Docket No. 09-035-23 Joseph Mancinelli DPU Exhibit 5.1 October 8, 2009

> Mr. Mancinelli is Vice President of R. W. Beck's Management and Economic Consulting Practice. With more than 20 years of experience in the areas of cost-of-service and rate design for electric, water, wastewater, and natural gas utilities, he has served in multiple roles working for utility management, boards, city councils, attorneys, and end-users. He has taught numerous classes on cost-of-service and rate design methodology, including a cost of service and rate design course for Electric Utility Consultants, Inc (EUCI) since 2004. He is an expert in approved industry methodologies adopted by the National Association of Regulatory Utility Commissioners (NARUC), the American Public Power Association (APPA), and the American Water Works Association (AWWA). He regularly speaks at conferences across the country on cost-of-service and rate issues.

> Mr. Mancinelli has led the firm's efforts in developing state-of-the-art unbundled cost-of-service and pricing models. He has developed unique and innovative rates for utilities that balance competitive issues and send the proper pricing signals to customers. For electric utilities, in addition to traditional rate design options, Mr. Mancinelli has designed rates that address service unbundling, standby service, reliability, net metering, green power, transmission and distribution wheeling, and time-of-use. He has assisted industrial clients in developing and evaluating contracts for electric service, including performing assessments of marginal, timeof-use, and seasonal rates. He has also designed rates that promote conservation for water utilities. Mr. Mancinelli has designed service connection fees, impact fees, and other charges and surcharges assessed by utilities.

He has led the public process associated with adoption and approval of rates and has successfully interacted with residential groups, governmental agencies, developers, and large commercial and industrial customers. He has worked closely with commission staff and stakeholders in the regulatory arena.

Mr. Mancinelli has been involved in significant valuation and restructuring studies and has dealt with transmission price issues related to deregulation. He understands market focus and the implications of such forces on pricing utility services. His responsibilities have included financial modeling of utility operations to determine economic viability, economic risk exposure, rate adequacy, capital funding sources, and compliance with bond covenants, power sales and operations, and maintenance agreements.

Additionally, Mr. Mancinelli provides contract negotiation assistance to electric utilities and electric utility customers with wholesale and retail utility providers. Mr. Mancinelli has assisted a number of municipal utility clients in contract negotiations for wholesale electric services. Other responsibilities for R. W. Beck include the areas of management advisory services, power supply planning, and competitive assessments.

Joseph A. Mancinelli

Colorado School of Mines B.S. in Geophysical Engineering

University of Colorado M.B.A. in Finance



Expert Witness and Litigation Support

Mr. Mancinelli has offered expert testimony regarding cost-of-service rate design and ratemaking issues before state and local regulatory bodies and courts. He has had national exposure providing litigation support regarding ratemaking matters at the wholesale and retail levels and has testified on the appropriateness of retail rate levels, transmission rates, and methodologies for determining rates. He also has testified on investigations into the effects and potential affects that proposed utility mergers and acquisitions can have on ratepayers. His testimony experience includes:

- Rocky Mountain Power Rate Case State of Utah; Docket No. 08-035-38; reviewed cost allocation and rate design issues associated with Rocky Mountain Power Rates with regard to design and cost-ofservice allocation issues
- Expert Testimony Greenville Electric Utility System, Greenville, Texas; Texas Public Utility Commission, Docket No. 37180. Developed testimony in support of application to change rates for wholesale transmission service.
- Expert Testimony Chugach Electric and Homer Electric Association; Regulatory Commission of Alaska; Docket No. U-06-134; testified on revenue requirement, cost of service allocation, class and TIER issues.
- Litigation Support Public Utilities Board of Brownsville Docket No. 32905 Filing of Transmission Cost of Service before the Texas Public Utilities Commission. Developed testimony on behalf of the Public Utilities Board of Brownsville is support of transmission costs to be included in the ERCOT transmission postage stamp rate calculation.
- Expert Testimony Application of Sierra Pacific Power Company with respect to retail rates. Docket No. 05-10003. Provided testimony on behalf of the Nevada Resort Association in support of reductions to the Sierra Pacific revenue requirement and modifications to the Sierra Pacific marginal cost-of-service study.
- Expert Testimony Traverse City Light and Power and Michigan Public Service Commission; Case Number U-13716; prepared expert testimony on evaluating cost basis for proposed large resort service tax
- Expert Testimony Traverse City Light and Power and City of Traverse; Case Number U-12844 and U-13071; testified against damages associated with loss of large retail load to a competing utility
- Litigation Support Lamar Light and Power vs. Colorado Aquature; Provided testimony on behalf of Lamar Light and Power in dispute over the economic benefits and impact on rates of mothballing a gas-steam generation station
- Litigation Support Xcel Energy, Docket Number 02S 315 EG, The Investigation and Suspension of Tariff Sheets Filed by Public Service Company of Colorado Advice Letter No. 1373 – Electric, Advice Letter No. 593 – Gas and Advice Letter No. 80 – Steam. Intervened on behalf of the City and County of Denver
- Litigation Support AEP Texas Central Company; application of AEP Texas Central Company for authority to change rates; PUC Docket No. 28840: evaluated impact of proposed rates and cost-ofservice on the retail ratepayers of numerous Texas cities
- Litigation Support Greenville Electric Utility System; Greenville, Texas; Case Number 25591; prepared analysis in support of settlement negotiations with Texas Public Utilities Commission

- Litigation Support Public Utilities Board of Brownsville, Texas; supported legal team intervention in numerous rate proceedings at the TPUC related to Texas deregulation Senate Bill #7
- Expert Testimony Public Utilities Board of Brownsville, Texas; Texas Water Commission; Docket No. 9013-M: Water System Revenue Requirement and Allocated Cost-of-Service for a Special Contract Customer
- Expert Testimony Greenville Electric Utility System, Greenville, Texas; Texas Public Utility Commission; Compliance with Substantive Rule 23.67: Unbundled Transmission Cost-of-Service
- Expert Testimony and Litigation Support The City and County of Denver; United States District Court for the District of Colorado; Civil Action No. 96-D-2968: Radium Storage Fees
- Expert Testimony Plains Electric Generation and Transmission Cooperative, Inc.; New Mexico Public Utilities Commission; Docket No. 2797: Electric System Cost-of-Service and Rate Study

Cost-of-Service and Rate Design

Mr. Mancinelli has participated in numerous retail rate studies for electric, water, wastewater, and gas utilities. He has experience in litigated water rates, wholesale electric rates, rates negotiation, and evaluation for large industrial customers. He also has experience in designing water and wastewater system impact fees in Texas. His cost-of-service and rate experience includes:

Retail Rate Experience

Municipal Electric

- Unbundled Cost-of-Service and Rate Design Greenville Electric Utility System, Texas; ongoing
 assignment that includes financial planning, allocation of common and joint costs as well as
 unbundled cost-of-service and rate design
- Unbundled Cost-of-Service and Rate Design Lafayette Utilities System, Louisiana; ongoing assignment that includes financial planning, allocation of common and joint costs as well as unbundled cost-ofservice and rate design
- Unbundled Cost-of-Service and Rate Design City of Weatherford, Texas; ongoing assignment that
 includes financial planning, allocation of common and joint costs as well as unbundled cost-ofservice and rate design.
- Unbundled Cost-of-Service and Rate Design New Braunfels Utilities, Texas; developed numerous cost
 of service and rate design scenarios that considered various power supply and commercial class
 options
- Cost-of-Service and Fee Development Farmington, New Mexico; development of an assessment of the cost-of-service for electric retail service and subsequent rate design
- Transmission Cost-of-Service Analysis Lafayette Utilities System, Louisiana; developed transmission cost-of-service analysis to support regional transmission planning efforts
- Unbundled Rate Design Bryan Texas Utilities; Texas; developed unbundled rates for residential, small commercial, and general service rate classes
- Unbundled Cost-of-Service Study Anchorage, Alaska; retail unbundling study, which unbundled utility costs based on services currently provided to customer

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- Financial Planning Cost-of-Service and Rate Design Lamar Power, Colorado; developed a financial plan and supporting rates for a municipal utility and financial distress, assisted the utility with a phased in rate program and participated in a public hearing supporting the proposed rate changes
- Competitive Rate Analysis, Cost-of-Service and Rate Design GEUS, Greenville Texas; performed multiple cost-of-service and rate design studies supporting utilities financial requirements in light of extremely competitive rate environment in Texas, particularly with the neighboring IOU
- Unbundled Cost-of-Service and Rate Design Eugene Water and Electric Board, Oregon; performed unbundled cost-of-service analysis for electric utility and developed conservation rates, numerous rate and cost-of-service analyses have been performed for this client
- Unbundled Cost-of-Service and Rate Design Public Utilities Board of Brownsville, Texas; assisted PUB in developing unbundled rates in preparation for retail competition in Texas, study included unbundled cost-of-service analysis, competitive rate analysis, and rate design, numerous rate and cost-of-service analyses have been performed for this client
- Unbundled Cost-of-Service and Rate Design City of Bryan; Texas; assisted BTU in developing unbundled rates in preparation for retail competition in Texas, the study included unbundled cost-ofservice analysis, and rate design, numerous rate and cost-of-service analyses have been performed for this client
- Competitive Fuel Assessment City of Garland Power and Light, Texas; in light of deregulation the value weighted GP&L fuel costs compared to TXU over a wide range of operating and pricing scenarios, assisted GP&L in positioning themselves to compete with TXU in a deregulated market
- Unbundled Cost-of-Service and Rate Design Lafayette Utilities System, Louisiana; performed an
 electric system unbundled cost-of-service analysis, assisted client in developing contractual rates for
 large end-users based on unbundled costs, numerous rate and cost-of-service analyses have been
 performed for this client
- Unbundled Cost-of-Service and Rate Design City Public Service; San Antonio, Texas; performed a comprehensive unbundled cost-of-service study for San Antonio's electric and gas systems
- Unbundled Cost-of -Service and Rate Design Weatherford Municipal Utilities; Weatherford, Texas; retail unbundling study which unbundled utility costs based on services currently provided to customers, development of an integrated pro forma model of each of the three utility systems on a stand-alone basis that determined the City's revenue and capital requirements for each utility over a projected 5-year period, numerous rate and cost-of-service analyses have been performed for this client
- Unbundled Cost-of-Service and Rate Design City of Denton; Texas; retail unbundling study, which unbundled utility costs based on services currently provided to customers
- Electric System Cost-of-Service and Rate Design Study City of Gunnison; Colorado; developed incentive rates for retail customers to promote conservation and optimize the pricing signals implied by the Western Area Power Administration's time-of-use rate
- Electric System Cost-of-Service and Rate Design Study Murray City; Utah; performed an electric system rate study, which involved the development of a cost-of-service software program in Quattro Pro
- Electric System Rate Design Terrebonne Parish Consolidated Government; Houma, Louisiana; examined the competitive position of the large and small commercial electric rates that required

designing a database that generated a customer usage profile including load factor, demand, and energy

 Electric and Water Rate Study – Board of Public Works of the City of Hannibal; Missouri; electric and water cost-of-service and rate study

Generation and Transmission Cooperatives, Distribution Cooperatives and Other Government Agencies – Electric

- Unbundled Cost-of-Service and Rate Design Navajo Tribal Utilities Authority; Window Rock, New Mexico; cost-of-service, rate design and unbundling utility costs into production, transmission, and distribution
- Wholesale Rate Design Plains Electric; Albuquerque, New Mexico; developed wholesale-unbundled
 rates in accordance with FERC, which develops rates for the production, transmission, and
 distribution functions, as well as ancillary services
- Wholesale Rate and Evaluation Study Deseret Generation and Transmission Cooperative; Sandy, Utah; performed the calculation and determination of price elasticity to Deseret members relating to the economics of the oil industry covering a 10-year period
- Wholesale Rate Filing Plains Electric Generation and Transmission Cooperative Inc; Albuquerque, New Mexico; submitted testimony before the New Mexico Public Utilities Commission in support of cost-of-service analyses used as a basis for Plains wholesale rate development
- Competitive Restructuring Study Deseret Generation and Transmission; Sandy, Utah; directed a
 number of financial restructuring analyses designed to examine the fixed costs of Deseret's member,
 non-member and off-system sales
- Electric Rate Strategy, Development and Training New Hampshire Electric Cooperative; New Hampshire; prepared a two day strategy and training program which included the cooperatives top managers and staff, based on strategic planning session, developed a business plan that outlined steps that impact future rates and cost-of-services

Industrial Rate Experience

- Evaluation of Electrical Power Rates and Contract Negotiations Regional Transportation District; Denver, Colorado; provided consulting services regarding potential suppliers for a long-term power supply arrangement for a light rail system in Denver
- Continued Negotiations and Power Supply Analysis Rocky Mountain News; Denver, Colorado; evaluated the Public Service Company of Colorado tariffs for electric service addressing service rates, facility ownership, and minimum monthly charges
- Steel Mill Rate Design Public Utility Board of Brownsville; Brownsville, Texas; assisted Public Utility Board of Brownsville in contract negotiations in developing rate and supporting contract serving 100 MW steel mill load

Workshops and Presentations

Mr. Mancinelli has given numerous presentations and participated in training and workshops in several states. These activities have focused on cost-of-service, ratemaking, and competitive issues.

American Public Power Association – Innovative Rates and Rate Riders for Key Accounts

- Electric Utility Consultants, Inc. Introduction to Cost-of-Service Concepts and Techniques for Electric Utilities (Currently taught semi annually – 2004 to present)
- Electric Utility Consultants, Inc. Introduction to Rate Design for Electric Utilities (Currently taught semi annually – 2004 to present)
- American Public Power Association Including Risk Management in the Key Account Function
- Texas Public Power Association Contracting with Retail Customers
- New Mexico Rural Electric Association Unbundling for Competition
- Deservet Generation and Transmission Cooperative Annual Meeting Electric Rate Unbundling
- Utah Association of Municipal Power Electric Rate Unbundling
- Utah Rural Electric Association Electric Rate Unbundling
- American Public Power Association Advanced Rate Making Concepts for Publicly Owned Electric Systems
- American Public Power Association Retail Rate Design for Publicly Owned Electric Systems