

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

TRANSCRIPT OF PROCEEDINGS
Evidentiary Hearing
June 17, 2015
Jefferson City, Missouri
Volume 12

In The Matter of Kansas City)	
Power & Light Company's Request)	File No. ER-2014-0370
for Authority To Implement a)	
General Rate Increase for)	
Electric Service)	

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SENIOR REGULATORY LAW JUDGE

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1 JUDGE BUSHMANN: Let's go back on the record.
2 Good morning. Today's June 17th, day three of the
3 Kansas City Power & Light hearing.

4 Before we get started with any testimony, I wanted
5 to go over a few scheduling matters. We will be breaking --
6 the commissioners have an agenda meeting today at noon. So
7 I'll try and break roughly around 11:45 or so, depending on a
8 good stopping point, so that the commissioners can make that
9 meeting.

10 I've had a request from Public Counsel to take a
11 witness out of order. Mr. Dismukes has some travel
12 arrangements we need to work around. And if there's no
13 objection, I'll just take him first today, and then we'll go
14 back on the regular schedule.

15 And, also, for Brightergy, Mr. Blake, my
16 understanding is that there's no objection to his testimony
17 going into the record and there's -- everybody's waiving cross.
18 I believe that was arranged ahead of time; is that correct,
19 Mr. Zellers?

20 MR. ZELLERS: I've asked a couple of parties, but
21 I'm open to hear if anybody has any questions.

22 JUDGE BUSHMANN: Okay. So we're not sure about
23 that? Well, let me put it out there then. Is there anybody
24 that was intending to cross Mr. Blake? I don't hear anything.
25 Why don't we go ahead and just get that out of the way right

1 now then, as far as his testimony.

2 He only had one exhibit; right?

3 MR. ZELLERS: That's correct. Mr. Blake's
4 Surrebuttal Testimony marked as Exhibit 450.

5 JUDGE BUSHMANN: Do you want to make an offer on
6 that?

7 MR. ZELLERS: I would offer that exhibit into
8 evidence, if there's no objection.

9 JUDGE BUSHMANN: Any objections to the receipt of
10 Exhibit 450? Hearing none, that will be received into the
11 record.

12 (Brightergy Exhibit 450 received into evidence.)

13 JUDGE BUSHMANN: And since I don't hear anybody
14 that wants to cross, we will excuse his appearance later on
15 today.

16 MR. ZELLERS: Thank you, Your Honor.

17 JUDGE BUSHMANN: Any other matters that the
18 parties would like to bring up before we get started with
19 testimony?

20 Okay. Well, we'll take Mr. Dismukes out of order
21 then so that he can make his plane.

22 Mr. Dismukes, I'll remind you you're still under
23 oath.

24 THE WITNESS: Yes, sir.

25 MR. POSTON: Judge, did you need me to call him?

1 OPC calls Dr. Dismutes.

2 JUDGE BUSHMANN: That's fine. And we didn't --
3 you didn't offer -- is this the last time he'll be testifying?

4 MR. POSTON: Oh, yes, it is. I'm sorry.

5 JUDGE BUSHMANN: Do you want to go ahead and make
6 an offer --

7 MR. POSTON: Yes.

8 JUDGE BUSHMANN: -- on the testimony --

9 MR. POSTON: I would like to --

10 JUDGE BUSHMANN: -- at this point?

11 MR. POSTON: -- offer Exhibits 303, 304, and 305.

12 And for three 'o -- to clarify, 304 is his amended Rebuttal.

13 We filed Rebuttal, and then a few days later we filed amended.

14 I don't believe there was any objection to that amendment, so

15 we're just seeking to file the -- or to have the amended --

16 JUDGE BUSHMANN: Rebuttal --

17 MR. POSTON: -- Rebuttal added.

18 JUDGE BUSHMANN: -- as amended?

19 MR. POSTON: Yes.

20 JUDGE BUSHMANN: Is there any objection to the

21 receipt of Exhibits 303, 304, or 305?

22 Hearing none, those will be received into the

23 record.

24 (OPC Exhibits 303, 304, and 305

25 received.)

1 MR. POSTON: We tender the witness for
2 cross-examination.

3 JUDGE BUSHMANN: First cross would be Staff.

4 MR. WILLIAMS: No questions.

5 JUDGE BUSHMANN: I don't think MIEC or MECG are
6 here today.

7 Sierra Club?

8 MR. BECTOR: No questions, Your Honor.

9 JUDGE BUSHMANN: Missouri Division of Energy?

10 MR. ANTAL: No questions.

11 JUDGE BUSHMANN: Is Consumers Council here? I
12 don't think so.

13 Kansas City Power & Light?

14 MR. FISCHER: Just a few, Your Honor.

15 (Witness previously sworn.)

16 DAVID E. DISMUKES, testifies as follows:

17 CROSS-EXAMINATION BY MR. FISCHER:

18 Q Morning, Dr. Dismukes. Let's start with your
19 Surrebuttal Testimony.

20 A Yes, sir.

21 Q Let's go first to page 6. There on line 15 you
22 start, While preparing this Surrebuttal Testimony, it's come to
23 my attention that the Company has provided through discovery
24 copies of the license agreements with all 15 customers who will
25 be allowing KCPL to install proposed level 3 fast charging

1 systems and some of the customers who have executed contracts
2 with KCPL to install level 2 charging systems.

3 Then I think you talk in proprietary, a sentence
4 there about the amount of money that's involved in one of the
5 contracts.

6 Then you go on to say, In addition, the Company
7 provided contracts it has entered into with other vendors of EV
8 charging equipment; is that right?

9 A Yes, sir.

10 Q Did you go ahead and review those contracts --

11 A Yes, sir.

12 Q -- by chance?

13 A Yes, sir.

14 Q So you've clarified that the Company has provided
15 more details now regarding the contractual terms and
16 arrangements that the Company has -- has used to secure the
17 various sites; is that right?

18 A Yes, sir.

19 Q And here I believe you're referring to the Nissan
20 agreement, in part, with KCPL and the other agreements with the
21 host sites; is that right?

22 A Yes, sir.

23 Q Now, on page 7, well, you also state, In addition,
24 the Company provided contracts it's entered into with the
25 vendors of EV charging equipment.

1 **Would you agree that there are other entities,**
2 **including -- besides just Nissan, the host sites, the providers**
3 **of electrical vehicle charging stations, that appear to be**
4 **interested in KCPL's clean charge network project?**

5 A Yes, sir.

6 **Q On page 17 of your Direct you indicate at line 13**
7 **that you believe the Company will need to engage a number of**
8 **participants in order for the clean charge network to be**
9 **successful. And I believe you list, Including corporate**
10 **partners, automobile manufacturers and dealers, automobile**
11 **drivers, state agencies, and ratepayers; is that right?**

12 A Correct.

13 **Q Would it be correct to conclude that you believe**
14 **there are a wide variety of parties and other entities that are**
15 **interested in this project?**

16 A Yes, sir.

17 **Q And is your client, the Public Counsel, supporting**
18 **the establishment of a working docket to review the issues**
19 **around the clean charge network?**

20 A Yes, sir, I believe that's the case.

21 **Q What would be the major issues that you think**
22 **should be reviewed, from your perspective?**

23 A Well, I think there's a wide variety of issues
24 that span from understanding details associated with the
25 program down to some -- some broad policy issues associated

1 with the program.

2 In terms of details with the program, I think, you
3 know, to date there hasn't been a lot of specificity associated
4 with what the Company's goals are in terms of the penetration
5 rates that it expects to see under various different scenarios
6 and how those scenarios or sensitivities change over time.
7 There's no real big pro forma type analysis associated with --
8 with the program. So I would expect to see some kind of
9 analysis of that nature.

10 For instance, Commissioner Kenney asked yesterday
11 about a map looking at the penetration or the location of the
12 charging stations today. And one of the things I would expect
13 to see, particularly given the Company's assertions associated
14 with the air emission benefits with the program is, you know,
15 how those installations are mapping up with the State's
16 nonattainment areas and its air quality benefits that it
17 anticipates receiving from the program, some kind of
18 quantification associated with those benefits, an understanding
19 of how those benefits may potentially be monetized in order to
20 create a credit that might go back to ratepayers. I think it
21 would be important to look at how those change over a variety
22 of different sensitivities.

23 I think as you and probably everybody else in this
24 room recognizes, we're going through some dramatic changes in
25 energy markets right now. While natural gas prices are

1 relatively low, we're seeing refined product prices relatively
2 low. That's going to create a lot of fuel competition for
3 electric vehicles, particularly with compressed natural gas, as
4 well as with traditional refined products and traditional
5 gasoline, as well as cleaner fuels. And so there are a lot of
6 moving parts that need to be examined in this process.

7 **Q With --**

8 A I also would think that there needs to be some
9 kind of cost benefit analysis, which is missing in this
10 particular application. It's not uncommon, you know, for
11 regulatory purposes, to have a type of cost benefit study. And
12 while it may be the case that there are a lot of uncertainties
13 associated with the program, I don't think that that serves as
14 a justification for not having that cost benefit analysis,
15 because it's very difficult, from a regulatory perspective, to
16 go in and figure out whether this is going to be used and
17 useful or prudently incurred if you have no baseline upon which
18 to compare it to.

19 And so these are all the kinds of things that I
20 would expect to see get examined.

21 **Q With all those things on your mind, is it worth**
22 **the effort, from your standpoint, to go forward with this and**
23 **try to get people to explore these issues?**

24 A Yes.

25 MR. FISCHER: Okay. Thank you. That's all I

1 have.

2 JUDGE BUSHMANN: Questions from Commissioners.

3 Commissioner Kenney, any questions.

4 COMMISSIONER KENNEY: No. I apologize for walking
5 in late.

6 JUDGE BUSHMANN: Mr. Chairman, any questions?

7 CHAIR R. KENNEY: No. I apologize too. No
8 questions. Thank you.

9 QUESTIONS BY COMMISSIONER HALL:

10 **Q Good morning. I was wondering if you could**
11 **elaborate on your view that this program could have an adverse**
12 **impact on the competitive marketplace for EV charging stations?**

13 A Well, I think you've heard some of the discussion
14 earlier in the cross yesterday. There are opportunities for
15 other types of competing entities, other things being equal. I
16 mean, I'm not certain about the legal issues in terms of the
17 opportunities to resell, but there are other competing
18 nonutility entities that could come out and provide electrical
19 vehicle charging services. NRG Energy, for instance, is one
20 competing entity that does it in other parts of the country.
21 There could be other ones. I think the Company is already
22 partnering with a large charging station developer right now.

23 There are also, which I don't think has been
24 discussed, a number of issues associated with the competitive
25 ramifications this has on, say, interfuel competition between

1 the benefits that may be afforded to the electric utility and
2 its monopoly position to be able to securitize these costs
3 through ratepayers for charging stations that you don't have,
4 say, in refined markets where you may have clean diesel or
5 biofuels or other types of fuels that could be competing with
6 passenger vehicles for EV. And the same may be true with
7 natural gas as well. And so there are competitive
8 ramifications and whether or not any unnecessarily --
9 unnecessary preferences have been provided to the electric
10 vehicles relative to some of these other clean fuel substitutes
11 that could be out there in the market, as well as just more
12 fuel-efficient vehicles.

13 So I think all of those need to be explored. It
14 may be at the end of the day that there's a big role and
15 probably is a big role for electric vehicles in this process.
16 But I don't think any of those have been explored right now.
17 And as I mentioned in my testimony, you know, it appears to be
18 the case the cart is well before the horse on this
19 particular issue.

20 **Q So in a nutshell it's your view that if ratepayers**
21 **subsidize these charging stations, then the owner of the**
22 **charging station, utility, would have a competitive advantage**
23 **over any other potential EV charging station owner or -- or/and**
24 **the owner of any other type of alternative competitive system?**

25 A Yes, sir.

1 **Q** **Now, is that -- would that -- do you still believe**
2 **that there would be an adverse impact on the competitive**
3 **marketplace if the -- if the customers -- and I guess I mean**
4 **the hosts and the car owners -- cover the costs of the program?**

5 A I think a lot of those would be mitigated if the
6 costs were being recovered by the people who were incurring
7 those costs.

8 **Q** **Which -- which aspects would not be mitigated by**
9 **doing that?**

10 A I think most all of them would be. There may be
11 some reputational benefits that an incumbent utility has that
12 some of these other providers don't have. There may be some
13 other smaller ones. But I think the big issue associated with
14 cost would be addressed through that.

15 **Q** **Do you think the program could be structured so**
16 **that the customers -- and by that again I mean the hosts -- and**
17 **the EV owner cover the -- cover the costs of the program?**

18 A There could be ways to construct that, yes, sir.
19 And --

20 **Q** **How would you -- how would you recommend that be**
21 **done?**

22 A Well, I don't know at the current time. I think
23 that would be a way of looking at it in a particular docket or
24 proceeding. If you were trying to do it given the Company's
25 current rollout, I think it would be very difficult to do,

1 because if you were to take all those costs and impose them on
2 just the stations themselves, given the low penetration rates
3 that are anticipated in the early years, the cost per unit is
4 going to be relatively high, without some kind of other
5 financial support.

6 So it may be a scope-and-scale issue associated
7 with this rollout in terms of how those costs are incurred.

8 And, again, I think this goes back to the issue that I tried to
9 make in my testimony about the cart getting before the horse.

10 You know, it's not necessarily that this is a bad idea or a bad
11 opportunity for the State or for the Company, but why a
12 thousand stations that could charge 10,000 vehicles at full
13 capacity as opposed to some other level? You're going to run
14 into problems, more than likely, if you're going to do a
15 cost-causer type approach because costs in the early days are
16 likely going to be relatively high, given the low penetration
17 rates.

18 **Q Could the -- could the program be covered by some**
19 **type of \$2, \$3, \$5 charge or not?**

20 **A** I think it could be. And I think that is the kind
21 of public policy issue that would need to be addressed by the
22 Commission through some working dockets so that they understand
23 the degree to which that surcharge or that level of support
24 would be sustained and what they would be getting in return for
25 that in terms of the quantification of the avoided air

1 emissions, the economic development benefits associated with
2 the job creation. You know, there are other benefits that are
3 out there. Just at this point in time in the record there's
4 just no quantification for that. You don't really know what
5 ratepayers are getting for this investment, not only today and
6 the dollars that may be relatively small today for this rate
7 case, but I think on a forward-going basis there's, I think, a
8 very big precedential value here in accepting this today and
9 for this rate case because, in my opinion, it opens the door
10 for continued recovery of these costs as they move forward, and
11 they start to escalate to a much larger level and to the --
12 what I think the Company has represented 7 to \$9 million on a
13 jurisdictional basis.

14 COMMISSIONER HALL: Thank you.

15 THE WITNESS: Yes, sir.

16 QUESTIONS BY COMMISSIONER KENNEY:

17 **Q Hi. I apologize I wasn't ready for you. I know**
18 **we took you out of order. You mentioned about putting the cart**
19 **before the horse. But don't we do that continually with solar?**
20 **Wind? I mean, haven't we? I mean, would solar be where it is**
21 **today without us subsidizing it and ratepayers paying for it?**

22 **A** I haven't done an analysis to sit down and look at
23 every other -- particularly in Missouri alone, every public
24 policy initiative. But it's usually the case in many of these
25 instances that there is a little lay priority work on these

1 things in terms of the --

2 Q But rebates are going away. I turn my channel to
3 CNN, Fox News, the Fox Business, the ESPN, and it's the same
4 commercial every time: Federal rebates are going away, get
5 your solar now.

6 A Um-hum.

7 Q It's a -- it's -- a pilot program like this would
8 be similar to me as giving a subsidy in order to spur another
9 industry, which our governments have done for years and years
10 and years. That's how we do things.

11 A Well, the way this is set up right now, yeah, it
12 would be analogous to that in a sense.

13 Q But could -- couldn't it roll into something as a
14 pay to play, like Commissioner Hall mentioned, where it's just
15 a flat fee, okay, and walk up and swipe your card and if
16 there's a little meter on there just like we have a parking
17 meter and get to that, I mean, where it's a --

18 A It could, but there's nothing in the record right
19 now. We don't have anything to get there. So --

20 Q What's nice is the Commission can always order
21 that --

22 A Right.

23 Q -- in the future. You had -- there's one thing I
24 read in one of your testimonies -- I think it was your amended
25 testimony, but I'm not quite sure where -- which interested me,

1 because you said -- you mentioned about like the luxury sedans
2 like the Tesla running from \$71,000 to 100-something thousand,
3 that the average EV customer makes an income of over \$100,000?

4 A Right.

5 Q Now, that, to me, makes the best point against
6 this case, is that the average residential user is -- I think
7 you put it, is I don't know how many times above the mean --

8 A Right.

9 Q -- income of average Missourian?

10 A Right. And I think that's a good point to take
11 into consideration, the equity issue. All ratepayers will be
12 paying for this. There will be a select number of ratepayers
13 that will get the direct benefits from them.

14 I don't disagree with the Company that there could
15 be other benefits that accrue to all ratepayers, but those
16 haven't been quantified. Those other ratepayers don't know
17 what they're getting in terms of the bang for the buck of that.
18 And until that case has been made -- I don't see how you can
19 set fair, just, and reasonable rates, until that case has been
20 made.

21 It may be the best -- best program, you know,
22 since sliced bread; but you don't have that in the record right
23 now upon which to enter those costs in the rates. And without
24 that, I just -- there's a discontinuity there from a regulatory
25 policy perspective.

1 COMMISSIONER KENNEY: Okay. Thank you very much
2 for your testimony.

3 THE WITNESS: Yes, sir.

4 JUDGE BUSHMANN: Okay. Recross based on
5 commissioner questions.

6 Staff?

7 MR. WILLIAMS: No questions.

8 JUDGE BUSHMANN: Sierra Club?

9 MR. BECTOR: No questions, Your Honor.

10 JUDGE BUSHMANN: Brightergy?

11 MR. ZELLERS: No questions, Your Honor.

12 JUDGE BUSHMANN: Missouri Division of Energy?

13 MR. ANTAL: No questions.

14 JUDGE BUSHMANN: Kansas City Power & Light?

15 MR. FISCHER: Yes.

16 RE-CROSS-EXAMINATION BY MR. FISCHER:

17 **Q Dr. Dismukes, you were visiting with Commissioner**
18 **Hall about a charge that would recover all of the costs of the**
19 **charging stations from the host sites or the electric vehicle**
20 **owners. Do you recall that?**

21 A Yes, sir.

22 **Q Isn't it possible that the clean charge network**
23 **could result in a more efficient electrical system if the cost**
24 **of the electrical network was spread over more kilowatt hours**
25 **without causing additional investment in additional generation**

1 **or grid facilities?**

2 A As a hypothetical, that could be the case. But
3 there's no information in the record right now and there's been
4 no imputation of what those efficiency savings would be for
5 ratepayers in the rate case.

6 **Q And if it did, wouldn't you agree that that would**
7 **benefit more customers than just the electric drive -- electric**
8 **vehicle drivers?**

9 A Yes. And, again, I'm not disputing the fact that
10 there aren't additional benefits that could go to the broader
11 class of ratepayers with a program of this nature. What I'm
12 saying is, in order to set fair, just, and reasonable rates on
13 things that are known and calculatable (sic) in this
14 proceeding, they don't exist in the record right now. And so
15 there may come some point in time where the Company can make
16 this case and present it to the Commission and include them in
17 rates. That case hasn't been done here.

18 **Q And that's what a pilot project would be all**
19 **about; right?**

20 A Well, I don't know that I would characterize this
21 as a pilot program. 10,000 vehicles and a thousand stations is
22 more than a pilot program. This is a program in and of itself,
23 in my opinion. Given the way the Company has rolled this out,
24 its intended plans right now, this is a full rollout of one of
25 the largest programs in the United States. This is a program.

1 It's not a pilot. It's not 100 vehicles, 200 vehicles, 500
2 vehicles. Its full capacity is somewhere around the order of
3 10,000 vehicles. That --

4 **Q Are you --**

5 A -- I don't -- I don't believe is -- is a pilot
6 program.

7 **Q Are you familiar with the projects that have been**
8 **announced since the KCP&L project that was announced in**
9 **particularly California where they're talking 600 million plus?**

10 A Yeah, I don't know if those are pilot programs.

11 **Q Okay. Isn't it possible too that there could be**
12 **positive environmental and health benefits through the**
13 **reduction of tailpipe emissions from this kind of a program?**

14 A It is theoretically possible that there could be
15 environmental benefits. But, again, those haven't been
16 quantified. The Company's plans relative to the -- the
17 challenges that Missouri may be facing under, say, the new
18 ozone -- proposed ozone standards haven't been addressed.
19 There's been a lot of discussion about this program and its
20 purported ties into 111D in the new Clean Power Plan. I don't
21 understand how this would relate to the Clean Power Plan since
22 that is a program that is designated for the electric power
23 sector, not the transportation sector.

24 **Q And those are issues too that I think you put on**
25 **your list that we could explore in a working docket; right?**

1 A Exactly. And I think that those are things that
2 need to be addressed prior to cost recovery.

3 **Q But if -- if there were positive environmental and**
4 **health benefits through the reduction of tailpipe emissions,**
5 **wouldn't you agree that that would benefit more than just the**
6 **electric vehicle drivers?**

7 A Yes, sir, to the extent that they're quantified
8 and provided to the Commission and the Commission accepts
9 those -- those estimates.

10 **Q Isn't it also possible that the clean charge**
11 **network could result in increased economic development**
12 **opportunities in the Kansas City area?**

13 A Yes, to the extent that those are quantified,
14 those jobs, in terms of their direct, indirect, and induced
15 effects are presented to the Commission and quantified and they
16 understand what they're getting in terms of the investment the
17 Company's proposing.

18 **Q And if did, wouldn't you agree that there would be**
19 **customers benefiting from that in the Kansas City area besides**
20 **just the electric vehicle owners?**

21 A Yes, sir, they could. But those haven't been
22 quantified, and there's no way of knowing what those are right
23 now.

24 **Q I think you also made a comment about why we were**
25 **choosing 1,000 charging stations rather than 100 or something**

1 to that effect. Let me just ask you the question. Won't there
2 be additional cost savings with -- if there are cost savings, a
3 bigger program might show what those cost savings are, rather
4 than just isolating a few handful of electric vehicle charging
5 stations in a couple different locations around the community?

6 A I don't know if there are any economies of scale
7 associated with this particular program. There could be, but
8 there's nothing in the record evidence that suggests that there
9 would be, nor the magnitude of those.

10 Q And Commissioner Kenney asked you the question
11 about the income levels of electric vehicle owners. Do you
12 recall that?

13 A Yes.

14 Q Over time wouldn't you expect the prices of
15 electric cars to come down so that they would be more
16 affordable to a wider variety of consumers, not just the
17 high-income consumers in Kansas City?

18 A Again, that's -- that's pure speculation. I don't
19 know.

20 Q But that's happened with other technologies like,
21 say, even the hybrid car, hasn't it?

22 A Those have happened, yes, they have. But they've
23 come at relatively high cost with high degrees of subsidies,
24 as -- as Commissioner Kenney was talking about.

25 Q And that's true of a lot of technologies that

1 **we've dealt with in the energy area; right? Solar, we**
2 **subsidized that; correct?**

3 A Yes, sir.

4 MR. FISCHER: And -- okay. Well, thank you.
5 That's all I have.

6 THE WITNESS: Yes, sir.

7 JUDGE BUSHMANN: Redirect?

8 MR. POSTON: Just one question. Thank you.

9 REDIRECT EXAMINATION BY MR. POSTON:

10 **Q You were asked a question from Commissioner Kenney**
11 **about kind of a comparison to solar. And did the solar program**
12 **here in Missouri result from legislation and Commission rules**
13 **that came before those programs began?**

14 A I believe that is the case. That's my
15 understanding.

16 MR. POSTON: Thank you. That's all I have.

17 JUDGE BUSHMANN: That's all your testimony that we
18 need today, Dr. Dismukes. Thank you very much.

19 THE WITNESS: Thank you very much.

20 (Witness excused.)

21 JUDGE BUSHMANN: Next witness is from Staff.

22 MR. WILLIAMS: Staff calls Byron Murray.

23 JUDGE BUSHMANN: Would you raise your right hand.

24 (Witness sworn.)

25 JUDGE BUSHMANN: You may proceed.

1 BYRON MURRAY, testifies as follows:

2 DIRECT EXAMINATION BY MR. WILLIAMS:

3 Q Would you please state your name.

4 A Byron M. Murray.

5 Q By whom are you employed and in what capacity?

6 A I'm a regulatory economist for the Public Service
7 Commission.

8 Q And did you prepare and cause to be prepared
9 portions of what's been marked as Exhibit 200, which is the
10 Staff report, Revenue Requirement Cost of Service, that's been
11 modified by some errata that was filed on April 9th of 2015?
12 Did you have portions of that --

13 A Yes.

14 Q -- that you were responsible for?

15 A Yes, I did.

16 Q And does that appear on pages 204 to 213 of that
17 report?

18 A That is correct.

19 Q Did you also cause to -- either prepare or
20 cause -- and cause to be filed Rebuttal Testimony and
21 Surrebuttal Testimony that have been marked for identification
22 as Exhibit Numbers 232 and 233?

23 A Yes.

24 Q Do you have any changes to the portion of the Cost
25 of Service Report or your Rebuttal Testimony or your

1 **Surrebuttal Testimony here today?**

2 A No, sir.

3 Q **Are they then your testimony before the Commission**
4 **here today?**

5 A Yes, it is.

6 Q **And this is the only issue for which you're**
7 **scheduled to appear, is it not?**

8 A That is correct.

9 MR. WILLIAMS: With that, I'll offer Exhibits 232
10 and 233 and pages 204 through 213, the section that's headed
11 Electric Vehicle Clean Charge Network Initiative, into the
12 record.

13 JUDGE BUSHMANN: What was that last part? Where
14 was that from?

15 MR. WILLIAMS: That's the header in the Cost of
16 Service Report.

17 JUDGE BUSHMANN: Why don't we wait on that till
18 other -- near the end when other parties have had a chance
19 to --

20 MR. WILLIAMS: You want to do the entirety of the
21 report? I'm just offering a section --

22 JUDGE BUSHMANN: Yeah, I'd rather --

23 MR. WILLIAMS: -- of it.

24 JUDGE BUSHMANN: -- just do it all at one time and
25 not in pieces. So let's hold off and do the entire cost of

1 service -- or the Cost of Service Report near the end.

2 MR. WILLIAMS: All right. Well, I still offer
3 Exhibits 232 and 233.

4 JUDGE BUSHMANN: Any objections to the receipt of
5 Exhibits 232 and 233?

6 Hearing none, those will be received into the
7 record.

8 (Staff Exhibits 232 and 233 received into
9 evidence.)

10 MR. WILLIAMS: Tender the witness for examination.

11 JUDGE BUSHMANN: First cross-examination would be
12 by Public Counsel.

13 MR. POSTON: No questions. Thank you.

14 JUDGE BUSHMANN: Sierra Club?

15 MR. BECTOR: No questions. Thank you.

16 JUDGE BUSHMANN: Brightergy?

17 MR. ZELLERS: No questions, Your Honor.

18 JUDGE BUSHMANN: Missouri Division of Energy?

19 MR. ANTAL: A few.

20 CROSS-EXAMINATION BY MR. ANTAL:

21 Q Good morning, Mr. Murray.

22 A Good morning, Mr. Antal.

23 Q Okay. I have a few questions for you. Do you
24 have a copy of your Rebuttal Testimony with you?

25 A Yes, I do.

1 **Q Okay. If you would turn to page 8.**

2 A Okay. I'm there.

3 **Q Okay. Starting on line 18, you state, The**
4 **adoption of as many -- as many as 10,000 electric vehicles will**
5 **have little impact to improve overall air quality in the Kansas**
6 **City area. Did I read that correctly?**

7 A That is correct.

8 **Q Okay. Have you done any analysis to determine the**
9 **emissions levels of an electric vehicle charged in KCPL's**
10 **service territory?**

11 A Yes, sir. I did my analysis based on the
12 generation mix of the Company, and they -- in 2013, as the
13 image shows here, they had approximately 85 percent coal, and I
14 think they're about 8 -- 78 percent coal now. So if you have
15 an increase in demand, you're going to have an increase in
16 emissions.

17 **Q Okay. And you said that -- also in your testimony**
18 **that EPA's Section 111D Clean Power Plan will not take the**
19 **number of electric vehicles in an area into consideration; is**
20 **that correct?**

21 A Yes, sir. That is specific to the EPA building
22 blocks. They're specific to the generation units.

23 **Q So is it your understanding then that the proposed**
24 **Clean Power Plan does not compensate for increases in load?**

25 A Compensate? Could you explain what you mean by

1 compensate?

2 **Q Compensate. That the overall reduction that a**
3 **state has to -- would potentially have to meet, there's no**
4 **calculation for potential increases in load?**

5 A The Company has not provided any type of analysis
6 that we can use to make that statement and have any -- any
7 certainty of, if you will.

8 **Q Okay. And you stated just now and in your**
9 **Rebuttal test -- or in your Rebuttal Testimony that Kansas City**
10 **Power & Light's generation mix is primarily eighty -- or is**
11 **85 percent coal --**

12 A Yes.

13 **Q -- is that correct?**

14 A This -- this image is from their website.

15 **Q Okay.**

16 A And on the website they're showing their numbers
17 from 2013. Our current numbers that we received from them show
18 about 78 percent.

19 **Q Okay. And you said current numbers. What are**
20 **those numbers based off of?**

21 A Their current generation mix. How much coal they
22 use. And I'm specifically -- specifically stating coal in that
23 78 percent.

24 **Q So are those current numbers contained in their**
25 **current Integrated Resource Plan?**

1 A Yes. I believe in their K10 as well.

2 **Q Okay. So comparing the generation mix from 2013**
3 **in your testimony and the current IRP numbers, their generation**
4 **mix percentage of coal has gone down?**

5 A Slightly, yes, it has.

6 **Q Okay. And has other -- have renewables gone up in**
7 **their generation mix?**

8 A As I'm aware, that is the case. They did state in
9 one of their news reports that they were going to have an
10 increase in wind.

11 **Q And you also -- turning to your Surrebuttal,**
12 **starting on page 4.**

13 A Okay. I'm there.

14 **Q Starting on line 15 you state, KCPL is the cost**
15 **causer, and its investors should shoulder both the investment**
16 **costs of the project and the risks of the project.**

17 **I wondered, if you wouldn't mind telling me, in**
18 **your opinion why is KCP&L the cost causer?**

19 A Absolutely, sir. This -- unlike the solar
20 mandates that were out that was done by legislation law, they
21 were required to do that. This is a voluntary program. This
22 is an effort to build load, to do their valley-filling so that
23 they have more load filled overnight and they have -- you know,
24 just -- it's to make them more efficient and to have more
25 sales. So it's not for the purpose of decreasing emissions.

1 **Q Okay. So because it was not -- this project was**
2 **not mandated by --**

3 A Voluntary, yes, sir.

4 **Q It's -- it's why they're the cost causer?**

5 A Absolutely.

6 **Q A hypothetical. If a real estate developer in the**
7 **Kansas City area were to build a new subdivision and KCPL had**
8 **to extend, you know, their lines, maybe build a new substation**
9 **to serve that subdivision, is KCPL the cost causer of that**
10 **situation?**

11 A KCP&L is required by law to provide power to those
12 entities. So they would be required to do that. That wouldn't
13 have anything to do with a volunteer program like this. So I
14 can't see you comparing those two.

15 **Q Okay. But in both cases they're responding to**
16 **consumer demand?**

17 A Yes, they would have to -- they would be required
18 to provide electricity to them.

19 **Q Okay. Do you think it's appropriate for an**
20 **electric utility company to find new ways to provide their**
21 **service?**

22 A I think as a -- as a private company, as an
23 investor-owned utility, they have the right to try to increase
24 their load any way they can. I don't see any problem with
25 that.

1 **Q Okay. On page 7, starting on line 14, you state,**
2 **The clean charge network would have to be solar powered and not**
3 **connected to the national grid to have a positive impact on the**
4 **emissions of the Kansas City area. This is the only way that**
5 **the decreased tailpipe emissions would have a positive impact**
6 **on their air quality in the Kansas City area.**

7 **I was wondering, how did you come to that**
8 **conclusion?**

9 **A If you have an increase in demand on a generating**
10 **unit, you're going to have an increase in emissions. If you go**
11 **out and you build a clean charge network that's truly clean**
12 **based on solar power, meaning they put solar panels above these**
13 **charging stations, that would not impact the grid, it would not**
14 **increase demand, and it would not increase emissions. So**
15 **that's what I meant by that, as far as having a neutral or zero**
16 **source emission to power these EV vehicles.**

17 **Q Okay. All right. But do you -- would you agree**
18 **with the statement that an electric vehicle would have lower**
19 **emissions than a conventional automobile?**

20 **A Yes. There's no doubt about an electric vehicle**
21 **itself not having an emission, because it doesn't have a**
22 **tailpipe. However, the source of the generation is really what**
23 **you need to be concerned about.**

24 **Q And I guess that's what I was trying to get at.**
25 **An electric vehicle charged in KCPL's service territory, would**

1 **you agree that it would have lower emissions than a**
2 **conventional automobile?**

3 A Absolutely.

4 Q **Okay. Thank you --**

5 A Absolutely.

6 MR. ANTAL: Thank you very much. No further
7 questions.

8 JUDGE BUSHMANN: Kansas City Power & Light?

9 MR. FISCHER: Thank you.

10 CROSS-EXAMINATION BY MR. FISCHER:

11 Q **Good morning, Mr. Murray.**

12 A Good morning, sir.

13 Q **I looked over your background a little bit in your**
14 **-- the Appendix 1 of Staff's report. You've been employed here**
15 **at the Commission since October of 2013; is that right?**

16 A That is correct, sir.

17 Q **Is this the first time you've had an opportunity**
18 **to testify in front of the Commission?**

19 A This is my first time testifying in front of the
20 Commission.

21 Q **Okay. Great. And I -- it looks like you have a**
22 **master's degree in public admini -- public administration --**

23 A Yes, sir --

24 Q **-- a bach --**

25 A -- that is correct.

1 Q And a bachelor's degree in agricultural business;
2 is that right?

3 A Yes, sir.

4 Q With your -- with your college educations, did you
5 happen to take any course -- I'm sorry, I'm having trouble
6 seeing you -- did you have any opportunity to take air quality
7 assessment courses at all?

8 A No, sir, that was not my -- my area of study.

9 Q Okay. Are you holding yourself out today as an
10 expert in air quality assessment issues?

11 A I'm basing my expertise on the information that
12 was provided in the testimony, and there was no analysis for
13 air emissions provided that could be quantified.

14 Q Well, I'm asking you are you holding yourself out
15 with your testimony today as an expert in air quality
16 assessment issues?

17 A Yes, sir, when it comes to environmental issues, I
18 am the expert.

19 Q But you didn't have any coursework in that area;
20 right?

21 A No, sir, I did not have -- I don't have air
22 emissions coursework in my degree.

23 Q Okay. Prior to joining the Commission, I believe
24 you worked as an energy planner for the Division of Energy; is
25 that right?

1 A That is correct.

2 Q **And is that the same Missouri Division of Energy**
3 **that just had the opportunity to cross-examine you there?**

4 A Yes, sir.

5 Q **Okay. For how many years did you work at the**
6 **Missouri Division of Energy?**

7 A I was at the Division of Energy about two years.

8 Q **And what were your duties and responsibilities**
9 **with the Missouri Division of Energy?**

10 A I basically did research analysis for
11 energy-related information pertaining to electric
12 investor-owned utilities, as well as solar power, different
13 types of generation mixes, combined heat and power, different
14 things like that.

15 Q **Okay. And on page 4 of -- line 14 of your**
16 **Surrebuttal, you state there, The clean charge network should**
17 **not be regulated as a utility service because clean -- clean**
18 **charge network is a discretionary project initiated by KCPL; is**
19 **that right?**

20 A Yes, sir.

21 Q **Do you believe that whether or not a service is**
22 **discretionary determines whether it's a public utility service?**

23 A No, not -- not specifically.

24 Q **Okay.**

25 A Not -- not as -- no.

1 **Q And it's really a legal issue; right?**

2 A Yes, it would be based on whether or not that's
3 required by law.

4 **Q And -- and you don't have a legal -- an**
5 **attorney -- you're not an attorney?**

6 A No, sir, I'm not an attorney.

7 **Q Okay. Did you hear the opening statements of**
8 **counsel for the Division of Energy in this case?**

9 A Yes, I did.

10 **Q Is it your understanding that your former employer**
11 **generally supports the development of the clean charge network**
12 **that's being proposed by the Company?**

13 A It is my understanding that they generally support
14 it.

15 **Q Okay. Did you also review their position**
16 **statement?**

17 A Yeah -- I believe so. I'm not too sure about that
18 one. Maybe not. I'm not sure if I saw that.

19 **Q Is it your understanding that your former employer**
20 **supports the position that the clean charge network is a public**
21 **utility service?**

22 A I -- I'm not here to represent the Division of
23 Energy. And what they support is not my personal stance, and
24 it's not the stance of Staff.

25 **Q But that -- that is what your understanding is of**

1 **their position, which differs from your -- your position;**
2 **correct?**

3 MR. WILLIAMS: Judge, I'm going to object at this
4 point as to the relevancy of this. I mean, Division of Energy
5 has certainly stated its position. It's in the record. This
6 is repetitive as well.

7 MR. FISCHER: I can move on, Judge.

8 JUDGE BUSHMANN: Okay.

9 BY MR. FISCHER:

10 **Q Let's look on -- in your Rebuttal Testimony on**
11 **page 10.**

12 A Let's see. I don't think I have the Rebuttal with
13 me. I just have the Surrebuttal. Sorry, sir.

14 **Q Oh, that's all right.**

15 A Thank you.

16 **Q You probably know the answer to this, whether you**
17 **have it in front of you or not.**

18 A Okay.

19 **Q You say there at pages 5 -- I'm sorry, page 10,**
20 **lines 5 through 6 that, Staff recommends denying KCPL's request**
21 **to increase its miscellaneous O & M expenses by 555,000 for**
22 **the -- for electric vehicle charging stations; is that right?**

23 A Yes, sir.

24 **Q And then you go on to say that KCPL should cover**
25 **the full cost of this project. Is -- is that your testimony?**

1 A That is correct.

2 Q From your perspective how would you recommend that
3 KCPL recover miscellaneous O & M expenses for the electric
4 vehicle charging stations associated with the clean charge
5 network under Staff's approach to this issue?

6 A KCP&L is being compensated for electricity.
7 They're receiving the -- they're receiving revenue from the
8 host sites, whether it's a level 2 or not, because they have
9 funding from -- that they can take in as a payment for that
10 electricity from either the host site or from Nissan through
11 their funds. So there are funds available to pay you for the
12 cost of that -- of those -- of the equipment.

13 Q And those are being paid for at tariffed rates
14 that were --

15 A Right.

16 Q -- approved by the Commission --

17 A Based on --

18 Q -- is that right?

19 A -- the size of that company --

20 Q And those tariffed rates, wouldn't you agree, were
21 established before the clean line -- the clean charge network
22 was established?

23 A Yes.

24 Q So would it be correct to suggest that those kinds
25 of expenses weren't included in the ratemaking process

1 **previously?**

2 A Not included in the ratemaking process? I don't
3 see how that would impact you being able to collect those now.

4 **Q So what you're suggesting is that we ought to be**
5 **able to deploy this network and get a return on -- on the**
6 **investment based on rates that were set in the last rate case;**
7 **is that right?**

8 A Well, what I'm saying is that you have revenue
9 that you're going to receive, and that should be used to
10 compensate you for -- for the network.

11 **Q But we should make these investments and just**
12 **assume we're making enough money to cover it based on the last**
13 **rate case --**

14 A I wouldn't expect you to assume anything, sir. I
15 would -- I would expect you to do some financial analysis and
16 verify whether or not you can afford that network.

17 **Q I'm asking under Staff's approach, how would you**
18 **expect that we would recover the cost of that investment?**

19 A By charging the people that are going to be using
20 your electricity, your host sites, and taking those mon --
21 those funds from Nissan. So you're going to receive revenue as
22 a -- as a result of the charging stations; right? I mean,
23 that's what I understand. I'm not trying --

24 **Q So that's Staff's position, that we shouldn't be**
25 **compensated anything more than what the tariffed rates are**

1 **today?**

2 A I think that would be appropriate in -- that's
3 more appropriate, in my opinion, than trying to recover all
4 these rates from ratepayers.

5 **Q You had some economics classes as your**
6 **undergraduate degree, didn't you?**

7 A Yes, I did, sir.

8 **Q Under economics 101 would -- would a private**
9 **entity be able to recover its investment if they don't get any**
10 **additional funds to cover it?**

11 A A private entity probably wouldn't take up a
12 venture they couldn't afford. If they -- financially they
13 wouldn't have put themselves in a bad situation. I wouldn't
14 expect any company to do that.

15 **Q Okay. But that's the Staff's proposal; right?**

16 A The Staff's proposal is that the money should not
17 be recovered from ratepayers.

18 **Q On page 9 of your Rebuttal Testimony at lines 9**
19 **through 10, you state, Electric vehicles alone aren't**
20 **sufficient to impact the air quality of the Kansas City area.**
21 **Is that right?**

22 A That is correct.

23 **Q Is it possible, from your perspective, that**
24 **electric vehicles with lower tailpipe emissions could help to**
25 **improve the quality of the air in the region?**

1 A Are you referring to 111D?

2 Q **No, I'm just --**

3 A No?

4 Q **-- asking you as a general proposition. Isn't it**
5 **possible that electric vehicles could help because of**
6 **the lowered tailpipe emissions?**

7 A I would say there wouldn't be any tailpipe
8 emissions from an electric vehicle, sir.

9 Q **And wouldn't that help the air quality in Kansas**
10 **City?**

11 A Theoretically it would. But, there again, like
12 it's been stated before by Dr. Dismukes, there's no analysis
13 that would show that that would be an impact from --

14 Q **That's pretty intuitive, isn't it, that**
15 **gasoline-powered vehicles have greater tailpipe --**

16 A Yes, sir --

17 Q **-- emissions --**

18 A -- we just discussed that.

19 Q **-- than elec --**

20 COURT REPORTER: I need you to go one at a time.

21 MR. FISCHER: I'm sorry.

22 THE WITNESS: Yes.

23 MR. FISCHER: I apologize.

24 BY MR. FISCHER:

25 Q **Well, it's quite intuitive, isn't it --**

1 A Yes, I'm --

2 Q -- that electric --

3 A -- agreeing with you, sir.

4 Q Yeah, I'm trying to slow this down so --

5 A Okay.

6 Q That -- that electric --

7 JUDGE BUSHMANN: If you could wait until he
8 finishes the question before you answer it.

9 THE WITNESS: Thank you.

10 BY MR. FISCHER:

11 Q I think my question -- what you're trying to --
12 I'm trying to get the question out basically to say -- and
13 you're trying to agree with me; I appreciate that --

14 A Yes, sir.

15 Q -- that it's -- it's intuitive that electric
16 vehicles have lower tailpipe emissions than do gasoline-powered
17 or diesel-powered automobiles; right?

18 A Yes, sir.

19 Q Okay. Now, did -- did you or Staff conduct a
20 study to quantify the impact of electric vehicles that they
21 would have on the air quality of the Kansas City area?

22 A Staff, we worked together to come to a number,
23 trying to compare the number of electric vehicles to the rest
24 of the vehicles on the roads in the Kansas City area. And the
25 analysis that we found was that it was less than 1 percent of

1 the vehicles on the road would be electric vehicles at 10,000
2 vehicles --

3 Q Yeah --

4 A -- which was --

5 Q -- I understand --

6 A -- your goal.

7 Q -- that you did that. But did you do -- did you
8 do a study to quantify the impact of electric vehicles on the
9 air quality in the Kansas City area?

10 A In my -- what I did do, sir, was I did -- I did do
11 some analysis to see what other entities, like the Sierra Club,
12 felt about it. And if you allow me just a second, I can read a
13 portion of one --

14 Q Your counsel can do that. But is the answer to my
15 question no, you didn't conduct an impact study of air quality
16 on the Kansas City area?

17 A No, sir, we did not.

18 Q Then on the next line you state, Reducing
19 generation of electricity through fossil fuels would have the
20 most significant impact to the air quality of the Kansas City
21 area. Is that -- is that your opinion?

22 A Yes, sir.

23 Q Are you suggesting that, rather than developing a
24 clean charge network, the Company should be reducing the
25 generation of electricity through fossil fuels?

1 A I think that that would definitely have more of an
2 impact on the Company's ability to meet the requirements of
3 111D. That would have a great impact, compared to the charging
4 vehicles.

5 **Q Are you aware that the Company has announced a**
6 **cessation of the burning of coal of several of its power plants**
7 **in the future?**

8 A In the future, but not in the period of these next
9 two years.

10 **Q Does Staff consider that to be a positive step?**

11 A It's definitely a positive step.

12 **Q Are you also aware that the Company has completed**
13 **the environmental retrofit of the LaCygne unit as a part of**
14 **this case?**

15 A Yes, sir, I'm aware of that as well.

16 **Q Do you consider that to be a positive step?**

17 A Yes, it is.

18 **Q Is it your understanding that, based upon those**
19 **kinds of efforts, that KCPL has attempted to control its**
20 **particulates NOx and SOx?**

21 A I would say that would be -- that would be true,
22 there would be that effort that they were going to undertake.

23 **Q And so KCPL is attempting to do other steps**
24 **besides the clean charge network to improve the air quality in**
25 **the Kansas City area; wouldn't you agree?**

1 A Yes, sir. I've not said that they weren't.

2 **Q And those types of efforts would be expected to**
3 **have a positive impact upon the air quality in Missouri and**
4 **Kansas; wouldn't you agree?**

5 A Yes, sir, it should have a positive impact.

6 **Q Then on page 10 at lines 13 through 16, you state,**
7 **Staff is concerned that KCPL's proposal would undermine this**
8 **naturally-developing market since KCPL, unlike its competitors,**
9 **would have the advantage of recovering the costs of the**
10 **charging stations from captive customers who do not own EVs; is**
11 **that right?**

12 A Yes, sir, that is correct.

13 **Q Are you aware that in states where the public**
14 **utility has been limited or not involved at all in the**
15 **development of electric charging networks what has -- that the**
16 **market hasn't developed in a robust way?**

17 A I understand that -- I think it was California
18 recently the utility commission there recently allowed them to
19 get involved in the market.

20 **Q Did you -- have you studied that experience**
21 **in California?**

22 A Yes, sir. But I don't see California and Missouri
23 being apples and apples. It's apples and oranges. I don't see
24 the comparison between the two, and didn't see those studies
25 being very helpful as it pertained to Missouri. California has

1 about -- a whole lot less, as far as their generation mix.
2 They have more renewables.

3 **Q Well, you were talking about this**
4 **naturally-developing market. From Staff's perspective, if**
5 **there's a -- if there's a prohibition against the resale of**
6 **electricity in Missouri, how does a third-party provider of**
7 **electric vehicle charging facilities, how do they get a return**
8 **on their investment?**

9 A Could you repeat that?

10 **Q Yes. If there's a prohibition on the resale of**
11 **electricity so I can't sell to consumers the electricity that**
12 **are provided at an electric charging station --**

13 A Um-hum.

14 **Q -- if I can't do that, how do I get a recovery of**
15 **my investment as a third-party provider of electric vehicle**
16 **charging stations?**

17 MR. POSTON: I'm going to object. He's asking him
18 to draw a legal conclusion based on Missouri statute.

19 JUDGE BUSHMANN: Overruled.

20 THE WITNESS: The -- if I'm understanding what
21 you're saying, the electric vehicles are not -- let me have you
22 repeat that one more time. That's a long and complicated
23 question.

24 BY MR. FISCHER:

25 **Q All right. I'll try to break it down. Let's just**

1 assume that there is a legal prohibition against resale of
2 electricity in Missouri. Okay? Can you accept that as an
3 assumption?

4 A Okay.

5 Q Okay. Now, I'm a third-party provider of electric
6 charging stations. I spend 6 to \$8 million, like KCPL's
7 proposing to do. If I can't resell that electricity to the
8 consumer, how do I get a recovery of that 6 to \$8 million of
9 investments that I've made as a third-party provider?

10 A So -- so I'm sure that I'm understanding your
11 question, may I ask you, are you saying that another entity
12 that wants to put up charging stations would not be legally
13 allowed to sell electricity?

14 Q Yes. That's what I thought you were meaning by
15 this naturally-developing market.

16 A No, sir, that's not what I said at all.

17 Q Okay. Well, let's -- if that's not what you mean,
18 let's go back to my question.

19 A Okay.

20 Q As a third-party provider, I spend whatever it
21 takes to put in electric vehicle charging stations --

22 A Yes, sir,

23 Q -- but I am not allowed to resell the electricity.
24 How do I get a recovery of that cost of the electric vehicle
25 charging stations?

1 A Is that a hypothetical, sir? I'm not really
2 understanding.

3 **Q No, it's not really a hypothetical. I'm just**
4 **asking you how in your -- from Staff's perspective, how would**
5 **that happen?**

6 MR. WILLIAMS: Judge, I'm going to object at this
7 point because he's saying it's not a hypothetical. As long as
8 it's a hypothetical, I don't think it's objectionable.

9 MR. FISCHER: Well, I'm sorry. I'll withdraw it
10 and make it a hypothetical.

11 JUDGE BUSHMANN: Yeah, I -- your hypothetical
12 assumed a law. And so I think that's okay. You're asking him
13 to -- so I think the hypothetical is okay.

14 THE WITNESS: So hypothetically then, if you are
15 an entity that's a third party that wants to sell electricity
16 but you're legally prohibited from doing so, you wouldn't get
17 into the market anyway, if you don't have the ability to sell
18 the electricity.

19 BY MR. FISCHER:

20 **Q Right.**

21 A So that's what -- is that what you're saying, that
22 my statement here is saying that --

23 **Q No. I'm asking you if that's -- if that's the**
24 **case, how does the third-party provider of that equipment get a**
25 **return on its investment?**

1 A They wouldn't -- if you're -- in that scenario,
2 sir, they wouldn't be legal allowed -- legally allowed to sell
3 the electricity, so they couldn't get a return. It wouldn't be
4 something they would do. And, now, if that --

5 **Q But is that the naturally-developing market that**
6 **you're talking about?**

7 A The naturally-developing market that I'm talking
8 about is specific to entities that want to put in EV charging
9 stations, as KCP&L is doing.

10 **Q So that would be a third-party provider of**
11 **electric vehicle charging station?**

12 A Yes, sir. Are you saying that it's illegal for a
13 third party to provide electricity?

14 **Q I'm asking you to assume that, because you're not**
15 **an attorney. But...**

16 A Okay. I'm just trying to understand your
17 question, sir.

18 **Q If we assume that, then you -- you recognize it's**
19 **pretty difficult to get your money out of that kind of**
20 **investment as a third party; right?**

21 A That's -- that seems like a really leap -- a large
22 leap. But, yeah.

23 **Q Is it Staff's position that it's not illegal for**
24 **third-party providers to provide electricity?**

25 A I don't see where there's a restriction in that.

1 **Q So it's -- it's --**

2 A Not that --

3 **Q -- Staff's position we don't have a restriction in**
4 **Missouri law?**

5 A If there -- I'm not aware of a restriction of
6 that. Is there a restriction? I'm --

7 **Q I'll leave it at that.**

8 A -- not aware of that.

9 **Q Thank you. Let's go on. You indicate, I think,**
10 **on page 10 that KCPL -- the KCPL promotion of EV adoption in**
11 **the Kansas City area is a low-billing program that may increase**
12 **emissions of the Kansas City area; is that right?**

13 A That is correct.

14 **Q Are you suggesting there that electric vehicles**
15 **will have a negative impact upon emissions in the Kansas City**
16 **area?**

17 A Negative in the respect that you would have an
18 increased emission when you have an increase in demand.

19 **Q Is it Staff's position that the development of the**
20 **electrical vehicle market in the Kansas City area will actually**
21 **have a negative impact upon the air quality of Kansas City?**

22 A No, sir, I have not made that statement.

23 **Q Then on page 10 at line 17 you state, KCPL only**
24 **produces approximately 2 percent of the electricity it needs to**
25 **service its customers through wind power; is that right?**

1 A That is correct, sir, based on --

2 Q I believe you have a pie chart there that shows
3 the -- on page 9 that suggests only 2 percent comes from wind.
4 Is -- is that what that shows?

5 A Yes, sir. That's from Kansas City Power & Light's
6 website.

7 Q Now, are you aware that KCPL also has purchased
8 power agreements for wind farms that considerably increases
9 that percentage?

10 A Yes, sir. I was going by based off your website,
11 what you had there, based on -- I think it was current up to
12 2013.

13 Q So you were aware that we have more wind than just
14 2 percent for -- from utility-owned wind farms?

15 A I didn't have a -- anything that showed the
16 percentage of wind at this time.

17 Q Okay. So your statements were based upon --
18 without that knowledge; right?

19 A That is correct.

20 Q Okay. Now, is Staff suggesting that KCPL needs to
21 increase its portfolio wind power assets?

22 A Is Staff suggesting?

23 Q Yes.

24 A I think that's -- I would say Staff has probably
25 suggested that in the past. But I'm not saying Staff is saying

1 that now, no, sir.

2 Q Are you aware that the Company has announced the
3 addition of additional wind facilities as a part of its
4 generation portfolio?

5 A Yes, sir.

6 Q And does Staff think that's a good idea?

7 A It's a good idea.

8 Q And are you aware that KCP&L has added substantial
9 wind assets to its generation portfolio since -- since the
10 Company's comprehensive energy plan was approved by the
11 Commission?

12 A I believe that was an announcement, yes, sir.

13 Q Now, are you suggesting that electric vehicles
14 will not have a positive impact on the quality of air in Kansas
15 City, unless -- unless the Company adds additional wind
16 generation to its portfolio?

17 A No, sir. I'm simply saying that if you have an
18 increase in demand, which these vehicles will cause, you're
19 going to have an increase in emission based on your generation
20 mix.

21 Q And that's just intuitive; it's not based upon any
22 air quality assessment study that you've actually conducted --

23 A Yes --

24 Q -- right?

25 A -- sir.

1 **Q Are you familiar with the way the current**
2 **Southwest Power Pool integrated marketplace works?**

3 A No, sir, that's not my area of responsibility.

4 **Q So you wouldn't be familiar with the fact that the**
5 **Company doesn't follow its load from day to day and increase**
6 **its power plant production depending on how that load goes --**

7 MR. POSTON: I'm going to --

8 BY MR. FISCHER:

9 **Q -- is that --**

10 MR. POSTON: I'm sorry. I'm going to object.
11 He's assuming facts that are not in evidence here. He said are
12 you aware of this fact, and he's stating it like it's a fact.

13 JUDGE BUSHMANN: Response, Mr. Fischer?

14 MR. FISCHER: Well, I can try to rephrase it,
15 Judge.

16 JUDGE BUSHMANN: Okay. Try and rephrase it.

17 BY MR. FISCHER:

18 **Q You're not -- you're aware, right, I think you**
19 **just said, about how the Southwest Power Pool plant --**
20 **integrated marketplace works today; is that right?**

21 A No, sir.

22 **Q Okay. Well, I'll just leave it at that. You go**
23 **on to state, The proposed 100,000 EVs charging at the same time**
24 **during peak hours would be detrimental to the air quality due**
25 **to increased emissions; is that correct?**

1 A Yes, sir.

2 Q Again, that study -- that statement is not
3 supported by an air -- air quality assessment study; right?

4 A No, sir, the Commission Staff has not done an air
5 quality assessment.

6 Q Or any other kind of modeling to look at carbon
7 emissions or NOx or SOx emissions?

8 A No, sir. As I understand it, the Company hasn't
9 provided any type of analysis that we could use for making any
10 determination -- determinations in that way.

11 Q Okay. Are you familiar with the KCPL's Smart Grid
12 Pilot Project that was approved by the Commission?

13 A I think there was an electric vehicle charging
14 station in that pilot.

15 Q Are you -- you are familiar with the Smart Grid
16 Project?

17 A Yes.

18 Q Can you explain a little bit what you under --
19 what you understand that Smart Grid Project included?

20 A I thought the purpose of the project was for
21 putting up an electric station so that you could do analysis
22 that you would need to find out if this would be a worthy
23 project.

24 Q Did it also include things like the review of
25 consumer behavior related to smart thermostats and efficient

1 **appliances and in-home displays?**

2 MR. WILLIAMS: Judge, I'm going to object. At
3 this point I think we're getting kind of far afield from the
4 clean charge network.

5 JUDGE BUSHMANN: What's the relevance?

6 MR. FISCHER: The relevance is, Judge, the next
7 question, and that -- that is whether the Staff -- whether it
8 was partially funded by consumers and partially funded by
9 federal grant.

10 JUDGE BUSHMANN: In that case overruled.

11 THE WITNESS: The question is what was the funding
12 sources?

13 BY MR. FISCHER:

14 **Q Well, I was ask -- I was asking if you were**
15 **familiar with -- with that research project and the Smart Grid**
16 **Project and what it included?**

17 A No, sir.

18 **Q Okay. Are you familiar with the fact that this**
19 **project was partially funded by federal grant --**

20 A No, sir.

21 **Q -- or partially --**

22 A No, sir --

23 **Q -- funded by the Company's customers?**

24 A No, sir.

25 **Q Okay. Mr. Murray, isn't it possible that the**

1 **clean -- clean charge network could result in more efficient**
2 **electrical -- a more efficient electrical network if the cost**
3 **of the -- of the electrical network was spread over more**
4 **kilowatt hours without the need to increase generation**
5 **facilities or -- or other grid facilities?**

6 A Is that from a like hypothetical stance? Is that
7 like a hypothetical question or...

8 Q Yes.

9 A Okay. Hypothetically, yes.

10 Q **And if that -- if that occurred, wouldn't you**
11 **agree that there would be benefits to more customers than just**
12 **the electrical vehicle drivers?**

13 A I would have to see some sort of analysis that
14 would verify that before I could say yes.

15 Q **But assuming it did have an impact, then you --**
16 **you can see that there could be a positive impact for more**
17 **people than just electrical vehicle drivers?**

18 A Yes, sir. I don't like to make assumptions, but I
19 would say yes.

20 Q **And is it possible that the clean charge network**
21 **could also have positive environmental and health benefits**
22 **through the reduction of tailpipe emissions?**

23 A Sir, as I stated before, the tailpipe emissions
24 are not as significant as the generating unit mixed emissions.
25 You're going to have more of an impact on the generation mix

1 than you will with the tail pipe.

2 Q And that's an assumption on your part because you
3 haven't done a study of the air quality assessment; right?

4 A No, sir. As you said, that would be intuitive.

5 Q Okay. Well, if it did -- let's just assume that
6 there are some health benefits, some environmental benefits.
7 Wouldn't that benefit more than just the electric vehicle
8 drivers in the Kansas City area?

9 A Yes, sir.

10 Q And would you also agree that there could be
11 environ -- economic development benefits to a network like
12 this?

13 A I can't make that statement. I've not seen any
14 analysis that would actually say that that would be the case.

15 Q But the developing of a new market like this you
16 don't think could have economic development impacts that would
17 be positive in Kansas City?

18 A Well, sir, again, an assumption on my behalf would
19 be that the work is for -- KCP&L would be doing this. I
20 wouldn't see where there would be any economic benefit.

21 Q And now you're assuming it's KCPL providing the --

22 A I don't know.

23 Q -- the network; right?

24 A And that's what I'm saying. Yes, sir.

25 Q And if there's a third-party network out there

1 **like you were suggesting I think we might be adversely**
2 **affecting, that could have a positive economic benefit too;**
3 **right?**

4 A If there were a third party?

5 Q **Third-party network out there, would that have**
6 **positive economic benefits to the area?**

7 A I would say so.

8 Q **So if KCPL provides it, it's possible that those**
9 **could be possible economic benefits too?**

10 A It's possible. I don't -- I don't know any of the
11 specifics on that.

12 Q **And if that was the case, wouldn't you agree that**
13 **there would be benefits to more than just electric vehicle**
14 **owners through the increased economic development activities?**

15 A That would -- are you saying increased economic
16 activity would benefit Kansas City in general?

17 Q **Yes.**

18 A Yes.

19 MR. FISCHER: Okay. Thank you very much.

20 THE WITNESS: Appreciate it.

21 JUDGE BUSHMANN: Questions by commissioners?

22 Mr. Chairman?

23 CHAIR R. KENNEY: Mr. Murray, no thank you.

24 Thanks for your time here.

25 THE WITNESS: Thank you.

1 JUDGE BUSHMANN: Commissioner Stoll.

2 COMMISSIONER STOLL: I have no questions. Thank
3 you for your testimony, Mr. Murray.

4 THE WITNESS: Thank you.

5 COMMISSIONER KENNEY: Mr. Murray, welcome to the
6 Commission.

7 THE WITNESS: Thank you, sir.

8 COMMISSIONER KENNEY: Thank you very much. I
9 don't think I have any questions from that one.

10 QUESTIONS BY COMMISSIONER KENNEY:

11 Q Just a couple questions. Division of Energy,
12 Mr. Antal, was questioning you -- and you probably weren't here
13 for the openings on Monday, were you?

14 A No, sir. I sat in my cubicle and watched it --

15 Q I asked the Division of Energy exactly on a lot of
16 those questions he asked you. Specifically it was on the
17 relationship of these clean -- the clean charging station and
18 the fact that these electric vehicles, the energy they use is
19 78 percent coal.

20 A That is correct.

21 Q So my question was what's the -- what would be the
22 difference in the environmental benefit by using all electric
23 vehicle versus a hybrid or -- because of the emissions? You
24 have tailpipe emissions on a gasoline vehicle, less on a hybrid
25 vehicle, less on a -- probably, you know, you're looking at

1 small -- similar vehicles, and you have zero tailpipe emissions
2 on an electric vehicle, but you have all these emissions from a
3 coal plant burning coal to do it.

4 So has -- have you done an analysis on that or do
5 you know anybody in this case, whether KCPL or anybody else,
6 that's done an analysis on that?

7 A Sir, that's been a big part of my job over the
8 past two years is to come to an understanding on the air
9 emissions. And with the -- 40 percent of the air emissions for
10 the entire United States comes from generating units. And if
11 your mix of generating units -- if your -- if your mix of
12 generation is largely coal, then you're going to have an
13 increase in emissions.

14 So that doesn't necessarily make your environment
15 better because your emissions are going to be on the increase.
16 Even though you have lower tailpipe emissions, you still have
17 the big 40 percent in those generating mixes from the -- from
18 the generating units that are actually going to have an impact
19 on the environment.

20 Q So in -- not being a scientific decision, because
21 I don't know if anybody's done that, it's your assumption that
22 at best it might be just a break-even?

23 A It would take a lot of analysis to make -- to come
24 to that conclusion, I would think. But the -- the most logical
25 conclusion with 78 percent coal is that you're going to have an

1 increase in emissions, because you're going to have --

2 Q If you increase --

3 A -- an increase --

4 Q -- electricity --

5 A -- in demand.

6 Q If you increase electrical use, you're going to
7 have an increase in emissions --

8 A Yes, sir.

9 Q -- even though you have a decrease in tailpipe
10 emissions?

11 A Yes, sir. There are only 600-some-odd electric
12 vehicles right now. Down the road if more vehicles are
13 adopted, say up to that 10,000 number, you still would only
14 have less than 1 percent of the vehicles out there that are
15 electric vehicles. So the impact isn't going to be that
16 significant.

17 Q Okay. And you were asked by Company counsel if
18 you did an analysis on that; right?

19 A Yes, sir.

20 Q And you said no?

21 A No, the analysis I did -- the analysis that I
22 performed was specific to the 111D and the requirements, to
23 understand --

24 Q Do you know if the Company did an analysis of what
25 the difference would be from the charging stations versus --

1 A None of that has been offered. We did do data
2 requests to find out if they have done any type of feasibility
3 studies or --

4 **Q Do you know if --**

5 A -- cost analysis --

6 **Q -- Division of Energy did anything --**

7 A Not that I know.

8 **Q -- or OPC?**

9 A None of them have submitted any information that
10 provides that type of analysis.

11 **Q So it's your understanding that no one's done it?**

12 A No, sir. And --

13 COMMISSIONER KENNEY: Thank you very much.

14 THE WITNESS: Yes, sir.

15 JUDGE BUSHMANN: Commissioner Hall.

16 QUESTIONS BY COMMISSIONER HALL:

17 **Q Good morning, Mr. Murray.**

18 A Good morning, sir.

19 **Q Let's -- let's assume that there -- that there is**
20 **a prohibition in the state of Missouri on the resale of**
21 **electricity.**

22 A Yes, sir.

23 **Q If that is true, would that change your position**
24 **on whether or not putting this program into rates, as requested**
25 **by the Company, would have an adverse effect on the competitive**

1 **environment?**

2 A Yes, sir, I would say that would have an adverse
3 effect because, if that were true, no other third party could
4 come in and offer an electric vehicle charging station, network
5 or otherwise.

6 **Q Okay. Let me --**

7 A Am I understanding?

8 **Q Let me rephrase.**

9 A Okay.

10 **Q The issue before the Commission is whether or not**
11 **to put this program into rates.**

12 A Yes, sir.

13 **Q So let's assume that -- and one of the issues that**
14 **we need to take into account is whether or not doing so would**
15 **have an adverse effect on the competitive marketplace.**

16 **If we assume that there is a prohibition on the**
17 **resale of electricity in the state of Missouri, would -- would**
18 **the decision of the Commission one way or another have an**
19 **adverse effect on the competitive environment?**

20 A Absolutely.

21 **Q Please explain.**

22 A And I say that because, if no one else is allowed
23 to sell electricity, there wouldn't be a market. There --
24 there -- if no other entity can come in and put these electric
25 vehicle charging stations out there because of that

1 restriction, it would just be a monopoly, as they have now.

2 **Q You're -- you're questioning whether or not the**
3 **statutory prohibition would limit competition. That's not my**
4 **question. My question is whether the Commission determining**
5 **that it would be appropriate to put the program into rates,**
6 **whether that would have an adverse impact on the --**

7 A Yes, I believe that would, sir, because you would
8 be giving them an advantage, because they can recover these --
9 this investment from the ratepayers. Other entities wouldn't
10 have that opportunity.

11 **Q But other entities in my hypothetical would not be**
12 **able to resell electricity?**

13 A Right. So they wouldn't get into the business
14 anyway in that hypothetical.

15 **Q Let me switch gears. Do you believe that it is**
16 **possible that some -- that if some type of economy of scale**
17 **with the size of the program that it would not hold the same**
18 **benefits or might not be as successful if it were, say, 10**
19 **charging stations or 100 charging stations, as opposed to a**
20 **thousand?**

21 A Yes, sir, I believe there are benefits to
22 economies of scale.

23 **Q Pardon me?**

24 A I said I believe there would be benefit to
25 economies of scale, meaning if there were more charging

1 stations, there would be more of a benefit.

2 **Q More than just -- what would that increased**
3 **benefit be?**

4 A I would think that you -- you probably -- as they
5 have proposed, the 1,000 charging stations, I would think that
6 it would be a large enough project that they would be able to
7 get some decent analysis out of it.

8 **Q I may need some -- I may need some help from you**
9 **in the phrasing of this question, because I'm going back a ways**
10 **in my schooling here.**

11 A Okay.

12 **Q But is the difference between arithmetic versus**
13 **geometric -- I mean, if we're talking about 10 stations with**
14 **some type of benefit versus 100 stations with some type of**
15 **benefit or 1,000 stations with some type of benefit, is -- does**
16 **the ratio -- is it the same ratio or is it possible that a**
17 **program of a thousand stations has a -- has a benefit that**
18 **is -- are you -- are you getting my question, because --**

19 A Yes, sir, I'm understanding what you're saying.
20 The only -- only problem is that the Company hasn't done any
21 type of cost benefit analysis that we can make that type of
22 determination. We could speak about that hypothetically, yes.
23 Yes, it would have a benefit.

24 **Q Switch gears again. You mentioned that -- I**
25 **believe in your written testimony and also in your oral**

1 testimony today, that there is a -- that two of the purposes or
2 two of the effects of the program would be to increase load and
3 valley-fill?

4 A Yes, sir.

5 Q And both of those do benefit ratepayers, in your
6 view?

7 A The Company has stated that that would make their
8 generation more -- more efficient overall.

9 Q Do you believe that those two, increasing load and
10 valley-fill, would benefit ratepayers?

11 A Yes, sir, I believe that the Company's emphasis is
12 to promote vehicle charging overnight, which will valley-fill
13 their load, which -- would be a good thing for them. And it's
14 more efficient. They can keep more units on line.

15 Q So it's your position and Staff's position that
16 while those -- those may be some, benefits have not been
17 quantified?

18 A No, sir. But they have not been qualified --
19 quantified, and we can't have any idea what the impact would
20 be.

21 COMMISSIONER HALL: Okay. Thank you.

22 THE WITNESS: Thank you, sir.

23 JUDGE BUSHMANN: Recross based on commissioner
24 questions?

25 Public Counsel?

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MR. POSTON: No questi ons.
JUDGE BUSHMANN: Si erra Cl ub?
MR. SECTOR: No, thank you.
JUDGE BUSHMANN: Bri ghtery?
MR. ZELLERS: No.
JUDGE BUSHMANN: Di vi si on of Energy?
MR. ANTAL: Yes.

RE CROSS-EXAMI NATION BY MR. ANTAL:

Q Hello again, Mr. Murray.

A How do.

Q You were talking with Commissioner Kenney about whether any party in this case had done any, say, numerical analysis of the net impact on emissions due to this project; correct?

A Correct.

Q Okay. Did you review the Rebuttal Testimony of DE witness, Martin Hyman?

A Yes, I di d.

Q Okay. Do you have a copy of that with you right now?

A No, I don' t.

Q Okay.

A Thank you.

Q I would direct you to page 36. And starting on line 11, Mr. Hyman states, Based on a comparative tool from the

1 U.S. Department of Energy's alternative fuels data center in
2 several downtown Kansas City zip codes, it is likely that the
3 use of an electric vehicle would result in lower annual carbon
4 dioxide emissions than the use of a conventional
5 gasoline-fueled vehicle.

6 Did I read that correctly?

7 A That is correct.

8 Q Okay. Based off that statement, would you agree
9 that Division of Energy witness, Martin Hyman, did an analysis
10 of the net impact on emissions?

11 A No, not based on just this sentence, no, sir.

12 Q You wouldn't?

13 MR. ANTAL: Okay. No further questions.

14 THE WITNESS: Thank you.

15 JUDGE BUSHMANN: Kansas City Power & Light.

16 MR. FISCHER: Just a couple.

17 RE-CROSS-EXAMINATION BY MR. FISCHER:

18 Q Mr. Murray, it's my understanding that no party,
19 including the Staff, has indicated that KCPL should not
20 undertake the Missouri portion of the clean charge network; is
21 that right?

22 A Are you saying that they should not undertake it?

23 Q Yes.

24 A I think the Staff's been pretty clear in making
25 the statement that we do not oppose this program; it just

1 should n' t be recovered from ratepayers.

2 **Q** **Okay. And that's what I want to ask you about,**
3 **and that's the question that Commissioner Hall asked. The**
4 **issue in front of this Commission is not whether the program**
5 **should go forward, but whether it should -- any part of it**
6 **should be included in rates in this case; right?**

7 A Correct.

8 **Q** **Okay. If that's the case, can you explain to me**
9 **how it is that whether it is included in rates or not affects**
10 **the economics of a third-party network trying to decide whether**
11 **it can put an investment out there if it can't resell**
12 **electricity?**

13 A I don't know that a third party would be privy to
14 that information. I don't -- I don't see where they would have
15 that information, unless it was given to them by KCP&L.

16 **Q** **So you'd agree that the Commission's decision on**
17 **whether to put it in rates or not won't affect their decision;**
18 **right?**

19 A What -- I think that what I was saying was that
20 the -- that KCP&L, the Company, is going to have an advantage
21 over other people -- or other companies that may want to put
22 that in because of the ratepayer recovery, if that were
23 allowed.

24 **Q** **But it won't affect the decision of the third**
25 **party whether to go forward with a third-party network; right?**

1 A I really don't know. I don't know that they would
2 have that information to be able to make that analysis. So --

3 **Q If they don't have that information, it wouldn't**
4 **affect their decision?**

5 A That's what I'm saying. I don't know that.

6 **Q Okay. Did you perhaps investigate the position**
7 **that has -- or the comments that have been made by the Mid**
8 **America Regional Council or Sierra Club or NDRC about the**
9 **benefits of an electric vehicle program in Kansas City?**

10 A Yes, sir, I did read some of those comments.

11 **Q Were they generally positive?**

12 A Generally positive, yes.

13 **Q So they had a different view about whether it**
14 **would have an adverse impact upon the air quality in Kansas**
15 **City; right?**

16 A I don't know that they took that into -- into
17 consideration.

18 MR. FISCHER: May I approach, Judge?

19 JUDGE BUSHMANN: You may.

20 BY MR. FISCHER:

21 **Q Mr. Murray, I'd just like to show you something**
22 **that's already in the record.**

23 MR. WILLIAMS: May I see what it is?

24 MR. FISCHER: Yes, indeed. Yes, indeed. I'd like
25 to show him Schedule DR-1, and I'd like to ask him to read into

1 the record.

2 MR. WILLIAMS: If you just want to ask him to read
3 it, it's in the record. Do you have some questions about it?

4 MR. FISCHER: Yeah, I do have some questions.
5 May I approach?

6 JUDGE BUSHMANN: Yes.

7 BY MR. FISCHER:

8 Q Did you happen to take a look at Schedule DR-1,
9 page 7 of 10, where Mid American Regional Council executive
10 director made a comment about the program?

11 A Yes, sir.

12 Q Okay. And would you agree that he is applauding
13 the efforts of the Company on -- to do that?

14 A Yes, sir, it is a positive statement.

15 Q Okay. And then on the next page, on page 8 of 10,
16 Schedule DR-1, is there a comment from the chairman of the
17 Missouri Chapter of Sierra Club?

18 A Yes, there is.

19 Q And were you aware that they were very pleased to
20 see KCPL make such a significant investment in the electric
21 vehicle infrastructure?

22 A I'm aware, yes, sir.

23 MR. FISCHER: Okay. Thank you. That's all I
24 have, Judge.

25 JUDGE BUSHMANN: Redirect?

1 MR. WILLIAMS: Thank you.

2 REDIRECT EXAMINATION BY MR. WILLIAMS:

3 Q Mr. Murray, do you recall when Mr. Fischer asked
4 you about Kansas City Power & Light Company doing some
5 environmental retrofits to reduce SOx and NOx emissions?

6 A Yes, I do.

7 Q Do you know why Kansas City Power & Light Company
8 was doing those retrofits?

9 A To come into compliance with the upcoming PA
10 deadlines.

11 Q So it was something that was mandated?

12 A Yes, sir. They -- they more or less had to do it,
13 yes.

14 Q And do you recall when Mr. Fischer was asking
15 about your educational background with regard to your
16 qualifications to assess air quality?

17 A Yes.

18 Q Do you have any work experience that bears on
19 that?

20 A Yes, sir. I've been applying regulations for the
21 State of Missouri for the past 20 years.

22 Q Specific to air quality or in general?

23 A I worked for the Department of Natural Resources
24 for about the first 14 years. I worked with the air program,
25 but not directly as an air engineer specifically.

1 **Q And do you recall when Mr. Fischer asked you**
2 **whether Staff had done an air quality impact study, and you**
3 **said it had not?**

4 A Correct --

5 **Q Do you know --**

6 A -- I have not.

7 **Q -- if any other party in this case did one or if**
8 **anyone else has?**

9 A To my knowledge, no one in this case has done one.

10 **Q Do you recall when Commissioner -- Commissioner**
11 **Hall was asking you about scalability in terms of benefits**
12 **with regard to the clean charge network?**

13 A Yes.

14 **Q I'm not sure if this gets to what he was trying to**
15 **ask or not, but I'm going to try it this way. Do you have any**
16 **view as to whether or not, if there are benefits, they would be**
17 **linear with the number of charging stations or if it would be**
18 **something greater than linear as you increase the numbers?**

19 A I would say it would be greater than linear.

20 COMMISSIONER HALL: And, yes, that was exactly
21 what I was getting at. Thank you.

22 MR. WILLIAMS: I have no further questions.

23 JUDGE BUSHMANN: Thank you for your testimony,
24 Mr. Murray.

25 THE WITNESS: Thank you, sir.

1 JUDGE BUSHMANN: You may step down.

2 (Witness excused.)

3 JUDGE BUSHMANN: Why don't we take a short break.
4 We'll be in recess until about 10 minutes after 10:00.

5 (Off the record.)

6 JUDGE BUSHMANN: We're back on the record, ready
7 for a new witness.

8 MR. WILLIAMS: Staff calls Keith Majors.

9 (Witness sworn.)

10 JUDGE BUSHMANN: Please be seated.

11 KEITH MAJORS, testifies as follows:

12 DIRECT EXAMINATION BY MR. WILLIAMS:

13 Q Would you please state your name.

14 A Keith Majors.

15 Q By whom are you employed and in what capacity?

16 A The Missouri Public Service Commission as a
17 regulatory auditor.

18 Q And have you prepared and caused to be filed in
19 this case portions of the Staff report, Revenue Requirement
20 Cost of Service, that's been marked for identification as
21 Exhibit Number 200?

22 A I have.

23 Q And did you also prepare and cause to be filed in
24 this case Rebuttal Testimony that's been marked as Exhibit
25 Number 225?

1 A I have.

2 Q **Did you also prepare and cause to be filed**
3 **Surrebuttal Testimony that's been marked as Exhibit Number 226?**

4 A I have.

5 Q **And then in a related case, Case Number**
6 **EU-2015-0094, did you prepare and cause to be filed Direct**
7 **Testimony that's been marked for identification as Exhibit**
8 **Number 224?**

9 A Yes.

10 Q **Do you have any changes to any of those exhibits**
11 **for them to be your testimony here today?**

12 A No.

13 MR. WILLIAMS: Since Mr. Majors is testifying on a
14 number of issues and this is not his last appearance, I will
15 refrain from offering his testimony at this time. But I will
16 point out that, for purposes of this particular issue,
17 Exhibits, let's see, 225 and 226 contain his testimony
18 pertinent to this particular issue.

19 With that, I'll offer -- or tender Mr. Majors for
20 examination.

21 JUDGE BUSHMANN: Thank you.

22 First cross-examination will be by Public Counsel.

23 MR. POSTON: No questions.

24 JUDGE BUSHMANN: Sierra Club?

25 MR. BECTOR: No, thank you.

1 JUDGE BUSHMANN: Brightergy?

2 MR. ZELLERS: No questions.

3 JUDGE BUSHMANN: Division of Energy?

4 MR. ANTAL: No questions.

5 JUDGE BUSHMANN: Kansas City Power & Light?

6 MR. FISCHER: Just briefly.

7 CROSS-EXAMINATION BY MR. FISCHER:

8 Q Good morning, Mr. Majors.

9 A Good morning.

10 Q Is -- is the accounting treatment that you talk
11 about in your testimony related to the clean charge network, is
12 that predicated on the Commission determining that the clean
13 charge network should be provided on a nonregulated basis?

14 A I think in -- I outlined in my Rebuttal Testimony
15 that all costs related to the clean charge network should be
16 properly allocated. I think if the Commission determines that
17 it's a nonregulated service, it would be charged below the
18 line --

19 Q Okay. And that --

20 A -- and the plant -- and the plant removed from --
21 from rate base, the rate base included in this case.

22 Q And that's your recommendation. But it is
23 predicated, isn't it, on the Commission determining that it
24 would be a nonregulated service?

25 A And on Staff's recommendation that it be a

1 nonregulated service.

2 **Q Okay. If that was booked below the line and**
3 **treated as a nonregulated service, from the Staff's**
4 **perspective, as an unregulated investment, how would KCPL**
5 **recover the costs of the electric charging stations?**

6 A I think you would -- you would be recovering the
7 costs from the revenues that would also have to be booked below
8 the line, the rev -- the actual revenues from the -- received
9 by the charging stations, at the -- at the meter of the
10 charging stations themselves.

11 **Q And it's your understanding, isn't it, that the --**
12 **at least for the pilot program, the host sites and the Nissan**
13 **grant would pay for the electricity that are associated with**
14 **those charging stations?**

15 A As it is right now in the current paradigm, yes, I
16 believe that's true.

17 **Q There would be no additional funds coming to KCPL**
18 **to cover the actual costs of those charging sites; right?**

19 A There's -- there's revenues that would -- that
20 would -- if -- the revenues, if the program is successful,
21 would cover the expenses related to the clean charge network.

22 **Q And those revenues would come from where?**

23 A As it is in the current paradigm, from my
24 understanding, that -- the charging stations at the various
25 locations are -- the electricity's being recorded -- I think it

1 was in Mr. Ives' Surrebuttal -- it would be under the SGS rate.
2 And so it would be those revenues that the Company would be
3 receiving.

4 **Q So it would be based upon the tariffed rates that**
5 **we had in the last rate case or what -- the tariffed rates that**
6 **come about as a result of this case, that's where the Company**
7 **would get its return on that investment?**

8 A Yes, it would.

9 **Q Are you familiar with the Company's Smart Grid**
10 **Pilot Project?**

11 A I'm somewhat familiar with it, yes. In fact, I
12 visited the -- there's a house there that has various
13 electrical equipment that is available for tours. Yes, I
14 believe I toured it with Kansas City Power & Light personnel.

15 **Q Okay. You've been involved in all the KCPL rate**
16 **cases since that Smart Grid Project was put into place; is that**
17 **right?**

18 A I think you would have to identify the case when
19 that project was deployed.

20 **Q Okay. How long -- how many cases back have you**
21 **been involved?**

22 A I began my employment in June of 2007, so the
23 first Kansas City Power & Light case I was involved in was what
24 I called the 2009 case, ER-2009-0089.

25 **Q Well, in your experience as an auditor there doing**

1 **KCPL cases, would you agree that Staff has never opposed the**
2 **addition of Smart Grid capital costs in rate base?**

3 A I can't recall a specific adjustment related to
4 the Smart Grid Project in rate base, no.

5 **Q Would you also agree that Staff has never opposed**
6 **inclusion of operation and maintenance expenses associated with**
7 **Smart Grid?**

8 A I -- I can't recall that we've ever opposed those
9 expenses.

10 MR. FISCHER: I think that's all I have. Thank
11 you, Judge.

12 JUDGE BUSHMANN: Questions by commissioners?
13 Mr. Chairman?

14 CHAIR R. KENNEY: Mr. Majors, no questions. Thank
15 you.

16 THE WITNESS: Thank you.

17 JUDGE BUSHMANN: Questions?

18 COMMISSIONER STOLL: No questions.

19 JUDGE BUSHMANN: Commissioner Kenney?

20 COMMISSIONER KENNEY: No questions, Mr. Majors.
21 Thank you very much.

22 THE WITNESS: Thank you.

23 JUDGE BUSHMANN: Commissioner Hall?

24 QUESTIONS BY COMMISSIONER HALL:

25 **Q Mr. Majors, good morning.**

1 A Good morni ng.

2 **Q I was hoping you could elaborate on your view that**
3 **putting this program into rates would -- would violate the**
4 **matching principle.**

5 A I think that was more toward that the Company had
6 not -- didn't have the ability to estimate any revenues
7 associated with the program, if indeed that program were --
8 were to be included in rate base as a regulated service.

9 **Q So what is the matching principle?**

10 A The matching principle is the principle that the
11 costs associated with the product is that electricity should be
12 matched with the revenues that are designed to pay for that
13 product.

14 **Q Are you aware of any other instance where there**
15 **were capital expenses that were included in rates without a**
16 **corresponding revenue stream?**

17 A I can't think of one offhand. That's not to say
18 there -- there wouldn't be. I can't think of one offhand --

19 **Q Okay.**

20 A -- that it would be a capital investment
21 without -- without any revenue. Certainly the capital -- in a
22 general sense, when you would include in a -- in a case capital
23 investment, the rates -- if it's included in rate base, then
24 those rates are designed to recover that capital investment.

25 So, for example, on a -- as of the true-up, Staff

1 will include the environmental equipment that was installed at
2 the scene; and the rates going forward will recover that, the
3 cost of that, depreciation and operations and maintenance --
4 maintenance expense related to that.

5 COMMISSIONER HALL: Okay. Thank you.

6 JUDGE BUSHMANN: Recross based on Commission
7 question?

8 Public Counsel?

9 MR. POSTON: No questions.

10 JUDGE BUSHMANN: Sierra Club?

11 MR. BECTOR: No, thank you.

12 JUDGE BUSHMANN: Brightergy?

13 MR. ZELLERS: No questions.

14 JUDGE BUSHMANN: Division of Energy?

15 MR. ANTAL: No questions.

16 JUDGE BUSHMANN: Kansas City Power & Light?

17 MR. FISCHER: Just briefly.

18 RECROSS-EXAMINATION BY MR. FISCHER:

19 **Q Commissioner Hall visited with you about**
20 **incremental revenue streams associated with new investments.**
21 **Do you recall that?**

22 A Yes, I do.

23 **Q Is there a new incremental revenue stream**
24 **associated with the LaCygne Environmental Retrofit Project?**

25 A I think that the revenue stream will be recovered

1 when it -- related to the rate increase associated when that
2 plant gets put into rate base.

3 **Q But as far as new customers are concerned --**

4 JUDGE BUSHMANN: I think we lost your mic,
5 Mr. Fischer.

6 MR. FISCHER: Sorry.

7 BY MR. FISCHER:

8 **Q As far as new customers are concerned, there's no**
9 **additional revenues from new customers that came about because**
10 **they environmentally retrofitted that project to the tune of a**
11 **billion dollars; right?**

12 A Not that I'm aware of.

13 **Q Would that also be true for Smart Grid, there was**
14 **no additional revenue streams associated with that investment?**

15 A I'm not aware of any additional revenue streams,
16 no.

17 MR. FISCHER: Okay. Thank you.

18 JUDGE BUSHMANN: Redirect by Staff?

19 MR. WILLIAMS: Thank you.

20 REDIRECT EXAMINATION BY MR. WILLIAMS:

21 **Q Mr. Majors, do you recall when Mr. Fischer asked**
22 **you about revenues that Kansas City Power & Light Company would**
23 **get regarding the clean charge network?**

24 A Yes.

25 **Q And you indicated they get their revenues through**

1 **existing rates, the SGS rates, at least in part?**

2 A Yes, they do. The charging stations installed
3 right now would be receiving -- Kansas City Power & Light would
4 be receiving revenue assumedly through the SGS class or
5 whatever class the host site would be under, whatever tariff
6 that would be.

7 **Q And isn't how Kansas City Power & Light Company is**
8 **getting its revenues based upon how it's approached cost**
9 **recovery for the clean charge network?**

10 A Yes, I believe the revenues follow the approach
11 taken in -- if the -- as the installation of the clean charge
12 network through host sites, separately metered of course, but
13 included in the tariff of the host sites.

14 **Q And it's also because Kansas City Power & Light**
15 **Company is asking the Commission to rate base the -- its**
16 **investments in those sites?**

17 A Yes.

18 **Q Do you recall being asked by Mr. Fischer about**
19 **whether Staff had opposed any capital or operations in the**
20 **maintenance expense related to the Smart Grid?**

21 A Yes, I do.

22 **Q Do you know if Staff even looked at those costs in**
23 **particular?**

24 A I think -- I think generally we examined expenses.
25 I don't know that we -- we did a precise study on the -- I

1 don't know that we did do a precise study on the investments in
2 the Smart Grid. I think part of that was mitigated by half of
3 it was provided by outside funding.

4 **Q Do you know anything about the level of that**
5 **expense and investment?**

6 A I know it was in the million of dollars, but I
7 don't know other than that.

8 MR. WILLIAMS: I have no further questions.

9 JUDGE BUSHMANN: Thank you for your testimony,
10 Mr. Majors. You can step down now.

11 THE WITNESS: Thank you.

12 (Witness excused.)

13 JUDGE BUSHMANN: Mr. Stahlman is up next.

14 I just want to clarify also about Mr. Stahlman's
15 testimony today. Am I correct that he's testifying just this
16 time on all topics that he provides testimony on?

17 MR. WILLIAMS: Yes.

18 JUDGE BUSHMANN: Okay.

19 (Witness sworn.)

20 JUDGE BUSHMANN: Please be seated.

21 THE WITNESS: Thank you.

22 MICHAEL STAHLMAN, testifies as follows:

23 DIRECT EXAMINATION BY MR. WILLIAMS:

24 **Q Would you please state your name.**

25 A Michael Stahlman.

1 **Q By whom are you employed and in what capacity?**

2 A The Missouri Public Service Commission and as a
3 regulatory economist.

4 **Q And did you, with Mr. Murray, prepare portions of**
5 **the Staff's Cost of Service Report that's been marked for**
6 **identification as Exhibit Number 200, in particular pages 204**
7 **to 213?**

8 A Yes.

9 **Q And did you also cause to be -- did you also**
10 **prepare and cause to be filed Surrebuttal Testimony that's been**
11 **marked as Exhibit 240?**

12 A Yes.

13 **Q Do you have any changes to either of those**
14 **portions of the Class Cost of Service Report -- I'm sorry, the**
15 **Cost of Service Report or the Surrebuttal -- your Surrebuttal**
16 **Testimony?**

17 A No. In addition, I also have in the cost --
18 Revenue Requirement Cost of Service Report the economic
19 considerations portion and another portion on the
20 Pre-MEEIA opt-out costs.

21 **Q Do you know what pages those appear in the Cost of**
22 **Service Report?**

23 A The economic consideration starts on page 7 and
24 runs through page 12, and the Pre-MEEIA cost recovery is also
25 on page 213.

1 **Q And do you here today have any changes to those**
2 **portions of the Cost of Service Report?**

3 A No.

4 **Q Is that the entirety of your testimony before the**
5 **Commission today?**

6 A Yes.

7 **Q And is that your testimony here today?**

8 A Yes.

9 MR. WILLIAMS: At this time, since you're wanting
10 to hold off on offering the Cost of Service Report -- okay.
11 Because you've indicated you want to wait until -- for the Cost
12 of Service Report to be offered in its entirety, I'll not offer
13 that at this time, but I will offer Exhibit 240.

14 JUDGE BUSHMANN: Any objections to the receipt of
15 that exhibit?

16 MR. FISCHER: Judge, I just wanted to clarify the
17 issues that he is testifying on besides clean -- clean network,
18 and I can do that on cross. But I don't have any objection to
19 it.

20 JUDGE BUSHMANN: And you're wanting to clarify the
21 scope of his --

22 MR. FISCHER: Right.

23 JUDGE BUSHMANN: I think the --

24 MR. FISCHER: Is it just on the Rebuttal here -- I
25 mean, on the Surrebuttal?

1 MR. WILLIAMS: It's also on the Cost of Service
2 Report.

3 MR. FISCHER: Okay.

4 JUDGE BUSHMANN: No objections to the receipt of
5 240, so it is received into the record.

6 (Staff's Exhibit 240 received into evidence.)

7 MR. WILLIAMS: I offer the witness for
8 examination.

9 JUDGE BUSHMANN: First cross would be Public
10 Counsel.

11 MR. POSTON: Yes, thank you.

12 CROSS-EXAMINATION BY MR. POSTON:

13 Q Morning.

14 A Morning.

15 Q In your Surrebuttal at the bottom of page 6,
16 you -- I'll give you a moment to get there.

17 A Okay.

18 Q You state that you were surprised through reading
19 Public Counsel Witness Dismukes' testimony that he's referred
20 to this program as a pilot. Is it your understanding that's
21 how the Company has referred to this is a pilot program?

22 A Yes, the Company repeatedly refers to this as a
23 pilot program.

24 MR. POSTON: Thank you. That's all I have.

25 JUDGE BUSHMANN: Sierra Club?

1 MR. BECTOR: No, thank you.

2 JUDGE BUSHMANN: Brightergy?

3 MR. ZELLERS: No questions.

4 JUDGE BUSHMANN: Division of Energy?

5 MR. ANTAL: Yes, a few.

6 CROSS-EXAMINATION BY MR. ANTAL:

7 Q Morning, Mr. Stahlman.

8 A Morning.

9 Q Do you have your Surrebuttal handy?

10 A Yes.

11 Q Okay. Will you please turn to page 4. Starting
12 on line 8 you state, Staff agrees that the sales to a
13 customer's meter are regulated by the Commission, but
14 recommends that the Commission not regulate the sales from
15 charging stations to electric vehicles; is that correct?

16 A Yes.

17 Q Okay. Now, to clarify, as you understand it,
18 KCPL's clean charge network proposal does not include sales of
19 electricity from charging stations to electric vehicles; is
20 that correct?

21 A Restate your question or repeat the question.

22 Q Okay. Does KC -- as you understand it, does
23 KCPL's proposal include the sale of electricity from charging
24 stations to electric vehicles?

25 A Could you clarify? Are you saying that they are

1 not proposing to have a rate for the charge -- charging
2 stations to electric vehicles?

3 **Q I'm trying to under -- I'm trying to get your**
4 **understanding of their proposal. Are they charge -- are they**
5 **asking -- are they charging the host sites or the electric**
6 **vehicle owner?**

7 A And that's part of the question I have in general,
8 trying to clarify -- at this point I'm trying to clarify what I
9 understand KCPL's proposal to be. They -- at some moments they
10 talk about the electric vehicle owner being the customer. At
11 other times they refer to the host site or Nissan as the
12 customer. And because they switch back and forth between those
13 definitions, it can be kind of difficult to follow their
14 testimony.

15 And what I was clarifying, when Staff was first
16 reviewing this, Staff was looking at the sales from charging
17 stations to the electric vehicle owner, that that should be
18 one -- one set. And then there's also sales from the -- from
19 KCPL to general charging stations or, in this case, since the
20 charging stations are being owned by KCPL as a diff -- as a
21 different transaction. So it's trying to distinct those two
22 transactions.

23 **Q Okay. But under this proposal, the pilot program**
24 **proposal, as KCPL has set out, will electric vehicle charge --**
25 **electric vehicle owners be charged?**

1 A Initially over the two -- first two years, no. It
2 remains to be seen what they propose for the third year of the
3 pilot and beyond.

4 Q Okay. And it's still Staff's opinion that the
5 Commission regulates the sale of electricity to metered
6 customers?

7 A Correct.

8 Q Okay. If you would turn now to page 5 of your
9 Surrebuttal. Starting on line 18, you state, It is possible to
10 classify the stations as stand-alone customers under the small
11 general service, medium general service, or large general
12 service schedules as applicable. However, under this paradigm
13 the costs of the charging stations should not be recovered in
14 rate base, since it is akin to a rate base in the construction
15 of a new KCPL customer's building. Did I state that correctly?

16 A Yes.

17 Q Okay. Could you tell me, are the electric vehicle
18 charging stations or are the electric vehicle owners the users
19 of KCPL's electricity?

20 A That's a good question. I think that's part of
21 the reason why we would want to see a tariff sheet that
22 clarifies who the customer is.

23 Q Okay. So you're saying hypothetically the
24 charging station would be a customer?

25 A It depends on how it's treated. And this is part

1 of the reason why we're asking KCPL to provide tariff sheets to
2 clarify who -- who are they serving. If they're serving the
3 electric vehicle owners, then it runs into the issue of
4 providing free electricity to the customer as -- in violation
5 of the prohibited promotional practices rules. And if it's the
6 charging stations and -- then there's going to be some other
7 sets of rules that should be qualified or -- and I just wanted
8 to see tariff sheets that clarify what their actual position
9 is.

10 **Q Okay. But getting back to your example on page 5,**
11 **lines 18 through 22, you liken the charging station to a**
12 **customer's building; is that correct?**

13 A In this example, yes. If you treated a charging
14 station as a separate distinct customer, as this is separately
15 metered and all, the rate would be established to go to that
16 meter, but then the -- you wouldn't -- like if Hy-Vee was to
17 build a new grocery store, you would still have a rate going to
18 that customer's meter, but you wouldn't rate base Hy-Vee, even
19 if it was operating at peak -- its peak -- the lull of night.

20 **Q Okay. Does a charge -- would you anticipate a**
21 **charging station using electricity if no one was charging**
22 **there?**

23 A There could be some residual energy. I'm not sure
24 on the actual design, but --

25 **Q Sure.**

1 A -- I would expect it would be very minimal.

2 Q Okay. Is KCPL proposing to rate base electric
3 vehicles using its charging stations?

4 A The electric vehicles?

5 Q Yes.

6 A I'm unaware of any proposal to do so.

7 Q You said you are not?

8 A I'm -- I do not. I do not believe that's what
9 they are proposing.

10 MR. ANTAL: Okay. Thank you very much. No
11 further questions.

12 JUDGE BUSHMANN: Kansas City Power & Light.

13 MR. FISCHER: Yes, just to follow up on that a
14 little bit.

15 CROSS-EXAMINATION BY MR. FISCHER:

16 Q On page 4 of your Surrebuttal at lines 8 through
17 10, you state, To clarify Staff's position, Staff's -- Staff
18 agrees that the sales of a customer's meter are regulated by
19 the Commission but recommends the Commission's not -- that the
20 Commission not regulate the sales from charging stations to
21 electric vehicles; is that right?

22 A Yes.

23 Q Mr. Stahlman, if the Commission adopted your
24 proposal on that, KCPL's tariffed rates would -- would be
25 applied to whatever entity owned the charging station for the

1 **usage occurring at that charging station; is that right?**

2 A Potentially. Depends on how you're defining the
3 customer again.

4 **Q But I'm asking about Staff's proposal. Is that**
5 **what you're suggesting?**

6 A That the -- the sales to the meter -- a customer's
7 meter would be regulated and at -- the sales from the charging
8 stations to the electric vehicles would not be regulated.

9 **Q Okay. So then the provision of electricity to the**
10 **electric vehicle owner itself would be done at unregulated**
11 **prices; is that what you're suggesting?**

12 A Yes.

13 **Q And that would apply to KCPL; if they owned the**
14 **charging station, they could charge the electric vehicle at**
15 **unregulated rates?**

16 A Yes.

17 **Q And the owner of the charging station could give**
18 **away the electricity if they wanted or it could charge whatever**
19 **it wanted; is that what Staff's suggesting?**

20 A Staff's position's in line with what we have done
21 for compressed natural gas. So, yes.

22 **Q So is Staff suggesting that as an unregulated**
23 **service, the host site owners could resell electricity at**
24 **unregulated rates to the owners of electric vehicles?**

25 A I'm not sure -- is that legally, are you asking

1 me, is it reselling?

2 **Q I'm not asking. I'm just asking if that's what**
3 **your position is, that they could -- they could mark it up or**
4 **whatever you want to call it and then -- and charge the**
5 **customer?**

6 MR. WILLIAMS: That's been asked and answered. I
7 object.

8 JUDGE BUSHMANN: Overruled.

9 THE WITNESS: Could -- could you re --

10 BY MR. FISCHER:

11 **Q Yeah --**

12 **A -- restate?**

13 **Q -- let me try again. As an unregulated service,**
14 **is Staff suggesting that the host site owners could resell**
15 **electricity at unregulated rates to the owners of the electric**
16 **vehicles?**

17 **A I'm not -- I don't think that we are arguing that**
18 **it is resale. I'm not --**

19 **Q But they could -- whether it's resale or not, they**
20 **could -- they could give them a bill --**

21 **A There's any number of ways potentially. I'm not**
22 **sure how it would be resolved under whatever legal**
23 **determinations are made.**

24 **Q Under Staff's proposal how would it be resolved,**
25 **from your perspective?**

1 A Staff proposed in its Direct Testimony a model
2 based off of the compression of natural gas similar to Laclède
3 and MGE.

4 **Q I'm not familiar with that. Would you explain**
5 **what -- how it would work here?**

6 A Let me flip to, starting on page 208 of my -- of
7 the Revenue Requirement Cost of Service Report, I start line 1,
8 Perhaps the most comparable situation in Missouri is the
9 treatment of compressed natural gas vehicle fueling facilities.
10 Compressed natural gas refueling stations are not
11 Commission-regulated activities in Missouri.

12 While natural gas company Laclède Gas Company does
13 have a vehicular fuel schedule that specifies the price at
14 which natural gas will be sold to the station owner but does
15 not require the owner to sell that gas at that price, a portion
16 of the Laclède tariff for vehicular fuel reads, This rate
17 schedule shall apply to the sale of separately-metered natural
18 gas to customers for the sole purpose of compression by the
19 customer or a party engaged by the customer for use as
20 vehicular fuel, which such fuel is used directly by the
21 customer or is resold to other end users as compressed natural
22 gas for vehicular use. Service for any end use of gas other
23 than the compression of natural gas for vehicular use is not
24 permitted under this schedule.

25 Service provided by the Company under this rate

1 schedule does not include the provision of compression services
2 or facilities for CNG purposes. Other utilities now have a
3 rate specified in their tariffs for CNG vehicular fuel
4 facilities, but provide CNG fuel as a nonregulated service.
5 For instance, a recent article in the St. Joseph News Press
6 discusses the recent opening of a public CNG vehicle fuel
7 facility by Missouri Gas Energy just prior to being acquired by
8 LaCade. According to cngprices.com, there are public CNG
9 vehicular -- vehicular fueling facilities in the Kansas City
10 region through which are in Missouri that are operated by
11 companies not regulated by the Commission.

12 **Q Okay. So is it correct then that if we follow**
13 **that -- that model that Staff is recommending, that the host**
14 **site could resell electricity or give -- give the vehicle owner**
15 **a bill for that electricity?**

16 **A** And I'm not going -- I'm not sure about the legal
17 issues behind the word resale, but that they would be able to
18 charge customers for fueling in their -- at the station, yes.

19 **Q Would you turn to page 208 of the Staff report?**

20 **A** I'm there.

21 **Q On line -- well, beginning on line 7, it says,**
22 **This rate schedule shall apply to the sale of**
23 **separately-metered natural gas to customers for the sole**
24 **purpose of compression by the customer or -- or a party engaged**
25 **by the customer for use as a vehicle fuel, whether such fuel is**

1 used directly by the customer or is resold to other end users
2 as compressed natural gas for vehicle use; right?

3 A Correct.

4 Q So at least for purposes of that tariff, they're
5 talking about reselling natural gas -- or compressed natural
6 gas; right?

7 A Yes.

8 Q So if we follow that model, you're suggesting
9 Staff's position would be it's okay to resell electricity from
10 the electric vehicle charging site; correct?

11 A Again, with the qualification of what -- I think
12 there is a legal question on the resell portion, but to that --
13 follow that model, yes, you could sell it as a charging service
14 rather than maybe as a reselling.

15 Q And that would be true for Kansas City Power &
16 Light or GMO, if they owned the charging station?

17 A Yes.

18 Q And that would be true for any other third party
19 as well; correct?

20 A Correct.

21 MR. FISCHER: I think that's all I have. Thank
22 you.

23 JUDGE BUSHMANN: Questions by commissioners?

24 Mr. Chairman?

25 CHAIR R. KENNEY: No questions. Thank you very

1 much.

2 COMMISSIONER STOLL: I have no questions. Thank
3 you for your testimony.

4 COMMISSIONER KENNEY: I have no questions. Thank
5 you.

6 JUDGE BUSHMANN: Commissioner Hall?

7 COMMISSIONER HALL: I have just a few.

8 QUESTIONS BY COMMISSIONER HALL:

9 **Q I want to make sure I understand what Staff's**
10 **position is on a -- on a potential tariff. If -- if we were to**
11 **determine that this was a regulated activity, in your**
12 **Surrebuttal Testimony you -- you lay out some broad parameters**
13 **for what should be included in a tariff and -- but there's no**
14 **mention in there of price. But in your -- your portion of the**
15 **Cost of Service Report and in response to questions from --**
16 **from Mr. Fischer, you seem to suggest that -- that what would**
17 **be appropriate would be in the tariff to set a price for which**
18 **the Company could sell electricity to the station but not set**
19 **the price that the -- that the ultimate user would pay; is that**
20 **correct?**

21 **A** I would -- not to dispute a lot, but on page 10 of
22 my Surrebuttal I do mention the rates governing a new class of
23 customers. I do say there should be -- if it is a regulated,
24 there should be a rate to that customer.

25 **Q I'm sorry, where is that?**

1 A Page 10, line 9.

2 Q Okay. I stand corrected.

3 A And -- and part of the reason too on the tariff,
4 some -- one of the issues that I'm not sure has been fully
5 discussed is how -- who's going to actually be able to receive
6 a charging station. You know, if McDonald's at one station
7 sees a charging station and Burger King across the street says,
8 well, I want one too, there's no tariff that actually regulates
9 where or how and who can get these charging stations. And
10 those are some of the concerns that we have that I would like
11 to see more fully vetted in a tariff so there is no dispute on
12 what they're allowed to do.

13 Q I understand that. But my -- my fundamental
14 question is does Staff believe that it would be appropriate
15 to -- in a tariff to set the price that the utility sells
16 electricity to the stations but not set the price that the
17 station charges for the service to the ultimate customer?

18 A I think so, based on -- because the station to the
19 customer could be whatever the market would bear. And the --
20 to the station -- or to the customer's meter, if it is of a
21 charging station, would be based on a regulated rate, because
22 that is a permanent facility then.

23 Q Are you -- are you familiar with the LaCleda
24 compressed gas system -- compressed natural gas system?

25 A Not overly familiar. I know based -- I looked at

1 the tariff and some of the discussion based on the -- whether
2 that should have been regulated or not.

3 **Q So you would not be the Staff witness to ask about**
4 **whether the system works, any problems with it, et cetera; that**
5 **would be someone else on Staff?**

6 A I should -- I would say, as far as witnesses that
7 we've tendered for cross on that, I would probably be the one
8 for that. There's other people -- and I just haven't asked
9 on -- other Staff members that would be more familiar with
10 that. But I haven't heard any issues with whether it's a
11 success or not. I'm not even sure if we have set out what
12 measures would qualify as a successful rate or not.

13 COMMISSIONER HALL: Okay. Thank you.

14 JUDGE BUSHMANN: Recross based on Commission
15 questions.

16 Public Counsel?

17 MR. POSTON: No questions.

18 JUDGE BUSHMANN: Sierra Club?

19 MR. BECTOR: No, thank you.

20 JUDGE BUSHMANN: Brightergy?

21 MR. ZELLERS: No questions.

22 JUDGE BUSHMANN: Division of Energy?

23 MR. ANTAL: No questions.

24 JUDGE BUSHMANN: KCP&L?

25 RE-CROSS-EXAMINATION BY MR. FISCHER:

1 **Q Just following up on that, would that kind of a**
2 **tariff -- assuming it was a regulated service, that could be**
3 **developed as a part of the collaborative discussions in a**
4 **working group?**

5 A I think so, yes.

6 MR. FISCHER: Okay. Thank you.

7 JUDGE BUSHMANN: Thank you, Mr. Stahlman. That
8 completes your testimony.

9 Wait a minute. Wait a minute. No redirect?

10 MR. WILLIAMS: No redirect.

11 JUDGE BUSHMANN: Okay. Thank you.

12 MR. WILLIAMS: If I would have had some, I would
13 have spoken up.

14 (Witness excused.)

15 (Witness sworn.)

16 JUDGE BUSHMANN: Please be seated.

17 WILLIAM ADDO, testifies as follows:

18 DIRECT EXAMINATION BY MR. POSTON:

19 **Q Would you please state your name for the record.**

20 A My name is William Addo. Addo is spelled A-D-D-O.

21 **Q Okay. How are you employed and in what capacity?**

22 A I work with Missouri Office of the Public Counsel
23 as public utility accountant.

24 **Q Are you the same William Addo that caused to be**
25 **prepared and filed Direct, Rebuttal, and Surrebuttal Testimony**

1 **that's been premarked as Exhibits 306, 307 and 308?**

2 A Yes, I am.

3 **Q And do you have any corrections or changes to your**
4 **testimony?**

5 A No, I don't.

6 **Q If I were to ask you the same questions that**
7 **appear in your testimony today, would your answers be the same?**

8 A Yes.

9 MR. POSTON: Your Honor, actually he will take the
10 stand again, so I won't offer this. But I will tender him for
11 cross-examination.

12 JUDGE BUSHMANN: Very good.

13 First cross will be by Staff.

14 MR. WILLIAMS: No questions.

15 JUDGE BUSHMANN: Sierra Club?

16 MR. BECTOR: No, thank you.

17 JUDGE BUSHMANN: Brightergy?

18 MR. ZELLERS: No questions.

19 JUDGE BUSHMANN: Division of Energy?

20 MR. ANTAL: No questions.

21 JUDGE BUSHMANN: Kansas City Power & Light?

22 MR. FISCHER: No questions.

23 JUDGE BUSHMANN: Any questions from commissioners?

24 Mr. Chairman?

25 CHAIR R. KENNEY: No questions, Mr. Addo. Thank

1 you.

2 THE WITNESS: Thank you.

3 JUDGE BUSHMANN: Commissioner Stoll?

4 COMMISSIONER STOLL: No questions. Thank you for
5 your testimony.

6 COMMISSIONER KENNEY: No questions. Thank you
7 very much, sir.

8 THE WITNESS: Thank you.

9 QUESTIONS BY COMMISSIONER HALL:

10 Q Good morning.

11 A Good morning.

12 Q Turning to page 208 of your -- of your Rebuttal
13 Testimony, there's a discussion about your concern that these
14 electric stations might be retired early?

15 A Right.

16 Q Are you aware of what the -- what the depreciation
17 schedule on these stations would be?

18 A I'm not aware.

19 COMMISSIONER HALL: Okay. Thank you.

20 JUDGE BUSHMANN: Questions?

21 Recross based on Commission questions?

22 Staff?

23 MR. WILLIAMS: No questions.

24 JUDGE BUSHMANN: Sierra Club?

25 MR. BECTOR: No, thank you.

1 JUDGE BUSHMANN: Brightergy?

2 MR. ZELLERS: No questions.

3 JUDGE BUSHMANN: Division of Energy?

4 MR. ANTAL: No questions.

5 JUDGE BUSHMANN: Kansas City Power & Light?

6 MR. FISCHER: Yes, just briefly.

7 RECROSS-EXAMINATION BY MR. FISCHER:

8 Q Mr. Addo, were you in the room when Mr. Ives
9 testified regarding the use of the charging stations for the --
10 for its life?

11 A I believe, yes.

12 Q Do you recall that he indicated that once Kansas
13 City Power & Light installs those charging stations, it will
14 continue to leave those in -- in the service area for the
15 duration of its natural life?

16 A I believe so. I believe he mentioned ten years or
17 so.

18 MR. FISCHER: Okay. Great. Thank you.

19 JUDGE BUSHMANN: Redirect by OPC?

20 MR. POSTON: Nothing, Your Honor.

21 JUDGE BUSHMANN: All right. Thank you, sir. You
22 can step down now.

23 THE WITNESS: Thank you.

24 (Witness excused.)

25 JUDGE BUSHMANN: We have one more witness on this

1 topic. Mr. Kollen, I guess, is going to testify about this;
2 but he will be testifying on June 19th, is my understanding.

3 Mr. Hyman, come forward, please. I'll remind you
4 you're still under oath.

5 THE WITNESS: Yes, sir.

6 MR. ANTAL: Judge, this is the second and last
7 time that Mr. Hyman is scheduled to take the stand. So at this
8 time we would offer Exhibits 352 and 353, his Rebuttal and
9 Surrebuttal Testimony.

10 JUDGE BUSHMANN: Any objections to the receipt of
11 those exhibits?

12 Hearing none, they're received into the record.

13 (DOE Exhibits 352 and 353 received into evidence.)

14 MR. ANTAL: And we'll tender him for
15 cross-examination.

16 JUDGE BUSHMANN: Cross-examination by Staff?

17 MR. WILLIAMS: Thank you.

18 (Witness previously sworn.)

19 MARTIN HYMAN, testifies as follows:

20 CROSS-EXAMINATION BY MR. WILLIAMS:

21 **Q Mr. Hyman, are you an attorney?**

22 **A** No, sir, I am not, but I do deal with policy
23 issues on a daily basis.

24 **Q And how long have you studied Missouri utility**
25 **regulation law?**

1 A Since I started here.

2 Q **And when was that?**

3 A Back in mid September.

4 Q **Of this year?**

5 A No, of 2014.

6 Q **In your Surrebuttal Testimony you repeatedly**
7 **testify that KCP&L should only recover its investment in the**
8 **Laclede charge network from those who participate in the**
9 **network through cost-based rates, do you not?**

10 A Yes.

11 Q **Is that your understanding of what Kansas City**
12 **Power & Light Company is proposing for immediate cost recovery?**

13 A That is not what they are proposing immediately.

14 Q **Does Division of Energy have an issue with what**
15 **Kansas City is proposing to do immediately for cost recovery?**

16 A We're supporting their proposal in principle based
17 on, as you stated, cost-based recovery.

18 Q **So you're just looking at the longer-term view?**

19 A We -- both the short term and the long term.

20 Q **But as long as the long-term view is for cost**
21 **recover -- full cost recovery in the rates, that's what you're**
22 **supportive of?**

23 A We believe it can also work in the short term
24 through cost-based recovery from the host sites.

25 Q **So Division of Energy has a slight different**

1 perspective than Kansas City Power & Light Company on what its
2 immediate recovery should be?

3 A Yes.

4 Q Thank you for clarifying that. That's actually
5 what I was looking for.

6 A You're welcome.

7 MR. WILLIAMS: No further questions.

8 JUDGE BUSHMANN: Public Counsel?

9 MR. POSTON: Yes, just a few.

10 CROSS-EXAMINATION BY MR. POSTON:

11 Q Is it true that the purpose of the Division of
12 Energy, among other things, is to coordinate state policy among
13 executive agencies, particular as it relates to energy
14 efficiency and new technologies?

15 A Among other things, yes.

16 Q Are you aware of any instance prior to this rate
17 case in which KCP&L approached the Division of Energy to
18 discuss its clean -- clean charge network proposal and how that
19 might fit into state energy policy?

20 A I am not aware of any.

21 Q Are you aware of any proposed -- proposals
22 developed to use the Company's clean charge network as a -- as
23 a way to comply with the State's implementation of potential
24 future 111D compliance?

25 A That's actually a really interesting question.

1 There is -- you could -- or the Company could comply under 111D
2 through rate --

3 **Q I'm asking if they have -- are you aware of any**
4 **proposals that they've developed regarding --**

5 A No, there are no proposals, but there are
6 potential ways they could comply.

7 MR. POSTON: Thank you. That's all.

8 JUDGE BUSHMANN: Sierra Club?

9 MR. BECTOR: No, Your Honor.

10 JUDGE BUSHMANN: Kansas City Power & Light?

11 MR. FISCHER: Just briefly.

12 CROSS-EXAMINATION BY MR. FISCHER:

13 **Q Mr. Hyman, are you aware of discussions that would**
14 **have been had between Kansas City Power & Light and folks in**
15 **your division in -- related to the Missouri Statewide Energy**
16 **Plan, as it relates to electric vehicles?**

17 A I can't recall any particularly on electric
18 vehicles, but there are certainly discussions between Kansas
19 City Power & Light and CSEP, as we refer to it.

20 **Q Does the -- does the Division of Energy have a**
21 **view about the role of electric vehicles in the State's energy**
22 **plan in the future?**

23 A Certainly we have a role on them in the energy
24 future, yeah.

25 **Q Can you explain to the Commission what your view**

1 **would be of electric vehicles in that statewide plan?**

2 A We believe that electric vehicles are one of many
3 transportation alternatives. So we do not view electric
4 vehicles as precluding any other transportation alternatives.
5 We view -- we think that all transportation alternatives should
6 be supported.

7 Q **You discuss in your Surrebuttal Testimony quite a**
8 **number of potential benefits of the clean charge network. Do**
9 **you recall that?**

10 A Yes.

11 Q **One of them is discussed on page 34 where at**
12 **line -- line 11 you say, As more end users connect to the**
13 **Company's system to charge their vehicles, the increase in**
14 **energy consumption will result in a decreased revenue**
15 **requirement per unit of energy. Do you see that?**

16 A Can you repeat the --

17 Q **Yeah --**

18 A -- page number?

19 Q **-- it's on page 34. It begins on line 11 there.**

20 A Yes.

21 Q **Would you explain what you mean by that?**

22 A It's along the lines of what the Company has
23 stated already in this proceeding and what has been asked of
24 several witnesses already. It's a matter of increasing the
25 cost recovery over increased kilowatt hour usage.

1 **Q But you don't have any questions in your mind that**
2 **there could be benefits to more customers other than just**
3 **electric vehicle owners; right?**

4 A No.

5 **Q And that would be true of potential health**
6 **benefits?**

7 A That is correct.

8 **Q And economic benefits?**

9 A Yes.

10 **Q And environmental benefits?**

11 A Yes.

12 MR. FISCHER: That's all I have. Thank you.

13 JUDGE BUSHMANN: Questions by commissioners?

14 Mr. Chairman?

15 CHAIR R. KENNEY: No questions. Thank you.

16 JUDGE BUSHMANN: Commissioner Kenney?

17 COMMISSIONER KENNEY: No questions. Thank you.

18 JUDGE BUSHMANN: Commissioner Hall?

19 COMMISSIONER HALL: No questions. Thank you.

20 JUDGE BUSHMANN: Okay. No need for recross.

21 Redirect?

22 MR. ANTAL: Just one question.

23 REDIRECT EXAMINATION BY MR. ANTAL:

24 **Q You were discussing with counsel for the Office of**
25 **Public Counsel ways that the utility might comply with 111D.**

1 **Would you please elaborate?**

2 A Sure.

3 MR. POSTON: I object. That's not what my
4 question was. My question was whether there was any
5 conversation or was any proposal filed by the Company regarding
6 compliance with 111D.

7 JUDGE BUSHMANN: And what was your question,
8 Mr. Antal? What are you asking him?

9 MR. ANTAL: Whether there are ways the Company
10 could comply with --

11 JUDGE BUSHMANN: I think --

12 MR. ANTAL: -- 111D.

13 JUDGE BUSHMANN: -- that's close enough. I'll
14 overrule.

15 You can answer the question, sir.

16 THE WITNESS: Thank you. There certainly are ways
17 that the Company could comply, regardless of whether it has
18 discussed them explicitly. There are -- the two ways that the
19 EPA has outlined for compliance at the moment are -- in its
20 proposed rule are -- under 111D are mass based and rate based.
21 Under rate based it's not a matter of how much the load
22 increases, but how the generation portfolio is altered under
23 the various building blocks. So as long as the -- essentially
24 the ratio of clean energy, if you will, to overall energy
25 production, as long as that is increased, then the utility will

1 be fine.

2 Mass based, again, the utility can perfectly well
3 accommodate an increase in load. And there have been some
4 comments with regards to this second option, the mass-based
5 option, that are expected to make it even easier for the
6 utility to comply under the final rules.

7 BY MR. ANTAL:

8 **Q Okay. So in your opinion the development of the**
9 **clean charge network does not frustrate compliance with the**
10 **proposed Clean Power Plan or other environmental regulations**
11 **that they would have to comply with?**

12 A Well, while I am no lawyer, I would say no.

13 MR. ANTAL: Thank you very much. No further
14 questions.

15 JUDGE BUSHMANN: Thank you for your testimony,
16 Mr. Hyman. You may --

17 THE WITNESS: You're welcome.

18 JUDGE BUSHMANN: -- step down now.

19 (Witness excused.)

20 JUDGE BUSHMANN: This seems to be all the
21 testimony on the issue of the clean charge network. We have
22 about 45 minutes left before we need to break for lunch. Do we
23 need to do a counsel change or something like that?

24 MR. FISCHER: Yes, Judge.

25 JUDGE BUSHMANN: Why don't we take about a

1 ten-minute break, and then we'll start in with the mini
2 openings for the next topic.

3 We're in recess until 11:10.

4 (Off the record.)

5 JUDGE BUSHMANN: Back on the record. Moving to a
6 new topic now. This is issue number 7, the LaCygne
7 Environmental Project. And we'll have our mini openings.

8 First opening would be by Kansas City Power &
9 Light.

10 MR. STEINER: May it please the Commission. My
11 name is Roger Steiner, and I'm here to provide brief opening
12 remarks on behalf of KCP&L regarding the LaCygne Environmental
13 Project and specifically what level of KCP&L's investment in
14 that project should be included in the Company's Missouri rate
15 base. The short answer is 100 percent of it.

16 A significant point to be made is that only one
17 party, the Sierra Club, has offered any testimony contesting
18 the Company's decision to undertake the project. I will
19 discuss their position in more detail shortly.

20 Another significant point is that no party,
21 including Sierra Club, Staff, or any of the entities that
22 represent customer groups who are represented in this case have
23 made any allegation that KCP&L has been imprudent in any
24 respect of its management of the LaCygne Environmental Project.

25 Now, a little bit of background. LaCygne is a

1 coal-fired generation station. It's owned on a 50/50 basis
2 with Westar. It has two units with a combined generating
3 capacity of about 1,400 megawatts. So 700 megawatts are used
4 by KCP&L to serve its customers in Missouri and Kansas. It's
5 located south of Kansas City on the Kansas side of the state
6 line not too far from Missouri.

7 The LaCygne units first became operational at a
8 time when environmental regulations regarding power plant
9 emissions were less strict than they are today. The LaCygne
10 Environmental Project was necessary for Kansas City Power &
11 Light to meet a number of current and impending environmental
12 regulatory requirements, while serving the electricity demands
13 of its customers in a cost-effective manner.

14 The project was originally budgeted at
15 \$1.23 billion. I am pleased to report that after almost
16 3.4 million man-hours, the project is now in service and the
17 project came in ahead of schedule and under budget.

18 In terms of what environmental requirements drove
19 the decision to undertake the project, I would direct you to
20 the Direct and Rebuttal Testimony of KCP&L Paul Ling. Those
21 environmental requirements are too numerous to detail here, but
22 it was KCP&L's agreement with the Kansas Department of Health &
23 Environment under the Kansas Regional Haze Rule. That
24 agreement required the installation of the equipment included
25 in the LaCygne Environmental Project, and that -- those -- that

1 equipment had to be installed so the station could continue to
2 generate power after May 31st of 2015. So meeting that
3 requirement, that agreement under the Kansas Regional Haze Rule
4 drove the timing of the LaCygne Project.

5 There are other regulatory requirements that drove
6 the various elements of the best-available retrofit technology
7 work that was -- ultimately constituted the LaCygne
8 Environmental Project. They're described in the testimony of
9 KCP&L witness, Bob Bell. In shorthand, those elements were new
10 wet scrubbers to remove SO₂ from flu gas; pulse jet fabric
11 filters, what's know as bag houses, to remove particulates; on
12 unit 2 there was a selective catalytic reduction system to
13 remove NO_x; and then there was installation of common equipment
14 so that both units -- both retrofitted units could -- necessary
15 for their operation, and that includes a dual flu chimney.

16 Now, earlier I mentioned that KCP&L's decision to
17 undertake the LaCygne Project was necessary for the Company to
18 meet its demands for electricity in a cost-effective manner.
19 It's primarily in this regard that this issue is presented to
20 you for your decision in this rate case. KCP&L's position is
21 that the LaCygne Environmental Project was the most
22 cost-effective alternative available when it analyzed the range
23 of available options in 2011. Sierra Club, on the other hand,
24 contends that our analysis was flawed from the outset or that
25 the conclusion KCP&L drew from the analysis should have been

1 revisited as a result of changing market conditions.

2 Significant to note that Sierra Club leveled
3 similar criticisms against the decision to undertake the
4 project before the Kansas Corporation Commission. And the KCC,
5 after hearing all the evidence, concluded that the project was
6 reasonable and prudent and up to the budgeted amount of
7 \$1.23 billion.

8 The Company's evidence in the form of Direct and
9 Rebuttal Testimony of Burton Crawford and Ed Blunk will show
10 that KCP&L's analysis underlying the decision to undertake the
11 project was robust.

12 I think you're all familiar with the broad
13 requirements of the Integrated Resource Planning rules in this
14 state, and that is the framework that the Company used to reach
15 its decision in this case. Our analysis showed that the
16 LaCygne Environmental Project was about \$400 million less
17 costly than the next economical alternative. And contrary to
18 the implications of what Sierra Club says in its testimony,
19 KCP&L revisited that analysis underlying the decision each year
20 after 2011 using more current information, and the results of
21 those analysis supported the decision to complete the LaCygne
22 Environmental Project.

23 So, in conclusion, KCP&L would ask that after
24 reviewing the evidence, the Commission reject Sierra Club's
25 allegation of decisional imprudence and include 100 percent of

1 KCP&L's share of the LaCygne Environmental Project in its rate
2 base in this case.

3 JUDGE BUSHMANN: Any questions?

4 Thank you.

5 Opening by Staff.

6 MR. WILLIAMS: Thank you. As it may -- may it
7 please the Commission. As Kansas City Power & Light Company
8 has told you, Staff is not opposing that some amount be
9 included in its rate base for the LaCygne environmental
10 retrofit upgrades. At this point in time Staff has not filed
11 any testimony or presented any issues it may have with the cost
12 that Kansas City Power & Light Company has incurred in doing
13 the retrofit project. That, in fact, is a potential true-up
14 item because of the timing in this case where Kansas City Power
15 & Light Company tried to minimize the time between when the
16 project was completed -- and Staff does agree that it meets the
17 in-service criteria that Staff and the Company agreed to -- and
18 when new rates would come into effect out of this case.

19 So while Staff agrees that there should be some
20 amount put into rate base, at this point in time Staff is not
21 agreeing that it's 100 percent, nor am I representing that it
22 won't be 100 percent. I just don't know at this time.

23 That concludes my opening.

24 JUDGE BUSHMANN: Questions?

25 COMMISSIONER HALL: So -- so Staff at this point

1 in time cannot tell us whether or not it supports 100 percent
2 recovery?

3 MR. WILLIAMS: Correct.

4 COMMISSIONER HALL: And at what point in time
5 will -- will you be able to make a recommendation as to the
6 percentage of recovery that is appropriate?

7 MR. WILLIAMS: It will be in the true-up.

8 COMMISSIONER HALL: Okay. Thank you.

9 JUDGE BUSHMANN: Thank you.

10 Public Counsel?

11 MR. OPITZ: Thank you, Judge. Public Counsel is
12 not taking an issue -- position on this issue at this time and
13 waives opening.

14 JUDGE BUSHMANN: Thank you.

15 Division of Energy? He's not back there.

16 I don't see Brightergy here.

17 Sierra Club?

18 Is this your first appearance here?

19 MS. PERFETTO: It is, Your Honor.

20 JUDGE BUSHMANN: Could you make an appearance on
21 the record, please.

22 MS. PERFETTO: Sure. May it please the
23 Commission, Lisa Perfetto on behalf of Sierra Club.

24 JUDGE BUSHMANN: Thank you.

25 MS. PERFETTO: Sierra Club urges the Commission to

1 find that KCP&L's initial analysis of the LaCygne retrofit
2 decision and subsequent failure to timely reevaluate that
3 decision, in light of changed circumstances and before
4 beginning to spend money on the retrofits, was imprudent. As
5 such, the Commission should deny the recovery for some or all
6 of the capital costs associated with the environmental
7 retrofits of LaCygne Units 1 and 2.

8 As KCP&L was well aware, its original retrofit
9 analysis from 2010 and early 2011 was heavily determined by
10 natural gas price projections, and its plan to retrofit the
11 LaCygne was not the least-cost plan under low gas scenarios --
12 low gas price scenarios. In fact, the Company was well aware
13 from its analysis submitted to the Kansas Corporation
14 Commission in February 2011 that a significant decrease in
15 natural gas prices would have reversed the outcome, making the
16 retirement of the LaCygne Units 1 and 2 a lower-cost option
17 than proceeding with the \$1.2 billion environmental retrofit
18 project.

19 Indeed, in the spring of 2011, and as KCP -- as
20 KCP&L should also have been well aware, natural gas price
21 forecast did, in fact, begin to drop dramatically in exactly
22 the way that the Company's Kansas analysis showed would
23 undermine the economics of proceeding with the LaCygne retrofit
24 project. This was happening as a result of the well-publicized
25 increase in hydraulic fracturing and the resulting boom in

1 natural gas supplies.

2 JUDGE BUSHMANN: Ma'am, could you speak in the mic
3 -- or move the microphone down? Thank you.

4 MS. PERFETTO: Is this better?

5 COMMISSIONER STOLL: That's better.

6 MS. PERFETTO: Sure. And this was happening in
7 2011, while the Kansas predetermination was still pending and
8 before the Company had begun to spend any money on the
9 retrofits.

10 Had KCP&L reevaluated its retrofit plan at that
11 time, it would have been clear that the plan to retrofit
12 LaCygne Units 1 and 2 was no longer the least-cost plan and
13 should be set aside in favor of retiring the LaCygne units.
14 Had KCP&L reevaluated its retrofit plan at that time, KCP&L
15 could have changed course before spending a single dollar on
16 the retrofits.

17 Moreover, KCP&L's original retrofit analysis in
18 2010 and early 2011 was itself flawed and, likewise, can't
19 support the prudence of so large an expenditure. That
20 analysis, in addition to being outdated by mid spring of 2011,
21 relied on still older and, consequently, higher natural gas
22 price forecasts; and this artificially inflated KCP&L's natural
23 gas price projections.

24 The analysis also unreasonably restricted the
25 range of alternatives considered and, in particular, failed to

1 consider reasonable levels of energy efficiency in renewable
2 energy.

3 Finally, the analysis failed to consider the full
4 cost of compliance with all the pending regulations. KCP&L
5 points to the Kansas Corporation Commission's 2011 grant of the
6 Company's predetermination petition with respect to the
7 recover -- recovery of the LaCygne Project expenditures as
8 proof of the prudence of its actions. Yet Kansas does not
9 speak for Missouri where such predetermination is not
10 available.

11 This rate case is the Commission's only
12 opportunity to decide whether these expenditures were prudent.
13 And even in Kansas the Kansas Commission's predetermination
14 order made clear that the Company had an ongoing obligation to
15 examine the prudence of the retrofit project even after the
16 Kansas preapproval was secured. In doing so, the Kansas
17 Commission specifically referenced the volatility of natural
18 gas prices.

19 Despite all of this, the Company has offered no
20 evidence in this case to justify its failure to update its
21 natural gas price forecast and retrofit analysis in 2011 before
22 beginning to spend money on the LaCygne retrofits. If the
23 Company had done so, it would have found that the project was
24 no longer the least-cost option. The Company's failure to do
25 so was imprudent.

1 And that concludes my opening statement, but I'd
2 be happy to take any questions.

3 JUDGE BUSHMANN: Questions from commissioners?

4 CHAIR R. KENNEY: Just a quick question. Thanks
5 for being here.

6 MS. PERFETTO: Morning.

7 CHAIR R. KENNEY: Will your witness, Ms. Wilson,
8 be able to answer questions regarding the modeling that KCP&L
9 undertook and also specifically whether LaCygne was fully
10 depreciated or is fully depreciated?

11 MS. PERFETTO: She should be able -- depending on
12 what the questions on that modeling is, she should be able to
13 answer questions. And the testimony itself does not go into
14 depreciation.

15 CHAIR R. KENNEY: And is it Sierra Club's position
16 that the entirety of the retrofit should be disallowed because
17 engaging in a retrofit at all was imprudent?

18 MS. PERFETTO: On deny -- on denying rate
19 recovery, there are two ways to look at it. It would be
20 appropriate to deny the expenditures in their entirety because
21 the Company was not prudent in incurring them. But another
22 possible approach would be to deny the Company the difference
23 between what it spent on the retrofit projects and what it
24 would have had to spend on a lower-cost alternative. And as to
25 the specific difference, I would refer to Sierra Club's witness

1 on this issue.

2 CHAIR R. KENNEY: Okay. Thank you.

3 COMMISSIONER KENNEY: Thank you, ma'am. Just a
4 brief question. Is -- so Sierra Club's opposition to the
5 retrofit is that they would have been -- would have been more
6 prudent to build a combined cycle natural gas plant?

7 MS. PERFETTO: Yeah, the op --

8 COMMISSIONER KENNEY: Well, the only reason I ask
9 that question is because you met -- mentioned the two thousand
10 -- since 2011 and hydraulic fracturing and the shale gas
11 revolution.

12 MS. PERFETTO: On the -- the focus of Sierra
13 Club's position is on whether or not the plan to retrofit the
14 LaCygne units was the most economically prudent, and so
15 another -- you know, another plan, whether for retiring the
16 units, and then whatever else that might -- that plan might
17 have included. That's the --

18 COMMISSIONER KENNEY: Does Sierra Club --

19 MS. PERFETTO: -- focus of the --

20 COMMISSIONER KENNEY: -- have a --

21 MS. PERFETTO: -- testimony.

22 COMMISSIONER KENNEY: -- position on hydraulic
23 fracturing?

24 MS. PERFETTO: In this -- in this case Sierra Club
25 hasn't --

1 COMMISSIONER KENNEY: I'm just curious, do they
2 have a position on hydraulic fracturing?

3 MS. PERFETTO: As outside counsel for Sierra Club,
4 I'm -- in this case I can't really speak to --

5 COMMISSIONER KENNEY: Do you know if the Sierra
6 Club opposes hydraulics fracturing?

7 MS. PERFETTO: I would -- I would have to defer to
8 Sierra Club on that specific --

9 COMMISSIONER KENNEY: Because I know they made a
10 specific -- when Michael Bloomberg recently gave them a large
11 donation, they were specifically opposed to opposing it in a
12 certain region. But I know in the past they have opposed it.
13 So I was curious when you -- because you mentioned the
14 alternatives. But if the Sierra Club opposes the alternative,
15 which would be a combined cycle natural gas plant -- and I
16 understand the coal scenario, but to me there's -- that leaves
17 KCP&L -- I mean, under Sierra's position, they're kind of moot,
18 unless it's just all renewables. But thank you.

19 JUDGE BUSHMANN: Commissioner Hall?

20 COMMISSIONER HALL: No questions. Thanks.

21 JUDGE BUSHMANN: Commissioner Rupp?

22 Thank you very much.

23 I don't think there's any other openings. Because
24 we're going to need to stop anyway in just a few minutes for
25 the agenda meeting, why don't we start our lunch recess now.

1 We'll be in recess until 1:00.

2 (Off the record.)

3 JUDGE BUSHMANN: Let's go back on the record.

4 I think we're ready now for testimony on this
5 issue. And the next witness is from KCP&L.

6 MR. ZOBRI ST: That's right, Judge. Kansas City
7 Power & Light calls William Edward Blunk to the stand.

8 (Witness sworn.)

9 JUDGE BUSHMANN: You may proceed.

10 WILLIAM EDWARD BLUNK, testified as follows:

11 DIRECT EXAMINATION BY MR. ZOBRI ST:

12 Q Please state your name.

13 A My name is William Edward Blunk.

14 Q By whom are you employed?

15 A Kansas City Power & Light Company.

16 Q And what's your position at KCP&L?

17 A I am generation planning manager.

18 Q And, Mr. Blunk, did you prepare Direct and
19 Rebuttal Testimony in this case?

20 A Yes.

21 Q And the court reporter has advised me that the
22 Direct Testimony has been marked as Exhibit 103, both highly
23 confidential and nonprivileged -- nonproprietary versions, and
24 the Rebuttal is marked as Exhibit 104 as well, in both HC and
25 NP versions; correct?

1 A Yes.

2 Q Okay. Do you have any corrections to your
3 testimony?

4 A No.

5 Q Okay. And if the questions were to be asked of
6 you at this time, would your answers be as set forth in
7 Exhibits 103 and 104?

8 A Yes.

9 MR. ZOBRI ST: Judge, I'd offer these exhibits at
10 this time; but I believe that Mr. Blunk testifies on some other
11 issues, so we'll delay offering them at this time.

12 JUDGE BUSHMANN: Very good. We'll just do it the
13 last time he testifies.

14 MR. ZOBRI ST: Thank you. And I tender the witness
15 for cross-examination.

16 JUDGE BUSHMANN: First cross will be -- is
17 Brightergy here? No.

18 Division of Energy? Not here.

19 Sierra Club?

20 CROSS-EXAMINATION BY MS. PERFETTO:

21 Q Good afternoon, Mr. Blunk.

22 A Good afternoon.

23 Q Can you hear me all right?

24 A Yes.

25 Q I have some questions for you concerning

1 **natural -- natural gas price forecasting around the time of**
2 **KCP&L's decision to proceed with the retrofits of LaCygne.**

3 COURT REPORTER: I can't hear you.

4 JUDGE BUSHMANN: Yeah, you need to get that right
5 up next to your mouth.

6 MS. PERFETTO: Is that better?

7 BY MS. PERFETTO:

8 Q All right. Am I correct that the fuel price
9 forecast used in the analysis of the LaCygne Environmental
10 Upgrade Project was prepared in October of 2010?

11 A Yes.

12 Q And that forecast was used by KCP&L in a 2011
13 proceeding before the Kansas Corporation Commission for
14 preapproval of those LaCygne environmental upgrades?

15 A Yes.

16 Q And you referenced that proceeding in your
17 testimony; correct?

18 A Yes.

19 Q And that case was filed on February 23rd of 2011?

20 A Yes.

21 Q And the Kansas Commission issued its order in that
22 predetermination case on August 19th of 2011?

23 A Yes.

24 Q So the October 2010 fuel price forecast, that was
25 a composite incorporating several underlying forecasts from

1 **independent consultants or government agencies; is that right?**

2 A Yes.

3 **Q What forecasts underlay the October 2010**
4 **composite?**

5 A The forecasts from Energy Ventures Analysis, from
6 PIRA, from Global Insight, from CERA and -- there are five of
7 them. Oh, sorry. Energy Information Administration, EIA.

8 **Q Thank you. Does KCP&L continue to use those same**
9 **forecasts to form its composite fuel forecast?**

10 A Generally, yes. We do not use Global Insight
11 anymore because they were acquired by CERA.

12 **Q But you continue to use the other ones?**

13 A Yes.

14 **Q How often does KCP&L update its composite**
15 **forecasts?**

16 A I would propose it as essentially updated
17 continuously because, as each of those forecasts are released,
18 we will update the forecasts. They're on different schedules.
19 So it's not a set schedule when it's updated. They're just
20 updated when the new forecasts come out.

21 **Q So as the composite is getting updated when new**
22 **forecasts come out, did KCP&L update its retrofit analysis each**
23 **time it updated the underlying natural gas price composite**
24 **forecast?**

25 A The retrofit analysis was updated multiple times,

1 but we did not go back and update the retrofit analysis every
2 time a forecast was updated. It's -- let me back up. The
3 retrofit analysis, which Mr. Crawford can speak to more fully
4 than I can, was updated using updated forecasts four or five
5 times.

6 **Q Do you mean from the time of the original analysis**
7 **to the present it was updated four or five times?**

8 A It was done in 2010. It was updated in 2012,
9 2013, 2014, and 2015.

10 **Q And those updates related to the IRPs for those**
11 **years?**

12 A Yes.

13 **Q Am I correct that of the forecasts forming the**
14 **October 2010 composite, the oldest ones also projected the**
15 **highest natural gas prices?**

16 A Yes.

17 **Q And one of the oldest forecasts in the**
18 **October 2010 composite was the EIA's Annual Energy Outlook from**
19 **April 2010?**

20 A Yes.

21 **Q And then in the intervening months, between**
22 **KCP&L's October 2010 composite and the Kansas Commission's**
23 **August 2011 order, EIA released an updated natural gas price**
24 **forecast; that's right?**

25 A Yes.

1 **Q And so EIA's 2011 Annual Energy Outlook was**
2 **released in April of 2011?**

3 A Yes.

4 **Q And that April 2011 forecast showed a drop in**
5 **projected natural gas prices compared to EIA's 2010 forecast;**
6 **right?**

7 A It did, yes.

8 **Q Then just to be clear, did KCP&L update its**
9 **composite natural gas price forecast at that time to reflect**
10 **the new April 2011 EIA forecast?**

11 A Well, we've updated the price forecast, but it
12 didn't get rolled into the evaluation that Mr. Crawford speaks
13 to until a little bit later. But that 2011 AEI forecast -- or
14 AEO forecast did get incorporated in the 2012 analysis. So it
15 was considered.

16 **Q And when was the 2010 -- 2012 analysis?**

17 A In early 2012 for the 2012 IRP. That would have
18 included the 2011 AEO.

19 **Q Okay. But -- so it wasn't -- it wasn't**
20 **incorporated into any analysis of the retrofits before then?**

21 A No. There was not -- well, the only analysis was
22 the one that was done in 2011 early.

23 **Q And by early you mean before that forecast**
24 **was released?**

25 A Yes.

1 **Q** **So if KCP&L had the replacement of the -- so it --**
2 **the replacement of the EIA AEO 2010 forecast with a lower AEO**
3 **2011 forecast would lower the price projections of the**
4 **composite; right?**

5 A It did, yes.

6 MS. PERFETTO: No further questions.

7 JUDGE BUSHMANN: Cross by Public Counsel?

8 MR. OPITZ: No questions, Your Honor.

9 JUDGE BUSHMANN: Staff?

10 MR. WILLIAMS: No questions.

11 JUDGE BUSHMANN: No commissioners here to ask any
12 questions, so we don't need recross.

13 CHAIR R. KENNEY: I'm here.

14 JUDGE BUSHMANN: You're there --

15 CHAIR R. KENNEY: Hello.

16 JUDGE BUSHMANN: -- you're --

17 CHAIR R. KENNEY: Yep. Yep.

18 JUDGE BUSHMANN: Do you have any questions,
19 Mr. Chairman?

20 CHAIR R. KENNEY: Just briefly.

21 QUESTIONS BY CHAIR R. KENNEY:

22 **Q** **I think -- thank you for being here, sir. Can you**
23 **hear me okay?**

24 A Yes, we can.

25 **Q** **I think the crux of the Sierra Club's position is**

1 **that, with gas prices having dropped, KCP&L's preferred**
2 **resource plan should have retired LaCygne and built natural gas**
3 **combined cycle plants. Is that your understanding?**

4 A That's my understanding of their position.

5 **Q Why are they wrong?**

6 A They are wrong in their analysis, which I refer to
7 as a simple aggression analysis. They did not consider all the
8 changes that were taking place. When I referred to the 2012
9 IRP, we did a full update of all the things that have changed.
10 And Mr. Crawford can speak to it more completely than I can.
11 But, in essence, that 2012 IRP analysis is the updated analysis
12 that Sierra Club was saying that we should have done. We did.
13 And it came out that we should still retrofit LaCygne.

14 **Q Why?**

15 A That was the lowest-cost option, was to retrofit
16 LaCygne.

17 **Q Even with the dropping gas prices?**

18 A Yes.

19 **Q Is LaCygne fully depreciated?**

20 A I -- I don't know for sure. I mean -- well, let
21 me put it this way. Mr. Crawford can speak to it more
22 completely. He deals with those numbers. I don't believe it's
23 fully depreciated, but the book value of LaCygne prior to this
24 retrofit would not have been very high.

25 **Q Okay. And that analysis would have gone into**

1 **determining whether retrofitting LaCygne was the least-cost**
2 **alternative?**

3 A Mr. Crawford does that part of the analysis.

4 CHAIR R. KENNEY: Okay. All right. I'll save my
5 questions for him. Thank you for your time.

6 THE WITNESS: You're welcome.

7 JUDGE BUSHMANN: Recross based on commissioner
8 questions?

9 Sierra Club, any recross?

10 MS. PERFETTO: No, Your Honor.

11 JUDGE BUSHMANN: Public Counsel?

12 MR. OPITZ: No, Your Honor.

13 JUDGE BUSHMANN: Staff?

14 Redirect by KCP&L.

15 REDIRECT EXAMINATION BY MR. ZOBRI ST:

16 Q Mr. Blunk, you were asked by counsel for Sierra
17 Club about the forecasts that were used by you to assess the
18 price of natural gas. Do you recall that?

19 A Yes.

20 Q Okay. What is the difference between the Annual
21 Energy Outlook that's prepared by the U.S. Department of
22 Energy's Energy Information Administration and the other
23 studies that you used?

24 A The Annual Energy Outlook is distinct in that it's
25 the only one that does not consider potential future

1 regulations. The other forecasts all consider, to some degree,
2 potential changes in law or regulation, but the AEO does not.

3 **Q And what is either the benefit or the detriment of**
4 **the fact that the AEO does not consider impending changes in**
5 **law or regulation?**

6 A Well, in this particular case, since the topic is
7 about natural gas, it does not consider the potential changes
8 for like the Clean Power Plan, which has currently been
9 proposed. Clean Power Plan would increase demand for natural
10 gas, which would push the price of natural gas up.

11 It did not include any consideration for potential
12 regulations against fracking, which Sierra Club is strong about
13 there should be regulations on fracking. So if there were
14 strong regulations that actually inhibited fracking, that would
15 reduce the production of natural gas and that would, thereby,
16 drive up the price of gas.

17 MR. ZOBRI ST: Thank you. No further questions,
18 Judge.

19 JUDGE BUSHMANN: Thank you, Mr. Blunk.

20 (Witness excused.)

21 MR. ZOBRI ST: Kansas City Power & Light calls
22 Burton Crawford to the stand.

23 (Witness sworn.)

24 JUDGE BUSHMANN: You may proceed.

25 BURTON CRAWFORD, testifies as follows:

1 DIRECT EXAMINATION BY MR. ZOBRI ST:

2 Q Please state your name.

3 A Burton Crawford.

4 Q And by whom are you employed?

5 A Kansas City Power & Light Company.

6 Q And what's your position at KCP&L?

7 A Director, energy resource management.

8 Q Mr. Crawford, did you prepare Direct, Rebuttal,
9 and Surrebuttal Testimony in this case?

10 A I did.

11 Q Okay. The Direct having been marked as
12 Exhibit 109, Rebuttal having been marked as Exhibit 110, and
13 Surrebuttal having been marked as Exhibit 111 in both HC and NP
14 versions, do you have any corrections to any of those pieces of
15 testimony?

16 A I do. I have two corrections to my Rebuttal
17 Testimony. The first one is on page 8, line 8. The line says,
18 Current data from SNL Energy. It should be, Current data from
19 Energy Velocity.

20 And a similar correction on page 9, line 1, where
21 it says, Data source, SNL, that should be Energy Velocity.

22 Q Any other corrections?

23 A No others.

24 MR. ZOBRI ST: Okay. And, Judge, again,

25 Mr. Crawford has testimony on other the topics, so I'll offer

1 those later in the proceeding. And I tender him for
2 cross-examination.

3 JUDGE BUSHMANN: Very good.

4 First cross will be Sierra Club.

5 CROSS-EXAMINATION BY MS. PERFETTO:

6 Q Good afternoon.

7 A Afternoon.

8 Q KCP&L's primary concern with respect to
9 determining whether to retrofit the LaCygne units was to choose
10 a path forward that minimized the net present value of revenue
11 requirements; right?

12 A That's the primary objective, yes.

13 Q And KCP&L's 2010-2011 planning process only
14 determined that the LaCygne retrofits formed part of the
15 lowest-cost plan in most, but not all, scenarios analyzed; is
16 that correct?

17 A That's correct.

18 Q And so, in fact, in a little over one-quarter of
19 the scenarios, KCP&L's analysis determined that retrofitting
20 LaCygne units was not part of the least-cost plan?

21 A That is -- that is correct.

22 Q And those scenarios in which the retrofits did not
23 form part of the least-cost plan generally included the
24 scenarios projecting low natural gas prices in future years; is
25 that right?

1 A No, that's not correct. I'm sorry. Repeat your
2 question.

3 **Q I asked whether the scenarios in which the**
4 **retrofits didn't form part of the least-cost plan included --**
5 **generally included the scenarios that projected low natural gas**
6 **price forecasts?**

7 A In -- yes, in some -- in some of the scenarios,
8 but not all of the scenarios.

9 **Q Can you give approximate numbers?**

10 A I think the total, as you pointed out before, was
11 about a quarter of all the scenarios of the 64 that we modeled
12 showed that it was not the most cost-effective alternative.

13 In the scenarios with low CO2 prices, low gas, it
14 still said that we should retrofit the plant.

15 **Q Can I -- do you have a copy of your Direct**
16 **Testimony with you today?**

17 A I do.

18 **Q Sure. Can I direct you to page 24, lines 16 to**
19 **18?**

20 A Okay. I'm there.

21 **Q So here you say, The scenarios where the retrofits**
22 **were not selected generally include both the low gas price**
23 **scenarios and the high CO2 price scenarios?**

24 A That's correct. That's why I say generally. It
25 wasn't -- it wasn't exclusively all low gas scenarios.

1 **Q** But you still -- this testimony here on page 24 of
2 your Direct Testimony is correct?

3 A Yes.

4 **Q** If KCP&L's original analysis of the retrofits is
5 dated 2010 and early 2011, at what time did KCP&L reevaluate
6 that retrofit decision?

7 A We reevaluated it in 2012, 2013, 2014, and 2015.
8 We looked at whether or not to continue the retrofit of the
9 station, either one or both of the units.

10 **Q** And when you did those analyses, did the -- those
11 were related to the IRP; correct?

12 A That's correct.

13 **Q** Did those analyses assume that the costs KCP&L had
14 already sunk into the retrofit project were not avoidable costs
15 for purposes of evaluating whether to retire the LaCygne units
16 instead of retrofit -- retrofitting them?

17 A It was -- it was mixed. The 2012 evaluation
18 basically assumed that no costs had been committed. So it was
19 basically taking a brand-new look at it, if you will.

20 In 2013 there was some level of sunk costs, I
21 think in the range of 30 to \$40 million. So it was fairly --
22 fairly modest. And then it got larger in the '14 and '15
23 analysis.

24 **Q** And what was the date of the 2012 analysis?

25 A Oh, it would have been filed in April of 2012. So

1 that work would have started in the summer of 2011. The IRP
2 process is pretty -- pretty extensive, and the modeling takes
3 quite a bit of time. So it's not something that's done
4 overnight.

5 **Q And the gas price forecasts specifically, when did**
6 **they date to?**

7 A You'd -- you'd have to ask Mr. Blunk. I'm not
8 sure what the latest forecast would have been that would have
9 been in that composite that went into the 2012 IRP. But it
10 would have included the 2012 Annual Energy Outlook forecast.

11 **Q Okay. So to be clear, KCP&L did not reevaluate**
12 **its decision to proceed with the retrofits in the spring or**
13 **summer of 2011; is that correct?**

14 A We -- we completed the analysis in, I think it was
15 probably February of 2011. So that's as close to spring of
16 2011 as that analysis gets.

17 **Q But that was before the release of the April 2011**
18 **EIA forecast?**

19 A Correct.

20 **Q And KCP&L did not reevaluate its decision to**
21 **proceed with the retrofits before beginning to spend money on**
22 **the retrofit project?**

23 A As I understand it, construction started sometime
24 before January of 2012. So our analysis would have been
25 completed shortly thereafter. So there would have been some

1 funds expended, is my understanding.

2 **Q But KCP&L was aware that intervenors to the 2011**
3 **Kansas predetermination proceeding that we've referenced, that**
4 **intervenors in that case had argued that KCP&L had relied on**
5 **outdated natural gas price forecasts; right?**

6 A Yes, I'm aware of those criticisms.

7 **Q Wouldn't updating the composite forecast and**
8 **inputting that forecast into the analysis of the retrofits have**
9 **been a reasonable way to address the criticisms raised in the**
10 **Kansas proceeding?**

11 A We did. We basically did that in the analysis
12 that started in the summer of 2011 and completed with the
13 filing in 2012, the IRP --

14 **Q But that analysis came after the -- after the end**
15 **of the predetermination proceeding?**

16 A Correct.

17 **Q And it came after KCP&L started to spend on the**
18 **retrofits?**

19 A Correct. But as I pointed out, that particular
20 analysis didn't include any sunk costs and it assumed that
21 nothing had been -- nothing had been spent at that point.

22 MS. PERFETTO: No further questions.

23 JUDGE BUSHMANN: Cross by Public Counsel?

24 MR. OPITZ: No cross at this time, Your Honor.

25 JUDGE BUSHMANN: Staff?

1 MR. WILLIAMS: No questions.

2 JUDGE BUSHMANN: Questions by commissioners?

3 Mr. Chairman?

4 QUESTIONS BY CHAIR R. KENNEY:

5 Q Mr. Crawford, thank you. Can you hear me okay?

6 A I can.

7 Q You heard the questions that I asked of Mr. Blunk
8 just now?

9 A I did.

10 Q You were in the room?

11 A Yes.

12 Q So can you tell me, was LaCygne at the time fully
13 depreciated or how far along into its depreciation schedule was
14 it?

15 A Well, thanks -- thanks to you asking that question
16 earlier and the lunch break, we were able to do some research
17 on that. And there was -- there was \$227 million of -- that'd
18 be KCP&L's share of that, that was undepreciated. And that
19 in -- that's both units, LaCygne 1 and LaCygne 2.

20 Q So what was left?

21 A That is -- that is what was left, 227 million.

22 Q Oh. Oh, that's what was remaining?

23 A Yes.

24 Q Okay.

25 A Yes. The Missouri share of that would be 121

1 million.

2 **Q How much?**

3 A 121 million.

4 **Q Okay. So when will it be fully depreciated?**

5 A I don't know that it will ever be fully
6 depreciated till it gets retired and dismantled or just put
7 to -- put to bed. You're continually putting capital
8 investments in the plant.

9 **Q Right.**

10 A And so those -- those will always be there as long
11 as you continue to operate the plant.

12 **Q But as you retire the plant, as Sierra Club**
13 **suggests, there would be a pretty substantial stranded**
14 **investment; is that fair?**

15 A I guess if your definition of stranded investment
16 is unrecovered net plant cost, there'd have been 227 million,
17 yes.

18 **Q And that is taken into account as a part of the**
19 **analysis in the IRP process?**

20 A It's -- it's included in determining the revenue
21 requirements, yes.

22 CHAIR R. KENNEY: Okay. All right. I don't have
23 any other questions. Thanks, Mr. Crawford.

24 COMMISSIONER STOLL: I have no questions. Thank
25 you for your testimony.

1 THE WITNESS: You're welcome.

2 JUDGE BUSHMANN: Commissioner Hall.

3 COMMISSIONER HALL: I have just a few.

4 QUESTIONS BY COMMISSIONER HALL:

5 Q Good afternoon. What is -- what is the current
6 planned retirement date of the plant, or is there one?

7 A There may be for accounting purposes; but from a
8 resource planning perspective, we have not identified a date.
9 We look out 20 -- typically 20 years, and have not identified a
10 retirement date within that 20-year period.

11 Q Prior to the retrofit was there a retirement date?

12 A Not from a resource planning perspective. You
13 know, I don't know from an accounting perspective and
14 depreciation treatment if there's some assumed date.

15 Q Were you chiefly responsible for looking --
16 looking for alternatives to the retrofit?

17 A Yes. In terms of basically keeping the lights on
18 and meeting our reserve obligations, yes.

19 Q So you looked at the possibility of new
20 infrastructure, a new -- a new facility?

21 A Correct.

22 Q Did you -- did you also look at the possibility of
23 trying to buy -- trying to purchase power to meet -- to meet
24 your load demands?

25 A Yes, we have -- we have looked at that in the

1 past. There's a combined cycle facility in Missouri, Dogwood
2 facility, and we have looked at it in the past. And at the
3 prices that they are willing to sell the plant for, it has not
4 been shown to be an economic alternative.

5 We also -- as part of the Kansas predetermination
6 case, one of the parties pointed to unused combined cycle
7 energy in the region, and they suggested that possibly that
8 would be a cheaper alternative. And they had done some -- some
9 analysis on that; but they admitted that their analysis did not
10 include the replacing the capacity itself, the ability to
11 generate. And we show that their analysis, if you added the
12 cost of replacing that capacity, that that was also a more
13 expensive alternative than the retrofit of the plant.

14 **Q What is -- what is the capacity of the Dogwood**
15 **plant?**

16 A It's around 600 megawatts. About half of it is --
17 has been spoken for. So about 300 megawatts is still available
18 for -- for sale.

19 **Q And so the price that -- that you would have to**
20 **pay for that -- for that energy was higher than the price that**
21 **it cost -- is higher than the cost of getting energy out of**
22 **this facility?**

23 A The all-in -- the all-in cost, correct.

24 **Q Explain to me the all-in. Because in one case**
25 **you've got infrastructure costs, and then you've got**

1 maintenance costs; and then in the other you've just got a
2 price to purchase power. And I'm trying to figure out how you
3 compare those two.

4 A Well, if you're looking strictly at -- at
5 purchased power, you're missing -- you're missing the piece on
6 having capacity as well. And we have a requirement in the
7 Southwest Power Pool that we have to maintain a certain reserve
8 obligation. Basically it's 13.6 percent above what our peak
9 load is. And so you have to have -- you have to demonstrate
10 that you either own an asset that can produce that amount of
11 assets that add up to that much capacity or have a firm
12 contract with firm transmission service in place.

13 And so once you have factor in the cost of the
14 market value of energy and you factor in the cost of getting
15 that capacity, it ended up being more expensive than the
16 retrofitting the plant.

17 Q And did that cost -- did you provide that cost
18 analysis to Staff?

19 A We have not provided that cost analysis to --

20 Q Staff did not ask for --

21 A -- to --

22 Q -- that cost analysis?

23 A -- to Staff. Not that I -- not that I recall.

24 Q Okay.

25 A One of the other factors in there is generally the

1 market value of energy is higher than what it -- what it costs
2 for energy from a coal-fired plant is. Last year I think
3 market price of energy was -- probably averaged somewhere in
4 the \$30 a megawatt hour or so; and I think our current dispatch
5 costs that we're giving to SPP, Southwest Power Pool, for
6 LaCygne units under \$20.

7 **Q Was -- was wind energy an option?**

8 A Wind energy really is not an option. We did think
9 about it. It wasn't ruled out of hand. But the -- it gets
10 back to the energy and capacity issue. Wind doesn't provide
11 that much capacity. You don't have any control over when the
12 wind is blowing. And at the time the LaCygne analysis was
13 done, our wind facilities would accredit for about 8 percent of
14 their nameplate capacity. So if you had a wind farm that could
15 produce 100 megawatts on peak, the pool would allow you to
16 count 8 towards meeting a reserve obligation.

17 So even if -- even if you said -- I'll say the
18 pool would allow us 10 percent accredited capacity. So if you
19 had 100 megawatt nameplate of wind, you could count 10
20 megawatts of that; whereas LaCygne at 700 megawatts, we get to
21 count all 700 megawatts towards meeting our capacity
22 obligation. So you would have had to put in the equivalent
23 7,000 megawatts worth of wind to get the equivalent capacity
24 out of -- out of LaCygne. So it's not -- it's not really a
25 practical option.

1 COMMISSIONER HALL: Okay. Thank you. I have no
2 further questions.

3 JUDGE BUSHMANN: Recross based on Commission
4 questions?

5 Sierra Club?

6 MS. PERFETTO: No questions.

7 JUDGE BUSHMANN: Public Counsel?

8 MR. OPITZ: No questions, Your Honor.

9 JUDGE BUSHMANN: Staff?

10 MR. WILLIAMS: No.

11 JUDGE BUSHMANN: Redirect?

12 REDIRECT EXAMINATION BY MR. ZOBRI ST:

13 **Q Mr. Crawford, you were asked by counsel for Sierra**
14 **Club about the net present value of revenue requirement. Do**
15 **you recall that?**

16 A Yes.

17 **Q Okay. And you -- you responded that you had used**
18 **this concept in your analysis. Why did you use this NPVRR**
19 **concept in your analysis to review these various scenarios?**

20 A Well, for one, I think it's the right way to look
21 at these analyses. And the other, it's the basis of Missouri's
22 IRP rules.

23 **Q Okay. And what was the result of the NPVRR**
24 **analysis that you did at the time that you opted to proceed --**
25 **or you proposed to proceed with the retrofit option?**

1 A Well, the results were that the present value of
2 basically how much money we'd have to collect from our
3 customers over the next 25 years was lowest in the -- in the
4 case where LaCygne was retrofitted.

5 MR. ZOBRI ST: Thank you. Nothing further, Judge.

6 JUDGE BUSHMANN: Thank you, Mr. Crawford. That
7 completes your testimony for now.

8 THE WITNESS: Thank you.

9 (Witness excused.)

10 JUDGE BUSHMANN: Next witness will be from Sierra
11 Club.

12 (Witness sworn.)

13 RACHEL WILSON, testifies as follows:

14 DIRECT EXAMINATION BY MS. PERFETTO:

15 **Q Good afternoon.**

16 A Good afternoon.

17 **Q Please state your name and business address for**
18 **the record.**

19 A My name is Rachel Wilson, and my business address
20 is 485 Massachusetts Avenue, Suite 2, Cambridge, Massachusetts
21 02139.

22 **Q Ms. Wilson, where are you employed and what is**
23 **your current job title?**

24 A I'm currently a senior associate at Synapse Energy
25 Economics.

1 **Q** **And did you prepare and cause to be prepared in**
2 **this case Direct Testimony, which has been marked as 402 HC and**
3 **public, as well as Surrebuttal Testimony, which has been marked**
4 **as Exhibits 403 HC and public --**

5 A Yes, I --

6 **Q** **-- in this case?**

7 A Yes, I did.

8 **Q** **Do you have any changes or corrections to your**
9 **prefiled testimony at this time?**

10 A I do have one change.

11 **Q** **And where is that?**

12 A Let me find it quickly. It's on page 29,
13 Confidential Table 2 in my prefiled Direct Testimony. I had
14 intended for the total shown in that table to represent to
15 total saving -- or, I'm sorry, total spending at the LaCygne
16 unit, but the text reflects that that was KCP&L spending only.
17 So I would like to change the numbers in the table to reflect
18 KCP&L's share of spending.

19 **Q** **Can you --**

20 MR. ZOBRI ST: Judge, I'm not sure that's a
21 correction to the testimony. That may be something that she
22 can get into on redirect. But if it's not an error in here, I
23 don't -- I don't perceive what she's saying to be correcting of
24 an error. It's, rather, changing testimony.

25 JUDGE BUSHMANN: What's your response?

1 MS. PERFETTO: It is a slight error in that the
2 text reflects that -- that the numbers provided are for KCP&L,
3 while the table still says total spending for the entire
4 project. And since there's a share of the project expenses
5 between KCP&L and Westar, it's just reflecting -- the change
6 would just reflect the number -- we have --

7 JUDGE BUSHMANN: Do you have a --

8 MS. PERFETTO: -- the numbers reflect the text.

9 JUDGE BUSHMANN: Do you have a replacement table
10 that has the correct numbers on it?

11 MS. PERFETTO: Not with me today.

12 JUDGE BUSHMANN: How many numbers are we talking
13 about? I don't have it in front of me.

14 THE WITNESS: It's all of the numbers in the
15 table. They essentially need to be divided in half.

16 MS. PERFETTO: Yes. So it's 12 total.

17 MR. ZOBRI ST: Judge, what I -- what I would say is
18 the easy way to solve the problem is to change the title of the
19 table and -- essentially because she did not rebut
20 Mr. Crawford's Rebuttal where he said these are overstated by a
21 factor of 100 percent. I think that probably solves the
22 problem, and the rest of us can do the math.

23 JUDGE BUSHMANN: I would agree with Mr. Zobrist.
24 I think the correction is to the title, and if you want to
25 explain -- explain it, that's fine, we can -- as to how that

1 affects her testimony. So how would you title it correctly so
2 that the numbers match the title?

3 THE WITNESS: While the title of the table does
4 say Total Spending Incurred, it's really the text on page 28
5 that states that, Confidential Table 2 also shows the spending
6 that had been incurred by KCP&L as of that date. It should
7 read KCP&L and Westar.

8 JUDGE BUSHMANN: So the change would be to the
9 text of your testimony?

10 THE WITNESS: Correct.

11 JUDGE BUSHMANN: And what was the page and line
12 number again?

13 THE WITNESS: Page 28, line 16.

14 JUDGE BUSHMANN: And would you, just so I'm clear
15 on it, read what the correct text should be?

16 THE WITNESS: Yes. I'll start at the beginning of
17 the sentence on line 15: Confidential Table 2 also shows the
18 spending that had been incurred by KCP&L and Westar as of that
19 date. And then it follows: And the costs of the retrofits
20 that still could have been avoided if KCP&L and Westar had
21 halted construction at that point.

22 JUDGE BUSHMANN: Okay.

23 MS. PERFETTO: Thank you.

24 BY MS. PERFETTO:

25 Q Do you have any other changes or corrections to

1 **your prefiled testimony at this time?**

2 A No.

3 MR. ZOBRI ST: Judge, this may be a point of
4 overclarification, but doesn't the Confidential Table 2 still
5 need to be corrected, the title?

6 JUDGE BUSHMANN: According to the witness, no.

7 THE WITNESS: I don't think so, because it reads
8 total spending.

9 MR. ZOBRI ST: Okay. Fair enough.

10 BY MS. PERFETTO:

11 **Q Ms. Wilson, other than as just noted, if asked the**
12 **questions in your Direct and Surrebuttal today, would your**
13 **answers be the same?**

14 A Yes.

15 **Q And is the information in those answers true and**
16 **correct, to the best of your knowledge?**

17 A Yes, it is.

18 MS. PERFETTO: Your Honor, I move for the
19 admission of Exhibits 402, highly confidential and public, and
20 403, highly confidential and public, into evidence in this
21 case.

22 JUDGE BUSHMANN: Any objections?

23 MR. ZOBRI ST: No objection.

24 JUDGE BUSHMANN: Hearing none, those exhibits are
25 received into the record.

1 (Sierra Club Exhibits 402 and 403 received into
2 evidence.)

3 MS. PERFETTO: Ms. Wilson is available for
4 cross-examination.

5 JUDGE BUSHMANN: And first cross would be Public
6 Counsel.

7 MR. OPITZ: No cross, Your Honor.

8 JUDGE BUSHMANN: Commission Staff?

9 MR. WILLIAMS: No questions.

10 JUDGE BUSHMANN: Kansas City Power & Light?

11 CROSS-EXAMINATION BY MR. ZOBRI ST:

12 Q Good afternoon.

13 A Good afternoon.

14 Q Now, Ms. Wilson, am I correct from looking at your
15 resume that you have never been an employee of a regulated
16 public utility? Is that correct?

17 A That is correct.

18 Q Okay. And am I correct that you have not been
19 retained by a public utility to provide sworn testimony before
20 a public utility commission?

21 A I haven't provided testimony to a regulated
22 utility, but I have provided reports and consulting services.

23 Q Now, on Schedule 1 to your Direct Testimony, you
24 list seven cases that you have presented testimony to various
25 public utility commissions; is that correct?

1 A I believe so, yes.

2 **Q Okay. And in each of those instances you were**
3 **providing testimony either on behalf of the Sierra Club or an**
4 **organization that, is it fair to say, agrees with Sierra Club's**
5 **philosophies and positions on environmental issues?**

6 A I would say that I testified on behalf of a public
7 interest organization. I don't know that they would
8 necessarily agree with Sierra Club on all issues.

9 **Q Okay. And the positions taken -- that were taken**
10 **in those cases, were they generally adverse to the public**
11 **utilities that are listed in the styles of those cases?**

12 A They involved examining the economics of
13 individual coal plants. And to the extent that the economics
14 reflected something other than what was being proposed by the
15 utility, then yes, that's correct.

16 **Q And -- and did they in all those cases reflect**
17 **something different than what was proposed by the public**
18 **utility?**

19 A Yes.

20 **Q Okay. Now, is it fair to say that the Sierra Club**
21 **has national policy to oppose the construction of any new coal**
22 **plants in the United States?**

23 A I'm not an employee of the Sierra Club, so I can't
24 speak to its policy.

25 **Q Well, you have presented testimony on behalf of**

1 **Sierra -- Sierra Club in a number of instances; correct?**

2 A That's correct.

3 **Q And, in fact, you attach to your direct**
4 **examination in this case testimony that was provided by either**
5 **colleagues of yours at Synapse or former colleagues on behalf**
6 **of the Sierra Club; isn't that correct?**

7 A Yes, I do.

8 **Q Okay. And isn't it true, based upon the work that**
9 **you've done on behalf of Sierra Club and that your firm has**
10 **done on behalf of Sierra Club, you're aware that Sierra Club**
11 **generally opposes the construction of any new coal plant in**
12 **this country; correct?**

13 A I don't believe a new coal plant has been proposed
14 for construction for several years now.

15 **Q Okay. Well, isn't it true that the last coal**
16 **plant that was put in by this Company was opposed by the Sierra**
17 **Club?**

18 A I don't know the answer to that.

19 **Q Okay. Is it also Sierra Club's national policy to**
20 **oppose the retrofitting of any existing coal plant?**

21 A Again, I can't speak to Sierra Club policy. It's
22 my understanding that there are retrofit cases across the
23 country where Sierra Club has not intervened, and I would
24 assume in those cases that it doesn't have grounds to oppose
25 those retrofits.

1 **Q Are you aware of the Beyond Coal Campaign that the**
2 **Sierra Club is carrying on at this point?**

3 A I'm aware of it generally.

4 **Q Okay. And what is the Beyond Coal Campaign?**

5 A I have heard the name described. I believe it's
6 moving -- the goal is to move to fuel sources other than coal.

7 **Q Well, isn't the specific objective of the Beyond**
8 **Coal Campaign to close all coal plants in the United States and**
9 **abroad?**

10 A I don't know the answer to that.

11 **Q Okay. Are you aware of the funding for the Beyond**
12 **Coal Campaign project?**

13 A No, I'm not.

14 **Q Okay. You're not aware that Mayor Michael**
15 **Bloomberg, former mayor of New York City, pledged \$30 million**
16 **to the Beyond Coal Campaign?**

17 A I am aware that Mayor Bloomberg has been a donor.
18 I don't know what percentage of the coal campaign funding comes
19 from Mayor Bloomberg or the amount that he has donated.

20 **Q Now, is the work that you're performing in this**
21 **case, is it funded by the Beyond Coal Campaign of Sierra Club?**

22 A I don't know.

23 **Q Okay. What's your budget in this case?**

24 A If I'm recalling correctly, it's around \$36,000
25 for consulting services and travel.

1 **Q** **Okay. Let me move on to the flaws that you have**
2 **testified about that you believe you found in the KCP&L**
3 **analysis. One of the criticisms that you made was that its**
4 **forecasts and assumptions limited its resource choices to**
5 **conventional fossil fuel generation, coal or natural gas CTs,**
6 **or combined cycle units; isn't that correct?**

7 A That's correct.

8 **Q** **Now, isn't it true that in Mr. Crawford's Direct**
9 **Testimony that both Schedule 14 and Schedule 15 contain**
10 **assumptions for demand side management?**

11 A Without looking at those schedules at this moment,
12 I couldn't answer that question.

13 **Q** **Well, do you recall that Mr. Crawford testified in**
14 **his Rebuttal at page 3 that KCP&L modeled explicitly DSM**
15 **resources approaching 300 megawatts at the time that each**
16 **LaCygne unit would need to be shut down if not retrofitted?**

17 A I recall that in his testimony, yes.

18 **Q** **Okay. And are you aware that KCP&L is making DSM**
19 **investments today, even though it retrofitted the LaCygne**
20 **units?**

21 A I'm generally aware of DSM investments today. But
22 this case hinges on what the Company was doing and what it knew
23 and should have known in 2011 when the predetermination filing
24 was made in Kansas.

25 **Q** **Okay. Now, one of the specific criticisms that**

1 **you leveled of KCP&L's analysis was that it did not use updated**
2 **information from the EIA's Annual Energy Outlook; is that**
3 **correct?**

4 A That's correct.

5 **Q Okay. And the information that you presented in**
6 **your Direct Testimony only relied on the Annual Energy Outlook;**
7 **is that correct?**

8 A That's correct. And the reason I could only
9 present EIA numbers is because that is the only forecast of the
10 four that KCP&L used in its composite that is publicly
11 available. The others are available by subscription service
12 or, I assume, a one-time fee only.

13 **Q Okay. And Sierra Club did not agree to pay for**
14 **that one-time fee or allow Synapse to purchase a subscription**
15 **or to order those other studies?**

16 A It's quite expensive, and these are -- I don't
17 know that past years' forecasts would have been available to
18 us.

19 **Q Well, to answer my question though, Sierra Club**
20 **did not agree to expend money to look at these other forecasts;**
21 **is that fair to say?**

22 A That's fair.

23 **Q Okay. And your firm didn't spend the money to**
24 **acquire access to these forecasts; is that fair to say?**

25 A We don't have a subscription to those services,

1 no.

2 **Q Okay. Do you have a subscription to any**
3 **forecasting services beyond those that you do yourself?**

4 A No. We tend to use publicly-available sources.

5 **Q Okay. Now, I understand, looking at your Direct**
6 **Testimony, that you prepared a CO₂, a carbon dioxide pricing**
7 **forecast in the past; correct?**

8 A That's correct.

9 **Q And Synapse Energy does the CO₂ forecasts on a**
10 **regular basis?**

11 A It's not regular in the sense that it comes out
12 annually or according to any schedule, but we do update it
13 periodically when the need arises.

14 **Q But you don't do this for natural gas prices;**
15 **correct?**

16 A We don't, no. Natural gas is much more nuanced
17 and not something that can be predicted without the use of
18 software and time -- much time and expense.

19 **Q Okay. So the basis of your opinion and that of**
20 **your firm when it testified in the Kansas predetermination --**
21 **predetermination case was based on only the EIA's Annual Energy**
22 **Outlook; correct?**

23 A I don't know that any Synapse members testified to
24 that. Mr. Davis Schlissel, who was representing another
25 organization, I believe was the one who brought up those

1 points.

2 Q Okay. And Mr. Schlissel used to work for Synapse
3 before he started his own consulting firm, as I recall?

4 A He did.

5 Q Okay. Okay. But, in any event, as far as natural
6 gas prices, KCP&L took five forecasts, one of which was from
7 the Energy Information Administration and four from the
8 subscription services; is that correct?

9 A It was actually four forecasts. Mr. Blunk
10 mentioned Global Insight and CERA. And at that time in 2011
11 they had, in fact, combined to be one organization.

12 Q Okay. But in the survey -- or in the composite
13 forecasting that Kansas City Power & Light did in 2010, Global
14 Compliance was an independent company; correct? So there were
15 five back in 2010?

16 A The -- the dates of the forecasts that were used
17 in the composite that underlies this analysis were, in fact,
18 2010. And that shows Global Insight and CERA as a single
19 entity.

20 Q All right.

21 A I don't know at what point they merged, but the
22 work papers that we obtained from KCP&L do show only four
23 forecasts.

24 Q Well, let's talk about what the energy -- the
25 Annual Energy Outlook data is based on. Am I correct that it

1 is premised on the fact that there will be no changes in
2 government regulations and law?

3 A That's correct.

4 Q Okay. And all of the other forecasts that KCP&L
5 used and uses do consider impending regulations, other trends
6 that might change the law, or the regulations that would be
7 applicable to LaCygne?

8 A I don't know to what extent the other forecasts
9 consider those types of regulations.

10 Q Okay. So Mr. Blunk in page 6 of his Rebuttal is
11 correct when he says, The main cases in AEO 2015 generally
12 assume that current laws and regulations are maintained
13 throughout the projections?

14 A Yes, that's correct.

15 Q Okay. Now, in the Synapse 2012 carbon dioxide
16 price forecast that's Schedule 6 to your Direct Testimony, in
17 that case, as part of looking at carbon pricing, you looked at
18 more than 40 price estimates; correct?

19 A I believe that's correct, yes.

20 Q Okay. And you were the lead author of that study?

21 A I was.

22 Q Okay. And you felt that that was important, to
23 survey all these various sources for CO2 pricing; correct?

24 A Yes.

25 Q Okay. And, again, the Annual Energy Outlook is

1 one source of natural gas pricing; correct?

2 A Yes.

3 Q Okay. Now, in this testimony you utilized what
4 you called, and I'm quoting now, a rough proxy model to
5 determine the break-even costs of natural gas or CO2, because
6 you could not run the Company's model; is that a fair
7 statement?

8 A That's correct.

9 Q Okay. And you stated that the break-even analysis
10 is heavily dependent on the price of gas; correct?

11 A Yes.

12 Q Okay. Now, the reanalysis -- that's what you call
13 what you did here in this case, correct, a reanalysis?

14 A Yes.

15 Q Okay. And so the reanalysis is your running of
16 this rough proxy model to approximate KCP&L's model?

17 A I wouldn't say it approximates KCP&L's model, no.
18 It looks at one of the factors that would have been included in
19 the MIDAS modeling.

20 Q And that is just the natural gas pricing?

21 A It is a combination of natural gas and CO2.

22 Q Okay. Now, your reanalysis concluded that there
23 was a \$4 million difference between the LaCygne retrofit versus
24 a LaCygne retrofit and a Montrose retirement versus a total
25 retirement of both LaCygne and Montrose and the adding of a

1 **combined cycle unit or units to supplant them; right?**

2 A No, that's not actually correct. That was the
3 second part of my analysis. In this case I was looking at what
4 the Company should have known at the time it was making its
5 predetermination filing in Kansas in 2011. At that time there
6 was still some thought that a bill would pass through Congress
7 legislating a national CO2 cap and trade program. KCP&L's CO2
8 price forecast assumes that.

9 In my analysis I updated the natural gas price
10 forecast to be consistent with what was known in April 2011,
11 and the CO -- I didn't change the CO2 price at all. In that
12 analysis it, in fact, shows that there's \$196 million
13 difference between the retrofits of LaCygne and retiring the
14 units and replacing them with a natural gas combined cycle
15 unit. And that 196 million is a benefit to the natural gas
16 option.

17 Q Let me ask you about the \$4 million that appears
18 on page 27 of your Direct. What I understand you did there was
19 to take the assumptions that Kansas City Power & Light used and
20 then run them with the natural gas prices that you had and
21 then, based upon those models that you didn't make any other
22 changes to, that was the \$4 million difference?

23 A Expectations about a CO2 price changed --

24 Q Well, now, I'm sorry. My question is does the
25 \$4 million represent change in the natural gas price between

1 what KCP&L used and what you used and that's where the
2 \$4 million -- I want to ad -- I want the Commission to
3 understand and I want to understand what that \$4 million
4 represents.

5 A Yes. And I -- I would like to explain that to
6 you.

7 Q Okay. Well, let's do that and let's not go off on
8 something else, please.

9 A The \$4 million represents a change to both natural
10 gas prices and updates assumptions about CO2 prices that became
11 known in 2012. And those assumptions about CO2 effectively
12 lowered the CO2 price in that year. So that \$4 million
13 difference represents a benefit to natural gas from updated
14 natural gas prices and updated CO2 prices as of 2012. But,
15 again, this case hinges on what the Company should have known
16 in 2011.

17 Q Now, in the concluding sentence of your paragraph
18 on page 27 -- it starts at line 6 -- you state, As I discuss
19 below, this was not the case. And then you say, Limitations --
20 do you have that before you, ma'am? It's page 27.

21 A What lines, please?

22 Q Okay. I'm going to start at line 13.

23 A Okay.

24 Q Limitations in KCP&L's planning framework likely
25 skewed the modeling results in favor of retrofitting LaCygne,

1 and correcting those limitations would likely result in the
2 plan in which all of the units were retired and replaced by a
3 least-cost plan by a greater margin; correct?

4 A Yes.

5 Q Okay. Now, there are two likelies in there; is
6 that fair to say? There's a likely on line 13, and there's a
7 likely on line 15.

8 A That's correct.

9 Q Okay. Okay. And I take it you choose your word
10 carefully when you present -- present sworn testimony to a
11 Commission?

12 A I try to, yes.

13 Q Okay. And you did not use the word certainty, is
14 that fair to say; you used the word likely?

15 A I did not use the word certainty. My -- I didn't
16 have access to the Company's MIDAS model in this case, and I
17 didn't run the MIDAS model. I attempted to construct a proxy
18 method to give an estimate about NPVRR values in this case.

19 Q Okay. Now, you stated in your Direct Testimony on
20 pages 2 and 3 that you have reviewed a number of documents and
21 studies, including KCP&L's Integrated Resource Plans for 2012
22 and the 2013 update; is that correct?

23 A That's correct.

24 Q Now, Mr. Crawford testified in his prefiled
25 testimony as well as today that there were other IRP plans that

1 had been submitted to the Commission. Is it true that you have
2 not reviewed either the IRP of 2014 or the IRP of 2015?

3 A I have not reviewed those documents, no.

4 Q Okay. Now, is it fair to say that I'm
5 interpreting your direct examination correctly when you say
6 that the major change that you observed and that you're
7 critical of the Company about is not evaluating the decline in
8 the price of natural gas?

9 A I'm sorry, could you --

10 Q Yeah.

11 A -- say that again?

12 Q The major flaw that you see in the Company's
13 analysis was its failure to fully consider the decline in the
14 price of natural gas?

15 A That's correct, yes.

16 Q Okay. And so, For a time, you state, combined
17 cycle gas units were dispatched before baseload coal units
18 because gas was so cheap, for example, back in 2012?

19 A Yes.

20 Q Okay. And that this was caused primarily by what
21 you call a new gas extraction technique which started to become
22 commonplace; correct?

23 A Correct.

24 Q And that's what we call fracking or hydraulic
25 fracturing; correct?

1 A Yes.

2 Q Okay. And -- and you stated that utilities that
3 opted to retire their coal units and not retrofit them were
4 turning to gas-fired units; correct?

5 A That's generally correct, yes.

6 Q Okay. And so is the position that you're taking
7 in this case that KCP&L, had it done the proper analysis, would
8 have retired all the LaCygne units and all the Montrose units
9 and it would have begun constructing natural gas combined cycle
10 units as the sound and proper conclusion from competent
11 resource planning?

12 A The Montrose -- the retirement of the Montrose
13 units was assumed in KCP&L's analysis and in this docket, in
14 the Kansas docket. And I believe that retiring one or both of
15 the LaCygne units and replacing one or both with natural gas
16 would have been the optimal answer, yes.

17 Q Okay. And the reason for that is the low price of
18 natural gas, in your opinion, would have been the better
19 choice --

20 A The --

21 Q -- for -- for fuel?

22 A The lowered long-term natural gas price forecast
23 would have indicated that gas was a better option, yes.

24 Q Okay. Now, you're representing the Sierra Club in
25 this proceeding; correct?

1 A Correct.

2 Q Okay. What's the position of the Sierra Club as
3 far as natural gas fracking is concerned?

4 A I -- I don't know.

5 Q Okay. Let me show you an exhibit here, please.
6 (Company Exhibit 146 marked for identification.)

7 BY MR. ZOBRI ST:

8 Q Ms. Wilson, let me show you --
9 Have you given that to the witness? Thank you.

10 BY MR. ZOBRI ST:

11 Q You have before you Exhibit 146, which I'll
12 represent to you is a page -- two pages taken from the Sierra
13 Club's website with regard to natural gas fracking that is
14 entitled Dirty, Dangerous, and Run Amuck. Are you familiar
15 with the statement that is in the bracketed phrase about
16 two-thirds of the way down the page from the president of the
17 Sierra Club back in July of 2012?

18 A No, I'm not.

19 Q Okay. Well, are -- are you familiar that Sierra
20 Club opposes natural gas fracking?

21 A I -- I wasn't aware of that until you mentioned it
22 to me -- or until it was mentioned today.

23 Q Are you really serious, ma'am, that you've
24 represented Sierra Club in four or five or six or seven
25 proceedings and you're not aware of your client's national

1 **policy on natural gas?**

2 A None of the cases in which I've represented the
3 Sierra Club have dealt with natural gas fracking. They've
4 dealt with examining the economics of individual coal units on
5 a state-by-state basis.

6 **Q Well, Ms. Wilson, in your Surrebuttal on page 2**
7 **you mention the fracking boom that caused natural gas prices to**
8 **drop; is that correct?**

9 A That's correct.

10 **Q Okay. And it's your position that it's these low**
11 **gas prices caused by the fracking boom that should have driven**
12 **the conclusion of this Company to not retrofit LaCygne and to**
13 **have replaced it with some form of a natural gas generating**
14 **unit; isn't that correct?**

15 A That's correct.

16 **Q Okay. Well, are you aware that the president of**
17 **the Sierra Club has said that no state has adequate protections**
18 **in place with regard to natural gas fracking and that even when**
19 **there are rules, they are poorly monitored and enforced?**

20 MS. PERFETTO: I'm going to object to that. I'm
21 not sure what relevance this has to the witness' testimony in
22 this case.

23 MR. ZOBRI ST: Judge, it has extreme relevance,
24 because the crux of her position is that natural gas prices are
25 low because of fracking, and yet the entity that she is

1 representing here is actively opposing policies that have
2 permitted natural gas to drive -- be driven down to these low
3 levels.

4 JUDGE BUSHMANN: I think it's relevant for that
5 purpose. I'll allow you to ask if she knows that.

6 THE WITNESS: I'm sorry, could you ask me the
7 question again?

8 BY MR. ZOBRI ST:

9 Q My question is are you aware that the president of
10 the Sierra Club has stated that no state has adequate
11 protections in place with regard to hydraulic fracturing and,
12 even where there are rules, they are poorly monitored and
13 enforced?

14 A I see that on this statement. But in 2011 there
15 were no fracking regulations that I'm aware of. And as far as
16 I know, there is still no national policy on fracking.

17 Q Well, I'm talking about the Sierra Club's policy.
18 Maybe I -- I didn't mean to confuse you. I'm talking about
19 your client's, your principal's position on fracking in this
20 case and nationally.

21 A And I was trying to make the point that Sierra
22 Club's policy, whatever it may be, has not influenced any
23 fracking regulation in the United States, either in 2011 or to
24 date.

25 Q Now, the president of Sierra Club also said in

1 **July 2012 that the out-of-control rush to drill has put oil and**
2 **gas industry profits ahead of our health, our families, our**
3 **property, our communities, and our futures. Are you -- were**
4 **you aware that was the policy of your principal at this time?**

5 A I -- I see that --

6 MS. PERFETTO: I'm going to --

7 THE WITNESS: -- reading this document.

8 BY MR. ZOBRI ST:

9 **Q Okay. Well, let me -- let me ask you this: If**
10 **Sierra Club gets its way and national or state regulations come**
11 **into place that make hydraulic fracturing less economic and the**
12 **price of natural gas goes up, isn't it fair to say KCP&L made**
13 **the right decision in this case?**

14 A I don't know the answer to that. I don't know how
15 fracking regulations would affect natural gas prices. It's my
16 general understanding that any -- any efforts to make fracking
17 a cleaner process are relatively costless, and I haven't seen a
18 forecast that shows that fracking regulations would
19 significantly affect natural gas prices.

20 **Q Well, are you an expert in hydraulic fracturing**
21 **regulations?**

22 MS. PERFETTO: I'm going to object to this
23 continued line of questioning. We've -- the exhibit itself and
24 the line of questioning is completely irrelevant to the
25 analysis that Ms. Wilson did in this case.

1 MR. ZOBRI ST: Judge, this is absolutely critical.
2 It goes to her credibility representing Sierra Club on the one
3 hand that is attacking a regulated public utility that has
4 conducted five years of studies. And then she comes in and
5 says, on the basis of my -- of my analysis, they should rely
6 upon extremely low natural gas prices. And yet her principal
7 that is paying her to be here and testify you -- testify before
8 you today is advocating policies that would raise the price of
9 natural gas. So I think it goes to the witness' credibility.

10 JUDGE BUSHMANN: It is proper impeachment. You
11 can ask her what she knows about it.

12 BY MR. ZOBRI ST:

13 Q Okay. Okay. Let me ask you this: If fracking
14 regulations come into place that drive the price of natural gas
15 up, that would change your analysis in this case; correct?

16 A My analysis is based on what the Company knew in
17 2011. So future fracking regulations are unlikely to change my
18 conclusions.

19 Q Okay. Well, then let me get back to my original
20 question. Are you an expert on potential fracking regulations?

21 A No, I'm not.

22 Q Okay. So if we just have shutdowns like we've
23 seen in the state of New York and a couple of other states have
24 considered that aren't even regulations, that are prohibitions,
25 if states in the country -- the national country that Congress

1 **prohibits fracking, that would drive the cost of natural gas**
2 **up; correct?**

3 A I don't know the answer to that.

4 Q **Well, you know the laws of supply and demand; that**
5 **if you shrink supply, it tends to drive demand up, correct?**

6 A That's correct.

7 Q **So if we have a shrinking supply of natural gas,**
8 **would that tend to drive the cost of natural gas up?**

9 A Yes. If supply shrinks, natural gas prices would
10 likely increase.

11 MR. ZOBRI ST: Okay. Judge, I move the admission
12 of Exhibit 146.

13 MS. PERFETTO: I'm going to object to that.
14 The -- this witness has testified that she's not familiar with
15 what this exhibit says. Again, it's irrelevant to the analysis
16 she did in this case.

17 JUDGE BUSHMANN: Your response --

18 MR. ZOBRI ST: Well, Judge, she has indicated
19 willful ignorance, in my view, of the policy of her principal.
20 And even if she is truly ignorant of it, she has not disputed
21 that this is a page from the website and that these are
22 statements from the president of the Sierra Club back in 2012.

23 MS. PERFETTO: This witness isn't able to
24 authenticate this document. She's testified here that she's
25 not familiar with the website that she's been directed to.

1 JUDGE BUSHMANN: From what I've heard of her
2 testimony, I don't think that proper authentication is there.
3 So I'll sustain the objection.

4 BY MR. ZOBRI ST:

5 Q Okay. Let me move on to your Surrebuttal, if I
6 might. On page 29 of your Direct in Table 2, is it fair to say
7 that the avoided costs that you set forth there do not include
8 contract cancellation, liquidated damages, or penalty costs?

9 A They don't. I was unable to review those
10 provisions when I wrote my testimony.

11 Q And I think you have corrected the portion of your
12 testimony that indicates that the costs that you did have in
13 that one table, that it's 50 percent of those costs that Kansas
14 City Power & Light is responsible for; correct?

15 A Well, my corrected testimony reflects the fact
16 that this is total spending at the LaCygne units from both
17 KCP&L and Westar.

18 Q Okay. Now, you closed your Surrebuttal to
19 Mr. Crawford by stating that his figure of \$400 million was a
20 distraction. This is around page 8 of your Surrebuttal. Do
21 you recall that?

22 A Yes.

23 Q Okay. And you say -- stated that it was a
24 distraction, even though he explained in his Rebuttal that that
25 was a break-even point before the retrofit plan became more

1 **expensive than the alternative retirement plan; correct?**

2 A Well, that's not quite how I read it. I read that
3 as the \$400 million was the value by which the capital costs
4 had to increase for the plan, the total NPVRRs to be
5 equivalent.

6 Q So what he was saying was that the current
7 budgeted amount of the plant at 1.23 billion had to go up to
8 1.63 billion before it exceeded the break-even point; correct?

9 A Correct.

10 Q Okay. And you didn't disagree with his figure;
11 you just said it was a different analysis, the wrong analysis?

12 A Correct.

13 Q Okay. Now, in the reanalysis that you did, that
14 was done, as I understand it, as if KCP&L did or should have
15 done it in October 2012; is that fair to say?

16 A It was an analysis that looked at the natural gas
17 price forecast that KCP&L should have used as of April 2011.

18 Q Well, turn, if you would, please, to page 27 of
19 your Direct.

20 A Okay. I'm there.

21 Q Okay. What is -- what is the October 2012 -- my
22 understanding is is that October 2012 takes into consideration
23 pricing that was available at that time, not in 2011.

24 A The October 2012 is the point at which we had an
25 understanding that CO2 prices were going to be lower than

1 expected in 2011. So this point goes to show that even with
2 that updated CO2 price, the natural gas portfolio still had a
3 benefit when compared to the LaCygne retrofit portfolio.

4 **Q And by October 2012 we had some additional**
5 **information from the Energy Outlook; correct?**

6 A That's correct.

7 **Q Okay. Now, the conclusion that you made was, even**
8 **accepting KCP&L's modeling, there was a \$4 million difference**
9 **in favor of retirement?**

10 A Correct.

11 **Q Okay. And is it fair to say that \$4 million**
12 **really makes it a toss up, doesn't it?**

13 A It's marginal, yes.

14 **Q Because your colleague, Dr. Hausman, in the Kansas**
15 **proceeding was talking about extremely small differences that**
16 **were in the tens to almost hundreds of millions of dollars;**
17 **correct?**

18 A Correct.

19 **Q Okay.**

20 A But, again, the point of this case is to look at
21 what the Company knew in April 2011, and at that time benefits
22 of natural gas were quite a bit larger. As you update your
23 assumptions, those benefits will change. And, you know, this
24 page 27 shows that even when you update additional assumptions
25 that are favorable to the retrofits, there's still a small

1 benefi t.

2 Q Now, if you had a situation where it was
3 relatively close, a \$4 million difference, what other factors
4 would come into play if you were a utility planning expert,
5 beyond just the price of natural gas? What else might you
6 consider?

7 A Other fuel prices. Other regulations that might
8 come into play. Additional capacity that's being built.
9 Additional capacity that's being retired. There are a number
10 of other things you might look at.

11 Q And you would consider fuel availability; correct?

12 A That's correct.

13 Q And you would consider system reliability;
14 correct?

15 A Yes.

16 Q Okay. And did you factor those into the analysis
17 that you did here on page 27?

18 A Those things were already factored into KCP&L's
19 planning and didn't need to be revisited in this particular
20 analysis.

21 Q Okay. Now, your final recommendation states that
22 there should be some or all of the capital costs disallowed
23 with regard to the retirement of LaCygne 1 and 2; correct?

24 A Correct.

25 Q I'm sorry, the retrofitting of LaCygne 1 and 2;

1 correct?

2 A Yes, correct.

3 Q Okay. And you don't make any specific
4 recommendation to the Commission in terms of dollars; is that
5 fair?

6 A I don't in my testimony, no.

7 MR. ZOBRI ST: Okay. Okay. That's all I have.
8 Thank you, Judge.

9 JUDGE BUSHMANN: Questions by commissioners?

10 Mr. Chairman.

11 QUESTIONS BY CHAIR R. KENNEY:

12 Q Ms. Wilson, thank you.

13 A Thank you.

14 Q Can you hear me okay?

15 A Yes, I can.

16 Q All right. Just a couple of very brief questions.
17 As I understand Sierra Club's position, low gas prices back in
18 2011 indicate that KCP&L would have done better to retire both
19 LaCygne units and replace them with natural gas combined cycle
20 plants; correct?

21 A That's correct.

22 Q And that's an economic analysis that isn't
23 dependent upon the Sierra Club's position with respect to
24 fracking; is that correct?

25 A That's correct.

1 **Q** **Okay. My second question -- I think I put this to**
2 **your counsel and I put it to Mr. Blunk and Mr. Crawford -- did**
3 **your analysis take into account the remaining useful life and**
4 **the undepreciated value of LaCygne in reaching your**
5 **determination?**

6 A Not specifically. To the extent that KCP&L took
7 that into account, then my analysis would have also. The --
8 the economics of -- of power plants are typically evaluated on
9 a going-forward basis; so, you know, the costs that it would --
10 that would be incurred to operate plants in the future. And
11 those remaining useful-life costs typically aren't taken into
12 consideration in that sort of analysis.

13 **Q** **And what's the dollar amount that Sierra Club is**
14 **proposing should be disallowed?**

15 A In general, we leave that to the Commission's
16 discretion. I would say that a lower bound for that amount
17 would be \$68 million. And the way that I arrive at that number
18 is, in one of the figures in my testimony I cite a benefit to
19 the natural gas option of \$136 million in present-value terms.
20 Because KCP&L's portion of that is 50 percent, that 50 percent
21 number results in a \$68 million value.

22 CHAIR R. KENNEY: All right. I don't have any
23 other questions. Thank you for your time and your testimony.

24 THE WITNESS: Thank you.

25 COMMISSIONER STOLL: I have no questions. Thank

1 you for your testimony.

2 THE WITNESS: Thank you.

3 COMMISSIONER KENNEY: No questions. Thank you,
4 Ms. Wilson.

5 COMMISSIONER HALL: I have a few.

6 QUESTIONS BY COMMISSIONER HALL:

7 Q Good afternoon, Ms. Wilson.

8 A Good afternoon.

9 Q When did -- when did natural gas prices begin to
10 decline?

11 A I believe they started to decline quite a bit
12 before April 2011, actually. They were declining in 2010 and
13 declined even further subsequent to that year.

14 Q And I believe you provided some testimony that
15 it's your belief that that decline was a product of fracking?

16 A I believe so, yes.

17 Q So if -- if that decline had not occurred, is it
18 safe to say that natural gas would not have provided a -- from
19 your perspective, a cheaper option than the LaCygne retrofit?

20 A I think that's true, yes.

21 Q Did you consider whether or not some combination
22 of purchased power from Dogwood and construction of additional
23 wind generation might have provided a cheaper alternative to
24 the retrofit?

25 A I was unable to evaluate that, as I didn't have

1 access to the Company's MIDAS model. I state in my testimony
2 that it's certainly possible that some combination of other
3 resources that could have included purchased power and
4 renewables could have, in fact, provided a lower-cost
5 portfolio.

6 **Q But you don't know?**

7 A I don't know.

8 **Q Were you in the hearing room when KCP&L's witness,**
9 **Mr. Crawford I believe, indicated that in order to get**
10 **700 megawatts capacity, which is what they get from LaCygne,**
11 **they would need 7,000 megawatts of wind power?**

12 A I believe I was here for that, yes.

13 **Q Do you agree with that?**

14 A I think it's generally known that on a capacity
15 basis wind is not on a 1-to-1 ratio with coal or gas. Wind
16 generation tends to be intermittent, by which I mean that it's
17 not dependable in any given hour. It's my understanding that
18 the capacity value of wind in SPP is going to increase beyond
19 the 8 percent that Mr. Crawford mentioned, but it certainly
20 won't increase to the point where it's on par with the capacity
21 credit that's given to coal or natural gas.

22 However, I wasn't suggesting in my testimony that
23 wind be a single resource replacement for the LaCygne units.
24 Wind can be incredibly effective when combined with natural
25 gas, which provides a backup fuel and also a capacity value

1 that the wind just doesn't. So as part of a resource portfolio
2 that includes other -- other fuel types, wind can be incredibly
3 effective.

4 COMMISSIONER HALL: Thank you. I have no further
5 questions.

6 JUDGE BUSHMANN: Recross based on Commission
7 questions.

8 Public Counsel?

9 MR. OPITZ: No recross, Your Honor.

10 JUDGE BUSHMANN: Commission Staff?

11 MR. WILLIAMS: No.

12 JUDGE BUSHMANN: Kansas City Power & Light?

13 MR. ZOBRI ST: No questions.

14 JUDGE BUSHMANN: Redirect?

15 MS. PERFETTO: Just a few questions.

16 REDIRECT EXAMINATION BY MS. PERFETTO:

17 **Q Concerning the scope of your review here, what**
18 **were you asked to do in this case?**

19 MR. ZOBRI ST: Wait a minute, Judge. That's not
20 proper redirect.

21 JUDGE BUSHMANN: You're saying it's outside the
22 scope?

23 MR. ZOBRI ST: Well, she's saying what were you
24 asked to do in this case. That's like the first question you
25 ask a witness when they take the stand. This is redirect.

1 MS. PERFETTO: It's in response to the line of
2 questioning concerning natural gas policy.

3 MR. ZOBRI ST: Then I withdraw the objection. I
4 just wasn't sure what we were getting at.

5 JUDGE BUSHMANN: Please proceed.

6 THE WITNESS: In this case I was asked to evaluate
7 the analysis that KCP&L did in April 2011 in the Kansas
8 predetermination docket that evaluated the benefits of the
9 LaCygne retrofits when compared to other options that included
10 natural gas combined cycle sources.

11 BY MS. PERFETTO:

12 Q And did you conduct an independent analysis of
13 that issue?

14 A I did.

15 Q And were you asked to reach any particular
16 conclusion?

17 A I was not.

18 Q Moving on, did you criticize the Company's
19 assumptions about DSM in the 21 proceeding in your testimony?

20 A Yes, I did. I echoed concerns that were brought
21 by other intervenors in that docket that stated that the
22 Company didn't adequately consider DSM in its portfolios.

23 Q If the Company had updated its natural gas price
24 forecast in 2011, it could have included any updated forecast
25 from the other firms contributing to the composite; is that

1 correct?

2 A That's correct.

3 Q **And so you're not suggesting that the Company**
4 **should have solely relied on the EIA?**

5 A No, I'm not. In fact, one of the other composite
6 forecasts that Mr. Blunk mentioned, the PIRA analysis, had a
7 date of April 2010. So I can assume that if the forecast was
8 released annually, that as of April 2011 PIRA would have also
9 released an updated forecast.

10 Q **So then what -- what are you suggesting that they**
11 **rely on?**

12 A I'm suggesting that the Company should have relied
13 on an updated natural gas price composite forecast that
14 reflected any new releases that had been issued by its
15 forecasters and updated its composite accordingly.

16 Q **And are you suggesting that they -- they should**
17 **have done that before spending on the retrofits?**

18 A Yes. The Company should have considered what was
19 known at the time before investing any money in the LaCygne
20 retrofits.

21 Q **Then you were asked about the 2014 and 2015 IRPs.**
22 **Are those IRPs relevant to the analysis you conducted in this**
23 **case?**

24 A No, they're not. It's my understanding that most
25 of the money had already been spent on the LaCygne retrofits,

1 and those documents are not relevant to this proceeding.

2 **Q And is the potential regulation of fracking**
3 **relevant in any way to the analysis you did in this case?**

4 A No. Fracking was unregulated as of 2011, as it is
5 now. And this case relies on what the Company should have
6 known back in April of 2011.

7 **Q And so the potential regulation of fracking**
8 **wouldn't have any bearing on the Kansas order?**

9 A No, it would not.

10 MS. PERFETTO: No further questions.

11 JUDGE BUSHMANN: Thank you for your testimony,
12 Ms. Wilson.

13 THE WITNESS: Thank you.

14 JUDGE BUSHMANN: You may be excused.

15 (Witness excused.)

16 JUDGE BUSHMANN: That's all the witnesses for that
17 issue, and we've reached the end of issues that were scheduled
18 for today.

19 MR. ZOBRI ST: Judge, I...

20 JUDGE BUSHMANN: Are the -- just -- let me just
21 ask if there are counsel and witnesses available if we choose
22 to proceed?

23 MR. HACK: Judge, at least Counsel for the Company
24 is available. I will need to locate my witness for the next
25 issue. So I'm -- I've started to try to do that. So if we

1 want to take make a ten-minute break, I can -- I can find him,
2 if the other parties are willing and ready to go.

3 JUDGE BUSHMANN: Let's take a 15-minute recess
4 while you try and locate a witness.

5 MR. HACK: Thank you.

6 JUDGE BUSHMANN: We'll be in recess until 2:35.

7 (Off the record.)

8 JUDGE BUSHMANN: We're back on the record. The
9 reason I'm back on the record at this point is that the parties
10 and the Commission has decided at this point to stop the
11 proceedings for the day. We've completed the schedule of
12 witnesses for today. This will allow parties to continue
13 discussions. So we will pick up tomorrow at the appointed time
14 of 8:30 a.m.

15 We're off the record.

16 (The hearing was adjourned until 8:30 a.m. on
17 June 18, 2015.)

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CERTIFICATE OF REPORTER

I, Angie D. Threlkeld, a Certified Court Reporter, CCR No. 1382, the officer before whom the foregoing hearing was taken, do hereby certify that the foregoing hearing was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

Angie D. Threlkeld

Angie D. Threlkeld, CCR



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