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BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

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In re: Review of the Retail Rates of FPL

DOCKET No. 001148-EI

Submitted for Filing:  
March 4, 2002

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**DIRECT TESTIMONY OF  
HENRY NIELS LAXDAL, JR. ON BEHALF OF  
PUBLIX SUPER MARKETS, INC.**

1 Q: Please state your name and occupation.

2 A: My name is Henry Niels Laxdal, Jr.. I am an employee of Publix Super Markets,  
3 Inc. ("Publix") and my job consists of managing the Lakeland Facility Services  
4 Department.

5 Q: Please describe your educational background and work experience.

6 A: I completed two years of college at Peru State College in Nebraska. I attended  
7 University of South Florida for approximately a year, leaving to pursue a  
8 Computer Engineering degree from the Tampa Technical Institute, which I  
9 obtained.

10 Q: On whose behalf are you sponsoring this testimony?

11 A: I am sponsoring this testimony on behalf of Publix.

12 Q: What is the purpose of your testimony?

13 A: I have been asked to provide testimony regarding the past experience of Publix  
14 with Florida Power & Light ("FPL") and other electric utilities in responding to  
15 general power outages, equipment failures, or other interruptions in electric

1 service to Publix stores during tropical storm Gabrielle in September of 2001.

2 Q: What are your general job responsibilities as an employee of Publix?

3 A: I am the Department Manager of the Lakeland Facility Services Department, in  
4 which I oversee the maintenance of approximately 260 retail store locations.  
5 This includes HVAC and Refrigeration systems.

6 Q: Are those the same job responsibilities you had back in September 15, 2001?

7 A: Yes.

8 Q: Please identify any exhibits that accompany your testimony.

9 A: I have prepared a map showing the Publix stores which were affected by tropical  
10 storm Gabrielle by geographic location and electric service provider. This exhibit  
11 is labeled as NL-1.

12 Q: Did tropical storm Gabrielle cause electricity outages at any Publix stores?

13 A: Yes.

14 Q: Approximately how many stores lost power in total?

15 A: 42 stores reported a power loss to my department during Tropical Storm  
16 Gabrielle. ]

17 Q: Approximately how many of those were in FPL service territory?

18 A: 28 stores.

19 O: Next I would like to ask you a question regarding the events of September 14,  
20 2001 and your role in the Publix efforts to restore power to its retail stores which  
21 were affected by Tropical Storm Gabrielle. On September 14 when did you first  
22 become aware that any of the Publix retail stores served by FPL had lost electric  
23 power?

1 A: At 9:00 a.m. on September 14 I first became aware that there were three  
2 reported stores without power.

3 Q: Upon receipt of the notice that the three stores were without power, did you  
4 contact FPL?

5 A: No, I did not. Ed Sullivan, our Maintenance Supervisor and first point of contact  
6 for Publix contacted Chris Cook with FP&L. At 9:08 a.m., Chris Cooke with  
7 FP&L sent Ed Sullivan a fax template for Publix to use in listing the stores in  
8 which we had a power outage. Soon after receiving the template we were faxing  
9 back and forth in our attempt to get information as to the extent of power outages  
10 for stores affected.

11 Q: How many stores did that fax indicate were without power?

12 A: Our initial fax to Chris Cooke listed 5 store locations without power.

13 Q: Why did you contact Chris Cooke initially for information?

14 A: Chris Cooke is the FPL designated point of contact for any service issues that  
15 Publix has in the FPL territory.

16 Q: Were your store managers able to find out any information as to the potential  
17 duration of the power outages at each of the stores?

18 A: No. FPL could not give estimated times for the restoration of power to any of the  
19 stores.

20 Q: As the day went on were other stores without power?

21 A: Yes. By 10:00 a.m. on September 14 approximately eleven stores reported not  
22 having power. By 11:00 a.m. approximately fourteen stores were without power.  
23 By 12:00 p.m. 18 stores were reported to be without power.

1 Q: How did you get this updated information?

2 A: Stores were notifying us directly as well as our interactions with Publix Regional  
3 Directors.

4 Q: Had any of the stores at that point in the day had their power restored?

5 A: Yes, six stores had their power restored.

6 Q: So the stores that were first reported as being without power at 9:00 a.m. that  
7 morning had not been restored?

8 A: Only one store (#778) out of the initial five reported their power restored by noon  
9 on September 14<sup>th</sup>.

10 Q: Was FPL ever able to give an estimate to Publix that day as to when the affected  
11 stores would have power restored?

12 A: Yes. At approximately 3:00 p.m. the FPL contact person stated Ed Sullivan that  
13 it could be 24 to 48 hours before power would be restored if grid repairs were  
14 unsuccessful.

15 Q: As a result of the extended outage times did Publix take any extraordinary  
16 measures to respond to the store outages?

17 A: Yes. At approximately 4:00 p.m. on September 14, Publix employees Ed  
18 Sullivan, Mark Webb and I began making arrangements for emergency  
19 generators to be provided to stores where inventory was at risk of being ruined.

20 Q: At that time, how many stores were still without power?

21 A: 14 stores were still reported without power as of 4:00 p.m.

22 Q: Can you describe which stores got generators and how that was decided?

23 A: Tom McLaughlin (V.P. - Lakeland Division), Ed Sullivan and myself discussed

1 the stores without power, sales volumes, community need, etc. Based on Tom's  
2 direction, Ed and I made arrangements for generators to be delivered to Store  
3 Number 354, 384, 409, 555 and 696.

4 Q: Did the efforts to cover stores with extended outages prove to be effective at  
5 cutting down on lost inventory?

6 A: No.

7 Q: Why not?

8 A: Primarily because we were unable to get accurate information as to which stores  
9 would most likely be out for extended periods and which would not. Stores  
10 which we were being told would not have power restored for an extended period  
11 of time were coming back online with power. This caused us to redirect and/or  
12 cancel generators.

13 Q: Were you able to get any further update from FPL regarding the duration of time  
14 it would take to restore power to the stores?

15 A: Yes, at approximately 6:30 p.m., FPL stated that it may be one to two days  
16 before the power to the remaining stores could be restored.

17 Q: How many stores at that point were still without power?

18 A: 10 stores were still reported without power.

19 Q: By the end of the day on September 14 had power been restored to all of the  
20 Publix stores?

21 A: No.

22 Q: When was the next report you received regarding the stores that were still  
23 without power?

1 A: 5:00 a.m. on Saturday, September 15.

2 Q: How many stores were reported at that time to still be without power?

3 A: Four stores were reported as still being without power. Three stores, Number  
4 190, Number 734 and Number709 were completely without power or backup  
5 generators. Store Number 555 was running on a generator that was dispatched  
6 to the store by Publix.

7 Q: When was power finally restored by FPL to all of the Publix stores with reported  
8 outages due to Tropical Storm Gabrielle?

9 A: As of 2:30 p.m. on Saturday, September 15<sup>th</sup>. Store Number 190 was still without  
10 power. By 6:00 p.m. we received notice that all stores had electric service  
11 restored.

12 Q: How many hours elapsed from the time of the first reported outages on Friday,  
13 September 14 until power was restored to Store Number 190 on Saturday,  
14 September 15<sup>th</sup>?

15 A: Approximately 32 hours and 15 minutes.

16 Q: What was the average outage time for all of the stores in the FPL service  
17 territory which lost power during Tropical Storm Gabrielle?

18 A: 10.75 hours.

19 Q: During this storm event, were you able to get timely information from FPL with  
20 respect to your efforts to keep Publix retail stores up and running?

21 A: No.

22 Q: During this storm event, were you able to get accurate information?

23 A: No. The confusion caused by the lack of information from FPL caused Publix to

1 dispatch and re-dispatch to various store locations. In some cases, generators  
2 were sent where they were not needed because power was restored while the  
3 generator was in transit even though we were told the store would not have  
4 power for 24 to 48 hours.

5 Q: During the same period of September 14<sup>th</sup> and 15<sup>th</sup> of 2001 were Publix stores  
6 served by other electric companies without power?

7 A: Yes.

8 Q: What other electric companies served stores affected by the outages caused by  
9 Tropical Storm Gabrielle?

10 A: We had approximately 4 stores in the Tampa Electric Company ("TECO")  
11 service area and 6 stores within the Florida Power Corporation ("FPC") service  
12 territory which were without power due to the storm.

13 Q: Let us first talk about the stores served by TECO. What was the longest any  
14 store served by TECO was without electricity?

15 A: 4 hours.

16 Q: What was the average storm related outage time for stores served by TECO  
17 over the days of September 14<sup>th</sup> and September 15<sup>th</sup> of 2001?

18 A: 2.25 hours.

19 Q: Were you able to get accurate information from TECO regarding the restoration  
20 of power to the stores served by TECO?

21 A: We never established communications directly with TECO. Our stores were  
22 communicating directly with TECO.

23 B: Did you require the use of any emergency generators for any store served by

1           TECO?

2    A:    No.

3    Q:    Would you say that TECO did a better job than FPL at responding Publix's

4           outages?

5    A:    Yes, the average outage was much shorter in TECO's territory than in FP&L's.

6    Q:    Let us talk about the stores served by FPC. What was the longest any store

7           served by FPC was without electricity?

8    A:    2 hours and 30 minutes.

9    Q:    What was the average storm related outage time for stores served by FPC over

10           the days of September 14<sup>th</sup> and September 15<sup>th</sup> of 2001?

11   A:    1 hour.

12   Q:    Were you able to get accurate information from FPC regarding the restoration of

13           power to the stores served by FPC?

14   A:    Based on the short duration of the outages, we did not have a need to establish

15           communications with FPC.

16   Q:    Did you require the use of any emergency generators for any store served by

17           FPC?

18   A:    No.

19   Q:    Would you say that FPC did a better job than FPL at responding Publix's

20           outages?

21   A:    Yes.

22   Q:    Would you say that FPC did a better job than FPL at providing Publix information

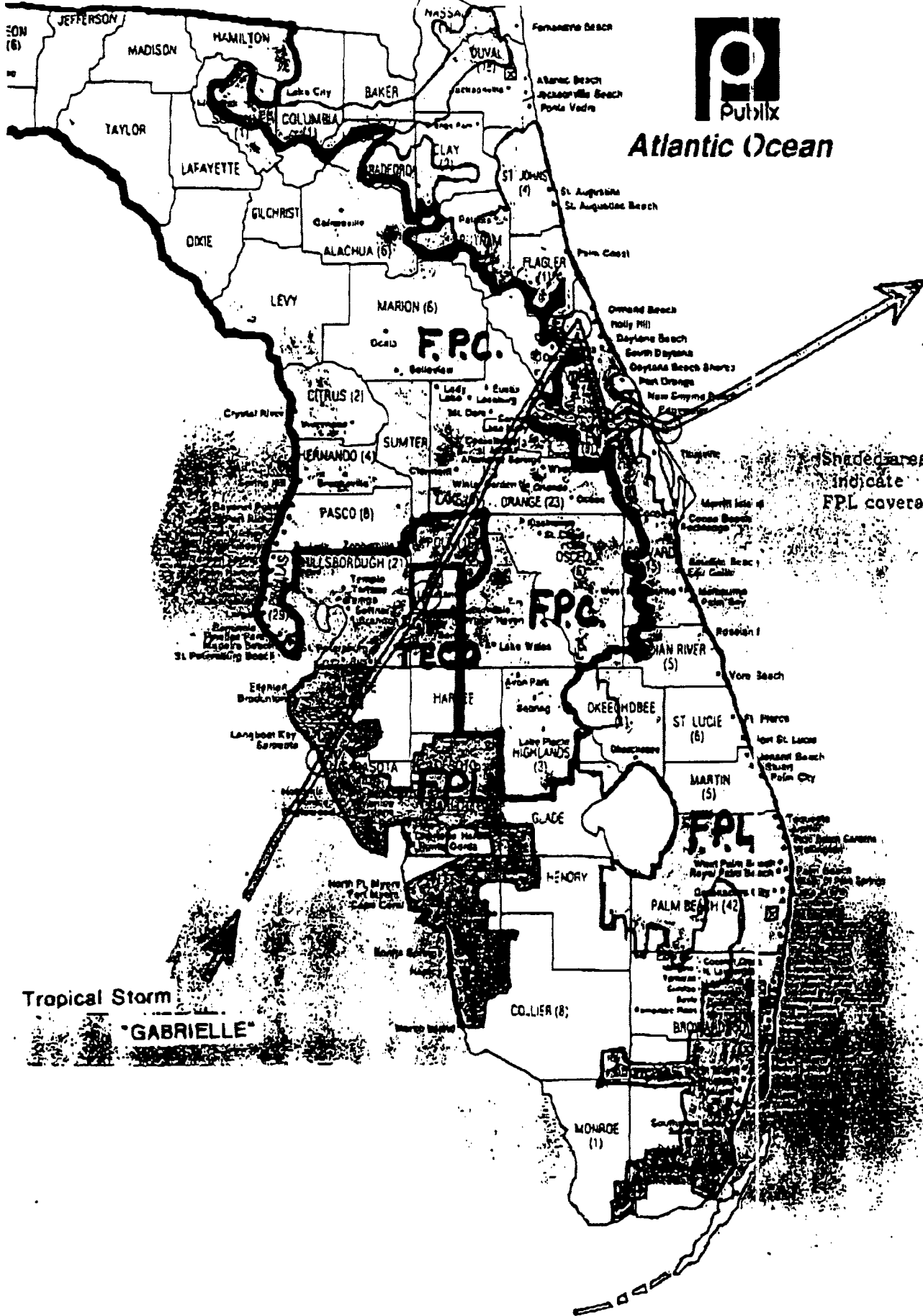
23           and support during the outage times?



1 A: Based on the short duration of the outages in FPC's territory, we did not have a  
2 need to establish communications.

3 Q: Does this conclude your testimony?

4 A: Yes.



Atlantic Ocean

Shaded areas indicate FPL coverage.

Tropical Storm "GABRIELLE"