

**BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA**

**IN THE MATTER OF THE )  
APPLICATION OF OKLAHOMA GAS )  
AND ELECTRIC COMPANY )  
FOR AN ORDER OF THE )  
COMMISSION AUTHORIZING )  
APPLICANT TO MODIFY ITS RATES, )  
CHARGES, AND TARIFFS FOR )  
RETAIL ELECTRIC SERVICE IN )  
OKLAHOMA )**

**CASE NO. PUD 2023-000087**

**RESPONSIVE TESTIMONY**

**OF**

**LARRY BLANK**

**COST OF SERVICE AND RATE DESIGN ISSUES**

**ON BEHALF OF**

**OKLAHOMA INDUSTRIAL ENERGY CONSUMERS**

**MAY 3, 2024**

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1 **I. IDENTIFICATION**

2 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS FOR THE RECORD.**

3 A. My name is Larry Blank. My business address is TAHOEconomics, LLC, 6061  
4 Montgomery Road, Midlothian, TX 76065. My email address is [LB@tahoeconomics.com](mailto:LB@tahoeconomics.com).

5 **Q. WHERE ARE YOU EMPLOYED?**

6 A. I am the principal of TAHOEconomics, LLC (“Tahoe”), a Texas-registered consulting firm  
7 I founded in August 1999 (originally in Nevada), specializing in most policy and  
8 ratemaking facets of regulated utility industries. I am also a Professor of Economics in the  
9 College of Business at New Mexico State University (“NMSU”). For the purposes of this  
10 proceeding, I have been engaged through Tahoe. The expert opinions expressed herein are  
11 my own, and nothing in this testimony necessarily reflects the opinions of NMSU.

12 **Q. PLEASE PROVIDE A BRIEF SUMMARY OF YOUR BACKGROUND AS IT IS**  
13 **RELEVANT TO THIS TESTIMONY.**

14 A. I received a Ph.D. in Economics from The University of Tennessee in 1994, specializing  
15 in Industrial Organization & Public Policy (including regulatory policy), Econometrics,  
16 and Finance. I previously served as an Economist with the National Regulatory Research  
17 Institute (“NRRI”) at the Ohio State University and later as the Manager of Regulatory  
18 Policy & Market Analysis with the Regulatory Operations Staff of the Nevada Public  
19 Utilities Commission. As a consultant, I have served a variety of clients including  
20 government agencies, utility customers, and utility companies. I have served as an expert  
21 witness and/or advisor in over 150 rate cases and rulemakings of various types. I have  
22 provided written testimony in the following utility regulatory commission jurisdictions:  
23 Alaska, Arizona, Arkansas, Colorado, Delaware, Georgia, Kansas, Kentucky, Montana,

1 Nevada, New Hampshire, New Mexico, North Carolina, Oklahoma, Texas, and the Federal  
2 Energy Regulatory Commission. At NMSU, I direct a professional Graduate Certificate  
3 Program in Public Utility Regulation & Economics, a Masters of Economics program, and  
4 help deliver nationally-recognized rate case training programs, which are attended by  
5 hundreds of regulatory professionals from across the United States and are endorsed by the  
6 National Association of Regulatory Utility Commissioners (“NARUC”). My resume is  
7 attached as Exhibit LB-1.

8 **Q. ON WHOSE BEHALF ARE YOU TESTIFYING?**

9 A. I am testifying on behalf of Oklahoma Industrial Energy Consumers (“OIEC”).

10 **II. PURPOSE AND SUMMARY**

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

12 A. I provide analysis and recommendations in response to Oklahoma Gas and Electric  
13 Company’s (“OG&E” or the “Company”) cost of service study (“COSS”) and more  
14 specifically, regarding OG&E’s departure from long-standing precedent in Oklahoma for  
15 the allocation of production and transmission costs to OG&E’s customer classes.  
16 Specifically, I address OG&E’s proposed change in the allocation of fixed costs associated  
17 with wind production facilities and OG&E’s proposed change in the allocation approach  
18 for transmission costs. These proposed changes in production cost allocation and  
19 transmission are based on misguided logic found in the Direct Testimony of OG&E witness  
20 Lauren E. Maxey.

21 **Q. WHAT IS YOUR RECOMMENDATION FOR THE ALLOCATION OF FIXED**  
22 **WIND PRODUCTION COSTS?**

1 A. I recommend that the Commission reject the change in allocation proposed by OG&E  
2 and confirm the use of 4CP AED for all fixed generation production costs, including  
3 fixed wind production costs, because it is highly inappropriate to separate fixed wind  
4 production costs for the detailed reasons I provide below.

5 **Q. PLEASE SUMMARIZE YOUR REVIEW OF OG&E'S RATIONALE FOR THE**  
6 **COMPANY'S PROPOSED DEPARTURE FROM ACCEPTED COST**  
7 **ALLOCATION METHODS FOR WIND PRODUCTION COSTS IN**  
8 **OKLAHOMA.**

9 The Commission should recognize that the introduction of wind power within the  
10 generation portfolio of electric utilities did not change cost causation based on the energy  
11 and peak demand requirements of retail customers. Wind production costs are fixed costs  
12 that do not vary with customer energy consumption, and the customer average and peak  
13 demand requirements remain the primary drivers of production capacity costs. These facts  
14 are properly captured within the average and excess demand allocator traditionally used in  
15 Oklahoma. The generation portfolio of production capacity, including wind power  
16 capacity, still serves the exact same type of energy and peak demand requirements of  
17 customers as it did years ago. Therefore, the cost causation reasons for selecting an  
18 allocation methodology have not changed with the introduction of wind production  
19 capacity.

20 **Q. HOW HAS OG&E PROPOSED TO CHANGE THE ALLOCATION OF FIXED**  
21 **WIND PRODUCTION COSTS?**

22 Despite these facts, OG&E has proposed to change the long-standing production  
23 cost allocation method by allocating fixed wind production costs using a 16% demand and

1 84% energy allocation methods. This is a departure from the accepted method used for all  
2 fixed, demand-related production costs, which is to allocate these costs using the four  
3 coincident peak (“4CP”) average and excess demand (“AED”) allocator (“4CP AED”).  
4 Under OG&E’s new proposal, 16% of the fixed wind production costs are allocated using  
5 the 4CP AED approach, and 84% are allocated using an energy allocator. OG&E’s  
6 proposal is based on an effective load carrying capability (“ELCC”) study performed for  
7 the Southwest Power Pool (“SPP”). OG&E is a member of SPP, which is a Regional  
8 Transmission Organization under the jurisdiction of the Federal Energy Regulatory  
9 Commission (“FERC”).

10 **Q. IS IT APPROPRIATE TO USE SPP’S ELCC STUDY WITHIN THE FERC**  
11 **JURISDICTION AS THE BASIS FOR DERIVING A COST ALLOCATION**  
12 **APPROACH FOR OKLAHOMA RETAIL CUSTOMERS?**

13 A. No. Utilizing this study as a basis to guide cost allocation for state-jurisdictional  
14 ratemaking is misguided for several reasons.

15 First, wind production capacity costs are fixed costs that do not vary with retail  
16 customer energy usage.

17 Second, the purpose of the SPP ELCC study is to guide accreditation of wind and  
18 solar production capacity for the purpose of meeting grid reliability resource adequacy  
19 requirements under SPP, and this SPP process has nothing to do with cost causation nor  
20 the proper classification of demand-related costs.

21 Third, OG&E fails to acknowledge that about 58% of the Company’s fixed  
22 generation production costs are already allocated based on average demand (energy) under  
23 the traditional 4CP AED approach, and 42% of the production costs are allocated using an

1 excess demand allocator. That is, the classification of costs between energy-related and  
2 demand-related are subsumed within the 4CP AED approach. Therefore, OG&E's  
3 approach to use an allocator comprised of 16% "demand" and allocated based on the 4CP  
4 AED allocator, actually allocates another 7% based on average demand or energy bringing  
5 the total percentage allocated based on an energy allocator to about 91%.

6 Fourth, the 4CP AED approach is already well-suited for the addition of wind  
7 production costs. OG&E's proposed allocation approach for fixed wind production  
8 implicitly assumes that these costs are mostly caused by energy usage by retail customers.  
9 This is simply not true. Higher energy usage by a particular rate class does not cause higher  
10 wind capacity costs nor wind energy output. Given the intermittent nature of wind, wind  
11 production will provide energy at various times throughout the year and this production is  
12 not caused by customer energy usage. Wind power should simply be viewed as an  
13 additional resource in the generation portfolio and the entire fixed production costs are  
14 fairly allocated using the 4CP AED method. The fixed wind capacity is part of a larger  
15 portfolio of fixed generation capacities that meet the demand and energy needs of  
16 customers by working in concert. And the costs associated with this entire portfolio are  
17 best allocated using the 4CP AED approach as has been done in Oklahoma for a very long  
18 time.

19 Fifth, fuel cost changes due to changes in generation technology are not new. For  
20 example, years ago, hydropower and nuclear power provided low fuel cost options for  
21 some utilities, and the increased use of combined cycle natural gas capacity also provided  
22 fuel cost savings in Oklahoma, yet the 4CP AED method continued to serve as a just and  
23 reasonable approach for cost allocation. The introduction of fixed wind production capacity

1 costs with no fuel cost similarly does not change the applicability of the AED method.  
2 Furthermore, the pass-through of fuel costs through the Fuel Cost Adjustment (“FCA”)  
3 rider does not vary based on time of use and those customers causing greater natural gas  
4 costs during peak demand times are not paying their fair share toward the recovery of those  
5 fuel costs during peak demand times. Therefore, any fuel cost savings to those customers  
6 not causing peak demand is well deserved.

7 **Q. PLEASE SUMMARIZE YOUR RESPONSE TO OG&E’S PROPOSED CHANGE**  
8 **IN THE ALLOCATION OF TRANSMISSION COSTS.**

9 A. Transmission capacity costs to serve the retail customer loads of OG&E correspond to  
10 total generation capacity needs at retail system peak. Therefore, the 4CP approach  
11 traditionally used in Oklahoma and adopted by the Commission fairly allocates those  
12 costs to the retail customers of OG&E. OG&E’s reliance on FERC and SPP’s use of a  
13 12CP allocator is not applicable to Oklahoma retail customers. Long ago, the FERC  
14 adopted a 12CP approach as a one-size fits all for wholesale transmission systems across  
15 the United States. I caution the Commission to not follow this rule of thumb approach of  
16 the FERC for the determination of proper allocation of transmission capacity costs in  
17 Oklahoma. A review of OG&E’s four summer monthly system peak demands (June-  
18 September) reveals that these monthly peaks are within 90% of the annual system peak  
19 demand consistent with the guidance provided by the NARUC Electric Utility Cost  
20 Allocation Manual (“NARUC Cost Allocation Manual”).<sup>1</sup> None of the other months are  
21 close, with the closest of the other months being the May system peak demand at 80% of  
22 the annual system peak demand. I recommend that the Commission reject OG&E’s use of

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<sup>1</sup> NARUC Electric Utility Cost Allocation Manual, January 1992, pp. 78-79.



1 an 12CP allocator for transmission costs and confirm the long-accepted 4CP allocator as  
2 the proper allocation method for transmission costs.

3 **Q. HOW DO OIEC'S OVERALL RECOMMENDATIONS FOR JUST AND**  
4 **REASONABLE REVENUE REQUIREMENT AND COST ALLOCATION**  
5 **COMPARE TO THE COSS RESULTS AND RECOMMENDATIONS BY OG&E?**

6 A. All customers would receive significant reductions in OG&E's proposed revenue  
7 increases if the Commission were to adopt all of OIEC's recommendations on revenue  
8 requirement and my recommendations for cost allocation. As an example, OG&E's  
9 proposed COSS for the Residential Standard rate class results in a revenue increase to  
10 such class of \$126,490,443, which would be a 22.50% rate increase, while adoption of  
11 OIEC's recommended revenue requirement and my recommendations on cost allocation  
12 result in the Residential Standard rate class cost of service only requiring a revenue  
13 increase of \$28,137,456, which would be a 5.00% rate increase.

14 **III. PROPER ALLOCATION OF FIXED WIND PRODUCTION COSTS**

15 **Q. HOW HAVE FIXED WIND PRODUCTION COSTS TRADITIONALLY BEEN**  
16 **ALLOCATED IN OKLAHOMA?**

17 A. All fixed production costs have been properly allocated using a comprehensive approach  
18 that recognizes the required mix of production capacity on the system. For many years in  
19 Oklahoma, the approach used to allocate the entire portfolio of fixed production capacity  
20 costs, including fixed wind production costs, has been the four coincident peak ("4CP")  
21 average and excess demand ("AED") allocator ("4CP AED"). The AED approach is  
22 widely accepted in many state jurisdictions for the allocation of fixed generation  
23 production costs because it is designed to recognize the required mix of generation

1 technologies and composition of a production portfolio necessary for the delivery of  
2 reliable service. Such a production capacity portfolio includes a mix of capacity to meet  
3 baseload demand, intermediate demand, peak demand needs, and load following and  
4 frequency control needs.

5 **Q. DOES THE 4CP AED APPROACH CLASSIFY FIXED PRODUCTION COSTS**  
6 **AS BOTH ENERGY AND EXCESS DEMAND?**

7 A. Yes. The 4CP AED method is designed to recognize that a large portion of the generation  
8 fleet is there to meet baseload energy requirements and a portion is there to meet the excess  
9 demand capacity requirements during peak demand times. This is a composite allocator  
10 that combines the classification and allocation steps into a single algorithm. Classification  
11 within the 4CP AED is performed by the system load factor percentage to classify costs as  
12 average demand or energy-related, and the remaining portion as excess demand.  
13 Effectively, the 4CP AED method allocates that portion of total capacity necessary to meet  
14 average system demand based on an average demand energy allocator and then the  
15 remaining portion of total capacity necessary to meet the additional demand caused by  
16 system peak demands is allocated using an excess demand allocator. The 4CP AED  
17 method, when used, should apply to all fixed production costs supporting the utility system,  
18 including fixed wind production costs. Each type of fixed production capacity is  
19 interdependent on other fixed production capacity as the whole works in concert to  
20 constantly balance supply to meet fluctuating demand.

21 **Q. DOES WIND POWER SERVE BASELOAD OR PEAK DEMAND NEEDS?**

22 A. Wind power is intermittent and is there when the wind conditions cause its production.  
23 Therefore, wind power exists during various times of the day and of the year. It is not

1           dispatched to serve particular system needs for baseload or peak load; and therefore,  
2           serves both when it is available.

3   **Q.   WHAT ARE THE CHARACTERISTICS OF WIND POWER THAT FIT WELL**  
4   **WITHIN THE 4CP AED APPROACH?**

5   A.   The characteristics of wind power fit very well within the 4CP AED construct. First, the  
6   wind power is not caused by customer energy usage nor is it caused by customer excess  
7   demand during peak demand times. Wind power is intermittent and, therefore, supports  
8   peak demand at times and supports base load requirements at times. Because the 4CP  
9   AED method recognizes the need for a mix of generation capacity types which support  
10   both base-load and peak-load requirements, it is already designed for the inclusion of  
11   wind power in the generation portfolio.

12   **Q.   DOES A REDUCTION IN FUEL COSTS ATTRIBUTABLE TO WIND POWER**  
13   **JUSTIFY A CHANGE IN FIXED PRODUCTION COST ALLOCATION?**

14   A.   No. OG&E witness Maxey has suggested that the reduction in fuel costs that come from  
15   increased production of wind power is a reason to change the allocation of fixed  
16   production capacity costs. Ms. Maxey's logic is misguided. The allocation of fuel costs  
17   is a separate issue for consideration within the design of the Rider for Fuel Cost  
18   Adjustment ("FCA") and should not influence the allocation of the fixed wind production  
19   costs. Effectively, Ms. Maxey is suggesting that because fuel cost recovery is based on  
20   energy usage, then fixed production costs should also be heavily allocated based on  
21   energy. There is no connection between the two, and if the allocation of costs within the  
22   FCA were corrected to include recognition of the proportionately higher costs caused by  
23   on-peak energy production, then her suggested use of fuel cost savings as a rationale

1 would not follow. Using an improper allocation of fuel costs as a reason to adopt an  
2 improper fixed production cost allocator should be rejected.

3 **IV. JUST AND REASONABLE ALLOCATION OF TRANSMISSION COSTS**

4 **Q. HAVE YOU ANALYZED OG&E'S PROPOSED USE OF 12 CP FOR THE**  
5 **ALLOCATION OF RETAIL TRANSMISSION COSTS?**

6 A. Yes. OG&E has proposed to change from the accepted 4CP allocator to the FERC  
7 jurisdictional 12CP allocator. The federal jurisdictional allocator may be appropriate for  
8 wholesale transmission system use at the regional transmission level, but 12CP is clearly  
9 inappropriate for the allocation of Oklahoma transmission costs for retail demand.

10 **Q. DOES OG&E'S MONTHLY SYSTEM PEAK DATA SUPPORT THE USE OF A**  
11 **12 CP ALLOCATOR IN THIS CASE?**

12 A. No. As shown in Table 1, below, the monthly system peak demands of June through  
13 September are substantially higher than all other months of the year. The Commission  
14 should not consider any monthly peak demands within the transmission cost allocator that  
15 are not within 90% of the annual system peak demand. This is consistent with guidance  
16 provided within the NARUC Cost Allocation Manual. Specifically, on the use of 12CP for  
17 transmission cost allocation, the manual states:

18 "The 12 CP demand allocation method is based on the principle that a utility installs  
19 facilities to maintain a reasonably constant level of reliability throughout the year or  
20 that significant variations in monthly peak demands are not present. Under this

1 method, no single peak demand or seasonal peak demands are of any significantly  
 2 greater magnitude than any of the other monthly coincident peak demands.”<sup>2</sup>

3 As an example for support of the use of a 3CP allocator, the manual states: “Selection of  
 4 July-September period is based on criterion of using months with system CP demand of at  
 5 least 90% of system annual CP demand.”<sup>3</sup> When we look at the actual monthly peak  
 6 demands of OG&E, the months of June through September clearly stand out as being  
 7 properly grouped into the 4CP allocation method for transmission with each of those  
 8 monthly peak demands within 90% of the annual peak demand and all other months  
 9 significantly below the annual peak demand.

**Table 1. Comparison of Monthly Peak Demands**

Line No.	Month	Monthly Retail System Peak kW	Percent of Retail System Peak
1	Oct. 2022	4,471,071	69.8%
2	Nov. 2022	3,909,192	61.0%
3	Dec. 2022	4,384,874	68.4%
4	Jan. 2023	4,664,964	72.8%
5	Feb. 2023	4,616,104	72.1%
6	Mar. 2023	4,129,702	64.5%
7	Apr. 2023	4,133,848	64.5%
8	May. 2023	5,124,324	80.0%
9	<b>Jun. 2023</b>	5,991,761	93.5%
10	<b>Jul. 2023</b>	6,406,332	100.0%
11	<b>Aug. 2023</b>	6,325,209	98.7%
12	<b>Sep. 2023</b>	5,818,463	90.8%

13 **Source: OIEC 25-01 Attachment 1.**  
 (OG&E Cost of Service Study)

10

<sup>2</sup> NARUC Cost Allocation Manual, p. 79.

<sup>3</sup> NARUC Cost Allocation Manual, p. 78.

1    **Q.    SHOULD THE USE OF 12 CP BY THE FERC BE RELIED ON FOR**  
 2           **DETERMINING THE PROPER TRANSMISSION COST ALLOCATION FOR**  
 3           **OG&E?**

4           No. Transmission capacity costs to serve the retail customer loads of OG&E greatly follow  
 5           total generation capacity needs at system peak. Therefore, the 4CP approach traditionally  
 6           used in Oklahoma fairly allocates those costs to the retail customers of OG&E. OG&E's  
 7           reference to FERC and SPP's use of 12CP is not applicable to Oklahoma retail customers.  
 8           Long ago, the FERC adopted a 12CP approach as a one-size fits all for wholesale  
 9           transmission systems across the United States. I caution the Commission to not follow this  
 10          rule of thumb approach of the FERC for the determination of proper allocation of  
 11          transmission capacity costs in Oklahoma. A review of the four summer monthly system  
 12          peak demands (June-September) reveal that these are within 90% of the annual system  
 13          peak demand. None of the other months are close, with the closest of the other months  
 14          being the May system peak demand at 80% of the annual system peak demand.

15                           **V.    CONCLUSION AND RECOMMENDATIONS**

16    **Q.    WHAT IS YOUR RECOMMENDATION FOR THE ALLOCATION OF FIXED**  
 17           **WIND PRODUCTION COSTS?**

18    A.    I recommend that the Commission reject the change in allocation proposed by OG&E  
 19           and confirm the use of 4CP AED for all fixed generation production costs, including  
 20           fixed wind production costs, because it is highly inappropriate to separate fixed wind  
 21           production costs for the reasons I provided above.

22    **Q.    WHAT IS YOUR RECOMMENDATION FOR THE ALLOCATION OF**  
 23           **TRANSMISSION COSTS?**

1 A. I recommend that the Commission reject OG&E's proposed change to use a 12CP  
2 allocator rather than the accepted 4CP allocator for transmission costs because, as I have  
3 explained in detail above, the monthly peak demand data do not support the use of a  
4 12CP allocator for OG&E's transmission costs. I recommend that the Commission  
5 confirm the use of the 4CP allocator for transmission costs, which is fully supported by  
6 the guidance provided in the NARUC Electric Utility Cost Allocation Manual.

7 **Q. HOW DO OIEC'S OVERALL RECOMMENDATIONS FOR A JUST AND**  
8 **REASONABLE REVENUE REQUIREMENT AND COST ALLOCATION**  
9 **COMPARE TO THE COSS RESULTS AND RECOMMENDATIONS BY OG&E?**

10 A. All customers would realize significant reductions to OG&E's requested revenue  
11 requirement increase if the Commission were to adopt all of OIEC's recommendations on  
12 revenue requirement and my recommendations for cost allocation. As an example,  
13 OG&E's proposed COSS results for the Residential Standard rate class included a  
14 revenue increase of \$126,490,443, which would be a 22.50% rate increase. With OIEC's  
15 recommended revenue requirement and my recommendations on cost allocation, the  
16 Residential Standard rate class cost of service only requires a revenue increase of  
17 \$28,137,456, which would be a 5.00% rate increase.

18

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

20 A. Yes.

21

**CERTIFICATE OF MAILING**

This is to certify that on this 3<sup>rd</sup> day of May, 2024, a true and correct copy of the above and foregoing was emailed, addressed to:

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