

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA

IN THE MATTER OF THE APPLICATION OF)
OKLAHOMA GAS AND ELECTRIC COMPANY)
FOR COMMISSION PREAPPROVAL OF NEW) Case No. PUD 2023-000038
GENERATION CAPACITY PURSUANT)
TO 17 O.S. SECTION 286(C))

Direct Testimony

of

Maria F. Scheller

on behalf of

Oklahoma Gas and Electric Company

May 31, 2023

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I. INTRODUCTION

Q. STATE YOUR NAME, TITLE, AND BUSINESS ADDRESS.

A. My name is Maria F. Scheller. I am a Vice President of ICF. My business address is 1902 Reston Metro Plaza, Reston, Virginia 20190.

Q. ON WHOSE BEHALF ARE YOU TESTIFYING?

A. I am testifying on behalf of Oklahoma Gas and Electric Company (“OG&E” or “the Company”).

Q. PLEASE PROVIDE A DESCRIPTION OF ICF.

A. ICF is a publicly traded professional services company with more than 9,000 employees, over 2,000 of whom are climate, energy, and environment experts. Our energy advisory practice area assists clients in strategy and policy analysis, procurement, program and project evaluation, and other services. Our energy practice employs experts across a broad range of energy areas including fuels and power sectors. Our clients include utilities, government agencies, independent power producers (“IPPs”), state agencies, federal agencies (e.g., U.S. Department of Energy), law firms, financial investors such as private equity firms, consumers, industry associations (e.g., Edison Electric Institute), environmental interest groups, and Regional Transmission Organizations (“RTOs”) and Independent System Operators (“ISO”).

Q. PLEASE STATE YOUR BACKGROUND.

A. I have been employed by ICF since 1994 and have more than 28 years of experience in energy sector consulting focused on North American power markets. I received a Bachelor of Science in Economics from the Pennsylvania State University and completed all work except thesis toward a Master of Economics from Virginia Polytechnic Institute and State University.

In my role at ICF, I have extensive experience in wholesale electric power markets, integrated resource planning, resiliency planning, grid reliability and transmission planning, procurement, climate and sustainability planning, and investment analysis. I personally have led, managed, or worked on procurement solicitations of interest for

multiple transactions including generation resource solicitations, transmission solicitations, and non-transmission/wires alternative solicitations.

Q. HAVE YOU PREVIOUSLY TESTIFIED ON MATTERS RELATED TO GENERATION PROCUREMENT?

A. Yes. I have testified on generation procurement in Delaware, Massachusetts, Maryland, and Virginia. In addition, I have testified on other matters in the power sector in California, Connecticut, Kentucky, Michigan, Minnesota, South Carolina, and Texas

Q. HAVE YOU PREVIOUSLY TESTIFIED IN THE STATE OF OKLAHOMA?

A. No.

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A. The purpose of my testimony is to describe the OG&E 2022 Request for Proposal for Flexible Resources (“Flexible Resource RFP”) and to discuss ICF’s role in that RFP.

In summary, ICF assisted OG&E with the design of the RFP, supported OG&E’s administration of the RFP, assisted in drafting the RFP requirements and the evaluative criteria used for scoring applicants, and provided an independent review of certain aspects of the RFP responses.

Q. PLEASE SUMMARIZE YOUR CONCLUSIONS?

A. OG&E has a clear and apparent need for generating capacity as demonstrated by its 2021 Integrated Resource Plan (“IRP”) and further demonstrated by the resource gap to SPP’s mandated capacity reserve requirements. OG&E has taken multiple steps to try to close this gap. Regarding the solicitations, I believe that:

- OG&E has used multiple means at its disposal to solicit generating capacity resources including conducting fair and robust solicitations to identify market-based capacity solutions.
- OG&E has been very flexible in its solicitation processes and has provided multiple opportunities for new project developers and existing project owners to be responsive to the identified needs.

- OG&E has attempted to open the solicitations to as wide an audience of potential respondents as possible.
- These solicitations have been transparent in identifying the need for and timing of resource need and on how the solicitation responses would be assessed.
- OG&E analyzed the responses to the solicitations in a consistent and fair manner, treating all responses with equal and objective review and measuring responses against the same criteria.
- OG&E has conducted these solicitations in a manner that is fair to participants.

Overall, it is my opinion that these solicitations provide a representative market test of supply resources available to OG&E at this time. The solicitations indicate the difficulty in acquiring capacity in the immediate term for a number of reasons, and further highlight the challenges that many new projects face to achieve commercial operations.

Further, I believe that the result of the combined solicitations point to a single resource which scores more favorably than all others, the 448 megawatt (“MW”) Horseshoe Lake Combustion Turbine (“HL CT”). The HL CT represents the highest qualitatively ranked asset responding to the OG&E RFP as identified by ICF. This qualitative assessment shows HL CT to be technically fit to satisfy a part of OG&E’s need. OG&E’s quantitative analysis also shows it to be the most cost-effective available alternative to meet OG&E’s capacity need. I recommend that OG&E be allowed to move forward with the contract for the HL CT.

Q. WHAT IS THE BASIS FOR THE COMPANY’S NEED FOR ADDITIONAL CAPACITY RESOURCES?

A. The Company performed a planning analysis, which is detailed in its 2021 Integrated Resource Plan (“IRP”) identifying that OG&E would begin to be short capacity as early as 2023 as shown in **Table 1** below.

Table 1: OG&E IRP Summary

<i>MW</i>		2023	2024	2025	2026	2027	2028	2029	2030	2031
Capacity	Owned Capacity	6,534	6,534	6,323	6,259	5,856	5,856	5,856	5,856	5,371
	Purchase Contracts	47	47	47	47	47	47	47	47	16
	Total Capacity	6,581	6,581	6,370	6,306	5,903	5,903	5,903	5,903	5,386
Demand	Net Demand	6,004	6,039	6,059	6,088	6,111	6,133	6,149	6,136	6,154
Margin	Reserve Margin	10%	9%	5%	4%	-3%	-4%	-4%	-4%	-13%
Needs	Needed Capacity	145	183	417	514	942	967	985	970	1,507

The “reserve margin” referenced in Table 1 is derived from SPP requirements that require all Load Responsible Entities (“LREs”) to maintain enough generating capacity to meet their peak load plus a Planning Reserve Margin (“PRM”) of 12%. The PRM is designed to ensure the reliable supply of capacity necessary to meet demand and supply adequacy requirements/methodologies in their regional footprint. LREs that are unable to meet this requirement (load plus PRM) are subject to a substantial deficiency payment for resource adequacy deficiency for the applicable season. The need identified in Table 1 above was prepared prior to Southwest Power Pool’s (SPP’s) recent increase in Planning Reserve Margin (PRM) requirement from 12% to 15% in 2022. That is, the need identified in the 2021 IRP has only increased.

Q. AFTER OG&E DETERMINED ITS NEEDS, WHAT WERE ITS NEXT STEPS IN AN EFFORT TO MEET THAT NEED?

A. OG&E’s 2021 IRP analysis considered more than a million possible combinations of resource alternatives to fill the identified gap on a least cost and risk reducing basis. The analysis determined that a combination of solar resources and flexible peaking capacity such as combustion turbines were best suited to satisfy OG&E’s need. As a result of the IRP findings, OG&E sought to identify capacity additions that could satisfy the near-term and growing mid-term needs through a competitive procurement process. See also the Direct Testimony of Company witness Riley.

Q. DO CONDITIONS IN SPP SUPPORT OG&E'S DESIRE FOR FLEXIBLE RESOURCES?

A. Yes. The SPP generation queue reflects a large amount of intermittent renewable generation relative to traditional thermal generating capacity. While not a forecast, the queue is reflective of the trend toward an increasing share of intermittent supply. Flexible resources are attractive because they complement the intermittent nature of renewables and serve as a reliable capacity supply. This situation is not unique to SPP or OG&E; these trends can be seen in other parts of the country as well. Utilities such as PacificCorp, Dominion, and Duke have identified the need for flexible dispatchable resources to complement renewables and others, such as CPS Energy (San Antonio) and Salt River Project, have issued solicitations for the same.¹

There are two primary benefits of flexible generation in light of growing intermittent generation. First, greater amounts of flexible generation resources provide better tools to grid operators in their efforts to balance the system. Second, flexible

¹ See:

- 2023 Integrated Resource Plan, available at <https://www.pacificcorp.com/energy/integrated-resource-plan/support.html> as of May 29, 2023;
- Dominion Climate Report, 2022, available at <https://esg.dominionenergy.com/assets/pdf/2022-Climate-Report.pdf> as of May 29, 2023;
- Virginia Electric and Power Company's Report of Its 2023 Integrated Resource Plan, available at <https://cdn-dominionenergy-prd-001.azureedge.net/-/media/pdfs/global/company/2023-va-integrated-resource-plan.pdf> as of May 29, 2023;
- Duke Carolinas Carbon Plan Executive Summary, available at https://p-cd.duke-energy.com/-/media/pdfs/our-company/carolinas-carbon-plan/executive-summary.pdf?rev=489fd2ab6211481484eb4beb9b62a25a&_gl=1*40pboy*_ga*MTI5NDYxNzMzMy4xNjg1NDY0MTc4*_ga_HB58MJRNTY*MTY4NTQ2NDE3OC4xLjEuMTY4NTQ2NTEwOS4wLjAuMA..&_ga=2.138280624.1836417647.1685464178-1294617333.1685464178 as of May 29, 2023;
- "CPS ENERGY COMPLETES FLEXPPOWER BUNDLE INITIATIVE WITH SOLAR, FIRING AND STORAGE ADDITIONS " February 9, 2023, available at <https://newsroom.cpsenergy.com/cps-energy-completes-flexpower-bundle-initiative-with-solar-firing-and-storage-additions/> as of May 29, 2023;
- Salt River Project 2023 All-Source RFP for Peaking Capacity available at <https://www.srpnet.com/assets/srpnet/pdf/doing-business/suppliers/all-source-rfp.pdf> as of May 29, 2023.

generation also provides more certainty of adequate accredited capacity resources in a period of decreasing regional capacity availability. These benefits are described in greater detail below:

Balancing System Reliability and Real-Time Operations

In power grids, balancing supply, and demand in real time to address temporal fluctuations requires flexible energy sources be available to step in quickly to ensure that supply is met and to protect transmission lines and sensitive electronics from damage that could potentially cause system trips and blackout conditions. These flexible resources increase/decrease generation in real time to regulate system frequency and provide operating reserves.

The increasing share of intermittent generation resources in the region results in a greater need for the real-time balancing that flexible generation resources can provide. Existing dispatchable baseload generation have only limited capability to provide the immediate responsiveness needed to address intermittent supply fluctuations and real-time demand fluctuations. The addition of flexible generation resources would benefit the system by providing the responsiveness needed to support frequency regulation and operating reserves.

Resource Adequacy

To better understand the impact of increasing share of intermittent resources, SPP recently undertook an Effective Load Carrying Capability (“ELCC”) study to assess the capacity value of existing intermittent renewable capacity in the SPP footprint. In a November 2022 ELCC report, SPP stated its concern that “over-valuing renewable resources’ contributions can result in lower levels of system reliability and increased risk of potential unserved load.” Because of the intermittent nature of the renewables, SPP found that only 15% of the wind generation and 68% of the solar generation can count as “accredited” for purposes of being used to satisfy SPP capacity requirements. Meanwhile, the requirements for capacity reserves in the SPP is growing. As discussed by OG&E Witness Riley, SPP is requiring greater capacity reserves (increasing from 12% to 15%) and is now projected to be capacity deficient within the next four years. Flexible generation (such as the CTs proposed by OG&E) provides the increased capacity surety needed in the

SPP; capacity surety not being provided by the large amount of intermittent generation coming on-line.

II. OCC PROCUREMENT RULES

Q. PLEASE IDENTIFY THE RELEVANT OCC PROCUREMENT RULES.

A. The Oklahoma Corporation Commission's (OCC's) rules establish competitive procurement rules for an electric utility regulated by the OCC, such as OG&E, "when purchasing or self-building ... new long-term electric generation" and when engaging in certain other long-term energy transactions.²

Q. WHAT IS THE PURPOSE OF THESE OCC PROCUREMENT RULES?

A. They provide "a fair, just, and reasonable process that best serves the public interest of all electricity consumers and that will complement and improve the state's economic growth by, among other things, making the most efficient use of Oklahoma's coal, natural gas, and power generation and transmission assets..." By following these competitive procurement rules, including their intent "to create an open, transparent, fair and nondiscriminatory competitive bidding process for the utility to meet its needs," OG&E can obtain a "presumption of prudence." The procurement rules also address how any transactions between a utility and its "affiliate" as defined in the OCC procurement rules must be conducted (hereafter these transactions are referred to as "self-bids").³

Q. WERE THE OCC PROCUREMENT RULES USED IN THE FLEXIBLE RESOURCE RFP?

A. Yes. The design, communication, and evaluation of the RFP was consistent with the requirements of OAC 165:35:34. Further, there was a self-bid submitted by OG&E in the

² OAC Title 165, Chapter 35, Subchapter 34 (OAC 165:35-34-1(a)). As of the issuance and evaluation dates of the OG&E RFPs, the current version of the OAC's electric utility rules had an effective date of September 15, 2020, and that was the version followed by the OG&E RFPs.

³ OAC 165:35-34-1(a)-(c).

RFP, and the specific OCC rules for self-bids were followed based on the information reviewed by ICF.

Q. WERE THE OCC PROCUREMENT RULES USED IN THE OTHER RFPS FOR CAPACITY THAT OG&E ISSUED IN 2022?

A. Yes. OG&E issued additional RFPs in 2022 seeking capacity, as described in the Direct Testimony of Company witness Kimber Shoop. In administering these additional RFPs – the original Solar RFP, the re-issued Solar RFP, and the Existing Capacity RFP, OG&E followed OCC procurement rules in the same manner as in administering the Flexible Resource RFP.⁴ The only distinction was that OG&E submitted a self-bid only in the Flexible Resource RFP.

Q. WHAT STEPS DID OG&E TAKE TO COMPLY WITH THE OCC PROCUREMENT RULES?

A. The OCC rules cover numerous activities. Based on ICF's observations, OG&E complied with the OCC procurement requirements in all of the OG&E RFPs, including but not limited to:

- Maintaining confidentiality of bid information⁵
- Notifying the OCC of its plans to conduct a competitive RFP at least 30 days before issuance⁶
- Posting draft RFP documents on OG&E's website and notifying relevant parties at least 15 days prior to a technical conference; holding the technical conference; making pro-

⁴ The final versions of these RFPs were posted to the OG&E website on: January 7, 2022 (original Solar RFP), June 6, 2022 (Flexible Resource RFP), July 21, 2022 (Existing Capacity RFP), and October 12, 2022 (re-issued Solar RFP).

⁵ OAC 165:35-34-2(b).

⁶ OAC 165:35-34-3(a)(1).

- forma contracts relevant to the RFP available; and posting any questions or comments on the draft RFP as well as the final RFP on the Company's website⁷
- Assuring that the RFP contains required specifications for term; capacity sought in megawatts; all price and non-price evaluation factors with their percentage weights for scoring bids; and guidance on transmission interconnection requirements and bidder responsibilities therein⁸
 - Coordinating appropriately with the Independent Evaluator ("IE") appointed by the Public Utility Division of OCC ("PUD"), including providing the IE with access to all relevant bidder submissions and all communications that were limited through a dedicated email inbox⁹
 - Observing self-bid requirements in the case of the Flexible Resource RFP to which OG&E submitted a self-bid. These requirements include disclosing specific names and titles of the distinct OG&E "Bid Team" and "Evaluation Team" and maintaining strict separation of these teams consistent with OCC procurement rules.¹⁰ In addition, OG&E established and posted to its website an "OG&E Code of Conduct for the 2021-2022 Competitive Bidding Process" that is included as Direct Exhibit KMR-5 to the Direct Testimony of Company witness Kelly Riley.
 - Conducting a public opening of the RFP bids¹¹

⁷ OAC 165:35-34-3(a)(2) and (a)(4). OG&E posted draft RFPs on the following dates: April 28, 2022 (Flexible Resource RFP), June 21, 2022 (Existing Capacity RFP), November 19, 2021 (original Solar RFP), and September 22, 2022 (re-issued Solar RFP). The technical conferences were held on: May 19, 2022 (Flexible Resource RFP), July 12, 2022 (Existing Capacity RFP), December 15, 2021 (original Solar RFP), and October 7, 2022 (re-issued Solar RFP).

⁸ OAC 165:35-34-3(a)(3).

⁹ OAC 165:35-34-3(b).

¹⁰ OAC 165:35-34-3(c).

¹¹ OAC 165:35-34-3(d)(1). The bid openings occurred on the following dates: August 26, 2022 (Existing Capacity RFP), October 28, 2022 (Flexible Resource RFP), March 4, 2022 (original Solar RFP), and November 4, 2022 (re-issued Solar RFP). The bid opening day for the Flexible Resource RFP was initially set as September 16, 2022, corresponding to a September 15, 2022, submission date of bids, but it was extended by approximately six weeks based on bidder requests. The extension was granted as a matter of fairness and to encourage robust competition because (i) the Flexible Resource RFP involved review of more detailed technical and contractual requirements from OG&E than the other RFPs, and (ii) received far more bidder questions between final RFP issuance and bid due dates than the other RFPs.

- Evaluating all bids received by the RFP due date on a fair and consistent basis¹²
- Requesting clarifying information when needed to make a fulsome and equitable comparison between bids based on the evaluation criteria, which were unchanged in content or weighting since RFP finalization¹³
- Making appropriate notification of bid decisions following completion of the evaluation process¹⁴

Q. WERE THERE ADDITIONAL ELEMENTS OF THE OG&E RFPS THAT ESTABLISHED A FAIR AND TRANSPARENT PROCESS?

A. Yes. OG&E posted the presentation slides from the technical conferences to its website after the conferences, to provide clarity and transparency for prospective bidders who attended the conferences as well as those whose did not. Random numbers were assigned to each bid to maintain bidder confidentiality, rather than using bidder company or project names.

As mentioned in an earlier footnote, to increase opportunities for bid participation, OG&E extended the due date for the Flexible Resource RFP at bidder request due to the RFP's detailed technical and contractual requirements and the resultant high volume of pre-bid questions from prospective bidders. For the same reason, standardized "bid attribute form" spreadsheets with 10 worksheets and hundreds of entry cells were included with the RFP to aid in the collection of bid information and provide a fair, side-by-side review of bids. As discussed at greater length in sub-section IV.7 of this testimony, ICF included a written rationale for each qualitative sub-criterion score for each bidder to substantiate the fairness of its assessments.

¹² OAC 165:35-34-3(d)(2).

¹³ OAC 165:35-34-3(d)(3) and (d)(5).

¹⁴ OAC 165:35-34-3(f). These actions were taken by OG&E largely outside of the scope of ICF's support. For more information on OG&E notifications, see Direct Testimony of Company witness Kelly Riley.

Q. DID FOLLOWING THE OCC PROCUREMENT RULES ALLOW FOR COMPETITIVE RESPONSES AND ACHIEVEMENT OF OCC PROCUREMENT GOALS?

A. Yes. As described further in sub-section IV.6 of this testimony, OG&E received a wide range of bids from credible electricity market participants in response to the Flexible Resource RFP. The bids were of the scale sought by OG&E to help fulfill its future capacity needs for flexible resources and represented multiple technology types -- standalone energy storage and natural gas-fired combustion turbine facilities. Likewise, the other OG&E RFPs as a group produced many credible bids. Those bids were from standalone solar facilities, solar + energy storage facilities, and a thermal facility as OG&E explored several avenues to acquire ownership of capacity.

All of the Flexible Resource RFP bids submitted with a specific site location were from facilities to be located in Oklahoma. This is important to ensure that these projects benefit the Oklahoma economy by utilizing the local workforce and benefiting local schools and communities with added ad valorem tax revenues. The majority of bids to the other OG&E RFPs were also from projects located in Oklahoma.

III. DESIGN OF RFPs

Q. FOR WHAT PURPOSE WAS THE FLEXIBLE RESOURCE RFP DESIGNED AND ISSUED?

A. OG&E's goal was to acquire enough new-build resources of 50 MW to 500 MW nameplate to meet its capacity requirements and to meet or exceed flexible operating characteristics identified in the 2021 IRP and related to the SPP market. Those flexible characteristics include being "capable of at least 4 hours of consecutive run time at minimum and maximum capacity, as required by SPP generation capacity accreditation guidance" and "minimum ability to start multiple times each day within 15 minutes of initiation; minimum up-time of no more than one hour; maximum down-time between cycles of no more than one hour."¹⁵ For the RFP, three facility types were eligible that possess such operating

¹⁵ Flexible Resource RFP, p. 5.

characteristics and have relevant performance history in SPP and comparable markets. Those eligible resource types were standalone energy storage, combustion turbine (“CT”) using natural gas as its primary fuel and reciprocating internal combustion engine (“RICE”) using natural gas as its primary fuel.

Q. HOW DID THE DESIGN OF THE FLEXIBLE RESOURCE RFP ADDRESS THAT PURPOSE?

A. In addition to adhering to utility industry standard practice and to OCC procurement rules in designing the RFP, OG&E conducted three significant, additional activities. First, OG&E prepared detailed technical specifications addressing the required operating characteristics to reduce bidder uncertainty and minimize performance risks to the Company and its customers. Second, OG&E’s internal and external counsel prepared detailed pro-forma legal agreements tailored to eligible resource types, including an EPC Exhibit, to mitigate project development, acquisition, and system performance risks and to shorten negotiation timelines with awarded bidder(s). Third, OG&E (with input from ICF) adapted the RFP qualitative evaluation criteria to best measure the qualities of flexible resources. For example, a category of “flexibility” was included that “reviewed for flexibility in being dispatched for utility needs that differ by: scale (MW), response time, dispatch duration, number of daily cycles, energy products, and season.”¹⁶ These qualitative criteria also were tailored so that the attributes of energy storage, CT, and RICE facilities could be appropriately compared, given their potential differences in capacity degradation, SPP capacity accreditation levels, air emissions, and other factors.

Q. WERE THE OTHER OG&E RFPS DESIGNED IN A SIMILAR MANNER TO AND FOR SIMILAR PURPOSES AS THE FLEXIBLE RESOURCE RFP?

A. Yes. The designs and goals of the RFPS were very similar. The major differences were not in design or purpose, but in technical specifications. These specifications included target in-service dates, facility types sought, and the technical requirements and pro-forma

¹⁶ Flexible Resource RFP, p. 21.

contracts associated with the differing facility types and operational/in-development status of eligible projects.

Q. PLEASE EXPLAIN WHY OG&E ISSUED THREE SEPARATE TYPES OF RFPS TO MEET THE COMPANY'S CAPACITY NEEDS, RATHER THAN A SINGLE RFP.

A. OG&E originally initiated two RFPs to meet its capacity needs identified in the 2021 IRP from the distinct options in the preferred plan – (1) solar and (2) CTs as flexible resources. The Solar and Flexible Resource RFPs were separated due both to OG&E's desire to obtain solar offers as soon as feasible to meet early in-service target dates and the extra time required to develop the detailed technical specifications and pro-forma contracts for the Flexible Resource RFP. Based on the absence of viable short-term capacity offered in the original Solar RFP, OG&E issued the Existing Capacity RFP to explore additional ways to meet OG&E's capacity needs beginning in the short term. Moreover, issuing a single RFP would have increased burdens on prospective bidders (e.g., by enlarging the RFP document itself and complicating instructions about what forms and contracts were pertinent to their offers) and, thereby, may have suppressed competition.

Issuing three types of RFPs allowed OG&E to explore many types of facilities to solicit a wide range of potential offers to meet its capacity needs. The Solar RFP was re-issued after the Inflation Reduction Act was passed, thereby allowing OG&E to review offers including extended and enhanced federal tax credit incentives for standalone solar and solar + storage facilities.

Q. HOW DID THE RFPS WEIGHT QUANTITATIVE COMPARED TO QUALITATIVE FACTORS?

A. In total, quantitative factors were weighted as 70% of the score for each bid passing the threshold evaluation, while qualitative factors were weighted as the remaining 30% of the score in each of the OG&E RFPs.

Q. WHY DID OG&E ASSIGN 70% OF THE EVALUATION WEIGHT IN THE RFPS TO QUANTITATIVE FACTORS AND 30% TO QUALITATIVE FACTORS?

A. The 70% weighting of quantitative factors reflects the primacy of low-cost resources, while the 30% allocation to qualitative factors recognizes that there is a wider balancing of benefits and risks that should be considered.

Investing a 30% share in qualitative factors should result in more actionable, de-risked, and well-performing capacity resources for OG&E and its customers than a lower qualitative share would. The need for qualitative assurance is especially high when the primary reason for an RFP is to secure capacity to meet a utility's reserve margin requirements, as in the case of the Flexible Resource RFP. Reliability and compliance with SPP rules are critical considerations for OG&E. Therefore, unexpected problems with acquired resources and delays in their commissioning need to be avoided.

Dedicating a material share of the total score to qualitative factors allows OG&E to weigh a range of potential project benefits and test how well each bid addresses numerous potential risks to project economics, performance, and asset development or transfer timelines. A list of benefits and risks addressed across OG&E's qualitative assessments is below:

- o Local economic development through direct and subcontracting jobs, increased tax revenues, and other means within OG&E's service territories
- o Local stakeholder engagement in development plans
- o Air, water, and other environmental impacts
- o Changes to the OG&E pro-forma contracts on a myriad of issues including insurance, indemnification, system performance testing, performance guarantees, warranties, force majeure, and penalties for missing timing milestones
- o Site control
- o Fuel procurement and delivery
- o Assignment of land leases, fuel supply, and other contracts to OG&E
- o Critical path plans for project development
- o Attractiveness and realism of in-service dates
- o Permitting comprehensiveness and status
- o Transmission interconnection and deliverability

- Bidder project development experience
- Bidder financing capability
- Bidder SPP experience
- Bidder technology experience
- Equipment lifetime
- Technology maturity and performance
- System augmentation to address performance degradation
- Cybersecurity protections
- Resilience against extreme weather events
- Flexibility to perform in a range of non-extreme conditions and uses
- Operations and maintenance risks

Q. PLEASE DESCRIBE THE MAIN SPECIFICATIONS OF THE FLEXIBLE RESOURCE RFP.

A. The main specifications are listed in Error! Reference source not found..¹⁷

Table 2: Summary of Specifications in Flexible Resource RFP

Attribute	Specification
Eligible Technology Types	Standalone Energy Storage, Gas-Fired Combustion Turbine, or Gas-Fired Reciprocating Internal Combustion Engine
Per-Bid Nameplate Capacity Megawatts (MW)	Minimum: 50 MW Maximum: 500 MW
Latest In-Service Date	May 1, 2027
Facility Operating Status	In development: new build resource
Contract Type	Asset Purchase Agreement, including Engineering, Procurement, and Construction (EPC) Exhibit

¹⁷ More detailed specifications, including those for transmission interconnection status, are listed in the RFP. See Direct Exhibit KMR-2 to the Direct Testimony of Company witness Kelly Riley.

Attribute	Specification
Location	Within SPP in Oklahoma or Arkansas, with preference for OG&E's service territory

Q. HOW WERE THE OVERALL QUALITATIVE CRITERIA DIVIDED AND WEIGHTED BY TOPIC IN THE FLEXIBLE RESOURCE RFP?

A. The overall 30% qualitative evaluation weighting in the RFP was separated into criteria and sub-criteria weights as displayed in **Table 3***Error! Reference source not found.*¹⁸

Table 3: Qualitative Evaluation Criteria and Sub-Criteria and Percentage Weights in Flexible Resource RFP

<i>Contract Risks, Costs, and Benefits (9%)</i>
Firm Price (2%)
Contract Assignment (1%)
Form APA (including EPC Exhibit) Redline (6%)
<i>Overall Project Characteristics and Development Risks (16%)</i>
Capacity Security (3%)
O&M Plan and Protection Against Risks (3%)
Critical Path Schedule, Site Control, and Bidder Experience (4%)
Financing Capability (2%)
Technology (1%)
Flexibility (3%)
<i>Community and Environmental Impacts (5%)</i>
Community Impacts (3%)
Environmental Impacts (2%)

¹⁸ The main criteria headings in **Table 3** are displayed in bold and italics.

Q. IN WHAT WAYS DID THE OG&E RFPs COMPLEMENT AND IMPROVE THE STATE'S ECONOMIC GROWTH AS CALLED FOR IN THE OCC PROCUREMENT RULES?

A. Beyond the general benefits of competitively procuring long-term assets to serve electricity customers in the state, two elements of the RFPs were designed to improve state economic growth. First, the RFPs called for assets to be owned and operated by OG&E, thereby expanding opportunities for direct employment of Company staff and opportunities for Company control of associated decisions for vendors to the assets. Second, the RFPs allocated 3% of their scores to community benefits of various types. Among that allocation, a strong preference was given to asset sites in OG&E's service territory. As seen in sub-section IV.6 of my testimony, all of the Flexible Resource RFP bids passing the threshold evaluation were from sites located in OG&E's Oklahoma service territory.

IV. ICF'S SCOPE

Overview

Q. WHAT RFP ACTIVITIES DID ICF SUPPORT?

A. ICF participated in seven activities for the OG&E RFPs. The activities are listed sequentially below.

1. Designing Draft RFP Documents
2. Participating in Technical Conferences
3. Reviewing Stakeholder Questions for RFP Finalization
4. Finalizing RFP Documents
5. Addressing Pre-Bid Questions
6. Evaluating Bids Against Threshold Criteria
7. Evaluating Bids Against Non-Price (Qualitative) Criteria

ICF's roles in each activity and observations on the RFP process and outcomes are described in the following seven sub-sections of my testimony.

Q. IN WHAT PORTIONS OF THE OG&E RFPS WAS ICF NOT INVOLVED?

A. ICF was not involved in (i) preparing the pro-forma contract documents accompanying the RFPs, (ii) preparing the detailed technical specifications accompanying the Flexible Resource RFP, (iii) communicating directly with the OCC and other interested parties, (iv) conducting the price (quantitative) analysis of bids, or (v) assisting in negotiation discussions with bidders following RFP evaluation. For that reason, my testimony does not bear on those five issues. My testimony pertains to steps commencing with drafting the RFPs and concluding with completing qualitative evaluations of bids.

IV.1 Designing Draft RFP Documents

Q. WHAT WERE ICF'S ROLES IN DESIGNING RFP DOCUMENTS.

A. Based on OG&E's input on its generating capacity goals and its other requirements such as in-service dates and asset operating characteristics, OCC procurement rules, ICF's knowledge of SPP and broader electricity market conditions, and standard industry practices for capacity solicitations, ICF drafted the RFPs and relevant forms.¹⁹ The draft RFPs included ICF's proposed threshold and qualitative evaluation criteria and percentage weights for qualitative criteria and sub-criteria.

The draft documents were provided to OG&E for review and comment. Based on discussions with and suggested edits from OG&E, ICF provided updated draft RFP documents. OG&E then made additional document changes as needed, provided official notice, and posted the draft RFP documents in a manner consistent with OCC procurement rules.

¹⁹ ICF did not draft the pro-forma legal agreements and attachments issued with the RFP nor mutual non-disclosure agreements, bid summary forms, or certification and authorization forms. Those materials were prepared by OG&E and its legal counsel. OG&E also drafted portions of the RFP related to the quantitative evaluation and scoring and the RFP schedule, which ICF subsequently reviewed for clarity and consistency.

IV.2 Participating in Technical Conferences

Q. WHAT ARE THE PURPOSES OF THE TECHNICAL CONFERENCE?

A. Each conference provides an opportunity for prospective bidders and other interested parties to hear a summary of the draft RFP purpose, timeline, requirements, and evaluation process from OG&E and to ask questions and make suggestions on any topic related to the RFP. Attendance at each technical conference, which was held virtually on the Teams platform and announced in advance, was voluntary for all parties other than OG&E. Apart from the conference, parties had the opportunity to send questions and suggestions to OG&E via e-mail to inform RFP finalization.

OG&E prepared a PowerPoint presentation for each technical conference and proceeded through the presentation before pausing to receive any questions or comments from conference attendees. OG&E published the presentation on its website following the conference.

Q. WHAT WERE ICF'S MAIN ROLES AT EACH TECHNICAL CONFERENCE?

A. ICF drafted selected slides in the bid evaluation section of the presentation and verbally presented related content during the conference. ICF also provided editorial input to OG&E on other slides in the presentation.

IV.3 Reviewing Stakeholder Questions and Comments for RFP Finalization

Q. PLEASE SUMMARIZE THE STAKEHOLDER INPUT RECEIVED BY THE DEADLINE TO INFORM RFP FINALIZATION.

A. There were questions and comments received on the draft RFPs during and outside of the technical conference. The questions and comments were on a range of topics including

eligibility matters, technology specifications, and schedules. OG&E posted the questions and comments themselves together with the Company's responses on its website.²⁰

Q. WHAT WAS ICF'S ROLE IN REVIEWING STAKEHOLDER QUESTIONS BEFORE RFP FINALIZATION?

A. ICF provided input in response to OG&E requests on selected questions related to the RFP requirements and processes. For example, on the Flexible Resource RFP, ICF drafted responses to questions on pricing firmness, air emissions and community impacts of proposed projects, and the RFP preference for earlier in-service dates.

IV.4 Finalizing Flexible Resource RFP Documents

Q. WHAT WERE THE DIFFERENCES BETWEEN DRAFT AND FINAL VERSIONS OF THE RFP?

A. OG&E clarified the transmission interconnection analysis expected for bids without a completed SPP interconnection study. OG&E also extended the bid due date and associated elements of the RFP schedule to allow bidders more time to prepare their submissions. This was done at the request of bidders and was warranted in this RFP due to the detailed technical specifications, lengthy pro-forma contract documents, and number of pre-bid questions.

Q. WHAT WAS ICF'S ROLE IN FINALIZING RFP DOCUMENTS?

A. ICF was widely involved in preparing draft RFP documents, as described in sub-section IV.1 of my testimony above and was consulted by OG&E on questions and comments received from interested parties after draft RFP issuance.

²⁰ Stakeholder questions and comments (hereafter "questions") on the Flexible Resource RFP were listed in the order received by the Company in the Q&A response document posted on the Company website. The first 26 questions for the Flexible Resource RFP were received before the deadline to inform RFP finalization, which was the end of the day of the technical conferences. The remaining 32 stakeholder questions related to the Flexible Resource RFP were received after that date, but prior to the overall questions deadline. Those additional questions are labeled in my testimony as "pre-bid questions," and are discussed in sub-section IV.5 of my testimony below.

IV.5 Addressing Pre-Bid Questions for the Flexible Resource RFP

Q. PLEASE SUMMARIZE THE PRE-BID QUESTIONS RECEIVED.

A. Pre-bid questions refer to written questions received from prospective bidders and other interested parties between the deadline for feedback on each draft RFP and the deadline for questions before bids were due. A total of thirty-two such questions were received by OG&E for the Flexible Resource RFP.

OG&E responded to each question in writing via Q&A files posted on its website. The Company batched its Q&A updates; for example, if it received five questions in a week, it would tend to post the five questions themselves and the Company responses in an updated Q&A file with a running list of all questions processed to date the following week. OG&E responded to questions only in this public, transparent manner. The identity of the organization asking a question and other identifying information was not provided to protect stakeholder confidentiality. OG&E also provided the full text of stakeholder questions and the Company's responses to the IE.

The questions and responses covered a wide range of topics including interpretation of pro-forma contract documents and technical requirements, transmission interconnection analysis requirements in the absence of completed SPP interconnection studies, requests for extension in submission due dates, individual technology performance characteristics sought, and OG&E quantitative modeling assumptions and techniques.

Q. WHAT WERE ICF'S ROLES IN ADDRESSING PRE-BID QUESTIONS?

A. When requested by OG&E, ICF drafted responses to questions and reviewed OG&E's draft responses. OG&E finalized and posted responses to questions. ICF observed that the substance and process of OG&E's responses were consistent with RFP objectives and with the Company's interest in maintaining a fair, transparent, and competitive solicitation.

IV.6 Evaluating Bids Against Threshold Criteria for the Flexible Resource RFP

Q. HOW MANY BIDS WERE RECEIVED TO THE FLEXIBLE RESOURCE RFP?

A. A total of 13 bids were received. The bids covered nine distinct sites and were submitted by five distinct bidders. The reasons that the number of bids exceeded the number of bidders included that: (i) bidders were allowed to submit offers for multiple sites, and (ii) multiple bids (e.g., with different technology configurations or project sizes) were allowed per site.

All of the nine sites were located in Oklahoma. There was one bid which lacked a proposed site.

Q. HOW WOULD YOU SUMMARIZE THE PURPOSE OF THE THRESHOLD EVALUATION?

A. This step filters out bids that do not conform with the requirements of the RFP. It is standard practice in utility resource RFPs and important for two reasons: (i) to avoid devoting utility resources to fully analyzing bids that do not meet the objectives of the RFP, and (ii) to allow fair, equivalent comparisons of bids passing the threshold step. The threshold evaluation greatly minimizes risks that bids with fundamental flaws will be assessed alongside bids conforming to OG&E requirements.

The purpose of the threshold evaluation, however, is not to thin the number of bids to review for its own sake. OG&E's interests and the objectives of the OCC rules for competitive procurements are best served when the number of conforming bids is as large as can be reasonably obtained.

Q. WHAT WERE ICF'S ROLES IN EVALUATING BIDS AGAINST THE THRESHOLD CRITERIA?

A. ICF led the threshold analysis and presented recommendations for OG&E's decision. Specifically, ICF prepared an initial threshold evaluation that compared each bid against the threshold criteria listed in the respective RFP, identified if and how the bid matched the criteria, provide brief commentary as appropriate for OG&E review, and forwarded a summary of this analysis to OG&E. Where deficiencies were initially found against

threshold criteria, they tended to be of three types: (i) items that were unclear in bidder submissions, (ii) items that might be resolved with additional information, and (iii) fundamental non-conformity with the threshold criteria. After discussion of the initial threshold evaluation with OG&E, the Company forwarded questions drafted by ICF to bidders seeking clarifications and additional information that might allow the bids to advance to full evaluation.²¹ ICF reviewed bidder responses and recommended to OG&E whether they sufficiently met the threshold criteria.

If bidder responses were sufficient in the judgment of OG&E, the bids advanced to full evaluation. If bidder responses were inadequate in OG&E's judgment or if the bid non-conformity were such that it could not be clarified via questions (e.g., no site being identified, a site being identified that was not under bidder control), OG&E notified the bidder that the bid was deemed non-conforming under the threshold evaluation. In all cases, OG&E adopted ICF's recommendations regarding bid conformity and non-conformity for the Flexible Resource RFP.

Q. WHAT WERE THE RESULTS OF THE THRESHOLD EVALUATIONS?

A. Five of the 13 bids submitted to the Flexible Resource RFP did not pass the threshold evaluation because they were non-conforming. The reasons that five bids did not advance included: (i) lack of any identified site, interconnection analysis, financing information, firm pricing, and several additional required pieces of information for one CT bid; (ii) proposals to use existing OG&E-owned sites for which the bidder had no site control nor prior discussions with OG&E²² and other deficiencies for one CT bid and two energy

²¹ To expedite OG&E's review of bids and consistent with RFP guidance that the Company can simultaneously conduct threshold and full (quantitative and qualitative) evaluations of bids to help meet Company timelines, the Company also issued some clarifying questions to bidders at this time that did not bear on the threshold criteria. OG&E questions and bidder responses were provided to the IE.

²² The Flexible Resource RFP threshold criteria include: "Bidders must demonstrate site control through ownership, executed land leases, options to lease, easements, rights-of-way, and/or other instruments of conveyance," on page 18. The bids referenced here did not do so.

storage bids from the same firm; and (iii) lack of firm pricing at the time of bid submission and an inability to offer firm pricing within the allowable RFP timetable for one CT bid.²³

Q. HOW MANY BIDS PASSED THE THRESHOLD EVALUATION?

A. A total of eight bids met the threshold criteria. These eight bids represented seven distinct sites and four bidders. All of these sites were in OGE's Oklahoma service territory.

Q. WHAT ARE YOUR GENERAL OBSERVATIONS ABOUT THE THRESHOLD EVALUATION RESULTS?

A. The threshold evaluation served its purpose – to allow for the full quantitative and qualitative evaluations to be fair, efficient, competitive, consistent comparisons of bids that conformed to RFP requirements. The majority of bids (62%) advanced past the threshold step. The threshold review did not diminish OG&E's ability to review offers from multiple credible bidders with projects of various sizes and technical characteristics. Though OG&E would have preferred to have multiple CT bids clear the threshold evaluation, two of the CT bids that were eliminated lacked viable sites (and had other deficiencies) and the third eliminated CT bid did not have firm pricing.²⁴

IV.7 Evaluating Bids Against Non-Price (Qualitative) Criteria for the Flexible Resource RFP

Q. HOW MANY BIDS WERE REVIEWED AGAINST QUALITATIVE CRITERIA?

A. All eight of the bids passing the threshold evaluated were assessed and scored against the qualitative criteria.

²³ The same firm that submitted this non-conforming bid also submitted a conforming CT bid for the same site that advanced to full evaluation.

²⁴ As noted above, the same firm that submitted this non-conforming bid also submitted a conforming CT bid for the same site that advanced to full evaluation.

Q. WHAT WERE ICF’S ROLES IN EVALUATING BIDS AGAINST THE QUALITATIVE CRITERIA?

A. ICF led the qualitative evaluation of all bids passing the threshold evaluation. ICF’s review process included: (i) establishing the scoring protocol (i.e., bid characteristics associated with scores of zero percentage points to the maximum number of percentage points for each sub-criterion); (ii) having two experienced ICF staff members assigned to each sub-criterion review relevant bid materials; (iii) drafting questions that OG&E subsequently sent to bidders to provide clarifications or additional information, as needed, to assess the bids; (iv) having the reviewers for each sub-criterion reach a consensus draft score for each bid on that sub-criterion and prepare a brief written rationale for the score; (v) submitting the draft scores and rationale to OG&E and holding a discussion with OG&E; and (vi) finalizing the scores and rationale and providing to OG&E. The final qualitative evaluation reflected the judgment of ICF’s reviewers. OG&E provided the qualitative evaluation scoring protocol, scores, and rationale to the IE for each RFP.

Q. WHAT WERE THE RESULTS OF THE QUALITATIVE EVALUATIONS?

A. The range of results from the Flexible Resource RFP for bids passing the threshold evaluation is summarized in **Table 4**.²⁵

Table 4: Range of Results from Qualitative Evaluation of Flexible Resource RFP Bids

Criteria	Maximum Possible Score	Range of Scores Received by Bids
Contract Risks, Costs, and Benefits	9 points	4 to 5 points
Overall Project Characteristics and Development Risks	16 points	11.5 to 15 points

²⁵ Qualitative percentage scores are converted directly into numerical scores; for example, a score of 5% on a criterion is displayed as “5.”

Criteria	Maximum Possible Score	Range of Scores Received by Bids
Community and Environmental Impacts	5 points	3 to 4 points
All Criteria Combined	30 points	19.5²⁶ to 24 points

Q. WHAT FACTORS WERE PARTICULARLY IMPORTANT IN PERFORMING THE QUALITATIVE EVALUATION?

A. For the Contract Risks, Costs, and Benefits criterion, three main factors (or sub-criteria) were evaluated that can affect the risk profile to OG&E of acquiring an in-development project. First, the firmness of the bid price was assessed to determine the extent to which contingencies, cost escalations, or other uncertainties existed in the proposed pricing that could pose added costs to OG&E customers. Second, the ease of assignment or transfer of key contracts from the bidder to OG&E as ultimate project owner was reviewed. Third, the extent and nature of changes sought by the bidder to OG&E pro-forma contracts was reviewed, taking into account how bidders mitigated potential negative effects to OG&E and its customers in their proposed contract changes.

The Overall Project Characteristics and Development Risks criterion represented more than one-half of the total qualitative evaluation score and covered several factors associated with each project’s technical characteristics, expected operational performance and safety over its lifetime, and risks associated with its ability to achieve timely commercial operations. There were six sub-criteria in this category, as listed in **Table 3**. Among these sub-criteria was “flexibility,” which assesses the ability of a facility to dispatch in a variety of ways and conditions without degrading long-term performance.

For the Community and Environmental Impacts criterion, there were distinct assessments of community impacts and environmental impacts. For the community factors, OG&E had a preference for projects located in OG&E’s service territory. In addition, the detail and comprehensiveness of the bidder’s stakeholder engagement plan

²⁶ The low end of this range (for all criteria combined) does not equal the sum of the low end of the ranges for each of the three criteria above because no single bid received the lowest score on each criterion.

and the specificity of its analysis on expected local economic impacts were reviewed. For the environmental factors, the evaluation included projected air emissions from the proposed project compared to benchmark rates and the extent of documentation on a range of ecological impacts from project development.

Q. WHAT FACTORS LED TO THIS RANGE OF RESULTS ON QUALITATIVE FACTORS?

A. The driving factors for differing scores among bids are discussed for each criterion below.

For the Contract Risks, Costs, and Benefits criterion, the scores were in a narrow range because (i) bids tended to receive one-half or more of the maximum score for the firm price and contract assignment sub-criteria, and (ii) bids tended to seek the same level of modifications to OG&E's pro-forma project acquisition contracts. Generally, bidders sought contract changes that were assessed to pose at least moderate adverse impact on the risk allocation to OG&E and its customers, which is why bidders scored relatively low on that sub-criterion, reducing their overall scores to approximately one-half of the maximum score for the criterion.

For the Overall Project Characteristics and Development Risks criterion, bids scoring towards the low end of the range tended to not have: (i) achieved full scores on the capacity security sub-criterion, (ii) proposed technologies with a long track record of utility-scale deployment in SPP, (iii) sufficiently demonstrated the experience of staff to be dedicated to the project or the bidder's overall SPP experience, and/or (iv) demonstrated how the proposed resource would meet the various possible operational flexibility requirements of the Company. Bids at the high end of the range generally did not have these deficiencies.

For the Community and Environmental Impacts criterion, the range of results was driven by two factors. First, bids with more detailed descriptions of tangible local (e.g., tax revenue, employment, organizational partnership) effects expected from the projects received higher scores for Community Impacts than those lacking specifics on local engagement. Second, for the Environmental Impacts sub-criterion, bids relying on fossil fuels or bids relying on energy storage that had lower project-specific efficiencies received lower scores than energy storage projects with higher performance efficiencies.

The range of total qualitative scores was simply the sum of the criteria-specific scores.

Q. DO YOU HAVE ADDITIONAL OBSERVATIONS ABOUT THE QUALITATIVE EVALUATION RESULTS?

A. The qualitative evaluation was conducted in conformance with RFP requirements, including OCC procurement rules. Further, the evaluation reflected a fair and equitable application of the qualitative criteria described in the RFP to each bid passing the threshold evaluation. Therefore, ICF believes that the bids scoring higher on the qualitative criteria, other factors equal, provide the most attractive offers to OG&E and its customers.

The 448 MW Horseshoe Lake CT bid, which was a self-bid from OG&E, received the highest total qualitative score in the Flexible Resource RFP. That bid received a total qualitative score of 24 points (out of a maximum possible qualitative score of 30 points). Three bids were tied with the next-highest total qualitative score of 21 points. The relatively narrow range of scores on qualitative criteria reflects the fact that the bids were generally solid offers from credible bidders who understood the objectives and requirements of the RFP.

The total qualitative score of the Horseshoe Lake CT was also higher than the top score of any bid in the other OG&E RFPs. The highest qualitative score in the Existing Capacity RFP was 20 points, and the highest qualitative score in the re-issued Solar RFP was 19.5 points. While there were relatively small differences in the qualitative evaluation weights between the RFPs and differing facility types were assessed in each, the fact that the Horseshoe Lake CT scored highest of all bids qualitatively supports the view that its overall qualitative risk and benefits profile was likely superior to other bids that OG&E reviewed in 2022.

The Horseshoe Lake CT also had the highest quantitative score of bids to the OG&E RFPs, as discussed in the Direct Testimony of Company witness Kelly Riley. That supports the conclusion that the Horseshoe Lake CT was the bid that was most cost-effective for OG&E customers.

V. CONCLUSIONS

Q. PLEASE SUMMARIZE YOUR CONCLUSIONS ABOUT THE OG&E RFP PROCESSES AND RESULTS?

A. Overall, I conclude that OG&E acted fairly in administering the Flexible Resource RFP and its other RFPs and that OG&E conducted the evaluation of resources in a fair manner treating all bidder responses in a consistent manner for the qualitative evaluation. For the qualitative evaluation, I found that the Horseshoe Lake CT was at the top of the bidder scoring across all the RFPs and was the highest qualitatively ranked asset responding to OG&E for any RFP. Similarly, OG&E found this bidder's response to be the most cost effective in the quantitative modeling.

I also find that the OG&E solicitation provided a fair market response aligned with activity of developers in the power sector. Based on the combined qualitative and quantitative analysis, and in consideration of the market response illustrated through this and other OG&E RFPs, I conclude that Horseshoe Lake CT is the most cost-effective resource option available to OG&E today.

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes.

CERTIFICATE OF MAILING

I hereby certify that on the 31st day of May 2023, a true and correct copy of the foregoing Application was electronically transmitted to the following via email:

Mark Argenbright

Michael Velez

Fairo Mitchell

Oklahoma Corporation Commission

Mark.argenbright@occ.ok.gov

fairo.mitchell@occ.ok.gov

Michael.velez@occ.ok.gov

pudenergy@occ.ok.gov

A. Chase Snodgrass

K. Christine Chevis

Office of the Attorney General

chase.snodgrass@oag.ok.gov

Christine.chevis@oag.ok.gov

utility.regulation@oag.ok.gov



AFFIDAVIT

STATE OF VIRGINIA)
COUNTY OF ARLINGTON)

On the 30th day of May 2023, before me appeared Maria F. Scheller, to me personally known, who, being by me first duly sworn, states that she is a Vice President for ICF International, and acknowledges that she has read the above and foregoing document and believes that the statements therein are true and correct to the best of her information, knowledge, and belief.

Print MARIA F. SCHELLER

Signature Maria F Scheller

Subscribed and sworn to before this 17th day of MAY, 2023.

[Signature]
Notary Public

My commission expires: 8/31/2025

JONATHAN YEUNG
NOTARY PUBLIC
REGISTRATION # 7712004
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
AUGUST 31, 2025

Seal

