income tax considerations	230d	2/13/2017	12/29/2017	100%	3,680h	Accountant, Legal
	21	Yes	Auto scheduled	Research & Develop Plan	352d	2/13/2017	6/19/2018	77%	11,264h	Accountant, Compliance, Legal, Regulatory Affairs
	22	Yes	Auto scheduled	Develop Communication Plan	43d	11/1/2018	12/31/2018	0%	344h	External Affairs
	23	Yes	Auto scheduled	Meet with KEPCo	33d	1/1/2018	2/14/2018	100%	264h	Exec Team
	24	Yes	Auto scheduled	Meet with WKIEC & other VIP customer (?)	46d	3/20/2018	5/22/2018	13%	320h	Exec Team
	25	Yes	Auto scheduled	Meet with Lenders	492d	2/13/2017	1/2/2019	59%	7,552h	Exec Team, Treasury
	26	Yes	Auto scheduled	<b>Research &amp; Development</b>	491d	2/13/2017	12/31/2018	56%	13,584h	
	27	Yes	Auto scheduled	Protect/Transfer SPP Membership Interests	160d	2/13/2017	9/22/2017	100%	1,280h	TRN Policy
	28	Yes	Auto scheduled	Review major contracts for issues	130d	1/1/2018	6/29/2018	0%	1,040h	Legal
	29	Yes	Auto scheduled	Hart-Scott Rodino	206d	3/19/2018	12/31/2018	0%	1,648h	Legal
	30	Yes	Auto scheduled	FERC Reporting requirements; Jurisdiction post-merger	209d	2/13/2017	11/30/2017	100%	3,344h	Legal, Treasury
	31	Yes	Auto scheduled	Safe Harbor Lease	392d	2/13/2017	8/14/2018	64%	6,272h	Legal, Treasury
	32	Yes	Auto scheduled	Final Merger Plan	20d	10/2/2017	10/27/2017	0%	6h	Exec Team
	33	Yes	Auto scheduled	Merger Plan Approval	1d	11/17/2017	11/17/2017	0%	8h	Legal
	34	Yes	Auto scheduled	Final Merger Application	204d	11/20/2017	8/30/2018	100%	16h	Legal, Regulatory Affairs
	35	Yes	Auto scheduled	Pre-filing meeting w/ KCC	55d	11/20/2017	2/2/2018	0%	880h	Legal, Regulatory Affairs
	36	Yes	Auto scheduled	Develop Filing Documents	55d	11/20/2017	2/2/2018	0%	880h	Legal, Regulatory Affairs
	37	Yes	Auto scheduled	Board Approval to file Application	1d	5/18/2018	5/18/2018	0%	0h	
	38	Yes	Auto scheduled	File with the KCC	1d	6/5/2018	6/5/2018	0%	8h	Legal
	39	Yes	Auto scheduled	Pre-Filing Complete	0d	6/5/2018	6/5/2018	0%	0h	
	40	Yes	Auto scheduled	<b>Pre-Merger</b>	426d	10/1/2017	5/21/2019	6%	11,250h	
	41	Yes	Auto scheduled	Material Contracts/Leases	261d	5/21/2018	5/21/2019	0%	2,088h	Legal
	42	Yes	Auto scheduled	Align creditor documents under single indenture	262.5d	10/1/2017	10/3/2018	12%	1,040h	Treasury
	43	Yes	Auto scheduled	Unsecured B 2027 Debt	187.5d	10/1/2017	6/20/2018	36%	720h	Treasury
	44	Yes	Auto scheduled	MKEC work order re-allocation rules	45d	10/1/2018	11/30/2018	0%	360h	Accountant
	45	Yes	Auto scheduled	New depreciation rates for combined assets	283d	11/1/2017	11/30/2018	0%	1,122h	Accountant
	46	Yes	Auto scheduled	Combined GL	45d	10/1/2018	11/30/2018	0%	360h	Accountant
	47	Yes	Auto scheduled	Account Structure maintained or changed	45d	10/1/2018	11/30/2018	0%	360h	Accountant
	48	Yes	Auto scheduled	Combine Projects	45d	10/1/2018	11/30/2018	0%	360h	Accountant
	49	Yes	Auto scheduled	Payroll Account Code changes	45d	10/1/2018	11/30/2018	0%	360h	Accountant
	50	Yes	Auto scheduled	Merge Power Supply Rates/Rate Design	165d	5/21/2018	1/7/2019	0%	2,640h	Power Supply_Contracts, Regulatory Affairs
	51	Yes	Auto scheduled	KCC Approval Deadline	230d	5/21/2018	4/8/2019	0%	1,840h	Legal
	52	Yes	Auto scheduled	Pre-Merger Complete	1d	4/9/2019	4/9/2019	0%	0h	
	53	Yes	Auto scheduled	<b>Post-Merger Effective Date 1/1/2020</b>	294d	1/1/2019	2/26/2020	5%	2,560h	
	54	Yes	Auto scheduled	Effective Date of Merger (plan 1/1/2020)	1d	1/1/2020	1/1/2020	0%	0h	
	55	Yes	Auto scheduled	Web-site updates	40d	1/2/2020	2/26/2020	0%	320h	External Affairs
	56	Yes	Auto scheduled	Re-issue operation certificates from KCC	272d	1/1/2019	1/27/2020	11%	320h	Legal
	57	Yes	Auto scheduled	Property Transfers	40d	1/2/2020	2/26/2020	0%	640h	Accountant, Legal
	58	Yes	Auto scheduled	Financial Planning/Analysis	40d	1/2/2020	2/26/2020	0%	320h	Planning & Analysis
	59	Yes	Auto scheduled	Department Alignments	40d	1/2/2020	2/26/2020	0%	0h	
	60	Yes	Auto scheduled	Revision of accounting Policies/Practices	40d	1/2/2020	2/26/2020	0%	320h	Accountant
	61	Yes	Auto scheduled	Special external financial audit as of date of merger	40d	1/2/2020	2/26/2020	0%	320h	Accountant
	62	Yes	Auto scheduled	Footnote disclosures	40d	1/2/2020	2/26/2020	0%	320h	Accountant
	63	Yes	Auto scheduled	Post-Merger Effective Date 1/1/19 Complete	0d	2/26/2020	2/26/2020	0%	0h	
	64	Yes	Auto scheduled	Schedule Finish (Do Not Delete)	0d	2/26/2020	2/26/2020	0%	0h	

## **KEPCo 4-19**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 4-19

Company Name                      SUNFLOWER ELECTRIC POWER CORPORATION,  
and MID-KANSAS ELECTRIC COMPANY, INC.

Docket No.                        19-SEPE-054-MER

Request Date                      December 11, 2018

Date Information Needed        December 27, 2018

RE:    In the Matter of the Joint Application of Sunflower Electric Power Corporation and  
Mid-Kansas Electric Company, Inc. for an Order Approving the Merger of Mid-  
Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

Please provide copies of all draft and final due diligence and consultant reports prepared by or for the Joint Applicants in connection with the proposed merger transaction. For each report, please specify the date that Joint Applicants received the report.

**12/27/2018 Response:**

**Joint Applicants did not engage any consultants to perform due diligence for the merger. Joint Applicants did not receive any consultant reports assessing due diligence for the proposed merger transaction. Since 2007, both companies have been operated with a single workforce under the common control of their Members with increased integration over time of the functions and services. Therefore, no due diligence by an outside consulting firm was deemed necessary to assess or identify the risks or factors involved in the merger of the two companies.**

**12/18/2018 Objection:**

Joint Applicants object to the Request to the extent it seeks information, communications, and/or documents that are protected by the attorney-client privilege, the attorney work-product doctrine, common interest privilege, or any other constitutional, statutory or common-law privilege or doctrine. Joint Applicant objects to the Request as overbroad, vague, and fails to identify with reasonable particularity the information or documents sought. The Request does not specify a time period.

Submitted By KEPCo

Submitted To Joint Applicants

## KEPCo 4-24

# Kansas Electric Power Cooperative, Inc.

## Information Request

Request No: 4-24

Company Name                      SUNFLOWER ELECTRIC POWER CORPORATION,  
and MID-KANSAS ELECTRIC COMPANY, INC.

Docket No. 19-SEPE-054-MER

Request Date December 11, 2018

Date Information Needed      December 27, 2018

RE: In the Matter of the Joint Application of Sunflower Electric Power Corporation and Mid-Kansas Electric Company, Inc. for an Order Approving the Merger of Mid-Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

Provide copies of the Joint Applicants' risk assessment and management plan or policies concerning the merger. Please provide the date in which these plans or policies were prepared.

**12/27/2018 Response:**

Without waiving the objection, since 2007, Joint Applicants have operated with a single workforce under the common control of our Members and have increased integration over time. Therefore, Joint Applicants did not deem it necessary to create a formalized risk assessment or management plan or policies relative to the proposed merger.

12/18/2018 Objection:

Joint Applicants object to the Request as overbroad, vague, and fails to identify with reasonable particularity the information or documents sought. The Request does not specify a time period.

Submitted By KEPCo

Submitted To Joint Applicants

## **KEPCo 4-25**



If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

#### Verification of Response

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: Davis Rooney  
Davis Rooney

Dated: 12/27/2018

## **KEPCo 1-16**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 1-16

Company Name Mid-Kansas Electric Company, Inc. and  
Sunflower Electric Power Corporation

Docket Number 19-SEPE-054-MER

Request Date October 25, 2018

Date Information Needed November 8, 2018

**Please Provide the Following:**

Please provide all workpapers supporting Mr. Rooney's direct testimony in native file format, with links and formulas intact. Workpapers would include the underlying data and the charts presented on pages 7 and 11 of Mr. Rooney's testimony.

11/8/2018 Response:

See the files listed below in the external file share:

1. "Rooney\_Direct\_Workpapers.xlsx" or "Rooney\_Direct\_Workpapers.pdf"
2. "Moody\_CoopGT\_Rating\_Methodology2013.pdf"
3. "MUFG Capital Markets Weekly IG Market Update 20 January 2017.pdf"

Submitted By: KEPCo

Submitted To: Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to KEPCo any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: \_\_\_\_\_

Davis Rooney

Date: November 8, 2018

## **KEPCo 4-22**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 4-22

Company Name                      SUNFLOWER ELECTRIC POWER CORPORATION,  
and MID-KANSAS ELECTRIC COMPANY, INC.

Docket No.                        19-SEPE-054-MER

Request Date                      December 11, 2018

Date Information Needed        December 27, 2018

RE:    In the Matter of the Joint Application of Sunflower Electric Power Corporation and  
Mid-Kansas Electric Company, Inc. for an Order Approving the Merger of Mid-  
Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

Please provide copies of all horizontal and vertical market power analysis prepared by or on the behalf of the Joint Applicants that evaluated the impact of the merger on the Joint Applicants ability to exercise market power. For each analysis, please specify the date of preparation.

**12/27/2018 Response:**

**Although I am not an attorney, it is Joint Applicants' understanding that market power analysis is required only for those entities that are FERC jurisdictional for power supply. Sunflower and Mid-Kansas are not FERC jurisdictional for such purposes. No analysis has been performed. Sunflower and Mid-Kansas have been a single Market Participant since the inception of the SPP Integrated Marketplace.**

Submitted By KEPCo

Submitted To Joint Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed:



James Brungardt

Dated: 12/27/2018

## **KEPCo 1-10**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 1-10

Company Name                      Mid-Kansas Electric Company, Inc. and  
Sunflower Electric Power Corporation

Docket Number                      19-SEPE-054-MER

Request Date                      October 25, 2018

Date Information Needed              November 8, 2018

**Please Provide the Following:**

Mr. Epperson testifies that "[o]ur Board, and the Boards of Sunflower and Mid-Kansas, have been analyzing relevant information for some time now to ensure that decision made over ten years ago is the correct decision, and we believe that it is." Epperson Direct Test. at 4:23-5:2.

a. Please provide all documents including meeting agendas, reports, presentations, and meeting minutes in Joint Applicants' possession distributed to or viewed by members of the Board of Directors in connection with the proposed merger. If no such documents exist, please explain the basis or bases for the statement.

**11/14/2018 Supplemental Response:**

Documents exist that are responsive to this request but are being withheld on the basis of attorney-client privilege and work product doctrine.

**11/8/2018 Response:**

The initial decision to acquire Aquila's western Kansas assets was based upon several factors. The members of Mid-Kansas believed the acquisition would benefit the customers of Aquila by providing a more diverse generation portfolio, thereby stabilizing rates and costs as the cost of fuel sources fluctuated over time. With Sunflower being heavier in coal generation and Mid-Kansas being heavier in gas generation, the acquisition would provide a more diverse generation resources to withstand price fluctuations in fuel costs. The service territory was also good geographical fit for the 6 distribution cooperatives forming Mid-Kansas which would improve response time for outage or retail service needs. Overall, the members believed that acquisition would provide greater operational efficiencies, rate stability from the economy of scale and load diversity. Our Board revisited these factors to make sure the merger of the two companies would not alter those expectations of ten years ago. After review, the Board concluded acquisition expectations were met and that the merger would only enhance the benefits expected from the acquisition.

See the following PDFs in the external file share:

\* The agenda is being produced, but all discussion related to this agenda item was subject to attorney-client privilege and work product and will not be produced.

\*\* This is being produced but the content is privileged and confidential.

1. "170217 Sunflower Agenda" \*
2. "170420-21 Sunflower Agenda" \*
3. "170519 Sunflower Regular Agenda" \*
4. "170616 President's Report"
5. "170728 Current Activities Presentation"
6. "170915 Mid-Kansas Minutes"
7. "170915 Sunflower Minutes"
8. "171012-13 Sunflower Agenda" \*

9. "171117 Sunflower Regular Minutes"
10. "171117 Sunflower Tentative Agenda"
11. "171214-15 Sunflower Minutes"
12. "171214-15 Sunflower Tentative Agenda"
13. "171215 Mid-Kansas Tentative Agenda"
14. "180119 Mid-Kansas Minutes"
15. "180119 Sunflower Minutes"
16. "180420 Sunflower Tentative Agenda" \*
17. "180518 President's Report"
18. "2018 Annual Meeting Update Presentation"
19. "180618 Mid-Kansas Minutes"
20. "180618 President's Report"
21. "180618 Sunflower Regular Minutes"
22. "180720 Presidents Report"
23. "180720 Sunflower Regular Minutes"
24. "180820 Presidents Report"
25. "180820 Sunflower Regular Minutes"
26. "180820BOD PP -Current Activities"
27. "180921 Mid-Kansas Minutes"
28. "180921 Presidents Report"
29. "180921 Sunflower Regular Minutes"
30. "180921BOD PP -Current Activities"
31. "181019 President's Report" \*\*

Submitted By: KEPCo

Submitted To: Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

#### Verification of Response

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to KEPCo any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: \_\_\_\_\_

Mark D. Calcara

Date: November 14, 2018

## KEPCo 3-1

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 3-01

Company Name                      MID-KANSAS ELECTRIC COMPANY, INC.  
    AND SUNFLOWER ELECTRIC POWER  
    CORPORATION

Docket No.                         19-SEPE-054-MER

Request Date                       December 10, 2018

Date Information Needed        December 24, 2018

RE:    Joint Application of Mid-Kansas Electric Company, Inc. and Sunflower Electric Power Corporation for Approval of a Merger of Mid-Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

For the avoidance of doubt, the term "document" or its plural as used in this request has the same meaning as the term as it is defined in K.A.R. § 82-1-204(e).

(a) Please provide all documents reviewed by, created by, or relied upon by Joint Applicants' witness Bruce W. Mueller related to the subject matter of his direct testimony.

**12/26/2018 Response:**

**Without waiving the objection, Mr. Mueller has potentially reviewed or relied upon an untold number of documents and information related to the subject matter of his testimony. It would be literally impossible to provide all the documents that he may have reviewed, created or relied upon to inform and form his testimony related to the subject matter of his testimony. He did not create any specific documents related to his testimony. Although he viewed the documents listed in the Joint Applicants' privilege log, and such documents assisted him in varying degrees in developing his testimony, he relied primarily on his education, training, years of work experience in the utility industry and information gained over the years as a director of the Sunflower and Mid-Kansas Boards and as the manager of Wheatland Electric.**

(b) Please provide all documents reviewed by, created by, or relied upon by Joint Applicants' witness Bruce W. Mueller to develop his direct testimony.

**12/26/2018 Response:**

**Without waiving the objection, see response to (a) above.**

(c) Please identify each document that was reviewed by, created by, or relied upon by Mr. Mueller that is listed within the privilege log produced by Joint Applicants as Exhibit A to Joint Applicants' Reply to Motion to Compel Responses to Discovery, Request for Expedited Ruling of Kansas Electric Power Cooperative, Inc. filed with the Commission on December 4, 2018.

**12/26/2018 Response:**

**Mr. Mueller viewed all of the documents listed in the privilege log. He did not create any of the documents listed. Also, see response to (a) and (b) above.**

**12/17/2018 Objection:**

Joint Applicants object to the Requests (a) and (b) to the extent it seeks information, communications, and/or documents that are protected by the attorney-client privilege, the attorney work-product doctrine, common interest privilege, or any other constitutional, statutory or common-law privilege or doctrine. Joint Applicants object to the Request (a) and (b) as overbroad and unduly burdensome. Joint Applicants object to the Request (a) and (b) to the extent it is vague and fails to identify with reasonable particularity the information or documents sought.

The Request set no time frame for the inquiry. The witness has potentially "reviewed, created or relied upon" an untold number of documents and information on these subject matters during his education, training and work experiences that form the basis for his testimony, and it is beyond the capability of the respondent to produce such a vast array of potential documents. Even if the subject matter only relates to Sunflower and Mid-Kansas, documents "reviewed, created or relied upon" to determine the witness's support for the merger would still entail the witness's entire prior years of education, training and experience in this field and as a director of Sunflower and Mid-Kansas.

Submitted By KEPCo

Submitted To Joint Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to KEPCo any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: 

Bruce W. Mueller

Dated: 12/26/2018

## **KEPCo 3-2**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 3-02

Company Name                      MID-KANSAS ELECTRIC COMPANY, INC.  
   AND SUNFLOWER ELECTRIC POWER  
   CORPORATION

Docket No.                              19-SEPE-054-MER

Request Date                            December 10, 2018

Date Information Needed      December 24, 2018

RE:    Joint Application of Mid-Kansas Electric Company, Inc. and Sunflower Electric Power Corporation for Approval of a Merger of Mid-Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

For the avoidance of doubt, the term “document” or its plural as used in this request has the same meaning as the term as it is defined in K.A.R. § 82-1-204(e).

(a) Please provide all documents reviewed by, created by, or relied upon by Joint Applicants’ witness Shane Laws related to the subject matter of his direct testimony.

**12/26/2018 Response:**

Without waiving the objection, Mr. Laws has potentially reviewed or relied upon an untold number of documents and information related to the subject matter of his testimony. It would be literally impossible to provide all the documents that he may have reviewed, created or relied upon to inform and form his testimony related to the subject matter of his testimony. He did review the specific documents listed below to assist in his overall assessment of the decision to approve the merger which contributed in part to his testimony. Although he viewed the documents listed in the Joint Applicants’ privilege log, and such documents assisted him in varying degrees in developing his testimony, he relied primarily on his education, training, years of work experience in the utility industry and information gained over the years as a director of the Sunflower and Mid-Kansas Boards and as the CEO of Victory Electric.

See the following **CONFIDENTIAL** files (PDF) in the external file share:

1. “KEPCo\_DR\_3-02\_MKEC Merger Presentation v1”
2. “KEPCo\_DR\_3-02\_2018”
3. “KEPCo\_DR\_3-02\_no merger 2019”
4. “KEPCo\_DR\_3-02\_merger 2019”
5. “KEPCo\_DR\_3-02\_Victory\_Merger”

(b) Please provide all documents reviewed by, created by, or relied upon by Joint Applicants' witness Shane Laws to develop his direct testimony.

**12/26/2018 Response:**

**Without waiving the objection, see response to (a) above.**

(c) Please identify each document that was reviewed by, created by, or relied upon by Mr. Laws that is listed within the privilege log produced by Joint Applicants as Exhibit A to Joint Applicants' Reply to Motion to Compel Responses to Discovery, Request for Expedited Ruling of Kansas Electric Power Cooperative, Inc. filed with the Commission on December 4, 2018.

**12/26/2018 Response:**

**Mr. Laws viewed all of the documents listed in the privilege log. He did not create any of the documents listed. Also, see response to (a) and (b) above.**

**12/17/2018 Objection:**

Joint Applicants object to the Requests (a) and (b) to the extent it seeks information, communications, and/or documents that are protected by the attorney-client privilege, the attorney work-product doctrine, common interest privilege, or any other constitutional, statutory or common-law privilege or doctrine. Joint Applicants object to the Request (a) and (b) as overbroad and unduly burdensome. Joint Applicants object to the Request (a) and (b) to the extent it is vague and fails to identify with reasonable particularity the information or documents sought.

The Request set no time frame for the inquiry. The witness has potentially "reviewed, created or relied upon" an untold number of documents and information on these subject matters during his education, training and work experiences that form the basis for his testimony, and it is beyond the capability of the respondent to produce such a vast array of potential documents. Even if the subject matter only relates to Sunflower and Mid-Kansas, documents "reviewed, created or relied upon" to determine the witness's support for the merger would still entail the witness's entire prior years of education, training and experience in this field and as a director of Sunflower and Mid-Kansas.

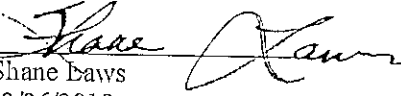
Submitted By KEPCo

Submitted To Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

Verification of Response

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to KEPCo any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed:   
Shane Bawls  
Dated: 12/26/2018

## KEPCo 3-5

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 3-05

Company Name                      MID-KANSAS ELECTRIC COMPANY, INC.  
    AND SUNFLOWER ELECTRIC POWER  
    CORPORATION

Docket No.                        19-SEPE-054-MER

Request Date                      December 10, 2018

Date Information Needed        December 24, 2018

RE:    Joint Application of Mid-Kansas Electric Company, Inc. and Sunflower Electric Power Corporation for Approval of a Merger of Mid-Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

For the avoidance of doubt, the term "document" or its plural as used in this request has the same meaning as the term as it is defined in K.A.R. § 82-1-204(e).

(a) Please provide all documents reviewed by, created by, or relied upon by Joint Applicants' witness Ed Wiltse related to the subject matter of his direct testimony.

**12/26/2018 Response:**

Without waiving the objection, Mr. Wiltse has potentially reviewed or relied upon an untold number of documents and information related to the subject matter of his testimony. It would be literally impossible to provide all the documents that he may have reviewed, created or relied upon to inform and form his testimony related to the subject matter of his testimony. He did not create any specific documents related to his testimony. Although he viewed the documents listed in the Joint Applicants' privilege log, and such documents assisted him in varying degrees in developing his testimony, he relied primarily on his education, training, years of work experience in the utility industry and information gained over the years as a director of the Sunflower Board, attendance at the Mid-Kansas board meetings and as the manager of Lane-Scott Electric.

(b) Please provide all documents reviewed by, created by, or relied upon by Joint Applicants' witness Ed Wiltse to develop his direct testimony.

**12/26/2018 Response:**

Without waiving the objection, see response to (a) above.

(c) Please identify each document that was reviewed by, created by, or relied upon by Mr. Wiltse that is listed within the privilege log produced by Joint Applicants as Exhibit A to Joint Applicants' Reply to Motion to Compel Responses to Discovery, Request for Expedited Ruling of Kansas Electric Power Cooperative, Inc. filed with the Commission on December 4, 2018.

**12/26/2018 Response:**

**Mr. Wiltse viewed all of the documents listed in the privilege log. He did not create any of the documents listed. Also, see response to (a) and (b) above.**

**12/17/2018 Objection:**

Joint Applicants object to the Requests (a) and (b) to the extent it seeks information, communications, and/or documents that are protected by the attorney-client privilege, the attorney work-product doctrine, common interest privilege, or any other constitutional, statutory or common-law privilege or doctrine. Joint Applicants object to the Request (a) and (b) as overbroad and unduly burdensome. Joint Applicants object to the Request (a) and (b) to the extent it is vague and fails to identify with reasonable particularity the information or documents sought.

The Request set no time frame for the inquiry. The witness has potentially "reviewed, created or relied upon" an untold number of documents and information on these subject matters during his education, training and work experiences that form the basis for his testimony, and it is beyond the capability of the respondent to produce such a vast array of potential documents. Even if the subject matter only relates to Sunflower and Mid-Kansas, documents "reviewed, created or relied upon" to determine the witnesses support for the merger would still entail the witness's entire prior years of education, training and experience in this field and as a director of Sunflower and alternate director of Mid-Kansas.

Submitted By KEPCo

Submitted To Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

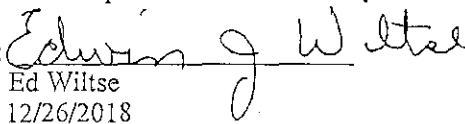
**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to KEPCo any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed:

Ed Wiltse

Dated: 12/26/2018



## **KEPCo 3-6**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 3-06

Company Name                      MID-KANSAS ELECTRIC COMPANY, INC.  
   AND SUNFLOWER ELECTRIC POWER  
   CORPORATION

Docket No.                        19-SEPE-054-MER

Request Date                      December 10, 2018

Date Information Needed        December 24, 2018

RE:    Joint Application of Mid-Kansas Electric Company, Inc. and Sunflower Electric Power Corporation for Approval of a Merger of Mid-Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

For the avoidance of doubt, the term "document" or its plural as used in this request has the same meaning as the term as it is defined in K.A.R. § 82-1-204(e).

(a) Please provide all documents reviewed by, created by, or relied upon by Joint Applicants' witness Allan J. Miller related to the subject matter of his direct testimony.

**12/26/2018 Response:**

Without waiving the objection, Mr. Miller has potentially reviewed or relied upon an untold number of documents and information related to the subject matter of his testimony. It would be literally impossible to provide all the documents that he may have reviewed, created or relied upon to inform and form his testimony related to the subject matter of his testimony. He did not create any specific documents related to his testimony. Although he viewed the documents listed in the Joint Applicants' privilege log, and such documents assisted him in varying degrees in developing his testimony, he relied primarily on his education, training, years of work experience in the utility industry and information gained over the years as a director of the Sunflower and Mid-Kansas Boards and as the CEO of Prairie Land Electric.

(b) Please provide all documents reviewed by, created by, or relied upon by Joint Applicants' witness Allan J. Miller to develop his direct testimony.

**12/26/2018 Response:**

Without waiving the objection, see response to (a) above.

(c) Please identify each document that was reviewed by, created by, or relied upon by Mr. Miller that is listed within the privilege log produced by Joint Applicants as Exhibit A to Joint Applicants' Reply to Motion to Compel Responses to Discovery, Request for Expedited Ruling of Kansas Electric Power Cooperative, Inc. filed with the Commission on December 4, 2018.

**12/26/2018 Response:**

**Mr. Miller viewed all of the documents listed in the privilege log. He did not create any of the documents listed. Also, see response to (a) and (b) above.**

**12/17/2018 Objection:**

Joint Applicants object to the Requests (a) and (b) to the extent it seeks information, communications, and/or documents that are protected by the attorney-client privilege, the attorney work-product doctrine, common interest privilege, or any other constitutional, statutory or common-law privilege or doctrine. Joint Applicants object to the Request (a) and (b) as overbroad and unduly burdensome. Joint Applicants object to the Request (a) and (b) to the extent it is vague and fails to identify with reasonable particularity the information or documents sought.

The Request set no time frame for the inquiry. The witness has potentially "reviewed, created or relied upon" an untold number of documents and information on these subject matters during his education, training and work experiences that form the basis for his testimony, and it is beyond the capability of the respondent to produce such a vast array of potential documents. Even if the subject matter only relates to Sunflower and Mid-Kansas, documents "reviewed, created or relied upon" to determine the witnesses support for the merger would still entail the witness's entire prior years of education, training and experience in this field and as a director of Sunflower and Mid-Kansas.

Submitted By KEPCo

Submitted To Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to KEPCo any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: 

Allan Miller

Dated: 12/26/2018

## **KEPCo 3-7**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 3-07

Company Name                      MID-KANSAS ELECTRIC COMPANY, INC.  
    AND SUNFLOWER ELECTRIC POWER  
    CORPORATION

Docket No.                        19-SEPE-054-MER

Request Date                      December 10, 2018

Date Information Needed        December 24, 2018

RE:    Joint Application of Mid-Kansas Electric Company, Inc. and Sunflower Electric Power Corporation for Approval of a Merger of Mid-Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

For the avoidance of doubt, the term "document" or its plural as used in this request has the same meaning as the term as it is defined in K.A.R. § 82-1-204(e).

(a) Please provide all documents reviewed by, created by, or relied upon by Joint Applicants' witness Kyle E. Nelson related to the subject matter of his direct testimony.

**12/26/2018 Response:**

Without waiving the objection, Mr. Nelson has potentially reviewed or relied upon an untold number of documents and information related to the subject matter of his testimony. It would be literally impossible to provide all the documents that he may have reviewed, created or relied upon to inform and form his testimony related to the subject matter of his testimony. He did not create any specific documents related to his testimony. As the Chief Operating Officer and a staff member who attends the Board meetings, he viewed the documents listed in the Joint Applicants' privilege log, but he relied primarily on his education, training, years of work experience in the utility industry and information gained over the years as a Chief Operating Officer of Sunflower and Mid-Kansas who is intimately familiar with the generation resources of both companies.

(b) Please provide all documents reviewed by, created by, or relied upon by Joint Applicants' witness Kyle E. Nelson to develop his direct testimony.

**12/26/2018 Response:**

Without waiving the objection, see response to (a) above.

(c) Please identify each document that was reviewed by, created by, or relied upon by Mr. Nelson that is listed within the privilege log produced by Joint Applicants as Exhibit A to Joint Applicants' Reply to Motion to Compel Responses to Discovery, Request for Expedited Ruling of Kansas Electric Power Cooperative, Inc. filed with the Commission on December 4, 2018.

**12/26/2018 Response:**

Mr. Nelson viewed all of the documents listed in the privilege log. He did not create any of the documents listed. Also, see response to (a) and (b) above.

**12/17/2018 Objection:**

Joint Applicants object to the Requests (a) and (b) to the extent it seeks information, communications, and/or documents that are protected by the attorney-client privilege, the attorney work-product doctrine, common interest privilege, or any other constitutional, statutory or common-law privilege or doctrine. Joint Applicants object to the Request (a) and (b) as overbroad and unduly burdensome. Joint Applicants object to the Request (a) and (b) to the extent it is vague and fails to identify with reasonable particularity the information or documents sought.

The Request set no time frame for the inquiry. The witness has potentially "reviewed, created or relied upon" an untold number of documents and information on these subject matters during his education, training and work experiences that form the basis for his testimony, and it is beyond the capability of the respondent to produce such a vast array of potential documents. Even if the subject matter only relates to Sunflower and Mid-Kansas, documents "reviewed, created or relied upon" to determine the witnesses support for the merger would still entail the witness's entire prior years of education, training and experience in this field and as the Chief Operating Officer of Sunflower and Mid-Kansas.

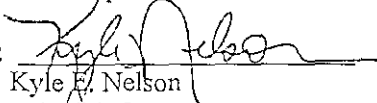
Submitted By KEPCo

Submitted To Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to KEPCo any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed:   
Kyle E. Nelson  
Dated: 12/26/2018

## KEPCo 3-8

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 3-08

Company Name                      MID-KANSAS ELECTRIC COMPANY, INC.  
    AND SUNFLOWER ELECTRIC POWER  
    CORPORATION

Docket No.                        19-SEPE-054-MER

Request Date                      December 10, 2018

Date Information Needed        December 24, 2018

RE:    Joint Application of Mid-Kansas Electric Company, Inc. and Sunflower Electric Power Corporation for Approval of a Merger of Mid-Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

For the avoidance of doubt, the term "document" or its plural as used in this request has the same meaning as the term as it is defined in K.A.R. § 82-1-204(e).

(a) Please provide all documents reviewed by, created by, or relied upon by Joint Applicants' witness H. Davis Rooney related to the subject matter of his direct testimony.

**12/26/2018 Response:**

Without waiving the objection, Mr. Rooney has potentially reviewed or relied upon an untold number of documents and information related to the subject matter of his testimony. It would be literally impossible to provide all the documents that he may have reviewed, created or relied upon to inform and form his testimony related to the subject matter of his testimony. As a member of the staff and as an attendee at Board meetings, he not only reviewed the documents listed in the Joint Applicants' privilege log, but assisted counsel in the creation of the documents. Certainly, the documents assisted him in varying degrees in developing his testimony, but he also relied significantly on his education, training, years of work experience in the utility industry and information gained over the years as the Chief Financial Officer of Sunflower and Mid-Kansas. Mr. Rooney would refer to the documents he provided to responses to earlier KEPCo and staff discovery request in response to what documents he relied upon in support of his testimony.

(b) Please provide all documents reviewed by, created by, or relied upon by Joint Applicants' witness H. Davis Rooney to develop his direct testimony.

**12/26/2018 Response:**

Without waiving the objection, see response to (a) above.

(c) Please identify each document that was reviewed by, created by, or relied upon by Mr. Rooney that is listed within the privilege log produced by Joint Applicants as Exhibit A to Joint Applicants' Reply to Motion to Compel Responses to Discovery, Request for Expedited Ruling of Kansas Electric Power Cooperative, Inc. filed with the Commission on December 4, 2018.

**12/26/2018 Response:**

Mr. Rooney viewed all of the documents listed in the privilege log. He did assist in the creation of the documents listed. Also, see response to (a) and (b) above. The materials Mr. Rooney relied upon to prepare his direct testimony are included in the response to KEPCo DR 1-16.

**12/17/2018 Objection:**

Joint Applicants object to the Requests (a) and (b) to the extent it seeks information, communications, and/or documents that are protected by the attorney-client privilege, the attorney work-product doctrine, common interest privilege, or any other constitutional, statutory or common-law privilege or doctrine. Joint Applicants object to the Request (a) and (b) as overbroad and unduly burdensome. Joint Applicants object to the Request (a) and (b) to the extent it is vague and fails to identify with reasonable particularity the information or documents sought.

The Request set no time frame for the inquiry. The witness has potentially "reviewed, created or relied upon" an untold number of documents and information on these subject matters during his education, training and work experiences that form the basis for his testimony, and it is beyond the capability of the respondent to produce such a vast array of potential documents. Even if the subject matter only relates to Sunflower and Mid-Kansas, documents "reviewed, created or relied upon" to determine the witnesses support for the merger would still entail the witness's entire prior years of education, training and experience in this field and as the Chief Financial Officer of Sunflower and Mid-Kansas.

Submitted By KEPCo

Submitted To Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to KEPCo any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: 

Davis Rooney

Dated: 12/26/2018

## **KEPCo 3-3**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 3-03

Company Name                      MID-KANSAS ELECTRIC COMPANY, INC.  
    AND SUNFLOWER ELECTRIC POWER  
    CORPORATION

Docket No.                        19-SEPE-054-MER

Request Date                      December 10, 2018

Date Information Needed        December 24, 2018

RE:    Joint Application of Mid-Kansas Electric Company, Inc. and Sunflower Electric Power Corporation for Approval of a Merger of Mid-Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

For the avoidance of doubt, the term “document” or its plural as used in this request has the same meaning as the term as it is defined in K.A.R. § 82-1-204(e).

(a) Please provide all documents reviewed by, created by, or relied upon by Joint Applicants’ witness Tom Ruth related to the subject matter of his direct testimony.

**12/26/2018 Response:**

Without waiving the objection, Mr. Ruth has potentially reviewed or relied upon an untold number of documents and information related to the subject matter of his testimony. It would be literally impossible to provide all the documents that he may have reviewed, created or relied upon to inform and form his testimony related to the subject matter of his testimony. He did not create any specific documents related to his testimony. He did view certain documents listed in the privilege log that were presented to the Board after he joined the Board of Directors in April 2018, and such documents assisted him in varying degrees in developing his testimony, but he relied primarily on his education, training, years of work experience in the utility industry and information from discussions with his staff, information gained as a director of the Sunflower and Mid-Kansas Boards and as the manager of Western Cooperative Electric.

(b) Please provide all documents reviewed by, created by, or relied upon by Joint Applicants’ witness Tom Ruth to develop his direct testimony.

**12/26/2018 Response:**

Without waiving the objection, see response to (a) above.

(c) Please identify each document that was reviewed by, created by, or relied upon by Mr. Ruth that is listed within the privilege log produced by Joint Applicants as Exhibit A to Joint Applicants' Reply to Motion to Compel Responses to Discovery, Request for Expedited Ruling of Kansas Electric Power Cooperative, Inc. filed with the Commission on December 4, 2018.

**12/26/2018 Response:**

**Mr. Ruth did view the documents listed in the privilege log that were presented to the Board after he joined the Boards of Directors in April 2018. Also, see response to (a) and (b) above.**

**12/17/2018 Objection:**

Joint Applicants object to the Requests (a) and (b) to the extent it seeks information, communications, and/or documents that are protected by the attorney-client privilege, the attorney work-product doctrine, common interest privilege, or any other constitutional, statutory or common-law privilege or doctrine. Joint Applicants object to the Request (a) and (b) as overbroad and unduly burdensome. Joint Applicants object to the Request (a) and (b) to the extent it is vague and fails to identify with reasonable particularity the information or documents sought.

The Request set no time frame for the inquiry. The witness has potentially "reviewed, created or relied upon" an untold number of documents and information on these subject matters during his education, training and work experiences that form the basis for his testimony, and it is beyond the capability of the respondent to produce such a vast array of potential documents. Even if the subject matter only relates to Sunflower and Mid-Kansas, documents "reviewed, created or relied upon" to determine the witness's support for the merger would still entail the witness's entire prior years of education, training and experience in this field and as a director of Sunflower and Mid-Kansas.

Submitted By KEPCo

Submitted To Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to KEPCo any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: Tom Ruth  
Tom Ruth  
Dated: 12/26/2018

## KEPCo 3-4

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 3-04

Company Name                      MID-KANSAS ELECTRIC COMPANY, INC.  
    AND SUNFLOWER ELECTRIC POWER  
    CORPORATION

Docket No.                         19-SEPE-054-MER

Request Date                      December 10, 2018

Date Information Needed        December 24, 2018

RE:    Joint Application of Mid-Kansas Electric Company, Inc. and Sunflower Electric Power Corporation for Approval of a Merger of Mid-Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

For the avoidance of doubt, the term "document" or its plural as used in this request has the same meaning as the term as it is defined in K.A.R. § 82-1-204(e).

(a) Please provide all documents reviewed by, created by, or relied upon by Joint Applicants' witness Stephen J. Epperson related to the subject matter of his direct testimony.

**12/26/2018 Response:**

Without waiving the objection, Mr. Epperson has potentially reviewed or relied upon an untold number of documents and information related to the subject matter of his testimony. It would be literally impossible to provide all the documents that he may have reviewed, created or relied upon to inform and form his testimony related to the subject matter of his testimony. He did not create any specific documents related to his testimony. Although he viewed the documents listed in the Joint Applicants' privilege log, and such documents assisted him in varying degrees in developing his testimony, he relied primarily on his education, training, years of work experience in the utility industry and information gained over the years as a director of the Sunflower and Mid-Kansas Boards and as the CEO of Pioneer Electric and Southern Pioneer Electric.

(b) Please provide all documents reviewed by, created by, or relied upon by Joint Applicants' witness Stephen J. Epperson to develop his direct testimony.

**12/26/2018 Response:**

Without waiving the objection, see response to (a) above.

(c) Please identify each document that was reviewed by, created by, or relied upon by Mr. Epperson that is listed within the privilege log produced by Joint Applicants as Exhibit A to Joint Applicants' Reply to Motion to Compel Responses to Discovery, Request for Expedited Ruling of Kansas Electric Power Cooperative, Inc. filed with the Commission on December 4, 2018.

**12/26/2018 Response:**

**Mr. Epperson viewed all of the documents listed in the privilege log. He did not create any of the documents listed. Also, see response to (a) and (b) above.**

**12/17/2018 Objection:**

Joint Applicants object to the Requests (a) and (b) to the extent it seeks information, communications, and/or documents that are protected by the attorney-client privilege, the attorney work-product doctrine, common interest privilege, or any other constitutional, statutory or common-law privilege or doctrine. Joint Applicants object to the Request (a) and (b) as overbroad and unduly burdensome. Joint Applicants object to the Request (a) and (b) to the extent it is vague and fails to identify with reasonable particularity the information or documents sought.

The Request set no time frame for the inquiry. The witness has potentially "reviewed, created or relied upon" an untold number of documents and information on these subject matters during his education, training and work experiences that form the basis for his testimony, and it is beyond the capability of the respondent to produce such a vast array of potential documents. Even if the subject matter only relates to Sunflower and Mid-Kansas, documents "reviewed, created or relied upon" to determine the witnesses support for the merger would still entail the witness's entire prior years of education, training and experience in this field and as a director of Sunflower and Mid-Kansas.

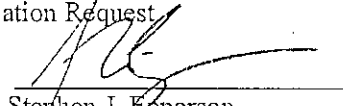
Submitted By KEPCo

Submitted To Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to KEPCo any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed:   
Stephen J. Epperson  
Dated: 12/26/2018

## **KEPCo 3-9**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 3-09

Company Name                      MID-KANSAS ELECTRIC COMPANY, INC.  
   AND SUNFLOWER ELECTRIC POWER  
   CORPORATION

Docket No.                              19-SEPE-054-MER

Request Date                            December 10, 2018

Date Information Needed      December 24, 2018

RE:    Joint Application of Mid-Kansas Electric Company, Inc. and Sunflower Electric Power Corporation for Approval of a Merger of Mid-Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

For the avoidance of doubt, the term "document" or its plural as used in this request has the same meaning as the term as it is defined in K.A.R. § 82-1-204(e).

(a) Please provide all documents reviewed by, created by, or relied upon by Joint Applicants' witness Stuart S. Lowry related to the subject matter of his direct testimony.

**12/26/2018 Response:**

Without waiving the objection, Mr. Lowry has potentially reviewed or relied upon an untold number of documents and information related to the subject matter of his testimony. It would be literally impossible to provide all the documents that he may have reviewed, created or relied upon to inform and form his testimony related to the subject matter of his testimony. As the CEO and as an attendee at Board meetings, he not only reviewed the documents listed in the Joint Applicants' privilege log, but assisted counsel in the creation of the documents. Certainly, the documents assisted him in varying degrees in developing his testimony, but he also relied significantly on his education, training, years of work experience in the utility industry and information gained over the years as the CEO of Sunflower and Mid-Kansas.

(b) Please provide all documents reviewed by, created by, or relied upon by Joint Applicants' witness Stuart S. Lowry to develop his direct testimony.

**12/26/2018 Response:**

Without waiving the objection, see response to (a) above.

(c) Please identify each document that was reviewed by, created by, or relied upon by Mr. Lowry that is listed within the privilege log produced by Joint Applicants as Exhibit A to Joint Applicants' Reply to Motion to Compel Responses to Discovery, Request for Expedited Ruling of Kansas Electric Power Cooperative, Inc. filed with the Commission on December 4, 2018.

**12/26/2018 Response:**

**Mr. Lowry viewed all of the documents listed in the privilege log. He did assist in the creation of the documents listed. Also, see response to (a) and (b) above.**

**12/17/2018 Objection:**

Joint Applicants object to the Requests (a) and (b) to the extent it seeks information, communications, and/or documents that are protected by the attorney-client privilege, the attorney work-product doctrine, common interest privilege, or any other constitutional, statutory or common-law privilege or doctrine. Joint Applicants object to the Request (a) and (b) as overbroad and unduly burdensome. Joint Applicants object to the Request (a) and (b) to the extent it is vague and fails to identify with reasonable particularity the information or documents sought.

The Request set no time frame for the inquiry. The witness has potentially "reviewed, created or relied upon" an untold number of documents and information on these subject matters during his education, training and work experiences that form the basis for his testimony, and it is beyond the capability of the respondent to produce such a vast array of potential documents. Even if the subject matter only relates to Sunflower and Mid-Kansas, documents "reviewed, created or relied upon" to determine the witnesses support for the merger would still entail the witness's entire prior years of education, training and experience in this field and as the Chief Executive Officer of Sunflower and Mid-Kansas.

Submitted By KEPCo

Submitted To Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to KEPCo any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: 

Stuart S. Lowry

Dated: 12/26/2018

## KEPCo 4-1

## Kansas Electric Power Cooperative, Inc. Information Request

Request No: 4-01

Company Name **SUNFLOWER ELECTRIC POWER CORPORATION,  
and MID-KANSAS ELECTRIC COMPANY, INC.**

Docket No. 19-SEPE-054-MER

Request Date December 11, 2018

Date Information Needed December 27, 2018

RE: In the Matter of the Joint Application of Sunflower Electric Power Corporation and Mid-Kansas Electric Company, Inc. for an Order Approving the Merger of Mid-Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

Refer to the Direct Testimony of Allan Miller, 4:12-13 and to the extent not already provided in response to KEPCo request 3-06, please provide a copy of all documents, reports, analyses, presentations utilized by the Board of Prairie Land in making its determination that the proposed merger was the “right decision for the success of Prairie Land and our member owners.” Please provide all requested documents in electronic form, with all spreadsheet links and formulas intact, source data used, and explain all assumptions and calculations used. To the extent the data requested is not available in the form requested, please provide the information in the form that most closely matches what has been requested.

**12/27/2018 Response:**

Without waiving the objections, see response to KEPCo DR 3-06. There were no documents, reports, analysis, presentations utilized by the Prairie Land Board in making its decision the proposed merger was the “right decision” for the success of Prairie Land and its member owners. Mr. Miller and many of his Board Trustees and staff were intimately involved in the acquisition of Aquila and the initial determination that merging the two companies at the first opportune time would be the right decision. That determination never changed.

12/18/2018 Objection:

Joint Applicants object to the Request to the extent it seeks information, communications, and/or documents that are protected by the attorney-client privilege, the attorney work-product doctrine, common interest privilege, or any other constitutional, statutory or common-law privilege or doctrine. Joint Applicants object to the Request as overbroad and unduly burdensome. Joint Applicants object to the Request to the extent it is vague and fails to identify with reasonable particularity the information or documents sought.

The Request set no time frame for the inquiry. The witness has potentially “reviewed, created or relied upon” an untold number of documents and information on these subject matters during his education, training and work experiences that form the basis for his testimony, and is beyond the capability of the respondent to produce such a vast array of potential documents. Even if the subject matter only relates to Sunflower and Mid-Kansas, documents “reviewed, created or relied upon” to determine the witnesses support for the merger would still entail the witness’s reliance upon prior years of education, training and experience in this field and as a director of Sunflower and Mid-Kansas.

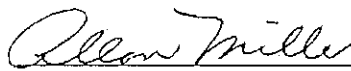
Submitted By KEPCo

Submitted To Joint Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

#### **Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed:   
Allan Miller  
Dated: 12/27/2018

## KEPCo 4-6

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 4-06

Company Name                      SUNFLOWER ELECTRIC POWER CORPORATION,  
and MID-KANSAS ELECTRIC COMPANY, INC.

Docket No.                        19-SEPE-054-MER

Request Date                      December 11, 2018

Date Information Needed        December 27, 2018

RE:    In the Matter of the Joint Application of Sunflower Electric Power Corporation and  
Mid-Kansas Electric Company, Inc. for an Order Approving the Merger of Mid-  
Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

Refer to the Direct Testimony of Bruce Mueller, 4:18-21, and to the extent not already provided in response to KEPCo request 3-01, please provide a copy of all studies prepared by Wheatland or the Joint Applicants supporting the assertion that the proposed merger will result in an entity with a greater ability to absorb losses of sources of generation and load than either Sunflower Electric or Mid-Kansas Electric. Please provide all requested documents in electronic form, with all spreadsheet links and formulas intact, source data used, and explain all assumptions and calculations used. To the extent the data requested is not available in the form requested, please provide the information in the form that most closely matches what has been requested.

**12/27/2018 Response:**

**Without waiving the objection, see response to KEPCo DR 3-01. Wheatland did not perform studies supporting the assertion. Please refer to all studies provided by Joint Applicants herein and to prior responses to data requests.**

**12/18/2018 Objection:**

Joint Applicants object to the Request to the extent it seeks information, communications, and/or documents that are protected by the attorney-client privilege, the attorney work-product doctrine, common interest privilege, or any other constitutional, statutory or common-law privilege or doctrine.

Submitted By KEPCo

Submitted To Joint Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

#### Verification of Response

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed:   
Bruce Mueller

Dated: 12/27/2018

## KEPCo 4-10

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 4-10

Company Name                      SUNFLOWER ELECTRIC POWER CORPORATION,  
and MID-KANSAS ELECTRIC COMPANY, INC.

Docket No.                        19-SEPE-054-MER

Request Date                      December 11, 2018

Date Information Needed        December 27, 2018

RE:    In the Matter of the Joint Application of Sunflower Electric Power Corporation and  
Mid-Kansas Electric Company, Inc. for an Order Approving the Merger of Mid-  
Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

Refer to the Direct Testimony of Shane Laws, 6:22-23, and to the extent not already provided in response to KEPCo request 3-02, please provide a copy of all studies prepared by Victory or the Joint Applicants supporting the assertion that the proposed merger will result in an entity with "greater rate stabilization and lower costs of operation" than either Sunflower Electric or Mid-Kansas Electric. Please provide all requested documents in electronic form, with all spreadsheet links and formulas intact, source data used, and explain all assumptions and calculations used. To the extent the data requested is not available in the form requested, please provide the information in the form that most closely matches what has been requested.

**12/27/2018 Response:**

Without waiving the objection, see response to KEPCo DR 3-02, including the documents produced. Other than the documents produced pursuant to KEPCo DR 3-02, Victory did not perform specific studies supporting the assertion. Please refer to all studies provided by Joint Applicants herein and to prior responses to data requests.

**12/18/2018 Objection:**

Joint Applicants object to the Request to the extent it seeks information, communications, and/or documents that are protected by the attorney-client privilege, the attorney work-product doctrine, common interest privilege, or any other constitutional, statutory or common-law privilege or doctrine.

Submitted By KEPCo

Submitted To Joint Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

#### Verification of Response

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed:   
Shane Laws

Dated: 12/27/2018

## **KEPCo 4-15**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 4-15

Company Name                      SUNFLOWER ELECTRIC POWER CORPORATION,  
and MID-KANSAS ELECTRIC COMPANY, INC.

Docket No.                        19-SEPE-054-MER

Request Date                      December 11, 2018

Date Information Needed        December 27, 2018

RE:    In the Matter of the Joint Application of Sunflower Electric Power Corporation and  
Mid-Kansas Electric Company, Inc. for an Order Approving the Merger of Mid-  
Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

Refer to the Direct Testimony of Tom Ruth, 4:16-20, and to the extent not already provided in response to KEPCo request 3-03, please provide copies of all documents, reports, analyses, presentations utilized by the Board of Western in 2007 to reach its conclusion that the decision to merge Mid-Kansas Electric Company into Sunflower was the "right decision" for Western and its members. Please provide all requested documents in electronic form, with all spreadsheet links and formulas intact, source data used, and explain all assumptions and calculations used. To the extent the data requested is not available in the form requested, please provide the information in the form that most closely matches what has been requested.

**12/27/2018 Response:**

Without waiving the objection, see response to KEPCo DR 3-03. The Board of Western over the years since 2007 has potentially reviewed an untold number of documents and information which served as a basis for its conclusion and would be beyond the capability of Western to identify and produce such a vast array of potential documents. For purposes of its assertion the Board did not rely upon any specific written documents, reports, analysis or presentations to reach its conclusion. It primarily relied upon its familiarity with Mid-Kansas and Sunflower as a member and on the years of experience of Western's staff.

**12/18/2018 Objection:**

Joint Applicants object to the Request to the extent it seeks information, communications, and/or documents that are protected by the attorney-client privilege, the attorney work-product doctrine, common interest privilege, or any other constitutional, statutory or common-law privilege or doctrine.

Submitted By KEPCo

Submitted To Joint Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: Tom Ruth  
Tom Ruth

Dated: 12/27/2018

## KEPCo 4-11

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 4-11

Company Name                      SUNFLOWER ELECTRIC POWER CORPORATION,  
and MID-KANSAS ELECTRIC COMPANY, INC.

Docket No.                        19-SEPE-054-MER

Request Date                      December 11, 2018

Date Information Needed        December 27, 2018

RE:    In the Matter of the Joint Application of Sunflower Electric Power Corporation and  
Mid-Kansas Electric Company, Inc. for an Order Approving the Merger of Mid-  
Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

Refer to the Direct Testimony of Stephen J. Epperson for Pioneer, 5:7-12, and to the extent not already provided in response to KEPCo request 3-04, please provide a copy of all studies prepared by Pioneer or the Joint Applicants supporting the assertion that the proposed merger will result in an entity with "greater rate stability" and lower costs than either Sunflower Electric or Mid-Kansas Electric. Please provide all requested documents in electronic form, with all spreadsheet links and formulas intact, source data used, and explain all assumptions and calculations used. To the extent the data requested is not available in the form requested, please provide the information in the form that most closely matches what has been requested.

**12/27/2018 Response:**

**Without waiving the objection, see response to KEPCo DR 3-04. Pioneer did not perform studies supporting the assertion. Please refer to all studies provided by Joint Applicants herein and to prior responses to data requests.**

**12/18/2018 Objection:**

Joint Applicants object to the Request to the extent it seeks information, communications, and/or documents that are protected by the attorney-client privilege, the attorney work-product doctrine, common interest privilege, or any other constitutional, statutory or common-law privilege or doctrine.

Submitted By KEPCo

Submitted To Joint Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

### Verification of Response

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: \_\_\_\_\_

  
Steve Epperson

Dated: 12/27/2018

## **KEPCo 4-12**

# Kansas Electric Power Cooperative, Inc.

## Information Request

Request No: 4-12

Company Name SUNFLOWER ELECTRIC POWER CORPORATION,  
and MID-KANSAS ELECTRIC COMPANY, INC.

Docket No. 19-SEPE-054-MER

Request Date December 11, 2018

Date Information Needed      December 27, 2018

RE: In the Matter of the Joint Application of Sunflower Electric Power Corporation and Mid-Kansas Electric Company, Inc. for an Order Approving the Merger of Mid-Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

Refer to the Direct Testimony of Stephen J. Epperson for Pioneer, 5:1-4, and to the extent not already provided in response to KEPCo request 3-04, please provide a copy of all studies prepared by Pioneer or the Joint Applicants supporting the assertion that the proposed merger will result in an entity with “lower costs and more rate stability” than either Sunflower Electric or Mid-Kansas Electric. Please provide all requested documents in electronic form, with all spreadsheet links and formulas intact, source data used, and explain all assumptions and calculations used. To the extent the data requested is not available in the form requested, please provide the information in the form that most closely matches what has been requested.

**12/27/2018 Response:**

Without waiving the objection, see response to KEPCo DR 3-04. Pioneer did not perform studies supporting the assertion. Please refer to all studies provided by Joint Applicants herein and to prior responses to data requests.

12/18/2018 Objection:

Joint Applicants object to the Request to the extent it seeks information, communications, and/or documents that are protected by the attorney-client privilege, the attorney work-product doctrine, common interest privilege, or any other constitutional, statutory or common-law privilege or doctrine.

Submitted By KEPCo

Submitted To Joint Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

#### Verification of Response

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: \_\_\_\_\_

Steve Epperson

Dated: 12/27/2018

## **KEPCo 4-14**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 4-14

Company Name

SUNFLOWER ELECTRIC POWER CORPORATION,  
and MID-KANSAS ELECTRIC COMPANY, INC.

Docket No.

19-SEPE-054-MER

Request Date

December 11, 2018

Date Information Needed

December 27, 2018

RE: In the Matter of the Joint Application of Sunflower Electric Power Corporation and Mid-Kansas Electric Company, Inc. for an Order Approving the Merger of Mid-Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

Refer to the Direct Testimony of Stephen J. Epperson for Southern Pioneer, 6:17-19, and to the extent not already provided in response to KEPCo request 3-04, please provide a copy of all studies prepared by Southern Pioneer Electric Cooperative or the Joint Applicants supporting the assertion that the proposed merger will result in an entity with "lower costs and more rate stability" than either Sunflower Electric or Mid-Kansas Electric. Please provide all requested documents in electronic form, with all spreadsheet links and formulas intact, source data used, and explain all assumptions and calculations used. To the extent the data requested is not available in the form requested, please provide the information in the form that most closely matches what has been requested.

**12/27/2018 Response:**

Without waiving the objection, see response to KEPCo DR 3-04. Southern Pioneer has not performed studies supporting the assertion. Please refer to all studies provided by Joint Applicants herein and to prior responses to data requests.

12/18/2018 Objection:

Joint Applicants object to the Request to the extent it seeks information, communications, and/or documents that are protected by the attorney-client privilege, the attorney work-product doctrine, common interest privilege, or any other constitutional, statutory or common-law privilege or doctrine.

Submitted By KEPCo

Submitted To Joint Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: \_\_\_\_\_

  
Steve Epperson

Dated: 12/27/2018

## **KEPCo 4-16**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 4-16

Company Name SUNFLOWER ELECTRIC POWER CORPORATION,  
and MID-KANSAS ELECTRIC COMPANY, INC.

Docket No. 19-SEPE-054-MER

Request Date December 11, 2018

Date Information Needed December 27, 2018

RE: In the Matter of the Joint Application of Sunflower Electric Power Corporation and Mid-Kansas Electric Company, Inc. for an Order Approving the Merger of Mid-Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

Refer to the Direct Testimony of Tom Ruth, 5:3-8, and to the extent not already provided in response to KEPCo request 3-03, please provide a copy of all studies prepared by Western or the Joint Applicants supporting the assertion that the proposed merger will result in “greater rate stabilization” than either Sunflower Electric or Mid-Kansas Electric. Please provide all requested documents in electronic form, with all spreadsheet links and formulas intact, source data used, and explain all assumptions and calculations used. To the extent the data requested is not available in the form requested, please provide the information in the form that most closely matches what has been requested.

**12/27/2018 Response: Without waiving the objection, see response to KEPCo DR 3-03. Western did not perform studies supporting the assertion. Please refer to all studies provided by Joint Applicants herein and to prior responses to data requests.**

12/18/2018 Objection:

Joint Applicants object to the Request to the extent it seeks information, communications, and/or documents that are protected by the attorney-client privilege, the attorney work-product doctrine, common interest privilege, or any other constitutional, statutory or common-law privilege or doctrine.

Submitted By KEPCo

Submitted To Joint Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

#### Verification of Response

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: Tom Ruth  
Tom Ruth

Dated: 12/27/2018

## KEPCo 4-4

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 4-04

Company Name                      SUNFLOWER ELECTRIC POWER CORPORATION,  
and MID-KANSAS ELECTRIC COMPANY, INC.

Docket No.                        19-SEPE-054-MER

Request Date                      December 11, 2018

Date Information Needed        December 27, 2018

RE:    In the Matter of the Joint Application of Sunflower Electric Power Corporation and  
Mid-Kansas Electric Company, Inc. for an Order Approving the Merger of Mid-  
Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

Refer to the Direct Testimony of Allan Miller, 5:14-17, please identify the monetary benefit associated with your statement that “[a] merged company will allow utilization of Sunflower’s Holcomb plant to serve as a hedge against rising gas pricing without extending or purchasing additional contracts for coal generation.” To the extent not already provided in response to KEPCo request 3-06, please provide all workpapers and supporting documents supporting your response. Please provide all requested documents in electronic form, with all spreadsheet links and formulas intact, source data used, and explain all assumptions and calculations used. To the extent the data requested is not available in the form requested, please provide the information in the form that most closely matches what has been requested.

**12/27/2018 Response:**

Without waiving the objections, see response to KEPCo DR 3-06. Mr. Miller has not quantified the monetary benefit. There are no documents Mr. Miller prepared or created to support his assertion. His assertion was based primarily on his education, training, years of work experience in the utility industry and information gained over the years as a director of the Sunflower and Mid-Kansas Boards, a member of KEPCo and as the CEO of Prairie Land Electric. His assertion is based upon his experience that a well-diversified generation portfolio acts as a hedge against rising prices of a particular fuel source. For example, if gas prices are rising, the power supplier can turn to less expensive fuel sources to generate the power supply, such as coal. The same is true if gas prices decrease to a point it is less expensive to run gas generation as opposed to coal fired generators. As a member of KEPCo, he is aware that KEPCo seeks to maintain a well-balanced generation mix for the same reason. It provides a hedge against fuel price movement.

Submitted By KEPCo

Submitted To Joint Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed:   
Allan Miller

Dated: 12/27/2018

## **KEPCo 4-8**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 4-08

Company Name                      SUNFLOWER ELECTRIC POWER CORPORATION,  
and MID-KANSAS ELECTRIC COMPANY, INC.

Docket No.                        19-SEPE-054-MER

Request Date                      December 11, 2018

Date Information Needed        December 27, 2018

RE:    In the Matter of the Joint Application of Sunflower Electric Power Corporation and  
Mid-Kansas Electric Company, Inc. for an Order Approving the Merger of Mid-  
Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

Refer to the Direct Testimony of Ed Wiltse, 5:9-11, and to the extent not already provided in response to KEPCo request 3-05, please identify the monetary benefit associated with the Joint Applicant's assertion that the merged entity will use the Holcomb facility to "serve as a hedge against rising gas prices without extending Mid-Kansas' current contract or purchasing additional contracts for coal generation." Please provide all workpapers and supporting documents supporting your response. Please provide all requested documents in electronic form, with all spreadsheet links and formulas intact, source data used, and explain all assumptions and calculations used. To the extent the data requested is not available in the form requested, please provide the information in the form that most closely matches what has been requested.

**12/27/2018 Response:**

See response to KEPCo DR 3-05. The DR ask Mr. Wiltse to identify the monetary benefits associated with the Joint Applicants' assertion. Mr. Wiltse will limit his response to his assertion in his testimony. Mr. Wiltse has not quantified the monetary benefit. Lane-Scott has not prepared studies supporting the assertion. His assertion was based primarily on his education, training, years of work experience in the utility industry and information gained over the years as a director of the Sunflower Board and manager of Lane-Scott. It has been his experience that a well-diversified generation portfolio acts as a hedge against rising prices of a particular fuel source. Also, earlier in his career as the manager of a member of KEPCo, Mr. Wiltse understood that KEPCo sought to maintain a well-balanced generation mix for the same reason. The Holcomb coal facility acts as a hedge against fluctuating gas prices while the gas generation reduces coal purchases as it displaces Holcomb generation with gas generation.

Submitted By KEPCo

Submitted To Joint Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: Edwin J. Wiltse  
Ed Wiltse

Dated: 12/27/2018

## KEPCo 4-9

## Kansas Electric Power Cooperative, Inc. Information Request

Request No: 4-09

Company Name                      SUNFLOWER ELECTRIC POWER CORPORATION,  
and MID-KANSAS ELECTRIC COMPANY, INC.

Docket No. 19-SEPE-054-MER

Request Date December 11, 2018

Date Information Needed December 27, 2018

RE: In the Matter of the Joint Application of Sunflower Electric Power Corporation and Mid-Kansas Electric Company, Inc. for an Order Approving the Merger of Mid-Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

Refer to the Direct Testimony of Kyle E. Nelson, 5:16-19, and to the extent not already provided in response to KEPCo request 3-07, identify the monetary benefit associated with your statement that the proposed merger will result in “an appropriately diversified generation portfolio able to withstand fluctuations in fuel pricing and potential disruptions in fuel delivery.” Please provide all workpapers and supporting documents supporting your response. Please provide all requested documents in electronic form, with all spreadsheet links and formulas intact, source data used, and explain all assumptions and calculations used. To the extent the data requested is not available in the form requested, please provide the information in the form that most closely matches what has been requested.

**12/27/2018 Response:**

Mr. Nelson has potentially reviewed or relied upon an untold number of documents and information related to the subject matter of his testimony. It would be literally impossible to provide all the documents that he may have reviewed, created or relied upon to inform and form his testimony related to the subject matter of his testimony. He did not create any specific documents related to his testimony. As the Chief Operating Officer and a staff member who attends the Board meetings, he viewed the documents listed in the Joint Applicants' privilege log, but he relied primarily on his education, training, years of work experience in the utility industry and information gained over the years as a Chief Operating Officer of Sunflower and Mid-Kansas who is intimately familiar with the generation resources of both companies.

Submitted By KEPCo

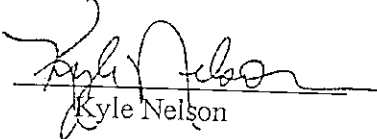
Submitted To Joint Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: \_\_\_\_\_

  
Kyle Nelson

Dated: 12/27/2018

## **KEPCo 4-13**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 4-13

Company Name                      SUNFLOWER ELECTRIC POWER CORPORATION,  
and MID-KANSAS ELECTRIC COMPANY, INC.

Docket No.                        19-SEPE-054-MER

Request Date                      December 11, 2018

Date Information Needed        December 27, 2018

RE:    In the Matter of the Joint Application of Sunflower Electric Power Corporation and  
Mid-Kansas Electric Company, Inc. for an Order Approving the Merger of Mid-  
Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

Refer to the Direct Testimony of Stephen J. Epperson for Southern Pioneer, 6:13-17, identify the monetary benefit associated with the Joint Applicant's assertion that the proposed merger will allow for use of Sunflower's Holcomb plant to serve as a hedge against rising gas prices without extending the current contract or purchasing additional contracts for coal generation. To the extent not already provided in response to KEPCo request 3-04, please provide all workpapers and supporting documents supporting your response. Please provide all requested documents in electronic form, with all spreadsheet links and formulas intact, source data used, and explain all assumptions and calculations used. To the extent the data requested is not available in the form requested, please provide the information in the form that most closely matches what has been requested.

**12/27/2018 Response:**

See response KEPCo DR 3-04. The DR ask Mr. Epperson to identify the monetary benefits associated with the Joint Applicants' assertion. Mr. Epperson will limit his response to his assertion in his testimony. Mr. Epperson has not quantified the monetary benefit. Pioneer has not prepared studies supporting the assertion. Mr. Epperson's assertion was based primarily on his education, training, years of work experience in the utility industry and information gained over the years as a director of the Sunflower and Mid-Kansas Boards and CEO of Pioneer Electric and Southern Pioneer. It has been his experience that a well-diversified generation portfolio acts as a hedge against rising prices of a particular fuel source. The Holcomb coal facility acts as a hedge against fluctuating gas prices while the gas generation reduces coal purchases as it displaces Holcomb generation with gas generation.

Submitted By KEPCo

Submitted To Joint Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: \_\_\_\_\_

  
Steve Epperson

Dated: 12/27/2018

## **KEPCo 4-23**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 4-23

Company Name                      SUNFLOWER ELECTRIC POWER CORPORATION,  
and MID-KANSAS ELECTRIC COMPANY, INC.

Docket No.                        19-SEPE-054-MER

Request Date                      December 11, 2018

Date Information Needed        December 27, 2018

RE:    In the Matter of the Joint Application of Sunflower Electric Power Corporation and  
Mid-Kansas Electric Company, Inc. for an Order Approving the Merger of Mid-  
Kansas Electric Company, Inc. into Sunflower Electric Power Corporation.

**Please Provide the Following:**

Provide copies of the Joint Applicants' transmission rate integration plan concerning the merger including details on the dates of future rate filings by the Joint Applicants or members. Please provide the date in which these reports were prepared.

**12/27/2018 Response:**

**Without waiving the objection, Joint Applicants have not finalized a transmission rate integration plan. Joint Applicants' tentative plan is to file for a merged transmission formula rate at FERC in the first quarter of 2019.**

**12/18/2018 Objection:**

Joint Applicants object to the Request to the extent it seeks information and/or documents that are neither clearly relevant to the subject matter of this proceeding, nor reasonably calculated to lead to the discovery of admissible evidence.

Submitted By KEPCo

Submitted To Joint Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

#### Verification of Response

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed:



James Brungardt

Dated: 12/27/2018

## KCC 7

**Kansas Corporation Commission**  
Information Request

Request No: 7

Company Name                      SUNFLOWER ELECTRIC POWER CORPORATION      SEPE

Docket Number                      19-SEPE-054-MER

Request Date                      December 4, 2018

Date Information Needed      December 13, 2018

**Please Provide the Following:**

In his Testimony, Davis Rooney states that the Company's "intent [is] to have a single transmission formula rate for the merged company." He additionally states that "the transmission rates for both the Mid-Kansas zone and the Sunflower zone are also very close to each other, within 2% of the combined average rate. We expect the post-merger transmission rate impact on the transmission only customers to also be minimal."

As it relates to Sunflower's intent to have a single transmission formula rate, please answer the following questions.

1.      In the event the merger is approved, please provide the steps the merged Company would need to take at FERC to converge the Mid-Kansas and Sunflower transmission formula rates. Please identify the guidelines or standards FERC uses in evaluating whether the transmission formula based rates should be merged.

**12/13/2018 Response:**

The Mid-Kansas and Sunflower transmission formula rates are set forth in Attachment H, Addendum 19 and Addendum 20 to the Southwest Power Pool ("SPP") Open Access Transmission Tariff ("OATT"), respectively. Sunflower and Mid-Kansas will need to confirm with SPP and the FERC the particular steps that must be taken to converge the Mid-Kansas and Sunflower transmission formula rates under the SPP OATT, post-merger. However, it is our general understanding that SPP would need to submit a filing to the FERC to revise Attachment H, Addendums 19 and 20, to its OATT to consolidate the transmission formula rates for Mid-Kansas and Sunflower into a single transmission formula rate, as well as any other conforming changes to the SPP OATT which might be necessary to reflect the converged transmission formula rates. Although I am not an attorney, it is my understanding, the filing would be submitted under Section 205 of the Federal Power Act ("FPA"). The standard under FPA Section 205 is that rates must be just, reasonable and not unduly discriminatory or preferential. We expect that is the standard which would be used by FERC in evaluating a filing to merge the transmission formula rates of Mid-Kansas and Sunflower.

2. If the transmission formula rates were merged, would the current Mid-Kansas and Sunflower zones in SPP be converted into a single pricing zone? If so, please provide the steps Sunflower would need to take at SPP to convert the Mid-Kansas and Sunflower zones into a single pricing zone, and please detail any guidelines SPP has established to analyze the merging of pricing zones.

**12/13/2018 Response:**

**Mid-Kansas and Sunflower will request that a single pricing zone be established if their transmission formula rates are merged. However, we will need to discuss the pricing zones with SPP, as well as criteria to be applied to determine whether the pricing zones of existing Transmission Owners should be combined in circumstances such as these.**

Submitted By Chad Unrein

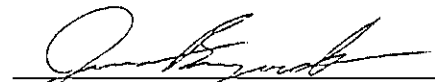
Submitted To Davis Rooney

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to the Commission Staff any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed:

  
James Brungardt

Date:

December 13, 2018

## **KEPCo 1-26**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 1-26

Company Name Mid-Kansas Electric Company, Inc. and  
Sunflower Electric Power Corporation

Docket Number 19-SEPE-054-MER

Request Date October 25, 2018

Date Information Needed November 8, 2018

**Please Provide the Following:**

Do Joint Applicants' intend to file separate Local Delivery Service Open Access Transmission Tariffs ("LDS Tariff") in any succeeding docket for each of Mid-Kansas and Sunflower?

11/8/2018 Response:

Joint Applicants and their Members anticipate filing an application with the proposed changes to the Sunflower and Mid-Kansas OATT's necessary to facilitate the merger.

11/1/2018 Objection:

Joint Applicants object to the Request as it seeks information that is neither clearly relevant to the subject matter of this proceeding, nor reasonably calculated to lead to the discovery of admissible evidence.

Submitted By: KEPCo

Submitted To: Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to KEPCo any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: \_\_\_\_\_

James Brungardt

Date: November 8, 2018

## **KEPCo 1-14**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 1-14

Company Name	Mid-Kansas Electric Company, Inc. and Sunflower Electric Power Corporation
Docket Number	19-SEPE-054-MER
Request Date	October 25, 2018
Date Information Needed	November 8, 2018

**Please Provide the Following:**

Mr. Miller testifies that "[t]he merger of Sunflower and Mid-Kansas will have no impact on the [Prairie Land] LADS or LAC other than the merger will result in a single administrator, Sunflower, rather than two as there are currently. Furthermore, to the extent the merger would have any impact, any such impact would be necessarily addressed at the Prairie Land level and not at Sunflower or Mid-Kansas. The LADS and LAC are not impacted by the merger of Sunflower and Mid-Kansas. If there were required changes, the changes to the LADS or LAC would be addressed in a Prairie Land docket before the Commission." Miller Direct Test. at 6:18-7:2.

a. Do Joint Applicants anticipate changes to its members' Local Access Delivery Services ("LADS") or Local Access Charges ("LAC") that would require filing those changes with the Kansas Corporation Commission ("Commission")? Please explain your response in detail.

**11/8/2018 Response:**

Without waiving the objection, as stated in the Joint Applicants testimony, LADS service will continue to be provided by each individual member of Sunflower (and Mid-Kansas) with Sunflower succeeding to the role of the sole administrator. The merger of Sunflower and Mid-Kansas does not in and of itself necessitate the Members to change their services or charges. Neither Sunflower nor Mid-Kansas own or operate the facilities used by the Members to provide local delivery service. A change, if any, will be prompted by the Members, which will likely require KCC approval and can be addressed at that time.

**11/1/2018 Objection:**

Joint Applicants object to the Request as it seeks information that is neither clearly relevant to the subject matter of this proceeding, nor reasonably calculated to lead to the discovery of admissible evidence.

Without waiving the objection, Joint Applicants intend to provide a response.

Submitted By: KEPCo

Submitted To: Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

### Verification of Response

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to KEPCo any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: \_\_\_\_\_

Corey Linville

Date: November 8, 2018

## KEPCo 1-27

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 1-27

Company Name                      Mid-Kansas Electric Company, Inc. and  
    Sunflower Electric Power Corporation

Docket Number                      19-SEPE-054-MER

Request Date                          October 25, 2018

Date Information Needed              November 8, 2018

**Please Provide the Following:**

If the Commission approves the proposed merger of Sunflower and Mid-Kansas:

a. Will Joint Applicants file to amend the Sunflower LDS Tariff to incorporate all services provided under the Mid-Kansas LDS Tariff prior to or coincident with the termination of the Mid-Kansas LDS Tariff? If not, please explain how service previously to be provided under the separate Sunflower and Mid-Kansas LDS Tariffs will be consolidated under a single tariff with Sunflower as Transmission Provider.

b. Will Joint Applicants withdraw, terminate, or otherwise eliminate the Mid-Kansas LDS Tariff and, if so, when will that occur?

c. Will all transmission service provided under the Mid-Kansas LDS Tariff be provided under a single LDS Tariff with Sunflower as the Transmission Provider?

i. What will happen to service agreements entered into under the Mid-Kansas LDS tariff?

ii. Will Sunflower succeed Mid-Kansas as Transmission Provider under those service agreements by novation, assignment, or otherwise? Please be specific.

iii. Will transmission service being provided under the Mid-Kansas LDS Tariff continue uninterrupted?

iv. How will transmission service requests pending under the Mid-Kansas LDS Tariff at the time of its termination be handled?

v. Will the rates, terms, and conditions of any service provided under the Mid-Kansas LDS Tariff be changed as a result of the merger and/or the consolidation of transmission service under the Sunflower LDS Tariff? If yes, please identify each changed rate, term, and/or condition.

**11/14/2018 Supplemental Response:**

(a.) The LDS Tariff is a Member tariff and not a Joint Applicant tariff. The LDS tariff will be modified as a direct result of merger to identify Sunflower as the transmission provider, administrator of the tariff, and other similar minor modifications for purposes of replacing Mid-Kansas with Sunflower. If the Members elect to make any other modifications to the tariff, a filing will be made as appropriate for approval by KCC.

(b.) See response to (a.).

(c.) See response to (a.).

i. Sunflower will by operation of law succeed to all right and obligations of Mid-Kansas as administrator under the current service agreements and as the Transmission Provider.

ii. See (c.)(i.) above.

iii. Joint Applicants do not expect there to be any interruptions in service due to the merger of the Joint Applicants.

iv. It is not anticipated the LDS tariff will be terminated upon merger and local access service requests will be handled by the Sunflower staff as they currently are being handled.

v. Again, to Joint Applicants' knowledge, it is not aware of any changes contemplated by the Members at this time as to the rates, terms and conditions of service provided under the Members LDS tariff. If the Members elect to make such changes, the Members will file as appropriate for approval with the KCC.

11/8/2018 Response:

See response to KEPCo DR 1-26. Transmission service provided by Mid-Kansas and its Members will remain uninterrupted.

11/1/2018 Objection:

Joint Applicants object to the Request as it seeks information that are neither clearly relevant to the subject matter of this proceeding, nor reasonably calculated to lead to the discovery of admissible evidence.

Submitted By: KEPCo

Submitted To: Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

#### Verification of Response

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to KEPCo any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: \_\_\_\_\_

Corey Linville

Date: November 14, 2018

## **KEPCo 1-28**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 1-28

Company Name                      Mid-Kansas Electric Company, Inc. and  
    Sunflower Electric Power Corporation

Docket Number                      19-SEPE-054-MER

Request Date                        October 25, 2018

Date Information Needed              November 8, 2018

**Please Provide the Following:**

With respect to the LDS Tariffs of Sunflower and/or Mid-Kansas, please explain the following:

- a. Will there be both a Sunflower-administered and Mid-Kansas-administered LDS Tariff if the proposed merger is approved?
- b. Will the definition of "Transmission System" in any post-merger LDS Tariff encompass both the Mid-Kansas member-owned facilities and the Sunflower member-owned facilities?
- c. Will the Transmission Provider plan and operate the Transmission System as a single system under any post-merger tariff so that Network Transmission Customers would be able to use the combined Mid-Kansas and Sunflower Transmission System to serve their Network Load? If not, please explain in detail how transmission planning will be performed under any post-merger tariff.
- d. Will any of the day-to-day communications protocols currently in place between KEPCo, as Transmission Customer, and Mid-Kansas, as Transmission Provider, be modified as a result of the proposed merger if it is approved by the Commission? If so, how will those changes be reflected in any post-merger tariff?
- e. Assuming there will be a single tariff administrator if the proposed merger is approved:
  - i. How will the merger and resulting single tariff administrator impact the cost of administering the Mid-Kansas/Sunflower tariffs?
  - ii. How will the impact of the change in administrative costs be reflected in the rates paid by transmission customers under the current Mid-Kansas/Sunflower tariffs?
- f. How are Mid-Kansas and Sunflower tariff administration costs currently paid for by their respective members?
- g. How are Mid-Kansas and Sunflower administrative costs currently reflected in the in LAC for Local Delivery Services? How will such costs be reflected in any post-merger tariffs if the proposed merger is approved?
- h. How will the proposed merger, if approved, affect the calculation of the Zonal Demand Charge(s) under any post-merger tariff?
- i. What is the expected impact of the proposed merger, if approved, on the Zonal Demand Charge paid by transmission customers currently taking service in the Mid-Kansas Zone?
- ii. What is the expected impact of the proposed merger, if approved, on the Zonal Demand Charge paid by transmission customers currently taking service in the Sunflower Zone?
- i. How will the proposed merger affect the calculation of the Energy Loss Rate under any post-merger tariff?
- i. What is the expected impact of the proposed merger, if approved, on the Energy Loss Rate paid by transmission customers currently taking service in the Mid-Kansas Zone?
- ii. What is the expected impact of the proposed merger, if approved, on the Energy Loss Rate paid by transmission customers currently taking service in the Sunflower Zone?
- j. How will the proposed merger, if approved, affect the calculation of the Real Power Losses under any post-merger tariff?
- i. What is the expected impact of the proposed merger, if approved, on the Real Power Losses paid by transmission customers currently taking service in the Mid-Kansas Zone?
- ii. What is the expected impact of the proposed merger, if approved, on the Real Power Losses paid by transmission customers currently taking service in the Sunflower Zone?
- k. How will the proposed merger, if approved, impact the scope and performance of System Impact Studies under any post-merger tariff?

11/14/2018 Supplemental Response:

(a.) There will be two separate tariffs, both administered by Sunflower.

(b.) As noted below, Joint Applicants objected to this data request as it is not relevant to this proceeding. Without waiving the objection, it is anticipated the scope of facilities included in the Transmission System in each tariff will remain unchanged until such time as the members elect to modify or alter the definition.

(c.) See response to (b.) above. At this time, it is anticipated that planning for the system will remain as is.

(d.) Joint Applicants object to this data request as it is not relevant to this proceeding. Without waving the objection, it is anticipated the current day to day communication protocols will remain as is unless modified by the Members.

(e.) The merger will not impact administrative costs. See (f.) below on how administrative costs are billed.

(h.) Joint Applicants object to this data request as it is not relevant to this proceeding. Without waiving the objection, Zonal Demand Charges for local delivery service will not change as a result of the merger.

(i.) With respect to local delivery service, see response to DR 1-27(a).

(j.) With respect to local delivery service, see response to DR 1-27(a).

(k.) Joint Applicants object to this data request as it is not relevant to this proceeding. Without waiving the objection, it is anticipated the merger itself will have no impact on the local delivery System Impact Studies.

11/8/2018 Response:

See response to KEPCo DR 1-26.

(f.) Costs for local access tariff administration are included in the Member rates billed by Sunflower and Mid-Kansas. Administration of the local access tariff is provided by Sunflower as a service to its Members.

(g.) There are no Sunflower or Mid-Kansas administrative costs reflected in the Member LAC rates. See response to (f.) above.

11/1/2018 Objection:

Joint Applicants object to the Request as it seeks information that is neither clearly relevant to the subject matter of this proceeding, nor reasonably calculated to lead to the discovery of admissible evidence.

Without waiving the objection, Joint Applicants intend to provide a response.

Submitted By: KEPCo

Submitted To: Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

### Verification of Response

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to KEPCo any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: Corey Linville  
Corey Linville  
Date: November 14, 2018

## **KEPCo 1-29**

**Kansas Electric Power Cooperative, Inc.**  
Information Request

Request No: 1-29

Company Name Mid-Kansas Electric Company, Inc. and  
Sunflower Electric Power Corporation

Docket Number 19-SEPE-054-MER

Request Date October 25, 2018

Date Information Needed November 8, 2018

**Please Provide the Following:**

Do Joint Applicants anticipate that, if the proposed merger is approved by the Commission, there will be changes to its members' LADS or LAC that would require filing those changes with the Commission? If yes, please identify such changes and explain your response in detail.

11/8/2018 Response:

See response to KEPCo DR 1-14.

*11/1/2018 Objection:*

Joint Applicants object to the Request as it seeks information that is neither clearly relevant to the subject matter of this proceeding, nor reasonably calculated to lead to the discovery of admissible evidence.

Without waiving the objection, Joint Applicants intend to provide a response.

Submitted By: KEPCo

Submitted To: Applicants

If for some reason, the above information cannot be provided by the date requested, please provide a written explanation of those reasons.

**Verification of Response**

I have read the foregoing Information Request and answer(s) thereto and find answer(s) to be true, accurate, full and complete and contain no material misrepresentations or omissions to the best of my knowledge and belief; and I will disclose to KEPCo any matter subsequently discovered which affects the accuracy or completeness of the answer(s) to this Information Request.

Signed: \_\_\_\_\_

Corey Linville

Date: November 8, 2018

## CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing was served by electronic mail, this 4th day of January, 2019, to the following named individuals:

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*/s/ Susan B. Cunningham*

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Susan B. Cunningham