

Ruth Nettles

080677-EI

From: FPSC Reports Staff [tips@fpscreports.com]
Sent: Monday, September 14, 2009 8:01 AM
To: Filings@psc.state.fl.us
Cc: Lisa Bennett; Anna Williams; Martha Brown; Jean Hartman; sugarman@sugarmansusskind.com; mbraswell@sugarmansusskind.com; Kelly.jr@leg.state.fl.us; mcglathlin.joseph@leg.state.fl.us; swright@yvlaw.net; jlvavia@yvlaw.net; kwiseman@andrewskurth.com; msundback@andrewskurth.com; jspina@andrewskurth.com; linomendiola@andrewskurth.com; meghangriffiths@andrewskurth.com; jmoyle@kagmlaw.com; vkaufman@kagmlaw.com; jmcwhirter@mac-law.com; barmstrong@ngnlaw.com; support@SaporitoEnergyConsultants.com; cecilia.bradley@myfloridalegal.com; sda@trippscott.com; tperdue@aif.com; shayla.mcneill@tyndall.af.mil; john.butler@fpl.com; 'Andrew Bertino'
Subject: Richard Unger's Motion for Disqualification
Attachments: Unger Motiion For Recusal.pdf

Electronic Filing

a. Person responsible for filing:

Richard Unger
 4858 Tamiami Trail
 Sarasota, FL 34231
 Phone: 941-921-7027

b. Docket No. 80677-EI

c. Document being filed on behalf of Richard Unger

d. There is a total of 18 pages.

e. The document attached for electronic filing is Richard Unger's Motion for Recusal

Thank you for your attention and cooperation to this request.

Stephen Stewart
 P.O. Box 12878
 Tallahassee, FL 32317
 Phone: 850-766-6208
 Email: tips@fpscreports.com

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DOCUMENT NUMBER-DATE
 09468 SEP 14 09
 FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase }
by Florida Power & Light }

Docket No. : 080677-E1
Filed: September 14, 2009

**RICHARD UNGER'S MOTION FOR DISQUALIFICATION
OF COMMISSIONER MCMURRIAN**

Richard Unger, by his undersigned representative and pursuant to Section 120.665, Florida Statutes, hereby suggests by this Motion the disqualification of Commissioner Katrina McMurrian from conducting or participating in quasi-judicial proceedings and from entering any further orders with respect to the above-styled docket. As grounds for this Motion, Mr. Unger states:

1. Commissioners McMurrian is one of the five members of the Commission assigned to adjudicate this docket in which Florida Power & Light Company ("FPL") is seeking to recover \$1.3 billion in a rate increase. Commissioner McMurrian is subject to the provisions of Section 120.645, which provides for the disqualification of an agency head for bias, prejudice, or interest. Specifically, Section 120.665, Florida Statutes, states:

120.665 Disqualification of agency personnel.--

(1) Notwithstanding the provisions of s. 112.3143, any individual serving alone or with others as an agency head may be disqualified from serving in an agency proceeding for bias, prejudice, or interest when any party to the agency proceeding shows just cause by a suggestion filed within a reasonable period of time prior to the agency proceeding. If the disqualified individual was appointed, the appointing power may appoint a substitute to serve in the matter from which the individual is disqualified. If the individual is an elected official, the Governor may appoint a substitute to serve in the matter from which the individual is disqualified. However, if a quorum remains after the individual is disqualified, it shall not be necessary to appoint a substitute.

2. An administrative body acts quasi-judicially when it adjudicates private rights of a particular person after a hearing which comports with due process requirements, and makes findings of facts and conclusions of law on the disputed issues. Reviewing courts scrutinize quasi-judicial acts by non-deferential judicial standards. City of Apopka v. Orange County, 299 So.2d 657 (Fla. 4th DCA 1974). This case, involving whether to grant FPL \$1.3 billion in rate increases, is irrefutably quasi-judicial. In cases such as this, an impartial decisionmaker is a basic component of minimum due process. Cherry Communications, Inc. v. Deason, 652 So.2d 803,804-805 (Fla. 1995). An impartial decisionmaker is a basic constituent of minimum due process. Megill v. Board of Regents, 54 1 F.2d 1073, 1079 (5th Cir. 1976).

3. The test for determining the legal sufficiency of a motion for disqualification is whether the facts alleged, which must be taken as true for purposes of the motion, would prompt a reasonably prudent person to fear that he or she will not get a fair and impartial trial. Department of Agric. & Consumer Sews. v. Broward County, 810 So.2d 1056 (Fla. 1st DCA 2002). Furthermore, it is not a question of how the judge (or Commissioners in this case) actually feels, but what feeling resides in the movant's mind and the basis for such feeling. The judge may not pass on the truth of the allegations of fact, and countervailing evidence is not admissible. In other words, the judge or commissioner does not, in fact, have to be biased or prejudiced. Rather, the outcome must turn on the reasonableness of the affiant's belief that the Hearing Officer is prejudiced and the sufficiency of the attested facts supporting the suggestion of prejudice. Mt. Sinai Medical Center v. Brown, 493 So.2d 512 12 (Fla. 1st DCA 1986).

4. Chapter 350.041 (2)(h), of the Florida statutes, which establishes standard of conduct parameters for commissioners states:

A commissioner must avoid impropriety in all of his or her activities and must act at all times in a manner that promotes public confidence in the integrity and impartiality of the commission.

THE STANDARD AND POORS CONFERENCE

5. On November 17, 2008, FPL filed a letter with the Florida Public Service Commission addressed to Chairman Carter requesting approval of a test year for a rate increase.

6. On January 9, 2009, Commissioner McMurrin received an email from Richard Cortright, an employee of Standard & Poors, about participating on a conference panel "that focuses on credit-related issues that affect the power industry." Mr. Cortright stated that the conference would be attended by primarily utilities, bankers and investors. See Attachment A.

7. On February 5th, 2009, Ms. McMurrin replied "count me in" to Mr. Cortright's request for her to serve as a panelist at the Standard & Poor's Utility Conference. See Attachment B.

8. On February 13, 2009, Commissioner McMurrin received the formal agenda for the conference provided by Standard & Poor's. The agenda indicated that there were no consumer advocates listed as presenters or panelists as Mr. Cortright indicated there might be. The presenters included William D. Johnson, Chairman, President & CEO of Progress

Energy, David M. Ratcliffe, Chairman, President & CEO of The Southern Company and Paul I. Cutler, Treasurer of FPL Group. See Attachment C.

9. The agenda to the Standard & Poor's conference also indicated that two of the panels were titled "Standard & Poor's Economic Outlook" and "Capital Markets Panel Discussion." The Capital Markets panel included Paul Cutler of FPL Group and was described as a "discussion about the prospects for electric utilities in 2009 and beyond in a tighter credit environment."

10. On February 24, 2009, Mr. Cortright invited Ms. McMurrin to a private dinner the night before the conference. Mr. Cortright said that the dinner was for the presenters and the panelists, which included no consumer advocates, but included Paul Cutler, Treasurer FPL Group. Commissioner McMurrin accepted the invitation. See Attachment D.

11. On March 18, 2009, the President and CEO of FPL, Armando Olivera filed testimony in this docket addressing the need for a rate increase. On pages 12 & 13 of his testimony he states that FPL needs a rate increase to "retain investor confidence in the most uncertain and volatile capital market that this country has experienced since the Great Depression" and goes on to say on page 13 that FPL investments "require an enormous amount of capital - capital that in the current market has become much more expensive due to dramatic increases in credit spreads and also more difficult to obtain, and, for some companies, not available at all." The basis for FPL's \$1.3 billion rate increase and the topics of the S&P Conference are clearly related. See Attachment E.

12. There has been no document placed into the record of this docket notifying the parties of Commissioner McMurrin's participation in the Standard & Poors Conference.

13. Considering the topics covered at the S&P Conference, the importance of those topics as discribed in the FPL testimony, the private dinner attended by Commissioner McMurrin that included the FPL Group Treasurer, and the failure of Ms. McMurrin to notify the parties about her participation, Mr. Unger fears he will not get a fair and impartial trial on the issues before the Commission in this docket from Commissioner McMurrin.

THE SMART GRID EMAIL

14. On March 13, 2009, Commissioner McMurrin received an email form Ellen Petril of the Electric Power Research Institue (EPRI) asking her to participate in an advisory group on smart grids and energy efficiency. The email stated that "Marlene Santos and Ken Hoffman of FPL recommended we invite you to participate." Commissioner McMurrin accepted the invitation. See Attachment F.

15. On March 18, 2009, FPL filed testimony by Marlene Santos asking the Florida Public Service Commission to approve millions of dollars for smart grid technology. See Attachment G.

16. On March 19, 2009, Commissioner McMurrin accpeted the invitation to be on the EPRI advisory group on smart grids and energy efficiency. See Attachment H.

17. Considering the fact that smart grid technology is a million dollar issue addressed in this docket, that Commissioner McMurrin agreed to be educated about this issue outside the structure of the actual hearing, and that this participation was in fact recommended by FPL representatives, Mr. Unger fears he will not get a fair and impartial trial on the issues before the Commission in this docket from Commissioner McMurrin.

WHEREFORE, Richard Unger respectfully suggests that Commissioner McMurrian
recuse herself from further participation in this docket for the reasons stated above.

Respectfully submitted.



Stephen A. Stewart
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Qualified Representative for Mr. Unger

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished electronically this 14th day of September, 2009, to the following:

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Anna Williams, Esquire
Martha Brown, Esquire
Jean Hartman, Esquire
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<p>Stephanie Alexander, Esquire Tripp Scott, P.A. 200 West College Avenue, Suite 216 Tallahassee, FL 32301 Attorneys for Association For Fairness In Rate Making (AFFIRM) sda@trippscott.com</p>	<p>Tamela Ivey Perdue, Esquire Associated Industries of Florida 516 North Adams Street Tallahassee, FL 32301 tperdue@aif.com</p>
<p>Shayla L. McNeill, Capt, USAF Utility Litigation & Negotiation Team Staff Attorney AFLOA/JACL-ULT AFCESA 139 Barnes Drive, Suite 1 Tyndall AFB, FL 32403-5317 Attorneys for the Federal Executive Agencies shayla.mcneill@tyndall.af.mil</p>	<p>John T. Butler Florida Power & Light Company 700 Universe Blvd Juno Beach, FL 33408-0420 john.butler@fpl.com</p>

By: /s/Stephen Stewart
Stephen Stewart


Attachment A

From: Cortright, Richard [richard_cortright@standardandpoors.com]
Sent: Friday, January 09, 2009 4:16 PM
To: Office of Commissioner McMurrin
Subject: S&P' Annual Electric Utility Conference

Katrina,

Happy New Year. I hope you had some down time over the holidays to recuperate from the misfortunes that 2008 rained down upon us all.

I wanted to touch base on a couple totally unrelated matters. First, each year Standard & Poor's holds a utility conference that focuses on credit-related issues that affect the power industry. The positive feedback we have received in each of the last two years for our regulatory panels has inspired us to include this panel again in 2009. We hope to have perhaps four state commissions, and perhaps a state consumer advocate, represented on the panel, and would be delighted to include you as a participant. The focus for the conference remains a work in progress, but will certainly include the anticipated direction on energy that the Obama administration is likely to pursue, and what that might mean for utility credit.

The conference will be held on March 10, 2009, at The McGraw-Hill Companies, located at 1221 Avenue of the Americas in New York. Invitations are only now going out to possible participants, so I cannot yet tell you who will comprise the panel. However, the commissioners will be from states with the strongest level of investor interest. In the last two years, our panel has included representatives from the states of California, New York, Pennsylvania, Texas, Ohio and Missouri. Each year we have about 200 attendees, comprised principally of investors, a few utilities, and bankers. The panel will last about an hour and a quarter, and is scheduled to take place in the mid-afternoon. We, of course, would avoid discussion of any specific filings that may be outstanding at the time.

Please let me know whether you would be interested and available.

Second, and on a totally unrelated matter, we would like to offer you a free service called MyCreditProfile that provides access to our credit analyses of the Florida utilities we rate, as well as to related industry commentary and other data. We would like to get this information into the hands of all regulators so, if interested, they could always have up to date information on our opinions of the specific companies they regulate as well as have access to our analyses of various credit-relevant industry developments. If they sounds at all appealing to you, please let me know.

Regards,

Richard

Richard W. Cortright, Jr.
Managing Director
U.S. Utilities and Infrastructure Ratings
Standard & Poor's
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6/7/2009

Kay Posey

Attachment B

From: Cortright, Richard [richard_cortright@standardandpoors.com]
Sent: Thursday, February 05, 2009 7:58 AM
To: Katrina McMurrian
Cc: Kay Posey; Lorena Holley
Subject: RE: S&P Utility Conference

That's great Katrina. Diann Nakash from our marketing group will be in touch with you shortly to discuss logistics.
Regards,
Richard

From: Katrina McMurrian [mailto:KMcMurri@PSC.STATE.FL.US]
Sent: Thursday, February 05, 2009 7:57 AM
To: Cortright, Richard
Cc: Kay Posey; Lorena Holley
Subject: Re: S&P Utility Conference

Richard, You can count me in. See you in March, Katrina

From: Cortright, Richard
To: Katrina McMurrian
Sent: Thu Feb 05 07:37:21 2009
Subject: S&P Utility Conference

Hi Katrina,
Any final word from your general counsel regarding your ability to participate in our conference?
Thanks.
Richard

Richard W. Cortright, Jr.
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5/7/2009

STANDARD & POOR'S

16th Annual Utilities Conference 2009 2020 Credit Vision
March 10, 2009
The McGraw-Hill Companies Auditorium
1221 Avenue of the Americas, New York, NY

-
- 7:30 a.m. Registration & Continental Breakfast**
- 8:15 a.m. Welcome/Opening Remarks**
John Whitlock, Managing Director, Standard & Poor's
-
- 8:30 a.m. A View from the Top**
Industry CEOs share their insight and perspective in a lively discussion touching on a myriad of issues facing the industry today, including developing alternative power sources, reducing greenhouse gas emissions, improving the transmission grid, and recovering rising costs.
John Whitlock, Managing Director, Standard & Poor's – Moderator
William D. Johnson, Chairman, President & CEO, Progress Energy
J. Wayne Leonard, Chairman & CEO, Entergy Corporation
David M. Ratcliffe, Chairman, President & CEO, Southern Company
-
- 9:45 a.m. Standard & Poor's Economic Outlook**
Standard & Poor's views on the current economic slowdown and the prospects for the rest of 2009.
David Wyss, Chief Economist, Standard & Poor's
-
- 10:15 a.m. Break**
-
- 10:30 a.m. New Energy for America**
Standard & Poor's analysts discuss the potential credit impact of ideas detailed in the Obama Administration's plan to promote energy independence and confront U.S. dependence on fossil fuels for electric generation.
SOLAR SHINES BRIGHTEST - *Anne Selting, Director*
NEW NUCLEAR GENERATION A DECADE AWAY - *Dimitri Nikas, Director*
CLEAN COAL PART OF ALTERNATIVE DEBATE - *Todd Shipman, Director*
WORKINGS OF A CAP & TRADE PROGRAM - *Swami Venkataraman, Director*
-
- 12:15 p.m. Luncheon Presentation**
Progress Report: Plug-In Electric Automobiles
Brian Wynne, President, Electric Drive Transportation Association
-
- 1:45 p.m. Capital Markets Panel Discussion**
Market participants will engage in a discussion about the prospects for electric utilities in 2009 and beyond in a tighter credit environment.
John Whitlock, Managing Director, Standard & Poor's – Moderator
Paul I. Cutler, Treasurer, FPL Group
Peter Madonia, Managing Director, J.P. Morgan, Inc.
Carrie Saint Louis, Research Analyst, Fidelity Management & Research Co.
-
- 2:45 p.m. Regulatory Panel Discussion**
State regulators share their views about the challenges ahead for the electric industry, including meeting substantial capital needs in an era of constrained credit and consumer pain, in a moderated Q&A session.
Richard W. Cortright, Jr., Managing Director, Regulatory Outreach and Media Relations, Standard & Poor's - Moderator
Chairman David C. Boyd, PhD, Minnesota Public Utilities Commission
Chairman David Hardy, Indiana Utility Regulatory Commission
Commissioner Katrina McMurrian, Florida Public Service Commission
Commissioner Erin M. O'Connell-Diaz, Illinois Commerce Commission
-
- 4:00 p.m. Conversation & Cocktail Reception**
Analysts from the electric, integrated gas and merchant energy teams will be available for one-on-one discussions during the cocktail hour.

Kay Posey

Attachment ID

From: Katrina McMurrian
Sent: Sunday, March 01, 2009 12:07 PM
To: Cortright, Richard
Cc: Nakash, Diann [diann_nakash@standardandpoors.com]; Kay Posey
Subject: RE: Dinner

Richard,

Thank you for the invitation. I would love to come. Sorry I didn't respond sooner; I now have my flight and know that I should be in NY in time. However, I will need the restaurant to give me a separate check for my dinner. Kay already talked to Diann about it, but I wanted to let you know as well. I know that I'm a lot of trouble (been told that all my life), and if it presents a problem, I will just see you all that next morning.

I'm looking forward to participating, and thanks to you and Diann for your help in making it possible,

Katrina

From: Cortright, Richard [mailto:richard_cortright@standardandpoors.com]
Sent: Tue 2/24/2009 6:46 AM
To: Katrina McMurrian
Subject: Dinner

Katrina,

We are organizing a dinner the evening before our March 10 conference for the panelists and outside presenters. Please let me know whether you will be able to join us. The details are as follow:

Bobby Van's
135 West 50th Street
(between 6th and 7th Avenue)
New York, NY
212-957-5050

Cocktails - 6:00 pm
Dinner - 6:30 pm

I hope you can make it.
Richard

Richard W. Cortright, Jr.
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38th Floor
New York, NY 10041
Telephone: 212-438-7665
Fax: 212-438-2155
e-mail: richard_cortright@standardandpoors.com

3/2/2009

- 1 • Armando Pimentel – Need for requested revenue increases, ROE,
2 capital structure, storm reserve and accrual;
3 • Joseph A. Ender – Cost of service;
4 • Renae B. Deaton – Rate design; and
5 • John J. Reed, Concentric Energy Advisers – FPL’s operational and
6 financial performance relative to industry benchmarks.

7 Some of these individuals as well as other witnesses also may testify in rebuttal
8 on behalf of FPL.

9

10 **IV. OVERVIEW AND CONTEXT OF**
11 **THE BASE RATE INCREASE**

12

13 **Q. Why does FPL require an increase in its base rates at this time,**
14 **particularly given the current challenging economic conditions?**

15 **A.** This is an important question. The full answer, of course, is found throughout
16 the entire filing that constitutes FPL’s formal request for an increase in its base
17 rates. But perhaps a brief explanation at the outset of my testimony will better
18 frame this important discussion.

19

20 Fundamentally, we need to increase base rates to be able to continue in the
21 ensuing years to provide the world class utility service that our customers
22 expect -- service that is affordable, reliable, and clean, and to retain investor

1 confidence in the most uncertain and volatile capital market that this country
2 has experienced since the Great Depression.

3

4 We believe this is the direction in which the electric industry must move if we
5 are to secure our energy future. FPL and Florida are leading the way. But the
6 projects and initiatives that are required to meet these objectives take long
7 periods of time to develop and require major financial commitments on the
8 part of our investors. Taking a short-sighted view, although tempting in a
9 down economy, is precisely the wrong approach for our customers, the state of
10 Florida and FPL. I will explain this in more detail later in my testimony.

11

12 To meet customer expectations, and to continue to provide a high quality,
13 foundational service in support of Florida's economy and quality of life for
14 Floridians, we must plan ahead and make efficient and prudent investments,
15 even in challenging economic times. Such investments require an enormous
16 amount of capital -- capital that in the current market has become much more
17 expensive due to dramatic increases in credit spreads and also more difficult to
18 obtain, and, for some companies, not available at all.

19

20 We understand that no price increase will ever be welcomed, whether it is for
21 electricity, healthcare, gasoline, or milk. It is worth observing, however, that
22 there are very few services in our economy that are subject to the type of
23 consistent and comprehensive price scrutiny to which electric prices in the

Attachment F

From: Pettrill, Ellen [epetrill@epri.com]
Sent: Friday, March 13, 2009 12:45 PM
To: Katrina McMurrian
Cc: Lorena Holley; Kay Posey; Hutchinson, John
Subject: Invitation to Join the EPRI Energy Efficiency/Smart Grid Public Advisory Group

Dear Commissioner McMurrian,
I'm writing to invite you to participate in an EPRI advisory group on smart grids and energy efficiency.

In my role as leader of state and regional relations for EPRI, I have created an Energy Efficiency/Smart Grid Public Advisory Group to advise EPRI energy efficiency and smart grid researchers on research agendas and objectives, and on adoption and implementation strategies.

I'm writing to invite you to participate in the group and represent Florida regulatory perspectives. Your interest in technology would bring an excellent perspective to the group. Marlene Santos and Ken Hoffman of FPL recommended we invite you to participate.

The group is composed of stakeholders representing utility regulatory commissions, academic, state, and federal research centers and governmental organizations, consumer advocates, non-governmental organizations, and members and staff of national organizations representing public sector stakeholders. The roster as of February 2009 is attached.

The group meets twice a year. We also hold some phone calls during the year. EPRI covers the cost of travel, room, and board for the Public Advisory Group members to participate in these meetings.

We invite utility funders of our smart grid and energy efficiency research to participate in these meetings as well.

In 2009, our first meeting will be April 7 - 8 in Boulder, CO to tour Xcel Energy's SmartGridCity facilities, as well as review recent EPRI results and plans for research. We will also discuss stimulus package roles and challenges. The second meeting will be held in the September/October timeframe in a location to be determined.

Please consider this invitation. We would be pleased to have you be part of this group. I do recognize that this time commitment may be unrealistic for you. It may be more reasonable to have you designate a person to participate.

I will call your office to set up a time to discuss this. Thank you and I look forward to talking with you!

Ellen Pettrill

Director, Public/Private Partnerships
Electric Power Research Institute
3420 Hillview Avenue | Palo Alto, CA 94304
Tel: 650.855.8939
Email: epetrill@epri.com

www.epri.com

Together...Shaping the Future of Electricity

6/25/2009

ADVANCED METERING INFRASTRUCTURE

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Q. What is FPL doing to support the development of Smart Grid technologies and to align itself with recent Federal legislation?

A. FPL has focused on AMI solutions (meter and infrastructure) for several years and supports the Energy Independence and Security Act of 2007's (EISA 2007) recommendation to accelerate policy makers' focus on deploying smart grid technologies. We have tested various solutions throughout the years and are implementing an AMI solution that will be in alignment with the requirements of EISA 2007. AMI serves as the initial step in the development of our smart grid initiative and supports the established federal policy to modernize the electric infrastructure. AMI also aligns with legislation contained within the American Recovery and Reinvestment Act of 2009 supporting modernization of the electric network.

Q. Please address FPL's plans for AMI.

A. FPL's AMI project includes the deployment of state of the art integrated solid state meters, also known as "smart meters," to the over four million residential and small/medium business customers it serves. The meters are equipped with two-way communications, remote reading, connection, and disconnection capabilities and will be able to collect data regarding consumption at predetermined intervals. The ability for two way communication will provide flexibility for future delivery of new service options for customers. The meters also include "flags" which will be useful

1 for the determination of outage, restoration and theft. Our project is expected
2 to last five to six years and has a total capital cost of \$645 million. The meter
3 deployment schedule is as follows:

- 4 • 2009 – 170,000
- 5 • 2010 – 1,100,000
- 6 • 2011 – 1,100,000
- 7 • 2012 – 1,100,000
- 8 • 2013 – 900,000

9 **Q. What is FPL's experience with AMI?**

10 A. We have deployed various metering technologies throughout the years to
11 determine which technology is best suited for FPL. In 2005, approximately
12 50,000 smart meters were deployed. The meters were single phase, non-
13 demand meters that generally serve residential and small and medium-size
14 business customers. Two different communication technologies were
15 deployed. There were approximately 34,000 power line carrier meters and
16 approximately 16,000 radio frequency meters installed. Analysis of the first
17 phase deployment provided confirmation of basic benefits and identified *what*
18 potential benefits. It also identified the need for a flexible technology platform
19 necessary for future potential benefits and customer needs.

20
21 Our second phase deployment in 2007 and 2008 was a radio frequency mesh
22 technology, which links other meters to form a communications "mesh"
23 network. We deployed approximately 100,000 meters and have successfully

Attachment H

From: Petrill, Ellen [epetrill@epri.com]
Sent: Thursday, March 19, 2009 4:57 PM
To: Katrina McMurrian
Cc: Kay Posey; Lorena Holley; Tyran, Barbara
Subject: RE: Invitation to Join the EPRI Energy Efficiency/Smart Grid Public Advisory Group

Dear Katrina,
Thank you for your answer—I'm thrilled you will participate! your participation does not hinge on the April meeting.

Yes, I think it dovetails very nicely with the smart grid collaborative effort. We would be pleased to have someone else come in April, but again, if it doesn't work, that's OK too.

Thank you! I will add you to our roster. I will also send you an invitation to the meeting so you can see what the information is. If you will have someone else attend, please send me their contact information so we can invite that person to the meeting.

Ellen Petrill

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Together...Shaping the Future of Electricity

From: Katrina McMurrian [mailto:KMMcMurri@PSC.STATE.FL.US]
Sent: Thursday, March 19, 2009 1:27 PM
To: Petrill, Ellen
Cc: Kay Posey; Lorena Holley
Subject: FW: Invitation to Join the EPRI Energy Efficiency/Smart Grid Public Advisory Group

Ellen, Yes, I think I'd like to join the group if it's not imperative that I attend the upcoming meeting. As I think Kay explained, it conflicts with an Agenda conference. I have asked Lorena to talk with our staff to see about sending someone in my place. Those things take time, so we have no answer on that yet. Anyway, I hope this gives you what you need. I look forward to working with you on this; I think it will dovetail well with my participation in the FERC/NARUC Smart Grid Collaborative. Best regards, Katrina

From: Kay Posey
Sent: Thursday, March 19, 2009 8:36 AM
To: Katrina McMurrian
Subject: FW: Invitation to Join the EPRI Energy Efficiency/Smart Grid Public Advisory Group

did you want to join?

From: Petrill, Ellen [mailto:epetrill@epri.com]
Sent: Wednesday, March 18, 2009 5:21 PM
To: Kay Posey
Cc: Hutchinson, John
Subject: RE: Invitation to Join the EPRI Energy Efficiency/Smart Grid Public Advisory Group

Kay,
Do you know whether Katrina has decided whether to join the group or not? I would like to know whether I should add her name to the roster. By the way, Commissioner Rachele Chong of California Public Utilities Commission has joined.

9/14/2009