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SOAH DOCKET NO. 473-22-04394
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APPLICATION OF ENTERGY)	BEFORE THE STATE OFFICE
)	
TEXAS, INC. FOR AUTHORITY)	OF
)	
TO CHANGE RATES)	ADMINISTRATIVE HEARINGS

DIRECT TESTIMONY AND EXHIBITS ON
COST ALLOCATION AND RATE DESIGN ISSUES OF
LISA V. PERRY
ON BEHALF OF
WALMART INC.

OCTOBER 26, 2022

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Exhibits

Exhibit LVP-1: Witness Qualifications Statement

I. Introduction

Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS, AND OCCUPATION.

A. My name is Lisa V. Perry. My business address is 2608 SE J Street, Bentonville, AR 72716-0550. I am employed by Walmart Inc. ("Walmart") as Senior Manager, Energy Services.

Q. ON WHOSE BEHALF ARE YOU TESTIFYING IN THIS DOCKET?

A. I am testifying on behalf of Walmart.

Q. PLEASE DESCRIBE YOUR EDUCATION AND EXPERIENCE.

A. I received a J.D. in 1999 and a LL.M. in Taxation in 2000 from the University of Florida Levin College of Law. From 2001 to 2019, I was in private practice with an emphasis in Energy Law from 2007 to 2019. My practice included representing large commercial clients before the utility regulatory commissions in Colorado, Texas, New Mexico, Arkansas, and Louisiana in matters ranging from general rate cases to renewable energy programs. I joined the energy department at Walmart in September 2019 as Senior Manager, Energy Services. My Witness Qualifications Statement is attached as Exhibit LVP-1.

Q. HAVE YOU PREVIOUSLY SUBMITTED TESTIMONY BEFORE THE PUBLIC UTILITY COMMISSION OF TEXAS ("COMMISSION")?

A. Yes, I submitted testimony in Docket Nos. 49737, 51415, 51802, 52040, 52389, and 52451.

1 **Q. HAVE YOU PREVIOUSLY SUBMITTED TESTIMONY BEFORE OTHER**
2 **STATE REGULATORY COMMISSIONS?**

3 A. Yes, I have submitted testimony with State Regulatory Commissions for Arkansas,
4 Colorado, Connecticut, Florida, Illinois, Kentucky, Louisiana, Michigan, Oklahoma,
5 South Carolina, and Virginia. I have also provided legal representation for customer
6 stakeholders before the State Regulatory Commissions for Colorado, Texas, Arkansas,
7 Louisiana, and New Mexico in the cases listed under "Commission Dockets" in Exhibit
8 LVP-1.

9 **Q. ARE YOU SPONSORING EXHIBITS IN YOUR TESTIMONY?**

10 A. Yes. I am sponsoring the exhibits listed in the Table of Contents.

11 **Q. PLEASE BRIEFLY DESCRIBE WALMART'S OPERATIONS IN TEXAS.**

12 A. As shown on Walmart's website, Walmart operates 593 retail units, 22 distribution
13 centers, four fulfillment centers, and employs over 176,000 associates in Texas. In
14 fiscal year ending 2022, Walmart purchased \$81.3 billion worth of goods and services
15 from Texas-based suppliers, supporting over 781,000 supplier jobs.¹

16 **Q. PLEASE BRIEFLY DESCRIBE WALMART'S OPERATIONS WITHIN THE**
17 **SERVICE TERRITORY OF ENTERGY TEXAS, INC. ("ETI" OR**
18 **"COMPANY").**

19 A. Walmart is a large customer of ETI with 21 stores, one distribution center, and related
20 facilities that take electric service from the Company, primarily on the Large General
21 Service ("LG") and General Service ("GS") rate schedules.

¹ <https://corporate.walmart.com/our-story/locations/united-states/texas>

II. Purpose of Testimony and Summary of Recommendations

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A. The purpose of my testimony is to address aspects of *Entergy Texas, Inc.’s Statement of Intent and Application for Authority to Change Rates* filed with the Commission on July 1, 2022, and supporting testimony (referred to collectively as the “Application”), as updated by the Company’s 45-day update filed August 12, 2022.

Q. ARE THERE OTHER WITNESSES FILING TESTIMONY ON BEHALF OF WALMART?

A. Yes; Alex J. Kronauer is filing testimony on behalf of Walmart in which he addresses the return on equity (“ROE”) component of the Company’s requested revenue requirement.

Q. IN SETTING THE REVENUE REQUIREMENT, ROE, ALLOCATION, AND RATE DESIGN CHANGES FOR THE COMPANY, SHOULD THE COMMISSION CONSIDER THE IMPACT OF THE PROPOSED RATE INCREASE ON BUSINESS CUSTOMERS?

A. Yes. Electricity is a significant operating cost for retailers such as Walmart. When electric rates increase the increased cost to retailers can put pressure on consumer prices and on the other expenses required by a business to operate. The Commission should thoroughly and carefully consider the impact on customers in examining the requested revenue requirement and ROE, in addition to all other facets of this case, to ensure that any increase in the Company’s rates is the minimum amount necessary to provide safe, adequate, and reliable service, while also providing ETI the opportunity to recover its reasonable and prudent costs and earn a reasonable return on its investment.

1 **Q. PLEASE SUMMARIZE WALMART’S RECOMMENDATIONS TO THE**
2 **COMMISSION.**

3 A. Walmart’s recommendations to the Commission are as follows:

4 (1) Walmart does not take a position on the Company’s proposed cost of service
5 model at this time. However, to the extent that alternative methodologies or
6 modifications are proposed by other parties, Walmart reserves the right to
7 address any such changes in accordance with the Commission's procedures in
8 this docket.

9 (2) For purposes of this docket, Walmart does not oppose the Company's proposed
10 revenue allocation. However, to the extent that alternative revenue allocations
11 are proposed by other parties, Walmart reserves the right to address any such
12 allocation in accordance with the Commission's procedures in this docket.

13 (3) If the Commission determines that the appropriate revenue requirement is less
14 than that proposed by the Company, the Commission should maintain the
15 revenue allocation that assigns each class the revenue requirement resulting
16 from the class cost of service.

17 (4) For the purposes of this proceeding, Walmart does not generally oppose the
18 Company's rate design for the GS and LG Rate Schedules. However, to further
19 align cost recovery from customers with their cost of service, the Commission
20 should require any increase to the GS and LG rates be applied to the demand
21 charge while holding the energy charges at their current levels. If there is a
22 decrease in the GS and/or LG rates, then such decrease should be applied

1 proportionately to the energy charges to bring these charges closer to their cost
2 of service-based levels.

3 (5) Walmart recommends that the Commission approve ETI's Green Future Option
4 Schedule ("Schedule GFO") as proposed by ETI in this docket.

5 **Q. DOES THE FACT THAT YOU MAY NOT ADDRESS AN ISSUE OR**
6 **POSITION ADVOCATED BY THE COMPANY INDICATE WALMART'S**
7 **SUPPORT?**

8 A. No. The fact that an issue is not addressed herein or in related filings should not be
9 construed as an endorsement of, agreement with, or consent to any filed position.
10

11 **III. Cost of Service and Revenue Allocation**

12 ***(A) Cost of Service***

13 **Q. GENERALLY, WHAT IS WALMART'S POSITION ON SETTING UTILITY**
14 **RATES?**

15 A. Walmart advocates setting rates based on the utility's cost of service. This produces
16 equitable rates that reflect cost causation, send proper price signals, and minimize price
17 distortions.

1 **Q. DOES WALMART TAKE A POSITION ON THE COMPANY’S PROPOSED**
2 **COST OF SERVICE MODEL AT THIS TIME?**

3 A. No, Walmart does not take a position on the Company’s proposed cost of service model
4 at this time. However, to the extent alternative methodologies or modifications are
5 proposed by other parties, Walmart reserves the right to address any such changes in
6 accordance with the Commission's procedures in this docket.

7
8 ***(B) Revenue Allocation***

9 **Q. WHAT IS REVENUE ALLOCATION?**

10 A. Revenue allocation is the assignment of revenue requirement responsibility to each
11 customer class. A revenue allocation that assigns revenue requirement to each class at
12 its cost of service is free of inter-class subsidies. In contrast, where revenue requirement
13 is allocated to a class at a level above its cost of service, that rate class is subsidizing
14 any rate class allocated revenue requirement responsibility below its cost of service.

15 **Q. WHAT IS YOUR UNDERSTANDING OF THE COMPANY’S PROPOSED**
16 **REVENUE ALLOCATION IN THIS DOCKET?**

17 A. It is my understanding that the Company has assigned the revenue requirement to each
18 customer class based on the results of its class cost of service study.²

² See Schedule P, p. 1.

1 **Q. DOES WALMART TAKE A POSITION ON THE COMPANY'S PROPOSED**
2 **REVENUE ALLOCATION AT THIS TIME?**

3 A. For purposes of this docket, Walmart does not oppose the Company's proposed revenue
4 allocation. However, to the extent that alternative revenue allocations are proposed by
5 other parties, Walmart reserves the right to address any such allocation in accordance
6 with the Commission's procedures in this docket.

7 **Q. WHAT IS WALMART'S RECOMMENDATION IF THE COMMISSION**
8 **DETERMINES THAT A LOWER REVENUE REQUIREMENT IS**
9 **APPROPRIATE?**

10 A. If the Commission determines that the appropriate revenue requirement is less than that
11 proposed by the Company, the Commission should maintain the revenue allocation that
12 assigns each class the revenue requirement resulting from the class cost of service.

13
14 **IV. Rate Design**

15 **Q. WHAT IS YOUR UNDERSTANDING OF THE COMPANY'S MAIN**
16 **OBJECTIVE OF RATE DESIGN?**

17 A. According to Company witness Elbe, the primary focus in rate design is cost causation
18 based on the Company's proposed class cost of service study.³

³ Direct Testimony of Crystal K. Elbe, p. 30, lines 12-13.

1 **Q. DOES THE COMPANY PROPOSE ANY STRUCTURAL CHANGES TO THE**
2 **GS OR LG RATE DESIGN?**

3 A. No, for both the GS Rate and LG Rate the Company proposes to keep their base rate
4 design structure, which includes a customer charge, a demand charge (\$/kW), and an
5 energy charge (\$/kWh).⁴

6 **Q. HOW DOES THE COMPANY PROPOSE TO APPLY ITS PROPOSED**
7 **REVENUE INCREASE TO THE GS AND LG RATE STRUCTURES?**

8 A. For both the GS and LG Rate Schedules, the Company is proposing to increase the
9 customer charge to align it more closely with cost of service, and to increase the
10 demand and energy charges by an approximately equal percentage.⁵

11 **Q. HOW DOES THE COMPANY DESCRIBE THE DEMAND CHARGE?**

12 A. As the recovery mechanism through which the Company recovers its fixed capacity
13 costs for the production, transmission, and distribution systems.⁶ The demand charge
14 is billed on a \$/kW basis.⁷

15 **Q. DO THE RATE COMPONENTS AND PROPOSED RATE DESIGN FOR**
16 **THESE RATES REFLECT THE UNDERLYING COSTS TO SERVE THE**
17 **CUSTOMERS IN THESE CLASSES?**

18 A. No. The proposed rate components collect an excessive amount of fixed, or demand-
19 related costs through the variable, or energy charge. As such, the rate designs for the

⁴ *Id.*, p. 35, lines 16-17 and p. 36, lines 13-14.

⁵ *Id.*, p. 35, line 21 to p. 36, line 1 and p. 36, lines 18-22.

⁶ *Id.*, p. 31, lines 2-3.

⁷ *Id.*, p. 30, lines 8-11.

GS and LG rate classes create intra-class subsidies, shifting some portion of the responsibility for costs caused by lower load factor customers to higher load factor customers.

Q. PLEASE EXPLAIN.

A. According to the Company's Unit Costs, as shown in Table 1 below, the portion of the total cost that is classified as demand is 89.2 percent for GS and 92.5 percent for LG.

Table 1: Component percentage of Cost

Component	Rate GS		Rate LG	
	Cost	% of Total	Cost	% of Total
Demand	\$ 194,986,070	89.2%	\$ 59,894,473	92.5%
Energy	\$ 10,184,766	4.7%	\$ 3,980,511	6.1%
Customer	\$ 13,384,791	6.1%	\$ 848,889	1.3%
Total	\$ 218,555,627	100.0%	\$ 64,723,873	100.0%

Source: Schedule P-6.1.2

However, as shown in Table 2 below, the Company is proposing a rate design for the GS Rate that collects only 50.3 percent of the allocated revenue requirement through the demand charge. Moreover, the proposed rate design for the LG Rate collects only 84.3 percent through the demand charge.

Table 2: Component percentage of Revenue, ETI Proposed Rate Design

Component	Rate GS		Rate LG	
	Revenue	% of Total	Revenue	% of Total
Demand	\$ 109,983,473	50.3%	\$ 54,150,816	84.3%
Energy	\$ 95,111,670	43.5%	\$ 9,263,239	14.4%
Customer	\$ 13,379,714	6.1%	\$ 844,489	1.3%
Total	\$ 218,474,857	100.0%	\$ 64,258,544	100.0%

Source: Schedule Q-7, p. 5 and p. 8

1 **Q. DOES THE RECOVERY OF DEMAND RELATED COSTS THROUGH**
2 **ENERGY CHARGES DISADVANTAGE HIGHER LOAD FACTOR**
3 **CUSTOMERS?**

4 A. Yes. The shift in demand related costs from per kW demand charges to per kWh energy
5 charges results in a shift in demand cost responsibility from lower load factor customers
6 to higher load factor customers. This results in a misallocation of cost responsibility as
7 higher load factor customers overpay for the demand related costs incurred by the
8 Company to serve them. In other words, higher load factor customers are paying for a
9 portion of the demand related costs incurred to serve lower load factor customers
10 simply because of the manner in which the Company collects those costs in rates.

11 The Commission's rate design goals should include the removal of subsidies
12 contained in rates, and the Commission should approve a rate design for the GS and
13 LG Rates that moves closer to cost-based rates than the Company's proposal.

14 **Q. WOULD THE PROPER COLLECTION OF DEMAND RELATED COSTS**
15 **THROUGH A DEMAND CHARGE PROVIDE THE COMPANY BENEFITS?**

16 A. Yes. By collecting more demand related costs through the energy charge, the Company
17 could be more susceptible to weather-related and other fluctuations in usage than it
18 would be if those costs were recovered through a demand charge. A rate design that
19 properly collects fixed costs through a \$/kW demand charge and energy-related costs
20 through \$/kWh variable charges should provide greater revenue certainty and more
21 stable utility earnings.

22 **Q. WHAT IS YOUR RECOMMENDATION TO THE COMMISSION ON THIS**
23 **ISSUE?**

1 A. For the purposes of this proceeding, Walmart does not generally oppose the Company's
2 rate design for the GS and LG Rate Schedules. However, to further align cost recovery
3 from customers with the costs of service, the Commission should require any increase
4 to the GS and LG rates be applied to the demand charge while holding the energy
5 charges at their current levels. If there is a decrease in the GS and/or LG rates, then
6 such decrease should be applied proportionately to the energy charges to bring these
7 charges closer to their cost of service-based levels.

8
9 **V. Proposed Green Future Option (Schedule GFO)**

10 ***(A) Walmart's Sustainability Goals***

11 **Q. HAS WALMART ESTABLISHED CORPORATE RENEWABLE ENERGY**
12 **GOALS?**

13 A. Yes. Walmart has long had aggressive and significant company-wide renewable energy
14 goals, and on September 21, 2020, announced new targets, including: (1) to be supplied
15 100 percent by renewable energy by 2035 and (2) zero carbon emissions in its
16 operations, including transportation fleet vehicles, without the use of offsets, by 2040.
17 Walmart has also set a goal to transition to low-impact refrigerants for cooling and
18 electric equipment for heating by 2040.⁸ To date, Walmart has contracted for or
19 currently takes electricity from one or more renewable resources in at least 29 states
20 and Puerto Rico.

⁸ <https://corporate.walmart.com/newsroom/2020/09/21/walmart-sets-goal-to-become-a-regenerative-company>

1 **Q. CAN YOU PROVIDE INSIGHT INTO WALMART’S GENERAL**
2 **FRAMEWORK FOR EVALUATING RENEWABLE OPPORTUNITIES?**

3 A. Yes. Walmart's desire for renewable energy resources must be balanced against its
4 business needs. As a general rule, Walmart does not enter into premium structures or
5 programs that only result in additional costs to our facilities. Rather, Walmart seeks
6 renewable energy resources that deliver industry-leading cost, including renewable and
7 project specific attributes such as renewable energy credits (“RECs”), within structures
8 where the value proposition allows the customer to receive any potential benefits
9 brought about by taking on the risk of being served by that resource instead of, or in
10 addition to, the otherwise applicable resource portfolio. Additionally, Walmart does
11 not enter into programs with contract terms in excess of 15 years.

12 **Q. WHAT CHANNELS DOES WALMART UTILIZE TO SECURE RENEWABLE**
13 **ENERGY RESOURCES?**

14 A. To meet its renewable energy goals, Walmart utilizes three primary channels to secure
15 renewable energy resources:

- 16 • **Contracting for off-site resources:** These products are typically structured to
17 replace other energy, both physically and on the bill. This mechanism allows
18 Walmart to leverage its scale to drive the best project economics while
19 simultaneously minimizing transaction time and costs. To date, Walmart has
20 contracted for these resources in deregulated markets through Texas Retail Energy,
21 LLC, a competitive electric supplier wholly owned by Walmart that serves as its
22 electric supplier in most deregulated retail markets, directly serving its load.

1 Walmart has also entered into “Virtual Power Purchase Agreements” in deregulated
2 wholesale markets, which do not directly serve its load but allows it to bring new
3 large scale renewable resources to the market.

- 4 • **Contracting for on-site resources:** Walmart contracts for on-site, behind the
5 meter resources through power purchase agreements (“PPAs”) and leases that allow
6 performance guarantees. These resources replace grid energy and are priced with
7 the expectation that the operating costs for the site are reduced.
- 8 • **Utility partnerships:** Walmart works with its utility partners to develop useable
9 commercial and industrial programs and economic structures targeted to function
10 within the confines of the regulatory compact and with minimal impact to non-
11 participating customers. When this option is pursued, Walmart works to ensure that
12 programs it assists in developing can be used by broader groups of customers, not
13 merely Walmart. Walmart is unique in the large commercial space because it has
14 significant in-house rate and regulatory expertise that can be leveraged to create
15 opportunities to move the entire industry forward. These partnerships that have
16 been executed or are in the process of being evaluated to date include the
17 development of and participation in volunteer renewable programs developed by
18 Energy Arkansas, LLC (Green Promise) and Entergy Louisiana, LLC (Geaux
19 Green), which have both been approved by the respective commissions.⁹ In

⁹ See *In the Matter of a Finding That Entergy Arkansas, LLC’s Green Promise Tariff is in the Public Interest*, Arkansas Public Service Commission Docket No. 21-054-TF; See *In Re: For Certification and Approval of the 2021 Solar Portfolio, Rider Geaux Green Option, Cost Recovery and Related Relief*, Louisiana Public Service Commission Docket No. U-36190.

1 addition to Entergy's programs, Walmart is also participating in volunteer
2 renewable programs through Florida Power & Light Company's SolarTogether
3 Program ("SolarTogether"), Georgia Power Company's Renewable Energy
4 Development Initiative program¹⁰ and Alabama Power Company's 72 MW solar
5 farm in Alabama.¹¹ While Walmart assisted in developing these opportunities, the
6 opportunities are open to other interested large customers, not just Walmart.

7
8 ***(B) ETI's Proposed Schedule GFO***

9 **Q. CAN YOU PROVIDE A GENERAL DESCRIPTION OF ETI'S PROPOSED**
10 **SCHEDULE GFO?**

11 A. Yes. Key aspects of the proposed Schedule GFO program and tariff are as follows:

- 12 1) ETI's new Schedule GFO tariff is a voluntary community solar program that
13 allows participating customers to pay a fixed monthly subscription fee to cover
14 resource costs in exchange for receiving RECs retired on the customer's behalf
15 and bill credits based on MISO energy revenue.¹²
- 16 2) ETI is proposing to initially include up to 150 megawatts ("MW") of solar
17 capacity from the Umbriel Solar Project currently under construction in Polk
18 County, Texas with the option to expand the program to include additional
19 renewable resources in the future.¹³ The Company states that Schedule GFO

¹⁰ <https://www.greenbiz.com/article/how-google-and-walmart-work-utilities-procure-clean-power>

¹¹ <http://www.alabamane.wscenter.com/2018/01/02/chambers-county-solar-project-now-serving-alabama-power-customers/>

¹² See Direct Testimony of David E. Hunt ("Hunt Direct"), p. 8, lines 11-15.

¹³ See *id.*, p. 8, lines 9-11 and lines 17-19.

1 will provide benefits (i) to participating customers by providing access to
2 renewable power at a lower overall installation cost when compared to
3 customer-sited renewables, and (ii) to the State of Texas by driving investment
4 in Texas-sited renewable projects and through economic development by
5 helping existing and future businesses meet their sustainability goals.¹⁴

6 3) Participating customers will have two additional line items on their monthly
7 bill: (i) a fixed charge that is calculated based on that customer's portion of the
8 overall renewable resource portfolio,¹⁵ and (ii) an offsetting variable bill credit
9 based on the amount of MISO energy revenue attributable to the participating
10 customers share of the underlying resources.¹⁶

11 **Q. PER YOUR UNDERSTANDING OF THE PROPOSAL, DOES ETI'S**
12 **PROPOSED SCHEDULE GFO GUARANTEE BILL SAVINGS TO**
13 **PARTICIPATING NON-RESIDENTIAL CUSTOMERS?**

14 A. No. A non-residential participating customer will pay a fixed amount for the solar
15 resources every month and only receive credits based on the MISO market settlement
16 rate, which will be based on the resources' energy production. As such, the
17 participating customer assumes the production risk of the solar systems as part of the
18 value proposition of participation.

¹⁴ See *id.*, p. 4, line 3 to p. 5, line 5 and p. 6, line 9 to p. 7, line 8.

¹⁵ See *id.*, p. 8, lines 11-13; see Schedule Q-8.8, pp. 87-88 (calculating the cost portion of the tariff for participating customers who are not classified as "low-income residential customers" – Option A – as the capacity kW for the participating customer's share of the underlying resources multiplied by a capacity charge of \$6.50 per kW-month).

¹⁶ See Hunt Direct, p. 8, lines 13-14; see Q-8.8, p. 88.

1 **Q. DOES WALMART EXPECT TO PARTICIPATE IN SCHEDULE GFO IF**
2 **APPROVED BY THE COMMISSION AS FILED BY ETI?**

3 A. If Schedule GFO is approved by the Commission as filed by ETI in this docket,
4 Walmart expects to participate if space is available and subject to final review of the
5 opportunity.

6 **Q. WHAT IS WALMART'S RECOMMENDATION WITH REGARD TO ETI'S**
7 **PROPOSED SCHEDULE GFO?**

8 A. Walmart believes that programs like Schedule GFO and the Company's other programs
9 discussed above provide an opportunity for both business customers with renewable
10 energy goals like Walmart, and residential customers desiring renewable electricity to
11 have access to this renewable energy in a cost-effective manner. As such, Walmart
12 recommends that the Commission approves ETI's Schedule GFO as proposed by ETI
13 in this docket.

14 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

15 A. Yes.

Lisa V. Perry

Senior Manager, Energy Services

Walmart Inc.

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EXPERIENCE

September 2019 – Present

Walmart Inc., Bentonville, AR

Senior Manager, Energy Services

November 2017 – September 2019

Oram & Houghton PLLC, Round Rock, TX

Of Counsel, Energy Law

February 2016 – November 2017

Ray Quinney & Nebeker, P.C., Salt Lake City, UT

Of Counsel, Energy Law

September 2007 – February 2016

Welborn, Sullivan, Meck & Tooley, P.C., Denver, CO

Partner, Energy Law

EDUCATION

2000 University of Florida Levin College of Law LL.M., Taxation

1999 University of Florida Levin College of Law J.D.

1996 University of South Florida B.A., Criminology

1993 University of South Florida B.A., Psychology

FILED TESTIMONY

2022

Louisiana Public Service Commission Docket No. U-36350: Application of Entergy Louisiana, LLC for Recovery in Rates of Costs Related to Hurricane Ida and Related Relief

Issue: Recovery costs related to Hurricane Ida.

Illinois Commerce Commission Docket No. 22-0432 and 22-0442 (cons.): Commonwealth Edison Company Petition for Approval of Beneficial Electrification Plan under the Electric Vehicle Act, 20 ILCS 627/45 and New EV Charging Delivery Classes under the Public Utilities Act, Article IX and Illinois Commerce Commission on its own Motion vs. Commonwealth Edison Company Investigation into Commonwealth Edison Company's Beneficial Electrification Plan Filing pursuant to 20 ILCS 627/45

Issue: Approval of Beneficial Electrification Plan.

Illinois Commerce Commission Docket No. 22-0431 and 22-0443 (cons.): Ameren Illinois Company d/b/a Ameren Illinois Petition for Approval of Beneficial Electrification Plan pursuant to Section 45 of the Electric Vehicle Act and Illinois Commerce Commission on its own Motion vs. Ameren Illinois Company d/b/a Ameren Illinois Investigation into Ameren Illinois Company's Beneficial Electrification Plan Filing pursuant to 20 ILCS 627/45

Issue: Approval of Beneficial Electrification Plan.

Florida Public Service Commission Docket No. 20220010-EI: In re: Storm protection plan cost recovery clause

Issue: Seeking approval of the cost allocation and recovery methodologies used for storm protection plan cost recovery clause.

Michigan Public Service Commission Case No. U-21224: In the matter of the application of CONSUMERS ENERGY COMPANY for authority to increase its rates for the generation and distribution of electricity and for other relief.

Issue: General rate case.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2021-00156: *Ex Parte*: Establishing a proceeding concerning the allocation of RPS-related costs and the determination of certain proxy values for Virginia Electric and Power Company.

Issue: Allocation methodology for VCEA-related costs and benefits.

Michigan Public Service Commission Case No. U-20836: In the matter of the Application of DTE Electric Company for authority to increase its rates, amend its rate schedules and rules governing the distribution and supply of electric energy, and for miscellaneous accounting authority.

Issue: General rate case.

Oklahoma Corporation Commission Cause No. PUD 202100164: In the Matter of the Application of Oklahoma Gas and Electric Company for an Order of the Commission Authorizing Applicant to Modify its Rates, Charges, and Tariffs for Retail Electric Service in Oklahoma.

Issue: General Rate Case.

Louisiana Public Service Commission Docket No. U-36190: Application for Certification and Approval of the 2021 Solar Portfolio, Rider Geaux Green Option, Cost Recovery and Related Relief.

Issue: Approval of a voluntary renewable program backed by utility-owned solar assets.

Petition of Appalachian Power Company For approval of its 2021 RPS Plan under § 56-585.5 of the Code of Virginia and related requests.

Issue: Seeking approval of RPS Plan and recovery mechanisms for related costs.

Commonwealth of Kentucky Public Service Commission Case No. 2021-00481: Electronic Joint Application of American Electric Power Company, Inc., Kentucky Power Company and Liberty Utilities Co. for Approval of the Transfer of Ownership and Control of Kentucky Power Company.
Issue: Acquisition of Kentucky Power Company by Liberty Utilities Company.

Public Utility Commission of Texas Docket No. 52451, SOAH Docket No. 473-22-0816: Application of Southwestern Public Service Company for Approval of Advanced Metering System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard Metering Service Fee.
Issue: Approval to implement AMS and recover costs through an additional surcharge.

Arkansas Public Service Commission Docket No. 21-070-U: In the Matter of the Application of Southwestern Electric Power Company for Approval of a General Change in Rates and Tariffs.
Issue: General rate case.

Arkansas Public Service Commission Docket No. 21-087-U: In the Matter of Oklahoma Gas and Electric Company's Request to Extend its Formula Rate Plan Rider.
Issue: Seeking extension of formula rate plan.

2021

Louisiana Public Service Commission Docket No. U-36105: Application for Certification to Deploy Natural Gas-Fired Distributed Generation and Authorization to Implement Rider UODG.
Issue: Approval to implement a distributed generation program and rider recovery.

Public Utility Commission of Texas Docket No. 52389, SOAH Docket No. 473-22-0009: Application of Southwestern Electric Power Company for Advanced Metering System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard Metering Service Fees.
Issue: Approval to implement AMS and recover costs through an additional surcharge.

Louisiana Public Service Commission Docket No. U-35991: Application for Recovery in Rates of Costs Related to Hurricanes Laura, Delta, Zeta and Winter Storm Uri and for Related Relief.
Issue: Securitization of system restoration costs due to extreme weather conditions.

Oklahoma Corporation Commission Cause No. PUD 202100076: Application of Public Service Company of Oklahoma ("PSO") for Approval of a Financing Order for the Collection of Increased Costs Caused by the Extreme Winter Weather and Contained in the Regulatory Asset Authorized by Order 717625, Including an Appropriate Carrying Cost, and Such Other Relief as the Commission Deems PSO is Entitled.
Issue: Securitization of excessive fuel costs due to extreme weather conditions.

Colorado Public Utilities Commission Proceeding No. 21A-0141E: In the Matter of the Application of Public Service Company of Colorado for Approval of its 2021 Electric Resource Plan and Clean Energy Plan.
Issue: Seeking approval of utility's plan to meet legislative renewable and carbon reduction goals.

Arkansas Public Service Commission Docket No. 21-054-TF: In the Matter of the Application of Entergy Arkansas, LLC for a Proposed Tariff Revision Regarding a Green Promise Tariff.

Issue: Seeking approval for a voluntary renewable energy tariff.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2021-00058: Application of Virginia Electric and Power Company for a 2021 triennial review of the rates, terms and conditions for the provision of generation, distribution and transmission services pursuant to § 56-585.1 A of the Code of Virginia.

Issue: General Rate Case.

Public Utility Commission of Texas Docket No. 52040, SOAH Docket No. 473-21-2607: Application of El Paso Electric Company for Advanced Metering System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard Metering Service Fees.

Issue: Approval to implement AMS and recover costs through an additional surcharge.

Oklahoma Corporation Commission Cause No. PUD 202100072: In the Matter of the Application of Oklahoma Gas and Electric Company for a Financing Order Pursuant to the February 2021 Regulated Utility Consumer Protection Act Approving Securitization of Costs Arising from the Winter Weather Event of February 2021.

Issue: Securitization of excessive fuel costs due to extreme weather conditions.

Public Utility Commission of Texas Docket No. 51802, SOAH Docket No. 473-21-1892: Application of Southwestern Public Service Company for Authority to Change Rates.

Issue: General rate case.

Oklahoma Corporation Commission Cause No. PUD 202100055: Application of Public Service Company of Oklahoma, an Oklahoma Corporation, for an Adjustment in its Rates and Charges and the Electric Service Rules, Regulations and Conditions of Service for Electric Service in the State of Oklahoma.

Issue: General rate case.

Louisiana Public Service Commission Docket No. U-35441: Application of Southwestern Power Company (SWEPCO) for Approval of a Change in Rates, Extension of Formula Rate Plan and Other Related Relief.

Issue: General rate case and extension of formula rate plan.

Michigan Public Service Commission Case No. U-20963: In the matter of the application of Consumers Energy Company for authority to increase its rates for the generation and distribution of electricity and for other relief.

Issue: General rate case.

Florida Public Service Commission Docket No. 20210010-EI: In re: Storm protection plan cost recovery clause

Issue: Seeking approval of the cost allocation and recovery methodologies used for storm protection plan cost recovery clause.

Arkansas Public Service Commission Docket No. 19-008-U: In the Matter of the Application of Southwestern Electric Power Company for Approval of a General Change in Rates and Tariffs.

Issue: Seeking approval for amortization period and carrying costs for extraordinary fuel costs related to Winter Storm Uri.

Public Utility Regulatory Authority of Connecticut Docket No. 17-12-03RE11: PURA Investigation into Distribution System Planning of the Electric Distribution Companies – New Rate Designs and Rates Review.

Issue: Investigation into low-income rates and economic development rates.

Public Utility Commission of Texas Docket No. 51415, SOAH Docket No. 473-21-0538: Application of Southwestern Electric Power Company for Authority to Change Rates.

Issue: General rate case.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00170: Petition of Virginia Electric and Power Company for approval of a rate adjustment clause, designated Rider RPS, under § 56-585.1 A 5 d of the Code of Virginia.

Issue: Seeking approval of a Rider RPS to recover costs associated with REC purchases made to comply with the Virginia Clean Economy Act.

Commonwealth of Kentucky Public Service Commission Case No. 2020-00350: Electronic Application of Louisville Gas and Electric Company for an Adjustment of its Electric and Gas Rates, a Certificate of Public Convenience and Necessity to Deploy Advanced Metering Infrastructure, Approval of Certain Regulatory and Accounting Treatments, and Establishment of a One-Year Surcredit.

Issue: General rate case.

Commonwealth of Kentucky Public Service Commission Case No. 2020-00349: Electronic Application of Kentucky Utilities Company for an Adjustment of its Electric Rates, a Certificate of Public Convenience and Necessity to Deploy Advanced Metering Infrastructure, Approval of Certain Regulatory and Accounting Treatments, and Establishment of a One-Year Surcredit.

Issue: General rate case.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00164: *Ex Parte*: Allocating RPS costs to certain customers of Virginia Electric and Power Company.

Issue: Determining which costs and benefits of Virginia Clean Economy Act-related assets should be allocated to non-utility customers and seeking approval of a Rider NBC to recover/credit some of those costs and/or benefits.

Oklahoma Corporation Commission Cause No. PUD 202000097: Application of Public Service Company of Oklahoma (“PSO”) for Approval of the Cost Recovery of Facilities to be Located at Ft. Sill; a Determination there is a Need for the Facilities; Approval for Future Inclusion in Base Rates for Cost Recovery of Prudent Costs Incurred by PSO for the Facilities; Approval of a Temporary Cost Recovery Rider; and Such Other Relief the Commission Deems PSO is Entitled.
Issue: Seeking approval to acquire a solar facility and gas facility sited at Fort Sill.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00134: *Ex Parte*: Establishing 2020 RPS Proceeding for Virginia Electric and Power Company.
Issue: Seeking approval of a Renewable Portfolio Standard Plan and rider pursuant to the Virginia Clean Economy Act (VCEA).

2020

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00135: *Ex Parte*: Establishing 2020 RPS Proceeding for Appalachian Power Company.
Issue: Seeking approval of a Renewable Portfolio Standard Plan pursuant to the Virginia Clean Economy Act (VCEA).

Public Service Commission of South Carolina Docket No. 2019-209-E: In re: South Carolina Energy Freedom Act (House Bill 3659) Proceeding Related to Dominion Energy South Carolina, Incorporated and S.C. Code Ann. Section 58-41-30 Related to Electrical Utilities and Their Current Voluntary Renewable Energy Program, and Such Other Proceedings Required By the Commission.

Issue: Seeking approval of a Voluntary Renewable Energy Rider.

Public Service Commission of South Carolina Docket No. 2020-125-E: In re: Application of Dominion Energy South Carolina, Incorporated for Adjustment of Rates and Charges.

Issue: General rate case.

Arkansas Public Service Commission Docket No. 16-036-FR: In the Matter of Formula Rate Plan Filings of Entergy Arkansas, Inc., Pursuant to APSC Docket No. 15-015-U.

Issue: Seeking five-year extension of Formula Rate Plan.

Colorado Public Utilities Commission Proceeding No. 20A-0204E: In the Matter of the Application of Public Service Company of Colorado for Approval of its 2021-2023 Transportation Electrification Plan.

Issue: Seeking approval of utility’s plan to encourage EV adoption in its service territory.

Commonwealth of Kentucky Public Service Commission Case No. 2020-00174: Electronic Application of Kentucky Power Company for (1) a General Adjustment of its Rates for Electric Service; (2) Approval of Tariffs and Riders; (3) Approval of Accounting Practices to Establish

Regulatory Assets and Liabilities; (4) Approval of a Certificate of Public Convenience and Necessity; and (5) All Other Required Approvals and Relief.

Issue: General rate case.

Oklahoma Corporation Commission Cause No. PUD 202000021: In the Matter of the Application of Oklahoma Gas and Electric Company for an Order of the Commission Approving a Recovery Mechanism for Expenditures Related to the Oklahoma Grid Enhancement Plan.

Issue: Seeking approval of a rider that allows for interim recovery of costs associated with expenditures made to enhance the grid.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00015: Application of Appalachian Power Company For a 2020 Triennial Review of the Rates, Terms and Conditions for the Provision of Generation, Distribution and Transmission Services Pursuant to § 56-585.1 A of the Code of Virginia.

Issue: General Rate Case.

Michigan Public Service Commission Case No. U-20697: In the matter of the application of Consumers Energy Company for authority to increase its rates for the generation and distribution of electricity and for other relief.

Issue: General rate case.

Florida Public Service Commission Consolidated Docket Nos. 20200067-EI, 20200069-EI, 20200070-EI, 20200071-EI: In re: Review of 2020-2029 Storm Protection Plan pursuant to Rule 25-6.030, F.A.C., Tampa Electric Company *et al.*

Issue: Seeking approval of Storm Protection Plans submitted by Tampa Electric Company, Duke Energy Florida, LLC, Gulf Power Company, and Florida Power & Light Company.

Arkansas Public Service Commission Docket No. 20-027-U: In the Matter of the Application of Walmart Inc. for Approval to Bid Demand Response into Wholesale Electricity Markets Through an Aggregator of Retail Customers.

Issue: Seeking approval to bid demand response into MISO through a third-party aggregator.

Public Utility Commission of Texas Docket No. 49737, SOAH Docket No. 473-19-6862: Application of Southwestern Electric Power Company for Certificate of Convenience and Necessity Authorization and Related Relief for the Acquisition of Wind Generation Facilities.

Issue: Seeking approval to acquire a wind generation facility located in Oklahoma.

Louisiana Public Service Commission Docket No. U-35324: Application of Southwestern Power Company (SWEPCO) for Certification and Approval of the Acquisition of Certain Renewable Resources in Accordance with the MBM Order and the 1983 and 1994 General Orders.

Issue: Seeking approval to acquire a wind generation facility located in Oklahoma.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2019-00201: Application of Virginia Electric and Power Company for approval of its 2019 DSM Update pursuant to § 56-585.1 A 5 of the Code of Virginia.

Issue: Seek approval to implement eleven new demand-side management programs, to extend existing programs - some with updated parameters and cost/benefit results, and to continue three rate adjustment clauses.

2019

Oklahoma Corporation Commission Cause No. PUD 201900048: Application of Public Service Company of Oklahoma for Approval of the Cost Recovery of the Selected Wind Facilities; A Determination there is a Need for the SWFs; Approval for Future Inclusion in Base Rates Cost Recovery of Prudent Costs Incurred by PSO for the SWFs; Approval of a Temporary Cost Recovery Rider; Approval of Certain Accounting Procedures Regarding Federal Production Tax Credits; and Such Other Relief the Commission Deems PSO is Entitled.

Issue: Seeking approval to acquire a wind generation facility located in Oklahoma and Wind Facility Asset Rider.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2019-00094: Application of Virginia Electric and Power Company for Approval of a 100 Percent Renewable Energy Tariff, Designated Rider TRG, Pursuant to §§ 56-577 A 5 and 56-234 of the Code of Virginia.

Issue: Seek approval of a 100 percent renewable energy tariff.

Public Service Commission of South Carolina Docket No. 2019-239-E: In re: Dominion Energy South Carolina, Incorporated's Request for Approval of an Expanded Portfolio of Demand Side Management Programs, and a Modified Demand Side Management Rate Rider.

Issue: Seeking approval of an expanded Demand Side Management Plan and modified Demand Side Management Rate Rider.

Arkansas Public Service Commission Docket No. 19-035-U: In the Matter of the Application of Southwestern Electric Power Company for Approval to Acquire Wind Generating Facilities Pursuant to the Arkansas Clean Energy Development Act.

Issue: Seeking approval to acquire a wind generation facility located in Oklahoma and Wind Facility Asset Rider.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2019-00154: Petition of Virginia Electric and Power Company for approval of a plan for electric distribution grid transformation projects pursuant to § 56-585.1 A 6 of the Code of Virginia, and for approval of an addition to the terms and condition applicable to electric service.

Issue: Seeking approval of certain expenditures relating to grid improvement and grid hardening.

COMMISSION DOCKETS (Appearing as Attorney of Record)

2019

Public Utility Commission of Texas Docket No. 49421: Application of CenterPoint Energy Houston Electric, LLC for Authority to Change Rates.

Issue: General rate case

Public Utility Commission of Texas Docket No. 49494: Application of AEP Texas Inc. for Authority to Change Rates.

Issue: General rate case

Public Utility Commission of Colorado Docket No. 19AL-0268E: In the Matter of Advice Letter No. 1797 Filed by Public Service Company of Colorado to Reset the Currently Effective General Rate Schedule Adjustment (“GRSA”) as Applied to Base Rates for all Electric Rate Schedules as well as Implement a Base Rate kWh Charge, General Rate Schedule Adjustment-Energy (“GRSA-E”) to Become Effective June 20, 2019.

Issue: General rate case, Phase I

2018

Public Utility Commission of Texas Docket No. 48371: Entergy Texas, Inc.’s Statement of Intent and Application for Authority to Change Rates.

Issue: General rate case

Public Utility Commission of Colorado Docket No. 18M-0074EG: In the Matter of the Commission’s Consideration of the Impact of the Federal Tax Cuts and Jobs Act of 2017 on the Rates of Colorado Investor-Owned Electric and Natural Gas Utilities.

Issue: Commenced by the Commission to consider the impacts of the Tax Cut and Jobs Act of 2017 on the revenue requirements and rates of all Colorado investor-owned electric and natural gas utilities.

2017

Public Utility Commission of Texas Docket No. 47461: Application of Southwestern Electric Power Company for Certificate of Convenience and Necessity Authorization and Related Relief for the Wind Catcher Energy Connection Project in Oklahoma.

Issue: Purchase of a wind generation facility and generation tie line.

Public Utility Commission of Texas Docket No. 47527: Application of Southwestern Public Service Company for Authority to Change Rates.

Issue: General rate case

Public Utility Commission of Colorado Docket No. 17A-0462EG: In the Matter of the Application of Public Service Company of Colorado for Approval of a Number of Strategic Issues Relating to its Electric and Gas Demand-Side Management Plan.

Issue: Seek Commission re-examination and approval of the overall objectives and structure of Public Service's DSM initiatives to guide the Company in designing future DSM plans.

Public Utility Commission of Colorado Docket No. 17AL-0649E: In the Matter of Advice Letter No. 1748-Electric Filed by Public Service Company of Colorado to Revise its PUC No. 8-Electric Tariff to Implement a General Rate Schedule Adjustment and Other Rate Changes Effective on Thirty Days' Notice.

Issue: General rate case, Phase I

Arkansas Public Service Commission Docket No. 17-038-U: In the Matter of the Application of Southwestern Electric Power Company for Approval to Acquire a Wind Generating Facility and to Construct a Dedicated Generation Tie Line.

Issue: Purchase of a wind generation facility and generation tie line.

Louisiana Public Service Commission Docket No. U-34619: Application for Expedited Certification and Approval of the Acquisition of Certain Renewable Resources and the Construction of a Generation Tie Pursuant to the 1983 and/or 1994 General Orders.

Issue: Purchase of a wind generation facility and generation tie line.

2016

Public Utility Commission of Colorado Docket No. 16AL-0048E: In the Matter of Advice Letter No. 1712-Electric Filed by Public Service Company of Colorado to Replace Colorado PUC No. 7-Electric Tariff with Colorado PUC No. 8-Electric Tariff.

Issue: General rate case, Phase II

Public Utility Commission of Colorado Docket No. 16A-0055E: In the Matter of the Application of Public Service Company of Colorado for Approval of its Solar*Connect Program.

Issue: Implement a voluntary solar program offering participating customers the ability to offset their current supply of energy from the Public Service system with solar energy produced at a dedicated facility or facilities.

New Mexico Public Regulation Commission Docket No. 16-00276-UT: In the Matter of the Application of Public Service Company of New Mexico for Revision of its Retail Electric Rates Pursuant to Advice Notice No. 533.

Issue: General rate case

INDUSTRY TRAINING

- 2020 Practical Regulatory Training for the Electric Industry, Center for Public Utilities, New Mexico State University College of Business
- 2020 IPU Accounting and Ratemaking Course, Michigan State University
- 2016 and 2022 Western NARUC Utility Rate School
- EUCI Courses on the utility industry, cost allocation, and rate design.