

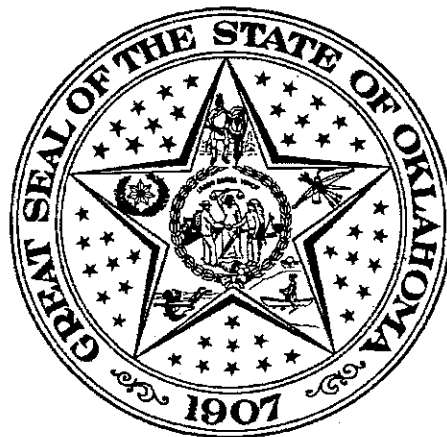
BEFORE THE CORPORATION COMMISSION OF OKLAHOMA

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 )

CAUSE NO. PUD 201100087

**FILED**  
NOV 09 2011

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CORPORATION COMMISSION  
OF OKLAHOMA



PRE-FILED RESPONSIVE TESTIMONY  
OF  
PATRICK E. DAVIS  
NOVEMBER 9, 2011

**BEFORE THE CORPORATION COMMISSION OF OKLAHOMA**

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1 **INTRODUCTION**

2

3 **Q: Please state your name and your business address.**

4 **A:** My name is Patrick E. Davis. My business address is the Jim Thorpe Office  
5 Building, Room 580, 2101 North Lincoln Boulevard, Oklahoma City, OK.

6

7 **Q: Please state your educational background and professional experience.**

8 **A:** I received a bachelor of science degree in business administration from  
9 Northwestern State University of Louisiana. I was employed by a multi-state  
10 natural gas utility for approximately 24 years, by the Public Utility Division (PUD)  
11 of the Oklahoma Corporation Commission ("OCC") for seven years, and by an  
12 electric utility for approximately six years. All but three years of my professional  
13 experience has been in the public utility rate and regulatory field.

14

15 **Q: What is your current position and by whom are you employed?**

16 **A:** I am employed by the PUD as a senior regulatory analyst.

17

18 **Q: How long have you been so employed?**

19 **A:** I worked for the PUD for seven years from 1998 to 2005. I have since rejoined  
20 the PUD in April 2011.

21

22 **Q: What are your duties and responsibilities with the PUD?**

23 **A:** My primary duties include cost allocations, rate design, various rate case issues,  
24 and supervision of fuel adjustment and prudence reviews in the Energy Group.

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**Q: Have you previously testified before this Commission and were your qualifications accepted?**

**A:** Yes. I have testified before this Commission, and my qualifications have been accepted.

**PURPOSE**

**Q: What is the purpose of your testimony regarding the application filed by Oklahoma Gas and Electric Company (“OG&E” or the “Company”) to request recovery of \$73,255,957 revenue deficiency and to implement tariffs to recover that deficiency filed as Cause No. PUD 201100087?**

**A:** I have reviewed the following areas with respect to OG&E’s request for a rate increase in this cause:

- A. Revenue and Revenue Adjustments
- B. Weather Normalization
- C. Customer Growth
- D. Fuel in Base Rates
- E. Transmission Investment & Southwest Power Pool (SPP) Expenses
- F. Elimination of OSSE Rider

My testimony addresses OG&E’s presentation of the above issues in its rate increase request as filed and PUD’s treatment of those issues as part of our overall recommendation.

1 REVIEW

2

3 **A. REVENUE AND REVENUE ADJUSTMENTS**

4

5 **Q: Did you review OG&E's test year revenue and revenue adjustments?**

6 **A:** Yes, I did.

7

8 **Q: What did you find, and what are your recommendations concerning test**

9 **year revenue and revenue adjustments?**

10 **A:** I have reviewed OG&E's actual revenue per books during the test year and each

11 of the revenue adjustments that the Company proposes in this case. The

12 Company's presentation of revenues generally reflects test year revenues in an

13 accurate manner. I have no objection to OG&E's per books revenues as stated.

14 And the revenue adjustments that OG&E made appear to be appropriate for the

15 most part. I have only made adjustments and recommendations with respect to

16 OG&E's weather normalization adjustment and the customer growth adjustment.

17 My adjustments and recommendations are explained in the sections that follow.

18

19 **B. WEATHER NORMALIZATION ADJUSTMENT**

20

21 **Q: Did OG&E make a weather normalization adjustment (WNA) in its rate**

22 **case?**

1 A: Yes, OG&E made a reduction to test year revenue of \$46,876,441 for a WNA.  
2 Weather during the test year was “greater than” normal in both the summer  
3 cooling season and the winter heating season; i.e., the summer was hotter than  
4 normal, and the winter was colder than normal. Therefore, OG&E sold more  
5 power than normal for cooling in the summer and for heating in the winter. Of  
6 course, the above-normal demand for cooling power in the summer had the most  
7 significant impact on OG&E’s test year revenue.

8

9 **Q: How did the Company establish a “normal” level for test year revenue?**

10 A: OG&E used a 30-year normal for the Years 1981-2010 based on the National  
11 Oceanic and Atmospheric Administration’s (NOAA’s) weather recordings at  
12 Oklahoma City. Oklahoma City is centrally located to OG&E’s service territory,  
13 so the weather data location is appropriate.

14

15 **Q: Is OG&E’s use of a 30-year normal a standard for ratemaking procedures?**

16 A: This has been a standard in the industry for a long time. However, in recent  
17 years some utilities and some regulatory agencies have considered and, in some  
18 cases, used weather normals based on shorter-term periods. So for purposes of  
19 this rate case, PUD made no adjustment to the Company’s WNA. However, I  
20 would recommend a study to review whether a normal based on 30 years, 20  
21 years, or 10 years should be considered in the future, as recommended in other  
22 Commission Orders.

23

1 **Q: Do you have a specific recommendation concerning this study?**

2 Y: Yes. I would propose that OG&E undertake a study over the course of the next  
3 year to analyze the impacts of normals based on 30 years, 20 years, and 10  
4 years. Furthermore, I would propose that some qualitative analysis of the  
5 arguments for and against each be made and presented. OG&E should work  
6 with the PUD in developing the study, and the Company should report its findings  
7 to the Commission within one year from the date of final order in this rate case.

8

9 **C. CUSTOMER GROWTH ADJUSTMENT**

10

11 **Q: Do you agree with the Company's adjustment for customer growth?**

12 A: I agree with the adjustment that OG&E made, but I think it did not go far enough.  
13 OG&E added \$9,148,607 to test year revenue to reflect the impact of normal  
14 customer growth up to the year-end level of customers. I reviewed the  
15 Company's adjustment, the mechanics of it, and the calculations involved.  
16 OG&E's adjustment was appropriate. The Company brought the adjustment to  
17 revenue for customer growth up to the test year-end level of customers. The  
18 Company did not bring the adjustment up to the level of June 2011 (six-months  
19 post test year).

20

21 **Q: Should the Company have adjusted for customer growth out to the six-**  
22 **months post test year-end level?**

1 A: Not necessarily. The purpose of a test year is to analyze the financial and  
2 operating results of a certain 12-month period – the “test year.” Adjustments may  
3 be made to the test year data to “annualize and normalize” certain significant  
4 changes in costs and revenues on a going-forward basis. Costs and revenues  
5 that are only partially reflected during the test year should be “annualized” so that  
6 the adjusted test year does indeed reflect a full twelve month-level of such  
7 costs/revenues.

8  
9 Furthermore, any significant known and measurable changes to costs and  
10 revenues should be made to test year data in order to “normalize” or fully reflect  
11 the expected levels of such costs and revenues on a going forward basis.

12  
13 In this case OG&E did make some adjustments for some changes beyond the  
14 end of the test year (e.g., plant additions, depreciation expense, etc.). But the  
15 Company did not adjust revenues beyond the test year.

16  
17 OG&E’s addition of \$9.1 million to test year revenue adjusts for the gradual,  
18 incremental level of customer growth to the end of the test year. It is not  
19 necessary to continue this adjustment out to the six-months post test year level.  
20 However, I would recognize any significant known and measurable changes to  
21 customer levels in the post test year period.

22

1 Q: Did OG&E make any adjustment for such known and measurable changes  
2 in customer levels beyond the end of the test year?

3 A: No, they did not.

4

5 Q: Did you find any such changes?

6 A: I did. I only found two customers beyond the test year that represented what I  
7 considered to be a significant impact on the test year level of revenue.  
8 Accordingly, I have made an adjustment to reflect the incremental level of their  
9 non-fuel revenues that are not included in the actual test year data.

10

11 One customer is a new 5.8 MW customer who came on since the end of the test  
12 year. I have calculated this customer's incremental, annual, non-fuel revenues to  
13 be **\$372,653**.

14

15 The other is an existing customer of OG&E who is consolidating its operations at  
16 two locations into one expanded facility. However, the expanded facility will  
17 operate at an increased level of demand for power on OG&E's system above that  
18 of the two previous facilities. I have based my revenue adjustment for this  
19 customer on his non-fuel related, incremental load over that of the test year. This  
20 customer's incremental load is approximately 35 MW more than he used during  
21 the test year. I have calculated the adjustment for this customer to be  
22 **\$2,239,227**.

23

1 Adding these two incremental revenue adjustments together, I recommend a  
2 customer growth revenue adjustment of **\$2,611,880** (identified as PUD  
3 Adjustment No. H-12) to be added to OG&E's test year revenues in addition to  
4 the Company's own customer growth revenue adjustment of \$9,148,607.

5  
6 **D. FUEL IN BASE RATES**

7  
8 **Q: Does OG&E currently recover fuel costs in its base rates?**

9 **A:** Yes, it does. OG&E's capacity-related fuel costs are recovered in its base rates.  
10 This is pretty standard practice throughout the industry. However, OG&E  
11 recovers quite a significant portion of its energy-related fuel costs through its  
12 base rates also. Currently OG&E's base rates contain 2.9¢ per kwh of its  
13 energy-related fuel costs. The rest of its energy-related fuel costs are recovered  
14 through the operation of its Fuel Adjustment Clause (FAC).

15  
16 **Q: Is it appropriate for a utility to recover some of its energy-related fuel costs  
17 in base rates?**

18 **A:** It is appropriate. However, I would prefer to see all energy-related fuel cost  
19 recovery come through its FAC for several reasons.

20  
21 First, it makes for a cleaner presentation, offering greater transparency to have  
22 all energy-related fuel costs in a separate, stand-alone FAC Rider. The term,  
23 "energy-related," refers generally to all operational fuel expenses that have a

1 direct correlation to the amount of fuel used in generation. These costs are  
2 typically recovered from customers on a per unit of sales basis (¢ per kwh).

3  
4 All gas utilities in Oklahoma have a Purchased Gas Adjustment (PGA) Clause  
5 (the gas utility's counterpart to the electric utility's FAC) in which 100% of the  
6 utility's fuel or gas cost is recovered. No gas costs are included in the base rates  
7 of the gas utilities. Furthermore, in Empire District Electric Company's current  
8 rate case, PUD is also recommending removal of fuel costs from base rates and  
9 inclusion of all energy-related fuel costs in the FAC.

10  
11 And lastly, if all the energy-related fuel costs are reflected in the FAC as opposed  
12 to placing some of these costs into base rates, PUD's process of performing its  
13 periodic fuel reviews will be better facilitated.

14  
15 **Q: Should the capacity costs be removed from base rates as well and placed**  
16 **into the FAC?**

17 **A:** No, capacity costs for any given month do not directly correlate to the amount of  
18 fuel used in generation. Capacity costs are currently recovered in base rates,  
19 and they should continue to be recovered in base rates. But all energy costs  
20 should be removed from base rates, and they should be recovered in the FAC.

21  
22 **Q: What monetary impact will this change have on customers' bills?**

1 **A:** This will have no monetary impact on customers' bills. A customer's bill for a  
2 given amount of energy use will be exactly the same amount whether fuel is in  
3 the base rates or in the FAC.

4  
5 There will be a difference in appearance on the customer's bill, however. The  
6 amount shown for fuel will be significantly larger than it has been in the past.  
7 There will be a corresponding decrease in the base rates charged to customers  
8 which will not be as evident as the "seeming" increase in fuel costs. This could  
9 cause some perception issues for some customers at first. OG&E will  
10 undoubtedly receive a greater level of customer inquiry about fuel costs, as might  
11 the Commission. But with sufficient advance customer education and  
12 information about the change, the inquiries could be minimized. And this would  
13 only occur for a limited transition period after implementation of the final rates in  
14 this case.

15  
16 **Q: How would this change actually be placed into effect as a result of this**  
17 **case?**

18 **A:** When the Company's revenue requirement is determined, it should include no  
19 energy-related fuel costs. Rates will be designed to recover only the non-fuel  
20 revenue requirement. Simultaneously with implementation of the new base rates  
21 in accordance with final order in this rate case, OG&E would also implement a  
22 revised FAC which now includes all energy-related fuel costs. The new base

1 rates and the corresponding new FAC would immediately replace the existing  
2 base rates and the current FAC.

3  
4 **E. TRANSMISSION INVESTMENT & SOUTHWEST POWER POOL (SPP)**  
5 **EXPENSES**

6  
7 **Q: How does OG&E currently recover costs for transmission improvements that**  
8 **are allocated to it from the SPP?**

9 **A:** During the test year OG&E recovered several different types of costs assigned to it  
10 from the SPP. Some of these include the following:

- 11 • SPP Annual Fee
- 12 • SPP Admin Fee
- 13 • SPP Schedule 1 Charges
- 14 • SPP Schedule 1-A Charges
- 15 • SPP Schedule 9 Charges
- 16 • SPP Schedule 11 Charges
- 17 • SPP Schedule 12 – FERC Assessment Charges

18 Most of the above types of costs are recovered in OG&E's base rates. A fixed  
19 amount of these costs are determined by a test year in a rate case and are  
20 recovered until the amount is revised by a new test year in a subsequent rate case.

21

1           However, the most significant amount of the above SPP costs are those in SPP  
2           Schedule 11. These costs are recovered through a rider mechanism called the  
3           SPP Tracker.

4  
5   **Q:   What type of costs are included in the SPP Schedule 11 Rider?**

6   **A:**   SPP Schedule 11 are base plan charges paid to others. These are costs  
7           representing OG&E's allocated share of the cost of transmission projects that the  
8           SPP has determined other SPP members are to construct. As the costs are  
9           assigned or charged to OG&E, the Company then passes them onto their  
10          customers through the SPP Tracker Rider.

11  
12   **Q:   How much Schedule 11 costs were allocated or assigned to OG&E during the**  
13          **test year?**

14   **A:**   For the test year OG&E incurred net charges of \$2,643,631 in Schedule 11 costs  
15          from the SPP.

16  
17   **Q:   How much SPP Schedule 11 cost recovery did OG&E recognize in revenues**  
18          **received from its customers during the test year?**

19   **A:**   The Company did not begin realizing revenues by recovering SPP Schedule 11  
20          costs from its customers through the SPP Tracker Rider until January 2011. So for  
21          the test year OG&E received no Schedule 11 rider recovery revenue. However, the  
22          rider contains a true-up provision whereby OG&E will recover or refund any  
23          difference realized between SPP costs incurred and rider revenue recovery.

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**Q: Are these SPP Schedule 11 costs expected to rise in the future?**

**A:** Yes, they are expected to rise quite significantly. Currently OG&E expects its estimated Schedule 11 SPP charges over the next four years to be:

<b>2012</b>	<b>\$ 9,064,186</b>
<b>2013</b>	<b>\$12,304,674</b>
<b>2014</b>	<b>\$17,724,028</b>
<b>2015</b>	<b>\$34,938,668</b>

These costs will be flowed through the SPP Tracker Rider and recovered dollar-for-dollar from the Company's customers.

**Q: Do you have any recommendations concerning these SPP costs or their recovery?**

**A:** OG&E and the Commission both seem to have little or no control over these costs. The costs are determined by the SPP, of which OG&E is a member. So I propose no change to the mechanics of the cost recovery methods of the SPP costs – neither the costs recovered in base rates nor the costs recovered through the SPP Tracker.

However, due to the seeming lack of control over these costs and the projected significant levels of these costs in the near future, I do recommend certain increased reporting requirements associated with the SPP Tracker Rider.

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**Q: Please describe your recommended reporting requirements.**

**A:** In a separate cause (PUD 201100106) the PUD has recently agreed to a requested SPP Tracker Rider through which Public Service Company of Oklahoma (PSO) would be allowed to recover SPP Schedule 11 costs similar to the method OG&E has in effect. Furthermore, the Administrative Law Judge (ALJ) has recommended the rider as proposed. In this case the PUD expressed its similar concerns about the estimated magnitude of these costs for PSO and the seeming inability of PSO or the Commission to control these costs as well. Consequently, the final order recommended by the ALJ to the Commission directs PSO to adopt certain reporting requirements that will enable the PUD to closely monitor the results of the rider.

Similar to the proposed order in PSO's case, I propose that OG&E make an annual report to the Commission related to its SPP Cost Tracker as well including the following:

- The identity of the applicable third-party transmission owners.
- A description of the specific projects and the project cost for each third-party transmission owner, in total and as allocated to OG&E, if available.
- The original cost estimate for each specific project constructed by the third-party transmission owner, the updated estimate or actual project cost, and the actual or estimated in-service date, in total and as allocated to OG&E, if available.

- 1                   • The proposed SPPCT factors.
- 2                   • The projected revenue impact of the proposed SPPCT factor for each
- 3                   major customer class.
- 4                   • A description of the benefits (economic or otherwise) that will accrue
- 5                   to the regional grid and to OG&E ratepayers as a result of the SPP
- 6                   costs that will be collected pursuant to the SPPCT Tariff.
- 7                   • Information describing each transmission upgrade constructed by
- 8                   third-party transmission owners that will be, and are being, charged to
- 9                   OG&E customers.
- 10                  • Any other analyses supporting the benefits to both the regional grid
- 11                  and OG&E ratepayers relating to the costs recovered or to be
- 12                  recovered by OG&E pursuant to the SPPCT Tariff.
- 13                  • Testimony in support of the re-determination of the SPPCT factors.

14

15                  I recommend that the Commission require OG&E to adopt the above reporting

16                  requirements.

17

18                  **F. ELIMINATION OF OFF-SYSTEM SALES OF ELECTRICITY (OSSE) RIDER**

19

20                  **Q:**     What is the OSSE Rider currently used by OG&E?

21                  **A:**     The OSSE Rider is a credit rider whereby the Company flows back to its customers

22                  the credits it receives for the sales of power generated by OG&E and sold to off-

23                  system customers through the SPP. The cost of generating the power is included

1 in the FAC. So this rider is the vehicle for giving OG&E's customers the benefit  
2 received when OG&E sells some of this power off-system. The sales revenue  
3 more than offsets the cost of generating the power. So this is a net benefit to the  
4 Company's ratepayers.

5  
6 **Q: If OG&E eliminates the rider, will their customers continue to pay the cost,  
7 but lose the benefit received from the off-system sales?**

8 **A:** No. OG&E plans to include the revenue from these off-system sales as credits off-  
9 setting the fuel costs in its FAC.

10

11 **Q: Do you agree with OG&E's proposal to eliminate the OSSE Rider?**

12 **A:** Yes, I do. There will be no change monetarily for OG&E's customers. They will  
13 continue to receive the benefit of off-system sales of power. This is the more  
14 logical way to flow the benefit back to the OG&E ratepayers.

15

16 **CONCLUSION AND RECOMMENDATION**

17

18 **Q: Would you please summarize your recommendations?**

19 **A:** I propose that the Commission approve the following recommendations:

20 **A.** OG&E should add **\$2,611,880** to its test year revenues to adjust for customer  
21 growth beyond the end of the test year reflecting significant additional load on  
22 OG&E's system from two customers.

1 B. OG&E should undertake a study to analyze weather normalization  
2 adjustments for the future based on 30-year, 20-year, and 10-year normals.  
3 The study should undertake not only a quantification of the monetary effect of  
4 the different normals, but it should also attempt to analyze and determine  
5 arguable reasons for and against the use of each of the three different bases  
6 for normals. The study should be done in concert with the PUD and any other  
7 party to this case who chooses to participate in determining the parameters of  
8 the study. A report of the results of this study should be provided to the  
9 Commission by OG&E within one year from the date of final order in this  
10 case.

11 C. OG&E should be directed to adopt the reporting requirements of the SPP  
12 Tracker Rider for Schedule 11 costs and recovery as set forth above in my  
13 testimony.

14 D. OG&E should eliminate its OSSE Rider and begin including the revenues  
15 from its off-system sales of power as credits in its FAC.

16  
17 **Q: Do you have any further comments to add?**

18 **A:** No, not at this time.  
19

20 I state under penalty of perjury under the laws of Oklahoma that the foregoing is true and correct to the best of my  
21 knowledge, information, and belief.

22 Patrick E. Davis                      11/9/11 Oklahoma City, OK  
(Signature)                                      (Date and Place)

CERTIFICATE OF ELECTRONIC SERVICE

I, the undersigned, do hereby certify that on the 9<sup>th</sup> day of November, 2011, a true and correct copy of the above and foregoing was sent electronically, addressed to the following:

William L. Humes  
Elizabeth Ryan  
Office of Attorney General  
313 NE 21<sup>st</sup> Street  
Oklahoma City, OK 73105  
[bill\\_humes@oag.state.ok.us](mailto:bill_humes@oag.state.ok.us)  
[elizabeth\\_ryan@oag.state.ok.us](mailto:elizabeth_ryan@oag.state.ok.us)  
[leesa\\_Thompson@oag.state.ok.us](mailto:leesa_Thompson@oag.state.ok.us)

Stephanie Houle  
Bill Bullard  
Kimber Shoop  
Patrick Shore  
OG&E  
Post Office Box 321  
Oklahoma City, OK 73101-0321  
[houlesg@oge.com](mailto:houlesg@oge.com)  
[shoopkl@oge.com](mailto:shoopkl@oge.com)  
[bullawj@oge.com](mailto:bullawj@oge.com)  
[shorepd@oge.com](mailto:shorepd@oge.com)

Jack G. "Chip" Clark, Jr.  
Ronald E. Stakem  
Clark Stakem Wood & Patten PC  
101 Park Avenue, Suite 400  
Oklahoma City, OK 73102  
[cclark@cswp-law.com](mailto:cclark@cswp-law.com)

James D. Satrom  
Thomas P. Schroedter  
Hall Estill Hardwick Gable Golden & Nelson, PC  
320 S. Boston  
Suite 400  
Tulsa, OK 74103  
[tschroedter@hallestill.com](mailto:tschroedter@hallestill.com)

Lee W. Paden  
Quality of Service Coalition  
P O Box 52072  
Tulsa, OK 74152-0072  
[lpaden@ionet.net](mailto:lpaden@ionet.net)

Deborah R. Thompson  
OK Energy Firm, PLLC  
P.O. Box 54632  
Oklahoma City, OK 73154  
[dthompson@okenergyfirm.com](mailto:dthompson@okenergyfirm.com)

Curtis M. Long  
Harry H. Selph, II  
Thomas J. Enis  
Charles R. Willing  
Fellers, Snider, Blankenship, Bailey & Tippens PC  
321 South Boston, Suite 800  
Tulsa, OK 74103-3318  
[clong@fellerssnider.com](mailto:clong@fellerssnider.com)

Jon W. Laasch  
Jacobson & Laasch  
212 E. Second  
Edmond, OK 73034  
[jonlaasch@yahoo.com](mailto:jonlaasch@yahoo.com)

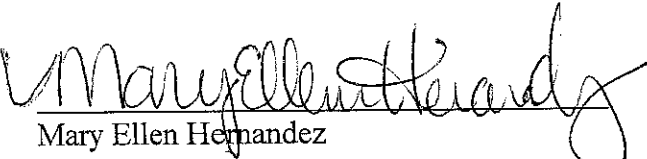
Rick D. Chamberlain  
Behrens, Taylor, Wheeler & Chamberlain  
Six Northeast 63<sup>rd</sup>, Suite 400  
Oklahoma City, OK 73105  
[rde\\_law@swbell.net](mailto:rde_law@swbell.net)

J. Fred Gist  
Jennifer Kirkpatrick  
Hall Estill Hardwick Gable Golden & Nelson  
2900 Chase Tower  
100 North Broadway  
Oklahoma City, OK 73102  
[fgist@hallestill.com](mailto:fgist@hallestill.com)  
[jkirkpatrick@HallEstill.com](mailto:jkirkpatrick@HallEstill.com)

Cheryl A. Vaught  
Scot A. Conner  
Deborah R. Thompson  
Vaught & Conner, PLLC  
50 Penn Place Building  
1900 NW Expressway, Suite 1300  
Oklahoma City, OK 73118  
[sconner@vcokc.com](mailto:sconner@vcokc.com)  
[evaught@vcokc.com](mailto:evaught@vcokc.com)

Ron Comingdeer  
Kendall Parrish  
Mary Kathryn Kunc  
Ron Comingdeer & Associates  
6011 N. Robinson  
Oklahoma City, OK 73118  
[kparrish@comingdeerlaw.com](mailto:kparrish@comingdeerlaw.com)

Gloria Smith  
Andrea Issod  
85 2<sup>nd</sup> Street, 2<sup>nd</sup> floor  
San Francisco, CA 94105  
[gloria.smith@sierraclub.org](mailto:gloria.smith@sierraclub.org)  
[andrea.issod@sierraclub.org](mailto:andrea.issod@sierraclub.org)

  
Mary Ellen Hernandez