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September 29, 2008

Public Utilities Commission of Ohio
 PUCO Docketing
 180 E. Broad Street, 10th Floor
 Columbus, Ohio 43215

In re: Case No. 08-935-EL-SSO

Dear Sir/Madam:

Please find attached the DIRECT TESTIMONY AND EXHIBITS OF LANE KOLLEN on the subject of ESP versus MRO; prudence of ESP purchases; and the significantly excessive earnings test filed ON BEHALF OF THE OHIO ENERGY GROUP ("OEG").

Copies have been served on all parties on the attached certificate of service. Please place this document of file.

Respectfully yours,



David F. Boehm, Esq.

Michael L. Kurtz, Esq.

BOEHM, KURTZ & LOWRY

MLKkew

Encl.

Cc: Certificate of Service
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**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

IN RE: APPLICATION OF OHIO EDISON)	
COMPANY, THE CLEVELAND ELECTRIC)	
ILLUMINATING COMPANY, AND THE)	CASE NO. 08-935-EL-SSO
TOLEDO EDISON COMPANY FOR)	
AUTHORITY TO ESTABLISH AN)	
ELECTRIC SECURITY PLAN PURSUANT)	
TO R.C. § 4928.143)	

**DIRECT TESTIMONY
AND EXHIBITS
OF
LANE KOLLEN**

**ON BEHALF OF THE
THE OHIO ENERGY GROUP, INC.**

**J. KENNEDY AND ASSOCIATES, INC.
ROSWELL, GEORGIA**

September 2008

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

IN RE: APPLICATION OF OHIO EDISON)	
COMPANY, THE CLEVELAND ELECTRIC)	
ILLUMINATING COMPANY, AND THE)	CASE NO. 08-935-EL-SSO
TOLEDO EDISON COMPANY FOR)	
AUTHORITY TO ESTABLISH AN)	
ELECTRIC SECURITY PLAN PURSUANT)	
TO R.C. § 4928.143)	

TABLE OF CONTENTS

I. QUALIFICATIONS AND SUMMARY	2
II. THE COMPANIES' MRO VERSUS ESP COMPARISON IS FLAWED.....	5
III. COMPANIES HAVE FAILED TO DEMONSTRATE THAT THE PRICES FOR PURCHASED POWER FROM FES ARE PRUDENT	17
IV. APPLICATION OF THE SIGNIFICANTLY EXCESSIVE EARNINGS TEST ..	22

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

**IN RE: APPLICATION OF OHIO EDISON)
COMPANY, THE CLEVELAND ELECTRIC)
ILLUMINATING COMPANY, AND THE) CASE NO. 08-935-EL-SSO
TOLEDO EDISON COMPANY FOR)
AUTHORITY TO ESTABLISH AN)
ELECTRIC SECURITY PLAN PURSUANT)
TO R.C. § 4928.143)**

DIRECT TESTIMONY OF LANE KOLLEN

I. QUALIFICATIONS AND SUMMARY

1

2 **Q. Please state your name and business address.**

3 A. My name is Lane Kollen. My business address is J. Kennedy and Associates, Inc.
4 ("Kennedy and Associates"), 570 Colonial Park Drive, Suite 305, Roswell,
5 Georgia 30075.

6

7 **Q. What is your occupation and by whom are you employed?**

8 A. I am a utility rate and planning consultant holding the position of Vice President
9 and Principal with the firm of Kennedy and Associates.

10

11 **Q. Please describe your professional experience and education.**

12 A. I have been an active participant in the utility industry for more than thirty years,
13 both as an employee of The Toledo Edison Company from 1976 to 1983 and as a

1 consultant in the industry since 1983. I have testified as an expert witness on
2 planning, ratemaking, accounting, finance, and tax issues in proceedings before
3 regulatory commissions and courts at the federal and state levels on nearly two
4 hundred occasions, including proceedings before the Public Utilities Commission
5 of Ohio.

6
7 I hold both a Bachelor of Business Administration in Accounting degree and a
8 Master of Business Administration degree from the University of Toledo. I also
9 hold a Master of Arts degree from Luther Rice University. I am a Certified Public
10 Accountant and a Certified Management Accountant. I am a member of
11 numerous professional organizations. My qualifications and regulatory
12 appearances are further detailed in my Exhibit__(LK-1).

13
14 **Q. On whose behalf are you testifying?**

15 A. I am testifying on behalf of the Ohio Energy Group, Inc. ("OEG"), a group of
16 large customers who take electric service from Ohio Edison Company, The
17 Cleveland Electric Illuminating Company, and The Toledo Edison Company
18 ("Companies," "utilities," or "distribution utilities"). These OEG members are:
19 Air Products & Chemicals, Inc., AK Steel Corporation, Alcoa Inc., ArcelorMittal,
20 BP-Husky Refining, Inc., Brush Wellman Inc., Chrysler LLC., E.I. DuPont de
21 Nemours & Co., Ford Motor Company, Johns Manville (Berkshire Hathaway),
22 North Star BlueScope Steel, LLC, PPG Industries, Inc., Republic Engineered

1 Products, Inc., Sunoco Toledo Refinery, Severstal Warren, Inc. (formerly WCI
2 Steel, Inc.,) Worthington Industries and Linde, Inc.

3
4 **Q. Please describe the purpose of your testimony.**

5 A. The purpose of my testimony is to address certain aspects of the Company's
6 proposed Electric Security Plan ("ESP"), including the determination of whether
7 the ESP is "more favorable in the aggregate as compared to the expected results
8 that would otherwise apply" under a Market Rate Offer ("MRO"); the
9 responsibility of the distribution utilities to prudently acquire power to meet the
10 standard service offer load of their non-shopping ratepayers; the quantification of
11 the MRO and ESP revenues; the appropriate allocation of and compensation for
12 the wholesale supplier and retail market risks; the requirements that ESP rate
13 adjustments be cost-based and that such costs be prudently incurred; and the
14 application of the "significantly excessive" earnings test.

15
16 **Q. Please summarize your testimony.**

17 A. The Commission should reject the Companies' proposed ESP because it fails to
18 meet the statutory requirement that it be "more favorable in the aggregate" than
19 the MRO option. When an error in the Companies' analysis is corrected, more
20 current wholesale market prices are used, and retail market risk is addressed
21 consistently, the ESP is more expensive than an MRO by \$1,692.6 million.

1 The Commission should modify the Companies' proposed ESP as follows:

- 2 • The Commission should modify the ESP so that the wholesale price of
3 power to the Companies consists of a least-cost portfolio of generation
4 products, rather than being imposed upon the Companies by FirstEnergy
5 Corp. through a no-bid sole-source arrangement with its affiliate
6 FirstEnergy Solutions, Inc. Based upon September 19, 2008 forward
7 prices, the wholesale market price to serve the Companies' load for 2009,
8 2010, and 2011 is \$63.45/MWH, \$65.23/MWH, and \$66.15/MWH. This
9 compares to the FES offer price of \$75/MWH, \$80/MWH and \$85/MWH,
10 plus a series of fuel, environmental and capacity riders.
- 11 • The retail market risk, or provider of last resort ("POLR") risk, caused by
12 the ability of consumers to shop for generation service, should be retained
13 by the Companies rather than transferred to the wholesale supplier, thus
14 eliminating any margin for this risk from the cost of wholesale power.
- 15 • The Companies should be compensated directly for their actual and
16 prudent costs incurred to purchase wholesale power to serve non-shopping
17 load, and for the actual costs associated with the retail market risks.

18
19 The Commission should decide the structure of the "significantly excessive
20 earnings" test and how it will be applied in this proceeding so that all parties
21 know the rules going into 2009 and so that the Companies can properly account
22 for any refund obligations for the 2009 review year in their financial statements.

II. THE COMPANIES' MRO VERSUS ESP COMPARISON IS FLAWED

1

2 **Q. Please describe the MRO versus ESP test set forth in SB 221.**

3 A. SB 221 requires that a distribution utility file an ESP and demonstrate that it is
4 “more favorable in the aggregate as compared to the expected results that would
5 otherwise apply under” the MRO option. If the utility’s proposed ESP does not
6 meet this standard, then the Commission cannot approve it without modification.
7 In making this determination, the statute specifically cites “pricing and all other
8 terms and conditions, including any deferrals and any future recovery of
9 deferrals.”

10

11 **Q. Have the Companies provided a quantitative analysis comparing their**
12 **proposed MRO and ESP options?**

13 A. Yes. The Companies provided a quantitative comparison of their projections of
14 the retail revenues they will recover under both the MRO option and the ESP
15 option on a net present value basis. This comparison is sponsored by Companies
16 witness Mr. David Blank and the analysis is shown on Attachment 1 to his
17 testimony. I have attached a copy of Mr. Blank’s Attachment 1 as my
18 Exhibit___(LK-2) for reference purposes.

19

20 Mr. Blank’s Attachment 1 shows a \$1,303.4 million net present value benefit to
21 ratepayers from the Companies’ proposed ESP compared to its quantification of

1 the MRO option over the three year life of the proposed plan plus the additional
2 seven year deferral recovery period.

3
4 **Q. How did the Companies develop the revenues used to quantify the MRO**
5 **option on Attachment 1?**

6 A. The Companies computed the MRO revenues based on the average of
7 hypothetical market prices that its consultants project will result if the Companies
8 are permitted to outsource all responsibility for supplying generation service to
9 non-shoppers through a reverse auction. The hypothetical market prices were
10 “constructed” by Mr. Frank C. Graves of The Brattle Group and Dr. Scott Jones
11 of FTI Consulting and include the cost of FERC-regulated wholesale power
12 supply delivered to the service territory of the Companies in Ohio plus various
13 adders for the assumption by the wholesale suppliers of retail market risk. This
14 retail market risk, or POLR risk, is due to the ability of consumers to shop for
15 generation. The cost of wholesale supply includes generation, capacity, and
16 ancillary services, together with all transmission and transmission-related
17 services, and other costs incurred in delivering generation to the service territory
18 of the Companies in Ohio.

19
20 The hypothetical market prices developed by the Companies’ consultants were
21 reduced to exclude transmission costs recovered by the Companies through
22 another rider and then averaged by Mr. Blank to compute the annual MRO market
23 prices reflected on Attachment 1. Mr. Blank weighted the two sets of prices

1 developed by Mr. Graves at 25% each and the set of prices developed by Dr.
2 Jones at 50% for each of the three years in the initial term of the Companies' ESP.

3
4 **Q. Is there a computational error in Mr. Blank's Attachment 1 that should be**
5 **corrected before any other adjustments are made?**

6 A. Yes. Mr. Blank incorrectly computed the market prices developed by both
7 consultants for purposes of the MRO revenue quantification by failing to remove
8 the entirety of the transmission component included in those prices. Mr. Blank
9 failed to gross up the transmission component for line losses. This can be seen by
10 reviewing the mWh (generation or sales) used in the multiple steps used by Mr.
11 Graves and Dr. Jones to develop their market prices.

12
13 Mr. Graves first developed the total energy, network transmission and ancillary
14 services costs on a \$/mWh basis using gross generation, which includes the mWh
15 for line losses. He then computed the total dollar cost for these components and
16 then added capacity costs. In the final step, Mr. Graves divided the total dollar
17 amount by mWh sales, or gross generation less line losses, thus effectively
18 grossing up the market price to reflect line losses.

19
20 However, Mr. Blank ignored this gross-up on the transmission component. Mr.
21 Blank took the market price computed on a sales basis and then subtracted the
22 transmission cost per mWh computed on a gross generation basis. In other words,
23 the error was that Mr. Blank failed to gross up the transmission component for the

1 line losses and thus, failed to remove the correct amount of the transmission
2 component included in Mr. Graves' market prices. Mr. Blank used \$7.64 per
3 mWh for the transmission cost, but should have used \$7.98 per mWh, the amount
4 included in Mr. Graves' computation of the market prices per mWh.

5
6 The same error was repeated with Dr. Jones' market price. Mr. Blank removed
7 the \$7.50 per mWh transmission costs from Dr. Jones' market prices, but failed to
8 "gross-up" the \$7.50 for the line losses, thus overstating the generation market
9 prices used for the MRO on his Attachment 1. The effect of Mr. Blank's error on
10 the Jones market prices was to overstate them by \$0.34 per mWh

11
12 **Q. Have you revised Mr. Blank's Attachment 1 to correct this error?**

13 A. Yes. I have attached the revised Attachment 1 with the corrected Graves and
14 Jones market prices as my Exhibit___(LK-3). The effect of correcting this
15 computational error is to reduce the ESP benefit computed by Mr. Blank from
16 \$1,303.4 million to \$1,242.2 million on a net present value basis.

17
18 **Q. Please describe more specifically the methodology used by Mr. Graves to**
19 **develop the hypothetical market prices used to quantify the MRO option.**

20 A. Mr. Graves "constructed" two hypothetical market prices reflecting locational
21 differences in the delivery point of the forward contract, i.e., PJM West and
22 Cinergy. The only difference between these two sets of market prices are the
23 locational differences in the forward energy prices. I have attached a copy of Mr.

1 Graves' Exhibits 3 and 4, which used PJM West forward prices as my
2 Exhibit___(LK-4) and a copy of his Exhibits 5 and 6 using MISO forward prices
3 as my Exhibit___(LK-5) for reference purposes.
4

5 Mr. Graves' market prices consist of two components, a "no-risk" wholesale
6 market price and a retail risk premium to compensate the winning bidders in a
7 reverse auction for various retail risks associated with the ability of consumers to
8 shop. The starting points for the "no-risk" wholesale market prices were the
9 forward energy prices in 2009 through 2011 as of July 15, 2008 based on
10 NYMEX settled prices for the two delivery points. Mr. Graves then increased
11 these starting points to take into account the utilities' load shapes and to add
12 capacity, network service and ancillary service costs. To these wholesale
13 generation prices Mr. Graves added a retail risk premium for POLR costs of
14 15.96%. Mr. Graves was directed by the utilities to reflect the effects of retail
15 market risks and cited the retail risks of customer switching, credit risk, and load-
16 following uncertainties, plus other unaccounted for factors.
17

18 **Q. Please describe the methodology used by Dr. Jones to develop the**
19 **hypothetical market prices used to quantify the MRO option.**

20 A. Dr. Jones developed hypothetical market prices using a process very similar to
21 that used by Mr. Graves. Dr. Jones stated that his charge from the Companies
22 was to "calculate the expected prices that retail customers would pay if Ohio
23 Edison Company, The Cleveland Electric Illuminating Company, and The Toledo

1 Edison Company ("the Ohio Companies") were to procure full requirements
2 electric service to meet their standard service offer obligation during each of the
3 years 2009, 2010, and 2011 through a competitive bidding process such as is
4 contemplated in R.C. Section 4928.142."

5
6 Dr. Jones' market prices consist of two components, a "direct cost" wholesale
7 component and a retail "margin." The "direct cost" component includes energy,
8 capacity, and transmission. Dr. Jones computed the wholesale market prices for
9 energy by using forward contract energy prices delivered at the Cinergy hub in
10 the MISO, adjusted to account for locational differences in the delivery point of
11 the forward contracts and to take into account the Companies' load shapes. He
12 added expected capacity and transmission-related costs and then adjusted the sum
13 of the energy, capacity and transmission-related costs for "distribution losses" to
14 state the market price on a sales basis.

15
16 To these "direct costs," Dr. Jones added a "retail margin" to reflect the "expected
17 return that a bidder would require for accepting the substantial risks of providing
18 full requirements service at fixed prices for the Ohio Companies' standard service
19 offer." Dr. Jones added retail margins of 17%, 29% and 40% in 2009, 2010 and
20 2011, respectively.

21

1 **Q. Both Mr. Graves and Dr. Jones used the July 15, 2008 forward prices for the**
2 **energy component of their hypothetical market prices. Have forward prices**
3 **changed significantly since that date?**

4 **A. Yes. The MISO and PJM West forward prices have declined significantly since**
5 **July 15, 2008. I obtained the September 19, 2008 MISO and PJM forward prices**
6 **from NYMEX. I used these prices to revise Mr. Graves' Exhibits 3 and 4 for the**
7 **lower PJM West prices and his Exhibits 5 and 6 for the lower MISO prices. I**
8 **have attached these revised exhibits as my Exhibit___(LK-6) and Exhibit___(LK-**
9 **7), respectively.**

10
11 **In addition, I revised the "Total" prices on Dr. Jones Exhibits 8, 9 and 10 for the**
12 **lower MISO prices. I have attached the computations of the revised "Total"**
13 **prices from these exhibits as my Exhibit___(LK-8).**

14
15 **Q. What effect does using more recent forward settled prices to construct the**
16 **wholesale market prices used for the revenues under the MRO option have**
17 **on the MRO versus ESP quantification?**

18 **A. The effect of using more recent forward prices is to reduce the ESP benefit**
19 **computed by Mr. Blank from \$1,242.2 million (as corrected) to \$424.1 million on**
20 **a net present value basis. I have attached the computations as my Exhibit___(LK-**
21 **9).**

22

1 **Q. Should the Companies' comparison of the MRO and ESP options include a**
2 **retail margin in the MRO wholesale supplier market prices?**

3 A. No. The Companies have created a fundamental mismatch between these two
4 options by doing so. The MRO quantification on Blank Attachment 1 includes all
5 wholesale generation prices plus all retail risk premiums expected to result from a
6 reverse auction. In contrast, the ESP analysis on Blank Attachment 1 includes
7 only the base wholesale generation prices offered by FES (\$75/MWH, \$80/MWH,
8 and \$85/MWH for 2009, 2010, and 2011, respectively), with no attempt to
9 quantify the full wholesale generation price or the full retail risk premiums. The
10 additional ESP costs that are not quantified on Blank Attachment 1 include: 1)
11 increases in fuel transportation surcharges above a baseline; 2) costs associated
12 with alternative energy/renewable requirements beyond those specified in SB
13 221; 3) new taxes or environmental requirements which exceed \$50 million
14 during the ESP period; 4) increased fuel expenses in 2011; and 5) increased
15 capacity purchases required to meet FERC, NERC or MISO reserve margin
16 standards. In addition, the ESP analysis on Attachment 1 does not include the
17 proposed \$10/MWH non-bypassable minimum default service charge for POLR
18 risk. This \$10/MWH POLR charge is a retail risk premium cost of the ESP
19 option, which alone could cost consumers up to \$1.7 billion over three years.
20 When only part of the ESP costs are compared with all the reverse auction MRO
21 costs, it is no wonder that the Companies' comparison shows that the ESP is more
22 favorable in the aggregate than its MRO.

23

1 **Q. What effect does removing the retail risk premiums (margins) from the**
2 **revenues under the MRO option have on the MRO versus ESP**
3 **quantification?**

4 **A. It turns the results around completely so that the MRO revenues are less than the**
5 **ESP revenues by \$1,692.6 million on a net present value basis, meaning that the**
6 **MRO option is significantly lower cost to ratepayers than the Companies'**
7 **proposed ESP. Consequently, on a quantitative basis, the ESP is not "more**
8 **favorable in the aggregate" than the MRO and it fails the statutory test for**
9 **Commission approval without modification. I have attached the computations as**
10 **my Exhibit___(LK-10).**

11

12 **Q. Have you quantified any other scenarios to assist the Commission in**
13 **assessing the effects of the retail risk premium assumption?**

14 **A. Yes. I have quantified the effect of a 10% retail risk premium and the effect of a**
15 **15% retail risk premium. In the 10% risk premium scenario, the MRO revenues**
16 **are less than the ESP revenues by \$736.5 million on a net present value basis. In**
17 **the 15% risk premium scenario, the MRO revenues are less than the ESP revenues**
18 **by \$258.5 million on a net present value basis. I have attached the computations**
19 **for the 10% scenario as my Exhibit___(LK-11) and the 15% scenario as my**
20 **Exhibit___(LK-12).**

21

1 **Q. If the distribution utilities procured their wholesale generation supply for**
2 **non-shoppers prudently, how would you expect the MRO/ESP comparison to**
3 **work?**

4 **A. Because none of the distribution utilities own generation, they must purchase**
5 **wholesale power for non-shopping load under either an MRO or ESP. Their**
6 **procurement strategy under either scenario should be the same. Under either an**
7 **MRO or ESP, the distribution utilities should develop a least cost generation**
8 **portfolio to meet the projected needs of their non-shopping load. This generation**
9 **portfolio would include a reasonable mix of fixed block wholesale contracts and**
10 **spot purchase and sales contracts (to deal with load following, sales forecast**
11 **variation, shopping migration, etc). The utilities could develop this least cost**
12 **portfolio or they could hire an independent third party to do it for them.**

13

14 The distribution utilities would absorb the POLR costs associated with retail
15 customer choice and would be compensated for those POLR costs at rates
16 regulated by the Commission. Under this procurement approach, the Commission
17 would have oversight on both the level and recovery of retail risk premiums
18 (POLR) costs being charged to customers. Furthermore, the wholesale generation
19 cost in the comparison between the MRO and ESP options would be the same. It
20 would be a wash.

21

1 If shopping terms and conditions were the same in both the MRO and ESP, then
2 the retail risk premiums (POLR) in the comparison also would be a wash between
3 the two options, all else equal. However, in an ESP, the Commission has the
4 statutory authority to place limitations on customer shopping through non-
5 bypassable charges. If it does this, then the Commission could reduce the ESP
6 POLR costs. Reducing ESP POLR costs should benefit all non-shopping
7 consumers. This benefit is potentially large. Company witness Dr. Jones has
8 calculated that the retail risk premium that suppliers will demand if there is
9 unrestrained shopping is almost \$4 billion over three years. OEG witness Mr.
10 Baron has proposed an Economic Development Plan that will reduce POLR risk
11 and therefore drive down the retail risk premium suppliers will demand. All else
12 equal, in the MRO/ESP comparison this will tilt the balance in favor of an ESP.

13
14 Transmission costs should be the same for both the MRO and ESP options. Mr.
15 Blank assumed this would be the case in his Attachment 1. Thus, there is no
16 advantage to either the MRO or ESP option on this basis.

17
18 Distribution costs and benefits could vary between an MRO and ESP. In an
19 MRO, distribution investments only can be recovered through traditional base rate
20 cases with the return on equity established at the traditional just and reasonable
21 level because the utilities do not own generation. For electric utilities that do own
22 generation, the MRO process provides for a prospective application of the

1 significantly excessive earnings test. The regulatory lag associated with traditional
2 rate cases may cause the utilities to move slower in making needed improvements
3 to their distribution infrastructure. By contrast, the ESP process allows for much
4 greater flexibility in distribution cost recovery. The ESP also allows for a return
5 on equity that is above the traditional just and reasonable level, although not
6 significantly above.

7
8 There are other qualitative benefits of an ESP. These include the encouragement
9 of the construction of new base load generating capacity, provisions to implement
10 job retention and economic development, and an overall greater level of state
11 regulation.

12
13 On balance, I believe that an ESP designed as I have described would be more
14 favorable in the aggregate for the utilities and for consumers than an MRO.

**III. THE COMPANIES HAVE FAILED TO DEMONSTRATE THAT THE
PRICES FOR PURCHASED POWER FROM FES ARE PRUDENT**

Q. Please describe the Companies' proposed ESP generation rates and the proposed adjustments to those rates over the three year term.

A. The Companies propose ESP base generation rates of \$75/mWh, \$80/mWh and \$85/mWh for 2009, 2010 and 2011, respectively, subject to deferral and subsequent recovery over future years (through a proposed "phase-in"). The Companies propose deferrals of approximately 10% of each of these annual rates with the phase-in recoveries beginning in 2011 and continuing for ten years.

In addition to these base generation rates, the Companies propose increases in those rates through a series of riders that will become effective on and after January 1, 2009. These riders are designed to recover certain costs that are incurred by FES, not the utilities directly, for the following expenses: 1) increases in fuel transportation surcharges imposed by shippers in excess of a baseline level of \$30 million in 2009, \$20 million in 2010 and \$10 million in 2011; 2) costs associated with new alternative energy/renewable type requirements (other than those required under Am. Sub. S.B. 221), new taxes and new environmental laws or interpretations of existing laws becoming effective after January 1, 2008 to the extent such costs exceed \$50 million during the ESP period and are related to the generation assets of FES used to support the ESP; and 3) costs incurred on and

1 after January 1, 2011 for increased fuel expenses above the level of fuel expenses
2 incurred in 2010.

3
4 In addition, the Companies propose that the base generation charges be adjusted
5 upward through yet another rider that will become effective on January 1, 2009 to
6 recover the costs of capacity purchases required to meet FERC, NERC, MISO or
7 other applicable standards for planning reserve margin requirements for Ohio
8 retail load of the Companies. To the extent that defined capacity owned by FES
9 in MISO is insufficient to meet planning reserve requirements, FES will purchase
10 the necessary additional installed capacity reserves for Ohio retail load for the
11 period May 1 through September 30 of each year and charge these amounts to the
12 Companies. The Companies propose to recover such additional capacity charges
13 from their non-shopping customers through this capacity cost adjustment rider.

14
15 Finally, the Companies propose that they receive a \$10/MWH non-bypassable
16 minimum default service charge. This POLR charge is to compensate the
17 Companies for the costs and risks associated with committing to obtain adequate
18 generation resources to supply the entire retail load of their customers and for
19 shopping risk. Over the three year term of the ESP this \$10/MWH charge could
20 total up to \$1.7 billion.

21

1 **Q. Have the Companies included the costs of any of the four riders that will be**
2 **used to increase the base generation rates in the ESP option?**

3 A. No. Consequently, this has the effect of understating the net present value of the
4 revenue requirements of the ESP in the comparison of the MRO and ESP options.

5

6 **Q. Have the Companies provided or made available a copy of the purchased**
7 **power contract between each Company and FES in this proceeding or any**
8 **other regulatory proceeding?**

9 A. No. Consequently, I don't know how the Commission can judge the prudence of
10 a non-existent or non-disclosed contract.

11

12 **Q. Are the base generation rates in excess of market prices?**

13 A. Yes. The wholesale market prices are \$63.45, \$65.23, and \$66.15 for 2009, 2010,
14 and 2011, respectively, using the Companies' methodology for the MRO option,
15 but correcting Mr. Blank's computational error, updating the forward prices as of
16 September 19, 2008, and removing the retail market premiums.

17

18 **Q. Have the Companies demonstrated that the purchased power expenses they**
19 **will incur pursuant to their ESP are prudent as required by SB 221?**

20 A. No. SB 221 makes it clear that the utilities bear the burden to prove that their
21 purchased power expense is prudent. The prudence standard requires that the
22 utilities obtain their power to supply the POLR requirements at the least

1 reasonable cost, not simply at some discount to a fundamentally flawed and
2 excessive hypothetical market price used to quantify the MRO option.

3
4 The Companies fail the prudence standard on several counts. First, the proposed
5 base generation rates are in excess of wholesale FERC-regulated market prices
6 and are not prudent on that basis alone. When the base generation rates are
7 combined with the effects of the various generation and POLR riders, the problem
8 is exacerbated.

9
10 Second, the Companies' base generation rates as well as all the riders are the
11 result of self-dealing with their FES affiliate and are not the result of a properly
12 conducted procurement process. The expected costs of the riders are not in the
13 record and thus, cannot be realistically assessed. The utilities have the obligation
14 to obtain their power at the least cost; they do not have the right to recover open-
15 ended purchased power expenses at rates that were not subject to arm's length
16 negotiations simply because the wholesale supplier is an affiliate.

17
18 Third, there is no contract to review for the Commission to assess whether the
19 pricing and other terms merit the proposed ESP generation rates and riders.

20
21 **Q. How can the Commission ensure that the purchased power expense pursuant**
22 **to the ESP is prudent and reasonable?**

1 A. First, the Commission should direct the Companies to structure a least cost
2 purchased power supply portfolio that minimizes their purchased power expense.
3 Such a supply portfolio would be similar in concept to the purchased gas
4 portfolios of natural gas distribution utilities. Second, these purchases should be
5 made only at transparent and verifiable FERC-regulated wholesale market rates so
6 that the Commission can verify that they are prudent and reasonable. Third, the
7 Companies should retain and be compensated for their actual expenses incurred
8 due to retail market risks.

1 **IV. APPLICATION OF THE SIGNIFICANTLY EXCESSIVE EARNINGS TEST**

2
3 **Q. Please describe the significantly excessive earnings test set forth in SB 221.**

4 **A. The significantly excessive earnings test for an ESP is set forth in §4928.143(F)**
5 **as follows:**

6
7 **With regard to the provisions that are included in an electric security**
8 **plan under this section, the commission shall consider, following the**
9 **end of each annual period of the plan, if any such adjustments**
10 **resulted in excessive earnings as measured by whether the earned**
11 **return on common equity of the electric distribution utility is**
12 **significantly in excess of the return on common equity that was**
13 **earned during the same period by publicly traded companies,**
14 **including utilities, that face comparable business and financial risk,**
15 **with such adjustments for capital structure as may be appropriate.**
16 **Consideration also shall be given to the capital requirements of future**
17 **committed investments in this state. The burden of proof for**
18 **demonstrating that significantly excessive earnings did not occur shall**
19 **be on the electric distribution utility. If the commission finds that**
20 **such adjustments, in the aggregate, did result in significantly excessive**
21 **earnings, it shall require the electric distribution utility to return to**
22 **consumers the amount of the excess by prospective adjustments;**
23 **provided that, upon making such prospective adjustments, the electric**
24 **distribution utility shall have the right to terminate the plan and**
25 **immediately file an application pursuant to section 4928.142 of the**
26 **Revised Code. . . In making its determination of significantly excessive**
27 **earnings under this division, the commission shall not consider,**
28 **directly or indirectly, the revenue, expense, or earnings of any affiliate**
29 **or parent company.**
30

31 **Q. Why is the significantly excessive earnings test important to ratepayers?**

32 **A. The significantly excessive earnings test provides an important protection to the**
33 **utility's ratepayers against harm in the event that the utility's revenues**
34 **significantly exceed the utility's costs to provide generation service to non-**

1 shoppers and all other regulated services, including transmission and distribution
2 services.

3
4 **Q. Does the Commission need to address the methodology for and the**
5 **application of this test in this proceeding?**

6 A. Yes. The Commission cannot wait until 2010 to determine the methodology it
7 will use to determine the threshold for significantly excessive earnings, the
8 computation of earnings on common, or the application of the methodology.
9 Under Generally Accepted Accounting Principles ("GAAP"), the utilities are
10 required to recognize a regulatory liability for any refunds that arise each year and
11 that will be refunded to ratepayers prospectively in the following year. Thus, the
12 utilities must know the Commission's methodology and how the Commission will
13 apply this methodology for 2009 in 2009. The Commission cannot wait until
14 2010 to determination the methodology for this test after the fact.

15
16 **Q. How should the Commission apply the significantly excessive earnings test**
17 **for the prior year in the annual reviews?**

18 A. The Commission must determine the appropriate methodology in this proceeding,
19 and then apply that methodology in the annual reviews. The appropriate
20 methodology consists of two components, the significantly excessive earnings
21 threshold and the actual earned return on common equity.

22

1 First, the Commission must determine the methodology it will use to compute the
2 rate of return on common equity threshold over which the Companies will be
3 deemed to have significantly excessive earnings that are subject to refund. Once
4 the Commission makes this determination, the methodology should remain the
5 same for use in all future annual review proceedings unless there is some
6 compelling reason to change it prospectively. The methodology for computing
7 the threshold is addressed by OEG witness Mr. Charles King.

8
9 Second, in this proceeding, the Commission must determine the methodology it
10 will use to compute the utility's actual earned return on common equity for each
11 review year. This step is necessary so that the actual earnings can be compared to
12 the threshold established in the first step for each year. The Commission should
13 determine whether the earnings on common are to be measured on an accounting
14 basis with no ratemaking adjustments, whether it will allow or require ratemaking
15 adjustments, and if so, what adjustments or types of adjustments will be allowed
16 or required.

17
18 In each of the future annual review proceedings, if the Company's actual earnings
19 are in excess of the threshold, then the difference, grossed-up on a revenue
20 requirement basis, should be refunded to ratepayers in accordance with the
21 requirements of the statute.

22

1 **Q. How should the Commission compute the actual earned return on common**
2 **equity for each annual period?**

3 A. The Commission should compute the actual earned return on common for each
4 annual period using the per books actual accounting earnings on common and the
5 utility's year-end actual common equity balance, with limited ratemaking
6 adjustments. The authorized ratemaking adjustments should be specified by the
7 Commission in this proceeding and should be modified only prospectively upon
8 consideration of a request from the utility or other party to add or remove such
9 adjustments.

10

11 **Q. What adjustments should the Commission include on such a list?**

12 A. The list can be as extensive or limited as the Commission believes is necessary to
13 ensure that rates are just and reasonable. At a minimum, the ratemaking
14 adjustments should be consistent with the requirements and limitations on cost-
15 based recoveries specified in Section 4928.143(B)(2). For example, only prudent
16 fuel and purchased power expenses should be included. Also, at a minimum, the
17 ratemaking adjustments that are reflected should be consistent with other
18 Commission orders wherein there were specific disallowances of or directions
19 relating to rate base, expense or rate of return amounts or components.

20

21 The Commission also should include all revenues from off-system sales in the
22 computation of earnings, just as it should include all prudent purchased power
23 expenses. This is essential, even for the utilities in this proceeding, because

1 revenues from surplus purchases or derivative gains should be used to offset the
2 prudent purchased power expenses and derivative losses that are incurred.

3
4 In addition, the Commission should remove the effects of any refunds in one year
5 based on the significantly excessive earnings test for the prior year so that the
6 refund is computed on a discrete annual basis for the prior year and does not
7 influence the actual earnings for another year.

8
9 Finally, the Commission should require the utilities to exclude the effects of fines
10 and penalties, one-time writeoffs, costs and acquisition premiums related to
11 mergers and acquisitions, and effects of mark-to-market accounting for derivative
12 gains and losses.

13
14 **Q. Companies witness Mr. Vilbert states that the purpose of the test is “to**
15 **identify significantly excessive, windfall profits” and that all “extraordinary**
16 **or nonrecurring items, or [profits that] are otherwise non-representative of**
17 **the utility’s operations” should be excluded from the computation of**
18 **earnings for the purpose of the test. (Vilbert Direct at 9). Do you agree?**

19 **A.** No. This is an excessively broad recommendation that would redefine and neuter
20 the significantly excessive earnings test. As I previously noted, SB 221 does not
21 specify the methodology the Commission should use to compute the utility’s
22 actual earnings. However, the Commission should not blindly exclude all gains
23 or nonrecurring items from the computation of the earned return. Instead, the

1 Commission should establish the methodology in the manner that I described and
2 carefully prescribe the income or losses that should be excluded from the
3 computation, if any.

4
5 **Q. Companies witness Mr. Vilbert proposes that the Commission exclude the**
6 **after tax earnings effects on CEI's proposed writeoff of RTC and extended**
7 **RTC, net of revenue credits, by adding back this amount to CEI's per books**
8 **common equity outstanding for the significantly excessive earnings test.**
9 **Please respond.**

10 **A. I agree conceptually with such an adjustment, but the Commission should impose**
11 **limitations on the amount and duration of the adjustment so that it does not**
12 **become a permanent addition to common equity long after the utility has**
13 **rebalanced its capital structure to targeted levels. It would be reasonable to**
14 **assume that the utility will rebalance its capital structure within three years or by**
15 **the end of the initial three year term of the ESP. Thus, the Commission should**
16 **allow an adjustment to common equity on a declining basis reflecting a three year**
17 **amortization of the writeoff effects. For 2009, the adjustment would be 2/3 of the**
18 **after tax writeoff, assuming a year-end common equity balance. For 2010, the**
19 **adjustment would be 1/3 of the after tax writeoff. For 2011 and beyond, there**
20 **would be no further adjustments.**

21
22 **Q. Companies witness Mr. Blank proposes that the Commission exclude the**
23 **revenues from the proposed delivery service improvement rider from the**

1 **computation of after tax earnings for the significantly excessive earnings test.**

2 **Please respond.**

3 A. The Commission should reject this and any other proposal to carve-out revenues
4 due to rate increases specifically authorized as a result of the Companies' ESP for
5 several reasons. First, SB 221 contemplates no such ad hoc exclusions to the
6 "adjustments" resulting from the ESP. Revenues from the delivery service
7 improvement rider could be large. Removal of these potentially large revenues
8 would result in a distorted picture of the utilities' financial condition.

9
10 Second, the inclusion of these revenues in the test in no way removes the
11 incentive aspect of this proposed rider. The base amount of this rider will not
12 change during the term of the ESP unless the Companies service performance is
13 worse than or better than the performance bandwidth. Also, the distribution
14 utilities have an independent obligation to provide reliable distribution service
15 under either an MRO or ESP. A distribution infrastructure improvement
16 surcharge is explicitly authorized in an ESP but not an MRO. The ability to get
17 real time recovery through an ESP surcharge (rather than through a traditional rate
18 case with its associated regulatory lag) provides incentive to make the required
19 investments, even if excess profits generated by the surcharge are subject to
20 refund.

21
22 Third, the Companies' claim that these revenues should be excluded based on the
23 requirement that the Commission consider "the capital requirements of future

1 committed investments in this state” is in error. Distribution system
2 improvements are a normal and recurring cost of being a utility. There is nothing
3 extraordinary about it. If the utilities commit to a multi-billion dollar base load
4 generating plant then this provision may have application, but they have not. If a
5 utility faces a future major capital requirement (such as for a new power plant),
6 then the law allows the Commission to take that into account when setting the
7 threshold over which earnings are excessive. In other words, a new power plant
8 may warrant a higher threshold. There is no provision that allows the revenues
9 for capital additions to be ignored in computing the utility’s actual rate of return.
10

11 **Q. If there are significantly excessive earnings, why should the Commission**
12 **gross-up the amount in excess of the earnings threshold to compute the**
13 **refund amount?**

14 **A.** A gross-up for income taxes is necessary because the earnings are stated on an
15 after tax basis, not on a before tax revenue basis. Such a gross-up for income
16 taxes is similar to the use historically by the Commission of a gross revenue
17 conversion factor to convert operating income deficiencies or surpluses into
18 revenue deficiencies or surpluses. The objective is to determine the amount of
19 revenue overcollections in the prior year that resulted in the significantly
20 excessive earnings so that an equivalent amount can be refunded to ratepayers.
21

1 **Q.** The statutory test seems to suggest a limitation on the potential refunds by
2 linking the excess earnings to the “adjustments” pursuant to any ESP. Do
3 you agree with such an interpretation?

4 **A.** Yes. Subject to a correct understanding of the purpose of the test and the
5 definition and application of the term “adjustments,” the statute appears to limit
6 potential refunds to the amount of the ESP increases recovered during the year
7 subject to review. The statute, as previously cited, states:

8
9 **With regard to the provisions that are included in an electric security**
10 **plan under this section, the commission shall consider, following the**
11 **end of each annual period of the plan, if any such adjustments**
12 **resulted in excessive earnings as measured by whether the earned**
13 **return on common equity of the electric distribution utility is**
14 **significantly in excess of the return on common equity that was**
15 **earned during the same period by publicly traded companies,**
16 **including utilities, that face comparable business and financial risk,**
17 **with such adjustments for capital structure as may be appropriate.**
18

19 The interpretation and application of the significantly excessive earnings test must
20 be considered both in the proper context and on the basis of substance over form.
21 The purpose of the test is to provide a meaningful ratepayer protection through an
22 all-inclusive earnings test. This test provides protection against excessive ESP
23 rate increases by incorporating the net effects of all revenues and all costs in the
24 calculation of earnings.

25

26 **Q.** How should the Commission compute the “adjustments” due to the ESP rate
27 increases?

1 A. The total ESP rate increases or adjustments in any review year should be
2 computed by multiplying the ESP riders by the actual billing determinants for the
3 year. This yields the total ESP revenues in the review year. This annual dollar
4 amount is the maximum amount of the utility's refund obligation during any
5 review year of the ESP.

6

7 **Q. Is there another possible interpretation that the utilities may argue?**

8 A. Yes. Another interpretation would be to assume that the term "adjustments"
9 refers both to ESP rate riders and to the specific incremental costs that justified
10 the riders. Under this interpretation, the ESP rate increases and the incremental
11 costs necessarily net to zero. There would be no effect on earnings and an ESP
12 adjustment could never result in significantly excessive earnings.

13

14 **Q. Would such an interpretation be rational?**

15 A. No. The Commission should reject this interpretation as inconsistent with
16 the plain language of the statute and leading to absurd results. Contrary to this
17 potential interpretation, the term "adjustments" only can mean ESP rate increases.
18 The Commission has jurisdiction over rates. Costs are incurred independent of
19 Commission action. The Commission only can determine the basis for and the
20 amount of rate increases. The Commission does not regulate the actual costs
21 incurred by the utilities. There are thousands of categories of costs incurred by
22 the utility everyday that go up or down independent of any ESP adjustment.

23

1 To illustrate this point, assume in any year that the utility incurs \$10 in
2 incremental expense and the utility does not seek an ESP rate increase. In this
3 example, the utility's earnings are reduced by \$10 before tax, all else equal. Even
4 if the utility's reduced earnings that year were excessive, there would be no
5 "adjustment" that could have "resulted in excessive earnings" because there was
6 no ESP rate increase. Therefore, the utility would face no refund liability.

7
8 Now assume that the Commission approves a rate increase of \$10 based on its
9 approval of an ESP rider. Here, there is a \$10 "adjustment" to rates, and earnings
10 before tax are increased by a like amount. This \$10 adjustment is refundable to
11 consumers to the extent there are significantly excessive earnings.

12
13 If the utilities' potential interpretation is adopted, there never could be any
14 significantly excessive earnings. Their definition of the term "adjustments" to
15 mean both ESP rate increases and the costs used to justify the increases would
16 preclude any net effect on earnings. If this potential interpretation is adopted, the
17 earnings test is vitiated and meaningless and there would be no meaningful
18 ratepayer protection against excessive rate increases. Although I am not a lawyer
19 and cannot express a legal opinion, it seems to me unlikely that the Legislature
20 and Governor would have included the significantly excessive earnings test in SB
21 221 if they intended it to be meaningless and offer no protection to consumers.

1 **Q. If the utilities already have excessive earnings before any rate increases due**
2 **to the ESP, will these excessive earnings be retained by the utilities under a**
3 **reasonable interpretation of the test?**

4 A. Yes, but only for a limited time period. Under the significantly excessive
5 earnings test, all ESP rate increases will be refunded to the ratepayers until such
6 time as the utility's earnings are reduced to the threshold for significantly
7 excessive earnings. In other words, the significantly excessive earnings will be
8 reduced over time until its earnings hit the significantly excessive threshold. The
9 result is an intentional and structured form of earnings attrition that ensures that
10 rate increases will be refunded until the utilities' costs increase to the point where
11 its earnings are reduced to the significantly excessive threshold. After that point,
12 the utility will be able to implement and retain ESP increases without refunds
13 sufficient to sustain its earnings at the significantly excessive threshold or lower
14 level.

15
16 **Q. Why is it important that utility earnings be calculated each year, rather than**
17 **being averaged over a multi-year period?**

18 A. Fundamentally, the statute requires an annual application of the significantly
19 excessive earnings test. It does not allow averaging over a multi-year period or
20 over multiple entities. SB 221 prohibits including directly or indirectly the
21 revenue, expenses or earnings of any affiliate, such as sister utilities in the same
22 holding company. The statute requires the application of the test "following the
23 end of each annual period of the plan." The test is designed as a ratepayer

1 protection against excessive ESP rate increases that are placed into effect and/or
2 adjusted each year. The Commission is required to consider whether the ESP rate
3 increases in each year resulted in significantly excessive earnings in that same
4 year. Finally, the threshold for significantly excessive earnings must be
5 determined each year because the underlying data necessarily will change each
6 year, including the group of companies that will be considered comparable and
7 their earnings.

8

9 **Q. How do the Companies' earnings for 2007 compare to the result of the**
10 **threshold test addressed by OEG witness Mr. King for 2007?**

11 A. The Toledo Edison Company earned 18.8%, The Cleveland Electric Company
12 earned 18.55% and Ohio Edison Company earned 12.51% on a per books basis,
13 assuming no ratemaking adjustments. Both TE and CEI would be over the
14 significantly excessive earnings threshold for 2007 if the threshold is computed in
15 the manner proposed by Mr. King and if it had been applicable for 2007. The
16 computations are shown on my Exhibit___(LK-13).

17

18 **Q. Have you quantified the revenue requirement effect of each 1% in earned**
19 **return on common equity for each of the Companies using 2007 data?**

20 A. Yes. A 1% return on common equity is equivalent to approximately \$8 million in
21 increased revenues for The Toledo Edison Company, \$27 million for Ohio Edison
22 Company and \$26 million for The Cleveland Electric Illuminating Company.

1 Stated another way, if the Commission found that the utilities had excess earnings
2 by 1%, then these are the amounts of refunds that would be required.

3

4 **Q. Does this complete your testimony?**

5 **A. Yes.**

BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

IN RE: APPLICATION OF OHIO EDISON)
COMPANY, THE CLEVELAND ELECTRIC)
ILLUMINATING COMPANY, AND THE) CASE NO. 08-935-EL-SSO
TOLEDO EDISON COMPANY FOR)
AUTHORITY TO ESTABLISH AN)
ELECTRIC SECURITY PLAN PURSUANT)
TO R.C. § 4928.143)

EXHIBITS
OF
LANE KOLLEN

ON BEHALF OF THE
OHIO ENERGY GROUP, INC.

J. KENNEDY AND ASSOCIATES, INC.
ROSWELL, GEORGIA

September 2008

EXHIBIT ____ (LK-1)

RESUME OF LANE KOLLEN, VICE PRESIDENT

EDUCATION

**University of Toledo, BBA
Accounting**

University of Toledo, MBA

Luther Rice University, MA

PROFESSIONAL CERTIFICATIONS

Certified Public Accountant (CPA)

Certified Management Accountant (CMA)

PROFESSIONAL AFFILIATIONS

American Institute of Certified Public Accountants

Georgia Society of Certified Public Accountants

Institute of Management Accountants

More than thirty years of utility industry experience in the financial, rate, tax, and planning areas. Specialization in revenue requirements analyses, taxes, evaluation of rate and financial impacts of traditional and nontraditional ratemaking, utility mergers/acquisition and diversification. Expertise in proprietary and nonproprietary software systems used by utilities for budgeting, rate case support and strategic and financial planning.

RESUME OF LANE KOLLEN, VICE PRESIDENT

EXPERIENCE

1986 to

Present:

J. Kennedy and Associates, Inc.: Vice President and Principal. Responsible for utility stranded cost analysis, revenue requirements analysis, cash flow projections and solvency, financial and cash effects of traditional and nontraditional ratemaking, and research, speaking and writing on the effects of tax law changes. Testimony before Connecticut, Florida, Georgia, Indiana, Louisiana, Kentucky, Maine, Maryland, Minnesota, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Texas, West Virginia and Wisconsin state regulatory commissions and the Federal Energy Regulatory Commission.

1983 to

1986:

Energy Management Associates: Lead Consultant.

Consulting in the areas of strategic and financial planning, traditional and nontraditional ratemaking, rate case support and testimony, diversification and generation expansion planning. Directed consulting and software development projects utilizing PROSCREEN II and ACUMEN proprietary software products. Utilized ACUMEN detailed corporate simulation system, PROSCREEN II strategic planning system and other custom developed software to support utility rate case filings including test year revenue requirements, rate base, operating income and pro-forma adjustments. Also utilized these software products for revenue simulation, budget preparation and cost-of-service analyses.

1976 to

1983:

The Toledo Edison Company: Planning Supervisor.

Responsible for financial planning activities including generation expansion planning, capital and expense budgeting, evaluation of tax law changes, rate case strategy and support and computerized financial modeling using proprietary and nonproprietary software products. Directed the modeling and evaluation of planning alternatives including:

Rate phase-ins.

Construction project cancellations and write-offs.

Construction project delays.

Capacity swaps.

Financing alternatives.

Competitive pricing for off-system sales.

Sale/leasebacks.

RESUME OF LANE KOLLEN, VICE PRESIDENT

CLIENTS SERVED

Industrial Companies and Groups

Air Products and Chemicals, Inc.	Lehigh Valley Power Committee
Airco Industrial Gases	Maryland Industrial Group
Alcan Aluminum	Multiple Intervenors (New York)
Armco Advanced Materials Co.	National Southwire
Armco Steel	North Carolina Industrial
Bethlehem Steel	Energy Consumers
Connecticut Industrial Energy Consumers	Occidental Chemical Corporation
ELCON	Ohio Energy Group
Enron Gas Pipeline Company	Ohio Industrial Energy Consumers
Florida Industrial Power Users Group	Ohio Manufacturers Association
Gallatin Steel	Philadelphia Area Industrial Energy
General Electric Company	Users Group
GPU Industrial Intervenors	PSI Industrial Group
Indiana Industrial Group	Smith Cogeneration
Industrial Consumers for	Taconite Intervenors (Minnesota)
Fair Utility Rates - Indiana	West Penn Power Industrial Intervenors
Industrial Energy Consumers - Ohio	West Virginia Energy Users Group
Kentucky Industrial Utility Customers, Inc.	Westvaco Corporation
Kimberly-Clark Company	

Regulatory Commissions and **Government Agencies**

Cities in Texas-New Mexico Power Company's Service Territory
Cities in AEP Texas Central Company's Service Territory
Cities in AEP Texas North Company's Service Territory
Georgia Public Service Commission Staff
Kentucky Attorney General's Office, Division of Consumer Protection
Louisiana Public Service Commission Staff
Maine Office of Public Advocate
New York State Energy Office
Office of Public Utility Counsel (Texas)

RESUME OF LANE KOLLEN, VICE PRESIDENT

Utilities

Allegheny Power System
Atlantic City Electric Company
Carolina Power & Light Company
Cleveland Electric Illuminating Company
Delmarva Power & Light Company
Duquesne Light Company
General Public Utilities
Georgia Power Company
Middle South Services
Nevada Power Company
Niagara Mohawk Power Corporation

Otter Tail Power Company
Pacific Gas & Electric Company
Public Service Electric & Gas
Public Service of Oklahoma
Rochester Gas and Electric
Savannah Electric & Power Company
Seminole Electric Cooperative
Southern California Edison
Talquin Electric Cooperative
Tampa Electric
Texas Utilities
Toledo Edison Company

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdic.	Party	Utility	Subject
10/86	U-17282 Interim	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Cash revenue requirements financial solvency.
11/86	U-17282 Interim Rebuttal	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Cash revenue requirements financial solvency.
12/86	9613	KY	Attorney General Div. of Consumer Protection	Big Rivers Electric Corp.	Revenue requirements accounting adjustments financial workout plan.
1/87	U-17282 Interim	LA 19th Judicial District Ct.	Louisiana Public Service Commission Staff	Gulf States Utilities	Cash revenue requirements, financial solvency.
3/87	General Order 236	WV	West Virginia Energy Users' Group	Monongahela Power Co.	Tax Reform Act of 1986.
4/87	U-17282 Prudence	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Prudence of River Bend 1, economic analyses, cancellation studies.
4/87	M-100 Sub 113	NC	North Carolina Industrial Energy Consumers	Duke Power Co.	Tax Reform Act of 1986.
5/87	86-524-E-	WV	West Virginia Energy Users' Group	Monongahela Power Co.	Revenue requirements. Tax Reform Act of 1986.
5/87	U-17282 Case In Chief	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Revenue requirements, River Bend 1 phase-in plan, financial solvency.
7/87	U-17282 Case In Chief Surrebuttal	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Revenue requirements River Bend 1 phase-in plan, financial solvency.
7/87	U-17282 Prudence Surrebuttal	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Prudence of River Bend 1, economic analyses, cancellation studies.
7/87	86-524 E-SC Rebuttal	WV	West Virginia Energy Users' Group	Monongahela Power Co.	Revenue requirements, Tax Reform Act of 1986.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdct.	Party	Utility	Subject
8/87	9885	KY	Attorney General Div. of Consumer Protection	Big Rivers Electric Corp.	Financial workout plan.
8/87	E-015/GR- 87-223	MN	Taconite Intervenors	Minnesota Power & Light Co.	Revenue requirements, O&M expense, Tax Reform Act of 1986.
10/87	870220-EI	FL	Occidental Chemical Corp.	Florida Power Corp.	Revenue requirements, O&M expense, Tax Reform Act of 1986.
11/87	87-07-01	CT	Connecticut Industrial Energy Consumers	Connecticut Light & Power Co.	Tax Reform Act of 1986.
1/88	U-17282	LA 19th Judicial District Ct.	Louisiana Public Service Commission	Gulf States Utilities	Revenue requirements, River Bend 1 phase-in plan, rate of return.
2/88	9934	KY	Kentucky Industrial Utility Customers	Louisville Gas & Electric Co.	Economics of Trimble County completion.
2/88	10064	KY	Kentucky Industrial Utility Customers	Louisville Gas & Electric Co.	Revenue requirements, O&M expense, capital structure, excess deferred income taxes.
5/88	10217	KY	Alcan Aluminum National Southwire	Big Rivers Electric Corp.	Financial workout plan.
5/88	M-87017 -1C001	PA	GPU Industrial Intervenors	Metropolitan Edison Co.	Nonutility generator deferred cost recovery.
5/88	M-87017 -2C005	PA	GPU Industrial Intervenors	Pennsylvania Electric Co.	Nonutility generator deferred cost recovery.
6/88	U-17282	LA 19th Judicial District Ct.	Louisiana Public Service Commission	Gulf States Utilities	Prudence of River Bend 1 economic analyses, cancellation studies, financial modelling.
7/88	M-87017- 1C001 Rebuttal	PA	GPU Industrial Intervenors	Metropolitan Edison Co.	Nonutility generator deferred cost recovery, SFAS No. 92

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdic.	Party	Utility	Subject
7/88	M-87017- 2C005 Rebuttal	PA	GPU Industrial Intervenors	Pennsylvania Electric Co.	Nonutility generator deferred cost recovery, SFAS No. 92
9/88	88-05-25	CT	Connecticut Industrial Energy Consumers	Connecticut Light & Power Co.	Excess deferred taxes, O&M expenses.
9/88	10064 Rehearing	KY	Kentucky Industrial Utility Customers	Louisville Gas & Electric Co.	Premature retirements, interest expense.
10/88	88-170- EL-AIR	OH	Ohio Industrial Energy Consumers	Cleveland Electric Illuminating Co.	Revenue requirements, phase-in, excess deferred taxes, O&M expenses, financial considerations, working capital.
10/88	88-171- EL-AIR	OH	Ohio Industrial Energy Consumers	Toledo Edison Co.	Revenue requirements, phase-in, excess deferred taxes, O&M expenses, financial considerations, working capital.
10/88	8800 355-EI	FL	Florida Industrial Power Users' Group	Florida Power & Light Co.	Tax Reform Act of 1986, tax expenses, O&M expenses, pension expense (SFAS No. 87).
10/88	3780-U	GA	Georgia Public Service Commission Staff	Atlanta Gas Light Co.	Pension expense (SFAS No. 87).
11/88	U-17262 Remand	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Rate base exclusion plan (SFAS No. 71)
12/88	U-17970	LA	Louisiana Public Service Commission Staff	AT&T Communications of South Central States	Pension expense (SFAS No. 87).
12/88	U-17949 Rebuttal	LA	Louisiana Public Service Commission Staff	South Central Bell	Compensated absences (SFAS No. 43), pension expense (SFAS No. 87), Part 32, income tax normalization.
2/89	U-17282 Phase II	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Revenue requirements, phase-in of River Bend 1, recovery of canceled plant.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdct.	Party	Utility	Subject
6/89	881602-EU 890326-EU	FL	Talquin Electric Cooperative	Talquin/City of Tallahassee	Economic analyses, incremental cost-of-service, average customer rates.
7/89	U-17970	LA	Louisiana Public Service Commission Staff	AT&T Communications of South Central States	Pension expense (SFAS No. 87), compensated absences (SFAS No. 43), Part 32.
8/89	8555	TX	Occidental Chemical Corp.	Houston Lighting & Power Co.	Cancellation cost recovery, tax expense, revenue requirements.
8/89	3840-U	GA	Georgia Public Service Commission Staff	Georgia Power Co.	Promotional practices, advertising, economic development.
9/89	U-17282 Phase II Detailed	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Revenue requirements, detailed investigation.
10/89	8880	TX	Enron Gas Pipeline	Texas-New Mexico Power Co.	Deferred accounting treatment, sale/leaseback.
10/89	8928	TX	Enron Gas Pipeline	Texas-New Mexico Power Co.	Revenue requirements, imputed capital structure, cash working capital.
10/89	R-891364	PA	Philadelphia Area Industrial Energy Users Group	Philadelphia Electric Co.	Revenue requirements.
11/89 12/89	R-891364 Supplemental (2 Filings)	PA	Philadelphia Area Industrial Energy Users Group	Philadelphia Electric Co.	Revenue requirements, sale/leaseback.
1/90	U-17282 Phase II Detailed Rebuttal	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Revenue requirements detailed investigation.
1/90	U-17282 Phase III	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Phase-in of River Bend 1, deregulated asset plan.
3/90	890319-EI	FL	Florida Industrial Power Users Group	Florida Power & Light Co.	O&M expenses, Tax Reform Act of 1986.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdct.	Party	Utility	Subject
4/90	890319-EI Rebuttal	FL	Florida Industrial Power Users Group	Florida Power & Light Co.	O&M expenses, Tax Reform Act of 1986.
4/90	U-17282	LA 19 th Judicial District Ct.	Louisiana Public Service Commission	Gulf States Utilities	Fuel clause, gain on sale of utility assets.
9/90	90-158	KY	Kentucky Industrial Utility Customers	Louisville Gas & Electric Co.	Revenue requirements, post-test year additions, forecasted test year.
12/90	U-17282 Phase IV	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Revenue requirements.
3/91	29327, et. al.	NY	Multiple Intervenors	Niagara Mohawk Power Corp.	Incentive regulation.
5/91	9945	TX	Office of Public Utility Counsel of Texas	El Paso Electric Co.	Financial modeling, economic analyses, prudence of Palo Verde 3.
9/91	P-910511 P-910512	PA	Allegheny Ludlum Corp., Armco Advanced Materials Co., The West Penn Power Industrial Users' Group	West Penn Power Co.	Recovery of CAAA costs, least cost financing.
9/91	91-231 -E-NC	WV	West Virginia Energy Users Group	Monongahela Power Co.	Recovery of CAAA costs, least cost financing.
11/91	U-17282	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Asset impairment, deregulated asset plan, revenue require- ments.
12/91	91-410- EL-AIR	OH	Air Products and Chemicals, Inc., Armco Steel Co., General Electric Co., Industrial Energy Consumers	Cincinnati Gas & Electric Co.	Revenue requirements, phase-in plan.
12/91	10200	TX	Office of Public Utility Counsel of Texas	Texas-New Mexico Power Co.	Financial integrity, strategic planning, declined business affiliations.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdic.	Party	Utility	Subject
5/92	910890-EI	FL	Occidental Chemical Corp.	Florida Power Corp.	Revenue requirements, O&M expense, pension expense, OPEB expense, fossil dismantling, nuclear decommissioning.
8/92	R-00922314	PA	GPU Industrial Intervenor	Metropolitan Edison Co.	Incentive regulation, performance rewards, purchased power risk, OPEB expense.
9/92	92-043	KY	Kentucky Industrial Utility Consumers	Generic Proceeding	OPEB expense.
9/92	920324-EI	FL	Florida Industrial Power Users' Group	Tampa Electric Co.	OPEB expense.
9/92	39348	IN	Indiana Industrial Group	Generic Proceeding	OPEB expense.
9/92	910840-PU	FL	Florida Industrial Power Users' Group	Generic Proceeding	OPEB expense.
9/92	39314	IN	Industrial Consumers for Fair Utility Rates	Indiana Michigan Power Co.	OPEB expense.
11/92	U-19904	LA	Louisiana Public Service Commission Staff	Gulf States Utilities/Entergy Corp.	Merger.
11/92	8649	MD	Westvaco Corp., Eastalco Aluminum Co.	Potomac Edison Co.	OPEB expense.
11/92	92-1715-AU-COI	OH	Ohio Manufacturers Association	Generic Proceeding	OPEB expense.
12/92	R-00922378	PA	Armco Advanced Materials Co., The WPP Industrial Intervenor	West Penn Power Co.	Incentive regulation, performance rewards, purchased power risk, OPEB expense.
12/92	U-19949	LA	Louisiana Public Service Commission Staff	South Central Bell	Affiliate transactions, cost allocations, merger.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdiction	Party	Utility	Subject
12/92	R-00922479	PA	Philadelphia Area Industrial Energy Users' Group	Philadelphia Electric Co.	OPEB expense.
1/93	8487	MD	Maryland Industrial Group	Baltimore Gas & Electric Co., Bethlehem Steel Corp.	OPEB expense, deferred fuel, CWIP in rate base
1/93	39498	IN	PSI Industrial Group	PSI Energy, Inc.	Refunds due to over-collection of taxes on Marble Hill cancellation.
3/93	92-11-11	CT	Connecticut Industrial Energy Consumers	Connecticut Light & Power Co.	OPEB expense.
3/93	U-19904 (Supplemental)	LA	Louisiana Public Service Commission Staff	Gulf States Utilities/Entergy Corp.	Merger.
3/93	93-01 EL-EFC	OH	Ohio Industrial Energy Consumers	Ohio Power Co.	Affiliate transactions, fuel.
3/93	EC92-21000 ER92-806-000	FERC	Louisiana Public Service Commission	Gulf States Utilities/Entergy Corp.	Merger.
4/93	92-1464- EL-AIR	OH	Air Products Armco Steel Industrial Energy Consumers	Cincinnati Gas & Electric Co.	Revenue requirements, phase-in plan.
4/93	EC92-21000 ER92-806-000 (Rebuttal)	FERC	Louisiana Public Service Commission	Gulf States Utilities/Entergy Corp.	Merger.
9/93	93-113	KY	Kentucky Industrial Utility Customers	Kentucky Utilities	Fuel clause and coal contract refund.
9/93	92-490, 92-490A, 90-360-C	KY	Kentucky Industrial Utility Customers and Kentucky Attorney General	Big Rivers Electric Corp.	Disallowances and restitution for excessive fuel costs, illegal and improper payments, recovery of mine closure costs.
10/93	U-17735	LA	Louisiana Public Service Commission Staff	Cajun Electric Power Cooperative	Revenue requirements, debt restructuring agreement, River Bend cost recovery.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdct.	Party	Utility	Subject
1/94	U-20647	LA	Louisiana Public Service Commission Staff	Gulf States Utilities Co.	Audit and investigation into fuel clause costs.
4/94	U-20647 (Surrebuttal)	LA	Louisiana Public Service Commission Staff	Gulf States Utilities	Nuclear and fossil unit performance, fuel costs, fuel clause principles and guidelines.
5/94	U-20178	LA	Louisiana Public Service Commission Staff	Louisiana Power & Light Co.	Planning and quantification issues of least cost integrated resource plan.
9/94	U-19904 Initial Post-Merger Earnings Review	LA	Louisiana Public Service Commission Staff	Gulf States Utilities Co.	River Bend phase-in plan, deregulated asset plan, capital structure, other revenue requirement issues.
9/94	U-17735	LA	Louisiana Public Service Commission Staff	Cajun Electric Power Cooperative	G&T cooperative ratemaking policies, exclusion of River Bend, other revenue requirement issues.
10/94	3905-U	GA	Georgia Public Service Commission Staff	Southern Bell Telephone Co.	Incentive rate plan, earnings review.
10/94	5258-U	GA	Georgia Public Service Commission Staff	Southern Bell Telephone Co.	Alternative regulation, cost allocation.
11/94	U-19904 Initial Post-Merger Earnings Review (Rebuttal)	LA	Louisiana Public Service Commission Staff	Gulf States Utilities Co.	River Bend phase-in plan, deregulated asset plan, capital structure, other revenue requirement issues.
11/94	U-17735 (Rebuttal)	LA	Louisiana Public Service Commission Staff	Cajun Electric Power Cooperative	G&T cooperative ratemaking policy, exclusion of River Bend, other revenue requirement issues.
4/95	R-00943271	PA	PP&L Industrial Customer Alliance	Pennsylvania Power & Light Co.	Revenue requirements. Fossil dismantling, nuclear decommissioning.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdct.	Party	Utility	Subject
6/95	3905-U	GA	Georgia Public Service Commission	Southern Bell Telephone Co.	Incentive regulation, affiliate transactions, revenue requirements, rate refund.
6/95	U-19904 (Direct)	LA	Louisiana Public Service Commission Staff	Gulf States Utilities Co.	Gas, coal, nuclear fuel costs, contract prudence, base/fuel realignment.
10/95	95-02614	TN	Tennessee Office of the Attorney General Consumer Advocate	BellSouth Telecommunications, Inc.	Affiliate transactions.
10/95	U-21485 (Direct)	LA	Louisiana Public Service Commission Staff	Gulf States Utilities Co.	Nuclear O&M, River Bend phase-in plan, base/fuel realignment, NOL and AltMin asset deferred taxes, other revenue requirement issues.
11/95	U-19904 (Surrebuttal)	LA	Louisiana Public Service Commission Staff	Gulf States Utilities Co. Division	Gas, coal, nuclear fuel costs, contract prudence, base/fuel realignment.
11/95	U-21485 (Supplemental Direct) 12/95 U-21485 (Surrebuttal)	LA	Louisiana Public Service Commission Staff	Gulf States Utilities Co.	Nuclear O&M, River Bend phase-in plan, base/fuel realignment, NOL and AltMin asset deferred taxes, other revenue requirement issues.
1/96	95-299-EL-AIR 95-300-EL-AIR	OH	Industrial Energy Consumers	The Toledo Edison Co. The Cleveland Electric Illuminating Co.	Competition, asset writeoffs and revaluation, O&M expense, other revenue requirement issues.
2/96	PUC No. 14967	TX	Office of Public Utility Counsel	Central Power & Light	Nuclear decommissioning.
5/96	95-485-LCS	NM	City of Las Cruces	El Paso Electric Co.	Stranded cost recovery, municipalization.
7/96	8725	MD	The Maryland Industrial Group and Redland Genstar, Inc.	Baltimore Gas & Electric Co., Potomac Electric Power Co. and Constellation Energy Corp.	Merger savings, tracking mechanism, earnings sharing plan, revenue requirement issues.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdct.	Party	Utility	Subject
9/96 11/96	U-22092 U-22092 (Surrebuttal)	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	River Bend phase-in plan, base/fuel realignment, NOL and AltWin asset deferred taxes, other revenue requirement issues, allocation of regulated/nonregulated costs.
10/96	96-327	KY	Kentucky Industrial Utility Customers, Inc.	Big Rivers Electric Corp.	Environmental surcharge recoverable costs.
2/97	R-00973877	PA	Philadelphia Area Industrial Energy Users Group	PECO Energy Co.	Stranded cost recovery, regulatory assets and liabilities, intangible transition charge, revenue requirements.
3/97	96-489	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Power Co.	Environmental surcharge recoverable costs, system agreements, allowance inventory, jurisdictional allocation.
6/97	TO-97-397	MO	MCI Telecommunications Corp., Inc., MCI Metro Access Transmission Services, Inc.	Southwestern Bell Telephone Co.	Price cap regulation, revenue requirements, rate of return.
6/97	R-00973953	PA	Philadelphia Area Industrial Energy Users Group	PECO Energy Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, nuclear and fossil decommissioning.
7/97	R-00973954	PA	PP&L Industrial Customer Alliance	Pennsylvania Power & Light Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, nuclear and fossil decommissioning.
7/97	U-22092	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Depreciation rates and methodologies, River Bend phase-in plan.
8/97	97-300	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas & Electric Co. and Kentucky Utilities Co.	Merger policy, cost savings, surcredit sharing mechanism, revenue requirements, rate of return.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdic.	Party	Utility	Subject
8/97	R-00973954 (Surrebuttal)	PA	PP&L Industrial Customer Alliance	Pennsylvania Power & Light Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, nuclear and fossil decommissioning.
10/97	97-204	KY	Alcan Aluminum Corp. Southwire Co.	Big Rivers Electric Corp.	Restructuring, revenue requirements, reasonableness
10/97	R-974008	PA	Metropolitan Edison Industrial Users Group	Metropolitan Edison Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, nuclear and fossil decommissioning, revenue requirements.
10/97	R-974009	PA	Penelec Industrial Customer Alliance	Pennsylvania Electric Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, nuclear and fossil decommissioning, revenue requirements.
11/97	97-204 (Rebuttal)	KY	Alcan Aluminum Corp. Southwire Co.	Big Rivers Electric Corp.	Restructuring, revenue requirements, reasonableness of rates, cost allocation.
11/97	U-22491	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Allocation of regulated and nonregulated costs, other revenue requirement issues.
11/97	R-00973953 (Surrebuttal)	PA	Philadelphia Area Industrial Energy Users Group	PECO Energy Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, nuclear and fossil decommissioning.
11/97	R-973981	PA	West Penn Power Industrial Intervenor	West Penn Power Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, fossil decommissioning, revenue requirements, securitization.
11/97	R-974104	PA	Duquesne Industrial Intervenor	Duquesne Light Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, nuclear and fossil decommissioning, revenue requirements, securitization.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdic.	Party	Utility	Subject
12/97	R-973981 (Surrebuttal)	PA	West Penn Power Industrial Intervenor	West Penn Power Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, fossil decommissioning, revenue requirements.
12/97	R-974104 (Surrebuttal)	PA	Duquesne Industrial Intervenor	Duquesne Light Co.	Restructuring, deregulation, stranded costs, regulatory assets, liabilities, nuclear and fossil decommissioning, revenue requirements, securitization.
1/98	U-22491 (Surrebuttal)	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Allocation of regulated and nonregulated costs, other revenue requirement issues.
2/98	8774	MD	Westvaco	Potomac Edison Co.	Merger of Duquesne, AE, customer safeguards, savings sharing.
3/98	U-22092 (Allocated Stranded Cost Issues)	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Restructuring, stranded costs, regulatory assets, securitization, regulatory mitigation.
3/98	8390-U	GA	Georgia Natural Gas Group, Georgia Textile Manufacturers Assoc.	Atlanta Gas Light Co.	Restructuring, unbundling, stranded costs, incentive regulation, revenue requirements.
3/98	U-22092 (Allocated Stranded Cost Issues) (Surrebuttal)	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Restructuring, stranded costs, regulatory assets, securitization, regulatory mitigation.
10/98	97-596	ME	Maine Office of the Public Advocate	Bangor Hydro- Electric Co.	Restructuring, unbundling, stranded costs, T&D revenue requirements.
10/98	9355-U	GA	Georgia Public Service Commission Adversary Staff	Georgia Power Co.	Affiliate transactions.
10/98	U-17735	LA	Louisiana Public Service Commission Staff	Cajun Electric Power Cooperative	G&T cooperative ratemaking policy, other revenue requirement issues.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdct.	Party	Utility	Subject
11/98	U-23327	LA	Louisiana Public Service Commission Staff	SWEP, CSW and AEP	Merger policy, savings sharing mechanism, affiliate transaction conditions.
12/98	U-23358 (Direct)	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Allocation of regulated and nonregulated costs, tax issues, and other revenue requirement issues.
12/98	98-577	ME	Maine Office of Public Advocate	Maine Public Service Co.	Restructuring, unbundling, stranded cost, T&D revenue requirements.
1/99	98-10-07	CT	Connecticut Industrial Energy Consumers	United Illuminating Co.	Stranded costs, investment tax credits, accumulated deferred income taxes, excess deferred income taxes.
3/99	U-23358 (Surrebuttal)	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Allocation of regulated and nonregulated costs, tax issues, and other revenue requirement issues.
3/99	98-474	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas and Electric Co.	Revenue requirements, alternative forms of regulation.
3/99	98-426	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co.	Revenue requirements, alternative forms of regulation.
3/99	99-082	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas and Electric Co.	Revenue requirements.
3/99	99-083	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co.	Revenue requirements.
4/99	U-23358 (Supplemental Surrebuttal)	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Allocation of regulated and nonregulated costs, tax issues, and other revenue requirement issues.
4/99	99-03-04	CT	Connecticut Industrial Energy Consumers	United Illuminating Co.	Regulatory assets and liabilities, stranded costs, recovery mechanisms.
4/99	99-02-05	CT	Connecticut Industrial Utility Customers	Connecticut Light and Power Co.	Regulatory assets and liabilities, stranded costs, recovery mechanisms.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdct.	Party	Utility	Subject
5/99	98-426 99-082 (Additional Direct)	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas and Electric Co.	Revenue requirements.
5/99	98-474 99-083 (Additional Direct)	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co.	Revenue requirements.
5/99	98-426 98-474 (Response to Amended Applications)	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas and Electric Co. and Kentucky Utilities Co.	Alternative regulation.
6/99	97-596	ME	Maine Office of Public Advocate	Bangor Hydro- Electric Co.	Request for accounting order regarding electric industry restructuring costs.
6/99	U-23368	LA	Louisiana Public Public Service Comm. Staff	Entergy Gulf States, Inc.	Affiliate transactions, cost allocations.
7/99	99-03-35	CT	Connecticut Industrial Energy Consumers	United Illuminating Co.	Stranded costs, regulatory assets, tax effects of asset divestiture.
7/99	U-23327	LA	Louisiana Public Service Commission Staff	Southwestern Electric Power Co., Central and South West Corp, and American Electric Power Co.	Merger Settlement and Stipulation.
7/99	97-596 Surrebuttal	ME	Maine Office of Public Advocate	Bangor Hydro- Electric Co.	Restructuring, unbundling, stranded cost, T&D revenue requirements.
7/99	98-0452- E-GI	WV	West Virginia Energy Users Group	Monongahela Power, Potomac Edison, Appalachian Power, Wheeling Power	Regulatory assets and liabilities.
8/99	98-577 Surrebuttal	ME	Maine Office of Public Advocate	Maine Public Service Co.	Restructuring, unbundling, stranded costs, T&D revenue requirements.
8/99	98-426 99-082 Rebuttal	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas and Electric Co.	Revenue requirements.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

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8/99	98-474 98-083 Rebuttal	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co.	Revenue requirements.
8/99	98-0452- E-GI Rebuttal	WV	West Virginia Energy Users Group	Monongahela Power, Potomac Edison, Appalachian Power, Wheeling Power	Regulatory assets and liabilities.
10/99	U-24182 Direct	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Allocation of regulated and nonregulated costs, affiliate transactions, tax issues, and other revenue requirement issues.
11/99	21527	TX	Dallas-Ft.Worth Hospital Council and Coalition of Independent Colleges and Universities	TXU Electric	Restructuring, stranded costs, taxes, securitization.
11/99	U-23358 Surebuttal Affiliate Transactions Review	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Service company affiliate transaction costs.
04/00	99-1212-EL-ETPOH 99-1213-EL-ATA 99-1214-EL-AAM		Greater Cleveland Growth Association	First Energy (Cleveland Electric Illuminating, Toledo Edison)	Historical review, stranded costs, regulatory assets, liabilities.
01/00	U-24182 Surebuttal	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Allocation of regulated and nonregulated costs, affiliate transactions, tax issues, and other revenue requirement issues.
05/00	2000-107	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Power Co.	ECR surcharge roll-in to base rates.
05/00	U-24182 Supplemental Direct	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Affiliate expense proforma adjustments.
05/00	A-110550F0147 PA		Philadelphia Area Industrial Energy Users Group	PECO Energy	Merger between PECO and Unicom.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdct.	Party	Utility	Subject
07/00	22344	TX	The Dallas-Fort Worth Hospital Council and The Coalition of Independent Colleges and Universities	Statewide Generic Proceeding	Escalation of O&M expenses for unbundled T&D revenue requirements in projected test year.
05/00	99-1658-EL-ETP	OH	AK Steel Corp.	Cincinnati Gas & Electric Co.	Regulatory transition costs, including regulatory assets and liabilities, SFAS 109, ADIT, EDIT, ITC.
07/00	U-21453	LA	Louisiana Public Service Commission	SWEPCO	Stranded costs, regulatory assets and liabilities.
08/00	U-24064	LA	Louisiana Public Service Commission Staff	CLECO	Affiliate transaction pricing ratemaking principles, subsidization of nonregulated affiliates, ratemaking adjustments.
10/00	PUC 22350 SOAH 473-00-1015	TX	The Dallas-Ft. Worth Hospital Council and The Coalition of Independent Colleges And Universities	TXU Electric Co.	Restructuring, T&D revenue requirements, mitigation, regulatory assets and liabilities.
10/00	R-00974104 Affidavit	PA	Duquesne Industrial intervenors	Duquesne Light Co.	Final accounting for stranded costs, including treatment of auction proceeds, taxes, capital costs, switchback costs, and excess pension funding.
11/00	P-00001837 R-00974008 P-00001838 R-00974009	PA	Metropolitan Edison Industrial Users Group Penelec Industrial Customer Alliance	Metropolitan Edison Co. Pennsylvania Electric Co.	Final accounting for stranded costs, including treatment of auction proceeds, taxes, regulatory assets and liabilities, transaction costs.
12/00	U-21453, U-20925, U-22092 (Subdocket C) Surebuttal	LA	Louisiana Public Service Commission Staff	SWEPCO	Stranded costs, regulatory assets.
01/01	U-24993 Direct	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Allocation of regulated and nonregulated costs, tax issues, and other revenue requirement issues.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdct.	Party	Utility	Subject
01/01	U-21453, U-20925, U-22092 (Subdocket B) Surrebuttal	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Industry restructuring, business separation plan, organization structure, hold harmless conditions, financing.
01/01	Case No. 2000-386	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas & Electric Co.	Recovery of environmental costs, surcharge mechanism.
01/01	Case No. 2000-439	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co.	Recovery of environmental costs, surcharge mechanism.
02/01	A-110300F0095 PA A-110400F0040	PA	Met-Ed Industrial Users Group Penelec Industrial Customer Alliance	GPU, Inc. FirstEnergy Corp/	Merger, savings, reliability.
03/01	P-00001860 PA P-00001861	PA	Met-Ed Industrial Users Group Penelec Industrial Customer Alliance	Metropolitan Edison Co. and Pennsylvania Electric Co.	Recovery of costs due to provider of last resort obligation.
04/01	U-21453, U-20925, U-22092 (Subdocket B) Settlement Term Sheet	LA	Louisiana Public Public Service Comm. Staff	Entergy Gulf States, Inc.	Business separation plan: settlement agreement on overall plan structure.
04/01	U-21453, U-20925, U-22092 (Subdocket B) Contested Issues	LA	Louisiana Public Public Service Comm. Staff	Entergy Gulf States, Inc.	Business separation plan: agreements, hold harmless conditions, separations methodology.
05/01	U-21453, U-20925, U-22092 (Subdocket B) Contested Issues Transmission and Distribution Rebuttal	LA	Louisiana Public Public Service Comm. Staff	Entergy Gulf States, Inc.	Business separation plan: agreements, hold harmless conditions, Separations methodology.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdct.	Party	Utility	Subject
07/01	U-21453, U-20925, U-22092 Subdocket B Transmission and Distribution Term Sheet	LA	Louisiana Public Public Service Comm. Staff	Entergy Gulf States, Inc.	Business separation plan; settlement agreement on T&D issues, agreements necessary to implement T&D separations, hold harmless conditions, separations methodology.
10/01	14000-U	GA	Georgia Public Service Commission Adversary Staff	Georgia Power Company	Revenue requirements, Rate Plan, fuel clause recovery.
11/01	14311-U Direct Panel with Bolin Killings	GA	Georgia Public Service Commission Adversary Staff	Atlanta Gas Light Co.	Revenue requirements, revenue forecast, O&M expense, depreciation, plant additions, cash working capital.
11/01	U-25687 Direct	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Revenue requirements, capital structure, allocation of regulated and nonregulated costs, River Bend uprate.
02/02	25230	TX	Dallas Ft.-Worth Hospital Council & the Coalition of Independent Colleges & Universities	TXU Electric	Stipulation. Regulatory assets, securitization financing.
02/02	U-25687 Surrebuttal	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Revenue requirements, corporate franchise tax, conversion to LLC, River Bend uprate.
03/02	14311-U Rebuttal Panel with Bolin Killings	GA	Georgia Public Service Commission Adversary Staff	Atlanta Gas Light Co.	Revenue requirements, earnings sharing plan, service quality standards.
03/02	14311-U Rebuttal Panel with Michelle L. Thebert	GA	Georgia Public Service Commission Adversary Staff	Atlanta Gas Light Co.	Revenue requirements, revenue forecast, O&M expense, depreciation, plant additions, cash working capital.
03/02	001148-EI	FL	South Florida Hospital and Healthcare Assoc.	Florida Power & Light Co.	Revenue requirements. Nuclear life extension, storm damage accruals and reserve, capital structure, O&M expense.
04/02 (Supplemental Surrebuttal)	U-25687	LA	Louisiana Public Service Commission	Entergy Gulf States, Inc.	Revenue requirements, corporate franchise tax, conversion to LLC, River Bend uprate.
04/02	U-21453, U-20925 and U-22092		Louisiana Public Service Commission	SWEPCO	Business separation plan, T&D Term Sheet, separations methodologies, hold harmless

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdct.	Party	Utility	Subject
	(Subdocket C)		Staff		conditions.
08/02	EL01-88-000	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and The Entergy Operating Companies	System Agreement, production cost equalization, tariffs.
08/02	U-25888	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc. and Entergy Louisiana, Inc.	System Agreement, production cost disparities, prudence.
09/02	2002-00224 2002-00225	KY	Kentucky Industrial Utilities Customers, Inc.	Kentucky Utilities Co. Louisville Gas & Electric Co.	Line losses and fuel clause recovery associated with off-system sales.
11/02	2002-00146 2002-00147	KY	Kentucky Industrial Utilities Customers, Inc.	Kentucky Utilities Co. Louisville Gas & Electric Co.	Environmental compliance costs and surcharge recovery.
01/03	2002-00169	KY	Kentucky Industrial Utilities Customers, Inc.	Kentucky Power Co.	Environmental compliance costs and surcharge recovery.
04/03	2002-00429 2002-00430	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co. Louisville Gas & Electric Co.	Extension of merger surcredit, flaws in Companies' studies.
04/03	U-26527	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Revenue requirements, corporate franchise tax, conversion to LLC, Capital structure, post test year Adjustments.
06/03	EL01-88-000 Rebuttal	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	System Agreement, production cost equalization, tariffs.
08/03	2003-00068	KY	Kentucky Industrial Utility Customers	Kentucky Utilities Co.	Environmental cost recovery, correction of base rate error.
11/03	ER03-753-000	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	Unit power purchases and sale cost-based tariff pursuant to System Agreement.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdct.	Party	Utility	Subject
11/03	ER03-583-000, FERC ER03-583-001, and ER03-583-002 ER03-681-000, ER03-681-001 ER03-682-000, ER03-682-001, and ER03-682-002 ER03-744-000, ER03-744-001 (Consolidated)		Louisiana Public Service Commission	Entergy Services, Inc., the Entergy Operating Companies, EWO Market- ing, L.P. and Entergy Power, Inc.	Unit power purchase and sale agreements, contractual provisions, projected costs, levelized rates, and formula rates.
12/03	U-26527 Surrebuttal	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Revenue requirements, corporate franchise tax, conversion to LLC, Capital structure, post test year adjustments.
12/03	2003-0334 2003-0335	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co. Louisville Gas & Electric Co.	Earnings Sharing Mechanism.
12/03	U-27135	LA	Louisiana Public Service Commission Staff	Entergy Louisiana, Inc.	Purchased power contracts between affiliates, terms and conditions.
03/04	U-26527 Supplemental Surrebuttal	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Revenue requirements, corporate franchise tax, conversion to LLC, capital structure, post test year adjustments.
03/04	2003-00433	KY	Kentucky Industrial Utility Customers, Inc.	Louisville Gas & Electric Co.	Revenue requirements, depreciation rates, O&M expense, deferrals and amortization, earnings sharing mechanism, merger surcredit, VDT surcredit.
03/04	2003-00434	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co.	Revenue requirements, depreciation rates, O&M expense, deferrals and amortization, earnings sharing mechanism, merger surcredit, VDT surcredit.
03/04	SOAH Docket 473-04-2459, PUC Docket	TX	Cities Served by Texas- New Mexico Power Co.	Texas-New Mexico Power Co.	Stranded costs true-up, including including valuation issues. ITC, ADIT, excess earnings.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdic.	Party	Utility	Subject
05/04	29206 04-169- EL-UNC	OH	Ohio Energy Group, Inc.	Columbus Southern Power Co. & Ohio Power Co.	Rate stabilization plan, deferrals, T&D rate increases, earnings.
06/04	SOAH Docket 473-04-4555 PUC Docket 29526	TX	Houston Council for Health and Education	CenterPoint Energy Houston Electric	Stranded costs true-up, including valuation issues, ITC, EDIT, excess mitigation credits, capacity auction true-up revenues, interest.
08/04	SOAH Docket 473-04-4556 PUC Docket 29526 (Suppl Direct)	TX	Houston Council for Health and Education	CenterPoint Energy Houston Electric	Interest on stranded cost pursuant to Texas Supreme Court remand.
09/04	Docket No. U-23327 Subdocket B	LA	Louisiana Public Service Commission Staff	SWEPSCO	Fuel and purchased power expenses recoverable through fuel adjustment clause, trading activities, compliance with terms of various LPSC Orders.
10/04	Docket No. U-23327 Subdocket A	LA	Louisiana Public Service Commission Staff	SWEPSCO	Revenue requirements.
12/04	Case No. 2004-00321 Case No. 2004-00372	KY	Gallatin Steel Co.	East Kentucky Power Cooperative, Inc., Big Sandy Recc, etal.	Environmental cost recovery, qualified costs, TIER requirements, cost allocation.
01/05	30485	TX	Houston Council for Health and Education	CenterPoint Energy Houston Electric, LLC	Stranded cost true-up including regulatory Central Co. assets and liabilities, ITC, EDIT, capacity auction, proceeds, excess mitigation credits, retrospective and prospective ADIT.
02/05	18638-U	GA	Georgia Public Service Commission Adversary Staff	Atlanta Gas Light Co.	Revenue requirements.
02/05	18638-U Panel with Tony Wackerly	GA	Georgia Public Service Commission Adversary Staff	Atlanta Gas Light Co.	Comprehensive rate plan, pipeline replacement program surcharge, performance based rate plan.
02/05	18638-U Panel with Michelle Thebert	GA	Georgia Public Service Commission Adversary Staff	Atlanta Gas Light Co.	Energy conservation, economic development, and tariff issues.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdct.	Party	Utility	Subject
03/05	Case No. 2004-00426 Case No. 2004-00421	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co. Louisville Gas & Electric	Environmental cost recovery, Jobs Creation Act of 2004 and § 199 deduction, excess common equity ratio, deferral and amortization of nonrecurring O&M expense.
06/05	2005-00068	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Power Co.	Environmental cost recovery, Jobs Creation Act of 2004 and §199 deduction, margins on allowances used for AEP system sales.
06/05	050045-EI	FL	South Florida Hospital and Healthcare Assoc.	Florida Power & Light Co.	Storm damage expense and reserve, RTO costs, O&M expense projections, return on equity performance incentive, capital structure, selective second phase post-test year rate increase.
08/05	31055	TX	Alliance for Valley Healthcare	AEF Texas Central Co.	Stranded cost true-up including regulatory assets and liabilities, ITC, EDIT, capacity auction, proceeds, excess mitigation credits, retrospective and prospective ADIT.
09/05	20298-U	GA	Georgia Public Service Commission Adversary Staff	Atmos Energy Corp.	Revenue requirements, roll-in of surcharges, cost recovery through surcharge, reporting requirements.
09/05	20298-U Panel with Victoria Taylor	GA	Georgia Public Service Commission Adversary Staff	Atmos Energy Corp.	Affiliate transactions, cost allocations, capitalization, cost of debt.
10/05	04-42	DE	Delaware Public Service Commission Staff	Artesian Water Co.	Allocation of tax net operating losses between regulated and unregulated.
11/05	2005-00351 2005-00352	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co. Louisville Gas and Electric Co.	Workforce Separation Program cost recovery and shared savings through VDT surcredit.
01/06	2005-00341	KY	Kentucky Industrial Utility Customers, Inc.	Kentucky Power Co.	System Sales Clause Rider, Environmental Cost Recovery Rider, Net Congestion Rider, Storm damage, vegetation management program, depreciation, off-system sales, maintenance normalization, pension and OPEB.
03/06 05/06	31994 31994 Supplemental	TX	Cities	Texas-New Mexico Power Co.	Stranded cost recovery through competition transition or change. Retrospective ADFIT, prospective ADFIT.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdct.	Party	Utility	Subject
03/06	U-21453, U-20925, U-22092	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Jurisdictional separation plan.
3/06	NOPR Reg 104385-OR	IRS	Alliance for Valley Health Care and Houston Council for Health Education	AEP Texas Central Company and CenterPoint Energy Houston Electric	Proposed Regulations affecting flow-through to ratepayers of excess deferred income taxes and investment Tax credits on generation plant that is sold or deregulated.
4/06	U-25116	LA	Louisiana Public Service Commission Staff	Entergy Louisiana, Inc.	2002-2004 Audit of Fuel Adjustment Clause Filings. Affiliate transactions.
07/06	R-00061366, Et al	PA	Met-Ed Ind. Users Group Pennsylvania Ind. Customer Alliance	Metropolitan Edison Co. Pennsylvania Electric Co.	Recovery of NUG-related stranded costs, government mandated programs costs, storm damage costs.
07/06	U-23327	LA	Louisiana Public Service Commission Staff	Southwestern Electric Power Co.	Revenue requirements, formula rate plan, banking proposal.
08/06	U-21453, U-20925 U-22092 (Subdocket J)	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc.	Jurisdictional separation plan.
11/06	05CVH03-3375 Franklin County Court Affidavit	OH	Various Taxing Authorities (Non-Utility Proceeding)	State of Ohio Department of Revenue	Accounting for nuclear fuel assemblies as manufactured equipment and capitalized plant.
12/06	U-23327 Subdocket A Reply Testimony	LA	Louisiana Public Service Commission Staff	Southwestern Electric Power Co.	Revenue requirements, formula rate plan, banking proposal.
03/07	U-29764	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc., Entergy Louisiana, LLC	Jurisdictional allocation of Entergy System Agreement equalization remedy receipts.
03/07	33309	TX	Cities	AEP Texas Central Co.	Revenue requirements, including fractionalization of transmission and distribution costs.
03/07	33310	TX	Cities	AEP Texas North Co.	Revenue requirements, including fractionalization of transmission and distribution costs.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdct.	Party	Utility	Subject
03/07	2006-00472	KY	Kentucky Industrial Utility Customers, Inc.	East Kentucky Power Cooperative	Interim rate increase, RUS loan covenants, credit facility requirements, financial condition.
03/07	U-29157	LA	Louisiana Public Service Commission Staff	Cleco Power, LLC	Permanent (Phase II) storm damage cost recovery.
04/07	U-29764 Supplemental And Rebuttal	LA	Louisiana Public Service Commission Staff	Entergy Gulf States, Inc. Entergy Louisiana, LLC	Jurisdictional allocation of Entergy System Agreement equalization remedy receipts.
04/07	ER07-682-000 Affidavit	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	Allocation of intangible and general plant and A&G expenses to production and state income tax effects on equalization remedy receipts
04/07	ER07-684-000 Affidavit	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	Fuel hedging costs and compliance with FERC USOA.
05/07	ER07-682-000 Affidavit	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	Allocation of intangible and general plant and A&G expenses to production and account 924 effects on MSS-3 equalization remedy payments and receipts.
06/07	U-29764	LA	Louisiana Public Service Commission Staff	Entergy Louisiana, LLC Entergy Gulf States, Inc.	Show cause for violating LPSC Order on fuel hedging costs.
07/07	2006-00472	KY	Kentucky Industrial Utility Customers, Inc.	East Kentucky Power Cooperative	Revenue requirements, post last year adjustments, TIER, surcharge revenues and costs, financial need.
07/07	ER07-956-000 Affidavit	FERC	Louisiana Public Service Commission	Entergy Services, Inc.	Storm damage costs related to Hurricanes Katrina and Rita and effects of MSS-3 equalization payments and receipts.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdct.	Party	Utility	Subject
10/07	05-UR-103 Direct	WI	Wisconsin Industrial Energy Group	Wisconsin Electric Power Company Wisconsin Gas, LLC	Revenue requirements, carrying charges on CWIP, amortization and return on regulatory assets, working capital, incentive compensation, use of rate base in lieu of capitalization, quantification and use of Point Beach sale proceeds.
10/07	05-UR-103 Surrebuttal	WI	Wisconsin Industrial Energy Group	Wisconsin Electric Power Company Wisconsin Gas, LLC	Revenue requirements, carrying charges on CWIP, amortization and return on regulatory assets, working capital, incentive compensation, use of rate base in lieu of capitalization, quantification and use of Point Beach sale proceeds.
10/07	25060-U Direct	GA	Georgia Public Service Commission Public Interest Adversary Staff	Georgia Power Company	Affiliate costs, incentive compensation, consolidated income taxes, \$199 deduction.
11/07	06-0033-E-CN Direct	WV	West Virginia Energy Users Group	Appalachian Power Company	IGCC surcharge during construction period and post-in-service date.
11/07	ER07-682-000 Direct	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	Functionalization and allocation of intangible and general plant and A&G expenses.
01/08	ER07-682-000 Cross Answering	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	Functionalization and allocation of intangible and general plant and A&G expenses.
01/08	07-551-EL-AIR Direct	OH	Ohio Energy Group, Inc.	Ohio Edison Company, Cleveland Electric Illuminating Company, Toledo Edison Company	Revenue Requirements.
02/08	ER07-956-000 Direct	FERC	Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	Functionalization of expenses in account 923; storm damage expense and accounts 924, 228.1, 182.3, 254 and 407.3; tax NOL carrybacks in account 165 and 236; ADIT; nuclear service lives and effect on depreciation and decommissioning.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdic.	Party	Utility	Subject
03/08	ER07-956-000 FERC Cross-Answering		Louisiana Public Service Commission	Entergy Services, Inc. and the Entergy Operating Companies	Functionalization of expenses in account 923; storm damage expense and accounts 924, 228.1, 182.3, 254 and 407.3; tax NOL carrybacks in account 165 and 236; ADIT; nuclear service lives and effect on depreciation and decommissioning.
04/08	2007-00562 KY And 2007-00563		Kentucky Industrial Utility Customers, Inc.	Kentucky Utilities Co. Louisville Gas and Electric Co.	Merger surcredit.
04/08	26837 GA Direct Panel with Thomas K. Bond, Cynthia Johnson, Michelle Thebert		Georgia Public Service Commission Staff	SCANA Energy Marketing, Inc.	Rule Nisi complaint.
05/08	26837 GA Rebuttal Panel with Thomas K. Bond, Cynthia Johnson, Michelle Thebert		Georgia Public Service Commission Staff	SCANA Energy Marketing, Inc.	Rule Nisi complaint.
05/08	26837 GA Supplemental Rebuttal Panel with Thomas K. Bond, Cynthia Johnson, Michelle Thebert		Georgia Public Service Commission Staff	SCANA Energy Marketing, Inc.	Rule Nisi complaint.
06/08	2008-00115 KY		Kentucky Industrial Utility Customers, Inc.	East Kentucky Power Cooperative, Inc.	Environmental surcharge recoveries, incl costs recovered in existing rates, TIER
07/08	27163 GA Direct		Georgia Public Service Commission Public Interest Advocacy Staff	Atmos Energy Corp.	Revenue requirements, incl projected test year rate base and expenses.
07/08	27163 GA Panel with Victoria Taylor		Georgia Public Service Commission Public Interest Advocacy Staff	Atmos Energy Corp.	Affiliate transactions and division cost allocations, capital structure, cost of debt.
08/08	6680-CE-170 WI Direct		Wisconsin Industrial Energy Group, Inc.	Wisconsin Power and Light Company	Nelson Dewey 3 or Colombia 3 fixed financial parameters.

**Expert Testimony Appearances
of
Lane Kollen
As of September 2008**

Date	Case	Jurisdct.	Party	Utility	Subject
08/08	6680-UR-116 Direct	WI	Wisconsin Industrial Energy Group, Inc.	Wisconsin Power and Light Company	CWIP in rate base, labor expenses, pension expense, financing, capital structure, decoupling.
08/08	6680-UR-116 Rebuttal	WI	Wisconsin Industrial Energy Group, Inc.	Wisconsin Power and Light Company	Capital structure.
09/08	6690-UR-119 Direct	WI	Wisconsin Industrial Energy Group, Inc.	Wisconsin Public Service Corp.	Prudence of Weston 3 outage, incentive compensation, Crane Creek Wind Farm incremental revenue requirement, capital structure.
09/08	6690-UR-119 Surrebuttal	WI	Wisconsin Industrial Energy Group, Inc.	Wisconsin Public Service Corp.	Prudence of Weston 3 outage, Section 199 deduction.

J. KENNEDY AND ASSOCIATES, INC.

EXHIBIT ____ (LK-2)

Jones	Graves
81.69	83.45
88.66	81.87
94.99	81.39

Consultant Market Rates				
Distribution Rates				
Generation rate				
Generation Increases over 2008 Rate of 68.18				
Total Revenues Per Year				
NPV of Total Revenues Per Year				

NPV: ESP	\$1,577.1
NPV: Market Rates	\$2,880.5
Benefits to Customers (Market - ESP)	\$1,303.4
Total Ohio	

EXHIBIT ____ (LK-3)

SUMMARY - TOTAL OHIO

Model Assumptions		56,471,000
2008 Sales (MWH)		
Sales Growth Rate	0.92%	
Discount Rate	8.48%	
2009 Market Rate Average (\$/MWH)	82.17	
2010 Market Rate Average (\$/MWH)	84.85	
2011 Market Rate Average (\$/MWH)	87.75	

Consultant Market Rates at Wholesale

Jones		Graves	
2008	\$81.29	2009	\$83.06
2010	\$88.22	2010	\$81.48
2011	\$94.51	2011	\$81.00

Year	2009	2010	2011	2012	2013	2014-2035
Sales (MWH)	57,202,000	57,705,000	58,211,000	58,744,000	59,284,445	1,451,558,323

ESP	Rate	Revenue	Rate	Revenue	Rate	Revenue	Rate	Revenue	Rate	Revenue
Distribution Rates		\$137.0		\$150.0		\$151.0				
Distribution Improvement Rider	2	\$114.4	2	\$115.4	2	\$116.4				
ESP Generation Rate	67.50		71.50		75.50					
Generation Increase over 2008 Rate of 68.18	-0.68	-\$39.1	3.32	\$191.4	7.32	\$425.9				
Economic Development Rider		\$0.0		\$0.0		\$0.0				
AMI Study		-\$1.0		\$0.0		\$0.0				
Energy Efficiency and DSM		-\$10.0		-\$10.0		-\$10.0				
Environmental Remediation & Reclamation		-\$15.0		-\$15.0		-\$15.0				
CEI RTC - Net of Residential Credits		-\$316.0		-\$275.0		\$0.0				
Deferral Recovery - Generation Phase-In (10 Yr)	0.00	\$0.0	0.00	\$0.0	2.01	\$117.0	3.25	\$192.7		\$1,558.4
Deferral Recovery - CEI Distribution (\$25M)	0.00	\$0.0	0.00	\$0.0	0.03	\$1.7	0.03	\$1.8		\$42.2
Total Revenues Per Year		-\$129.7		\$156.8		\$787.1		\$109.8		\$184.5
NPV of Total Revenues Per Year										
NPV of Total Revenues Per Year		\$1,577.1								

Consultant Market Rates		Total Ohio	
Distribution Rates	\$137.0	\$150.0	\$151.0
Generation rate	82.17	84.85	87.75
Generation Increases over 2008 Rate of 68.18	13.99	16.67	19.57
Total Revenues Per Year	\$937.3	\$1,111.7	\$1,290.1
NPV of Total Revenues Per Year			

NPV: Ohio Summary		Total Ohio
NPV: ESP		\$1,577.1
NPV: Market Rates		\$2,819.3
Benefits to Customers (Market - ESP)		\$1,242.2

EXHIBIT ____ (LK-4)

Exhibit 4: Constructed Cost Method (Using PJM West Forward)
Calculation of Generation Service Price (2009-2011)

	2009	2010	2011
Energy, Nits & Ancillary Costs (\$)	[1] \$4,401,044,976	\$4,241,332,842	\$4,132,069,130
Capacity Cost (\$/MW-day)	[2] \$69.17	\$82.50	\$95.45
Peak Capacity Plus Reserve Margin (MW)	[3] 13,327	13,530	13,736
Total Capacity Cost (\$)	[4] \$336,468,544	\$407,414,231	\$478,542,931
Total Procurement Costs (\$)	[5] \$4,737,513,520	\$4,648,747,073	\$4,610,612,061
Total Projected Load (MW)	[6] 56,818,797	57,321,168	57,833,934
Total Procurement Costs (\$/MWh)	[7] \$83.38	\$81.10	\$79.72
Estimated 25th Percentile Risk Premium (%)	[8] 9.82%	9.82%	9.82%
Projected Low Market Price (\$/MWh)	[9] \$91.57	\$89.07	\$87.55
Estimated 50th Percentile Risk Premium (%)	[10] 15.96%	15.96%	15.96%
Projected Median Market Price (\$/MWh)	[11] \$96.68	\$94.04	\$92.44
Estimated 75th Percentile Risk Premium (%)	[12] 27.57%	27.57%	27.57%
Projected High Market Price (\$/MWh)	[13] \$106.37	\$103.46	\$101.70

Notes:

- [1] See column [14] in Exhibit 3.
- [2] FE provided forward prices for MISO DNR.
- [3] Peak hour of projected FE Load plus 13.5% reserve margin.
- [4] = [2] * [3]
- [5] = [1] + [4]
- [6] See column [14] in Exhibit 3.
- [7] = [5] / [6]
- [8] Calculated from study of previous auctions.
- [9] = [7] * (1 + [8])
- [10] Calculated from study of previous auctions.
- [11] = [7] * (1 + [10])
- [12] Calculated from study of previous auctions.
- [13] = [7] * (1 + [12])

EXHIBIT ____ (LK-5)

Exhibit 5: Constructed Cost Method (Using Energy Forward) - Estimated Energy, Nite & AS Cost (2009-2011)

Month	Energy Forward		Congestion Adjustment		Land Shape Adjustment		Ancillary & Nite Adder		Adjusted Forward (w/AS)		FE Load		Energy, Nite & AS Costs	
	Peak	Off Peak	Peak	Off Peak	Peak	Off Peak	Peak	Off Peak	Peak	Off Peak	Peak	Off Peak	Peak	Off Peak
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
Jan-09	\$79.00	\$46.50	2.97%	0.77%	0.70%	1.23%	\$7.64	\$89.55	\$53.07	2,697,570	2,610,245	\$241,559,713	\$143,752,251	\$385,311,964
Feb-09	\$79.00	\$46.50	2.36%	1.95%	0.70%	1.09%	\$7.64	\$89.55	\$53.55	2,533,625	2,319,041	\$223,181,943	\$122,278,727	\$348,460,670
Mar-09	\$73.31	\$40.50	-0.47%	-8.32%	0.50%	1.45%	\$7.64	\$80.98	\$45.36	2,669,256	2,368,464	\$211,325,179	\$107,433,388	\$318,758,568
Apr-09	\$72.31	\$40.50	-1.20%	-4.55%	0.77%	1.48%	\$7.64	\$80.63	\$46.90	2,513,141	2,085,273	\$202,546,770	\$97,780,484	\$300,336,256
May-09	\$67.25	\$34.25	-3.22%	-3.48%	2.04%	3.13%	\$7.64	\$74.10	\$41.77	2,341,560	2,340,454	\$173,500,184	\$98,180,319	\$271,680,502
Jun-09	\$75.50	\$34.25	-3.81%	-3.21%	2.06%	4.69%	\$7.64	\$81.82	\$42.22	2,835,085	2,263,273	\$232,044,267	\$95,556,493	\$327,600,760
Jul-09	\$90.25	\$41.00	3.27%	-0.37%	6.53%	9.06%	\$7.64	\$108.56	\$52.00	3,043,387	2,403,178	\$256,915,533	\$124,998,707	\$455,914,240
Aug-09	\$81.00	\$41.00	-1.74%	-3.17%	5.87%	6.27%	\$7.64	\$101.52	\$49.09	2,719,270	2,562,314	\$216,117,156	\$123,789,275	\$440,906,431
Sep-09	\$71.50	\$34.25	-0.05%	-0.45%	0.73%	1.45%	\$7.64	\$79.62	\$44.93	2,487,275	2,187,866	\$193,032,725	\$98,350,788	\$391,383,513
Oct-09	\$68.88	\$36.50	-1.21%	-0.94%	0.51%	1.21%	\$7.64	\$74.08	\$44.24	2,525,102	2,238,320	\$187,024,587	\$98,482,621	\$385,507,207
Nov-09	\$66.88	\$36.50	-4.71%	-2.85%	1.38%	3.78%	\$7.64	\$72.29	\$43.93	2,337,923	2,332,993	\$168,288,711	\$108,498,075	\$376,786,785
Dec-09	\$68.88	\$36.50	1.23%	1.79%	3.13%	3.78%	\$7.64	\$77.45	\$46.14	2,660,248	2,448,398	\$206,043,529	\$112,974,667	\$319,018,196
	\$75.00	\$39.02	-0.38%	-2.47%	2.07%	3.09%	\$7.64	\$84.14	\$46.93	31,292,456	28,057,225	\$2,832,411,297	\$1,320,241,795	\$4,152,653,092
Jan-10	\$75.13	\$47.67	3.97%	0.77%	0.70%	1.23%	\$7.64	\$85.54	\$56.26	2,592,001	2,731,483	\$221,715,344	\$123,900,293	\$345,615,637
Feb-10	\$75.13	\$47.67	2.36%	1.95%	0.70%	1.09%	\$7.64	\$85.07	\$56.76	2,532,146	2,346,512	\$217,107,082	\$123,505,563	\$340,612,645
Mar-10	\$69.72	\$41.22	-0.47%	-8.32%	0.50%	1.45%	\$7.64	\$77.39	\$47.39	2,751,694	2,304,992	\$212,943,028	\$106,694,392	\$319,637,416
Apr-10	\$69.72	\$41.22	-1.20%	-4.55%	0.77%	1.48%	\$7.64	\$77.06	\$47.88	2,532,483	2,104,989	\$193,138,670	\$106,764,980	\$299,903,650
May-10	\$63.96	\$35.11	-3.22%	-3.48%	2.04%	3.13%	\$7.64	\$70.84	\$43.63	2,304,480	2,386,337	\$163,252,106	\$101,723,869	\$264,975,975
Jun-10	\$71.90	\$35.11	-3.81%	-3.21%	2.06%	4.69%	\$7.64	\$78.19	\$43.09	2,891,131	2,283,664	\$246,000,225	\$97,619,139	\$343,619,363
Jul-10	\$83.83	\$42.03	3.27%	-0.37%	6.53%	9.06%	\$7.64	\$103.62	\$53.11	3,044,660	2,601,967	\$274,772,738	\$134,181,182	\$408,953,921
Aug-10	\$85.43	\$42.03	-1.74%	-3.17%	5.87%	6.27%	\$7.64	\$98.99	\$58.13	2,866,934	2,499,296	\$277,884,162	\$125,295,313	\$403,179,475
Sep-10	\$68.00	\$35.11	-0.05%	-0.45%	0.73%	1.45%	\$7.64	\$76.10	\$41.77	2,510,772	2,211,363	\$191,601,363	\$95,359,839	\$386,961,202
Oct-10	\$63.61	\$37.42	-1.21%	-0.94%	0.51%	1.21%	\$7.64	\$70.83	\$45.15	2,423,289	2,336,308	\$171,632,555	\$105,497,529	\$377,130,084
Nov-10	\$63.61	\$37.42	-4.71%	-2.85%	1.38%	3.78%	\$7.64	\$69.13	\$44.64	2,474,883	2,262,929	\$171,081,287	\$101,477,849	\$372,559,136
Dec-10	\$63.61	\$37.42	1.23%	1.79%	3.13%	3.78%	\$7.64	\$74.04	\$47.11	2,320,890	2,364,049	\$206,846,932	\$113,866,698	\$320,713,631
	\$71.33	\$40.00	-0.38%	-2.47%	2.07%	3.09%	\$7.64	\$80.39	\$47.92	31,565,363	28,318,120	\$2,851,507,948	\$1,362,378,559	\$4,213,886,507
Jan-11	\$73.21	\$50.85	2.97%	0.77%	0.70%	1.23%	\$7.64	\$83.54	\$58.69	2,533,267	2,844,566	\$211,626,902	\$168,131,995	\$379,758,898
Feb-11	\$73.21	\$50.85	2.36%	1.95%	0.70%	1.09%	\$7.64	\$83.08	\$59.21	2,481,579	2,323,689	\$207,063,312	\$137,591,569	\$344,654,881
Mar-11	\$67.98	\$43.39	-0.47%	-8.32%	0.50%	1.45%	\$7.64	\$75.80	\$48.24	2,690,890	2,323,456	\$203,622,634	\$114,591,493	\$318,214,127
Apr-11	\$67.98	\$43.39	-1.20%	-4.55%	0.77%	1.48%	\$7.64	\$75.48	\$48.89	2,464,040	2,200,415	\$183,695,210	\$109,783,872	\$293,479,082
May-11	\$62.92	\$36.86	-3.22%	-3.48%	2.04%	3.13%	\$7.64	\$69.22	\$44.38	2,219,680	2,351,000	\$153,650,375	\$114,562,680	\$268,213,055
Jun-11	\$69.96	\$36.86	-3.81%	-3.21%	2.06%	4.69%	\$7.64	\$76.38	\$44.86	2,817,410	2,354,900	\$215,187,462	\$105,637,597	\$320,825,059
Jul-11	\$83.63	\$44.13	3.27%	-0.37%	6.53%	9.06%	\$7.64	\$101.16	\$53.38	3,043,486	2,766,738	\$279,777,963	\$130,310,181	\$410,088,144
Aug-11	\$83.63	\$44.13	-1.74%	-3.17%	5.87%	6.27%	\$7.64	\$96.64	\$57.28	2,866,199	2,499,296	\$277,884,162	\$125,295,313	\$403,179,475
Sep-11	\$66.26	\$36.86	-0.05%	-0.45%	0.73%	1.45%	\$7.64	\$74.34	\$43.47	2,418,137	2,236,316	\$191,601,363	\$95,359,839	\$386,961,202
Oct-11	\$61.97	\$39.29	-1.21%	-0.94%	0.51%	1.21%	\$7.64	\$69.21	\$47.03	2,332,489	2,437,009	\$161,430,417	\$114,614,438	\$376,044,855
Nov-11	\$61.97	\$39.29	-4.71%	-2.85%	1.38%	3.78%	\$7.64	\$67.55	\$46.70	2,422,685	2,308,623	\$163,651,195	\$112,024,713	\$375,675,908
Dec-11	\$61.97	\$39.29	1.23%	1.79%	3.13%	3.78%	\$7.64	\$72.33	\$49.08	2,370,658	2,471,085	\$200,408,423	\$121,283,939	\$321,692,362
	\$69.50	\$42.00	-0.38%	-2.47%	2.07%	3.09%	\$7.64	\$78.53	\$49.93	30,692,440	28,735,293	\$2,423,167,265	\$1,409,786,289	\$3,832,953,554

Notes:

- (1) Peak forward curve for Energy Link
- (2) Off peak forward curve for Energy Link
- (3) Difference in historic average monthly FE & Energy peak LMPs
- (4) Difference in historic average monthly FE & Energy off peak LMPs
- (5) FE control area average monthly peak load shape factor
- (6) FE control area average monthly off peak load shape factor
- (7) FE provided projected price for Nite and ancillary services
- (8) $-(1) + (11) * (2) + (11) * (5) + (7)$
- (9) $-(2) + (12) * (6) + (12) * (6) + (7)$
- (10) Projected FE peak load
- (11) Projected FE off peak load
- (12) $-(8) * (10)$
- (13) $-(9) * (11)$

Exhibit 6: Constructed Cost Method (Using Cinergy Forward)
Calculation of Generation Service Price (2009-2011)

	2009	2010	2011
Energy, Nits & Ancillary Costs (\$)	[1] \$3,972,653,192	\$3,913,886,507	\$3,912,953,494
Capacity Cost (\$/MW-day)	[2] \$69.17	\$82.50	\$95.45
Peak Capacity Plus Reserve Margin (MW)	[3] 13,327	13,530	13,736
Total Capacity Cost (\$)	[4] \$336,468,544	\$407,414,231	\$478,542,931
Total Procurement Costs (\$)	[5] \$4,309,121,735	\$4,321,300,737	\$4,391,496,425
Total Projected Load (MWh)	[6] 56,818,797	57,321,168	57,833,934
Total Procurement Costs (\$/MWh)	[7] \$75.84	\$75.39	\$75.93
Estimated 25th Percentile Risk Premium (%)	[8] 9.82%	9.82%	9.82%
Projected Low Market Price (\$/MWh)	[9] \$83.29	\$82.79	\$83.39
Estimated 50th Percentile Risk Premium (%)	[10] 15.96%	15.96%	15.96%
Projected Median Market Price (\$/MWh)	[11] \$87.94	\$87.42	\$88.05
Estimated 75th Percentile Risk Premium (%)	[12] 27.57%	27.57%	27.57%
Projected High Market Price (\$/MWh)	[13] \$96.75	\$96.17	\$96.87

Notes:

- [1] See column [14] in Exhibit 5.
- [2] FE provided forward prices for MISO DNR.
- [3] Peak hour of projected FE Load plus 13.5% reserve margin.
- [4] = [2] * [3]
- [5] = [1] + [4]
- [6] See column [14] in Exhibit 5.
- [7] = [5] / [6]
- [8] Calculated from study of previous auctions.
- [9] = [7] * (1 + [8])
- [10] Calculated from study of previous auctions.
- [11] = [7] * (1 + [10])
- [12] Calculated from study of previous auctions.
- [13] = [7] * (1 + [12])

EXHIBIT ____ (LK-6)

Exhibit 3: Constructed Cost Method (Using PJM West Forward) - Estimated Energy, Nits & AS Cost (2008-2014)

Month	PJM West Forward		Congestion Adjustment		Load Shape Adjustment		Ancillary & Nits Adder		Adjusted Forward (w/AS)		FE Load		Energy, Nits & AS Costs		Total
	Peak	Off Peak	Peak	Off Peak	Peak	Off Peak	Peak	Off Peak	Peak	Off Peak	Peak	Off Peak	Peak	Off Peak	
Jan-09	\$81.59	\$64.00	-13.44%	-37.21%	0.70%	1.23%	\$7.64	\$7.64	\$48.61	2,697,570	2,610,245	212,664,102	126,891,318	338,555,420	
Feb-09	\$81.59	\$64.00	-18.12%	-40.46%	0.70%	1.08%	\$7.64	\$7.64	\$48.61	2,528,825	2,219,048	189,689,917	103,059,890	292,749,607	
Mar-09	\$77.09	\$55.50	-19.32%	-56.28%	0.50%	1.45%	\$7.64	\$7.64	\$32.71	2,609,756	2,368,464	183,261,404	77,470,918	260,732,322	
Apr-09	\$75.74	\$55.50	-11.15%	-35.80%	0.77%	1.48%	\$7.64	\$7.64	\$44.09	2,513,141	2,085,273	189,787,855	91,944,891	281,732,548	
May-09	\$75.55	\$43.38	-5.31%	-27.25%	2.04%	3.13%	\$7.64	\$7.64	\$40.56	2,341,560	2,350,454	189,008,588	95,326,761	284,335,349	
Jun-09	\$84.82	\$53.50	-17.03%	-40.33%	2.08%	4.69%	\$7.64	\$7.64	\$42.07	2,836,095	2,263,373	225,731,588	95,225,987	320,957,555	
Jul-09	\$86.50	\$62.50	-18.17%	-40.01%	6.55%	9.08%	\$7.64	\$7.64	\$50.80	3,045,387	2,403,178	282,997,784	122,072,430	405,070,195	
Aug-09	\$86.50	\$62.50	-23.27%	-47.45%	5.76%	8.27%	\$7.64	\$7.64	\$44.40	2,719,770	2,562,314	237,280,486	113,773,147	351,053,634	
Sep-09	\$80.37	\$53.00	-18.02%	-45.99%	0.72%	1.45%	\$7.64	\$7.64	\$37.03	2,487,275	2,167,868	184,321,976	81,024,992	285,346,968	
Oct-09	\$71.00	\$54.25	-16.26%	-27.25%	0.55%	1.21%	\$7.64	\$7.64	\$47.76	2,525,102	2,226,320	178,922,415	106,336,390	285,258,805	
Nov-09	\$71.60	\$55.00	-19.58%	-41.75%	1.38%	2.28%	\$7.64	\$7.64	\$40.93	2,327,925	2,332,993	154,162,457	95,492,903	249,655,360	
Dec-09	\$76.85	\$64.50	-15.68%	-28.67%	3.15%	3.70%	\$7.64	\$7.64	\$65.39	2,680,248	2,448,398	199,148,014	135,815,174	334,763,188	
	\$81.08	\$57.30					\$77.18		\$44.23	31,292,454	28,057,928	2,428,977,545	1,244,234,402	3,671,211,947	
Jan-10	\$82.39	\$64.57	-13.44%	-37.21%	0.70%	1.23%	\$7.84	\$7.84	\$48.98	2,592,001	2,735,483	206,154,688	133,872,128	340,126,797	
Feb-10	\$82.39	\$64.57	-18.12%	-40.46%	0.70%	1.08%	\$7.84	\$7.84	\$48.79	2,552,146	2,246,512	193,143,909	105,107,244	298,251,153	
Mar-10	\$77.85	\$55.98	-19.32%	-56.28%	0.50%	1.45%	\$7.64	\$7.64	\$32.93	2,751,694	2,304,092	194,820,495	75,876,922	270,697,417	
Apr-10	\$76.48	\$55.99	-11.15%	-35.80%	0.77%	1.48%	\$7.64	\$7.64	\$44.42	2,532,483	2,104,099	192,937,497	93,454,084	286,391,561	
May-10	\$76.29	\$43.76	-5.31%	-27.25%	2.04%	3.13%	\$7.64	\$7.64	\$40.85	2,304,480	2,386,357	187,671,187	97,478,558	285,149,745	
Jun-10	\$85.45	\$53.97	-17.03%	-40.33%	2.06%	4.69%	\$7.64	\$7.64	\$42.98	2,891,131	2,265,684	232,155,907	98,013,285	328,169,202	
Jul-10	\$97.45	\$63.05	-18.17%	-40.01%	6.56%	9.08%	\$7.64	\$7.64	\$51.18	2,844,650	2,601,907	266,728,595	133,161,603	399,890,197	
Aug-10	\$97.45	\$63.05	-23.27%	-47.45%	5.76%	8.27%	\$7.64	\$7.64	\$44.73	2,866,934	2,499,286	252,381,781	111,768,730	364,150,511	
Sep-10	\$81.16	\$53.47	-18.02%	-45.98%	0.72%	1.45%	\$7.64	\$7.64	\$37.29	2,510,772	2,211,363	187,702,897	82,470,851	270,173,748	
Oct-10	\$75.74	\$54.73	-16.26%	-27.25%	0.55%	1.21%	\$7.64	\$7.64	\$48.12	2,423,269	2,336,368	173,213,377	112,424,323	286,637,700	
Nov-10	\$72.30	\$55.49	-19.56%	-41.75%	1.38%	2.28%	\$7.64	\$7.64	\$41.23	2,474,863	2,262,929	165,319,006	93,292,295	258,611,301	
Dec-10	\$77.61	\$65.07	-15.68%	-28.67%	3.15%	3.70%	\$7.64	\$7.64	\$55.81	2,820,890	2,384,049	213,036,877	131,842,876	344,979,753	
	\$81.88	\$57.81					\$77.98		\$44.56	31,585,363	28,318,149	2,465,346,185	1,266,982,890	3,732,329,085	
Jan-11	\$81.00	\$63.10	-13.44%	-37.21%	0.70%	1.23%	\$7.84	\$7.84	\$48.04	2,533,247	2,864,568	188,412,104	137,610,861	336,022,965	
Feb-11	\$81.00	\$63.10	-18.12%	-40.46%	0.70%	1.08%	\$7.84	\$7.84	\$45.90	2,491,579	2,323,669	185,703,102	106,655,866	292,358,988	
Mar-11	\$76.54	\$54.72	-19.32%	-56.26%	0.50%	1.45%	\$7.64	\$7.64	\$32.36	2,690,890	2,375,456	187,747,255	76,865,630	264,612,885	
Apr-11	\$75.20	\$54.72	-11.15%	-35.80%	0.77%	1.48%	\$7.64	\$7.64	\$43.58	2,464,040	2,200,415	184,878,586	95,888,262	280,774,827	
May-11	\$75.01	\$42.77	-5.31%	-27.25%	2.04%	3.13%	\$7.64	\$7.64	\$40.10	2,219,680	2,581,600	178,004,492	103,511,207	281,515,699	
Jun-11	\$84.01	\$52.75	-17.03%	-40.33%	2.06%	4.69%	\$7.64	\$7.64	\$41.59	2,817,410	2,354,900	222,785,971	97,941,196	320,727,168	
Jul-11	\$95.81	\$61.62	-18.17%	-40.01%	6.55%	9.08%	\$7.64	\$7.64	\$50.19	2,766,466	2,716,887	255,290,659	136,365,620	391,656,279	
Aug-11	\$95.81	\$61.62	-23.27%	-47.45%	5.76%	8.27%	\$7.64	\$7.64	\$43.89	2,766,139	2,846,738	239,741,731	116,159,124	355,900,855	
Sep-11	\$79.79	\$52.26	-18.02%	-45.99%	0.72%	1.45%	\$7.64	\$7.64	\$36.62	2,418,137	2,364,316	178,042,150	86,586,337	264,626,487	
Oct-11	\$74.46	\$53.49	-16.26%	-27.25%	0.55%	1.21%	\$7.64	\$7.64	\$47.20	2,332,489	2,437,069	184,213,518	115,033,040	279,246,558	
Nov-11	\$71.08	\$54.23	-19.56%	-41.75%	1.39%	2.28%	\$7.64	\$7.64	\$40.47	2,422,685	2,398,623	169,416,682	97,060,916	256,477,607	
Dec-11	\$76.30	\$63.80	-15.68%	-28.67%	3.15%	3.70%	\$7.64	\$7.64	\$64.72	2,770,658	2,471,065	206,073,487	135,217,707	341,291,194	
	\$80.50	\$58.50					\$78.68		\$43.72	30,682,440	28,735,294	2,380,307,728	1,304,905,766	3,685,213,513	

Same as Exh 3 using Sep 19, 2008 data, using Graves calculation methodology
Using PJM on peak and off Peak NYMEX hub data (PJM West)

**Exhibit 4: Constructed Cost Method (Using PJM West Forward)
Calculation of Generation Service price (2009-2011)**

	2009	2010	2011
Energy, NITS and Ancillary Costs (\$)			
Capacity Cost (\$/MW-day)	3,671,211,947	3,732,329,085	3,665,213,513
Peak Capacity Plus Reserve Margin (MW)	69.17	82.5	95.45
Total Capacity Cost (\$)	13,327	13,530	13,736
	\$336,468,544	\$407,414,231	\$478,542,931
Total Procurement Costs (\$)	\$4,007,680,491	\$4,139,743,316	\$4,143,756,444
Total Projected Load (MW/h)	56,818,797	57,321,168	57,833,934
Total Procurement Costs (\$/MW/h)	\$70.53	\$72.22	\$71.65
Less: NITS and Ancillary Services	\$7.98	\$7.98	\$7.98
Generation Market Price Excl NITS and Ancillary Svcs	\$62.55	\$64.24	\$63.67
Estimated 50th Percentil Risk Premium (%)	15.96%	15.96%	15.96%
Projected Median Market Price (\$/MW/h)	\$72.54	\$74.49	\$73.83

EXHIBIT ____ (LK-7)

Exhibit 5: Constructed Cost Method (Using Cinergy Forward) - Estimated Energy, Nlts & AS Cost (2009-2011)

Month	Energy Forward		Congestion Adjustment		Load Shape Adjustment		Ancillary & Nits Adder		Adjusted Forward (w/ AS)		FE Load		Energy, Nits & AS Costs		Total
	Peak	Off Peak	Peak	Off Peak	Peak	Off Peak	Peak	Off Peak	Peak	Off Peak	Peak	Off Peak	Peak	Off Peak	
Jan-09	\$66.75	\$44.25	2.97%	0.77%	0.70%	1.23%	\$7.64	\$7.64	\$76.84	\$52.78	2,610,245	2,072,880	207,280,537	137,755,680	345,036,217
Feb-09	\$66.75	\$44.25	2.36%	1.95%	0.70%	1.09%	\$7.64	\$7.64	\$76.43	\$53.24	2,528,625	2,219,048	193,269,257	118,131,464	311,400,721
Mar-09	\$63.75	\$41.00	-0.47%	-8.32%	0.50%	1.45%	\$7.64	\$7.64	\$71.41	\$45.82	2,609,756	2,368,464	186,360,362	108,530,836	294,891,229
Apr-09	\$63.75	\$41.00	-1.20%	-4.55%	0.77%	1.48%	\$7.64	\$7.64	\$71.12	\$47.38	2,513,141	2,085,273	178,724,221	98,802,946	277,527,167
May-09	\$62.38	\$32.75	-3.22%	-3.48%	2.04%	3.13%	\$7.64	\$7.64	\$69.28	\$40.28	2,341,560	2,350,454	162,232,446	94,865,416	256,857,863
Jun-09	\$69.25	\$34.00	-3.81%	-3.73%	2.06%	4.69%	\$7.64	\$7.64	\$75.68	\$41.97	2,836,095	2,263,373	214,630,352	94,985,617	309,615,969
Jul-09	\$80.00	\$39.50	5.27%	-0.87%	6.55%	8.06%	\$7.64	\$7.64	\$97.10	\$50.38	3,045,987	2,403,178	295,894,898	121,060,212	418,755,108
Aug-09	\$80.00	\$39.50	-1.74%	-5.17%	5.78%	8.27%	\$7.64	\$7.64	\$90.86	\$47.57	2,719,770	2,562,314	247,107,423	121,900,807	369,008,231
Sep-09	\$65.25	\$32.00	-0.05%	-4.25%	0.72%	1.45%	\$7.64	\$7.64	\$73.33	\$38.74	2,487,275	2,187,866	162,384,849	84,766,680	267,151,530
Oct-09	\$60.75	\$33.00	-1.21%	-0.94%	0.55%	1.21%	\$7.64	\$7.64	\$67.98	\$40.73	2,525,102	2,226,320	171,679,286	90,676,010	262,355,296
Nov-09	\$60.75	\$33.00	-4.71%	-2.86%	1.38%	2.28%	\$7.64	\$7.64	\$68.37	\$40.45	2,327,925	2,332,893	154,497,457	84,374,000	248,871,456
Dec-09	\$60.75	\$33.00	1.23%	1.79%	3.15%	3.70%	\$7.64	\$7.64	\$71.05	\$42.45	2,860,748	2,448,398	189,012,882	103,938,657	292,951,538
	\$86.88	\$37.27							\$75.62	\$45.15	31,292,454	28,057,926	2,382,873,999	1,269,586,325	3,652,462,324
Jan-10	\$67.67	\$46.16	2.97%	0.77%	0.70%	1.23%	\$7.64	\$7.64	\$77.80	\$54.72	2,582,001	2,735,483	201,850,214	149,695,756	351,545,970
Feb-10	\$67.67	\$46.16	2.36%	1.95%	0.70%	1.09%	\$7.64	\$7.64	\$77.38	\$55.20	2,552,148	2,246,512	197,466,063	124,015,934	321,511,997
Mar-10	\$64.63	\$42.77	-0.47%	-8.32%	0.50%	1.45%	\$7.64	\$7.64	\$72.29	\$47.47	2,751,694	2,304,092	198,923,776	109,379,538	308,303,314
Apr-10	\$64.63	\$42.77	-1.20%	-4.55%	0.77%	1.48%	\$7.64	\$7.64	\$71.99	\$49.10	2,532,483	2,104,099	182,323,783	103,305,220	285,629,003
May-10	\$63.24	\$34.16	-3.22%	-3.48%	2.04%	3.13%	\$7.64	\$7.64	\$70.14	\$41.68	2,304,480	2,386,357	161,628,785	98,473,874	261,102,669
Jun-10	\$70.21	\$35.47	-3.81%	-3.73%	2.06%	4.69%	\$7.64	\$7.64	\$76.62	\$43.46	2,891,131	2,265,984	221,516,868	98,439,588	319,956,434
Jul-10	\$81.11	\$41.21	5.27%	-0.87%	6.55%	8.06%	\$7.64	\$7.64	\$98.33	\$52.22	2,844,660	2,601,907	279,725,790	135,871,932	415,597,722
Aug-10	\$81.11	\$41.21	-1.74%	-5.17%	5.78%	8.27%	\$7.64	\$7.64	\$92.01	\$49.30	2,866,934	2,499,296	263,778,898	123,211,970	386,990,867
Sep-10	\$66.15	\$33.38	-0.05%	-4.25%	0.72%	1.45%	\$7.64	\$7.64	\$74.24	\$40.08	2,510,772	2,211,353	186,389,604	88,648,718	275,036,322
Oct-10	\$61.59	\$34.42	-1.21%	-0.94%	0.55%	1.21%	\$7.64	\$7.64	\$68.82	\$42.16	2,423,288	2,336,398	166,780,428	96,497,214	265,277,642
Nov-10	\$61.59	\$34.42	-4.71%	-2.86%	1.38%	2.28%	\$7.64	\$7.64	\$67.18	\$41.87	2,274,983	2,262,929	166,261,472	94,745,561	261,007,034
Dec-10	\$61.59	\$34.42	1.23%	1.79%	3.15%	3.70%	\$7.64	\$7.64	\$71.93	\$43.95	2,820,890	2,364,049	202,901,413	103,911,050	306,812,463
	\$67.60	\$38.88							\$76.56	\$46.77	31,565,363	28,318,149	2,429,377,103	1,329,194,335	3,758,571,438
Jan-11	\$67.57	\$48.83	2.97%	0.77%	0.70%	1.23%	\$7.64	\$7.64	\$77.88	\$57.45	2,533,247	2,864,566	196,816,416	164,564,885	361,381,300
Feb-11	\$67.57	\$48.83	2.36%	1.95%	0.70%	1.09%	\$7.64	\$7.64	\$77.28	\$57.96	2,491,579	2,323,669	192,682,066	134,671,267	327,223,333
Mar-11	\$64.54	\$45.25	-0.47%	-8.32%	0.50%	1.45%	\$7.64	\$7.64	\$72.20	\$49.78	2,680,890	2,375,456	194,270,818	118,242,947	312,513,766
Apr-11	\$64.54	\$45.25	-1.20%	-4.55%	0.77%	1.48%	\$7.64	\$7.64	\$71.90	\$51.50	2,484,040	2,200,415	177,161,720	113,313,161	280,474,881
May-11	\$63.15	\$36.14	-3.22%	-3.48%	2.04%	3.13%	\$7.64	\$7.64	\$70.04	\$43.65	2,219,680	2,581,600	155,475,988	112,698,834	268,174,819
Jun-11	\$70.10	\$37.52	-3.81%	-3.73%	2.06%	4.69%	\$7.64	\$7.64	\$76.52	\$45.62	2,817,410	2,354,900	215,580,913	107,196,670	322,777,583
Jul-11	\$80.69	\$43.59	5.27%	-0.87%	6.55%	8.06%	\$7.64	\$7.64	\$98.20	\$54.80	2,765,486	2,716,887	271,569,298	148,865,415	420,434,714
Aug-11	\$80.69	\$43.59	-1.74%	-5.17%	5.78%	8.27%	\$7.64	\$7.64	\$91.88	\$51.71	2,766,139	2,646,738	264,159,796	136,861,427	391,021,223
Sep-11	\$66.05	\$35.31	-0.05%	-4.25%	0.72%	1.45%	\$7.64	\$7.64	\$74.14	\$41.96	2,418,137	2,364,316	179,274,532	96,217,643	278,482,176
Oct-11	\$61.50	\$36.42	-1.21%	-0.84%	0.55%	1.21%	\$7.64	\$7.64	\$68.73	\$44.16	2,332,486	2,437,069	160,320,089	107,608,449	267,928,548
Nov-11	\$61.50	\$36.42	-4.71%	-2.85%	1.38%	2.28%	\$7.64	\$7.64	\$67.09	\$43.85	2,422,685	2,398,623	162,541,454	105,178,111	267,718,565
Dec-11	\$61.50	\$36.42	1.23%	1.79%	3.15%	3.70%	\$7.64	\$7.64	\$71.83	\$46.08	2,770,958	2,471,055	199,024,862	113,807,498	312,832,325
	\$67.50	\$41.19							\$76.46	\$48.03	30,692,440	29,735,294	2,358,747,924	1,462,247,108	3,820,995,032

Same as Exh 5 using Sept 19, 2008 data using Graves method.

Exhibit 6: Constructed Cost Method (Using MISO Forward)
Calculation of Generation Service price (2009-2011)

	2009	2010	2011
Energy, NITS and Ancillary Costs (\$)			
Capacity Cost (\$/MW-day)	3,652,462,324	3,758,571,438	3,820,995,032
Peak Capacity Plus Reserve Margin (MW)	69.17	82.5	95.45
Total Capacity Cost (\$)	13,327	13,530	13,736
	\$336,468,544	\$407,414,231	\$478,542,931
Total Procurement Costs (\$)	\$3,988,930,868	\$4,165,985,669	\$4,299,537,963
Total Projected Load (MWh)	56,818,797	57,321,168	57,833,934
Total Procurement Costs (\$/MWh)	\$70.20	\$72.68	\$74.34
Less: NITS and Ancillary Services	\$7.98	\$7.98	\$7.98
Generation Market Price Excl NITS and Ancillary Svcs	\$62.22	\$64.70	\$66.36
Estimated 50th Percentil Risk Premium (%)	15.96%	15.96%	15.96%
Projected Median Market Price (\$/MWh)	\$72.16	\$75.02	\$76.95

EXHIBIT ____ (LK-8)

Analysis of Market-Rate Offer Prices
Revised to MISO Forward Prices on September 19, 2008

	2009	2010	2011
Forecast Load (MWh)	57,202,562	57,712,876	58,233,804
Direct Costs (\$/MWh)			
Round the Clock Energy Price	\$51.27	\$52.56	\$53.69
Locational Adjustment	\$0.70	\$0.70	\$0.70
Load Shaping	\$3.89	\$3.98	\$4.07
Capacity Price	\$5.89	\$5.93	\$5.96
Transmission and Ancillary Services	\$7.50	\$7.50	\$7.50
Distribution Losses	\$3.10	\$3.16	\$3.21
Total Direct Cost per MWh	\$72.34	\$73.83	\$75.13
Less: Transmission Adjusted for Line Losses	7.84	7.84	7.84
Total Wholesale Generation Cost per MWh	\$64.50	\$65.99	\$67.29
Margin	17%	29%	40%
Total Price per MWh	\$75.47	\$84.93	\$94.12

EXHIBIT ____ (LK-9)

SUMMARY - TOTAL OHIO

Model Assumptions		2008	2009	2010	2011	2012	2013	2014-2035
2008 Sales (MWH)	56,471,000							
Sales Growth Rate	0.92%							
Discount Rate	8.48%							
2009 Market Rate Average (\$/MWH)	73.91							
2010 Market Rate Average (\$/MWH)	78.84							
2011 Market Rate Average (\$/MWH)	84.75							

Consultant Market Rates at Wholesale		2008	2009	2010	2011	2012	2013	2014-2035
Jones								
Graves								

Year	2008	2010	2011	2012	2013	2014-2035
Sales (MWH)	57,202,000	57,705,000	58,211,000	58,744,000	\$9,284,445	1,451,558,323

ESP	Rate	Revenue	Rate	Revenue	Rate	Revenue	Rate	Revenue	Rate	Revenue
Distribution Rates		\$137.0		\$150.0		\$151.0				
Distribution Improvement Rider	2	\$114.4	2	\$115.4	2	\$116.4				
ESP Generation Rate	67.50		71.50		75.50					
Generation Increase over 2008 Rate of 68.18	-0.68	-\$38.1	3.32	\$191.4	7.32	\$425.9				
Economic Development Rider		\$0.0		\$0.0		\$0.0		\$0.0		\$0.0
AMI Study		-\$1.0		\$0.0		\$0.0		\$0.0		\$0.0
Energy Efficiency and DSM		-\$10.0		-\$10.0		-\$10.0		-\$10.0		-\$10.0
Environmental Remediation & Reclamation		-\$15.0		-\$15.0		-\$15.0		\$0.0		\$0.0
CEI RTC - Net of Residential Credits		-\$316.0		-\$275.0		\$0.0		\$0.0		\$0.0
Deferral Recovery - Generation Phase-In (10 Yr)	0.00	\$0.0	0.00	\$0.0	2.01	\$117.0	3.25	\$182.7		\$1,558.4
Deferral Recovery - CEI Distribution (\$25M)	0.00	\$0.0	0.00	\$0.0	0.03	\$1.7	0.03	\$1.8		\$42.2
Total Revenues Per Year		-\$129.7		\$156.8		\$787.1		\$109.8		\$1,600.6
NPV of Total Revenues Per Year										

Consultant Market Rates		2008	2009	2010	2011	2012	2013	2014-2035
Distribution Rates								
Generation rate								
Generation Increases over 2008 Rate of 68.18								
Total Revenues Per Year								
NPV of Total Revenues Per Year								

NPV: Ohio Summary		Total Ohio
NPV: ESP		\$1,577.1
NPV: Market Rates		\$2,001.2
Benefits to Customers (Market - ESP)		\$424.1

EXHIBIT ____ (LK-10)

SUMMARY - TOTAL OHIO

Model Assumptions		50,471,000
2008 Sales (MWH)		
Sales Growth Rate		0.92%
Discount Rate		8.48%
2009 Market Rate Average (\$/MWH)		63.44
2010 Market Rate Average (\$/MWH)		65.23
2011 Market Rate Average (\$/MWH)		66.15

Consultant Market Rates at Wholesale		Jones	Graves
2008	2009		
\$64.50	\$62.39		
\$65.99	\$64.47		
\$67.29	\$65.02		

Year	2008	2010	2011	2012	2013	2014-2015
Sales (MWH)	57,202,000	57,705,000	58,211,000	58,744,000	59,284,445	1,451,558,323

ESP	Rate	Revenue	Rate	Revenue	Rate	Revenue	Rate	Revenue	Rate	Revenue
Distribution Rates		\$137.0		\$150.0		\$151.0				
Distribution Improvement Rider	2	\$114.4	2	\$115.4	2	\$116.4				
ESP Generation Rate	67.50		71.50		75.50					
Generation Increase over 2008 Rate of 68.18	-0.68	-\$39.1	3.32	\$191.4	7.32	\$425.9				
Economic Development Rider		\$0.0		\$0.0		\$0.0		\$0.0		\$0.0
AMI Study		-\$1.0		\$0.0		\$0.0		\$0.0		\$0.0
Energy Efficiency and DSM		-\$10.0		-\$10.0		-\$10.0		-\$10.0		-\$10.0
Environmental Remediation & Reclamation		-\$15.0		-\$15.0		-\$16.0		\$0.0		\$0.0
CEI RTC - Net of Residential Credits		-\$316.0		-\$275.0		\$0.0		\$0.0		\$0.0
Deferral Recovery - Generation Phase-In (10 Yr)	0.00	\$0.0	0.00	\$0.0	2.01	\$117.0	3.25	\$192.7		\$1,558.4
Deferral Recovery - CEI Distribution (\$25M)	0.00	\$0.0	0.00	\$0.0	0.03	\$1.7	0.03	\$1.8		\$42.2
Total Revenues Per Year		-\$128.7		\$156.8		\$787.1		\$109.8		\$1,600.6
NPV of Total Revenues Per Year										
NPV of Total Revenues Per Year										

Consultant Market Rates		Rate	Revenue	Rate	Revenue	Rate	Revenue
Distribution Rates		\$137.0	\$150.0		\$151.0		
Generation rate	63.44		65.23	66.15			
Generation Increases over 2008 Rate of 68.18	-4.74	-\$271.2	-2.95	-2.03	-\$118.4		
Total Revenues Per Year		-\$134.2	-\$20.4		\$32.6		
NPV of Total Revenues Per Year							
NPV of Total Revenues Per Year							

NPV: Ohio Summary		Total Ohio
NPV: ESP		\$1,577.1
NPV: Market Rates		-\$115.5
Benefits to Customers (Market - ESP)		-\$1,692.6

EXHIBIT ____ (LK-11)

SUMMARY - TOTAL OHIO

Model Assumptions		2008 Sales (\$/MWH)
2008 Sales (\$/MWH)	56,471,000	
Sales Growth Rate	0.92%	
Discount Rate	8.48%	
2009 Market Rate Average (\$/MWH)	68.79	
2010 Market Rate Average (\$/MWH)	71.75	
2011 Market Rate Average (\$/MWH)	72.77	

Consultant Market Rates at Wholesale

Jones		2009	2010	2011	2012	2013	2014-2035
	Graves						
		\$70.95	2009	\$68.62			
		\$72.59	2010	\$70.92			
		\$74.02	2011	\$71.52			

Year	2009	2010	2011	2012	2013	2014-2035
Sales (\$/MWH)	57,202,000	57,705,000	58,211,000	58,744,000	59,284,445	1,451,558,323
ESP						
Distribution Rates						
Distribution Improvement Rider	2	2	2			
ESP Generation Rate	67.50	71.50	75.50			
Generation Increase over 2008 Rate of 68.18	-0.68	3.32	7.32			
Economic Development Rider						
AMI Study						
Energy Efficiency and DSM						
Environmental Remediation & Reclamation						
CEI RTC - Net of Residential Credits						
Deferral Recovery - Generation Phase-In (10 Yr)	0.00	0.00	2.01	2.01	3.25	\$1,558.4
Deferral Recovery - CEI Distribution (\$25M)	0.00	0.00	0.03	0.03	0.03	\$42.2
Total Revenues Per Year						
NPV of Total Revenues Per Year	\$1,577.1					\$1,800.6

Consultant Market Rates						
Distribution Rates						
Generation rate	68.79	71.75	72.77			
Generation Increases over 2008 Rate of 68.18	1.80	3.57	4.58			
Total Revenues Per Year						
NPV of Total Revenues Per Year	\$840.6					

NPV: Ohio Summary						
Total Ohio						
NPV: ESP						
NPV: Market Rates						
Benefits to Customers (Market - ESP)						

EXHIBIT ____ (LK-12)

SUMMARY - TOTAL OHIO

Model Assumptions		56,471,000
2008 Sales (\$/MWH)		
Sales Growth Rate	0.92%	
Discount Rate	8.48%	
2009 Market Rate Average (\$/MWH)	72.96	
2010 Market Rate Average (\$/MWH)	75.01	
2011 Market Rate Average (\$/MWH)	76.08	

Consultant Market Rates at Wholesale		Jones	Graves
2009	2009	2009	2009
\$74.18	\$74.18	\$74.18	\$74.18
\$75.89	\$75.89	\$75.89	\$75.89
\$77.38	\$77.38	\$77.38	\$77.38

Year	2009	2010	2011	2012	2013	2014-2035
Sales (\$/MWH)	57,202,000	57,705,000	58,211,000	58,744,000	59,284,445	1,451,558,323

ESP	Rate	Revenue	Rate	Revenue	Rate	Revenue	Rate	Revenue	Rate	Revenue
Distribution Rates	2	\$137.0	2	\$150.0	2	\$151.0				
Distribution Improvement Rider		\$114.4		\$115.4		\$116.4				
ESP Generation Rate	87.50		71.50		75.50					
Generation Increase over 2008 Rate of 68.18	-0.68	-\$39.1	3.32	\$191.4	7.32	\$425.9				
Economic Development Rider		\$0.0		\$0.0		\$0.0				
AMI Study		-\$1.0		\$0.0		\$0.0				
Energy Efficiency and DSM		-\$10.0		-\$10.0		-\$10.0				
Environmental remediation & Reclamation		-\$15.0		-\$15.0		-\$15.0				
CEI RTC - Net of Residential Credits		-\$316.0		-\$275.0		\$0.0				
Deferral Recovery - Generation Phase-In (10 Yr)	0.00	\$0.0	0.00	\$0.0	2.01	\$117.0	3.25	\$182.7		\$1,558.4
Deferral Recovery - CEI Distribution (\$25M)	0.00	\$0.0	0.00	\$0.0	0.03	\$1.7	0.03	\$1.8		\$42.2
Total Revenues Per Year		-\$129.7		\$156.8		\$787.1		\$109.8		\$1,600.6
NPV of Total Revenues Per Year										
NPV of Total Revenues Per Year										

Consultant Market Rates				
Distribution Rates		\$137.0	\$150.0	\$151.0
Generation rate	72.96			
Generation Increases over 2008 Rate of 68.18	4.78	\$273.2	\$394.2	\$459.2
Total Revenues Per Year		\$410.2	\$544.2	\$610.2
NPV of Total Revenues Per Year				

NPV: Ohio Summary		Total Ohio
NPV: ESP		\$1,577.1
NPV: Market Rates		\$1,318.9
Benefits to Customers (Market - ESP)		-\$258.5

EXHIBIT ____ (LK-13)

First Energy Companies
2007 Earned Return on Common Equity
Source: Form 1 Pages 112, 114, 115, 117
(\$000's)

	<u>Toledo Edison Company</u>	<u>Ohio Edison Company</u>	<u>Cleveland Electric Illuminating Company</u>
Common Stock Issued	147,010	1,219,035	873,536
Premium on Capital Stock	158,546		
Other Paid-In Capital	14,623	1,476	
Less: Capital Stock Exp			
Retained Earnings	175,131	242,502	668,175
Undistributed Sub Earnings	487	64,775	17,252
Other Comprehensive Income	<u>(10,605)</u>	<u>48,386</u>	<u>(69,129)</u>
Total Common Equity	485,191	1,576,175	1,489,835
Net Income - Total Company	91,239	197,166	276,412
% ROE	18.80%	12.51%	18.55%