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March 15, 2024

**VIA ELECTRONIC FILING**

Mr. Adam Teitzman  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re: Docket No. 20230020-EI; In re: Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Elsa, Eta, Isaias, Ian, Nicole, and Tropical Storm Fred, by Duke Energy Florida, LLC**

Dear Mr. Teitzman:

Please find enclosed for filing in the above-referenced case on behalf of Walmart Inc. the Direct Testimony and Exhibits of Lisa V. Perry.

Please contact me if you have any questions concerning this filing.

Sincerely,

/s/ Stephanie U. Eaton  
Stephanie U. Eaton (Florida Bar No. 165610)  
[seaton@spilmanlaw.com](mailto:seaton@spilmanlaw.com)

SUE:sds  
Enclosures  
c: Parties of Record

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the Direct Testimony and Exhibits of Lisa V. Perry has been furnished by electronic mail to the following parties this 15<sup>th</sup> day of March, 2024.

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*/s/ Stephanie U. Eaton*  
\_\_\_\_\_  
Stephanie U. Eaton

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Petition for limited proceeding for : DOCKET NO. 20230020-EI  
recovery of incremental storm restoration :  
costs related to Hurricanes Elsa, Eta, Isaias, :  
Ian, Nicole, and Tropical Storm Fred, by : Filed: March 15, 2024  
Duke Energy Florida, LLC**

**DIRECT TESTIMONY AND EXHIBITS OF**

**LISA V. PERRY**

**ON BEHALF OF**

**WALMART INC.**

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**Exhibits**

**Exhibit LVP-1:** Witness Qualifications Statement

**Exhibit LVP-2:** Comments of Walmart Inc., Docket No. 20230020-EI (March 7, 2023)

**Exhibit LVP-3:** Direct Testimony and Exhibit of Lisa V. Perry on Behalf of Walmart Inc.,  
Docket No. 20220010-EI (September 2, 2022)

**Exhibit LVP-4:** DEF Tariff Sheet: One Hundred and Fourth Revised Sheet No. 6.105 – Rate  
Schedule BA-1

1 **I. Introduction**

2 **Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS, AND**  
3 **OCCUPATION.**

4 A. My name is Lisa V. Perry. My business address is 2608 SE J Street,  
5 Bentonville, Arkansas 72716-0550. I am employed by Walmart Inc.  
6 ("Walmart") as Director, Utility Partnerships - Regulatory.

7 **Q. ON WHOSE BEHALF ARE YOU TESTIFYING IN THIS DOCKET?**

8 A. I am testifying on behalf of Walmart Inc.

9 **Q. PLEASE DESCRIBE YOUR EDUCATION AND EXPERIENCE.**

10 A. I received a J.D. in 1999 and a L.L.M. in Taxation in 2000 from the University of  
11 Florida Levin College of Law. From 2001 to 2019, I was in private practice with  
12 an emphasis from 2007 to 2019 in Energy Law. My practice included representing  
13 a large commercial client before the utility regulatory commissions in Colorado,  
14 Texas, New Mexico, Arkansas, and Louisiana in matters ranging from general rate  
15 cases to renewable energy programs. I joined the energy department at Walmart in  
16 September 2019 as Senior Manager, Energy Services. My Witness Qualifications  
17 Statement is attached as Exhibit LVP-1.

18 **Q. HAVE YOU PREVIOUSLY SUBMITTED TESTIMONY BEFORE THE**  
19 **FLORIDA PUBLIC SERVICE COMMISSION ("COMMISSION")?**

20 A. Yes; I submitted testimony in Docket Nos. 20200067-EI, 202000069-EI,  
21 202000070-EI, 202000071-EI, 20210010-EI, 20220010-EI, and 20230019-EI.

1       **Q.    HAVE YOU PREVIOUSLY SUBMITTED TESTIMONY BEFORE OTHER**  
2       **STATE REGULATORY COMMISSIONS?**

3       A.    Yes, I have submitted testimony with state regulatory commissions for Arkansas,  
4       Colorado, Connecticut, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana,  
5       Maryland, Michigan, New York, Ohio, Oklahoma, South Carolina, Texas,  
6       Virginia, and Wyoming. I have also provided legal representation for customer  
7       stakeholders before the state regulatory commissions for Colorado, Texas,  
8       Arkansas, Louisiana, and New Mexico in the cases listed under "Commission  
9       Dockets" in Exhibit LVP-1.

10      **Q.    ARE YOU SPONSORING EXHIBITS IN YOUR TESTIMONY?**

11      A.    Yes. I am sponsoring the Exhibits listed in the Table of Contents.

12      **Q.    PLEASE BRIEFLY DESCRIBE WALMART'S OPERATIONS IN**  
13      **FLORIDA.**

14      A.    Walmart operates 386 retail units, nine distribution centers, two fulfillment centers,  
15      and employs over 119,000 associated in Florida. In fiscal year ending 2024,  
16      Walmart purchased \$8.5 billion worth of goods and services from Florida-based  
17      suppliers, supporting over 82,000 supplier jobs.<sup>1</sup>

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<sup>1</sup> <https://corporate.walmart.com/about/location-facts/united-states/florida>

1       **Q. PLEASE BRIEFLY DESCRIBE WALMART'S OPERATIONS WITHIN THE**  
2       **SERVICE TERRITORY FOR DUKE ENERGY FLORIDA, LLC ("COMPANY"**  
3       **OR "DEF").**

4       A. Walmart has 72 retail stores, one distribution center, one fulfillment center, and  
5       related facilities that take service from the Company. On an annual basis, Walmart  
6       consumes more than 296.1 million kWh from the Company.

7

8       **II. Purpose of Testimony and Summary of Recommendations**

9       **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

10      A. The purpose of my Testimony is to respond to the Company's *Petition for limited*  
11      *proceeding for recovery of incremental storm restoration costs related to*  
12      *Hurricanes Elsa, Eta, Isaias, Ian, Nicole, and Tropical Storm Fred, by Duke*  
13      *Energy Florida, LLC* filed on January 23, 2023 ("Petition").

14      **Q. DID WALMART FILE COMMENTS IN THIS DOCKET?**

15      A. Yes, Walmart filed Comments on March 7, 2023, attached to this Testimony as  
16      Exhibit LVP-2.

17      **Q. PLEASE SUMMARIZE WALMART'S RECOMMENDATIONS TO THE**  
18      **COMMISSION.**

19      A. Walmart incorporates by reference its recommendations in its March 7, 2023,  
20      Comments as if fully set forth herein. Specifically, Walmart recommends that any  
21      cost recovery approved in this docket should be recovered from demand-metered  
22      customers through the demand charge, *i.e.*, on a \$/kW basis, and not through the  
23      energy charge, or on a \$/kWh basis, as proposed by the Company.

1           **Q.    DOES THE FACT THAT YOU MAY NOT ADDRESS AN ISSUE OR**  
2           **POSITION ADVOCATED BY DEF OR OTHER PARTIES INDICATE**  
3           **WALMART'S SUPPORT?**

4           A.    No. The fact that an issue is not addressed herein or in related filings should not be  
5           construed as an endorsement of, agreement with, or consent to any filed position.

6  
7    **III.   Recovery of Requested Costs**

8           **Q.    COULD YOU PLEASE PROVIDE MORE DETAIL AROUND**  
9           **WALMART'S CONCERNS WITH THE COMPANY'S PROPOSAL TO**  
10          **RECOVER INCREMENTAL STORM RESTORATION COSTS RELATED**  
11          **TO HURRICANES ELSA, ETA, ISAIAS, IAN, NICOLE, AND TROPICAL**  
12          **STORM FRED ("INCREMENTAL STORM COSTS") FROM DEMAND**  
13          **METERED CUSTOMERS THROUGH THE ENERGY CHARGE.**

14          A.    As discussed in Walmart's March 7, 2023, Comments, the Company proposed in  
15          Docket No. 20220010-EI, *In re: Storm protection plan cost recovery clause* to  
16          recover costs associated with its Storm Protection Plan ("SPP") through the demand  
17          charge for its demand metered customers, which Walmart supported as set forth in  
18          the Direct Testimony and Exhibit of Lisa V. Perry on Behalf of Walmart Inc. filed  
19          in that docket on September 2, 2022, and attached to my Testimony as Exhibit LVP-  
20          3. However, in this docket, the Company is seeking to recover incremental storm  
21          costs related to specific hurricanes and a tropical storm plus additional funds to  
22          restore its SPP reserve from its demand metered customers through the energy



1 charge, *i.e.*, \$/kWh.<sup>2</sup> As discussed in more detail below, the Company's recovery  
2 of storm costs in this manner is not cost-based because it fails to appropriately  
3 reflect the demand-related nature of the underlying costs and creates intraclass  
4 subsidies within demand metered customer classes.

5 **Q. WHAT IS YOUR UNDERSTANDING OF THE COSTS THAT THE**  
6 **COMPANY IS SEEKING APPROVAL FOR RECOVERY IN THIS**  
7 **DOCKET?**

8 A. It is my understanding that Company estimates the total incremental storm-related  
9 costs for the listed hurricanes and Tropical Storm Fred at \$480.8 million.<sup>3</sup> In  
10 addition, the Company depleted its SPP reserve funding the restoration efforts from  
11 these hurricanes and tropical storm, and as such, is also requesting to recover  
12 \$131.9 million to replenish the SPP reserve.<sup>4</sup> After adjustments to the Incremental  
13 Storm Costs and adding the \$131.9 million to replenish the SPP reserve and \$4.5  
14 million in interest expense, it is my understanding that the total amount the  
15 Company is seeking to recover in this docket is \$442.1 million ("Recoverable  
16 Storm Amount").<sup>5</sup>

17 **Q. SPECIFICALLY, WHAT TYPE OF COSTS ARE INCLUDED IN THE**  
18 **RECOVERABLE STORM AMOUNT?**

19 A. In addition to replenishing the SPP reserve and interest expense, the Company is  
20 seeking to recover, as part of the Recoverable Storm Amount, costs related to

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<sup>2</sup> See Petition, p. 10, ¶ 26.

<sup>3</sup> See *id.* at 9, ¶ 25.

<sup>4</sup> See *id.* at 10, ¶ 25.

<sup>5</sup> See *id.* at 1 and Appendix A, p. 1.

1 payroll, incentives, contractor costs, materials and supplies, internal fleet costs, and  
2 other logistical costs related to restoring its system following the listed hurricanes  
3 and tropical storm.<sup>6</sup>

4 **Q. HOW DOES THE COMPANY PROPOSE TO RECOVER THE**  
5 **RECOVERABLE STORM AMOUNT FROM CUSTOMERS?**

6 A. The Company is proposing to recover the Recoverable Storm Amount through the  
7 non-fuel energy charge ("Recovery Charge"), or, in other words, on a \$/kWh basis,  
8 from all customers, including demand metered customers, subject to a true-up  
9 adjustment.<sup>7</sup>

10 **Q. DOES CHARGING DEMAND-RELATED COSTS THROUGH AN**  
11 **ENERGY CHARGE DISADVANTAGE HIGHER LOAD FACTOR**  
12 **CUSTOMERS?**

13 A. Yes. The shift in demand-related costs from per kW demand charges to per kWh  
14 energy charges results in a shift in demand cost responsibility from lower load  
15 factor customers to higher load factor customers. This results in a misallocation of  
16 cost responsibility as higher load factor customers overpay for the demand-related  
17 costs incurred by the Company to serve them. In other words, higher load factor  
18 customers are paying for a portion of the demand-related costs that are incurred to  
19 serve the lower load factor customers simply because of the manner in which the  
20 Company proposes to recover the Recoverable Storm Amount.

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<sup>6</sup> See Petition, Appendix A, pp. 2-7.

<sup>7</sup> See Petition, p. 10, ¶ 26.

1           **Q.    IF THE RECOVERABLE STORM AMOUNT WOULD HAVE BEEN PAID**  
2           **ENTIRELY FROM THE COMPANY'S SPP RESERVE, WOULD THESE**  
3           **COSTS HAVE BEEN RECOVERED FROM DEMAND METERED**  
4           **CUSTOMERS THROUGH THE DEMAND CHARGE?**

5           A.    Based on my reading of the current DEF tariff sheets, storm protection costs are  
6           recovered from demand metered customers on a \$/kW basis.<sup>8</sup> Thus, if the Company  
7           covered the total Recoverable Storm Amount from its SPP reserves, then such funds  
8           would have been collected from demand-metered customers through the demand  
9           charge, *i.e.*, on a \$/kW basis. I also note that a portion of the Recoverable Storm  
10          Amount will replenish the SPP reserves, yet the Company is seeking to recover that  
11          amount differently than it would have if those costs were recovered through the  
12          SPP tariff.

13          **Q.    WHAT IS WALMART'S RECOMMENDATION TO THE COMMISSION?**

14          A.    To better align cost allocation with cost responsibility, the approved Recoverable  
15          Storm Amount should be recovered from customers in a way that better reflects the  
16          demand-related nature of those costs and is consistent with how the Company  
17          recovers its SPP costs. To that end, Walmart recommends that any cost recovery  
18          approved in this docket should be recovered from demand-metered customers  
19          through the demand charge, *i.e.*, on a \$/kW basis, and not through the energy  
20          charge, or on a \$/kWh basis, as proposed by the Company.

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<sup>8</sup> See Exhibit LVP-4, DEF Tariff Sheet: One Hundred and Fourth Revised Sheet No. 6.105 – Rate Schedule BA-1 (listing the relevant Storm Protection Plan Cost Recovery Clause Factor billing adjustment (labeled "SPPCRC") as a \$/kW charge for classes of customers who have a demand charge).

1           **Q.    DOES THIS CONCLUDE YOUR TESTIMONY?**

2           A.    Yes.

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Petition for limited proceeding for : DOCKET NO. 20230020-EI**  
**recovery of incremental storm restoration :**  
**costs related to Hurricanes Elsa, Eta, Isaias, :**  
**Ian, Nicole, and Tropical Storm Fred, by :**  
**Duke Energy Florida, LLC**

**EXHIBITS OF**  
**LISA V. PERRY**  
**ON BEHALF OF**  
**WALMART INC.**

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Petition for limited proceeding for : DOCKET NO. 20230020-EI  
recovery of incremental storm restoration :  
costs related to Hurricanes Elsa, Eta, Isaias, :  
Ian, Nicole, and Tropical Storm Fred, by :  
Duke Energy Florida, LLC**

**EXHIBIT LVP-1 OF**

**LISA V. PERRY**

**ON BEHALF OF**

**WALMART INC.**

# Lisa V. Perry

Director, Utility Partnerships - Regulatory  
Walmart Inc.

Business Address: 2608 SE J Street, Bentonville, Arkansas 72716

Business Phone: (479) 274-0238

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## **EXPERIENCE**

September 2023 – Present

Walmart Inc., Bentonville, AR

Director, Utility Partnerships - Regulatory

September 2019 – September 2023

Walmart Inc., Bentonville, AR

Senior Manager, Energy Services

November 2017 – September 2019

Oram & Houghton PLLC, Round Rock, TX

Of Counsel, Energy Law

February 2016 – November 2017

Ray Quinney & Nebeker, P.C., Salt Lake City, UT

Of Counsel, Energy Law

September 2007 – February 2016

Welborn, Sullivan, Meck & Tooley, P.C., Denver, CO

Partner, Energy Law

## **EDUCATION**

2000 University of Florida Levin College of Law LL.M., Taxation

1999 University of Florida Levin College of Law J.D.

1996 University of South Florida B.A., Criminology

1993 University of South Florida B.A., Psychology

## **FILED TESTIMONY**

### **2024**

Florida Public Service Commission Docket No. 20230019-EI: In re: Petition for recovery of costs associated with named tropical systems during the 2019-2022 hurricane seasons and replenishment of storm reserve, by Tampa Electric Company.

Issue: Seeking approval of cost recovery for storm costs incurred during the 2019-2022 hurricane seasons.

Georgia Public Service Commission Docket No. 55378: In Re: Georgia Power Company's 2023 Integrated Resource Plan Update, Certification of the Power Purchase Agreement Between

Georgia Power Company and Mississippi Power Company and Santa Rosa Energy Center LLC, and Amended Certification of the Residential Thermostat Demand Response Demand Side Management Program.

Issue: Approval of an updated Integrated Resource Plan.

Public Service Commission of South Carolina Docket No. 2023-369-E: In re: S.C. Code Ann. Section 58-37-60 Independent Study to Evaluate the Integration of Renewable Energy and Emerging Energy Technologies into the Electric Grid for the Public Interest.

Issue: Evaluation of integrating renewable generation and related technologies into the grid.

### **2023**

Public Service Commission for the State of Maryland Case No. 9702: In the Matter of the Application of Potomac Electric Power Company for Adjustments to its Retail Rates for the Distribution of Electric Energy

Issue: General rate case.

Public Service Commission for the State of New York Case No. 23-E-0418: Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Central Hudson Gas & Electric Corporation for Electric Service; and Case No. 23-G-0419: Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Central Hudson Gas and Electric Corporation for Gas Service.

Issue: General rate cast for electric and gas service.

Indiana Utility Regulatory Commission Cause No. 45933: Petition of Indiana Michigan Power Company, an Indiana Corporation, for Authority to Increase its Rates and Charges for Electric Utility Service Through a Phase In Rate Adjustment; and for Approval of Related Relief Including: (1) Revised Depreciation Rates, Including Cost of Removal Less Salvage, and Updated Depreciation Expense; (2) Accounting Relief, Including Deferrals and Amortizations; (3) Inclusion of Capital Investment; (4) Rate Adjustment Mechanism Proposals, Including New Grant Projects Rider and Modified Tax Rider; (5) a Voluntary Residential Customer Powerpay Program; (6) Waiver of Declination of Jurisdiction with Respect to Certain Rules to Facilitate Implementation of the Powerpay Program; (7) Cost Recovery for Cook Plant Subsequent License Renewal Evaluation Project; and (8) New Schedules of Rates, Rules and Regulations.

Issue: General rate case.

Public Utilities Commission of Ohio Case No. 23-301-EL-SSO: In the Matter of the Application of Ohio Edison Company, the Cleveland Electric Illuminating Company, and the Toledo Edison Company for Authority to Establish a Standard Service Offer Pursuant to R.C. 4928.143 in the Form of an Electric Security Plan.

Issue: Approval of the Company's proposed Electric Security Plan.



Louisiana Public Service Commission Docket No. U-36697: Application of Entergy Louisiana, LLC for Approval of an alternative market-based mechanism process seeking to secure up to 3,000 MW of solar resources, including certification of those resources, expansion of the Geaux Green Option Rider, and approval of a new renewable tariff.

Issue: Approval of a voluntary renewable program backed by utility-owned solar assets.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2023-00101: Application of Virginia Electric and Power Company for a 2023 biennial review of the rates, terms and conditions for the provision of generation, distribution and transmission services pursuant to § 56-585.1 A of the Code of Virginia.

Issue: Biennial review of rates.

Commonwealth of Kentucky Public Service Commission Case No. 2023-00159: Electronic Application of Kentucky Power Company for (1) a General Adjustment of its Rates for Electric Service; (2) Approval of Tariffs and Riders; (3) Approval of Accounting Practices to Establish Regulatory Assets and Liabilities; (4) a Securitization Financing Order; and (5) all other Required Approvals and Relief.

Issue: General rate case.

Louisiana Public Service Commission Docket No. U-36625: Application of Entergy Louisiana, LLC for Approval of the Entergy Future Ready Resilience Plan (Phase I)

Issue: Recovery of costs to upgrade transmission and distribution systems.

Colorado Public Utilities Commission Proceeding No. 23A-0242E: In the Matter of the Application of Public Service Company of Colorado for Approval of its 2024-2026 Transportation Electrification Plan.

Issue: Seeking approval of utility's second transportation electrification plan.

Indiana Utility Regulatory Commission Cause No. 45919: In the Matter of the Petition of Indiana Michigan Power Company for Approval of (1) an Electric Vehicle Fast Charging Rate and Tariff and (2) Deferred Accounting Treatment for the Costs of Certain Company-Owned Electric Vehicle Fast Charging Stations and the Revenue from the Electric Vehicle Fast Charging Tariff.

Issue: Approval of an EV charging tariff for utility-owned public EV chargers.

Oklahoma Corporation Commission Cause No. PUD 2023000038: In the Matter of the Application of Oklahoma Gas and Electric Company for Commission Preapproval of New Generation Capacity Pursuant to 17 O.S. Section 286(C).

Issue: Approval to construct two CT units and recovery of costs through a rider.

State Corporation Commission of the State of Kansas Docket No. 23-EKCE-775-RTS: In the Matter of the Joint Application of Evergy Kansas Central, In., Evergy Kansas South, Inc., and Evergy Metro, Inc. for Approval to Make Certain Changes in their Charges for Electric Service.

Issue: General rate case.

Michigan Public Service Commission Case No. U-21389: In the matter of the application of CONSUMERS ENERGY COMPANY for authority to increase its rates for the generation and distribution of electricity and for other relief.

Issue: General rate case.

Public Service Commission of Wyoming Docket No. 20000-633-ER-23 (Record No. 17252): In the Matter of the Application of Rocky Mountain Power for Authority to Increase its Retail Electric Service Rates by Approximately \$140.2 Million Per Year or 21.6 Percent and to Revise the Energy Cost Adjustment Mechanism.

Issue: General Rate Case.

Public Utility Commission of Texas Docket No. 54634, SOAH Docket No. 473-23-14020: Application of Southwestern Public Service Company for Authority to Change Rates.

Issue: General Rate Case.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2023-00002: Application of Appalachian Power Company for a 2023 triennial review of its base rates, terms and conditions pursuant to § 56-585.1 of the Code of Virginia.

Issue: Triennial review of rates.

Michigan Public Service Commission Case No. U-21297: In the matter of the Application of DTE ELECTRIC COMPANY for authority to increase its rates, amend its rate schedules and rules governing the distribution and supply of electric energy, and for miscellaneous accounting authority.

Issue: General rate case.

Indiana Utility Regulatory Commission Cause No. 45816: Investigation of the Indiana Utility Regulatory Commission Regarding the Public Utility Regulatory Policies Act Section 111(d) Standards as Amended by the Infrastructure Investment and Jobs Act.

Issue: Electric vehicle charging programs and tariffs.

Illinois Commerce Commission Docket No. 23-0055: Commonwealth Edison Company Petition for Approval of a Multi-Year Rate Plan under Section 16-108.18 of the Public Utilities Act.

Issue: Multi-Year Rate Plan rate case.

Illinois Commerce Commission Docket No. 23-0082: Ameren Illinois Company d/b/a Ameren Illinois Petition for Approval of a Multi-Year Rate Plan pursuant to 220 ILCS 5/16-108.18.

Issue: Multi-Year Rate Plan rate case.

Illinois Commerce Commission Docket No. 23-0067: Ameren Illinois Company d/b/a Ameren Illinois Proposed General Increase in Rates and Revisions to Other Terms and Conditions of Service. (Tariff filed January 6, 2023).

Issue: Gas general rate case.

Illinois Commerce Commission Docket No. 23-0066: Northern Illinois Gas Company d/b/a Nicor Gas Company Proposed General Increase in Rates and Revisions to Other Terms and Conditions of Service. (Tariff filed January 3, 2023).

Issue: Gas general rate case.

Indiana Utility Regulatory Commission Cause No. 45843: Verified Petition of Indianapolis Power & Light Company d/b/a AES Indiana for Commission Approval of an Electric Vehicle Portfolio, Including: (1) A Public Use Electric Vehicle Pilot Program Pursuant to Ind. Code Ch. 8-1-43; and (2) Time-Varying and Other Alternative Pricing Structures and Tariffs Pursuant to Ind. Code §8-1-2.5-6(3); and for Approval of Associated Accounting and Ratemaking.

Issue: Electric vehicle charging programs and tariffs.

Arkansas Public Service Commission Docket No. 22-065-U: In the Matter of the Application of Southwestern Electric Power Company for a Certificate of Public Convenience and Necessity to Operate the John W. Turk, Jr. Power Plant to Supply a Public Service to its Arkansas Customers and for Approval of a Generation Cost Recovery Rider to Recover its Costs in Arkansas Rates.

Issue: Cost recovery from customers of an existing generation resource.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2022-00166: Petition of Appalachian Power Company for consideration of the appropriate framework for cost recovery, the allocation of costs net of benefits pursuant to Code § 56-585.5 F, and class and jurisdictional cost allocation.

Issue: Recovery methodology and cost allocation of VCEA-related costs.

Oklahoma Corporation Commission Cause No. PUD 202200093: Application of Public Service Company of Oklahoma, an Oklahoma Corporation, for an Adjustment in its Rates and Charges and the Electric Service Rules, Regulations and Conditions of Service for Electric Service in the State of Oklahoma and to Approve a Formula Base Rate Proposal.

Issue: General rate case.

Oklahoma Corporation Commission Cause No. PUD 202200121: Application of Public Service Company of Oklahoma (PSO) for Approval of the Cost Recovery of the Selected Wind and Solar Facilities (Renewable Resources); a Determination there is a Need for the Renewable Resources; Approval for Cost Recovery of Prudent Costs Incurred by PSO for the Renewable Resources; Approval of a Temporary Cost Recovery Rider; Approval of Certain Treatment of Federal Production Tax Credits; and Such Other Relief the Commission Deems PSO is Entitled.

Issue: Acquisition of renewable generation and recovery through a rider.

Arkansas Public Service Commission Docket No. 22-061-U: In the Matter of an Application into Potential Cost Shifting Associated with Net Metering.

Issue: Net metering tariff and any potential cost shifting between participating and non-participating customers.

**2022**

Commonwealth of Virginia State Corporation Commission Case No. PUR-2022-00124: Petition of Virginia Electric and Power Company for approval of its 2022 RPS Development Plan under § 56-585.5 D 4 of the Code of Virginia and related requests.

Issue: Approval of 2022 RPS Plan, new renewable projects, PPAs, and cost recovery mechanism, Rider CE, pursuant to the VCEA.

Public Service Commission of South Carolina Docket No. 2022-254-E: In re: Application of Duke Energy Progress, LLC for Increase in Electric Rates, Adjustments in Electric Rate Schedules and Tariffs, and Request for an Accounting Order.

Issue: General rate case.

Public Utility Commission of Texas Docket No. 53719, SOAH Docket No. 473-22-04394: Application of Entergy Texas, Inc. for Authority to Change Rates.

Issue: General rate case.

Louisiana Public Service Commission Docket No. U-36350: Application of Entergy Louisiana, LLC for Recovery in Rates of Costs Related to Hurricane Ida and Related Relief

Issue: Recovery costs related to Hurricane Ida.

Illinois Commerce Commission Docket No. 22-0432 and 22-0442 (cons.): Commonwealth Edison Company Petition for Approval of Beneficial Electrification Plan under the Electric Vehicle Act, 20 ILCS 627/45 and New EV Charging Delivery Classes under the Public Utilities Act, Article IX and Illinois Commerce Commission on its own Motion vs. Commonwealth Edison Company Investigation into Commonwealth Edison Company's Beneficial Electrification Plan Filing pursuant to 20 ILCS 627/45

Issue: Approval of Beneficial Electrification Plan.

Illinois Commerce Commission Docket No. 22-0431 and 22-0443 (cons.): Ameren Illinois Company d/b/a Ameren Illinois Petition for Approval of Beneficial Electrification Plan pursuant to Section 45 of the Electric Vehicle Act and Illinois Commerce Commission on its own Motion vs. Ameren Illinois Company d/b/a Ameren Illinois Investigation into Ameren Illinois Company's Beneficial Electrification Plan Filing pursuant to 20 ILCS 627/45

Issue: Approval of Beneficial Electrification Plan.

Florida Public Service Commission Docket No. 20220010-EI: In re: Storm protection plan cost recovery clause

Issue: Seeking approval of the cost allocation and recovery methodologies used for storm protection plan cost recovery clause.

Michigan Public Service Commission Case No. U-21224: In the matter of the application of CONSUMERS ENERGY COMPANY for authority to increase its rates for the generation and distribution of electricity and for other relief.

Issue: General rate case.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2021-00156: *Ex Parte*: Establishing a proceeding concerning the allocation of RPS-related costs and the determination of certain proxy values for Virginia Electric and Power Company.

Issue: Allocation methodology for VCEA-related costs and benefits.

Michigan Public Service Commission Case No. U-20836: In the matter of the Application of DTE Electric Company for authority to increase its rates, amend its rate schedules and rules governing the distribution and supply of electric energy, and for miscellaneous accounting authority.

Issue: General rate case.

Oklahoma Corporation Commission Cause No. PUD 202100164: In the Matter of the Application of Oklahoma Gas and Electric Company for an Order of the Commission Authorizing Applicant to Modify its Rates, Charges, and Tariffs for Retail Electric Service in Oklahoma.

Issue: General Rate Case.

Louisiana Public Service Commission Docket No. U-36190: Application of Entergy Louisiana, LLC for Certification and Approval of the 2021 Solar Portfolio, Rider Geaux Green Option, Cost Recovery and Related Relief.

Issue: Approval of a voluntary renewable program backed by utility-owned solar assets.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2021-00135: Petition of Appalachian Power Company For approval of its 2021 RPS Plan under § 56-585.5 of the Code of Virginia and related requests.

Issue: Seeking approval of RPS Plan and recovery mechanisms for related costs.

Commonwealth of Kentucky Public Service Commission Case No. 2021-00481: Electronic Joint Application of American Electric Power Company, Inc., Kentucky Power Company and Liberty Utilities Co. for Approval of the Transfer of Ownership and Control of Kentucky Power Company.

Issue: Acquisition of Kentucky Power Company by Liberty Utilities Company.

Public Utility Commission of Texas Docket No. 52451, SOAH Docket No. 473-22-0816: Application of Southwestern Public Service Company for Approval of Advanced Metering System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard Metering Service Fee.

Issue: Approval to implement AMS and recover costs through an additional surcharge.

Arkansas Public Service Commission Docket No. 21-070-U: In the Matter of the Application of Southwestern Electric Power Company for Approval of a General Change in Rates and Tariffs.

Issue: General rate case.

Arkansas Public Service Commission Docket No. 21-087-U: In the Matter of Oklahoma Gas and Electric Company's Request to Extend its Formula Rate Plan Rider.

Issue: Seeking extension of formula rate plan.

**2021**

Louisiana Public Service Commission Docket No. U-36105: Application for Certification to Deploy Natural Gas-Fired Distributed Generation and Authorization to Implement Rider UODG.  
Issue: Approval to implement a distributed generation program and rider recovery.

Public Utility Commission of Texas Docket No. 52389, SOAH Docket No. 473-22-0009: Application of Southwestern Electric Power Company for Advanced Metering System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard Metering Service Fees.  
Issue: Approval to implement AMS and recover costs through an additional surcharge.

Louisiana Public Service Commission Docket No. U-35991: Application of Entergy Louisiana, LLC for Recovery in Rates of Costs Related to Hurricanes Laura, Delta, Zeta and Winter Storm Uri and for Related Relief.  
Issue: Securitization of system restoration costs due to extreme weather conditions.

Oklahoma Corporation Commission Cause No. PUD 202100076: Application of Public Service Company of Oklahoma (“PSO”) for Approval of a Financing Order for the Collection of Increased Costs Caused by the Extreme Winter Weather and Contained in the Regulatory Asset Authorized by Order 717625, Including an Appropriate Carrying Cost, and Such Other Relief as the Commission Deems PSO is Entitled.  
Issue: Securitization of excessive fuel costs due to extreme weather conditions.

Colorado Public Utilities Commission Proceeding No. 21A-0141E: In the Matter of the Application of Public Service Company of Colorado for Approval of its 2021 Electric Resource Plan and Clean Energy Plan.  
Issue: Seeking approval of utility’s plan to meet legislative renewable and carbon reduction goals.

Arkansas Public Service Commission Docket No. 21-054-TF: In the Matter of the Application of Entergy Arkansas, LLC for a Proposed Tariff Revision Regarding a Green Promise Tariff.  
Issue: Seeking approval for a voluntary renewable energy tariff.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2021-00058: Application of Virginia Electric and Power Company for a 2021 triennial review of the rates, terms and conditions for the provision of generation, distribution and transmission services pursuant to § 56-585.1 A of the Code of Virginia.  
Issue: General Rate Case.

Public Utility Commission of Texas Docket No. 52040, SOAH Docket No. 473-21-2607: Application of El Paso Electric Company for Advanced Metering System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard Metering Service Fees.  
Issue: Approval to implement AMS and recover costs through an additional surcharge.

Oklahoma Corporation Commission Cause No. PUD 202100072: In the Matter of the Application of Oklahoma Gas and Electric Company for a Financing Order Pursuant to the February 2021 Regulated Utility Consumer Protection Act Approving Securitization of Costs Arising from the Winter Weather Event of February 2021.

Issue: Securitization of excessive fuel costs due to extreme weather conditions.

Public Utility Commission of Texas Docket No. 51802, SOAH Docket No. 473-21-1892: Application of Southwestern Public Service Company for Authority to Change Rates.

Issue: General rate case.

Oklahoma Corporation Commission Cause No. PUD 202100055: Application of Public Service Company of Oklahoma, an Oklahoma Corporation, for an Adjustment in its Rates and Charges and the Electric Service Rules, Regulations and Conditions of Service for Electric Service in the State of Oklahoma.

Issue: General rate case.

Louisiana Public Service Commission Docket No. U-35441: Application of Southwestern Power Company (SWEPCO) for Approval of a Change in Rates, Extension of Formula Rate Plan and Other Related Relief.

Issue: General rate case and extension of formula rate plan.

Michigan Public Service Commission Case No. U-20963: In the matter of the application of Consumers Energy Company for authority to increase its rates for the generation and distribution of electricity and for other relief.

Issue: General rate case.

Florida Public Service Commission Docket No. 20210010-EI: In re: Storm protection plan cost recovery clause

Issue: Seeking approval of the cost allocation and recovery methodologies used for storm protection plan cost recovery clause.

Arkansas Public Service Commission Docket No. 19-008-U: In the Matter of the Application of Southwestern Electric Power Company for Approval of a General Change in Rates and Tariffs.

Issue: Seeking approval for amortization period and carrying costs for extraordinary fuel costs related to Winter Storm Uri.

Public Utility Regulatory Authority of Connecticut Docket No. 17-12-03RE11: PURA Investigation into Distribution System Planning of the Electric Distribution Companies – New Rate Designs and Rates Review.

Issue: Investigation into low-income rates and economic development rates.

Public Utility Commission of Texas Docket No. 51415, SOAH Docket No. 473-21-0538: Application of Southwestern Electric Power Company for Authority to Change Rates.

Issue: General rate case.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00170: Petition of Virginia Electric and Power Company for approval of a rate adjustment clause, designated Rider RPS, under § 56-585.1 A 5 d of the Code of Virginia.

Issue: Seeking approval of a Rider RPS to recover costs associated with REC purchases made to comply with the Virginia Clean Economy Act.

Commonwealth of Kentucky Public Service Commission Case No. 2020-00350: Electronic Application of Louisville Gas and Electric Company for an Adjustment of its Electric and Gas Rates, a Certificate of Public Convenience and Necessity to Deploy Advanced Metering Infrastructure, Approval of Certain Regulatory and Accounting Treatments, and Establishment of a One-Year Surcredit.

Issue: General rate case.

Commonwealth of Kentucky Public Service Commission Case No. 2020-00349: Electronic Application of Kentucky Utilities Company for an Adjustment of its Electric Rates, a Certificate of Public Convenience and Necessity to Deploy Advanced Metering Infrastructure, Approval of Certain Regulatory and Accounting Treatments, and Establishment of a One-Year Surcredit.

Issue: General rate case.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00164: *Ex Parte*: Allocating RPS costs to certain customers of Virginia Electric and Power Company.

Issue: Determining which costs and benefits of Virginia Clean Economy Act-related assets should be allocated to non-utility customers and seeking approval of a Rider NBC to recover/credit some of those costs and/or benefits.

Oklahoma Corporation Commission Cause No. PUD 202000097: Application of Public Service Company of Oklahoma (“PSO”) for Approval of the Cost Recovery of Facilities to be Located at Ft. Sill; a Determination there is a Need for the Facilities; Approval for Future Inclusion in Base Rates for Cost Recovery of Prudent Costs Incurred by PSO for the Facilities; Approval of a Temporary Cost Recovery Rider; and Such Other Relief the Commission Deems PSO is Entitled.

Issue: Seeking approval to acquire a solar facility and gas facility sited at Fort Sill.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00134: *Ex Parte*: Establishing 2020 RPS Proceeding for Virginia Electric and Power Company.

Issue: Seeking approval of a Renewable Portfolio Standard Plan and rider pursuant to the Virginia Clean Economy Act (VCEA).

## **2020**

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00135: *Ex Parte*: Establishing 2020 RPS Proceeding for Appalachian Power Company.

Issue: Seeking approval of a Renewable Portfolio Standard Plan pursuant to the Virginia Clean Economy Act (VCEA).



Public Service Commission of South Carolina Docket No. 2019-209-E: In re: South Carolina Energy Freedom Act (House Bill 3659) Proceeding Related to Dominion Energy South Carolina, Incorporated and S.C. Code Ann. Section 58-41-30 Related to Electrical Utilities and Their Current Voluntary Renewable Energy Program, and Such Other Proceedings Required By the Commission.

Issue: Seeking approval of a Voluntary Renewable Energy Rider.

Public Service Commission of South Carolina Docket No. 2020-125-E: In re: Application of Dominion Energy South Carolina, Incorporated for Adjustment of Rates and Charges.

Issue: General rate case.

Arkansas Public Service Commission Docket No. 16-036-FR: In the Matter of Formula Rate Plan Filings of Entergy Arkansas, Inc., Pursuant to APSC Docket No. 15-015-U.

Issue: Seeking five-year extension of Formula Rate Plan.

Colorado Public Utilities Commission Proceeding No. 20A-0204E: In the Matter of the Application of Public Service Company of Colorado for Approval of its 2021-2023 Transportation Electrification Plan.

Issue: Seeking approval of utility's plan to encourage EV adoption in its service territory.

Commonwealth of Kentucky Public Service Commission Case No. 2020-00174: Electronic Application of Kentucky Power Company for (1) a General Adjustment of its Rates for Electric Service; (2) Approval of Tariffs and Riders; (3) Approval of Accounting Practices to Establish Regulatory Assets and Liabilities; (4) Approval of a Certificate of Public Convenience and Necessity; and (5) All Other Required Approvals and Relief.

Issue: General rate case.

Oklahoma Corporation Commission Cause No. PUD 202000021: In the Matter of the Application of Oklahoma Gas and Electric Company for an Order of the Commission Approving a Recovery Mechanism for Expenditures Related to the Oklahoma Grid Enhancement Plan.

Issue: Seeking approval of a rider that allows for interim recovery of costs associated with expenditures made to enhance the grid.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00015: Application of Appalachian Power Company For a 2020 Triennial Review of the Rates, Terms and Conditions for the Provision of Generation, Distribution and Transmission Services Pursuant to § 56-585.1 A of the Code of Virginia.

Issue: General Rate Case.

Michigan Public Service Commission Case No. U-20697: In the matter of the application of Consumers Energy Company for authority to increase its rates for the generation and distribution of electricity and for other relief.

Issue: General rate case.

Florida Public Service Commission Consolidated Docket Nos. 20200067-EI, 20200069-EI, 20200070-EI, 20200071-EI: In re: Review of 2020-2029 Storm Protection Plan pursuant to Rule 25-6.030, F.A.C., Tampa Electric Company *et al.*

Issue: Seeking approval of Storm Protection Plans submitted by Tampa Electric Company, Duke Energy Florida, LLC, Gulf Power Company, and Florida Power & Light Company.

Arkansas Public Service Commission Docket No. 20-027-U: In the Matter of the Application of Walmart Inc. for Approval to Bid Demand Response into Wholesale Electricity Markets Through an Aggregator of Retail Customers.

Issue: Seeking approval to bid demand response into MISO through a third-party aggregator.

Public Utility Commission of Texas Docket No. 49737, SOAH Docket No. 473-19-6862: Application of Southwestern Electric Power Company for Certificate of Convenience and Necessity Authorization and Related Relief for the Acquisition of Wind Generation Facilities.

Issue: Seeking approval to acquire a wind generation facility located in Oklahoma.

Louisiana Public Service Commission Docket No. U-35324: Application of Southwestern Power Company (SWEPCO) for Certification and Approval of the Acquisition of Certain Renewable Resources in Accordance with the MBM Order and the 1983 and 1994 General Orders.

Issue: Seeking approval to acquire a wind generation facility located in Oklahoma.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2019-00201: Application of Virginia Electric and Power Company for approval of its 2019 DSM Update pursuant to § 56-585.1 A 5 of the Code of Virginia.

Issue: Seek approval to implement eleven new demand-side management programs, to extend existing programs - some with updated parameters and cost/benefit results, and to continue three rate adjustment clauses.

## **2019**

Oklahoma Corporation Commission Cause No. PUD 201900048: Application of Public Service Company of Oklahoma for Approval of the Cost Recovery of the Selected Wind Facilities; A Determination there is a Need for the SWFs; Approval for Future Inclusion in Base Rates Cost Recovery of Prudent Costs Incurred by PSO for the SWFs; Approval of a Temporary Cost Recovery Rider; Approval of Certain Accounting Procedures Regarding Federal Production Tax Credits; and Such Other Relief the Commission Deems PSO in Entitled.

Issue: Seeking approval to acquire a wind generation facility located in Oklahoma and Wind Facility Asset Rider.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2019-00094: Application of Virginia Electric and Power Company for Approval of a 100 Percent Renewable Energy Tariff, Designated Rider TRG, Pursuant to §§ 56-577 A 5 and 56-234 of the Code of Virginia.

Issue: Seek approval of a 100 percent renewable energy tariff.

Public Service Commission of South Carolina Docket No. 2019-239-E: In re: Dominion Energy South Carolina, Incorporated's Request for Approval of an Expanded Portfolio of Demand Side Management Programs, and a Modified Demand Side Management Rate Rider.

Issue: Seeking approval of an expanded Demand Side Management Plan and modified Demand Side Management Rate Rider.

Arkansas Public Service Commission Docket No. 19-035-U: In the Matter of the Application of Southwestern Electric Power Company for Approval to Acquire Wind Generating Facilities Pursuant to the Arkansas Clean Energy Development Act.

Issue: Seeking approval to acquire a wind generation facility located in Oklahoma and Wind Facility Asset Rider.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2019-00154: Petition of Virginia Electric and Power Company for approval of a plan for electric distribution grid transformation projects pursuant to § 56-585.1 A 6 of the Code of Virginia, and for approval of an addition to the terms and condition applicable to electric service.

Issue: Seeking approval of certain expenditures relating to grid improvement and grid hardening.

#### **COMMISSION DOCKETS (Appearing as Attorney of Record)**

##### **2019**

Public Utility Commission of Texas Docket No. 49421: Application of CenterPoint Energy Houston Electric, LLC for Authority to Change Rates.

Issue: General rate case

Public Utility Commission of Texas Docket No. 49494: Application of AEP Texas Inc. for Authority to Change Rates.

Issue: General rate case

Public Utility Commission of Colorado Docket No. 19AL-0268E: In the Matter of Advice Letter No. 1797 Filed by Public Service Company of Colorado to Reset the Currently Effective General Rate Schedule Adjustment ("GRSA") as Applied to Base Rates for all Electric Rate Schedules as well as Implement a Base Rate kWh Charge, General Rate Schedule Adjustment-Energy ("GRSA-E") to Become Effective June 20, 2019.

Issue: General rate case, Phase I

##### **2018**

Public Utility Commission of Texas Docket No. 48371: Entergy Texas, Inc.'s Statement of Intent and Application for Authority to Change Rates.

Issue: General rate case

Public Utility Commission of Colorado Docket No. 18M-0074EG: In the Matter of the Commission's Consideration of the Impact of the Federal Tax Cuts and Jobs Act of 2017 on the Rates of Colorado Investor-Owned Electric and Natural Gas Utilities.

Issue: Commenced by the Commission to consider the impacts of the Tax Cut and Jobs Act of 2017 on the revenue requirements and rates of all Colorado investor-owned electric and natural gas utilities.

### **2017**

Public Utility Commission of Texas Docket No. 47461: Application of Southwestern Electric Power Company for Certificate of Convenience and Necessity Authorization and Related Relief for the Wind Catcher Energy Connection Project in Oklahoma.

Issue: Purchase of a wind generation facility and generation tie line.

Public Utility Commission of Texas Docket No. 47527: Application of Southwestern Public Service Company for Authority to Change Rates.

Issue: General rate case

Public Utility Commission of Colorado Docket No. 17A-0462EG: In the Matter of the Application of Public Service Company of Colorado for Approval of a Number of Strategic Issues Relating to its Electric and Gas Demand-Side Management Plan.

Issue: Seek Commission re-examination and approval of the overall objectives and structure of Public Service's DSM initiatives to guide the Company in designing future DSM plans.

Public Utility Commission of Colorado Docket No. 17AL-0649E: In the Matter of Advice Letter No. 1748-Electric Filed by Public Service Company of Colorado to Revise its PUC No. 8-Electric Tariff to Implement a General Rate Schedule Adjustment and Other Rate Changes Effective on Thirty Days' Notice.

Issue: General rate case, Phase I

Arkansas Public Service Commission Docket No. 17-038-U: In the Matter of the Application of Southwestern Electric Power Company for Approval to Acquire a Wind Generating Facility and to Construct a Dedicated Generation Tie Line.

Issue: Purchase of a wind generation facility and generation tie line.

Louisiana Public Service Commission Docket No. U-34619: Application for Expedited Certification and Approval of the Acquisition of Certain Renewable Resources and the Construction of a Generation Tie Pursuant to the 1983 and/or 1994 General Orders.

Issue: Purchase of a wind generation facility and generation tie line.

### **2016**

Public Utility Commission of Colorado Docket No. 16AL-0048E: In the Matter of Advice Letter No. 1712-Electric Filed by Public Service Company of Colorado to Replace Colorado PUC No. 7-Electric Tariff with Colorado PUC No. 8-Electric Tariff.

Issue: General rate case, Phase II

Public Utility Commission of Colorado Docket No. 16A-0055E: In the Matter of the Application of Public Service Company of Colorado for Approval of its Solar\*Connect Program.

Issue: Implement a voluntary solar program offering participating customers the ability to offset their current supply of energy from the Public Service system with solar energy produced at a dedicated facility or facilities.

New Mexico Public Regulation Commission Docket No. 16-00276-UT: In the Matter of the Application of Public Service Company of New Mexico for Revision of its Retail Electric Rates Pursuant to Advice Notice No. 533.

Issue: General rate case

### **INDUSTRY TRAINING**

- 2020 Practical Regulatory Training for the Electric Industry, Center for Public Utilities, New Mexico State University College of Business
- 2020 IPU Accounting and Ratemaking Course, Michigan State University
- 2016 and 2022 Western NARUC Utility Rate School
- EUCI Courses on the utility industry, cost allocation, and rate design.

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Petition for limited proceeding for : DOCKET NO. 20230020-EI  
recovery of incremental storm restoration :  
costs related to Hurricanes Elsa, Eta, Isaias, :  
Ian, Nicole, and Tropical Storm Fred, by :  
Duke Energy Florida, LLC**

**EXHIBIT LVP-2 OF**

**LISA V. PERRY**

**ON BEHALF OF**

**WALMART INC.**

CORRESPONDENCE  
3/7/2023  
DOCUMENT NO. 02059-2023

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for limited proceeding for : DOCKET NO. 20230020-EI  
recovery of incremental storm restoration :  
costs related to Hurricanes Elsa, Eta, Isaias, :  
Ian, Nicole, and Tropical Storm Fred, by :  
Duke Energy Florida, LLC : Filed: March 7, 2023

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COMMENTS OF  
WALMART INC.

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Pursuant to the Order of the Florida Public Service Commission ("Commission") establishing this Docket, Walmart Inc. ("Walmart"), respectfully submits the following Comments regarding the *Petition for Limited Proceeding for Recovery of Incremental Storm Restoration Costs Related to Hurricanes Elsa, Eta, Isaias, Ian, Nicole, and Tropical Storm Fred* ("Petition") filed by Duke Energy Florida, LLC ("DEF" or "Utility") on January 23, 2023.

Walmart does not take a position as to the issues raised by the Commission Staff in its February 23, 2023, Recommendations, except for the cost-recovery aspect of Issue 3 ("Should the Commission approve the Utility's proposed interim storm restoration recovery charge tariff as shown in Attachment A to this recommendation?"). To the extent the Utility is recovering storm restoration costs from demand-metered customers through a \$/kWh energy charge, Walmart does object to that cost recovery method set forth on page 3 of its Petition to Intervene filed on March 6, 2023. Instead, the Utility should be required to recover these costs from demand-metered customers on a demand, or \$/kW, charge.

Walmart has raised this cost recovery issue in prior Dockets before this Commission.<sup>1</sup>

Most recently, on September 2, 2022, Walmart filed the Direct Testimony of Lisa V. Perry in Docket 20220010-EI, *In re: Storm protection plan cost recovery clause* ("SPPCRC Docket"). As to rate design, DEF, Florida Power & Light Company ("FPL"), and Tampa Electric Company ("TECO") proposed to recover storm protection plan ("SPP") costs from their demand-metered customers through a demand charge.<sup>2</sup> Walmart intervened in the SPPCRC Docket to address Florida Public Utility Company's ("FPUC") proposal to allocate SPP-related transmission and distribution costs to its rate classes in a manner that would result in a per kWh charge that would be billed to customers. *See* Revised Direct Testimony of Michelle D. Napier (filed Aug. 18, 2022), p. 3, lines 5-16, and SPPCRC Form 1P, p. 1 (revised Aug. 12, 2022). Walmart expressed concerns regarding FPUC's proposal to recover demand-related costs through an energy charge, which is a problem because it could result in a shift in demand cost responsibility from lower load factor customers to higher load factor customers. *See* Direct Testimony of Lisa V. Perry, p. 14, lines 6-21. In response, FPUC "recognize[d] Walmart's concern" as set forth in the Rebuttal Testimony

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<sup>1</sup> During the first year the SPP and SPPCRC Dockets arose, Walmart filed the Direct Testimony of Steve W. Chriss in Docket Nos. 20200067-EI, 20200069-EI, 20200070-EI, and 20200071-EI, but that testimony was withdrawn and the issues raised in Mr. Chriss' testimony were deferred to Docket No. 20200092-EI by Stipulation filed in those Dockets on July 20, 2020, Exhibit SWC-2, and granted at the July 28, 2020, Prehearing Conference in those Dockets. Thereafter, Walmart filed the Direct Testimony of Steve W. Chriss on August 28, 2020 ("Chriss Cost Recovery Testimony"). Walmart again intervened in the 2021 SPPCRC Docket, No. 20210010-EI, and filed the Direct Testimony of Lisa V. Perry on June 22, 2021. As part of settling its issues in Docket No. 20210016-EI, DEF and Walmart entered into a 2021 Settlement Agreement in which DEF agreed to bill demand-metered customers for SPP costs on a demand, or \$/kW, basis, which was approved by the Commission June 4, 2021. *See In re: Petition for limited proceeding to approve 2021 settlement agreement, including general base rate increases, by Duke Energy Florida, LLC*, Docket No. 20210016-EI, Order No. PSC-2021-0202-AS-EI (issued June 4, 2021), p. 6, Attachment A, p. 9, para. 12, and Ex. 3.

<sup>2</sup> *See* Direct Testimony of Christopher A. Menendez (filed May 2, 2022) ("Menendez May Direct"), p. 6, line 20 to p. 7, line 4 and Exh. No. \_\_ (CAM-3), Form 6P, p. 101 (listing the SPP Cost Recovery Factor as a \$/kW charge for General Service Demand Customers); *See Petition of Florida Power & Light Company for Approval of the 2022 Actual/Estimated Storm Protection Plan Cost Recovery Clause True-up and the 2023 Projected Storm Protection Plan Cost Recovery Clause Factors* (filed May 2, 2022) ("FPL May Petition"), Attachment A, Form 5P (listing the SPP Factor for demand-metered general service customers as a \$/kW charge); *See* Testimony and Exhibit of Mark R. Roche (revised August 9, 2022) ("Roche Revised Direct"), p. 28, lines 21-24 (listing the cost recovery factor for general service demand customers as a \$/kW charge).



of Robert C. Waruszewski, p 13, lines 6-9, and the two parties entered into a Stipulation. *See* Prehearing Order regarding Issue 7, p. 30 (filed Nov. 14, 2022). Walmart incorporates by reference the Testimony referenced in these Comments, and is happy to address questions the Commission may have on this discrete issue.

Respectfully submitted,

By /s/ Stephanie U. Eaton

Stephanie U. Eaton (FL State Bar No. 165610)

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*Counsel to Walmart Inc.*

Dated: March 7, 2023

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail to the following parties this 7<sup>th</sup> day of March, 2023.

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*/s/ Stephanie U. Eaton*

Stephanie U. Eaton

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Petition for limited proceeding for : DOCKET NO. 20230020-EI  
recovery of incremental storm restoration :  
costs related to Hurricanes Elsa, Eta, Isaias, :  
Ian, Nicole, and Tropical Storm Fred, by :  
Duke Energy Florida, LLC**

**EXHIBIT LVP-3 OF**

**LISA V. PERRY**

**ON BEHALF OF**

**WALMART INC.**

FILED 9/2/2022  
DOCUMENT NO. 05979-2022  
FPSC - COMMISSION CLERK



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September 2, 2022

**VIA ELECTRONIC FILING**

Mr. Adam Teitzman  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re: Docket No. 20220010-EI; In re: Storm protection plan cost recovery clause**

Dear Mr. Teitzman:

Please find enclosed for filing in the above-referenced case on behalf of Walmart Inc. the Direct Testimony and Exhibit of Lisa V. Perry.

Please contact me if you have any questions concerning this filing.

Sincerely,

/s/ Stephanie U. Eaton  
Stephanie U. Eaton (Florida Bar No. 165610)  
[seaton@spilmanlaw.com](mailto:seaton@spilmanlaw.com)

SUE:sds  
Enclosures  
c: Parties of Record

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail to the following parties this 2<sup>nd</sup> day of September, 2022.

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Certificate of Service  
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*/s/ Stephanie U. Eaton*

Stephanie U. Eaton

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Storm protection plan cost                                 :**     **DOCKET NO. 20220010-EI**  
**recovery clause.   :**  
**:**     **Filed: September 2, 2022**

**DIRECT TESTIMONY AND EXHIBIT OF**

**LISA V. PERRY**

**ON BEHALF OF**

**WALMART INC.**

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**Exhibit**

**Exhibit LVP-1: Witness Qualifications Statement**



1 **I. Introduction**

2 **Q. PLEASE STATE YOUR NAME, BUSINESS ADDRESS, AND BUSINESS**  
3 **OCCUPATION.**

4 A. My name is Lisa V. Perry. My business address is 2608 SE J Street, Bentonville,  
5 Arkansas 72716. I am employed by Walmart Inc. ("Walmart") as Senior Manager,  
6 Energy Services.

7 **Q. ON WHOSE BEHALF ARE YOU TESTIFYING IN THIS DOCKET?**

8 A. I am testifying on behalf of Walmart.

9 **Q. PLEASE DESCRIBE YOUR EDUCATION AND EXPERIENCE.**

10 A. I received a J.D. in 1999 and an LL.M. in Taxation in 2000 from the University of  
11 Florida, Levin College of Law. From 2001 to 2019, I was in private practice,  
12 emphasizing in Energy Law from 2007 to 2019. My practice included representing  
13 a large commercial client before utility regulatory commissions in Colorado, Texas,  
14 New Mexico, Arkansas, and Louisiana in matters ranging from general rate cases  
15 to renewable energy programs. I joined the energy department at Walmart in  
16 September 2019. My Witness Qualifications Statement is attached as Exhibit LVP-  
17 1.

18 **Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE FLORIDA PUBLIC**  
19 **SERVICE COMMISSION ("COMMISSION")?**

20 A. Yes. I testified in Docket Nos. 20200067-EI, 20200069-EI, 20200070-EI,  
21 20200071-EI, and 20210010-EI.

1       **Q.   HAVE YOU PREVIOUSLY TESTIFIED BEFORE OTHER STATE**  
2       **REGULATORY COMMISSIONS?**

3       A.   Yes, I have submitted testimony with State Regulatory Commissions for Arkansas,  
4       Colorado, Connecticut, Kentucky, Louisiana, Michigan, Oklahoma, South  
5       Carolina, Texas, and Virginia. I have also provided legal representation for  
6       customer stakeholders before the State Regulatory Commissions for Colorado,  
7       Texas, Arkansas, Louisiana, and New Mexico in the cases listed under  
8       "Commission Dockets" in Exhibit LVP-1.

9       **Q.   ARE YOU SPONSORING ANY EXHIBITS IN YOUR TESTIMONY?**

10      A.   Yes. I am sponsoring the exhibits listed in the Table of Contents.

11      **Q.   PLEASE BRIEFLY DESCRIBE WALMART'S OPERATIONS IN**  
12      **FLORIDA.**

13      A.   As shown on Walmart's website, Walmart operates 387 retail units, nine  
14      distribution centers, two e-commerce fulfillment centers, and employs over  
15      117,000 associates in Florida. In fiscal year ending 2022, Walmart purchased \$8.9  
16      billion worth of goods and services from Florida-based suppliers, supporting over  
17      90,000 supplier jobs.<sup>1</sup>

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<sup>1</sup> <https://corporate.walmart.com/about/florida>

1       **Q.     PLEASE BRIEFLY DESCRIBE WALMART'S OPERATIONS WITHIN**  
2           **THE SERVICE TERRITORIES OF EACH OF THE UTILITIES THAT**  
3           **SUBMITTED PETITIONS IN THIS DOCKET.**

4       A.     Walmart has 73 retail units, one distribution center, and one e-commerce fulfillment  
5           center served by Duke Energy Florida, LLC ("DEF"), 179 retail units and four  
6           distribution centers served by Florida Power & Light Company ("FPL"),<sup>2</sup> 36 retail  
7           units and one distribution center served by Tampa Electric Company ("TECO"),  
8           and two retail units served by the electric division of Florida Public Utilities  
9           Company ("FPUC").<sup>3</sup>

10

11   **II.     Purpose of Testimony**

12       **Q.     WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

13       A.     Pursuant to Section 366.96(7) of the Florida Statutes, following the approval of the  
14           Utilities' Storm Protection Plans ("SPPs"), the Commission is required to conduct  
15           an annual proceeding to (i) determine the prudence of the Utilities' SPP costs, and  
16           (ii) allow the Utilities to recover such costs through a separate storm protection plan  
17           cost recovery clause ("SPPCRC").<sup>4</sup> This docket was opened pursuant to this  
18           Subsection (7). The purpose of my testimony is to address the proposed SPPCRC

---

<sup>2</sup> This total includes 28 retail units in what was previously Gulf Power Company's ("Gulf") service territory.

<sup>3</sup> DEF, FPL, TECO, and FPUC are collectively referred to as "Utilities."

<sup>4</sup> See Fla. Stat. § 366.96(7).

1 filed by each of the Utilities with a focus on the proposed cost allocation and rate  
2 design for this separate charge.

3 **Q. PLEASE SUMMARIZE WALMART'S RECOMMENDATIONS TO THE**  
4 **COMMISSION.**

5 A. Walmart makes the following recommendations to the Commission:

6 1) For purposes of this Docket, Walmart does not oppose DEF,<sup>5</sup> FPL,<sup>6</sup> and TECO<sup>7</sup>  
7 recovering prudent SPP costs from demand-metered customers consistent with  
8 how these costs are currently recovered through the SPPCRC – through the  
9 demand charge on a \$/kW basis. However, to the extent that alternative  
10 allocation or recovery methodologies or modifications to the Utilities' proposed  
11 methodologies are made by other parties, Walmart reserves the right to address  
12 any such changes in accordance with the Commission's procedures in this  
13 Docket.

14 2) Optimally, the Commission should require FPUC to allocate SPP costs  
15 according to the relevant distribution and transmission cost allocators, and  
16 recover those costs from demand-metered customers through a demand charge.

17 However, if the Commission approves FPUC's proposed cost allocation

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<sup>5</sup> See Direct Testimony of Christopher A. Menendez (filed May 2, 2022) ("Menendez May Direct"), p. 6, line 20 to p. 7, line 4 and Exh. No. \_\_ (CAM-3), Form 6P, p. 101 (listing the SPP Cost Recovery Factor as a \$/kW charge for General Service Demand Customers).

<sup>6</sup> See Petition of Florida Power & Light Company for Approval of the 2022 Actual/Estimated Storm Protection Plan Cost Recovery Clause True-up and the 2023 Projected Storm Protection Plan Cost Recovery Clause Factors (filed May 2, 2022) ("FPL May Petition"), Attachment A, Form 5P (listing the SPP Factor for demand-metered general service customers as a \$/kW charge).

<sup>7</sup> See Testimony and Exhibit of Mark R. Roche (revised August 9, 2022) ("Roche Revised Direct"), p. 28, lines 21-24 (listing the cost recovery factor for general service demand customers as a \$/kW charge).

1 methodology for SPP costs, then Walmart makes the following  
2 recommendations for recovery of SPP costs through the SPPCRC:

3 a) FPUC should divide the SPP revenue requirement by the total base rate  
4 revenue requirement from its most recent general rate case to calculate a  
5 percent factor; and

6 b) This percent factor should then be applied to the SPP revenue requirement  
7 for each class as a percentage adjuster to the base rate charges approved for  
8 each rate class in this Docket. For demand-metered customers, this adjuster  
9 would be applied to the customer charge, demand charge, and base energy  
10 charge.

11 **Q. DOES THE FACT THAT YOU MAY NOT ADDRESS AN ISSUE OR**  
12 **POSITION ADVOCATED BY THE UTILITIES INDICATE WALMART'S**  
13 **SUPPORT?**

14 A. No. The fact that an issue is not addressed herein or in related filings should be  
15 construed as an endorsement of, agreement with, or consent to any filed position.

16

17 **III. Background**

18 **Q. DID WALMART PARTICIPATE IN THE DOCKETS RELATED TO THE**  
19 **UTILITIES' INITIAL SPPs AND SPPCRC OPENED IN 2020?**

20 A. Yes, it did. Walmart participated in Docket Nos. 20200067-EI thru 20200071-EI  
21 ("Initial SPP Dockets"), which were opened to receive the Utilities' initial SPPs  
22 covering the immediate 10-year planning period pursuant to Section 366.96(7) of

1           the Florida Statutes.<sup>8</sup> Walmart was granted intervention in these dockets on May  
2           13, 2020.<sup>9</sup>

3           Walmart also participated in Docket No. 20200092-EI ("Initial Cost Recovery  
4           Docket"), which was a companion docket to address the mechanism through which  
5           the Utilities would recover costs associated with their respective SPP. Walmart  
6           was granted intervention in this docket on June 26, 2020,<sup>10</sup> and filed the Direct  
7           Testimony of Steve W. Chriss on August 28, 2020 ("Chriss Cost Recovery  
8           Testimony").

9           **Q.    DID WALMART PARTICIPATE IN DOCKET NO. 20210010-EI RELATED**  
10           **TO THE 2021 ANNUAL COST RECOVERY PROCEEDING?**

11           A.    Yes, it did. Pursuant to Section 366.96(7) of the Florida Statutes, which requires  
12           the Commission to open an annual proceeding to establish the amount of prudently  
13           incurred SPP costs and the terms of how those costs are recovered from customers

---

<sup>8</sup> See Fla. Stat. § 366.96(7). The utilities that filed SPPs include TECO (Docket No. 20200067-EI), DEF (Docket No. 20200069-EI), Gulf (Docket No. 20200070-EI), and FPL (Docket No. 20200071-EI). FPUC was originally a party to Docket No. 20200068-EI, which was subsequently closed by the Commission in order to allow FPUC additional time to prepare its proposed SPP. See *In re: Review of 2020-2029 Storm Protection Plan pursuant to Rule 25-6.030, F.A.C., Florida Public Utilities Company*, Docket No. 20200068-EI, Order No. 2020-0097-PCO-EI (issued Apr. 6, 2020).

<sup>9</sup> *In re: Review of 2020-2029 Storm Protection Plan pursuant to Rule 25-6.030, F.A.C., Tampa Electric Company*, Docket Nos. 20200067-EI, 20200069-EI, 20200070-EI, 20200071-EI, Order No. PSC-2020-0143-PCO-EI (issued May 13, 2020). The Commission consolidated the SPP Dockets prior to Walmart's intervention. *In re: Review of 2020-2029 Storm Protection Plan pursuant to Rule 25-6.030, F.A.C., Tampa Electric Company*, Docket Nos. 20200067-EI, 20200068-EI, 20200069-EI, 20200070-EI, 20200071-EI, Order No. PSC-2020-0073-PCO-EI (issued Mar. 11, 2020). Accordingly, Walmart was granted intervention status in all of the SPP Dockets through a single Commission Order.

<sup>10</sup> See *In re: Storm protection plan cost recovery clause*, Docket No. 20200092-EI, Order No. PSC-2020-0214-PCO-EI (issued June 26, 2020).

1 through each utility's SPPCRC,<sup>11</sup> the Commission opened Docket No. 20210010-  
2 EI ("2021 Cost Recovery Docket"). Walmart was granted intervention in this  
3 docket on May 26, 2021,<sup>12</sup> and filed the Direct Testimony of Lisa V. Perry on June  
4 22, 2021.

5 **Q. DID WALMART PARTICIPATE IN DOCKET NOS. 20220048-EI,**  
6 **20220050-EI, AND 20220051-EI RELATED TO THE 2022 UPDATED SPPs**  
7 **FOR DEF, FPL, AND TECO AND DOCKET NO. 20220049-EI RELATED**  
8 **TO FPUC'S INITIAL SPP FILING?**

9 A. Walmart participated in Docket Nos. 20220048-EI, 20220050-EI, and 20220051-  
10 EI (collectively, "2022 SPP Dockets"), which were opened to review the updated  
11 SPPs for DEF, FPL, and TECO. Walmart was granted intervention in these dockets  
12 on June 17, 2022.<sup>13</sup> Walmart did not participate in Docket No. 20220049-EI  
13 regarding FPUC's initial SPP covering 2022 through 2031.<sup>14</sup>

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<sup>11</sup> See Fla. Stat. § 366.96(7).

<sup>12</sup> See *In re: Storm protection plan cost recovery cause*, Docket No. 20210010-EI, Order No. PSC-2021-0193-PCO-EI (issued May 26, 2021).

<sup>13</sup> *In re: Review of Storm Protection Plan pursuant to Rule 25-6.030, F.A.C., Tampa Electric Company*, Case No. 20220048-EI, Order No. PSC-2022-0215-PCO-EI (issued June 17, 2022); *In re: Review of Storm Protection Plan pursuant to Rule 25-6.030, F.A.C., Duke Energy Florida, LLC*, Case No. 20220050-EI, Order No. PSC-2022-0216-PCO-EI (issued June 17, 2022); *In re: Review of Storm Protection Plan pursuant to Rule 25-6.030, F.A.C., Florida Power & Light Company*, Case No. 20220051-EI, Order No. PSC-2022-0218-PCO-EI (issued June 17, 2022).

<sup>14</sup> FPUC was given additional time to prepare its proposed SPP and later granted permission by the Commission to file its initial SPP in April 2022 to sync its filing with the other Utilities' updated SPP filings. See *In re: Review of 2020-2029 Storm Protection Plan pursuant to Rule 25-6.030, F.A.C., Florida Public Utilities Company*, Docket No. 20200068-EI, Order No. 2020-0097-PCO-EI (issued Apr. 6, 2020); see *In re: Request to modify filing dates set forth in Order No. PSC-2020-0097-PCO-EI for storm protection plan and first plan update, by Florida Public Utilities Company*, Docket No. 20200228-EI, Order No. 2020-0502-PAA-EI (issued Dec. 16, 2020) Although Docket Nos. 20220048-EI through 20220051-EI were consolidated by the Commission in Order No. PSC-2022-0119-PCO-EI issued March 17, 2022, Walmart did not file a Petition to Intervene in Docket No. 20220049-EI.

1       **Q.    WERE WALMART'S ISSUES IN THE INITIAL SPP DOCKETS AND THE**  
2       **2022 SPP DOCKETS RESOLVED?**

3       A.    Yes, they were. With regard to the Initial SPP Dockets, the Commission approved  
4       three separate Stipulation and Settlement Agreements covering issues presented by  
5       parties on August 28, 2020.<sup>15</sup> Collectively, these Stipulation and Settlement  
6       Agreements resolved Walmart's outstanding issues in the Initial SPP Dockets.  
7       Walmart did not file Testimony in the 2022 SPP Dockets.

8       **Q.    WERE WALMART'S ISSUES IN THE INITIAL COST RECOVERY AND**  
9       **2021 COST RECOVERY DOCKETS RESOLVED?**

10       Ultimately, yes for the Initial Cost Recovery Docket. As explained in the Chriss  
11       Cost Recovery Testimony, FPL, Gulf, and TECO proposed in their respective  
12       filings to recover SPP costs from demand-metered customers through a \$/kW  
13       demand charge, which Walmart did not oppose.<sup>16</sup> By contrast, DEF originally  
14       proposed to design its SPP cost recovery mechanism to collect SPP costs from  
15       demand-metered customers through the energy charge, or on a \$/kWh basis, to  
16       which Walmart objected.<sup>17</sup> As part of settling its issues in Docket No. 20210016-  
17       EI, DEF and Walmart entered into a 2021 Settlement Agreement in which DEF

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<sup>15</sup> *In re: Review of 2020-2029 Storm Protection Plan pursuant to Rule 25-6.030, F.A.C., Tampa Electric Company*, Docket Nos. 20200067-EI, 20200069-EI, 20200070-EI, 20200071-EI, Order No. PSC-2020-0293-AS-EI (issued Aug. 28, 2020).

<sup>16</sup> See Chriss Cost Recovery Testimony, p. 5, lines 1-3.

<sup>17</sup> See *id.*, p. 11, lines 18-22.



1           agreed to bill demand-metered customers for SPP costs on a demand, or \$/kW,  
2           basis, which was approved by the Commission June 4, 2021.<sup>18</sup>

3           In the 2021 Cost Recovery Docket, DEF, FPL, and TECO all proposed to  
4           recover SPP costs from demand-metered customers through a demand charge, or  
5           \$/kW charge, in each Utility's SPPCRC. Walmart filed Testimony supporting this  
6           cost recovery methodology, which was approved by the Commission on August 26,  
7           2021.<sup>19</sup>

8

9   **IV.   Proposals by DEF, FPL, and TECO**

10   **Q.   WHAT IS DEF PROPOSING TO RECOVER THROUGH ITS SPPCRC?**

11    A.   It is my understanding that DEF is seeking Commission approval to recover from  
12           or refund to customers through its SPPCRC (i) an adjusted net 2021 true-up over-  
13           recovery of \$2.47 million,<sup>20</sup> (ii) a 2022 true-up over-recovery of \$3.99 million,<sup>21</sup>  
14           and (iii) 2023 projected jurisdictional capital and operation and maintenance

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<sup>18</sup> See *In re: Petition for limited proceeding to approve 2021 settlement agreement, including general base rate increases, by Duke Energy Florida, LLC*, Docket No. 20210016-EI, Order No. PSC-2021-0202-AS-EI (issued June 4, 2021), p. 6, Attachment A, p. 9, para. 12, and Ex. 3.

<sup>19</sup> *In re: Storm protection plan cost recovery clause*, Docket No. 20210010-EI, Order No. PSC-2021-0324-FOF-EI (issued Aug. 26, 2021).

<sup>20</sup> See Duke Energy Florida's Petition for Approval of Storm Protection Plan Cost Recovery Clause Final True-Up for the Period January 2021 – December 2021 (filed April 1, 2022), p. 1, para. 3; see also Direct Testimony of Christopher A. Menendez (filed April 1, 2022) ("Menendez April Testimony"), p. 3, lines 13-17 and Ex. No. \_\_\_\_ (CAM-1), Form 1A, p. 1.

<sup>21</sup> See Duke Energy Florida's Petition for Approval of 2022 Actual/Estimated True-Up, 2023 Projected Costs, and Storm Protection Plan Cost Recovery Factor for the Period January 2023 Through December 2023 (filed May 2, 2022) ("DEF May Petition"), p. 2, para. 5; see also Menendez May Direct, p. 4, lines 1-2 and Ex. No. \_\_\_\_ (CAM-2), Form 1E, p. 1.

1 ("O&M") revenue requirement for its 2023-2032 SPP projects in the amount of  
2 \$142.75 million.<sup>22</sup>

3 **Q. WHAT IS FPL PROPOSING TO RECOVER THROUGH ITS SPPCRC?**

4 A. It is my understanding that FPL is seeking Commission approval to recover from  
5 or refund to customers through its SPPCRC (i) a total 2021 true-up over-recovery  
6 of \$5.15 million,<sup>23</sup> (ii) a 2022 true-up under-recovery of \$4.68 million,<sup>24</sup> and  
7 (iii) 2023 projected jurisdictional capital and O&M revenue requirement for its  
8 2023-2032 SPP projects in the amount of \$366.98 million.<sup>25</sup>

9 **Q. WHAT IS TECO PROPOSING TO RECOVER THROUGH ITS SPPCRC?**

10 A. It is my understanding that TECO is seeking Commission approval to recover from  
11 or refund to customers through its SPPCRC (i) a 2021 true-up over-recovery of  
12 \$4.94 million,<sup>26</sup> (ii) a 2022 true-up over-recovery of \$5.26 million,<sup>27</sup> and (iii) 2023  
13 projected jurisdictional revenue requirement for its 2022-2031 SPP projects in the  
14 amount of \$65.57 million.<sup>28</sup>

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<sup>22</sup> See DEF May Petition, pp. 2-3, para. 6; *see also* Menendez May Direct, Ex. No. \_\_\_\_ (CAM-3), Form 1P, p. 1.

<sup>23</sup> See Petition of Florida Power & Light Company for Approval of the 2021 Storm Protection Plan Cost Recovery Clause Final True-Up (filed April 1, 2022), p. 5, para. 15 (listing the 2021 over-recovery amounts for FPL at \$2.99 million and for Gulf Power Company at \$2.16, totaling \$5.15 million); *see also* Direct Testimony of Renae B. Deaton (filed April 1, 2022) ("Deaton April Direct"), p. 5, line 13 to p. 6, line 2 and Ex. RBD-1, p. 1.

<sup>24</sup> See FPL May Petition, p. 7, para. 20; *see also* Direct Testimony Renae B. Deaton (filed May 2, 2022) ("Deaton May Direct") , p. 7, lines 3-10 and Ex. RBD-3, Form 1E, p. 1.

<sup>25</sup> See Revised Ex. RBD-4, p. 2 (filed Aug. 11, 2022).

<sup>26</sup> See Revised Petition of Tampa Electric Company (filed Aug. 9, 2022) ("TECO Revised Petition"), p. 1, para. 1.

<sup>27</sup> See TECO Revised Petition, p. 1, para. 2; *see also* Roche Revised Direct, Ex. MRR-2, Form E-1, p. 1.

<sup>28</sup> See TECO Revised Petition, p. 2, para. 3; *see also* Roche Revised Direct, p. 13, lines 16-22 and Ex. No. MRR-2, Form P-1, p. 1.

1       **Q.    DO DEF, FPL, OR TECO PROPOSE TO RECOVER THEIR RESPECTIVE**  
2       **SPP COSTS FROM THEIR DEMAND-METERED CUSTOMERS**  
3       **THROUGH THE DEMAND CHARGE CONSISTENT WITH PRIOR**  
4       **RECOVERY THROUGH THEIR SPPCRCs?**

5       A.    Based on my review of the filings made by DEF,<sup>29</sup> FPL,<sup>30</sup> and TECO,<sup>31</sup> it appears  
6       that they are not proposing any changes to the recovery method currently used to  
7       recover SPP costs from demand-metered customers through their respective  
8       SPPCRC; *i.e.*, through a demand or \$/kW charge.

9       **Q.    DOES WALMART OPPOSE DEF, FPL, AND TECO CONTINUING TO**  
10       **RECOVER SPP COSTS FROM DEMAND-METERED CUSTOMER**  
11       **THROUGH THE DEMAND CHARGE?**

12       A.    For purposes of this Docket, Walmart does not oppose DEF, FPL, and TECO  
13       recovering SPP costs from demand-metered customers consistent with how these  
14       costs are currently recovered through the SPPCRC pursuant to the demand charge  
15       or on a \$/kW basis. However, to the extent that alternative allocation or recovery  
16       methodologies or modifications to the Utilities' proposed methodologies are made  
17       by other parties, Walmart reserves the right to address any such changes in  
18       accordance with the Commission's procedures in this Docket.

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<sup>29</sup> See Menendez May Direct, p. 6, line 20 to p. 7, line 4 and Exh. No. \_\_ (CAM-3), Form 6P, p. 101 (listing the SPP Cost Recovery Factor as a \$/kW charge for General Service Demand Customers).

<sup>30</sup> See FPL May Petition, Attachment A, Form 5P (listing the SPP Factor for demand-metered general service customers as a \$/kW charge).

<sup>31</sup> See Roche Revised Direct, p. 28, lines 21-24 (listing the cost recovery factor for general service demand customers as a \$/kW charge).

1 **V. Proposal by FPUC**

2 **Q. WHAT IS FPUC PROPOSING TO RECOVER THROUGH ITS SPPCRC?**

3 A. It is my understanding that FPUC is seeking Commission approval to recover from  
4 customers through its SPPCRC a total revenue requirement for the period May  
5 2022 through December 2023 in the amount of \$1.47 million, representing \$0.33  
6 million for the remainder of 2022 plus a projected \$1.14 million for 2023.<sup>32</sup>

7 **Q. HOW HAS FPUC PROPOSED TO ALLOCATE SPP COSTS IN THIS**  
8 **DOCKET?**

9 A. It is my understanding that FPUC proposes to allocate SPP-related transmission  
10 and distribution costs to its rate classes as follows: (i) determine each class's  
11 percentage of total base rate revenues, (ii) multiply each class's percentage of total  
12 base rate revenues by the \$1.47 million revenue requirement, and (iii) divide each  
13 class's portion of the revenue requirement by the 2023 estimated usage, or kWh  
14 billing determinants, for that class to calculate the per kWh charge that will be billed  
15 to customers.<sup>33</sup> The impact on the rate classes is listed in Table 1 below.

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<sup>32</sup> See Revised Petition for Approval of Storm Protection Plan Cost Recovery Factors for Florida Public Utilities Company ("filed Aug. 18, 2022), pp. 3-4, para. 9; see also Revised Direct Testimony of Michelle D. Napier (filed Aug. 18, 2022) ("Napier Revised Direct"), p. 3, lines 5-16 and SPPCRC Form 1P, p. 1 (revised Aug. 12, 2022).

<sup>33</sup> See Napier Revised Direct, p. 5, lines 13-20.

Table 1. Proposed Allocation for SPP Transmission and Distribution Costs.				
<u>Rate Class</u>	<u>% of base revenue</u>	<u>Revenue Requirement</u>	<u>2023 kWh</u>	<u>Dollars per kWh</u>
Residential	54.22%	\$ 797,802	318,679,444	\$ 0.00250
General Service	10.92%	\$ 160,679	54,762,182	\$ 0.00293
GS Demand	15.72%	\$ 231,307	172,050,339	\$ 0.00134
GS Large Demand	8.61%	\$ 126,689	82,987,816	\$ 0.00153
Industrial	2.86%	\$ 42,082	24,496,250	\$ 0.00172
Lighting	7.67%	\$ 112,858	7,527,819	\$ 0.01499
	100.00%	\$ 1,471,416	660,503,850	
Revenue Requirement	\$ 1,471,416			

Source: SPPCRC Form 5P (Revised 8/12/2022), p. 1

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**Q. DOES WALMART HAVE CONCERNS WITH FPUC'S PROPOSAL?**

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**Q. WHAT IS YOUR UNDERSTANDING OF THE COSTS TO BE INCURRED BY FPUC IN EXECUTING ITS SPP?**

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A. My understanding is that Rule 25-6.030 of the Florida Administrative Code targets the enhancement of a utility's transmission and distribution infrastructure in order to reduce restoration costs and outage times associated with extreme weather in order to improve overall service reliability.

1       **Q.    IS IT YOUR UNDERSTANDING THAT TRANSMISSION AND**  
2       **DISTRIBUTION INFRASTRUCTURE COSTS ARE FIXED AND DO NOT**  
3       **CHANGE WITH THE AMOUNT OF ENERGY CONSUMED BY**  
4       **CUSTOMERS?**

5       A.    Yes.

6       **Q.    DOES FPUC'S PROPOSAL TO ALLOCATE COSTS BASED ON A**  
7       **CLASS'S PERCENTAGE OF BASE RATE REVENUE AS DETERMINED**  
8       **BY THE ENERGY AND CUSTOMER CHARGE HAVE THE EFFECT OF**  
9       **ALLOCATING FIXED COSTS ON AN ENERGY CHARGE?**

10      A.    Yes, it does. As such, recovering demand-related (fixed) costs through an energy  
11      (variable) charge violates cost causation principles.

12      **Q.    DOES CHARGING DEMAND-RELATED COSTS THROUGH AN**  
13      **ENERGY CHARGE DISADVANTAGE HIGHER LOAD FACTOR**  
14      **CUSTOMERS?**

15      A.    Yes. The shift in demand-related costs from per kW demand charges to per kWh  
16      energy charges results in a shift in demand cost responsibility from lower load  
17      factor customers to higher load factor customers. This results in a misallocation of  
18      cost responsibility as higher load factor customers overpay for the demand-related  
19      costs incurred by FPUC to serve them. In other words, higher load factor customers  
20      are paying for a portion of the demand-related costs that are incurred to serve the  
21      lower load factor customers simply because of the manner in which FPUC proposes  
22      to allocate SPP costs. This occurs on both an intraclass and interclass basis.

1       **Q. TO THE BEST OF YOUR KNOWLEDGE, WERE THESE SPP**  
2       **TRANSMISSION AND DISTRIBUTION COSTS TO BE BROUGHT IN**  
3       **THROUGH TRADITIONAL RATE CASE PROCESSES, WOULD THEY**  
4       **BE CONSIDERED DEMAND-RELATED AND ALLOCATED**  
5       **ACCORDINGLY?**

6       A. It is my understanding that for the most part, yes. As such, FPUC's SPP cost  
7       allocation proposal is a significant departure from traditional ratemaking. To better  
8       align cost allocation with cost responsibility, SPP costs should be allocated in a way  
9       that better reflects the demand-related nature of those costs.

10      **Q. WHAT IS WALMART'S RECOMMENDATION TO THE COMMISSION**  
11      **ON THIS ISSUE?**

12      A. Optimally, the Commission should require FPUC to allocate SPP costs according  
13      to the relevant distribution and transmission cost allocators, and recover those costs  
14      from demand-metered customers through a demand charge. However, if the  
15      Commission approves FPUC's proposed cost allocation methodology for SPP  
16      costs, then Walmart makes the following recommendations for recovery of SPP  
17      costs through the SPPCRC:

- 18           1) FPUC should divide the SPP revenue requirement by the total base rate revenue  
19           requirement from its most recent general rate case to calculate a percent factor;  
20           and  
21           2) This percent factor should then be applied to the SPP revenue requirement for  
22           each class as a percentage adjustor to the base rate charges approved for each

1                   rate class in this Docket. For demand-metered customers, this adjuster would  
2                   be applied to the customer charge, demand charge, and base energy charge.

3       **Q.    DOES THIS CONCLUDE YOUR TESTIMONY?**

4       A.    Yes.



**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Storm protection plan cost  
recovery clause.** : **DOCKET NO. 20220010-EI**  
: **Filed: September 2, 2022**

**EXHIBIT OF  
LISA V. PERRY  
ON BEHALF OF  
WALMART INC.**

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Storm protection plan cost : DOCKET NO. 20220010-EI**  
**recovery clause. : :**  
**: Filed: September 2, 2022**

**EXHIBIT LVP-1 OF**

**LISA V. PERRY**

**ON BEHALF OF**

**WALMART INC.**

# Lisa V. Perry

Senior Manager, Energy Services

Walmart Inc.

Business Address: 2608 SE J Street, Bentonville, Arkansas 72716

Business Phone: (479) 274-0238

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## EXPERIENCE

September 2019 – Present

Walmart Inc., Bentonville, AR

Senior Manager, Energy Services

November 2017 – September 2019

Oram & Houghton PLLC, Round Rock, TX

Of Counsel, Energy Law

February 2016 – November 2017

Ray Quinney & Nebeker, P.C., Salt Lake City, UT

Of Counsel, Energy Law

September 2007 – February 2016

Welborn, Sullivan, Meck & Tooley, P.C., Denver, CO

Partner, Energy Law

## EDUCATION

2000 University of Florida Levin College of Law LL.M., Taxation

1999 University of Florida Levin College of Law J.D.

1996 University of South Florida B.A., Criminology

1993 University of South Florida B.A., Psychology

## FILED TESTIMONY

### 2022

Michigan Public Service Commission Case No. U-21224: In the matter of the application of CONSUMERS ENERGY COMPANY for authority to increase its rates for the generation and distribution of electricity and for other relief.

Issue: General rate case.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2021-00156: *Ex Parte*: Establishing a proceeding concerning the allocation of RPS-related costs and the determination of certain proxy values for Virginia Electric and Power Company.

Issue: Allocation methodology for VCEA-related costs and benefits.

Michigan Public Service Commission Case No. U-20836: In the matter of the Application of DTE Electric Company for authority to increase its rates, amend its rate schedules and rules governing the distribution and supply of electric energy, and for miscellaneous accounting authority.

Issue: General rate case.

Oklahoma Corporation Commission Cause No. PUD 202100164: In the Matter of the Application of Oklahoma Gas and Electric Company for an Order of the Commission Authorizing Applicant to Modify its Rates, Charges, and Tariffs for Retail Electric Service in Oklahoma.

Issue: General Rate Case.

Louisiana Public Service Commission Docket No. U-36190: Application for Certification and Approval of the 2021 Solar Portfolio, Rider Geaux Green Option, Cost Recovery and Related Relief.

Issue: Approval of a voluntary renewable program backed by utility-owned solar assets.

Petition of Appalachian Power Company For approval of its 2021 RPS Plan under § 56-585.5 of the Code of Virginia and related requests.

Issue: Seeking approval of RPS Plan and recovery mechanisms for related costs.

Commonwealth of Kentucky Public Service Commission Case No. 2021-00481: Electronic Joint Application of American Electric Power Company, Inc., Kentucky Power Company and Liberty Utilities Co. for Approval of the Transfer of Ownership and Control of Kentucky Power Company.

Issue: Acquisition of Kentucky Power Company by Liberty Utilities Company.

Public Utility Commission of Texas Docket No. 52451, SOAH Docket No. 473-22-0816: Application of Southwestern Public Service Company for Approval of Advanced Metering System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard Metering Service Fee.

Issue: Approval to implement AMS and recover costs through an additional surcharge.

Arkansas Public Service Commission Docket No. 21-070-U: In the Matter of the Application of Southwestern Electric Power Company for Approval of a General Change in Rates and Tariffs.

Issue: General rate case.

Arkansas Public Service Commission Docket No. 21-087-U: In the Matter of Oklahoma Gas and Electric Company's Request to Extend its Formula Rate Plan Rider.

Issue: Seeking extension of formula rate plan.

## **2021**

Louisiana Public Service Commission Docket No. U-36105: Application for Certification to Deploy Natural Gas-Fired Distributed Generation and Authorization to Implement Rider UODG.

Issue: Approval to implement a distributed generation program and rider recovery.

Public Utility Commission of Texas Docket No. 52389, SOAH Docket No. 473-22-0009: Application of Southwestern Electric Power Company for Advanced Metering System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard Metering Service Fees.

Issue: Approval to implement AMS and recover costs through an additional surcharge.

Louisiana Public Service Commission Docket No. U-35991: Application for Recovery in Rates of Costs Related to Hurricanes Laura, Delta, Zeta and Winter Storm Uri and for Related Relief.

Issue: Securitization of system restoration costs due to extreme weather conditions.

Oklahoma Corporation Commission Cause No. PUD 202100076: Application of Public Service Company of Oklahoma (“PSO”) for Approval of a Financing Order for the Collection of Increased Costs Caused by the Extreme Winter Weather and Contained in the Regulatory Asset Authorized by Order 717625, Including an Appropriate Carrying Cost, and Such Other Relief as the Commission Deems PSO is Entitled.

Issue: Securitization of excessive fuel costs due to extreme weather conditions.

Colorado Public Utilities Commission Proceeding No. 21A-0141E: In the Matter of the Application of Public Service Company of Colorado for Approval of its 2021 Electric Resource Plan and Clean Energy Plan.

Issue: Seeking approval of utility’s plan to meet legislative renewable and carbon reduction goals.

Arkansas Public Service Commission Docket No. 21-054-TF: In the Matter of the Application of Entergy Arkansas, LLC for a Proposed Tariff Revision Regarding a Green Promise Tariff.

Issue: Seeking approval for a voluntary renewable energy tariff.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2021-00058: Application of Virginia Electric and Power Company for a 2021 triennial review of the rates, terms and conditions for the provision of generation, distribution and transmission services pursuant to § 56-585.1 A of the Code of Virginia.

Issue: General Rate Case.

Public Utility Commission of Texas Docket No. 52040, SOAH Docket No. 473-21-2607: Application of El Paso Electric Company for Advanced Metering System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard Metering Service Fees.

Issue: Approval to implement AMS and recover costs through an additional surcharge.

Oklahoma Corporation Commission Cause No. PUD 202100072: In the Matter of the Application of Oklahoma Gas and Electric Company for a Financing Order Pursuant to the February 2021 Regulated Utility Consumer Protection Act Approving Securitization of Costs Arising from the Winter Weather Event of February 2021.

Issue: Securitization of excessive fuel costs due to extreme weather conditions.

Public Utility Commission of Texas Docket No. 51802, SOAH Docket No. 473-21-1892: Application of Southwestern Public Service Company for Authority to Change Rates.

Issue: General rate case.

Oklahoma Corporation Commission Cause No. PUD 202100055: Application of Public Service Company of Oklahoma, an Oklahoma Corporation, for an Adjustment in its Rates and Charges and the Electric Service Rules, Regulations and Conditions of Service for Electric Service in the State of Oklahoma.

Issue: General rate case.

Louisiana Public Service Commission Docket No. U-35441: Application of Southwestern Power Company (SWEPCO) for Approval of a Change in Rates, Extension of Formula Rate Plan and Other Related Relief.

Issue: General rate case and extension of formula rate plan.

Michigan Public Service Commission Case No. U-20963: In the matter of the application of Consumers Energy Company for authority to increase its rates for the generation and distribution of electricity and for other relief.

Issue: General rate case.

Florida Public Service Commission Docket No. 20210010-EI: In re: Storm protection plan cost recovery clause

Issue: Seeking approval of the cost allocation and recovery methodologies used for storm protection plan cost recovery clause.

Arkansas Public Service Commission Docket No. 19-008-U: In the Matter of the Application of Southwestern Electric Power Company for Approval of a General Change in Rates and Tariffs.

Issue: Seeking approval for amortization period and carrying costs for extraordinary fuel costs related to Winter Storm Uri.

Public Utility Regulatory Authority of Connecticut Docket No. 17-12-03RE11: PURA Investigation into Distribution System Planning of the Electric Distribution Companies – New Rate Designs and Rates Review.

Issue: Investigation into low-income rates and economic development rates.

Public Utility Commission of Texas Docket No. 51415, SOAH Docket No. 473-21-0538: Application of Southwestern Electric Power Company for Authority to Change Rates.

Issue: General rate case.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00170: Petition of Virginia Electric and Power Company for approval of a rate adjustment clause, designated Rider RPS, under § 56-585.1 A 5 d of the Code of Virginia.

Issue: Seeking approval of a Rider RPS to recover costs associated with REC purchases made to comply with the Virginia Clean Economy Act.

Commonwealth of Kentucky Public Service Commission Case No. 2020-00350: Electronic Application of Louisville Gas and Electric Company for an Adjustment of its Electric and Gas Rates, a Certificate of Public Convenience and Necessity to Deploy Advanced Metering Infrastructure, Approval of Certain Regulatory and Accounting Treatments, and Establishment of a One-Year Surcredit.

Issue: General rate case.

Commonwealth of Kentucky Public Service Commission Case No. 2020-00349: Electronic Application of Kentucky Utilities Company for an Adjustment of its Electric Rates, a Certificate of Public Convenience and Necessity to Deploy Advanced Metering Infrastructure, Approval of Certain Regulatory and Accounting Treatments, and Establishment of a One-Year Surcredit.

Issue: General rate case.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00164: *Ex Parte:* Allocating RPS costs to certain customers of Virginia Electric and Power Company.

Issue: Determining which costs and benefits of Virginia Clean Economy Act-related assets should be allocated to non-utility customers and seeking approval of a Rider NBC to recover/credit some of those costs and/or benefits.

Oklahoma Corporation Commission Cause No. PUD 202000097: Application of Public Service Company of Oklahoma (“PSO”) for Approval of the Cost Recovery of Facilities to be Located at Ft. Sill; a Determination there is a Need for the Facilities; Approval for Future Inclusion in Base Rates for Cost Recovery of Prudent Costs Incurred by PSO for the Facilities; Approval of a Temporary Cost Recovery Rider; and Such Other Relief the Commission Deems PSO is Entitled.

Issue: Seeking approval to acquire a solar facility and gas facility sited at Fort Sill.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00134: *Ex Parte:* Establishing 2020 RPS Proceeding for Virginia Electric and Power Company.

Issue: Seeking approval of a Renewable Portfolio Standard Plan and rider pursuant to the Virginia Clean Economy Act (VCEA).

## **2020**

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00135: *Ex Parte:* Establishing 2020 RPS Proceeding for Appalachian Power Company.

Issue: Seeking approval of a Renewable Portfolio Standard Plan pursuant to the Virginia Clean Economy Act (VCEA).

Public Service Commission of South Carolina Docket No. 2019-209-E: In re: South Carolina Energy Freedom Act (House Bill 3659) Proceeding Related to Dominion Energy South Carolina, Incorporated and S.C. Code Ann. Section 58-41-30 Related to Electrical Utilities and Their Current Voluntary Renewable Energy Program, and Such Other Proceedings Required By the Commission.

Issue: Seeking approval of a Voluntary Renewable Energy Rider.

Public Service Commission of South Carolina Docket No. 2020-125-E: In re: Application of Dominion Energy South Carolina, Incorporated for Adjustment of Rates and Charges.

Issue: General rate case.

Arkansas Public Service Commission Docket No. 16-036-FR: In the Matter of Formula Rate Plan Filings of Entergy Arkansas, Inc., Pursuant to APSC Docket No. 15-015-U.

Issue: Seeking five-year extension of Formula Rate Plan.

Colorado Public Utilities Commission Proceeding No. 20A-0204E: In the Matter of the Application of Public Service Company of Colorado for Approval of its 2021-2023 Transportation Electrification Plan.

Issue: Seeking approval of utility's plan to encourage EV adoption in its service territory.

Commonwealth of Kentucky Public Service Commission Case No. 2020-00174: Electronic Application of Kentucky Power Company for (1) a General Adjustment of its Rates for Electric Service; (2) Approval of Tariffs and Riders; (3) Approval of Accounting Practices to Establish Regulatory Assets and Liabilities; (4) Approval of a Certificate of Public Convenience and Necessity; and (5) All Other Required Approvals and Relief.

Issue: General rate case.

Oklahoma Corporation Commission Cause No. PUD 202000021: In the Matter of the Application of Oklahoma Gas and Electric Company for an Order of the Commission Approving a Recovery Mechanism for Expenditures Related to the Oklahoma Grid Enhancement Plan.

Issue: Seeking approval of a rider that allows for interim recovery of costs associated with expenditures made to enhance the grid.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2020-00015: Application of Appalachian Power Company For a 2020 Triennial Review of the Rates, Terms and Conditions for the Provision of Generation, Distribution and Transmission Services Pursuant to § 56-585.1 A of the Code of Virginia.

Issue: General Rate Case.

Michigan Public Service Commission Case No. U-20697: In the matter of the application of Consumers Energy Company for authority to increase its rates for the generation and distribution of electricity and for other relief.

Issue: General rate case.

Florida Public Service Commission Consolidated Docket Nos. 20200067-EI, 20200069-EI, 20200070-EI, 20200071-EI: In re: Review of 2020-2029 Storm Protection Plan pursuant to Rule 25-6.030, F.A.C., Tampa Electric Company *et al.*

Issue: Seeking approval of Storm Protection Plans submitted by Tampa Electric Company, Duke Energy Florida, LLC, Gulf Power Company, and Florida Power & Light Company.



Arkansas Public Service Commission Docket No. 20-027-U: In the Matter of the Application of Walmart Inc. for Approval to Bid Demand Response into Wholesale Electricity Markets Through an Aggregator of Retail Customers.

Issue: Seeking approval to bid demand response into MISO through a third-party aggregator.

Public Utility Commission of Texas Docket No. 49737, SOAH Docket No. 473-19-6862: Application of Southwestern Electric Power Company for Certificate of Convenience and Necessity Authorization and Related Relief for the Acquisition of Wind Generation Facilities.

Issue: Seeking approval to acquire a wind generation facility located in Oklahoma.

Louisiana Public Service Commission Docket No. U-35324: Application of Southwestern Power Company (SWEPCO) for Certification and Approval of the Acquisition of Certain Renewable Resources in Accordance with the MBM Order and the 1983 and 1994 General Orders.

Issue: Seeking approval to acquire a wind generation facility located in Oklahoma.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2019-00201: Application of Virginia Electric and Power Company for approval of its 2019 DSM Update pursuant to § 56-585.1 A 5 of the Code of Virginia.

Issue: Seek approval to implement eleven new demand-side management programs, to extend existing programs - some with updated parameters and cost/benefit results, and to continue three rate adjustment clauses.

### **2019**

Oklahoma Corporation Commission Cause No. PUD 201900048: Application of Public Service Company of Oklahoma for Approval of the Cost Recovery of the Selected Wind Facilities; A Determination there is a Need for the SWFs; Approval for Future Inclusion in Base Rates Cost Recovery of Prudent Costs Incurred by PSO for the SWFs; Approval of a Temporary Cost Recovery Rider; Approval of Certain Accounting Procedures Regarding Federal Production Tax Credits; and Such Other Relief the Commission Deems PSO is Entitled.

Issue: Seeking approval to acquire a wind generation facility located in Oklahoma and Wind Facility Asset Rider.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2019-00094: Application of Virginia Electric and Power Company for Approval of a 100 Percent Renewable Energy Tariff, Designated Rider TRG, Pursuant to §§ 56-577 A 5 and 56-234 of the Code of Virginia.

Issue: Seek approval of a 100 percent renewable energy tariff.

Public Service Commission of South Carolina Docket No. 2019-239-E: In re: Dominion Energy South Carolina, Incorporated's Request for Approval of an Expanded Portfolio of Demand Side Management Programs, and a Modified Demand Side Management Rate Rider.

Issue: Seeking approval of an expanded Demand Side Management Plan and modified Demand Side Management Rate Rider.

Arkansas Public Service Commission Docket No. 19-035-U: In the Matter of the Application of Southwestern Electric Power Company for Approval to Acquire Wind Generating Facilities Pursuant to the Arkansas Clean Energy Development Act.

Issue: Seeking approval to acquire a wind generation facility located in Oklahoma and Wind Facility Asset Rider.

Commonwealth of Virginia State Corporation Commission Case No. PUR-2019-00154: Petition of Virginia Electric and Power Company for approval of a plan for electric distribution grid transformation projects pursuant to § 56-585.1 A 6 of the Code of Virginia, and for approval of an addition to the terms and condition applicable to electric service.

Issue: Seeking approval of certain expenditures relating to grid improvement and grid hardening.

**COMMISSION DOCKETS (Appearing as Attorney of Record)**

**2019**

Public Utility Commission of Texas Docket No. 49421: Application of CenterPoint Energy Houston Electric, LLC for Authority to Change Rates.

Issue: General rate case

Public Utility Commission of Texas Docket No. 49494: Application of AEP Texas Inc. for Authority to Change Rates.

Issue: General rate case

Public Utility Commission of Colorado Docket No. 19AL-0268E: In the Matter of Advice Letter No. 1797 Filed by Public Service Company of Colorado to Reset the Currently Effective General Rate Schedule Adjustment (“GRSA”) as Applied to Base Rates for all Electric Rate Schedules as well as Implement a Base Rate kWh Charge, General Rate Schedule Adjustment-Energy (“GRSA-E”) to Become Effective June 20, 2019.

Issue: General rate case, Phase I

**2018**

Public Utility Commission of Texas Docket No. 48371: Entergy Texas, Inc.’s Statement of Intent and Application for Authority to Change Rates.

Issue: General rate case

Public Utility Commission of Colorado Docket No. 18M-0074EG: In the Matter of the Commission’s Consideration of the Impact of the Federal Tax Cuts and Jobs Act of 2017 on the Rates of Colorado Investor-Owned Electric and Natural Gas Utilities.

Issue: Commenced by the Commission to consider the impacts of the Tax Cut and Jobs Act of 2017 on the revenue requirements and rates of all Colorado investor-owned electric and natural gas utilities.

**2017**

Public Utility Commission of Texas Docket No. 47461: Application of Southwestern Electric Power Company for Certificate of Convenience and Necessity Authorization and Related Relief for the Wind Catcher Energy Connection Project in Oklahoma.

Issue: Purchase of a wind generation facility and generation tie line.

Public Utility Commission of Texas Docket No. 47527: Application of Southwestern Public Service Company for Authority to Change Rates.

Issue: General rate case

Public Utility Commission of Colorado Docket No. 17A-0462EG: In the Matter of the Application of Public Service Company of Colorado for Approval of a Number of Strategic Issues Relating to its Electric and Gas Demand-Side Management Plan.

Issue: Seek Commission re-examination and approval of the overall objectives and structure of Public Service's DSM initiatives to guide the Company in designing future DSM plans.

Public Utility Commission of Colorado Docket No. 17AL-0649E: In the Matter of Advice Letter No. 1748-Electric Filed by Public Service Company of Colorado to Revise its PUC No. 8-Electric Tariff to Implement a General Rate Schedule Adjustment and Other Rate Changes Effective on Thirty Days' Notice.

Issue: General rate case, Phase I

Arkansas Public Service Commission Docket No. 17-038-U: In the Matter of the Application of Southwestern Electric Power Company for Approval to Acquire a Wind Generating Facility and to Construct a Dedicated Generation Tie Line.

Issue: Purchase of a wind generation facility and generation tie line.

Louisiana Public Service Commission Docket No. U-34619: Application for Expedited Certification and Approval of the Acquisition of Certain Renewable Resources and the Construction of a Generation Tie Pursuant to the 1983 and/or 1994 General Orders.

Issue: Purchase of a wind generation facility and generation tie line.

## **2016**

Public Utility Commission of Colorado Docket No. 16AL-0048E: In the Matter of Advice Letter No. 1712-Electric Filed by Public Service Company of Colorado to Replace Colorado PUC No. 7-Electric Tariff with Colorado PUC No. 8-Electric Tariff.

Issue: General rate case, Phase II

Public Utility Commission of Colorado Docket No. 16A-0055E: In the Matter of the Application of Public Service Company of Colorado for Approval of its Solar\*Connect Program.

Issue: Implement a voluntary solar program offering participating customers the ability to offset their current supply of energy from the Public Service system with solar energy produced at a dedicated facility or facilities.

New Mexico Public Regulation Commission Docket No. 16-00276-UT: In the Matter of the Application of Public Service Company of New Mexico for Revision of its Retail Electric Rates Pursuant to Advice Notice No. 533.

Issue: General rate case

**INDUSTRY TRAINING**

- 2020 Practical Regulatory Training for the Electric Industry, Center for Public Utilities, New Mexico State University College of Business
- 2020 IPU Accounting and Ratemaking Course, Michigan State University
- 2016 and 2022 Western NARUC Utility Rate School
- EUCI Courses on the utility industry, cost allocation, and rate design.

**BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Petition for limited proceeding for : DOCKET NO. 20230020-EI  
recovery of incremental storm restoration :  
costs related to Hurricanes Elsa, Eta, Isaias, :  
Ian, Nicole, and Tropical Storm Fred, by :  
Duke Energy Florida, LLC**

**EXHIBIT LVP-4 OF**

**LISA V. PERRY**

**ON BEHALF OF**

**WALMART INC.**



SECTION NO. VI  
ONE HUNDRED AND FOURTH REVISED SHEET NO. 6.105  
CANCELS ONE HUNDRED AND THIRD REVISED SHEET NO. 6.105

RATE SCHEDULE BA-1  
BILLING ADJUSTMENTS

Page 1 of 3

**Applicable:**

To the Rate Per Month provision in each of the Company's filed rate schedules which reference the billing adjustments set forth below.

COST RECOVERY FACTORS									
Rate Schedule/Metering Level	ECCR <sup>(2)</sup>		CCR <sup>(3)</sup>		ECRC <sup>(4)</sup>	ASC <sup>(5)</sup>	SPPCRC <sup>(6)</sup>		SCRS <sup>(7)</sup>
	¢/ kWh	\$/ kW	¢/ kWh	\$/ kW	¢/ kWh	¢/ kWh	¢/ kWh	\$/ kW	¢/ kWh
RS-1, RST-1, RSL-1, RSL-2 (Sec.) < 1000 > 1000	0.330	-	0.946	-	0.046	0.236	0.510	-	0.509
GS-1, GST-1									
Secondary	0.290	-	0.816	-	0.044	0.204	0.494	-	0.443
Primary	0.287	-	0.808	-	0.044	0.202	0.489	-	0.439
Transmission	0.284	-	0.800	-	0.043	0.200	0.484	-	0.434
GS-2 (Sec.)	0.227	-	0.597	-	0.042	0.141	0.231	-	0.221
GSD-1, GSDT-1, SS-1*									
Secondary	-	0.93	-	2.53	0.043	0.176	-	1.34	0.329
Primary	-	0.92	-	2.50	0.043	0.174	-	1.31	0.326
Transmission	-	0.91	-	2.48	0.042	0.172	-	0.25	0.322
CS-2, CST-2, CS-3, CST-3, SS-3*									
Secondary	-	0.79	-	2.05	0.041	0.120	-	2.11	0.329
Primary	-	0.78	-	2.03	0.041	0.119	-	2.09	0.326
Transmission	-	0.77	-	2.01	0.040	0.118	-	2.07	0.322
IS-2, IST-2, SS-2*									
Secondary	-	0.76	-	1.99	0.041	0.143	-	1.02	0.161
Primary	-	0.75	-	1.97	0.041	0.142	-	0.83	0.159
Transmission	-	0.74	-	1.95	0.040	0.140	-	0.19	0.158
LS-1 (Sec.)	0.117	-	0.237	-	0.037	0.056	0.373	-	0.422
*SS-1, SS-2, SS-3									
Monthly									
Secondary	-	0.090	-	0.244	-	-	-	0.119	-
Primary	-	0.089	-	0.242	-	-	-	0.118	-
Transmission	-	0.088	-	0.239	-	-	-	0.117	-
Daily									
Secondary	-	0.043	-	0.116	-	-	-	0.057	-
Primary	-	0.043	-	0.115	-	-	-	0.056	-
Transmission	-	0.042	-	0.114	-	-	-	0.056	-
GSLM-1, GSLM-2	See appropriate General Service rate schedule								

Fuel Cost Recovery <sup>(1)</sup>					
Rate Schedule/Metering Level		Levelized	On-Peak	Off-Peak	Super-Off-Peak
		¢/ kWh	¢/ kWh	¢/ kWh	¢/ kWh
RS-1 Only	< 1,000	4.947	N/A	N/A	N/A
RS-1 Only	> 1,000	6.017	N/A	N/A	N/A
LS-1 Only	Secondary	4.880	N/A	N/A	N/A
All Other Rate Schedules	Secondary	5.247	6.706	5.284	3.736
All Other Rate Schedules	Primary	5.195	6.639	5.231	3.699
All Other Rate Schedules	Transmission	5.142	6.571	5.178	3.661

(Continued on Page No. 2)

ISSUED BY: Thomas G. Foster, Vice President, Rates &amp; Regulatory Strategy – FL

EFFECTIVE: March 1, 2024



SECTION NO. VI  
THIRTY-SIXTH REVISED SHEET NO. 6.106  
CANCELS THIRTY-FIFTH REVISED SHEET NO. 6.106

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**RATE SCHEDULE BA-1  
BILLING ADJUSTMENTS**  
(Continued from Page 1)

**(1) Fuel Cost Recovery Factor:**

The Fuel Cost Recovery Factors applicable to the Fuel Charge under the Company's various rate schedules are normally determined annually by the Florida Public Service Commission for the billing months of January through December. These factors are designed to recover the costs of fuel and purchased power (other than capacity payments) incurred by the Company to provide electric service to its customers and are adjusted to reflect changes in these costs from one period to the next. Revisions to the Fuel Cost Recovery Factors within the described period may be determined in the event of a significant change in costs.

**(2) Energy Conservation Cost Recovery Factor:**

The Energy Conservation Cost Recovery (ECCR) Factor applicable to the Energy Charge under the Company's various rate schedules is normally determined annually by the Florida Public Service Commission for twelve-month periods beginning with the billing month of January. This factor is designed to recover the costs incurred by the Company under its approved Energy Conservation Programs and is adjusted to reflect changes in these costs from one period to the next. For time of use demand rates the ECCR charge will be included in the monthly max demand only.

**(3) Capacity Cost Recovery Factor:**

The Capacity Cost Recovery (CCR) Factors applicable to the Energy Charge under the Company's various rate schedules are normally determined annually by the Florida Public Service Commission for the billing months of January through December. This factor is designed to recover the cost of capacity payments made by the Company for off-system capacity and is adjusted to reflect changes in these costs from one period to the next. For time of use demand rates the CCR charge will be included in the monthly max demand only.

**(4) Environmental Cost Recovery Clause Factor:**

The Environmental Cost Recovery Clause (ECRC) Factors applicable to the Energy Charge under the Company's various rate schedules are normally determined annually by the Florida Public Service Commission for the billing months of January through December. This factor is designed to recover environmental compliance costs incurred by the Company and is adjusted to reflect changes in these costs from one period to the next.

**(5) Asset Securitization Charge Factor:**

The Asset Securitization Charge (ASC) Factors applicable to the Energy Charge under the Company's various rate schedules represent a Nuclear Asset-Recovery Charge approved in a financing order issued to the Company by the Florida Public Service Commission and are adjusted at least semi-annually to ensure timely payment of principal, interest and financing costs of nuclear asset-recovery bonds from the effective date of the ASC until the nuclear asset-recovery bonds have been paid in full or legally discharged and the financing costs have been fully recovered. As approved by the Commission, a Special Purpose Entity (SPE) has been created and is the owner of all rights to the Nuclear Asset-Recovery Charge. The Company shall act as the SPE's collection agent or servicer for the Nuclear Asset-Recovery Charge. The Nuclear Asset-Recovery Charge shall be paid by all existing or future customers receiving transmission or distribution service from the Company or its successors or assignees under Commission-approved rate schedules or under special contracts, even if the customer elects to purchase electricity from alternative electric suppliers following a fundamental change in regulation of public utilities in this state.

**(6) Storm Protection Plan Cost Recovery Clause Factor:**

The Storm Protection Plan Cost Recovery Clause (SPPCRC) Factors applicable to the Energy Charge under the Company's various rate schedules are normally determined annually by the Florida Public Service Commission for the billing months of January through December. This factor is designed to recover storm protection plan costs incurred by the Company and is adjusted to reflect changes in these costs from one period to the next. For time of use demand rates the SPPCRC charge will be included in the monthly max demand only.

**(7) Storm Cost Recovery Surcharge Factor:**

In accordance with a Florida Public Service Commission ruling, the Storm Cost Recovery Surcharge (SCRS) factor is applicable to the Energy Charge under the Company's various rate schedules for the billing months of January 2024 through December 2024. This surcharge is designed to recover storm restoration costs, replenishment of the storm reserve, and interest related to Hurricane Idalia and uncollected storm restoration costs related to Hurricanes Elsa, Eta, Ian, Isaias, Nicole, and Tropical Storm Fred.

**Gross Receipts Tax Factor:**

In accordance with Section 203.01(1)(a)1 of the Florida Statutes, a factor of 2.5660% is applicable to electric sales charges for collection of the state Gross Receipts Tax.

**Regulatory Assessment Fee Factor:**

In accordance with Section 350.113 of the Florida Statutes and Rule 25-6.0131, F.A.C., a factor of 0.0739% is applicable to gross operating sales charges for collection of the Regulatory Assessment Fee.

(Continued on Page No. 3)



SECTION NO. VI  
 SECOND REVISED SHEET NO. 6.107  
 CANCELS FIRST REVISED SHEET NO. 6.107

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**RATE SCHEDULE BA-1  
 BILLING ADJUSTMENTS**

(Continued from Page 2)

**Right-of-Way Utilization Fee:**

A Right-of-Way Utilization Fee is applied to the charges for electric service (exclusive of any Municipal, County, or State Sales Tax) provided to customers within the jurisdictional limits of each municipal or county governmental body or any unit of special-purpose government or other entity with authority requiring the payment of a franchise fee, tax, charge, or other imposition whether in money, service, or other things of value for utilization of rights-of-way for location of Company distribution or transmission facilities. The Right-of-Way Utilization Fee shall be determined in a negotiated agreement (i.e., franchise and other agreements) in a manner which reflects the Company's payments to a governmental body or other entity with authority plus the appropriate Gross Receipts Taxes and Regulatory Assessment Fees resulting from such additional revenue. The Right-of-Way Utilization Fee is added to the charges for electric service prior to the application of any appropriate taxes.

**Municipal Tax:**

A Municipal Tax is applied to the charge for electric service provided to customers within the jurisdictional limits of each municipal or other governmental body imposing a utility tax on such service. The Municipal Tax shall be determined in accordance with the governmental body's utility tax ordinance, and the amount collected by the Company from the Municipal Tax shall be remitted to the governmental body in the manner required by law. No Municipal Tax shall apply to fuel charges in excess of 0.699¢/kWh.

**Sales Tax:**

A State Sales Tax is applied to the charge for electric service provided to all non-residential customers and equipment rental provided to all customers (unless a qualified sales tax exemption status is on record with the Company). The State Sales Tax shall be determined in accordance with the State's sales tax laws. The amount collected by the Company shall be remitted to the State in the manner required by law. In those counties that have enacted a County Discretionary Sales Surtax, such tax shall be applied and paid in a like manner. An additional tax factor is applied to the charge for electric service consistent with the applicability of State Sales Tax as described in this paragraph, in accordance with Section 203.01(1)(a)3 and (b)4 of the Florida Statutes.

**Governmental Undergrounding Fee:**

Applicable to customers located in a designated Underground Assessment Area within a local government (a municipality or a county) that requires the Company to collect a Governmental Undergrounding Fee from such customers to recover the local government's costs of converting overhead electric distribution facilities to underground facilities. The Governmental Undergrounding Fee billed to a customer's account shall not exceed the lesser of (i) 15 percent of a customer's total net electric service charges, or (ii) a maximum monthly amount of \$30 for residential customers and \$50 for each 5,000 kilowatt-hour increment of consumption for commercial/industrial customers, unless the Commission approves a higher percentage or maximum monthly amount. The maximum monthly amount shall apply to each line of billing in the case of a customer receiving a single bill for multiple service points, and to each occupancy unit in the case of a master metered customer. The Governmental Undergrounding Fee shall be calculated on the customer's charges for electric service before the addition of any applicable taxes.