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**EXHIBIT 1  
TO AFFIDAVIT OF RODNEY W. FRAME**

**Filed By  
GULF POWER COMPANY, INC.  
P.A. No. 00-004**

**ALABAMA POWER COMPANY, INC.  
P.A. No. 00-003**

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**EXHIBIT 1****RODNEY W. FRAME  
Principal**

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 Washington, DC 20006

Mr. Frame has consulted with electric utility clients on a variety of matters including industry restructuring, retail competition, wholesale bulk power markets and competition, market power and mergers, transmission access and pricing, contractual terms for wholesale service, and contracting for nonutility generation. A substantial portion of the work has been in conjunction with litigated antitrust and federal and state regulatory proceedings.

Mr. Frame frequently speaks before electric industry groups on competition-related topics. He has testified in federal and local courts, before federal and state regulatory commissions, and before the Commerce Commission of New Zealand.

Prior to joining Analysis Group/*Economics*, Mr. Frame was a Vice President at National Economic Research Associates. Mr. Frame graduated from George Washington University and pursued graduate work there under a National Science Foundation Traineeship. His areas of specialization were public finance and urban economics. He completed all requirements for his Ph.D. degree in economics with the exception of the thesis.

**EDUCATION**

1970	B.B.A., George Washington University
1970-73	Ph.D. coursework (all requirements for degree in economics completed except thesis), George Washington University

**PROFESSIONAL EXPERIENCE**

1998 -	Analysis Group/ <i>Economics</i> <i>Principal</i>
1984 - 1998	National Economic Research Associates <i>Vice President and Senior Consultant.</i> Participated in projects dealing with retail competition, wholesale competition, market power assessment and determination of relevant markets for electricity supply, electric utility mergers, transmission access and pricing, partial requirements ratemaking, contractual terms for wholesale service, and

contracting for nonutility generation supplies. Principal clients were investor-owned electric utilities.

- 1975 - 1984     *Transcomm, Inc.*  
*Senior Economist.* Worked on a variety of projects concerning market structure, pricing and cost development in regulated industries. Clients included the U.S. Departments of Commerce, Defense and Energy, the Nuclear Regulatory Commission, the State of Oregon, bulk mailers and various communications equipment manufacturers and service providers. Participated in numerous federal and state regulatory proceedings and was principal investigator for a multi-year Department of Energy study addressing various aspects of electric utility competition.
- 1974 - 1975     *Independent Economic Consultant*  
Advised telephone equipment manufacturers concerning cost and rate development for competitive telephone offerings, analyzed alternative travel agent compensation arrangements and examined nonbank activity by bank holding company firms.
- 1973 - 1974     *Program of Policy Studies in Science and Technology*  
*Research Staff*
- 1973             *Urban Institute*  
*Research Staff*

#### TESTIFYING EXPERIENCE

- Affidavit on behalf of Northeast Utilities Service Company before the Federal Energy Regulatory Commission in Docket No. EL00-62-001 and ER00-2052-002 concerning proposed termination of ICAP market and proposed mitigation of ICAP prices.
- Prepared Rebuttal Testimony on behalf of Detroit Edison Company before the Michigan Public Service Commission in Case No. U-12134 concerning the design of a code of conduct for implementing retail customer choice, March 21, 2000.
- Affidavit on behalf of Split Rock Energy LLC in Docket No. ER00-\_\_\_-000 concerning Split Rock LLC's application for market based pricing authority, March 10, 2000.
- Affidavit on behalf of Baltimore Gas and Electric Company, Calvert Cliffs, Inc., Constellation Enterprises, Inc. and Constellation Generation, Inc. in Docket No. EC00-\_\_\_-000 and on behalf of Baltimore Gas and Electric Company, Calvert Cliffs, Inc., Constellation Generation, Inc., and Constellation Power Source, Inc. in Docket No. ER00-\_\_\_-000 concerning the application of Calvert Cliffs, Inc. and Constellation Generation, Inc. for market based pricing authority, February 11, 2000.
- Deposition in the matter of Cleveland Thermal Energy Company v. Cleveland Electric Illuminating Company, Case No. 1: 97 CV 3023, United States District Court, Northern District of Ohio, Eastern Division, October 15, December 7 and December 8, 1999, concerning competitive issues and damages.

- Supplemental Expert Report on behalf of Cleveland Electric Illuminating Company in Cleveland Thermal Energy Corp. v. Cleveland Electric Illuminating Company, Case No. 1: 97 CV 3023, United States District Court, Northern District of Ohio, Eastern Division, December 1, 1999, concerning damages issues.
- Expert Report on Behalf of Cleveland Electric Illuminating Company in Cleveland Thermal Energy Corp. v. Cleveland Electric Illuminating Company, Case No. 1: 97 CV 3023, United States District Court Northern District of Ohio, Eastern Division, September 27, 1999, concerning allegations that a clause giving Cleveland Electric Illuminating Company the right to purchase electricity at avoided costs from a cogeneration plant that Cleveland Thermal Energy Corp. would have constructed was anticompetitive and an unreasonable restraint of trade, and computing damages.
- Deposition in the matter of Florida Municipal Power Agency v. Florida Power & Light Company, Case No. 92-35-CIV-ORL22C, United States District Court, Middle District of Florida, Orlando Division, concerning damages and market issues, August 31, 1999.
- Expert Report on Behalf of Florida Power & Light Company in Florida Municipal Agency v. Florida Power & Light Company in Case No. 92-35-CIV-ORL22C, United States District Court, Middle District of Florida, Orlando Division, concerning damages and market issues, August 26, 1999.
- Affidavit on behalf of AmerGen Energy Company before the Federal Energy Regulatory Commission in Docket No. EC99-\_\_\_\_-000 concerning AmerGen's proposed acquisition of the Clinton nuclear unit, August, 1999.
- Affidavit on behalf of AmerGen Energy Company before the Federal Energy Regulatory Commission in Docket No. EC99-\_\_\_\_-000 concerning AmerGen's proposed acquisition of the Nine Mile Point 1 nuclear unit and a portion of the Nine Mile Point 2 nuclear unit, July, 1999.
- Affidavit on behalf of Minnesota Power, Inc. before the Federal Energy Regulatory Commission in Docket No. ER99-\_\_\_\_-000 concerning Minnesota Power's application for market based pricing authority, July, 1999.
- Deposition in the matter of Allegheny Energy Inc. v. DQE, Inc., Civ. A. No. 98-16396 (RJC), United States District Court, Western District of Pennsylvania, June 11, 1999, concerning issues relating to the value of plaintiff's generating assets.
- Affidavit on behalf of Public Service Electric and Gas Company (PSEG) before the Federal Energy Regulatory Commission concerning PSEG's request to transfer its generating assets to an affiliate in Docket No. EC 99-\_\_\_\_-000, June 1999.
- Expert Report on behalf of Allegheny Energy in Allegheny Energy Inc. v. DQE, Inc. Civ. A. No. 98-16396 (RJC), United States District Court, Western District of Pennsylvania, May 17, 1999, concerning issues relating to the value of plaintiff's generating assets.
- Affidavit on behalf of Baltimore Gas & Electric (BG&E) Company before the Federal Energy Regulatory Commission concerning BG&E's application for market based pricing authority in Docket No. ER 99-\_\_\_\_-000, May 13, 1999.

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- Affidavit on behalf of Florida Power & Light in Florida Municipal Power Agency v. Florida Power & Light Co., Case No. 92-35-CIV-ORL-22 concerning legitimacy of Florida Power & Light's conduct, March 22, 1999.
- Affidavit on behalf of PECO Energy before the Federal Energy Regulatory Commission concerning PECO's application of market based pricing authority in Docket No ER 99-1872-000, February, 1999.
- Affidavit on behalf of Northeast Utilities before the Federal Energy Regulatory Commission concerning Northeast Utilities application for market based pricing authority in Docket No. ER 99-1829-000, February, 1999.
- Affidavit on behalf of AmerGen Energy Company, LLC (AmerGen) before the Federal Energy Regulatory Commission in Docket Nos. EC99-11-000, EL99-13-000 and ER99-754-000 concerning (i) AmerGen's acquisition of Three Mile Island No. 1 from GPU, Inc. and (ii) AmerGen's application for market based pricing authority, November, 1998.
- Affidavit on behalf of Constellation Energy Source, Inc. (CES) before the Federal Energy Regulatory Commission in Docket No. ER99-198-000 concerning CES's application for market based pricing authority, October 14, 1998.
- Affidavit on behalf of Select Energy, Inc. (Select) before the Federal Energy Regulatory Commission in Docket No. ER99-14-000 concerning Select's application for market based pricing authority, October 1, 1998.
- Rebuttal Testimony on Retail Market Power Issues on behalf of Mississippi Power Company, before the Mississippi Public Service Commission in Docket No. 96-UA-389 concerning whether Mississippi Power Company will be able to exercise market power in deregulated retail markets in Mississippi, September 11, 1998.
- Prepared Testimony and Report on Retail Market Power Issues on behalf of Mississippi Power Company, before the Mississippi Public Service Commission in Docket No. 96-UA-389, concerning whether Mississippi Power Company will be able to exercise market power in deregulated retail markets in Mississippi, August 7, 1998.
- Affidavit on behalf of Southern California Edison Company to the Federal Energy Regulatory Commission concerning market power issues associated with the supply of ancillary services to the California ISO, July 13, 1998.
- Prepared Rebuttal Testimony on Behalf of Public Service Electric & Gas Company, with Paul Joskow, before the State of New Jersey, Board of Public Utilities, in Docket Nos. EX94120585Y, E097070457, E097070460, E097070463 and E097070466, responding to market power issues raised by intervenor witnesses, including in particular the role of transmission constraints in market power analyses, appropriate mitigation measures for "load pocket" situations, proper standards for granting market based pricing authority, the role of transitional mechanisms in mitigating market power concerns and the use and role of market simulations in addressing market power topics, April 13, 1998.
- Prepared Rebuttal Testimony on Behalf of Atlantic City Electric Company, with Paul Joskow, before the State of New Jersey, Board of Public Utilities, in Docket Nos. EX94120585Y, E097070457, E094770460, E09707463 and E097070466, responding to market power issues raised by intervenor witnesses, including in particular the role of transmission constraints in

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market power analyses, appropriate mitigation measures for "load pocket" situations, proper standards for granting based pricing authority and the use and role of market simulations in addressing market power topics, April 13, 1998.

- Prepared Additional Supplemental Direct Testimony on behalf of Ohio Edison and Centerior Energy, before the Federal Energy Regulatory Commission, Docket No. EC97-5-000, concerning the competitive analyses associated with Ohio Edison's merger with Centerior Energy, August 8, 1997.
- Prepared Testimony on behalf of Public Service Electric & Gas Company on Market Power Issues, with Paul Joskow, before State of New Jersey, Board of Public Utilities, concerning market power issues associated with PSE&G's proposal to implement retail customer choice in its competitive filings in New Jersey, July 30, 1997.
- Affidavit on behalf of Union Electric Development Corporation before the Federal Energy Regulatory Commission in Docket No. ER97-3663-000, concerning Union Electric Development Corporation's request for the right to make wholesale bulk power sales at market-determined prices, July 8, 1997.
- Affidavit on behalf of Union Electric Company before the Federal Energy Regulatory Commission in Docket No. ER97-3664-000, concerning Union Electric's request for the right to make wholesale bulk power sales at market-determined prices, July 8, 1997.
- Rebuttal Testimony on Reopening on behalf of Union Electric Company and Central Illinois Public Service Company, before the Illinois Commerce Commission in Docket No. 95-0551, addressing competitive issues raised by witnesses for intervenors and the staff of the ICC in response to previous testimony, May 23, 1997.
- Rebuttal Testimony on behalf of Wisconsin Power and Light Company, Interstate Power Company and IES Industries, Inc., before the Public Service Commission of Wisconsin in Docket No. 6680-UM-100, responding to concerns raised by intervenors regarding competitive issues associated with the proposed merger of the three companies, May 20, 1997.
- Direct Testimony on Reopening on behalf of Union Electric Company and Central Illinois Public Service Company, before the Illinois Commerce Commission in Docket No. 95-0551, responding to the ICC's request that applicants apply the screening analysis contained in Appendix A of the Federal Energy Regulatory Commission's Order 592 to the effects of the proposed merger on existing and future Illinois retail markets, April 14, 1997.
- Prepared Rebuttal Testimony on behalf of IES Utilities Inc., Interstate Power Company, Wisconsin Power & Light Company, South Beloit Water, Gas & Electric Company, Heartland Energy Services and Industrial Energy Applications, Inc., before the Federal Energy Regulatory Commission in Docket No. EC96-13-000, responding to issues raised by intervenors concerning the proposed merger and the application of the screening analysis contained in Appendix A of FERC's Order 592, April 14, 1997.
- Affidavit on behalf of Constellation Power Source, Inc. before the Federal Energy Regulatory Commission in Docket No. ER97-2261-000, concerning Constellation's request for the right to make wholesale bulk power sales at market-determined prices, March 25, 1997.
- Prepared Supplemental Direct Testimony on behalf of Ohio Edison Company, Pennsylvania Power Company, The Cleveland Electric Illuminating Company and The Toledo Edison

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Company, before the Federal Energy Regulatory Commission in Docket No. EC97-5-000, concerning the application of the screening analysis contained in Appendix A of FERC Order 592 to the applicants' proposed merger, March 20, 1997.

- Prepared *Additional Direct Testimony* on behalf of IES Utilities Inc., Interstate Power Company, Wisconsin Power & Light Company, South Beloit Water, Gas & Electric Company, Heartland Energy Services and Industrial Energy Applications, Inc., before the Federal Energy Regulatory Commission in Docket No. EC96-13-000, concerning the application of the screening analysis contained in Appendix A of FERC Order 592 to the applicants' proposed merger, February 27, 1997.
- Prepared *Rebuttal Testimony* on behalf of Union Electric Company and Central Illinois Public Service Company before the Federal Energy Regulatory Commission in Docket Nos. EC96-7-000, et al. addressing competitive issues related to the proposed merger of Union Electric Company and Central Illinois Public Service Company, January 13, 1997.
- *Affidavit* on behalf of Union Electric Company and Central Illinois Public Service Company before the Federal Energy Regulatory Commission in Docket Nos. EC96-7-000, et al. concerning the effect of the FERC's Policy Statement on mergers (Order No. 592) on the proposed merger of Union Electric Company and Central Illinois Public Service Company, January 13, 1997.
- Prepared *Supplemental Direct Testimony* on behalf of Union Electric Company and Central Illinois Public Service Company before the Federal Energy Regulatory Commission in Docket Nos. EC96-7-000, et al. concerning the effects of transmission constraints on the potential to exercise market power as a result of the proposed merger of Union Electric and Central Illinois Public Service, November 15, 1996.
- *Direct Testimony* on behalf of Ohio Edison Company and Centerior before the Federal Energy Regulatory Commission in Docket No. EC97-5-000 concerning the effect of the proposed merger of Ohio Edison and Centerior on market power and competition, November 8, 1996.
- Prepared *Direct Testimony* on behalf of Union Electric Company before the Missouri Public Service Commission in Case No. EM-96-149, concerning the effects on various market power concerns of the proposed merger between Union Electric Company and Central Illinois Public Service Company, November 1, 1996.
- *Testimony* on behalf of Virginia Electric and Power Company in the matter of *Gordonsville Energy, L.P. v. Virginia Electric and Power Company* before the Circuit Court of the City of Richmond, Case No. LA-2266-4, concerning damages suffered by VEPCO as a result of a NUG outage, and the appropriateness of a liquidated damages provision in the contract between VEPCO and the NUG, October 23, 1996.
- Prepared *Direct Testimony* on behalf of Southern Company Services, Inc. before the Federal Energy Regulatory Commission in Docket No. ER96-780-000, concerning whether constraints on the Florida/Southern interface give Southern the ability to exercise market power, September 23, 1996.
- *Deposition* in the matter of *Gordonsville Energy, L.P. v. Virginia Electric and Power Company* before the Circuit Court of the City of Richmond, Case No. LA-2266-4, concerning damages suffered by VEPCO as a result of a NUG outage, September 17, 1996.

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- Prepared Rebuttal Testimony on behalf of Public Service Company of New Mexico before the Federal Energy Regulatory Commission in Docket No. ER95-1800-000, et al., addressing market power issues raised by intervenors in response to previous testimony, August 30, 1996.
- Prepared Testimony on behalf of Public Service Company of New Mexico before the Federal Energy Regulatory Commission in Docket No. ER96-1551-000, concerning whether PNM possesses market power in transmission-constrained areas, July 10, 1996.
- Affidavit on behalf of Central Louisiana Electric Company before the Federal Energy Regulatory Commission in Docket No. ER96-2677-000, concerning CLECO's request for the right to make wholesale bulk power sales at market-determined prices, July 9, 1996.
- Supplemental Direct Testimony on behalf of IES Utilities Inc., Interstate Power Company, Wisconsin Power & Light Company, South Beloit Water, Gas & Electric Company, Heartland Energy Services and Industrial Energy Applications, Inc., before the Federal Energy Regulatory Commission in Docket No. EC96-13-000, examining the effects of the proposed formation of a regional Independent System Operator on the analyses and conclusions contained in previous testimony in support of the companies' proposed merger, June 5, 1996.
- Prepared Testimony on behalf of Minnesota Power & Light Company before the Federal Energy Regulatory Commission in Docket No. EC95-16-000, concerning Minnesota Power & Light's request for the right to make wholesale bulk power sales at market-determined prices, May 16, 1996.
- Prepared Rebuttal Testimony on behalf of IES Industries Inc., Interstate Power Company and WPL Holdings, Inc. before the Iowa Utilities Board in Docket No. SPU-96-6 addressing market power and competition issues raised by intervenors in response to previous merger testimony, April 22, 1996.
- Prepared Direct Testimony on behalf of IES Utilities Inc., Interstate Power Company, Wisconsin Power & Light Company, South Beloit Water, Gas & Electric Company, Heartland Energy Services and Industrial Energy Applications, Inc., before the Federal Energy Regulatory Commission in Docket No. EC96-13-000, concerning the effects of their proposed merger on market power and competition, February 29, 1996.
- Deposition in the matter of Westmoreland-LG&E Partners v. Virginia Electric and Power Company, Case No. LX-2859-1, concerning interpretation of capacity payment provisions in power purchase agreement under which Westmoreland-LG&E sells output of nonutility generator to VEPCO, February 23, 1996 and October 9, 1998.
- Prepared Testimony on behalf of Union Electric Company and Central Illinois Public Service Company before the Federal Energy Regulatory Commission in Docket Nos. EC96-7-000 and ER96-679-000, concerning the effects of their proposed merger on market power and competition, December 22, 1995.
- Prepared Testimony on behalf of Northeast Utilities before the Federal Energy Regulatory Commission in Northeast Utilities Service Company, Docket No. ER95-1686-000, concerning FERC's generation dominance standard in support of Northeast Utilities' request for market-based pricing authority, November 13, 1995.
- Sur-reply affidavit on behalf of Rochester Gas & Electric before the U.S. District Court, Western District of New York, in *Kamine/Besicorp Allegheny L.P. v. Rochester Gas & Electric*

Corporation, Case No. 95-CIV-6045L, in response to motion by Kamine/Besicorp Allegheny L.P. for a preliminary injunction, July 10, 1995.

- Prepared Supplemental Rebuttal Testimony on Transmission NOPR Issues on behalf of Florida Power & Light Company before the Federal Energy Regulatory Commission in Florida Power & Light Company, Docket Nos. ER93-465-000, et al., addressing transmission NOPR issues raised by FERC Staff and Intervenors, May 19, 1995.
- Prepared Direct Testimony on Transmission NOPR Issues on behalf of Florida Power & Light before the Federal Energy Regulatory Commission in Florida Power & Light Company, Docket Nos. ER93-465-000, et al., concerning the effects of FERC's recent Notice of Proposed Rulemaking on issues in FPL's ongoing case, April 25, 1995.
- Affidavit on behalf of Rochester Gas & Electric before the U.S. District Court, Western District of New York, in Kamine/Besicorp Allegheny L.P. v. Rochester Gas & Electric Corporation, Case No. 95-CIV-6045L, in support of its opposition to a request by Kamine/Besicorp Allegheny L.P. for a temporary restraining order, March 9, 1995.
- Testimony on behalf of Virginia Power before the Circuit Court of the City of Richmond in Case No. LW-730-4, Doswell Limited Partnership v. Virginia Electric Power Company concerning the level of fixed gas transportation costs associated with the proxy unit which forms the basis for VEPCO's payments to Doswell, March 2, 1995.
- Prepared Rebuttal Testimony on behalf of American Electric Power Service Corporation before the Federal Energy Regulatory Commission in Docket No. ER93-540-001 addressing issues concerning FERC's new comparability standard and its implications for AEP's transmission service offerings, January 17, 1995.
- Deposition on behalf of El Paso Electric Company and Central and South West Services, Inc. before the Federal Energy Regulatory Commission in Docket Nos. EC94-7-000 and ER94-898-000 concerning "comparability" and other transmission issues, December 22, 1994.
- Prepared Rebuttal Testimony on behalf of Florida Power & Light Company before the Federal Energy Regulatory Commission in Florida Power & Light Company, Docket Nos. ER93-465-000, et al. concerning market power and competitive issues, comparability and other transmission issues, wholesale electric service tariff revisions, and issues concerning interchange contract revisions, December 16, 1994.
- Prepared Rebuttal Testimony on behalf of El Paso Electric Company and Central and South West Services, Inc., before the Federal Energy Regulatory Commission, Dockets Nos. EC94-7-000 and ER94-898-000, concerning network transmission service and point-to-point transmission service, December 12, 1994.
- Prepared Direct Testimony on behalf of Midwest Power Systems, Inc. and Iowa-Illinois Gas and Electric Company before the Federal Regulatory Commission, Docket No. EC95-4-000, concerning competitive issues raised by their proposed merger to form MidAmerican Energy Company, November 10, 1994.
- Deposition on behalf of Florida Power Corporation in Orlando Cogen, Inc., et al., v. Florida Power Corporation, Case No. 94-303-CIV-ORL-18, US District Court in and for the Middle District of Florida, Orlando Division, involving a contract dispute between FPC and one of its NUG suppliers, August 30, 1994.

- Prepared Direct Testimony on Comparability Issues on behalf of Florida Power & Light Company in Florida Power & Light Company, Docket Nos. ER93-465-000 and ER93-922-000 concerning a discussion of the differences between types of transmission services, usage of transmission systems by their owners, transmission services that FPL provides, and how those services compare and contrast with FPL's own uses of the transmission system, August 5, 1994.
- Prepared Answering Testimony on behalf of Florida Power & Light Company in Florida Power & Light Company, Docket Nos. ER93-465-000 and ER93-922-000 concerning (i) whether municipal systems should receive billing credits for certain transmission facilities which they own which were argued to be part of an "integrated" transmission grid, and (ii) FPL's obligation to sell wholesale power under its Nuclear Regulatory Commission antitrust license conditions, July 7, 1994.
- Deposition on behalf of Virginia Electric & Power Co. in re: Doswell Limited Partnership v. Virginia Electric & Power Co., Case No. LW-730-4, Circuit Court for the City of Richmond, involving an alleged fraud and breach of contract relating to payments by VEPCO to one of its NUG suppliers, April 5, 1994.
- Prepared Final Rebuttal Testimony on behalf of Central Louisiana Electric Company before the Federal Energy Regulatory Commission in Docket No. ER93-498-000, examining an allegation of predatory pricing, March 16, 1994.
- Prepared Rebuttal Testimony on behalf of Central Louisiana Electric Company before the Federal Energy Regulatory Commission in Docket No. ER93-498-000, examining an allegation of a municipal joint action agency that Central Louisiana's contract to provide bulk power service to a new municipal system customer constituted predatory pricing, December 23, 1993.
- "Comments on the Commerce Commission's Draft Determination Concerning Trans Power's Proposal to Recover Fixed/Sunk Transmission Costs," testimony on competitive issues prepared at the request of The Electricity Industry Committee, New Zealand, November 30, 1993.
- Prepared Direct Testimony on behalf of Florida Power & Light Company in Florida Power & Light Company, Docket Nos. ER93-465-000 and ER93-922-000 concerning competitive implications of wholesale tariff revisions, interchange contract revisions and a proposed "open access" transmission tariff, November 26, 1993.
- Deposition on Behalf of Florida Power & Light in Florida Municipal Power Agency v. Florida Power & Light Co. Case No. 92-35-CIV-ORL-22 concerning damage related issues, July 21 and 22, 1993.
- Affidavit on behalf of Florida Power & Light in Florida Municipal Power Agency v. Florida Power & Light Co. Case No. 92-35-CIV-ORL-22 concerning damage related issues, July 14, 1993.
- Prepared Direct Testimony on behalf of the Detroit Edison Company In the Matter of the Application of the Association of Businesses Advocating Tariff Equity for Approval of an experimental retail wheeling tariff for Consumers Power Company, Case No. U-10143, and In the Matter on the Commission's own motion, to consider approval of an experimental retail wheeling tariff for The Detroit Edison Company, Case No. U-10176 before the Michigan Public Service Commission, March 1, 1993.

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- Deposition on behalf of Florida Power & Light in Florida Municipal Power Agency vs. Florida Power & Light Company, Case No. 92-35-CIV-ORL-22, concerning relevant markets, market power and competitive issues, February 25, 1993.
- Deposition in Tucson Electric Power Company v. SCE Corporation, et al., Superior Court of the State California, Case No. 628170, June 19, 1992.
- Affidavit on behalf of Iowa Power Inc. and Iowa Public Service Company, Federal Energy Regulatory Commission, Concerning the Competitive Effects of a Merger of the Two Companies, 1991.
- Testimony on behalf of Defendants Union Electric and Missouri Utilities, in City of Malden, Missouri v. Union Electric Company and Missouri Utilities Company, U.S. District Court, Eastern District of Missouri, Southeastern Division, Civil Action No. 83-2533-C, 1988.
- Testimony on behalf of Defendant Union Electric, in City of Kirkwood, Missouri v. Union Electric Company, U.S. District Court, Eastern District of Missouri, Civil Action No. 86-1787-C-6 (deposition testimony), 1987.
- Testimony on behalf of Defendant Union Electric Company, in Citizens Electric Corporation v. Union Electric Company, U.S. District Court, Eastern District of Missouri, Eastern Division, Civil Action No. 83-2756C(c), 1986.
- Testimony on behalf of Advo-System, Inc., before the Postal Rate Commission, Docket No. R84-1, Concerning Rates for Third Class Mail, 1984.
- Testimony on behalf of D/FW Signal, Inc., before the Federal Communications Commission, Docket No. CC83-945, Concerning Cellular Telephone Service in Dallas-Fort Worth, 1983.
- Testimony on behalf of the Department of Defense, before the Montana Public Service Commission, Docket No. 82.2.8, Concerning Telephone Service Rate Structure, 1982.
- Testimony on behalf of Multnomah County, before the Public Utility Commissioner of Oregon, Docket UF 3565, Concerning Telephone Service Rate Structure, 1980.
- Testimony on behalf of the Louisiana Consumer League, before the Louisiana Public Service Commission, Docket No. U-14078, Concerning Marginal Cost Pricing for Louisiana Power and Light Company, 1979.
- Testimony on behalf of the State of Oregon, City of Portland, and County of Multnomah, before the Public Utility Commissioner of Oregon, Dockets UF3342 and UF3343, concerning Rates for Centrex and ESSX Telephone Service, 1978.

#### **SELECTED REPORTS**

- "An Economic Assessment of the Benefits of Repealing PUHCA," with John Landon, Ajay Gupta and Virginia Perry-Failor, prepared for Mid-American Energy Holdings, April 2000.
- Updated Market Power Analysis for Detroit Edison Company, concerning Detroit Edison Company's market based pricing authority, submitted to the Federal Energy Regulatory Commission, December 17, 1999.

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- Report of Ameren to the Public Service Commission of Missouri on Market Power Issues, concerning whether Ameren, created by the merger of Union Electric Company and Central Illinois Public Service Company, is likely to have market power if deregulation and retail competition are introduced in Missouri, February 27, 1998.
- "Supporting Companies' Report on Horizontal Market Power Analysis," with Paul Joskow, concerning analysis of market power issues in connection with a proposed reorganization of the PJM Pool, July 14, 1997.
- "International Electricity Sector Investment by US Electric Utilities," with Graham Hadley, Paul Hennemeyer and Barbara MacMullen, prepared for The Kansai Electric Power Company, Inc., March 5, 1997.
- "Report on Horizontal Market Power Issues," with Paul Joskow, prepared for Southern California Edison Company in FERC Docket No. ER96-1663-000, May 29, 1996.
- "Recent Developments in North American Electric Generation Capacity Procurement Systems," with Mahim Chellappa, prepared for Electricite de France (EDF), Paris, France, August 1994.
- "Comments on Transmission Reform Proposals," report prepared for the Edison Electric Institute, October 1993.
- "Sunk Transmission Cost Recovery Issues," report prepared for The Electricity Industry Committee, New Zealand, September 1, 1993.
- "Opportunity Cost Pricing for Electric Transmission: An Economic Assessment," report prepared for Edison Electric Institute, June 1992.
- "Transmission Access and Pricing: What Does A Good 'Open Access' System Look Like," NERA Working Paper #14, January 1992.
- "Evaluation of Qualifying Facility Proposals," prepared for Florida Power Corporation, March 1991.
- "Design of Capacity Procurement Systems," prepared for Electricite de France, January 1991.
- "Issues in the Design of Generating Capacity Procurement Systems," prepared for TransAlta Utilities, January 1991.
- "Government Regulators and Market Power Issues," prepared for Edison Electric Institute, January 1991.
- "A Critique and Evaluation of the Large Public Power Council's Transmission Access and Pricing Proposal," prepared for Edison Electric Institute, December 1990.
- "The Effects of a Premature Shutdown of the Trojan Nuclear Power Plant," prepared for Portland General Electric Company, October 1990.
- "An Examination of the Proper Role for Utilities in Promoting Conservation Expenditures," prepared for Public Service Electric & Gas Company with T. Scott Newlon, 1990.

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- "Issues Concerning Selection Criteria Development for Capacity RFPs," prepared for the Bonneville Power Administration, February 15, 1990.
- "Nonutility Generators and Bonneville Power Administration Resource Acquisition Policy," prepared for the Bonneville Power Administration, with David L. Weitzel, January 31, 1990.
- "An Evaluation of Resource Solicitation Alternatives," prepared for the Bonneville Power Administration, January 31, 1990.
- "Approaching the Transmission Access Debate Rationally," Transmission Research Group Working Paper Number 1, with Joe D. Pace, November 1987.
- "The Essential Facilities Doctrine," NERA, June 1985.
- "The Nuclear Regulatory Commission's Antitrust Review Process: An Analysis of the Impacts," Transcomm, Inc., prepared for the U.S. Department of Energy, 1981.
- "Competitive Aspects of Utility Involvement in Cogeneration and Solar Programs," Transcomm, Inc., prepared for the U.S. Department of Energy, June 1981.
- "An Appraisal of Antitrust Review Extension in the Context of Small Utility Fuel Use Act Compliance," Transcomm, Inc., prepared for the U.S. Department of Energy, July 28, 1980.
- "Analysis of Proposed License Conditions with Respect to Antitrust Deficiencies," Transcomm, Inc., prepared for the U.S. Nuclear Regulatory Commission, 1978.
- "Analysis of NRC Staff's Proposed License Conditions for Midland Units," Transcomm, Inc., prepared for the U.S. Nuclear Regulatory Commission, August 7, 1978.

#### **SELECTED SPEECHES**

- Presentation to the Board of Directors of the Salt River Project on Code of Conduct Issues Associated with Industry Restructuring, November 9, 1998
- "FERC's Approach To Addressing Horizontal Market Power in Electric Mergers," speech presented to Infocast Conference on Utility Mergers & Acquisitions, Washington, D.C., July 17, 1998.
- "Problems in Applying the Appendix A Analytical Screen," speech presented to the Edison Electric Institute Workshop on Practical Applications of the FERC Merger Policy Guidelines, Arlington, Virginia, April 1, 1997.
- "Evolving Market Power Issues in the Context of Electric Restructuring," speech presented to Eastern Mineral Law Foundation Forum on Natural Resources and Energy Law, Sanibel Island, Florida, February 13, 1997.
- "An Overview of Antitrust in the Electric Industry," speech presented to Antitrust Law & Economics for the Electric Industry, sponsored by Energy Business, Inc., Washington, D.C., February 22, 1996.
- "Moving From Here to There: Some Implications for Electric Transmission," speech presented to the Infocast Power Industry Forum, Palm Springs, California, February 17, 1995.

- "What Does 'Comparability' Really Mean?," speech presented to The Federal Energy Bar Association, Washington, D.C., November 17, 1994.
- "Current Transmission Topics" and "Trans Alta's Unbundled Rate Proposal," presented to the Canadian Electrical Association, Montreal, PQ, Canada, May 9, 1994.
- "Retail Wheeling Issues," speech presented to the Edison Electric Institute National Accounts Workshop, Atlanta, Georgia, February 7, 1994.
- "Retail Wheeling: Doing It the Right Way," speech presented to the Retail Wheeling Conference, Denver, Colorado, November 8, 1993.
- "Retail Wheeling," speech presented to the Missouri Valley Electric Association Division Conference, Kansas City, Missouri, October 22, 1993.
- "An Economic Perspective on Current Transmission Pricing Issues," speech presented to the Edison Electric Institute 1993 Fall Legal Committee Meeting, Minneapolis, Minnesota, October 7, 1993.
- "Characteristics of a 'Good' Retail Wheeling System," speech presented to the Second Annual Electricity Conference sponsored by Executive Enterprises, Inc., Washington, D.C., April 21-22, 1993.
- "Characteristics of a 'Good' Retail Wheeling System," speech presented to the Electric Utility Business Environment Conference sponsored by Electric Utility Consultants, Inc., Denver, Colorado, March 16-17, 1993.
- "Change in the Industry," seminar presentation on privatization and service unbundling presented to Ontario Hydro management and special strategy task force, Ontario, Canada, February 3, 1993.
- "The U.S. Experience and What Is To Come," speech presented to NERA Seminar on Competition in the Regulated Industries (Electric/Telecommunications), Rye Town Hilton, Rye Town, New York, October 30, 1992.
- "Emerging Transmission Pricing Issues," speech presented to Electric Utility Consultants, Inc.'s 3rd Annual Transmission & Wheeling Conference, Chicago, Illinois, September 22-23, 1992.
- "Emerging Transmission Pricing Issues," speech presented to Executive Enterprises, Inc., 1992 Electricity Conference: Restructuring the Electricity Industry, Washington, D.C., September 15-16, 1992.
- "A Pragmatic Look at Open Access," presented to DOE/NARUC Workshop on Electricity Transmission, Stockbridge, Massachusetts, June 2, 1992.
- "Some Thoughts About Open Access," presented to EMA's Issues and Outlook Forum, Atlanta, Georgia, May 5, 1992.
- "Transmission Access: How Should We Proceed?" Speech presented to the Second Annual Transmission and Wheeling Conference, Denver, Colorado, November 21, 1991.
- "Can We Implement Reasonable Transmission Pricing and Access Procedures?" presented to the Edison Electric Institute System Planning Committee, Dallas, Texas, October 24, 1990.

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- "Issues in the Design of Competitive Bidding Systems," presented at the Pennsylvania Electric Association System Planning Meeting," 1990.
- "Should We Use Opportunity Cost Pricing for Transmission?" presented to the Edison Electric Institute Interconnection Arrangements Committee, 1990.
- "Recent Changes in the Electric Power Industry and Pressures on the Transmission System," presented at seminar "Competitive Electricity: Why the Debate?" Sponsored by the Electricity Consumers Resource Council, 1988.
- "Some Thoughts on New Transmission Access and Pricing Proposals," presented at conference "Transmission Pricing and Access: Reinventing the Wheel," sponsored by Cogeneration and Independent Power Coalition of America and American Cogeneration Association, 1988.