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Deferral Accounting and  
Stranded Assets  
Marke/Surrebuttal  
Public Counsel  
EC-2019-0200

**SURREBUTTAL TESTIMONY**

**OF**

**GEOFF MARKE**

Submitted on Behalf of the Office of the Public Counsel

**KCP&L GREATER MISSOURI OPERATIONS COMPANY**

**FILE NO. EC-2019-0200**

July 7, 2019

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

The Office of the Public Counsel and The Midwest )  
Energy Consumers Group, )

Complainants, )

v. )

KCP&L Greater Missouri Operations Company, )

Respondent. )

Case No. EC-2019-0200

**AFFIDAVIT OF GEOFF MARKE**

STATE OF MISSOURI     )  
                                  ) ss  
COUNTY OF COLE     )

Geoff Marke, of lawful age and being first duly sworn, deposes and states:

1. My name is Geoff Marke. I am a Regulatory Economist for the Office of the Public Counsel.
2. Attached hereto and made a part hereof for all purposes is my surrebuttal testimony.
3. I hereby swear and affirm that my statements contained in the attached testimony are true and correct to the best of my knowledge and belief.



Geoff Marke  
Chief Economist

Subscribed and sworn to me this 8<sup>th</sup> day of July 2019.



JERENE A. BUCKMAN  
My Commission Expires  
August 23, 2021  
Cole County  
Commission #13754037



Jerene A. Buckman  
Notary Public

My commission expires August 23, 2021.

## TABLE OF CONTENTS

<b>Testimony</b>	<b>Page</b>
Introduction	1
Materiality	5
Extraordinary	8
Unusual and Unique	15
Nonrecurring	17

**SURREBUTTAL TESTIMONY**

**OF**

**GEOFF MARKE**

**KCP&L—GREATER MISSOURI OPERATIONS COMPANY**

**CASE NO. EC-2019-0200**

**I. INTRODUCTION**

**Q. Please state your name, title and business address.**

A. Geoff Marke, PhD, Chief Economist, Office of the Public Counsel (OPC or Public Counsel),  
P.O. Box 2230, Jefferson City, Missouri 65102.

**Q. What are your qualifications and experience?**

A. I have been in my present position with OPC since 2014 where I am responsible for economic  
analysis and policy research in electric, gas, and water utility operations.

**Q. Have you testified previously before the Missouri Public Service Commission?**

A. Yes. A listing of the Commission cases in which I have previously filed testimony and/or  
comments is attached in Schedule GM-1.

**Q. What is the purpose of your surrebuttal testimony?**

A. This testimony responds to the rebuttal testimony of KCP&L Greater Missouri Operations  
Company (“KCPL-GMO” or the “Company”) witnesses Darrin R. Ives and Christopher R.  
Rogers as well as the cross-rebuttal testimony of the Missouri Public Service Commission Staff  
(“Staff”) witness Mark L. Oligschlaeger.

**Q. What were Mr. Ives and Rogers’s response to OPC and Missouri Electric Consumers  
Group’s (“MECG”) request?**

A. Both witnesses recommended rejecting the request for the Accounting Authority Order  
(“AAO”). Mr. Ives provided an assortment of objections (to be addressed in greater detail  
below) while Mr. Rogers provided data on U.S. power plant retirements over the past fifty  
years. Both witnesses argued that the “extraordinary” threshold was not reasonably met. Mr.  
Ives’s extended his argument to caution the Commission of potential financial repercussions  
both for the Company and utilities across Missouri if a regulatory liability was ordered.

1 **Q. What was Mr. Oligschlaeger’s response to OPC and MCEG’s request?**

2 A. Mr. Oligschlaeger also recommends rejecting the AAO. He maintains that the “extraordinary”  
3 threshold was not met by noting that plant retirements do not resemble previous Commission-  
4 approved AAO’s and that Staff is aware that other utilities have retired coal plants or may  
5 potentially retire coal plants in the future. Mr. Oligschlaeger believes that OPC and MCEG  
6 should instead file a complaint case (an action echoed by Mr. Ives) if overearnings are an issue  
7 and that an AAO is unnecessary because parties could just as easily estimate future cost savings  
8 in a future rate case if cost savings become a contested issue.

9 **Q. What is OPC’s response?**

10 A. OPC disagrees. Over the past two and a half years, OPC has gone to great lengths over  
11 multiple cases to preserve our ability for due process and not be accused of “Monday  
12 morning quarterbacking” our concerns related to GMO’s self-imposed decision to create a  
13 stranded asset on its books.<sup>1</sup> OPC continues to request that the Commission order deferral  
14 accounting treatments of lost SPP revenues, return of and on the Sibley unit investments,  
15 non-fuel operations and maintenance expense, tax including accumulated deferred income  
16 taxes, and all other costs attributable to the Sibley Power Plant.<sup>2</sup> Restated, the problem,  
17 solution and rationale for OPC’s request is as follows:

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<sup>1</sup> “Stranded asset” is a term that has different meanings depending on the context. Assets become stranded if their expected cash flow is less than their remaining book value—in other words, if the asset is expected to make less money before the end of its useful life than it will cost over the same period. Regulation-based stranded assets differ from market-based stranded assets. The latter simply compares the book value of an asset relative to some future market value of the asset. For example, if an oil reserve has \$1 billion book value but sliding demand due to carbon taxes or other environmental regulations reduces its market value to \$400 million, the result is \$600 million in stranded assets. By contrast, regulation-based assets are assets that are covered by cost of service or other rate-of-return regulation. This type of asset has been explicitly approved by government regulators at some point in the past to earn a return over a defined period of time.

In this case, the stranded asset is Sibley’s remaining book value when GMO decided to “retire” it as well as the fact that Sibley is generating a return on earnings even though it is not generating power because it is currently in GMO’s rates.

<sup>2</sup> In my testimony I use the term “Sibley” and “Sibley Power Plant” interchangeably. To be clear, there are three Sibley Power Plants: Sibley 1 (48 MW), Sibley 2 (51 MW), Sibley 3 (364 MW), and Sibley common plant.

**The Problem:**

GMO ratepayers are paying for a fictional power plant. Because GMO retired Sibley, the plant has no capacity value or SPP energy market value. However, GMO is continuing to obtain through its retail rates both GMO's unrecovered capital investment in that plant, a return on that investment, and GMO's ongoing expenses as if it were operating that plant to serve its customers while not receiving any revenues that could have been generated from the SPP market. Sibley is a power plant that is not generating power to benefit its customers but is generating returns for its shareholders.

**The Solution:**

Instead of letting GMO ratepayers pay for a fictional power plant without recourse, the Commission should order GMO to create a regulatory liability to book lost SPP revenue and return of and on the Sibley unit investments, non-fuel operations and maintenance expense, taxes including accumulated deferred income taxes, and all other costs attributable to the Sibley Power Plant as of the date it stranded the asset.

**The Rationale:**

There is a balancing of benefits and costs between the public and a utility when setting just and reasonable rates. Through their rates, retail customers pay the utility a return on and of the assets the utility uses to provide service. In return, the utility is obligated to provide safe and reliable utility service to the public without undue discrimination. A test year is used to create a representative picture of the costs the utility incurs in order to establish the cost of service and base rates. Under this method, utilities are strongly motivated to invest and to include all known and measurable costs in the estimation of revenue requirements for the prospective period for which rates are set. During its rate case, GMO objected to accounting for the retirement of Sibley Unit 3 in its retail rates because that retirement date was not "known" despite posting press releases to the contrary in 2017. When pressed on this, GMO

1 argued that events outside of a test year cannot be considered in a rate case and that “it is  
2 possible that these units will not be retired within the planned time frames.”<sup>3</sup>

3 Now that GMO stranded the plant before the Commission set new rates during that same  
4 rate case, GMO claims that the retirement is not extraordinary because it was “planned” and  
5 communicated in advance.<sup>4</sup> Additionally, GMO’s representations in its SEC filing indicate  
6 that GMO intends to charge its customers for stranding the asset.

7 There is no “give” in this behavior. Only a taking from ratepayers with no accounting for  
8 the over-collection.

9 Consider for a moment how one would explain this case to the public at large.

10 The electric company is charging you for a power plant that it chose to  
11 shutter early, so that it can increase its earnings. The electric company  
12 justifies this by claiming the rules of the “regulatory process” allow them to  
13 record one set of books with the Security and Exchange Commission  
14 (“SEC”) claiming \$160 million regulatory asset in relation to the retirement  
15 of the fictional power plant, but another set of books for the Missouri Public  
16 Service Commission where it treats that same power plant as if it is  
17 operating because “the retirement” happened immediately after the  
18 Commission set new GMO retail rates.

19 OPC does not believe this is fair, just, or reasonable. In fact, it looks like the Company is  
20 gaming the regulatory process. OPC is asking the economic regulators (the Commission)  
21 charged with protecting the public and enforcing the regulatory standards for the incumbent  
22 monopoly to order GMO to create a regulatory liability to book lost SPP revenues, savings  
23 associated with return on and of the Sibley unit investments, non-fuel operations and  
24 maintenance expense, tax including accumulated deferred income taxes, and all other costs  
25 attributable to the Sibley Power Plant so that future regulators can have a transparent,

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<sup>3</sup> ER-2018-0146 Rebuttal Testimony (Revenue Requirement) of Darrin R. Ives, p. 4, 11-12.

<sup>4</sup> Which is akin to arguing that the St. Louis Arch is not extraordinary because it was planned.

accurate and complete record of the issue. To be clear, OPC's request has no ratemaking implications and no negative impact on GMO's cash flow. It only preserves the issue until this matter is resolved in a future rate case.

OPC maintains that the Commission will not have accurate information in the next rate case to set just and reasonable rates without the requested accounting order. Regulation is designed to correct market failures in order to serve the public interest. Ratepayers paying for fictional costs without properly accounting for this unusual occurrence departs from sound regulation and abandons the very principles historically espoused by the Missouri Public Service Commission:

The Commission's guiding purpose in setting rates is to protect the consumer against the natural monopoly of the public utility, generally the sole provider of a public necessity.<sup>5</sup> [T]he dominant thought and purpose of the policy is the protection of the public . . . [and] the protection given the utility is merely incidental.<sup>6,7</sup>

I will now respond to each of the objections raised by the aforementioned witnesses over the four AAO criteria which address:

- Materiality
- Extraordinary
- Unusual and Unique
- Non-Recurring

## II. MATERIALITY

**Q. Does the Company or Staff dispute whether the materiality threshold of 5% is met in this request?**

A. No one is arguing that the 5% materiality threshold has not been met. Mr. Ives merely notes:

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<sup>5</sup> *May Dep't Stores Co. v. Union Elec. Light & Power Co.*, 107. S.W.2d 41, 48 (Mo. App. 1937)

<sup>6</sup> *St. ex rel. Crown Coach Co. v. Pub. Serv. Comm'n*, 179, S.W.2d 123, 126 (Mo. App. 1944).

<sup>7</sup> ER-2007-004 Report and Order p. 7.

[T]he Commission has made it clear that whether the 5% net income test is met is not case-dispositive that an item or event is extraordinary.<sup>8</sup>

**Q. Then is the 5% threshold important?**

A. It is, however, additional factors are typically considered as well. Those factors include whether or not the costs are “extraordinary, unusual and unique and not recurring.” Stated differently, AAO’s have not historically been granted solely on whether or not the aggregate financial impact exceeds 5% of the Company’s reported net income. On the other hand, AAO’s have been granted in cases where the aggregate financial impact was less than 5% of the Company’s reported net income.<sup>9</sup>

**Q. Mr. Ives raises concerns over the material impact to GMO’s profits. Namely, that an AAO would decrease GMO’s ability to earn its authorized return. Should that be a consideration?**

A. No. Rates were not set in the last rate case on the basis that GMO had to shut down a large baseload plant to earn its authorized return. Moreover, I do not believe the potential negative repercussions of GMO’s management decision are germane as to whether or not the 5% materiality threshold is met. Second, past Commissions have agreed with this sentiment as well. In the Report and Order issued in Case No. EO-91-358/EO-91-360 (The Sibley AAO Request) responding to the Missouri Public Service (“MPS” or “UtiliCorp”) request that the Commission consider the financial integrity of the utility when issuing an AAO, the Commission rejected that concern and stated:

If maintaining financial integrity means sustaining a specific return on equity, this is not the purpose of regulation. It is not reasonable to defer costs to insulate shareholders from any risks.<sup>10</sup>

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<sup>8</sup> ER-2019-0200 Rebuttal Testimony of Darrin R. Ives, p. 9, 24 – p. 10, 1.

<sup>9</sup> See GO-99-258 Report and Order regarding the Issuance of an Accounting Authority Order Relating to Year 2000 Compliance Costs (i.e., Y2K).

<sup>10</sup> Case No. EO-91-358/EO-91-360 Report and Order p. 10.

1 Finally, GMO's current predicament is a result of GMO's own creation. Pleading poverty to  
2 avoid consequences embeds a culture of entitlement, a sense that the utility is owed its franchise  
3 regardless of its actions.

4 **Q. Mr. Ives also cautions that the Commission should reject OPC's request because it will**  
5 **negatively impact the investment climate of Missouri. Do you agree?**

6 A. No. First, whether or not the investment community perceives Missouri as having a fair  
7 regulatory climate or not is not germane to whether or not the 5% material threshold is met.  
8 Second, empirical research suggests that Mr. Ives speculative conclusion is wrong. Writing in  
9 the *RAND Journal of Economics*, economists Thomas Lyon and John Mayo examined large-  
10 scale cost disallowances levied by state regulators on electric utilities during the 1980s and the  
11 subsequent investment propensity of all firms—both those that faced cost disallowances and  
12 those that did not. Lyon and Mayo concluded:

13 Our results indicate that a utility that suffers a regulatory cost disallowance  
14 does subsequently invest less. Other utilities in the same state, however, show  
15 no significant reduction in investment, indicating that disallowances were  
16 interpreted as punishment of company-specific managerial excess rather than  
17 an abrogation of the regulatory contract.<sup>11</sup>

18 With that in mind, it bears repeating that OPC's request has no ratemaking implications. The  
19 Commission ordering GMO to create a regulatory liability is not a cost disallowance. Rather,  
20 it is simply a step to preclude GMO from realizing a sudden windfall in inflated earnings. But  
21 even if it was a cost disallowance, research suggest that Mr. Ives would be wrong and that  
22 investors and other utilities would view GMO alone as responsible for GMO's actions. Finally,  
23 the recent passage of SB 564 with its "plant-in-service-accounting" opportunity should further  
24 negate Mr. Ives argument on this topic. Electric utilities are clearly going to continue to make  
25 timely investments in the future.

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<sup>11</sup> Lyon, T.P. & J.W. Mayo (2005) Regulatory opportunism and investment behavior: evidence from the U.S. electric utility industry. *RAND Journal of Economics* 35, 3. Autumn p. 628-644.  
[https://pdfs.semanticscholar.org/cca2/6954553b9270aa5b3910c00e4218815f67e8.pdf?\\_ga=2.255563338.333390837.1562040356-1610371642.1562040356](https://pdfs.semanticscholar.org/cca2/6954553b9270aa5b3910c00e4218815f67e8.pdf?_ga=2.255563338.333390837.1562040356-1610371642.1562040356)

**Q. Do you have any other comments on this issue?**

A. I think it is worth stressing that the 5% financial impact threshold, the only objective threshold in the Commission's AAO test, is an issue not disputed by any party.<sup>12</sup> It is also important to understand that this material impact is the Company's own sole creation. It is a result of the management's self-imposed choice to strand a large capital asset with twenty-two more years of projected useful service remaining, and to do so immediately after rates were set and immediately after GMO witnesses supported including the Sibley Station within its rates as if it would be used to serve its customers. Materiality should be a threshold consideration and Sibley clearly meets that criteria in this case.

### **III. EXTRAORDINARY**

**Q. Mr. Ives and Mr. Oligschlaeger argue that retiring a coal plant is not extraordinary. Do you agree?**

A. No. I agree that MECG witness Greg R. Meyer's argument that, in light of the fact that GMO has not retired a generating unit in over 30 years, "the retirement of a generating plant is not a normal on-going operation of a utility and therefore qualifies as an extraordinary event"<sup>13</sup> is a reasonable response to the extraordinary criteria.<sup>14</sup> For example, I don't believe utility companies typically generate press releases for normal on-going operations. They issue press releases for unique and unusual or extraordinary events. Just like GMO did when it publically announced on June 2, 2017 that Sibley would be retired December 31<sup>st</sup>, 2018.

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<sup>12</sup> GMO witness Ronald A. Klote disputes the material cost savings associated with property taxes and Company witness John J. Spanos disputes the final cost number, but neither witness claim that the 5% threshold would not be met.

<sup>13</sup> EC-2019-0200 Direct Testimony of Greg R. Meyer p. 8, 8-9.

<sup>14</sup> Political philosopher Todd May makes a similar existential argument about death for humans, "as it is the single most important fact about us because it negates every other element of our lives." May, T. (2009) *The Art of Living: Death*. Routledge. p. 6.

1 **Q. Mr. Rogers argues that many coal plants are retiring across the United States and that**  
2 **trend further rebuts the Sibley retirement being extraordinary. Do you agree?**

3 A. No. Mr. Rogers's analysis misses the point OPC has been making for two years in four separate  
4 case filings preceding this request.<sup>15,16,17,18</sup> That is, there is a reason why OPC is requesting  
5 the Commission order GMO to create a regulatory liability for Sibley and is not asking the  
6 Commission to create a regulatory liability for Montrose. The retirement of Sibley *is*  
7 extraordinary.

8 Not all retirements are equal, as the Commission has noted in approving previous AAO's.  
9 AAO's "are to be considered on a case-by-case basis."<sup>19</sup> Even if reasonable minds can disagree  
10 over the subjective nature of what "extraordinary" means, I don't believe anyone would  
11 disagree that there is a range of semantic extremes embedded in what could be considered a  
12 "significant, unusual, unique or an extraordinary power plant retirement." Consider Mr. Ives's  
13 own comparative description of plant retirements of Westar, which apparently averaged at least  
14 one "retirement" every 2 years (actually every 22 months) for seventy years with GMO who  
15 has only retired Edmond Street in 1982 and Ralph Green units 1 and 2 in 1987 over the past  
16 forty years and has had no retirements for the past thirty years.<sup>20</sup> What are we supposed to  
17 conclude from the huge discrepancy in "retirement" rates between Westar and GMO? No  
18 doubt, parties are free to draw their own conclusions, but clearly there is a different pattern in  
19 the rate of "retirements" and many different inferences can be drawn depending on one's  
20 objective. Mr. Ives's examples, and to a much more general extent, the data Mr. Rogers  
21 includes, allows the Company to make sweeping conclusions about plant retirements in general  
22 but without any context or detailed analysis.

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<sup>15</sup> EO-2017-0230 OPC Comments in GMO Annual IRP Update, see GM-2.

<sup>16</sup> EO-2018-0045 OPC Comments in GMO Special Contemporary Topics for next Triennial IRP, see GM-3.

<sup>17</sup> EO-2018-0269 OPC Comments in GMO Triennial IRP, see GM-4.

<sup>18</sup> ER-2018-0146 Direct Testimony of John A. Robinett.

<sup>19</sup> ER-2007-0004 Report and Order p. 67.

<sup>20</sup> EC-2019-0200 Direct Testimony of Darrin R. Ives, p. 12, 3-4.

1 To illustrate why this is important consider the following hypothetical exercise: Suppose I hire  
2 you to measure an elephant. That may sound like a straightforward job, but what exactly do  
3 you measure? Weight? Height? Length? Volume? Intensity of its color gray? Number and  
4 depth of its wrinkles? Etc... No doubt what you measure will depend in part on what you are  
5 trying to answer. This is because counting requires judgment about inclusion and exclusion.  
6 Analysts exercise considerable normative control when they measure as well. They can expand  
7 or contract “the measurement” within a data set to conform to an endless list of outcomes.

8 Now consider Mr. Rogers’ data set. If we filtered the data to only include coal plant retirements  
9 that are in the SPP footprint and controlled by a regulated utility, then we would have a much  
10 more accurate picture of similarly situated utilities. If those controls were put in place you  
11 would find that in the 50-year history of Mr. Rogers SNL data there have been only two power  
12 plants that were larger in size than Sibley 3 that have been retired: Welsh Station 2 in Texas  
13 and Northeastern Station 4 in Oklahoma.

14 The former was a Southwestern Electric Power Company (“SWEPCO”) coal plant that was  
15 retired at the end of its useful life and pending environmental costs and then replaced with  
16 another coal plant: the John W. Turk Power Plant in Arkansas in 2016.<sup>21</sup> The latter was the  
17 result of a proposed settlement of a Clean Air Act lawsuit between the Public Service Company  
18 of Oklahoma, the U.S. Environmental Protection Agency, the Sierra Club and the National  
19 Audubon Society that resulted in retirement of its unit 4 power plant in 2016.<sup>22</sup>

20 If Mr. Rogers’ data is further filtered to control for only SPP coal plant retirements that have  
21 more than \$100 million dollars in remaining book value and a projected remaining operation  
22 life of more than twenty years, then you have only one clear, “extraordinary” outlier in all of  
23 SPP—Sibley.

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<sup>21</sup> Lesnick, G. (2011) SWEPCO: Legal challenges to Turk plant settled. *Arkansas Democrat Gazette*.  
<https://www.arkansasonline.com/news/2011/dec/22/swepco-says-legal-challenges-turk-plant-settled/>

<sup>22</sup> Monies, P. (2012) Proposed settlement would retire coal units at Oologah power plant. *The Oklahoman*.  
<https://oklahoman.com/article/3669302/proposed-settlement-would-retire-coal-units-at-oologah-power-plant>

1 Sibley represents a wholly extraordinary retirement because its characteristics look nothing  
2 like the other retirements that Mr. Rogers points to. Its overall size, market efficiency,  
3 environmental mitigation investments, current and future load growth context and remaining  
4 book value, let alone the regulatory circumstances surrounding why Sibley is not generating  
5 power but is generating revenues makes it extraordinary. Mr. Rogers's analysis conveniently  
6 omits these details.

7 **Q. Does this mean the Commission should consider an endless amount of limiting**  
8 **parameters to reach an extraordinary conclusion?**

9 A. No. There should be a reasonable balance. Previous Commissions have stressed that each  
10 instance of approving deferral accounting should be considered on a case-by-case basis. That  
11 logic is sound in my opinion. No doubt, my exercise above could be narrowed ad nauseam,  
12 and the result would then become just as inaccurate as Mr. Rogers' macro argument. There  
13 needs to be a balance and that requires a degree of subjective interpretation. Controlling the  
14 data set for similarly situated utilities, market and regulatory design appear to be reasonable  
15 filters.

16 **Q. This sounds like a prudency argument. Mr. Ives said he "vigorously disagrees" prudency**  
17 **should be an issue in this case.<sup>23</sup> Do you agree?**

18 A. I find it curious that Mr. Ives would take that position and then go to lengths in his testimony  
19 to argue that Sibley's retirement was driven by economics and an IRP analysis.

20 For my part, I agree with Mr. Ives that this is not a prudency case. As stated earlier, granting a  
21 regulatory liability has no ratemaking implications and makes no statements regarding the  
22 prudency of GMO's decision to strand Sibley. But as long as Mr. Ives is raising prudency  
23 arguments to provide context for GMO's self-imposed decision to strand an asset, I would like  
24 to provide my own perspective as it pertains to why the self-imposed stranded asset of Sibley  
25 is "extraordinary."

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<sup>23</sup> EC-2019-0200 Direct Testimony of Darrin R. Ives, p. 19, 17-19.

**Q. Please continue.**

A. To provide appropriate context for OPC's rationale, a list of attributes that make Sibley's retirement "extraordinary" include (but are not limited to) the following:

- The Sibley retirement was accelerated twenty-two years from 2040 to 2018 resulting in hundreds of millions of dollars in remaining book-value;
- Sibley represents GMO's largest, dispatchable baseload coal plant and was replaced with "take-or-pay" purchased power contracts where energy is required to be sold to the SPP market whether it is cost-effective to do so or not;
- GMO retired this large base-load supply-side capacity even though GMO is the only Missouri electric IOU:
  - To experience customer load growth;
  - expected to get new "economic" base load growth brought on by the addition of the NuCor steel smelter in Sedalia; and
  - short on capacity;
- GMO's largest wholly-owned power plant replaced with a capacity contract with its affiliate Kansas City Power & Light Company;
- Sibley appears to be the largest coal plant ever to be retired in Missouri and third largest in SPP history;
- IRP modeling *only* considered the full retirement of Sibley, no seasonal operations were considered and no decommissioning costs were modeled;
- IRP modeling *only* considered Sibley as a retirement option and did not consider the possible continued operation of Sibley. GMO's modeling allowed for the continued operation of the Crossroads Energy Center even though Sibley was more profitable and more efficient. Furthermore, GMO's modeling allowed for the continued operation of the Jeffrey Energy Center even though Sibley was more environmentally friendly;
- The "Sibley Test," a framework historically used by the Commission to determine whether or not an AAO should be approved is literally named after the Sibley

Power Plant as it has historically been granted multiple AAOs by the Commission that benefited the utility shareholders;<sup>24</sup> and

- The 2017 IRP that selected the Sibley 3 retirement is based on a modeling assumption that KCPL and GMO resources are one, not two utilities. This is also now (as of 2018) how SPP accounts for KCPL and GMO for its resource adequacy filings—as one entity; however, both KCPL and GMO rejected OPC’s request to merge the two Missouri Company’s as one for setting rates. Effectively, GMO rationalized the retirement of Sibley by relying on the excessive capacity currently existing at KCPL.<sup>25</sup>

In the most recent case, OPC used our limited budget to hire outside consultants as well as our own finite resources to argue in favor of undertaking a consolidated cost study and proposal for consolidation of the two utilities in the next filed rate case. To be clear, we argued that the Company be consistent with its modeling.

**Q. What was the Company’s response to OPC’s consolidation request?**

A. There Mr. Ives stated:

While KCP&L and GMO operate on a consolidated basis in many respects, there are numerous instances where KCP&L and GMO are operated and administered separately from one another. Examples include but are not limited to: the Fuel Adjustment Clause (“FAC”), Missouri Energy Efficiency Investment Act (“MEEIA”) programs, and the Renewable Energy Standard Rate Adjustment Mechanism (“RESRAM”, which is in place only for GMO at this time). Consolidation of these cost recovery mechanisms and programs, while possible, needs to be done carefully in order to preserve equity between the KCP&L and GMO customer groups

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<sup>24</sup> See GM-5 for the Commission’s “Sibley Test” framework for granting AAOs or Case No. WO-2002-273, p. 27-32.

<sup>25</sup> The Commission should note that the final bullet point references the IRP modeling that Mr. Ives cites to as the “economic basis” for stranding an asset and is solely dependent on KCPL and GMO being one entity but does not consider the costs solely being charged to GMO’s customers.

1 and it is unlikely that consolidating everything could occur in one fell  
2 swoop. **The KCP&L and GMO generating fleets remain separate and**  
3 **are identified separately on the books and records of KCP&L and**  
4 **GMO, respectively.** (emphasis added).<sup>26</sup>

5 **Q. Do you have any additional comments to make regarding the extraordinary threshold**  
6 **for the Commission to consider?**

7 A. I think it is obvious that the self-imposed decision to strand the Sibley Power Plant is  
8 extraordinary from multiple perspectives and especially applied on a case-by-case basis as  
9 it pertains to contrasting it with “non-extraordinary retirements.” Voluntarily stranding an  
10 asset with more than twenty-two years of remaining life *is* extraordinary. If Ford shut down  
11 an operating vehicle manufacturing plant it would cease to generate revenues from future  
12 car build out from that plant. Why GMO and the Sibley power plant are afforded this luxury  
13 and the competitive private sector is not is a result of monopolistic overreach and a distortion  
14 of the regulatory process.

15 Taking the illustrative analogy to the next step, if Ford’s management elected to shut down  
16 an operating plant that was making Ford F150’s at a more efficient, more productive and  
17 cleaner rate than other operating plants at a time when Ford’s market analysts report  
18 increasing current and future demand for F150s then shareholders would rightly question  
19 the logic of the decision and most certainly would consider it an “extraordinary”  
20 management decision because it would impact their bottom lines. That feedback loop,  
21 whether from shareholders and/or the market is a powerful inducement to operate  
22 efficiently. In contrast, incumbent natural monopolies are not beholden to the same level of  
23 competitive scrutiny.

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<sup>26</sup> ER-2018-0145 and ER-2018-0146 Rebuttal (Rate Design) Testimony of Darrin R. Ives. P. 2, 3-13.

**IV. UNUSUAL AND UNIQUE**

**Q. Mr. Ives argues that OPC's request would violate the 2018 rate case stipulation. Do you agree?**

A. No. OPC did not sign the stipulation and agreement that Mr. Ives is referring to. Moreover, I do not read the stipulation and agreement the same way as Mr. Ives; there is nothing in the stipulation, as I read it that would prevent OPC from making this request or for the Commission ordering it.

**Q. Mr. Ives argues that granting deferral accounting would be contrary to long-standing Commission practice by including adjustments outside of a test year or true-up date. Do you agree?**

A. No. Under Mr. Ives's logic no AAO could ever be granted.

**Q. Both Mr. Ives and Mr. Oligschlaeger suggest that OPC should file an overearnings complaint instead of an AAO request. Do you agree?**

A. I don't necessarily disagree, but I do not know how the result would be any different if we did. The plain language of section 393.1400 provides that utilities electing plant-in-service accounting ("PISA") treatment shall have their base rates held static for the election period.<sup>27</sup> Even if OPC did file an overearnings complaint, and the Commission ruled in our favor, I do not know how base rates could change, and so I suspect the only likely relief would be some kind of deferral accounting like an AAO or a tracker. The interplay between the rate case, the retirement, the request and GMO's notice for PISA create an unusual and unique situation where a complaint would likely result in the same outcome.

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<sup>27</sup> Importantly, an AAO request does not change rates. As such, the Commission granting this AAO would not violate the requirement to hold current rates static.

1 **Q. Mr. Ives argues it wouldn't be fair to approve OPC's request because the Commission**  
2 **denied GMO's request for deferral accounting for transmission expenses, property taxes**  
3 **and NERC cyber security costs in its 2014 rate case. Do you agree?**

4 A. No. This is a red herring. Mr. Ives is introducing examples of dissimilar requests into this  
5 discussion to distract the Commission. In that case, the Commission considered whether the  
6 incurrence of transmission expenses, property taxes and cyber-security costs were  
7 extraordinary to GMO. There, the Commission found that GMO, as well as every other utility,  
8 was incurring such costs. As such, these costs were not extraordinary. On the other hand, much  
9 as the Commission has held that the construction of a generating unit<sup>28</sup> and the renovation of  
10 a generating unit<sup>29</sup> are extraordinary for GMO, the retirement of a generating unit is  
11 extraordinary especially in light of the fact that GMO had not retired a generating unit in over  
12 30 years.

13 **Q. Mr. Oligschlaeger argues that deferral accounting is not necessary because OPC could**  
14 **just estimate the cost savings amount in the next rate case. Do you agree?**

15 A. No. Good regulation requires well-informed regulators striving to advance the public  
16 interest. I struggle to find a scenario where the Commission wouldn't want future  
17 Commissioners and regulators to have the best, most transparent available information in  
18 front of them when they wrestle with this complicated issue. Yet, that is precisely what OPC  
19 seeks in this case—to simply enable the future Commission to have the best information  
20 available in the next rate case when it ultimately decides the Sibley issue. The authorization  
21 of this AAO would allow a future Commission to consider all aspects associated with the  
22 retirement of the Sibley units; not only the undepreciated investment, but also the savings  
23 associated with the retirement.

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<sup>28</sup> Case No. EU-2011-0034.

<sup>29</sup> Case Nos. EO-90-114 and EO-91-358.

**IV. NON-RECURRING**

**Q. Mr. Oligschlaeger argues that any major utility is constantly adding and retiring new plant items and thus retirement is inherently ordinary and normal business with the exception being a possible disaster. Do you agree?**

A. No. Like GMO, Mr. Oligschlaeger reaches this faulty conclusion by claiming that all retirements are the same. In this way, Mr. Oligschlaeger effectively equates the retirement of a computer or a pole transformer, which occurs on a regular basis, to the retirement of a generating unit, which has not occurred in over 30 years.

Replacing office equipment, changing out light bulbs, even retrofitting key component parts (e.g., replacing boiler control system) are recurring activities. Retiring a power plant in its entirety is nonrecurring. Here, MCEG witness Mr. Meyer's argument in direct testimony provides a strong logical foundation for how the extraordinary threshold is met through retirement.

Finally, I respectfully disagree with the logic of Mr. Oligschlaeger's sole exception criteria: that retirements brought upon by unforeseen disasters are the only situation where deferral accounting may be warranted. This criteria is at odds with the Commission's many examples of awarding AAO's to utilities for retrofits, or "adding" plant items to power plants. Sibley being the prime example. Why a strict standard should only be imposed on retirements but not retrofits is illogical. Moreover, categorically claiming that all retirements are ordinary unless subject to an act of God scenario would bias utility shareholders and utility management at the expense of captive ratepayers. It would also absolve the Company's management of ever making a decision that is not "normal" or "ordinary" or otherwise includes a material error of omission or commission in its accounting books for an indefinite period of time as it relates to retirements (however that is apparently defined).<sup>30</sup> Such an absolute would openly invite

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<sup>30</sup> Errors of omission are mistakes where no action was taken (e.g., failure to respond to an urgent situation). Errors of commission are mistakes in which the wrong actions were taken (e.g., operation on the wrong hand)

1 continued gaming of the regulatory process, further distort information asymmetry and  
2 negatively impact the public interest.

3 **Q. Mr. Ives and Mr. Oligschlaeger seem to argue that the total number of coal plant**  
4 **retirements that have occurred in the industry suggests that “any coal plant retirement”**  
5 **is evidence that the act is recurring. Do you agree?**

6 A. This is merely the measurement argument extended to the non-recurring threshold.

7 As the Commission is well aware, debating the size of a phenomenon is one of the most  
8 prominent forms of discourse in public policy. Although the debate appears to be about the  
9 number, whether things were added up correctly, it is usually about the categorization. For  
10 example, OPC categorizes the Sibley retirement differently than the retirement of the Montrose  
11 plants near the end of their life used to set rates.

12 It is extraordinary to publically announce that you are going to prematurely strand your largest  
13 baseload coal asset that has twenty-two years of remaining service life when your baseload is  
14 growing, then claim ignorance to said retirement in the preceding rate case only to “retire it”  
15 before the Commission’s rates are ordered into effect. We have not and did not raise the same  
16 outcry about the retirement of Montrose, which is clearly more in line with observed power  
17 plant retirements occurring nationally. That is, coal plants that are at the end of their useful life  
18 with little to no remaining book value.

19 **Q. Do you have any final comments to make?**

20 A. In 1991, when the Commission authorized an AAO to create a regulatory asset associated  
21 with the renovation and coal conversion of the Sibley units, it created a road map for  
22 Missouri electric utilities. Prior to that point in time, utilities were required to file a rate case  
23 to reflect the costs of a new asset in rates. With that 1991 AAO, however, the Commission  
24 changed course and allowed utilities to defer these costs and reflect them in rates at some  
25 point in the future. Suddenly, utilities no longer needed to file a rate case. Instead, utilities  
26 could request an AAO.

1 With this case, GMO seeks to create a new road map. Unlike the road map created in 1991  
2 for the construction of an asset, this road map would address the retirement of an asset.  
3 Specifically, if condoned by the Commission, the new road map would be to retire an asset  
4 after rates are set. Upon retirement the costs associated with that unit suddenly cease.  
5 Nevertheless, the revenues associated with that unit would continue on indefinitely. This  
6 would create a sudden windfall in earnings. Therefore, the new road map is to use plant  
7 retirements to artificially inflate earnings.

8 I say that this is a road map because, if the Commission condones this windfall in earnings,  
9 other Missouri utilities will certainly follow the same course. In the next 5 years, Ameren is  
10 expected to close 8 different coal and oil burning units. Given its appearance on the  
11 Commission's EFIS service list, Ameren is keenly watching to see if this presents an  
12 opportunity for a windfall in earnings. Based upon the Commission's decision in this case,  
13 Ameren will either be upfront with regulators about the timing of unit retirements or, instead,  
14 suddenly retire those units after the completion of the rate case. No doubt, KCPL and Empire  
15 are following this case as well. This is an important opportunity for the Commission to show  
16 whether it is truly focused on protecting customers against the "natural monopoly of the public  
17 utility."

18 GMO ratepayers do indeed pay a regulatory premium for utility service, regulation allows the  
19 pass-thru of high operating costs that competition would never allow, but regulators should not  
20 be condoning further information asymmetries and handicapping future commissions. There  
21 has to be a limit.

22 Over the past two and a half years, OPC has gone to great lengths over multiple cases to  
23 preserve our ability for due process and not be accused of "Monday morning quarterbacking"  
24 our concerns related to GMO's self-imposed decision to create a stranded asset on its books.  
25 OPC continues to request that the Commission order deferral accounting treatments for the lost  
26 SPP revenues, return on and of the Sibley unit investments, non-fuel operations and

1 maintenance expense, tax including accumulated deferred income taxes, and all other costs  
2 attributable to the Sibley Power Plant.

3 **Q. Does this conclude your testimony?**

4 A. Yes.

CASE PARTICIPATION OF  
GEOFF MARKE, PH.D.

Company Name	Employed Agency	Case Number	Issues
KCP&L Greater Missouri Operations Company	Office of Public Counsel (OPC)	EC-2019-0200	<b>Surrebuttal:</b> Deferral Accounting and Stranded Assets
Union Electric Company d/b/a Ameren Missouri	OPC	ED-2019-0309	<b>Memorandum:</b> on the “Aluminum Smelter Rate”
KCP&L Greater Missouri Operations Company	OPC	EO-2019-0067	<b>Rebuttal:</b> Renewable Energy Credits
Union Electric Company d/b/a Ameren Missouri	OPC	EO-2019-0314	<b>Memorandum:</b> Notice of Deficiency to Annual IRP Update
Rule Making	OPC	WX-2019-0380	<b>Memorandum:</b> on Affiliate Transaction Rules for Water Corporations
Working Case: Evaluate Potential Mechanisms for Facilitating Installation of Electric Vehicle Charging Stations	OPC	EW-2019-0229	<b>Memorandum:</b> on Policy Surrounding Electric Vehicles and Electric Vehicle Charging Stations
Rule Making	OPC	EX-2019-0050	<b>Memorandum</b> on Solar Rebates and Low Income Customers
Union Electric Company d/b/a Ameren Missouri	OPC	GR-2019-0077	<b>Direct:</b> Billing Practices <b>Rebuttal:</b> Rate Design, Decoupling, Energy Efficiency, Weatherization, CHP
Empire District Electric Company	OPC	EA-2019-0010	<b>Rebuttal:</b> Levelized Cost of Energy, Wind in the Southwest Power Pool <b>Surrebuttal:</b> SPP Market Conditions, Property Taxes, Customer Protections
Empire District Electric Company /Kansas City Power & Light & KCP&L Greater Missouri Operations Company/Union Electric Company d/b/a Ameren Missouri	OPC	EO-2019-0066 EO-2019-0065 EO-2019-0064 EO-2019-0063	<b>Memorandum:</b> Additive Manufacturing and Cement Block Battery Storage (IRP: Special Contemporary Topics)
Working Case: Allocation of Solar Rebates from SB 564	OPC	EW-2019-0002	<b>Memorandum</b> on Solar Rebates and Low Income Customers
Rule Making Workshop	OPC	AW-2018-0393	<b>Memorandum:</b> Supplemental Response to Staff Questions pertaining to Rules Governing the Use of Customer Information
Union Electric Company d/b/a Ameren Missouri	OPC	ET-2018-0132	<b>Rebuttal:</b> Line Extension / Charge Ahead – Business Solutions / Charge Ahead – Electric Vehicle Infrastructure

			<b>Supplemental Rebuttal:</b> EV Adoption Performance Base Metric
Union Electric Company d/b/a Ameren Missouri	OPC	EO-2018-0211	<b>Rebuttal:</b> MEEIA Cycle III Application <b>Surrebuttal:</b> Cost Effectiveness Tests / Equitable Energy Efficiency Baseline
Union Electric Company d/b/a Ameren Missouri	OPC	EA-2018-0202	<b>Rebuttal:</b> Renewable Energy Standard Rate Adjustment Mechanism/Conservation <b>Surrebuttal:</b> Endangered and Protected Species
Kansas City Power & Light & KCP&L Greater Missouri Operations Company	OPC	ER-2018-0145 ER-2018-0146	<b>Direct:</b> Smart Grid Data Privacy Protections <b>Rebuttal:</b> Clean Charge Network / Community Solar / Low Income Community Solar / PAYS/ Weatherization/Economic Relief Pilot Program/Economic Development Rider/Customer Information System and Billing <b>Rebuttal:</b> TOU Rates / IBR Rates / Customer Charge / Restoration Charge <b>Surrebuttal:</b> KCPL-GMO Consolidation / Demand Response / Clean Charge Network / One CIS: Privacy, TOU Rates, Billing & Customer Experience
Union Electric Company d/b/a Ameren Missouri	OPC	ET-2018-0063	<b>Rebuttal:</b> Green Tariff
Liberty Utilities	OPC	GR-2018-0013	<b>Surrebuttal:</b> Decoupling
Empire District Electric Company	OPC	EO-2018-0092	<b>Rebuttal:</b> Overview of proposal/ MO PSC regulatory activity / Federal Regulatory Activity / SPP Activity and Modeling / Ancillary Considerations <b>Surrebuttal</b> Response to parties <b>Affidavit</b> in opposition to the non-unanimous stipulation and agreement
Great Plains Energy Incorporated, Kansas City Power & Light Company, KCP&L Greater Missouri Operations Company, and Westar Energy, Inc.	OPC	EM-2018-0012	<b>Rebuttal:</b> Merger Commitments and Conditions / Outstanding Concerns
Missouri American Water	OPC	WR-2017-0285	<b>Direct:</b> Future Test Year/ Cost Allocation Manual and Affiliate Transaction Rules for Large Water Utilities / Lead Line Replacement <b>Direct:</b> Rate Design / Cost Allocation of Lead Line Replacement

			<b>Rebuttal:</b> Lead Line Replacement / Future Test Year/ Decoupling / Residential Usage / Public-Private Coordination <b>Rebuttal:</b> Rate Design <b>Surrebuttal:</b> Affiliate Transaction Rules / Decoupling / Inclining Block Rates / Future Test Year / Single Tariff Pricing / Lead Line Replacement
Missouri Gas Energy / Laclede Gas Company	OPC	GR-2017-0216 GR-2017-0215	<b>Rebuttal:</b> Decoupling / Rate Design / Customer Confidentiality / Line Extension in Unserved and Underserved Areas / Economic Development Rider & Special Contracts <b>Surrebuttal:</b> Pay for Performance / Alagasco & EnergySouth Savings / Decoupling / Rate Design / Energy Efficiency / Economic Development Rider: Combined Heat & Power
Indian Hills Utility	OPC	WR-2017-0259	<b>Direct:</b> Rate Design
Rule Making	OPC	EW-2018-0078	<b>Memorandum:</b> Cogeneration and net metering - Disclaimer Language regarding rooftop solar
Empire District Electric Company	OPC	EO-2018-0048	<b>Memorandum:</b> Integrated Resource Planning: Special Contemporary Topics Comments
Kansas City Power & Light	OPC	EO-2018-0046	<b>Memorandum:</b> Integrated Resource Planning: Special Contemporary Topics Comments
KCP&L Greater Missouri Operations Company	OPC	EO-2018-0045	<b>Memorandum:</b> Integrated Resource Planning: Special Contemporary Topics Comments
Missouri American Water	OPC	WU-2017-0296	<b>Direct:</b> Lead line replacement pilot program <b>Rebuttal:</b> Lead line replacement pilot program <b>Surrebuttal:</b> Lead line replacement pilot program
KCP&L Greater Missouri Operations Company	OPC	EO-2017-0230	<b>Memorandum</b> on Integrated Resource Plan, preferred plan update
Working Case: Emerging Issues in Utility Regulation	OPC	EW-2017-0245	<b>Memorandum</b> on Emerging Issues in Utility Regulation / <b>Presentation:</b> Inclining Block Rate Design Considerations <b>Presentation:</b> Missouri Integrated Resource Planning: And the search for the “preferred plan.” <b>Memorandum:</b> Draft Rule 4 CSR 240-22.055 DER Resource Planning

Rule Making	OPC	EX-2016-0334	<b>Memorandum</b> on Missouri Energy Efficiency Investment Act Rule Revisions
Great Plains Energy Incorporated, Kansas City Power & Light Company, KCP&L Greater Missouri Operations Company, and Westar Energy, Inc.	OPC	EE-2017-0113 / EM-2017-0226	<b>Direct:</b> Employment within Missouri / Independent Third Party Management Audits / Corporate Social Responsibility
Union Electric Company d/b/a Ameren Missouri	OPC	ET-2016-0246	<b>Rebuttal:</b> EV Charging Station Policy <b>Surrebuttal:</b> EV Charging Station Policy
Kansas City Power & Light		ER-2016-0156	<b>Direct:</b> Consumer Disclaimer <b>Direct:</b> Response to Commission Directed Questions <b>Rebuttal:</b> Customer Experience / Greenwood Solar Facility / Dues and Donations / Electric Vehicle Charging Stations <b>Rebuttal:</b> Class Cost of Service / Rate Design <b>Surrebuttal:</b> Clean Charge Network / Economic Relief Pilot Program / EEI Dues / EPRI Dues
Union Electric Company d/b/a Ameren Missouri	OPC	ER-2016-0179	<b>Direct:</b> Consumer Disclaimer / Transparent Billing Practices / MEEIA Low-Income Exemption <b>Direct:</b> Rate Design <b>Rebuttal:</b> Low-Income Programs / Advertising / EEI Dues <b>Rebuttal:</b> Grid-Access Charge / Inclining Block Rates / Economic Development Riders
KCP&L Greater Missouri Operations Company	OPC	ER-2016-0156	<b>Direct:</b> Consumer Disclaimer <b>Rebuttal:</b> Regulatory Policy / Customer Experience / Historical & Projected Customer Usage / Rate Design / Low-Income Programs <b>Surrebuttal:</b> Rate Design / MEEIA Annualization / Customer Disclaimer / Greenwood Solar Facility / RESRAM / Low-Income Programs
Empire District Electric Company, Empire District Gas Company, Liberty Utilities (Central) Company, Liberty Sub-Corp.	OPC	EM-2016-0213	<b>Rebuttal:</b> Response to Merger Impact <b>Surrebuttal:</b> Resource Portfolio / Transition Plan

Working Case: Policies to Improve Electric Regulation	OPC	EW-2016-0313	<b>Memorandum</b> on Performance-Based and Formula Rate Design
Working Case: Electric Vehicle Charging Facilities	OPC	EW-2016-0123	<b>Memorandum</b> on Policy Considerations of EV stations in rate base
Empire District Electric Company	OPC	ER-2016-0023	<b>Rebuttal:</b> Rate Design, Demand-Side Management, Low-Income Weatherization <b>Surrebuttal:</b> Demand-Side Management, Low-Income Weatherization, Monthly Bill Average
Missouri American Water	OPC	WR-2015-0301	<b>Direct:</b> Consolidated Tariff Pricing / Rate Design Study <b>Rebuttal:</b> District Consolidation/Rate Design/Residential Usage/Decoupling <b>Rebuttal:</b> Demand-Side Management (DSM)/ Supply-Side Management (SSM) <b>Surrebuttal:</b> District Consolidation/Decoupling Mechanism/Residential Usage/SSM/DSM/Special Contracts
Working Case: Decoupling Mechanism	OPC	AW-2015-0282	<b>Memorandum:</b> Response to Comments
Rule Making	OPC	EW-2015-0105	Missouri Energy Efficiency Investment Act Rule Revisions, Comments
Union Electric Company d/b/a Ameren Missouri	OPC	EO-2015-0084	Triennial Integrated Resource Planning Comments
Union Electric Company d/b/a Ameren Missouri	OPC	EO-2015-0055	<b>Rebuttal:</b> Demand-Side Investment Mechanism / MEEIA Cycle II Application <b>Surrebuttal:</b> Potential Study / Overearnings / Program Design <b>Supplemental Direct:</b> Third-party mediator (Delphi Panel) / Performance Incentive <b>Supplemental Rebuttal:</b> Select Differences between Stipulations <b>Rebuttal:</b> Pre-Pay Billing
The Empire District Electric Company	OPC	EO-2015-0042	Integrated Resource Planning: Special Contemporary Topics Comments
KCP&L Greater Missouri Operations Company	OPC	EO-2015-0041	Integrated Resource Planning: Special Contemporary Topics Comments
Kansas City Power & Light	OPC	EO-2015-0040	Integrated Resource Planning: Special Contemporary Topics Comments
Union Electric Company d/b/a Ameren Missouri	OPC	EO-2015-0039	Integrated Resource Planning: Special Contemporary Topics Comments
Union Electric Company d/b/a Ameren Missouri	OPC	EO-2015-0029	Ameren MEEIA Cycle I Prudence Review Comments

Kansas City Power & Light	OPC	ER-2014-0370	<b>Direct</b> (Revenue Requirement): Solar Rebates <b>Rebuttal:</b> Rate Design / Low-Income Weatherization / Solar Rebates <b>Surrebuttal:</b> Economic Considerations / Rate Design / Cyber Security Tracker
Rule Making	OPC	EX-2014-0352	<b>Memorandum</b> Net Metering and Renewable Energy Standard Rule Revisions,
The Empire District Electric Company	OPC	ER-2014-0351	<b>Rebuttal:</b> Rate Design/Energy Efficiency and Low-Income Considerations
Rule Making	OPC	AW-2014-0329	Utility Pay Stations and Loan Companies, Rule Drafting, Comments
Union Electric Company d/b/a Ameren Missouri	OPC	ER-2014-0258	<b>Direct:</b> Rate Design/Cost of Service Study/Economic Development Rider <b>Rebuttal:</b> Rate Design/ Cost of Service/ Low Income Considerations <b>Surrebuttal:</b> Rate Design/ Cost-of-Service/ Economic Development Rider
KCP&L Greater Missouri Operations Company	OPC	EO-2014-0189	<b>Rebuttal:</b> Sufficiency of Filing <b>Surrebuttal:</b> Sufficiency of Filing
KCP&L Greater Missouri Operations Company	OPC	EO-2014-0151	Renewable Energy Standard Rate Adjustment Mechanism (RESRAM) Comments
Liberty Natural Gas	OPC	GR-2014-0152	<b>Surrebuttal:</b> Energy Efficiency
Summit Natural Gas	OPC	GR-2014-0086	<b>Rebuttal:</b> Energy Efficiency <b>Surrebuttal:</b> Energy Efficiency
Union Electric Company d/b/a Ameren Missouri	OPC	ER-2012-0142	<b>Direct:</b> PY2013 EM&V results / Rebound Effect <b>Rebuttal:</b> PY2013 EM&V results <b>Surrebuttal:</b> PY2013 EM&V results <b>Direct:</b> Cycle I Performance Incentive <b>Rebuttal:</b> Cycle I Performance Incentive
Kansas City Power & Light	Missouri Public Service Commission Staff	EO-2014-0095	<b>Rebuttal:</b> MEEIA Cycle I Application testimony adopted
KCP&L Greater Missouri Operations Company	Missouri Division of Energy (DE)	EO-2014-0065	Integrated Resource Planning: Special Contemporary Topics Comments
Kansas City Power & Light	DE	EO-2014-0064	Integrated Resource Planning: Special Contemporary Topics Comments
The Empire District Electric Company	DE	EO-2014-0063	Integrated Resource Planning: Special Contemporary Topics Comments
Union Electric Company d/b/a Ameren Missouri	DE	EO-2014-0062	Integrated Resource Planning: Special Contemporary Topics Comments
The Empire District Electric Company	DE	EO-2013-0547	Triennial Integrated Resource Planning Comments

Working Case: State-Wide Advisory Collaborative	OPC	EW-2013-0519	<b>Presentation:</b> Does Better Information Lead to Better Choices? Evidence from Energy-Efficiency Labels <b>Presentation:</b> Customer Education & Demand-Side Management <b>Presentation:</b> MEEIA: Strengths, Weaknesses, Opportunities and Threats (SWOT) Analysis
Independence-Missouri	OPC	Indy Energy Forum 2014	<b>Presentation:</b> Energy Efficiency
Independence-Missouri	OPC	Indy Energy Forum 2015	<b>Presentation:</b> Rate Design
NARUC – 2017 Winter, Washington D.C.	OPC	Committee on Consumer Affairs	<b>Presentation:</b> PAYS Tariff On-Bill Financing
NASUCA – 2017 Mid-Year, Denver	OPC	Committee on Water Regulation	<b>Presentation:</b> Regulatory Issues Related to Lead-Line Replacement of Water Systems
NASUCA – 2017 Annual Baltimore,	OPC	Committee on Utility Accounting	<b>Presentation:</b> Lead Line Replacement Accounting and Cost Allocation
NARUC – 2018 Annual, Orlando	OPC	Committee on Consumer Affairs	<b>Presentation:</b> PAYS Tariff On-Bill Financing Opportunities & Challenges
Critical Consumer Issues Forum (CCIF)—New Orleans	OPC	Examining Policies for Delivering Smart Mobility	<b>Presentation:</b> Missouri EV Charging Station Policy in 4 Acts: Missouri Office of the Public Counsel Perspective