SOAH DOCKET NO. 473-
DOCKET NO.

APPLICATION OF SOUTHWESTERN PUBLIC SERVICE COMPANY FOR A CHANGE IN RATES	**§ § §**	**BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS**

DIRECT TESTIMONY

of

JESS K. TOTTEN

on behalf of

SOUTHWESTERN PUBLIC SERVICE COMPANY

(Filename: TottenRRDirect.doc)

Table of Contents

GLOSSARY OF ACRONYMS AND DEFINED TERMS

Acronym/Defined Term	Meaning
CO_2	Carbon-dioxide
Commission	Public Utility Commission of Texas
IEEE	Institute of Electrical and Electronics Engineers
O&M	operations and maintenance
PCRF	Purchased-Power Cost-Recovery Factor
PPA	Purchased Power Agreement
PURA	Public Utility Regulatory Act
SAIDI	System Average Interruption Duration Index
SAIFI	System Average Interruption Frequency Index
SO2	sulfur-dioxide
SPS	Southwestern Public Service Company, a New Mexico corporation
TCEQ	Texas Commission on Environmental Quality
Xcel Energy	Xcel Energy Inc.

LIST OF ATTACHMENTS

Attachment	Description
JKT-RR-1	Summary of Cases (*Filename:* JKT-RR-1.docx)

DIRECT TESTIMONY
OF
JESS K. TOTTEN

I. WITNESS IDENTIFICATION AND QUALIFICATIONS

Q. Please state your name and business address.

A. My name is Jess K. Totten. I am a Principal with Osprey Energy Group, LLC. My business address is 4930 Trail West Drive, Austin, Texas 78735.

Q. On whose behalf are you testifying in this proceeding?

A. I am filing testimony on behalf of Southwestern Public Service Company ("SPS"), a New Mexico corporation and wholly-owned electric utility subsidiary of Xcel Energy Inc. ("Xcel Energy"). Xcel Energy is a registered holding company that owns several electric and natural gas utility operating companies, a regulated natural gas pipeline, and three electric transmission companies.[1]

Q. Please describe your educational and professional background.

A. I graduated from Rice University in 1973 with a Bachelor of Arts degree in Economics and German, and from the University of Texas School of Law in 1977 with a Juris Doctorate. I am licensed to practice law in Texas. I was employed by the Public Utility Commission of Texas ("Commission") for 23 years, retiring in July 2011. I served for about seven years as an attorney, working with other Commission staff on rate cases and other matters. I then served for about six years

[1] Xcel Energy is the parent company of four wholly-owned electric utility operating companies: Northern States Power Company, a Minnesota corporation; Northern States Power Company, a Wisconsin corporation; Public Service Company of Colorado ("PSCo"), a Colorado corporation; and SPS ("Operating Companies"). Xcel Energy's natural gas pipeline subsidiary is WestGas InterState, Inc. Xcel Energy also owns three electric transmission companies through its subsidiary Xcel Energy Transmission Holding Company, LLC: Xcel Energy Southwest Transmission Company, LLC, Xcel Energy Transmission Development Company, LLC, and Xcel Energy West Transmission Company, LLC, which are either currently regulated by the Federal Energy Regulatory Commission ("FERC") or expected to be regulated by FERC.

as a manager in the Policy Development Division, working on a wide range of regulatory and policy matters, including rate cases. From 2001 to 2008, I served as the Director of the Electric Industry Oversight Division. In this position, I managed Commission Staff efforts and advised Commissioners on electricity competition policy, retail and wholesale electricity market rules, regulation of electric utilities, and implementation of the Commission's energy efficiency and renewable energy programs. During this period, the staff that I supervised participated in rate cases of transmission and distribution utilities and integrated utilities. From 2008 to 2011, I was the Director of the Competitive Markets Division, with responsibilities relating to competitive matters for both electricity and telecommunications. From November 2011 to September 2017, I worked for Stratus Energy Group, and since October 2017, for Osprey Energy Group. With both of these companies, I have consulted on electricity issues and provided expert testimony in proceedings at the Commission and in a court case, including rate proceedings.

Q. Have you filed testimony before any regulatory authorities?

A. Yes. A list of the cases in which I have testified is attached as Attachment JKT-RR-1.

II. ASSIGNMENT AND SUMMARY OF TESTIMONY AND RECOMMENDATIONS

Q. What is your assignment in this proceeding?

A. I am testifying on behalf of SPS in support of Mr. Dylan D'Ascendis' recommended return on equity based on the high-quality performance of SPS and its management team.

Q. Please summarize your testimony and conclusions.

A. Section 36.052 of the Public Utility Regulatory Act ("PURA") directs the Commission to consider a number of factors in determining a rate of return for an electric utility.[2] I conclude that SPS has performed well on a number of the factors listed in this section, and that its performance provides additional support for Mr. D'Ascendis' recommended 10.35% return on equity. The factors I considered in reaching this conclusion, all areas in which SPS has performed well, are the following:

- SPS has low retail rates, compared to utilities in Texas and nationally;
- SPS manages its operations efficiently, compared to utilities in Texas and nationally;
- SPS provides a high level of reliability to its customers;
- SPS has achieved high levels of customer satisfaction;
- SPS has incorporated a high level of renewable energy to serve its customers, resulting in lower rates and the conservation of resources; and
- SPS has used a significant level of energy acquired through purchased-power agreements ("PPA") to serve its customers.

[2] Tex. Util. Code § 36.052.

III. THE REGULATORY CONTEXT FOR THIS PROCEEDING

Q. What factors does PURA require the Commission to consider when establishing a utility's return on equity for ratemaking purposes?

A. PURA 36.052 requires the Commission to consider the following factors in setting the return on equity:

(1) the efforts and achievements of the utility in conserving resources;

(2) the quality of the utility's services;

(3) the efficiency of the utility's operations; and

(4) the quality of the utility's management.

Q. What conclusions do you draw from considering SPS's performance as it pertains to these factors?

A. For the reasons discussed below, I believe the Commission should adopt Mr. D'Ascendis' recommended 10.35% return on equity, which I understand to be higher than returns authorized in some of the more recent utility rate cases before the Commission. However, consideration of these statutory factors provides further support for Mr. D'Ascendis' recommendation, and indeed suggests the appropriateness of a return that exceeds 10.35%.

Q. Are there other provisions of PURA that have a bearing on whether SPS should be granted a higher rate of return in this proceeding?

A. Yes. PURA Section 36.204(2) permits the Commission, in establishing rates for an electric utility, to "authorize additional incentives for conservation, load management, purchased power, and renewable resources . . . ."[3] In addition,

[3] Tex. Util. Code § 36.204.

Section 36.206(2) permits the Commission to provide an incentive to compensate the utility for the "financial risk associated with purchased power obligations . . . ."[4] Thus section 36.204 explicitly recognizes that purchased power and renewable resources are beneficial and authorizes additional incentives for utilities that employ them in providing service to customers, and section 36.206 recognizes that purchased power arrangements may involve financial risks for utilities and authorizes mechanisms to compensate the utility for the risks. One means by which an incentive for purchased power or an off-set for its financial risk might be addressed is through the Purchased-Power Cost-Recovery Factor ("PCRF") that is provided for in PUC Substantive Rule 25.238.[5] However, this rule sets out a specific formula for a PCRF and does not appear to authorize an incentive for purchased power or an element in the PCRF itself to recognize the financial risk related to purchased power. Nevertheless, the statutory authority for such measures remains, and approving a higher rate of return on equity would be consistent with these sections, not be duplicative of the PCRF, and would provide a logical place to provide meaning to this provision of PURA.

[4] Tex. Util. Code § 36.206.

[5] 16 Tex. Admin. Code § 25.238.

IV. SPS'S MANAGEMENT AND PERFORMANCE

Q. Are there factors that indicate that SPS has had a high quality of management and service to customers and warrants a higher rate of return on equity in this proceeding?

A. Yes. These factors are the following:

- SPS has low retail rates, compared to utilities in Texas and nationally;
- SPS manages its operations efficiently, compared to utilities in Texas and nationally;
- SPS provides a high level of reliability to its customers; and
- SPS has achieved a high level of customer satisfaction.

Each of these factors is discussed in more detail below.

Q. Are there factors that indicate that SPS has conserved resources so that it warrants a higher rate of return on equity in this proceeding?

A. Yes. SPS has acquired significant renewable resources, and the incorporation of this renewable energy into its generation resources amounts to the conservation of resources. This factor is also discussed in more detail below.

Q. Does the use of purchase-power agreements by SPS warrant a higher rate of return on equity in this proceeding?

A. Yes. SPS has acquired significant resources by purchase-power agreements, and the incorporation of this purchased energy into its generation resources warrants an incentive for such purchases and a compensation for the financial risks associated with the purchases. This factor is also discussed in more detail below.

Q. What is your recommendation with respect to rate of return on equity in this proceeding?

A. Witnesses on the issue of return on equity analyze a number of factors to determine what they believe to be an appropriate rate of return, and they typically report a reasonable range for the rate of return, and a specific rate within that range, as their recommendation. The SPS witness on rate of return has followed this approach.[6] Other parties participating in the proceeding may also sponsor witnesses on this issue, and their reported reasonable range and recommended specific rate of return may be different from Mr. D'Ascendis' conclusions. In considering the various recommendations that are submitted on this issue, I recommend that the Commission consider adopting a rate of return that reflects SPS's high-quality performance in recent years. While the Commission might conclude that an appropriate rate would fall within the range that he has found reasonable, but below 10.35%, I recommend that the Commission rely on the evidence of SPS's high-quality performance and adopt a rate of return that is equal to or higher than 10.35%.

A. Low Retail Rates

Q. How do SPS's retail rates compare to other electric utility rates in Texas and nationwide?

A. SPS's rates are lower than most other utilities' rates, in Texas and nationwide. SPS witness Richard D. Starkweather conducted a benchmarking study to compare the rates charged by SPS to the retail rates charged by other utilities in Texas and

[6] Direct Testimony of Dylan W. D'Ascendis at 8-9.

nationwide for the period 2015 to 2019. He concludes that the total retail revenue per kilowatt-hour for SPS was lower than the top quartile (lowest-cost quartile) rate for both Texas and nationwide utilities for each year of the period he examined.[7] Looking at rates by customer class, he concluded that the SPS rates for residential customers were below the first quartile rates on a national basis and at or above the median rates of Texas utilities. Over the last three years the residential rates have trended downward to approach the median Texas rates, which happen to be very close to the first quartile rate level in Texas.[8] SPS's rates for commercial customers have been below the first-quartile rates nationally for four of the five years that he analyzed and slightly above the first-quartile rates nationally for the fifth year. The rates were very close to the first-quartile Texas rates for all of the years. The rates for industrial customers have been below the first-quartile rates nationally and in Texas for all of the years in his analysis.[9]

B. Operational Efficiency

Q. Are SPS's operational costs lower than the average electric utility costs in Texas and nationwide?

A. For the most part, yes. Mr. Starkweather's benchmarking study also compared SPS's operations and maintenance ("O&M") expenses to those incurred by other utilities in Texas and nationwide. He reports that SPS's total O&M expenses per retail megawatt-hours sold were near the national median in 2015-2017 but trended down to below the first quartile rate, compared to utilities nationally and have been

[7] Direct Testimony of Richard D. Starkweather at 24.

[8] Starkweather Direct at 25-26.

[9] Starkweather Direct at 26-27.

between the median and top-quartile of O&M expenses for Texas utilities.[10] He also reports that SPS's non-fuel O&M expenses per Retail megawatt-hours sold were at or below the national median in 2015-2019 and were below the Texas median for the full period.[11] Finally, he concluded that the production non-fuel O&M expenses per Retail megawatt-hours sold were lower than the first quartile rates, both on a national and Texas basis. I agree with his conclusion that the two non-fuel expense measures are a good measure of how efficiently a utility operates.[12]

C. Reliability and Customer Satisfaction

Q. Is SPS's service to its customers reliable?

A. Yes. Mr. Casey Meeks testifies about the reliability of SPS's distribution service.[13] He provides data on two metrics that the Commission requires utilities to report on: SAIDI, or System Average Interruption Duration Index, and SAIFI, or System Average Interruption Frequency Index. SAIDI measures the duration of interruptions of service to customers, and SAIFI measures the frequency of such interruptions. Mr. Meeks also reports the results of a benchmarking of these measures against other US utilities performed by the Institute of Electrical and Electronics Engineers ("IEEE"). The data he provides, and the benchmarking study show, that in recent years SPS has improved its reliability, based on these measures, and that it performs well when compare to its peer utilities nationally. Based on

[10] Starkweather Direct at 32.

[11] Starkweather Direct at 35.

[12] Starkweather Direct at 35.

[13] Direct Testimony of Casey S. Meeks at 131 *et seq.*

the IEEE study, SPS's performance is in the second quartile for utilities of its size. Reliability is an important measure of customer service on which SPS has performed well.

Q. Are SPS's customers satisfied with the service that they have received?

A. Yes. J.D. Power has issued a benchmarking report on customer satisfaction for SPS and other utilities that is based on surveys of the utilities' customers. The report indicates that SPS has improved its customer satisfaction levels in recent years and ranks within or near the first quartile for mid-size utilities in the Southern Region for both residential and commercial customers.[14]

D. Conservation of Resources

Q. Has SPS increased its reliance on renewable energy in serving its customers?

A. Yes. As SPS witness David T. Hudson states in his testimony, SPS began reshaping its generation fleet over a decade ago to provide reliable service to customers with a cleaner generation fleet. He testifies that SPS has reduced its carbon-dioxide ("CO_2") emissions by 38%, and that with the commercial operation of the Hale and Sagamore wind projects, it expects to provide 47% of its energy from carbon-free wind and solar resources.[15]

Q. Does SPS plan to further reduce its reliance on coal-fired energy in serving its customers?

A. Yes. As Mr. Hudson states in his direct testimony, challenges with continuing operations as the Tolk and Harrington coal plants have emerged, and SPS has plans

[14] Electric Utility Residential Customer Satisfaction Study, J.D. Power (2020); Electric Utility Business Customer Satisfaction Study, J.D. Power (2020).

[15] Direct Testimony of David T. Hudson at 20.

to reduce or discontinue operating these plants with coal. The Tolk plant relies on ground water pumped from the Ogallala Aquifer for cooling, and because of the reduction in ground water available from the Aquifer, it plans to cease operating the facility to generate electricity in 2032. In addition, in order to preserve ground water in the interim, the plant will begin operating primarily only during summer months, the peak load months for the SPS system.[16] Reducing the time in which the plant operates and, ultimately, ceasing the generation operations, will result in less energy being generated from coal and a reduction in overall plant emissions, including CO_2 emissions, thus conserving air quality resources. It will also provide for conservation of Aquifer resources for benefit of the plant and the local community that also relies on that water source.

Mr. Hudson also discusses the Harrington plant. In recent years, the Texas Commission on Environmental Quality ("TCEQ") became concerned that the Potter County area of Texas did not meet national air-quality standards. In 2020 it concluded that the Harrington plant was the major source of sulfur-dioxide ("SO_2") emissions in the county, and SPS and TCEQ began discussions of how to address the matter. To resolve the enforcement position it faced, SPS entered into an agreement with TCEQ to discontinue generating electricity from coal at the plant and convert it to a gas-fired generating plant, thereby significantly reducing the SO_2 emissions from the plant in 2024.[17] Conversion from coal to natural gas as a fuel for the plant will also result in a reduction in other emissions, including CO_2, thereby benefitting environmental quality and conserving air quality resources.

[16] Hudson Direct at 41-43.

[17] Hudson Direct at 44-46.

Q. Should this change in the type of energy that SPS uses to serve its customers be considered a conservation effort?

A. Yes. Conservation is not defined in PURA. The definition of conservation in the on-line Merriam-Webster dictionary is "a careful preservation and protection of something, especially planned management of a natural resource to prevent exploitation, destruction, or neglect." Conservation in the context of the electricity industry typically suggests a program to induce customers to reduce unnecessary or inefficient use of electricity. Conservation programs provide a public benefit by reducing the level of energy that must be generated for customers or changing the timing of customers' use of electricity. Reducing customers' consumption can result in lower emissions of air pollutants and the need for additional electrical facilities to produce and deliver energy to customers. Changing the timing of customers' use of electricity is normally intended to reduce peak-time consumption, thereby avoiding short-term reliability problems and avoiding or deferring the need for additional electrical facilities.

Renewable energy resources such as wind and solar projects have one of the same benefits as reducing customers' consumption: they reduce the emission of air pollutants. For example, SPS's use of wind and solar energy will have offset the production of energy from coal and natural gas, and the result will have been lower emissions of CO_2, SO_2, and perhaps other pollutants. It seems clear that this effect will increase, with the initiation of commercial service of two wind plants and the reduction in coal-fired output and, within the next twelve years, the elimination of its coal-fired energy production. Thus, the increase in the use of

renewables and reduction in the use of coal will serve one of the chief objectives of electricity conservation programs, namely, the reduction of air emissions, thereby contributing to the health and safety of the public in its service area. In addition, the reduction in the operation Tolk Plant will also result in the conservation of groundwater resources for the plant and the local community. These changes conserve valuable resources, clean air and water supply in the region in which SPS operates.

Q. If a greater reliance on renewable energy and a lesser reliance on coal-fired energy were not considered to be a conservation effort, should it still be considered a favorable factor in determining SPS's return on equity?

A. Yes. One of the factors in Section 36.052 is the quality of the utility's management. Adopting measures to reduce the emissions of CO_2, SO_2, and perhaps other pollutants through a strong renewable energy program, while maintaining high levels of service quality and low rates, is an indication of high-quality management, which warrants consideration for granting a higher return on equity. Texas and New Mexico both have policies that encourage utilities to deploy renewable energy. The Texas policy is set out in the renewable-energy mandate in PURA § 39.904[18] and § 36.204, which is discussed in more detail above. While section 39.904 sets out numerical goals for the incorporation of renewable energy, those goals are minimums, and the credit-trading program established in the section continues to operate and provide an incentive for renewable energy, even though the goals have been surpassed. Section 36.204 does not set out numerical goals, and thus may be

[18] Tex. Util. Code § 39.904. Although much of Chapter 39 does not apply to non-ERCOT utilities, PURA § 39.502(b), Tex. Util. Code § 39.502, makes § 39.904 applicable to SPS.

regarded as an open-ended encouragement of renewable energy for regulated utilities.

The federal government also encourages investment in renewable energy through tax policies, such as Investment Tax Credits and Production Tax Credits. Policies favoring renewable energy were initially supported as means of reducing air emissions such as nitrogen oxides, which is a precursor to ground-level ozone. The policies were not initially advanced to address emissions of CO_2, but in recent years they have been seen as a way of reducing CO_2 emissions as well.

One of the challenges that the electric utility industry faces is meeting the basic service obligation to provide safe, reliable service at a reasonable cost, while also working to meet public policy goals or mandates that may be imposed by either the state or the national government. One of the challenging (and controversial) policy goals that utilities have faced in recent years is reducing their emissions of gasses, such as CO_2, that contribute to climate change. For SPS, this has involved meeting a renewable energy goal for New Mexico that is larger than the Texas renewable energy goal, while maintaining affordable rates in both states. SPS has had great success in meeting this challenge, and it is an indication of its high-quality management.

E. Purchased Power

Q. Does SPS acquire significant energy resources through PPAs?

A. Yes. As discussed in the Direct Testimony of William A Grant, SPS at the end of 2020 had 4,335 MW of thermal capacity, 1,000 MW of wind capacity, and 1,640 MW of wind and solar capacity acquired through PPAs. Thus, over 35% of the

generation capacity dedicated to SPS was acquired through purchased-power agreements.

Q. Why should SPS's procurement of power through PPAs be recognized in setting its rate of return?

A. As discussed above, PURA directs the Commission to consider providing incentives to utilities for procuring power through PPAs in order compensate the utility for the financial risk associated with purchased power obligations. These statutes reflect good public policy because while PPAs can be an economic source of energy for a utility's customers, PPAs are a source of additional business and financial risks to the utility. SPS does not earn any return under traditional ratemaking on PPAs, and SPS's credit rating calculations are negatively impacted by the inclusion of PPAs in rating agency determinations of SPS's debt.[19] Ms. Patricia Martin testifies that the credit-rating agencies treat obligations like purchased-power payment obligations as off-balance sheet debt obligations, and they calculate an economic capital structure that includes these off-balance sheet obligations. Where these obligations are significant, they can result in an economic capital structure that is more heavily leveraged than the regulatory capital structure. She notes that Standard & Poors in 2019 identified $358.5 million in off-balance sheet debt for SPS, of which approximately 75% was due to purchased power obligations. Thus, the economic capital structure of SPS as calculated by Standard & Poor's had a lower equity ratio.[20] Consideration of these additional risks that

[19] See the Direct Testimony of Patricia L. Martin at 31.

[20] Martin Direct at 27-28.

SPS takes on in pursuit of cost-effective, reliable service is consistent with PURA and appropriately rewards and incentivizes utilities' use of customer-centric considerations in planning and performance.

V. POLICY CONSIDERATIONS

Q. Would providing SPS a higher return on equity based on these factors be sound regulatory policy even if PURA did not explicitly authorize such factors to be considered in setting the rate of return?

A. The key point is that PURA does explicitly provide authority for the Commission to incentivize high-quality management and service, conservation of resources, and the use of renewable and purchased power to provide low-cost energy to its customers. Putting aside the statutory provisions discussed above, however, it is sound policy to recognize and reward a utility for providing high-quality, cost-efficient service to its customers. Providing incentives for strong performance in these areas provides several benefits; it:

- encourages the utility to continue such behavior;
- better aligns the utility's goals with its customers' goals, and those of its regulator;
- incentivizes good performance by other utilities whose rates are regulated by the Commission; and
- ensures that the utility and the customer share in the success of the utility.

Utilities such as SPS may face a diverse set of challenges, including meeting public policy goals, while providing customers safe, reliable, and affordable electric service. Incentives that recognize utilities for excellent performance will encourage continued pursuit of these goals by companies that have had success and may spur other utilities toward better service and meeting public policy goals. In addition, recognizing high-quality performance through a higher return on equity allows SPS continued access to the capital it needs to continue providing excellent service to its customers.

Q. Are there areas in which the Commission is currently providing monetary incentives based on a utility's performance?

A. Yes. The Commission routinely provides positive incentives for utilities that meet their energy-efficiency goals and provides penalties for utilities that fail to meet the reliability performance standards for their distribution systems. Performance bonuses for the energy-efficiency programs are authorized for utilities that meet their goals by PUC Substantive Rule 25.182(e), and penalties for failure to meet the goals may be assessed under PUC Substantive Rule 25.181(v).[21] PUC Substantive Rule 25.52(g) establishes standards for various distribution-system reliability measures and authorizes the Commission to take action against utilities that fail to meet the standards.[22]

Both the Legislature, in the various provisions of PURA addressed in this testimony, and the Commission in its actions to implement the energy-efficiency program and the distribution reliability program, have concluded that incentives can be important measures to induce behavior that is in the interests of customers. Adopting a higher rate of return in this case would be just such an inducement, rewarding a utility, strengthening its financial condition, and inducing it to further customer-focused programs and decisions.

[21] 16 Tex. Admin. Code §§ 25.182, 25.181.

[22] 16 Tex. Admin. Code § 25.52.

VI. CONCLUSION

Q. Should the Commission approve a higher rate of return on equity for SPS in this proceeding?

A. Yes. I conclude that SPS has performed well on a number of the factors, and that it is appropriate for the Commission to adopt the rate of return on equity that is recommended by Mr. D'Ascendis, or higher, based on SPS's high-quality performance. The factors I considered in reaching this conclusion are the following:

- SPS has low retail rates, compared to utilities in Texas and nationally;
- SPS has low operational costs, compared to utilities in Texas and nationally;
- SPS provides a high level of reliability to its customers;
- SPS has achieved high levels of customer satisfaction; and
- SPS has incorporated a high level of renewable energy to serve its customers, resulting in lower rates and the conservation of resources.

In addition, PURA § 36.204 supports granting a higher rate of return to SPS as an incentive for its high level of power purchases and to offset the financial risks associated with such purchases.

Q. Does this conclude your testimony?

A. Yes.

AFFIDAVIT

STATE OF TEXAS)
)
COUNTY OF TRAVIS)

JESS K. TOTTEN, first being sworn on his oath, states:

I am the witness identified in the preceding testimony. I have read the testimony and the accompanying attachments and am familiar with their contents. Based upon my personal knowledge, the facts stated in the testimony are true. In addition, in my judgment and based upon my professional experience, the opinions and conclusions stated in the testimony are true, valid, and accurate.

JESS K. TOTTEN

Subscribed and sworn to before me this 2d day of February, 2021 by JESS K. TOTTEN.

EVAN ROHRBACH
Notary Public
STATE OF TEXAS
ID#132850351
My Comm. Exp. Dec. 29, 2024

Notary Public, State of Texas
My Commission Expires: Dec 29, 2024

Attachment JT-1: Jess Totten Prior Testimony

The table below lists the cases in which Mr. Totten testified.

Proceeding	Party Testified For	Date
Petition for Designation of Competitive Renewable Energy Zones, Docket No. 33672	Commission Staff	2008
Complaint of Johnny H. Vinson and Eloise Vinson Against Oncor Electric Delivery Company, LLC, Docket No. 40953	Oncor Electric Delivery Company	2013
Application of Entergy Texas for Authority to Redetermine Rates for Energy Efficiency Cost Recovery Factor, Docket No. 41444	Entergy Texas, Inc.	2013
Application of CenterPoint Energy Houston Electric LLC for Approval of an Adjustment to its Energy Efficiency Cost Recovery Factor, Docket No. 41540	CenterPoint Energy Houston Electric, LLC	2013
Application of Entergy Texas, Inc. for Authority to Change Rates and Reconcile Fuel Costs, Docket No. 41791	Entergy Texas, Inc.	2014
Application of Entergy Texas for Authority to Redetermine Rates for the Energy Efficiency Cost Recovery Factor, Docket No. 42485	Entergy Texas, Inc.	2014
New Braunfels Utilities v. Lower Colorado River Authority, No. C2012-1075B, District Court of Comal County	Lower Colorado River Authority	2014
Application of Entergy Texas, Inc. to Amend its Certificate of Convenience and Necessity and for Public Service Determination for Purchase of Unit 1, Union Power Station in Union County, Arkansas, Docket No. 43958	Entergy Texas, Inc.	2014
Application of Entergy Texas, Inc. for Authority to Change Rates and Reconcile Fuel Costs, Docket No. 44704	Entergy Texas, Inc.	2015
Application of Entergy Texas, Inc. Approval to Amend its Distribution Cost Recovery Factor, Docket No. 45083	Entergy Texas, Inc.	2015
Application of Entergy Texas, Inc. for Approval of a Transmission Cost Recovery Factor, Docket No. 45084	Entergy Texas, Inc.	2015
Review of Rate Case Expenses Incurred by Southwestern Public Service Company and Municipalities in Docket No.43695, Docket No. 44498	Southwestern Public Service Company	2016
Joint Report and Application of Oncor Electric Delivery Company LLC and NextEra Energy, Inc. for Regulatory Approvals Pursuant to PURA §§ 14.101, 39.262 and 39.915, Docket No. 46238	NextEra Energy, Inc.	2016
Application of Entergy Texas, Inc. for Approval to Amend its Transmission Cost Recovery Factor, Docket No. 46357	Entergy Texas, Inc.	2016
Application of Entergy Texas, Inc. for a Certificate of Convenience and Necessity to Construct Montgomery County Power Station, Docket No. 46416	Entergy Texas, Inc.	2016

Petition of the Cities of Garland, Mesquite, Plano, and Richardson Appealing the Decision of the North Texas Municipal Water District Affecting Wholesale Water Rates, Docket No. 46662	Cities of Garland, Mesquite, Plano, and Richardson	2017
Application of Entergy Texas, Inc. for Authority to Change Rates, Docket No. 48371	Entergy Texas, Inc.	2018