

Exhibit No.:
Issue: Revenue Requirement
Witness: Greg R. Meyer
Type of Exhibit: Direct Testimony
Sponsoring Parties: Industrials
Case No.: ER-2010-0356
Date Testimony Prepared: November 17, 2010

**BEFORE THE PUBLIC SERVICE
COMMISSION OF THE STATE OF MISSOURI**

In the Matter of the Application of)
KCP&L Greater Missouri Operations)
Company for Approval to Make)
Certain Changes in its Charges for)
Electric Service)
_____)

Case No. ER-2010-0356

Direct Testimony and Schedule of

Greg R. Meyer

On behalf of

**Ag Processing, Inc.
Sedalia Industrial Energy Users Association
Federal Executive Agencies**

November 17, 2010



BRUBAKER & ASSOCIATES, INC.
CHESTERFIELD, MO 63017

Project 9216

Industrials
~~ER-2010-0356~~ Exhibit No. 1401
Date 7-15-11 Reporter TR
File No. ER-2010-0356

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STATE OF MISSOURI)
) SS
COUNTY OF ST. LOUIS)

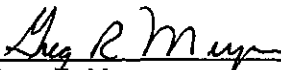
Affidavit of Greg R. Meyer

Greg R. Meyer, being first duly sworn, on his oath states:

1. My name is Greg R. Meyer. I am a consultant with Brubaker & Associates, Inc., having its principal place of business at 16690 Swingley Ridge Road, Suite 140, Chesterfield, Missouri 63017. We have been retained by Ag Processing, Inc., Sedalia Industrial Energy Users Association and Federal Executive Agencies in this proceeding on their behalf.

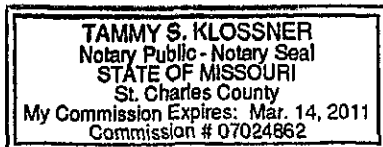
2. Attached hereto and made a part hereof for all purposes is my direct testimony which was prepared in written form for introduction into evidence in the Missouri Public Service Commission's Case No. ER-2010-0356.


3. I hereby swear and affirm that the testimony is true and correct and that it shows the matters and things that it purports to show.



Greg R. Meyer

Subscribed and sworn to before me this 16th day of November, 2010.





Notary Public

1 **Q PLEASE DESCRIBE THE GMO OPERATIONS.**

2 A GMO operates two electric territories in Missouri: MPS and L&P. I will refer to the
3 MPS electric territory as MPS and the L&P electric territory as L&P.

4 **Q WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

5 A I am providing testimony regarding several adjustments to GMO's revenue
6 requirement. I am proposing:

- 7 > An adjustment to the operating life to be used in establishing depreciation rates
8 for latan 2;
- 9 > The disallowance of GMO's unrecovered depreciation reserve adjustment for
10 general plant;
- 11 > Certain adjustments to GMO's lead-lag study used in calculating an appropriate
12 level of cash working capital ("CWC") to be reflected in rate base; and
- 13 > An adjustment to the recorded price of the Crossroads units.

14 I have prepared a table which lists each of the revenue requirement adjustments I am
15 proposing to GMO's filed case and the value of each adjustment. Following Table 1
16 is a short description of the adjustments that the Industrials are proposing.

17
18 Finally, I am proposing that the Missouri Public Service Commission
19 ("Commission") reject GMO's request to include transmission costs in its fuel
20 adjustment clause ("FAC") or, in the alternative, to include those transmission costs in
21 a transmission tracker.

TABLE 1 Revenue Requirement Adjustments (Missouri Jurisdictional) (\$000)		
<u>Issue</u>	<u>MPS</u>	<u>L&P</u>
1. Iatan 2 Life Projection for Depreciation	\$ 116	\$ 42
2. Unrecovered Depreciation Reserve	\$ 700	\$ 237
3. Crossroads Deferred Taxes	\$ 1,658	---
4. Cash Working Capital	\$ 50	\$ 75
5. Cost of Capital (Michael Gorman)	\$16,505	\$4,742

- 1 1. Iatan 2 Life Projection for Depreciation – I am proposing that the operating life for
2 Iatan 2 be established at 60 years, rather than 50 years as proposed by GMO.
- 3 2. Unrecovered Depreciation Reserve – I am proposing to disallow the adjustment to
4 GMO's depreciation reserve for under-recovery of general plant.
- 5 3. Crossroads Deferred Taxes – I am proposing that MPS recognize the transfer of
6 deferred taxes associated with the Crossroads units.
- 7 4. Cash Working Capital – I am proposing certain changes to the lags contained in
8 GMO's CWC study.

9 Including Mr. Michael Gorman's recommended cost of capital, we are
10 recommending that MPS's revenue requirement be reduced by not less than \$19.1
11 million and that L&P's revenue requirement be reduced by not less than \$5.1 million.
12 Of course, adjustments prepared by other parties may also be added to these
13 amounts. The fact that I do not address an issue should not be interpreted as
14 approval or acceptance by the Industrials of any position taken by GMO unless I state
15 otherwise in my testimony.

16 In addition to the above adjustments, I will explain why the proposal by GMO
17 to include transmission expenses in the FAC or to establish a transmission tracker
18 should not be accepted.

1 **1. Iatan 2 Life Projection For Depreciation**

2 **Q WHAT OPERATING LIFE DID GMO PROPOSE FOR IATAN 2 FOR BOOK**
3 **DEPRECIATION PURPOSES?**

4 A GMO witness John J. Spanos has proposed an operating life or life span of 50 years
5 for Iatan 2.

6 **Q DO YOU AGREE WITH MR. SPANOS'S OPERATING LIFE ESTIMATE?**

7 A No. I believe GMO's proposed operating life estimate for Iatan 2 is too short. I
8 recommend that Iatan 2's depreciation rate be calculated using a life span estimate of
9 60 years.

10 **Q WHAT SUPPORT DO YOU HAVE FOR PROPOSING A 60-YEAR LIFE**
11 **ESTIMATE?**

12 I have several reasons why a 60-year life estimate should be used for Iatan 2. First,
13 GMO witness Spanos proposed in a depreciation study titled "Calculated Annual
14 Depreciation Accruals Related to Electric Plant as of December 31, 2008" that Iatan
15 Unit 1 should have a life span of 60 years.

16 Second, in the recent AmerenUE rate case, Case No. ER-2010-0036,
17 AmerenUE witness John F. Wiedmayer sponsored a depreciation study which had the
18 following life spans for the AmerenUE steam generators:

TABLE 2

Life Spans for AmerenUE Steam Generators

<u>Plant</u>	<u>Installation Years</u>	<u>Probable Retirement Date</u>	<u>Life Span (Years)</u>
Meramec Unit 1	1953	January 31, 2022	69
Meramec Unit 2	1954	January 31, 2022	68
Meramec Unit 3	1959	January 31, 2022	63
Meramec Unit 4	1961	January 31, 2022	61
Sioux Unit 1	1967	September 30, 2033	66
Sioux Unit 2	1968	September 30, 2033	65
Labadie Unit 1	1970	September 30, 2042	72
Labadie Unit 2	1971	September 30, 2042	71
Labadie Unit 3	1972	September 30, 2042	70
Labadie Unit 4	1973	September 30, 2042	69
Rush Island Unit 1	1976	September 30, 2046	70
Rush Island Unit 2	1977	September 30, 2046	69

1 It should be noted that as a result of the Commission Order in Case
2 No. ER-2010-0036, the lives of Meramec Units 3 and 4 were lengthened by five years
3 from the totals listed above. As a result, the life span for those units was increased to
4 68 years and 66 years, respectively. The Commission in Case No. ER-2010-0036
5 approved life spans that ranged from 65 years to 72 years to depreciate AmerenUE's
6 coal-fired units.

7 Mr. Spanos is employed by Gannett Fleming as Vice President of the
8 Valuation and Rate Division. Interestingly, Mr. Wiedmayer, who sponsored the
9 assumptions from Table 2 above, is also employed by Gannett Fleming as a Project
10 Manager, Depreciation Studies of the Valuation and Rate Division.

11 Mr. Spanos and Mr. Wiedmayer, both from Gannett Fleming, have recently
12 sponsored depreciation studies which proposed life spans of at least 60 years or
13 longer. In Mr. Spanos's case, he sponsored a depreciation study which supported a
14 60-year life span for Unit 1. In Mr. Wiedmayer's case, he sponsored a depreciation

1 study which proposed a life span average of approximately 69 years for 12 coal-fired
2 steam generating units.

3 Finally, it should be noted that other generating stations that are only recently
4 coming into operation are also being depreciated over 60 years. For instance, Xcel
5 Energy recently completed the construction of the Comanche 3 generating station.
6 Like latan 2, that generating unit is a coal-burning supercritical generating station. In
7 a recent Colorado docket, Xcel Energy executed a stipulation in which the life span
8 for the Comanche 3 unit was set at 60 year s.

9 **Q DID MR. SPANOS PROVIDE ANY TESTIMONY WHICH DESCRIBED WHY A**
10 **50-YEAR OPERATING LIFE WAS REASONABLE?**

11 **A** No. Mr. Spanos discussed the depreciation rates for latan 2 in one question and
12 answered that question with seven lines of testimony. There was no discussion as to
13 why latan 2 should have a 50-year operating life as compared to latan 1's 60-year
14 operating life. Also, Mr. Spanos did not address why the 50-year operating life that
15 he is proposing for latan 2 is significantly shorter than the proposed operating life of
16 other Missouri coal-fired units.

17 **Q PLEASE SUMMARIZE YOUR POSITION.**

18 **A** I recommend that the latan 2 unit have an operating life of 60 years. I have provided
19 life estimates from two Gannett Fleming employees who have sponsored
20 depreciation studies in Missouri that propose lives for coal-burning generating
21 stations equal to or in excess of 60 years. The Missouri Commission has found
22 reasonable life estimates which average approximately 69 years for the AmerenUE
23 steam operating units. latan 2's operating life should initially be set at 60 years.

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1 **Q WHAT IS THE EFFECT ON GMO'S DEPRECIATION EXPENSE USING AN**
2 **OPERATING LIFE OF 60 YEARS FOR IATAN 2?**

3 A MPS's annualized depreciation expense is reduced by approximately \$116,000 on a
4 Missouri jurisdictional basis.

5 L&P's annualized depreciation expense is reduced by approximately \$42,000
6 on a Missouri jurisdictional basis.

7 **2. Unrecovered Depreciation Reserve**

8 **Q HAS GMO REQUESTED RATEMAKING TREATMENT FOR SOME**
9 **UNRECOVERED RESERVE FOR COMMON GENERAL PLANT?**

10 A Yes. GMO has requested ratemaking treatment for unrecovered depreciation reserve
11 for common general plant. GMO has requested a 20-year amortization to recover the
12 shortfall in the depreciation reserve for common general plant.

13 **Q PLEASE EXPLAIN HOW THE UNDER-RECOVERY OF DEPRECIATION RESERVE**
14 **OCCURRED.**

15 A Prior to the Great Plains Energy acquisition of the MPS and L&P service territories,
16 Aquila, Inc. owned the MPS and L&P electric territories. In addition to the MPS and
17 L&P service territories, Aquila also operated gas and electric utilities in Colorado,
18 Kansas, Michigan, Minnesota and Nebraska as well as certain international
19 operations. Aquila owned various corporate assets or common plant which were
20 used to provide corporate services to each of these jurisdictions. General Office
21 Furniture, Computer and Software Investment were the vast majority of these
22 corporate assets. For tax purposes, Aquila Corporate depreciated those common

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1 assets utilizing depreciation rates which were greater than the Commission
2 authorized depreciation rates.

3 As a result of the acquisition by Great Plains Energy of the MPS and L&P
4 electric territories, GMO is now claiming that MPS and L&P operations have
5 under-recovered depreciation expense in rates and the depreciation reserve for MPS
6 is overstated by \$14.1 million and the depreciation reserve for L&P is overstated by
7 \$4.7 million.

8 These amounts are purported to represent the differences in depreciation
9 expense charged by Aquila Corporate and the level authorized by the Commission for
10 the Aquila MPS and L&P operations.

11 **Q DO YOU AGREE WITH THE CALCULATION PROPOSED BY GMO AS IT**
12 **PERTAINS TO THE UNRECOVERED DEPRECIATION RESERVES OF \$14.1**
13 **MILLION FOR MPS AND \$4.7 MILLION FOR L&P?**

14 **A** No. I have concerns with the adjustments proposed by GMO to the various accounts
15 of MPS and L&P.

16 For MPS and L&P, GMO has proposed adjustments to the depreciation
17 reserves for the following Federal Energy Regulatory Commission ("FERC") plant
18 accounts which had no depreciation reserve balance and plant-in-service balance to
19 adjust.

TABLE 3

Plant Accounts With No Starting Balances @ 6/30/10

<u>FERC Account</u>	<u>Description</u>
390.05	General Structures – Leasehold Improvements – General
392.02	General Transportation Equipment – Heavy Trucks
392.04	General Transportation Equipment – Trailers Electric
395.00	General Laboratory Equipment – Electric

1 Given the rationale provided by GMO, I am questioning why these accounts
2 are proposed for adjustments when there is no balance in these accounts to adjust.
3 Given GMO's argument that the depreciation reserves for those accounts are
4 overstated, one would expect that the accounts shown in Table 3 above would have
5 depreciation reserve balances and plant-in-service balances to adjust. Since there
6 are no balances, adjustments to depreciation reserve accounts raises questions
7 regarding these proposed adjustments.

8 In addition, for MPS and L&P, GMO has proposed adjustments to the
9 depreciation reserves for the following FERC plant accounts.

TABLE 4

Plant Accounts With Large Reserve Adjustments

<u>FERC Account</u>	<u>Description</u>
390.00	General Structures & Improvements
391.00	General Office Furniture & Equipment Electric
391.02	General Office Furniture Computer
391.04	General Office Furniture Software
394.00*	General Tools Electric – Raytown
397.00	General Communication Equipment
398.00	General Miscellaneous Equipment

*L&P only.

1 Again, GMO's argument is that the depreciation reserve is overstated due to
2 higher corporate depreciation rates that were not reflected in electric rates. For some
3 of these accounts, the proposed adjustment to the depreciation reserve is larger than
4 the allocated book depreciation reserve and the plant balance. These differences
5 clearly call into question the reasonableness of these proposed adjustments.

6 **Q HAVE YOU SUBMITTED DATA REQUESTS TO GMO TO ADDRESS THESE**
7 **CONCERNS?**

8 A Yes, I have submitted data requests to address these concerns. I have not yet
9 received responses to those requests.

10 **Q PLEASE SUMMARIZE YOUR TESTIMONY AS IT RELATES TO THIS ISSUE.**

11 A GMO has proposed specific adjustments to depreciation reserve associated with
12 certain general plant accounts to address unrecovered depreciation reserve
13 balances. This unrecovered depreciation reserve arose due to higher depreciation
14 rates being applied to plant balances than the depreciation rates authorized by the
15 Commission. I have identified several FERC accounts where GMO has proposed an
16 adjustment where there are zero depreciation reserve balances. There are also
17 several FERC accounts where the adjustments proposed by GMO are greater than
18 the depreciation reserve balance and/or plant balances. Both of these circumstances
19 raise questions about GMO's proposed adjustments. GMO has not presented any
20 rationale why these adjustments should be accepted. I am therefore opposing the
21 inclusion of these adjustments in GMO's cost of service.

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1 **Q WHAT IS THE REVENUE REQUIREMENT EFFECT OF DISALLOWANCE OF**
2 **THESE ADJUSTMENTS?**

3 A My proposal would reduce MPS and L&P revenue requirements by approximately
4 \$700,000 and \$237,000, respectively.

5 **3. Crossroads Deferred Taxes**

6 **Q PLEASE DESCRIBE THE ADJUSTMENT YOU ARE PROPOSING FOR THE**
7 **CROSSROADS GENERATING UNITS.**

8 A I am proposing that GMO recognize on its regulatory books the transfer of the
9 deferred taxes associated with the Crossroads units.

10 **Q WHAT IS THE VALUE OF THIS ISSUE?**

11 A The accumulated deferred taxes associated with depreciation and amortization
12 expense for the Crossroads units amounts to an incremental \$15 million in rate base.
13 The recognition of these taxes would reduce MPS's rate base for purposes of this
14 rate case.

15 **Q WHAT DEFERRED TAXES ARE YOU PROPOSING TO INCLUDE?**

16 A I have included the deferred taxes associated with amortization and depreciation.

17 **Q HOW WERE THESE DEFERRED TAXES CREATED?**

18 A These taxes were generated due to the fact that the Internal Revenue Service ("IRS")
19 allows an investment to be amortized or depreciated over a shorter time than GMO's
20 expenses on its books. Therefore, the IRS allows for a higher depreciation rate. This

1 creates a timing difference between the tax basis and book basis of the property.
2 These differences create deferred taxes which are used to offset rate base.

3 **Q PLEASE PROVIDE A BRIEF EXPLANATION OF THE CIRCUMSTANCES**
4 **SURROUNDING THE DECISION TO PURCHASE THE CROSSROADS UNITS.**

5 A GMO was interested in procuring capacity and energy. To address this need, GMO
6 issued a Request for Proposals ("RFP") on March 19, 2007. It received 18 responses
7 to the RFP. After evaluating all of the RFP responses, GMO chose to buy the
8 Crossroads units from its affiliate, Aquila Crossroads Energy Center. GMO claimed
9 that this option was the least expensive of all the options. At the time of transfer of
10 the Crossroads units to the regulated operations of MPS, Aquila Corporate retained
11 the deferred taxes associated with Crossroads while in the ownership of Aquila
12 Crossroads Energy Center.

13 **Q WHY DO YOU RECOMMEND THAT THE DEFERRED TAXES BE RECORDED ON**
14 **THE REGULATED BOOKS OF GMO?**

15 A Deferred taxes should follow the sale of the asset. In transactions with which I am
16 familiar, the deferred taxes accompany the asset sale or transfer. The Missouri
17 Commission Staff usually requires that the deferred taxes follow the ownership of the
18 asset.

19 There is also the issue concerning the Commission's affiliate transaction rules.
20 In transactions involving purchases from affiliates, utilities are required to buy from
21 affiliates at the lesser of market value or cost. Deferred taxes are part and parcel of
22 the "cost" of the transaction with the affiliate. Therefore, merely recording the asset at

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1 its net book cost without the consideration of deferred taxes does not comply with the
2 affiliate transaction rules.

3 GMO claims that since the ratepayers did not provide those taxes, they are
4 not entitled to the deferred taxes. I believe this argument is without merit. If that
5 were the case, deferred taxes would never accompany an asset sale or transfer as
6 the ratepayers would not have provided those taxes. I further contend that the
7 ratepayers of MPS are equally if not more entitled to those deferred taxes than the
8 shareholders of GMO, since the ratepayers will be required to pay rates to provide a
9 return 'on' and 'of' that investment.

10 For these reasons, I propose that MPS be ordered, as part of the
11 Commission's decision to reflect Crossroads in rate base, to include on its regulated
12 books the deferred taxes accumulated while in the ownership of Aquila Crossroads
13 Energy Center.

14 **4. Cash Working Capital**

15 **Q HAS GMO INCLUDED CWC IN ITS COST OF SERVICE?**

16 A Yes. GMO is proposing a \$1.153 million Missouri jurisdictional reduction to rate base
17 for CWC for the MPS territory and a \$8,050 Missouri jurisdictional addition to rate
18 base for CWC for the L&P territory. In contrast, I am proposing that GMO's CWC
19 should be a \$1.608 million Missouri jurisdictional reduction to rate base for the MPS
20 territory and \$671,992 Missouri jurisdictional reduction to rate base for the L&P
21 territory.

1 **Q WHAT IS CWC?**

2 A CWC is the amount of cash necessary for a utility to pay the day-to-day expenses it
3 incurs in providing service to the ratepayer.

4 **Q WHAT ARE THE SOURCES OF CWC?**

5 A Ratepayers and shareholders are the sources of CWC.

6 **Q HOW DO RATEPAYERS SUPPLY CWC?**

7 A The ratepayers supply CWC when the company receives payment for electric service
8 before the company pays for the expenses it incurred to provide that service. The
9 ratepayer is compensated for the CWC provided through a reduction to rate base.

10 **Q HOW DO SHAREHOLDERS SUPPLY CWC?**

11 A When the company must pay for an expense incurred to provide service before the
12 ratepayer has paid for the related usage, shareholders provide cash to cover that
13 expense. This cash outlay represents a portion of the shareholder's total investment
14 in the company. The shareholder is compensated for the CWC provided through an
15 increase in rate base.

16 **Q WHAT METHODOLOGY DID GMO APPLY IN DETERMINING ITS CWC
17 REQUIREMENT?**

18 A GMO's CWC requirement was based upon two lead-lag studies. A lead-lag study
19 analyzes the cash inflows and outflows of payments the company receives from its
20 customers for the service it provides and the disbursements it makes to vendors to
21 provide that service. These cash flows are measured in numbers of days. A lead-lag

1 analysis compares the number of days the company is allowed to take or actually
2 takes to make payments after receiving service from a vendor with the number of
3 days it takes the company to receive payment for the service provided to customers.
4 The lead-lag study also determines who provides CWC.

5 **Q HOW ARE THE RESULTS FROM A LEAD-LAG STUDY INTERPRETED?**

6 A A negative CWC requirement indicates that ratepayers provided the working capital in
7 the aggregate during the test year. This means that ratepayers provided the
8 necessary cash, on average, before the company must pay for expenses incurred to
9 provide that service. A positive CWC requirement indicates, in the aggregate, that
10 shareholders provided the cash necessary during the year. This means that the
11 company must pay, on average, for the expenses incurred in providing service before
12 ratepayers pay for that service.

13 **Q HAVE YOU REVIEWED THE LEAD-LAG STUDY PREPARED BY GMO?**

14 A Yes. I reviewed the lead-lag schedules prepared by GMO. I reviewed the revenue
15 lag and the various expense lags to determine if the lags represented reasonable
16 estimates for lead-lag intervals for the different cash expenses of GMO.

17 **Q DID YOU AGREE WITH ALL OF THE REVENUE AND EXPENSE LAGS THAT
18 GMO IS PROPOSING IN THIS CASE?**

19 A No. There are several lags which I dispute. The following lists the disagreements I
20 have with GMO's lead-lag study:

- 21 1. The expense lag for city franchise taxes;
- 22 2. The expense lags for Missouri Sales and Use Tax; and

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1 3. The revenue lags for the city franchise taxes and Missouri Sales and Use Tax.

2 **Q WHAT EXPENSE LAG DID GMO PROPOSE FOR THE CITY FRANCHISE TAXES?**

3 A For the MPS territory, GMO proposed an expense lag of 98.4956 days. For the L&P
4 territory, GMO proposed an expense lag of 40.2083 days.

5 **Q WHAT DO YOU PROPOSE FOR THIS LAG?**

6 A I am proposing a combined expense lag of 57.84 days.

7 **Q WHAT IS THE BASIS FOR YOUR PROPOSED LAG OF 57.84 DAYS?**

8 A I obtained copies of the Municipal Codes or Ordinances for many of the cities served
9 by GMO. I developed my expense lag based on the payment dates established in
10 the Municipal Codes or Ordinances. I also contacted Mayors, City Administrators and
11 City Clerks of some of the cities to obtain this information. Using the information
12 provided in the city codes, ordinances or from city officials, I calculated a lag on an
13 individual city basis. I then dollar weighted each lag to calculate a weighted average
14 expense lag for the city franchise taxes.

15 **Q PLEASE PROVIDE AN EXAMPLE OF THE MUNICIPAL CODES OR**
16 **ORDINANCES YOU EXAMINED TO CALCULATE YOUR EXPENSE LAG FOR**
17 **THE CITY FRANCHISE TAXES.**

18 A Below is an excerpt from The Municipal Code of the City of Richmond, Title VI,
19 Chapter 620, Article II. Gas and Electricity, Section 620.060:

20 C. Energy providers shall report and pay any amount payable under
21 this Section on a monthly basis. Such payment shall be made no
22 more than thirty (30) days following the close of the period for
23 which payment is due...

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1 **Q HOW DID YOU CALCULATE THE EXPENSE LAG ASSOCIATED WITH THE CITY**
2 **FRANCHISE TAX DUE TO RICHMOND?**

3 A I took the entire year (365 days) and divided that into 12 monthly periods of 30.42
4 days. I then divided these monthly periods in half to establish the midpoint of the
5 monthly periods (15.21 days). I then added 30 days which is the time for payment in
6 the month succeeding the assessed month. This produces a 45.21 day lag.

7 **Q HOW DID YOU TREAT THE CITY FRANCHISE TAXES DUE TO KANSAS CITY,**
8 **MISSOURI?**

9 A Kansas City, Missouri, has two different taxes related to the provision of electricity
10 service: a 6% tax (due quarterly on gross receipts) and a 4% tax (due monthly on
11 gross receipts). I am not aware of a breakout of the franchise taxes between the
12 monthly and quarterly gross receipts taxes. Therefore, I assumed that equal shares
13 of the taxes due to Kansas City, Missouri, were monthly and quarterly.

14 **Q WHAT PERCENT OF FRANCHISE TAXES DID YOUR REVIEW COVER?**

15 A My review of the Municipal Codes or Ordinances covered 89% of GMO's franchise
16 taxes payable to cities.

17 **Q WHAT EXPENSE LAG DID GMO PROPOSE FOR MISSOURI SALES AND USE**
18 **TAX?**

19 A GMO proposed an expense lag of 22 days for Missouri Sales and Use Tax.

1 **Q WHAT EXPENSE LAG DO YOU PROPOSE FOR MISSOURI SALES AND USE**
2 **TAX?**

3 A I am proposing an expense lag of 10.90 days for Missouri Sales and Use Tax.

4 **Q WHAT IS THE BASIS FOR YOUR PROPOSED LAG OF 10.90 DAYS?**

5 A I have reviewed the Missouri Revised Statutes, Chapter 144, Sales and Use Tax,
6 Section 144.081, Paragraphs 5 and 6, to develop my proposed lag. Paragraphs 5
7 and 6 state the following:

- 8 5. For purposes of this section, "quarter-monthly period" means:
9 (1) The first seven days of a calendar month;
10 (2) The eighth to fifteenth day of a calendar month;
11 (3) The sixteenth to twenty-second day of a calendar month; and
12 (4) The portion following the twenty-second of a calendar month.
- 13 6. (1) In the case of an underpayment of any amount required to be
14 paid pursuant to this section, a seller shall be liable for a penalty
15 in lieu of all other penalties, interest or additions to tax imposed
16 by this chapter for violating this section. The penalty shall be five
17 percent of the amount of the underpayment determined under
18 subdivision (2) of this subsection.
- 19 (2) The amount of the underpayment shall be the excess of:
20 (a) Ninety percent of the unpaid amount at the end of a quarter--
21 monthly period, over
22 (b) The amount, if any, of the timely remittance for the quarter-
23 monthly period.

24 **Q PLEASE DESCRIBE HOW YOU CALCULATED YOUR 10.90 DAY LAG FOR**
25 **MISSOURI SALES AND USE TAX.**

26 A The tax is assessed on quarter monthly periods and is payable on the fourth banking
27 day following the quarter monthly period. Ninety percent of the tax must be paid
28 within those quarter monthly periods. The remaining 10% of the tax can be submitted
29 on the 20th day of the following month, except the quarter months when the tax is
30 payable at month end. I calculated the individual lags for each quarter monthly period

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1 and the lag for the payments in the succeeding months. I then weighted these lags
2 according to the percentage of payments due for each period to produce the 10.90
3 day lag.

4 **Q PLEASE SUMMARIZE YOUR CWC TESTIMONY AS IT RELATES TO THE TAX**
5 **EXPENSE LAGS OF GMO.**

6 A I have developed the tax expense lags I described earlier in my testimony based on
7 the Missouri Revised Statutes, Municipal Codes or Ordinances, and contacts with
8 Mayors, City Administrators and City Clerks. The expense lags I am proposing are
9 based on those sources. I contend my calculations of these expense lags are correct
10 and should be incorporated into GMO's lead-lag study.

11 **Q WHAT REVENUE LAG DID GMO PROPOSE FOR CITY FRANCHISE TAXES AND**
12 **MISSOURI SALES AND USE TAX?**

13 A GMO proposed using its 43.9370 day revenue lag for these taxes.

14 **Q WHAT REVENUE LAG ARE YOU PROPOSING FOR THE CITY FRANCHISE**
15 **TAXES?**

16 A I am proposing a zero day revenue lag for the city franchise taxes.

17 **Q WHY ARE YOU PROPOSING A ZERO DAY REVENUE LAG?**

18 A After reviewing the various Municipal Codes or Ordinances, the language contained
19 in those documents clearly defines that the franchise tax rate should be applied to
20 electric gross receipts for the specified period. Electric gross receipts for electric

1 service means the utility has already collected the revenue and thus is required to
2 apply the franchise tax rate to those collected revenues.

3 As an example, I have included the excerpt from the Code of Ordinances of
4 Kansas City, Missouri, Chapter 40, Article VI. Miscellaneous Business Regulations,
5 Sec. 40-344. Electric light or power businesses--Generally, which delineates that the
6 tax is based on the receipt of revenues.

7 The amount of such quarterly license fee (referred to in this section as
8 the "fee") shall be a sum equal to six percent of the gross receipts
9 derived from the sale of electrical energy within the city during the
10 same preceding period of three months ending as stated in this
11 subsection, for consumption and not for resale;...

12 The language in the Municipal Codes or Ordinances is generally similar to the above
13 passage, except that the time frame for calculating the tax may be different.

14 These franchise taxes due to the various cities are not based on billed
15 revenues but are instead based on revenues collected. Therefore, I have included a
16 zero day revenue lag.

17 **Q WHAT REVENUE LAG ARE YOU PROPOSING FOR THE MISSOURI SALES AND**
18 **USE TAX?**

19 **A** I am proposing a revenue lag of 26.48, which is GMO's collection lag.

20 **Q WHY ARE YOU USING THE COLLECTION LAG FOR THE MISSOURI SALES**
21 **AND USE TAX?**

22 **A** I have reviewed the Missouri Revised Statutes, Chapter 144, Sales and Use Tax,
23 Section 144.020, which describes the Missouri Sales and Use tax. Within this
24 section, Paragraph 3, which states:

25 3. A tax equivalent to four percent of the basic rate paid or charged
26 on all sales of electricity or electrical current, water and gas,

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1 natural or artificial, to domestic, commercial or industrial
2 consumers;

3 As this tax is calculated on the amount "charged" or billed, it is appropriate to use
4 GMO's collection lag, rather than the full revenue lag as proposed by GMO.

5 **Q HAVE YOU PREPARED A CWC CALCULATION WHICH SHOWS THE RESULTS**
6 **OF YOUR PROPOSED CHANGES TO GMO'S REVENUE AND EXPENSE LAGS?**

7 A Yes. Attached as Schedule GRM-1 is a CWC calculation which incorporates my
8 proposed changes to the revenue and expense lags. Page 1 of this Schedule details
9 my calculations for the MPS territory, and page 2 of this Schedule details my
10 calculations for the L&P territory.

11 **6. Transmission Tracker**

12 **Q HAS GMO PROPOSED TO ESTABLISH A TRANSMISSION EXPENSE TRACKER**
13 **FOR THIS RATE CASE?**

14 A Yes. GMO witness Tim Rush has filed direct testimony which seeks approval of a
15 transmission tracker if transmission costs are not included as part of GMO's FAC.

16 **Q SHOULD TRANSMISSION COSTS BE INCLUDED IN GMO'S FAC?**

17 A No. Transmission costs obviously are not fuel costs. When the Commission was
18 granted authority under Senate Bill 179 to establish FACs, transmission costs were
19 not included. GMO is attempting to expand the parameters of the FAC to include
20 transmission costs and this proposal should be rejected.

1 **Q PLEASE EXPLAIN GMO'S PROPOSAL FOR A TRANSMISSION TRACKER.**

2 A If the Commission does not allow GMO to collect their transmission costs through the
3 FAC, GMO witness Rush is requesting that a transmission tracker be established.
4 GMO has requested that the transmission tracker include funds related to base plan
5 funding. GMO explains that base plan funding relates to transmission projects which
6 produce reliability and transmission service benefits across the Southwest Power
7 Pool ("SPP") region. GMO witness Rush explains that a portion of those costs are
8 allocated directly to utilities that demonstrate direct benefits.

9 These base plan funding transmission project costs represent \$1.56 million
10 (combined MPS and L&P) of the requested transmission tracker. This portion of SPP
11 charges represents payments for construction projects.

12 **Q DO YOU SUPPORT THE GMO'S TO IMPLEMENT A TRANSMISSION TRACKER?**

13 A No. GMO should not be granted a transmission tracker in this rate case as a portion
14 of the SPP expense to be tracked relates to the construction of transmission projects.
15 Although these charges are a cost to GMO, they are no different than the capital
16 additions GMO puts into service between rate cases.

17 Furthermore, GMO's transmission tracker requests the tracking of SPP's
18 administrative and general expenses. For instance, GMO is requesting that the
19 transmission tracker include the membership fees GMO pays to SPP to operate in the
20 Regional Transmission Organization ("RTO"). These are normal operating expenses
21 of SPP. If GMO were given authority to track the administrative and general
22 expenses of SPP, GMO's incentive to manage these costs would be significantly
23 reduced, if not eliminated, completely.

1 Finally, both GMO witnesses John P. Weinsensee and Mr. Rush describe
2 benefits which will occur as a result of these transmission projects, yet GMO does not
3 propose to offset the expenses charged by SPP for any benefits realized. GMO
4 requests that the costs of these projects be captured in the transmission tracker, but
5 is silent about the claimed benefits from these projects.

6 I propose that the Commission not allow GMO to include transmission costs in
7 the FAC and also to reject GMO's request to establish a transmission tracker.

8 **Q DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?**

9 **A Yes, it does.**

Qualifications of Greg R. Meyer

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

2 A Greg R. Meyer. My business address is 16690 Swingley Ridge Road, Suite 140,
3 Chesterfield, MO 63017.

4 **Q PLEASE STATE YOUR OCCUPATION.**

5 A I am a Senior Consultant in the field of public utility regulation with the firm of
6 Brubaker & Associates, Inc. (BAI), energy, economic and regulatory consultants.

7 **Q PLEASE SUMMARIZE YOUR EDUCATIONAL BACKGROUND AND**
8 **EXPERIENCE.**

9 A I graduated from the University of Missouri in 1979 with a Bachelor of Science Degree
10 in Business Administration, with a major in Accounting. Subsequent to graduation I
11 was employed by the Missouri Public Service Commission. I was employed with the
12 Commission from July 1, 1979 until May 31, 2008.

13 I began my employment at the Missouri Public Service Commission as a
14 Junior Auditor. During my employment at the Commission, I was promoted to higher
15 auditing classifications. My final position at the Commission was an Auditor V, which I
16 held for approximately ten years.

17 As an Auditor V, I conducted audits and examinations of the accounts, books,
18 records and reports of jurisdictional utilities. I also aided in the planning of audits and
19 investigations, including staffing decisions, and in the development of staff positions in
20 which the Auditing Department was assigned. I served as Lead Auditor and/or Case

1 Supervisor as assigned. I assisted in the technical training of other auditors, which
2 included the preparation of auditors' workpapers, oral and written testimony.

3 During my career at the Missouri Public Service Commission, I presented
4 testimony in nine electric rate cases, nine gas rate cases, seven telephone rate cases
5 and several water and sewer rate cases. In addition, I was involved in cases
6 regarding service territory transfers. In the context of those cases listed above, I
7 presented testimony on all conventional ratemaking principles related to a utility's
8 revenue requirement. During the last three years of my employment with the
9 Commission, I was involved in developing transmission policy for the Southwest
10 Power Pool as a member of the Cost Allocation Working Group.

11 In June of 2008, I joined the firm of Brubaker & Associates, Inc. as a
12 Consultant. The firm Brubaker & Associates, Inc. provides consulting services in the
13 field of energy procurement and public utility regulation to many clients including
14 industrial and institutional customers, some utilities and, on occasion, state regulatory
15 agencies.

16 More specifically, we provide analysis of energy procurement options based
17 on consideration of prices and reliability as related to the needs of the client; prepare
18 rate, feasibility, economic, and cost of service studies relating to energy and utility
19 services; prepare depreciation and feasibility studies relating to utility service; assist
20 in contract negotiations for utility services, and provide technical support to legislative
21 activities.

22 In addition to our main office in St. Louis, the firm has branch offices in
23 Phoenix, Arizona and Corpus Christi, Texas.

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Appendix A
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KCP&L Greater Missouri Operations Company
For All Territories Served As MPS
Test Year 12-2009 with Known & Measurable Changes to 12-31-2010
Cash Working Capital
Test Year Expenses as Reflected in Company Model

Line No.	Account Description (A)	W/P Ref	(Elec-Juris) Test Year Expenses (B)	Revenue Lag (C)	Expense Lead (D)	Net (Lead)/Lag (C) - (D) (E)	Factor (Col E/365) (F)	CWC Req (B) X (F) (G)
<u>Operations & Maintenance Expense</u>								
1	Cash Vouchers	diff	133,257,041	43.9370	30.0000	13.9370	0.0382	5,088,228
2	Federal Income Tax Withheld		6,285,311	43.9370	13.6300	30.3070	0.0830	521,887
3	State Income Tax Withheld		1,782,537	43.9370	13.6300	30.3070	0.0830	148,009
4	FICA Taxes Withheld - Employee		2,117,990	43.9370	13.7700	30.1670	0.0826	175,050
5	Net Payroll	CS-50	28,950,285	43.9370	13.8540	30.0830	0.0824	2,386,059
6	Accrued Vacation		2,662,458	43.9370	344.8300	(300.8930)	(0.8244)	(2,194,836)
7	Purchased Gas & Oil	CS-24	6,542,569	43.9370	39.8343	4.1027	0.0112	73,540
8	Purchased Power	Sch 7, AC 555	74,560,985	43.9370	34.5000	9.4370	0.0259	1,927,759
9	Sibley - Coal & Freight	CS-24	55,585,510	43.9370	17.3909	26.5461	0.0727	4,042,681
10	Jeffrey - Coal	CS-24	24,945,963	43.9370	16.6431	27.2939	0.0748	1,865,404
11	Iatan 2 - Coal	CS-24	14,013,204	43.9370	43.6866	0.2504	0.0007	9,613
Total Operation & Maintenance Expense			350,703,853					14,043,397
12	Interest Expense	Sch 8	55,170,127	43.9370	92.0000	(48.0630)	(0.1317)	(7,264,772)
<u>Taxes other than Income Taxes</u>								
13	Ad Valorem/Property Taxes	Sch 7, AC 408.1	13,058,607	43.9370	187.4321	(143.4951)	(0.3931)	(5,133,825)
14	FICA Taxes - Employer's		2,117,990	43.9370	13.6300	30.3070	0.0830	175,863
15	Corporate Franchise Taxes		822,703	43.9370	(76.0000)	119.9370	0.3286	270,336
16	City Franchise Taxes		26,503,514	0.0000	57.8398	(57.8398)	(0.1585)	(4,199,888)
17	Sales Taxes		12,456,941	26.4800	10.9000	15.5800	0.0427	531,724
Total Taxes other than Income Taxes			54,959,755					(8,355,791)
18	Current Income Taxes-Federal	Sch 8	5,771,621	43.9370	45.6300	(1.6930)	(0.0046)	(26,771)
19	Current Income Taxes-State	Sch 8	906,969	43.9370	45.6300	(1.6930)	(0.0046)	(4,207)
Total Income Taxes			6,678,590					(30,978)
Total Cash Working Capital Requirement			467,512,325					(1,608,144)
Company Proposed Cash Working Capital								(1,152,930)
Difference								(455,214)
Pre-Tax Rate of Return								11.04%
Revenue Requirement Impact								(50,241)

KCP&L Greater Missouri Operations Company
For All Territories Served As L&P Electric
Test Year 12-2009 with Known & Measurable Changes to 12-31-2010
Cash Working Capital
Test Year Expenses as Reflected in Company Model

Line No.	Account Description (A)	W/P Ref	(Elec-Juris) Test Year Expenses (B)	Revenue Lag (C)	Expense Lead (D)	Net (Lead)/Lag (C) - (D) (E)	Factor (Col E/365) (F)	CWC Req (B) X (F) (G)
<u>Operations & Maintenance Expense</u>								
1	Cash Vouchers	diff	32,152,760	43.9370	30.0000	13.9370	0.0382	1,227,707
2	Federal Income Tax Withheld		2,172,522	43.9370	13.6300	30.3070	0.0830	180,391
3	State Income Tax Withheld		616,135	43.9370	13.6300	30.3070	0.0830	51,159
4	FICA Taxes Withheld - Employee		911,689	43.9370	13.7700	30.1670	0.0826	75,350
5	Net Payroll	CS-50	11,264,299	43.9370	13.8540	30.0830	0.0824	928,394
6	Accrued Vacation		920,434	43.9370	344.8300	(300.8930)	(0.8244)	(758,773)
7	Purchased Gas and Oil	CS-24	1,194,216	43.9370	39.8343	4.1027	0.0112	13,423
8	Purchased Power	Sch 7, AC 555	25,037,394	43.9370	34.5000	9.4370	0.0259	647,337
9	Lake Road - Coal & Freight	CS-24	15,809,779	43.9370	20.3725	23.5645	0.0646	1,020,684
10	Iatan - Coal	CS-24	22,090,060	43.9370	43.6866	0.2504	0.0007	15,154
Total Operation & Maintenance Expense			112,169,288					3,400,827
11	Interest Expense	Sch 8	15,851,385	43.9370	92.0000	(48.0630)	(0.1317)	(2,087,302)
<u>Taxes other than Income Taxes</u>								
12	Ad Valorem/Property Taxes	Sch 7, AC 408.1	4,322,656	43.9370	182.0742	(138.1372)	(0.3785)	(1,635,944)
13	FICA Taxes - Employer's		911,689	43.9370	13.6300	30.3070	0.0830	75,700
14	Corporate Franchise Taxes		112,732	43.9370	(76.000)	119.9370	0.3286	37,043
15	City Franchise Taxes		3,701,301	0.0000	57.8398	(57.8398)	(0.1585)	(586,528)
16	Sales Taxes		3,198,288	26.4800	10.9000	15.5800	0.0427	136,519
Total Taxes other than Income Taxes			12,246,666					(1,973,210)
<u>Income Taxes</u>								
17	Current Income Taxes-Federal	Sch 8	2,293,022	43.9370	45.6300	(1.6930)	(0.0046)	(10,636)
18	Current Income Taxes-State	Sch 8	360,332	43.9370	45.6300	(1.6930)	(0.0046)	(1,671)
Total Income Taxes			2,653,354					(12,307)
Total Cash Working Capital Requirement			142,920,693					(671,992)
Company Proposed Cash Working Capital								8,050
Difference								(680,042)
Pre-Tax Rate of Return								11.04%
Revenue Requirement Impact								(75,055)