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Monday, May 5, 2025
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ALABAMA PUBLIC SERVICE COMMISSION
WALTER L. THOMAS, JR., SECRETARY

May 5, 2025

VIA E-FILE & HAND DELIVERY

Mr. Walter L. Thomas, Jr., Secretary
Alabama Public Service Commission
RSA Union Building
100 North Union Street, Suite 950
Montgomery, AL 36104

RE: Alabama Power Company Petition for Certificate of Convenience and Necessity; Complete Public Version of Designated Deposition Transcripts; Docket No. 33513

Dear Secretary Thomas:

On behalf of Intervenors Energy Alabama and GASP, please find enclosed the complete public version of the designated deposition transcripts for the above referenced matter. This document is being filed pursuant to paragraph 4 of the *Procedural Ruling Regarding Deposition Designations,* issued on or about April 16, 2025. This filing is being submitted to the Commission through its e-filing system, consistent with the rules and practices of the Commission.

A non-public, confidential version of the designated deposition transcripts is being provided to the Alabama Public Service Commission's Legal Division and service copies of both versions of the designated deposition transcripts will be served on counsel for the parties of record.

Please contact me if you have any questions or concerns.

Sincerely,

s/Christina A. Tidwell
Christina A. Tidwell
Southern Environmental Law Center

Enclosure

cc: All parties of record

BEFORE THE

ALABAMA PUBLIC SERVICE COMMISSION

IN RE: Petition for a Certificate)
of Convenience and Necessity by)Docket No.:
Alabama Power Company)33513
)

DEPOSITION OF MARIA BURKE

9:30 a.m.

March 20, 2025

BY: Susan Bell
Certified Court Reporter, CSR, CCR#14

A. The electric vehicle charging is evolving. We don't really have any control over where EVs are charged.

[redacted]

Q. And you attribute a certain amount of demand for each car?

A. The EVs have very little demand impact.

Q. Why is that?

A. We have a load shape for EVs and that load shape has just very little energy

being charged at 7:00 o'clock in the morning. So there's very little demand impact.

Q. Is that attributable to the rate PEV?

A. Rate PEV should help that but it's not really attributable to that.

Q. What is it attributable to? It is the fact that people just charge at night and they're done charging by 7:00 a.m.?

A. Generally speaking, I think that's true.

[redacted]

[redacted]

Q. Okay. Would you agree that energy consumption tends to fall during a recession?

A. It depends.

Q. What does it depend on?

A. The type of recession that we'd have.

Q. What are the types of recessions that we might have?

A. I've been in this position through two very different recessions. We had one recession because of the great recession in 2008 which was elongated and had financial implications for a lot of capital investments and that took a lot of recovery time and it did affect the industrial class for a good bit of time.

The pandemic that was caused -- the recession that was caused by the pandemic had easy recovery outside of the supply chain demands that seemed to be lingering.

[redacted]

[redacted]

[redacted]

Q. And then if you will turn all the way in the back to page -- it was page 97 but as a little bit of background now it's page 2.

A. Got it.

Q. And that is because of --

A. I understand.

Q. You were aware of the --

A. It was my fault.

Q. Are you with me?

A. I am.

Q. It says: "B2025 Non-Coincident Peak Impact from Growth" at the top?

A. That's right.

Q. This page states that there are approximately [redacted] megawatts more expected projects than in the previous forecast.

Do you see that?

A. I do.

Q. Which of these projects were not included in the previous forecast? Like what

makes up that [redacted] megawatts, if you know?

A. I'll say that some projects fall off of this list and some projects are added to this list and the net change is [redacted] mega-watts.

They have a mixed answer because in the previous forecast I would say we only had [redacted] megawatts to data centers and in this forecast we have [redacted]. So that delta is [redacted].

Q. So that's a lot of it?

A. I'd say it's the primary driver.

[redacted]

[redacted]

Q. In your Rebuttal Testimony, you say: [redacted]

[redacted]

MR. GROVER: Object to the form of the question.

A. This Rebuttal Testimony is based off [redacted]

[redacted]

Q. Right. I understand that.

What I'm trying to understand is [redacted]

Q. So on your Rebuttal Testimony page 9 lines 14 and 15, it says: [redacted]

So I'm asking: Can you explain what that means and [redacted]

MR. GROVER: Object to the form of the question.

A. So Mr. Wilson's testimony seemed to cap any additional incremental change that a data center could make at 100 megawatts yet [redacted]

[redacted]

Q. So you're not saying there was -- you're saying -- you're just pointing out the difference between [redacted] and whatever Mr. Wilson was saying the cap was?

A. He seemed to have an arbitrary cap of 100 megawatts.

[redacted]

A. No. I'm just saying Mr. Wilson arbitrarily made up 100 megawatts.

Q. Okay. I understand I think.

Who determines the ramp schedule, Alabama Power or the data center customer?

A. So, traditionally, any economic development customer comes to us and talks about their needs for capacity, what they're going to demand at the peak. That's standard for all economic development projects and we need to make sure we have facilities onsite that can actually deliver those amounts when the customer needs them so that we're not an

impediment to their development.

The same is true for a data center customer, they have expectations they would have equipment in place and they would need to be able to draw electricity.

That's very normal to talk through that with a customer; what kinds of equipment will they have behind the meter and will we have enough equipment on our side to actually deliver that demand.

Q. The data center customer comes to you and says: "Here is what we want to put on the system;" is that correct?

A. All economic development customers come to us that way.

Q. So what I'm hearing is that the data center customer is determining the ramp schedule?

MR. GROVER: Object to the form of the question.

A. So, in the data center customer specific category, [redacted] So we have tried to coordinate

with them to make sure we would have enough capacity available to serve them [redacted]

I would say that it's a discussion but they tell us what they want and we try to find a way to accommodate them.

[redacted]

Q. If the data center customer comes to you and says "We need 250 megawatts by 2028" and Alabama Power says "Okay" and then 2028 comes around, the data center customer isn't ready for the -- doesn't need the 250 megawatts, what happens then?

A. I mean, it depends on the terms of their contract.

Q. So it could be that Alabama Power is ready to serve the customer with the 250

megawatts but that customer is not in a place where it actually needs that capacity yet?

A. Yes.

Q. Has that happened in the past?

A. Not with data center customers.

Q. With other economic development projects?

A. Yes.

Q. I guess some of that is what you discussed with the delays in the industrial forecasts?

A. Yes.

Q. Have you reviewed any ramp schedules for data centers in adjacent states?

A. Some but not a lot.

Q. Are those ramp schedules -- how do those ramp schedules compare to the ramp schedules that you have in the B2025 load forecast?

A. I really don't think I can answer the question. Not a lot of sufficient study.

Q. And do you agree that technology companies are considering multiple locations

for data centers?

A. I don't know.

Q. Do you agree that chips that go in data centers are likely to be increasingly scarce and expensive?

A. I don't know.

Q. So you're not considering those issues when a data center customers comes to you and says "We need this amount of demand"?

A. I believe that these customers are in that market and they know those risks.

[redacted]

[redacted]

18 Q. [redacted]

[redacted]

22 [redacted]

Q. Even though the load forecast only forecasted the [redacted] megawatts of anticipated data centers, it's considered to be included in the B20225 load forecast?

A. Yes.

Q. Can you explain that?

A. The [redacted] megawatts that is -- that was data center load that was anticipated in the B25 forecast only had [redacted] megawatts of [redacted]. The other [redacted] megawatts was expected.

Q. Okay.

A. It could be all of the megawatts that were anticipated in this contract would have been covered by that contract.

Q. So the [redacted] megawatts was [redacted] megawatts?

A. The [redacted] megawatts was really [redacted].

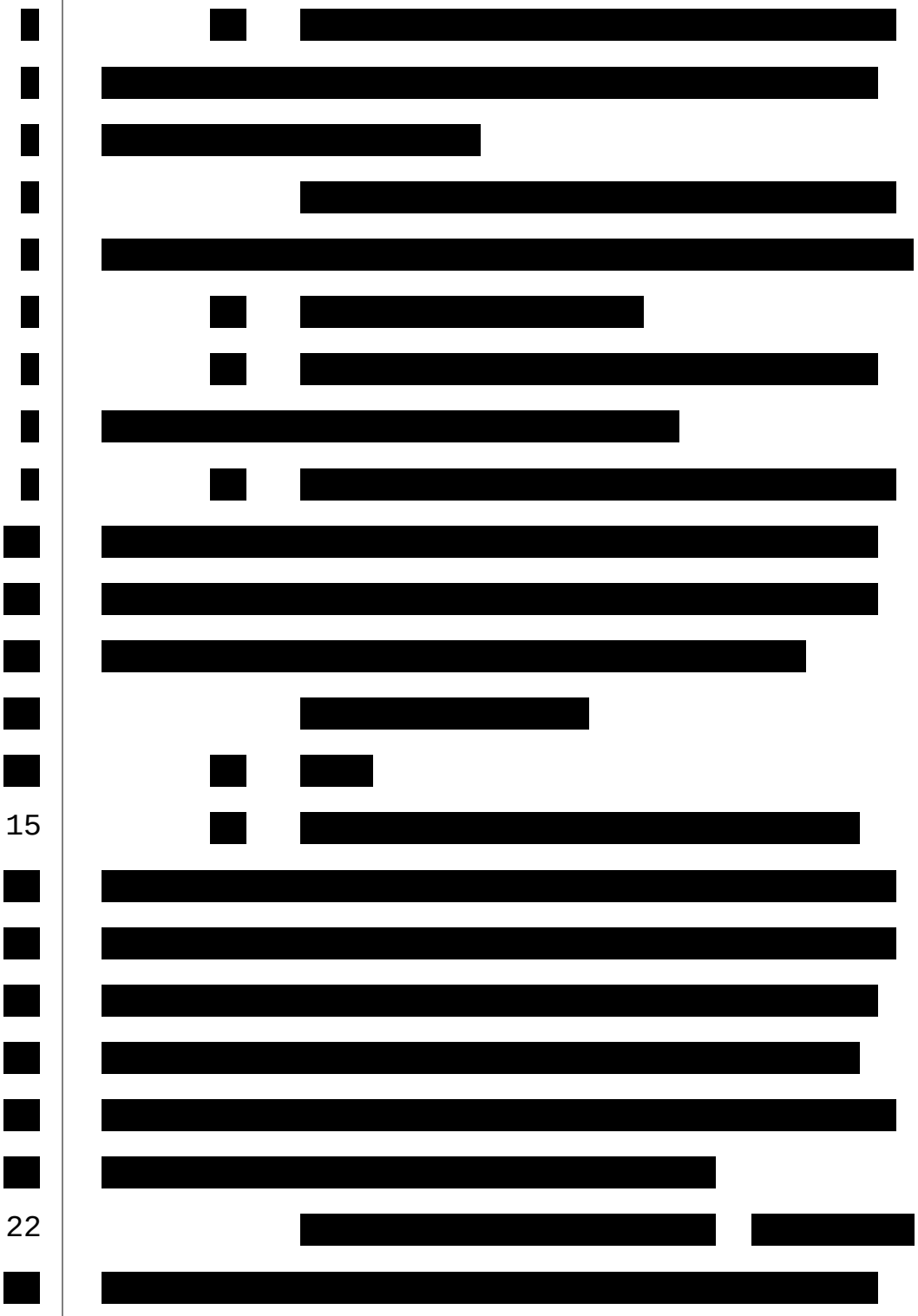
So we knew that there was enough probability that there would be additional out there that we added the bundle that could

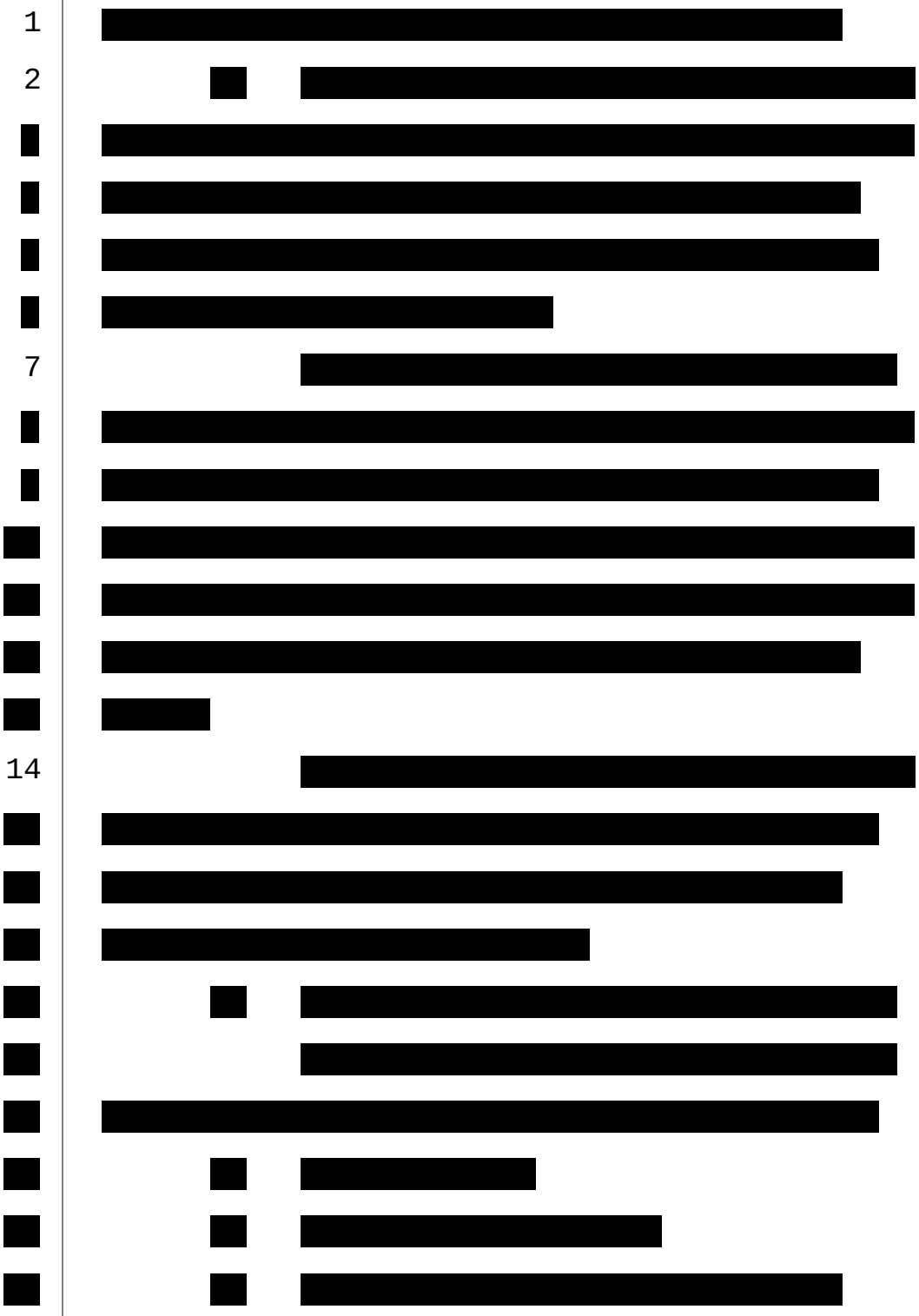
be [redacted] could be another name, or could be anything.

Q. I see. So the [redacted] isn't a specific project, it's just like anticipated load?

A. That's right.

[redacted]





[redacted]

Q. If you'll turn to page 10 of your Rebuttal Testimony, lines 15 and 16, here you state: "The company can and does with the oversight of the Commission balance the risk of delay and its duty to serve without unnecessarily shifting risk to other customers."

Do you see that?

A. Uh-huh.

Q. What do you mean by including the word "unnecessarily" in that sentence?

A. It's the word I chose to use and it's true, we are always balancing the risk of delay with our obligation to serve and we would try to do that without unnecessarily shifting risk to other customers.

So I'm confused about why you're confused.

Q. So are you saying that sometimes it is necessary to shift the risk to other customers?

A. I think you're inflating things. So the risk to other customers is -- we just try to minimize that risk.

Q. But there is some risk to other customers?

A. Yes, there could be risk to other customers.

Q. Sometimes it's necessary to shift that risk to other customers?

A. We don't try to shift risk around.

Q. You don't try to shift risk around but sometimes it happens?

A. I'm not sure that I understand the

question.

Q. I'm just trying to understand why you said "unnecessarily" in this sentence and whether that means sometimes it is necessary to shift the risk.

A. I think we're always doing every-thing we can to minimize risk to customers.

Q. There is some risk to customers that is unavoidable? Is that what you mean?

A. Those are your words.

Q. Yes. I'm trying to ask you about what your words mean here on line 16.

A. When a new customer is coming in, the Company has contract provisions to do what we can to minimize the risk to other customers.

Q. But you don't know whether the PSC has to sign off on those contracts; right?

A. I'm not a part of that so I don't know.

Q. I'm now handing you what has been marked as Exhibit 9 to your deposition, which is Alabama Power's Response to Energy Alabama

and GASP's Second Set of Discovery Requests. It's the response to Interrogatory 7.

Ms. Burke, are you familiar with this document?

(Exhibit Number 9 was marked for identification.)

A. Yes.

Q. And your name is at the bottom as a sponsor of the response?

A. Yes.

Q. In response to Subsection C, it states: "The load forecast does not reflect plans for backup generation or energy storage for the identified projects."

Do you see that sentence?

A. That's right.

Q. Is that still the case?

A. The load forecast does not reflect backup generation ever.

Q. So is it -- so you don't consider backup generation for any industrial facility in your load forecast?

A. That's correct.

Q. Why not?

A. Because it's the load forecast. If a customer does have backup generation or resources that they want to carry, that is shared with the company under the resources side of the ledger. So, if I did put them in the load forecast, we could be counting them twice.

The load forecast only represents a load and any resources that a customer may have is counted on the resource side of the ledger.

[redacted]

[redacted]

Q. So I'm now handing you what I've marked as Exhibit 11 to your deposition which is a document that was produced by Alabama Power to Energy Alabama and GASP, it's titled "Confidential SELC DR-3 I-04 Attachment A and that was produced on March 14th of 2025. It was a spreadsheet that we've printed out.

Do you recognize this document?

(Exhibit Number 11 was marked for identification.)

A. I do.

Q. It's the January, 2025 hourly load data that Alabama Power used in the weather normalization calculations.

A. It is.

Q. I want to focus on the first three rows in this main section for January 22nd, 2025. It's the hours from 6:00 to 8:00 a.m.

A. Okay.

Q. Are you with me?

A. I am.

Q. Okay. There's a column that has "Temperature" in the heading.

Do you see that?

A. That's right.

Q. The first three rows under that are 12.43, 11.53 and 16.54; right?

A. That's correct.

Q. The temperatures are for the hours of 6:00, 7:00, and 8:00 a.m. respectively?

A. That's right, those are concurrent temperatures.

Q. And the adjusted peak demand in the hour ending in 8:00 a.m. was 14,871.729 megawatts.

Do you see the adjusted peak?

A. I see it.

Q. That was in the hour ending 8:00 when the temperature was 16.54; correct?

A. That's right.

Q. But the prior hours it was colder; right?

A. That's true.

Q. Do you think the load would have

been different in the hour ending 8:00 a.m. had the prior two hours also been 16 degrees?

A. Possibly.

Q. If the prior two hours had been 16 degrees, would the load have been lower or higher?

A. I don't know.

Q. Do you have an educated guess?

A. My educated guess is that the load would've been lower.

Q. And do you know what the weather normal calculation would using Mr. Wilson's approach to the two prior hours?

A. I do not.

Q. Do you have an educated guess of whether that would be lower or higher than your weather normal calculation for the hour ending 8:00 a.m.?

A. Well, Mr. Wilson's calculation is completely invalid. I have no idea what he would come up with if he was still using my slope with his two-hour-before definition.

Q. You don't have an educated guess

what that would be?

A. I'm not going to guess.

Q. In your Rebuttal Testimony on page 16, lines 4 to 6, you state here that: "The highest weather normalized peak observation for January 2025 is estimated to be at 15,240 megawatts which actually occurred the next day, January 23, at the same time, HE 8."

That's in the last column furthest to the right column of Exhibit 11?

A. Yes.

Q. That weather normal observation occurred at a temperature of 23.65 degrees; is that correct?

A. Yes.

Q. That's about 7 degrees above the design temperature of 16.6; is that right?

A. That's right.

Q. So would you say that this weather normal observation is as accurate as one that occurs closer to the design temperature?

A. So, under perfect conditions, that would be true; but we know that the load on

the 22nd was actually interrupted in some way because there was some significant snowfall in South Alabama causing travel complications and school closures.

We recognized the peak we actually could measure on the 22nd is artificially low and it's not something we would've modeled in a forecast.

Q. I was asking about January 23rd, that weather normal temperature at the hour ending 8:00 on January 23rd.

A. That's right. That one turned out to be the highest weather normal peak observ-ation for January of 2025.

Q. My question was: Since that's 7 degrees higher than the design temperature, do you think that that weather normal peak is as accurate as a weather normal peak for a load that's closer to the design temperature?

A. My very best observations are very close to the 16.6. I really like to be able to see the 16.6 but we know the observations on the 22nd are artificially low.

CERTIFICATE

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I hereby certify that the above and foregoing deposition was taken down by me in stenotype and the questions and answers thereto were transcribed by means of computer-aided transcription, and that the foregoing represents a true and correct transcript of the testimony given by and witness upon said hearing.

I further certify that I am neither of counsel, nor kin to the parties to the action, nor am I in anyway interested in the result of said cause named in said caption.

I further certify that I am duly licensed by the Alabama Board of Court Reporting as a Certified Court Reporter evidenced by the CCR number following my name below.

Susan Bell, Commissioner
Certified Court Reporter
CCR#14-Expires: 9/30/25
Commission Expires: 10/26

Reason for change [redacted]

Page 71 Line 15 Change "surface" to "service"

Reason for change correction

Page 83 Line 4 Change "in the [B2025] load forecast" remove extra "2")

Reason for change correction

[redacted]

Page _____ Line _____ Change _____

_____

Reason for change _____

Page _____ Line _____ Change _____

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Reason for change _____

Page _____ Line _____ Change _____

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Reason for change _____

Page _____ Line _____ Change _____

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Reason for change _____

Page _____ Line _____ Change _____

_____

Reason for change _____

Maria J. Burke

DEPONENT'S SIGNATURE

Sworn to and subscribed before me this 8th day of April, 2025.

Lisa R. Ellis

NOTARY PUBLIC / My Commission Expires: 2/2/2028

BEFORE THE

ALABAMA PUBLIC SERVICE COMMISSION

IN RE: Petition for a Certificate)
of Convenience and Necessity by)Docket No.:
Alabama Power Company)33513
)

DEPOSITION OF CHRISTOPHER HABIG

9:30 a.m.

March 21, 2025

BY: Susan Bell
Certified Court Reporter, CSR, CCR#14

[redacted]

Q. What do you use to identify the most cost effective means?

A. We identify most cost effective resources to meet the needs through a Request for Proposal Process and the consideration of resources through that process and the other methods.

Q. Does Alabama Power do all source

RFPs looking at all sources or are the RPFs specific?

MR. MCCRARY: Object to the form of the question.

A. Alabama Power conducts multiple RFPs and I believe those encompass most all sources.

Q. (By Ms. Brass) Is there any one RFP that looks at all potential resources?

A. I'm not aware of an RFP we have conducted. Well, let me -- in the past, we may have conducted an RFP that was all source and I don't think we defined it as all source but that would be subject to check.

[redacted]

Q. So the IRP is telling you that you are using it to potentially identify capacity needs; correct?

A. Yes, you're using the IRP to help identify capacity needs.

Q. And those results of what the need is would be dependent on the inputs into the IRP process?

A. They would be dependent upon the inputs into the process.

Q. Inaccurate inputs would impact the accuracy of the outputs; is that fair?

A. Inaccurate inputs could affect the results of the output.

Will you define what you mean by "accuracy"? Can you explain what you mean by "accuracy"?

Q. I think we were just talking in general terms.

If some of the numbers are wrong that you put into it, then the numbers that come out of it aren't going to reflect what's actually occurring; is that fair?

MR. MCCRARY: Object to the form of the question.

A. The output of the IRP is affected

by the input. Variance in the inputs would create variance in the outputs but that would not necessarily make the IRP an inaccurate product.

[redacted]

[redacted]

Q. When was the 2024 IRP finalized?

A. I believe the 2024 IRP would have been finalized sometime in the Fall of 2023. I don't remember the exact date.

[redacted]

[redacted]

Q. I'm going to mark another one as

Exhibit 5. I'm marking a printout from the US Energy Information Administration now as Exhibit 5 to your deposition. It's "Alabama Electricity Profile 2023."

(Exhibit Number 5 was marked for identification.)

A. Okay.

Q. Okay. Are you familiar with this Alabama Electricity Profile?

A. Not this specific one but I think I'm generally familiar with the format the EIA produces.

Q. Do you provide data to EIA in your role?

A. We do not currently provide data toe EIA in my role but I have in the past.

Q. On this sheet -- and I want to say I know this refers to the State of Alabama as a whole; correct?

A. I would be speculating; but yes, it says "Statistics Alabama" and it also says "Alabama Electricity Profile." I don't know for sure but I'm guessing it's probably from

the State of Alabama.

Q. If you compare the net generation to the total retail sales, it looks like it -- there are more generations than there are sales; is that correct?

A. Yes, it does look like that.

Q. So Alabama as a whole generates more electricity than its customers need; is that correct?

MR. MCCRARY: Object to the form of the question.

A. As a state? You mean as a state?

Q. (By Ms. Brass) Yes.

A. How are you defining "a customer"?

Q. What does the "total retail sales" mean to you?

A. Specifically retail customers that are within the State of Alabama.

Q. Okay. As opposed to what kind of customers?

A. Wholesale customers.

Q. Do you know what "direct use" refers to underneath "total retail sales"?

A. I do not know what they mean by "direct use," no.

Q. Would you be surprised to know -- would you be surprised to hear that Georgia was a net importer of electricity in 2023?

MR. MCCRARY: Object to the form of the question.

A. No, I guess I would not.

Q. (By Ms. Brass) So do you know if Alabama is a net exporter -- whether Alabama, the state, is a net exporter or importer of electricity?

MR. MCCRARY: Object to the form of the question.

A. This sheet seems to indicate it's a net exporter.

[redacted]

[redacted]

Q. All right. We can put that one aside for now. I'm going to hand you another exhibit. I'm going to mark this one Exhibit 7.

This is a Alabama Power Company's responses to the APSC Staff Data Request sent in this matter.

(Exhibit Number 7 was marked for

identification.)

A. Okay.

Q. So you can turn to [redacted], which is on [redacted]?

A. Okay.

Q. [redacted] Can you read that sentence to yourself?

A. (Witness reads document.) Okay. I have.

Q. So what do you mean by [redacted]?

[redacted]

Q. Are people using more heat in the winter?

MR. MCCRARY: Object to the form of the question.

A. No. We underestimated the peak demand. So this is an adjustment to reflect the fact we underestimated the peak demand in the winter.

Q. Okay. The need, is that limited to winter?

A. This need is limited to winter, correct.

Q. Can demand side management reduce capacity needs?

A. Yes.

Q. Has Alabama Power developed a plan for identifying and procuring the demand side management?

A. Yes.

Q. Can you tell me about that plan?

A. We actively pursue demand side management where it's cost effective and it meets the economic valuation metrics that we are required to utilize or need to utilize.

[redacted]

[redacted]

Q. (By Ms. Brass) Do other things -- does the Capacity RFP provide scenarios for all six of these?

A. No.

Q. Which one does it not include?

A. It does not include EL.

Q. Why?

A. It didn't include EL because we represented MG50 as an alternative because EL in general has provided similar results to the output of MG50.

Q. When you say "in general," do you mean historically?

A. Historically over time we observed that phenomenon.

[redacted]

[redacted]

Q. Tell me generally what I'm looking at. What is the Capacity Expansion Plan?

MR. MCCRARY: Object to the form of the question.

A. This is the output of a modeling simulation that attempts to use the generic commercially viable technologies to meet anticipated capacity needs going forward.

[redacted]

[redacted]

Q. And what does "Standard Plus HGO Delta" mean in scenario 3?

A. I don't know for sure.

[redacted]

Q. For each of these things -- is IRA 2045 an input that Alabama Power chooses and inputs into the model or does the model generate it?

A. No. It's input assumption that's

made but Alabama Power does not directly choose that.

Q. Who directly chooses that?

A. It's chosen by Southern Company Services.

Q. Is that the case for each of these inputs?

A. Uh-huh.

Q. Under Tech View or Load View or Fuel View, all of those categories?

A. The Greenhouse Gas, the Tech View and the Fuel View load does have alterations in the ALT 1 and 2 that are informed by SCS. The standard represents Alabama Power's load forecast.

Q. Okay. The alterations, are they alterations to Alabama Power's load forecast?

A. They're adjustments to Alabama's load forecast as well as the other operating companies.

Q. Those adjustments come from SCS?

A. A decision is made on the adjustments as part of a coordinated planning with

SCS.

Q. Are you the one that's doing that coordinated planning?

A. I participate with other people.

Q. What other people from Alabama Power?

A. My boss would be involved in its discussions.

[redacted]

[redacted]

Q. Does Alabama Power choose which technology options to consider?

A. No.

Q. Who chooses that?

A. That's another decision based off the SCS, it's based off coordinated planning.

[redacted]

[redacted]

Q. Does the IRP choose one of the scenarios as Alabama Power is going to go with this scenario?

A. The IRP encompasses all of these scenarios. These are iterations of the IRP.

Q. Does Alabama Power separate from the IRP choose one of these scenarios to move forward with?

A. When you say "move forward," what do you mean.

Q. Does it inform decisions made by Alabama Power?

A. We consider all scenarios of the IRPs developed when we make decisions about moving forward with things.

[redacted]

[redacted]

Q. From the 2024 to the 2025 winter,

it looks like there was a change in Barry #5 is not retiring now until 2028; is that correct?

A. Let me find Barry 5 here.

Q. It's small.

A. They are small, aren't they?

In 2024 Barry 5 is not available in 2027 and beyond. In -- did I say "2025"? I meant 2024.

Q. Okay.

A. In 2025, Barry 5 is not available in 2029 and beyond.

Q. What spurred that change?

A. Barry 5 was represented in the updated IRP for another two years because the capacity was needed to address reliability concerns.

Q. Can you point to any other changes between 2024 and 2025 on these sheets?

A. I'd have to go through it line by line. There are other changes.

Q. Do you remember any off the top of your head?

A. Specifically, let's see here. As we previously discussed, Gaston 1 through 4 in 2024 is not available -- in the 2024 IRP is not available from 2029 and beyond and in the 2025 IRP Gaston 1 through 4 is available in 2029 through 2034.

That would be another example.

Q. Okay. Thank you.

What is sheet two of this exhibit, which is titled "Prog CGH"? Maybe it's not titled that but that's the sheet name.

A. Is your question what is this sheet?

Q. Yes.

A. This sheet I believe attempts to outline the differences or the transition from Budget 24 IRP to the 24 update IRP for 25 using those interchangeably, 24 and 25.

[redacted]

[redacted]

Q. For purposes of determining the 2029 deficit need of 1179 megawatts, every input that could affect that was updated?

A. At the time that we generated the projection for this, which was the basis for our filing, everything had been updated and reflected in that number that could be updated.

[redacted]

[redacted]

Q. In this case, how did you decide the parameters for this Capacity RFP?

A. For the document itself?

Q. For the types of proposals that it was seeking.

A. The parameters that inform the RFP document are based off reliability considerations and metrics.

Q. Can you explain that a little bit more?

A. Well, as an example, an item?

Q. Sure.

A. We would want to make sure the resource was reliable and could be counted on if we were to operate it -- we say "dispatch"

-- that it would actually be there when we needed it. So we obviously factor that into the RFP.

Q. Regarding the size of the resource that you're looking for, the capacity of it?

A. Yes.

Q. What informs that?

A. The was range was based off of two considerations. It's kind of a low 100 mega-watts. That's kind of a benefit of the mega-watt you're getting for the amount of work that has to go in. It kind of raises costs and it makes it unviable to really entertain projects that small because of work effort.

And the upper end is more informed about the reliability concerns of having one single generating unit of a size that, if you lost that unit, it could impose reliability concerns on the system realtime.

Q. The Capacity RFP that led to this petition was issued in July of 2023; is that correct?

A. Yes, it was.

Q. Okay. So was that before or after the completion of the 2024 IRP?

A. That would have been before the completion of the 2024 IRP.

[redacted]

[redacted]

Q. You have five of the scenarios we discussed earlier, just the type, five of the six scenarios we discussed earlier; is that correct?

A. It is, yes.

Q. And I believe you said that EL is not considered. Why is that?

A. The EL was not considered in this case.

Q. Why was it not considered?

A. We felt it's somewhat duplicative to the MG50 case.

Q. Is the Aurora model also used for this?

A. The Aurora model does help produce this graph, yes.

Q. And what inputs does Alabama Power generate versus obtaining them from outside sources that go into creating this chart?

A. That's a lot of information. This chart is economic analysis conducted using that model I mentioned with the input bid information that's provided by the bidders on the previous pages we just discussed and simulating those offerings inside that model. So the external entities in this case would be the bidders.

As I stated earlier, some economic inputs are provided to go into the model at a higher level. Those are provided from the Department of Energy. The AEO Forecast, our annual energy outlook.

That's all I can think of that's predominantly external and everything else would be internal load unit assumptions and

things of that nature.

Q. Does the SCS make decisions for these scenarios as well?

A. When you say "makes decisions" --

Q. I think when we were talking about these scenarios and the IRP or the Benchmark Plan, you indicated some of those decisions were made by SCS. Tech View perhaps or some of those inputs that were determined by SCS.

A. Yes.

Q. Does SCS determine some of these inputs that apply to this RFP specific model as well?

A. No. I would say that don't.

[redacted]

Q. We were discussing the APC 2023 Short List Determination Capacity RFP, which I believe we marked as Exhibit 11.

A. Yes.

Q. Were any CT bids received in bids received?

[redacted]

Let me restate there were three options for combustion turbine, two options were companies self-build options, one simple cycle combustion turbine, same thing; and a two-unit option for the same plant location.

Then [redacted], which is a combustion turbine option as well.

[redacted]

[redacted]

Q. So, in your Rebuttal Testimony on pages 10 and 11, you say that -- and line 15 begins with the word "Although" and says "CT capacity costs have been increasing."

A. That's page 11?

Q. Page 10. I'm sorry. Line 15.

A. I'm there.

Q. You say: "The capacity cost" -- "CT capacity costs have been increasing and are now more comparable to those of a CC;" is that correct?

A. Yes, it's a paraphrasing of what my statement is pretty much.

Q. Okay.

A. I say: "Although in recent years CT capacity costs have increased and are more comparable to those of a CC."

Q. Why have capacity costs of a CT historically been lower?

A. CT capacity costs, when you say "historically lower," CT -- I don't exactly know why CT capacity costs have risen other than due to I guess just market demand for the technology, which is why it's higher than it has been historically.

Q. Because there's more demand for the technology?

A. There's more demand in general for generated technologies right now overall.

Q. Is the total cost of CTs lower than CCs in general?

A. It depends on whether you need a -- depending on the type of resource you need to meet the load shortage you have.

Q. By "type of resource," do you mean base load or peaking?

A. Or peaking, that's right.

Q. Tell me the difference. Are CTs lower than CCs as a peaking resource?

A. (No response.)

Q. You said the total cost depends on the type of resource you need. So does it depend on the type of resource and the type of gas plant?

A. Total cost includes other costs other than the cost to capacity.

Q. What other costs does it include?

A. Operating cost, cost to produce energy.

Q. So, for a base load resource, is the total cost of CTs lower than CCs?

MR. MCCRARY: Object to the form of the question.

A. Could you rephrase that question? It doesn't make sense to me.

Q. (By Ms. Brass) The total cost you said depends on the type of resource; is that correct?

A. The total cost is what the total cost is. You have a total cost for and CT

and a total cost for a combined cycle. The economics of one over the other is a function of what the need is from a load standpoint, base load of PT.

Q. Which one would cost more?

A. It varies based off what the load is and what the need is at the time for the period you're considering and the load that you're considering.

Q. So is the total capacity cost of CTs lower than CCs?

A. Yes, historically it has been; although as I've communicated in my testimony the capacity cost by itself does seem to be getting higher and is approaching that of a combined cycle.

Q. And the total cost -- is there a difference between the total cost of CTs and CCs all else being the same?

MR. MCCRARY: Object to the form of the question.

A. Going back to my previous state-ment, as I've said before, it depends upon

the application which you're applying it to and what load you're trying to fill with the resource.

Q. (By Ms. Brass) If you're trying to fill a peaking need?

A. If you need -- go ahead.

Q. That's it. What if you're trying to fill a peaking need?

A. So is your question, if I'm trying to fill a peaking need, what is the cheaper resource?

Q. Yes.

A. If I was trying to fill a peaking need, typically, the peaker should be the lower cost technology.

Q. Is the technology cost reflected by the capacity cost? Is the CT technology cost lower?

A. The technology cost is analogous to the capacity cost.

Q. Okay.

A. When looking at the cost to build.

Q. Okay.

A. There are other costs as I have stated related to operations, performance characteristics, efficiencies, stuff of that nature.

[redacted]

[redacted]

Q. Are there any differences between the operation and maintenance expenses of running a CC versus a CT?

A. Yes.

Q. What are those differences?

A. So the operating and maintenance expenses vary because the technologies are different.

Q. Is one generally more expensive?

A. Yes, I would say -- could you ask your question again one more time to make sure I fully absorbed it?

Q. Between operation and maintenance expenses between CC and CT, which one is more expensive?

A. I don't know you can generalize it that way. It's a function of again what load

you're trying to meet.

Q. But the technologies themselves need the different operation and maintenance costs?

A. They do. The technologies are different; one is a more elaborate technology and one is a simpler technology.

Q. So would the elaborate technology generally cost more or less?

A. It depends on how you're looking at the cost, if you're looking at total cost or if you're looking at per-unit cost of the energy.

Q. What are operation and maintenance costs?

A. It also varies as a function of how much it runs, if you're looking at it on a per-unit cost or a total cost basis.

Q. On a per-unit cost, can you give me an estimate there on which -- what do you mean by "per unit cost"?

A. Yes, on a dollar-per-megawatt-hour basis.

I would refer to my testimony and that the resources we have in my short list for final consideration. Those technologies or those options, those acquisitions of combined cycle and PPA for the combined cycle were the two finals because those yielded the lowest cost.

Q. Okay.

A. Obviously in the analysis and the comparison with simple cycles prior to that.

Q. Are there a differences between CC and CT? For instance, does one produce more emissions than the other?

MR. MCCRARY: Object to the form of the question.

A. Emissions as a per unit of energy measure or emissions on a total basis?

Q. (By Ms. Brass) Per unit of energy to start.

A. I think in general per unit of energy, the combined cycle is likely to have less emissions.

Q. And on a total basis?

A. The combined cycle is likely to have more emissions.

Q. Why is that?

A. Because it runs a lot more.

[redacted]

Q. This Capacity Expansion Plan, does it inform -- for example, on this Capacity

Expansion Plan MGO on the first page, I see in 2028 "Battery 4-hour 560."

A. It's 2029.

Q. 2029. Sorry. 2029 Battery 4-hour 560.

In deciding what kind of RFP to send out or whether to send one out at all, does Alabama Power look to this plan to say "We need a CC" or "We should look for a battery"?

A. No. We don't use it as guidance for saying "We have to only select one type of resource." We simply issue an RFP and we say "We're open to any resources that can meet certain reliability requirements that I communicated in my prior statements" and we let the market provide whatever they want to provide.

Q. This Capacity RFP that led to this position did not allow for batteries, did it?

A. This RFP did not.

Q. And was that based on reliability concerns?

A. That was based off a reliability concern, yes.

Q. What is that concern with that reliability?

A. The concern is that we really just don't have any operating experience.

At the time that we issued the RFP, with the exception of a few very small batteries, we had no large scale batteries deployed on the Southern System so we lacked operating experience and because of that we were not comfortable issuing an RFP for the size and capacity we needed for technology that would give us concerns around liability in deploying that many megawatts of technology before we gained more operating experience on the smaller size deployments, such as cordless.

Q. When you say "Southern System," that's Southern Company?

A. Yes, which includes Mississippi and Georgia Power.

Q. On the Capacity Expansion Plan,

this does not inform specific capacity RFPs that you send out and in terms of you're not looking for a particular resource based on this plan?

A. I get hung up a little on your use of "inform." You mean "inform" as catering the RFP to specifically target a technology; right?

Q. Yes.

A. Yes. As I stated before, when we issue the RFP, we do not target a specific technology.

[redacted]

A. We open it up to any technologies that can meet the reliability requirements that we communicated in the RFP document.

[redacted]

[redacted]

Q. No. Keep going.

It's an indicative plan. What do you use this Capacity Expansion Plan for?

A. We use this Expansion Plan as a Benchmark Plan to give us an indication of the type of technology that could be could be deployed to meet the need going forward.

Q. But, in 2029, that's the year that we need 1179; right?

A. That's correct.

Q. My question I guess is: Why does this not add up? Why does it not provide enough proposed resources to meet that 1179 need?

A. As I'd stated earlier, the IRP -- the case that we had built off of was Budget

24 with updates and at that time the updates were the existing generators and demand site. All of that information was updated.

The load forecast was updated and that was all being done pursuant to producing the B25 forecast, or the IRP I should say but we were at a point in time where we had not had approval of or final completion of the IRP.

This Expansion Plan had not been created yet for that new process so we used the older plan in the identified in number 24 as the basis for issuing the IRP. We knew we had need so we issued the RFP and then as we updated the information we realized the need had got larger predominantly because of the increase in demand on the load forecast.

Q. So is this Capacity Expansion Plan -- so is there a new one of these Capacity Expansion Plans that reflects newer numbers?

A. There is a new one for the Budget 25 process that we did not have available to us at that point in time.

Q. So would that one say in 2029 1179 on this total over here? Would that provide enough for those resources for that?

A. Yes, that would coincide back with the 1179 number and it would address that shortfall.

Q. You don't happen to know what the new version of this proposes, do you?

A. Yeah, at a high level I do. It picked a mix of battery and combined cycle.

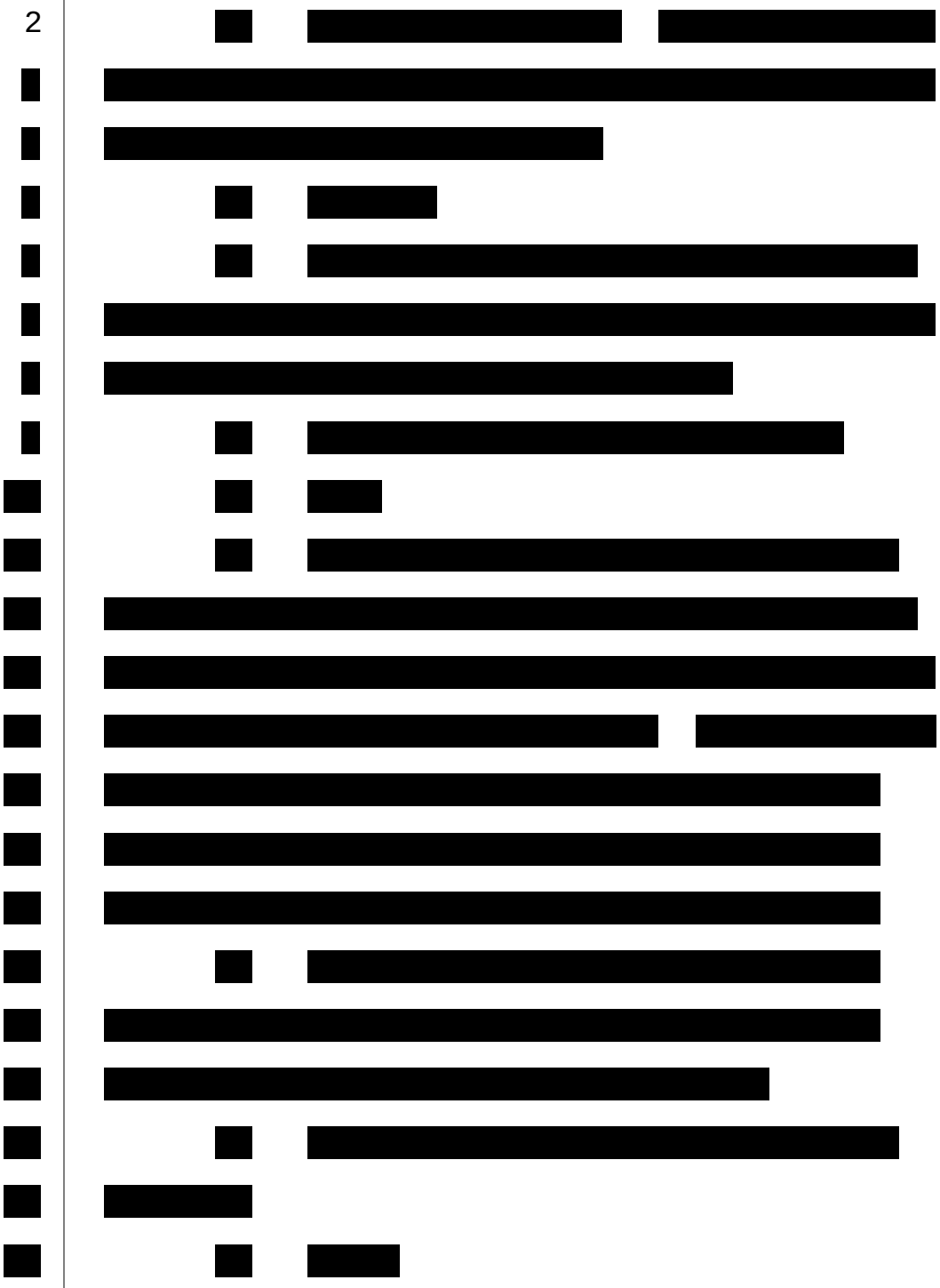
Q. Another question on this --

A. I'll point out that I think the ballpark -- I'll give you ballpark numbers. The combined cycle resource was 900 megawatts and the remainder was battery.

Q. Does that -- 900 megawatts is very close to the 895 of Lindsay Hill. Does that number get -- was that chance that it chose that or did -- were there inputs that changed because this RFP has already gone on?

A. No. The modeling system picks in certain size increments, I believe it's 300 megawatt blocks, and it picked I think three

blocks in that period to fill that in.



[redacted]

Your second exhibit to your Direct Testimony, which is called the "Short List Economic Analysis" -- your Direct Testimony, CH2.

A. You said it was Exhibit 2; right?

Q. Yes, and I believe it's the first question.

A. In my Direct Testimony?

Q. I think it's the Direct Testimony. Short List Economic Analysis.

[redacted]

[redacted]

Q. On the first page of this, the Capacity Winter, my first question is: Why is the winter capacity between the PSA and the PPA different?

A. The PSA, the Purchase Sale Agreement resource, is a higher capacity because it reflects an assumed increase in capacity of the unit shortly after it comes into service for Alabama Power and that occurs at a maintenance event.

We go through standard maintenance events and there's an opportunity to increase the capacity because the facility can -- you are kind of doing maintenance work analogous to like car maintenance. There's equipment that just needs to replaced as a standard part of operating the plant and you can go back in with technology that's better than what was originally contemplated when the resource was built over 20 years ago.

By going with improved technology,

which gets you more capacity and sometimes efficiency and things like that, you can get more output as a result of it.

It contemplates at the maintenance event increasing the output of that with that improvement in technology.

Q. Is the -- and that's -- the PSA is what's proposed in this petition?

A. That's correct, and that cost is factored into this analysis.

Q. The actual amount of what Alabama Power expects to receive from Lindsay Hill would be 959 megawatts?

A. That's right, yes, more on a long-term basis.

Q. Okay.

A. But the PPA does not reflect that assumption because we would not own the re-source. So we would rely on the owner to do the maintenance and we did not want to assume that they would elect to make that decision to do that work.

[redacted]

Why is MG50 -- why are those numbers in the parentheses negative?

A. Going back to this is a Life Cycle Cost Analysis, a full cost analysis, and it doesn't look at capacity cost but it looks at the operating cost and it looks at the value of the energy, what's the cost of electricity you get out of it. We call that a Life Cycle Cost Analysis and we do that under all these cases.

The MG50 case assumes a $50 nominal price of carbon dioxide emissions that increases a pretty dramatic rate over time and the combined cycle relative to other generating resources in the fleet is a high efficiency.

It produces less CO2 emissions and other technologies, which means it will run more as projected in the simulations and the value of that energy because it's a lower cost because it's not pricing as much carbon in as you would get from other resources means it more than pays for the cost of the

resource purchase and operation because of the savings in that energy relative to what you would see with the higher emitting higher cost resources.

Q. So it's all relative to -- even though you're putting a carbon price on this, the number is negative because you're considering it relative to other -- you're considering the value relative to other less carbon efficient process technologies?

A. Yes, you could say it that way. It's value of energy -- because of its lower carbon emissions and cost -- resulting cost from that, it's cheaper than higher emitting higher cost resources and because of that it operates the resource more and that value then exceeds the cost to purchase and maintain the facility when you look at the total cost of it on a life-cycle basis.

[redacted]

[redacted]

Q. Can you list the specific methods of economic analysis performed on non-short-

listed resources?

A. Yes, we use the Peaker Methodology earlier in the process to evaluate non-short-listed resources.

Q. What's the Peaker Methodology?

A. It's a detailed methodology that is separate from a production cost model but simulates the total cost -- life cycle cost value I alluded to before using a different mathematical approach but still evaluates the same basic variables you would get using the production cost modeling methodology that was used for the short list.

Q. And the production cost modeling methodology you used for the short list, the scenarios for this, are they done in Aurora?

A. The modeling -- or the model that simulates production cost is Aurora and those cases are run under each of the scenarios but Aurora does not create those scenarios and inform those scenarios, it simply uses the condition inputs in the scenarios to simulate the output.

Q. Part of that output -- does Aurora produce the cost output?

A. Aurora produces a component of the cost output which is then factored in with costs from other evaluations of other areas.

Q. And the Peaker Methodology -- was the Peaker Methodology used for the short list as well?

A. No, the Peaker Methodology was not used for the short list analysis.

Q. Peaker is an economic analysis; right?

A. Peaker -- yes, Peaker is used to develop an economic valuation of resources and hence an analysis, that's correct.

Q. What methodology was used for the short list for the economic portion of it?

A. The short list economic analysis was using production -- full production cost runs in Aurora.

[redacted]

Q. Or volatility in gas prices. Does firm gas transportation protect Alabama Power from gas price changes?

A. Firm gas transportation can mitigate risks associated with gas volatility.

Q. How?

A. In the case of not having firm transportation, the price of delivery can fluctuate with demand.

For firm transportation you prepay for demand over a period of time and that price is fixed and known so that that risk is mitigated.

Q. Does gas storage protect Alabama Power from gas price spikes?

A. It can.

Q. Is there onsite gas storage for Lindsay Hill?

A. No, there's not onsite gas storage for Lindsay Hill.

[redacted]

[redacted]

Q. Is there storage that can be used by Lindsay Hill?

A. Yes.

Q. Where is that?

A. I don't know the exact locations but the company has multiple storage facilities that it uses to help mitigate these risks and manage gas supply for all of its gas resources.

[redacted]

[redacted]

Q. The operational experience that the Commission suggested the Company should obtain regarding Solar/BESS in this Docket 32953, that operational experience can be satisfied by the Southern System's other utilities obtaining experience?

MR. MCCRARY: Object to the form of the question.

A. We don't know. We do anticipate gaining experience from the batteries on the

Southern System but we don't know what point in time that will be acceptable operating experience.

Q. (By Ms. Brass) At this time does Georgia Power or Mississippi Power have more experience with either Solar or Solar Plus storage or storage than Alabama Power does?

A. Could you define better what you mean by "more"? What do you mean by "more"?

Q. Do they have more operational experience? Do they have more operational experience than Alabama Power?

A. For Solar?

Q. For Solar Plus storage.

A. Yes, I would say Georgia has more operational experience for Solar than Alabama does. They have more projects in operation today.

Q. What about for just storage for BESS alone?

A. Yes, I believe they do in that, too, because they have at least one facility online to date.

Q. In you Rebuttal Testimony on page 18 I believe, the Total Term Cost and Net Energy Benefit chart on that page.

A. Yes, I see it.

Q. So was this chart specifically created for this Rebuttal Testimony?

A. Yes, I did create this chart to provide for the Rebuttal Testimony.

Q. I want to walk through it a bit.

So we're looking at the -- on the resource chart those are four real potential resources; correct? Are they real projects or proposed projects?

A. These are real proposed projects that were received in our 2024 renewable RFP.

Q. You consider them under the same five scenarios that you considered Lindsay Hill under?

A. I did, yes.

Q. Did you do that just before this Rebuttal Testimony or had you already done that?

A. I created this analysis for the

purpose of this Rebuttal Testimony.

Q. Walk me through again MG50 here. My understanding -- is it right MG50 includes a carbon cost of carbon? That scenario does consider a greenhouse gas carbon cost; is that right?

A. MG50 does, yes.

Q. What is that cost in MG50?

A. It starts at $50.

Q. We talked about why the Lindsay Hill PSA is negative and this is the result, this negative 2,087.

Why are the solar resources -- do solar resources emit carbon?

A. No, they do not.

Q. So why is Lindsay Hill less than the solar resources in this chart?

A. Lindsay Hill is less than the solar resources because its valuable in off-setting carbon emissions is greater than the solar resources because it runs more and the solar resources don't have enough operating hours, megawatt hours capacity factor, to

offset their costs.

When you factor the benefits in with the cost, it's still a net cost to do either of those four options.

[redacted]

Q. You did not consider a high cost on this?

A. High cost of gas with carbon, no, not in this case we did not.

[redacted]

[redacted]

Q. Thank you. Was this analysis run using the Emissions Limit scenario?

A. It was not.

[redacted]

[redacted]

Q. But both are currently served by Transco?

A. Both locations are, yes, served by Transco. Tenaska manages the gas service for Lindsay Hill to date at their facility but they're plumbed for Transco.

Q. Would there be financial benefits to Alabama Power by them changing the Central Alabama service to Southern Natural Gas Pipeline?

A. There would be some fuel diversity benefits taking gas off of a separate pipeline.

Q. Does Central Alabama have to be replumbed for Southern Natural Gas?

A. No. It can currently be served off of SONAT to date.

Q. But Lindsay Hill can't?

A. That's correct.

Q. Are there any plans to replumb

Lindsay Hill so that it could be served by both?

A. No, not at this time but we would consider that at a later date if it provided value for us and our customers.

Q. So Tenaska currently has an agreement Transco; correct?

A. They would, yes. Transco is the pipe that serves there.

Q. And does that contract -- or will that contract be assigned to Alabama Power or would it be a new agreement?

A. I don't know a lot of specifics around the existing contract Tenaska has with Transco for Lindsay Hill. We've taken steps through our own gas planning organization to ensure we have firm gas transportation from Transco for Lindsay Hill if we are to take ownership of it.

[redacted]

[redacted]

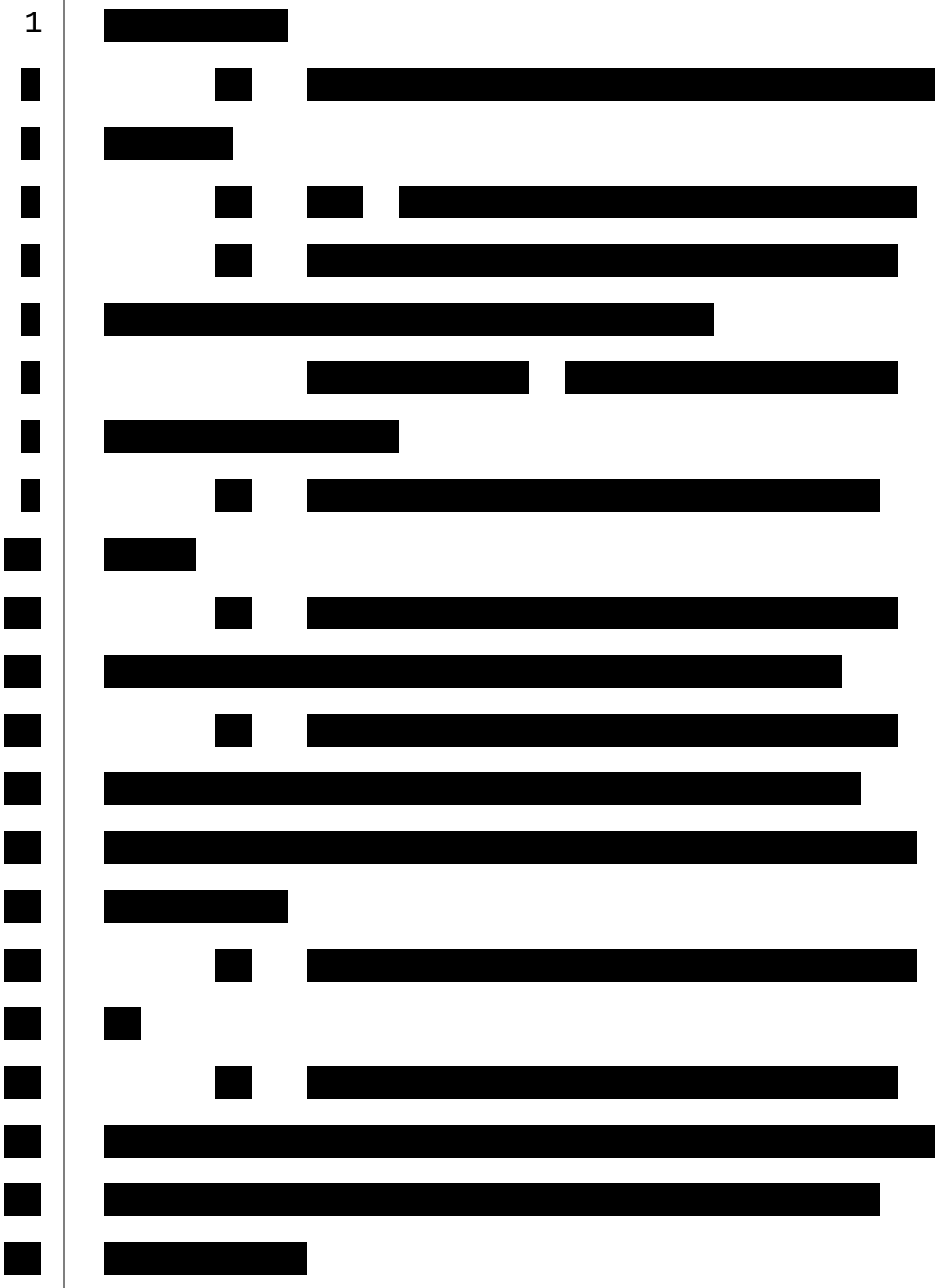
Q. It's [redacted]

[redacted]

[redacted] Does it plan to maintain the facility -- the fuel oil backup?

A. Not for the purpose of supplying this facility. There are fuel oil facilities there which would have value potentially to be able to provide oil to other resources but I don't know at this point in time if we are planning to maintain those facilities.

[redacted]



Q. Did you or anyone at Alabama Power

meet with any of the perspective bidders or the bidders that ended up submitted NOIs in this capacity RFP in this petition prior to releasing the Capacity RFP?

A. Yes, Tenaska requested to meet prior to the release of the Capacity RFP in 2023.

Q. Why did they request to meet?

A. They didn't specifically say but we met with them, myself and my boss who was a different individual at the time met with them for a drink after work one day and we communicated that we were not at liberty to disclose specifics associated with the RFP but the document had -- I think at that time actually it had been released or was in the process of being released. Actually, it had been released.

You asked me if it was prior. We couldn't communicate any details on that.

Q. That's what was discussed at the meeting?

A. Yes, but there was no specific

resource discussed. We simply -- this all my recollection going back a while but they had asked if we could meet and we met with them and we may have discussed high level the RFP document that was being -- what was in that but we specifically stuck to the document and we did not communicate anything that was not public.

Q. You believe that was after the RFP was released?

A. I can't remember exactly. I would need to double check and see when that was.

I remember we wanted to make sure that we had clear above-board representation that they were not going to get any treatment or anything, any favorable treatment.

We made sure there was separation. They did not purchase any of our beverages. We paid for our own drinks at that meeting. It was brief. It was held to one drink and we left.

[redacted]

CERTIFICATE

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I hereby certify that the above and foregoing deposition was taken down by me in stenotype and the questions and answers thereto were transcribed by means of computer-aided transcription, and that the foregoing represents a true and correct transcript of the testimony given by and witness upon said hearing.

I further certify that I am neither of counsel, nor kin to the parties to the action, nor am I in anyway interested in the result of said cause named in said caption.

I further certify that I am duly licensed by the Alabama Board of Court Reporting as a Certified Court Reporter evidenced by the CCR number following my name below.

Susan Bell, Commissioner
Certified Court Reporter
CCR#14-Expires: 9/30/25
Commission Expires: 10/26

[redacted]

Page __53___ Line __16____ Change _”toe” should be “to.”

Reason for change __Typographical error.

[redacted]

Page __78___ Line __10____ Change __”It” should be “we.”

Reason for change __Typographical error.

[redacted]

Page __84___ Line __ 8___ Change _”Uh-huh” should be “Yes.”

Reason for change __Clarification.

[redacted]

Page __91 __ Line __10____ Change “Prog CGH” should be “Prog CJH.”

Reason for change __Typographical error.

[redacted]

Page __100___ Line __8____ Change “The was range was” should be “The range was.”

Reason for change __Typographical error.

[redacted]

Page __111___ Line __19____ Change __”Our” should be “the.”

Reason for change __Clarification.

Page __112___ Line __14____ Change _”That” should be “they.”

Reason for change __Clarification.

Page __113___ Line __10____ Change __”companies self-build” should be “Company self-build.”

Reason for change __Typographical error.

Page __115___ Line __15____ Change _“generated” should be

“generation.”

Reason for change __Typographical error.

Page __116___ Line ___9___ Change “to” should be “of.”

Reason for change __Clarification.

Page _116___ Line __23___ Change “and” should be “a.”

Reason for change __Typographical error.

Page _117___ Line __4___ Change “of PT” should be “or CT.”

Reason for change __Typographical error.

[redacted]

Page _122___ Line __2___ Change Strike “that.”

Reason for change __Clarification.

Page 125 Line 14 Change “liability” should be “reliability.”

Reason for change __Typographical error.

Page 125 Line 18 Change “cordless” should be “Gorgas.”

Reason for change __Typographical error.

Page 127 Line 13 Change “could be could be” should be “could be.”

Reason for change __Typographical error.

Page 128 Line 2 Change “site” should be “side.”

Reason for change __Typographical error.

Page 128 Line 12 Change “number 24” should be “B24”

Reason for change __Typographical error.

[redacted]

Page 137 Line 13 Change “increases a pretty” should be “increases at a pretty.”

Reason for change __Typographical error.

Page 137 Line 17 Change “and” should be “than.”

Reason for change __Clarification.

[redacted]

[redacted]

Page 166 Line 19 Change “valuable” should be “value.”

Reason for change Clarification.

[redacted]

Page _____ Line _____ Change _____

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DEPONENT'S SIGNATURE

Sworn to and subscribed before me this 8th day of April, 2025.

NOTARY PUBLIC / My Commission Expires: 2/2/2028

CERTIFICATE OF SERVICE

I certify that copies of the foregoing have been served on the following counsel and interested parties this the 5th day of May, 2025.

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