

Board Hearing Team Undertakings

1. Undertaking 1 – To provide working papers from Table 2 calculations (page 141).

Attachments, Backup to Table 2 – Undertakings 1 & 7d and Appendix A-Sources to Table 2-Undertaking 1

2. Undertaking 2 – To provide questions used by Ben Schlesinger when gathering information for inclusion in Exhibit BMM-1 (page 144).

Attachment, Pipeline Capacity Availability-and Survey Qs-Undertakings 2 & 3

3. Undertaking 3 – To provide notes kept by Ben Schlesinger when conducting interview to gather information (page 144).

Attachment, Pipeline Capacity Availability-and Survey Qs-Undertakings 2 & 3

Board Hearing Team Undertakings

4. Undertaking 4 – To advise why MichCon and Washington 10 are not included in Exhibit D2 (pages 149-150).

The Natural Gas Intelligence (NGI) database could not determine how much capacity at MichCon and Washington 10 was available to third parties. However, since Canadians have capacity at these storage facilities, storage capacity from these facilities has been included in the revised Exhibit D2.

Exhibit D 2 Revised-6-2-06
Relevant Geographic Market Concentration
MI, IL, IN, IA, OH, NY, PA and WV
HHI

State/Prov	Ultimate Owners	Capacity Available to 3rd Parties (MMcf)	Market Share	HHI
NY, PA, WV	Dominion Resources	316,990	26.0%	675.5
NY,PA,WV	NiSource, Inc.	235,371	19.3%	372.4
Michigan	El Paso Corp.	191,946	15.7%	247.7
Michigan	MichCon	124,000	10.2%	103.4
Ontario	Duke Energy	67,000	5.5%	30.2
NY, PA	National Fuel Gas Co.	98,450	8.1%	65.2
Michigan	Washington 10	51,000	4.2%	17.5
IL/IA	Kinder Morgan Inc.	43,500	3.6%	12.7
Michigan	PAA	24,500	2.0%	4.0
Michigan	Southern Union Co.	16,464	1.3%	1.8
PA	PPL Corp.	13,700	1.1%	1.3
New York	Central New York Oil and Gas LLC (eCorp.)	12,000	1.0%	1.0
New York	KeySpan, Long Island Lighting Co.	6,573	0.5%	0.3
New York	Arlington Storage Co.(50%), ANR Storage Co. (50%) (El Paso Corp.)	6,200	0.5%	0.3
Illinois	Southern Union Co.	4,139	0.3%	0.1
Michigan	WPS-ESI	3,000		
Illinois	Centerpoint Energy Midwest Gas Storage Co./Saltgrass Energy Services)	2,200	0.2%	0.0
Indiana	Services)	2,000	0.2%	0.0
New York	Energy East	650	0.1%	0.0
	Total	1,219,683		1,533

Source: Natural Gas Intelligence, "Natural Gas Storage and LNG Facilities in The United States and Canada," database.

**Board Hearing Team
Undertakings**

5. Undertaking 5 – none entered

Board Hearing Team Undertakings

6. Undertaking 6 – To provide the last time that Dominion or CNG expanded its storage capacity (page 158).

Please note that CNG is a subsidiary of Dominion. Below is a news release dated September 29, 2004 regarding Dominion's expansion of pipeline and storage.

[Gas News Release](#)

 [Print-Friendly Version](#)

September 29, 2004

[Study Shows Dominion Pipeline Improvements Will Benefit Central Pennsylvania](#)

RICHMOND, Va. -- Dominion's proposed natural gas pipeline improvements will provide major economic benefits to central Pennsylvania, including creation of new jobs, more regional economic activity and more revenues for state and local governments, according to a study by the Regional Research Institute at West Virginia University.

Dominion is proposing the \$190 million improvements in Pennsylvania in order to get more of the natural gas imported at its Chesapeake Bay facility in Maryland to customers in Pennsylvania and the Northeast.

The project is important to continuing population and industrial growth in Pennsylvania and throughout the Northeast, as it will bring to the region increased supplies of natural gas, the fuel of choice for many homes, businesses and electric power generators, according to the study.

The study found that the project would generate 386 jobs at the peak of construction, \$11.9 million in wage earnings and \$37 million in gross state product for Pennsylvania economies. The proposed pipeline would also generate approximately \$900,000 in tax revenues for state and local economies.

According to Congressman John Peterson (R-PA/5): "Clean-burning natural gas is a vital energy source for heating homes and businesses, fueling industries and transportation systems, and even creating products such as plastics, petrochemicals and fertilizer. Rising natural gas prices have had a significant impact on home energy costs, and have forced many industries to shut down operations, eliminate jobs, or raise prices on consumers. This project will not only improve access to this important energy source in central Pennsylvania, but will create well-paying jobs and bring much-needed revenue to our region."

According to Pennsylvania State Senator Jake Corman (R-34): "Home heating costs have risen dramatically the last few years, putting a strain on many families, particularly those on a fixed income. This project will bring in new supplies of natural gas and enhance central Pennsylvania's key role in providing natural storage for the Northeast."

The expansion involves the extension, upgrading and modernization of existing pipelines in several counties, including Centre, Clinton, Greene, Huntingdon, Juniata, Mifflin and Potter. However, most of the benefits will be in Centre, Clinton, Huntingdon, Juniata, and Mifflin counties. A pipeline extension approximately 81 miles long will be built through those counties,

Board Hearing Team Undertakings

and compressor stations are to be located in Centre and Juniata counties.

According to the study, 382 of the 386 jobs will be generated by the construction phase of the project, which is scheduled for 2008. Fifty-nine percent of the jobs created (or 229) are direct jobs working in pipeline construction at wages significantly higher than averages in the counties the pipeline would traverse.

By adding new natural gas supplies, the study said, the project will act as a damper on price spikes caused by existing supply constraints during periods of peak consumption. Increased supply will also aid population and industrial growth.

"An expanded supply of energy in the region and Northeast will enhance current population and industrial growth, a trend that is expected to continue in the future," the report said. "Without adequate energy supply, this growth cannot be sustained. The proposed pipeline expansion project will address this and other related needs facing the region."

"Dominion's vast underground natural gas storage system in central Pennsylvania has long been a vital part of the Northeast's economic vitality," said Thomas F. Farrell II, Dominion president and chief operating officer. "This project will bring new supplies to the area, increase storage capacity, and provide a basis for continued economic growth in Pennsylvania and the Northeast. We look forward to furthering our strong relationship with central Pennsylvania as we proceed with the expansion project. As Federal Reserve Chairman Alan Greenspan says, natural gas imports can play a significant role in meeting our nation's future energy requirements."

The Regional Research Institute conducts and promotes interdisciplinary research on economic and social development. As a center of regional research excellence for more than three decades, the RRI has served as an internationally recognized center for the advancement of regional science — an interdisciplinary field at the intersection of geography, economics and planning. The report was prepared at the request of Dominion. The complete report can be found on Dominion's website, www.dom.com; keyword: cpexpansion.

Dominion is one of the nation's largest producers of energy, with an energy portfolio of about 25,500 megawatts of generation, 6.4 trillion cubic feet equivalent of proved natural gas reserves and 7,900 miles of natural gas transmission pipeline. Dominion also operates the nation's largest underground natural gas storage system with more than 960 billion cubic feet of storage capacity and serves about 5 million retail energy customers in nine states. For more information about Dominion, visit the company's Web site at www.dom.com.

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CONTACTS:

Media: [Dan Donovan](mailto:Dan.Donovan@dom.com), 412-690-1370

Board Hearing Team Undertakings

7. Undertaking 7 – To provide the studies referred to in questions 2, 3, 6, 9 and 14 in Technical Conference Exhibit 4 (MPH Canada Questions for Board Hearing Team) (page 175)

a. Provide copies of the following testimony:

- i) Moss Bluff Gas Storage Systems – attachment, Moss Bluff-Undertaking 7a
- ii) NE Hub Partners L.P. – attachment, NE Hub-Undertaking 7a
- iii) Egan Hub Partners L.P. – attachment, EGAN AFF-Undertaking 7a
- iv) Honeoye Storage Company – attachment, Honeoye-Aff-Undertaking 7a
- v) A Re-examination of Market-Based Pricing of Storage Services at NE Hub Partners’ Tioga Facilities” dated May 25, 2000 – attachment, BMM Tioga Report-Undertaking 7a
- vi) “A Re-examination of Market-Based Pricing of Storage Services at NE Hub Partners’ Egan and Moss Facilities” dated June 23, 2000 – attachment, New Egan Moss Bluff-Undertaking 7a

b. Natural Gas Storage Competition Study, prepared for Enbridge Inc., June 2001.

Two reports exist bearing the same title, prepared for two different companies. In addition to the June 2001 study, a similar study was done for Enbridge Consumers Gas in July 2002. Because the reports bear the same title, there has been some confusion in determining where the authorization for release lies. We have authorization to release the July 2002 report, which accompanies these undertakings. We are awaiting a response to our request concerning the June 2001 report.

Attachment, Enbridge Storage Study Final 8-02-Undertaking 7b

c. Provide a copy of report cited in footnote 55, written by Demke Management Ltd, “The Role of Storage in Canada’s Natural Gas Industry”, August 2005 (the “Demke Report”).

Mr. Gordon Demke, the author and owner of the copyright in the Demke Report, was contacted and advised of the request. Mr. Demke is prepared to permit those interested in the report to view the Board Hearing Team’s copy, provided no photocopies of the report are made; the taking of notes is permitted. The Board Hearing Team will arrange to make the Demke Report available for review by interested participants.

Board Hearing Team Undertakings

Another option available to participants is contacting Mr. Demke at (403) 241-5133 (or email demke@shaw.ca) and making arrangements to purchase their own copy of the report.

- d.** Provide copies of the Canadian Gas Reporter issues that were relied upon and referenced at page 23 of the McConihe report.

Attachment, Backup to Table 2 – Undertakings 1 & 7d

- e.** Provide a copy of Sproule Associated Limited's letter to John Finkbiner, dated January 15, 2001.

Attachment, Sproule Ass – Jan 15 01 – Undertaking 7e

Board Hearing Team Undertakings

8. Undertaking 8 – To provide instructions/guidance given to Mr. Schlesinger (page 180).

Below are the e-mails between Ms. Bruce McConihe and Mr. Ben Schlesinger that outline the instructions/guidance that was given to Mr. Schlesinger. No formal contact was executed. The redaction relates to the fee estimate.

Attachment, BSA Standard T and C-Undertaking 8, outlines the terms and conditions referred to in the e-mails.

"Ben Schlesinger" bschles@bsaenergy.com
03/03/2006 04:51 PM

To: BMcConihe@lecg.com
cc: jneri@bsaenergy.com
Subject: Re: Potential Natural Gas Project

Bruce, John and I enjoyed our discussion this afternoon, and we're ready to proceed with the work we outlined. We will prepare a database of gas pipeline rates and capacity availability - including during peak periods - for natural gas pipelines connected with Union Gas Storage System and other major interconnected gas storage areas. John Neri will lead our effort, I will assist John, and others here will provide help as needed. We anticipate that our total professional fees to complete these tasks will be in the range of [REDACTED] (U.S.) - if we find that our costs may exceed that level, we will notify you promptly. We anticipate only minimal direct expenses, and no travel. Attached (again) are BSA's standard terms and conditions and our schedule of professional hourly rates.

We look forward to working with you in this important effort on behalf of the OEB.

Best regards,

Ben Schlesinger
Benjamin Schlesinger and Associates, Inc. (BSA)
The Bethesda Gateway
7201 Wisconsin Avenue, Suite 740
Bethesda, MD 20814
(301) 951-7266 Fax (301) 951-3381
Visit us at www.BSAenergy.com

Board Hearing Team Undertakings

----- Original Message -----

From: BMcConihe@lecg.com

To: "Ben Schlesinger" bschles@bsaenergy.com

Cc: jneri@bsaenergy.com

Sent: Thursday, March 02, 2006 7:25 PM

Subject: Re: Potential Natural Gas Project

Ben,

Look forward to our conversation tomorrow. Attached is Union Gas' expert Report that extends the competitive Ontario storage market to NY, PA, WV, MI, IL, IN, IA. Especially look at p.25--says primary pipelines have space, TCPL responded to me that there is no available capacity (fully subscribed) on TCPL for a Canadian gas user to store gas in PA/NY and withdraw it during peak periods. Enbridge does have storage at Stagecoach in NY but as the TCPL person says, Enbridge probably displaces the gas--sell in NY and exact in Ontario. There are plenty of Canadians using Michigan storage but I find that Vector is fully subscribed and the expansion is also fully subscribed. What we need is an analysis of the availability of firm T from these market areas as well as T rates. If potential Ontario customers at Dawn can't use storage at other adjacent storage facilities in the US, then from my point of view, the US storage facilities are not viable options for Ontario storage users. No doubt that Union is glossing over the point that US users contract with Dawn for storage of Canadian gas and ship into the US market. That's my focus that I hope you'll help me out with. OEB correctly points out that we can't totally focus on now--given Katrina--but also looking at 2004 or some other more typical year. I'll be around most of tomorrow and you can call me at--(202) 973-0522.

Regards,

Bruce

(See attached file: Union Storage Study.pdf)

Board Hearing Team Undertakings

"Ben Schlesinger" bschles@bsaenerg
To: BMcConihe@lecg.comy.com
cc: jneri@bsaenergy.com
Subject: Re: Potential Natural Gas Project
02/28/2006 02:34 PM

Bruce, It's amazing - I was just thinking about you - wondering how you're doing & where you're at? Glad all goes well.

We would love to sub to you in this area. We've analyzed market power of gas storage projects in Louisiana (Dr. John Neri taking the analytic lead in conjunction with FERC filings, see our website), and we've analyzed storage and transportation availability in and around Ontario, as well as tolls and related issues for several power projects in the Northeast buying out of Dawn, some sellers, and for CMS and Union Gas (the latter two some time ago).

Our standard rates and T&C are attached - let's discuss timing, scope. This does not sound like a major, time-consuming assignment, but no project it too small for us! I'm en route to Europe now but will be back in my office on Friday - if we need to talk sooner, let's do so.

Very best regards,

Ben Schlesinger
Benjamin Schlesinger and Associates, Inc. (BSA)
The Bethesda Gateway
7201 Wisconsin Avenue, Suite 740
Bethesda, MD 20814
(301) 951-7266 Fax (301) 951-3381
Visit us at www.BSAenergy.com

Board Hearing Team Undertakings

----- Original Message -----

From: BMcConihe@lecg.com

To: BSchles@BSAenergy.com

Sent: Tuesday, February 28, 2006 1:57 PM

Subject: Potential Natural Gas Project

Hi Ben,

A voice from your past--Bruce Sloan, now Bruce McConihe, formerly owner of your house on Royal Dominion. I am with LECG and am preparing a Report for the Ontario Energy Board in connection with their examination of the competitiveness of storage in Ontario. Union Gas contends that Ontario storage competes with storage in NY, PA, WV, MI, OH, IL, IN and IA. One aspect I want to examine is whether a storage customer in Canada could realistically use storage in the markets Union has identified and obtain firm transportation at peak times to deliver the gas into Canada--and at what price for the transportation. I know that Enbridge and Coral have storage at Stagecoach, which interconnects with TGPL. I know Canadians use storage facilities in Michigan but have not found storage customers in PA, WV, IL, IN, OH or IA. Would you be interested in subcontracting on the issue of availability and price of transportation? If so, what would be your estimated cost to undertake the project?

Regards,

Bruce

Principal

LECG, LLC

1725 Eye Street

Washington, D.C. 20006

(202) 973-0522

bmcconihe@lecg.com

Board Hearing Team Undertakings

9. Undertaking 9 – To indicate whether Ontario customers are prohibited from obtaining storage from Columbia, Dominion, National Fuel, or any storage provider of the eastern United States, as Kirkwall is not a delivery point on the TCPL system (page 181).

It is true that in connection with storage and transmission in the eastern U.S., BSA found that storage and transmission are limited.

Tennessee Gas Pipeline's North Storage is fully subscribed, as is firm transmission. Dominion's storage and related firm transmission in Pennsylvania and New York are also fully subscribed and, therefore, unavailable to Ontario storage customers. Also, Columbia Gas Transmission ("TCO") is fully subscribed and, therefore, storage facilities interconnected to TCO in New York, Pennsylvania and West Virginia are unavailable to Ontario storage customers. Furthermore, deliveries through TCO or Dominion through National Fuel Gas to TCPL to Kirkwall (at Union) are not currently possible because Kirkwall is not a delivery point on the TCPL system.

However, according to TCPL, Kirkwall can be converted to function as a delivery point with some physical modifications to metering and regulation facilities. Hence, it would be possible for Ontario customers to obtain storage services from providers to the east if (a) Kirkwall is modified as indicated and (b) storage and transmission capacities become available on the relevant pipeline systems in New York and Pennsylvania through system expansion or expiration of storage/pipeline contracts.

Board Hearing Team Undertakings

10. Undertaking 10 – To provide site for FERC staff report, “Current State of and Issues Concerning Underground Gas Storage”, dated September 30, 2004 (page 194).

<http://www.ferc.gov/legal/staff-reports.asp>

11. Undertaking 11 – To provide site and link to the report Balancing Natural Gas Policy – Fueling the Demands of a Growing Economy, A report of the National Petroleum Council, September 25, 2003 (page 205).

<http://www.npc.org> Go to Volume 5, Table T-11, Page T-61.

12. Undertaking 12 --To advise whether gas storage in British Columbia was ever regulated, and if it was regulated, whether the BC regulator decided to forbear from regulation (pages 207-208).

This undertaking requires additional research which was not part of Ms. Bruce McConihe’s original assignment. At this time, Ms. McConihe is unable to answer the question. However, once the research has been completed, the Board Hearing Team will arrange to have the material available for interested parties.

The following undertakings were not recorded as undertakings by the court reporter:

13. Provide RFP that Board Hearing Team issued containing the written instructions for deliverables (page 121).

Attachments, RFP Economic Regulation of Gas Storage – Undertaking 13 and Deliverables in Contract – Undertaking 13

Board Hearing Team Undertakings

14. Consider whether Ms. McConihe agrees that 67,000 MMCF rather than 134,000 MMCF should have been used when calculating Union's market share in Exhibit D1 and D2, and to advise (page 147).

Yes, it would be consistent to use the 67,000 MMcf since this is the storage capacity available to third parties.

Below are the revised Exhibit D1 and D2.

Exhibit D1 Revised Geographic Market Concentration Ontario and Canadian Customers Using U.S. Storage HHI

<u>Company</u>	<u>Storage</u>	<u>MMcf</u>	<u>Market Share</u>	<u>HHI</u>
Union	Washington 10	975		
	Ontario	67,000		
		67,975	68.2%	4,646.90
Enbridge	Stagecoach	675	0.7%	0.46
Coral Energy	Stagecoach	194		
	ANR	970		
	MichCon	316		
		1,480	1.5%	2.20
Nexen	Washington 10	698		
	ANR	2,916		
		3,614	3.6%	13.14
BP Canada	Washington 10	1,156		
	ANR	316		
		1,472	1.5%	2.18
PAA	Bluewater	24,500	24.6%	603.67
Total		99,716	100.0%	5,268.55

Board Hearing Team Undertakings

Exhibit D 2 Revised-6-2-06

Relevant Geographic Market Concentration

MI, IL, IN, IA, OH, NY, PA and WV

HHI

State/Prov	Ultimate Owners	Capacity Available to 3rd Parties (MMcf)	Market Share	HHI
NY, PA, WV	Dominion Resources	316,990	26.0%	675.5
NY,PA,WV	NiSource, Inc.	235,371	19.3%	372.4
Michigan	El Paso Corp.	191,946	15.7%	247.7
Michigan	MichCon	124,000	10.2%	103.4
Ontario	Duke Energy	67,000	5.5%	30.2
NY, PA	National Fuel Gas Co.	98,450	8.1%	65.2
Michigan	Washington 10	51,000	4.2%	17.5
IL/IA	Kinder Morgan Inc.	43,500	3.6%	12.7
Michigan	PAA	24,500	2.0%	4.0
Michigan	Southern Union Co.	16,464	1.3%	1.8
PA	PPL Corp.	13,700	1.1%	1.3
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New York	KeySpan, Long Island Lighting Co.	6,573	0.5%	0.3
New York	Arlington Storage Co.(50%), ANR Storage Co. (50%) (El Paso Corp.)	6,200	0.5%	0.3
Illinois	Southern Union Co.	4,139	0.3%	0.1
Michigan	WPS-ESI	3,000		
Illinois	Centerpoint Energy Midwest Gas Storage Co./Saltgrass Energy Services)	2,200	0.2%	0.0
Indiana		2,000	0.2%	0.0
New York	Energy East	650	0.1%	0.0
	Total	1,219,683		1,533

Source: Natural Gas Intelligence, "Natural Gas Storage and LNG Facilities in The United States and Canada," database.

Board Hearing Team Undertakings

15. Provide other suggestions (besides allowing the utility to earn a higher rate of return on storage assets and/or an accelerated depreciation method) that could encourage storage development (page 202).

This question requires additional research which was not part of Ms. Bruce McConihe's original assignment. However, undertaking 10 provides the site for the FERC staff report in which other suggestions are mentioned.

16. Provide updated copy of Ms. Bruce McConihe's CV (page 119).

BRUCE M. MCCONIHE

LECG, LLC
1725 Eye Street, NW
Suite 800
Washington, DC 20036
Tel. (202) 973 – 0522
Fax (202) 466 – 4487

EDUCATION

B.A., CONNECTICUT COLLEGE
MBA, GEORGE MASON UNIVERSITY

PRESENT POSITIONS

LECG, LLC, 2000 - present
Principal, Electric Power, Oil & Gas Practice

- Ms. McConihe specializes in market power issues relating to regulated industries (natural gas, electric, telecommunications and stock exchanges), as well as non-regulated companies. She has testified before federal and state regulatory commissions.
- Specialist areas include: measurement of potential market power in connection with: 1) authorization services at market-based rates for: natural gas storage services, natural gas hub services, sales of wholesale electric power, sales of electric power ancillary services; 2) electric utility mergers; 3) electric and natural gas mergers; 4) electric generation asset acquisitions; and 5) antitrust litigation.

OTHER POSITIONS HELD

PHB HAGLER BAILLY, INC., 1998 – 2000
Principal

Board Hearing Team Undertakings

- Ms. McConihe specializes in market power issues relating to regulated industries (natural gas, electric, telecommunications and stock exchanges). She has testified before federal and state regulatory commissions.
- Specialist areas include: measurement of potential market power in connection with: 1) authorization services at market-based rates for: natural gas storage services, natural gas hub services, sales of wholesale electric power, sales of electric power ancillary services; 2) electric utility mergers; 3) electric and natural gas mergers; 4) electric generation asset acquisitions; and 5) antitrust litigation.

ECONONE CONSULTING GROUP, 1995 – 1998

Senior Consultant

- Measurement of market power in connection with applications by natural gas storage companies and hub services providers for hub services. In addition, conducted market power studies for electric utilities in connection with applications for sales of wholesale power and ancillary services at market-based rates. These analyses were accepted and market-based rates were approved.

LECG, LLC, 1995

Consultant

- Provided analytic support to a senior member of the firm in connection with electric utility mergers. In addition, provided antitrust analysis in support of testimony concerning ring laser gyroscopes.

PUTNAM HAYES & BARTLETT, INC., 1990 – 1995

Senior Associate

- Provided analytic support to senior members of the firm in connection with electric utility mergers. In addition, provided antitrust analysis in support of testimony concerning Syncrude litigation in Canada.

NATIONAL ECONOMIC RESEARCH ASSOCIATES, 1973 – 1990

Senior Consultant

- Worked on behalf of AT&T in connection with their defense in antitrust litigation (MCI, Sprint, equipment manufacturers). In addition, worked on antitrust litigation in defense of various electric in connection with price squeeze issues.

OTHER

Board of Directors, GRAHAM SMOKELESS COAL COMPANY

TESTIMONY

- 1) Affidavit on behalf of Central and South West Corporation subsidiary, CSW Marketing in support of its application for market-based rates in Docket No. ER96-____-____, dated March 7, 1996.

Board Hearing Team Undertakings

- 2) Affidavit on behalf of Central and South West Corporation subsidiary, CSW Marketing in support of its application for market-based rates in Docket No. ER97-1236-000, dated January 3, 1997.
- 3) Prepared Statement on behalf of Market Hub Partners subsidiary Moss Bluff Gas Storage Systems, In support of its application for market-based rates for storage and hub services in Docket No. PR 95-3-000, dated January 24, 1997.
- 4) Prepared Statement on behalf of Market Hub Partners subsidiary NE Hub Partners, L.P., in support of its application for market-based rates for storage services in Docket No. CP 96-53-000, dated February 3, 1997.
- 5) Affidavit on behalf of Central and South West Corporation subsidiary, CSW Marketing in support of its application for market-based rates in Docket No. ER97-1238-000, dated March 15, 1997.
- 6) Affidavit on behalf Virginia Power in support of its application for market-based rates in Docket No. ER97-3561-000, dated April 21, 1997.
- 7) Prepared Statement on behalf of Market Hub Partners subsidiary Egan Hub Partners, L.P., in support of its application for market-based rates for storage and hub services in Docket No. PR 96-199-000, dated June 23, 1997.
- 8) Affidavit on behalf of Commonwealth Edison Company subsidiary, Unicom Power Marketing Inc., in support of its application for market-based rates in Docket No. ER97-3954-000, dated July 25, 1997.
- 9) Affidavit on behalf Virginia Power in support of its application for market-based rates in Docket No. ER97-3561-000, dated August 12, 1997.
- 10) Affidavit on behalf of Commonwealth Edison Company subsidiary, Unicom Power Marketing Inc., in support of its application for market-based rates in Docket No. ER97-3954-000, dated August 27, 1997.
- 11) Affidavit on behalf of Central and South West Services, Inc. As Agent for: Central Power and Light Company, West Texas Utilities Company, Public Service Company of Oklahoma, and Southwestern Electric Power Company in support of its application for market-based rates in Docket No. ER98-542-000, dated October 31, 1997.
- 12) Affidavit on behalf of Destec Energy, Inc. and NRG Energy, Inc. subsidiary, El Segundo Power LLC, in support of their application for market-based rates in Docket No. ER97-1127-000, dated December 17, 1997.
- 13) Direct Testimony on behalf Virginia Power in support of its application for market-based rates in Docket No. ER97-3561-000, dated January 9, 1998.
- 14) Affidavit on behalf of Commonwealth Edison Company in support of its application for market-based rates in Docket No. ER98-1734-000, dated January 14, 1998.
- 15) Affidavit on behalf of Destec Energy, Inc. and NRG Energy, Inc. subsidiary, Long Beach Generation LLC, in support of their application for market-based rates in Docket No. ER98-____-000, dated February 6, 1998.
- 16) Affidavit on behalf of Houston Industries Power Generation, Inc. and Enova Power Corporation subsidiary, El Dorado Energy, LLC, in support of their

Board Hearing Team Undertakings

application for market-based rates in Docket No. ER98-4109-000, dated July 29, 1998.

- 17) Affidavit on behalf of Enova Corporation subsidiary, Sempra Energy Trading Corp., in support of its application for market-based rates for ancillary services in Docket No. ER98-4497-000, dated September 9, 1998.
- 18) Affidavit on behalf of Enova Corporation subsidiary, San Diego Gas & Electric Company, in support of its application for market-based rates for ancillary services in Docket No. ER98-4498-000, dated September 9, 1998.
- 19) Affidavit on behalf of Destec Energy, Inc. and NRG Energy, Inc. subsidiary, Cabrillo I LLC and Cabrillo II LLC, in support of their application for market-based rates in Docket No. ER99-____-000, dated December 31, 1998.
- 20) Affidavit on behalf of Enova Corporation subsidiary, Sempra Energy Trading Corp., in support of its application for market-based rates for ancillary services in Arizona and Nevada in Docket No. ER99-1473-000, dated December 23, 1998.
- 21) Affidavit on behalf of Cogeneration Corporation of America and Calpine Corporation in support of their application to merge in Docket No. EC99-____-000, dated September 17, 1999.
- 22) Affidavit on behalf of Atlantic City Electric Company, Delmarva Power & Light Company, PECO Energy Company and Public Service Electric and Gas Company in support of their application in connection with the asset divestiture/acquisition of Peach Bottom Nuclear Station, Salem Nuclear Station and Hope Creek Nuclear Station in Docket No. EC00-____-____, dated December 7, 1999.
- 23) Affidavit on behalf of GPU Inc. and AmerGen Energy Company L.L.C. in support of their application in connection with the asset divestiture/acquisition of Oyster Creek in Docket No. EC00-____-____, dated December 17, 1999.
- 24) Affidavit on behalf of Honeoye Storage Company in support of its application for market-based rates for natural gas storage services in Docket No. CP00-____-000, dated February 22, 2000.
- 25) Report to the Securities and Exchange Commission (“SEC”) on behalf of the New York Stock Exchange, Inc., entitled “Issues Surrounding Cost-based Regulation of Market Data Prices,” in connection with the SEC Concept Release on “Regulation of Market Information Fees and Revenues,” (Release No. 34-42208; File No. S7-28-99), dated April 10, 2000.
- 26) Report for NiSource Inc. in connection with its merger with Columbia Energy Group, entitled “A Reexamination of Market-Based Pricing of Storage Services at NE Hub Partners’ Tioga Facilities,” dated May 25, 2000.
- 27) Affidavit on behalf of Entergy Nuclear Generation Company in connection with its application for the Indian Point 3 and FitzPatrick asset acquisition in Docket No. EC00-____-000, dated June 7, 2000.
- 28) Report for NiSource Inc. in connection with its merger with Columbia Energy Group, entitled “A Reexamination of Market-Based Pricing of Storage

Board Hearing Team Undertakings

Services at NE Hub Partners' Egan and Moss Bluff Facilities," dated June 23, 2000.

- 29) Affidavit on behalf of Sempra Energy Resources in connection with its application for market-based rates in Docket No. ER01-____-000, dated February 6, 2001.
- 30) Affidavit on behalf of Sempra Energy in connection with its application for market-based rates in Docket No. ER01-____-000, dated February 7, 2001.
- 31) Affidavit on behalf of FPL Energy Maine in connection with its application for market-based rates in Docket No. ER02-__-000, dated November 9, 2001.
- 32) Affidavit on behalf of EPCOR Power Development, Inc. in connection with its application for market-based rates in Docket No. ER02-__-000, dated January 28, 2002.
- 33) Affidavit on behalf of EPDC Power Development, Inc. in connection with its application for market-based rates in Docket No. ER02-__-000, dated January 28, 2002.
- 34) Affidavit on behalf of UAE Mecklenburg Cogeneration LP in connection with its application for market-based rates in Docket No. ER02-__-000, dated May 22, 2002.
- 35) Supply Margin Assessment on behalf of FPL Energy Marcus Hook, LP in connection with its application for market-based rates in Docket No. ER02-1903-000, dated May 24, 2002.
- 36) Supply Margin Assessment on behalf of Blythe Energy, LLC in connection with its application for market-based rates in Docket No. ER02-2018-000, dated June 5, 2002.
- 37) Supply Margin Assessment on behalf of FPL Energy New Mexico Wind, LLC in connection with its application for market-based rates in Docket No. ER03-179-000, dated November 12, 2002.
- 38) Supply Margin Assessment on behalf of Mesquite Power, LLC in connection with its application for market-based rates in Docket No. ER03-427-000, dated January 17, 2003.
- 39) Supply Margin Assessment on behalf of FPL Energy North Dakota Wind, LLC in connection with its application for market-based rates in Docket No. ER03-37-000, dated January 17, 2003.
- 40) Supply Margin Assessment on behalf of FPL Energy South Dakota Wind, LLC in connection with its application for market-based rates in Docket No. ER03-38-000, dated January 17, 2003.
- 41) Affidavit on Behalf of Red Lake, LLC in connection with its application for market-based rates for natural gas storage services in docket Nos. CP02-420, CP02-421 and CP02-422, dated March 3, 2003
- 42) Supply Margin Assessment on behalf of FPL Energy, LLC and its subsidiaries, Florida Power & Light Company in connection with its updated

Board Hearing Team Undertakings

- market power study required for market-based rates in Docket No. ER00-2391-003 and ER00-2494-004, dated June 30, 2003.
- 43) Supply Margin Assessment on behalf of FPL Energy Wyoming, LLC in connection with its application for market-based rates in Docket No. ER03-1025-000, dated July 2, 2003.
 - 44) Supply Margin Assessment on behalf of Sempra Energy Resources in connection with its triennial update for market-based rates in Docket No. ER01-1178-003, ER00-3444-003, dated April 9, 2004.
 - 45) Supply Margin Assessment on behalf of POSDEF Power Company in connection with its application for market-based rates in Docket No. ER04-946-000, dated June 22, 2004.
 - 46) Sempra Energy Resources, ER01-1178-000, affidavit in support of SER's Triennial update required to continue its authority for market-based rates, November 5, 2004.
 - 47) American Ref-Fuel Company of Niagara, L.P., ER01-1302-004, affidavit in connection with its application for market-based rates, dated December, 29, 2004.
 - 48) Florida Power & Light, et. al., ER-97-3359, affidavit concerning FPL's Triennial update in support of continuation of its market-based rate authority, December 21, 2004.
 - 49) American Ref-Fuel Holding Company and Danielson Holdings, EC-05-____-000, affidavit in support of Danielson's acquisition of American Ref-Fuel, February 2005.
 - 50) Northeast Energy Associates, ER05-236-000, affidavit in support of NEA's application for market-based rates, February 2, 2005.
 - 51) FPL Seabrook, ER02-1830-001, affidavit in support of FPL Seabrook's application for market-based rates, February 2005.
 - 52) Reliant Energy Power Generation and Sempra Energy Power I, EC05-____, affidavit re market power in support of Sempra's acquisition of El Dorado facilities from Reliant, July 2005.
 - 53) American Ref-Fuel Co., ER00-2677-000, affidavit in support of American Ref-Fuel's application for market-based rates, July 2005.
 - 54) San Diego Gas & Electric and Palomar Energy, LLC, EC06-16-000, affidavit concerning market power in connection with SDG&E's acquisition of the Palomar Facility, October 24, 2005.
 - 55) Pacific Gas & Electric Company, ER03-198-000, affidavit concerning PG&E's Triennial update in support of continuation of its market-based rate authority, December 9, 2005.
 - 56) Elk Hills Power, LLC, et. al., ER03-394-000, affidavit concerning PG&E's Triennial update in support of continuation of its market-based rate authority, January 9, 2006.

Board Hearing Team Undertakings

- 57) San Diego Gas & Electric, ER06-577-000, affidavit providing an updated market power analysis in connection with continuation of authorization to implement market-based rates, January 30, 2006.
- 58) Pacific Gas & Electric, Mirant Delta, LLC and Mirant Special Procurement, Docket EC06-113-000, affidavit and market power analysis in support of Section 203 concerning PG&E's acquisition of the Contra Costa 8 facilities, April 17, 2006.

REPORTS AND PUBLICATIONS

- 1) Report to the Securities and Exchange Commission ("SEC") on behalf of the New York Stock Exchange, Inc., entitled "Issues Surrounding Cost-based Regulation of Market Data Prices," in connection with the SEC Concept Release on "Regulation of Market Information Fees and Revenues," (Release No. 34-42208; File No. S7-28-99), dated April 10, 2000.
- 2) Natural Gas Storage Competition, Prepared for Enbridge Inc., January 8, 2001.
- 3) Bruce M McConihe and Carl R. Danner, "The Western Transmission Grid: The Urgent Call for Investment," Prepared for the Edison Electric Institute, August 2001.
- 4) Natural Gas Storage Competition Study, Prepared for Enbridge Consumers Gas, July 2002.
- 5) "Economic Regulation of Natural Gas Storage in Ontario," study prepared for the Ontario Energy Board, May 1, 2006.