

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 42**

**Responding Witness: Robert M. Conroy / Christopher M. Garrett**

- Q-42. Provide all documents that illustrate how EEI utilizes the Companies' ratepayer-funded dues. If such documents are not in the Companies' immediate possession, provide all correspondence, letters, documents and memoranda between the Companies and EEI in which the Companies requested such information.
- A-42. The Companies are not aware of any such documents in their possession. In the Companies' 2018 rate cases, after receiving data requests about EEI, the Companies contacted EEI by phone and discussed EEI's reporting of lobbying expenses. After receiving these data requests in this case, the Companies again contacted EEI by phone on February 11, 2021 and by letter on February 12, 2021. EEI replied by letter on February 17, 2021. Copies are attached.

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**From:** Sturgeon, Allyson <Allyson.Sturgeon@lge-ku.com>  
**Date:** February 12, 2021 at 8:56:27 AM EST  
**To:** 'efisher@eei.org' <efisher@eei.org>, 'abenshoff@eei.org' <abenshoff@eei.org>  
**Cc:** Keisling, Jennifer <Jennifer.Keisling@lge-ku.com>  
**Subject:** Request for Information

Good morning –

Attached is a formal request for information related to LG&E's and KU's pending rate proceedings in Kentucky. We would appreciate a response within the next few days, if possible, because our responses must be filed by next Friday, February 19<sup>th</sup>. Thanks in advance for your assistance. Allyson

**Allyson K. Sturgeon**  
**Managing Senior Counsel – Regulatory and Transactions**  
**LG&E and KU Energy LLC**  
**220 West Main Street**  
**Louisville, Kentucky 40202**  
**Phone: (502) 627-2088**  
**Cell: (502) 489-0989**  
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[allyson.sturgeon@lge-ku.com](mailto:allyson.sturgeon@lge-ku.com)

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February 12, 2021

Emily Sanford Fisher  
General Counsel  
Edison Electric Institute  
701 Pennsylvania Avenue, NW  
Washington, DC 20004-2696

**LG&E and KU Energy LLC**  
Legal  
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Dear Ms. Fisher:

Kentucky Utilities Company and Louisville Gas and Electric Company (collectively, "Companies") are members of the Edison Electric Institute ("EEI").

In the Companies' pending rate cases before the Kentucky Public Service Commission, certain intervenors have requested information about the Companies' membership in EEI. The requests seek information about the amount of money EEI budgets and spends on "Covered Activities," which the requests define as legislative advocacy, regulatory advocacy, and public relations. Particularly, intervenors request the following EEI information: "(i) its budget for Covered Activities since the date of the last NARUC audit; and (ii) the ratio that the Covered Activities budget bears in relation to EEI's overall budget."

Please provide the requested information no later than February 16, 2021. Should you have any questions, please do not hesitate to contact me.

Best regards,

A handwritten signature in cursive script that reads "Allyson K. Sturgeon".

Allyson K. Sturgeon

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**From:** Fisher, Emily <EFisher@eei.org>  
**Sent:** Wednesday, February 17, 2021 11:45 AM  
**To:** Sturgeon, Allyson <Allyson.Sturgeon@lge-ku.com>; Benschhoff, Adam <abenschhoff@eei.org>  
**Cc:** Keisling, Jennifer <Jennifer.Keisling@lge-ku.com>  
**Subject:** RE: Request for Information

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Allyson,

In response to your request, please find attached EEI's response, as well as additional information about the benefits of EEI members for customers.

If you have any questions, please let me know.

Be well,

Emily

Emily Sanford Fisher  
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Follow EEI on [Twitter](#), [Facebook](#), and [YouTube](#).



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**From:** Sturgeon, Allyson <[Allyson.Sturgeon@lge-ku.com](mailto:Allyson.Sturgeon@lge-ku.com)>  
**Sent:** Friday, February 12, 2021 8:56 AM  
**To:** Fisher, Emily <[EFisher@eei.org](mailto:EFisher@eei.org)>; Benschhoff, Adam <[abenschhoff@eei.org](mailto:abenschhoff@eei.org)>  
**Cc:** Jennifer.Keisling <[Jennifer.Keisling@lge-ku.com](mailto:Jennifer.Keisling@lge-ku.com)>  
**Subject:** Request for Information

This email originated from an external sender. Use caution before clicking links or opening attachments. If suspicious, please click the 'Phish Alert Report' button in Outlook. If you have any questions, email [ITsupport@eei.org](mailto:ITsupport@eei.org) or call ext 5100.

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Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

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Good morning –

Attached is a formal request for information related to LG&E's and KU's pending rate proceedings in Kentucky. We would appreciate a response within the next few days, if possible, because our responses must be filed by next Friday, February 19<sup>th</sup>. Thanks in advance for your assistance. Allyson

**Allyson K. Sturgeon**  
**Managing Senior Counsel – Regulatory and Transactions**  
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Emily Sanford Fisher  
General Counsel and Corporate Secretary

February 17, 2021

Allyson K. Sturgeon  
Managing Sr. Counsel  
Regulatory & Transactions  
LG&E and KU Energy LLC  
220 W Main Street  
Louisville, KY 40202

Dear Ms. Sturgeon,

The Edison Electric Institute (EEI) is in receipt of your February 12, 2021, letter regarding certain information requested by intervenors in your current regulatory rate review proceeding related to Kentucky Utilities Company and Louisville Gas and Electric Company (collectively, "Companies") and their EEI membership.

Specifically, you are requesting "information about the amount of money EEI budgets and spends on "Covered Activities," which the requests define as legislative advocacy, regulatory advocacy, and public relations. Particularly, intervenors request the following EEI information: "(i) its budget for Covered Activities since the date of the last NARUC audit; and (ii) the ratio that the Covered Activities budget bears in relation to EEI's overall budget.""

The lobbying portion of EEI's dues is calculated using the Internal Revenue Code (IRC) definition of "lobbying and political activities" under section 162(e). This definition broadly captures not only federal lobbying, but also state and grassroots lobbying and political activity. EEI is required by law to notify its members of the portion of their dues that are used for activity that falls within this definition and EEI has provided the Companies with this percentage in their annual dues notice. EEI elects to use this same broad definition for reporting in its Lobbying Disclosure Act reports that are required by federal law. These percentages are compiled through a careful accounting process, and EEI takes great pains to make sure that these amounts are accurate under the law. EEI complies with all laws and regulations related to lobbying and lobbying disclosure, and all of EEI's quarterly lobbying reports are publicly available.

Because the IRC definition of lobbying does not require us to separately report regulatory or other activities, as defined in the request made to you, EEI is not required, nor do we, track or account for our budget in the manner requested. As a result, EEI is unable to provide the information as you requested.



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Emily Sanford Fisher  
General Counsel and Corporate Secretary

### **Power By Association: EEI Membership Benefits Customers, Companies**

The Edison Electric Institute (EEI) is the association that represents all U.S. investor-owned electric companies and their customers. Our members provide electricity for more than 220 million Americans, and operate in all 50 states and the District of Columbia. As a whole, the electric power industry supports more than 7 million jobs in communities across the United States.

In addition to our U.S. members, EEI has more than 65 international electric companies with operations in more than 90 countries, as International Members, and hundreds of industry suppliers and related organizations as Associate Members.

Organized in 1933, EEI provides public policy leadership, strategic business intelligence, and essential conferences and forums. EEI was the second association to represent U.S. investor-owned electric companies. Our predecessor, the National Electric Light Association (NELA), was formed in 1885 and helped to author the first U.S. National Electric Code. EEI was founded on January 12, 1933, in New York City with 217 member companies, taking the place of NELA. EEI grew over the years, merging with the Electric Companies Advertising Program, Public Information Program, and Electric Energy Association in 1975, and with the National Association of Electric Companies in 1978.

### **Our Customer-Focused Vision**

EEI's founding constitution pledged to aid members to *"generate and sell electric energy at the lowest possible price commensurate with safe and adequate service."* For more than 85 years, EEI members have made good on that vision. Each day, EEI member companies create value for all stakeholders, while delivering the safe, reliable, affordable, secure, and clean energy their customers need and expect.

At the same time, EEI's member companies are transitioning to cleaner energy resources and reducing their carbon emissions; modernizing the energy grid and building smarter energy infrastructure; and delivering innovative energy solutions in a rapidly changing world. These are the fundamental principles, the strategic pillars, that continue to guide us.

### **EEI Activities Provide Value to Members and Customers**

EEI provides member companies with a range of services, beyond the lobbying activity that we report consistent with federal requirements, that benefit electricity customers.

### **EEI Staff**

EEI employs experts in accounting, communications, customer solutions, energy supply, environment, finance, human resources, grid security, as well as federal and state government relations staff and regulatory experts. EEI staff provide relevant research, analysis and expertise to members on a range of issues, from environmental compliance to specialized utility accounting, as well as state and federal regulatory trends. In recent years, EEI has established new teams to address issues related to electric vehicle deployment and charging infrastructure as well the integration of distributed resources, including storage.

### **Grid Resilience, Power Restoration**

There is perhaps no stronger customer benefit than the work EEI does with our members on storm response and recovery. EEI and member companies have devoted significant time and resources to strengthen the reliability and resiliency of the energy grid, which directly benefits customers.



During weather events, EEI provides a coordinating function between members and between members and the federal and state governments. EEI also provides strategic communication support aimed at ensuring that customers have the most up-to-date information on safety and restoration.

The work EEI does with our members through the mutual assistance process has evolved to meet the needs of increasingly strong and frequent storms, an increasingly-connected society that runs on reliable power, and new technologies that help restore power more quickly.

These efforts paid off during recent storms. By applying the lessons we learned from Superstorm Sandy and the tools we developed—including the government-industry partnership and cross-sector coordination embodied in the Electricity Subsector Coordinating Council—EEI and our member companies have further streamlined response and restoration efforts. As one example, there was widespread recognition that our members' investments in the energy grid, their streamlined and enhanced storm response, and their enhanced coordination resulted in a much faster, successful restoration effort for 3.1 million customers impacted by Hurricane Matthew. That same commitment to safe, efficient power restoration was on display during historic storms like Hurricane Irma.

#### Grid Security

EEI was instrumental in the creation and growth of the Electricity Subsector Coordinating Council (ESCC) and we remain active in its leadership and staffing. The ESCC serves as the principal liaison between the federal government and the electric power industry, with the mission of coordinating efforts to prepare for, and respond to, national-level disasters or threats to critical infrastructure. The ESCC includes electric company CEOs and trade association leaders representing all segments of the industry. Its counterparts include senior Administration officials from the White House, relevant Cabinet agencies, federal law enforcement, and national security organizations.

EEI is also leading the industry in efforts to partner with the federal government to address new cybersecurity threats. As cybersecurity risks proliferate, EEI's member companies are organizing themselves to pool resources in the face of cyber incidents or attacks that exceed the capacity of individual member companies to respond. Building on our successful mutual assistance model, EEI through the ESCC has also launched a Cyber Mutual Assistance Program to provide emergency cyber assistance within the electric power and natural gas industries. Currently more than 140 entities, representing electric and natural gas investor-owned companies, public power utilities, electric cooperatives, Regional Transmission Organizations and Independent System Operators, and Canadian energy companies, participate in the CMA Program. These entities cover approximately 80 percent of U.S. electricity customers, roughly 75 percent of U.S. domestic natural gas customers, and approximately 1.25 million electricity customers in Canada.

#### Workforce Development

EEI's pre-employment test batteries (covering many industry positions such as plant operations and maintenance, transmission and distribution, and technician jobs) assist members to obtain the most qualified, productive employees.

EEI has partnered with other associations, education institutions, and organized labor to continue to attract and retain quality talent. In 2006, EEI was part of a founding group to launch the Center for Energy Workforce Development (CEWD) to address the energy industry's evolving workforce needs. In 2011, EEI and CEWD launched the Troops to Energy Jobs program. In 2008, EEI and the International

Brotherhood of Electrical Workers teamed up to create the National Labor and Management Public Affairs Committee to bring together labor and management to discuss areas of shared concern.

### ESG Template

To better serve customers, EEI launched an environmental, social, governance, and sustainability-related reporting template, with the goal of helping EEI's member electric companies provide interested parties with more uniform and consistent ESG/sustainability data and information. EEI coordinated members and the investment community to ensure the provision of reliable, consistent metrics on relevant environment and other issues. This template has been hailed as a model for other sectors to follow.

### Meetings

EEI offers dozens of meetings and conferences each year, providing information, data exchange, and an opportunity for policy discussions aimed at ensuring the continued provision of affordable, reliable, and increasingly clean electricity in a rapidly changing world. Meetings are planned and staffed by EEI employees. Here are just some of the meetings held by EEI each year:

#### **Accounting**

This conference provides a forum for member companies to discuss current issues in the natural gas and electric industries and an opportunity for professional development. This meeting features breakout sessions for Accounting Standards, Corporate Accounting, Property Accounting, and Budgeting & Financial Forecasting.

#### **Business Diversity**

The Annual EEI Business Diversity Conference focuses on priorities for our industry, our customers, our suppliers, and our other stakeholders, and is designed for EEI member company representatives who work in the external affairs, procurement, supply chain, and community relations fields. The goal of this program is to identify and promote the utilization of diverse suppliers capable of meeting our industry's various procurement needs, consistent with many state requirements for members to use more diverse suppliers. This program is committed to pursuing relationships with diverse suppliers and using innovative approaches designed to continually improve business opportunities.

#### **National Key Accounts**

EEI's National Key Accounts is a customer-oriented program where leading multi-site customers and electric company account representatives collaborate to develop efficient energy management strategies that can be integrated into facilities nationwide. With varying degrees of centralized decision making and facilities in many different electric company service territories, commercial and industrial customers require a unique approach to their energy-related needs. By organizing a network of electric companies, trade allies, and industry leaders, the EEI National Key Accounts program provides customers with vital advice on today's dynamic electricity markets and new, cutting-edge technologies.

#### **Occupational Safety and Health**

Among other things, the meeting offers a safety benchmarking workshop, part of a comprehensive effort by EEI to benchmark and help the industry establish best practices for

occupational safety and health. In recent years, this group has undertaken work aimed at reducing the incidence of severe injuries and fatalities.

#### **Transmission, Distribution, Metering, & Mutual Assistance**

EEl's Transmission, Distribution, Metering & Mutual Assistance Conference is the premier conference that focuses on transmission, distribution, metering and mutual assistance issues for the investor-owned electric sector. It is the only conference developed specifically by electric companies with a focus on the key areas EEl Member companies view as strategically important. This conference addresses the critical engineering and operations areas that are important to transmission, distribution, metering and mutual assistance professionals. Sessions are strategically focused and held in a setting that allows attendees the opportunities to engage with speakers and subject matter experts.

#### Committees

A key benefit for electric companies' customers is the sharing of best practices and knowledge transfer. EEl generates this benefit through engaging member companies at every level, from CEOs to technical staff, through committees. Through this system, member company employees convene with their peers to set policy direction as well as share information. EEl has dozens of committees, ranging from communications, customer solutions, regulatory, energy delivery, energy supply, engineering, environment, finance, government relations, legal, security, and technology. Over the years, committees have been supplemented with online workrooms and webinars to further disseminate best practices to member company staff.

#### Reports and Data

EEl is regarded as the gold standard for many reports and has the capability to collect industry data through our relationship with the electric sector. These reports include:

##### **Typical Bills and Average Rates Report**

A comprehensive, industry-wide surveys, this semi-annual report presents typical monthly electric bills and average kilowatt hour costs to the customer as charged by investor owned electric companies. Members use this data to compare the price of electricity by customer type, state, region, company, year, fuel clause adjustment, state average of listed companies or state average of all companies.

##### **Handbook for Electricity Metering**

This definitive industry text covers all areas of electricity revenue metering, including: technology, from basic to advanced meters, expansion of information on optical voltage and current sensors, inclusion of new meter diagrams, current metering testing practices, updates on standard metering laboratory and related standards, and new electronic data collection information.

##### **Annual Financial Review Plus Preview of Upcoming Year**

This report focuses on the financial performance of electric companies, while also providing a preview of the upcoming year. Contains detailed evaluations of prior results, mergers and acquisitions, and regulatory and legislative summaries.

##### **Profiles and Rankings of Investor-Owned Electric Companies**

This barometer of the investor-owned electric industry contains snapshots of the investor-owned holding companies as well as information on operating company service territories and states served by each company. In addition, the Profiles & Rankings report contains a historical compilation of industry mergers and acquisitions as well as dozens of operational and financial rankings of investor-owned holding companies and operating companies.

#### **Statistical Yearbook of the Electric Utility Industry**

This report is regarded as the premier reference source for electric company operations and financial performance statistics.

#### **Weekly Electric Output**

This resource provides up-to-date electric output data for nine geographic areas and the total United States.

#### **EI Dues Are Recovered Via Transparent Commission Proceedings**

EI, like all trade associations, is funded through membership dues. EI member companies pay trade association dues on a sliding scale based on the number of customers they serve and the size of their assets. Our membership ranges from Fortune 500 companies to smaller regional electric companies.

Annual dues invoices clearly indicate what percentage of member dues relate to public policy advocacy. In 2019, for example, about 14 percent of the entire dues payment was related to advocacy (13 percent for regular activities, 24 percent for industry issues). Companies may then submit to their regulators to recover the cost of trade association dues.

Public utility commissions across the country conduct open and transparent rate reviews to determine the costs that regulated energy companies appropriately can recover in rates. During these proceedings, EI's member companies provide necessary record evidence to support each recoverable expense, including a portion of their trade association dues.

During rate reviews, the burden is, and has always been, on companies to demonstrate that the costs they seek to recover in rates are prudent and appropriate. As part of the process, commission staff and other intervening parties have an opportunity to review, refute, and request more evidence to ensure that the burden of proof is met. Commissions then make decisions based on that record of evidence.

#### **EI Reports Lobbying Activity, As Defined By the IRS**

The lobbying portion of EI's dues, which is not recoverable, is calculated using the Internal Revenue Code (IRC) definition of "lobbying and political activities" under section 162 (e). This definition broadly captures not only federal lobbying, but also state and grassroots lobbying and political activity. EI is required by law to notify its members of the portion of their dues that are used for activity that falls within this definition. EI elects to use this same broad definition for reporting on its Lobbying Disclosure Act reports. These percentages are compiled through a careful accounting process, and EI takes great pains to make sure that these amounts are accurate under the law.

Some outside groups may disagree with the IRC definition of lobbying, which does not capture regulatory proceedings. EI complies with all laws and regulations related to lobbying and lobbying disclosure, and all of EI's quarterly lobbying reports are publicly available.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 43**

**Responding Witness: Robert M. Conroy / Christopher M. Garrett**

- Q-43. Explain all measures the Companies took to request information from EEI in response to the AG-KIUC's initial and supplemental data requests. If none, explain in complete detail why not.
- A-43. See the response to Question No. 42.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 44**

**Responding Witness: Robert M. Conroy / Christopher M. Garrett**

- Q-44. The AG-KIUC are aware that as members of EEI, the Companies have the ability to request data from EEI. Accordingly, please request in writing that EEI provide: (i) its budget for Covered Activities since the date of the last NARUC audit; and (ii) the ratio that the Covered Activities budget bears in relation to EEI's overall budget. If EEI refuses to provide such data: (i) provide such refusal in writing; and (ii) ask EEI to explain why it wants the Commission and the ratepayers who finance the Companies' EEI membership to believe that EEI does not have a budget for Covered Activities.
- A-44. See the response to Question No. 36 regarding the NARUC operating categories and audit and Question No. 42 noting that EEI does not keep information in the form requested.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 45**

**Responding Witness: Robert M. Conroy / Christopher M. Garrett**

- Q-45. Confirm that only the Companies, by virtue of their membership in EEI, have access to the necessary data, and that the AG-KIUC does not have any such access.
- A-45. The Companies confirm that as members of EEI, they have access to only the data and information that EEI provides members. They do not have access to all EEI internal data, which the request appears to view as “necessary data.” The Companies cannot confirm that AG-KIUC do not have access to such data as they do not know the extent of AG-KIUC’s access to EEI information.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 46**

**Responding Witness: Robert M. Conroy / Christopher M. Garrett**

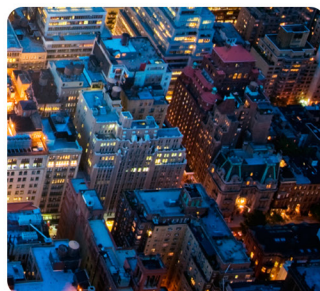
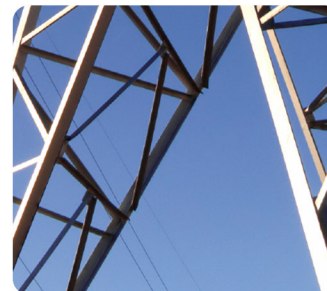
- Q-46. Provide copies of all documents handed out at the 2020 EEI Annual CEO Meeting which describe EEI's achievements and accomplishments.
- A-46. See attached.





# Board of Directors & Annual Meeting

June 9, 2020



Edison Electric  
INSTITUTE



Edison Electric  
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## ANTITRUST COMPLIANCE GUIDELINES

### Introduction

The Edison Electric Institute (“EEI”) and its member companies are committed to strict compliance with federal and state antitrust laws. These laws establish the rules by which companies compete and are intended to prevent and eliminate any agreements and individual conduct that would unreasonably interfere with the operation of the marketplace. It is essential that everyone who may encounter potential antitrust issues be advised of the fundamentals of antitrust laws and of EEI’s firm resolve that its employees and all member companies comply with them fully.

### Responsibility for Antitrust Compliance

While the General Counsel’s Office provides guidance on antitrust matters, you bear the ultimate responsibility for assuring that your actions and the actions of any of those under your direction comply with the antitrust laws.

### Antitrust Guidelines

In all EEI operations and activities, you must avoid any discussions or conduct that might violate antitrust laws or even create an appearance of impropriety. The following guidelines are intended to give you enough information about the law so you will know a dangerous area when you see it.

- **DO** insist that EEI meetings have agendas that are circulated in advance.
- **DO** take minutes at all EEI meetings and ensure that the minutes of all meetings properly reflect the actions taken at the meeting.
- **DO** provide a copy of these guidelines at all EEI meetings.
- **DO** consult with counsel prior to having any discussions or participating in any new projects that may deal with antitrust matters.
- **DO** leave any meeting where improper subjects are being or will be discussed. Tell everyone why you are leaving.
- **DO** ensure that only EEI staff send out all written and electronic correspondence on behalf of EEI and that others do not hold themselves out as speaking or acting with the authority of EEI unless they do, in fact, have such authority.
- **DO NOT** exclude companies from membership if doing so would put that company at a competitive disadvantage.
- **DO NOT, without prior review by counsel,** have discussions with member companies about the following:
  - company prices, fees or rates, or features that can impact prices;
  - uniform terms of sale, warranties, or contract provisions;
  - allocating markets, customers, territories products or assets with your competitors;
  - whether or not to deal with any other company;
  - any competitively sensitive information; or
  - any competitive employment information including wages, salaries, or benefits; terms of employment; or even job opportunities.
- **DO NOT** make any comments that you would not want to see in print.

### We’re Here to Help

Whenever you have any question about whether particular EEI activities might raise antitrust concerns or your responsibilities under antitrust laws, please contact the General Counsel’s Office (202-508-5757), the Compliance Hotline (800-743-8633), or your legal counsel.



Edison Electric  
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*Power by Association™*

## **EDISON ELECTRIC INSTITUTE DIRECTOR CONFLICT OF INTEREST POLICY**

### **Article I**

#### **Purpose**

The purpose of this conflict of interest policy is to protect Edison Electric Institute's ("EEI") interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of a director of EEI or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

### **Article II**

#### **Definitions**

##### **1. Interested Person**

Any member of the EEI board of directors who has a direct or indirect financial interest, as defined below, is an interested person.

##### **2. Financial Interest**

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- a. An ownership or investment interest in any entity with which EEI has a transaction or arrangement,
- b. A compensation arrangement with EEI or with any entity or individual with which EEI has a transaction or arrangement, or
- c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which EEI is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that aren't insubstantial.

A financial interest isn't necessarily a conflict of interest. Under Article III, Section 2, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

### **Article III**

#### **Procedures**

##### **1. Duty to Disclose**

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors considering the proposed transaction or arrangement.

2. Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

3. Procedures for Addressing the Conflict of Interest

- a. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/ she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
- b. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
- c. After exercising due diligence, the governing board or committee shall determine whether EEI can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- d. If a more advantageous transaction or arrangement isn't reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in EEI's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

4. Violations of the Conflicts of Interest Policy

- a. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

**Article IV**

**Records of Proceedings**

The minutes of the governing board and all committees with board delegated powers shall contain:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.
- b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

**Article V**  
**Compensation**

- a. A voting member of the governing board who receives compensation, directly or indirectly, from EEI for services is precluded from voting on matters pertaining to that member's compensation.
- b. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from EEI for services is precluded from voting on matters pertaining to that member's compensation.
- c. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from EEI, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

**Article VI**  
**Annual Statements**

Each director shall annually sign a statement which affirms such person:

- a. Has received a copy of the conflicts of interest policy,
- b. Has read and understands the policy,
- c. Has agreed to comply with the policy, and
- d. Understands that EEI is a non-profit 501(c)(6) and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

**Article VII**  
**Periodic Reviews**

To ensure EEI operates in a manner consistent with its non-profit 501(c)(6) purposes and doesn't engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining.
- b. Whether partnerships, joint ventures, and arrangements with management organizations conform to EEI's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and don't result in inurement, impermissible private benefit, or in an excess benefit transaction.

**Article VIII**  
**Use of Outside Experts**

When conducting the periodic reviews as provided for in Article VII, EEI may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.



**EEI Board of Directors  
2020 - 2021**

AES Corporation	Andres R. Gluski
ALLETE	Bethany M. Owen
Alliant Energy	John O. Larsen
Ameren Corporation	Warner L. Baxter
American Electric Power	Nicholas K. Akins
Ohio Valley Electric Corp.	
American Transmission Company	Michael Rowe
AVANGRID	James P. Torgerson
Avista Corporation	Dennis P. Vermillion
Berkshire Hathaway Energy	William J. Fehrman
Black Hills Corporation	Linden R. Evans
CenterPoint Energy	John W. Somerhalder
Central Hudson Gas & Electric Corp.	James P. Laurito
Cleco Corporate Holdings	William G. Fontenot
CMS Energy	Patricia K. Poppe
Consolidated Edison, Inc.	John J. McAvoy
Cross Texas Transmission	Paul Thessen
Dominion Energy, Inc	Thomas F. Farrell
DTE Energy	Gerard M. Anderson
Duke Energy	Lynn J. Good
Duquesne Light Company	Steven Malnight
Edison International	Pedro J. Pizarro
El Paso Electric	Adrian J. Rodriguez
Entergy Corporation	Leo P. Denault
Evergy, Inc.	Terry D. Bassham
Eversource Energy	James J. Judge
Exelon Corporation	Christopher M. Crane
FirstEnergy	Charles E. Jones
Florida Public Utilities	Jeffry M. Householder
Green Mountain Power	Mari McClure
Hawaiian Electric Industries	Constance H. Lau
IDACORP	Lisa A. Grow
ITC Holdings Corp.	Linda Apsey
Liberty Utilities	Ian Robertson
MDU Resources	Nicole A. Kivisto
MGE Energy	Jeffrey M. Keebler
Mt Carmel Public Utility Company	David W. James
National Grid, plc	John Pettigrew
NextEra Energy, Inc.	James L. Robo
NiSource	Joseph J. Hamrock
NorthWestern Energy	Robert C. Rowe
OGE Energy Corporation	R. Sean Trauschke



Oncor  
Otter Tail Corporation  
PG&E Corporation  
Pinnacle West Capital Corporation  
PNM Resources  
Portland General Electric  
PPL Corporation  
Public Service Enterprise Group  
Puget Sound Energy  
San Diego Gas & Electric  
Sharyland Utilities  
Southern Company  
Tampa Electric, an Emera Company  
UGI Corporation  
Unitil Corporation  
UNS Energy Corporation  
Upper Peninsula Power Company  
Vermont Electric Power Company  
WEC Energy Group  
Xcel Energy, Inc.

E. Allen Nye  
Charles S. MacFarlane  
William L. Smith  
Jeffrey B. Guldner  
Patricia K. Vincent-Collawn  
Maria Pope  
Vincent Sorgi  
Ralph Izzo  
Mary E. Kipp  
Kevin Sagara  
Stacey H. Doré  
Thomas A. Fanning  
Scott Balfour  
Robert F. Beard  
Thomas P. Meissner  
David G. Hutchens  
James C. Larsen  
Thomas Dunn  
Kevin Fletcher  
Benjamin G. S. Fowke



Report of the Nominating Committee  
to the EEI Board of Directors

Officers 2020-2021  
June 9, 2020

Chairman	Benjamin G. S. Fowke, Chairman & CEO Xcel Energy, Inc.
Vice Chairs	Gerard M. Anderson, Executive Chairman DTE Energy  Warner L. Baxter, Chairman, President & CEO Ameren Corp.  Pedro J. Pizarro, President & CEO Edison International
President	Thomas R. Kuhn
Executive Vice President	Brian L. Wolff
Executive Vice President	Phillip D. Moeller
Senior Vice President	Richard F. McMahon
Vice Presidents	Scott Aaronson Emily S. Fisher Lawrence E. Jones James R. Owen John S. Schlenker, Jr. Quinlan J. Shea Kathryn A. Steckelberg Stephanie A. Voyda Lisa Wood

Respectively Submitted,

Christopher M. Crane  
Lynn J. Good  
Patricia K. Vincent-Collawn  
Thomas A. Fanning  
Nicholas K. Akins  
Thomas F. Farrell





## Executive Committee 2020-2021

### Class of 2020

Warner L. Baxter	Vice Chair	Ameren Corporation
Ralph Izzo		Public Service Enterprise Group, Inc.
Constance H. Lau		Hawaiian Electric Industries, Inc.
John J. McAvoy		Consolidated Edison, Inc.
Robert C. Rowe		NorthWestern Energy
R. Sean Trauschke		OGE Energy Corporation

### Class of 2021

William J. Fehrman		Berkshire Hathaway Energy
Benjamin G. S. Fowke, III	Chair	Xcel Energy, Inc.
Charles E. Jones		FirstEnergy Corporation
James J. Judge		Eversource Energy
Pedro J. Pizarro	Vice Chair	Edison International
James L. Robo		NextEra Energy, Inc.

### Class of 2022

Gerard M. Anderson	Vice Chair	DTE Energy Company
Leo P. Denault		Entergy Corporation
Andres R. Gluski		AES Corporation
John Pettigrew		National Grid plc
Maria Pope		Portland General Electric
Patricia K. Poppe		CMS Energy

### Ex Officio

Nicholas K. Akins		American Electric Power
Christopher M. Crane		Exelon Corporation
Thomas A. Fanning		Southern Company
Thomas F. Farrell, II		Dominion Energy
Lynn J. Good		Duke Energy
Patricia K. Vincent-Collawn		PNM Resources, Inc.

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## **2020-2021 EEI BOARD-LEVEL COMMITTEE CHAIRS**

EEI Board of Directors  
**Chair**

Benjamin G.S Fowke III

**Vice Chairs**

Gerard M. Anderson

Warner L. Baxter

Pedro J. Pizarro

Executive Committee

*Benjamin G.S. Fowke III, Chair*

Membership & Budget Committee

*Gerard M. Anderson, Chair*

Nominating Committee

*Thomas F. Farrell, Chair*

Policy Committee on Customer Solutions

*Jerry Norcia, Co-Chair*

*Maria Pope, Co-Chair*

Policy Committee on FERC Policy

*Ralph Izzo, Co-Chair*

*Charles E. Jones, Co-Chair*

*James J. Judge, Co-Chair*

*Barry Perry, Co-Chair*

Policy Committee on Environment & Climate

*Gerard M. Anderson, Co-Chair*

*R. Sean Trauschke, Co-Chair*

Policy Committee on Finance

*Leo P. Denault, Co-Chair*

*James L. Robo, Co-Chair*

Policy Committee on Reliability, Security &  
Business Continuity

*William J. Fehrman, Co-Chair*

*John McAvoy, Co-Chair*

Policy Committee on State Policy & Engagement

*Jeffrey B. Guldner, Co-Chair*

*Robert C. Rowe, Co-Chair*

Task Force on Electric Transportation &  
Electrification

*John Pettigrew, Co-Chair*

*Pedro J. Pizarro, Co-Chair*

*Patricia K. Poppe, Co-Chair*

Task Force on Natural Gas

*Jerry Norcia, Co-Chair*

*Marcy Reed, Co-Chair*

Task Force on Wildfires

*Maria Pope, Chair*

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Center for Energy Workforce Development

*John Bruckner, Chair*

Edison Foundation

*Christopher M. Crane*

Electricity Subsector Coordinating Council

*Thomas A. Fanning, Co-Chair*

Institute for Electric Innovation

*Mark S. Lantrip, Co-Chair*

*Robert C. Rowe, Co-Chair*

Labor and Management

Public Affairs Committee Board

*Nicholas K. Akins*

**2020 – 2021**

**CENTER FOR ENERGY WORKFORCE  
DEVELOPMENT**

**BOARD OF DIRECTORS**

**June 9, 2020**

John Bruckner, Chair

Vivek Arora

Deborah Caplan

Donnie Colston

Robert Darden

Sloane Drake

Peter Fojtik

Catherine Hendrian

Maria Korsnick

Thomas Kuhn

Rick Riley

Michele Rinn

Sheila Rostiac

Maria Smedley

Lori Traweek

David Vosvick

**2020 - 2021**

**CENTER FOR ENERGY WORKFORCE  
DEVELOPMENT**

**OFFICERS**

**June 9, 2020**

Missy Henriksen, Executive Director  
Terri Oliva, Chief Administrative Officer  
Lori Brady, Deputy Director  
Victoria Calderon, Secretary

**2020 – 2021**

**THOMAS ALVA EDISON FOUNDATION**

**BOARD OF DIRECTORS**

**June 9, 2020**

Christopher M. Crane, Chair

Nicholas K. Akins

Gerard M. Anderson

Thomas A. Fanning

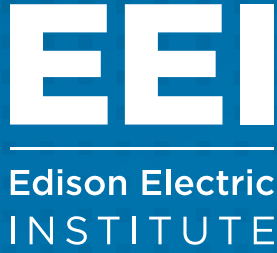
Thomas F. Farrell, II

Ben Fowke

Lynn J. Good

Thomas R. Kuhn

Patricia K. Vincent-Collawn



“  
WHAT YOU ARE  
WILL SHOW IN  
WHAT YOU DO.”

THOMAS ALVA EDISON

**Power by  
Association**

June 2020

MEMBERSHIP  
MATTERS

## America's Electric Companies Speak Out Against Racial Intolerance and Reinforce Their Commitment to Diversity & Inclusion

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Recent events across our nation remind us, yet again, of how racial discrimination and intolerance continue to divide our nation. We are deeply saddened and dismayed by the senseless deaths of George Floyd, Ahmaud Arbery, Breonna Taylor, and so many others. We also are watching the protests and civil unrest unfolding across our country with heavy hearts, and, while we do not condone the violence, we understand the anger.

In this time of national division, we remain united in our commitment to foster a culture of diversity, respect, and inclusion in our companies and in the communities in which we live and serve. This culture of diversity and inclusion demands that we reject racism, bigotry, and hatred in every form and at every turn, as they have no place in our society.

We are an industry with a long-standing and strong commitment to serving our customers and supporting our communities. We believe that having a diverse and inclusive workforce that mirrors the communities we serve benefits our customers, our employees, and our businesses. We also believe that a diverse workforce and diversity of thought are critical to delivering the energy solutions our customers need and expect, today and for generations to come.

While we have made great progress in advancing diversity and inclusion within our industry, we recognize that we can—and we must—do more. At the same time, we must come together as a nation to address the problems that have plagued our communities and our country for so long, acknowledge the pain of the Black community, and work together to find solutions.

We all have the power—individually and collectively—to effect change and to engage in the process of healing.

— *EI statement issued June 2, 2020*



## Dear Valued EEI Member,

This is an extraordinary and unprecedented time for our industry and for our nation. Less than two weeks after EEI's Board convened in Washington in March, a global pandemic was declared, unleashing severe disruption and altering every facet of normal life. Nearly three months later, communities across our country continue to reel from the impacts of COVID-19. From the toll on human life to the economic hardships affecting millions, no part of our nation or our world has escaped unscathed.

It is during times of crisis that our industry shines, and I have never been prouder to represent you. Like they do in every crisis, your companies have stepped up to the plate with courage, conviction, and compassion. Throughout this pandemic, our industry has remained steadfast in our mission—to deliver the reliable, affordable, and secure energy our customers need and expect.

The pandemic—and the resulting state lockdowns and stay-at-home orders—have only reinforced the value of electricity in our society. And I offer my heartfelt thanks to the extraordinarily talented and hard-working men and women of our industry who have worked around the clock to keep the lights on. Their tireless efforts—often amid difficult circumstances and personal hardships—demonstrate the strength of our commitment to customers. They are an inspiration and have helped our industry power through this crisis together.

On Capitol Hill, EEI will continue to advocate for increased funding for LIHEAP to provide financial support to the customers who are struggling as a result of this pandemic. At the same time, we will continue to work with Congress to avoid a one-size-fits-all federal moratorium on debt collection and service disconnections.

In Washington and in the states, we will continue our work to tell our clean energy story and to advance a clean energy innovation initiative that will help us meet our long-term climate commitments. We will continue to promote transportation electrification and to support policies that encourage investments in electric transportation and charging infrastructure.

We also will continue to focus on sharpening our industry's posture toward threats to the energy grid, from hurricanes and severe weather to wildfires and cybersecurity risks—threats that may intersect with the ongoing challenges created by the pandemic.

It is impossible to know what tomorrow will bring or how long this pandemic will last, but, as our history shows, our industry will play an invaluable role in helping our society, our communities, and our customers recover.

I thank EEI's leadership team—and all of you—for your ongoing engagement, involvement, and investment in EEI and for helping us to demonstrate Power by Association, now more than ever.

Sincerely,

A handwritten signature in black ink, reading "Thomas R. Kuhn". The signature is written in a cursive style and is positioned below the word "Sincerely,".



## Leading the Industry's COVID-19 Response

Since Superstorm Sandy, EEI and our member companies have dedicated considerable time and resources to ensuring that the industry is well-equipped and prepared to marshal its collective strength at a moment's notice to respond to any number of natural and man-made threats.

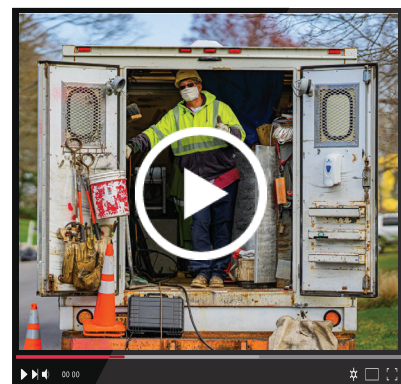
While a pandemic is not the same as a storm, there are many parallels, and EEI has been using the same framework and structure as we do during storm response to ensure our members and our industry and government partners are working together effectively.

While the COVID-19 crisis has created unprecedented uncertainty, EEI and our member companies have demonstrated a strong and united front since the global health crisis began—ensuring unity of effort, unity of message, and unity of guidance. Among our activities:

- In late February, EEI—working through the **Electricity Subsector Coordinating Council (ESCC)**—brought together member company CEOs, leaders from across the sector, and government partners for the first of many ongoing discussions related to COVID-19. EEI and the ESCC continue to work in parallel and together on a range of critical issues related to the COVID-19 pandemic response.
- To ensure a unified and coordinated effort, EEI convened **Single Points of Contact (SPOCs)**, bringing together leadership from member companies to share information and to support the COVID-19 response. The SPOC community provides a venue to identify and address emerging challenges, share practices and planning considerations, collectively explore solutions to protect employee health, and ensure the reliability of critical infrastructure.
- While the SPOCs played a lead role in the COVID-19 operational and business continuity response, EEI also brought together member company leaders across many business units, including communications; customer service; external affairs; finance; governmental affairs; human resources; international activities; legal; occupational safety & health; and regulatory affairs to **share information** and to disseminate **lessons learned**.
- EEI supports multiple volunteer **Tiger Teams** under the ESCC that have collected, analyzed, and summarized guidance for mitigating and responding to the coronavirus. Among the issues the Tiger Teams have addressed are control center and power plant continuity; access to restricted/quarantined environments; mutual assistance; supply chain challenges; telecom and IT issues; internal and external communications; and responsible reentry to the workplace. These teams also worked with private sector and government partners to obtain scarce resources, including tests, personal protective equipment (PPE), and cleaning supplies.

### EEI SALUTES OUR NATION'S ELECTRIC COMPANY WORKERS

As part of a broader campaign, EEI released a short video to showcase and thank our member company employees who are on the front lines supporting healthcare workers and other heroes of this pandemic, while keeping the lights on and our communities safe around the country. Through the PoweringThruTogether campaign, which captures our industry's commitment to helping the nation and the economy get through and recover from this crisis, EEI and our member companies continue to demonstrate a united front. The hashtag, **#PoweringThruTogether**, and related hashtags have generated more than 85 million impressions on social media as of June 8, and that number continues to grow.





*Chris Krebs, Director of the Cybersecurity and Infrastructure Security Agency, addressed EEI's Board of Directors in March in the early stages of the global health emergency, reinforcing the value of the industry-government partnership and the importance of the sector as a critical infrastructure provider.*

- The Tiger Teams developed a comprehensive **ESCC Resource Guide**, which is being used by member companies to make localized decisions in response to the global health emergency. The guide, which is publicly available, has been praised by government and cross-sector partners all over the world as a key resource during the pandemic.
- In coordination with the ESCC, EEI developed the concept of **mission-essential workers** and joined with six partner trade associations and four labor unions in sending a letter to eight major organizations representing state and local government leaders, asking that they support testing and access to PPE for mission-essential employees in our workforce and prioritize our sector's needs as a critical infrastructure provider.
- Among our outreach on Capitol Hill:
  - EEI continues to advocate that Congress oppose efforts to impose a federal moratorium on **debt collection and service disconnects**. EEI worked with the National Association of State Utility Consumer Advocates (NASUCA) to pass a policy resolution on this issue, and both NASUCA and the National Association of Regulatory Utility Commissioners (NARUC) have sent letters to Congress. In addition, 17 state utility

commissions have written to congressional leadership and their own congressional delegations opposing the proposals.

- EEI successfully worked with coalition partners to secure \$900 million in emergency supplemental funding for **LIHEAP** through the CARES Act. EEI continues to educate lawmakers about the importance of LIHEAP and is calling for additional LIHEAP funding in any upcoming COVID-19 stimulus packages.
- The pandemic has created several **financial issues and challenges**, which EEI has worked to address:
  - EEI organized and led an industry coalition to petition the Federal Reserve Board, the U.S. Treasury, and the Federal Reserve Banks of New York and Philadelphia to bring greater liquidity to the **Tier 2 commercial paper market** that member companies rely on extensively to fund working capital. EEI secured several letters of support from key stakeholders, including NARUC and the Federal Energy Regulatory Commission (FERC), and a bipartisan letter signed by 81 members of the House of Representatives. These actions led the Federal Reserve to take several actions that, ultimately, stabilized the market.
  - EEI and member company CFOs obtained two important sets of **SEC guidance**, addressing delayed SEC filings and virtual board meetings. Both actions ensured that members remain in SEC compliance during the COVID-19 period.
  - EEI coordinated an industry-focused webinar to address the implications of COVID-19 for **Q1 financial reports** and developed an industry-wide checklist to assist member evaluation and consistency in reporting.
  - EEI continues to survey member companies about issues related to **bad debt and uncollectible customer accounts** to better understand the impacts of COVID-19.
- Throughout the pandemic, EEI has worked through NARUC and NASUCA to **educate state regulators and consumer advocates** on our industry's preparations and response to COVID-19, as well as the impacts on the energy sector and customers.
- EEI reestablished the Load Forecasting Working Group to share information and approaches for addressing the near- and medium-term **load demand impacts** of the COVID-19 pandemic.

- EEI surveyed the EEI/AGA **Enterprise Risk Management Committee** to develop an extensive list of potential first- and second-order risks that may have been created or altered by COVID-19.
- EEI's **Customer Solutions** team is actively engaged on a range of COVID-19-related issues:
  - EEI continues to work with member company executives and national corporate customers to share lessons learned and solutions to **customer financial and operational issues** related to electricity.
  - EEI has leveraged excellent relationships with **national corporate customers** to help member companies secure PPE and housing.
  - EEI is convening regular dialogues with our Executive Advisory Committee and other member company senior executives with customer responsibilities to discuss member company actions regarding **residential and small business customer service issues** and to share innovative approaches and best practices related to payment arrangements, bad debt, collections, disconnects, call centers, proactive customer outreach, new/modified energy assistance programs, and other services available for customers.
  - EEI developed and distributed a summary of traditional and new approaches that electric companies are taking to provide residential and business customers immediate **bill relief and longer-term flexible payment options** related to the economic impact of COVID-19.
- In recognition of the challenges posed both domestically and internationally by the COVID-19 pandemic, EEI effectively advocated to delay the implementation of **NERC's CIP-013 standards**.
- EEI successfully obtained waivers and extensions from the Federal Motor Carrier Safety Administration for regulations directly affecting the ability of **electric company fleet drivers** to operate during COVID-19.
- EEI supported members on COVID-19-related **environmental compliance and enforcement** by facilitating development of an operations guidance memo and holding a webinar on environmental compliance considerations; submitting comments to the Environmental Protection Agency on an interim final rule regarding sulfur dioxide and nitrogen oxides monitoring during the pandemic; and compiling information on all state-level environmental compliance and enforcement policies.
- EEI supported the broader **responsible reentry** to the workplace effort through a partnership with the National Safety Council (NSC). Kim Greene, Chairman, President and CEO of Southern Company Gas, represented EEI and the interests of the electric and natural gas industry's essential critical infrastructure workforce on NSC's Safer Actions for Employee Return (SAFER) Task Force.
- EEI's Occupational Safety and Health Committee continues to address COVID-19 issues affecting member company **health & safety (H&S)** programs. Members have benefitted by sharing common practices; information on H&S resources, including guidance issued by OSHA; and insights on responding to the challenges faced when adapting H&S practices during the pandemic.
- In late May, EEI hosted a media briefing to discuss industry preparations for **hurricane and wildfire seasons** and the COVID-19 protocols member companies have put in place, particularly for mutual assistance.

*Dr. Rebecca Katz, Professor and Director of the Center for Global Health Science and Security at Georgetown University Medical Center, addressed EEI's Board in early March, outlining the risks of the coronavirus and ways for companies to prepare as the pandemic evolved. Dr. Katz has provided valuable guidance to many EEI communities throughout the crisis. L to R: EEI President Tom Kuhn; Dr. Katz; EEI Vice Chairman Ben Fowke, Chairman and CEO, Xcel Energy; Portland General Electric President and CEO Maria Pope.*



- To showcase the depth and breadth of member companies' actions during the pandemic, EEl transitioned the homepage of our website, eei.org, into a [COVID-19 industry response center](#) that features a variety of resources and highlights companies' work to support their customers and communities.
- EEl launched a **corporate social responsibility** working group with participation from nearly 60 companies to track best practices and ways member companies are engaging in and supporting their communities.
- Using We Stand For Energy as the platform, EEl launched a [COVID-19 podcast series](#), The Current, to educate state and local elected officials on the important work the industry is doing to respond to the crisis.
- EEl continues to develop and share resources with our **international members** and to support their response to the COVID-19 pandemic, while sharing lessons learned in other countries with U.S. member companies through webinars and ongoing dialogue.

## PROTECTING CUSTOMERS FROM SCAMS

For years, EEl and its member companies have worked with partners in the natural gas and water industries through [Utilities United Against Scams](#) (UUAS) to educate and protect their customers from the criminals who prey upon them. The importance of scam awareness and prevention has increased during the pandemic, and UUAS members have worked to educate customers on the tactics scammers use and to offer tips on how they can protect themselves and their families and neighbors from scams.



## GIVING BACK TO OUR CUSTOMERS AND COMMUNITIES

Throughout the COVID-19 pandemic, EEl's member companies have redoubled their efforts to support their customers and communities in need. As of June 8, EEl member companies have donated nearly \$70 million to charities and community organizations for COVID-19 relief and other urgent needs. They also continue to contribute vast supplies of PPE and other critical materials to health care workers and first responders; support employees who volunteer their time to help meet community needs; and provide relief for customers—including low-income families and small businesses—who are struggling financially.

[Learn More.](#)

## Highlights from EEI's Spring CEO & Board Meeting

Attendance was strong at EEI's Spring Board of Directors Meeting held March 2-4 in Washington, D.C. More than 250 CEOs and senior member company executives engaged in robust policy discussions and heard from several key policymakers. EEI member company CEOs also participated in congressional visits held in conjunction with the meeting.



*EEI Vice Chairman Gerry Anderson, Executive Chairman, DTE Energy; Federal Communications Commission Chairman Ajit Pai; EEI President Tom Kuhn; EEI Vice Chairman Ben Fowke.*



*Senate Majority Leader Mitch McConnell (R-KY) and NextEra Energy Chairman and CEO Jim Robo.*



*EEI President Tom Kuhn; Secretary of the Interior David Bernhardt; EEI Chairman Chris Crane, President and CEO, Exelon Corporation.*



*Pepco Holdings President and CEO David Velazquez; Washington, DC Mayor Muriel Bowser; EEI President Tom Kuhn.*

*EEl Chairman Chris Crane; Maryland Governor Larry Hogan; Senior Executive Vice President of Exelon and CEO of Exelon Utilities Calvin Butler; EEl President Tom Kuhn.*



*EEl President Tom Kuhn; Senate Energy Committee Chairman Lisa Murkowski (R-AK); EEl Vice Chairman Ben Fowke; EEl Vice Chairman Gerry Anderson.*



*House Energy and Commerce Committee Chairman Frank Pallone (D-NJ) and PSEG Chairman and CEO Ralph Izzo.*



*Southern Company Chairman, President and CEO, Tom Fanning; EEl President Tom Kuhn; House Minority Leader Kevin McCarthy (R-CA); PG&E Corporation CEO Bill Johnson; Duke Energy Chairman, President and CEO, Lynn Good; American Electric Power Chairman, President and CEO Nick Akins.*

## Other Highlights & Important Developments

- As part of the **Carbon-free Technology Initiative**, EEI and NGO partners held a series of virtual workshops in May with technical experts to determine the development status of five key technology areas for reaching zero-carbon emissions goals—advanced renewables, advanced nuclear energy, carbon capture utilization and storage, demand efficiency and long-term storage, and zero-carbon fuels—including key barriers to further development and policies and programs for reaching commercialization.
- EEI distributed an analysis produced for a Columbia University workshop last fall to educate policymakers on the **advantages of a clean energy approach** over a renewable energy-only approach and held several outreach sessions with large customers on this topic.
- The **Natural Gas Sustainability Initiative (NGSI)** methane emissions intensity protocol, a joint project of EEI and the American Gas Association, currently is being piloted by companies representing every segment of the natural gas supply chain—downstream, midstream, and upstream. Any changes resulting from the pilot will be incorporated into Version 1.0 of the protocol, which will be released this fall.
- As part of our **integrated wildfire risk mitigation and response efforts**, EEI:
  - Convened the first and second working session of the new CEO-led **ESCC Wildfire Working Group** with senior officials from the Department of Energy (DOE), the Department of Interior, the U.S. Forest Service, and the Federal Aviation Administration (FAA).
  - Held **tabletop exercises** with the telecommunication industry and planned exercises with the federal fire response agencies to streamline and improve the response and recovery process to restore power after a wildfire.
  - Engaged the FAA on expanding the **use of drones** to inspect energy infrastructure in a more cost-effective, efficient, and timely manner prior to, during, and after a wildfire and potential wildfire.
- Among our **activities at FERC**, EEI:
  - Partnered with Concentric Energy Advisors to publish a white paper and to submit updated comments urging FERC to move forward with the four model ROE methodologies as proposed in the currently outstanding Notice of Inquiry, to help ensure continued **investment in critical transmission resources**. FERC accepted a number of EEI’s recommendations in a recent **ROE order**.
  - Continued to call for holistic **PURPA reform** to help reduce costs for customers. Alliant Energy Chairman, President and CEO John Larsen, NorthWestern Energy President and CEO Bob Rowe, and Rocky Mountain Power President and CEO Gary Hoogeveen met with each of the commissioners’ offices in March to highlight the urgency for FERC to update its regulation implementing PURPA, including determination of avoided costs, the one-mile rule, and reduction of the 20-MW threshold in RTO/ISO markets.

### CLEAN ENERGY LEADERSHIP

EEI continues to lead a broad effort to educate members of Congress, state policymakers, regulators, and other stakeholders about the industry’s carbon reductions and [clean energy leadership](#). In April, EEI celebrated the **50th anniversary of Earth Day** by highlighting member companies’ work to achieve their vision for clean energy and a cleaner economy and by voicing support for clean energy innovation that will accelerate the pace of change.

America’s  
Electric Companies  
Are Leading On  
Clean Energy

#EarthDay2020

EEI

By 2050,

CO<sub>2</sub> emissions from EEI member  
companies are projected to be



80%  
below  
2005 levels.

- Successfully advocated that the commission issue an industry-wide order, waiving requirements to seek advance approval for detailed implementation steps under a new **bad debt accounting standard**.
- Among our efforts to address the Federal Communications Commission’s (FCC’s) decision to open the **6 GHz band** to unlicensed users, EEI:
  - Built and led a coalition to focus the FCC on the concerns of the electric power industry and other critical infrastructure industries.
  - Successfully advocated that the FCC maintain very low power levels for indoor devices, adopt mitigation measures for outdoor devices, recommend testing, and strengthen the multi-stakeholder group.
- EEI, working with member company government relations staff, is advocating for policies that will encourage electric companies to participate in **federal broadband programs**, particularly grant programs targeting “middle-mile” broadband development.
- EEI’s **State Practice** continues its direct engagement across the state regulatory and legislative landscapes, serving members in 10 states and the District of Columbia this quarter. In addition to general industry advocacy work in forums across the country, EEI also provided direct support by way of regulatory comments, regulatory testimony, legislative support letters, earned and paid media, grassroots engagement, research and analysis, and strategic consulting.
- EEI published new data on **energy storage and microgrid deployment** showing the increasingly important role that EEI member companies play in the development of these resources.
- EEI hosted a series of **ESG-related webinars** with the financial community focused on topics such as 2020 proxy season results; greenhouse gas reduction goals and strategies; and corporate social responsibility.
- EEI’s long-standing position on **ESG disclosures and financial materiality** for disclosures in SEC filings was affirmed in a recent SEC NOPR on amendments to Regulation S-K.
- EEI is working with the **U.S. Cyberspace Solarium Commission (CSC)** to develop legislative proposals for the 2021 National Defense Authorization Act based on the CSC report’s recommendations.

## EDISON AWARD FINALISTS ANNOUNCED

Since 1922, the Edison Award has recognized EEI member companies for their distinguished leadership, innovation, and contribution to the advancement of the electric power industry. The Edison Award is regarded as the industry’s most prestigious honor.

In March, an independent panel of reviewers **selected** Consumers Energy, Dominion Energy, NV Energy and PacifiCorp, Southern Company, and Xcel Energy as finalists for this year’s Edison Award. ATCO and Compagnie Ivoirienne d’Electricité were selected as finalists for the International Edison Award. NV Energy and PacifiCorp submitted a joint application.

The winners of the 92nd Edison Award will be selected by a panel of former electric company chief executives.

- EEI successfully advocated for NERC to protect member companies’ most **sensitive data and information** by allowing the information to remain in the possession of the company during compliance and enforcement audits and investigations rather than placing it in a NERC-hosted single repository.
- EEI facilitated the development of a template **information sharing agreement** with DOE to strengthen members’ ability to protect the security and resiliency of their energy infrastructure.
- In response to **Executive Order (EO) 13920**, “Securing the United States Bulk-Power System,” EEI convened members to identify advocacy priorities and to engage with key federal officials. EEI has developed recommendations to help guide the DOE rulemaking process on the EO.
- EEI created and launched a **members-only resilience toolkit** to showcase member company case studies, resources, and examples of the work that has been done by individual companies to educate policymakers and stakeholders about the importance of resilience investments.
- The **Cyber Mutual Assistance** program grew to more than 165 members and continues to share information and best practices around cybersecurity issues.



- Among our actions to advance **electric transportation** this quarter, EEI:
  - Filed an amicus brief in a Minnesota state court to defend state commissions’ ability to authorize **behind-the-meter electric company investments in EV charging**.
  - Kicked off a collaboration with **Amazon** to provide real-world learnings on **fleet electrification** through a series of demonstration projects with member companies.
  - Launched a series of outreach activities with the American Public Transportation Association to foster collaboration between electric companies and transit agencies in deploying **electric buses**.
  - Provided letters of support for EEI member company applications for DOE funding for research projects related to **managed charging programs** and **EV outreach and education efforts**, as well as a research effort to quantify the charging infrastructure needed to support shared vehicle mobility.
- As part of our work to advance **innovative customer solutions** with national corporate, military, and residential customers, EEI launched the **Electric Company Carbon Emissions and Electricity Mix Reporting Template** and is successfully collecting carbon dioxide intensity rates for delivered electricity by EEI member operating company using a consistent accounting approach for ownership and retirement of renewable energy certificates. In June, EEI will provide the emissions data by operating company to corporate customers in time for their carbon reporting.
- EEI worked with the U.S. Fish and Wildlife Service to ensure the finalization of a Candidate Conservation Agreement with Assurances for the **monarch butterfly**, which provides a regulatory vehicle for electric companies and the transportation sector to adopt measures to create net conservation benefits for the monarch butterfly in the lands they manage.
- In April, the final rule defining “waters of the United States” (**WOTUS**)—the Navigable Waters Protection Rule—was promulgated. The rule includes a specific exclusion for waste treatment systems, which is consistent with EEI’s advocacy and priorities regarding the revised definition of WOTUS. EEI will continue to monitor implementation challenges and will evaluate whether to participate in forthcoming litigation.
- EEI successfully developed improved provisions on EV charging, energy storage, and connected electric appliances in the **ICC/NAHB National Green Building Standard 2020** version.
- EEI led an amicus coalition that filed a brief in federal district court defending member companies’ use of **Nationwide Permit 12**, which is critical for streamlining permitting for linear infrastructure development. While the district court found that some uses of NWP 12 are enjoined, the permit still can be used for transmission and distribution lines pending appeal. EEI continues to work with the Department of Justice on the appeal of the decision and the Army Corps of Engineers on the re-issuance of NWP 12.
- EEI continues to advocate for policies that increase **access to reliable and affordable electricity globally**.

*In March, EEI convened a meeting of the CEO Task Force on Military Resilience to discuss how EEI members and the Department of Defense (DOD) can enhance energy resiliency partnerships to secure defense critical energy infrastructure and military installations. EEI also organized critical one-on-one meetings between member companies and DOD leadership to discuss specific energy resiliency partnership opportunities. L to R: Assistant Secretary of the Army Alex Beehler; Hawaiian Electric Industries CEO and DOD Task Force Chair Connie Lau; Acting Assistant Secretary of the Navy Lucian Niemeyer.*



## CELEBRATING LABOR-MANAGEMENT PARTNERSHIP AT NATIONAL LAMPAC

Hundreds of labor and electric power industry leaders gathered in Washington in March for the 13th annual National Labor and Management Public Affairs Committee. Participants discussed a range of issues, including the use of advanced technologies like drones and virtual and augmented reality in training; the role of natural gas in the future energy mix; ways to drive the industry's culture of security; collaborative efforts to advance safety across the industry; and joint efforts to support public policies that are needed to deliver America's energy future.

Following the meeting, U.S. Representative Debbie Dingell (D-MI) presented the John D. Dingell Award to U.S. Representatives Mike Doyle (D-PA) and Adam Kinzinger (R-IL) for their long history of bipartisanship, which most recently included their efforts to champion the Nuclear Utilization of Keynote Energy (NUKE) Act. EEI and IBEW also presented the Edwin D. Hill Award to IBEW's Fourth District Local Union 245 and Local Union 1413, and to FirstEnergy. The partners worked together to encourage the successful passage of Ohio's House Bill 6, which was signed into law in June 2019 and was instrumental in preventing the closure of two of the state's nuclear power plants.



*EEI President Tom Kuhn; IBEW International President Lonnie Stephenson; Representative Doyle; Representative Dingell; Representative Kinzinger; American Electric Power Chairman, President, and CEO Nick Akins; EEI Chairman Chris Crane.*

- As part of the EEI-led effort to reduce or eliminate **serious injury and fatalities (SIF)** in the electric power sector, EEI produced an instructional webinar on the Safety Classification and Learning Model—a scientifically validated mechanism to assess, classify, and record events as potentially serious or fatal—which will provide industry incident data needed to address SIF reduction.
- As part of our **Workforce Development Initiative**, EEI continues to pursue three strategic priorities—eliminate barriers to entry, educate and build awareness of energy careers, and leverage infrastructure academies to create meaningful pathways to industry careers. The initiative's co-chairs continue to explore developing multiple paths of entry/reentry into the industry and reevaluating the use of the CAST test.
- EEI released the **2019 Financial Review**, which analyzes the financial performance and business strategies of the investor-owned electric power industry. The report describes broad

financial trends across the industry and features sections on stock performance, dividends, credit ratings, business segmentation, mergers & acquisitions, construction, and fuel sources.

- Among its activities, the **Institute for Electric Innovation**:
  - Released a **report** that quantifies how electric company **energy efficiency programs** benefit customers and reduce carbon emissions and describes cost-recovery mechanisms, lost revenue adjustment mechanisms, and performance incentive mechanisms by state that support electric company investments in energy efficiency.
  - Distributed a **clean energy factsheet** that highlights the changing energy mix, significant reductions in electric power carbon dioxide emissions, and continued deployment of renewable energy.

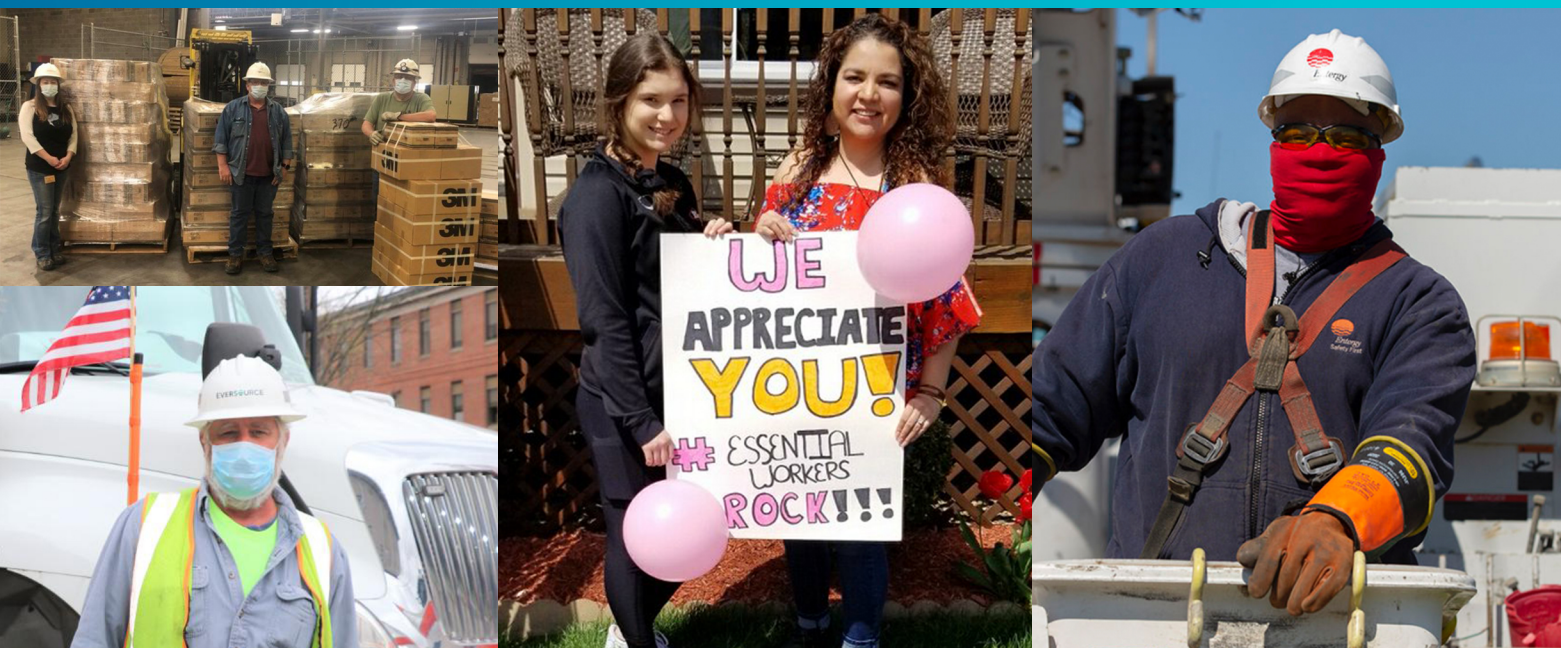


# THANK YOU

**To the extraordinary men and women  
of the electric power industry.**

We salute the heroes of our front lines who are working around the clock to keep the lights on and to help our nation and our customers get through—and recover from—the COVID-19 crisis.

**#poweringthru**





# EDISON ELECTRIC INSTITUTE BOARD OF DIRECTORS REPORT

June 2020 | Washington, DC

Case Nos. 2020-00349 and 2020-00350  
Attachment 3 to AG-KIUC-2 Question No. 46

# Authorization for Solicitation For Member Company Representatives

Page 2 of 19  
Conroy / Garrett

By signing an Authorization for Solicitation form, you acknowledge that you are authorizing, and have the power to authorize, the PowerPAC to solicit you and executives of your company. You may not grant permission to solicit to any other trade association during the same calendar year.

By signing an Authorization Form, the PowerPAC may contact your designated Washington Representative regarding the PAC. And, the PowerPAC may solicit all of the executives in your company or only those you designate. EEI will not directly solicit any executives of your company without contacting you first for guidance.

The Federal Election Commission (FEC) requires EEI to have a current Authorization for Solicitation Form on file for each member company to further discuss the importance of the PowerPAC.

For questions or assistance, please reach out to Katelyn Williams at [kwilliams@eei.org](mailto:kwilliams@eei.org) or submit online at [www.eepowerpac.org](http://www.eepowerpac.org).

*Paid for by **PowerPAC** of the **Edison Electric Institute**.*

*Contributions to POWER PAC cannot be deducted as a charitable contribution for federal tax purposes. Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation and the name of the employer of individuals whose contributions exceed \$200 per calendar year. Contributions to POWER PAC are for political purposes only. Contributions are voluntary and you have a right to refuse to contribute without reprisal. The above guidelines are merely suggestions. You are free to contribute more or less than the suggested amount. You will not be favored or disadvantaged by reason of the amount you contribute or your decision not to contribute.*

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# Authorization for Solicitation Form

Name/Title \_\_\_\_\_

Company \_\_\_\_\_

- YES**, I want to be an active participant in **PowerPAC** to help build political POWER for the electric utility industry. I authorize **PowerPAC** to solicit me as an executive of my corporation, which is a member of the Edison Electric Institute. This permission to solicit has not and will not be granted to any other trade association during this or any other calendar year indicated below.
- PowerPAC** may also contact my designated Washington Representative regarding **PowerPAC**.  
Designated Washington Rep \_\_\_\_\_
- YES**, **PowerPAC** may solicit all of the executives in my company. I understand that EEI will not directly solicit executives of my company without contacting me first for guidance.
- YES**, **PowerPAC** may solicit the following executives in my company. I understand that EEI will not directly solicit executives of my company without contacting me first for guidance.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- I have already signed an Authorization to Solicit form for another trade association. Please contact our subsidiary company for authorization.

**Subsidiary Company Contact** \_\_\_\_\_

*Please note that Federal Election Commission regulations allow an executive of a subsidiary company that is a member of the Edison Electric Institute to sign an Authorization for Solicitation Form if the parent company has already signed for another trade association.*

Authorized for 2020  
Signature: \_\_\_\_\_  
Date: \_\_/\_\_/2020

Authorized for 2022  
Signature: \_\_\_\_\_  
Date: \_\_/\_\_/2022

Authorized for 2021  
Signature: \_\_\_\_\_  
Date: \_\_/\_\_/2021

Authorized for 2023  
Signature: \_\_\_\_\_  
Date: \_\_/\_\_/2023

**Please complete, sign and fax to:  
PowerPAC of the Edison Electric Institute /FAX # (202) 508-5573  
or submit online at [EEIPowerPAC.org](http://EEIPowerPAC.org)  
For questions or assistance, please call Katelyn Williams at (202) 508-5589**

Paid for by PowerPAC of the Edison Electric Institute.

Contributions to PowerPAC cannot be deducted as a charitable contribution for federal tax purposes. Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation and the name of the employer of individuals whose contributions exceed \$200 per calendar year. Contributions to PowerPAC are for political purposes only. Contributions are voluntary and you have a right to refuse to contribute without reprisal. FEC regulations allow a company to sign only one trade association PAC Authorization to Solicit Form per calendar year.

Case Nos. 2020-00349 and 2020-00350  
**March 2020 Treasurer's Report**

Attachment 3 to AG-KIUC-2 Question No. 46

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2020 Election Cycle: 1/01/2019- 12/31/2020

Conroy / Garrett

### Receipts-Contributions to PowerPAC

CEO and Member Company Executives	\$224,925.00
PAC to PAC	\$234,000.00
EEl Employees	\$103,456.00
Washington Representatives	\$32,045.00
<b>Total Election Cycle Receipts</b>	<b>\$594,426.00</b>

### Disbursements

Contributions to Candidates	\$361,500.00
Other Contributions	\$228,000.00
<b>Total Election Cycle Disbursements</b>	<b>\$589,500.00</b>

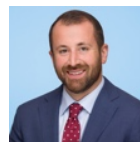
### Summary

June 2, 2020 Cash on Hand	\$178,922.90
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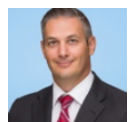




**Robbie Aiken**  
Pinnacle West Corporation



**Ken Lynch**  
PPL Corporation



**Michael Brairton**  
PSEG  
*Chairman*



**Jennifer McKinney**  
Edison Electric Institute



**Victoria Calderon**  
Counsel



**Mac McKinney**  
Southern California Edison

**Alicia Cannon**  
American Electric Power



**Leroy Nix**  
Southern Company



**Andy Coulouris**  
DTE Energy



**Terri Oliva**  
Edison Electric Institute  
*Assistant Treasurer*



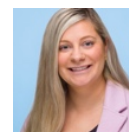
**Emily Duncan**  
National Grid



**Tiffany Scott**  
WEC Energy Group



**Eric Grey**  
Edison Electric Institute



**Ariel Wann**  
Xcel Energy



**Katelyn Williams**  
Edison Electric Institute  
*Treasurer*

## 2020 Individual Contributions

The following individuals have contributed or made a commitment up to \$5,000 to the PowerPAC since January 1, 2020.

Conroy / Garrett

Name	Company
Nick Akins	American Electric Power
Gerry Anderson	DTE Energy
Terry Bassham	Evergy, Inc.
Chris Crane	Exelon Corporation
Leo Denault	Entergy Corporation
Tom Fanning	Southern Company
Tom Farrell	Dominion
Bill Fehrman	Berkshire Hathaway Energy
Ben Fowke	Xcel Energy
Daniel Froetscher	Arizona Public Service Co
Andres Gluski	AES Corporation
Lynn Good	Duke Energy
Al Hodnik	ALLETE
Jeff Guldner	Pinnacle West Capital Corporation
Chuck Jones	FirstEnergy Corporation
James Judge	Eversource Energy
Tom Kuhn	Edison Electric Institute
Connie Lau	Hawaiian Electric Industries, Inc.
Steve Malnight	Duquesne Light Company
John McAvoy	Consolidated Edison Incorporated
Philip Moeller	Edison Electric Institute
Pedro Pizarro	Edison International
Patti Poppe	CMS Energy
Jim Robo	NextEra Energy, Inc.
Quin Shea	Edison Electric Institute
Sean Trauschke	OGE Energy Corporation
Dennis Vermillion	Avista Corporation
Pat Vincent-Collawn	PNM Resources, Inc.
Brian Wolff	Edison Electric Institute
Michael Yackira	

**2020 Individual Contributions**

*The following participants have contributed or made a commitment of at least \$2,000 / Garrett to the PowerPAC since January 1, 2020.*

Name	Company
Scott Aaronson	Edison Electric Institute
Adam Benshoff	Edison Electric Institute
Emily Fisher	Edison Electric Institute
Eric Grey	Edison Electric Institute
Jim Hatfield	Pinnacle West Capital Corporation
Chris Hickling	Edison Electric Institute
Al Hodnik	ALLETE
Lawrence Jones	Edison Electric Institute
Paul Koonce	Dominion Energy
James Laurito	Central Hudson Energy Group
John Larsen	Alliant Energy
Steve Malnight	Duquesne Light Company
Richard McMahon	Edison Electric Institute
Terri Oliva	Edison Electric Institute
Maria Pope	Portland General Electric
Pat Reiten	Berkshire Hathaway Energy
Bob Rowe	Northwestern Energy
John Schlenker	Edison Electric Institute
Bob Smith	Pinnacle West Capital Corporation
Kathy Steckelberg	Edison Electric Institute
Rick Tempchin	Edison Electric Institute
Dennis Vermillion	Avista Corporation
Brad Viator	Edison Electric Institute
Stephanie Voyda	Edison Electric Institute

**2020 Individual Contributions**

The following participants have contributed or made a commitment of at least \$1,000 to the **Conroy / Garrett PowerPAC** since January 1, 2020.

Name	Company
Robbie Aiken	Pinnacle West Capital Corporation
David Arthur	PPL Corporation
George Baker	Williams & Jensen
Taylor Beis	Edison Electric Institute
David Brown	Exelon Corporation
Marcus Brown	Entergy Corporation
Kwame Canty	Edison Electric Institute
Olga Chistyakova	Edison Electric Institute
Shawn Cooper	Edison Electric Institute
Darnell DeMasters	WEC Energy Group
Martin Doern	Xcel Energy
Donna Easterly	Arizona Public Service Co
David Emery	Black Hills Corporation
Mary Randolph Gannon	Edison Electric Institute
Ted Geisler	Arizona Public Service Co
David Gilbert	Exelon Corporation
Allison Graves	Entergy Corporation
Steven Greenley	CenterPoint Energy, Inc.
Rob Hall	Entergy Corporation
Kimberly Harris	Puget Sound Energy
Eric Holdsworth	Edison Electric Institute
Melissa Lavinson	Pepco Holdings
Barbara Lockwood	Arizona Public Service Co
Phil Musser	NextEra Energy, Inc.
Pepper Natonski	Duke Energy
Cal Odom	Edison Electric Institute
Jim Owen	Edison Electric Institute
Joseph Power	Ameren Corporation
Frank Prager	Xcel Energy
Frances Resheske	Consolidated Edison Inc.
Dave Robertson	Portland General Electric
Bill Rogers	CenterPoint Energy, Inc.
Robert Smith	Pinnacle West
Vincent Sorgi	PPL Corporation
Jacob Tetlow	Arizona Public Service Co
James Torgerson	AVANGRID, Inc.
William Von Hoene	Exelon Corporation
Katelyn Williams	Edison Electric Institute
Jeanne Wolak	Southern Company

## 2020 Individual Contributions

The following participants have contributed or made a commitment up to \$1,000 to the PowerPAC since January 1, 2020.

Name	Company
Anthony Alexander Jr.	FirstEnergy Corporation
Bradley Albert	Arizona Public Service Co
Ronald Bahr	CenterPoint Energy
David Baker	CenterPoint Energy, Inc.
Bob Bartlett	Alliant Energy Corporation
Lisa Barton	American Electric Power
Christina Baworowsky	Alliant Energy Corporation
Ann Becker	Arizona Public Service Co
Ray Billups	Self- employed
Beth Blankenship	Arizona Public Service Co
Dale Bodden	CenterPoint Energy, Inc.
Michael Brairton	Public Service Enterprise Group
Tracy Bridge	CenterPoint Energy, Inc.
Alicia Cannon	American Electric Power
Kristie Colvin	CenterPoint Energy, Inc.
Andy Coulouris	DTE Energy
Tom Craig	Duke Energy
Denise Danner	Pinnacle West Capital Corporation
Stacy Derstine	Arizona Public Service Co
Patrick Dinkel	Arizona Public Service Co
Whitney Drew	NextEra Energy
Greg Dudkin	PPL Corporation
Emily Duncan	National Grid
Bob Ekstrom	Pinnacle West Capital Corporation
Mike Eckard	FirstEnergy Corporation
Valentine Emesih	CenterPoint Energy, Inc.
Daniel Froetscher	Arizona Public Service Co
Wayne Games	CenterPoint Energy, Inc.
David Hansen	Arizona Public Service Co
John Hatfield	Arizona Public Service Co
Gary Hayes	CenterPoint Energy, Inc.
Jessica Hogle	PG&E Corporation
Allison Hull	Sempra Energy
Shachella James	CenterPoint Energy, Inc.
Natalie Joubert	PG&E Corporation
Tony Kavanagh	American Electric Power
Christine Keck	CenterPoint Energy, Inc.
Nicole Kivisto	MDU Resources

Name	Company	Conroy / Garrett
Gregory Knight	CenterPoint Energy, Inc.	
Deborah Korenek	CenterPoint Energy, Inc.	
Norm Lent	Arent Fox	
Paul Lobo	Policy Integration Partners, LLC	
Ann Loomis	Dominion Energy	
Ken Lynch	PPL Corporation	
Kiran Malone	CMS Energy	
Christine Martin	PPL Corporation	
Kenny Mercado	CenterPoint Energy, Inc.	
Mark Miller	AES Corporation	
Jamie Matese	National Grid	
Paul Mountain	Arizona Public Service Co	
Robert Mosher	National Grid	
Dan Murray	Southern Company	
Martin Narendorf	CenterPoint Energy, Inc.	
Lee Nickloy	Pinnacle West Capital Corporation	
Sue Ortenstone	CenterPoint Energy, Inc.	
Patrick Orth	NiSource	
Katie Ott	Exelon Corporation	
Jessica Pacheco	Arizona Public Service Co	
Nelson Perez	National Grid	
Amy Plaster	CMS Energy	
Stephen Plevniak	Xcel Energy	
Ben Portis	Entergy Corporation	
Amy Pressler	Edison International	
Randal Pryor	CenterPoint Energy	
John Rainbolt	Alliant Energy Corporation	
Joanne Raphael	PPL Corporation	
Conrad Schatte	Entergy Corporation	
Tiffany Scott	WEC Energy Group	
Becky Sczudlo	NiSource	
Mike Sewell	Duke Energy	
Aaron Shapiro	ConEdison	
John Slanina	CenterPoint Energy	
Julienne Sugarek	CenterPoint Energy	
Tony Tewelis	Arizona Public Service Co	
Paul Thompson	LG&E and KU Energy	
Cody Tubbs	Edison International	
Usha Maria Turner	OG&E Energy	
Lynnae Wilson	CenterPoint Energy	
Ken Zagzebski	AES Corporation	

**2020 Individual Contributions**

The following EEl employees have given personal contributions or commitments to PowerPAC since January 1, 2020.

**Name****Name**

Scott Aaronson  
 Mark Agnew  
 John Anderson  
 Patrick Arness  
 Sarah Ball  
 Taylor Beis  
 Adam Benshoff  
 Alexander Bond  
 Richard Bozek  
 Victoria Calderon  
 Kwame Canty  
 Olga Chistyakova  
 Adam Cooper  
 Chris Eisenbrey  
 Jacqueline Elliot  
 Emily Fisher  
 Randall Graham  
 Eric Grey  
 Chris Hickling  
 Jeanny Ho  
 Eric Holdsworth  
 Lola Infante  
 Devin James  
 Lawrence Jones  
 Jessica Jubran  
 Jennifer Jura  
 Stephen Kiesner  
 John Kinsman  
 Becky Knox  
 Tom Kuhn  
 Ivy Lyn  
 Jennifer McKinney  
 Richard McMahan  
 Wallace Mealiea  
 Philip Moeller  
 Sean Murphy  
 Jonathan Myers

Niki Nelson  
 Karen Obenshain  
 Cal Odom  
 Richard O'Grady  
 Theresa Oliva  
 James Owen  
 Marc Razeghi  
 Brian Reil  
 Paige Roberts  
 James Roewer  
 Laura Schepis  
 John Schlenker  
 Rachel Schreiman  
 Angie Schunk  
 Trace Scruggs  
 Quin Shea III  
 Jason Smith  
 Kathy Steckelberg  
 Kristine Telford  
 Charles Van Someren  
 Brad Viator  
 Stephanie Voyda  
 Richard Ward III  
 Karla Whiting  
 Katelyn Williams  
 Brian Wolff  
 Lisa Wood

# 2020 PAC to PAC Contributions

*PAC-to-PAC contributions or commitments since January 1, 2020.*      Conroy / Garrett

PAC	Contribution
AEP Committee for Responsible Government	\$5,000.00
Alliant Energy	\$5,000.00
AVANGRID	\$5,000.00
Black Hills Corporation	\$5,000.00
CMS Energy Corp. Employees for Better Government	\$5,000.00
Dominion Energy, Inc, PAC	\$5,000.00
DTE PAC	\$5,000.00
Duke Energy PAC	\$5,000.00
ENPAC	\$5,000.00
Exelon PAC	\$5,000.00
FirstEnergy PAC	\$5,000.00
NextEra Energy PAC	\$5,000.00
NiSource Inc. PAC	\$2,000.00
PG&E Corporation Employees Energy PAC	\$5,000.00
Pinnacle West Capital Corporation PAC	\$5,000.00
PNM Responsible Citizens Group PAC	\$5,000.00
PPL Corp. People for Good Government	\$5,000.00
Sempra Energy Employees PAC	\$5,000.00
WEC Energy Group PAC	\$1,000.00
Xcel Energy PAC	\$5,000.00



# 2019-2020 PowerPAC Disbursements

Case Nos. 2020-00349 and 2020-00350  
Attachment 3 to AG-KIUC-2 Question No. 46

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Conroy / Garrett

*PAC Disbursements since January 1, 2019*

Alaska			
Sen. Dan Sullivan	Alaskans For Dan Sullivan	Republican	\$2,000.00
Sen. Lisa Murkowski	Denali Leadership PAC	Republican	\$2,500.00
Sen. Lisa Murkowski	Lisa Murkowski For US Senate	Republican	\$2,000.00
Sen. Doug Jones	Doug Jones For Senate Committee	Democrat	\$3,500.00
Rep. Ann Kirkpatrick	Kirkpatrick For Congress	Democrat	\$1,000.00
Sen. Martha McSally	McSally For Senate Inc	Republican	\$2,500.00
Rep. Tom O'Halleran	Tom O'Halleran For Congress	Democrat	\$2,000.00
Rep. Alan Lowenthal	Alan Lowenthal For Congress	Democrat	\$1,000.00
Rep. Nanette Barragan	Barragan For Congress	Democrat	\$1,000.00
Rep. Devin Nunes	Devin Nunes Campaign Committee	Republican	\$2,500.00
Rep. Doug LaMalfa	Doug Lamalfa Committee	Republican	\$2,000.00
Rep. Jim Costa	Jim Costa For Congress	Democrat	\$2,500.00
Rep. Jimmy Panetta	Jimmy Panetta For Congress	Democrat	\$2,500.00
Rep. Kevin McCarthy	Kevin McCarthy For Congress Majority Committee PAC--Mc PAC	Republican	\$10,000.00 \$10,000.00
Rep. Doris Matsui	Matsui For Congress	Democrat	\$2,500.00
Rep. Jerry McNerney	McNerney For Congress	Democrat	\$5,000.00
Rep. Mike Thompson	Mike Thompson For Congress	Democrat	\$2,500.00
Rep. Nancy Pelosi	Nancy Pelosi For Congress	Democrat	\$2,500.00
Rep. Salud Carbajal	Salud Carbajal For Congress	Democrat	\$2,500.00
Rep. Scott Peters	Scott Peters For Congress	Democrat	\$2,500.00
Rep. Tony Cardenas	Tony Cardenas For Congress Victory By Investing Building And Empowering PAC	Democrat	\$2,500.00 \$2,500.00
Sen. Cory Gardner	Cory Gardner For Senate Project West PAC	Republican	\$2,500.00 \$5,000.00
Sen. Tom Carper	Carper For Senate	Democrat	\$2,000.00
Rep. Darren Soto	Darren Soto For Congress	Democrat	\$2,500.00
Rep. Stephanie Murphy	Developing A New Generation PAC	Democrat	\$5,000.00
Rep. Vern Buchanan	Vern Buchanan For Congress	Republican	\$2,500.00
Rep. Buddy Carter	Buddy Carter For Congress	Republican	\$2,500.00
Rep. Drew Ferguson	Drew Ferguson For Congress Inc.	Republican	\$1,000.00
Sen. Kelly Loeffler	Georgians For Kelly Loeffler	Republican	\$2,500.00
Rep. Tom Graves	Graves For Congress	Republican	\$2,500.00
Sen. David Perdue	Perdue For Senate	Republican	\$2,500.00
Idaho			
Sen. Jim Risch	Jim Risch For U.S. Senate Committee	Republican	\$3,500.00
Rep. Russ Fulcher	Russ Fulcher For Idaho	Republican	\$1,000.00
Rep. Michael Simpson	Simpson For Congress	Republican	\$5,000.00

<b>Illinois</b>			
Rep. Cheri Bustos	Friends Of Cheri Bustos CHERPAC	Democrat	\$5,000.00 \$5,000.00
Rep. Bobby Rush	Citizens For Rush	Democrat	\$2,500.00 / Garrett
Rep. Danny Davis	Davis For Congress	Democrat	\$3,500.00
Rep. Adam Kinzinger	Kinzinger For Congress	Republican	\$5,000.00
Rep. Darin LaHood	LaHood for Congress	Republican	\$2,500.00
Rep. Robin Kelly	Robin Kelly For Congress	Democrat	\$2,500.00
Rep. Rodney Davis	Rodney For Congress	Republican	\$2,500.00
Rep. John Shimkus	Volunteers For Shimkus	Republican	\$2,500.00
<b>Indiana</b>			
Rep. Jackie Walorski	Walorski For Congress Inc	Republican	\$1,000.00
<b>Kansas</b>			
Sen. Jerry Moran	Free State PAC	Republican	\$5,000.00
<b>Kentucky</b>			
Sen. Mitch McConnell	McConnell Senate Committee	Republican	\$10,000.00
<b>Louisiana</b>			
Sen. Bill Cassidy	Bill Cassidy For US Senate	Republican	\$2,000.00
Rep. Garret Graves	Garret Graves For Congress	Republican	\$2,500.00
Rep. Cedric Richmond	Richmond For Congress	Democrat	\$2,500.00
Rep. Steve Scalise	Scalise For Congress	Republican	\$2,500.00
<b>Massachusetts</b>			
Rep. Richie Neal	Richard E Neal For Congress Committee	Democrat	\$3,500.00
<b>Maryland</b>			
Rep. Steny Hamilton Hoyer	Hoyer For Congress AMERIPAC The Fund for a Greater America	Democrat	\$10,000.00 \$10,000.00
Rep. Anthony Brown	Anthony Brown For Congress	Democrat	\$2,500.00
Rep. Dutch Ruppersberger	Dutch Ruppersberger For Congress Committee	Democrat	\$2,500.00
<b>Michigan</b>			
Rep. Debbie Dingell	Debbie Dingell For Congress	Democrat	\$2,500.00
Rep. Dan Kildee	Friends Of Dan Kildee	Democrat	\$7,500.00
Sen. Gary Peters	Peters For Michigan	Democrat	\$2,500.00
Sen. Debbie Stabenow	Stabenow For US Senate	Democrat	\$2,000.00
Rep. Fred Upton	Upton For All Of Us	Republican	\$5,000.00
Rep. Tim Walberg	Walberg For Congress	Republican	\$2,500.00
<b>Minnesota</b>			
Rep. Tom Emmer, Jr.	Electing Majority Making Effective Republicans PAC	Republican	\$3,500.00
Sen. Tina Smith	Tina Smith For Minnesota	DFL	\$1,000.00
<b>Missouri</b>			
Rep. Ann Wagner	Ann Wagner For Congress	Republican	\$2,500.00
Rep. Billy Long, II	Billy Long For Congress Believe in Life Liberty Yourself PAC	Republican	\$5,000.00 \$1,500.00
Rep. Blaine Luetkemeyer	Blaine For Congress	Republican	\$2,500.00
Rep. Sam Graves, Jr.	Graves For Congress	Republican	\$6,000.00

<b>Mississippi</b>			
Rep. Bennie G. Thompson	Friends Of Bennie Thompson	Democrat	\$2,500.00
Sen. Roger Wicker	Wicker For Senate Responsibility and Freedom Work PAC	Republican	\$2,000.00 \$1,500.00 / Garrett
<b>Montana</b>			
Sen. Jon Tester	Montanans For Tester	Democrat	\$1,000.00
Sen. Steve Daines	Steve Daines For Montana	Republican	\$2,000.00
<b>North Carolina</b>			
Rep. Mark Walker	Battleground PAC	Republican	\$1,500.00
Rep. G. K. Butterfield, Jr.	Butterfield For Congress	Democrat	\$2,500.00
Rep. Richard Hudson	Hudson For Congress	Republican	\$5,000.00
Sen. Thom Tillis	Thom Tillis Committee	Republican	\$1,500.00
<b>North Dakota</b>			
Sen. Kevin Cramer	Cramer For Senate	Republican	\$1,000.00
<b>Nebraska</b>			
Sen. Ben Sasse	Ben Sasse For U.S. Senate, Inc.	Republican	\$1,000.00
Sen. Deb Fischer	Deb Fischer For US Senate	Republican	\$2,000.00
<b>New Jersey</b>			
Rep. Donald Norcross	Donald Norcross For Congress	Democrat	\$5,000.00
Rep. Frank Pallone, Jr.	Pallone For Congress	Democrat	\$2,500.00
<b>New Mexico</b>			
Rep. Ben Ray Lujan	People For Ben	Democrat	\$5,000.00
<b>Nevada</b>			
Rep. Steve Horsford	Nevadans For Steven Horsford	Democrat	\$2,000.00
<b>New York</b>			
Rep. Brian Higgins	Brian Higgins For Congress	Democrat	\$2,500.00
Rep. Yvette Clarke	Clarke For Congress	Democrat	\$7,500.00
Sen. Chuck Schumer	IMPACT PAC	Democrat	\$5,000.00
Rep. Joseph Morelle	Joe Morelle For Congress	Democrat	\$2,500.00
Rep. John Katko	Katko For Congress	Republican	\$5,000.00
Rep. Paul Tonko	Paul Tonko For Congress	Democrat	\$2,500.00
Rep. Tom Suozzi	Suozzi For Congress	Democrat	\$2,500.00
Rep. Tom Reed, II.	Tom Reed For Congress	Republican	\$5,000.00
<b>Ohio</b>			
Rep. Troy Balderson	Balderson For Congress	Republican	\$2,500.00
Rep. David Joyce	Friends Of Dave Joyce	Republican	\$2,500.00
Rep. Bill Johnson	Johnson For Congress	Republican	\$2,500.00
Rep. Marcy Kaptur	Kaptur For Congress	Democrat	\$2,000.00
Rep. Bob Latta	Latta For Congress	Republican	\$2,500.00
Sen. Rob Portman	Promoting Our Republican Team PAC	Republican	\$3,000.00
Rep. Steve Stivers	Stivers For Congress	Republican	\$2,500.00
Rep. Brad Wenstrup	Wenstrup For Congress	Republican	\$2,500.00
<b>Oklahoma</b>			
Rep. Tom Cole	Cole For Congress	Republican	\$2,500.00
Sen. Jim Inhofe	Friends Of Jim Inhofe	Republican	\$2,500.00
Rep. Markwayne Mullin	Mullin For Congress	Republican	\$5,000.00
<b>Oregon</b>			
Rep. Greg Walden	Walden For Congress	Republican	\$5,000.00

<b>Pennsylvania</b>			
Rep. Brian Fitzpatrick	Brian Fitzpatrick For Congress	Republican	\$2,500.00
Sen. Pat Toomey	Citizens For Prosperity In America Today PAC	Republican	\$3,000.00
Rep. Michael Doyle	Doyle For Congress Committee	Democrat	\$2,500.00
<b>Rhode Island</b>			
Rep. Jim Langevin	Langevin For Congress	Democrat	\$2,500.00
<b>South Carolina</b>			
Rep. Jim Clyburn	Friends Of Jim Clyburn Building Relationships In Diverse Geographic Environments PAC	Democrat	\$5,000.00 \$5,000.00
Rep. Jeff Duncan	Jeff Duncan For Congress	Republican	\$3,500.00
Rep. Joe Wilson	Joe Wilson For Congress	Republican	\$1,000.00
Sen. Lindsey Graham	Team Graham, Inc.	Republican	\$2,500.00
Sen. Tim Scott	Tim Scott For Senate	Republican	\$2,000.00
Rep. Tom Rice	Tom Rice For Congress	Republican	\$5,000.00
Rep. William Timmons, IV	William Timmons For Congress	Republican	\$1,000.00
<b>South Dakota</b>			
Rep. Dusty Johnson	Friends Of Dusty Johnson	Republican	\$1,000.00
Sen. Mike Rounds	Rounds For Senate	Republican	\$2,000.00
<b>Texas</b>			
Rep. Kevin Brady	Brady For Congress	Republican	\$7,500.00
Rep. Kay Granger	Kay Granger Campaign Fund	Republican	\$2,500.00
Rep. Michael Burgess	Lone Star Leadership PAC	Republican	\$2,500.00
Rep. Marc Veasey	Marc Veasey Congressional Campaign Committee	Democrat	\$2,000.00
Rep. Michael Burgess	Michael Burgess For Congress	Republican	\$2,500.00
Rep. Henry Cuellar	Texans For Henry Cuellar Congressional Campaign	Democrat	\$2,000.00
Rep. Jodey Arrington	Texans For Jodey Arrington	Republican	\$2,500.00
Sen. John Cornyn, III	Texans For Senator John Cornyn Inc.	Republican	\$2,000.00
<b>Utah</b>			
Sen. Mitt Romney	Romney For Utah Inc	Republican	\$1,000.00
<b>Virginia</b>			
Sen. Tim Kaine	Common Ground PAC	Democrat	\$1,500.00
Rep. Don McEachin	McEachin For Congress	Democrat	\$2,500.00
Rep. Morgan Griffith	Morgan Griffith For Congress	Republican	\$2,500.00
<b>Washington</b>			
Rep. Cathy McMorris Rodgers	Cathy McMorris Rodgers For Congress	Republican	\$3,000.00
<b>Wisconsin</b>			
Rep. Sean Duffy	Duffy For Wisconsin	Republican	\$1,000.00
Rep. Ron Kind	Kind For Congress Committee	Democrat	\$2,500.00
Rep. Mike Gallagher	Mike Gallagher For Wisconsin	Republican	\$2,500.00
<b>West Virginia</b>			
Sen. Shelley Moore Capito	Capito For West Virginia	Republican	\$5,000.00
Rep. Carol Miller	Carol For Congress	Republican	\$1,000.00
Sen. Joe Manchin, III	Country Roads PAC	Democrat	\$3,000.00
Rep. David McKinley	McKinley For Congress	Republican	\$2,500.00
<b>Wyoming</b>			
Sen. John Barrasso	Friends Of John Barrasso	Republican	\$2,000.00
<b>TOTAL:</b>			<b>\$434,500.00</b>

Attachment 3 to AG-KUC-2 Question No. 46

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Conroy / Garrett

<b>Caucuses &amp; Party Committees</b>			
Blue Dog Political Action Committee	Democratic	Caucus PAC	\$5,000.00
Congressional Black Caucus	Democratic	Caucus PAC	\$5,000.00
CHC BOLD PAC	Democratic	Caucus PAC	\$5,000.00
Democratic Congressional Campaign Committee	Democratic	Party	\$30,000.00
Democratic Senatorial Campaign Committee	Democratic	Party	\$30,000.00
National Republican Congressional Committee	Republican	Party	\$30,000.00
National Republican Senatorial Committee	Republican	Party	\$30,000.00
New Democrat Coalition PAC	Democratic	Caucus PAC	\$10,000.00
Republican Main Street Partnership PAC	Republican	Caucus PAC	\$5,000.00
Tuesday Group Political Action Committee	Republican	Caucus PAC	\$5,000.00
<b>TOTAL:</b>			<b>\$155,000.00</b>

▪  
Paid for by **PowerPAC** of the **Edison Electric Institute**

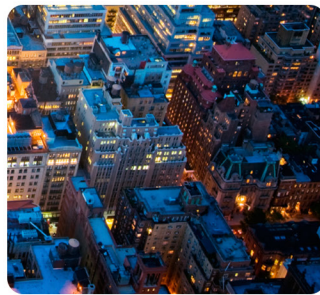
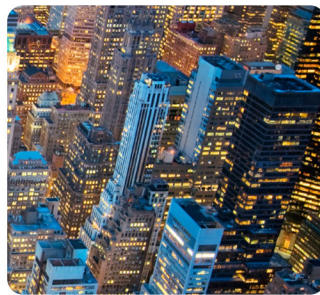
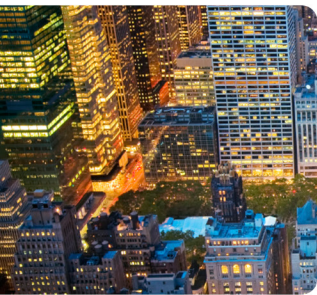
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# Board of Directors & Annual Meeting

June 9, 2020



Edison Electric  
INSTITUTE



Edison Electric  
INSTITUTE

## ANTITRUST COMPLIANCE GUIDELINES

### Introduction

The Edison Electric Institute (“EEI”) and its member companies are committed to strict compliance with federal and state antitrust laws. These laws establish the rules by which companies compete and are intended to prevent and eliminate any agreements and individual conduct that would unreasonably interfere with the operation of the marketplace. It is essential that everyone who may encounter potential antitrust issues be advised of the fundamentals of antitrust laws and of EEI’s firm resolve that its employees and all member companies comply with them fully.

### Responsibility for Antitrust Compliance

While the General Counsel’s Office provides guidance on antitrust matters, you bear the ultimate responsibility for assuring that your actions and the actions of any of those under your direction comply with the antitrust laws.

### Antitrust Guidelines

In all EEI operations and activities, you must avoid any discussions or conduct that might violate antitrust laws or even create an appearance of impropriety. The following guidelines are intended to give you enough information about the law so you will know a dangerous area when you see it.

- **DO** insist that EEI meetings have agendas that are circulated in advance.
- **DO** take minutes at all EEI meetings and ensure that the minutes of all meetings properly reflect the actions taken at the meeting.
- **DO** provide a copy of these guidelines at all EEI meetings.
- **DO** consult with counsel prior to having any discussions or participating in any new projects that may deal with antitrust matters.
- **DO** leave any meeting where improper subjects are being or will be discussed. Tell everyone why you are leaving.
- **DO** ensure that only EEI staff send out all written and electronic correspondence on behalf of EEI and that others do not hold themselves out as speaking or acting with the authority of EEI unless they do, in fact, have such authority.
- **DO NOT** exclude companies from membership if doing so would put that company at a competitive disadvantage.
- **DO NOT, without prior review by counsel,** have discussions with member companies about the following:
  - company prices, fees or rates, or features that can impact prices;
  - uniform terms of sale, warranties, or contract provisions;
  - allocating markets, customers, territories products or assets with your competitors;
  - whether or not to deal with any other company;
  - any competitively sensitive information; or
  - any competitive employment information including wages, salaries, or benefits; terms of employment; or even job opportunities.
- **DO NOT** make any comments that you would not want to see in print.

### We’re Here to Help

Whenever you have any question about whether particular EEI activities might raise antitrust concerns or your responsibilities under antitrust laws, please contact the General Counsel’s Office (202-508-5757), the Compliance Hotline (800-743-8633), or your legal counsel.

The Edison Electric Institute  
Office of the General Counsel  
Issued: 2018





Edison Electric  
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*Power by Association™*

## **EDISON ELECTRIC INSTITUTE DIRECTOR CONFLICT OF INTEREST POLICY**

### **Article I**

#### **Purpose**

The purpose of this conflict of interest policy is to protect Edison Electric Institute's ("EEI") interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of a director of EEI or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

### **Article II**

#### **Definitions**

##### **1. Interested Person**

Any member of the EEI board of directors who has a direct or indirect financial interest, as defined below, is an interested person.

##### **2. Financial Interest**

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- a. An ownership or investment interest in any entity with which EEI has a transaction or arrangement,
- b. A compensation arrangement with EEI or with any entity or individual with which EEI has a transaction or arrangement, or
- c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which EEI is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that aren't insubstantial.

A financial interest isn't necessarily a conflict of interest. Under Article III, Section 2, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

### **Article III**

#### **Procedures**

##### **1. Duty to Disclose**

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors considering the proposed transaction or arrangement.

2. Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

3. Procedures for Addressing the Conflict of Interest

- a. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/ she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
- b. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
- c. After exercising due diligence, the governing board or committee shall determine whether EEI can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
- d. If a more advantageous transaction or arrangement isn't reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in EEI's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

4. Violations of the Conflicts of Interest Policy

- a. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

**Article IV**

**Records of Proceedings**

The minutes of the governing board and all committees with board delegated powers shall contain:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.
- b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

**Article V**  
**Compensation**

- a. A voting member of the governing board who receives compensation, directly or indirectly, from EEI for services is precluded from voting on matters pertaining to that member's compensation.
- b. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from EEI for services is precluded from voting on matters pertaining to that member's compensation.
- c. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from EEI, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

**Article VI**  
**Annual Statements**

Each director shall annually sign a statement which affirms such person:

- a. Has received a copy of the conflicts of interest policy,
- b. Has read and understands the policy,
- c. Has agreed to comply with the policy, and
- d. Understands that EEI is a non-profit 501(c)(6) and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

**Article VII**  
**Periodic Reviews**

To ensure EEI operates in a manner consistent with its non-profit 501(c)(6) purposes and doesn't engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining.
- b. Whether partnerships, joint ventures, and arrangements with management organizations conform to EEI's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and don't result in inurement, impermissible private benefit, or in an excess benefit transaction.

**Article VIII**  
**Use of Outside Experts**

When conducting the periodic reviews as provided for in Article VII, EEI may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

Virtual **EEI**

# Board of Directors & Annual Meeting

Tuesday, June 9, 2020

■ Meeting Via Conference Call ■

4:30 p.m. – 6:00 p.m. EDT

## Welcome and Introductions

*Christopher M. Crane, EEI Chairman; President & CEO, Exelon Corporation*

## Industry Overview: COVID-19 and Beyond

*Thomas R. Kuhn, President, Edison Electric Institute*

## Strategic Board Dialogue

- Clean Energy/Climate Change
- Reliability, Security & Business Continuity
- Wildfires
- FERC Issues
- State Issues
- Customer Issues
- Electric Transportation

## Regular Business – Consent Items

- Approval of the Minutes of the March 2-4, 2020 Board of Directors Meeting
- Approval of the Treasurer's Report
- Approval of the Membership Committee Report
- Approval of Amendments to the EEI 401(k) Plan Due to the CARES Act & SECURE Act

## Annual Meeting – Report of the Nominating Committee

- Election of Directors
- Election of Officers

## Other Business

- Committee Appointments
- Approval of Center for Energy Workforce Development Board
- Approval of Edison Foundation Board
- Recognition of Outgoing EEI Chairman

# Clean Energy/Climate Change



EEI 2020 Virtual Board and Annual Meeting – June 9, 2020

U.S. electric companies face numerous critical environmental, natural resources and clean energy policy issues that impact their strategic planning and decision-making. These issues are spurring major changes in electric power generation and transmission, particularly in the context of an aging generation fleet, low natural gas prices, increased use of renewable energy, and a focus on increased end-use energy efficiency.

Our industry is increasingly safer, smarter, more reliable and cleaner than ever before, a trend driven in part by customer and investor needs that will continue regardless of the political landscape. Working with other stakeholders, EEI will continue advocating with Administration officials how our priorities and fleet transition mesh with their priorities of improving infrastructure, job growth and economic growth. EEI and member companies are also actively engaging members of Congress and key congressional committees, as well as state and local officials, regarding the industry's clean energy story and the key role the electric power sector can play in helping the nation reach clean energy goals.

The June 2020 CEO meeting will include a report on the carbon-fee technology initiative focused on the development of the innovative technologies needed to reach net-zero carbon goals, and key climate-related developments.

## EEI Board Leads:

Gerard M. Anderson, Executive Chairman, DTE Energy Co.

Sean Trauschke, Chairman, President & CEO, OGE Energy Corp.

## Environmental Compliance During COVID-19

EEI is supporting members on environmental matters related to COVID-19 by 1) informing members of practices that companies could undertake to prepare for the possible impact the coronavirus outbreak could have on the ability to comply with environmental laws; 2) submitting supportive comments to EPA on a Clean Air Act rule providing flexibility for when outside contractors visit plants and regarding testing done by outside laboratories, to limit potential exposure to COVID-19 for essential plant workers and recognize supply chain constraints; and 3) compiling information on compliance and enforcement policies of state environmental regulatory agencies.

## Climate Change/Clean Energy

In late March, the Energy Information Administration released (EIA) preliminary full-year **CO<sub>2</sub> emissions estimates for 2019** showing that power sector emissions decreased 8 percent from 2018, reducing the sector's emissions to 35 percent below 2005 levels. According to the EIA data, zero-emitting resources producing nearly 40- percent of the nation's power in 2019. Data for the first four months of 2020 recently released by EIA predicts that U.S. energy-related carbon dioxide (CO<sub>2</sub>) emissions will decline by 11% in 2020 as a result of decreased travel and energy use due to the covid-19 pandemic.

The U.S. Environmental Protection Agency (EPA) has indicated that it plans to finalize this summer its proposed modifications to the **GHG performance standards** for new coal-fired power plants under section 111(b) of the Clean Air Act (CAA). The rule is expected to revise the emissions limits so as not to require the use of partial carbon capture and storage, a move EEI has supported.

**Congress** has been focused almost exclusively on covid-19 response measures and most climate activity has been put on hold for the time being. While some in Congress have raised the possibility of including clean energy policies in future stimulus measures, including possible infrastructure legislation, such an approach currently lacks broad bipartisan support. The House Select Committee on the Climate Crisis recommendations on climate policy, originally scheduled for release in March, have been delayed indefinitely.

Regarding **international climate policy**, the covid-19 pandemic has led to the postponement until 2021 of the next round of international climate talks, which were scheduled to take place this November in Glasgow, Scotland. Concerning **federal vehicle standards**, the National Highway Transportation Safety Administration (NHTSA) and EPA (collectively, the Agencies) finalized a rule in late March rolling back the previous Corporate Average Fuel Economy (CAFE) and emissions standards for light-duty vehicles. The March rule comes after a final rule in the Fall of 2019 that revoked California's waiver under section 209 of the CAA, which had allowed California to set its own vehicle emissions standards. Litigation by multiple parties—including a broad coalition of states and other stakeholders—is anticipated.

The **Carbon-Free Technology Initiative**, which EEI was asked to lead with a group of NGO partners at the January CEO meeting, continues to move forward. Since March, EEI members, along with EPRI and the NGO partners, have provided technical experts for the five work groups (Advanced Renewables, Advanced Nuclear, CCUS, Demand Efficiency and Zero-Carbon Fuels). MJ Bradley, which is assisting in this effort, interviewed the technical experts and developed templates for each of the five work group areas outlining the current status of each technology, the major barriers to its commercialization, key R&D gaps, and what it would take to bring each technology to commercialization. The initiative held a series of virtual workshops from May 12-20 with the technical experts to assess the development status of each technology, along with the key barriers and what it will take to reach commercialization. The workshop outcomes are currently being synthesized and will form the basis for the next phase of the initiative, i.e., working with policy experts to identify a range of policies and programs the group can collectively support. That phase will begin during the summer.

## Coal Combustion Residual (CCR) Regulation

In response to an order from the D.C. Circuit, EPA proposed revisions to the CCR rule to require unlined surface impoundments to initiate closure by the end of August 2020, with options for extending that deadline to account for delays in constructing alternative CCR disposal capacity. EPA has also proposed revisions to the definition of liner to address natural or alternative-lined CCR basins. USWAG submitted comments that advocate for achievable deadlines that provide the industry the time necessary to safely close existing, and construct new, CCR disposal and treatment facilities; provide regulatory relief for natural clay- and alternative-lined impoundments that meet environmental and safety standards; and support the beneficial use of CCR. These rules are expected to be finalized late Summer 2020.

USWAG also continues to push for the implementation of the CCR rule through state and federal CCR permit programs. EPA has issued a proposal to establish a federal CCR permit program to implement the CCR rule. This federal permit program—which will be finalized in late 2020 or early 2021—will implement the federal rule in states that have not been approved by EPA to implement the rule through a state permit program. USWAG is pushing for EPA approval, pursuant to the 2016 WIIN Act, of state CCR programs. To date, two state programs, Oklahoma and Georgia, have been approved. The District Court for the District of Columbia rejected an ENGO challenge to the approval of Oklahoma's program. This decision is significant because had the Court had found for the ENGOs claim, it would have substantially delayed the timeline for EPA to approve future State CCR permit programs.

The safe closure of CCR impoundments will continue to be a key issue, and we continue to support the implementation of site-specific closure methods. The federal CCR rule contains two options for closing impoundments, closure in-place or closure by removal; closure by removal takes significantly longer and costs up to an order of magnitude greater than closure in place. The U.S. Supreme Court ruling, in *County of Maui v. Hawaii Wildlife Fund*, that the Clean Water Act can apply to groundwater discharges from waste disposal units will be used by ENGOs to target groundwater contamination from CCR surface impoundments under the CWA and to force closure by removal.

## Nationwide Permit 12

In April, the U.S. District Court for the District of Montana (Court) issued an opinion in *Northern Plains Resource Council, et al., v. U.S. Army Corps of Engineers, et al.*, remanding Nationwide Permit (NWP) 12 to the Corps for compliance with the Endangered Species Act (ESA); vacating NWP 12 pending completion of the ESA consultation process and compliance with all environmental statutes and regulations; and enjoining the Corps from authorizing any dredge or fill activities under NWP 12 pending completion of the ESA consultation process and compliance with all environmental statutes and regulations. The Court declined to rule on National Environmental Policy Act (NEPA) and Clean Water Act (CWA) claims in the case but noted that the Corps may need to modify its NEPA and CWA determinations based on the Corps' ESA Section 7(a)(2) consultation. The court declined to limit the scope of its remedy to any specific NWP 12 applications.

After receiving requests to stay the opinion, on May 11, the Court issued an order amending its grant of relief such that NWP 12 is now vacated and enjoined only as it relates to the construction of new oil and gas pipelines. The Court's amended order explained that while the Corps may not authorize any dredge or fill activities for the construction of new oil and gas pipelines under NWP 12, the Corps can continue authorize dredge or fill activities for non-pipeline construction activities and routine maintenance, inspection, and repair activities.

On May 13, the Corps filed a notice of appeal to the Ninth Circuit. EEI plans to participate with coalition partners as *amici* in the Ninth Circuit litigation. Concurrently, the Corps is in the process of renewing the existing NWP, including NWP 12. EEI, in collaboration with member company staff, are advocating for the Corps to engage in ESA consultation as part of this renewal process.

EEI members use NWP 12 to streamline certain CWA permitting for many kinds of linear infrastructure, including transmission lines. In January, EEI filed an *amicus* brief in the case focusing on the importance of NWP 12 to utility-specific operations regarding linear infrastructure projects such as transmission lines and gas pipelines.

## Groundwater

On April 23, the Supreme Court of the United States in a 6-3 decision issued its opinion in *County of Maui v. Hawaii Wildlife Fund*, finding that the Clean Water Act (CWA) requires a permit when pollutants that originate from a point source reach navigable waters via groundwater either a direct discharge from a point source into navigable waters or the “functional equivalent of a direct discharge.” The Court also invited EPA to provide additional guidance “within statutory boundaries,” for example, in the context of permitting proceedings or the “development of general rules.” Efforts to impose additional permitting obligations based on the Maui decision are unlikely to occur on a widespread basis. However, members may continue to be the target of citizen suits alleging unpermitted discharges. EEI will continue to monitor developments in related litigation and EPA actions and periodically inform members.

## Waters of the United States (WOTUS)

On April 21, EPA and the U.S. Army Corps of Engineers published the final Navigable Waters Protection Rule defining “waters of the United States” (WOTUS). The rule will go into effect on June 22. Consistent with EEI positions, the final rule contains numerous provisions providing regulatory clarity as to which waters are federally jurisdictional. Most importantly, the final rule provides an exclusion from WOTUS for waste treatment systems including settling basins and cooling ponds constructed in accordance with the requirements of the CWA and to all waste treatment systems constructed prior to the 1972 CWA amendments. At this time, multiple cases have been filed across the country challenging the rule. EEI will participate in litigation as part of a coalition to defend the rule, particularly, the waste treatment system exclusion.

## CWA Section 401 Certification Regulations

As of this writing, EPA is planning to publish imminently its final rule updating the regulations governing the CWA Section 401 state water quality certification process, which will go into effect shortly after publication. The final rule addresses both substantive and procedural requirements concerning CWA Section 401 water quality certifications and is intended to increase predictability and timeliness of state reviews by clarifying timeframes for certification, the appropriate scope of reviews and conditions, and other procedures. EEI filed comments on the EPA’s proposed rule in October 2019 supporting several of EPA’s proposed updates that are critical to energy infrastructure development.

## Air Quality and Emissions Trends

The power sector continues to outperform other sectors in reducing air emissions that affect air quality. According to EPA data, power sector sulfur dioxide (SO<sub>2</sub>) and nitrogen oxides (NO<sub>x</sub>) emissions declined 94 and 86 percent, respectively since 1990. The industry also has reduced mercury emissions and other hazardous air pollutant emissions by approximately 90 percent since 2010.

## Hazardous Air Pollutants

In April, EPA finalized its reconsideration of the Mercury and Air Toxics Standards (MATS) Supplemental Cost Finding and its proposed MATS residual risk and technology review (RTR). EPA’s final rule repeals the Supplemental Cost Finding, asserting it was not “appropriate and necessary” to regulate power plants under Clean Air Act section 112, while finding that the final rule underlying 2012 MATS standards should remain. Consistent with EEI advocacy, EPA also finalized the RTR and its determination that current standards are protective of human health with an adequate margin of safety. EEI will continue to monitor upcoming legal developments and weigh potential response options as needed. EEI also submitted comments in May related to reporting requirements under MATS. EPA is expected to release a proposal addressing technical corrections to MATS monitoring, recordkeeping and reporting requirements.

## NAAQS and Regional Haze

EEI continues to address issues related to SO<sub>2</sub> and NO<sub>x</sub> emissions, including EPA setting national ambient air quality standards (NAAQS) and states developing plans to address regional haze. EPA proposed to retain the current (2012) fine particulate matter (PM<sub>2.5</sub>) NAAQS in April and is expected to propose to retain the 2015 ozone NAAQS this spring, with both decisions to be finalized by the end of 2020. EEI will work with member companies on comments on both proposals. Regarding regional haze, groups of states are working together to inform state plans due to EPA in July 2021, which may require new SO<sub>2</sub> and NO<sub>x</sub> emissions controls to improve visibility near national parks and wilderness areas by 2028. EEI



also continues to monitor legal developments regarding how the Agency addresses upwind states' contributions to ozone non-attainment.

# Energy Infrastructure & Natural Resources



EEI 2020 Virtual Board and Annual Meeting – June 9, 2020

Our industry is leading a profound transformation to deliver the energy future that customers want by investing in smarter energy infrastructure that empowers customers, ensures reliability, and reinforces resiliency. As the most capital-intensive industry in the United States, EEI members invest more than \$100 billion each year, and our industry supports more than 7 million American jobs.

The industry is focused on several major initiatives surrounding infrastructure investment—including smart communities, electric transportation, grid expansion and resiliency, wildfire mitigation and response, FERC transmission initiatives, siting and permitting, and the suite of natural resource issues—which EEI is pursuing through administrative and regulatory actions, as well as legislation.

## EEI Board Leads:

Gerard M. Anderson, Executive Chairman, DTE Energy Co.  
Lynn Good, President & CEO, Duke Energy  
Sean Trauschke, Chairman, President & CEO, OGE Energy Corp.  
Pat Vincent-Collawn, Chairman, President & CEO, PNM Resources

## Energy Infrastructure

The Administration has taken a proactive role in facilitating increased infrastructure investment through improved siting and permitting processes. In April 2018, 12 federal agencies signed the One Federal Decision Memorandum of Understanding (MOU), which establishes a coordinated and timely process for environmental reviews of major infrastructure projects. Concurrent with the MOU, the Department of Interior (DOI) issued a Secretarial Order that outlined improvements to its NEPA reviews, including timelines for completing the NEPA process, page limits for environmental assessments and impact statements, and the waiver process for exceeding those limits. In January, the Council on Environmental Quality issued a proposed rule updating their NEPA implementing regulations. The proposal incorporates DOI improvements, augments federal review procedures, and expands public engagement. In March, EEI submitted comments supporting the proposed process reforms that will facilitate more efficient, effective, and timely environmental reviews.

## Avian Protection

A key EEI objective is to improve the implementation of the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act to reduce the risk of criminal prosecution for non-intentional incidental take arising from a lawful activity. Electric companies have long-standing programs to protect avian species from interactions with power lines and generation facilities.

The question of whether non-intentional incidental take of avian species is covered under the MBTA has created legal uncertainty, which both the Administration and Congress are proposing to clarify. In December 2017, a DOI Solicitor's Opinion (M-Opinion) concluded that the MBTA does not create liability for incidental take, reversing a contrary opinion issued in the final weeks of the previous Administration. In January, the U.S. Fish & Wildlife Service issued a proposed rule codifying the M-Opinion. In March, EEI submitted comments on the proposed rule, supporting the proposal and emphasizing that EEI members will continue their long-standing practice of implementing strategies to minimize and mitigate the impact that critical infrastructure has on migratory birds and other wildlife. Separate legislation has been introduced in Congress that would essentially codify both sides of the incidental take debate but neither bill is expected to finally pass or be enacted into law.



# Occupational Safety and Health

EEI 2020 Virtual Board and Annual Meeting – June 9, 2020

Our industry is committed to protecting the safety and health of the nearly 2.7 million men and women directly employed in the electric power industry, as well as contractors and customers. This commitment is driven by strong support from the CEO community and ongoing, collaborative efforts by EEI and its member companies to monitor, benchmark and improve worker safety best practices.

The CEO community is directly staffed by the Occupational Safety & Health Executive Advisory Committee (OSHEAC). Most importantly, the OSHEAC has tasked the technical experts on the OSH Committee to review current safety metrics employed by the industry and identify opportunities to shift the focus to serious injury and fatality (SIF) prevention. The OSHEAC also has identified numerous regulatory priorities, including lockout/tagout, respirable silica, powered industrial trucks, beryllium, tree care, emergency response plans, electronic recordkeeping and anti-retaliation, and amendments to the crane and derrick rulemaking.

## EEI Board Lead:

Kim Greene, Chairman, President and CEO, Southern Company Gas

## Safety and Health Challenges of COVID-19

In response to the COVID-19 global pandemic, EEI implemented a weekly online meeting of the Occupational Safety and Health Committee to exchange information on health and safety challenges presented by COVID-19. Members have benefitted by sharing common practices, information on health and safety resources, including guidance issued by OSHA. These meetings will continue as needed through the reentry process to provide members with a forum for information exchange.

## Responsible Re-entry Post COVID-19 Quarantine

EEI supported the broader responsible reentry to the workplace effort through a partnership with the National Safety Council (NSC). Kim Greene is representing EEI and the interests of the electric and natural gas industry's essential critical infrastructure workforce on NSC's Safer Actions for Employee Return (SAFER) Task Force.

The SAFER Task Force is a volunteer group of experts spanning all industries in the safety space, brought together with the purpose of delivering key resources, recommendations and tools for businesses as they commit to ensuring a safe work environment for their workforce during and post the COVID-19 pandemic. Initial resources developed by the SAFER Task Force are available on the NSC website at:

<https://www.nsc.org/work-safety/safety-topics/safe-actions-for-employee-returns-safer/safer-playbooks>.

## Serious Injury and Fatality Prevention (SIF)

The CEO Task Force on Safety, led by Kim Greene, approved a strategic outreach plan developed by the Occupational Safety & Health (OSH) Executive Advisory Committee to increase awareness and implementation of serious injury and fatality prevention tools and resources developed by the OSH Committee. The outreach effort will focus on the internal adoption of the SIF protocols through member engagement with labor partners and the external adoption of protocols by member outreach to the contractor community.

Member company CEOs have designated SIF prevention contacts to ensure the successful implementation of the SIF prevention protocols. EEI is actively engaging with members and industry partners to advance the adoption of the SIF prevention protocols throughout the industry. EEI has developed resources to assist members in raising awareness which include informational and instructional videos, study reports, implementation guidance, an online forum for information exchange, and communication guidance to convey a consistent industry message on SIF prevention efforts. Resources are available to OSH Committee members on the eSafetyLine website.

### Safety and Health Webinar Series

EEI is launching a webinar series that will begin in June and run through November to provide members with cutting edge presentations on safety and health topics from experts in the field, perspectives from government officials, regulatory updates, and reports from various member-run task groups working on occupational safety and health initiatives that affect the electric power sector.

### EEI Safety Survey

For over 30 years, EEI has aggregated safety data from members through the annual Safety Survey, which includes OSHA incident summary data, vehicle accident data, and SIF data. Information is collected and classified into various generation, transmission and distribution categories, and five job classifications. This initiative provides members helpful resources for sharing effective practices. The 2019 data is now available to participating members online, and print copies will be distributed to members soon.

# Wildfire Preparedness



EEI 2020 Virtual Board and Annual Meeting – June 9, 2020

Our industry is leading a profound transformation to deliver the energy future that customers want by investing in smarter energy infrastructure that empowers customers, ensures reliability, and reinforces resiliency. As the most capital-intensive industry in the United States, EEI members invest more than \$100 billion each year, and our industry supports more than 7 million American jobs.

The industry is focused on devising and implementing comprehensive programs to mitigate and manage wildfire risk. These plans include expanding vegetation management cycles, increasing emergency response capabilities, and making new infrastructure investments.

The June 2020 Board meeting will include a brief discussion of recent wildfire mitigation and response efforts the industry has undertaken.

## EEI Board Leads:

Maria Pope, President and CEO, Portland General

## Wildfires

EEI continues to build an integrated wildfire education and advocacy strategy focused on member engagement around industry practices and **partnership opportunities with government officials**, other industry sectors and stakeholder groups (e.g., state fire response officials). EEI is working with federal officials at the Department of the Interior (DOI) and the U.S. Forest Service (USFS) on land management strategies, focusing on access and authority to conduct **vegetation management (VM)** and operation and maintenance (O&M) within and adjacent to rights-of-way (ROW). In addition, EEI is working with the Department of Energy (DOE) on technology development and deployment that can assist in the mitigation of wildfire risks and the Federal Aviation Administration (FAA) on expanding the use of drones beyond the visual line of sight to conduct more efficient, cost-effective and timely inspections for wildfire mitigation.

The administration has issued two Executive Orders (EOs), EO 13855 and EO 13868, that address federal land management and **ROW renewals and reauthorization** respectively. The objective of both EO's is to protect communities and watersheds, to prevent wildfires, and to improve the health of forest, rangelands and other federal lands through partnerships with States, tribes, communities, non-profit organizations and the private sector. EEI is actively coordinating with federal land management agencies on implementation of these initiatives, including the development of a ROW renewal template that incorporates all operations and maintenance activities into the land use authorization.

EEI continues to push for implementation of important legislative provisions for VM and O&M activities to protect powerline ROWs located on federal lands that EEI successfully advocated for in the FY 2018 Omnibus Appropriations Act (Act). The Act directs federal land management agencies to minimize case-by-case approvals for routine O&M of utility infrastructure. EEI is working with electric company vegetation managers, federal land agencies and Congress on implementation efforts. EEI filed comments in November 2019 on the USFS proposed rule implementing the Act, and a final rule is expected in June. The Bureau of Land Management (BLM) on the other hand, is including their proposed a VM rule as part of a larger rulemaking addressing other infrastructure issues such as rural broadband that is undergoing internal review and is expected to be sent to the Office of Management and Budget shortly. Meanwhile, BLM has issued temporary memos that allow EEI members to conduct emergency VM to reduce wildfire risk.

**Wildfires**

EEI is working closely with DOE and the national laboratories through the Grid Modernization Lab Consortium (GLMC) to identify **technology solutions** that are ready or near-ready for deployment that could be used to prevent, detect and mitigate wildfire impacts. EEI and member company staff are currently identifying the most viable options for potential investment. Likewise, EEI and DOE are identifying collaborative information-sharing opportunities.

EEI is working with the FAA on expanding the **use of drones** beyond the visual line of sight to conduct more efficient, cost-effective and timely linear infrastructure inspections for wildfire mitigation. EEI, member company staff and the FAA are currently exploring the most efficient way to accomplish this, either through individual FAA section 107 waivers or through other grants of authority. EEI is also exploring the opportunity and interest of the FAA to expand the definition of an emergency to include wildfire-related events, such as public safety power shutoffs, as part of the FAA's Special Governmental Interest waiver process. This could also allow for expanded beyond visual line of sight drone operations.

The industry is preparing to provide **mutual assistance** support through the Regional Mutual Assistance Groups and National Response Executive Committee (NREC), should it be needed during the 2020 wildfire season. Mutual assistance leadership are evaluating lessons learned from last year, which included the deployment of nearly 1,000 workers from more than 20 companies to assist in the restoration of power after a public safety power shutoff (PSPS) in California. NREC is meeting with the National Interagency Fire Center to share information and determine how post-wildfire power restorations can be further improved to be done more quickly and with less damage to infrastructure. EEI is also coordinating with other industry sectors, such as telecommunications, on ways to improve the restoration and recovery efforts.

In January, the Electricity Subsector Coordinating Council (ESCC) established a Wildfire Working Group that incorporates many aspects of EEI's wildfire practice. The working group met with leaders from the Departments of Energy, Interior and Agriculture on January 27, 2020, in Washington, D.C. to discuss strategies to enhance industry-government coordination, harmonize allocation of resources, and identify policy barriers to the mitigation and detection of wildfire events and restorations efforts. The Wildfire Working Group continues to make advancements with our federal partners after a second industry-government meeting on May 29, 2020.



# Reliability, Security & Business Continuity

EEI 2020 Virtual Board and Annual Meeting – June 9, 2020

## ESCC Pandemic Response

In early 2020, as COVID-19 cases began to manifest in the U.S., the ESCC began regular communication with the Departments of Energy (DOE) and of Homeland Security (DHS) to address resource needs and protocols in the event of a full-blown pandemic. In late-February, the ESCC activated its playbook with government leadership, including twice weekly calls and persistent collaboration to ensure “unity of effort, unity of message, and unity of guidance.” During the peak pandemic weeks, these calls allowed industry and government leaders to receive direct information from DOE, DHS, and other agencies key to pandemic planning and to transmit clear requests for assistance with testing, personal protective equipment (PPE), sanitation and hygiene supplies, as well as to address regulatory burdens and other public policy needs.

In the early days of the pandemic, ESCC Co-Chair Tom Fanning tasked the Secretariat with creating issue teams (these quickly became known as “Tiger Teams”) to surface and solve problems. Hundreds of volunteers from across the sector and government quickly populated teams to address operations in restricted or compromised environments, continuity for key facilities like control centers and generating plants, mutual assistance response, and supply chain challenges. As the pandemic response unfolded, teams covering telecom needs, public and internal messaging, and reentry to the workplace also formed. The Teams helped produce the ESCC Pandemic Resource Guide, a public document now in its 8<sup>th</sup> version that has become a model across critical infrastructure sectors for its depth of analysis and clear presentation of planning considerations. This Guide will serve the industry well in the event of a subsequent pandemic and continues to evolve given the dynamic nature of the pandemic. The Guide and the Teams approach also can be effectively adapted for other significant events and response/recovery efforts.

Alongside the Tiger Teams, ESCC staff responded to a myriad of quick turn-around requests from federal agency and state partners. This resulted in formulating the concept of “Mission Essential Workers” – aimed at helping state leaders understand why our industry asked for a tiny but critical segment of the workforce to receive priority access to testing. ESCC staff also helped DOE direct a limited supply of COVID-19 test kits and PPE to companies sequestering critical staff.

## “Securing the United States Bulk-Power System” Executive Order

On May 1, 2020, President Trump issued an Executive Order titled, “Securing the United States Bulk-Power System,” finding that the nation’s BPS is a target for malicious acts against the United States, including by adversaries engaged in malicious cyber activities.

The President declared a “national emergency” with respect to threats to the BPS, citing the broad and expansive authority granted to him under the Constitution and two statutes: The International Emergency Economic Powers Act (IEEPA) and the National Emergencies Act. The IEEPA gives the President several broad powers to deploy against “any unusual and extraordinary threat, which has its source in whole or substantial part outside the United States” if a national emergency is declared with respect to such threat. The President determined that the unrestricted foreign supply of “bulk-power system electric equipment” and the

resulting potential for foreign adversary exploitation constitute a threat to the national security, foreign policy, and economy of the United States.

The Order prohibits the installation or acquisition of any BPS equipment for which the Secretary of Energy, in consultation with other agencies, has determined the equipment has been “designed, developed, manufactured, or supplied” by persons owned or controlled by a foreign adversary and where the transaction poses an undue risk of:

- (i) sabotage or subversion to the U.S. BPS;
- (ii) catastrophic effects to the security and resilience of U.S. critical infrastructure; or
- (iii) other threats to national security or the security and safety of American citizens.

Notably, the Order gives the Secretary of Energy the authority to prohibit the transactions covered by the Order, to develop procedures as preconditions for approval of such transactions for the BPS, and to pre-qualify certain equipment, vendors, and manufacturers.

An update will be given on the current status of the Department of Energy’s activities, as they move toward the development of a final Order to develop rules and regulations to implement the authorities granted by the Presidential Order within 150 days (approximately September 28, 2020.)





# FERC ISSUES

## EEI 2020 Virtual Board and Annual Meeting – June 9, 2020

Discussed below are some key issues on which EEI has engaged in, through regulatory filings, before the Federal Energy Regulatory Commission (“FERC”) since the CEO meeting in March 2020.

## Transmission

### Return on Equity

In October 2018, FERC issued an Order addressing the pending transmission return on equity (“ROE”) complaints against the New England Transmission Owners in *Martha Coakley v Bangor Hydro Electric Co.*, introducing a new proposed methodology for determining base ROE. The proposal would use the Discounted Cash Flow (“DCF”), Capital Asset Pricing Model (“CAPM”), Expected Earnings, and Risk Premium models in FERC’s ROE analysis to determine ranges of potentially reasonable ROEs and the ultimate placement of an ROE within the zone of reasonableness, rather than relying solely on the DCF methodology. In March 2019, FERC issued a Notice of Inquiry (“NOI”) seeking broader comment from stakeholders on the proposal. EEI filed initial and reply comments in response to the NOI, in June and July 2019 respectively, that were largely supportive of FERC’s proposal.

On November 21, 2019, FERC issued an order in the complaint proceeding against the MISO Transmission Owners. This order, Opinion No. 569, announced a new methodology for setting base ROEs and that uses the DCF and CAPM models, but not the Expected Earnings or Risk Premium models. EEI filed a request for rehearing of Opinion No. 569 on December 23, 2019, arguing that the new methodology will not result in the just and reasonable base ROEs needed to attract capital and will have negative consequences for needed investment in transmission infrastructure. EEI urged the FERC to make any ROE policy in the NOI proceeding.

EEI retained Concentric Energy Advisors to prepare a white paper to address concerns with the proposal in the MISO order to use only two of the four models, provide additional support for use of all four models and suggest other revisions to accommodate different market conditions. On May 11, 2020, EEI filed the white paper, and supplemental comments urging FERC to make any ROE policy changes in the NOI docket, supporting the continued use of all four models and proposing changes to better accommodate different market conditions.

On May 21, 2020, FERC issued an Order on Rehearing in the MISO proceeding. Opinion No. 659-A grants rehearing, accepts use of modified Risk Premium model, modifies the high-end outlier test and moves to a tertile approach that uses the entire zone of reasonableness. Many of these components, such as use of the Risk Premium model, concerns with the high-end outlier test, and the need to use entire zone of reasonableness, were recommended in EEI’s supplemental comments. EEI will continue to work with members to determine next steps and advocacy on this issue.

## Incentives

In March 2019, FERC issued an NOI seeking comment on the scope and implementation of its electric transmission incentives regulations and policy pursuant to section 1241 of the Energy Policy Act of 2005, codified as Federal Power Act (“FPA”) section 219, which directed FERC to use transmission incentives to help ensure reliability and reduce the cost of delivered power by reducing transmission congestion. EEI filed initial comments in response to the NOI on June 26, 2019. EEI filed reply comments on August 26, 2019.

EEI comments supported the RTO adder, opposed capping incentives at the upper end of the zone of reasonable and supported moving to an approach that evaluated a request for incentives based on the benefits of a project while also leaving open the option of evaluating the risks and challenges of a project to help ensure that FERC has all the necessary tools at its disposal to encourage the transmission investment needed to meet customers' evolving needs now and in the future.

On March 20, 2020, FERC issued a notice of proposed rulemaking ("NOPR") that contained a number of proposals supported by EEI including retaining and increasing the RTO basis point adder. Comments are due July 1, 2020. FERC denied a request to extend the comment date to the later of 60 days after the conclusion of the national emergency related to the COVID-19 pandemic or October 1, 2020. EEI filed comments opposing the request.

### Transmission Pricing Zones

On May 20, 2020, EEI filed a Motion to Intervene Out of Time or, in the Alternative, Participate as *Amicus Curiae* and Comments in a contested proceeding involving classification of GridLiance assets. EEI filed comments on the limited question of the use of the seven-factor test articulated by the Commission in Order No. 888 for determining whether it is appropriate to reclassify distribution facilities as transmission facilities. EEI indicated that there is ample case law outlining the applicability of the seven-factor test when classifying facilities as distribution or transmission regardless of the provisions in the tariff.

## Markets

### Market Monitoring Issues

EEI continues to file in response to discrete areas of overreach by market monitors ("MM"). On September 30, 2019, PJM Interconnection, L.L.C. ("PJM") submitted proposed revisions to its competitive proposal window process used to develop the PJM Regional Transmission Expansion Plan. The revisions were designed to ensure that PJM conducts a comparative review and analysis of any cost commitment voluntarily included as part of a proposal submitted in a competitive window. On February 28, 2020, PJM's MM submitted an answer responding to comments submitted by various EEI member companies that operate in PJM.

On March 18, 2020, EEI filed a limited answer to the answer submitted by the MM. EEI argued that FERC should reject the MM's answer because it is inconsistent with FERC guidance and PJM's governing documents addressing the proper role of the MM. In particular, EEI explained that the role of an MM is to monitor the energy, capacity, and ancillary services markets to identify non-competitive outcomes potentially due to the exercise of market power or manipulative conduct by market participants. EEI further explained that the MM's answer was beyond the scope of these core functions. FERC issued an order on March 20, 2020, accepting PJM's revisions to the competitive proposal window process. While FERC found the arguments addressing the proper role of the MM to be beyond the scope of the proceeding, the issues have been brought to FERC's attention.

### Market-Based Rate Reporting Changes

FERC's Order No. 860 adopted the use of a relational database for the collection of information from companies with authorization to sell energy, capacity, and ancillary services at market-based rates ("MBR Sellers"). The effective date of the order was set as October 1, 2020, and MBR Sellers would have until close of business on February 1, 2021, to make their initial baseline submissions into the database. EEI submitted comments on the NOPR that preceded Order No. 860 and a request for clarification of Order No.

860, raising concerns about the proposed implementation milestones. In Order No. 860-A, FERC granted EEI's request to hold a technical workshop to discuss implementation questions but did not change the implementation timeline. On February 27, 2020, FERC held the requested technical workshop and provided responses to and engaged in discussion of member questions that EEI had submitted in advance.

Given the pressures on member companies due to COVID-19, EEI filed a request for extension of Order No. 860 implementation on May 6, 2020. FERC issued a notice on May 20, , extending the effective date of Order No. 860 by six months to April 1, 2021, and the deadline for baseline submissions to August 2, 2021.

## Accounting

### FERC Forms Update

FERC's Order No. 859 required filers of FERC Form Nos. 1, 1-F, 2, 2-A, 3-Q electric, 3-Q natural gas, 6, 6-Q, 60, and 714 ("Commission Forms") to transition from the current use of Visual FoxPro software, which is no longer supported, to eXtensible Business Reporting Language ("XBRL"). EEI filed comments on the NOPR that preceded Order No. 859 supporting the transition and raising concerns with the time needed to transition to XBRL. FERC held a technical conference on March 24-26, 2020 to discuss implementation issues and proposed that jurisdictional electric utilities be prepared to file their Forms for the year ended December 31, 2020, using the XBRL process. On April 13, 2020, EEI filed comments requesting that the Commission extend the implementation timeline until at least one year from the end of the quarter in which the Commission approves the final XBRL taxonomy. The extension would accommodate the time needed to build the solutions necessary to comply with the XBRL process, as well as the time filers will need to implement those solutions, in light of COVID-19 disruptions. FERC has not yet acted on this request.

### Wind and Solar Accounting Guidance

On May 28, 2020, EEI filed a response to a request by the law firm Locke Lord, LLP, in which the firm sought accounting guidance on the recording of certain generating equipment for wind, solar, and other non-hydro renewable generation assets ("non-hydro renewable assets") assets in FERC's Uniform System of Accounts ("USofA") Accounts 343, 344, and 345. EEI's comments request that the Commission deny the request for accounting guidance or, in the alternative, open a rulemaking to consider issuing broad industry guidance. EEI indicated that the rulemaking should address potential compensation ramifications for such assets because they are eligible to provide and be paid for reactive power, but the Commission has not provided clarity on how the methodology for reactive power compensation for synchronous generators applies to nonsynchronous resources.

### Allowance for Funds Used During Construction (AFUDC) Waiver Request

On May 28, 2020, EEI, the American Gas Association and the Interstate Natural Gas Association of America, filed a request for waiver of the Commission's AFUDC calculation. Due to the COVID-19 pandemic and resulting cash flow constraints and financial market volatility, EEI member companies may significantly increase their short-term debt outstanding to increase liquidity and/or improve financing flexibility. These increases in short-term debt may inappropriately distort the AFUDC rate. The request seeks authorization for members to employ a temporary modification of the formula prescribed by the USofA for calculating the AFUDC rate for the 12-month period beginning March 2020 to alleviate the effects of short-term borrowing for liquidity in response to COVID-19 financial impacts on members. While this request is for a waiver for 12 months, EEI may request an extension of this waiver beyond 12 months should the COVID-19 emergency conditions continue to exist beyond that period. EEI and its member

companies will continue to monitor conditions to determine if they warrant filing a request to extend the waiver.

## Reliability Standards

### Retirement of Reliability Standards Under the NERC Standards Efficiency Review

On January 23, 2020, the Commission issued a NOPR proposing to approve the retirement of 74 Reliability Standard requirements that NERC proposed to retire through its Standards Efficiency Review (“SER”), a program designed to identify Reliability Standard requirements that provide little reliability benefit, are administrative in nature, or are redundant with other Reliability Standards. EEI and its members provided substantive feedback and expertise to the NERC SER process to help identify those standards. In the NOPR, the Commission indicated its agreement with nearly all the proposed retirements but sought additional information on two of the requirements that NERC proposed for retirement in Reliability Standard FAC-008-3 (Facility Ratings) because the requirements may not be covered by other Reliability Standards. EEI filed joint comments with the other trade organizations supporting the retirement of the two FAC requirements and provided additional information demonstrating that the requirements are not needed for reliability or are covered by other standards.

### Deferral of Implementation of Reliability Standards

On April 9, 2020, EEI filed joint comments with the other trade organizations supporting a NERC filing requesting that FERC delay the implementation date of six Reliability Standards, in the areas of cyber security, personnel training, disturbance monitoring and reporting, and generator relay loadability scheduled to become effective on July 1, 2020, to help assure grid reliability amid the impacts posed by the COVID-19 pandemic. EEI and other groups noted that delay was appropriate given the unpredictable nature and timeline of COVID-19 that has and continues to impact the electric sector, adding that EEI member companies have been and continue to be appropriately focused on protecting the health and safety of their employees, who are responsible for maintaining reliable and secure grid operations, during the COVID-19 emergency. FERC granted the request to allow registered entities to focus their immediate efforts and resources on maintaining safety and ensuring the reliability of the grid.

## EEI Board Leads

### Federal Regulatory Affairs

- Ralph Izzo, Chairman, President and Chief Executive Officer, Public Service Enterprise Group
- Charles E. Jones, President and Chief Executive Officer, FirstEnergy
- James J. Judge, Chairman, President and Chief Executive Officer, Eversource Energy
- Barry V. Perry, President and Chief Executive Officer, Fortis Inc.

### Reliability

- William H. Spence, Chairman, President and Chief Executive Officer, PPL Corporation
- James P. Torgerson, Chief Executive Officer, Avangrid Inc.



# State Policy Engagement

EEI 2020 Virtual Board and Annual Meeting - June 9, 2020

## Beyond COVID-19, EEI Provides Business as Usual

Despite COVID-19 significantly altering both legislative sessions and public utility commission proceeding deadlines, EEI's state policy team continues its direct engagement across the state regulatory and legislative landscapes. This past quarter, EEI addressed approximately 30 different requests for assistance throughout 13 states and the District of Columbia. In addition to general industry advocacy work in forums across the country, EEI provided direct support by way of regulatory comments, legislative letters, earned and paid media, grassroots engagement, research and analysis, and strategic consulting.

### Aside from COVID-19, Municipalization Tops the List of Issues for Q2

The leading issue on which EEI members requested state support for the past quarter was around municipalization. In addition to helping Black Hills successfully (and overwhelmingly) fend off the municipalization of Pueblo through strategic counsel and media support, EEI worked with former FERC Commissioner Tony Clark and former Colorado PUC Chairman Ray Gifford to produce a white paper from WBK law firm titled, "All That Glitters is Not Gold: Electric Utility Municipalization and How the Regulated Utility Model Can Further Community, State, and National Energy Goals." This whitepaper notes pitfalls of municipalization, while highlighting many of the benefits of the investor-owned electric company model. This resource can be used in a variety of jurisdictions across the country to provide important information to cities and towns that may be considering municipalization.

### EEI State Engagement at a Glance: Q2 2020

- EEI provided support in 13 states and DC.
- Legislative support provided in 8 states and DC in the form of legislative comments, grassroots engagement, media, and research and analysis.
- Regulatory support provided in 11 states and DC in the form of regulatory comments and testimony, support letters, regulatory proceeding and working group participation, media, strategic advice, as well as research and analysis.
- Other than COVID-19, the top three issues for requested support were: 1) municipalization; 2) electric transportation; and 3) net metering reform.

### EEI Board Leads

Warner Baxter, Chairman, President and Chief Executive Officer, Ameren Corporation  
Robert Rowe, President and Chief Executive Officer, NorthWestern Energy

### *EEI Resilience Initiative*

The goal of this initiative is to coalesce EEI's membership around industry-wide resilience messaging and identifying best practices, including standards and planning practices; this program focuses on:

- **Defining resilience strategies broadly.** Developing a resilient energy grid requires a flexible set of tools that electric companies need to leverage depending on geography, risk profile, and other factors. Per Presidential Policy Directive (PPD-21) on Critical Infrastructure Security and Resilience – pursue the ability to prepare, adapt, withstand and rapidly recover from changing conditions. Strategies could include any (or all) of the following: investments in system hardening; cyber and physical security tools, technologies, and training; climate adaptation in the face of extreme weather; incentives for fuel diversity; enhanced response and recovery capabilities, including mutual assistance; planning and training to operate degraded or manually; stockpiling of spare equipment; and, siting additional infrastructure to enhance redundancy and limit criticality of any single node. Promote and ensure that core regional criteria like wind speed, ice loading, temperature estimates, flood plan and sea level rise tables used by utilities to update and evolve design standards and planning are regularly updated and reflect changes from climate change and consumer resilience expectations.
- **Positioning EEI members as uniquely capable of providing resilient services across the energy delivery landscape.** The energy grid is a platform with unique resilience qualities, including its ubiquity, redundancy, capacity, and “biodiversity.” Electric companies have decades of experience and responsibility building, owning, operating, protecting, and restoring the grid, while serving as critical infrastructure providers, national security partners, and first responders. These are characteristics that should be leveraged and developed further. Member case studies can be used to educate stakeholders with a ‘tool box’ for members’ messaging to support regulatory proceedings, legislative initiatives, advocacy efforts, and public messaging.
- **Improving public policy and funding for resilience investments.** Whether from the markets, directly from critical customers, or through rates, access to capital needs to align more directly to resilience goals and public policies need to reflect this imperative. A positive regulatory environment for resilience investments will be particularly important for electric companies as they seek recovery for steps taken to proactively manage changing system conditions.
- **Estimating the value of resilience investments.** Policymakers and stakeholders such as consumer advocates remain skeptical of the idea of moving from reactive to proactive investments in resilience despite early successes. They demand more and independent evidence of the consumer benefits from resilience-based investments and struggle with

how to value something that has not happened. FPL has estimated restoration after major hurricanes is worth over \$1 billion/day to the Florida economy, FEMA has estimated resilience investments are worth about \$150/day/person, DOD requires military facilities to use an MIT developed energy resilience analysis tool<sup>1</sup>, and LBNL is working to update its ICE calculator to reflect societal benefits identified by SNL. This all creates an opportunity for EEI to organize work by EPRI, DOE, FEMA and the national labs to create a tool that policy makers, stakeholders and the utility industry could agree is independent, credible and citable for regulator proceedings. This can be discussed and proposed in the CCIF forum and organized by EEI as part of this plan.

- **Endorsement of proactive resilience-based design standards and planning criteria.** The development of model design standards and planning criteria will help member companies demonstrate the prudence of resilience investments. Leadership is needed to organize the endorsement and expert support by federal and state organizations in the development of standards and criteria that can guide utility investments with flexibility to accommodate regional and individual system needs.

This initiative will complement the programs that already are being developed/implemented individually by member companies. This initiative will be the EEI CEO Policy Committee on State Regulatory and the State Regulatory Practice EAC with support from the CEO Policy Committee on Reliability, Security and Business Continuity and the EEI Government Relations, External Affairs and Communications group.

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<sup>1</sup> <https://www.ll.mit.edu/news/new-software-helps-users-build-resilient-cost-effective-energy-architectures>







# Customer Solutions

EEI 2020 Virtual Board and Annual Meeting – June 9, 2020

The EEI Customer Solutions team continues to work with EEI member companies to enhance energy services and solutions for national corporate, military, and residential customers. The team also facilitates EEI member engagement in partnerships and strategic collaborations with national corporate and military customers on energy-related issues.

## EEI Board Leads:

- Jerry Norcia, President & CEO, DTE Energy
- Maria Pope, President & CEO, Portland General Electric

## National Corporate Customers

Through EEI's corporate customer team and the National Key Accounts program, EEI member companies engage and collaborate with national corporate customers on key energy-related issues. In 2020, EEI continued its focus in these key areas:

- **Electric Company Carbon Emissions and Electricity Mix Reporting Template.** In collaboration with EEI member companies, EEI's Corporate Customer Advisory Group, and the World Resources Institute, EEI developed an electric company carbon emissions and electricity mix reporting template for corporate customers that provides carbon dioxide intensity rates for delivered electricity by EEI member operating company using a consistent accounting approach for ownership and retirement of renewable energy certificates (RECs). Corporate customers can use the carbon intensity rates for their Scope 2 reporting.
  - In Q2 2020, EEI launched the template via an EEI portal. EEI anticipates that 30 member companies will provide the 2019 carbon emissions data by the June deadline.
  - In mid-June, EEI will provide corporate customers access to the 2019 carbon emissions and electricity mix data by EEI member operating company.
- **Working with Members and National Corporate Customers During the COVID Crisis.** Throughout the crisis, EEI has been leading initiatives with national corporate customers and EEI members, including:
  - Convened weekly calls with national corporate customers to educate them on the industry's response to the pandemic and to understand their COVID-related issues and needs.
  - Convened weekly calls with EEI member key-account team leaders to brief them on corporate customer concerns and to provide opportunities for members to share lessons-learned in handling customer COVID-related issues.
  - Maintained a customer monitor to keep members updated on customer activities, operating and financial status, and other relevant issues.
  - Surveyed national corporate customers to gauge the impacts of the COVID crisis on their businesses with an emphasis on energy consumption and costs; perspectives on the electric industry's response to the crisis; and future investments in energy efficiency, renewable energy, electric transportation, and on-site generation and storage. Key findings include:

**Customer Solutions**

- For most customers, the importance of achieving carbon reduction, renewable energy and other sustainability goals has not been affected by the crisis. However, investments in energy efficiency will likely decrease.
    - Majority of customers agreed that electric company representatives have been available and helpful during the crisis.
    - Majority of customers said that their operations would be open by July 15, 2020.
  - Leveraged EEI’s relationships with national corporate customers and their suppliers to help find PPEs for member companies.
  - Leveraged relationships with national hotel chains to set up an efficient process for providing housing accommodations for mutual assistance crews traveling to impacted areas.
- **Corporate Customer Advisory Group.** EEI continued to work closely with its customer advisory group to advance key industry issues.
  - Early in 2020, EEI’s national corporate customer advisory group recognized the increasing costs and reliability risks associated with 100 percent renewable energy goals and agreed to work with EEI to broaden approaches for achieving carbon emissions reductions. As the COVID crisis winds down, EEI is resuming discussions with corporate customers on moving the clean energy conversation forward.
  - EEI successfully mobilized its national corporate customer advisory group to support FPL’s SolarTogether program which was approved by the Florida Public Service Commission in March 2020. Corporate customers voiced their desire to see similar types of electric company offerings replicated in other parts of the country and agreed to support these types of programs.
- **Keeping EEI Members and National Corporate Customers Connected.** Throughout the year, EEI hosts dialogues with national corporate customers and EEI members to further enhance the customer-industry partnership. Although EEI had to cancel its Spring National Key Accounts Workshop due to the coronavirus crisis, EEI will be conducting webinars and other dialogues with member companies and customers throughout the summer that focus on the following: fleet electrification; EEI member company clean energy offerings; next steps for the EEI carbon emissions reporting template; and key updates to building codes and efficiency standards.

**Military Customers**

EEI member companies across the United States actively engage in ongoing partnerships and strategic collaborations with the Department of Defense (DoD) and all branches of the military to support military facility energy resiliency priorities, cyber and physical security, energy management, and other energy priorities that affect national security. EEI’s CEO Task Force on Military Resilience oversees EEI’s military-related activities. The Task Force co-chairs are:

- Robert Blue, Executive Vice President and Co-Chief Operating Officer, Dominion Energy, and President, Dominion Energy Virginia
- Connie Lau, President and CEO, Hawaiian Electric Industries

Current EEI military focus areas include:

- **EEI Member-DoD Leadership Engagement.** At the March Board meeting, the Assistant Secretaries and other key leaders of the Air Force, Army, and Navy met with the EEI CEO Task Force on Military Resilience to discuss furthering electric company-military strategic collaboration on energy reliability and resiliency including physical and cyber threats to the energy grid and the implications for its critical

missions. DoD has prioritized maintaining access to reliable, resilient, and cybersecure energy resources and expressed their continued interest in partnering with EEI members to lean on their expertise, experience, and potential project funding avenues. EEI also organized several one-on-one meetings between member company executives and the assistant secretaries of the Service Branches to discuss company/installation-specific energy resiliency partnership opportunities.

- **Base Access During COVID.** In the early days of the crisis, EEI successfully petitioned DoD leaders to intervene on base access issues that some EEI member company were experiencing by emphasizing that electric company employees are deemed essential and are critical to maintaining reliability on base and for critical missions.

## Residential Customers

EEI actively engages member companies in customer-focused workshops and provides case studies and other resources to highlight the different ways EEI member companies are moving forward to reimagine residential customer service and meet rapidly changing customer expectations. During the COVID crisis, EEI engaged member company customer officers and customer service leads in weekly dialogues to discuss how electric companies are engaging and supporting residential and small business customers throughout the crisis. As states start to return to normal business activity, EEI is now engaging member company customer leads in dialogues on strategies for returning to normal.

- **Changes to Customer Service Policies.** EEI engaged with member company customer service leads to provide a resource that tracks the status and duration of temporary suspension of service disconnects and fees, customer assistance programs, payment arrangements, and other changes to normal billing, collection, and disconnect activities.
- **Supporting Small Business Customers.** EEI identified and distributed to members examples of online resources developed by member companies to help small business customers understand and apply for available resources, including state programs and expanded federal resources such as the Small Business Administration’s Paycheck Protection Program and other loans. EEI also shared how some member companies formed multi-disciplinary teams from customer care, media relations, government relations, and economic development groups to assist small business customers in filling out loan applications and identifying banks processing the applications.
- **Strategies for Returning to Normal Collection Activities.** As states and local jurisdictions end stay-at-home orders, EEI is facilitating dialogues with member company customer officers and customer service leads on strategies for proactive and layered customer outreach, including increasing the number of customer touchpoints and more targeted efforts to address arrearages such as using “soft collection” communications that encourage customers with balances past due to contact their electric company to learn about available resources, including accessing energy assistance funds, developing a payment arrangement plan, and other resources. Member company customer survey results indicate the increased touchpoints with customers and “soft collection” efforts are creating a halo effect with favorability and trust metrics on the rise. For some electric companies, these “soft collection” efforts are working to keep accounts receivable less than 60 days at manageable levels in advance of resuming disconnect activities.

## Attachments/Additional Resources

- Electric Company Carbon Emissions and Electricity Mix Reporting Template for Customers (May 2020)

## Electric Company Carbon Emissions and Electricity Mix Reporting Template for Corporate Customers

(May 2020 Update)

### Update

- June 8: Final day for EEL member companies to provide carbon emissions intensity rates and electricity resource mix data by operating company (for CY2019) using EEL's online data entry portal (see below). Expect about 30 EEL member companies to participate this year.
- June 11: EEL provides Scope 2 carbon emissions data by EEL operating company (for 2019) to corporate customers for GHG reporting.
- Template developed by EEL in collaboration with member companies, corporate customers, and the World Resources Institute.

### Online Data Entry Portal

▫



[Electric Company Carbon Emissions and Electricity Mix Reporting Template for Customers](#)

[View Instructions and definitions \(pdf\)](#)

Company	(please select) <input type="button" value="v"/>
State	<input type="button" value="v"/>
Data Year	2018 <input type="button" value="v"/>
Qualitative Narrative	<div style="border: 1px solid black; height: 40px; width: 100%;"></div> <p><small>Provide qualitative description of the carbon emissions and resource mix entered in the template. Include carbon reduction goals if public.</small></p>
Total Electricity Delivered by Operating Company (MWh)	<input type="text"/> <small>Total Electricity Delivered by Operating Company [Total = Owned + Purchased]</small>
Utility Specific Residual Mix Emissions Rate	<input type="text"/> <small>CO2 lbs/MWh</small>
Utility Average Emissions Rate	<input type="text"/> <small>CO2 lbs/MWh</small>
Verified	No <input type="button" value="v"/> <small>If "Other" describe in Notes box below</small>
Protocol	<input type="button" value="v"/> <small>If "Other" describe in Notes box below</small>
Resource Mix	

Staff Contact: Adam Cooper, Senior Director, [acooper@eei.org](mailto:acooper@eei.org), 202-508-5551

## Electric Company Carbon Emissions & Electricity Mix Reporting Template for Corporate Customers: June 2020 Rollout Plan

1. Press Release
  - Draft press release to key collaborators quoted and secure approval of quote; identify members willing to discuss with reporters; coordinate with member company communications team (week of June 1).
  - Send press release to media, EEI Customer Solutions Executive Advisory Committee, Corporate Customer Advisory Group, others (June 11).
2. Member Coordination and Carbon Emissions Data Availability
  - Provide weblink to participating electric companies to access the consolidated dataset and see how the information is packaged and organized (June 8). Allow for member feedback (June 10).
  - Make data available to corporate customers for their Scope 2 carbon emissions reporting (June 11).
3. Third Party Notice: Send rollout plan to WRI and REBA (end of May).



# Electric Transportation

EEI 2020 Virtual Board and Annual Meeting – June 9, 2020

EEI is monitoring the impacts of COVID-19 on electric transportation (ET). Key indicators show reason for concern in the near-term, but optimism in the long-term. Bloomberg New Energy Finance expects global auto sales to decrease 23 percent this year, but that electric vehicle (EV) sales will show a smaller decrease of 18 percent (see Bloomberg New Energy Finance link below). Some automakers have announced delays in new EV model launches, but not significant changes to plans that are expected to result in more than 125 EV models available by 2023 (see EPRI link below). On the policy front, California in April modified its proposed Advanced Clean Trucks rule to be even more stringent in requiring zero-emission trucks in the state starting in 2024, and several other states have taken steps this year to further their electric transportation goals.

Electric companies are doing their part by continuing to implement and propose investments in charging infrastructure and other customer programs to bring the benefits of reduced emissions and more efficient use of the energy grid to more customers. So far this year, nine EEI members received approvals in seven states to invest a total of \$64 million, while six members in five states have proposed new investments totaling nearly \$124 million (see attached Electric Transportation Biannual State Regulatory Update). Electric companies are increasingly focusing on fleet customers to help support the deployment of electric trucks, buses, and other commercial vehicles, which aligns with the focus of the Electric Transportation CEO Task Force for 2020.

## EEI Board Leads:

- John Pettigrew, Chief Executive, National Grid
- Pedro Pizarro, President & CEO, Edison International
- Patti Poppe, President & CEO, CMS Energy

## EEI 2020 Electric Transportation Priorities

The EEI Electric Transportation CEO Task Force approved a workplan for 2020 at its January 2020 meeting that is focused on fleet electrification. EVs are still limited in availability for many fleet applications, particularly in the medium- and heavy-duty space, but growing interest from commercial and public sector customers provides an opportunity for our industry to get ahead of this nascent market. Furthermore, the power needed to charge medium- and heavy-duty EVs can be significant and will require electric companies to work collaboratively with fleet customers in new ways.

EEI has established a Fleet Electrification Working Group to develop the deliverables associated with this workplan:

1. An **industry roadmap** identifying common practices that electric companies can adopt to accelerate customer fleet electrification. The Working Group has identified initial common practice areas including the internal building blocks needed to support fleet customers and tools to improve customer information sharing. The Working Group will continue to identify new areas, refine them, and vet them with customers.
2. A **collaboration with Amazon** will help inform the roadmap with real-world experience for the benefit of all EEI members. As described at our January CEO meeting, Amazon has aggressive fleet electrification goals as part of its overall Climate Pledge, including an order for 100,000 electric delivery vans from Rivian that will be deployed by 2030.

3. A **fleet market assessment** to characterize the macro opportunity, timing, and customer segmentation of fleet electrification. The Working Group has leveraged existing research to develop an initial forecast, as well as to identify early-mover fleet segments that will inform electric company programs and customer outreach. The Working Group will continue to refine the assessment with input from other groups like EPRI and member company local assessments.

In addition to these priorities, the Task Force intends to demonstrate leadership by strengthening our industry commitment to electrifying our own fleets:

- Building upon the 2014 EEI initiative that challenged member companies to invest at least five percent of their annual fleet procurement budget into plug-in vehicles and technologies, **the Task Force in 2020 is asking all members to set new, individual fleet electrification goals that are ambitious but achievable.** The Task Force co-chairs are setting an example by articulating goals for their companies framed around vehicle adoption and target dates. EEI will collect individual member company goals so that EEI can publicize these commitments at an appropriate future date and demonstrate our industry's impact and leadership.

### Electric Transportation Policy Focus

At the federal level, EEI is closely monitoring proposals from industry groups, environmental groups, and other stakeholders that are prioritizing electric transportation investments in a potential infrastructure or stimulus package. EEI is refining its list of ET priorities, which includes expanding the EV tax credit alongside a broad suite of funding opportunities for charging infrastructure and fleet electrification. EEI will build off its previous ET advocacy efforts to advance these proposals at the appropriate time.

On the state front, EEI continues to work with member companies and stakeholder groups to identify opportunities to push ET priorities, including policy that enables electric company participation in ET, as well as other state efforts to set policy goals, expand incentives, and build out charging infrastructure. EEI also responded to the increasing trend of petroleum interests intervening in state ET proceedings by filing an amicus brief in the Minnesota Court of Appeals in support of Xcel Energy's EV pilots (see link below).

### Attachments/Additional Resources

- Electric Transportation Biannual State Regulatory Update – Highlights
- EEI Amicus Brief in the Minnesota Court of Appeals, <https://www.eei.org/members/committees/Documents/Custom%20er%20Solutions%20EAC%202020%20Documents/EEI%20-%20Filed%20MN%20EV%20Amicus%20Brief.pdf>
- Bloomberg New Energy Finance: Electric Vehicle Outlook 2020, <https://about.bnef.com/electric-vehicle-outlook/>
- EPRI: Consumer Guide to Electric Vehicles, <http://mydocs.epri.com/docs/public/3002018113-HiRes.pdf>



**CUSTOMER SOLUTIONS**  
**ELECTRIC TRANSPORTATION**

# Electric Transportation Biannual State Regulatory Update

(June 2020)

## HIGHLIGHTS

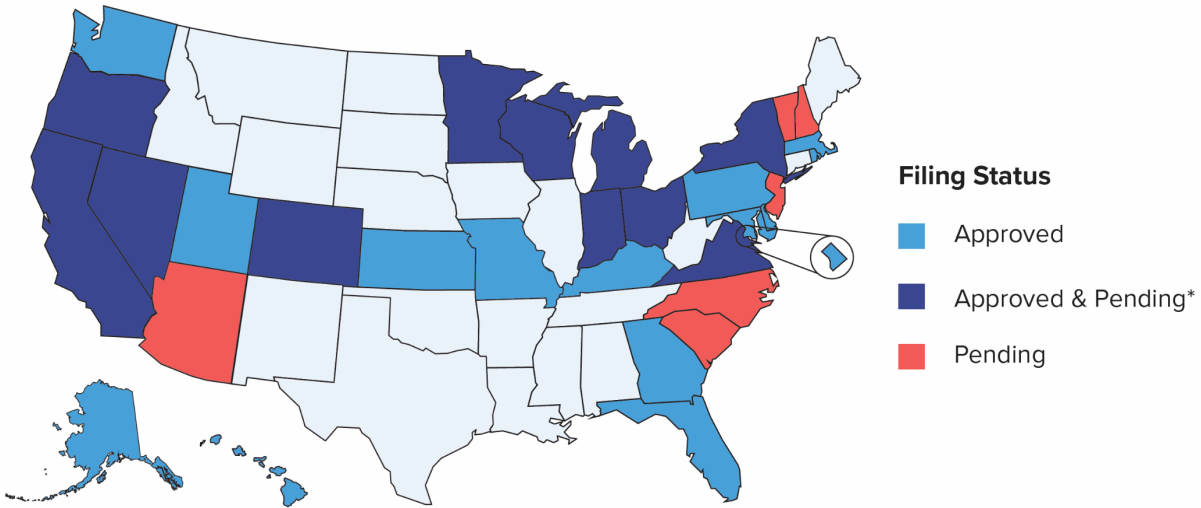
Electric companies increasingly are engaged in many different facets of electric transportation (ET), and this document highlights recent regulatory activities related to ET. As of May 2020:

- 48 electric companies have received approval for ET filings in 26 states plus DC, representing a total investment of more than \$1.51 billion (see Figures 1 & 2).
- 22 electric companies have pending ET filings in 17 states, representing a total potential investment of \$1.41 billion (see Figure 1).
- 24 states have approved electric company charging infrastructure investments in make-ready infrastructure (up to the charging station); electric company ownership of charging infrastructure; and charging station rebates/discounts to customers (see Figure 3).
- 24 states have open general proceedings related to ET to gather information, study trends, and develop electrification plans, among other things (see Figure 4).

Further details on the approved and pending filings can be found in the [appendix tables](#).

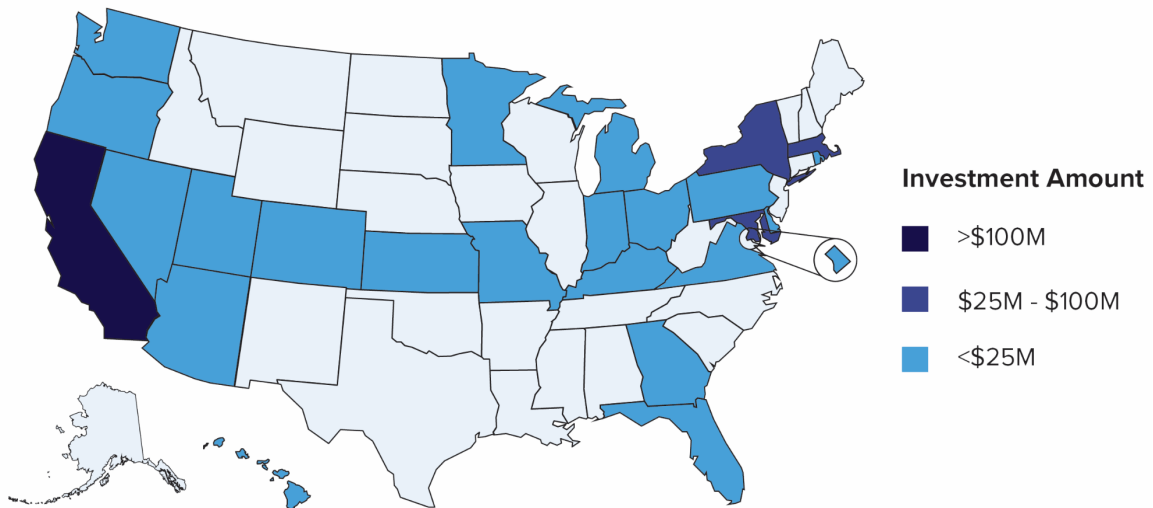


**Figure 1. EEI Member Company Regulatory Filings Related to Electric Transportation:  
 Approved and Pending (May 2020)**



\*This filing status indicates states with previously approved filings and filings still under consideration.

**Figure 2. EEI Member Company Investments Total \$1.51 Billion in States with Approved ET  
 Filings (May 2020)**

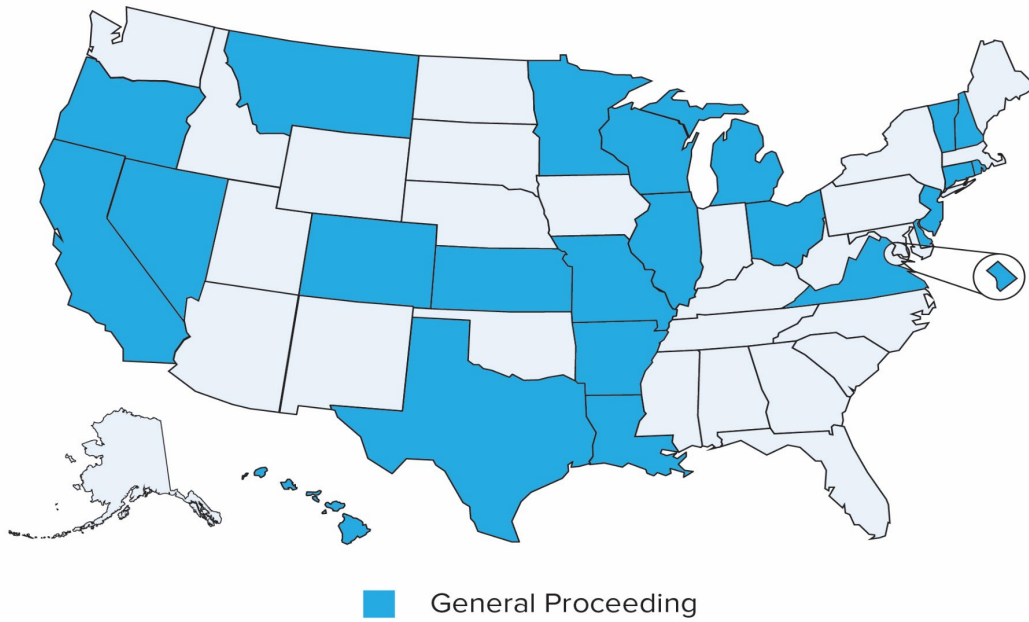


**Figure 3. Approved EEI Member Company ET Charging Infrastructure Investments by State**

Approved Electric Company Investments			
State	Make-Ready Infrastructure (up to the charging station)	Electric Company Ownership of Charging Stations	Charging Station Rebates/Discounts to Customers
AZ	✓		✓
CA	✓	✓	✓
DC	✓		
DE		✓	✓
FL		✓	
GA		✓	✓
HI		✓	
IN	✓		✓
KS		✓	
KY		✓	
MA	✓		✓
MD		✓	✓
MI	✓		✓
MN	✓	✓	
MO		✓	✓
NV			✓
NY	✓		✓
OH			✓
OR	✓	✓	✓
PA	✓	✓	✓
RI	✓		✓
UT	✓		✓
WA		✓	
WI		✓	

Note: Figure 3 only shows approved filings that included a charging infrastructure component.

**Figure 4. Watch List: States with Open General Proceedings Related to ET (May 2020)**





Edison Electric  
INSTITUTE

# Business Session

**Edison Electric Institute**  
**DRAFT Minutes of the Board of Directors**  
**March 3-4, 2020**

Conroy / Garrett

A meeting of the Board of Directors of the Edison Electric Institute (EEI) was held at Mandarin Oriental, Washington D.C. on Tuesday and Wednesday, March 3-4, 2020. Mr. Christopher Crane, President and CEO, Exelon Corp., presided.

**Members of the Board of Directors Present**

- Christopher Crane, Chairman
- Benjamin Fowke, Vice Chairman
- Gerard Anderson, Vice Chairman
- Nicholas Akins, Chairman Emeritus
- Thomas Fanning, Chairman Emeritus
- Thomas Farrell, Chairman Emeritus
- Lynn Good, Chairman Emeritus
- Patricia Vincent-Collawn, Chairman Emeritus
- Darrel Anderson
- Warner Baxter
- Samuel Belcher for Charles Jones
- Gregory Butler for James Judge
- Timothy Cawley for John McAvoy
- Leo Denault
- William Fehrman
- Andrés Gluski
- Jeffrey Guldner
- David Hutchens
- Ralph Izzo
- William Johnson
- Nicole Kivisto
- John Larsen
- Constance Lau
- James Laurito
- Kenneth Mercado for John Somerhalder
- Bethany Owen
- Colin Owyang for Thomas Dunn
- Barry Perry
- Pedro Pizarro
- Maria Pope
- Marcy Reed for John Pettigrew
- Ian Robertson
- James Robo
- Robert Rowe
- Vincent Sorgi for William Spence
- James Torgerson
- Sean Trauschke
- Dennis Vermillion
- Stuart Wevik for Linden Evans

**EEI Officers Present**

- Thomas Kuhn
- Brian Wolff
- Philip Moeller
- Scott Aaronson
- Adam Benschhoff
- Emily Fisher
- Lawrence Jones
- Richard McMahon
- James Owen
- Theresa Oliva
- John Schlenker
- Quinlan Shea
- Kathryn Steckelberg
- Brad Viator
- Stephanie Voyda
- Lisa Wood

1. Mr. Crane called the meeting to order at 8:30 am on March 3, 2020. Mr. Crane drew the Board's attention to the antitrust guidelines and the Conflict of Interest policy.
2. Mr. Thomas Fanning, Chairman, President & CEO, Southern Company, introduced Mr. Christopher Krebs, Director, Cybersecurity and Infrastructure Agency, Department of Homeland

Security (DHS). Mr. Krebs updated the Board on the novel coronavirus (COVID-19) and noted that DHS is coordinating with the Centers for Disease Control and Prevention and the Department of Health and Human Services. Mr. Krebs noted several keys for responding to COVID-19: employee and family support; access to personal protective equipment; supply chain security; cybersecurity; and incident response plans. Mr. Pedro Pizarro, President & CEO, Edison International, noted concerns for increased cybersecurity attacks. Mr. Fanning asked Mr. Krebs what the country should expect; Mr. Krebs stressed the importance of good hygiene and social distancing. He said he expected schools to close. In response to Mr. Nicholas Akins, Chairman, President & CEO, American Electric Power (AEP), Mr. Krebs said that the electric industry's incident command structure would serve companies well during the health crisis, but he noted concerns about workforce reductions and supply chain bottlenecks.

3. Mr. Sean Trauschke, Chairman, President & CEO, OGE Corp., updated the Board on the draft climate principles for assessing proposed legislation that were discussed at the January 2020 Board of Directors meeting. These principles focus on affordability, outcomes, economy-wide solutions, and technology development. Any additional comments on the principles should be directed to Mr. Quinlan Shea, EEI Vice President, Environment, Natural Resources, and Occupational Safety & Health. Mr. Gerard Anderson, Executive Chairman, DTE Energy, provided an update on climate activity on Capitol Hill, focusing on the House Energy & Commerce committee draft legislation aimed at achieving economy-wide net-zero greenhouse gas (GHG) emissions by 2050, which was introduced in late January.
4. Mr. Benjamin Fowke, Chairman & CEO, Xcel Energy, discussed the importance of 24/7, dispatchable, zero-emitting resources to achieve the industry's climate goals, stressing that the credibility of these goals depends on the industry's commitment to develop the needed technology. He also emphasized the importance of natural gas in making progress toward these goals. He said that EEI would hold a workshop in April to identify specific policies and programs to support critical developments for carbon capture and storage, advanced renewables, energy efficiency, storage, demand response, advanced nuclear, and hydrogen technologies. He noted that several environmental non-profit organizations would participate. Mr. Anderson discussed an effort that he and Mr. Fowke were spearheading to identify thought leaders who will support and communicate a practical vision for achieving the industry's climate goals while ensuring that electricity remains affordable and reliable. Mr. Anderson and Mr. Fowke will report back on this effort at future Board meetings. Mr. Andrés Gluski, President & CEO, the AES Corp., stressed the importance of offsets in meeting climate goals. Mr. Robert Rowe, President & CEO, NorthWestern Energy, indicated his support for these efforts. Mr. Warner Baxter, Chairman, President & CEO, Ameren Corp., also offered his support. Mr. Anderson, returning to the topic of natural gas, stressed the importance of working with natural gas producers and pipelines on upstream emissions.
5. Mr. Philip Moeller, EEI Executive Vice President, Business Operations Group & Regulatory Affairs, updated the Board on activities at the Federal Energy Regulatory Commission (FERC), including efforts to redefine how FERC determines returns on equity (ROE) and the requests for rehearing of the Minimum Offer Price Rule. Mr. Moeller also noted that FERC Chairman Neil Chatterjee spoke at EEI's weekly Washington Reps meeting in February, where he took many questions and said, among other things, that he intended to address incentives for transmission, but first wanted to address how base ROEs are set. Chairman Chatterjee also noted his interest in the 6 GHz rulemaking at the Federal Communications Commission (FCC) and its implications

for the reliability of critical electric systems. Mr. Moeller also drew attention to EEI's recently completed Value of Transmission report, which has been provided to the FERC Commissioners. Mr. Ralph LaRossa, President & Chief Operating Officer, Public Service Electric & Gas Co., discussed his recent meeting with the new PJM CEO, Mr. Manu Asthana, who has said that his goals are to be transparent, re-establish relationships with FERC and the states, and update the stakeholder process.

6. Mr. Rowe provided a snapshot of EEI's state policy engagements since January. In the first quarter, EEI engaged in 25 different instances in 18 states and the District of Columbia. These engagements covered a wide range of topics, including restructuring, municipalization, community choice aggregation, rate issues, regulatory reform, electric vehicles, energy storage, and resilience. Mr. Baxter shared his experience with EEI engagement on restructuring legislation in Missouri, which ultimately was defeated.
7. Ms. Lisa Barton, Executive Vice President, Utilities, AEP, and Mr. Michael Innocenzo, President & CEO, PECO, discussed the ongoing workforce initiative to address barriers to entry to the electric industry. Ms. Barton and Mr. Innocenzo, who co-chair this initiative along with Mr. Rod West, Group President, Utility Operations, Entergy Corp, will make recommendations to Board at the next meeting. They also will update the Board on the independent assessment of existing testing tools. Mr. Crane stressed the importance of working together to share programs and practices to bring more and different workers from the communities served to work for electric companies. Mr. David Velasquez, President & CEO, Pepco Holdings, then interviewed D.C. Public Service Commission Chair, Willie Phillips, about the D.C. Infrastructure Academy, of which Exelon was a key founder and which trains local residents for electric company jobs. They stressed the holistic nature of the program, which addresses key job skills, as well as interview skills and other training. Ms. Marcy Reed, President, National Grid Massachusetts, and Executive Vice President, Policy and Social Impact, National Grid, noted a partnership with the United Way and the Boys & Girls Club to make underprivileged youth aware of electric company jobs and opportunities.
8. Mr. Crane announced changes in the industry's leadership ranks since the January meeting. These include:
  - Mr. Kevin Sagara, Chairman & CEO, San Diego Gas & Electric Co., will succeed Mr. Joseph Householder as his company's representative on EEI's Board;
  - Mr. William Spence will step down as President & CEO, PPL Corp., on June 1, and will be succeeded by Mr. Vincent Sorgi. Mr. Spence will become the non-Executive Chairman of the Board;
  - Mr. John Somerhalder has been named interim CEO of CenterPoint Energy;
  - Ms. Bethany Owen has been named CEO, Allete, reporting to Mr. Al Hodnick, who remains Executive Chairman; and
  - Mr. Bob Frenzel has been named President & Chief Operating Officer, Xcel Energy; Mr. Frank Prager has been promoted to Senior Vice President of Strategy, Planning, and External Affairs.

9. Mr. Crane made a motion for Board approval of the minutes of the January 2020 Board Meeting, which were previously circulated. The motion was seconded and approved by voice vote.
10. Mr. Fowke made the membership and budget reports. He made a motion for their approval. The motion was seconded and approved by voice vote.
11. Mr. Crane proposed three new members for the EEI Board: Ms. Owen, Mr. Sagara, and Mr. Somerhalder. A motion was made, seconded, and approved by voice vote.
12. Ms. Mary Randolph Gannon, EEI Senior Manager, Political & External Affairs, provided the PowerPAC report and updated the Board on EEI's proposed activities at the Democratic and Republican National Conventions this summer.
13. Mr. Calvin Butler, Senior Executive Vice President, Exelon, and CEO, Exelon Utilities, introduced Maryland Governor Larry Hogan, who also serves as Chair of the National Governors Association (NGA). Governor Hogan discussed his focus in Maryland and at NGA on infrastructure development. He also discussed NGA's interest in ensuring that critical infrastructure is resilient and protected against cyberattacks. Mr. Butler then interviewed Governor Hogan on a range of topics. In response to Mr. Butler's questions, Governor Hogan stressed that the private sector must partner with government on infrastructure priorities and the importance of bipartisan compromise. He encouraged all companies to participate in the NGA's upcoming resilience meetings and to continue to partner with governors on workforce development efforts. In response to a question from Mr. Tom Kuhn, EEI President, Governor Hogan said that his administration has focused on the environment while maintaining an all-of-the-above approach to energy. He also noted that efforts to incent EV deployment through tax credits and charging station availability have been very successful in Maryland. Mr. Butler asked the Governor to discuss the steps that Governors and the federal government were taking to prepare for COVID-19, which he did.
14. Mr. Crane introduced Secretary David Bernhardt, Department of the Interior (DOI). Secretary Bernhardt updated the Board on many activities at DOI, including the M-Opinion on incidental takings of certain migratory birds; a recent proposal to update the National Environmental Policy Act (NEPA) regulations; and efforts to reorganize DOI. He stressed that his goal was to speed up the NEPA process, without changing the standards, to facilitate infrastructure development. He also addressed federal efforts to assist in mitigating wildfire risks. Ms. Maria Pope, President & CEO, Portland General Electric, thanked Secretary Bernhardt for his efforts to address wildfires and incidental bird takes. She asked how electric companies can coordinate better with DOI on wildfires. The Secretary encouraged continued engagement, especially with DOI's more local leadership. Mr. Fowke thanked the Secretary for his efforts to expedite NEPA reviews.
15. Mr. Kuhn announced the winners of the EEI Advocacy Excellence Awards. Those companies receiving an Honorable Mention include AEP; Ameren Illinois; Ameren Missouri; Duke Energy; Florida Power & Light; National Grid; PNM Resources; Portland General Electric; and Xcel Energy. The winner is Southern California Edison, which won for the public education campaign that led to the passage of A.B. 1054, one of several measures passed in 2019 to ensure a comprehensive approach to California's growing wildfire risk. Signed into law by Governor Newsom in July 2019, A.B. 1054 includes provisions to enhance wildfire mitigation across the state, establishes a cost-recovery standard that focuses on the reasonableness of utility conduct,



and creates a Catastrophic Wildfire Fund financed by shareholders and customers to help pay for the cost of property damage arising from a wildfire ignited by utility equipment. Mr. Kuhn congratulated Mr. Pizarro. The Board and others assembled applauded. Mr. Pizarro and thanked EEI and other partners for their help on this effort.

16. Mr. Michael Howard, CEO, EPRI, provided an update on EPRI's activities. He particularly noted EPRI's upcoming Electrification Conference in April and the Summer Seminar, which is scheduled for August. He also thanked Ms. Pat Vincent-Collawn, President & CEO, PNM Resources, for her tenure as EPRI Chair and noted that Mr. Pizarro will become Chair in April.
17. Mr. Ralph Izzo, Chairman, President & CEO, Public Service Enterprise Group, introduced Rep. Frank Pallone (D-NJ), Chair, House Energy & Commerce Committee. Chairman Pallone focused his remarks to the Board on climate change and legislation to help communities mitigate and adapt to the risks that climate change poses. He recognized that many EEI members have goals to reduce emissions and said he appreciated EEI engagement on this issue. He outlined the major provisions of the bill introduced at the end of January, noting that it included both new and tested ideas for addressing climate change, including a clean energy standard. Ms. Lynn Good, Chairman, President & CEO, Duke Energy, thanked the Chairman for his leadership and said that climate legislation should preserve nuclear generation and support innovation through research and development (R&D). She also said that there is a right role for natural gas generation. Mr. Anderson asked if legislators were aware of the aggressive commitments to reduce emissions made by many companies around the table, to which Speaker Pallone replied that Members of Congress were aware. Mr. Kuhn thanked Chairman Pallone for his recognition that electricity is the solution to many decarbonization challenges.
18. Mr. Crane adjourned the meeting for the day at noon.
19. Mr. Fowke called the meeting back to order at 8:30 am on March 4, 2020. He introduced a panel discussion about mapping a sustainable future for natural gas.
20. Ms. Reed led this discussion with Mr. Jack Collins, CFO, BPX Energy, and Ms. Diane Leopold, Executive Vice President and co-COO, Dominion Energy. Mr. Collins highlighted BP's Global Carbon Strategy aimed at achieving net-zero GHG emissions by 2050, consistent with the Paris Accord, key elements of which are carbon pricing and technology innovation. Ms. Leopold noted that Dominion's goal is for net-zero emissions of both carbon dioxide and methane emissions, across all electric and natural gas operations. She noted that, for natural gas operations, this will involve "netting off" some emissions, as well as developing renewable natural gas products. Mr. Collins agreed with Ms. Reed that the Natural Gas Sustainability Initiative was a good first step in embedding net-zero goals in the natural gas supply chain, especially as measurement and verification are needed to gain public acceptance for the continued use of natural gas. Ms. Leopold stressed the importance of R&D for multiple technologies to help all parts of the supply chain reduce emissions. Mr. Anderson noted concerns that failure to address methane emissions will make it difficult to continue to use natural gas and said that consumer and buyer behavior change is needed. He stressed the importance of technology innovation to reduce both emissions and costs. Mr. Fowke agreed that upstream producers needed to address GHG emissions.
21. Mr. Fowke introduced Sen. Lisa Murkowski (R-AK), Chair, Senate Energy & Natural Resources (SENR) Committee, and Chair, Senate Interior Appropriations Subcommittee. Chairman

Murkowski provided an overview of a bipartisan bill to modernize energy laws, which she introduced with SENR Ranking Member, Sen. Joe Manchin (D-WV). She said that this bill would drive access to affordable, reliable, even cleaner energy and would address renewable energy, storage, advanced nuclear generation, cybersecurity, and grid modernization, among other things. She also noted her concerns about the possible loss of a quorum at FERC and committed to continue to move nominations to fill vacancies at the Commission. In response to a question from Mr. Kuhn, Chairman Murkowski noted that her energy bill was a first step toward addressing climate change.

22. Ms. Pope introduced Dr. Rebecca Katz, Professor and Director, Center for Global Health Science and Security, Georgetown University Medical Center. Dr. Katz provided a situation update about COVID-19, focusing on what is currently known about the virus and efforts that can be taken to minimize its spread. She stressed the importance of social distancing to minimize infections and ensure hospitals can respond effectively. Mr. Brian Wolff, EEI Executive Vice President, Public Policy & External Affairs, noted concerns about global preparedness for a pandemic. Dr. Katz said that COVID-19 would hit unprepared countries hard. Dr. Katz noted concerns about high infection rates and high levels of absenteeism; she asked Board members to think about redundancy in their operations.
23. Mr. James Robo, Chairman, President & CEO, NextEra Energy, described a new community solar program recently approved by the Florida Public Service Commission. This will be the largest community solar project in the country and provides an alternative to private solar; 75 percent of the output was pre-sold to commercial and industrial customers. The payback period is only seven years and demand for the product is high. Mr. Fowke asked how this product compared to private solar in Florida, which Mr. Robo said had a much longer payback period.
24. Ms. Kimberly Greene, Chairman, President & CEO, Southern Gas Co., discussed the ongoing work in the area of occupational health and safety, focusing on the release of the long-term program to reduce severe injuries and fatalities (SIF) that aimed to identify and address critical risks to workers. She reviewed the new tool, the SIF Precursor Analysis Protocol. She announced the next steps in this effort, which included broader data collection and analysis. She also announced the creation of a new CEO Task Force on Safety. Ms. Greene said that EEI and member company staff are focused on both employees and contractors and are working to educate the Occupational Health and Safety Administration on these efforts. Mr. Gluski noted the importance of engaging contractors engaged in construction, and Ms. Green agreed.
25. Mr. James Torgerson, CEO, AVANGRID, provided the Reliability, Security, and Business Continuity update. He stressed that companies should be engaging their continuity of operations plans to prepare for the potential impacts of COVID-19. He noted that preparing to work from home, providing family assistance for essential personnel, and assessing mutual assistance frameworks will be key. He said that the Electricity Subsector Coordinating Council (ESCC) will initiate cross-sector calls, will help members engage with government partners, and will promote unity of message. Mr. Torgerson said that the Culture of Security peer review pilot program will begin in the third quarter.
26. Mr. Torgerson thanked Ms. Pope and Mr. Darrel Anderson, CEO, Idaho Power Co., for their work on the CEO Wildfire Task Force, which remains a top priority of the ESCC. Mr. Anderson reviewed the first ESCC wildfire meeting, which took place in late January, and the wildfire

mitigation technology summit, which was hosted by Oncor in Dallas in February. He said that these efforts were focused on what could be done now to mitigate risks before the next wildfire seasons starts. He turned to Mr. Pizarro, who reviewed his company's three-year plan to mitigate wildfire risks. Mr. William Johnson, President & CEO, PG&E Corp., noted concerns about Public Safety Power Shutoffs this year, but said that his company is taking steps to minimize their use. Ms. Pope stressed the importance of strengthening mutual assistance in the West to help respond to wildfires. She suggested a CEO-level meeting to discuss mutual assistance efforts.

27. Mr. Stan Connally, Executive Vice President, Operations, Southern Company Services, discussed the recent formation of the executive-level FCC Task Force, aimed at coordinating member response to various rulemakings on spectrum, as well as pole attachments and related communications issues. He updated the Board on the 6 GHz rulemaking and noted efforts to engage constructively with the FCC on concerns about potential reliability impacts from unlicensed use of the band. While EEI members support unlicensed use and better access to broadband, licensed users need to be protected from harmful interference. Mr. Akins noted the value of increased outreach to the FCC, which Mr. Kuhn seconded.
28. Ms. Pope discussed the work of the Policy Committee on Customer Solutions, focusing on the release of a template for reporting GHG emissions intensity to customers. Mr. Fowke praised this effort at standardization and customer engagement. Mr. Pizarro discussed the recent efforts of the Task Force on Electric Transportation & Electrification. He noted progress on the effort to partner with Amazon on fleet electrification pilot programs and reminded the Board about goals to increase members' commitments to fleet electrification.
29. Mr. Akins introduced FCC Chairman Ajit Pai. Chairman Pai thanked EEI and members for their increased engagement at the FCC and discussed several issues of interest. These included the upcoming 6 GHz rule. Chairman Pai said that he would work to ensure that the final rule protected incumbents from harmful interference. He also noted the importance of electric and telecommunications coordination in response to storms and other events that cause service outages. He noted that he was pleased that EEI was partnering with CTIA, a wireless industry trade association, to share disaster response best practices. Mr. Akins agreed that post-disaster coordination is important and that electric and telecommunications providers should work to improve that coordination. Mr. Fanning stressed that cybersecurity concerns also require closer coordination between the two industries. Mr. Rowe noted electric companies' willingness to help address rural broadband access. Mr. Kuhn thanked Chairman Pai for his engagement with EEI and members.
30. Ms. Reed updated the Board about meetings on the Hill the previous day addressing electric transportation. Ms. Constance Lau, President & CEO, Hawaiian Electric Industries, said she was meeting with the Department of Defense's Assistant Secretaries for the Army, Air Force, and Navy to discuss military base resiliency later in the day. Mr. Jeffrey Guldner, Chairman, President & CEO, Pinnacle West Capital Corp., noted that Arizona Public Service has built microgrids to support military resilience and was able to include those investments in rate base.
31. Mr. Kuhn thanked the Board for their participation in the meeting. Mr. Fowke closed the meeting at noon.



# Treasurer's Report

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EEI Virtual Board and Annual Meeting, June 9, 2020

As of May 15, 2020, 100% of the Institute's 2020 dues budget has been collected and actual year to date net operating income is slightly better than budget. Although the COVID-19 virus has had a significant impact on EEI's meeting revenue, the \$2.3 million shortfall has been completely offset by reduced expenses. Attached is the most current 2020 Statement of Operations for EEI's Regular Activities, as well as the Statement of Expenses for Separately Funded Activities (primarily supported by member companies on a voluntary basis).

EEI's independent auditors, CliftonLarsonAllen, have completed the annual audit of the Institute's consolidated financial statements for the year ended December 31, 2019 and have issued an unmodified (clean) opinion. In addition, the auditors did not identify any deficiencies in internal controls that they considered to be a material weakness.

CliftonLarsonAllen will share the audit results at the June 2020 Executive Committee Meeting. As always, copies of the Institute's audited financial statements and IRS Form 990 are available upon request.

**Edison Electric Institute**  
**Regular Activities**  
**Statement of Operations (Unaudited)**

	<b>2020</b>	<b>As of May 15, 2020</b>	
	<b><u>Budget</u></b>	<b><u>Budget</u></b>	<b><u>Actual</u></b>
<b>Revenues:</b>			
Investor-owned electric company member dues	\$ 57,185,000	\$ 21,444,000	\$ 21,444,000
Meetings and publications	9,960,000	2,772,000	485,000
Investment income, net	2,700,000	1,000,000	1,259,000
International revenue	1,620,000	620,000	536,000
Associate members dues	1,360,000	510,000	498,000
Strategic partners	784,000	294,000	281,000
<b>Total dues and revenues</b>	<b><u>73,609,000</u></b>	<b><u>26,640,000</u></b>	<b><u>24,503,000</u></b>
<b>Expenses:</b>			
Salaries	31,396,000	11,774,000	11,556,000
Employee benefits	11,722,000	4,396,000	4,130,000
Programs and consultants	13,078,000	4,583,000	4,350,000
Meetings and publications	7,069,000	2,096,000	438,000
International programs	395,000	148,000	48,000
General office and administrative	9,949,000	3,731,000	3,769,000
<b>Total expenses</b>	<b><u>73,609,000</u></b>	<b><u>26,728,000</u></b>	<b><u>24,291,000</u></b>
<b>Net Operating Income (Loss)</b>	<b>\$ <u>-</u></b>	<b>\$ <u>(88,000)</u></b>	<b>\$ <u>212,000</u></b>

**Edison Electric Institute  
 Separately Funded Activities  
 Statement of Expenses (Unaudited)**

<u>Fund Description</u>	<u>2020 Budget</u> (1)	<u>As of May 15, 2020</u>	
		<u>Budget</u>	<u>Actual</u>
Industry Issues (2)	\$ 5,200,000	\$ 1,837,000	\$ 1,714,000
Employment Testing	2,243,000	841,000	704,000
Restoration, Operations and Crisis Management	589,000	221,000	183,000
Spare Transformer	350,000	163,000	156,000
Water Advocacy Coalition	282,000	106,000	42,500
AVIAN Power Line	208,000	44,250	19,000
Environment	100,000	37,000	-
Total SFA Expense, net of U-Groups	\$ <u>8,972,000</u>	\$ <u>3,249,250</u>	\$ <u>2,818,500</u>
<b><u>Funds not controlled by EEI</u></b>			
Utility Solid Waste Activities Group	3,790,000	1,421,250	1,289,000
Energy and Wildlife Action Coalition	972,000	364,000	418,000

**Notes:**

- (1) All SFA budgets are estimates and are subject to available funds contributed on a voluntary basis.
- (2) The EEI Board approved a 10% voluntary assessment (based on dues) for the Industry Issues SFA.

**EEI Membership Report  
 May 2020**

**1) U.S. Electric Company Membership**

- a) No changes to US Electric Company Membership this quarter.

**2) International Membership**

- a) British Virgin Islands Electricity Corporation (BVI Electricity) has submitted a proposal to join as a member for approval at the next Board meeting.

British Virgin Islands Electricity Corporation (BVI Electricity) is a government-owned, vertically-integrated electricity provider that owns 44MW of diesel-fired generation and serves approximately 15,000 customers throughout the British Virgin Islands. BVI Electricity’s membership fee will be determined by a rate established in 2018 through an MoU between EEI and the Caribbean Electric Utility Services Corporation.

- b) China Southern Grid Company Ltd. dropped their membership.

**3) Associate Membership**

- a) **POWER Membership** – 1 upgrade  
 AECOM upgraded its membership to the Power level. Currently, EEI has 17 Power Members with these members gaining additional visibility and exclusive benefits.

EEI Power-Plus Members: Black & Veatch, General Electric, Guidehouse, Oracle, PowerPlan, and Quanta Services

EEI Power Members: Aclara, AECOM, Deloitte, EY, Google, Pike Electric, Troutman Sanders, Uplight, Uptake, Urbint, and Utilities International

- b) **Regular Associate Membership** – 10 New Applications

<u>COMPANY</u>	<u>BUSINESS</u>
Adventech Ronald Ballman Chief Executive Officer Florence, AL	Industrial electric technology solutions focused on motor efficiency
Berman and Todderud LLP Stan Berman Partner Seattle, WA	Boutique energy law firm focused on FERC and state regulatory advising
CLEARresult Meghan Palm Sr Corporate Events Manager Chicago, IL	Energy optimization programs and services for electric companies and commercial and industrial customers

CohnReznick  
Ted Gunther  
Partner, Renewable  
Energy Industry  
New York, NY

Accounting, tax and advisory firm with  
renewable energy practice

Dentons  
Clinton Vince  
Chair, US Energy Practice  
Washington, DC

Global law firm with an energy practice  
of more than 1,200 professionals

Electric Conduit  
Construction Company  
Gregory Preisch  
VP, Operations  
Elburn, IL

T&D construction and storm response  
services

iRestore  
Michael Haeflich  
Executive Vice President  
Cambridge, MA

Software development firm with a suite  
of smartphone apps designed to digitize  
field work force management

KORE Power  
Tom DeRosa  
VP, Business Development  
Coeur d'Alene, ID

Energy storage solutions developer for  
commercial and industrial customers

MatrixNAC  
Wayne Grim  
Manager, Business  
Development  
Crum Lynne, PA

T&D construction, maintenance and  
storm response services

These additions are partially offset by four Associate Members that have dropped their membership. With these changes, EEI will have 259 Associate Members, including 17 Power Associate Members.



**RESOLUTIONS  
OF THE  
EDISON ELECTRIC INSTITUTE  
BOARD OF DIRECTORS**

**COOPERATIVE SAVINGS PLAN RESOLUTIONS**

**WHEREAS**, the Coronavirus Aid, Relief and Economic Security (“CARES”) Act and the Setting Every Community Up for Retirement Enhancement (“SECURE”) Act (collectively, the “Acts”) require plan sponsors of 401(k) plans, including the Edison Electric Institute Cooperative Savings Plan (As Amended and Restated Effective January 1, 2015) (the “Cooperative Savings Plan”), to implement certain mandatory changes and permit plan sponsors to implement certain optional provisions to provide appropriate financial relief to participants;

**WHEREAS**, the Edison Electric Institute Benefit Plan Administration Committee (“BPAC”) recommended the adoption of the mandatory and optional provisions of the Acts; and

**WHEREAS**, the Board of Directors of Edison Electric Institute (the “Board”) has determined that it would be appropriate to amend the Cooperative Savings Plan to implement the Acts’ mandatory and optional provisions that are applicable to the Cooperative Savings Plan;

**NOW, THEREFORE, BE IT –**

**RESOLVED**, that Edison Electric Institute hereby approves the amendment of the Cooperative Savings Plan in such form as the BPAC deems appropriate, subject to the review of legal counsel, to adopt the CARES Act and SECURE Act provisions applicable to the Cooperative Savings Plan, including (1) during the period starting March 27, 2020, and ending September 22, 2020, increasing the maximum allowed loan amount for certain eligible participants to the lesser of \$100,000 or 100 percent of his or her eligible vested account balance (rather than the existing \$50,000 or one-half of the participant’s eligible vested account balance); (2) permitting certain eligible participants to suspend repayments of current and new loans for up to twelve months; (3) permitting certain eligible participants to withdraw up to \$100,000 of his or her hardship available account balance, regardless of attained age, source of funds or current employment status with Edison Electric Institute; (4) permit the repayment to the Cooperative Savings Plan or any other eligible retirement plan within three years of such withdrawal; (5) allow any participant to elect to waive the payment of any 2020 required minimum distribution, or to roll over any 2020 required minimum distribution already paid; (6) changing the required minimum distribution age from 70½ to 72; (7) expanding the eligibility provisions to permit participation by part-time employees who work 500 or more hours per year for three consecutive years; and (8) allowing participants to withdraw up to \$5,000 of the vested account balance, regardless of age, in the year following the birth or adoption of a child without incurring a 10 percent early withdrawal penalty;

**FURTHER RESOLVED**, that the President, the General Counsel & Corporate Secretary of Edison Electric Institute and the BPAC (collectively, the “Authorized Parties”) be, and each of them hereby is, authorized and directed to execute and adopt any and all appropriate

amendments to the Cooperative Savings Plan in conformance with the foregoing resolution and to take such further action pertaining to the Cooperative Savings Plan as such Authorized Parties may deem necessary or appropriate to effectuate the foregoing resolution on behalf of Edison Electric Institute; to deliver such documents, instruments, confirmations, amendments, agreements and certificates, to perform all such other acts as one or more Authorized Party considers necessary or appropriate to effectuate and otherwise carry out the foregoing resolutions on behalf of Edison Electric Institute; and

**FURTHER RESOLVED**, that any and all actions heretofore taken by the Authorized Parties and any and all officers, employees and agents of Edison Electric Institute in furtherance of the foregoing resolutions be, and they hereby are, approved, ratified and confirmed.

Virtual **EEI**

# Board of Directors & Annual Meeting

Tuesday, June 9, 2020

■ Meeting Via Conference Call ■

4:30 p.m. – 6:00 p.m. EDT

## Welcome and Introductions

*Christopher M. Crane, EEI Chairman; President & CEO, Exelon Corporation*

## Industry Overview: COVID-19 and Beyond

*Thomas R. Kuhn, President, Edison Electric Institute*

## Strategic Board Dialogue

- Clean Energy/Climate Change
- Reliability, Security & Business Continuity
- Wildfires
- FERC Issues
- State Issues
- Customer Issues
- Electric Transportation

## Regular Business – Consent Items

- Approval of the Minutes of the March 2-4, 2020 Board of Directors Meeting
- Approval of the Treasurer's Report
- Approval of the Membership Committee Report
- Approval of Amendments to the EEI 401(k) Plan Due to the CARES Act & SECURE Act

## Annual Meeting – Report of the Nominating Committee

- Election of Directors
- Election of Officers

## Other Business

- Committee Appointments
- Approval of Center for Energy Workforce Development Board
- Approval of Edison Foundation Board
- Recognition of Outgoing EEI Chairman

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 47**

**Responding Witness: Robert M. Conroy / Christopher M. Garrett**

Q-47. Provide all evidence that the Companies' ratepayer-funded EEI membership provides a direct benefit to ratepayers.

A-47. The Companies strongly believe there are significant benefits achieved in the collaboration with other utilities in the areas of best practices, industry information, and networking. EEI membership provides the Companies with the opportunity to learn and share relevant industry information with peer utilities. More specifically, EEI provides programs that directly support the Companies and the reliability and resilience of the electric power system including:

- **Mutual Assistance:** EEI companies have established and implemented an effective system whereby member companies may receive and provide assistance in the form of personnel and equipment to aid in restoring and maintaining electric utility service when such service has been disrupted.
- **Spare Transformer Equipment ("STEP"):** This is an electric industry program that strengthens the sector's ability to restore the nation's transmission system more quickly in the event of a terrorist attack. STEP represents a coordinated approach to increasing the electric power industry's inventory of spare transformers and streamlining the process of transferring those transformers to affected companies in the event of a transmission outage caused by a terrorist attack.
- **SpareConnect:** This program provides an additional mechanism for utilities to network with other participants concerning the possible sharing of transmission and generation step-up transformers and related equipment, including bushings, fans and auxiliary components. SpareConnect establishes a confidential, unified platform for the entire electric industry to communicate equipment needs in the event of an emergency or other non-routine failure.
- **Grid Security:** EEI was instrumental in the creation and growth of the Electricity Subsector Coordinating Council ("ESCC") and remains active in its leadership and staffing. The ESCC serves as the principal liaison between the federal government and the electric power industry, with the mission of

coordinating efforts to prepare for, and respond to, national-level disasters or threats to critical infrastructure. EEI also leads the industry in efforts to partner with the federal government to address new cybersecurity threats. Through the ESCC, EEI has also launched a Cyber Mutual Assistance Program to provide emergency cyber assistance within the electric power and natural gas industries.

- EEI employs experts in accounting, communications, customer solutions, energy supply, environment, finance, human resources, grid security, as well as federal and state government relations staff and regulatory experts. EEI staff provides relevant research, analysis, and expertise to members on a range of issues, from environmental compliance to specialized utility accounting, as well as state and federal regulatory trends.
- EEI has numerous programs to assist utilities in finding, training, and retaining the most qualified employees. For instance, EEI's pre-employment test batteries (covering many industry positions such as plant operations and maintenance, transmission and distribution, and technician jobs) assist members to obtain the most qualified, productive employees. EEI has also partnered with other associations, education institutions, and organized labor to continue to attract and retain quality talent.
- EEI offers dozens of committees, meetings and conferences each year, providing information, data exchange, and the opportunity for policy discussions aimed at ensuring the continued provision of affordable, reliable, and increasingly clean energy in a rapidly changing world. Meetings are held each year on the following topics: Accounting; Business Diversity; National Key Accounts; Occupational Safety and Health; Transmission, Distribution, Metering, & Mutual Assistance; and others.

The Companies continue to find significant value in EEI membership, especially as they navigated and continue to navigate the new challenges of the COVID-19 pandemic. EEI's response to the COVID-19 pandemic was significant and robust and the following are a few examples of the COVID-19 resources EEI provided to its member utilities:

- In late February, EEI—working through the Electricity Subsector Coordinating Council (“ESCC”)—brought together member company CEOs, leaders from across the sector, and government partners for the first of many ongoing discussions related to COVID\_19. EEI and the ESCC continue to work in parallel and together on a range of critical issues related to the COVID-19 pandemic response.
- EEI convened Single Points of Contact (“SPOCs”), bringing together leadership from member companies to share information and to support the

COVID-19 response. The SPOC community provides a venue to identify and address emerging challenges, share practices and planning considerations, collectively explore solutions to protect employee health, and ensure the reliability of critical infrastructure.

- While the SPOCs played a lead role in the COVID-19 operational and business continuity response, EEI also brought together member company leaders across many business units, including communications; customer service; external affairs; finance; governmental affairs; human resources; international activities; legal; occupational safety & health; and regulatory affairs to share information and to disseminate lessons learned.
- EEI supports multiple volunteer Tiger Teams under the ESCC that have collected, analyzed, and summarized guidance for mitigating and responding to the coronavirus. Among the issues the Tiger Teams have addressed are control center and power plant continuity; access to restricted/quarantined environments; mutual assistance; supply chain challenges; telecom and IT issues; internal and external communications; and responsible reentry to the workplace. These teams also worked with private sector and government partners to obtain scarce resources, including tests, personal protective equipment, and cleaning supplies.
- EEI surveyed the EEI/AGA Enterprise Risk Management Committee to develop an extensive list of potential first- and second-order risks that may have been created or altered by COVID-19.
- EEI's Customer Solutions team is actively engaged on a range of COVID-19-related issues. EEI continues to work with member company executives and national corporate customers to share lessons learned and solutions to customer financial and operational issues related to electricity. EEI is also convening regular dialogues with EEI's Executive Advisory Committee and other member company senior executives with customer responsibilities to discuss member company actions regarding residential and small business customer service issues and to share innovative approaches and best practices related to payment arrangements, bad debt, collections, disconnects, call centers, proactive customer outreach, new/modified energy assistance programs, and other services available for customers.
- EEI successfully obtained waivers and extensions from the Federal Motor Carrier Safety Administration for regulations directly affecting the ability of electric company fleet drivers to operate during COVID-19.
- EEI's Occupational Safety and Health Committee continues to address COVID-19 issues affecting member company health & safety ("H&S") programs. Members benefit by sharing common practices; information on

H&S resources, including guidance issued by OSHA; and insights on responding to the challenges faced when adapting H&S practices during the pandemic.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 48**

**Responding Witness: Robert M. Conroy / Christopher M. Garrett**

- Q-48. Confirm that the Companies' ratepayer-funded EEI membership provides direct benefits to the Companies' shareholders.
- A-48. The Companies' EEI membership expenses booked above the line provide direct benefits to the Companies' ratepayers. Whether the Companies recover their EEI dues is a function of the test period for and timing of their rate cases. The Companies' shareholders may receive some benefit from the EEI lobbying activities, but this cost is identified on the EEI invoices and excluded from the cost of service. The Companies' costs, including the remaining EEI membership expenses, which are included in rates, serve the purpose of providing safe and reliable service to customers in a cost effective manner. Given that, the Companies are entitled to recovery of these costs including an opportunity to earn the fair, just and reasonable return on investment as authorized by the Commission.



**LOUISVILLE GAS AND ELECTRIC COMPANY**

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**Question No. 49**

**Responding Witness: Robert M. Conroy / Christopher M. Garrett**

- Q-49. Provide a breakdown of the monetary value that the Companies' ratepayer-funded EEI membership provides to: (i) ratepayers; and (ii) shareholders.
- A-49. No such breakdown of monetary value between ratepayers and shareholders exists. See the response to Question No. 47, which provides a detailed description of benefits EEI provides.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 50**

**Responding Witness: Robert M. Conroy / Christopher M. Garrett / Counsel**

- Q-50. Explain whether the Companies believe that providing EEI's internally-generated invoice to the Companies satisfies the Companies' burden of proof as to the reasonableness of EEI dues included for recovery. If so, explain the basis for that belief in complete detail.
- A-50. The Companies object to this request to the extent it requests a legal conclusion. The Companies have met their burden of proof as to the reasonableness of EEI dues through the production of the invoices and their responses to the data requests regarding the benefits of EEI.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 51**

**Responding Witness: Robert M. Conroy / Christopher M. Garrett**

- Q-51. Given that EEI no longer provides a detailed breakdown of its budget depicting the percentages of its budget devoted to each of the NARUC operating categories set forth in NARUC's most recent audit of EEI, explain why the Commission should not use the breakdown set forth in that most recent audit.
- A-51. The Companies understand this request's reference to the "most recent audit" to be the audit performed by NARUC's "Committee on Utility Association Oversight," which NARUC dissolved in 2000. See the response to Question No. 36 regarding the NARUC operating categories and audit. EEI provides a breakdown on each invoice of the percent of dues associated with influencing legislation. The Companies have consistently excluded this amount of unrecoverable dues in its last several rate cases. Since EEI has presented its invoices in this way, the Commission has not disallowed any further portion of the Companies' EEI dues. Just one month ago, the Commission considered EEI dues of another investor-owned utility that, like KU and LG&E, excluded only the influencing legislation portion of the EEI invoice.<sup>10</sup> The Commission rejected arguments about the NARUC audit and found that the full amount of EEI dues included in the test year should be included in the calculation of the revenue requirement.<sup>11</sup> The Commission should continue to follow its well-established and most recent precedent and allow recovery of the EEI dues included in the test period because the dues benefit customers.

---

<sup>10</sup> *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*, Case No. 2020-00174, Order at 20-21 (Ky. PSC Jan. 13, 2021).

<sup>11</sup> *Id.*

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 52**

**Responding Witness: Robert M. Conroy / Christopher M. Garrett**

- Q-52. Do the Companies agree that their ratepayers should not be required to pay the cost of Covered Activities in which EEI and all other dues-requiring organization engage, to the extent those costs exceed the sums the Companies have excluded from their applications? If not, explain why not.
- A-52. The Companies do not agree with the premise of the request. The Companies have excluded the appropriate amount of unrecoverable dues based on the information provided on the invoices from EEI and other dues-requiring organizations. See the response to Question No. 36 regarding “Covered Activities.” and Question No. 47 regarding the benefits of EEI

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 53**

**Responding Witness: Robert M. Conroy / Christopher M. Garrett**

- Q-53. Provide a detailed description of all services EEI provided to the Companies both in calendar year 2020, and the services the Companies expect will be provided during the fully forecast test period. Of these services or benefits, provide a detailed breakdown of all benefits that accrue to ratepayers and how, and all benefits that accrue to shareholders and how.
- A-53. See the response to Question No. 47.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 54**

**Responding Witness: Robert M. Conroy / Christopher M. Garrett**

- Q-54. Reference AG-KIUC DR 1-97. The answer was unresponsive to the question posed. Provide an answer responsive to the question, and to each subpart.
- A-54. The Companies do not agree with the premise of the request. As the Companies stated in response to AG-KIUC 1-97, they have excluded the appropriate amount of unrecoverable dues based on the information provided in invoices. The Companies do not know how much, if any, of the Companies' dues are spent on EEI Media Communications or any similar division of any other Dues Requiring Organization. See also the response to Question No. 36 regarding the NARUC operating categories and audit and Question No. 42 noting that EEI does not keep information in the form requested.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 55**

**Responding Witness: Robert M. Conroy / Christopher M. Garrett**

- Q-55. Reference AG-KIUC DR 1-98. Given that the question was not limited to EEI and EPRI, the answer was unresponsive to the question posed. Provide an answer responsive to the question, and to each subpart thereof.
- A-55. The Companies are not aware that any portion of the dues they pay to any Dues Requiring Organization are utilized to pay for any of the expenditures identified in AG-KIUC 1-98.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 56**

**Responding Witness: David S. Sinclair / William Steven Seelye**

Q-56. With regard to the Company's response to AG-KIUC DR 1-115, the Companies provided hourly sales (load data) for January 2019, February 2020, and March 2019 through December 2019. In this regard, please:

- a. explain why February 2019 data was not provided; and,
- b. provide the data requested in Question 115 items (a) through (l) if available.

Provide your response in executable (Excel) electronic format.

A-56.

- a. See Section 3 of attachment to Tab 16 - Section 16(7)(c) - Item E Class Load Profile Forecast Process.
- b. See the response to part a. The data requested is not available for this time period.



**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 57**

**Responding Witness: Robert M. Conroy / William Steven Seelye**

- Q-57. With regard to the Company's response to AG-KIUC DR 1-136, the Company indicates that it did not perform the requested analysis for subparts (g) [forecasted Test Period revenues at current rates] or (h) [forecasted Test Period billing determinants] as it relates to negotiated rate or special contract customers. In this regard, please explain where, and how, the revenues for these negotiated rate or special contract customers are reflected in the Company's rate filing and provide all calculations supporting these forecasted revenues including billing determinants for each negotiated rate or special contract customer. Provide your response in executable (Excel) electronic format.
- A-57. LG&E has two special contract customers – an electric customer and an intra-company gas customer. The current charges for both the electric special contract and the gas special contract were established in the negotiated stipulation among all parties filed in LG&E's last rate case. Both special contracts have been filed with and accepted by the Commission. The current and proposed rates, billing determinants, and test-year revenue for the electric special contract are shown on Page 13 of Schedule M-2.3-E of the Application. The rates and billing determinants for the gas intra-company special contract are shown on Page 7 of Schedule M-2.3-G of the Application.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 58**

**Responding Witness: Robert M. Conroy / William Steven Seelye**

- Q-58. With regard to the Company's response to AG-KIUC DR 1-136, the Company indicates that it did not perform an analysis relating to subpart (l) [identification of the class in which each customer is included in Mr. Seelye's electric class cost of service study]. In this regard, are special contract customers' revenues and exogenous characteristics (demands, energy, number of customers, etc.) utilized in any way in Mr. Seelye's class cost of service study and, if so, please identify the amount of each exogenous characteristic for each negotiated or special rate customer along with the class in Mr. Seelye's class cost of service study.
- A-58. LG&E has two special contract customers – an electric customer and an intra-company gas customer. The electric special contract customer is shown as a separate rate class in the class cost of service study. For example, see the column labeled "Special Contract Customer" (Column 11) in Exhibit WSS-32, Page 29 filed with Mr. Seelye's Direct Testimony. The revenues for the gas intra-company special contract are included in Interdepartmental Sales and allocated to each rate class in the gas cost of service study. See Exhibit WSS-37, Page 11, Excel row 467, filed with Mr. Seelye's Direct Testimony.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 59**

**Responding Witness: Kent W. Blake**

- Q-59. Refer to the Companies' response to AG-KIUC DR 1-193(a) which states, regarding the level of expense reductions from AMI after the deployment period to which the Companies are willing to commit, "Any further adjustments will be resolved using actual costs and projected savings in the Companies' next base rate cases." This appears to be a commitment that the Companies will reduce future revenue requirements by the savings the Companies are projecting in the current AMI business case. The AG-KIUC would expect such a commitment up through the rate case immediately following the particular rate case in which recovery of AMI deployment costs is first requested (in other words, the second rate case to be filed following full AMI deployment). The AG-KIUC are concerned that several types of benefits will not yet be fully realized in the Companies' books and records at the time they file their first post-AMI deployment rate case in which they request recovery of AMI deployment costs. Please confirm whether the AG-KIUC's understanding and expectation in this regard represent the Companies' commitments. If either the understanding or the expectation cannot be confirmed, please explain in complete detail.
- A-59. The Companies cannot confirm the AG-KIUC's stated understanding with respect to commitments of the Companies.

As with any significant project for which a utility seeks a certificate of public convenience and necessity ("CPCN") from the Commission, the utility makes its best estimate of the costs and benefits (and the timing thereof) of the project. If a CPCN is granted, when the time comes for the costs of that project to be included in rates, there is a presumption that the costs incurred are reasonable and prudent if they are aligned with the estimate provided in the CPCN case. And if the costs have exceeded the estimated amounts, the Company would expect the Commission to consider why the exceedances occurred along with whether the utility had any ability to control the cost increases. There are simply too many externalities beyond the Companies' control with respect to costs and benefits, including but not limited to, market conditions and customer behavior. The Companies believe the cost-benefit analysis put forward in these proceedings include reasonable, if not conservative, projections.

The Companies' statements to date regarding its proposed cost recovery of AMI is clear. First, the Companies have proposed an innovative cost recovery methodology that would mean no cost recovery until the entire AMI project is in service. Second, the Companies have proposed to record a regulatory liability for meter reading and field service savings realized during AMI deployment until the annual meter reading and field service savings are embedded into base rates. In addition, fuel savings associated with the AMI project will automatically flow through to customers via the Companies' fuel adjustment clause. Third, the Companies have noted that, in the rate case after deployment where the AMI project will be reflected in rates, they will propose to amortize such regulatory liabilities ahead of the amortization of associated regulatory assets in order to offset initial capital costs of the project to the point where, based on the Companies' current projections, there would be no increase in the Companies' combined revenue requirement in that proceeding or future proceedings.

With the exception of the fuel cost savings which will flow through the Companies' fuel adjustment clause, the cost and savings associated with AMI will be included not only in that first rate case after deployment of AMI but in all subsequent rate cases as part of the Companies' revenue requirement.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 60**

**Responding Witness: Kent W. Blake**

- Q-60. Refer to the Companies' response to AG-KIUC DR 1-193(b), which does not appear responsive. As requested, "describe any commitments the Companies are willing to make to measuring actual expense reductions, and the Companies' recommendations on a measurement approach." If the Companies are not willing to make such a commitment, please so state, and explain in detail why not.
- A-60. The Company disagrees that its response to AG-KIUC 1-193(b) is not responsive. See that response and the response to Question No. 59, both of which state clearly the Company's position on cost recovery of the AMI proposal.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 61**

**Responding Witness: Lonnie E. Bellar**

- Q-61. Refer to the Companies' response to AG-KIUC DR 1-200.
- a. Confirm that a comparison of the costs of building and operating the proposed RF Mesh network to the cost of using public networks from AT&T and Verizon Wireless were not completed. If this cannot be confirmed, please provide any such comparisons.
  - b. The AG-KIUC are aware that new communications network technologies from AT&T and Verizon Wireless are available which dedicate bandwidth to clients such as first responders and utilities. These technologies, including 4gLTE and 5g, and associated capabilities, such as NBIoT (AT&T) and Cat M1 (Verizon) are promoted by suppliers as being in place for future decades, reliable, secure, and impervious to public demands for bandwidth from the non-dedicated portion of the network. (The capability is known generally as "bandwidth slicing".) AT&T television commercials the AG-KIUC have observed target Police and Fire Departments as potential clients for these "networks with networks." Provide any technical evaluation of these technologies, or the option to employ them for direct meter communications the Companies completed, as part of its evaluation of the RF Mesh meter communications network option the Companies ultimately proposed.
- A-61.
- a. The Companies did not formally complete this comparison because of the cost difference. As stated in the referenced response, the Companies have experience using public cellular networks for AMI meter communications. Depending on the meter form, cellular meters are \$55 to \$180 more expensive per meter than mesh meters (~\$100 per residential meter) and the cost of cellular service ranges from \$0.45 to \$0.50 per meter per month. Approximately 350,000 meters are located in portions of the Companies' service territories without access to the existing mesh network developed for the AMS Opt-in program. If cellular meters were deployed as an alternative to expanding the existing mesh network, the additional cost of meters alone would exceed the cost of expanding the mesh network. In addition, the cost of cellular service for these meters (approximately \$2 million per year) would

be more than two times the on-going costs associated with the expanded mesh network (see Exhibit LEB-3, Appendix A, Table 18 at page A-12). For these reasons and the considerable risk of dependency on the third-party cellular providers for meter operations over the full life of the meter, cellular networks have received limited adoption in North America and were not considered further by the Companies.

- b. See attached. Certain information requested is confidential and proprietary and is being provided under seal pursuant to a petition for confidential protection.. The Companies do not have a technical evaluation of the technologies but have provided a presentation from 2019. The Companies are aware of these technologies and are moving forward with them in the appropriate cases. The Companies have begun the process of migrating cellular endpoints within the Distribution Automation project and then will look to migrate additional endpoints including AMI collector modems.



# 2019 FIRSTNET OVERVIEW



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# BUILT FOR YOU. INSPIRED BY YOU.



Over 100 years in emergency response solutions.



## March 2010

FCC follows the 911 Commission's recommendation to create a nationwide public safety network.



First Responder  
Network Authority

## February 2012

The FirstNet Authority was authorized to develop and oversee the dedicated nationwide network for first responders.



## March 2017

AT&T awarded contract to provide the capabilities for FirstNet to be built.



## December 2017

All U.S. states & territories opt in.



## Today

We are developing the tools that advance public safety with you.



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# 2019 FirstNet National Adoption.

As of June 30, 2019

More than  
**9,000+**  
Agencies

**USA**

More than  
**720,000+**  
FirstNet connections

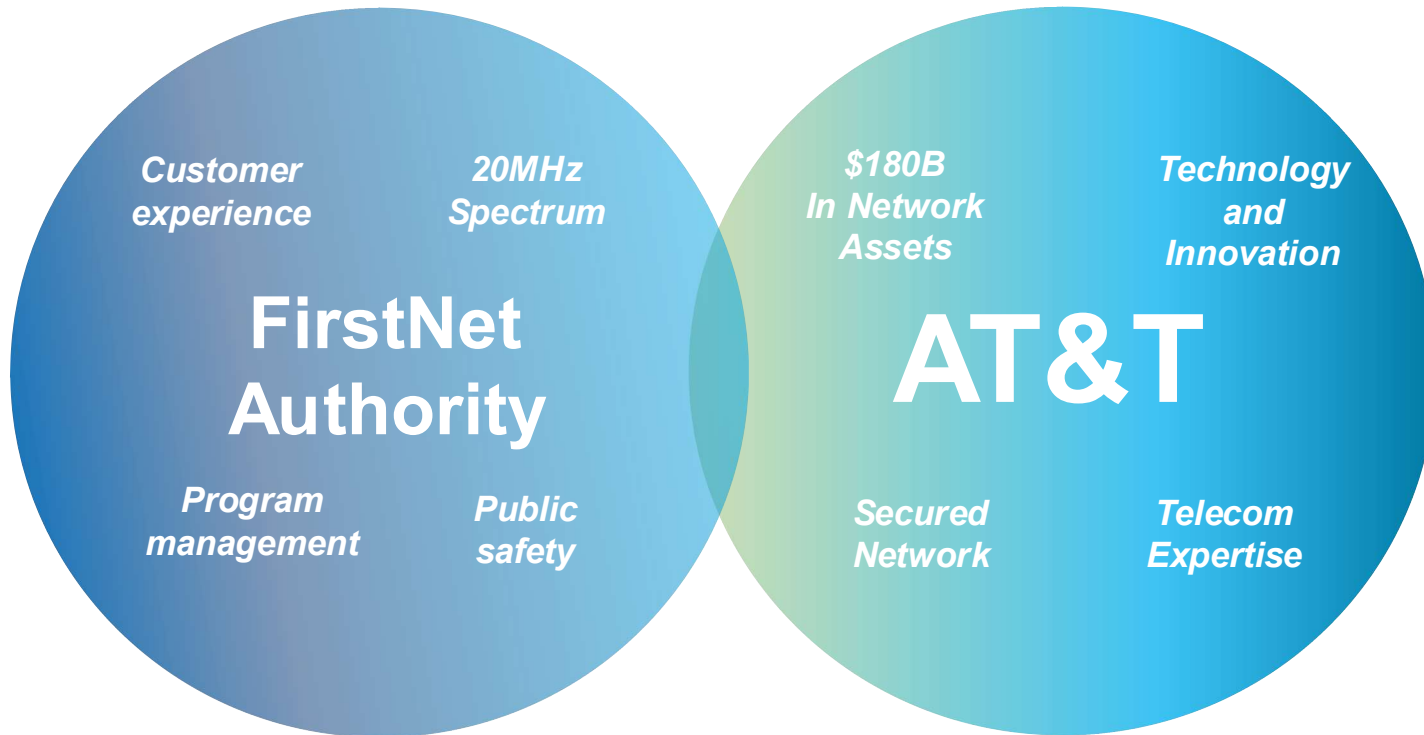


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# INNOVATIVE PUBLIC-PRIVATE PARTNERSHIP

COVERAGE • CONNECTIVITY • INTEROPERABILITY • RELIABILITY • SITUATIONAL AWARENESS • SECURITY • SUPPORT • APP ECOSYSTEM



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# ONE COMMUNITY TOGETHER

## PRIMARY USERS

- Fire
- Law Enforcement
- EMS
- Emergency Management
- PSAP / 911 Center
- Trauma Centers/ ER's

\* Subscriber Paid & Agency Paid

## EXTENDED PRIMARY USERS

- Healthcare
- Utilities
- Transportation
- Support Services



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5

# FirstNet Foundation



## Commitment

- Unique, purpose-made solutions, **exclusively for public safety** community. **BAND 14**
- **25-year** contract
- **\$40 B investment** into FirstNet network by AT&T
- **A single nationwide, interoperable, broadband network with priority and preemption 24/7**



## Accountability

- **AT&T is bound by contract** to deliver unique services for public safety's dedicated use
- **Stiff penalties** if AT&T fails to meet its commitment
- **Unprecedented transparency into the network** performance at the local level



## Security

- **Dedicated core** with end-to-end LTE network encryption
- **U.S. based FirstNet security operations center** and dedicated 24x7x365 support
- **A dedicated team of experts who monitor** the network and keep your vital apps, devices and connections secure



## Innovation

- **Open, inclusive ecosystem** to serve as the backbone of public safety communications
- Contractually mandated roadmap includes:
  - **App Store for Public Safety**
  - **Innovation at FirstNet Lab**
  - Broadcast technology and **z-Axis** location based services



## Agility

- **72 FirstNet dedicated deployables**
- Only company to receive the **Private Sector Preparedness Program Certification** from DHS

*Because no call is more important than the one that saves a life.*



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# FIRSTNET CORE

Exclusively for FirstNet users, from the dedicated, tested and certified core

- 6 Geographical Diverse & Redundant Cores
- Enhanced security: designed with a defense in-depth approach that enhances security at every level with 128 AES encryption
- Cell Towers overlap coverage for redundancy

## 6 NEO Locations

- Bothell:
- Concord:
- Akron:
- Allen:
- Broadway:
- Alpharetta:

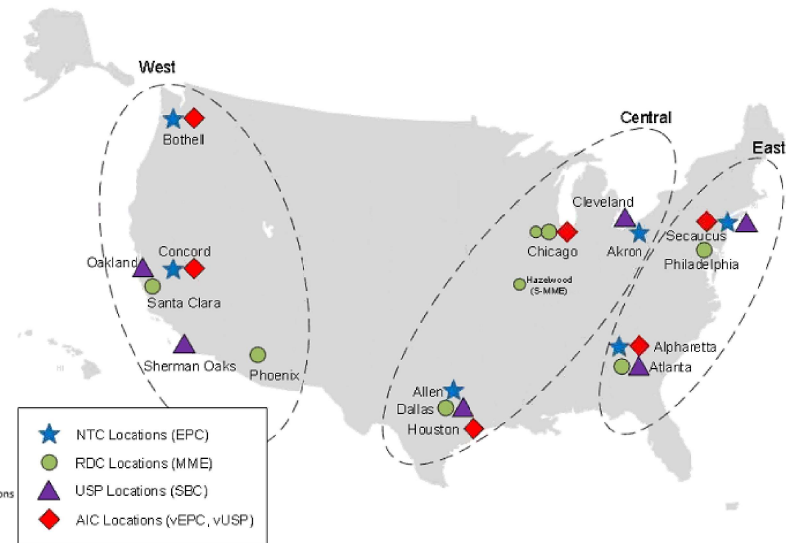
### \*\*\*\*Future

#### 6 AIC Locations

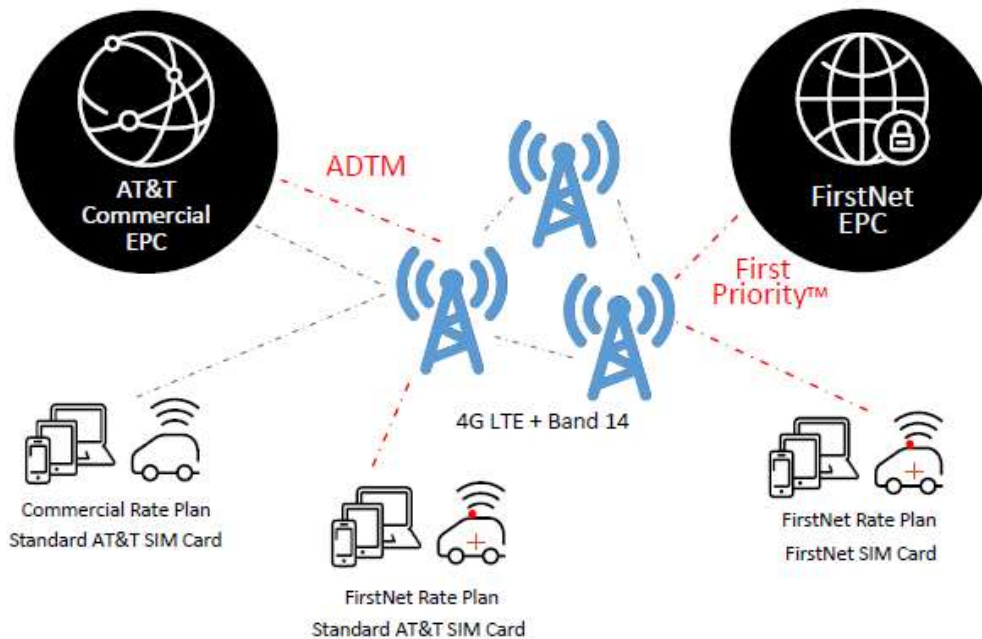
- Bothell: BOT1a
- Concord: CNC1a
- Chicago: CHG1b
- Houston: HST3a
- Secaucus: EWR4a
- Alpharetta: PDK2b

#### D1/D1.5 Locations

- Co-located in existing locations
- 2 per region \* 3 regions



# FirstNet Network Architecture Overview



- 1) Current Commercial subscribers on AT&T
- 2) FirstNet 4G LTE users on a qualified FirstNet Rate plan will have First Priority™ capabilities
- 3) Band 14 spectrum will add more capacity for all users but will be prioritized for FirstNet users
- 4) FirstNet users with a FirstNet SIM card in their device will be on the FirstNet EPC with three levels of First Priority™ available
- 5) We do not have to wait for Band 14 to be built out to take full advantage of FirstNet on either the AT&T Commercial EPC or the FirstNet EPC. First Priority™ is fully available today.

EPC – Evolved Packet Core



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# FirstNet Deployables July 23<sup>rd</sup> , 2019



**Cumberland Goodwill** @Co40EMS · 5h

Thank you, @FirstNet, for setting up a mobile cell site at our station while a mobile network problem is being worked on at the southern end of Carlisle. This tower restored unit to unit, unit to hospital communications, and access to our mobile applications! @FirstNetGov





# FIRST PRIORITY™

The only network that offers First Priority™ - a 24/7/365 **Quality of Service, Priority and Preemption** solution for voice, text and data

- **First Priority™** is always on and will provide primary users with an evolving set of QoS, priority and preemption that will exceed anything previously available to first responders
- FirstNet users are **exempt from throttling** in the country
- **Extended primary** users can be uplifted to First Priority™ status on the FirstNet core
- Top-level “**incident priority**” supersedes all other users on a temporary basis
- Primary users have the ability to pre-empt all other users (except 911 calls)

Quality of Service

Network Priority

Network Preemption

# FIRSTNET APPROVED PRICING

- \$ [REDACTED] without Tethering
- \$ [REDACTED] with Tethering

- Doubles Data at lower cost of \$ [REDACTED]
- Doubles Data at same cost of \$ [REDACTED]

## • Custom Device Pricing

- [REDACTED] IPHONE XR (64GB)
- [REDACTED] Samsung S9



# COUNT OF DEVICES – ALL CARRIERS

<b>IOT Devices</b>	<b>Number of devices</b>	<b>% of devices</b>
ATT	2517	53%
Verizon	2265	47%
<b>Grand Total</b>	<b>4782</b>	<b>100%</b>
<b>Phones/Tablets</b>	<b>Number of devices</b>	<b>% of devices</b>
ATT	907	30%
Iridium	85	3%
Verizon	2046	67%
<b>Grand Total</b>	<b>3038</b>	<b>100%</b>

# FIRSTNET FINANCIAL ANALYSIS – LKE

Current Rate Plan	Proposed FirstNet Data Allocation Rate Plan	Current Sub Count	Current Net Price Per Sub	Current Net Cost	Proposed FirstNet Rate Plan Tethered	Proposed FirstNet Rate Plan Untethered	Proposed FirstNet Cost Tethered	Proposed FirstNet Cost Untethered	Proposed FirstNet SAVINGS Tethered	Proposed FirstNet SAVINGS Untethered
Mobile Select 1 GB	2 GB	233					\$	\$	\$	\$
Mobile Select 0 GB (Voice only)	0 GB	26					\$	\$	\$	\$
Mobile Select 0 GB (Voice only)	0 GB	28					\$	\$	\$	\$
Smartphone 1 GB	2 GB	302					\$	\$	\$	\$
Smartphone 3 GB	UNLIMITED	90					\$	\$	\$	\$
Smartphone 5 GB	UNLIMITED	210					\$	\$	\$	\$
Smartphone 7 GB	UNLIMITED	0					\$ -	\$ -	\$ -	\$ -
Smartphone 10 GB	UNLIMITED	4					\$	\$	\$	\$
		<b>893</b>					\$	\$	\$	\$

**CONFIDENTIAL INFORMATION REDACTED**

# FIRSTNET IoT Proposal for LKE



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# AT&T IoT Momentum

Connected Device Stats as of Q2 2019



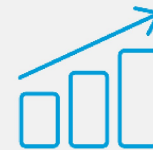
**1M+**

Connected devices added every month\*



**9**

Verticals with over 1M connections



**30%**

YOY growth\*



**59M+**

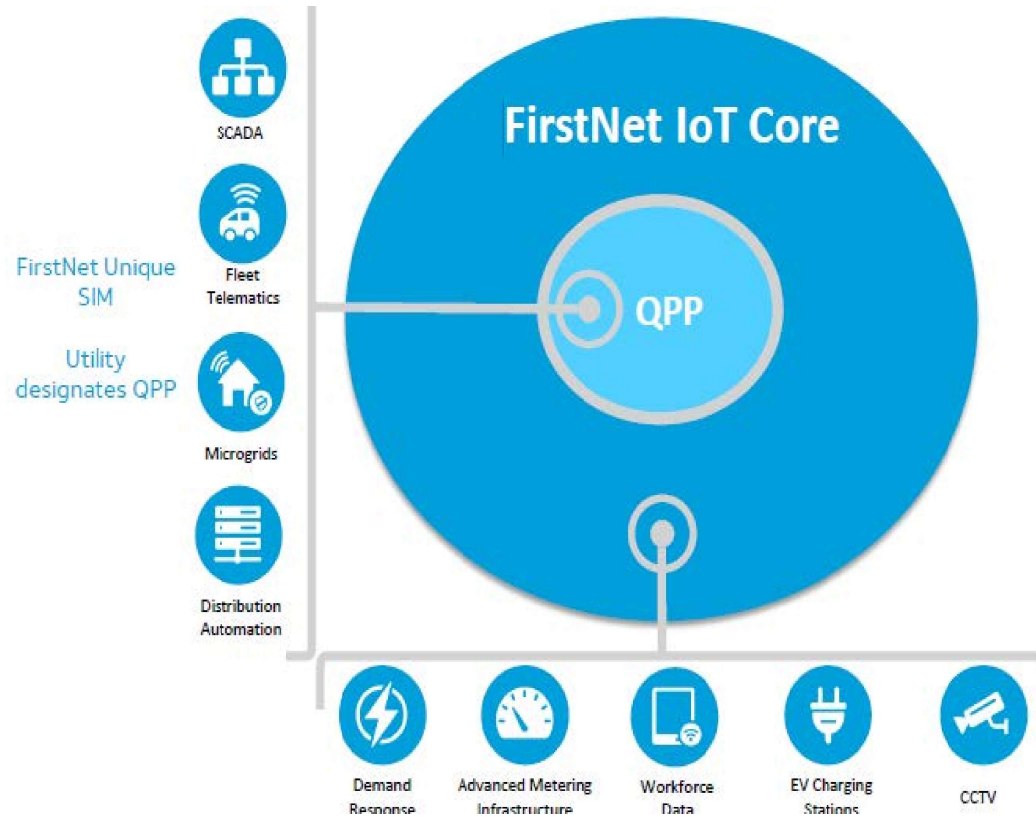
Total connected devices\*

\*as of 2Q19

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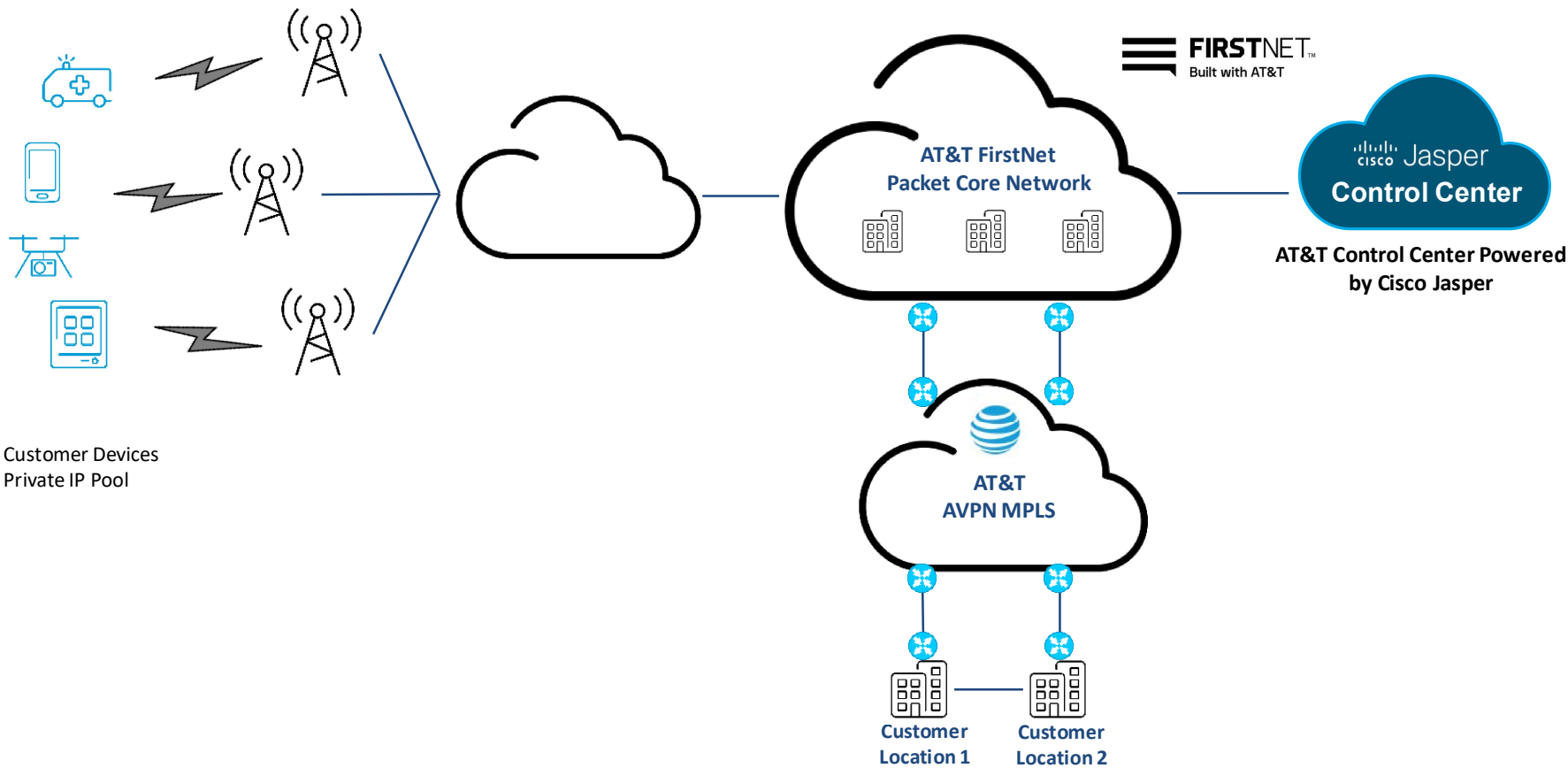


# FIRSTNET IOT FOR UTILITIES



- Automatic, Customizable Life Cycle Management
- Real time Visibility in all devices
- Diagnostics Wizard
- Real Time Problem Identification and Status Tool "SpotLight"
- FirstNet Sim

# FirstNet AVPN MPLS



Customer Devices  
Private IP Pool

**FIRSTNET™**  
Built with AT&T

**Jasper**  
Control Center

AT&T Control Center Powered  
by Cisco Jasper

AT&T  
AVPN MPLS

Customer  
Location 1      Customer  
Location 2

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# CONTROL CENTER FOR IoT

A rich API library that enables easy integration with your systems using standards-based APIs

- **Provisioning**: so you can quickly configure to support unique incidents
- **Real-time visibility** : so you can see all devices at a glance and respond immediately to changing network/usage conditions
- **Real-time Diagnostics**: to identify and respond to unusual device behavior before it becomes a problem



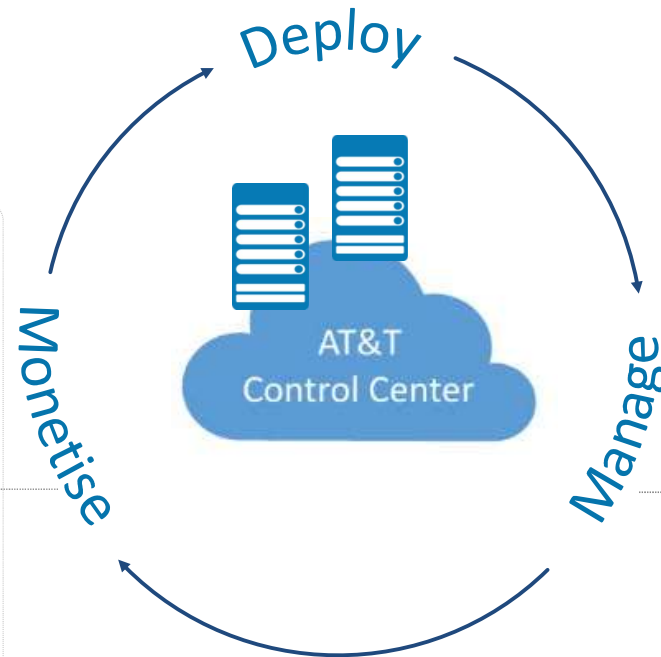
# AT&T Control Center automates deployment and connectivity

## Cost Management

Track activity and gain insights in near-real-time to automate cost management and data utilization across devices

## Rich API Library

Enables easy integration with your systems using standards-based APIs and rules-driven push PIs



## Provisioning

Quickly configure to support unique business processes and models. Be up and running in days with just a few clicks

## Real-time Visibility

See all devices at a glance and respond immediately to changing network/usage conditions

## Real-time Diagnostics

Identify and respond to unusual device behavior before becomes a problem. Lower MTTR with self-help troubleshooting tools

# FIRSTNET LKE IOT FINANCIAL ANALYSIS

<b>Customer Services AMS Meters</b>							
Rate Plan	Existing Monthly	FirstNet Monthly	VZW Monthly	Active SIMs	Existing Monthly	FN Monthly	
1MB	████	████	████	4	████	████	
<b>Transmission Motor Operated Switches</b>							
Rate Plan	Existing Monthly	FirstNet Monthly	VZW Monthly	Active SIMs	Existing Monthly	FN Monthly	
1GB	████	████	████	17	████	████	
<b>Distribution Reclosers</b>							
Rate Plan	Existing Monthly	FirstNet Monthly	VZW Monthly	Active SIMs	Existing Monthly	FN Monthly	
1GB	████	████	████	1	████	████	
25MB	████	████	(30MB) █████	1862	████	████	
300MB	████	████	(250 MB) █████	1	████	████	
<b>Distribution SCADA Expansion</b>							
Rate Plan	Existing Monthly	FirstNet Monthly	VZW Monthly	Active SIMs	Existing Monthly	FN Monthly	
1MB	████	████	████	70	████	████	
2GB	████	████	(2GB) █████	103	████	████	
<b>Gas Pressure Recorders</b>							
Rate Plan	Existing Monthly	FirstNet Monthly	VZW Monthly	Active SIMs	Existing Monthly	FN Monthly	
1MB	████	████	████	433	████	████	
3GB	████	████	(2GB) █████	4	████	████	
<b>Transmission Municipal Metering Data</b>							
Rate Plan	Existing Monthly	FirstNet Monthly	VZW Monthly	Active SIMs	Existing Monthly	FN Monthly	
2GB	████	████	████	22	████	████	
<b>Total</b>					\$ █████	\$ █████	

**CONFIDENTIAL INFORMATION REDACTED**

# VERIZON IOT ACTIVE SIMS

<b>Application</b>	<b>Verizon Active SIMs</b>
<b>Multiple LOB Toughbooks</b>	1099
<b>Customer Service Metering (Non-Aclara)</b>	426
<b>Distribution Asset Monitoring</b>	1
<b>Generation Ghent Vending Machine</b>	1
<b>Distribution SCADA Expansion</b>	12
<b>Customer Service AMS Collectors</b>	8
<b>Gas Toughbooks</b>	15
<b>Distribution Power Monitor Devices</b>	26
<b>Gas SCADA Displays</b>	5
<b>Transmission Motor Operated Switches</b>	23
<b>Customer Service Metering (Aclara)</b>	647
<b>Transmission Devices</b>	2



**Staging & Kitting**



**On Site Support**



**Professional Services**

AT&T can procure routers, Program and Project Management and provide Staging & Kitting and installation services of the FirstNet certified routers chosen by PPL and LG&E. This will enable PPL and LG&E to receive functional, ready to deploy routers to install or AT&T can install.

The service will include:

- (a) Procurement and Installation of the AT&T SIM (provided by AT&T)
- (b) Recording of the ICCID and IMEI (to be provided on Excel output list)
- (c) Booting Up Device
- (d) Logging into Device
- (e) Load Router configurations
- (f) Reboot Device and Verify Connectivity
- (g) Labeling
- (h) Ship to locations or AT&T can provide installation services



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**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 62**

**Responding Witness: Kent W. Blake**

- Q-62. Refer to Exhibit KWB-1. Provide full calculation details by year for the line item “Remaining Net Book Value – Retired & Replaced Meters” on pp. 2 and 3. Provide the response to this question in MS Excel format with no pasted values and all cell formulae working, intact, and available for review.
  
- A-62. See the information provided in the attachment in response to AG-KIUC 1-202 - Legacy Meter Book Value.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 63**

**Responding Witness: Kent W. Blake**

- Q-63. Refer to Exhibit KWB-2. Provide full calculation details by year for the line item “Regulatory Asset Amortization” on pp. 2 and 3. Provide the response to this question in MS Excel format with no pasted values and all cell formulae working, intact, and available for review.
- A-63. See the attachment to the response to PSC 1-56 “2020\_Att\_KU\_LGE\_PSC\_1-56\_Exhibit\_KWB-2.xlsx” and refer to Blake testimony pages 16-18. In summary, after the amortization of the regulatory liability is used to bring the Companies’ combined revenue requirement to zero for years 1-5 following deployment of AMI, the same process is used for the amortization of the regulatory asset for years 6-10 with the remaining regulatory asset balance being amortized on a straight-line basis over the remainder of the analysis period with a combined revenue requirement reduction for those remaining years.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 64**

**Responding Witness: Kent W. Blake**

- Q-64. Refer to Exhibit KWB-2. Provide full calculation details by year for the line item “Regulatory Liability Amortization” on pp. 2 and 3. Provide the response to this request in MS Excel spreadsheet format with no pasted values and all cell formulae working, intact, and available for review.
- A-64. See the attachment to the response to PSC 1-56 “2020\_Att\_KU\_LGE\_PSC\_1-56\_Exhibit\_KWB-2.xlsx” and refer to Blake testimony pages 16-18 and the response to Question No. 63.



**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 65**

**Responding Witness: Lonnie E. Bellar / Eileen L. Saunders**

- Q-65. Refer to the Attachment provided by the Companies in response to AG-KIUC DR 1-206 (a) (a list of meters that were replaced by year from 2015 through 2019 due to failure). Provide this Attachment in MS Excel spreadsheet format with no pasted values and all cell formulae working, intact, and available for review.
- A-65. See attachment being provided in Excel format. The Companies note that the response provided to AG-KIUC 1-206 (a) included meters retired for any reason and not only due to failure. The Companies also note that values are the result of queries from the source reporting system and are not pasted values.

The attachment is being provided in a separate file in Excel format.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 66**

**Responding Witness: Lonnie E. Bellar / Eileen L. Saunders**

- Q-66. Refer to the Attachment provided by the Companies in response to AG-KIUC DR 1-206 (a), which is a list of meters that were replaced by year from 2015 through 2019 due to failure. Provide a list of meters that were replaced by year from 2015 through 2019 for any reason. In this list of meters, include identifiers such as: 1) manufacturer; 2) model; 3) type (electromechanical or electronic); 4) phase (single or poly); and 5) reason for replacement. Provide the response to this request in MS Excel spreadsheet format with no pasted values and all cell formulae working, intact, and available for review.
- A-66. See attachment being provided in Excel format. The Companies note that the response provided to AG-KIUC 1-206 (a) included meters retired for any reason and not only due to failure. The Companies also note that the reason for replacement, while tracked within the individual service order where the meter was replaced, is a field that is reset within the Companies' reporting system each time the meter is readied to be placed back into service. For this reason, many of the reasons for replacement are blank or non-descriptive within the attachment and are not readily available as it would require researching approximately 60,000 records manually.

The attachment is being provided in a separate file in Excel format.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 67**

**Responding Witness: Lonnie E. Bellar / Robert M. Conroy**

- Q-67. Refer to the Companies' response to AG-KIUC DR 1-206 (b), regarding a statement in the Commission's Order dated April 13, 2016 (at p. 11): "With regard to CPCNs, the Commission finds it appropriate for jurisdictional electric utilities to obtain CPCNs for major AMR or AMI meter investments and distribution grid investments for DA, SCADA or volt/var resources." As it pertains to this statement, the Companies' response to AG-KIUC DR 1-206 (b) states "Thus, the Companies considered that it had limited authority to install an AMI meter."
- a. Explain why the roll-out of AMI on a routine, course-of-business basis (for example, as existing meters failed) constitutes a "major" meter investment.
  - b. Explain why the Companies considered the statement referenced in the Commission's Order dated April 13, 2016 as prohibiting individual AMI meter installations in the routine course of business (for example, as individual meters failed), when the Commission's statement clearly specifies "major" meter investments.
- A-67. a-b. A wholesale move to AMI meters would mean a fundamental change to one of the most important tasks the Company performs – reading customers' meters. Given the size of the Company, its significant number of customers, the cost of AMI meters, and the Commission's historic interest in AMI proposals, any Company-wide AMI proposal to replace all meters is "major," regardless of the speed of the deployment of individual meters. The referenced quote demonstrates the Commission's desire to examine AMI proposals closely. As shown in Exhibit LEB-3, a gradual rollout of AMI meters under a replace-as-meters-fail model would not achieve the same level of benefits that will be achieved under the Company's proposal.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 68**

**Responding Witness: Lonnie E. Bellar / Eileen L. Saunders**

Q-68. Refer to the Companies' response to AG-KIUC DR 1-206 (c), which states, "If these meters are replaced in a non-contiguous fashion, as would be expected by replacing failed meters, then they may not communicate and would thus need to be manually read," and, "The other option is to overbuild the communication network." The AG-KIUC is aware that alternatives to communicating with AMI meters installed sporadically throughout a utility service territory – for example, AT&T and Verizon public network rental – are available for use in the event of a routine, course-of-business approach to AMI installation over time.

- a. Confirm that these statements assume the Companies' only option was to build and operate its own "RF Mesh" meter communications network. If this cannot be confirmed, please explain.
- b. Provide any analysis the Companies completed comparing the costs of: 1) the installation of AMI meters over time, in the routine course of business, as meters failed using the public network rental option for meter communications, to 2) the installation of AMI meters all-at-once using the proposed RF Mesh approach. If the Companies did not complete such an analysis, please so state.

A-68.

- a. The Companies have experience with cellular AMI meters and cellular meter communications. However, for the reasons described in the responses to AG-KIUC 1-200 and Question No. 61, the Companies' analysis of a "replace-as-meters-fail" implementation timeline assumed that expanding the mesh network and replacing meters as they fail with mesh AMI meters would be the most cost-effective way to replace meters as they fail.
- b. The Companies have not evaluated the "replace-as-meters-fail" timeline (i.e., alternative 1 in this request) with cellular meters and the assumption that public cellular networks would be used for meter communications. However, the Companies have completed the requested analysis with the assumption that an expanded mesh network and the use of mesh AMI meters would provide the most cost-effective way to replace existing meters as they fail

with AMI meters. The results of this analysis are summarized in Exhibit LEB-3 beginning at the bottom of page 29. The present value of revenue requirements for the replace-as-meters-fail timeline is higher (more costly) than the proposed AMI timeline but lower (less costly) than the Status Quo (see Table 9 at page 30 of Exhibit LEB-3). The analysis did not consider the negative customer experience implications in the replace-as-meters-fail timeline associated with customers having unequal access to AMI data over a long period of time.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 69**

**Responding Witness: John K. Wolfe**

- Q-69. Refer to the Companies' response to AG-KIUC DR 1-207 (a), which describes how AMI voltage increases will be used to identify transformers which might fail. The AG-KIUC are aware that voltage variation occurs for many reasons; an increase due to a short in a transformer winding is just one of them.
- a. Explain how the Companies plan to avoid false positives when using AMI voltage data to identify potential transformer failures.
  - b. Estimate the number of total notifications of AMI voltage increases of 7% the Companies anticipate receiving in a year. Provide the basis for this estimate.
  - c. Of the notifications the Companies receive which pass any screens for false positives the Companies described in response to subpart (a), explain any other processes the Companies will follow to ensure transformers are not replaced unnecessarily.
- A-69.
- a. LG&E plans to avoid false positives by examining trends in voltage data as well as incorporating other information such as alarms from the AMI system. By looking at long term trends and filtering out erroneous outlier data points, a more accurate identification can be performed.
  - b. In 2020, the Companies encountered 754 outages due to transformers. The 5-year rolling average of transformer outages is 841.6. It is unclear if all these transformer failures experienced a 7% voltage increase since AMI meters were not installed on these customers at the time of failure.
  - c. In addition to voltage monitoring, the AMI system could be used to monitor power quality disturbances, which can also be early indicators of transformer failure. Prior to replacement in the field, transformers are tested to justify replacement. Replaced service transformers are tested and re-furbished, when possible at a Company facility and placed back into service.



**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 70**

**Responding Witness: John K. Wolfe**

Q-70. Refer to the Companies’ response to AG-KIUC DR 1-207 (b), which states “The Companies estimate that planned versus reactive replacement of distribution transformers will save on average 1.5 hours of outage time on approximately 320 avoided customer outages annually.”

- a. Calculate the system-wide impact on SAIFI and CAIDI of avoiding 1.5-hour service outage for 320 customers annually.
- b. Provide the number of distribution transformers the Companies would have to replace prospectively each year to avoid outages due to transformer failures for 320 customers.
- c. Provide the number of distribution transformers operating on the KU grid as of December 31, 2020.
- d. Provide the number of distribution transformers operating on the LG&E grid as of December 31, 2020.

A-70.

- a. The Companies estimated 1.5 hours of outage time saved on 320 unique transformer failures annually impacting a total of 1,700 customers. An outage will still be required to replace the failing transformers but will save approximately 0.15 SAIDI minutes per customer system-wide from faster transformer replacements. CAIDI is a function of individual customers who experienced an outage. A system-wide CAIDI savings calculation requires overall system-wide SAIFI performance to calculate.

$$CAIDI_{saved} = \frac{SAIDI_{saved}}{SAIFI_{Total}}$$

The Companies average adjusted distribution SAIFI between 2016 and 2020 was 0.814. Assuming future year performance is near the five-year average, system-wide CAIDI for the Companies would reduce by an estimated 0.184 minutes annually.

- b. The Companies would annually replace an estimated 320 failing transformers impacting approximately 1,700 customers.
- c. In 2020, KU had 222,647 total transformers.
- d. In 2020, LG&E had 91,747 total transformers.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 71**

**Responding Witness: Lonnie E. Bellar**

- Q-71. Refer to the Companies' response to AG-KIUC DR 1-212 (a), which provides an extremely high-level explanation of how annual energy savings from the e-Portal were projected. Provide the actual calculations used to estimate fuel cost savings from the e-Portal on tab "Risk\_AMI+AMR\_GO" of the Confidential Attachment provided by the Companies in response to AG-KIUC Q-203 (b). Be sure the actual calculations include: 1) the assumed energy reduction percentage used (base case) by customer class; 2) the forecast energy requirements by year, by customer class, over the analysis period, of customers who would be receiving an AMI meter; 3) the assumed, avoided cost of energy for each year of the analysis period; and 4) the pace of AMI meter deployment.
- A-71. See the attachment being provided in Excel format. The attachment includes notes regarding on which tabs and in which rows the data can be found in the AMI Financial Model. The assumed energy reduction percentage does not vary by customer class. The fuel savings referenced on the "Risk\_AMI+AMR\_GO" tab are the sum of the ePortal savings detailed in this analysis and the CVR savings detailed in the response to Question No. 73(a).

The attachment is being provided in a separate file in Excel format.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 72**

**Responding Witness: Lonnie E. Bellar / John K. Wolfe**

Q-72. Refer to: the Companies' response to AG-KIUC DR 1-213 (d), which states that the Companies plan to implement a dynamic approach to CVR; and to the Companies' response to AG-KIUC DR 1-213 (e), which states that there are no incremental costs associated with CVR implementation. As the AG-KIUC understand it, this means that the Companies are planning only to adjust the load tap changer voltage settings at the head-end of the 404 circuits selected for CVR.

- a. Confirm the AG-KIUC's understanding. If this cannot be confirmed, please explain.
- b. Provide support that the modifications of load-tap-changer settings alone can deliver the level of energy reductions the Companies project from CVR (140 GWh to 270 GWh annually per Table 7 of p. 27 of Exh. LEB 3) on just 404 circuits representing just 1/3 of the KU/LG&E energy sales.
- c. Provide a count of the total number of circuits operated in Kentucky by the Companies as of 12-31-2020.
- d. Describe how the 404 circuits were selected for potential CVR application.

A-72.

- a. Not confirmed. Modifications to load-tap-changer settings alone cannot deliver the level of energy reductions estimated by the analysis. The Companies plan to implement Volt-VAR Optimization (VVO) to ensure continued reliable electric service for customers as the grid experiences increased adoption of distributed energy resources and electric vehicles. The VVO implementation includes regulator banks and capacitor banks necessary to levelize the voltage profile along selected circuits. Beyond the VVO investment there is no incremental cost to implement CVR. CVR would entail operating tap changers on substation transformers, as well as operating regulator banks and capacitor banks on circuits.
- b. Modifications to load-tap-changer settings alone cannot deliver the level of energy reductions estimated by the analysis. See the response to part a.

- c. As referenced in the Wolfe testimony attachment JKW-1, the Companies operate 1,826 circuits.
  
- d. See Appendix D to Exhibit LEB-3 (“CVR Potential Study”) at page 3. Electric Distribution Operations (“EDO”) identified 404 candidate circuits for implementing CVR. Candidate circuits were selected based on a number of criteria including: circuit length; number and types of customers served; uniformity of circuits on a given substation; existing voltage control assets such as capacitors, voltage regulators, and load tap changers; station loading (potential for energy savings); and availability of communications.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 73**

**Responding Witness: Lonnie E. Bellar / John K. Wolfe**

Q-73. Refer to the Companies' response to AG-KIUC DR 1-213 (c), which describes the Companies' approach to calculating fuel cost savings from CVR.

- a. Provide the actual calculations used to estimate fuel cost savings from CVR on tab "Risk\_AMI+AMR\_GO" of the Confidential Attachment provided by the Companies in response to AG-KIUC DR 1-203(b). Be sure the actual calculations include: 1) the identities of the 404 circuits identified for CVR; 2) the energy use in 2019 for each of the 404 circuits; 3) the average annual reduction in voltage on each circuit assumed; 4) the energy savings rate as a proportion of voltage reduction assumed; 5) the pace of CVR deployment; and 6) the assumed, avoided cost of energy for each year of the analysis period.
- b. Of the 404 circuits identified for CVR listed in response to subpart (a), provide the average annual voltage at the load tap changer for i) 2018; ii) 2019; and iii) 2020.
- c. Of the 404 circuits identified for CVR listed in response to subpart (a), provide the average annual voltage along the circuit length for i) 2018; ii) 2019; and iii) 2020.

A-73.

- a. See the attachment being provided in Excel format. The attachment includes notes regarding on which tabs and in which rows the data can be found in the AMI Financial Model. The CVR Potential Study was used to determine an energy savings percentage for three scenarios (low, mid, and high) and the total energy savings potential for each scenario was computed as the product of this percentage and the sum of calendar year 2019 energy for the 404 candidate circuits. No circuit-level assumptions were made for the 404 candidate circuits with respect to voltage reduction on a specific circuit. As explained in the CVR Potential Study, a CVR factor of 75% was used which indicates that for a given percent change in voltage there is a 75% change in energy. Therefore, dividing the percentage energy reductions for each scenario by the CVR factor of 75% yields the implied percentage change in

voltage. For example, the Mid scenario energy saving rate of -1.99% has an implied -2.65% change in voltage  $(-1.99\% / 75\%)$ .

The fuel savings referenced on the “Risk\_AMI+AMR\_GO” tab are the sum of the CVR savings detailed in this analysis and the ePortal savings detailed in the response to Question No. 71.

- b. Refer to the attachment provided for requested data.
- c. The Companies do not have metering-class voltage measurement devices along each of the 404 circuits. Until AMI is implemented or metering class line voltage sensors are installed as part of VVO, we cannot provide the requested data at this time.



The attachment is being provided in a separate file in Excel format.

Location	Bus #	Circuit #	Transformer	Tap Changer Setpoint	Voltage at Tap Changer		
					2018	2019	2020
<b>AIKEN 1</b>	AK1						
		AK1289	AK-TRANS 1	125.5	7530	7530	7530
		AK1293	AK-TRANS 1	125.5	7530	7530	7530
		AK1294	AK-TRANS 1	125.5	7530	7530	7530
		AK1295	AK-TRANS 1	125.5	7530	7530	7530
		AK1296	AK-TRANS 1	125.5	7530	7530	7530
<b>AIKEN 2</b>	AK2						
		AK1290	AK-TRANS 2	123	7380	7380	7380
		AK1291	AK-TRANS 2	123	7380	7380	7380
		AK1292	AK-TRANS 2	123	7380	7380	7380
<b>ASHBY 1</b>	AB1						
		AB1202	AB-TRANS 1	123	7380	7380	7380
		AB1203	AB-TRANS 1	123	7380	7380	7380
		AB1204	AB-TRANS 1	123	7380	7380	7380
<b>ASHBY 2</b>	AB2						
		AB1205	AB-TRANS 2	123	7380	7380	7380
		AB1206	AB-TRANS 2	123	7380	7380	7380
		AB1207	AB-TRANS 2	123	7380	7380	7380
<b>BISHOP 1</b>	BI1						
		BI1217	BI-TRANS 1	123	7380	7380	7380
		BI1218	BI-TRANS 1	123	7380	7380	7380
		BI1219	BI-TRANS 1	123	7380	7380	7380
		BI1220	BI-TRANS 1	123	7380	7380	7380
<b>BRECKENRIDGE 3</b>	BR3						
		BR1176	BR-TRANS 3	123	7380	7380	7380
		BR1179	BR-TRANS 3	123	7380	7380	7380
		BR1180	BR-TRANS 3	123	7380	7380	7380
<b>BRECKENRIDGE 4</b>	BR4						
		BR1177	BR-TRANS 4	123	7380	7380	7380
		BR1181	BR-TRANS 4	123	7380	7380	7380
		BR1182	BR-TRANS 4	123	7380	7380	7380
<b>CANAL 3</b>	CA3						
		CA1306	C-TRANS 3	117.5	7050	7050	7050
		CA1341	C-TRANS 3	117.5	7050	7050	7050
		CA1342	C-TRANS 3	117.5	7050	7050	7050
		CA1345	C-TRANS 3	117.5	7050	7050	7050
<b>CANAL 4</b>	CA4						
		CA1304	C-TRANS 4	117.5	7050	7050	7050
		CA1340	C-TRANS 4	117.5	7050	7050	7050
		CA1343	C-TRANS 4	117.5	7050	7050	7050
		CA1346	C-TRANS 4	117.5	7050	7050	7050
<b>CENTERFIELD 1</b>	CF1						
		CF1201	CF-TRANS 1	123	7380	7380	7380
		CF1202	CF-TRANS 1	123	7380	7380	7380
		CF1203	CF-TRANS 1	123	7380	7380	7380
		CF1204	CF-TRANS 1	123	7380	7380	7380
		CF1205	CF-TRANS 1	123	7380	7380	7380
<b>CLAY 1</b>	CY1						
		CY1481	CY-TRANS 1	119	7140	7140	7140

Location	Bus #	Circuit #	Transformer	Tap Changer Setpoint	Voltage at Tap Changer		
					2018	2019	2020
		CY1482	CY-TRANS 1	119	7140	7140	7140
		CY1483	CY-TRANS 1	119	7140	7140	7140
		CY1484	CY-TRANS 1	119	7140	7140	7140
<b>CLIFTON 2</b>	CL2						
		CL1229	CL-TRANS 2	123	7380	7380	7380
		CL1231	CL-TRANS 2	123	7380	7380	7380
		CL1232	CL-TRANS 2	123	7380	7380	7380
<b>COLLINS 1</b>	CO1						
		CO1193	CO-TRANS 1	123	7380	7380	7380
		CO1196	CO-TRANS 1	123	7380	7380	7380
		CO1197	CO-TRANS 1	123	7380	7380	7380
<b>CRESTWOOD 1</b>	CW1						
		CW1222	CW-TRANS 1	123	7380	7380	7380
		CW1223	CW-TRANS 1	123	7380	7380	7380
		CW1225	CW-TRANS 1	123	7380	7380	7380
		CW1227	CW-TRANS 1	123	7380	7380	7380
<b>CRESTWOOD 2</b>	CW2						
		CW1224	CW-TRANS 2	123	7380	7380	7380
		CW1226	CW-TRANS 2	123	7380	7380	7380
		CW1228	CW-TRANS 2	123	7380	7380	7380
<b>DAHLIA 1</b>	DA1						
		DA1237	DA-TRANS 1	123	7380	7380	7380
		DA1238	DA-TRANS 1	123	7380	7380	7380
		DA1239	DA-TRANS 1	123	7380	7380	7380
		DA1240	DA-TRANS 1	123	7380	7380	7380
<b>DAHLIA 2</b>	DA2						
		DA1241	DA-TRANS 2	123	7380	7380	7380
		DA1242	DA-TRANS 2	123	7380	7380	7380
		DA1243	DA-TRANS 2	123	7380	7380	7380
<b>DIXIE 1</b>	DX1						
		DX1220	DX-TRANS 1	123	7380	7380	7380
		DX1221	DX-TRANS 1	123	7380	7380	7380
		DX1222	DX-TRANS 1	123	7380	7380	7380
		DX1223	DX-TRANS 1	123	7380	7380	7380
<b>ETHEL 2</b>	ET2						
		ET1166	ET-TRANS 2	123	7380	7380	7380
		ET1167	ET-TRANS 2	123	7380	7380	7380
		ET1168	ET-TRANS 2	123	7380	7380	7380
		ET1169	ET-TRANS 2	123	7380	7380	7380
<b>ETHEL 6</b>	ET6						
		ET1170	ET-TRANS 6	123	7380	7380	7380
		ET1171	ET-TRANS 6	123	7380	7380	7380
		ET1172	ET-TRANS 6	123	7380	7380	7380
		ET1173	ET-TRANS 6	123	7380	7380	7380
<b>FAIRMOUNT 1</b>	FM1						
		FM1256	FM-TRANS 1	123	7380	7380	7380
		FM1257	FM-TRANS 1	123	7380	7380	7380
		FM1259	FM-TRANS 1	123	7380	7380	7380
<b>FERN VALLEY 2</b>	FV2						

Location	Bus #	Circuit #	Transformer	Tap Changer Setpoint	Voltage at Tap Changer		
					2018	2019	2020
		FV1142	FV-TRANS 2	123	7380	7380	7380
		FV1143	FV-TRANS 2	123	7380	7380	7380
		FV1144	FV-TRANS 2	123	7380	7380	7380
		FV1145	FV-TRANS 2	123	7380	7380	7380
<b>FERN VALLEY 3</b>	<b>FV3</b>						
		FV1134	FV-TRANS 3	123	7380	7380	7380
		FV1135	FV-TRANS 3	123	7380	7380	7380
		FV1137	FV-TRANS 3	123	7380	7380	7380
		FV1138	FV-TRANS 3	123	7380	7380	7380
<b>FERN VALLEY 4</b>	<b>FV4</b>						
		FV1139	FV-TRANS 4	123	7380	7380	7380
		FV1140	FV-TRANS 4	123	7380	7380	7380
		FV1141	FV-TRANS 4	123	7380	7380	7380
<b>FREYS HILL 1</b>	<b>FH1</b>						
		FH1209	FH-TRANS 1	123	7380	7380	7380
		FH1210	FH-TRANS 1	123	7380	7380	7380
		FH1211	FH-TRANS 1	123	7380	7380	7380
<b>FREYS HILL 2</b>	<b>FH2</b>						
		FH1213	FH-TRANS 2	123	7380	7380	7380
		FH1214	FH-TRANS 2	123	7380	7380	7380
		FH1215	FH-TRANS 2	123	7380	7380	7380
		FH1216	FH-TRANS 2	123	7380	7380	7380
		FH1217	FH-TRANS 2	123	7380	7380	7380
<b>HIGHLAND 2</b>	<b>HI2</b>						
		HI1101	HI-TRANS 2	123	7380	7380	7380
		HI1102	HI-TRANS 2	123	7380	7380	7380
		HI1103	HI-TRANS 2	123	7380	7380	7380
		HI1104	HI-TRANS 2	123	7380	7380	7380
		HI1105	HI-TRANS 2	123	7380	7380	7380
<b>HILLCREST 2</b>	<b>HC2</b>						
		HC1290	HC-TRANS 2	123	7380	7380	7380
		HC1291	HC-TRANS 2	123	7380	7380	7380
		HC1292	HC-TRANS 2	123	7380	7380	7380
		HC1293	HC-TRANS 2	123	7380	7380	7380
		HC1294	HC-TRANS 2	123	7380	7380	7380
<b>HARMONY LAND1</b>	<b>HL1</b>						
		HL1155	HL-TRANS 1	123	7380	7380	7380
		HL1156	HL-TRANS 1	123	7380	7380	7380
		HL1157	HL-TRANS 1	123	7380	7380	7380
		HL1158	HL-TRANS 1	123	7380	7380	7380
<b>HARRODS CREEK1</b>	<b>HK1</b>						
		HK1233	HK-TRANS 1	123	7380	7380	7380
		HK1235	HK-TRANS 1	123	7380	7380	7380
<b>HURSTBOURNE 1</b>	<b>HB1</b>						
		HB1141	HB-TRANS 1	123	7380	7380	7380
		HB1142	HB-TRANS 1	123	7380	7380	7380
		HB1143	HB-TRANS 1	123	7380	7380	7380
		HB1148	HB-TRANS 1	123	7380	7380	7380
		HB1149	HB-TRANS 1	123	7380	7380	7380

Location	Bus #	Circuit #	Transformer	Tap Changer Setpoint	Voltage at Tap Changer		
					2018	2019	2020
<b>HURSTBOURNE 2</b>	HB2						
		HB1144	HB-TRANS 2	123	7380	7380	7380
		HB1145	HB-TRANS 2	123	7380	7380	7380
		HB1146	HB-TRANS 2	123	7380	7380	7380
		HB1147	HB-TRANS 2	123	7380	7380	7380
		HB1150	HB-TRANS 2	123	7380	7380	7380
<b>INTERNATIONAL1</b>	IN1						
		IN1290	IN-TRANS 1	124	7440	7440	7440
		IN1291	IN-TRANS 1	124	7440	7440	7440
		IN1292	IN-TRANS 1	124	7440	7440	7440
		IN1293	IN-TRANS 1	124	7440	7440	7440
<b>JEFFERSONTOWN2</b>	JT2						
		JT1121	JT-TRANS 2	123	7380	7380	7380
		JT1122	JT-TRANS 2	123	7380	7380	7380
		JT1123	JT-TRANS 2	123	7380	7380	7380
		JT1124	JT-TRANS 2	123	7380	7380	7380
<b>KENWOOD 1</b>	KE1						
		KE1155	KE-TRANS 1	123	7380	7380	7380
		KE1156	KE-TRANS 1	123	7380	7380	7380
		KE1157	KE-TRANS 1	123	7380	7380	7380
		KE1158	KE-TRANS 1	123	7380	7380	7380
<b>KENWOOD 2</b>	KE2						
		KE1159	KE-TRANS 2	123	7380	7380	7380
		KE1160	KE-TRANS 2	123	7380	7380	7380
		KE1161	KE-TRANS 2	123	7380	7380	7380
		KE1162	KE-TRANS 2	123	7380	7380	7380
<b>LOCUST 2</b>	LO2						
		LO1190	LO-TRANS 2	123	7380	7380	7380
		LO1191	LO-TRANS 2	123	7380	7380	7380
		LO1192	LO-TRANS 2	123	7380	7380	7380
		LO1193	LO-TRANS 2	123	7380	7380	7380
<b>LYNDON 2</b>	LY2						
		LY1111	LY-TRANS 2	123	7380	7380	7380
		LY1112	LY-TRANS 2	123	7380	7380	7380
		LY1163	LY-TRANS 2	123	7380	7380	7380
<b>LYNDON SOUTH 3</b>	LS3						
		LS1245	LS-TRANS 3	123	7380	7380	7380
		LS1246	LS-TRANS 3	123	7380	7380	7380
		LS1248	LS-TRANS 3	123	7380	7380	7380
<b>MANSLICK 1</b>	MK1						
		MK1295	MK-TRANS 1	123	7380	7380	7380
		MK1296	MK-TRANS 1	123	7380	7380	7380
		MK1297	MK-TRANS 1	123	7380	7380	7380
		MK1298	MK-TRANS 1	123	7380	7380	7380
		MK1299	MK-TRANS 1	123	7380	7380	7380
<b>MILL CREEK 9</b>	MC9						
		MC1261	MC-TRANS 9	123	7380	7380	7380
		MC1262	MC-TRANS 9	123	7380	7380	7380
<b>MUD LANE 3</b>	ML3						

Location	Bus #	Circuit #	Transformer	Tap Changer Setpoint	Voltage at Tap Changer		
					2018	2019	2020
		ML1286	ML-TRANS 3	123	7380	7380	7380
		ML1287	ML-TRANS 3	123	7380	7380	7380
		ML1288	ML-TRANS 3	123	7380	7380	7380
		ML1289	ML-TRANS 3	123	7380	7380	7380
		ML1290	ML-TRANS 3	123	7380	7380	7380
<b>MUD LANE 6</b>	<b>ML6</b>						
		ML1281	ML-TRANS 6	123	7380	7380	7380
		ML1282	ML-TRANS 6	123	7380	7380	7380
		ML1283	ML-TRANS 6	123	7380	7380	7380
		ML1284	ML-TRANS 6	123	7380	7380	7380
		ML1285	ML-TRANS 6	123	7380	7380	7380
<b>NACHAND 1</b>	<b>NA1</b>						
		NA1264	NA-TRANS 1	123	7380	7380	7380
		NA1265	NA-TRANS 1	123	7380	7380	7380
		NA1266	NA-TRANS 1	123	7380	7380	7380
<b>NACHAND 2</b>	<b>NA2</b>						
		NA1267	NA-TRANS 2	123	7380	7380	7380
		NA1268	NA-TRANS 2	123	7380	7380	7380
		NA1269	NA-TRANS 2	123	7380	7380	7380
<b>OKOLONA 1</b>	<b>OK1</b>						
		OK1271	OK-TRANS 1	123	7380	7380	7380
		OK1272	OK-TRANS 1	123	7380	7380	7380
		OK1273	OK-TRANS 1	123	7380	7380	7380
		OK1274	OK-TRANS 1	123	7380	7380	7380
		OK1275	OK-TRANS 1	123	7380	7380	7380
<b>OLD Henry 1</b>	<b>OH1</b>						
		OH1170	OH-TRANS 1	123	7380	7380	7380
		OH1171	OH-TRANS 1	123	7380	7380	7380
		OH1172	OH-TRANS 1	123	7380	7380	7380
		OH1173	OH-TRANS 1	123	7380	7380	7380
		OH1174	OH-TRANS 1	123	7380	7380	7380
<b>OXMOOR 1</b>	<b>OX1</b>						
		OX1273	OX-TRANS 1	123	7380	7380	7380
		OX1274	OX-TRANS 1	123	7380	7380	7380
		OX1275	OX-TRANS 1	123	7380	7380	7380
		OX1276	OX-TRANS 1	123	7380	7380	7380
<b>PLAINVIEW 1</b>	<b>PV1</b>						
		PV1250	PV-TRANS 1	123	7380	7380	7380
		PV1251	PV-TRANS 1	123	7380	7380	7380
		PV1253	PV-TRANS 1	123	7380	7380	7380
		PV1254	PV-TRANS 1	123	7380	7380	7380
<b>PLEASURE RIDG1</b>	<b>PL1</b>						
		PL1270	PL-TRANS 1	123	7380	7380	7380
		PL1271	PL-TRANS 1	123	7380	7380	7380
		PL1272	PL-TRANS 1	123	7380	7380	7380
		PL1273	PL-TRANS 1	123	7380	7380	7380
		PL1274	PL-TRANS 1	123	7380	7380	7380
<b>SEMINOLE 4</b>	<b>SM4</b>						
		SM1231	SM-TRANS 4	123	7380	7380	7380

Location	Bus #	Circuit #	Transformer	Tap Changer Setpoint	Voltage at Tap Changer		
					2018	2019	2020
		SM1232	SM-TRANS 4	123	7380	7380	7380
		SM1233	SM-TRANS 4	123	7380	7380	7380
		SM1234	SM-TRANS 4	123	7380	7380	7380
		SM1235	SM-TRANS 4	123	7380	7380	7380
<b>SMYRNA 1</b>	SY1						
		SY1250	SY-TRANS 1	122.5	7350	7350	7350
		SY1251	SY-TRANS 1	122.5	7350	7350	7350
		SY1252	SY-TRANS 1	122.5	7350	7350	7350
<b>SMYRNA 2</b>	SY2						
		SY1253	SY-TRANS 2	122.5	7350	7350	7350
		SY1254	SY-TRANS 2	122.5	7350	7350	7350
		SY1255	SY-TRANS 2	122.5	7350	7350	7350
<b>SOUTH PARK 2</b>	SP2						
		SP1114	SP-TRANS 2	123	7380	7380	7380
		SP1115	SP-TRANS 2	123	7380	7380	7380
		SP1116	SP-TRANS 2	123	7380	7380	7380
		SP1117	SP-TRANS 2	123	7380	7380	7380
<b>STEWART 1</b>	SW1						
		SW1184	SW-TRANS 1	123	7380	7380	7380
		SW1186	SW-TRANS 1	123	7380	7380	7380
		SW1187	SW-TRANS 1	123	7380	7380	7380
<b>STEWART 2</b>	SW2						
		SW1188	SW-TRANS 2	123	7380	7380	7380
		SW1190	SW-TRANS 2	123	7380	7380	7380
		SW1191	SW-TRANS 2	123	7380	7380	7380
<b>TAYLOR 1</b>	TA1						
		TA1106	TA-TRANS 1	123	7380	7380	7380
		TA1132	TA-TRANS 1	123	7380	7380	7380
		TA1173	TA-TRANS 1	123	7380	7380	7380
<b>TAYLOR 3</b>	TA3						
		TA1105	TA-TRANS 3	123	7380	7380	7380
		TA1130	TA-TRANS 3	123	7380	7380	7380
		TA1172	TA-TRANS 3	123	7380	7380	7380
<b>TAYLOR 4</b>	TA4						
		TA1133	TA-TRANS 4	123	7380	7380	7380
		TA1134	TA-TRANS 4	123	7380	7380	7380
		TA1138	TA-TRANS 4	123	7380	7380	7380
<b>TERRY 1</b>	TE1						
		TE1242	TE-TRANS 1	123	7380	7380	7380
		TE1243	TE-TRANS 1	123	7380	7380	7380
		TE1247	TE-TRANS 1	123	7380	7380	7380
<b>TERRY 2</b>	TE2						
		TE1244	TE-TRANS 2	123	7380	7380	7380
		TE1245	TE-TRANS 2	123	7380	7380	7380
		TE1246	TE-TRANS 2	123	7380	7380	7380
		TE1248	TE-TRANS 2	123	7380	7380	7380
<b>WATTERSON 5</b>	WT5						
		WT1151	WT-TRANS 5	123	7380	7380	7380
		WT1152	WT-TRANS 5	123	7380	7380	7380

Location	Bus #	Circuit #	Transformer	Tap Changer Setpoint	Voltage at Tap Changer		
					2018	2019	2020
		WT1212	WT-TRANS 5	123	7380	7380	7380
<b>WORTHINGTON 1</b>	WO1						
		WO1177	WO-TRANS 1	123	7380	7380	7380
		WO1178	WO-TRANS 1	123	7380	7380	7380
		WO1179	WO-TRANS 1	123	7380	7380	7380
		WO1180	WO-TRANS 1	123	7380	7380	7380
<b>WORTHINGTON 2</b>	WO2						
		WO1181	WO-TRANS 2	123	7380	7380	7380
		WO1182	WO-TRANS 2	123	7380	7380	7380
		WO1183	WO-TRANS 2	123	7380	7380	7380
		WO1184	WO-TRANS 2	123	7380	7380	7380



**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 74**

**Responding Witness: Lonnie E. Bellar / Eileen L. Saunders**

- Q-74. Refer to the Companies' response to AG-KIUC DR 1-217, which indicates that (a) "an in-person visit to the customer's premise for disconnects or reconnects will not be required" (to remain in compliance); and (b) "all consumer protections associated with disconnections for non-payment continue."
- a. Provide the disconnection for non-payment rules with which the Companies must comply today.
  - b. Describe how the Companies conduct disconnections for non-payment today such that these disconnections are compliant with the rules provided in response to subpart (a).
  - c. Describe how the Companies will conduct disconnections for non-payment if AMI electric meters are installed such that these disconnections will be compliant with the rules provided in response to subpart (a).
  - d. Provide full details regarding the calculation of reductions in the Companies' costs on "Field Services" line of tab "Risk\_AMI+AMR\_GO". Describe how the assumptions made in the calculation mirror the description provided in response to subpart (c).
- A-74.
- a. The Companies comply with the applicable regulatory requirements stated in KAR 807 5:006 General Rules Section 14 (5) Advance Termination Notice and Section 15 Refusal or Termination of Service. These can be found at <https://apps.legislature.ky.gov/law/kar/807/005/006.pdf>.
  - b. The Companies' policy regarding disconnection of service for non-payment is fully set out in the Companies' tariffs, which the Companies do not propose to amend in this proceeding:

Company shall have the right to discontinue service for non-payment of bills after Customer has been given at least ten days written notice separate from Customer's original bill.

Cut-off may be effected not less than twenty-seven (27) days after the mailing date of original bills unless, prior to discontinuance, a residential customer presents to Company a written certificate, signed by a physician, registered nurse, or public health officer, that such discontinuance will aggravate an existing illness or infirmity on the affected premises, in which case discontinuance may be effected not less than thirty (30) days from the original date of discontinuance. Company shall notify Customer, in writing, (either mailed or otherwise delivered, including, but not limited to, electronic mail), of state and federal programs which may be available to aid in payment of bills and the office to contact for such possible assistance.<sup>12</sup>

- c. The Companies will continue to conduct disconnections for non-payment subject to the same customer protections and policies today. The only practical change will be that electrical service disconnections and reconnections will be done remotely for AMI-equipped customers, improving the speed and reducing the cost of such services.
- d. See the attachment being provided in Excel format. The information requested is confidential and proprietary and is being provided under seal pursuant to a petition for confidential protection. Consistent with the response to part c above, the Companies expect that performing disconnects and reconnects remotely will result in a significant reduction in truck rolls for Field Services. The primary source of savings will be contractor labor, which is expected to be reduced from 70 contractors today to 10 contractors post-deployment, assuming no customers opt-out. The Companies do not expect any reductions in internal Field Services headcount; however, the Companies expect a 50% reduction in overtime for internal employees given a reduced need to perform truck rolls to reconnect customers after hours, as well as a 20% reduction in materials such as meter seals and locks. The Companies' analysis assumes cost savings phasing in as the Remote Service Switch project is implemented (expected in February 2024 in current timeline) and AMI meters are deployed. Additional details regarding the Field Services calculations can be found in the AMI Financial Model on the Model tab, with Status Quo costs in rows 50-65 and savings attributed to AMI deployment in rows 66-80.

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<sup>12</sup> Kentucky Utilities Company, P.S.C. No. 18, Original Sheet No. 105.1; Louisville Gas and Electric Company, P.S.C. Electric No. 11, Original Sheet No. 105.1; Louisville Gas and Electric Company, P.S.C. Gas No. 11, Original Sheet No. 105.1.

The entire attachment is  
Confidential and  
provided separately  
under seal in Excel  
format.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 75**

**Responding Witness: John K. Wolfe**

Q-75. Refer to the Companies' response to AG-KIUC DR 1-227, which claims that the benefits to distribution management resulting from the proposed AMI deployment cannot be tracked and quantified.

- a. The first example provided is feeder load management. The AG-KIUC understand one of the goals of feeder load management to be the deferral of capital spending for distribution capacity increases. Explain why the use of feeder load management to defer capital spending could not simply be tracked by the amount of investments deferred times the number of years deferred, and the associated, avoided revenue requirements for customers estimated, as a benefit measure.
- b. The second example provided is FLISR. Explain why the customer minutes out saved from FLISR operations couldn't simply be tracked, and translated into system-wide SAIDI and SAIFI impacts annually, as a benefit measure.

A-75.

- a. It is possible that use of the Feeder Load Management (FLM) application could help to defer capital spending and any such reduction would ultimately be reflected in revenue requirements in future rate cases. But at this point, the Feeder Load Management application is intended to provide a system-wide overview of the current loading conditions on the network and model future loading scenarios. The Companies currently utilize FLM as a key feature of the DMS, and AMI would improve the accuracy of this tool. Without AMI, the load profiles and the resultant power flows are estimated based on engineering assumptions. This improvement in modeling accuracy results in more efficient and accurate modeling of power flows throughout the system, therefore limiting the risk of overloading a circuit or developing a misinformed switching plan. Since FLM and power flow tools are already in use in the DMS, improvements in modeling accuracy stemming from AMI would be difficult to assign a value to.
- b. Similar to FLM, FLISR is also already enabled on the DMS on a number of substations and the addition of AMI will only increase the accuracy of the

power flow calculation used as a key decision factor when developing FLISR switching plans. Since AMI only increases the accuracy, it is difficult to determine the SAIDI and SAIFI impacts stemming from AMI directly without several assumptions and estimates.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 76**

**Responding Witness: Lonnie E. Bellar**

Q-76. Refer to Exh. LEB-3, Table 7 on p. 27 (sensitivity analysis), as well as Figure 11 on p. 28 (which provides a probability distribution of sensitivity analysis assumptions).

- a. The Impact value direction (+/-) appearing in Table 7 appear to be reversed. For example, if outside services labor escalation rate is 3% (high case), rather than 2% (base case), one would expect the PVRR differences between the AMI+AMR\_GO alternative and the Status Quo alternative to increase – a high case of +\$23.4 Million – rather than decrease (as indicated on Table 7, -\$23.4 Million). Similarly, as fuel savings from CVR and the ePortal increase (high case), one would expect the PVRR Impact to increase. Please investigate all line items and either i) provide a revised Table 7, or ii) explain why Table 7 is correct.
- b. Line item “CVR Fuel Savings” is limited in the analysis to from 140 GWh to 270 GWh. Please provide the “Impact of Changing Input on PVRR Difference” (Low Case Impact and High Case Impact) if the CVR Fuel Savings are Zero in the low case and 292 in the high case.
- c. Please reproduce Figure 11 with the CVR Fuel Savings values listed in subpart (b).

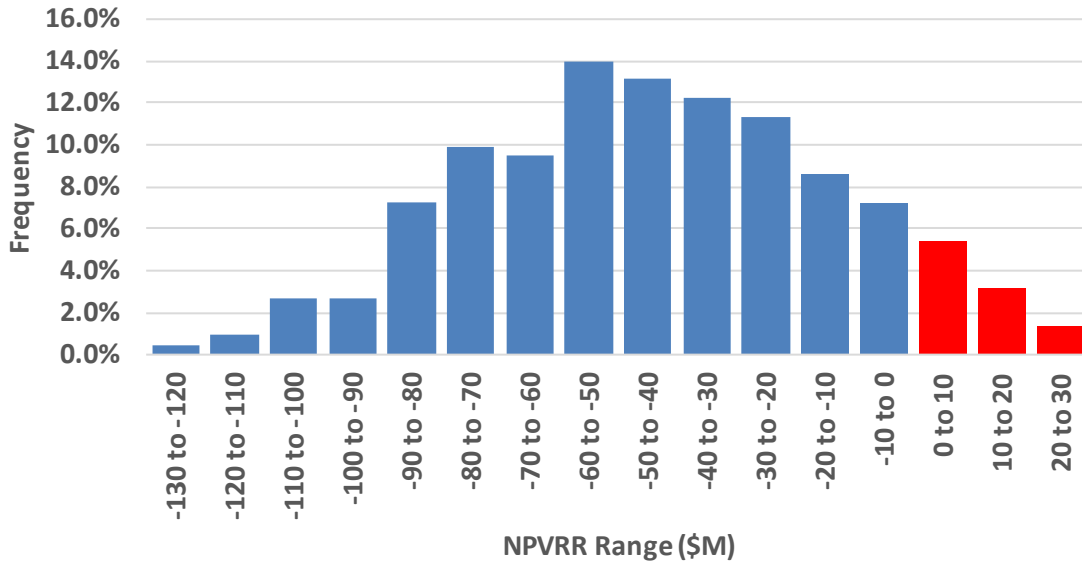
A-76.

- a. The values in Table 7 are correct. “High” and “low” in Table 7 pertain to the ranges of inputs, and not the impact on the PVRR difference between the AMI+AMR\_GO alternative and the Status Quo alternatives. For example, when CVR fuel savings are assumed at the low end of the range (140 GWh), the PVRR difference increases \$10.2 million from -\$50.4 million to -\$40.2 million. Any positive impact implies that a change makes the AMI+AMR\_GO alternative less favorable and any negative impact implies that a change makes the AMI+AMR\_GO alternative more favorable.
- b. The proposed low case implies that the Companies would achieve no CVR savings, which is unreasonable. The “Impact of Changing Input on PVRR

Difference” would be +\$34.8 Million if CVR savings were 0 GWh. The impact would be -\$14.8 Million if CVR savings were 292 GWh.

c. See below.

Updated Figure 11 Using Specified CVR Values of 0 GWh, 205 GWh, and 292 GWh



**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 77**

**Responding Witness: Lonnie E. Bellar**

- Q-77. Refer to the Companies' recommended AMI+AMR\_GO proposal generally. The AG-KIUC are aware of several revenue improvement benefits common to almost all utility AMI deployment proposals which the Companies do not quantify in projected AMI deployment benefits. Reduced bad debt, reduced theft, reductions in usage on inactive accounts, and improved meter accuracy are the most common of the revenue improvement benefits of which the AG-KIUC are aware. Explain why the Companies did not estimate and include these benefits among the benefits the Companies attribute to AMI deployment.
- A-77. The Companies' analysis focuses on revenue requirements as described on pages 3 and 5 of Exhibit LEB-3. Improved meter accuracy has no impact on revenue requirements (all other things equal); it only impacts who pays. As discussed on page 16 of Exhibit LEB-3, the Companies would expect to reduce theft and other non-technical losses. However, if customers who are caught stealing continue using electricity, reducing theft will place downward pressure on rates for paying customers but it will have no impact on total revenue requirements because the Companies' fixed costs and fuel expense will be unchanged. On the other hand, fuel expense would be reduced if customers who are caught stealing reduce their consumption but this reduction in fuel expense is very difficult to quantify. Therefore, in an effort to focus on costs and benefits that are more certain, the financial analysis ignores significant AMI benefits like these as well as improved customer experience, improved safety, improved reliability, and the ability to offer additional customer programs or services like prepay. While these items may not impact revenue requirements, they provide benefits to customers.



**LOUISVILLE GAS AND ELECTRIC COMPANY**

**Response to Joint Supplemental Data Requests of the Attorney General and KIUC  
Dated February 5, 2021**

**Case No. 2020-00350**

**Question No. 78**

**Responding Witness: Lonnie E. Bellar / Eileen L. Saunders**

- Q-78. Refer to the Companies' recommended AMI+AMR\_GO proposal generally. The AG-KIUC are aware that AMI data can be used to improve the evaluation, measurement, and validation (EM&V) of Demand-Side Management (DSM) program impact.
- a. Describe any plans the Companies may have to use AMI data to improve the EM&V of DSM program impact.
  - b. Describe any commitments the Companies are willing to make regarding the use of AMI data for DSM program EM&V.
  - c. Explain why the Companies did not tout the use of AMI data as an opportunity to improve DSM EM&V as a benefit of AMI deployment in its proposal.
- A-78.
- a. The Companies contract EM&V analysis of their DSM programs. The Companies plan to provide AMI data to these providers to assist with identifying the impact of DSM programs. For example, the Companies currently contract with TetraTech and provided them with AMI data to conduct the study in Exhibit LEB-3, Appendix E.
  - b. See the response to part (a).
  - c. See the response to Question No. 77. The Companies focused on revenue requirements. There are many benefits beyond revenue requirement that will benefit customers such as using the AMI data for DSM impact analysis.

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**Case No. 2020-00350**

**Question No. 79**

**Responding Witness: Lonnie E. Bellar**

Q-79. Refer to Table 5 of Exh. LEB-3, p. 24. This Table indicates that under the AMI+AMR\_GO alternative, meter reading expenses will fall from \$18.6 million annually to \$500,000 annually, meter services expenses will fall from \$14.3 million annually to \$10.0 million annually, and electric distribution operations spending will fall by \$200,000 annually. Provide the headcount, vehicle, supervisory, and other cost reduction details pre-deployment vs. post-deployment which indicate:

- a. Meter reading expenses will fall by \$18.1 million annually under AMI+AMR\_GO;
- b. Meter services expenses will fall by \$4.3 million annually under AMI+AMR\_GO; and
- c. EDO spending will fall by \$200,000 annually under AMI+AMR\_GO.

A-79.

- a. See table below. Meter reading labor and vehicle savings are partially offset by the cost of meter safety inspections that will be completed post-AMI by Electric Distribution Operations during distribution line inspections. The \$500,000 post-AMI meter reading cost (1) includes approximately \$300,000 for meter safety inspections<sup>13</sup> and (2) does not include any costs to read meters for customers who opt-out.

Meter Reading (Combined Companies)		Pre-AMI	Post-AMI
Internal Labor	Management and Support	7	0
	Readers	11	2
Company Vehicles	Vehicles	12	2
Contractor Labor	Management and Support	23	0
	Readers	144	0

<sup>13</sup> The Companies are requesting a waiver of these meter inspections due to AMI's enhanced meter monitoring capabilities, but the analysis includes this annual cost.

- b. See table below. In addition, there is a 20% reduction in materials such as meter seals and locks and the Companies expect a 50% reduction in overtime for internal employees. Post-deployment costs for Field Services do not include any costs to disconnect or reconnect customers who opt out.

<b>Field Services (Combined Companies)</b>		<b>Pre-AMI</b>	<b>Post-AMI</b>
Internal Labor	Management and Support	19	19
	Field Techs	62	62
Company Vehicles	Vehicles	67	67
Contractor Labor	Management and Support	6	1
	Field Techs	64	9

- c. There is no expected change in headcount or vehicles related to AMI deployment for Electric Distribution Operations. The forecasted savings are related to operational efficiencies the Companies expect to realize from AMI in the form of incremental reductions to contractor truck rolls and related labor.

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**Question No. 80**

**Responding Witness: Lonnie E. Bellar / David S. Sinclair**

Q-80. Describe what actions the Companies are taking now, and will take in the future, to address the reliability risk from increased reliance on renewable forms of energy production.

A-80. Currently, renewable energy makes up a very small portion of energy generation at any moment in time. This is not expected to change much any time soon. Excluding the Ohio Falls and Dix hydro units that have been part of the generation fleet for around 100 years, the only renewable generating assets are the 10 MW Brown solar facility, the soon-to-be 2 MW Solar Share facility, and the small amounts of QF and distributed solar facilities that are currently operating. The next major renewable addition to the generating fleet will be the 100 MW PPA with Rhudes Creek Solar that is expected to come on-line sometime in 2022. Energy from that facility will make up only 0.7 percent of customers' forecasted annual energy requirements. The ability of the generation fleet to accommodate increasing intermittent renewable generation in the future was studied as part of the process that led to the execution of the Rhudes Creek PPA.

In addition, before any generator can be connected to the transmission system and used to serve load, a series of engineering studies must be conducted to address its impact on interconnecting to the grid and the ability to move that energy to load. These studies are conducted as required by the FERC's open access transmission tariff requirements. The costs of any facilities required to safely and reliably interconnect the generator and transmit their energy to a load are allocated per the FERC tariffs. The Rhudes Creek Solar project is still going through that process.

A similar study process is used by the distribution group to ensure that small generators can be safely connected to the grid and that system reliability is not negatively impacted. As discussed by Mr. Bellar and Mr. Wolfe in their testimony, a side benefit of the AMI project will be to gain better data on the distribution system in order to enhance the ability of the distribution system to safely and reliably accommodate the forecasted increase in distributed solar generation.

**LOUISVILLE GAS AND ELECTRIC COMPANY**

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**Case No. 2020-00350**

**Question No. 81**

**Responding Witness: Lonnie E. Bellar / David S. Sinclair**

- Q-81. Discuss whether a threshold exists in the ratio of renewable energy utilization to that generated from coal and gas resources above which the Companies will become concerned about reliability. If so, specify that threshold.
- A-81. The Companies are not aware that such a threshold exists as it relates to reliability—at least if cost is not a concern. However, there are implications as it relates to the cost of maintaining reliability as intermittent and inverter based resources are added to a grid relative to the quantity of dispatchable and rotating generating assets on that same grid.

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**Case No. 2020-00350**

**Question No. 82**

**Responding Witness: Kent W. Blake**

- Q-82. Reference the response to AG-KIUC DR-1-263. Confirm that shareholders will also benefit from the referenced proposed economic development investments.
- A-82. As a regulated utility with a defined service territory, the Companies' long-term growth is generally correlated with growth of that service territory. With cost-based, rate of return regulation, shareholders may receive long-term benefit to the extent such growth leads to prudent incremental investment to serve that growth. However, until economic development requires incremental investment, it provides a broader sharing of existing fixed costs among customers. This serves to keep rates lower for existing customers than they otherwise would have been.