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RICHARD CORCORAN
*Speaker of the House of
Representatives*

October 15, 2018

Ms. Carlotta Stauffer, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Docket No 20180047-EI

Dear Ms. Stauffer:

Please find enclosed for filing in the above referenced docket the the Direct Testimony and Exhibit of **Ralph Smith, CPA**. This filing is being made via the Florida Public Service Commission's Web Based Electronic Filing Portal.

If you have any questions or concerns; please do not hesitate to contact me. Thank you for your assistance in this matter.

Sincerely,

/s/ Charles J. Rehwinkel

Charles J. Rehwinkel
Deputy Public Counsel

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Consideration of the tax impacts
associated with Tax Cuts and Jobs Act
of 2017 for Duke Energy Florida, LLC.

DOCKET NO. 20180047-EI

FILED: October 15, 2018

DIRECT TESTIMONY

OF

RALPH SMITH, CPA

ON BEHALF OF THE CITIZENS OF THE STATE OF FLORIDA

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1 **DIRECT TESTIMONY**

2 **OF**

3 **RALPH SMITH**

4 On Behalf of the Office of Public Counsel

5 Before the

6 Florida Public Service Commission

7 20180047-EI

8
9 **I. INTRODUCTION**

10 **Q. WHAT ARE YOUR NAME, OCCUPATION, AND BUSINESS ADDRESS?**

11 A. My name is Ralph Smith. I am a Certified Public Accountant licensed in the State of
12 Michigan and a senior regulatory consultant at the firm Larkin & Associates, PLLC,
13 Certified Public Accountants, with offices at 15728 Farmington Road, Livonia,
14 Michigan, 48154.

15
16 **Q. PLEASE DESCRIBE THE FIRM LARKIN & ASSOCIATES, PLLC.**

17 A. Larkin & Associates, PLLC, ("Larkin") is a Certified Public Accounting and
18 Regulatory Consulting Firm. The firm performs independent regulatory consulting
19 primarily for public service/utility commission staffs and consumer interest groups
20 (public counsels, public advocates, consumer counsels, attorneys general, etc.). Larkin
21 has extensive experience in the utility regulatory field as expert witnesses in over 600
22 regulatory proceedings, including numerous electric, water and wastewater, gas and
23 telephone utility cases.

1 **Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE FLORIDA PUBLIC**
2 **SERVICE COMMISSION?**

3 A. Yes, I have testified before the Florida Public Service Commission (“FPSC” or
4 “Commission”) previously. I have also testified before several other state regulatory
5 commissions.

6

7 **Q. HAVE YOU PREPARED AN EXHIBIT DESCRIBING YOUR**
8 **QUALIFICATIONS AND EXPERIENCE?**

9 A. Yes. I have attached Exhibit RCS-1, which is a summary of my regulatory experience
10 and qualifications.

11

12 **Q. ON WHOSE BEHALF ARE YOU APPEARING?**

13 A. Larkin & Associates, PLLC, was retained by the Florida Office of Public Counsel
14 (“OPC”) to review the impacts on public utility revenue requirements due to the Tax
15 Cuts and Jobs Act of 2017 (“TCJA” or “2017 Tax Act”). My testimony addresses the
16 impacts of the TCJA on Duke Energy Florida, LLC (“DEF,” “Duke” or “Company”)
17 on behalf of the OPC. Accordingly, I am appearing on behalf of the Citizens of the
18 State of Florida.

19

20 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS PROCEEDING?**

21 A. I am presenting OPC's recommendations regarding certain aspects of the TCJA impacts
22 on the Company. In this testimony, I address TCJA impacts on DEF.

1 **Q. WHAT INFORMATION DID YOU REVIEW IN PREPARATION OF YOUR**
2 **TESTIMONY?**

3 A. I reviewed the Company's filing, including the direct testimony and exhibits. I also
4 reviewed the Company's responses to OPC's formal and informal discovery and other
5 materials pertaining to the TCJA and its impacts on the Company. On October 3, 2018,
6 I met with DEF and representatives of the tax department to conduct informal
7 discovery. In addition, I reviewed Rule 25-14.011, Florida Administrative Code
8 ("F.A.C."), concerning procedures for processing requests rulings to be filed with the
9 Internal Revenue Service ("IRS").

10

11 **Q. PLEASE DESCRIBE HOW THE REMAINDER OF YOUR TESTIMONY IS**
12 **ORGANIZED.**

13 A. After this introduction (Section I), I address the TCJA impacts related to each of the
14 following issues:

- 15 • In Section II, I address the amount and recommended treatment of "Protected"
16 and "Unprotected" Excess Accumulated Deferred Income Taxes ("EADIT").
- 17 • In Section III, I address the amount of estimated 2018 income tax savings in
18 base rates related to the reduction in the federal income tax rate to 21 percent.
- 19 • In Section IV, I discuss DEF's riders and surcharges that are impacted by the
20 TCJA.
- 21 • In Section V, I address whether a Private Letter Ruling ("PLR") should be
22 required for the Company, and issues related to a PLR request.
- 23 • Finally, in Section VI, I summarize my findings and recommendations.

1 **II. QUANTIFICATION, CLASSIFICATION AND APPLICATION OF**
2 **EXCESS ACCUMULATED DEFERRED INCOME TAXES**

3 **Q. WHAT ARE ACCUMULATED DEFERRED INCOME TAXES ("ADIT")?**

4 A. ADIT is a source of cost-free capital to reflect that the utility collects money from
5 ratepayers for Deferred Income Tax Expense and holds onto that money prior to
6 eventually paying the income taxes to the government. ADIT results from differences
7 between book and tax accounting. ADIT is referred to as Accumulated Deferred
8 Income Taxes to recognize that these balances typically build up (or accumulate) over
9 time, e.g., as tax deductions exceed corresponding book expense. One primary source
10 of ADIT results from claiming accelerated tax deductions. The tax depreciation
11 deductions on public utility property typically occur on an accelerated basis (i.e.,
12 method differences) and over a shorter period (i.e., life differences) than book
13 depreciation accruals relating to the original cost of the public utility property. These
14 types of differences between book and tax depreciation are referred to as “method/life”
15 differences. Unlike many other types of book-tax differences, the tax depreciation
16 “method/life” differences are subject to normalization requirements under Sections 167
17 and 168 of the Internal Revenue Code.

18
19 **Q. WHAT ARE "EXCESS" ACCUMULATED DEFERRED INCOME TAXES**
20 **("EXCESS ADIT" OR "EADIT")?**

21 A. Regulated public utilities are required to identify the portions of their ADIT balances
22 that represent "excess" ADIT based on recalculations using the difference between the
23 old federal corporate income tax (“FIT”) rate (typically 35%) under which the ADIT
24 was originally accumulated and the new FIT rate of 21% provided for in the TCJA.

1 Basically, the utility's ADIT must be revalued at the new FIT rate (as if it had always
2 been applicable) and the amounts that have been accumulated using the federal income
3 tax rates that are higher than the current 21% rate will represent "excess" ADIT.

4

5 **Q. WHAT AMOUNT OF EXCESS ACCUMULATED DEFERRED INCOME**
6 **TAXES ("EADIT") DOES DEF SHOW?**

7 A. DEF shows a total EADIT net liability of approximately \$809 million. A summary of
8 this is presented on Company Exhibit No. __ (MG-1). The Company indicates it will
9 true-up these estimates in December 2018 after filing its 2017 federal corporate income
10 tax return in September 2018. The total EADIT net liability of \$809 million consists
11 of a property-related (account 282) EADIT liability of approximately \$732 million and
12 a non-property related net EADIT liability of approximately \$77 million.

13

14 **Q. HOW DO INTERNAL REVENUE CODE NORMALIZATION**
15 **REQUIREMENTS AFFECT THE CATEGORIZATION OF ADIT AND**
16 **EXCESS ADIT?**

17 A. Internal Revenue Code ("IRC" or "Code") normalization requirements will apply to the
18 portion of the property-related ADIT that relates to the use of accelerated tax
19 depreciation (including bonus tax depreciation). This will result in two general
20 categories of excess ADIT: (1) "protected" (i.e., related to the use of accelerated tax
21 depreciation and subject to the normalization requirements) and (2) "unprotected"
22 property and non-property related excess ADIT (which is not subject to normalization

1 requirements and for which the amortization or application is up to the discretion of the
2 Commission).

3

4 **Q. HOW HAS DEF CLASSIFIED THE PROPERTY-RELATED EADIT**
5 **BETWEEN "PROTECTED" AND "UNPROTECTED"?**

6 A. On Company Exhibit No. __ (MG-1), page 1, DEF shows a “protected” EADIT
7 liability for Property, Plant and Equipment ("PP&E") Method/Life differences of
8 \$617.75 million. On that exhibit, DEF also shows an “unprotected” EADIT liability
9 of \$114.25 million. The sum of those two amounts is the PP&E related EADIT liability
10 of \$732 million. The PP&E-related EADIT items listed on Company Exhibit
11 No. __ (MG-1), page 1, are tracked in PowerTax (DEF’s computer tax program).

12

13 **Q. HOW HAS DEF CLASSIFIED THE NON-PROPERTY-RELATED EADIT**
14 **BETWEEN "PROTECTED" AND "UNPROTECTED"?**

15 A. Company Exhibit No. __ (MG-1), page 2, shows non-PP&E related EADIT, classified
16 between “protected” and “unprotected.” As shown there, DEF shows an EADIT net
17 asset of \$57.27 million for “protected” non-PP&E EADIT and an EADIT liability of
18 \$134.28 million for “unprotected” non-PP&E related EADIT. Those two amounts net
19 to the \$77 million net EADIT liability for non-PP&E related EADIT. During an on-
20 site meeting on October 3, 2018, Company representatives indicated that none of the
21 EADIT items on Company Exhibit No. __ (MG-1), page 2, are in PowerTax. DEF
22 uses the PowerTax software to track its PP&E related ADIT in account 282 and the
23 related EADIT balances. The other book-tax differences that comprise the ADIT in

1 accounts 190 and 283 that are listed on Company
2 Exhibit No. __ (MG-1), page 2 are tracked by the Company outside of PowerTax.

3

4 **Q. WHAT NON-PP&E ITEMS OF EADIT HAS THE COMPANY CLASSIFIED**
5 **AS "PROTECTED"?**

6 A. As shown on Company Exhibit No. __ (MG-1), page 2, DEF has classified only two
7 items as "protected," both of which relate to the Company's federal net operating loss
8 ("NOL") carryforward.

9

10 **Q. HOW DID DEF DETERMINE THE EADIT RELATED TO ITS FEDERAL**
11 **NOL CARRYFOWARD WAS APPROPRIATELY CLASSIFIED AS**
12 **"PROTECTED"?**

13 A. The Company made a "with and without" calculation as the basis for that determination.
14 Basically, the Company calculated its taxable income "with" accelerated and bonus tax
15 depreciation and made another calculation of taxable income "without" the accelerated
16 and bonus tax depreciation. Based on those calculations, which DEF provided to the
17 OPC after the October 3, 2018 on-site interviews, the Company determined the EADIT
18 related to its NOL carryforward was entirely related to accelerated and bonus tax
19 depreciation, and thus should be classified as "protected" just as the method/life
20 differences associated with accelerated and bonus tax depreciation which gave rise to
21 that NOL carryforward are classified as "protected." The Company's response to OPC
22 interrogatory 24, states that "DEF has recently determined that the excess deferred tax
23 asset associated with the net operating loss is protected ..."

1 **Q. HOW DOES THE CATEGORIZATION OF “PROTECTED” OR**
2 **“UNPROTECTED” AFFECT THE AMORTIZATION OF THE EADIT?**

3 **A.** The 2017 Tax Act provides that the Average Rate Assumption Method (“ARAM”)
4 must be used for the “protected” portion of the EADIT. The flow back of the
5 “protected” excess ADIT, therefore, must follow the prescribed method to comply with
6 normalization requirements. In contrast, the flow back of the “unprotected” portion of
7 the excess ADIT will be up to the discretion of the Commission as far as the Internal
8 Revenue Service is concerned. “Unprotected” ADIT is not subject to normalization
9 requirements. The “unprotected” ADIT will be revalued at the lower 21% tax rate,
10 creating balances of excess “unprotected” ADIT that can be flowed back to customers
11 over amortization periods to be determined by the Commission, or applied in some
12 other manner to be determined by the Commission (e.g., such as for the recovery of
13 regulatory assets).

14
15 **Q. DO YOU AGREE WITH DEF’S CLASSIFICATION OF THE EADIT**
16 **BETWEEN THE "PROTECTED" AND "UNPROTECTED" CATEGORIES?**

17 **A.** I have no disagreement with the DEF’s classification of EADIT that has been presented
18 on Company Exhibit No. __ (MG-1). However, I note that the guidance provided in
19 the TCJA and in previous IRS rulings presents some degree of uncertainty as to the
20 classification of the EADIT related to at least one of the large book-tax differences,
21 specifically to the EADIT relating to cost of removal/negative net salvage.

1 **Q. WHAT IS THE APPROPRIATE DISPOSITION OF THE “PROTECTED”**
2 **EADIT?**

3 A. The “protected” EADIT should be reversed using an ARAM if the utility has the
4 available information to calculate the ARAM, or via another appropriate method that
5 complies with normalization requirements, if the Company does not have the
6 information to compute the ARAM. DEF has the information needed for the ARAM
7 calculations, so it should use the ARAM for its “protected” EADIT.

8

9 **Q. ARE YOU CONTESTING THE AMOUNTS ASSOCIATED WITH THE**
10 **COMPANY'S PROPOSED EADIT?**

11 A. No. The Company has indicated that its EADIT amounts are estimates and are subject
12 to correction after it files its 2017 tax return, which, with a 6-month extension from
13 March 15, 2018, should have been filed by September 17, 2018.¹ I have accepted the
14 Company's amounts as reasonable estimates, subject to the later true up. DEF has
15 indicated that in December 2018 it will calculate the actual amount of EADIT at
16 December 31, 2017 based on its 2017 corporate income tax return that was filed in
17 September 2018. DEF had indicated that it will submit the actual EADIT and
18 amortization amounts in December 2018 and will true-up those amounts back to
19 January 2018.

20

21 **Q. WHAT AMORTIZATION DOES DEF PROPOSE FOR ITS PROPERTY-**
22 **RELATED “PROTECTED” AND “UNPROTECTED” EADIT?**

¹ The OPC has not yet been provided with the Company's final as-filed 2017 federal corporate income tax return.

1 A. DEF is proposing to use ARAM for the “protected” EADIT and to apply a 10-year
2 amortization to the “unprotected” property-related EADIT, as provided for in the 2017
3 settlement between the Company, the OPC and other intervenors.

4 Specifically, on Company Exhibit No.__(MJO-1), page 3, DEF shows net
5 "protected" EADIT of \$560.483 million. The \$560.483 million of "protected" EADIT
6 is also shown on Company Exhibit No.__(MG-1), page 1, line 6. on Company Exhibit
7 No.__(MJO-1), page 3, DEF applied an ARAM-based amortization percentage of 4.82
8 percent to that \$560.483 million "protected" EADIT amount, to derive the estimated
9 “protected” EADIT amortization for 2018 of \$27.015 million.

10

11 **Q. DO YOU AGREE WITH DEF'S PROPOSAL TO APPLY THE ARAM FOR**
12 **THE "PROTECTED" PORTION OF ITS PROPERTY-RELATED EADIT?**

13 A. Yes, I do. Application of the ARAM for the "protected" EADIT is required by the
14 Internal Revenue Code and TCJA. I agree with DEF's proposal to use the ARAM, but
15 only for the "protected" EADIT.

16

17 **Q. SHOULD THE ARAM FOR THE "UNPROTECTED" PORTION OF ITS**
18 **PROPERTY-RELATED EADIT?**

19 A. No. There is no Internal Revenue Code or TCJA requirement that the "unprotected"
20 EADIT must be amortized using the ARAM. The amortization of a utility's
21 "unprotected" EADIT is up to the discretion of the Commission and subject to any
22 settlement approved by Commission order. Since this EADIT is by definition "excess"
23 (meaning amounts that are in excess, or more than needed, based on the current federal

1 corporate income tax rate of 21 percent) and the balance is a liability (meaning the
2 amounts are being held by the Company and should be returned to ratepayers), a shorter
3 amortization period should be considered. A straight-line amortization should be
4 applied for the "unprotected" EADIT.

5
6 **Q. WHAT HAS DEF PROPOSED FOR THE AMORTIZATION OF ITS**
7 **"UNPROTECTED" EADIT BALANCE?**

8 A. As explained on page 5 of the Direct Testimony of Company witness Olivier, DEF
9 proposes to amortize the "unprotected" EADIT balance of \$248.5 million over ten years
10 since the amount is greater than \$200 million. As explained by Ms. Olivier on pages
11 2-3 of her Direct Testimony, the Commission on November 20, 2017 approved DEF's
12 2017 Second Revised and Restated Settlement Agreement ("2017 Settlement") in
13 Order No. PSC-2017-0451-AS-EU. Paragraph 16 of that 2017 Settlement sets forth
14 the methodology for calculating the tax impacts and flow back associated with tax
15 reform. Her Exhibit No.__(MJO-1), page 3, shows the amount of total flow back
16 associated with the amortization of EADIT in addition to the flow back of annual tax
17 savings. For the amortization of the "unprotected" EADIT, DEF proposes ten years,
18 which appears to be consistent with DEF's 2017 Settlement.²

19
20 **Q. DO YOU AGREE WITH APPLYING A STRAIGHT-LINE METHOD FOR**
21 **AMORTIZING THE "UNPROTECTED" EADIT?**

² In re: Application for Limited Proceeding to Approve 2017 Second Revised and Restated Settlement Agreement, including Certain Rate Adjustments, by Duke Energy Florida, LLC., Order No. PSC-2017-0451-AS-EU, issued November 20, 2017, in Docket No. 20170183-EI, et. al., at p. 40.

1 A. Yes. Amortizing the “unprotected” EADIT using a straight-line method is a
2 straightforward approach that is simple to administer.

3

4 **Q. IS IT NECESSARY THAT THE “UNPROTECTED” EADIT BE FLOWED**
5 **BACK OVER A PERIOD SIMILAR TO HOW THE ADIT WOULD HAVE**
6 **FLOWED BACK IN THE ABSENCE OF THE TCJA?**

7 A. No. The amortization of the “unprotected” EADIT is a matter within the Commission
8 jurisdiction. There is no need to allow utilities to hold “unprotected” EADIT amounts
9 for decades into the future. As described above, the EADIT amounts are "excess" and,
10 if in a liability position (i.e., if they represent amounts owed to customers), these
11 amounts should be flowed back over a quicker period. This quicker flow back reduces
12 intergenerational inequity by returning the money to the customers who paid the higher
13 tax rates rather than stretching the timeframe into the future for the benefit of customers
14 who may never have paid for the “excess” ADIT. I am recommending an amortization
15 period of ten years as the flow back period for DEF's “unprotected” EADIT balances.
16 This is in agreement with DEF's proposal, which is in accord with the DEF 2017
17 Settlement.

18

19 **Q. DO YOU HAVE A RECOMMENDATION FOR THE AMORTIZATION OF**
20 **THE "UNPROTECTED" EADIT?**

21 A. Yes. I recommend that DEF's proposal amortization of "unprotected" EADIT over ten
22 years on a straight-line basis be accepted because it is reasonable and is consistent with
23 the applicable provisions of the 2017 Settlement. I note that a ten-year straight-line

1 amortization period for “unprotected” EADIT is being used by another Florida
2 regulated utility, Tampa Electric Company³ pursuant to a 2017 settlement with the OPC
3 and other intervenors, and is a reasonable period for returning these excess amounts to
4 customers. Moreover, Gulf Power Company agreed to return its entire “unprotected”
5 property-related EADIT in 2018.⁴ Thus, a ten-year flow back is reasonable for DEF to
6 return this money to its ratepayers.

7

8 **Q. WHAT ANNUAL AMORTIZATION OF THE "UNPROTECTED" PORTION**
9 **OF DEF'S PROPERTY-RELATED EADIT IS PRODUCED BY A TEN-YEAR**
10 **STRAIGHT-LINE AMORTIZATION?**

11 A. Amortizing the “unprotected” property-related EADIT liability of \$248.540 million
12 over ten years produces an annual amortization amount of \$24.854 million, as shown
13 on DEF Exhibit No. ___(MJO-1), page 3, lines 5 through 7.

14

15 **Q. WHAT IS DEF'S TOTAL ESTIMATED AMOUNT OF 2018 EADIT**
16 **AMORTIZATION?**

17 A. As shown on DEF Exhibit No. ___(MJO-1), page 3, the total amount of 2018 EADIT
18 amortization estimated by DEF is \$51.869 million, consisting of \$27.015 million of
19 “protected” EADIT amortization using the ARAM and \$24.854 million of
20 “unprotected” EADIT amortization using a ten-year straight-line amortization.

³ In re: Consideration of the Tax Impacts Associated with Tax Cuts and Jobs Act of 2017 for Tampa Electric Company, Order No. PSC-2018-0457-FOF-EI, issued September 10, 2018, in Docket No. 20180046-EI at p. 5.

⁴ In re: Consideration of the Stipulation and Settlement Agreement Between Gulf Power Company, the Office of Public Counsel, Florida Industrial Power Users Group, and Southern Alliance for Clean Energy Regarding the Tax Cuts and Jobs Act of 2017, Order No. PSC-2018-0180-FOF-EI, issued April 12, 2018, in Docket No. 20180039-EI, at pp. 11-12.

1 **Q. DID DEF ALLOCATE SOME OF THE EADIT AMORTIZATION TO ITS**
2 **OPEN ACCESS TRANSMISSION TARIFF ("OATT")?**

3 A. Yes. As shown on DEF Exhibit No. ____ (MJO-1), page 3, lines 11 and 12, DEF
4 allocated 3.73 percent of \$1.935 million, of the 2018 EADIT amortization to its OATT.
5 After making that OATT allocation, that left an amount of 2018 EADIT amortization
6 of \$49.935 million, as shown on DEF Exhibit No. ____ (MJO-1), page 3, line 12.

7
8 **Q. TO GET TO REVENUE REQUIREMENT AMOUNTS, DO THE EADIT**
9 **AMOUNTS NEED TO INCLUDE A TAX "GROSS-UP"?**

10 A. Yes. The amounts listed above do not appear to include the "gross up" amount.
11 However, calculation presented by DEF on Company Exhibit No. __ (MJO-1), page 3
12 of 3, to derive the total annual projected flow-back of EADIT, does include a "gross
13 up" based on the reciprocal of the 25.345 percent combined state and federal income
14 tax rate that uses the new 21 percent federal corporate income tax rate. The EADIT
15 resulting from the tax rate change is increased or "grossed up" for the current income
16 tax rate to derive the related revenue requirement impact. The "grossed up" amount of
17 the EADIT regulatory liability (or asset) that is being amortized would be subject to
18 income taxes at the current rate; therefore, it is necessary to apply a "gross up" factor
19 at some point in the process. As explained above, DEF has first calculated the EADIT
20 amortization on its Exhibit No. ____ (MJO-1), page 3 of 3, then applied a "gross up" to
21 derive the revenue requirement impact of that EADIT amortization. The "grossed up"
22 EADIT amortization amount is shown on line 14 of Exhibit No. ____ (MJO-1), page 3.

1 **Q. HOW HAS DEF CLASSIFIED THE EADIT RELATED TO REPAIRS**
2 **DEDUCTIONS?**

3 A. DEF has classified EADIT related to repairs deductions as "unprotected." On Company
4 Exhibit No.____(MG-1), page 1, EADIT related to repairs deductions is shown on lines
5 42, 49 and 50. All of that EADIT has been classified by DEF as "unprotected." It
6 should be noted that the "Tax Expensing" of repairs EADIT liability amount of
7 \$282.468 million shown on Exhibit No.____(MG-1), page 1, line 49, is the largest single
8 "unprotected" EADIT component that DEF has. Properly classifying the EADIT for
9 repairs deductions as "unprotected" and flowing it back over an appropriate period is
10 thus very important. It appears that DEF has appropriately classified the EADIT related
11 to repairs deductions as "unprotected." Moreover, as explained below in my testimony,
12 DEF is proposing to amortize its net "unprotected" EADIT liability over a ten-year
13 period on a straight-line basis.

14
15 **Q. HOW HAS DEF CLASSIFIED THE EADIT RELATED TO COST OF**
16 **REMOVAL/NEGATIVE NET SALVAGE?**

17 A. DEF witness Matt Gordon's Direct Testimony at pages 7-8 contain the following
18 description:

19 "DEF treated the COR component of excess ADIT as both protected and
20 unprotected with the majority being treated as protected. This approach
21 is an effort to avoid any normalization violations. Some utilities are
22 treating COR as a basis difference which would result in COR being
23 classified as unprotected. DEF has reviewed the IRS rules extensively
24 and believes the rules require utilities to use all of the book depreciation
25 amounts included in its utility operations in the normalization ARAM
26 calculations. The regulations require that "salvage" be taken into
27 account when determining the depreciation amount. DEF's book
28 depreciation "salvage" amount is a "net salvage" amount which means

1 that COR is a component of the depreciation rate. A portion of book
2 depreciation gets assigned to book tax basis differences (portions of a
3 book asset that is depreciated for book purposes but not for tax
4 purposes). Examples of this would be AFUDC debt, tax repair projects,
5 taxable contributions in aid of construction (taxable CIAC), etc.
6 Therefore, some of the COR gets assigned to the method/life protected
7 deferred taxes and some gets assigned to the basis differences
8 unprotected amounts. DEF believes this method does not result in a
9 normalization violation as we are proposing that COR be normalized
10 along with the other components of book depreciation. COR results in
11 a deferred tax asset and this method is to the benefit of customers as it
12 slows down the recovery of the regulatory asset created from excess
13 deferred taxes because the majority of the COR is showing up in
14 protected deferred taxes which is recovered over a longer period of time
15 than if deemed unprotected."

16 Additionally, DEF's response to OPC Interrogatories 14(c), (d) and (e) and 30
17 address how DEF accounts for cost of removal and negative net salvage. DEF's
18 response to OPC Interrogatory No. 24 states, in part, that: "DEF has recently
19 determined ... that the excess deferred tax liability on the Cost of Removal Regulatory
20 Asset is not protected ..." DEF's response to OPC Interrogatory No. 26 and follow-up
21 information obtained after the on-site meetings in St. Petersburg, FL with DEF on
22 October 3, 2018 indicate that DEF had a Cost of Removal ("COR") regulatory asset of
23 approximately \$600 million, of which approximately \$120 million had been applied in
24 previous years, leaving approximately \$480 million as of December 31, 2015, which
25 had remained through December 31, 2017. The Cost of Removal Regulatory Asset
26 refers to that balance, which had resulted from DEF's last rate case, in which DEF
27 created a regulatory asset related to excess theoretical accumulated depreciation
28 reserves related to cost of removal.

29 DEF's response to OPC Interrogatory No. 29(a) provides an additional
30 explanation of DEF's reasoning for classifying the EADIT for cost of removal as
31 "unprotected." Specifically, in its response to OPC Interrogatory No. 29(a), DEF cites

1 Treasury Regulation Section 1.167(a)-1(c)(1) which DEF states generally allows
2 taxpayers to use either gross salvage or net salvage (i.e., gross salvage less Cost of
3 Removal) as the "salvage value" that is taken into account in determining depreciation
4 deductions allowable under IRC Section 167. DEF quotes Internal Revenue Service
5 Statements made in PLR 8616018, which addresses utility use of net salvage to
6 compute its regulatory depreciation expense. DEF's annotated⁵ quote from PLR
7 8616018 as stated in the Company's response to OPC Interrogatory No. 29(a) is
8 reproduced below:

9 "... it is clear that in calculating the amount to be normalized ... a
10 taxpayer must use the same method of calculating salvage value in
11 computing [protected ADIT] as it uses in computing its tax expense and
12 depreciation expense for ratemaking purposes. Thus, if [a taxpayer]
13 uses net salvage value to calculate its regulated tax expense and
14 depreciation expense ... [the taxpayer] must use net salvage value ... to
15 calculate [protected ADIT]. The use of any other method ... violates the
16 consistency requirement of [the normalization rules]"⁶

17
18 DEF explains further that, similar to the taxpayer that requested PLR 8606018,
19 DEF uses net salvage value to determine the rate of depreciation that it uses to calculate
20 regulatory depreciation expense. As a result, to comply with the normalization
21 requirements, DEF states that it must also use net salvage value to determine the
22 Section 167 Regulatory Depreciation it uses to calculate "protected" ADIT and
23 "protected" EADIT.

24 Further explanation provided by DEF in its response to OPC Interrogatory No.
25 29(a) indicates the Cost of Removal that is taken into account in the Company's

⁵ The bracketed items are per DEF's response to OPC Interrogatory No 29(a) as inserted into the PLR 86016018 quote by DEF for clarity.

⁶ In footnote 4 to DEF's response, DEF notes that IRC Section 168(e)(3)(B)(ii) , as referenced in PLR 86016018, was re-designated to IRC Section 168(i)(9)(A)(ii) by Section 201(a) of the Tax Reform Act of 1986

1 calculation of “unprotected” EADIT is the portion attributable to book-tax basis
2 differences. Thus, DEF has distinguished between (1) book-tax basis differences,
3 which DEF has classified as being associated with “unprotected” EADIT) and (2)
4 method/life differences (which DEF has classified as being associated with
5 “unprotected” EADIT).

6 It should be noted that DEF's classification of EADIT for cost of removal as
7 "unprotected" differs from certain other Florida utilities, such as Florida Power & Light
8 Company, which classified its EADIT for cost of removal as "protected." Later in my
9 testimony, I discuss the potential need to request a Private Letter Ruling from the IRS
10 related to the cost of removal component of EADIT.

11

12 **Q. HAVE YOU NOTED OTHER DIFFERENCES BETWEEN DEF'S**
13 **CLASSIFICATION OF EADIT ITEMS VERSUS OTHER FLORIDA**
14 **UTILITIES?**

15 A. Yes. DEF has classified the EADIT related to the method/life state tax offset as
16 "unprotected" as shown on Company Exhibit No. ___(MG-1), page 1, line 33.
17 Additionally, the EADIT related to the Florida state income tax treatment of bonus
18 depreciation has been classified by DEF as "unprotected" as shown on Company
19 Exhibit No. ___(MG-1), page 1, lines 27, 28, and 29.

20 Some of the other Florida utilities, such as FPL, are treating their similar EADIT
21 related to these Florida state income tax impacts as "protected."

1 **Q. WHAT RATIONALE DID DEF PROVIDE FOR TREATING THOSE**
2 **FLORIDA AND STATE EADIT ITEMS ASSOCIATED WITH PP&E AS**
3 **"UNPROTECTED"?**

4 A. DEF's rationale, which was explained during the October 3, 2018 onsite meeting in St.
5 Petersburg, FL, was that the federal income tax normalization requirements only apply
6 to federal income taxes. Florida state income tax impacts, including the Florida state
7 income tax treatment of bonus depreciation (which is different than the federal bonus
8 tax depreciation) as well as the method/life difference impact on Florida state income
9 taxes (i.e., the "state offset") relate to state income taxes, not to federal income taxes,
10 and thus the related EADIT for those items is not subject to federal income tax
11 normalization requirements.

12

13 **III. 2018 INCOME TAX SAVINGS IN BASE RATES RELATED TO THE**
14 **REDUCTION IN THE FEDERAL INCOME TAX RATE TO 21**
15 **PERCENT.**

16 **Q. HOW MUCH 2018 INCOME TAX SAVINGS FROM BASE RATES HAS THE**
17 **COMPANY IDENTIFIED?**

18 A. Company witness Olivier's Direct Testimony at page 5, and her Exhibit
19 No. __ (MJO-1) page 1, identify \$134.060 million of income tax savings. DEF shows
20 that \$50 million of that was applied to the accelerated depreciation of Crystal River
21 Coal Units 4 and 5 ("CR4&5") pursuant to Paragraph 16b of the DEF 2017 Settlement.
22 As shown on Exhibit No. __ (MJO-1) page 1, line 55, and on page 3, line 15, an amount
23 of \$84.060 million of tax savings is available for flow back to customers.

1 **Q. WHAT TREATMENT HAS THE COMPANY PROPOSED FOR THE 2018**
2 **BASE RATE INCOME TAX SAVINGS?**

3 A. As described by Company witness Olivier at page 5 of her Direct Testimony:

4 Adding the pretax effect of \$84.1 million annual Tax Savings to the
5 pretax effect of \$66.9 million estimated amortization of the Excess
6 ADIT regulatory liability results in a total estimated flow back of \$150.9
7 million. Pursuant to the Implementation Stipulation, DEF will offset
8 this total amount by recording a monthly storm reserve accrual
9 beginning in January 2018 for one-twelfth of \$150.9 million, or \$12.6
10 million, until DEF has fully recovered the final storm recovery amount
11 to be approved by the Commission in Docket No. 20170272. Also
12 pursuant to the Implementation Stipulation, in the month following full
13 recovery of the Commission-approved final storm recovery amount,
14 DEF will cease recording the storm reserve accrual and will reduce base
15 rates in the manner set forth in the 2017 Settlement by the final amount
16 of flow-back approved by the commission in this proceeding. DEF will
17 file tariff sheets for Staff's approval sixty days prior to that date.

18

19 **Q. HOW DOES THE OPC PROPOSE TO APPLY THE TCJA SAVINGS FOR**
20 **DEF'S BASE RATES?**

21 A. Absent a different interpretation dictated by the Internal Revenue Service in a later
22 pronouncement, I have no disagreement with DEF's proposed method of returning the
23 total tax savings to DEF's customers.

24

25 **IV. DEF'S RIDERS AND SURCHARGES THAT ARE IMPACTED BY**
26 **THE TCJA.**

27 **Q. HAS DEF IDENTIFIED ITS RIDERS AND SURCHARGES THAT ARE**
28 **IMPACTED BY THE TCJA?**

29 A. Yes. The Company's response to OPC Interrogatory No. 22 listed the rider/surcharge
30 filings that DEF will make in 2018. As clarified by DEF during the October 3, 2018
31 onsite discussions, the following rider/surcharge filings (i.e., all except the Fuel and

1 Capacity clause true-up and projection filings) have an investment component that is
2 earning a return with income taxes:

- 3 • Nuclear Cost Recovery clause true-up and projection filings
- 4 • Environmental Cost Recovery clause true-up and projection filings
- 5 • Energy Conservation Cost Recovery clause true-up and projection filings
- 6 • Citrus Generation Base Rate Adjustment filing
- 7 • Actual Storm Cost Recovery filing
- 8 • Solar Base Rate Adjustment filing
- 9 • Asset Securitization Charge true-up filings

10
11 **Q. HAS THE COMPANY INDICATED HOW THE TCJA IMPACT WILL BE**
12 **ADDRESSED IN EACH OF THOSE RIDER/SURCHARGE FILINGS?**

13 A. Yes. DEF's response to OPC Interrogatory No. 22 states the rate of return on rate base
14 in every 2018 rider/surcharge filing will include a gross-up for income tax expense at
15 the new combined statutory tax rate of 25.345 percent. DEF's response states further
16 that: "Accumulated deferred income tax is a component of capital structure in the
17 calculation of the rate of return on rate base." During the October 3, 2018 meeting,
18 representatives for DEF clarified that all EADIT amortization would flow back to
19 customers via base rates and would be accounted for in the Company's surveillance
20 reports.

1 **Q. DO YOU HAVE ANY CONCERNS REGARDING HOW TCJA IMPACTS ARE**
2 **BEING ADDRESSED IN DEF'S 2018 RIDER/SURCHARGE FILINGS AT**
3 **THIS TIME?**

4 A. No. While I have not reviewed each of the DEF 2018 rider/surcharge filings for
5 purposes of preparing this testimony, the explanations provided by the Company in its
6 response to OPC Interrogatory No. 22 and the further clarifications obtained during the
7 October 3, 2018 meeting, appear reasonable and do not raise any alarm bells or identify
8 additional regulatory concerns regarding TCJA treatment in those DEF riders at this
9 time. These amounts will be subject to true-up in the respective ongoing clause
10 dockets.

11

12 **V. WHETHER A PRIVATE LETTER RULING ("PLR") SHOULD BE**
13 **REQUIRED, AND ISSUES RELATED TO A PLR REQUEST.**

14 **Q. DID THE COMPANY'S FILING CONTAIN A CLASSIFICATION OF EADIT**
15 **RELATED TO COST-OF-REMOVAL?**

16 A. Yes. As discussed above, DEF has treated the cost-of-removal component of EADIT
17 as both "protected" and "unprotected" with the majority being treated as "protected".

18

19 **Q. DO YOU HAVE AN OPINION AS TO WHETHER THE EADIT RELATED TO**
20 **COST OF REMOVAL/NEGATIVE NET SALVAGE IS "PROTECTED" OR**
21 **"UNPROTECTED"?**

22 A. Yes, I do. Based on currently available guidance, it is my opinion that the EADIT
23 related to cost of removal/negative net salvage is "unprotected." This is because the
24 tax deduction for cost of removal is not addressed under §167 or §168 of the Internal

1 Revenue Code ("IRC" or "Code"), which are the sections pertaining to the use of
2 accelerated tax depreciation and the sections which contain the normalization
3 requirements pertaining to the continued use of accelerated tax depreciation.
4 Deductions provided for under other sections of the Code are not subject to the
5 normalization requirements associated with the Company's ability to continue to use
6 accelerated depreciation for federal income tax purposes.

7
8 **Q. IS THERE SOME UNCERTAINTY IN THIS AREA?**

9 A. Yes, there is. The comparison of utility book and tax depreciation for purposes of
10 tracking the method/life and other differences can be very complex. Utility book
11 depreciation rates typically include a component for negative net salvage (as well as
12 for the recovery of original cost over the estimated useful life of the assets). The
13 normalization process involves comparing book and tax depreciation; however, the
14 calculations can be very complex. Such calculations are typically done by larger
15 utilities using specialized software, such as PowerPlan and PowerTax, and the proper
16 application can require significant additional analytical work by the utility and the
17 vendor. Since the comparison of book and tax depreciation involves complex
18 calculations and utility book depreciation typically includes an element for negative net
19 salvage, some jurisdictions (e.g., New York) have raised concerns about the cost of
20 removal/negative net salvage component of book depreciation and the risks presented
21 for potential normalization violations.

1 **Q. HAVE THE FLORIDA UTILITIES REACHED DIFFERING**
2 **INTERPRETATIONS OF WHETHER AND TO WHAT EXTENT THE EADIT**
3 **RELATED TO COST OF REMOVAL IS "PROTECTED" OR**
4 **"UNPROTECTED"?**

5 A. Yes. For example, FPL appears to be taking a different position than Tampa Electric
6 Company ("TECO") and Peoples' Gas System ("PGS") concerning the treatment of
7 cost of removal/negative net salvage and has proposed to treat that item as "protected,"
8 pending receipt of additional guidance. DEF witness Gordon at pages 7-8 of his Direct
9 Testimony explains DEF's classification and rationale, which appears to be different
10 than FPL and also differs somewhat from TECO and PGS.

11

12 **Q. SHOULD DEF SEEK A PRIVATE LETTER RULING FROM THE IRS**
13 **REGARDING ITS CLASSIFICATION OF THE EXCESS ADIT RELATING**
14 **TO COST OF REMOVAL/NEGATIVE NET SALVAGE AS**
15 **"UNPROTECTED"?**

16 A. Yes, I believe they should.

17

18 **Q. IF DEF SEEKS A PRIVATE LETTER RULING AND THE IRS RULES**
19 **THEREIN (OR IN ANOTHER PRIVATE LETTER RULING) THAT THE**
20 **EADIT RELATING TO COST OF REMOVAL/NEGATIVE NET SALVAGE IS**
21 **TO BE TREATED AS "PROTECTED," WHAT PROCESS SHOULD BE**
22 **FOLLOWED FOR THE RECLASSIFICATION?**

1 A. Pending clarification of the appropriate classification of EADIT for cost of
2 removal/negative net salvage, DEF should amortize the related EADIT using the
3 ARAM if the classification ruled by the IRS indicates this is “protected.”
4

5 **VI. FINDINGS AND RECOMMENDATIONS**

6 **Q. ARE YOU RECOMMENDING ANY ADJUSTMENTS TO THE COMPANY'S**
7 **QUANTIFICATIONS OF THE TCJA IMPACTS AT THIS TIME?**

8 A. No, I am not. The Company's quantifications do not appear to be unreasonable for the
9 purposes of estimating the annual revenue requirement reduction and 2018 EADIT
10 amortizations related to the TCJA.
11

12 **Q. ARE YOU RECOMMENDING ANY DIFFERENT AMORTIZATION**
13 **PERIODS FOR DEF'S EADIT?**

14 A. No. I agree with DEF that the amortization of "protected" EADIT should use the
15 ARAM and that a ten-year straight-line amortization should apply to DEF's
16 "unprotected" EADIT. As noted above in my testimony, and in DEF's Direct
17 Testimony, the application of a ten-year straight-line amortization to DEF's
18 "unprotected" EADIT appears to be consistent with the 2017 Settlement. The
19 application of the ARAM to "protected" EADIT is required by the TCJA.
20

21 **Q. SHOULD DEF BE REQUIRED TO OBTAIN A PRIVATE LETTER RULING**
22 **CONCERNING SOME OF ITS INTERPRETATIONS OF WHETHER**
23 **CERTAIN COMPONENTS OF EADIT ARE "PROTECTED" OR**
24 **"UNPROTECTED"?**

1 A. Yes. As described in my testimony, DEF has reached interpretations that differ from
2 some of the other Florida utilities concerning whether certain components of EADIT
3 should be classified as "protected" or "unprotected." Moreover, DEF has offered an
4 interpretation of the use of "net salvage" as the basis for its position, as described in the
5 Company's responses to OPC Interrogatory Nos. 29 and 30, which appears to have
6 merit, and which, if endorsed by the IRS in response to a DEF-submitted PLR request,
7 could help provide useful guidance and clarity on the cost-of-removal/negative net
8 salvage related EADIT. Thus, there could be benefit in having DEF submit its
9 interpretations to the IRS in a PLR.

10

11 **Q. DOES THIS COMPLETE YOUR PREFILED TESTIMONY?**

12 A. Yes, it does.

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Office of Public Counsel's Direct Testimony and Exhibit of Ralph Smith, CPA has been furnished by electronic mail on this 15th day of October, 2018, to the following:

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QUALIFICATIONS OF RALPH C. SMITH

Accomplishments

Mr. Smith's professional credentials include being a Certified Financial Planner™ professional, a Certified Rate of Return Analyst, a licensed Certified Public Accountant and attorney. He functions as project manager on consulting projects involving utility regulation, regulatory policy and ratemaking and utility management. His involvement in public utility regulation has included project management and in-depth analyses of numerous issues involving telephone, electric, gas, and water and sewer utilities.

Mr. Smith has performed work in the field of utility regulation on behalf of industry, public service commission staffs, state attorney generals, municipalities, and consumer groups concerning regulatory matters before regulatory agencies in Alabama, Alaska, Arizona, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New Mexico, New York, Nevada, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, Washington DC, West Virginia, Canada, Federal Energy Regulatory Commission and various state and federal courts of law. He has presented expert testimony in regulatory hearings on behalf of utility commission staffs and intervenors on several occasions.

Project manager in Larkin & Associates' review, on behalf of the Georgia Commission Staff, of the budget and planning activities of Georgia Power Company; supervised 13 professionals; coordinated over 200 interviews with Company budget center managers and executives; organized and edited voluminous audit report; presented testimony before the Commission. Functional areas covered included fossil plant O&M, headquarters and district operations, internal audit, legal, affiliated transactions, and responsibility reporting. All of our findings and recommendations were accepted by the Commission.

Key team member in the firm's management audit of the Anchorage Water and Wastewater Utility on behalf of the Alaska Commission Staff, which assessed the effectiveness of the Utility's operations in several areas; responsible for in-depth investigation and report writing in areas involving information systems, finance and accounting, affiliated relationships and transactions, and use of outside contractors. Testified before the Alaska Commission concerning certain areas of the audit report. AWWU concurred with each of Mr. Smith's 40 plus recommendations for improvement.

Co-consultant in the analysis of the issues surrounding gas transportation performed for the law firm of Cravath, Swaine & Moore in conjunction with the case of Reynolds Metals Co. vs. the Columbia Gas System, Inc.; drafted in-depth report concerning the regulatory treatment at both state and federal levels of issues such as flexible pricing and mandatory gas transportation.

Lead consultant and expert witness in the analysis of the rate increase request of the City of Austin - Electric Utility on behalf of the residential consumers. Among the numerous ratemaking issues addressed were the economies of the Utility's employment of outside services; provided both written and oral testimony outlining recommendations and their bases. Most of Mr. Smith's recommendations were adopted by the City Council and Utility in a settlement.

Key team member performing an analysis of the rate stabilization plan submitted by the Southern Bell Telephone & Telegraph Company to the Florida PSC; performed comprehensive analysis of the Company's projections and budgets which were used as the basis for establishing rates.

Lead consultant in analyzing Southwestern Bell Telephone separations in Missouri; sponsored the complex technical analysis and calculations upon which the firm's testimony in that case was based. He has also assisted in analyzing changes in depreciation methodology for setting telephone rates.

Lead consultant in the review of gas cost recovery reconciliation applications of Michigan Gas Utilities Company, Michigan Consolidated Gas Company, and Consumers Power Company. Drafted recommendations regarding the appropriate rate of interest to be applied to any over or under collections and the proper procedures and allocation methodology to be used to distribute any refunds to customer classes.

Lead consultant in the review of Consumers Power Company's gas cost recovery refund plan. Addressed appropriate interest rate and compounding procedures and proper allocation methodology.

Project manager in the review of the request by Central Maine Power Company for an increase in rates. The major area addressed was the propriety of the Company's ratemaking attrition adjustment in relation to its corporate budgets and projections.

Project manager in an engagement designed to address the impacts of the Tax Reform Act of 1986 on gas distribution utility operations of the Northern States Power Company. Analyzed the reduction in the corporate tax rate, uncollectibles reserve, ACRS, unbilled revenues, customer advances, CIAC, and timing of TRA-related impacts associated with the Company's tax liability.

Project manager and expert witness in the determination of the impacts of the Tax Reform Act of 1986 on the operations of Connecticut Natural Gas Company on behalf of the Connecticut Department of Public Utility Control - Prosecutorial Division, Connecticut Attorney General, and Connecticut Department of Consumer Counsel.

Lead Consultant for The Minnesota Department of Public Service ("DPS") to review the Minnesota Incentive Plan ("Incentive Plan") proposal presented by Northwestern Bell Telephone Company ("NWB") doing business as U S West Communications ("USWC"). Objective was to express an opinion as to whether current rates addressed by the plan were appropriate from a Minnesota intrastate revenue requirements and accounting perspective, and to assist in developing recommended modifications to NWB's proposed Plan.

Performed a variety of analytical and review tasks related to our work effort on this project. Obtained and reviewed data and performed other procedures as necessary (1) to obtain an understanding of the Company's Incentive Plan filing package as it relates to rate base, operating income, revenue requirements, and plan operation, and (2) to formulate an opinion concerning the reasonableness of current rates and of amounts included within the Company's Incentive Plan filing. These procedures included requesting and reviewing extensive discovery, visiting the Company's offices to review data, issuing follow-up information requests in many instances, telephone and on-site discussions with Company representatives, and frequent discussions with counsel and DPS Staff assigned to the project.

Lead Consultant in the regulatory analysis of Jersey Central Power & Light Company for the Department of the Public Advocate, Division of Rate Counsel. Tasks performed included on-site review and audit of Company, identification and analysis of specific issues, preparation of data requests, testimony, and cross examination questions. Testified in Hearings.

Assisted the NARUC Committee on Management Analysis with drafting the Consultant Standards for Management Audits.

Presented training seminars covering public utility accounting, tax reform, ratemaking, affiliated transaction auditing, rate case management, and regulatory policy in Maine, Georgia, Kentucky, and Pennsylvania. Seminars were presented to commission staffs and consumer interest groups.

Previous Positions

With Larkin, Chapski and Co., the predecessor firm to Larkin & Associates, was involved primarily in utility regulatory consulting, and also in tax planning and tax research for businesses and individuals, tax return preparation and review, and independent audit, review and preparation of financial statements.

Installed computerized accounting system for a realty management firm.

Education

Bachelor of Science in Administration in Accounting, with distinction, University of Michigan, Dearborn, 1979.

Master of Science in Taxation, Walsh College, Michigan, 1981. Master's thesis dealt with investment tax credit and property tax on various assets.

Juris Doctor, cum laude, Wayne State University Law School, Detroit, Michigan, 1986. Recipient of American Jurisprudence Award for academic excellence.

Continuing education required to maintain CPA license and CFP® certificate.

Passed all parts of CPA examination in first sitting, 1979. Received CPA certificate in 1981 and Certified Financial Planning certificate in 1983. Admitted to Michigan and Federal bars in 1986.

Michigan Bar Association.

American Bar Association, sections on public utility law and taxation.

Partial list of utility cases participated in:

79-228-EL-FAC	Cincinnati Gas & Electric Company (Ohio PUC)
79-231-EL-FAC	Cleveland Electric Illuminating Company (Ohio PUC)
79-535-EL-AIR	East Ohio Gas Company (Ohio PUC)
80-235-EL-FAC	Ohio Edison Company (Ohio PUC)
80-240-EL-FAC	Cleveland Electric Illuminating Company (Ohio PUC)
U-1933	Tucson Electric Power Company (Arizona Corp. Commission)
U-6794	Michigan Consolidated Gas Co. --16 Refunds (Michigan PSC)
81-0035TP	Southern Bell Telephone Company (Florida PSC)
81-0095TP	General Telephone Company of Florida (Florida PSC)
81-308-EL-EFC	Dayton Power & Light Co.- Fuel Adjustment Clause (Ohio PUC)
810136-EU	Gulf Power Company (Florida PSC)
GR-81-342	Northern States Power Co. -- E-002/Minnesota (Minnesota PUC)
Tr-81-208	Southwestern Bell Telephone Company (Missouri PSC))
U-6949	Detroit Edison Company (Michigan PSC)
8400	East Kentucky Power Cooperative, Inc. (Kentucky PSC)
18328	Alabama Gas Corporation (Alabama PSC)
18416	Alabama Power Company (Alabama PSC)
820100-EU	Florida Power Corporation (Florida PSC)
8624	Kentucky Utilities (Kentucky PSC)
8648	East Kentucky Power Cooperative, Inc. (Kentucky PSC)
U-7236	Detroit Edison - Burlington Northern Refund (Michigan PSC)
U6633-R	Detroit Edison - MRCS Program (Michigan PSC)
U-6797-R	Consumers Power Company -MRCS Program (Michigan PSC)
U-5510-R	Consumers Power Company - Energy conservation Finance Program (Michigan PSC)
82-240E	South Carolina Electric & Gas Company (South Carolina PSC)
7350	Generic Working Capital Hearing (Michigan PSC)
RH-1-83	Westcoast Transmission Co., (National Energy Board of Canada)
820294-TP	Southern Bell Telephone & Telegraph Co. (Florida PSC)
82-165-EL-EFC (Subfile A)	Toledo Edison Company(Ohio PUC)
82-168-EL-EFC	Cleveland Electric Illuminating Company (Ohio PUC)
830012-EU	Tampa Electric Company (Florida PSC)
U-7065	The Detroit Edison Company - Fermi II (Michigan PSC)
8738	Columbia Gas of Kentucky, Inc. (Kentucky PSC)
ER-83-206	Arkansas Power & Light Company (Missouri PSC)
U-4758	The Detroit Edison Company – Refunds (Michigan PSC)
8836	Kentucky American Water Company (Kentucky PSC)
8839	Western Kentucky Gas Company (Kentucky PSC)
83-07-15	Connecticut Light & Power Co. (Connecticut DPU)
81-0485-WS	Palm Coast Utility Corporation (Florida PSC)
U-7650	Consumers Power Co. (Michigan PSC)
83-662	Continental Telephone Company of California, (Nevada PSC)
U-6488-R	Detroit Edison Co., FAC & PIPAC Reconciliation (Michigan PSC)
U-15684	Louisiana Power & Light Company (Louisiana PSC)
7395 & U-7397	Campaign Ballot Proposals (Michigan PSC)
820013-WS	Seacoast Utilities (Florida PSC)
U-7660	Detroit Edison Company (Michigan PSC)
83-1039	CP National Corporation (Nevada PSC)
U-7802	Michigan Gas Utilities Company (Michigan PSC)
83-1226	Sierra Pacific Power Company (Nevada PSC)
830465-EI	Florida Power & Light Company (Florida PSC)
U-7777	Michigan Consolidated Gas Company (Michigan PSC)
U-7779	Consumers Power Company (Michigan PSC)

U-7480-R	Michigan Consolidated Gas Company (Michigan PSC)
U-7488-R	Consumers Power Company – Gas (Michigan PSC)
U-7484-R	Michigan Gas Utilities Company (Michigan PSC)
U-7550-R	Detroit Edison Company (Michigan PSC)
U-7477-R**	Indiana & Michigan Electric Company (Michigan PSC)
18978	Continental Telephone Co. of the South Alabama (Alabama PSC)
R-842583	Duquesne Light Company (Pennsylvania PUC)
R-842740	Pennsylvania Power Company (Pennsylvania PUC)
850050-EI	Tampa Electric Company (Florida PSC)
16091	Louisiana Power & Light Company (Louisiana PSC)
19297	Continental Telephone Co. of the South Alabama (Alabama PSC)
76-18788AA &76-18793AA	Detroit Edison - Refund - Appeal of U-4807 (Ingham County, Michigan Circuit Court)
85-53476AA & 85-534785AA	Detroit Edison Refund - Appeal of U-4758 (Ingham County, Michigan Circuit Court)
U-8091/U-8239	Consumers Power Company - Gas Refunds (Michigan PSC)
TR-85-179**	United Telephone Company of Missouri (Missouri PSC)
85-212	Central Maine Power Company (Maine PSC)
ER-85646001 & ER-85647001	New England Power Company (FERC)
850782-EI & 850783-EI	Florida Power & Light Company (Florida PSC)
R-860378	Duquesne Light Company (Pennsylvania PUC)
R-850267	Pennsylvania Power Company (Pennsylvania PUC)
851007-WU & 840419-SU	Florida Cities Water Company (Florida PSC)
G-002/GR-86-160	Northern States Power Company (Minnesota PSC)
7195 (Interim)	Gulf States Utilities Company (Texas PUC)
87-01-03	Connecticut Natural Gas Company (Connecticut PUC))
87-01-02	Southern New England Telephone Company (Connecticut Department of Public Utility Control)
3673- 29484	Georgia Power Company (Georgia PSC)
U-8924	Long Island Lighting Co. (New York Dept. of Public Service)
Docket No. 1	Consumers Power Company – Gas (Michigan PSC)
Docket E-2, Sub 527	Austin Electric Utility (City of Austin, Texas)
870853	Carolina Power & Light Company (North Carolina PUC)
880069**	Pennsylvania Gas and Water Company (Pennsylvania PUC)
U-1954-88-102	Southern Bell Telephone Company (Florida PSC)
T E-1032-88-102	Citizens Utilities Rural Company, Inc. & Citizens Utilities Company, Kingman Telephone Division (Arizona CC)
89-0033	Illinois Bell Telephone Company (Illinois CC)
U-89-2688-T	Puget Sound Power & Light Company (Washington UTC))
R-891364	Philadelphia Electric Company (Pennsylvania PUC)
F.C. 889	Potomac Electric Power Company (District of Columbia PSC)
Case No. 88/546	Niagara Mohawk Power Corporation, et al Plaintiffs, v. Gulf+Western, Inc. et al, defendants (Supreme Court County of Onondaga, State of New York)
87-11628	Duquesne Light Company, et al, plaintiffs, against Gulf+ Western, Inc. et al, defendants (Court of the Common Pleas of Allegheny County, Pennsylvania Civil Division)
890319-EI	Florida Power & Light Company (Florida PSC)
891345-EI	Gulf Power Company (Florida PSC)
ER 8811 0912J	Jersey Central Power & Light Company (BPU)
6531	Hawaiian Electric Company (Hawaii PUCs)

R0901595	Equitable Gas Company (Pennsylvania Consumer Counsel)
90-10	Artesian Water Company (Delaware PSC)
89-12-05	Southern New England Telephone Company (Connecticut PUC)
900329-WS	Southern States Utilities, Inc. (Florida PSC)
90-12-018	Southern California Edison Company (California PUC)
90-E-1185	Long Island Lighting Company (New York DPS)
R-911966	Pennsylvania Gas & Water Company (Pennsylvania PUC)
I.90-07-037, Phase II	(Investigation of OPEBs) Department of the Navy and all Other Federal Executive Agencies (California PUC)
U-1551-90-322	Southwest Gas Corporation (Arizona CC)
U-1656-91-134	Sun City Water Company (Arizona RUCO)
U-2013-91-133	Havasu Water Company (Arizona RUCO)
91-174***	Central Maine Power Company (Department of the Navy and all Other Federal Executive Agencies)
U-1551-89-102	Southwest Gas Corporation - Rebuttal and PGA Audit (Arizona Corporation Commission)
& U-1551-89-103	
Docket No. 6998	Hawaiian Electric Company (Hawaii PUC)
TC-91-040A and	Intrastate Access Charge Methodology, Pool and Rates
TC-91-040B	Local Exchange Carriers Association and South Dakota Independent Telephone Coalition
9911030-WS &	General Development Utilities - Port Malabar and
911-67-WS	West Coast Divisions (Florida PSC)
922180	The Peoples Natural Gas Company (Pennsylvania PUC)
7233 and 7243	Hawaiian Nonpension Postretirement Benefits (Hawaiian PUC)
R-00922314	
& M-920313C006	Metropolitan Edison Company (Pennsylvania PUC)
R00922428	Pennsylvania American Water Company (Pennsylvania PUC)
E-1032-92-083 &	
U-1656-92-183	Citizens Utilities Company, Agua Fria Water Division (Arizona Corporation Commission)
92-09-19	Southern New England Telephone Company (Connecticut PUC)
E-1032-92-073	Citizens Utilities Company (Electric Division), (Arizona CC)
UE-92-1262	Puget Sound Power and Light Company (Washington UTC)
92-345	Central Maine Power Company (Maine PUC)
R-932667	Pennsylvania Gas & Water Company (Pennsylvania PUC)
U-93-60**	Matanuska Telephone Association, Inc. (Alaska PUC)
U-93-50**	Anchorage Telephone Utility (Alaska PUC)
U-93-64	PTI Communications (Alaska PUC)
7700	Hawaiian Electric Company, Inc. (Hawaii PUC)
E-1032-93-111 &	Citizens Utilities Company - Gas Division
U-1032-93-193	(Arizona Corporation Commission)
R-00932670	Pennsylvania American Water Company (Pennsylvania PUC)
U-1514-93-169/	Sale of Assets CC&N from Contel of the West, Inc. to
E-1032-93-169	Citizens Utilities Company (Arizona Corporation Commission)
7766	Hawaiian Electric Company, Inc. (Hawaii PUC)
93-2006- GA-AIR	The East Ohio Gas Company (Ohio PUC)
94-E-0334	Consolidated Edison Company (New York DPS)
94-0270	Inter-State Water Company (Illinois Commerce Commission)
94-0097	Citizens Utilities Company, Kauai Electric Division (Hawaii PUC)
PU-314-94-688	Application for Transfer of Local Exchanges (North Dakota PSC)
94-12-005-Phase I	Pacific Gas & Electric Company (California PUC)
R-953297	UGI Utilities, Inc. - Gas Division (Pennsylvania PUC)
95-03-01	Southern New England Telephone Company (Connecticut PUC)
95-0342	Consumer Illinois Water, Kankakee Water District (Illinois CC)
94-996-EL-AIR	Ohio Power Company (Ohio PUC)
95-1000-E	South Carolina Electric & Gas Company (South Carolina PSC)

Non-Docketed Staff Investigation E-1032-95-473 E-1032-95-433	Citizens Utility Company - Arizona Telephone Operations (Arizona Corporation Commission) Citizens Utility Co. - Northern Arizona Gas Division (Arizona CC) Citizens Utility Co. - Arizona Electric Division (Arizona CC) Collaborative Ratemaking Process Columbia Gas of Pennsylvania (Pennsylvania PUC)
GR-96-285 94-10-45 A.96-08-001 et al.	Missouri Gas Energy (Missouri PSC) Southern New England Telephone Company (Connecticut PUC) California Utilities' Applications to Identify Sunk Costs of Non- Nuclear Generation Assets, & Transition Costs for Electric Utility Restructuring, & Consolidated Proceedings (California PUC)
96-324 96-08-070, et al.	Bell Atlantic - Delaware, Inc. (Delaware PSC) Pacific Gas & Electric Co., Southern California Edison Co. and San Diego Gas & Electric Company (California PUC)
97-05-12 R-00973953	Connecticut Light & Power (Connecticut PUC) Application of PECO Energy Company for Approval of its Restructuring Plan Under Section 2806 of the Public Utility Code (Pennsylvania PUC)
97-65	Application of Delmarva Power & Light Co. for Application of a Cost Accounting Manual and a Code of Conduct (Delaware PSC)
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U-0000-94-165	Generic Docket to Consider Competition in the Provision of Retail Electric Service (Arizona Corporation Commission)
98-05-006-Phase I 9355-U 97-12-020 - Phase I U-98-56, U-98-60, U-98-65, U-98-67 (U-99-66, U-99-65, U-99-56, U-99-52) Phase II of 97-SCCC-149-GIT PU-314-97-465 Non-docketed Assistance Contract Dispute	San Diego Gas & Electric Co., Section 386 costs (California PUC) Georgia Power Company Rate Case (Georgia PUC) Pacific Gas & Electric Company (California PUC) Investigation of 1998 Intrastate Access charge filings (Alaska PUC) Investigation of 1999 Intrastate Access Charge filing (Alaska PUC) Southwestern Bell Telephone Company Cost Studies (Kansas CC) US West Universal Service Cost Model (North Dakota PSC) Bell Atlantic - Delaware, Inc., Review of New Telecomm. and Tariff Filings (Delaware PSC) City of Zeeland, MI - Water Contract with the City of Holland, MI (Before an arbitration panel)
Non-docketed Project Non-docketed Project	City of Danville, IL - Valuation of Water System (Danville, IL) Village of University Park, IL - Valuation of Water and Sewer System (Village of University Park, Illinois)

E-1032-95-417	Citizens Utility Co., Maricopa Water/Wastewater Companies et al. (Arizona Corporation Commission)
T-1051B-99-0497	Proposed Merger of the Parent Corporation of Qwest Communications Corporation, LCI International Telecom Corp., and US West Communications, Inc. (Arizona CC)
T-01051B-99-0105	US West Communications, Inc. Rate Case (Arizona CC)
A00-07-043	Pacific Gas & Electric - 2001 Attrition (California PUC)
T-01051B-99-0499	US West/Quest Broadband Asset Transfer (Arizona CC)
99-419/420	US West, Inc. Toll and Access Rebalancing (North Dakota PSC)
PU314-99-119	US West, Inc. Residential Rate Increase and Cost Study Review (North Dakota PSC)
98-0252	Ameritech - Illinois, Review of Alternative Regulation Plan (Illinois CUB)
00-108	Delmarva Billing System Investigation (Delaware PSC)
U-00-28	Matanuska Telephone Association (Alaska PUC)
Non-Docketed	Management Audit and Market Power Mitigation Analysis of the Merged Gas System Operation of Pacific Enterprises and Enova Corporation (California PUC)
00-11-038	Southern California Edison (California PUC)
00-11-056	Pacific Gas & Electric (California PUC)
00-10-028	The Utility Reform Network for Modification of Resolution E-3527 (California PUC)
98-479	Delmarva Power & Light Application for Approval of its Electric and Fuel Adjustments Costs (Delaware PSC)
99-457	Delaware Electric Cooperative Restructuring Filing (Delaware PSC)
99-582	Delmarva Power & Light dba Conectiv Power Delivery Analysis of Code of Conduct and Cost Accounting Manual (Delaware PSC)
99-03-04	United Illuminating Company Recovery of Stranded Costs (Connecticut OCC)
99-03-36	Connecticut Light & Power (Connecticut OCC)
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98-1117	West Penn Power Company vs. PA PUC (Pennsylvania PSC)
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Case No. 12613	Wisconsin Public Service Commission (Michigan AG)
41651	Northern Indiana Public Service Co Overearnings investigation (Indiana UCC)
13605-U	Savannah Electric & Power Company – FCR (Georgia PSC)
14000-U	Georgia Power Company Rate Case/M&S Review (Georgia PSC)
13196-U	Savannah Electric & Power Company Natural Gas Procurement and Risk Management/Hedging Proposal, Docket No. 13196-U (Georgia PSC)
Non-Docketed	Georgia Power Company & Savannah Electric & Power FPR Company Fuel Procurement Audit (Georgia PSC)
Non-Docketed	Transition Costs of Nevada Vertically Integrated Utilities (US Department of Navy)
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99-01-016,	Restructuring (US Department of Navy)
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99-02-05	Connecticut Light & Power (Connecticut OCC)
01-05-19-RE03	Yankee Gas Service Application for a Rate Increase, Phase I-2002-IERM (Connecticut OCC)
G-01551A-00-0309	Southwest Gas Corporation, Application to amend its rate Schedules (Arizona CC)
00-07-043	Pacific Gas & Electric Company Attrition & Application for a rate increase (California PUC)

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Phase II	Pacific Gas & Electric Company Rate Case (California PUC)
01-10-10	United Illuminating Company (Connecticut OCC)
13711-U	Georgia Power FCR (Georgia PSC)
02-001	Verizon Delaware § 271(Delaware DPA)
02-BLVT-377-AUD	Blue Valley Telephone Company Audit/General Rate Investigation (Kansas CC)
02-S&TT-390-AUD	S&T Telephone Cooperative Audit/General Rate Investigation (Kansas CC)
01-SFLT-879-AUD	Sunflower Telephone Company Inc., Audit/General Rate Investigation (Kansas CC)
01-BSTT-878-AUD	Bluestem Telephone Company, Inc. Audit/General Rate Investigation (Kansas CC)
P404, 407, 520, 413 426, 427, 430, 421/ CI-00-712	Sherburne County Rural Telephone Company, dba as Connections, Etc. (Minnesota DOC)
U-01-85	ACS of Alaska, dba as Alaska Communications Systems (ACS), Rate Case (Alaska Regulatory Commission PAS)
U-01-34	ACS of Anchorage, dba as Alaska Communications Systems (ACS), Rate Case (Alaska Regulatory Commission PAS)
U-01-83	ACS of Fairbanks, dba as Alaska Communications Systems (ACS), Rate Case (Alaska Regulatory Commission PAS)
U-01-87	ACS of the Northland, dba as Alaska Communications Systems (ACS), Rate Case (Alaska Regulatory Commission PAS)
96-324, Phase II	Verizon Delaware, Inc. UNE Rate Filing (Delaware PSC)
03-WHST-503-AUD	Wheat State Telephone Company (Kansas CC)
04-GNBT-130-AUD	Golden Belt Telephone Association (Kansas CC)
Docket 6914	Shoreham Telephone Company, Inc. (Vermont BPU)
Docket No. E-01345A-06-009	Arizona Public Service Company (Arizona Corporation Commission)
Case No. 05-1278-E-PC-PW-42T	Appalachian Power Company and Wheeling Power Company both d/b/a American Electric Power (West Virginia PSC)
Docket No. 04-0113	Hawaiian Electric Company (Hawaii PUC)
Case No. U-14347	Consumers Energy Company (Michigan PSC)
Case No. 05-725-EL-UNC	Cincinnati Gas & Electric Company (PUC of Ohio)
Docket No. 21229-U	Savannah Electric & Power Company (Georgia PSC)
Docket No. 19142-U	Georgia Power Company (Georgia PSC)
Docket No. 03-07-01RE01	Connecticut Light & Power Company (CT DPUC)
Docket No. 19042-U	Savannah Electric & Power Company (Georgia PSC)
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Docket No. 03-07-02	Connecticut Light & Power Company (CT DPUC)
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Docket No. 05-TRCT-607-KSF	Tri-County Telephone Company (Kansas CC)
Docket No. 05-KOKT-060-AUD	Kan Okla Telephone Company (Kansas CC)
Docket No. 2002-747	Northland Telephone Company of Maine (Maine PUC)

Docket No. 2003-34	Sidney Telephone Company (Maine PUC)
Docket No. 2003-35	Maine Telephone Company (Maine PUC)
Docket No. 2003-36	China Telephone Company (Maine PUC)
Docket No. 2003-37	Standish Telephone Company (Maine PUC)
Docket Nos. U-04-022, U-04-023	Anchorage Water and Wastewater Utility (Regulatory Commission of Alaska)
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Case 04-137-U	Southwest Power Pool RTO (Arkansas Public Service Commission)
Case No. 7109/7160	Vermont Gas Systems (Department of Public Service)
Case No. ER-2006-0315	Empire District Electric Company (Missouri PSC)
Case No. ER-2006-0314	Kansas City Power & Light Company (Missouri PSC)
Docket No. U-05-043,44	Golden Heart Utilities/College Park Utilities (Regulatory Commission of Alaska)
A-122250F5000	Equitable Resources, Inc. and The Peoples Natural Gas Company, d/b/a Dominion Peoples (Pennsylvania PUC)
E-01345A-05-0816	Arizona Public Service Company (Arizona CC)
Docket No. 05-304	Delmarva Power & Light Company (Delaware PSC)
05-806-EL-UNC	Cincinnati Gas & Electric Company (Ohio PUC)
U-06-45	Anchorage Water Utility (Regulatory Commission of Alaska)
03-93-EL-ATA, 06-1068-EL-UNC	Duke Energy Ohio (Ohio PUC)
PUE-2006-00065	Appalachian Power Company (Virginia Corporation Commission)
G-04204A-06-0463 et. al	UNS Gas, Inc. (Arizona CC)
U-06-134	Chugach Electric Association, Inc. (Regulatory Commission of Alaska)
Docket No. 2006-0386	Hawaiian Electric Company, Inc (Hawaii PUC)
E-01933A-07-0402	Tucson Electric Power Company (Arizona CC)
G-01551A-07-0504	Southwest Gas Corporation (Arizona CC)
Docket No.UE-072300	Puget Sound Energy, Inc. (Washington UTC)
PUE-2008-00009	Virginia-American Water Company (Virginia SCC)
PUE-2008-00046	Appalachian Power Company (Virginia SCC)
E-01345A-08-0172	Arizona Public Service Company (Arizona CC)
A-2008-2063737	Babcock & Brown Infrastructure Fund North America, LP. and The Peoples Natural Gas Company, d/b/a Dominion Peoples (Pennsylvania PUC)
08-1783-G-42T	Hope Gas, Inc., dba Dominion Hope (West Virginia PSC)
08-1761-G-PC	Hope Gas, Inc., dba Dominion Hope, Dominion Resources, Inc., and Peoples Hope Gas Companies (West Virginia PSC)
Docket No. 2008-0083	Hawaiian Electric Company, Inc. (Hawaii PUC)
Docket No. 2008-0266	Young Brothers, Limited (Hawaii PUC)
G-04024A-08-0571	UNS Gas, Inc. (Arizona CC)
Docket No. 09-29	Tidewater Utilities, Inc. (Delaware PSC)
Docket No. UE-090704	Puget Sound Energy, Inc. (Washington UTC)
09-0878-G-42T	Mountaineer Gas Company (West Virginia PSC)
2009-UA-0014	Mississippi Power Company (Mississippi PSC)
Docket No. 09-0319	Illinois-American Water Company (Illinois CC)
Docket No. 09-414	Delmarva Power & Light Company (Delaware PSC)
R-2009-2132019	Aqua Pennsylvania, Inc. (Pennsylvania PUC)
Docket Nos. U-09-069, U-09-070	ENSTAR Natural Gas Company (Regulatory Commission of Alaska)
Docket Nos. U-04-023, U-04-024	Anchorage Water and Wastewater Utility - Remand (Regulatory Commission of Alaska)
W-01303A-09-0343 & SW-01303A-09-0343	Arizona-American Water Company (Arizona CC)
09-872-EL-FAC & 09-873-EL-FAC	Financial Audits of the FAC of the Columbus Southern Power Company and the Ohio Power Company - Audit I (Ohio PUC)

2010-00036	Kentucky-American Water Company (Kentucky PSC)
E-04100A-09-0496	Southwest Transmission Cooperative, IHnc. (Arizona CC)
E-01773A-09-0472	Arizona Electric Power Cooperative, Inc. (Arizona CC)
R-2010-2166208, R-2010-2166210, R-2010-2166212, & R-2010-2166214	Pennsylvania-American Water Company (Pennsylvania PUC)
PSC Docket No. 09-0602	Central Illinois Light Company D/B/A AmerenCILCO; Central Illinois Public Service Company D/B/A AmerenCIPS; Illinois Power Company D/B/A AmerenIP (Illinois CC)
10-0713-E-PC	Allegheny Power and FirstEnergy Corp. (West Virginia PSC)
Docket No. 31958	Georgia Power Company (Georgia PSC)
Docket No. 10-0467	Commonwealth Edison Company (Illinois CC)
PSC Docket No. 10-237	Delmarva Power & Light Company (Delaware PSC)
U-10-51	Cook Inlet Natural Gas Storage Alaska, LLC (Regulatory Commission of Alaska)
10-0699-E-42T	Appalachian Power Company and Wheeling Power Company (West Virginia PSC)
10-0920-W-42T	West Virginia-American Water Company (West Virginia PSC)
A.10-07-007	California-American Water Company (California PUC)
A-2010-2210326	TWP Acquisition (Pennsylvania PUC)
09-1012-EL-FAC	Financial, Management, and Performance Audit of the FAC for Dayton Power and Light – Audit 1 (Ohio PUC)
10-268-EL FAC et al.	Financial Audit of the FAC of the Columbus Southern Power Company and the Ohio Power Company – Audit II (Ohio PUC)
Docket No. 2010-0080	Hawaiian Electric Company, Inc. (Hawaii PUC)
G-01551A-10-0458	Southwest Gas Corporation (Arizona CC)
10-KCPE-415-RTS	Kansas City Power & Light Company – Remand (Kansas CC)
PUE-2011-00037	Virginia Appalachian Power Company (Commonwealth of Virginia SCC)
R-2011-2232243	Pennsylvania-American Water (Pennsylvania PUC)
U-11-100	Power Purchase Agreement between Chugach Association, Inc. and Fire Island Wind, LLC (Regulatory Commission of Alaska)
A.10-12-005	San Diego Gas & Electric Company (California PUC)
PSC Docket No. 11-207	Artesian Water Company, Inc. (Delaware PSC)
Cause No. 44022	Indiana-American Water Company, Inc. (Indiana Utility Regulatory Commission)
PSC Docket No. 10-247	Management Audit of Tidewater Utilities, Inc. Affiliate Transactions (Delaware Public Service Commission)
G-04204A-11-0158	UNS Gas, Inc. (Arizona Corporation Commission)
E-01345A-11-0224	Arizona Public Service Company (Arizona CC)
UE-111048 & UE-111049	Puget Sound Energy, Inc. (Washington Utilities and Transportation Commission)
Docket No. 11-0721	Commonwealth Edison Company (Illinois CC)
11AL-947E	Public Service Company of Colorado (Colorado PSC)
U-11-77 & U-11-78	Golden Heart Utilities, Inc. and College Utilities Corporation (The Regulatory Commission of Alaska)
Docket No. 11-0767	Illinois-American Water Company (Illinois CC)
PSC Docket No. 11-397	Tidewater Utilities, Inc. (Delaware PSC)
Cause No. 44075	Indiana Michigan Power Company (Indiana Utility Regulatory Commission)
Docket No. 12-0001	Ameren Illinois Company (Illinois CC)
11-5730-EL-FAC	Financial, Management, and Performance Audit of the FAC for Dayton Power and Light – Audit 2 (Ohio PUC)
PSC Docket No. 11-528	Delmarva Power & Light Company (Delaware PSC)
11-281-EL-FAC et al.	Financial Audit of the FAC of the Columbus Southern Power Company and the Ohio Power Company – Audit III (Ohio PUC)

Cause No. 43114-IGCC-4S1	Duke Energy Indiana, Inc. (Indiana Utility Regulatory Commission)
Docket No. 12-0293	Ameren Illinois Company (Illinois CC)
Docket No. 12-0321	Commonwealth Edison Company (Illinois CC)
12-02019 & 12-04005	Southwest Gas Corporation (Public Utilities Commission of Nevada)
Docket No. 2012-218-E	South Carolina Electric & Gas (South Carolina PSC)
Docket No. E-72, Sub 479	Dominion North Carolina Power (North Carolina Utilities Commission)
12-0511 & 12-0512	North Shore Gas Company and The Peoples Gas Light and Coke Company (Illinois CC)
E-01933A-12-0291	Tucson Electric Power Company (Arizona CC)
Case No. 9311	Potomac Electric Power Company (Maryland PSC)
Cause No. 43114-IGCC-10	Duke Energy Indiana, Inc. (Indiana Utility Regulatory Commission)
Docket No. 36498	Georgia Power Company (Georgia PSC)
Case No. 9316	Columbia Gas of Maryland, Inc. (Maryland PSC)
Docket No. 13-0192	Ameren Illinois Company (Illinois CC)
12-1649-W-42T	West Virginia-American Water Company (West Virginia PSC)
E-04204A-12-0504	UNS Electric, Inc. (Arizona CC)
PUE-2013-00020	Virginia and Electric Power Company (Virginia SCC)
R-2013-2355276	Pennsylvania-American Water Company (Pennsylvania PUC)
Formal Case No. 1103	Potomac Electric Power Company (District of Columbia PSC)
U-13-007	Chugach Electric Association, Inc. (The Regulatory Commission of Alaska)
12-2881-EL-FAC	Financial, Management, and Performance Audit of the FAC for Dayton Power and Light – Audit 3 (Ohio PUC)
Docket No. 36989	Georgia Power Company (Georgia PSC)
Cause No. 43114-IGCC-11	Duke Energy Indiana, Inc. (Indiana Utility Regulatory Commission)
UM 1633	Investigation into Treatment of Pension Costs in Utility Rates (Oregon PUC)
13-1892-EL FAC	Financial Audit of the FAC and AER of the Ohio Power Company – Audit I (Ohio PUC)
E-04230A-14-0011 & E-01933A-14-0011	Reorganization of UNS Energy Corporation with Fortis, Inc. (Arizona CC)
14-255-EL RDR	Regulatory Compliance Audit of the 2013 DIR of Ohio Power Company (Ohio PUC)
U-14-001	Chugach Electric Association, Inc. (The Regulatory Commission of Alaska)
U-14-002	Alaska Power Company (The Regulatory Commission of Alaska)
PUE-2014-00026	Virginia Appalachian Power Company (Commonwealth of Virginia SCC)
14-0117-EL-FAC	Financial, Management, and Performance Audit of the FAC and Purchased Power Rider for Dayton Power and Light – Audit 1 (Ohio PUC)
14-0702-E-42T	Monongahela Power Company and The Potomac Edison Company (West Virginia PSC)
Formal Case No. 1119	Merger of Exelon Corporation, Pepco Holdings, Inc., Potomac Electric Power Company, Exelon Energy Delivery Company, LLC, and New Special Purpose Entity, LLC (District of Columbia PSC)
R-2014-2428742	West Penn Power Company (Pennsylvania PUC)
R-2014-2428743	Pennsylvania Electric Company (Pennsylvania PUC)
R-2014-2428744	Pennsylvania Power Company (Pennsylvania PUC)
R-2014-2428745	Metropolitan Edison Company (Pennsylvania PUC)
Cause No. 43114-IGCC-12/13	Duke Energy Indiana, Inc. (Indiana Utility Regulatory Commission)
14-1152-E-42T	Appalachian Power Company and Wheeling Power Company (West Virginia PSC)
WS-01303A-14-0010	EPCOR Water Arizona, Inc. (Arizona CC)
2014-000396	Kentucky Power Company (Kentucky PSC)
15-03-45 [^]	Iberdrola, S.A. Et Al, and UIL Holdings Corporation merger (Connecticut PURA)
A.14-11-003	San Diego Gas & Electric Company (California PUC)
U-14-111	ENSTAR Natural Gas Company (Regulatory Commission of Alaska)

2015-UN-049	Atmos Energy Corporation (Mississippi PSC)
15-0003-G-42T	Mountaineer Gas Company (West Virginia PSC)
PUE-2015-00027	Virginia Electric and Power Company (Commonwealth of Virginia SCC)
Docket No. 2015-0022	Hawaiian Electric Company, Inc., Hawaii Electric Light Company, Inc., Maui Electric Company Limited, and NextEra Energy, Inc. (Hawaii PUC)
15-0676-W-42T	West Virginia-American Water Company (West Virginia PSC)
15-07-38 ^{^^}	Iberdrola, S.A. Et Al, and UIL Holdings Corporation merger (Connecticut PURA)
15-26 ^{^^}	Iberdrola, S.A. Et Al, and UIL Holdings Corporation merger (Massachusetts DPU)
15-042-EL-FAC	Management/Performance and Financial Audit of the FAC and Purchased Power Rider for Dayton Power and Light (Ohio PUC)
2015-UN-0080	Mississippi Power Company (Mississippi PSC)
Docket No. 15-00042	B&W Pipeline, LLC (Tennessee Regulatory Authority)
WR-2015-0301/SR-2015-0302	Missouri American Water Company (Missouri PSC)
U-15-089, U-15-091, & U-15-092	Golden Heart Utilities, Inc. and College Utilities Corporation (The Regulatory Commission of Alaska)
Docket No. 16-00001	Kingsport Power Company d/b/a AEP Appalachian Power (Tennessee Regulatory Authority)
PUE-2015-00097	Virginia-American Water Company (Commonwealth of Virginia SCC)
15-1854-EL-RDR	Management/Performance and Financial Audit of the Alternative Energy Recovery Rider of Duke Energy Ohio, Inc. (Ohio PUC)
P-15-014	PTE Pipeline LLC (Regulatory Commission of Alaska)
P-15-020	Swanson River Oil Pipeline, LLC (Regulatory Commission of Alaska)
Docket No. 40161	Georgia Power Company – Integrated Resource Plan (Georgia PSC)
Formal Case No. 1137	Washington Gas Light Company (District of Columbia PSC)
160021-EI, et al.	Florida Power Company (Florida PSC)
R-2016-2537349	Metropolitan Edison Company (Pennsylvania PUC)
R-2016-2537352	Pennsylvania Electric Company (Pennsylvania PUC)
R-2016-2537355	Pennsylvania Power Company (Pennsylvania PUC)
R-2016-2537359	West Penn Power Company (Pennsylvania PUC)
16-0717-G-390P	Hope Gas, Inc., dba Dominion Hope (West Virginia PSC)
15-1256-G-390P	
(Reopening)/16-0922-G-390P	Mountaineer Gas Company (West Virginia PSC)
16-0550-W-P	West Virginia-American Water Company (West Virginia PSC)
CEPR-AP-2015-0001	Puerto Rico Electric Power Authority (Puerto Rico Energy Commission)
E-01345A-16-0036	Arizona Public Service Company (Arizona CC)
Docket No. 4618	Providence Water Supply Board (Rhode Island PUC)
Docket No. 46238	Joint Report and Application of Oncor Electric Delivery Company LLC and NextEra Energy Inc. (Texas State Office of Administrative Hearings; Texas PUC)
U-16-066	ENSTAR Natural Gas Company (Regulatory Commission of Alaska)
Case No. 2016-00370	Kentucky Utilities Company (Kentucky PSC)
Case No. 2016-00371	Louisville Gas and Electric Company (Kentucky PSC)
P-2015-2508942	Metropolitan Edison Company (Pennsylvania PUC)
P-2015-2508936	Pennsylvania Electric Company (Pennsylvania PUC)
P-2015-2508931	Pennsylvania Power Company (Pennsylvania PUC)
P-2015-2508948	West Penn Power Company (Pennsylvania PUC)
E-04204A-15-0142*	UNS Electric, Inc. (Arizona CC)
E-01933A-15-0322*	Tucson Electric Power Company (Arizona CC)
UE-170033 & UG-170034*	Puget Sound Energy, Inc. (Washington UTC)
Case No. U-18239	Consumers Energy Company (Michigan PSC)
Case No. U-18248	DTE Electric Company (Michigan PSC)

Case No. 9449	Merger of AltaGas Ltd. and WGL Holdings (Maryland PSC)
Formal Case No. 1142	Merger of AltaGas Ltd. and WGL Holdings (District of Columbia PSC)
Case No. 2017-00179	Kentucky Power Company (Kentucky PSC)
Docket No. 29849	Georgia Power Plant Vogtle Units 3 and 4, VCM 17 (Georgia PSC)
Docket No. 2017-AD-112	Mississippi Power Company (Mississippi PSC)
Docket No. D2017.9.79	Montana-Dakota Utilities Co. (Montana PSC)
SW-01428A-17-0058 et al	Liberty Utilities (Litchfield Park Water & Sewer) Corp. (Arizona CC)

* Testimony filed, examination not completed

** Issues stipulated

*** Company withdrew case

^ Testimony filed, case withdrawn after proposed decision issued

^^ Issues stipulated before testimony was filed