BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

IN THE MATTER OF SOUTHWESTERN PUBLIC SERVICE COMPANY'S APPLICATION FOR: (1) REVISION OF ITS RETAIL RATES UNDER ADVICE NOTICE NO. 282; (2) AUTHORIZATION AND APPROVAL TO SHORTEN THE SERVICE LIFE OF AND ABANDON ITS TOLK GENERATING STATION UNITS; AND (3) OTHER RELATED RELIEF, SOUTHWESTERN PUBLIC SERVICE COMPANY, APPLICANT.	CASE NO. 19-00170-UT

DIRECT TESTIMONY

OF

DAVID J. GARRETT

ON BEHALF OF

THE NEW MEXICO LARGE CUSTOMER GROUP
AND
OCCIDENTAL PERMIAN LTD

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I. INTRODUCTION

Q. State your name and occupation.

A. My name is David J. Garrett. I am a consultant specializing in public utility regulation. I am the managing member of Resolve Utility Consulting PLLC.

Q. Summarize your educational background and professional experience.

A. I received a B.B.A. degree with a major in Finance, an M.B.A. degree, and a Juris Doctor degree from the University of Oklahoma. I worked in private legal practice for several years before working as assistant general counsel at the Oklahoma Corporation Commission in 2011. At the commission, I worked in the Office of General Counsel in regulatory proceedings. In 2012, I worked for the Public Utility Division as a regulatory analyst providing testimony in regulatory proceedings. After leaving the Oklahoma commission I formed Resolve Utility Consulting PLLC, where I have represented numerous consumer groups and state agencies in utility regulatory proceedings, primarily in the areas of cost of capital and depreciation. I am a Certified Depreciation Professional with the Society of Depreciation Professionals. I am also a Certified Rate of Return Analyst with the Society of Utility and Regulatory Financial Analysts. A more

complete description of my qualifications and regulatory experience is included in my curriculum vitae.[1]

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

A. I am testifying on behalf of the New Mexico Large Customer Group ("NMLCG") and Occidental Permian LTD ("OPL") in the present application of Southwestern Public Service Company ("SPS" or the "Company") before the New Mexico Public Regulatory Commission (the "Commission").

Q. Describe the purpose and scope of your testimony in this proceeding.

A. The primary purpose of my testimony is to give my opinion on the estimated cost of capital for SPS, as well as my opinion on a fair awarded rate of return for SPS. I am responding to the direct testimonies of SPS witnesses Ann E. Bulkley and Sarah W. Soong.

Q. Please describe the organization of your testimony.

A. A summary of my testimony, recommendation, and response to the Company's testimony regarding cost of capital is included in the executive summary below. In the remainder of my testimony, I discuss the legal standards governing the awarded return issue as well as the general concepts

[1] Exhibit DJG-1.

involved in estimating the cost of equity. I provide detailed analysis of the Discounted Cash Flow ("DCF") Model, the Capital Asset Pricing Model ("CAPM"), including my results for these models and my responses to Ms. Bulkley's results. I also address capital structure, which is a key component to the cost of capital. Finally, I address issues raised in Ms. Soong's testimony regarding the Company's credit ratings as it relates to the capital structure proposed by SPS.

II. EXECUTIVE SUMMARY

Q. Before providing your executive summary, please briefly state your recommendation regarding the awarded return on equity ("ROE") and capital structure for SPS.

A. I recommend the Commission award SPS with an ROE of 8.2% and a capital structure consisting of 50% debt and 50% equity.

A. Overview

Q. Explain the concept of the "weighted average cost of capital."

A. The term "cost of capital" refers to the weighted average cost of all types of components within a company's capital structure, including debt and equity. Determining the cost of debt is relatively straight-forward. Interest payments on bonds are contractual, "embedded costs" that are generally

calculated by dividing total interest payments by the book value of outstanding debt. Determining the cost of equity, on the other hand, is more complex. Unlike the known, contractual cost of debt, there is no explicit "cost" of equity; the cost of equity must be estimated through various financial models. Thus, the overall weighted average cost of capital ("WACC"), includes the cost of debt and the estimated cost of equity. It is a "weighted average," because it is based upon the Company's relative levels of debt and equity, or "capital structure." Companies in the competitive market often use their WACC as the discount rate to determine the value of capital projects, so it is important that this figure be closely estimated. The basic WACC equation used in regulatory proceedings is presented as follows:[2]

Equation 1:
Weighted Average Cost of Capital

$$WACC = \left(\frac{D}{D+E}\right)C_D + \left(\frac{E}{D+E}\right)C_E$$

where: $WACC$ = *weighted average cost of capital*
D = *book value of debt*
C_D = *embedded cost of debt capital*
E = *book value of equity*
C_E = *market-based cost of equity capital*

Thus, the three components of the weighted average cost of capital include the following:

1. Cost of Equity
2. Cost of Debt
3. Capital Structure

The term "cost of capital" is necessarily synonymous with the "weighted average cost of capital," and the terms are used interchangeably throughout this testimony.

Q. Describe the relationship between the cost of equity, required ROE, earned ROE, and awarded ROE.

A. While "cost of equity," "required ROE," "earned ROE," and "awarded ROE" are interrelated factors and concepts, they are all technically different. The financial models presented in this case were created as tools for estimating the "cost of equity," which is synonymous to the "required ROE" that investors expect based on the amount of risk inherent in the equity investment. In other words, the cost of equity from the company's perspective equals the required ROE from the investor's perspective.

The "earned ROE" is a historical return that is measured from a company's accounting statements, and it is used to measure how much shareholders earned for investing in a company. A company's earned ROE

is not the same as the company's cost of equity. For example, an investor who invests in a risky firm may *require* a return on investment of 10%. If the firm used the same estimates as the investor, then the company will estimate that its *cost* of equity is also 10%. If the company performs poorly and the investor *earns* a return of only 7%, this does not mean that the investor required only 7%, or that the investor will not still require a 10% return the following period. Thus, the cost of equity is not the same as the earned ROE. If by chance the company in this example earned a 13% ROE, then it will have exceeded their investors' expectations.

Finally, the "awarded" ROE is unique to the regulatory environment; it is the return authorized by a regulatory commission pursuant to legal guidelines. As discussed later in this testimony, the awarded ROE should be based on the utility's *cost* of equity. The relationship between the terms and concepts discussed thus far could be summarized in the following sentence: If the awarded ROE reflects a utility's cost of equity, then it should allow the utility to achieve an earned ROE that is sufficient to satisfy the required return of its equity investors. Thus, the "required" or "expected" return from an investor's standpoint is not simply what the investor wishes he could get. Likewise, the expected return of a utility investor has nothing to do with what he "expects" a

regulatory commission will order regarding an awarded ROE. Rather, the expected return / cost of equity is estimated through objective, mathematical financial modeling based on risk.

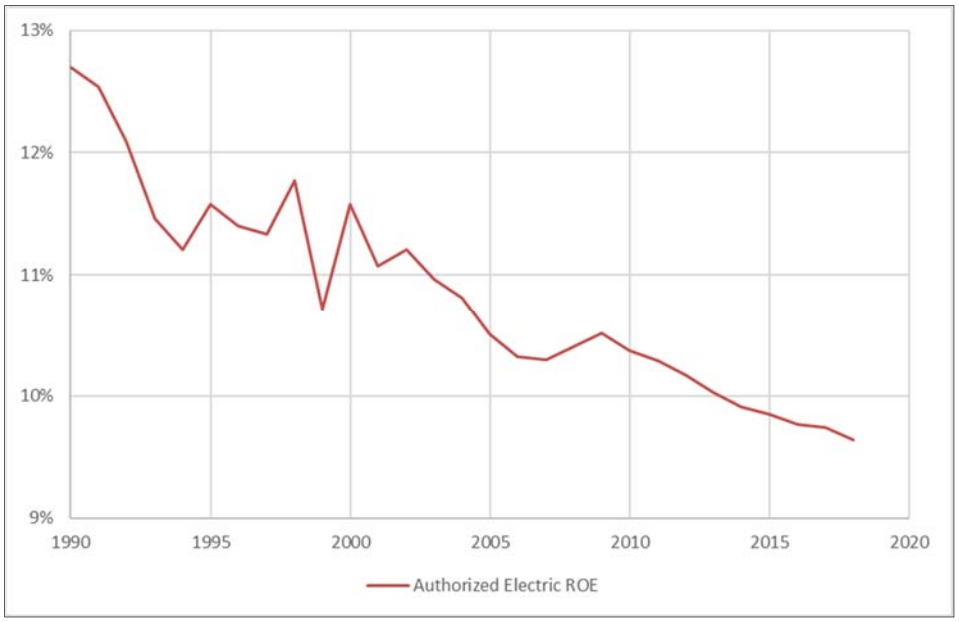
Q. Describe SPS's position regarding the awarded ROE in this case.

A. In this case, SPS proposes an awarded ROE of 10.35%, as discussed in the direct testimony of Ms. Bulkley. Ms. Bulkley also supports SPS's proposed capital structure, which consists of 54.77% equity and 45.23% debt. In support of her recommended ROE, Ms. Bulkley relies on the Discounted Cash Flow ("DCF") Model, the Capital Asset Pricing Model ("CAPM"), and another risk premium model.

Q. Please discuss SPS's ROE proposal in the context of a historic trend in awarded ROEs for electric utilities.

A. Over the past thirty years, capital costs for all companies have generally declined. This is due in large part to generally declining interest rates over the same period. Likewise, awarded ROEs for electric utilities have also decreased since 1990. The graph below shows a trend in the annual awarded returns for electric utilities from 1990 to 2017.

Figure 1:
Historic Awarded ROEs for Electric Utilities



In 1990, the average awarded ROE for electric utilities was 12.7%; in 2018, it was only 9.6%.[3] Thus, SPS's proposed ROE in this case is significantly higher than the average awarded ROEs from other jurisdictions, which have been appropriately trending downward for nearly 30 years.

Q. Are you suggesting that regulators should simply set ROEs according to a national average of awarded ROEs?

A. No. As illustrated further in my testimony, there is strong evidence suggesting that regulators consistently award ROEs that are notably higher

[3] *See* Exhibit DJG-15.

than utilities' actual cost of equity. This is likely due to the fact that over the past 30 years, interest rates and cost of capital have declined at a faster rate than regulators' willingness to decrease awarded ROEs. In other words, awarded ROEs have appropriately been decreasing in accordance with declining capital costs; however, they have not decreased quickly enough to keep pace. To the extent regulators have been persuaded to conform to a national average of awarded ROEs when making their decisions in a particular case, it has contributed to this "lag" in awarded returns effectively tracking with falling interest rates. In other words, whether objective market indicators influencing cost of equity are rising or falling, simply reverting to a national mean of awarded ROEs will effectively prevent those ROEs from properly rising and falling with the market indicators, such as interest rates. In today's economic environment, if a regulator awards an ROE that is equivalent to the national average, that awarded ROE will be above market-based cost of equity for a regulated utility. Therefore, to suggest that the Commission simply set SPS's awarded ROE based on a national average would not result in a fair return and would promote the perpetuation of a national phenomenon of artificially inflated ROEs.

Q. Summarize your analyses and conclusions regarding SPS's cost of equity.

A. Analysis of an appropriate awarded ROE for a utility should begin with a reasonable estimation for the utility's cost of equity capital. In estimating SPS's cost of equity, I performed a cost of equity analysis on a proxy group of utility companies with relatively similar risk profiles. Based on this proxy group, I evaluated the results of the two most widely accepted financial models for calculating cost of equity in utility rate proceedings: the CAPM and DCF Model. Applying reasonable inputs and assumptions to these models indicates that SPS's estimated cost of equity is about 6.5%.

Q. Your cost of equity estimate for the Company is notably lower than the ROEs that regulators typically awarded to utility shareholders. Please explain.

A. Estimating cost of equity is fairly straightforward. Investors, company managers, and academics around the world have used models such as the CAPM for decades to closely estimate cost of equity for many years. The CAPM in particular is not difficult to understand or calculate, and it requires only three inputs: the risk-free rate, beta, and the equity risk premium. The math involved in the CAPM is also straightforward (i.e., even attorneys can do it). Here is the CAPM formula:

Cost of Equity = Risk-free Rate + (Beta × Equity Risk Premium)

Although these terms will be explained in more detail later in this testimony, let's use Ms. Bulkley's inputs for the risk-free rate and beta (so those terms will be undisputed for this example). Ms. Bulkley used a risk-free rate as high as 3.6%[4] and an average beta of 0.686.[5] We can plug those numbers into the formula.

Cost of Equity = 3.6% + (0.686 × Equity Risk Premium)

All we have remaining to complete the formula is one of the single most important numbers in the field of finance: The Equity Risk Premium. Fortunately, because this number is so important, many experts estimate it (not just utility ROE witnesses). Thus, we can consider a variety of objective sources for the Equity Risk Premium, including expert surveys, scholars, and professional analysts. According to these experts, the Equity Risk Premium is about 5.5%.[6] However, I estimated a higher Equity Risk Premium of 6.0%.[7] Although I have no reason to believe that thousands of survey respondents and other experts have mistakenly underestimated this

[4] Attachment AEB-9. Ms. Bulkley relies on several estimates of the risk-free rate in multiple CAPM estimates, but the highest estimate she uses is 3.6%.

[5] Attachment AEB-8.

[6] Exhibit DJG-11.

[7] Exhibit DJG-10.

very important number, we will use 6.0% for the Equity Risk Premium in this calculation to make absolutely sure we do not underestimate the Company's cost of equity. We can now complete the CAPM formula.

Cost of Equity = 3.6% + (0.686 × 6.0%)

The final CAPM cost of equity estimate in this calculation is **7.7%**. However, if this were an assignment in a Finance 101 class, we would probably get a B+ for this project. First, we have used a risk-free rate that is clearly too high. The current yield on 30-year Treasury bonds (a figure we use for the risk-free rate) is only about 2.2%,[8] and it hasn't been as high as 3.6% at all this year.[9] Furthermore, we used an equity risk premium that is probably too high, as discussed above. Moreover, our reason for using a high Equity Risk Premium (". . . to make absolutely sure we do not underestimate the Company's cost of equity") is not a very good reason.

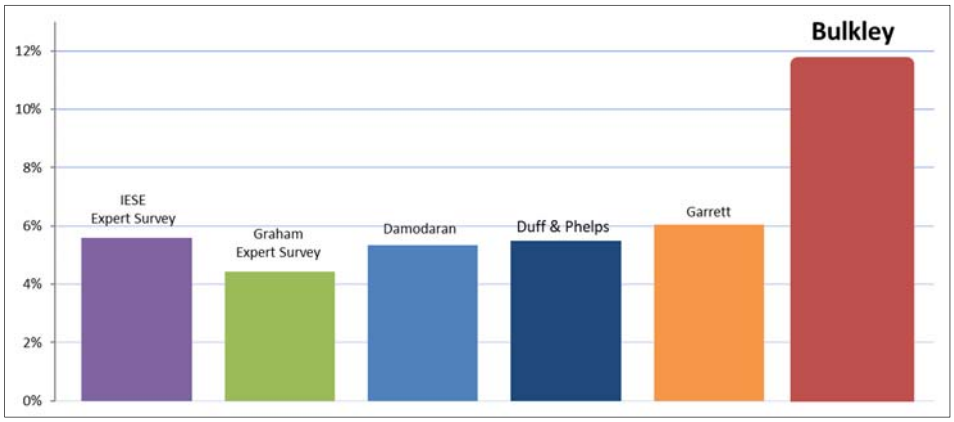
[8] Exhibit DJG-8.

[9] Daily Treasury Yield Curve Rates, https://www.treasury.gov/resource-center/data-chart-center/interest-rates/pages/TextView.aspx?data=yieldYear&year=2019 .

Q. You used Ms. Bulkley's inputs for the risk-free rate (3.6%) and beta (0.686), but why didn't you use her input for the Equity Risk Premium ("ERP")?

A. Ms. Bulkley estimates an ERP as high as 11.56%.[10] The following figure compares Ms. Bulkley's equity risk premium estimate to the estimate of thousands of expert survey respondents, a highly respected corporate finance advising firm, and arguably one of the world's leading experts on equity risk premia, Dr. Aswath Damodaran.

Figure 2:
Equity Risk Premium Comparison



[10] Attachment AEB-9.

When compared with other independent, objective sources for the ERP, which do not have a wide variance, Ms. Bulkley's ERP estimate is clearly not realistic.

Q. A 7.7% estimated cost of equity for SPS seems very low given that regulators typically award ROEs above 9.0%. How can you be sure that 7.7% is a reasonable estimate for SPS's cost of equity?

A. A cost of equity estimate of 7.7% for SPS is likely toward the higher end of a reasonable range. As discussed above, I used a risk-free rate and ERP estimate that are likely too high in our 7.7% estimate. Regardless, a 7.7% cost of equity estimate for low-risk companies (such as utilities) could be considered reasonable in the current market. It makes no difference that there is a discrepancy between this estimate and the *status quo* awarded ROEs from regulators. This is due to the fact that awarded ROEs and cost of equity are related, but very different concepts. Awarded ROEs are decided by elected and appointed officials, influenced by politics, and negotiated in settlements. The *cost* of equity, in contrast, is driven by market forces. When corporate managers, investors, and analysts attempt to estimate the cost of equity for any competitive, non-regulated company, they do not consult utility commissioners' decisions. Instead, they use the CAPM and other financial models, as we did in the example above. Indeed,

as some experts have noted, "the market determines the cost of capital. Regulator's don't."[11]

Q. Is there some way we can test the results of our CAPM to assess its reasonableness?

A. Yes. The CAPM has been used for decades by investors and company managers to make important investment and capital budgeting decisions (without the input of utility regulators). Even though utility betas are consistently below 1.0 (because they are less risky than the market average), let's see what the CAPM results would be if we simply used the market average of 1.0 for our beta term. This effectively estimates the cost of equity of the entire stock market, which will necessarily be higher than a reasonable cost of equity estimate for any regulated utility. In our CAPM cost of equity project for SPS discussed above, we got a B+ grade because we used an inexplicably high risk-free rate. This time, for our market cost of equity project, we will use a risk-free rate that actually corresponds with recent yields on 30-year Treasury bonds (or 2.2%).[12]

$$\textbf{\textit{Market} Cost of Equity} = 2.2\% + (1.0 \times 6.0\%)$$

[11] Leonard Hyman & William Tilles, "Don't Cry for Utility Shareholders, America," Public Utilities Fortnightly (October 2016).

[12] *See* Attachment DJG-1-7.

The result of our market cost of equity calculation is 8.2%. This means that if an investor bought the entire market, the expected return on that investment would currently be about 8.2%. Again, this is the market's cost of equity. Now, to answer the question of whether 7.7% was a reasonable cost of equity estimate for SPS, we can use the following logical steps: (1) It is undisputed that the cost of equity for a company with a beta of less than 1.0 will be less than the market cost of equity; (2) Because *all utilities* have a beta of less than 1.0, the cost of equity for any utility company must be less than 8.2%. So, to answer the original question, a cost of equity estimate of 7.7% for SPS is perfectly reasonable, if not a little high. Recall that our 7.7% estimate for the cost of equity used a risk-free rate that exceeded any daily yield for the 30-year Treasury bond during 2019. Likely, a more realistic cost of equity estimate for SPS is about 6.5%.[13]

B. Recommendation

Q. Please summarize your recommendation to the Commission.

A. Pursuant to the legal and technical standards guiding this issue, the awarded ROE should be based on, or reflective of, the utility's cost of equity. SPS's estimated cost of equity is about 6.5%, when using reasonable inputs.

[13] Attachment DJG-1-12.

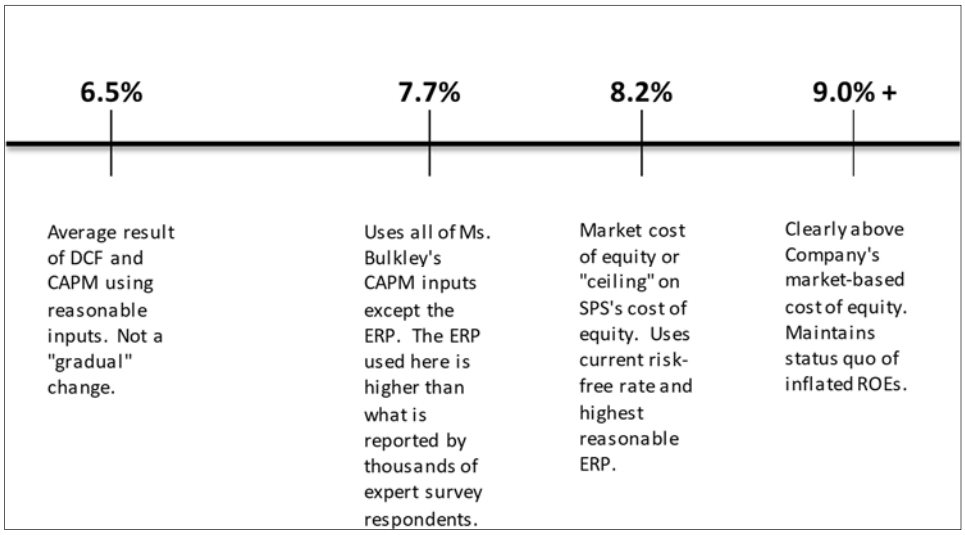
However, legal standards do not mandate the awarded ROE be set exactly equal to the cost of equity. Rather, in *Federal Power Commission v. Hope Natural Gas Co*., the U.S. Supreme Court found that, although the awarded return should be based on a utility's cost of capital, it is also indicated that the "end result" should be just and reasonable.[14]

I recommend the Commission award SPS an ROE of 8.2%, which is the highest ROE within a reasonable range of 6.5% - 8.2%. The bottom end of this range (6.5%) is equal to the average results of my CAPM and DCF Model when using reasonable inputs. The high point of the range (8.2%) is equal to the market cost of equity, or the "ceiling" for SPS's cost of equity, as calculated above. Another notable point within this range is an ROE of 7.7%, which is from the CAPM calculation discussed above. The 7.7% ROE is based on all of Ms. Bulkley's inputs to her CAPM estimate except one. Specifically, this calculation uses Ms. Bulkley's proposed proxy group, her proposed risk-free rate (which is clearly too high), and her proposed betas for the proxy group. Instead of using Ms. Bulkley's ERP estimate, however, (which is about twice as high as the ERP

[14] *See Federal Power Commission v. Hope Natural Gas Co*., 320 U.S. 591, 603 (1944). Here, the Court states that it is not mandating the various permissible ways in which the rate of return may be determined, but instead indicates that the end result should be just and reasonable. This is sometimes called the "end result" doctrine.

reported by thousands of expert survey respondents), I used the highest reasonable ERP I could either find or calculate. The figure below summarizes the various ROE estimates discussed thus far.

Figure 3:
ROE Range Summary



As shown in this chart, an awarded ROE of 8.2%, while clearly higher than the Company's cost of equity, would be fair and reasonable to both ratepayers and customers under the circumstances. Indeed, shareholders would not receive the type of windfall awarded ROEs they have become accustomed to, but fortunately the legal standards governing this issue do not mandate the Commission appease the extravagant expectations of shareholders. Instead, an 8.2% ROE would still be more than adequate for shareholders, as such a return would equal the cost the

equity of the entire market. To be clear, if the Commission were to award SPS with an ROE of 8.2%, it would be still be authorizing an excess transfer of wealth from ratepayers to shareholders beyond that which is contemplated or required by *Hope* and *Bluefield*.

Q. You previously stated that an awarded ROE of 8.2% would be fair to both customers and shareholders. How can that be the case if 8.2% exceeds SPS's actual cost of equity and still results in an excess wealth transfer from shareholders to customers?

A. The ratemaking concept of "gradualism," though usually applied from customers' standpoint to minimize rate shock, could also be applied to shareholders. An awarded return as low as 6.5% in any current rate proceeding would represent a substantial change from the "status quo," which as I prove later in the testimony, involves awarded ROEs that clearly exceed market-based cost of equity for utilities. However, while generally reducing awarded ROEs for utilities would move awarded returns closer to market-based costs and reduce the excess transfer of wealth from ratepayers to shareholders, I believe it is advisable to do so gradually. One of the primary reasons SPS's cost of equity is so low is because SPS is a very low-risk asset. In general, utility stocks are low-risk investments because movements in their stock prices are not volatile. If the Commission were

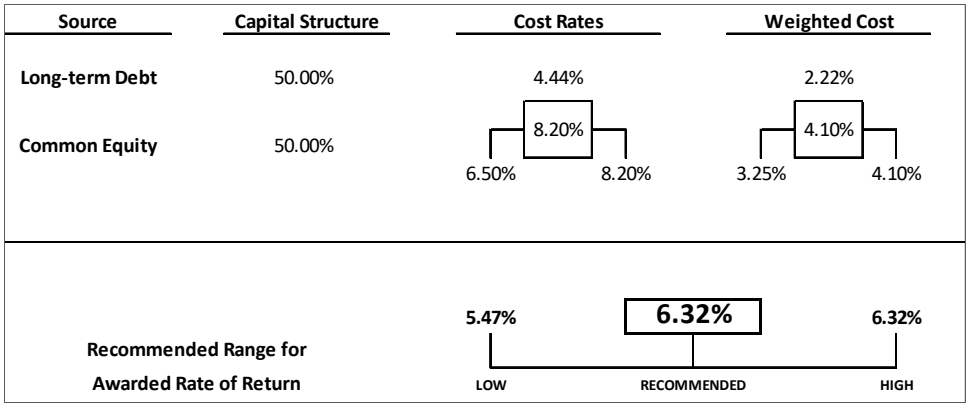
to make a significant, sudden change in the awarded ROE anticipated by regulatory stakeholders, it could have the undesirable effect of notably increasing the Company's risk profile, and it could run the risk of being at odds with the *Hope* Court's "end result" doctrine. An awarded ROE of 8.2% represents a good balance between the Supreme Court's indications that awarded ROEs should be based on cost, while also recognizing that the end result must be reasonable under the circumstances. An awarded ROE of 8.2% represents a relatively gradual, yet decisive move toward SPS's market-based cost of equity, and it would be fair to SPS's shareholders because 8.2% is still 170 basis points above SPS's market-based cost of equity (6.5%). As discussed further below, there is a growing amount of literature and empirical data proving that awarded ROEs clearly exceed utility cost of equity in the U.S. An awarded ROE of 8.2% for SPS would represent a notable departure from the *status-quo*, windfall ROEs that shareholders have come to expect; however, if the Commission's aim is to set fair rates, then a departure from the *status quo* is required.

Q. Please summarize your recommendation regarding capital structure.

A. The Company proposes a capital structure consisting of 45.23% debt and 54.77% equity. In my testimony, I present evidence indicating SPS is capitalized with insufficient amounts of debt. By choosing to have greater

amounts of high-cost equity instead of low-cost debt in its capital structure, the Company is not minimizing its weighted average cost of capital to its lowest reasonable level. Based on an objective capital structure model, the capital structures of the proxy group, and the capital structures of similar competitive industries, I recommend the Commission approve a capital structure consisting of 50% equity and 50% debt for SPS. Given the fact that there is evidence suggesting SPS's capital costs could be further reduced with an even higher debt ratio, my recommendation is very conservative. My recommendations regarding the awarded ROE and capital structure are illustrated in the table below.[15]

Figure 4:
Rate of Return Recommendation



[15] *See* Exhibit DJG-2.

At an awarded ROE of 8.2% and a debt ratio of 50%, the Company's authorized rate of return, or WACC, would be 6.32%.

C. Response to the Company's Testimony

Q. Please provide an overview of the problems you have identified with the Company's testimony regarding cost of equity, capital structure, and the awarded ROE.

A. Ms. Bulkley proposes a return on equity of 10.35%.[16] Ms. Bulkley's recommendation is based on the CAPM, DCF Model, and other risk premium models. However, several of her key assumptions and inputs to these models violate fundamental, widely accepted tenants in finance and valuation, while other assumptions and inputs are simply unrealistic. Additionally, Ms. Soong makes recommendations regarding SPS's capital structure and credit ratings. I will discuss my concerns regarding the Company's proposals in further detail later in my testimony. However, the key areas of concern are summarized further below.

[16] Direct Testimony of Ann E. Bulkley, p. 6, line 5.

Q. Did the results of any of Ms. Bulkley's DCF Model variations fall within your recommended range for the awarded ROE?

A. Yes. Ms. Bulkley lists several DCF Model results using various assumptions in her exhibits.[17] The results of five of her DCF Models actually fall within my recommended range for SPS's awarded ROE. Specifically, Ms. Bulkley's DCF Models included results of 8.00%, 8.05%, 8.10%, 8.15%, and 8.16%.[18] All of these results are less than my recommended ROE of 8.2%. Although I do not believe that any of these results represent reasonable estimates of the Company's *cost* of equity, I would agree that any of these results would represent a reasonable awarded ROE for SPS in this case.

Q. Please describe the problems you found in Ms. Bulkley's testimony.

A. In her DCF Model, Ms. Bulkley's long-term growth rate applied to SPS exceeds the long-term growth rate for the entire U.S. economy. In fact, Ms. Bulkley's projected growth rates for her proxy companies are as high as 10.5%,[19] which is more than twice as high as projected U.S. GDP growth. It is a fundamental concept in finance that, in the long run, a company

[17] *See* Attachment AEB-2.

[18] *Id*.

[19] Attachment AEB-4.

cannot grow at a faster rate than the aggregate economy in which it operates; this is especially true for a regulated utility with a defined service territory. In fact, SPS's own growth forecasts for total load and total customers indicate the Company will not experience much real growth beyond inflation over the long run (or even the near future).[20] Thus, the results of Ms. Bulkley's DCF Model are upwardly biased and are not reflective of current market conditions.

Additionally, Ms. Bulkley's estimate for the equity risk premium ("ERP"), the single most important factor in estimating the cost of equity, is significantly higher than the estimates reported by thousands of experts across the country. This is because Ms. Bulkley chose to conduct separate DCF models on every company in the S&P 500 in arriving at her ERP estimate.[21] This decision is especially problematic because Ms. Bulkley used long-term growth rates as high as 83% in her analysis.[22] Many of Ms. Bulkley's other long-term growth rate estimates are also unbelievably high. For example, Ms. Bulkley estimated a long-term growth rate of 45% for

[20] Exhibit DJG-6.

[21] Attachment AEB-9.

[22] *Id*.

Amazon.com Inc.[23] In 2018, Amazon reported earnings of $10.1 billion.[24] If we apply Ms. Bulkley's 45% annual growth rate to Amazon's 2018 earnings, in a mere 30 years Amazon's earnings would be $700 trillion, which would dwarf the GDP of the entire planet. In reality, it is impossible for any company to grow by 45% per year over the long run. In reality, Amazon's growth is actually slowing.[25] Many of Ms. Bulkley's other long-term growth estimates are similarly too high to be considered realistic, and the Commission should consequently ignore her ERP estimate. This example also highlights why it is important not to overestimate long-term growth rates in any financial model. As a result, Ms. Bulkley's estimate of the most important factor in the CAPM is more than twice as high as what thousands of survey respondents and other experts have reported and published. Thus, Ms. Bulkley's CAPM cost of equity estimate is overstated and unrealistic.

In addition to using the CAPM (albeit with unrealistic assumptions), which is a Nobel-prize-winning risk premium model mostly widely used to estimate cost of equity, Ms. Bulkley also conducted a risk premium

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[23] *Id.*

[24] https://finance.yahoo.com/quote/AMZN/financials?p=AMZN&.tsrc=fin-srch

[25] https://www.cnn.com/2019/01/31/tech/amazon-earnings-q4-2018/index.html

analysis. However, that analysis is essentially found only in the testimonies of utility ROE witnesses. Unlike the CAPM, which uses the single most important figure for estimating the cost of equity (the equity risk premium), Ms. Bulkley's risk premium model bypasses the inconvenient reality that the equity risk premium is currently low and instead relies on perpetuating the undeniable discrepancy between market-based cost of equity and the inflated ROEs typically awarded to utility shareholders. Unlike the CAPM, Ms. Bulkley's risk premium model is not market-based. In addition, Ms. Bulkley's risk premium model relies upon awarded ROEs dating back to 1980[26] - a time when both awarded ROEs and capital costs were much higher. Ms. Bulkley's decision to rely on data that predates the invention of camcorders is curious in light of her acknowledgement that "[i]t is important to consider the results of a variety of ROE estimation models, using *forward-looking* assumptions to estimate the cost of equity."[27] Furthermore, many of the authorized ROEs used in Ms. Bulkley's risk premium model likely resulted from settlements and are even further detached from market-based cost of equity than litigated ROEs. Given the

[26] Attachment AEB-10.

[27] Direct testimony of Ann E. Bulkley, p. 36, lines 15-16 (emphasis added).

reality that awarded ROEs have consistently exceeded utility market-based cost of equity for decades, any model that attempts to leverage the relationship between awarded ROEs and any market-based factor (such as U.S. Treasury bonds in this case), will only serve to perpetuate the discrepancy between awarded ROEs and utility cost of equity.

Ms. Bulkley suggests the Commission should consider various firm-specific business risk factors for SPS when considering a fair awarded ROE.[28] However, it is a well-known concept in finance and valuation that investors expect a return only for assuming market risk. This is because firm-specific risk can be eliminated through portfolio diversification. Therefore, the Commission should not consider SPS's firm-specific business risks when determining a fair awarded ROE.

Regarding capital structure, Ms. Bulkley supports SPS's proposed capital structure consisting of only 45.23% debt. An objective analysis, however, indicates that SPS's weighted average cost of capital can be reasonably reduced with a higher imputed debt ratio for the Company. In addition, an analysis of many competitive U.S. industries shows there are thousands of firms across the country with higher debt ratios than SPS. This

[28] *See generally id*. at pp. 79-106.

is true even though utilities are better suited than many industries to operate with higher debt ratios. Moreover, the average debt ratio of Ms. Bulkley's proxy group of utilities is 50%.[29] A more fair and reasonable imputed capital structure for SPS would consist of 50% debt and equity, especially considering evidence that indicates SPS's debt ratio should perhaps be even higher.

Q. Please describe the problems you found in Ms. Soong's testimony.

A. Ms. Soong also supports SPS's requested debt ratio of only 45.23%. In addition, Ms. Soong testifies about the importance of a "constructive" relationship between the Commission and Company's shareholders regarding credit ratings, capital structure, and other financial factors.[30] Ms. Soong also makes numerous references to the idea that the Commission should be "supportive" of the Company by accepting it proposed capital structure, among other things.[31] Ms. Soong's testimony on these issues ignores the premise of our regulatory model. It is the Commission's duty to act as a surrogate for competition, not to "support" the Company's shareholders through inflated ROEs and equity ratios. Nor is it the

[29] Exhibit DJG-18.

[30] See generally Direct Testimony of Sarah W. Soong, pp. 8-47.

[31] *See e.g. id.* at p. 49, lines 6-7.

Commission's responsibility to have a "constructive" or "positive" relationship with shareholders any more than it does with customers, or to ensure a particular result for any of the Company's financial metrics. Instead, it is the Commission's duty to set an awarded return that is based on the Company's cost of capital, which will allow the Company an *opportunity* to earn that return under efficient, prudent, and economical management. Taken at face value, Ms. Soong's testimony would completely absolve Company management of any responsibility to operate this regulated monopoly in an efficient and prudent manner. Further, Ms. Soong's testimony would have us believe that the Company's credit ratings are of the utmost importance and that the Commission somehow has direct control over those credit ratings by imputing a particular debt ratio. The fact of the matter is this: if the Commission adopts the Company's requested capital structure, it will simply be authorizing an additional transfer of wealth from customers to shareholders through an increased revenue requirement. At that point, the use of these excess revenues is entirely within the discretion of Company management. The Company might choose to increase dividends, increase executive bonuses, or incur other expenses not required to provide service rather than make decisions that could increase its credit ratings. If it were really the desire of utility

shareholders to have Cadillac credit ratings, that could be achieved at any time by reducing their dividends to pay down debt. Obviously, however, shareholders' primary concern is maximizing profits, not maximizing credit ratings. If the opposite were true, we would see the vast majority of publicly traded companies operating with top-grade credit scores. In reality, however, investors would rather their companies issue as much debt as required to maximize profit, even if it means accepting slightly higher debt costs and lower credit ratings. Individual investors do the same thing when investing in rental properties. An investor could achieve an optimal credit rating by paying cash for a rental property, but profits are maximized by leveraging the property with a mortgage (often in excess of 75% of the value). Unlike competitive firms and individual investors, utilities are not naturally incentivized to operate with sufficient amounts of debt in their capital structures. In other words, utilities can increase revenues by increasing their equity ratios, particularly when, like SPS, they enjoy awarded returns on equity that far exceed market-based costs of equity. A Commission standing in the place of competition should ensure two things: (1) the awarded ROE is reflective of market-based cost of equity; and (2) the Company's imputed capital structure is reflective of one that would exist in a competitive environment. All of the other financial aspects discussed

in Ms. Soong's testimony, including credit ratings, fall under the realm of managerial discretion.

Q. Describe the harmful impact to customers and the state's economy if the Commission were to adopt SPS's inflated ROE recommendation.

A. Setting awarded returns significantly above the true cost of equity results in an inappropriate and excess transfer of wealth from ratepayers to shareholders beyond that which is required by law. This excess outflow of funds from New Mexico's economy would not benefit its businesses or citizens, nor would it result in better utility service. Instead, New Mexico businesses in SPS's service territory would be less competitive with businesses in surrounding states and individual ratepayers would receive inflated costs for basic goods and services, along with higher utility bills.

III. LEGAL STANDARDS AND THE AWARDED RETURN

Q. Discuss the legal standards governing the awarded rate of return on capital investments for regulated utilities.

A. In *Wilcox v. Consolidated Gas Co. of New York*, the U.S. Supreme Court first addressed the meaning of a fair rate of return for public utilities.[32] The

[32] *Wilcox v. Consolidated Gas Co. of New York*, 212 U.S. 19 (1909).

Court found that "the amount of risk in the business is a most important factor" in determining the appropriate allowed rate of return.[33] Later in two landmark cases, the Court set forth the standards by which public utilities are allowed to earn a return on capital investments. In *Bluefield Water Works & Improvement Co. v. Public Service Commission of West Virginia*, the Court held:

> A public utility is entitled to such rates as will permit it to earn a return on the value of the property which it employs for the convenience of the public. . . but it has no constitutional right to profits such as are realized or anticipated in highly profitable enterprises or speculative ventures. The return should be reasonably sufficient to assure confidence in the financial soundness of the utility and should be adequate, under efficient and economical management, to maintain and support its credit and enable it to raise the money necessary for the proper discharge of its public duties.[34]

In *Federal Power Commission v. Hope Natural Gas Company*, the Court expanded on the guidelines set forth in *Bluefield* and stated:

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[33] *Id*. at 48.

[34] *Bluefield Water Works & Improvement Co. v. Public Service Commission of West Virginia*, 262 U.S. 679, 692-93 (1923).

> From the investor or company point of view it is important that there be enough revenue not only for operating expenses *but also for the capital costs of the business*. These include service on the debt and dividends on the stock. By that standard the return to the equity owner should be commensurate with returns on investments in other enterprises having corresponding risks. That return, moreover, should be sufficient to assure confidence in the financial integrity of the enterprise, so as to maintain its credit and to attract capital.[35]

The cost of capital models I have employed in this case are in accordance with the foregoing legal standards.

Q. Is it important that the awarded rate of return be based on the Company's actual cost of capital?

A. Yes. The U.S. Supreme Court in *Hope* makes it clear that the allowed return should be based on the actual cost of capital. Under the rate base rate of return model, a utility should be allowed to recover all its reasonable expenses, its capital investments through depreciation, and a return on its capital investments sufficient to satisfy the required return of its investors. The "required return" from the investors' perspective is synonymous with the "cost of capital" from the utility's perspective. Scholars agree that the allowed rate of return should be based on the actual cost of capital:

[35] *Federal Power Commission v. Hope Natural Gas Co.*, 320 U.S. 591, 603 (1944) (emphasis added).

> Since by definition the cost of capital of a regulated firm represents precisely the expected return that investors could anticipate from other investments while bearing no more or less risk, and since investors will not provide capital unless the investment is expected to yield its opportunity cost of capital, the correspondence of the definition of the cost of capital with the court's definition of legally required earnings appears clear.[36]

The models I have employed in this case closely estimate the Company's true cost of equity. If the Commission sets the awarded return based on my lower, and more reasonable rate of return, it will comply with the U.S. Supreme Court's standards, allow the Company to maintain its financial integrity, and satisfy the claims of its investors. On the other hand, if the Commission sets the allowed rate of return much *higher* than the true cost of capital, it arguably results in an inappropriate transfer of wealth from ratepayers to shareholders.

[36] A. Lawrence Kolbe, James A. Read, Jr. & George R. Hall, *The Cost of Capital: Estimating the Rate of Return for Public Utilities* 21 (The MIT Press 1984).

> [I]f the allowed rate of return is greater than the cost of capital, capital investments are undertaken and investors' opportunity costs are more than achieved. Any excess earnings over and above those required to service debt capital accrue to the equity holders, and the stock price increases. In this case, the wealth transfer occurs from ratepayers to shareholders.[37]

Thus, it is important to understand that the *awarded* return and the *cost* of capital are different but related concepts. The two concepts are related in that the legal and technical standards encompassing this issue require that the awarded return reflect the true cost of capital. On the other hand, the two concepts are different in that the legal standards do not mandate that awarded returns exactly match the cost of capital. Awarded returns are set through the regulatory process and may be influenced by a number of factors other than objective market drivers. The cost of capital, on the other hand, should be evaluated objectively and be closely tied to economic realities. In other words, the cost of capital is driven by stock prices, dividends, growth rates, and most importantly – it is driven by risk. The cost of capital can be estimated by financial models used by firms, investors, and academics around the world for decades. The problem is, with respect to regulated utilities, there has been a trend in which awarded returns fail to

[37] Roger A. Morin, *New Regulatory Finance* 23-24 (Public Utilities Reports, Inc. 2006) (1994).

closely track with actual market-based cost of capital as further discussed below. To the extent this occurs, the results are detrimental to ratepayers and the state's economy.

Q. Describe the economic impact that occurs when the awarded return strays too far from the U.S. Supreme Court's cost of equity standard.

A. As discussed further in the sections below, Ms. Bulkley's recommended awarded ROE is much higher than SPS's actual cost of capital based on objective market data. When the awarded ROE is set far above the cost of equity, it runs the risk of violating the U.S. Supreme Court's standards directing that the awarded return should be *based on the cost of capital*. If the Commission were to adopt the Company's position in this case, it would be permitting an excess transfer of wealth from New Mexico customers to Company shareholders. Moreover, establishing an awarded return that far exceeds true cost of capital effectively prevents the awarded returns from changing along with economic conditions. This is especially true given the fact that regulators tend to be influenced by the awarded returns in other jurisdictions, regardless of the various unknown factors influencing those awarded returns. This is yet another reason why it is crucial for regulators to focus on the target utility's actual *cost* of equity, rather than awarded returns from other jurisdictions. Awarded returns may be influenced by

settlements and other political factors not based on true market conditions. In contrast, the true cost of equity as estimated through objective models is not influenced by these factors but is instead driven by market-based factors. If regulators rely too heavily on the awarded returns from other jurisdictions, it can create a cycle over time that bears little relation to the market-based cost of equity. In fact, this is exactly what we have observed since 1990.

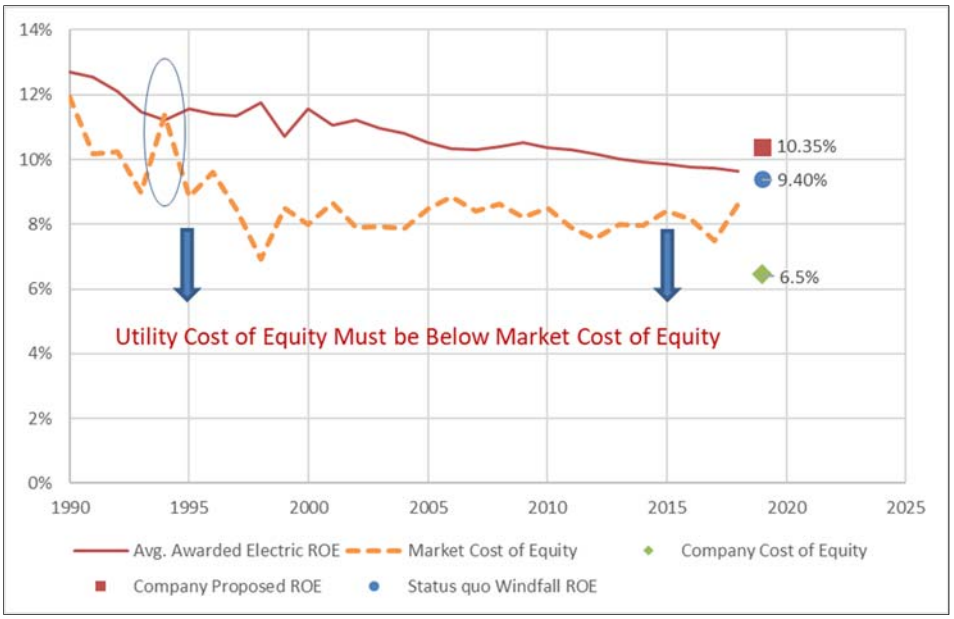
Q. Can you illustrate and provide a comparison of the relationship between awarded utility returns and market cost of equity since 1990?

A. Yes. As shown in the figure below, awarded returns for public utilities have been above the average required market return since 1990.[38] Because utility stocks are consistently far less risky than the average stock in the marketplace, the cost of equity for utility companies is *less* than the market cost of equity. This is a fact, not an opinion. The graph below shows two trend lines. The top line is the average annual awarded returns since 1990 for U.S. regulated utilities. The bottom line is the required market return over the same period. As discussed in more detail later in my testimony, the required market return is essentially the return that investors would

[38] *See* Exhibit DJG-15.

require if they invested in the entire market. In other words, the required market return is essentially the cost of equity of the entire market. Since it is undisputed (even by utility witnesses) that utility stocks are less risky than the average stock in the market, then the utilities' cost of equity must be less than the market cost of equity.[39] Thus, awarded returns (the solid line) should generally be below the market cost of equity (the dotted line), since awarded returns are supposed to be based on true cost of equity.

Figure 5:
Awarded ROEs vs. Market Cost of Equity



[39] This fact can be objectively measured through a term called "beta," as discussed later in the testimony. Utility betas are less than one, which means utility stocks are less risky than the "average" stock in the market.

Because utility stocks are less risky than the average stock in the market, utility cost of equity is below market cost of equity (the dotted line in this graph). However, as shown in this graph, awarded ROEs have been consistently above the market cost of equity for many years. As shown in the graph, since 1990, there was only one year in which the average awarded ROE was below the market cost of equity. In other words, 1994 was the year that regulators awarded ROEs that were the closest to utilities' market-based cost of equity. In my opinion, when awarded ROEs for utilities are below the market cost of equity, they more closely conform to the standards set forth by *Hope* and *Bluefield* and minimize the excess wealth transfer from ratepayers to shareholders. The graph also shows the discrepancy between awarded ROEs and market cost of equity in 2017, along with the various positions in this case. In this case, Ms. Bulkley's proposal of 10.35% is nearly 400 basis points higher than SPS's cost of equity of about 6.5%. As discussed previously, my recommended ROE of 8.2% represents a gradual move towards actual cost, is reasonable under the circumstances, and in accordance with the decisions of the U.S. Supreme Court.

Q. Have other analysts commented on this national phenomenon of awarded ROEs exceeding market-based cost equity for utilities?

A. Yes. In his article published in Public Utilities Fortnightly in 2016, Steve Huntoon observed that even though utility stocks are less risky than the stocks of competitive industries, utility stocks have nonetheless outperformed the broader market.[40] Specifically, Huntoon notes the following three points which lead to a problematic conclusion:

> 1. Jack Bogle, the founder of Vanguard Group and a Wall Street legend, provides rigorous analysis that the long-term total return for the broader market will be around 7 percent going forward. Another Wall Street legend, Professor Burton Malkiel, corroborates that 7 percent in the latest edition of his seminal work, A Random Walk Down Wall Street.
>
> 2. Institutions like pension funds are validating [the first point] by piling on risky investments to try and get to a 7.5 percent total return, as reported by the Wall Street Journal.
>
> 3. Utilities are being granted returns on equity around 10 percent.[41]

In a follow-up article analyzing and agreeing with Mr. Huntoon's findings, Leonard Hyman and William Tilles found that utility equity investors

[40] Steve Huntoon, "Nice Work If you can Get It," Public Utilities Fortnightly (Aug. 2016).

[41] *Id*.

expect about a 7.5% annual return.[42] This finding is particularly remarkable given the results of my CAPM and DCF Model in this case, which average a cost of equity estimate almost identical to the authors' findings.

Other scholars have also observed that awarded ROEs have not appropriately tracked with declining interest rates over the years, and that excessive awarded ROEs have negative economic impacts. In a white paper issued in 2017, Charles S. Griffey stated:

> The "risk premium" being granted to utility shareholders is now higher than it has ever been over the last 35 years. Excessive utility ROEs are detrimental to utility customers and the economy as a whole. From a societal standpoint, granting ROEs that are higher than necessary to attract investment creates an inefficient allocation of capital, diverting available funds away from more efficient investments. From the utility customer perspective, if a utility's awarded and/or achieved ROE is higher than necessary to attract capital, customers pay higher rates without receiving any corresponding benefit.[43]

It is interesting that both Mr. Huntoon and Mr. Griffey use the word "sticky" in their articles to describe the fact that awarded ROEs have declined at a much slower rate than interest rates and other economic factors resulting in a decline in capital costs and expected returns on the market. It is not hard

[42] Leonard Hyman & William Tilles, "Don't Cry for Utility Shareholders, America," Public Utilities Fortnightly (October 2016).

[43] Charles S. Griffey, "When 'What Goes Up' Does Not Come Down: Recent Trends in Utility Returns," White Paper (February 2017).

to see why this phenomenon of sticky ROEs has occurred. Because awarded ROEs are often based primarily on a comparison with other awarded ROEs around the country, the average awarded returns effectively fail to adapt to true market conditions, and regulators seem reluctant to deviate from the average. Once utilities and regulatory commissions become accustomed to awarding rates of return higher than market conditions actually require, this trend becomes difficult to reverse. The fact is, utility stocks are *less risky* than the average stock in the market, and thus, awarded ROEs should be less than the expected return on the market. However, that is rarely the case. "Sooner or later, regulators may see the gap between allowed returns and cost of capital."[44]

Q. Summarize the legal standards governing the awarded ROE issue.

A. The Commission should strive to move the awarded return to a level more closely aligned with the Company's actual, market-derived cost of capital while keeping in mind the following legal principles:

[44] Leonard Hyman & William Tilles, "Don't Cry for Utility Shareholders, America," Public Utilities Fortnightly (October 2016).

1. Risk is the most important factor when determining the awarded return. The awarded return should be commensurate with those on investments of corresponding risk.

The legal standards articulated in *Hope* and *Bluefield* demonstrate that the Court understands one of the most basic, fundamental concepts in financial theory: the more (less) risk an investor assumes, the more (less) return the investor requires. Since utility stocks are very low risk, the return required by equity investors should be relatively low. I have used financial models to closely estimate the Company's cost of equity, and these financial models account for risk. The public utility industry is one of the least risky industries in the entire country. The cost of equity models confirm this by producing relatively low cost of equity results. In turn, the awarded ROE in this case should reflect SPS's relatively low market risk.

2. The awarded return should be sufficient to assure financial soundness under efficient management.

Because awarded returns in the regulatory environment have not closely tracked market-based trends and commensurate risk, utility companies have been able to remain more than financially sound, perhaps despite management inefficiencies. In fact, the transfer of wealth from ratepayers to shareholders has been so far removed from actual cost-based drivers that a utility could remain financially sound even under relatively inefficient management. Therefore, regulatory commissions should strive to set

utilities' returns based on actual market conditions to promote prudent and efficient management and minimize economic waste.

IV. GENERAL CONCEPTS AND METHODOLOGY

Q. Discuss your approach to estimating the cost of equity in this case.

A. While a competitive firm must estimate its own cost of capital to assess the profitability of competing capital projects, regulators determine a utility's cost of capital to establish a fair rate of return. The legal standards set forth above do not include specific guidelines regarding the models that must be used to estimate the cost of equity. Over the years, however, regulatory commissions have consistently relied on several models. The models I have employed in this case have been the two most widely used and accepted in regulatory proceedings for many years. These models are the Discounted Cash Flow Model ("DCF Model") and the Capital Asset Pricing Model ("CAPM"). The specific inputs and calculations for these models are described in more detail below.

Q. Please explain why you used multiple models to estimate the cost of equity.

A. The models used to estimate the cost of equity attempt to measure the return on equity required by investors by estimating several different inputs. It is

preferable to use multiple models because the results of any one model may contain a degree of imprecision, especially depending on the reliability of the inputs used at the time of conducting the model. By using multiple models, the analyst can compare the results of the models and look for outlying results and inconsistencies. Likewise, if multiple models produce a similar result, it may indicate a narrower range for the cost of equity estimate.

Q. Please discuss the benefits of choosing a proxy group of companies in conducting cost of capital analyses.

A. The cost of equity models in this case can be used to estimate the cost of capital of any individual, publicly traded company. There are advantages, however, to conducting cost of capital analysis on a "proxy group" of companies that are comparable to the target company. First, it is better to assess the financial soundness of a utility by comparing it to a group of other financially sound utilities. Second, using a proxy group provides more reliability and confidence in the overall results because there is a larger sample size. Finally, the use of a proxy group is often a pure necessity when the target company is a subsidiary that is not publicly traded. This is because the financial models used to estimate the cost of equity require information from publicly traded firms, such as stock prices and dividends.

Q. Describe the proxy group you selected in this case.

A. In this case, I chose to use the same proxy group used by Ms. Bulkley. There could be reasonable arguments made for the inclusion or exclusion of a particular company in a proxy group; however, the cost of equity results are influenced far more by the underlying assumptions and inputs to the various financial models than the composition of the proxy group.[45] By using the same proxy group, we can remove a relatively insignificant variable from the equation and focus on the primary factors driving SPS's cost of equity estimate.

V. RISK AND RETURN CONCEPTS

Q. Discuss the general relationship between risk and return.

A. Risk is among the most important factors for the Commission to consider when determining the allowed return. Thus, it is necessary to understand the relationship between risk and return. There is a direct relationship between risk and return: the more (or less) risk an investor assumes, the larger (or smaller) return the investor will demand. There are two primary types of risk: firm-specific risk and market risk. Firm-specific risk affects

[45] *See* Exhibit DJG-3.

individual companies, while market risk affects all companies in the market to varying degrees.

Q. Discuss the differences between firm-specific risk and market risk.

A. Firm-specific risk affects individual companies, rather than the entire market. For example, a competitive firm might overestimate customer demand for a new product, resulting in reduced sales revenue. This is an example of a firm-specific risk called "project risk."[46] There are several other types of firm-specific risks, including: (1) "financial risk" – the risk that equity investors of leveraged firms face as residual claimants on earnings; (2) "default risk" – the risk that a firm will default on its debt securities; and (3) "business risk" – which encompasses all other operating and managerial factors that may result in investors realizing less than their expected return in that particular company. While firm-specific risk affects individual companies, market risk affects all companies in the market to varying degrees. Examples of market risk include interest rate risk, inflation risk, and the risk of major socio-economic events. When there are changes in these risk factors, they affect all firms in the market to some extent.[47]

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[46] Aswath Damodaran, *Investment Valuation: Tools and Techniques for Determining the Value of Any Asset* 62-63 (3rd ed., John Wiley & Sons, Inc. 2012).

[47] *See* Zvi Bodie, Alex Kane & Alan J. Marcus, *Essentials of Investments* 149 (9th ed., McGraw-Hill/Irwin 2013).

Analysis of the U.S. market in 2001 provides a good example for contrasting firm-specific risk and market risk. During that year, Enron Corp.'s stock fell from $80 per share to where the company filed bankruptcy at the end of the year. If an investor's portfolio had held only Enron stock at the beginning of 2001, this irrational investor would have lost the entire investment by the end of the year due to assuming the full exposure of Enron's firm-specific risk (in that case, imprudent management). On the other hand, a rational, diversified investor who invested the same amount of capital in a portfolio holding every stock in the S&P 500 would have had a much different result that year. The rational investor would have been relatively unaffected by the fall of Enron because his portfolio included about 499 other stocks. Each of those stocks, however, would have been affected by various *market* risk factors that occurred that year. Thus, the rational investor would have incurred a relatively minor loss due to market risk factors, while the irrational investor would have lost everything due to firm-specific risk factors.

Q. Can investors easily minimize firm-specific risk?

A. Yes. A fundamental concept in finance is that firm-specific risk can be eliminated through diversification.[48] If someone irrationally invested all their funds in one firm, they would be exposed to all the firm-specific risk and the market risk inherent in that single firm. Rational investors, however, are risk-averse and seek to eliminate risk they can control. Investors can eliminate firm-specific risk by adding more stocks to their portfolio through a process called "diversification." There are two reasons why diversification eliminates firm-specific risk. First, each stock in a diversified portfolio represents a much smaller percentage of the overall portfolio than it would in a portfolio of just one or a few stocks. Thus, any firm-specific action that changes the stock price of one stock in the diversified portfolio will have only a small impact on the entire portfolio.[49]

The second reason why diversification eliminates firm-specific risk is that the effects of firm-specific actions on stock prices can be either positive or negative for each stock. Thus, in large diversified portfolios, the net effect of these positive and negative firm-specific risk factors will be

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[48] *See* John R. Graham, Scott B. Smart & William L. Megginson, *Corporate Finance: Linking Theory to What Companies Do* 179-80 (3rd ed., South Western Cengage Learning 2010).

[49] *See* Aswath Damodaran, *Investment Valuation: Tools and Techniques for Determining the Value of Any Asset* 64 (3rd ed., John Wiley & Sons, Inc. 2012).

essentially zero and will not affect the value of the overall portfolio.[50] Firm-specific risk is also called "diversifiable risk" because it can be easily eliminated through diversification.

Q. Is it well-known and accepted that, because firm-specific risk can be easily eliminated through diversification, the market does not reward such risk through higher returns?

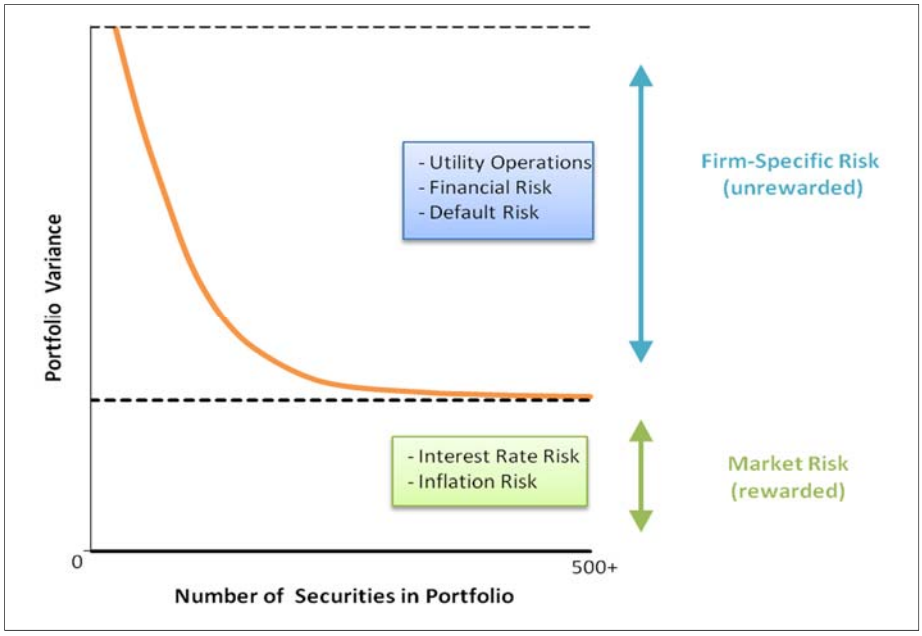
A. Yes. Because investors eliminate firm-specific risk through diversification, they know they cannot expect a higher return for assuming the firm-specific risk in any one company. Thus, the risks associated with an individual firm's operations are not rewarded by the market. In fact, firm-specific risk is also called "unrewarded" risk for this reason. Market risk, on the other hand, cannot be eliminated through diversification. Because market risk cannot be eliminated through diversification, investors expect a return for assuming this type of risk. Market risk is also called "systematic risk." Scholars recognize the fact that market risk, or "systematic risk," is the only type of risk for which investors expect a return for bearing:

[50] *Id.*

> If investors can cheaply eliminate some risks through diversification, then we should not expect a security to earn higher returns for risks that can be eliminated through diversification. Investors can expect compensation only for bearing systematic risk (i.e., risk that cannot be diversified away).[51]

These important concepts are illustrated in the figure below. Some form of this figure is found in many financial textbooks.

Figure 6:
Effects of Portfolio Diversification



[51] *See* John R. Graham, Scott B. Smart & William L. Megginson, *Corporate Finance: Linking Theory to What Companies Do* 180 (3rd ed., South Western Cengage Learning 2010).

This figure shows that as stocks are added to a portfolio, the amount of firm-specific risk is reduced until it is essentially eliminated. No matter how many stocks are added, however, there remains a certain level of fixed market risk. The level of market risk will vary from firm to firm. Market risk is the only type of risk that is rewarded by the market and is thus the primary type of risk the Commission should consider when determining the allowed return.

Q. Describe how market risk is measured.

A. Investors who want to eliminate firm-specific risk must hold a fully diversified portfolio. To determine the amount of risk that a single stock adds to the overall market portfolio, investors measure the covariance between a single stock and the market portfolio. The result of this calculation is called "beta."[52] Beta represents the sensitivity of a given security to the market as a whole. The market portfolio of all stocks has a beta equal to one. Stocks with betas greater than 1.0 are relatively more sensitive to market risk than the average stock. For example, if the market increases (decreases) by 1.0%, a stock with a beta of 1.5 will, on average, increase (decrease) by 1.5%. In contrast, stocks with betas of less than 1.0

[52] *Id*. at 180-81.

are less sensitive to market risk, such that if the market increases (decreases) by 1.0%, a stock with a beta of 0.5 will, on average, only increase (decrease) by 0.5%. Thus, stocks with low betas are relatively insulated from market conditions. The beta term is used in the Capital Asset Pricing Model to estimate the cost of equity, which is discussed in more detail later.[53]

Q. Are public utilities characterized as defensive firms that have low betas, low market risk, and are relatively insulated from overall market conditions?

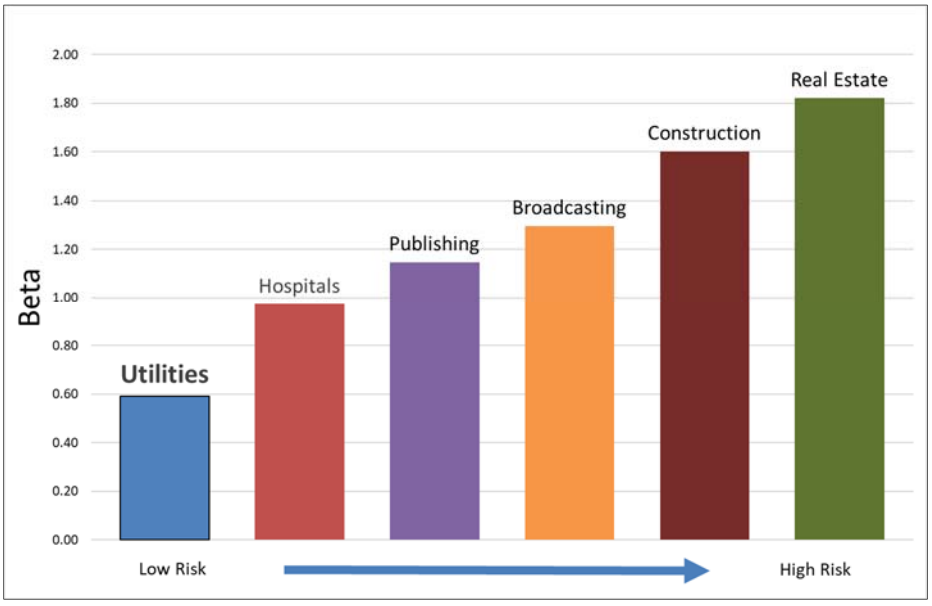
A. Yes. Although market risk affects all firms in the market, it affects different firms to varying degrees. Firms with high betas are affected more than firms with low betas, which is why firms with high betas are riskier. Stocks with betas greater than one are generally known as "cyclical stocks." Firms in cyclical industries are sensitive to recurring patterns of recession and recovery known as the "business cycle."[54] Thus, cyclical firms are exposed to a greater level of market risk. Securities with betas less than one, on the other hand, are known as "defensive stocks." Companies in defensive

[53] Though it will be discussed in more detail later, Exhibit DJG-9 shows that the average beta of the proxy group was less than 1.0. This confirms the well-known concept that utilities are relatively low-risk firms.

[54] *See* Zvi Bodie, Alex Kane & Alan J. Marcus, *Essentials of Investments* 382 (9th ed., McGraw-Hill/Irwin 2013).

industries, such as public utility companies, "will have low betas and performance that is comparatively unaffected by overall market conditions."[55] In fact, financial textbooks often use utility companies as prime examples of low-risk, defensive firms. The figure below compares the betas of several industries and illustrates that the utility industry is one of the least risky industries in the U.S. market.[56]

Figure 7:
Beta by Industry



[55] *Id*. at 383.

[56] *See* Betas by Sector (US) at http://pages.stern.nyu.edu/~adamodar/. The exact beta calculations are not as important as illustrating the well-known fact that utilities are very low-risk companies. The fact that the utility industry is one of the lowest risk industries in the country should not change from year to year.

The fact that utilities are defensive firms that are exposed to little market risk is beneficial to society. When the business cycle enters a recession, consumers can be assured that their utility companies will be able to maintain normal business operations and provide safe and reliable service under prudent management. Likewise, utility investors can be confident that utility stock prices will not widely fluctuate. So, while it is preferable that utilities are defensive firms that experience little market risk and are relatively insulated from market conditions, this fact should also be appropriately reflected in SPS's awarded return.

VI. DISCOUNTED CASH FLOW ANALYSIS

Q. Describe the Discounted Cash Flow ("DCF") Model.

A. The Discounted Cash Flow ("DCF") Model is based on a fundamental financial model called the "dividend discount model," which maintains that the value of a security is equal to the present value of the future cash flows it generates. Cash flows from common stock are paid to investors in the form of dividends. There are several variations of the DCF Model. These versions, along with other formulas and theories related to the DCF Model are discussed in more detail in Appendix A. For this case, I chose to use the Quarterly Approximation DCF Model. I used this variation of the DCF

Model because it accounts for the quarterly growth of dividends (as opposed to annual growth). I also used this variation of the DCF Model in the interest of reasonableness, as it produces the highest cost of equity estimates compared with the other DCF Model variations.

Q. Describe the inputs to the DCF Model.

A. There are three primary inputs in the DCF Model: (1) stock price; dividend; and (3) the long-term growth rate. The stock prices and dividends are known inputs based on recorded data, while the growth rate projection must be estimated. I discuss each of these inputs separately below.

A. Stock Price

Q. How did you determine the stock price input of the DCF Model?

A. For the stock price (P_0), I used a 30-day average of stock prices for each company in the proxy group.[57] Analysts sometimes rely on average stock prices for longer periods (e.g., 60, 90, or 180 days). According to the efficient market hypothesis, however, markets reflect all relevant information available at a particular time, and prices adjust instantaneously to the arrival of new information.[58] Past stock prices, in essence, reflect

[57] *See* Exhibit DJG-4.

[58] *See* Eugene F. Fama, *Efficient Capital Markets: A Review of Theory and Empirical Work*, Vol. 25, No. 2 The Journal of Finance 383 (1970); *see also* Graham, Smart & Megginson *supra* n. 20, at

outdated information. The DCF Model used in utility rate cases is a derivation of the dividend discount model, which is used to determine the current value of an asset. Thus, according to the dividend discount model and the efficient market hypothesis, the value for the "P_0" term in the DCF Model should technically be the current stock price, rather than an average.

Q. Why did you use a 30-day average for the current stock price input?

A. Using a short-term average of stock prices for the current stock price input adheres to market efficiency principles while avoiding any irregularities that may arise from using a single current stock price. In the context of a utility rate proceeding there is a significant length of time from when an application is filed and testimony is due. Choosing a current stock price for one particular day could raise a separate issue concerning which day was chosen to be used in the analysis. In addition, a single stock price on a particular day may be unusually high or low. It is arguably ill-advised to use a single stock price in a model that is ultimately used to set rates for several years, especially if a stock is experiencing some volatility. Thus, it is preferable to use a short-term average of stock prices, which represents a good balance between adhering to well-established principles of market

357. The efficient market hypothesis was formally presented by Eugene Fama in 1970, and is a cornerstone of modern financial theory and practice.

efficiency while avoiding any unnecessary contentions that may arise from using a single stock price on a given day. The stock prices I used in my DCF analysis are based on 30-day averages of adjusted closing stock prices for each company in the proxy group.[59]

B. Dividend

Q. Describe how you determined the dividend input of the DCF Model.

A. The dividend term in the Quarterly Approximation DCF Model is the current quarterly dividend per share. I obtained the most recent quarterly dividend paid for each proxy company.[60] The Quarterly Approximation DCF Model assumes that the company increases its dividend payments each quarter. Thus, the model assumes that each quarterly dividend is greater than the previous one by $(1 + g)^{0.25}$. This expression could be described as the dividend quarterly growth rate, where the term "g" is the growth rate and the exponential term "0.25" signifies one quarter of the year.

[59] Exhibit DJG-4. Adjusted closing prices, rather than actual closing prices, are ideal for analyzing historical stock prices. The adjusted price provides an accurate representation of the firm's equity value beyond the mere market price because it accounts for stock splits and dividends.

[60] Nasdaq Dividend History, http://www.nasdaq.com/quotes/dividend-history.aspx.

Q. Does the Quarterly Approximation DCF Model result in the highest cost of equity in this case relative to other DCF Models, all else held constant?

A. Yes. The DCF Model I employed in this case results in a higher DCF cost of equity estimate than the annual or semi-annual DCF Models due to the quarterly compounding of dividends inherent in the model. In essence, the Quarterly Compounding DCF Model I used results in the highest cost of equity estimate, all else held constant.

Q. Are the stock price and dividend inputs for each proxy company a significant issue in this case?

A. No. Although my stock price and dividend inputs are more recent than those used by Ms. Bulkley, there is not a statistically significant difference between them because utility stock prices and dividends are generally quite stable. This is another reason that cost of capital models such as the CAPM and the DCF Model are well-suited to be conducted on utilities. The differences between my DCF Model and Ms. Bulkley's DCF Model are primarily driven by differences in our growth rate estimates, which are further discussed below.

C. Growth Rate

Q. Summarize the growth rate input in the DCF Model.

A. The most critical input in the DCF Model is the growth rate. Unlike the stock price and dividend inputs, the growth rate input must be estimated. As a result, the growth rate is often the most contentious DCF input in utility rate cases. The DCF model used in this case is based on the constant growth valuation model. Under this model, a stock is valued by the present value of its future cash flows in the form of dividends. Before future cash flows are discounted by the cost of equity, however, they must be "grown" into the future by a long-term growth rate. As stated above, one of the inherent assumptions of this model is that these cash flows in the form of dividends grow at a constant rate forever. Thus, the growth rate term in the constant growth DCF model is often called the "constant," "stable," or "terminal" growth rate. For young, high-growth firms, estimating the growth rate to be used in the model can be especially difficult, and may require the use of multi-stage growth models. For mature, low-growth firms such as utilities, however, estimating the terminal growth rate is more transparent. The growth term of the DCF Model is one of the most important, yet apparently most misunderstood aspects of cost of equity estimations in utility regulatory proceedings. Therefore, I have devoted a more detailed

explanation of this issue in the following sections, which are organized as follows:

(1) The Various Determinants of Growth

(2) Reasonable Estimates for Long-Term Growth

(3) Quantitative vs. Qualitative Determinants of Utility Growth: Circular References, "Flatworm" Growth, and the Problem with Analysts' Growth Rates

(4) Growth Rate Recommendation

1. <u>The Various Determinants of Growth</u>

Q. Describe the various determinants of growth.

A. Although the DCF Model directly considers the growth of dividends, there are a variety of growth determinants that should be considered when estimating growth rates. It should be noted that these various growth determinants are used primarily to determine the short-term growth rates in multi-stage DCF models. For utility companies, it is necessary to focus primarily on long-term growth rates, which are discussed in the following section. That is not to say that these growth determinants cannot be considered when estimating long-term growth; however, as discussed below, long-term growth must be constrained much more than short-term growth, especially for young firms with high growth opportunities.

Additionally, I briefly discuss these growth determinants here because it may reveal some of the source of confusion in this area.

A. Historical Growth

Looking at a firm's actual historical experience may theoretically provide a good starting point for estimating short-term growth. However, past growth is not always a good indicator of future growth. Some metrics that might be considered here are a historical growth in revenues, operating income, and net income. Since dividends are paid from earnings, estimating historical earnings growth may provide an indication of future earnings and dividend growth. In general, however, revenue growth tends to be more consistent and predictable than earnings growth because it is less likely to be influenced by accounting adjustments.[61]

B. Analyst Growth Rates

Analyst growth rates refer short-term projections of earnings growth published by institutional research analysts such as Value Line and Bloomberg. A more detailed discussion of analyst growth rates, including

[61] *See* Aswath Damodaran, *Investment Valuation: Tools and Techniques for Determining the Value of Any Asset* 279 (3rd ed., John Wiley & Sons, Inc. 2012).

the problems with using them in the DCF Model to estimate utility cost of equity, is provided in a later section.

C. Fundamental Determinants of Growth

Fundamental growth determinants refer to firm-specific financial metrics that arguably provide better indications of near-term sustainable growth. One such metric for fundamental growth considers the return on equity and the retention ratio. The idea behind this metric is that firms with high ROEs and retention ratios should have higher opportunities for growth.[62]

Q. Did you use any of these growth determinants in your DCF Model?

A. No. Primarily, these growth determinants discussed above would provide better indications of short to mid-term growth for firms with average to high growth opportunities. Utilities, however, are mature, low-growth firms. While it may not be unreasonable on its face to use any of these growth determinants for the growth input in the DCF Model, we must keep in mind that the stable growth DCF Model considers only long-term growth rates, which are constrained by certain economic factors, as discussed further below.

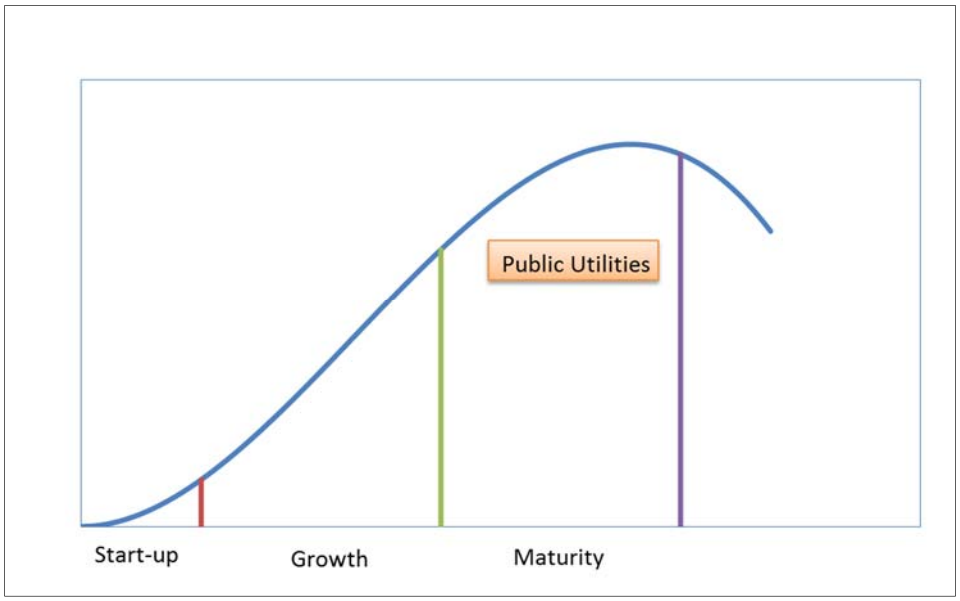
[62] *Id.*

2. Reasonable Estimates for Long-Term Growth

Q. Describe what is meant by long-term growth.

A. In order to make the DCF a viable, practical model, an infinite stream of future cash flows must be estimated and then discounted back to the present. Otherwise, each annual cash flow would have to be estimated separately. Some analysts use "multi-stage" DCF Models to estimate the value of high-growth firms through two or more stages of growth, with the final stage of growth being constant. However, it is not necessary to use multi-stage DCF Models to analyze the cost of equity of regulated utility companies. This is because regulated utilities are already in their "terminal," low growth stage. Unlike most competitive firms, the growth of regulated utilities is constrained by physical service territories and limited primarily by the customer and load growth within those territories. The figure below illustrates the well-known business / industry life-cycle pattern.

Figure 8:
Industry Life Cycle



In an industry's early stages, there are ample opportunities for growth and profitable reinvestment. In the maturity stage however, growth opportunities diminish, and firms choose to pay out a larger portion of their earnings in the form of dividends instead of reinvesting them in operations to pursue further growth opportunities. Once a firm is in the maturity stage, it is not necessary to consider higher short-term growth metrics in multi-stage DCF Models; rather, it is sufficient to analyze the cost of equity using a stable growth DCF Model with one terminal, long-term growth rate. Because utilities are in their maturity stage, their real growth opportunities

are primarily limited to the population growth within their defined service territories, which is usually less than 2%.

Q. Is it true that the terminal growth rate cannot exceed the growth rate of the economy, especially for a regulated utility company?

A. Yes. A fundamental concept in finance is that no firm can grow forever at a rate higher than the growth rate of the economy in which it operates.[63] Thus, the terminal growth rate used in the DCF Model should not exceed the aggregate economic growth rate. This is especially true when the DCF Model is conducted on public utilities because these firms have defined service territories. As stated by Dr. Damodaran:

> "If a firm is a purely domestic company, either because of internal constraints . . . or external constraints (such as those imposed by a government), the growth rate in the domestic economy will be the limiting value."[64]

In fact, it is reasonable to assume that a regulated utility would grow at a rate that is less than the U.S. economic growth rate. Unlike competitive firms, which might increase their growth by launching a new product line, franchising, or expanding into new and developing markets, utility operating companies with defined service territories cannot do any of these

[63] *Id*. at 306.

[64] *Id*.

things to grow. Gross domestic product ("GDP") is one of the most widely used measures of economic production and is used to measure aggregate economic growth. According to the Congressional Budget Office's Budget Outlook, the long-term forecast for nominal U.S. GDP growth is about 4%, which includes an inflation rate of 2%.[65] For mature companies in mature industries, such as utility companies, the terminal growth rate will likely fall between the expected rate of inflation and the expected rate of nominal GDP growth. Thus, SPS's terminal growth rate is between 2% and 4%.

Q. Is it reasonable to assume that the terminal growth rate will not exceed the risk-free rate?

A. Yes. In the long term, the risk-free rate will converge on the growth rate of the economy. For this reason, financial analysts sometimes use the risk-free rate for the terminal growth rate value in the DCF model.[66] I discuss the risk-free rate in further detail later in this testimony.

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[65] Congressional Budget Office Long-Term Budget Outlook, https://www.cbo.gov/publication/51580.

[66] Aswath Damodaran, *Investment Valuation: Tools and Techniques for Determining the Value of Any Asset* 307 (3rd ed., John Wiley & Sons, Inc. 2012).

Q. Please summarize the various long-term growth rate estimates that can be used as the terminal growth rate in the DCF Model.

A. The reasonable long-term growth rate determinants are summarized as follows:

1. Inflation
2. Real GDP Growth
3. Current Risk-Free Rate
4. Nominal GDP Growth

Any of the foregoing growth determinants could provide a basis for a reasonable input for the terminal growth rate in the DCF Model for a utility company, including SPS. In general, we should expect that utilities will, at the very least, grow at the rate of projected inflation. However, the long-term growth rate of any U.S. company, especially utilities, will be constrained by nominal U.S. GDP growth.

3. <u>Qualitative Growth: The Problem with Analysts' Growth Rates</u>

Q. Describe the differences between "quantitative" and "qualitative" growth determinants.

A. Assessing "quantitative" growth simply involves mathematically calculating a historic metric for growth (such as revenues or earnings) or calculating various fundamental growth determinants using various figures

from a firm's financial statements (such as ROE and the retention ratio). However, any thorough assessment of company growth should be based upon a "qualitative" analysis. Such an analysis would consider specific strategies that company management will implement to achieve sustainable growth in earnings. Therefore, it is important to begin the analysis of SPS's growth rate with this simple, qualitative question: How is this regulated utility going to achieve a sustained growth in earnings? If this question were asked of a competitive firm, there could be several answers depending on the type of business model, such as launching a new product line, franchising, rebranding to target a new demographic, or expanding into a developing market. Regulated utilities, however, cannot engage in these potential growth opportunities. This is why it is not surprising to see very low load growth, customer growth, and related projections in utilities' integrated resource plans.

Q. Why is it especially important to emphasize real, qualitative growth determinants when analyzing the growth rates of regulated utilities?

A. While qualitative growth analysis is important regardless of the entity being analyzed, it is especially important in the context of utility ratemaking. This is because the rate base rate of return model inherently possesses two factors that can contribute to distorted views of utility growth when considered

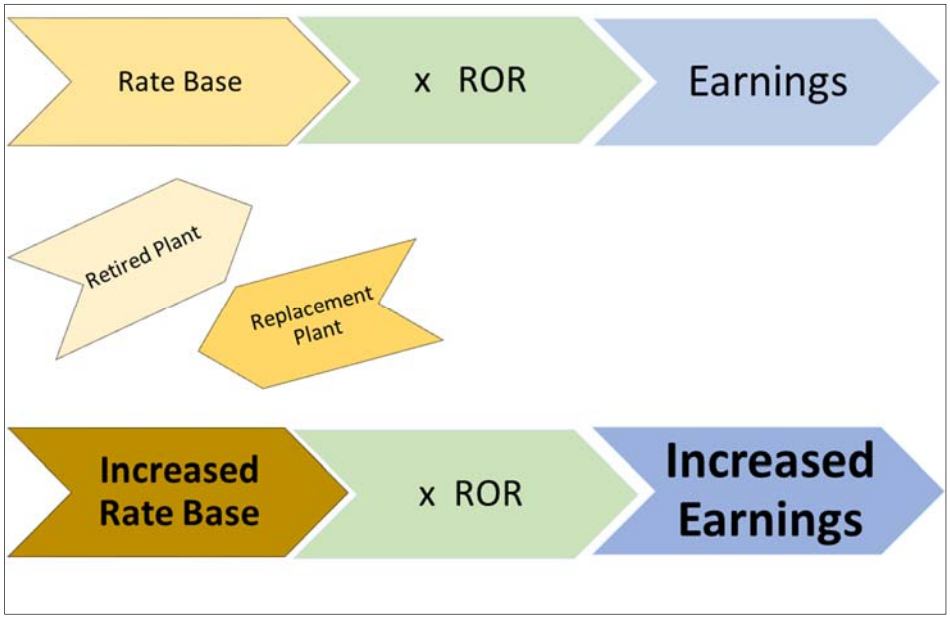
exclusively from a quantitative perspective. These two factors are (1) rate base and (2) the awarded ROE. I will discuss each factor further below. It is important to keep in mind that the ultimate objective of this analysis is to provide a foundation upon which to base the fair rate of return for the utility. Thus, we should strive to ensure that each individual component of the financial models used to estimate the cost of equity are also "fair." If we consider only quantitative growth determinants, it may lead to projected growth rates that are overstated and ultimately unfair, because they result in inflated cost of equity estimates.

Q. How does rate base relate to growth determinants for utilities?

A. Under the rate base rate of return model, a utility's rate base is multiplied by its awarded rate of return to produce the required level of operating income. Therefore, increases to rate base generally result in increased earnings. Thus, utilities have a natural financial incentive to increase rate base. In short, utilities have a financial incentive to increase rate base regardless of whether such increases are driven by a corresponding increase in demand. A good, relevant example of this is seen in the early retirement of old, but otherwise functional coal plants in response to environmental regulations. Under these circumstances, utilities have been able to increase their rate bases by a far greater extent than what any concurrent increase in

demand would have required. In other words, utilities "grew" their earnings by simply retiring old assets and replacing them with new assets. If the tail of a flatworm is removed and regenerated, it does not mean the flatworm actually grew. Likewise, if a competitive, unregulated firm announced plans to close production plants and replace them with new plants, it would not be considered a real determinant of growth unless analysts believed this decision would directly result in increased market share for the company and a real opportunity for sustained increases in revenues and earnings. In the case of utilities, the mere replacement of old plant with new plant does not increase market share, attract new customers, create franchising opportunities, or allow utilities to penetrate developing markets, but may result in short-term, quantitative earnings growth. However, this "flatworm growth" in earnings was merely the quantitative byproduct of the rate base rate of return model, and not an indication of real, fair, or qualitative growth. The following diagram illustrates this concept.

Figure 9:
Analysts' Earnings Growth Projections: The "Flatworm Growth" Problem

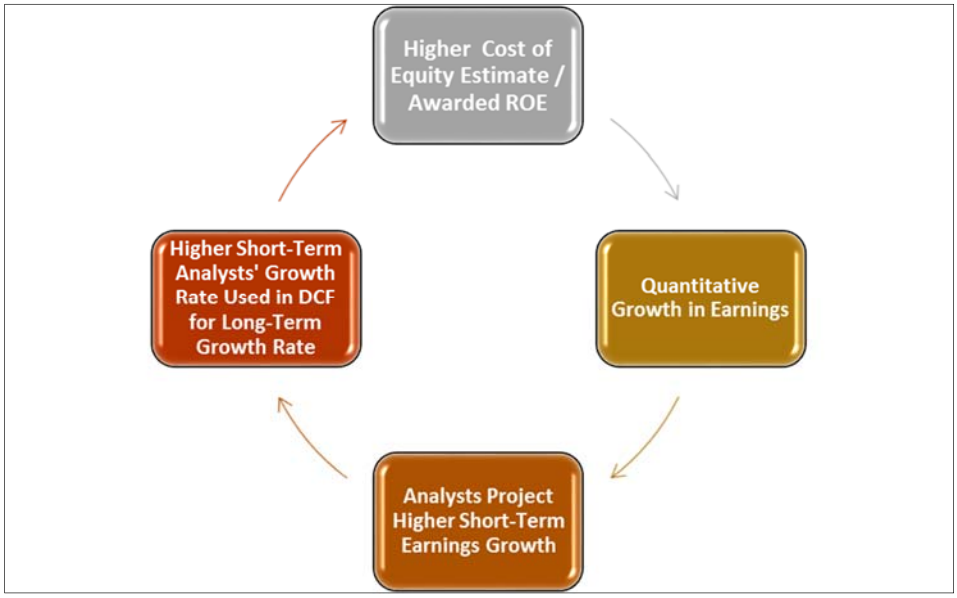


Of course, utilities might sometimes add new plant to meet a modest growth in customer demand. However, as the foregoing discussion demonstrates, it would be more appropriate to consider load growth projections and other qualitative indicators, rather than mere increases to rate base or earnings, to attain a fair assessment of growth.

Q. Please discuss the other way in which analysts' earnings growth projections do not provide indications of fair, qualitative growth for regulated utilities.

A. If we give undue weight to analysts' projections for utilities' earnings growth, it will not provide an accurate reflection of real, qualitative growth because a utility's earnings are heavily influenced by the ultimate figure that all this analysis is supposed to help us estimate: the awarded return on equity. This creates a circular reference problem or feedback loop. In other words, if a regulator awards an ROE that is above market-based cost of capital (which is often the case, as discussed above), this could lead to higher short-term growth rate projections from analysts. If these same inflated, short-term growth rate estimates are used in the DCF Model (as they often are by utility witnesses), it could lead to higher awarded ROEs; and the cycle continues, as illustrated in the following figure:

Figure 10:
Analysts' Earnings Growth Projections: The "Circular Reference" Problem



Therefore, it is not advisable to simply consider the quantitative growth projections published by analysts, as this practice will not necessarily provide fair indications of real utility growth.

Q. Are there any other problems with relying on analysts' growth projections?

A. Yes. While the foregoing discussion shows two reasons why we cannot rely on analysts' growth rate projections to provide fair, qualitative indicators of utility growth in a stable growth DCF Model, the third reason is perhaps the most obvious and undisputable. Various institutional analysts, such as Zacks, Value Line, and Bloomberg, publish estimated projections of

earnings growth for utilities. These estimates are short-term growth rate projections, ranging from 3 – 10 years. However, many utility ROE analysts inappropriately insert these short-term growth projections into the DCF Model as if they were *long-term* growth rate projections. For example, assume that an analyst at Bloomberg estimates that a utility's earnings will grow by 7% per year over the next 3 years. This analyst may have based this short-term forecast on a utility's plans to replace depreciated rate base (i.e., "flatworm" growth) or on an anticipated awarded return that is above market-based cost of equity (i.e., the "circular reference" problem). When a utility witness uses this figure in a DCF Model, however, it is the *witness*, not the Bloomberg analyst, that is testifying to the regulator that the utility's earnings will qualitatively grow by 7% per year over the *long-term*, which is an unrealistic assumption and a fundamentally different conclusion from that of the Bloomberg analyst.

4. Long-Term Growth Rate Recommendation

Q. Describe the growth rate input used in your DCF Model.

A. I considered various qualitative determinants of growth for SPS, along with the maximum allowed growth rate under basic principles of finance and

economics. The following chart shows three of the long-term growth determinants discussed in this section.[67]

Figure 11:
Terminal Growth Rate Determinants

Growth Determinant		Rate
Nominal GDP		3.90%
Inflation		2.00%
Risk Free Rate		2.18%
Highest		**3.90%**

For the long-term growth rate in my DCF model, I selected the maximum, reasonable long-term growth rate of 3.9%, which means my model assumes that SPS's qualitative growth in earnings will match the nominal growth rate of the entire U.S. economy over the long run – a very charitable assumption. As the following discussion will show, there are several qualitative growth determinants specific to SPS that indicate the Company's real growth over the long run will be less than 4%.

[67] *See* Exhibit DJG-6.

Q. Please compare the market-based growth determinants you have discussed, as well other specific growth determinants provided by the Company.

A. As discussed above, there are several reasonable long-term growth rate determinants that could be used in the DCF Model to estimate SPS's cost of equity, including nominal GDP, inflation, and the risk-free rate. In addition, there are several other factors we could consider to assess the qualitative long-term growth rate for SPS. These factors include SPS's own historical and projected growth rates for total load, total customers, energy sales and population within the Company's service territory. These factors have analytical value because they provide better indications of "real" qualitative growth for SPS and avoid the circular reference problem created by using analysts' short-term, quantitative growth rates. The table below summarizes these various growth determinants.[68]

[68] *See* Exhibit DJG-6.

Figure 12:
Other Qualitative Growth Determinants for SPS

SPS Growth Determinants		Rate
Total Load (2019 - 2049)		0.4%
Total Customers (2019 - 2048)		0.5%
Energy Sales (2019 - 2038)		0.5%
Population in Territory (2008-2017)		0.6%
Average		**0.5%**

As shown in this table, SPS's own projections for these growth determinants are all less than 1%. Even if we rounded up our qualitative growth estimate to 1% and added inflation of 2%, it would result in a reasonable, qualitative long-term growth rate of only 3%. In my experience, many other regulated utilities project similarly low growth rates for the same type of company-specific growth determinants such as load growth and customer growth. Thus, my use 3.9% long-term growth rate for the proxy group is conservative and reasonable.

Q. Please describe the final results of your DCF Model.

A. I used the Quarterly Approximation DCF Model discussed above to estimate SPS's cost of equity capital. I obtained an average of reported dividends and stock prices from the proxy group, and I used a reasonable

terminal growth rate estimate for SPS. My DCF cost of equity estimate for SPS is 7.1%.[69] As noted above, this estimate is likely at the higher end of a reasonable range due to my relatively high estimate for the long-term growth rate. That is, my long-term growth rate input of 3.9% far exceeds any of SPS's qualitative growth factors discussed above, and it assumes SPS will grow at the same rate as the U.S. economy over the long-run – a very generous assumption.

D. Response to Ms. Bulkley's DCF Model

Q. Ms. Bulkley's DCF Model yielded much higher results. Did you find any errors in her analysis?

A. Yes, I found several errors. Ms. Bulkley's DCF Model produced cost of equity results as high as 10.18%.[70] The results of Ms. Bulkley's DCF Model are overstated primarily because of a fundamental error regarding her growth rate inputs.

[69] *See* Exhibit DJG-7.

[70] Attachment AEB-2.

1. Long-Term Growth Rates

Q. Describe the problems with Ms. Bulkley's long-term growth input.

A. Ms. Bulkley used long-term growth rates in her proxy group as high as 10.5%,[71] which is more than twice as high as projected, long-term nominal U.S. GDP growth. This means Ms. Bulkley's growth rate assumption violates the basic principle that no company can grow at a greater rate than the economy in which it operates over the long-term, especially a regulated utility company with a defined service territory. Furthermore, Ms. Bulkley used short-term, quantitative growth estimates published by analysts. As discussed above, these analysts' estimates are inappropriate to use in the DCF Model as long-term growth rates because they are estimates for short-term growth. For example, Ms. Bulkley considered a growth rate estimate of 10.5% for Exelon Corporation.[72] This means that an analyst at Value Line apparently thinks that Exelon's earnings will quantitatively increase by 10.5% each year over the next several years (i.e., the short-term). However, it is *Ms. Bulkley*, not the Value Line analyst, who is suggesting to the Commission that Exelon's earnings will grow by twice the amount of U.S. GDP every year for many decades into the future (i.e., long-term

[71] *Id.*

[72] *Id.*

growth).[73] Again, Ms. Bulkley is extrapolating the analyst's conclusions well beyond what the analyst actually said. Furthermore, this assumption is simply not realistic, and it contradicts fundamental concepts of long-term growth. Many of Ms. Bulkley's other short-term growth rate estimates also exceed projected GDP growth.[74]

Q. Do Ms. Bulkley's long-term growth rate estimates contradict real growth indicators for SPS?

A. Yes. Ms. Bulkley's long-term growth estimates do not reflect SPS's own projections and historical experience for several real-growth indicators. As discussed above, when we look at SPS's own projected growth for total load, total customers, and energy sales, we see that SPS will unlikely experience any real growth beyond inflation over the long run (or the short run for that matter).

[73] *Id.* Technically, the constant growth rate in the DCF Model grows dividends each year to "infinity." Yet even if we assumed that the growth rate applied to only a few decades, the annual growth rate would still be too high to be considered realistic.

[74] *Id.*

2. Flotation Costs

Q. What are flotation costs?

A. When companies issue equity securities, they typically hire at least one investment bank as an underwriter for the securities. "Flotation costs" generally refer to the underwriter's compensation for the services it provides in connection with the securities offering.

Q. Did Ms. Bulkley consider flotation costs as part of her awarded ROE recommendation?

A. Yes. Although Ms. Bulkley did not make an explicit adjustment for flotation costs, she "considered" flotation costs in determining her recommended ROE for the Company.[75]

Q. Do you agree with Ms. Bulkley's flotation cost allowance?

A. No. Although I would agree with Ms. Bulkley's decision not to make an explicit adjustment to SPS's cost of equity estimate to account for flotation costs, I disagree with her that flotation costs should have any influence on the Company's awarded ROE in this case.

[75] Direct Testimony of Ann E. Bulkley, p. 106, lines 18-22.

1. Flotation costs are not actual "out-of-pocket" costs.

SPS has not experienced any out-of-pocket costs for flotation. Underwriters are not compensated in this fashion. Instead, underwriters are compensated through an "underwriting spread." An underwriting spread is the difference between the price at which the underwriter purchases the shares from the firm, and the price at which the underwriter sells the shares to investors.[76] Furthermore, SPS is a wholly owned subsidiary of Xcel Energy Inc., which means it does not issue securities to the public and thus would have no need to retain an underwriter. Accordingly, SPS has not experienced any out-of-pocket flotation costs, and if it has, those costs should be included in the Company's expense schedules.

2. The market already accounts for flotation costs.

When an underwriter markets a firm's securities to investors, the investors are well aware of the underwriter's fees. In other words, the investors know that a portion of the price they are paying for the shares does not go directly to the company, but instead goes to compensate the underwriter for its services. In fact, federal law requires that the underwriter's compensation be disclosed on the front page of the

[76] *See* Graham, Smart & Megginson *supra* n. 19, at 509.

prospectus.[77] Thus, investors have already considered and accounted for flotation costs when making their decision to purchase shares at the quoted price. As a result, there is no need for the Company's shareholders to receive additional compensation to account for costs they have already considered and agreed to. We see similar compensation structures in other kinds of business transactions. For example, a homeowner may hire a realtor and sell a home for $100,000. After the realtor takes a six percent commission, the seller nets $94,000. The buyer and seller agreed to the transaction notwithstanding the realtor's commission. Obviously, it would be unreasonable for the buyer or seller to demand additional funds from anyone after the deal is completed to reimburse them for the realtor's fees. Likewise, investors of competitive firms do not expect additional compensation for flotation costs. Thus, it would not be appropriate for a commission standing in the place of competition to award a utility's investors with this additional compensation.

[77] *See* Regulation S-K, 17 C.F.R. § 229.501(b)(3) (requiring that the underwriter's discounts and commissions be disclosed on the outside cover page of the prospectus). A prospectus is a legal document that provides details about an investment offering.

4. It is inappropriate to add any additional basis points to an awarded ROE proposal that is already far above the Company's cost of equity.

For the reasons discussed above, flotation costs should be disallowed from a technical standpoint; they should also be disallowed from a practical standpoint. SPS is asking this Commission to award it a cost of equity that is over 300 basis points above its market-based cost of equity, and over 200 basis points above the market cost of equity (i.e., the "ceiling" on utility cost of equity). Under these circumstances, it is especially inappropriate to suggest that flotation costs should be considered in any way to increase an already-inflated ROE proposal.

VII. CAPITAL ASSET PRICING MODEL ANALYSIS

Q. Describe the Capital Asset Pricing Model.

A. The Capital Asset Pricing Model ("CAPM") is a market-based model founded on the principle that investors expect higher returns for incurring additional risk.[78] The CAPM estimates this expected return. The various assumptions, theories, and equations involved in the CAPM are discussed further in Appendix B. Using the CAPM to estimate the cost of equity of a

[78] William F. Sharpe, *A Simplified Model for Portfolio Analysis* 277-93 (Management Science IX 1963); *see also* Graham, Smart & Megginson *supra* n. 20, at 208.

regulated utility is consistent with the legal standards governing the fair rate of return. The U.S. Supreme Court has recognized that "the amount of risk in the business is a most important factor" in determining the allowed rate of return,[79] and that "the return to the equity owner should be commensurate with returns on investments in other enterprises having corresponding risks."[80] The CAPM is a useful model because it directly considers the amount of risk inherent in a business. It is arguably the strongest of the models usually presented in rate cases because unlike the DCF Model, the CAPM directly measures the most important component of a fair rate of return analysis – risk.

Q. Describe the inputs for the CAPM.

A. The basic CAPM equation requires only three inputs to estimate the cost of equity: (1) the risk-free rate; (2) the beta coefficient; and (3) the equity risk premium. Each input is discussed separately below.

[79] *Wilcox*, 212 U.S. at 48 (emphasis added).

[80] *Hope Natural Gas Co.*, 320 U.S. at 603 (emphasis added).

A. The Risk-Free Rate

Q. Explain the risk-free rate.

A. The first term in the CAPM is the risk-free rate (R_F). The risk-free rate is simply the level of return investors can achieve without assuming any risk. The risk-free rate represents the bare minimum return that any investor would require on a risky asset. Even though no investment is technically void of risk, investors often use U.S. Treasury securities to represent the risk-free rate because they accept that those securities essentially contain no default risk. The Treasury issues securities with different maturities, including short-term Treasury Bills, intermediate-term Treasury Notes, and long-term Treasury Bonds.

Q. Is it preferable to use the yield on long-term Treasury bonds for the risk-free rate in the CAPM?

A. Yes. In valuing an asset, investors estimate cash flows over long periods of time. Common stock is viewed as a long-term investment, and the cash flows from dividends are assumed to last indefinitely. Thus, short-term Treasury bill yields are rarely used in the CAPM to represent the risk-free rate. Short-term rates are subject to greater volatility and thus can lead to unreliable estimates. Instead, long-term Treasury bonds are usually used to represent the risk-free rate in the CAPM. I considered a 30-day average of

daily Treasury yield curve rates on 30-year Treasury bonds in my risk-free rate estimate, which resulted in a risk-free rate of 2.18%.[81]

B. The Beta Coefficient

Q. How is the beta coefficient used in this model?

A. As discussed above, beta represents the sensitivity of a given security to movements in the overall market. The CAPM states that in efficient capital markets, the expected risk premium on each investment is proportional to its beta. Recall that a security with a beta greater (less) than one is more (less) risky than the market portfolio. An index such as the S&P 500 Index is used as a proxy for the market portfolio. The historical betas for publicly traded firms are published by various institutional analysts. Beta may also be calculated through a linear regression analysis, which provides additional statistical information about the relationship between a single stock and the market portfolio. As discussed above, beta also represents the sensitivity of a given security to the market as a whole. The market portfolio of all stocks has a beta equal to one. Stocks with betas greater than 1.0 are relatively more sensitive to market risk than the average stock. For example, if the market increases (decreases) by 1.0%, a stock with a beta of 1.5 will, on

[81] Exhibit DJG-8.

average, increase (decrease) by 1.5%. In contrast, stocks with betas of less than 1.0 are less sensitive to market risk. For example, if the market increases (decreases) by 1.0%, a stock with a beta of 0.5 will, on average, only increase (decrease) by 0.5%.

Q. Describe the source for the betas you used in your CAPM analysis.

A. I used betas recently published by Value Line Investment Survey. The beta for each proxy company is less than 1.0. Thus, we have an objective measure to prove the well-known concept that utility stocks are less risky than the average stock in the market. While there is evidence suggesting that betas published by sources such as Value Line may actually overestimate the risk of utilities (and thus overestimate the CAPM), I used the betas published by Value Line in the interest of reasonableness.[82]

C. <u>The Equity Risk Premium</u>

Q. Describe the equity risk premium.

A. The final term of the CAPM is the equity risk premium ("ERP"), which is the required return on the market portfolio less the risk-free rate ($R_M - R_F$). In other words, the ERP is the level of return investors expect above the

[82] *See* Exhibit DJG-9; *See also* Appendix B for a more detailed discussion of raw beta calculations and adjustments.

risk-free rate in exchange for investing in risky securities. Many experts would agree that "the single most important variable for making investment decisions is the equity risk premium."[83] Likewise, the ERP is arguably the single most important factor in estimating the cost of capital in this matter. There are three basic methods that can be used to estimate the ERP: (1) calculating a historical average; (2) taking a survey of experts; and (3) calculating the implied ERP. I will discuss each method in turn, noting advantages and disadvantages of these methods.

1. Historical Average

Q. Describe the historical equity risk premium.

A. The historical ERP may be calculated by simply taking the difference between returns on stocks and returns on government bonds over a certain period of time. Many practitioners rely on the historical ERP as an estimate for the forward-looking ERP because it is easy to obtain. However, there are disadvantages to relying on the historical ERP.

[83] Elroy Dimson, Paul Marsh & Mike Staunton, *Triumph of the Optimists: 101 Years of Global Investment Returns* 4 (Princeton University Press 2002).

Q. What are the limitations of relying solely on a historical average to estimate the current or forward-looking ERP?

A. Many investors use the historic ERP because it is convenient and easy to calculate. What matters in the CAPM model, however, is not the actual risk premium from the past, but rather the current and forward-looking risk premium.[84] Some investors may think that a historic ERP provides some indication of what the prospective risk premium is; however, there is empirical evidence to suggest the prospective, forward-looking ERP is actually lower than the historical ERP. In a landmark publication on risk premiums around the world, *Triumph of the Optimists*, the authors suggest through extensive empirical research that the prospective ERP is lower than the historical ERP.[85] This is due in large part to what is known as "survivorship bias" or "success bias" – a tendency for failed companies to be excluded from historical indices.[86] From their extensive analysis, the authors make the following conclusion regarding the prospective ERP:

[84] Graham, Smart & Megginson *supra* n. 19, at 330.

[85] Dimson, Marsh & Staunton *supra* n. 55, at 194.

[86] *Id*. at 34.

> The result is a forward-looking, geometric mean risk premium for the United States . . . of around 2½ to 4 percent and an arithmetic mean risk premium . . . that falls within a range from a little below 4 to a little above 5 percent.[87]

Indeed, these results are lower than many reported historical risk premiums.

Other noted experts agree:

> The historical risk premium obtained by looking at U.S. data is biased upwards because of survivor bias. . . . The true premium, it is argued, is much lower. This view is backed up by a study of large equity markets over the twentieth century (*Triumph of the Optimists*), which concluded that the historical risk premium is closer to 4%.[88]

Regardless of the variations in historic ERP estimates, many scholars and practitioners agree that simply relying on a historic ERP to estimate the risk premium going forward is not ideal. Fortunately, "a naïve reliance on long-run historical averages is not the only approach for estimating the expected risk premium."[89]

Q. Did you rely on the historical ERP as part of your CAPM analysis in this case?

A. No. Due to the limitations of this approach, I relied on the ERP reported in expert surveys and the implied ERP method discussed below.

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[87] *Id*. at 194.

[88] Aswath Damodaran, *Equity Risk Premiums: Determinants, Estimation and Implications – The 2015 Edition* 17 (New York University 2015).

[89] Graham, Smart & Megginson *supra* n. 19, at 330.

2. Expert Surveys

Q. Describe the expert survey approach to estimating the ERP.

A. As its name implies, the expert survey approach to estimating the ERP involves conducting a survey of experts including professors, analysts, chief financial officers and other executives around the country and asking them what they think the ERP is. Graham and Harvey have performed such a survey every year since 1996. In their 2018 survey, they found that experts around the country believe the current ERP is only 4.4%.[90] The IESE Business School conducts a similar expert survey. Their 2019 expert survey reported an average ERP of 5.6%.[91]

3. Implied Equity Risk Premium

Q. Describe the implied equity risk premium approach.

A. The third method of estimating the ERP is arguably the best. The implied ERP relies on the stable growth model proposed by Gordon, often called

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[90] John R. Graham and Campbell R. Harvey, *The Equity Risk Premium in 2018*, at 3 (Fuqua School of Business, Duke University 2014), copy available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3151162.

[91] Pablo Fernandez, Pablo Linares & Isabel F. Acin, *Market Risk Premium used in 171 Countries in 2016: A Survey with 6,932 Answers*, at 3 (IESE Business School 2015), copy available at http://www.valumonics.com/wp-content/uploads/2017/06/Discount-rate-Pablo-Fern%C3%A1ndez.pdf. IESE Business School is the graduate business school of the University of Navarra. IESE offers Master of Business Administration (MBA), Executive MBA and Executive Education programs. IESE is consistently ranked among the leading business schools in the world.

the "Gordon Growth Model," which is a basic stock valuation model widely used in finance for many years.[92] This model is a mathematical derivation of the DCF Model. In fact, the underlying concept in both models is the same: The current value of an asset is equal to the present value of its future cash flows. Instead of using this model to determine the discount rate of one company, we can use it to determine the discount rate for the entire market by substituting the inputs of the model. Specifically, instead of using the current stock price (P_0), we will use the current value of the S&P 500 (V_{500}). Instead of using the dividends of a single firm, we will consider the dividends paid by the entire market. Additionally, we should consider potential dividends. In other words, stock buybacks should be considered in addition to paid dividends, as stock buybacks represent another way for the firm to transfer free cash flow to shareholders. Focusing on dividends alone without considering stock buybacks could understate the cash flow component of the model, and ultimately understate the implied ERP. The market dividend yield plus the market buyback yield gives us the gross cash yield to use as our cash flow in the numerator of the discount model. This gross cash yield is increased each year over the next five years by the growth

[92] Myron J. Gordon and Eli Shapiro, *Capital Equipment Analysis: The Required Rate of Profit* 102-10 (Management Science Vol. 3, No. 1 Oct. 1956).

rate. These cash flows must be discounted to determine their present value. The discount rate in each denominator is the risk-free rate (R_F) plus the discount rate (K). The following formula shows how the implied return is calculated. Since the current value of the S&P is known, we can solve for K: The implied market return.[93]

Equation 2:
Implied Market Return

$$V_{500} = \frac{CY_1(1+g)^1}{(1+R_F+K)^1} + \frac{CY_2(1+g)^2}{(1+R_F+K)^2} + \cdots + \frac{CY_5(1+g)^5 + TV}{(1+R_F+K)^5}$$

where:

V_{500}	=	*current value of index (S&P 500)*
$CY_{1\text{-}5}$	=	*average cash yield over last five years (includes dividends and buybacks)*
g	=	*compound growth rate in earnings over last five years*
R_F	=	*risk-free rate*
K	=	*implied market return (this is what we are solving for)*
TV	=	*terminal value* $= CY_5 (1+R_F) / K$

The discount rate is called the "implied" return here because it is based on the current value of the index as well as the value of free cash flow to investors projected over the next five years. Thus, based on these inputs, the market is "implying" the expected return; or in other words, based on the current value of all stocks (the index price), and the projected value of future cash flows, the market is telling us the return expected by investors for investing in the market portfolio. After solving for the implied market

[93] *See* Exhibit DJG-10 for detailed calculation.

return (K), we simply subtract the risk-free rate from it to arrive at the implied ERP.

Equation 3:
Implied Equity Risk Premium

$$Implied\ Expected\ Market\ Return - R_F = Implied\ ERP$$

Q. Discuss the results of your implied ERP calculation.

A. After collecting data for the index value, operating earnings, dividends, and buybacks for the S&P 500 over the past six years, I calculated the dividend yield, buyback yield, and gross cash yield for each year. I also calculated the compound annual growth rate (g) from operating earnings. I used these inputs, along with the risk-free rate and current value of the index to calculate a current expected return on the entire market of 8.2%. I subtracted the risk-free rate to arrive at the implied equity risk premium of 6.0%.[94] Dr. Damodaran, one of the world's leading experts on the ERP, promotes the implied ERP method discussed above. He calculates monthly and annual implied ERPs with this method and publishes his results. Dr.

[94] *Id.*

Damodaran's average ERP estimate for October 2019 using several implied ERP variations was 5.3%.[95]

Q. What are the results of your final ERP estimate?

A. For the final ERP estimate I used in my CAPM analysis, I considered the results of the ERP surveys along with the implied ERP calculations and the ERP reported by Duff & Phelps.[96] The results are presented in the following figure:

Figure 13:
Equity Risk Premium Results

IESE Business School Survey	5.6%
Graham & Harvey Survey	4.4%
Duff & Phelps Report	5.5%
Damodaran	5.3%
Garrett	6.0%
Average	**5.4%**
Highest	**6.0%**

[95] http://pages.stern.nyu.edu/~adamodar/. Dr. Damodaran conducts several variations of the implied ERP analysis using various assumptions. The figure I incorporated into my analysis is based on an average of the results of his several implied ERP variations.

[96] *See also* Exhibit DJG-11.

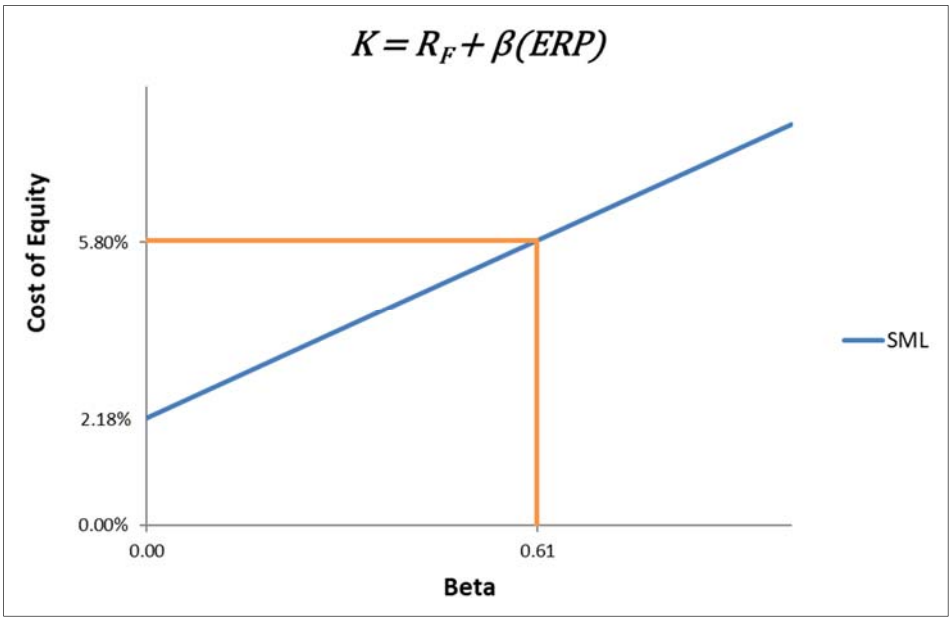
While it would be reasonable to select any one of these ERP estimates to use in the CAPM, in the interest of reasonableness, I selected the highest ERP estimate of 6.0% to use in my CAPM analysis. All else held constant, a higher ERP used in the CAPM will result in a higher cost of equity estimate.

Q. Please explain the final results of your CAPM analysis.

A. Using the inputs for the risk-free rate, beta coefficient, and equity risk premium discussed above, I estimate that SPS's CAPM cost of equity is 5.8%.[97] The CAPM may be displayed graphically through what is known as the Security Market Line ("SML"). The following figure shows the expected return (cost of equity) on the y-axis, and the average beta for the proxy group on the x-axis. The SML intercepts the y-axis at the level of the risk-free rate. The slope of the SML is the equity risk premium.

[97] Exhibit DJG-12.

Figure 14:
CAPM Graph



The SML provides the rate of return that will compensate investors for the beta risk of that investment. Thus, at an average beta of 0.61 for the proxy group, the estimated CAPM cost of equity for SPS is 5.8%.

D. Response to Ms. Bulkley's CAPM Analysis

Q. Ms. Bulkley's CAPM analysis yields considerably higher results. Did you find specific problems with Ms. Bulkley's CAPM assumptions and inputs?

A. Yes, I did. Ms. Bulkley's CAPM cost of equity results are as high as 11%,[98] which is considerably higher than my estimate. The primary problems with Ms. Bulkley's CAPM cost of equity result stems from her estimates for the risk-free rate and the equity risk premium ("ERP"). These issues are discussed further below.

1. Risk-Free Rate

Q. Describe Ms. Bulkley's estimate for the risk-free rate?

A. Ms. Bulkley considered several estimates of the risk-free rate, including current (at the time she conducted the analysis) yields on 39-year U.S. Treasury bonds and several forecasted bond yields.[99] Her risk-free rate estimates include 2.85%, 3.06%, and 3.60%.[100]

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[98] Attachment AEB-9.

[99] Direct Testimony of Ann E. Bulkley, p. 68, lines 9-14.

[100] Attachment AEB-9.

Q. Do you agree with any of Ms. Bulkley's estimates for the risk-free rate?

A. No. All of Ms. Bulkley's risk-free rate estimates are too high. The risk-free rate is best estimated by considering the current yields on 30-year Treasury bonds. Out of several of Ms. Bulkley's risk-free rate estimates, one of those was based on the current yields on Treasury bonds at the time Ms. Bulkley conducted her analysis.[101] Since that time, however, the yields on treasury bonds have declined. A more recent, 30-day average yield on Treasury bonds indicates a risk-free rate of only 2.2% (not 2.85%). Moreover, I disagree with Ms. Bulkley's reliance on projected bond yields. I have reviewed dozens of cost of capital testimony filed by utility witnesses dating back many years. I cannot recall a single instance in which a utility ROE witness relied on a forward-looking projection that, all else held constant, did not have an increasing effect on their ROE recommendation relative to then-current market conditions. After observing this tactic numerous times, I cannot help but view Ms. Bulkley's projected bond yield estimates as upwardly biased. More pertinently, we could look at her projected bond yields from SPS's last rate case in New Mexico. In that case, Ms. Bulkley relied on a projected bond yield as high as 4.3% (when

[101] *Id.*

the current yields at the time were only 2.84%).[102] Unsurprisingly, bond yields did not increase according to Ms. Bulkley's prediction, but rather decreased. The current risk-free rate is only about 2.2%, which is remarkably less than the 4.3% relied upon by Ms. Bulkley in SPS's prior case.

2. Equity Risk Premium

Q. Did Ms. Bulkley rely on a reasonable measure for the ERP?

A. No, she did not. Ms. Bulkley used an input as high as 11.6% for the ERP, which is not realistic.[103] The ERP is one of three inputs in the CAPM equation, and it is one of the most single important factors for estimating the cost of equity in this case. As discussed above, I used three widely accepted methods for estimating the ERP, including consulting expert surveys, calculating the implied ERP based on aggregate market data, and considering the ERPs published by reputable analysts. The highest ERP found from my research and analysis is only 6.0%. This means that Ms. Bulkley's ERP is nearly two times greater than the highest reasonable ERP

[102] Case No. 17-00255-UT, Direct Testimony of Ann E. Bulkley, Attachment AEB-10, p. 1 of 9.
[103] *Id.*

that I could either find or calculate, and nearly twice as high as the average ERP reported by thousands of other experts across the country.[104]

Q. Why is Ms. Bulkley's ERP so much higher than the ERPs estimated and reported by thousands of survey respondents and other experts around the country?

A. Instead of relying on one of the three reasonable approaches for estimating the ERP discussed above, Ms. Bulkley instead chose to essentially conduct a DCF analysis on every company in the S&P 500. This means that Ms. Bulkley made 500 separate growth rate inputs for each company in her market portfolio. If her growth inputs for each company were reasonable, then Ms. Bulkley's model could theoretically produce reasonable results for the ERP. Instead, however, many of Ms. Bulkley's growth rate inputs were not realistic. For example, as discussed above, Ms. Bulkley estimated a long-term growth rate of 45% for Amazon.com Inc, and that level of annual growth is simply not possible to sustain.[105] Many of Ms. Bulkley's other long-term growth estimates are similarly too high to be considered realistic,

[104] The IESE 2017 survey on the ERP had 1,613 U.S. respondents reporting an average ERP of 5.7%.

[105] *Id*; *see also* Executive Summary above.

and thus, the Commission should ignore her ERP estimate and CAPM results.

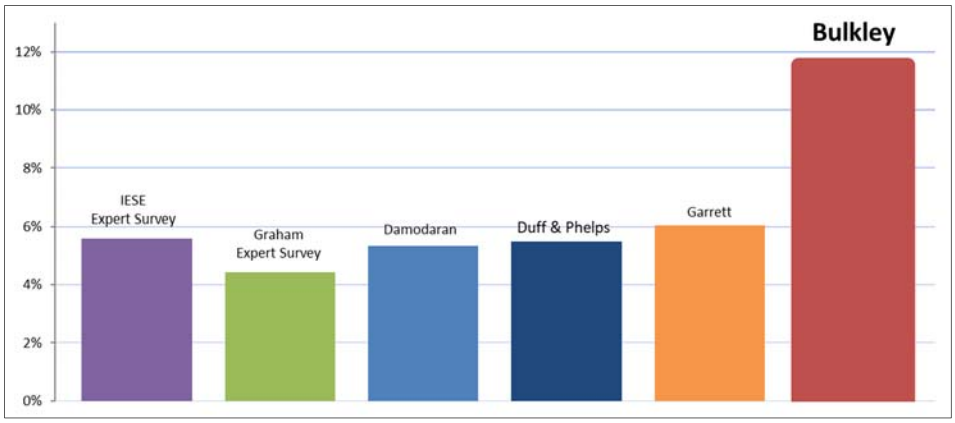
Q. Please discuss and illustrate how Ms. Bulkley's ERP compares with other estimates for the ERP.

A. As discussed above, Graham and Harvey's 2018 expert survey reports an average ERP of 4.4%. The 2019 IESE Business School expert survey reports an average ERP of 5.6%. Similarly, Duff & Phelps recently estimated an ERP of 5.5%. Dr. Damodaran, one of the leading experts on the ERP, recently estimated an average ERP of only 5.3%.[106] The following chart illustrates that Ms. Bulkley's ERP estimate is far out of line with other reasonable, objective estimates for the ERP.[107]

[106] http://pages.stern.nyu.edu/~adamodar/. Dr. Damodaran estimates several ERPs using various assumptions.

[107] The ERP estimated by Dr. Damodaran is the average of several ERP estimates under slightly differing assumptions.

Figure 15:
Equity Risk Premium Comparison



When compared with other independent sources for the ERP (as well as my estimate), Ms. Bulkley's ERP estimate is clearly not within the range of reasonableness. As a result, her CAPM cost of equity estimate is overstated.

3. Bond Yield Plus Risk Premium Analysis

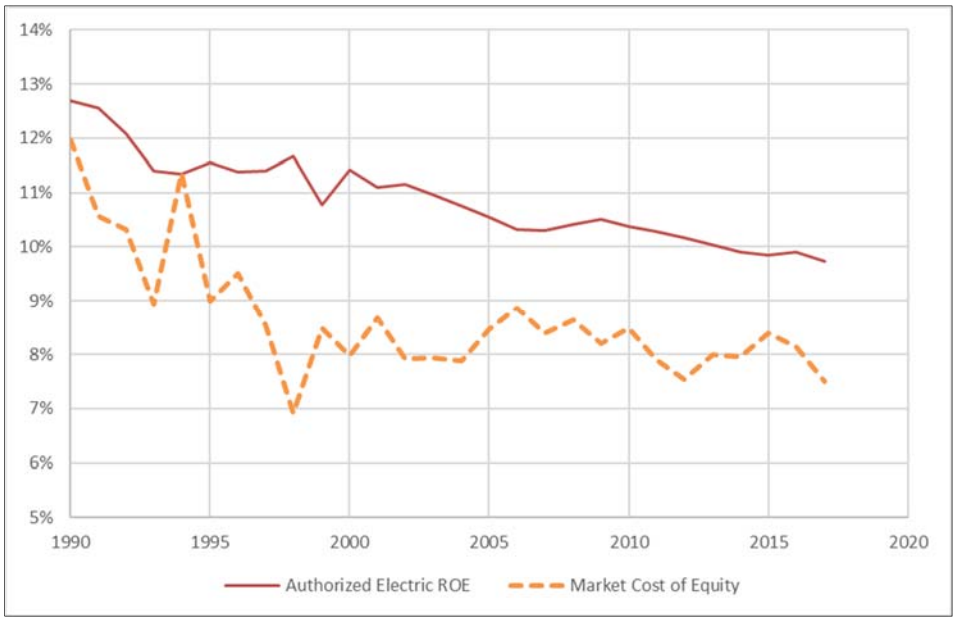
Q. Did you review Ms. Bulkley's bond yield plus risk premium analysis?

A. Yes. Many utility ROE witnesses, including Ms. Bulkley in this case, conduct what they call a "bond yield plus risk premium analysis." In short, this analysis simply compares the difference between awarded ROEs in the past with bond yields.

Q. Do you agree with the results of Ms. Bulkley's bond yield plus risk premium analysis?

A. No. Not only do I disagree with the results of Ms. Bulkley's risk premium analysis, I also disagree with the entire premise of the analysis. According to Ms. Bulkley, she "used actual authorized returns for electric utility companies as the historical measure of the Cost of Equity to determine the risk premium."[108] As discussed earlier in this testimony, it is clear that awarded ROEs are consistently higher than market-based cost of equity, and they have been for many years. Thus, these types of risk premium "models" seem to be clever devices used to perpetuate the discrepancy between awarded ROEs and market-based cost of equity. In other words, since awarded ROEs are consistently higher than market-based cost, a model that simply compares the discrepancy between awarded ROEs and any market-based factor (such as bond yields) will simply ensure that discrepancy continues. The following graph shows the clear disconnect between awarded ROEs and utility cost of equity.

[108] Direct Testimony of Ann E. Bulkley p. 73, lines 9-11.



Since it is indisputable that utility stocks are less risky than average stock in the market (with a beta equal to 1.0), utility cost of equity is below the market cost of equity (the dotted line above). The gap between the market cost of equity and inflated ROEs represents an excess transfer of wealth from customers to shareholders.

Furthermore, the risk premium analysis offered by Ms. Bulkley is unnecessary when we already have a real risk premium model to use: the CAPM. The CAPM itself is a "risk premium" model; it takes the bare minimum return any investor would require for buying a stock (the risk-free rate), then adds a premium (the ERP) to compensate the investor for the extra risk he or she assumes by buying a stock rather than a riskless U.S.

Treasury security. The CAPM has been utilized by companies around the world for decades for the same purpose we are using it in this case – to estimate cost of equity.

In stark contrast to the Nobel-prize-winning CAPM, the risk premium models relied upon by utility witnesses are not market-based, and therefore have no value in helping us estimate the market-based cost of equity. Unlike the CAPM, which is found in almost every comprehensive financial textbook, the risk premium models used by utility witnesses are almost exclusively found in the texts and testimonies of other utility representatives. Specifically, these risk premium models attempt to create an inappropriate link between market-based factors, such as interest rates, with awarded returns on equity. Inevitably, this type of model is used to justify a cost of equity that is much higher than one that would be dictated by market forces.

VIII. OTHER COST OF EQUITY ISSUES

Q. Are there any other issues raised in the Company's testimony to which you would like to respond?

A. Yes. In her testimony, Ms. Bulkley suggests that certain firm-specific risks and other factors should have an increasing effect on the cost of equity,

apparently beyond that which is indicated by the CAPM and DCF Models. These issues include capital expenditures, the regulatory framework, customer concentration, and other firm-specific business risks. In addition, Ms. Bulkley suggests that changes to the tax code provides a justification for the Company's requested ROE and capital structure.

A. Firm-Specific Business Risks

Q. Describe Ms. Bulkley's testimony regarding business risks.

A. In her direct testimony, Ms. Bulkley suggests that various firm-specific risk factors should have an increasing effect on SPS's cost of equity, including capital expenditures, the regulatory framework, and customer concentration. However, Ms. Bulkley does not propose an "explicit adjustment" to account for these risk factors.[109]

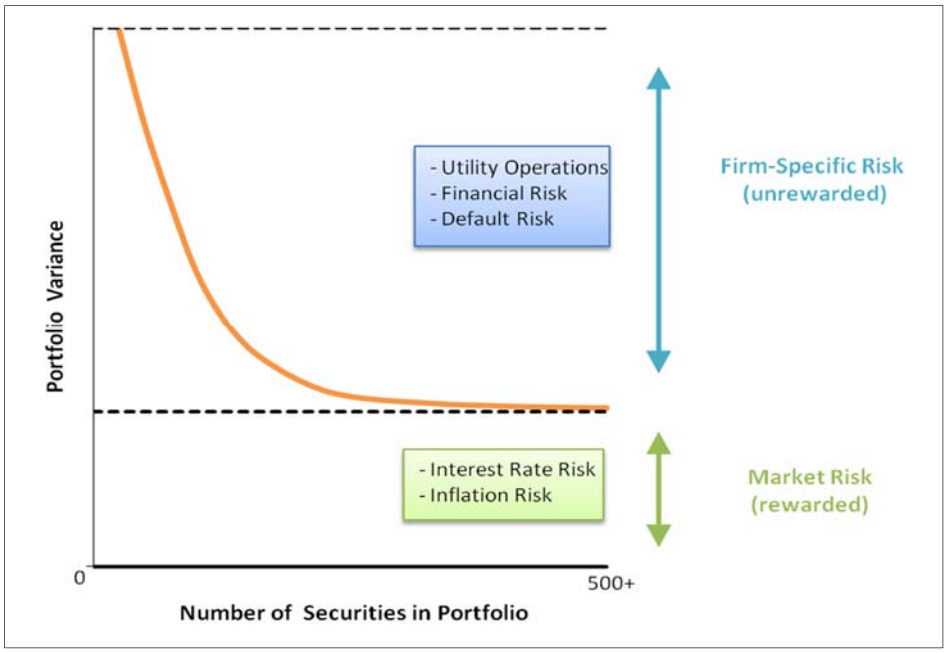
Q. Do you agree with Ms. Bulkley that these firm-specific risk factors should influence SPS's cost of equity or awarded ROE?

A. No. While I agree with Ms. Bulkley that no explicit adjustment should be made to SPS's cost of equity estimate to account for business risks, I do not agree that the Commission should consider such risks when setting a fair awarded ROE. However, all companies face business risks, including the

[109] Direct Testimony of Ann E. Bulkley, p. 79.

other utilities in the proxy group; they are not unique to SPS. As discussed above, it is a well-known concept in finance that firm-specific risks are unrewarded by the market. Scholars widely recognize the fact that market risk, or "systematic risk," is the only type of risk for which investors expect a return for bearing.[110]

This important concept is again illustrated in the figure below.



Unlike interest rate risk, inflation risk, and other market risks that affect all companies in the stock market, the risk factors discussed by Ms. Bulkley

[110] *See* John R. Graham, Scott B. Smart & William L. Megginson, *Corporate Finance: Linking Theory to What Companies Do* 180 (3rd ed., South Western Cengage Learning 2010).

are merely business risks specific to SPS. Investors do not require an additional term for these firm-specific business risks. Another way to consider this issue is to look at the CAPM and DCF Model. Did the creators of these highly regarded cost of equity models, which have been relied upon for decades by companies and investors to make crucial business decisions, simply neglect to add an input for business risks? The DCF Model considers stock price, dividends, and a long-term growth rate. The CAPM considers the risk-free rate, beta, and the equity risk premium. Neither model includes an input for business risks due to the well-known truth that investors do not expect a return for such risks. Therefore, the Company's firm-specific business risks, while perhaps relevant to other issues in the rate case, have no meaningful effect on the cost of equity estimate. Rather, it is market risk that is rewarded by the market, and this concept is thoroughly addressed in my CAPM analysis discussed above.

B. Tax Reform

Q. Describe Ms. Bulkley's testimony regarding tax reform and its effect on the Company's position in this case?

A. Ms. Bulkley argues that "[t]he effect of the TCJA should also be considered in the determination of the cost of equity."[111]

Q. Do you agree with Ms. Bulkley that the TCJA should have an effect on the Company's cost of equity estimate?

A. No. As discussed above, the cost of equity is primarily a function of market risk and the impact that market risks have on individual companies. Reading Ms. Bulkley's testimony on this issue might lead one to believe that the Company's credit ratings are of the utmost importance and that it is somehow the Commission's responsibility to help the Company maintain a particular credit rating. However, the main financial metric effected by credit ratings is the Company's cost of debt, not its cost of equity. If a company's credit rating is downgraded, its cost of debt may increase. However, it is hard for me to believe that the Company actually cares about an increase in its cost of capital; if it did, it would not be proposing a 10.35% ROE in this case.

[111] Direct Testimony of Ann E. Bulkley, p. 27, lines 11-14.

Furthermore, Ms. Bulkley's testimony on this issue fails to show how simply increasing the Company's awarded ROE will lead to a better credit rating. Instead, an increased awarded ROE (or increasing the imputed equity ratio) will simply lead to a higher revenue requirement for the Company. At that point, it is entirely within the discretion of company management on how to spend those revenues. The Company could increase dividends, increase executive bonuses, or incur other expenses that are not necessary to provide service. The Commission's primary concern should be to set an awarded ROE for the Company based on market risk, and to set a capital structure that is reflective of one that would exist in a competitive environment. Doing so will give the Company an *opportunity*, under efficient, prudent, and economical management to earn a fair return for its investors, and if it so desires, achieve a higher credit rating. The Commission does not have control over the Company's credit ratings, and it should ignore the scare tactics related to credit ratings contained in the testimonies of Ms. Bulkley and Ms. Soong (further discussed in the capital structure section below).

IX. COST OF EQUITY SUMMARY

Q. Please summarize the results of the CAPM and DCF Model discussed above.

A. The following table shows the cost of equity results from each model I employed in this case.[112]

Figure 16:
Cost of Equity Summary

Model	Cost of Equity
Discounted Cash Flow Model	7.1%
Capital Asset Pricing Model	5.8%
Average	**6.5%**

The average cost of equity resulting from the DCF Model and the CAPM is 6.5%. As discussed above, while 6.5% is a reasonable estimate for SPS's cost of equity, it is likely toward the higher end of the reasonable range. This is because I used the maximum reasonable growth rate in the DCF Model, and the highest reasonable figure for the equity risk premium in the CAPM.

[112] *See* Exhibit DJG-13.

Q. Is there a market indicator that you can use to test the reasonableness of your cost of equity estimate?

A. Yes, there is. The CAPM is a risk premium model based on the fact that all investors will require, at a minimum, a return equal to the risk-free rate when investing in equity securities. Of course, the investors will also require a premium on top of the risk-free rate to compensate them for the risk they have assumed. If an investor bought every stock in the market portfolio, he would require the risk-free rate, plus the ERP discussed above. Recall that the risk-free rate plus the ERP is called the required return on the market portfolio. This could also be called the market cost of equity. It is undisputed that the cost of equity of utility stocks must be less than the total market cost of equity. This is because utility stocks are less risky than the average stock in the market. (We proved this above by showing that utility betas were less than one.) Therefore, once we determine the market cost of equity, it gives us a "ceiling" below which SPS's actual cost of equity must lie.

Q. Describe how you estimated the market cost of equity.

A. The methods used to estimate the market cost of equity are necessarily related to the methods used to estimate the ERP discussed above. In fact, the ERP is calculated by taking the market cost of equity less the risk-free

rate. Therefore, in estimating the market cost of equity, I relied on the same methods discussed above to estimate the ERP: (1) consulting expert surveys; and (2) calculating the implied ERP. The results of my market cost of equity analysis are presented in the following table:[113]

Figure 17:
Market Cost of Equity Summary

Source	Estimate
IESE Survey	7.8%
Graham Harvey Survey	6.6%
Damodaran	7.5%
Garrett	8.2%
Average	7.5%

As shown in this table, the average market cost of equity from these sources is only 7.5%, and the highest estimate (my estimate), is 8.2%. Therefore, it is not surprising that the CAPM and DCF Model indicate a cost of equity for SPS of only 6.5%. In other words, any cost of equity estimates for SPS (or any regulated utility) that is above the market cost of equity should be viewed as unreasonable. In this case, Ms. Bulkley suggests a cost of equity

[113] *See* Exhibit DJG-14.

for SPS more than 200 basis points above the market cost of equity, which is simply unrealistic.

X. CAPITAL STRUCTURE

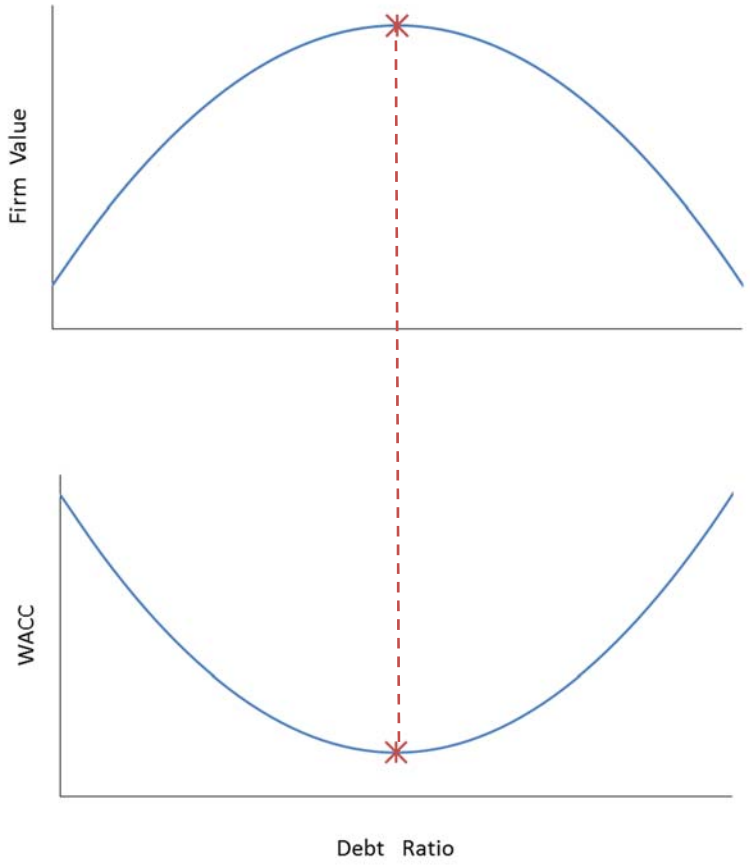
Q. Describe in general the concept of a company's "capital structure."

A. "Capital structure" refers to the way a company finances its overall operations through external financing. The primary sources of long-term, external financing are debt capital and equity capital. Debt capital usually comes in the form of contractual bond issues that require the firm to make payments, while equity capital represents an ownership interest in the form of stock. Because a firm cannot pay dividends on common stock until it satisfies its debt obligations to bondholders, stockholders are referred to as "residual claimants." The fact that stockholders have a lower priority to claims on company assets increases their risk and the required return relative to bondholders. Thus, equity capital has a higher cost than debt capital. Firms can reduce their weighted average cost of capital ("WACC") by recapitalizing and increasing their debt financing. In addition, because interest expense is deductible, increasing debt also adds value to the firm by reducing the firm's tax obligation.

Q. Is it true that, by increasing debt, competitive firms can add value and reduce their WACC?

A. Yes, it is. A competitive firm can add value by increasing debt. After a certain point, however, the marginal cost of additional debt outweighs its marginal benefit. This is because the more debt the firm uses, the higher interest expense it must pay, and the likelihood of loss increases. This also increases the risk of non-recovery for both bondholders and shareholders, causing both groups of investors to demand a greater return on their investment. Thus, if debt financing is too high, the firm's WACC will increase instead of decrease. The following figure illustrates these concepts.

Figure 18:
Optimal Debt Ratio



As shown in this figure, a competitive firm's value is maximized when the WACC is minimized. In both graphs, the debt ratio is shown on the x-axis. By increasing its debt ratio, a competitive firm can minimize its WACC and maximize its value. At a certain point, however, the benefits of increasing debt do not outweigh the costs of the additional risks to both bondholders

and shareholders, as each type of investor will demand higher returns for the additional risk they have assumed.[114]

Q. Does the rate base rate of return model effectively incentivize utilities to operate at the optimal capital structure?

A. No. While it is true that competitive firms maximize their value by minimizing their WACC, this is not the case for regulated utilities. Under the rate base rate of return model, a higher WACC results in higher rates, all else held constant. The basic revenue requirement equation is as follows:

Equation 4:
Revenue Requirement for Regulated Utilities

$$RR = O + d + T + \boldsymbol{r}(A - D)$$

where:

RR	=	*revenue requirement*
O	=	*operating expenses*
d	=	*depreciation expense*
T	=	*corporate tax*
$\boldsymbol{r}$	=	***weighted average cost of capital (WACC)***
A	=	*plant investments*
D	=	*accumulated depreciation*

As shown in this equation, utilities can increase their revenue requirement by increasing their WACC, not by minimizing it. Thus, because there is no incentive for a regulated utility to minimize its WACC, a commission

[114] *See* Graham, Smart & Megginson *supra* n. 19, at 440-41.

standing in the place of competition must ensure that the regulated utility is operating at the lowest reasonable WACC.

Q. Can utilities generally afford to have higher debt levels than other industries?

A. Yes. Because regulated utilities have large amounts of fixed assets, stable earnings, and low risk relative to other industries, they can afford to have relatively higher debt ratios (or "leverage"). As aptly stated by Dr. Damodaran:

> Since financial leverage multiplies the underlying business risk, it stands to reason that firms that have high business risk should be reluctant to take on financial leverage. It also stands to reason that firms that operate in stable businesses should be much more willing to take on financial leverage. Utilities, for instance, have historically had high debt ratios but have not had high betas, mostly because their underlying businesses have been stable and fairly predictable.[115]

Note that the author explicitly contrasts utilities with firms that have high underlying business risk. Because utilities have low levels of risk and operate a stable business, they should generally operate with relatively high levels of debt to achieve their optimal capital structure. There are objective

[115] Aswath Damodaran, *Investment Valuation: Tools and Techniques for Determining the Value of Any Asset* 196 (3rd ed., John Wiley & Sons, Inc. 2012) (emphasis added).

methods available to estimate the optimal capital structure, as discussed further below.

Q. Is it appropriate to consider only the capital structures of the proxy group in assessing a prudent capital structure?

A. No, it is not. In this case, Ms. Bulkley considered the capital structures of the proxy group to justify SPS's current capital structure. This analysis is flawed for three reasons:

1. Utilities do not have a financial incentive to operate at the optimal capital structure.

Under the rate base rate of return model, utilities do not have a natural financial incentive to minimize their cost of capital; in fact, they have a financial incentive to do the opposite. Competitive firms, in contrast, can maximize their value by minimizing their cost of capital. Competitive firms minimize their cost of capital by including a sufficient amount of debt in their capital structures. They do not do this because it required by a regulatory body, rather, they do it because their shareholders demand it in order to maximize value. Simply comparing the debt ratios of other regulated utilities will not necessarily indicate an appropriate capital structure for the Company in this proceeding. Rather, it is likely to justify debt ratios that are far too low. It is the Commission's role to act as a surrogate for competition and thereby ensure that the capital structure of a

regulated monopoly is similar to what would be appropriate in a competitive environment, not a regulated environment. This cannot be accomplished by simply looking at the capital structures of other regulated utilities or the target utility's test-year capital structure.

2. The optimal capital structure is unique to each firm.

As discussed further below, the optimal capital structure for a firm is dependent on several unique financial metrics for *that* firm. The other companies in the proxy group have different financial metrics than the target utility, and thus, they have different optimal capital structures. An objective analysis should be performed using the financial metrics of the target utility to estimate its unique optimal capital structure.

3. The capital structures of the proxy group may not have been approved by their regulatory commissions.

The actual capital structure of any utility falls within the realm of managerial discretion. That is, a utility's management has the discretion to choose the relative proportions of debt and equity used to finance the utility's operations. Regulatory commissions, however, have a duty to examine those decisions, and to impute a proper capital structure if the company's actual capital structure is inappropriate. Thus, the actual capital structures of other utilities may have been deemed inappropriate by their own commission. For all the foregoing reasons, simply comparing the

capital structures of other regulated utilities is insufficient to determine a prudent capital structure.

A. Objective Analysis

Q. Please describe an objective approach in assessing an optimal, fair capital structure for a utility.

A. My analysis of the optimal capital structure includes objective methods to measure the effects of increasing debt on both the cost of debt and cost of equity. I will discuss the effects of increasing the debt ratio on each type of security separately.

Cost of Debt

As discussed above, increasing the debt ratio will increase the cost of debt. To objectively measure how much the cost of debt increases, I considered the spreads above the risk-free rate for various levels of bond ratings and interest coverage ratios. The following table shows increasing interest rates for debt based on different bond rating levels.[116]

[116] *See* Exhibit DJG-16.

Figure 19:
Bond Rating Spreads

Ratings Table			
Coverage Ratio	Bond Rating	Spread	Interest Rate
8.5 - 10.00	Aaa/AAA	0.75%	2.93%
6.5 - 8.49	Aa2/AA	1.00%	3.18%
5.5 - 6.49	A1/A+	1.25%	3.43%
4.25 - 5.49	A2/A	1.38%	3.56%
3.0 - 4.24	A3/A-	1.56%	3.74%
2.5 - 2.99	Baa2/BBB	2.00%	4.18%
2.25 - 2.49	Ba1/BB+	3.00%	5.18%
2.0 - 2.24	Ba2/BB	3.60%	5.78%
1.75 - 1.99	B1/B+	4.50%	6.68%
1.5 - 1.74	B2/B	5.40%	7.58%
1.25 - 1.49	B3/B-	6.60%	8.78%
0.8 - 1.24	Caa/CCC	9.00%	11.18%

As shown in this table, the spreads over the risk-free rate gradually increase as bond ratings fall.[117] The spread is added to the risk-free rate to obtain the interest rates shown in the far-right column. This concept is somewhat comparable to the interest rate a mortgage lender would charge a borrower. The mortgage lender's advertised rate is usually the lowest rate, or the "prime" rate, which is available to borrowers with stellar credit scores. As credit scores decrease, however, the offered interest rate will increase. The

[117] The link between interest coverage ratios and ratings was developed by looking at all rated companies in the U.S. The default spreads are obtained from traded bonds. The spreads are added to the risk-free rate to obtain the interest rates in the table.
http://pages.stern.nyu.edu/~adamodar/New_Home_Page/datafile/ratings.htm.

bond ratings in this figure are based on various levels of interest coverage ratios shown in the far-left column. The interest coverage ratio, as its name implies, is a metric used by financial analysts to gauge a firm's ability to pay its interest expense from its available earnings before interest and taxes (EBIT). (Likewise, the mortgage lender would consider the borrower's personal income-debt ratio.) As the debt ratio rises, the interest coverage ratio falls, the bond ratings increase, and the cost of debt increases. Now that we have an objective way of measuring how increasing the debt ratio affects the cost of debt, we need to measure how increasing the debt ratio affects the cost of equity.

Cost of Equity

As with the cost of debt, increasing the debt ratio also increases the cost of equity. To objectively measure how much the cost of equity increases, I first calculated the Company's unlevered beta. The unlevered beta is determined by the assets owned by the firm and removes the effects of financial leverage. As leverage increases, equity investors bear increasing amounts of risk, leading to higher betas. Before the effects of financial leverage can be accounted for, however, the effects of leverage must first be removed, which is accomplished through the unlevered beta calculation. The beta for the firm can then be "re-levered" based on various debt ratios.

So, by using the Bond Rating Spreads table and the unlevered beta equation, the costs of both debt and equity can be increased in correspondence with increasing the debt ratio, until the ideal capital structure is found: where the weighted average cost of capital is minimized.

Q. Describe SPS's optimal capital structure.

A: SPS proposes a debt ratio of only 45.23% in this case. I analyzed the Company's optimal capital structure based on the approach discussed above to determine whether this proposal is reasonable. The following table presents different levels of SPS's weighted average cost of capital based on increasing debt ratios.[118]

Figure 20:
SPS's WACC at Various Debt Ratios

Debt Ratio	Levered Beta	Cost of Equity	Proposed ROE	Coverage Ratio	After-tax Debt Cost	Optimal WACC	WACC at 9.0% ROE
0%	0.367	4.40%	8.20%	∞	2.31%	4.40%	8.20%
20%	0.439	4.83%	8.20%	7.02	2.51%	4.37%	7.06%
25%	0.463	4.98%	8.20%	5.61	2.71%	4.41%	6.83%
30%	0.491	5.15%	8.20%	4.68	2.81%	4.45%	6.58%
40%	0.560	5.56%	8.20%	3.51	2.95%	4.52%	6.10%
45%	0.604	5.83%	8.20%	3.12	2.95%	4.54%	5.84%
50%	0.656	6.15%	8.20%	2.81	3.30%	4.72%	5.75%
55%	0.721	6.54%	8.20%	2.55	3.30%	4.76%	5.51%
60%	0.801	7.02%	8.20%	2.34	4.09%	5.26%	5.74%

[118] *See* Exhibit DJG-16.

In the figure above, the column on the far-left shows increasing levels of debt ratios. At a debt ratio of zero percent, the utility's beta is completely unlevered. As the debt ratio in the far-left column increases, both the cost of equity and the cost of debt increase; however, the weighted average cost of capital decreases. Utility witnesses often suggest (as they have in this case), that regulators should not impute a higher debt ratio because the costs of debt and equity could increase. As discussed above, this statement by itself is true, but it is also misleading because it fails to include the most pertinent point – the WACC will decrease. Notice in the table above that when the debt ratio is 20%, the estimated cost of equity is only 4.83%, and the estimated cost of debt (after-tax) is only 2.51%. When the debt ratio is increased from 25% to 30%, we can see that the utility's argument is correct – the cost of equity increases (from 4.83% to 4.98%), and cost of debt also increases (from 2.51% to 2.71%). *However*, the weighted average cost of capital decreases from 7.70% to 7.43% (far-right column). This is due to the simple algebra involved in the WACC formula, and the fact that debt is cheaper than equity.

This model is not necessarily designed to exactly calculate the Company's cost of equity or WACC, but rather provides a tool for illustrating the idea that WACC can decrease when the debt ratio increases

to a certain extent. The model also provides an indication (rather than exact calculation) of SPS's optimal debt ratio. This model should be considered along with the other models discussed in this section in order to provide indications of SPS's optimal debt ratio – one that would exist in a competitive environment. The table above indicates that that if we used a cost of equity (the third column from the left) that was more reflective of SPS's actual, market-based cost of equity, then SPS's optimal debt ratio may actually be lower than 50%. However, no witness in this case (even myself) is likely to recommend an awarded return that actually equals SPS's market-based cost of equity (which is about 6.5%). This is because the cost of equity would be closer to the cost of debt. However, at a "cost" of equity of 8.2% (my recommended ROE), we can see that the WACC is minimized at a higher debt ratio – about 55%. This is not surprising. When awarded returns exceed cost of equity, it is more beneficial to have a greater percentage of low-cost debt in the capital structure. SPS has a duty to seek the lowest reasonable capital cost. In that regard, the Company's request of a 10.35% awarded ROE and a debt ratio of only 45.23% is patently unreasonable. While my capital structure model is meant to be an estimate more than a specific calculation, it provides an objective, mathematical indication that SPS should have a higher debt ratio and a lower overall

weighted average cost of capital. Additionally, there is other evidence supporting the argument that SPS should have a higher debt ratio, as further discussed below.

Q. Is your opinion based in part on the fact that thousands of competitive firms around the country use high debt ratios to maximize profits?

A: Yes. In fact, there are currently more than 3,000 firms in U.S. industries with higher debt ratios than SPS, and an average debt ratio of greater than 60%.[119] The following figure shows a sample of these industries with debt ratios higher than 55%.

[119] *See* Exhibit DJG-17.

Figure 21:
Industries with Debt Ratios Greater than 55%

Industry	# Firms	Debt Ratio
Hospitals/Healthcare Facilities	34	88%
Tobacco	17	88%
Broadcasting	24	83%
Brokerage & Investment Banking	38	77%
Auto & Truck	14	76%
Retail (Building Supply)	17	76%
Advertising	48	75%
Retail (Automotive)	24	74%
Software (Internet)	44	74%
Bank (Money Center)	10	67%
Trucking	28	65%
Food Wholesalers	18	64%
Hotel/Gaming	70	63%
Beverage (Soft)	37	63%
Packaging & Container	27	62%
R.E.I.T.	238	62%
Retail (Grocery and Food)	12	61%
Green & Renewable Energy	21	**60%**
Transportation	19	59%
Retail (Distributors)	88	59%
Telecom. Services	67	**58%**
Aerospace/Defense	85	58%
Air Transport	18	58%
Oil/Gas Distribution	20	58%
Farming/Agriculture	33	57%
Construction Supplies	48	56%
Utility (Water)	19	**56%**
Power	51	**56%**
Cable TV	14	**56%**
Office Equipment & Services	24	56%
Telecom (Wireless)	21	**55%**
Computers/Peripherals	57	55%
Business & Consumer Services	168	55%
Recreation	72	55%
Total / Average	**1,525**	**64%**

Many of the industries shown here are, like public utilities, generally well-established industries with large amounts of capital assets. The shareholders of these industries demand higher debt ratios to maximize their profits. There are several notable industries that are relatively comparable to public utilities in some ways. For example, the Telecom Services industry has an average debt ratio of 58%, and the Power industry has a debt ratio of 56%. These debt ratios are significantly higher than SPS's proposed debt ratio of only 45.23%.

Q. Did you also look at the debt ratios of the proxy group?

A. Yes. Although, as discussed above, it is not necessarily appropriate to consider the debt ratios of the proxy group when conducting an optimal capital structure analysis for a regulated utility, I nonetheless observed the debt ratios of the proxy group. According to the most recently reported year-end data from Value Line, the average debt ratio of the proxy group is 50%.[120]

[120] *See* Exhibit DJG-18.

Q. In her testimony, Ms. Bulkley states that if SPS's equity ratio is reduced (i.e., a higher imputed debt ratio), that there should be a corresponding increase in the authorized ROE. Do you agree?

A. No. In her direct testimony, Ms. Bulkley states: "To the extent the authorized equity ratio is reduced, a corresponding increase is necessary in the authorized ROE to compensate investors for the greater financial risk associated with a lower equity ratio."[121] This statement is incorrect for several reasons. First, it is based on the faulty premise that SPS's authorized ROE is equal to its cost of equity. This has not been true for essentially any utility in the last 30 years, including SPS. In other words, since SPS's awarded ROE in this case will undoubtedly be above its market-based cost of equity (even if my recommendation is adopted), there is no need to increase the awarded ROE to compensate investors for greater risk. Ms. Bulkley's statement is also based on the premise that SPS's proposed debt ratio is already sufficient, or at an "equilibrium" level where capital costs are minimized. However, as demonstrated above, this premise is also inaccurate.

[121] Direct Testimony of Ann E. Bulkley, p. 109, lines 13-16.

Q. What is your recommendation regarding SPS's capital structure?

A. I analyzed the Company's optimal capital structure based on the approach discussed above. In my opinion, SPS's proposed capital structure consists of an insufficient amount of debt, especially since SPS's awarded ROE in this case will certainly be above its market-based cost of equity (even if my recommendation is adopted). I recommend the Commission adopt a capital structure consisting of 50% debt and 50% equity for SPS for the following reasons:

1. My objective capital structure model shows that SPS's optimal capital structure (where capital costs are minimized) could consist of a debt ratio as high as 55%, especially considering that SPS's awarded ROE in this case will exceed the Company's market-based cost of equity.

2. An analysis of dozens of competitive industries shows that there are thousands of firms across the U.S. that operate with higher debt ratios than SPS's proposed debt ratio of only 45.23%. Notably, the industries of renewable energy, power, cable TV, and telecommunication services all have average debt ratios higher than 55%.

3. The average debt ratio of the proxy group is 50%.

For all of the foregoing reasons, I recommend the Commission adopt a capital structure for SPS consisting of 50% debt and 50% equity for purposes of computing the Company's awarded rate of return. The table below compares the various the debt ratios discussed in my testimony.

Figure 22:
Debt Ratio Comparison

Source	Debt Ratio
Green & Renewable Energy	60%
Telecom. Services	58%
Utility (Water)	56%
Power	56%
Cable TV	56%
Telecom (Wireless)	55%
My Objective Analysis	**55%**
My Proposal	**50%**
Proxy Group of Utilities	**50%**
Company's Proposal	**45%**

Based on these findings, it is clear that SPS's proposed debt ratio of only 45.23% is far too low, and if adopted, would result in an unreasonably high weighted average return.

B. Response to Ms. Soong's Testimony on Capital Structure and Credit Ratings

Q. Please summarize Ms. Soong's position regarding the Company's capital structure.

A. In her direct testimony, Ms. Soong recommends the Commission accept SPS's proposed capital structure in determining the Company's weighted

average return.[122] Ms. Soong also suggests that the Commission should adopt the Company's position in order to support SPS and its credit ratings.[123] In addition, Ms. Soong also states that it is important for the Commission to adopt a capital structure that reflects SPS's actual capital structure.[124]

Q. Do you agree with Ms. Soong's arguments?

A. No. The arguments and general narratives contained in Ms. Soong's testimony are misleading at best, and do not provide evidence to support the Company's proposed capital structure. The problems contained in Ms. Soong's testimony could be generally divided into three categories, as further discussed below.

1. <u>It is Not the Duty of this Commission to Support SPS</u>

In her testimony, Ms. Soong suggests many times that it is the Commission's responsibility to somehow "support" SPS. According to Ms. Soong, the Commission should make a "supportive regulatory decision"[125]

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[122] *See generally* Direct Testimony of Sarah W. Soong, pp. 8-47.

[123] *Id*.

[124] *Id*.

[125] *Id*. at p. 8, lines 11-13.

or ensure a "supportive regulatory outcome"[126] in this case, create a "supportive regulatory environment"[127] (i.e., utility safe space), make sure it is "supporting current credit ratings,"[128] while avoiding a "lack of regulatory support."[129] Unsurprising, the "support" Ms. Soong refers too simply equates to a higher return and revenue requirement for Company shareholders (via a higher equity ratio). Ms. Soong's repetitive narrative regarding "support" contradicts the very purpose of our regulatory model. It is not the Commission's duty to "support" utilities; rather, it is the Commission's duty to regulate utilities. This means the Commission is supposed to act as a surrogate for competition. The concept of competition itself is antithetical to the concept of support. It is no more the Commission's duty to support SPS than it is for Walmart to support Amazon, or for Samsung to support Apple. While I would agree that it is good for utilities to be financially healthy, that is primarily the duty of company management. By imputing a capital structure reflective of one that would exist in a competitive environment (along with an awarded ROE

[126] *Id*. at p. 9, lines 8-10.

[127] *Id*. at p. 10, lines 22-23.

[128] *Id*. at p. 11, lines 3-5.

[129] *Id*. at. p. 14, lines 4-6.

of 8.2% that is above SPS's market-based cost of equity), the Commission will give SPS the opportunity to maintain its financial health under prudent, efficient, and economical management.

2. <u>Credit Ratings are a Concern of Company Management</u>

Reading Ms. Soong's testimony might lead one believe that the Company's credit ratings are up the utmost importance and should be a top concern for the Commission. Corporate credit ratings are not unlike personal credit scores. They are based on the ability to pay debt. The lower the score, the higher the interest rate. People care about credit scores, but not as much as they care about other financial metrics, such as income and savings. Likewise, shareholders care about credit scores, but not as much as they do about earnings. We know this because the vast majority of U.S. corporations do not have top-grade credit ratings. Generally, this is not because such companies are unable to achieve higher credit ratings, but rather because *they do not want to*. Debt is cheaper than equity. Thus, shareholders demand that their company managers issue as much low-cost debt as necessary in order to maximize profits (where the marginal costs of increased debt equal the marginal benefits). Issuing more debt lowers credit ratings and increases the cost of debt, but more importantly, it can increase earnings, which is of primary importance for investors. Thus, it is all about

earnings, not credit ratings. Likewise, for the plethora of discussion about credit ratings contained in the testimonies of Ms. Bulkley and Ms. Soong, the real focus for the Company is on one thing – the weighted average awarded return, which is mainly driven by the awarded ROE and capital structure. Shareholders are much more concerned with the awarded return and capital structure than credit ratings, the Commission should be as well.

3. A Fair Debt Ratio is Not Dependent on SPS's Actual Debt Ratio

In her testimony, Ms. Soong states "it is vitally important, particularly in a time of significant capital demands, that the Commission adopt a capital structure that reflects SPS's actual financing practices."[130] This statement is misleading and problematic for several reasons. First, the only thing that is "vitally important" for the Commission to do is set fair and reasonable rates, which are largely influenced by an awarded ROE based on market-based cost of equity and, more pertinently, a capital structure that is reflective of one that would exist in a competitive environment. There is no justification for authorizing SPS's actual capital structure simply because SPS's management has chosen to operate using that structure, and doing so contradicts the purpose of regulation. This is because SPS's current capital

[130] Id. at p. 16, lines 8-9 – p. 17, line 1.

structure contributes to an overall return that is not fair or reasonable. As demonstrated above, debt ratio of only 45.23% (SPS's actual debt ratio) is much lower than the debt ratio of the proxy group (50%), much lower than the optimal debt ratio indicated by my analysis (about 55%), and much lower than the actual debt ratios of hundreds of competitive firms from relatively similar industries (about 57%). Again, unlike competitive firms, regulated utilities do not have a natural financial incentive to issue sufficient debt to minimize capital costs. Rather, it benefits utility shareholders if capital costs are increased (via a higher ROE and equity ratio), as discussed further below. (For evidence supporting this assertion, please see Ms. Bulkley's testimony, pages 1 – 114.)

4. <u>The Company is Not Concerned with Increased Capital Costs</u>

Ms. Soong spends many pages of testimony talking about credit ratings in support of SPS's proposed 45.23% debt ratio. Then, when finally asked about the impact of credit ratings on long-term debt, we see that "the recent downgrade to the credit rating could cause the cost of new long-term debt to increase approximately 15-20 basis points."[131] In other words, Ms. Soong argues that the Commission should be concerned about a potential

[131] *Id*. at p. 35, lines 15-17.

15-20 basis point increase in the cost of debt if SPS does not receive its proposed capital structure. However, at the same time, SPS is supporting Ms. Bulkley's 10.35% awarded ROE proposal, which is at least 200 basis points above any reasonable estimate for the Company's *cost* of equity. It is not that the Commission should completely ignore the cost of debt, but it is merely one component (the least important one) in the overall weighted average cost of capital. The Commission should not care more about the cost of debt (and, by association, SPS's credit ratings) than it cares about the weighted average cost of capital. In other words, the Commission should be willing to accept higher debt costs if it results in lower overall capital costs. This is exactly what competitive firms do through natural market forces.

Again, competitive firms have a natural financial incentive to strive for an equilibrium where the marginal benefits of increased debt equal the marginal costs – where firm value is maximized and capital costs (WACC) are minimized. Utilities, however, are not naturally incentivized to operate at minimized capital costs, so we should not expect utility managers acting in the best interest of shareholders to make decisions that will minimize capital costs. The purpose of regulation is to correct for such misplaced incentives.

If the Commission imputes a debt ratio of 50%, it may (or may not) slightly increase SPS's debt costs, but it will certainly decrease overall capital costs. As with all of the Company's other prudent expenses, SPS should seek (and the Commission should approve) the lowest reasonable costs; that concept is especially important when it concerns the Company's most important cost – the cost of capital.

XI. CONCLUSION AND RECOMMENDATIONS

Q. Summarize the key points of your cost of capital testimony and recommendation.

A. The following key points of my testimony are summarized as follows:

1. The Company's proposed ROE of 10.35% is excessive and unrealistic. To believe that SPS's shareholders require a return of 10.35% on their equity investment, the Commission have to accept the idea that the equity risk premium is over 11% (twice as high as the opinions of thousands of expert survey respondents) and that SPS will qualitatively grow at a rate that exceeds the growth rate of the entire U.S. economy.

2. An objective cost of equity analysis shows that SPS's cost of equity is about 6.5%. Even if we use Ms. Bulkley's proxy group and all of her CAPM inputs except the equity risk premium (and instead use the ERP reported by thousands of objective experts), we would arrive at a cost of equity estimate of only 7.7%.

3. Utility cost of equity must be less than market cost of equity (mathematically proven by the beta term). An objective analysis shows a market cost of equity estimate of 8.2%. This is effectively a "ceiling" for SPS's cost of equity.

4. I recommend an awarded ROE for SPS of 8.2%, which is equal to the ceiling for the Company's actual cost of equity. Although 8.2% is still well above SPS's cost of equity, the recommendation is fair to both ratepayers and customers under the circumstances.

5. My objective capital structure model shows that SPS's optimal capital structure (where capital costs are minimized) could consist of a debt ratio as high as 55%, especially considering that SPS's awarded ROE in this case will exceed the Company's market-based cost of equity. Likewise, there are thousands of firms in the U.S. that operate with higher debt ratios than 50%, many of which are in industries that are relatively comparable to electric utilities. Finally, the average debt ratio of Ms. Bulkley's proxy group is 50%.

6. It is the Commission's duty to regulate SPS, not to "support" its shareholders' investment returns through inflated ROEs and equity ratios, which would simply increase the Company's revenue requirement. Credit ratings are the concern of Company management, and the Commission does not directly control the Company's credit ratings. The Commission should adopt ROEs and debt ratios that promote the lowest reasonable weighted average return, even if doing so slightly increases SPS's cost of debt.

Q. What is your recommendation to the Commission?

A. I recommend that the Commission adopt an awarded ROE of 8.2%, which is in a reasonable range of 6.5% – 8.2%. I also recommend the Commission impute a capital structure for SPS consisting of 50% debt and 50% equity.

Q. Does this conclude your testimony?

A. Yes. To the extent I have not addressed an issue, method, calculation, account, or other matter relevant to the Company's proposals in this proceeding, it should not be construed that I agree with the same.

APPENDIX A:

DISCOUNTED CASH FLOW MODEL THEORY

The Discounted Cash Flow ("DCF") Model is based on a fundamental financial model called the "dividend discount model," which maintains that the value of a security is equal to the present value of the future cash flows it generates. Cash flows from common stock are paid to investors in the form of dividends. There are several variations of the DCF Model. In its most general form, the DCF Model is expressed as follows:[132]

Equation 5:
General Discounted Cash Flow Model

$$P_0 = \frac{D_1}{(1+k)} + \frac{D_2}{(1+k)^2} + \cdots + \frac{D_n}{(1+k)^n}$$

where: P_0 = *current stock price*
$D_1 \ldots D_n$ = *expected future dividends*
k = *discount rate / required return*

The General DCF Model would require an estimation of an infinite stream of dividends. Since this would be impractical, analysts use more feasible variations of the General DCF Model, which are discussed further below.

The DCF Models rely on the following four assumptions:[133]

1. Investors evaluate common stocks in the classical valuation framework; that is, they trade securities rationally at prices reflecting their perceptions of value;

2. Investors discount the expected cash flows at the same rate (K) in every future period;

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[132] *See* Zvi Bodie, Alex Kane & Alan J. Marcus, *Essentials of Investments* 410 (9th ed., McGraw-Hill/Irwin 2013).

[133] *See* Roger A. Morin, *New Regulatory Finance* 252 (Public Utilities Reports, Inc. 2006) (1994).

3. The K obtained from the DCF equation corresponds to that specific stream of future cash flows alone; and

4. Dividends, rather than earnings, constitute the source of value.

The General DCF can be rearranged to make it more practical for estimating the cost of equity. Regulators typically rely on some variation of the Constant Growth DCF Model, which is expressed as follows:

Equation 6:
Constant Growth Discounted Cash Flow Model

$$K = \frac{D_1}{P_0} + g$$

where: K = *discount rate / required return on equity*
D_1 = *expected dividend per share one year from now*
P_0 = *current stock price*
g = *expected growth rate of future dividends*

Unlike the General DCF Model, the Constant Growth DCF Model solves directly for the required return (K). In addition, by assuming that dividends grow at a constant rate, the dividend stream from the General DCF Model may be essentially substituted with a term representing the expected constant growth rate of future dividends (g). The Constant Growth DCF Model may be considered in two parts. The first part is the dividend yield (D_1/P_0), and the second part is the growth rate (g). In other words, the required return in the DCF Model is equivalent to the dividend yield plus the growth rate.

In addition to the four assumptions listed above, the Constant Growth DCF Model relies on four additional assumptions as follows:[134]

[134] *Id.* at 254-56.

1. The discount rate (K) must exceed the growth rate (g);
2. The dividend growth rate (g) is constant in every year to infinity;
3. Investors require the same return (K) in every year; and
4. There is no external financing; that is, growth is provided only by the retention of earnings.

Since the growth rate in this model is assumed to be constant, it is important not to use growth rates that are unreasonably high. In fact, the constant growth rate estimate for a regulated utility with a defined service territory should not exceed the growth rate for the economy in which it operates.

The basic form of the Constant Growth DCF Model described above is sometimes referred to as the "Annual" DCF Model. This is because the model assumes an annual dividend payment to be paid at the end of every year, as well as an increase in dividends once each year. In reality however, most utilities pay dividends on a quarterly basis. The Constant Growth DCF equation may be modified to reflect the assumption that investors receive successive quarterly dividends and reinvest them throughout the year at the discount rate. This variation is called the Quarterly Approximation DCF Model.[135]

Equation 7:
Quarterly Approximation Discounted Cash Flow Model

$$K = \left[\frac{d_0(1+g)^{1/4}}{P_0} + (1+g)^{1/4}\right]^4 - 1$$

where: K = *discount rate / required return*
d_0 = *current quarterly dividend per share*
P_0 = *stock price*
g = *expected growth rate of future dividends*

[135] *Id*. at 348.

The Quarterly Approximation DCF Model assumes that dividends are paid quarterly, and that each dividend is constant for four consecutive quarters. All else held constant, this model results in the highest cost of equity estimate for the utility in comparison to other DCF Models because it accounts for the quarterly compounding of dividends. There are several other variations of the Constant Growth (or Annual) DCF Model, including a Semi-Annual DCF Model which is used by the Federal Energy Regulatory Commission ("FERC"). These models, along with the Quarterly Approximation DCF Model, have been accepted in regulatory proceedings as useful tools for estimating the cost of equity.

APPENDIX B:

CAPITAL ASSET PRICING MODEL THEORY

The Capital Asset Pricing Model ("CAPM") is a market-based model founded on the principle that investors demand higher returns for incurring additional risk.[136] The CAPM estimates this required return. The CAPM relies on the following assumptions:

1. Investors are rational, risk-adverse, and strive to maximize profit and terminal wealth;
2. Investors make choices based on risk and return. Return is measured by the mean returns expected from a portfolio of assets; risk is measured by the variance of these portfolio returns;
3. Investors have homogenous expectations of risk and return;
4. Investors have identical time horizons;
5. Information is freely and simultaneously available to investors.
6. There is a risk-free asset, and investors can borrow and lend unlimited amounts at the risk-free rate;
7. There are no taxes, transaction costs, restrictions on selling short, or other market imperfections; and,
8. Total asset quality is fixed, and all assets are marketable and divisible.[137]

While some of these assumptions may appear to be restrictive, they do not outweigh the inherent value of the model. The CAPM has been widely used by firms, analysts, and regulators for decades to estimate the cost of equity capital.

The basic CAPM equation is expressed as follows:

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[136] William F. Sharpe, *A Simplified Model for Portfolio Analysis* 277-93 (Management Science IX 1963); *see also* Graham, Smart & Megginson *supra* n. 20, at 208.

[137] *Id*.

Equation 8:
Capital Asset Pricing Model

$$K = R_F + \beta_i(R_M - R_F)$$

where: K = *required return*
R_F = *risk-free rate*
β = *beta coefficient of asset i*
R_M = *required return on the overall market*

There are essentially three terms within the CAPM equation that are required to calculate the required return (K): (1) the risk-free rate (R_F); (2) the beta coefficient (β); and (3) the equity risk premium ($R_M - R_F$), which is the required return on the overall market less the risk-free rate.

Raw Beta Calculations and Adjustments

A stock's beta equals the covariance of the asset's returns with the returns on a market portfolio, divided by the portfolio's variance, as expressed in the following formula:[138]

Equation 9:
Beta

$$\beta_i = \frac{\sigma_{im}}{\sigma_m^2}$$

where: β_i = *beta of asset i*
σ_{im} = *covariance of asset i returns with market portfolio returns*
σ^2_m = *variance of market portfolio*

Betas that are published by various research firms are typically calculated through a regression analysis that considers the movements in price of an individual stock and movements in the price of the overall market portfolio. The betas produced by this regression analysis are considered "raw" betas. There is empirical evidence that raw betas should be adjusted to account

[138] Graham, Smart & Megginson *supra* n. 19, at 180-81.

for beta's natural tendency to revert to an underlying mean.[139] Some analysts use an adjustment method proposed by Blume, which adjusts raw betas toward the market mean of one.[140] While the Blume adjustment method is popular due to its simplicity, it is arguably arbitrary, and some would say not useful at all. According to Dr. Damodaran: "While we agree with the notion that betas move toward 1.0 over time, the [Blume adjustment] strikes us as arbitrary and not particularly useful."[141] The Blume adjustment method is especially arbitrary when applied to industries with consistently low betas, such as the utility industry. For industries with consistently low betas, it is better to employ an adjustment method that adjusts raw betas toward an industry average, rather than the market average. Vasicek proposed such a method, which is preferable to the Blume adjustment method because it allows raw betas to be adjusted toward an industry average, and also accounts for the statistical accuracy of the raw beta calculation.[142] In other words, "[t]he Vasicek adjustment seeks to overcome one weakness of the Blume model by not applying the same adjustment to every security; rather, a security-specific adjustment is made depending on the statistical quality of the regression."[143] The Vasicek beta adjustment equation is expressed as follows:

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[139] *See* Michael J. Gombola and Douglas R. Kahl, *Time-Series Processes of Utility Betas: Implications for Forecasting Systematic Risk* 84-92 (Financial Management Autumn 1990).

[140] See Marshall Blume, *On the Assessment of Risk*, Vol. 26, No. 1 The Journal of Finance 1 (1971).

[141] *See* Aswath Damodaran, *Investment Valuation: Tools and Techniques for Determining the Value of Any Asset* 187 (3rd ed., John Wiley & Sons, Inc. 2012).

[142] Oldrich A. Vasicek, *A Note on Using Cross-Sectional Information in Bayesian Estimation of Security Betas* 1233-1239 (Journal of Finance, Vol. 28, No. 5, December 1973).

[143] 2012 Ibbotson Stocks, Bonds, Bills, and Inflation Valuation Yearbook 77-78 (Morningstar 2012).

Equation 10:
Vasicek Beta Adjustment

$$\beta_{i1} = \frac{\sigma^2_{\beta i0}}{\sigma^2_{\beta 0} + \sigma^2_{\beta_{i0}}}\beta_0 + \frac{\sigma^2_{\beta 0}}{\sigma^2_{\beta 0} + \sigma^2_{\beta_{i0}}}\beta_{i0}$$

where:	β_{i1}	=	*Vasicek adjusted beta for security i*
	β_{i0}	=	*historical beta for security i*
	β_0	=	*beta of industry or proxy group*
	$\sigma^2_{\beta 0}$	=	*variance of betas in the industry or proxy group*
	$\sigma^2_{\beta i0}$	=	*square of standard error of the historical beta for security i*

The Vasicek beta adjustment is an improvement on the Blume model because the Vasicek model does not apply the same adjustment to every security. A higher standard error produced by the regression analysis indicates a lower statistical significance of the beta estimate. Thus, a beta with a high standard error should receive a greater adjustment than a beta with a low standard error. As stated in Ibbotson:

> While the Vasicek formula looks intimidating, it is really quite simple. The adjusted beta for a company is a weighted average of the company's historical beta and the beta of the market, industry, or peer group. How much weight is given to the company and historical beta depends on the statistical significance of the company beta statistic. If a company beta has a low standard error, then it will have a higher weighting in the Vasicek formula. If a company beta has a high standard error, then it will have lower weighting in the Vasicek formula. An advantage of this adjustment methodology is that it does not force an adjustment to the market as a whole. Instead, the adjustment can be toward an industry or some other peer group. <u>This is most useful in looking at companies in industries that on average have high or low betas</u>.[144]

Thus, the Vasicek adjustment method is statistically more accurate, and is the preferred method to use when analyzing companies in an industry that has inherently low betas, such as the utility industry. The Vasicek method was also confirmed by Gombola, who conducted a study

[144] *Id*. at 78 (emphasis added).

specifically related to utility companies. Gombola concluded that "[t]he strong evidence of auto-regressive tendencies in utility betas lends support to the application of adjustment procedures such as the . . . adjustment procedure presented by Vasicek."[145] Gombola also concluded that adjusting raw betas toward the market mean of 1.0 is too high, and that "[i]nstead, they should be adjusted toward a value that is less than one."[146] In conducting the Vasicek adjustment on betas in previous cases, it reveals that utility betas are even lower than those published by Value Line.[147] Gombola's findings are particular important here, because his study was conducted specifically on utility companies. This evidence indicates that using Value Line's betas in a CAPM cost of equity estimate for a utility company may lead to overestimated results. Regardless, adjusting betas to a level that is higher than Value Line's betas is not reasonable, and it would produce CAPM cost of equity results that are too high.

[145] Michael J. Gombola and Douglas R. Kahl, *Time-Series Processes of Utility Betas: Implications for Forecasting Systematic Risk* 92 (Financial Management Autumn 1990) (emphasis added).

[146] *Id*. at 91-92.

[147] *See e.g.* Responsive Testimony of David J. Garrett, filed March 21, 2016 in Cause No. PUD 201500273 before the Corporation Commission of Oklahoma (OG&E's 2015 rate case), at pp. 56 – 59.

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EDUCATION

University of Oklahoma — Norman, OK
Master of Business Administration — 2014
Areas of Concentration: Finance, Energy

University of Oklahoma College of Law — Norman, OK
Juris Doctor — 2007
Member, American Indian Law Review

University of Oklahoma — Norman, OK
Bachelor of Business Administration — 2003
Major: Finance

PROFESSIONAL DESIGNATIONS

Society of Depreciation Professionals
Certified Depreciation Professional (CDP)

Society of Utility and Regulatory Financial Analysts
Certified Rate of Return Analyst (CRRA)

The Mediation Institute
Certified Civil / Commercial & Employment Mediator

WORK EXPERIENCE

Resolve Utility Consulting PLLC — Oklahoma City, OK
Managing Member — 2016 – Present
Provide expert analysis and testimony specializing in depreciation and cost of capital issues for clients in utility regulatory proceedings.

Oklahoma Corporation Commission — Oklahoma City, OK
Public Utility Regulatory Analyst — 2012 – 2016
Assistant General Counsel — 2011 – 2012
Represented commission staff in utility regulatory proceedings and provided legal opinions to commissioners. Provided expert analysis and testimony in depreciation, cost of capital, incentive compensation, payroll and other issues.

Perebus Counsel, PLLC — Oklahoma City, OK
Managing Member — 2009 – 2011
Represented clients in the areas of family law, estate planning, debt negotiations, business organization, and utility regulation.

Moricoli & Schovanec, P.C. — Oklahoma City, OK
Associate Attorney — 2007 – 2009
Represented clients in the areas of contracts, oil and gas, business structures and estate administration.

TEACHING EXPERIENCE

University of Oklahoma — Norman, OK
Adjunct Instructor – "Conflict Resolution" — 2014 – Present
Adjunct Instructor – "Ethics in Leadership"

Rose State College — Midwest City, OK
Adjunct Instructor – "Legal Research" — 2013 – 2015
Adjunct Instructor – "Oil & Gas Law"

PUBLICATIONS

American Indian Law Review — Norman, OK
"Vine of the Dead: Reviving Equal Protection Rites for Religious Drug Use" — 2006
(31 Am. Indian L. Rev. 143)

VOLUNTEER EXPERIENCE

Calm Waters — Oklahoma City, OK
Board Member — 2015 – 2018
Participate in management of operations, attend meetings, review performance, compensation, and financial records. Assist in fundraising events.

Group Facilitator & Fundraiser — 2014 – 2018
Facilitate group meetings designed to help children and families cope with divorce and tragic events. Assist in fundraising events.

St. Jude Children's Research Hospital — Oklahoma City, OK
Oklahoma Fundraising Committee — 2008 – 2010
Raised money for charity by organizing local fundraising events.

PROFESSIONAL ASSOCIATIONS

Oklahoma Bar Association 2007 – Present

Society of Depreciation Professionals 2014 – Present
Board Member – President 2017
Participate in management of operations, attend meetings, review performance, organize presentation agenda.

Society of Utility Regulatory Financial Analysts 2014 – Present

SELECTED CONTINUING PROFESSIONAL EDUCATION

Society of Depreciation Professionals — Austin, TX
"Life and Net Salvage Analysis" — 2015
Extensive instruction on utility depreciation, including actuarial and simulation life analysis modes, gross salvage, cost of removal, life cycle analysis, and technology forecasting.

Society of Depreciation Professionals — New Orleans, LA
"Introduction to Depreciation" and "Extended Training" — 2014
Extensive instruction on utility depreciation, including average lives and net salvage.

Society of Utility and Regulatory Financial Analysts — Indianapolis, IN
46th Financial Forum. "The Regulatory Compact: Is it Still Relevant?" — 2014
Forum discussions on current issues.

New Mexico State University, Center for Public Utilities — Santa Fe, NM
Current Issues 2012, "The Santa Fe Conference" — 2012
Forum discussions on various current issues in utility regulation.

Michigan State University, Institute of Public Utilities — Clearwater, FL
"39th Eastern NARUC Utility Rate School" — 2011
One-week, hands-on training emphasizing the fundamentals of the utility ratemaking process.

New Mexico State University, Center for Public Utilities — Albuquerque, NM
"The Basics: Practical Regulatory Training for the Changing Electric Industries" — 2010
One-week, hands-on training designed to provide a solid foundation in core areas of utility ratemaking.

The Mediation Institute — Oklahoma City, OK
"Civil / Commercial & Employment Mediation Training" — 2009
Extensive instruction and mock mediations designed to build foundations in conducting mediations in civil matters.

Utility Regulatory Proceedings

Regulatory Agency	Utility Applicant	Docket Number	Issues Addressed	Parties Represented
New Mexico Public Regulation Commission	Southwestern Public Service Company	19-00170-UT	Cost of capital and authorized rate of return	The New Mexico Large Customer Group; Occidental Permian
Indiana Utility Regulatory Commission	Duke Energy Indiana	45253	Cost of capital, depreciation rates, net salvage	Indiana Office of Utility Consumer Counselor
Maryland Public Service Commission	Columbia Gas of Maryland	9609	Depreciation rates, service lives, net salvage	Maryland Office of People's Counsel
Washington Utilities & Transportation Commission	Avista Corporation	UE-190334	Cost of capital, awarded rate of return, capital structure	Washington Office of Attorney General
Indiana Utility Regulatory Commission	Indiana Michigan Power Company	45235	Cost of capital, depreciation rates, net salvage	Indiana Office of Utility Consumer Counselor
Public Utilities Commission of the State of California	Pacific Gas & Electric Company	18-12-009	Depreciation rates, service lives, net salvage	The Utility Reform Network
Oklahoma Corporation Commission	The Empire District Electric Company	PUD 201800133	Cost of capital, authorized ROE, depreciation rates	Oklahoma Industrial Energy Consumers and Oklahoma Energy Results
Arkansas Public Service Commission	Southwestern Electric Power Company	19-008-U	Cost of capital, depreciation rates, net salvage	Western Arkansas Large Energy Consumers
Public Utility Commission of Texas	CenterPoint Energy Houston Electric	PUC 49421	Depreciation rates, service lives, net salvage	Texas Coast Utilities Coalition
Massachusetts Department of Public Utilities	Massachusetts Electric Company and Nantucket Electric Company	D.P.U. 18-150	Depreciation rates, service lives, net salvage	Massachusetts Office of the Attorney General, Office of Ratepayer Advocacy
Oklahoma Corporation Commission	Oklahoma Gas & Electric Company	PUD 201800140	Cost of capital, authorized ROE, depreciation rates	Oklahoma Industrial Energy Consumers and Oklahoma Energy Results
Public Service Commission of the State of Montana	Montana-Dakota Utilities Company	D2018.9.60	Depreciation rates, service lives, net salvage	Montana Consumer Counsel and Denbury Onshore
Indiana Utility Regulatory Commission	Northern Indiana Public Service Company	45159	Depreciation rates, grouping procedure, demolition costs	Indiana Office of Utility Consumer Counselor
Public Service Commission of the State of Montana	NorthWestern Energy	D2018.2.12	Depreciation rates, service lives, net salvage	Montana Consumer Counsel
Oklahoma Corporation Commission	Public Service Company of Oklahoma	PUD 201800097	Depreciation rates, service lives, net salvage	Oklahoma Industrial Energy Consumers and Wal-Mart
Nevada Public Utilities Commission	Southwest Gas Corporation	18-05031	Depreciation rates, service lives, net salvage	Nevada Bureau of Consumer Protection
Public Utility Commission of Texas	Texas-New Mexico Power Company	PUC 48401	Depreciation rates, service lives, net salvage	Alliance of Texas-New Mexico Power Municipalities

Utility Regulatory Proceedings

Regulatory Agency	Utility Applicant	Docket Number	Issues Addressed	Parties Represented
Oklahoma Corporation Commission	Oklahoma Gas & Electric Company	PUD 201700496	Depreciation rates, service lives, net salvage	Oklahoma Industrial Energy Consumers and Oklahoma Energy Results
Maryland Public Service Commission	Washington Gas Light Company	9481	Depreciation rates, service lives, net salvage	Maryland Office of People's Counsel
Indiana Utility Regulatory Commission	Citizens Energy Group	45039	Depreciation rates, service lives, net salvage	Indiana Office of Utility Consumer Counselor
Public Utility Commission of Texas	Entergy Texas, Inc.	PUC 48371	Depreciation rates, decommissioning costs	Texas Municipal Group
Washington Utilities & Transportation Commission	Avista Corporation	UE-180167	Depreciation rates, service lives, net salvage	Washington Office of Attorney General
New Mexico Public Regulation Commission	Southwestern Public Service Company	17-00255-UT	Cost of capital and authorized rate of return	HollyFrontier Navajo Refining; Occidental Permian
Public Utility Commission of Texas	Southwestern Public Service Company	PUC 47527	Depreciation rates, plant service lives	Alliance of Xcel Municipalities
Public Service Commission of the State of Montana	Montana-Dakota Utilities Company	D2017.9.79	Depreciation rates, service lives, net salvage	Montana Consumer Counsel
Florida Public Service Commission	Florida City Gas	20170179-GU	Cost of capital, depreciation rates	Florida Office of Public Counsel
Washington Utilities & Transportation Commission	Avista Corporation	UE-170485	Cost of capital and authorized rate of return	Washington Office of Attorney General
Wyoming Public Service Commission	Powder River Energy Corporation	10014-182-CA-17	Credit analysis, cost of capital	Private customer
Oklahoma Corporation Commission	Public Service Co. of Oklahoma	PUD 201700151	Depreciation, terminal salvage, risk analysis	Oklahoma Industrial Energy Consumers
Public Utility Commission of Texas	Oncor Electric Delivery Company	PUC 46957	Depreciation rates, simulated analysis	Alliance of Oncor Cities
Nevada Public Utilities Commission	Nevada Power Company	17-06004	Depreciation rates, service lives, net salvage	Nevada Bureau of Consumer Protection
Public Utility Commission of Texas	El Paso Electric Company	PUC 46831	Depreciation rates, interim retirements	City of El Paso
Idaho Public Utilities Commission	Idaho Power Company	IPC-E-16-24	Accelerated depreciation of North Valmy plant	Micron Technology, Inc.
Idaho Public Utilities Commission	Idaho Power Company	IPC-E-16-23	Depreciation rates, service lives, net salvage	Micron Technology, Inc.

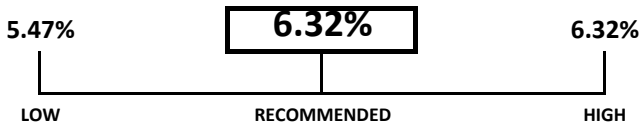
Utility Regulatory Proceedings

Regulatory Agency	Utility Applicant	Docket Number	Issues Addressed	Parties Represented
Public Utility Commission of Texas	Southwestern Electric Power Company	PUC 46449	Depreciation rates, decommissioning costs	Cities Advocating Reasonable Deregulation
Massachusetts Department of Public Utilities	Eversource Energy	D.P.U. 17-05	Cost of capital, capital structure, and rate of return	Sunrun Inc.; Energy Freedom Coalition of America
Railroad Commission of Texas	Atmos Pipeline - Texas	GUD 10580	Depreciation rates, grouping procedure	City of Dallas
Public Utility Commission of Texas	Sharyland Utility Company	PUC 45414	Depreciation rates, simulated analysis	City of Mission
Oklahoma Corporation Commission	Empire District Electric Company	PUD 201600468	Cost of capital, depreciation rates	Oklahoma Industrial Energy Consumers
Railroad Commission of Texas	CenterPoint Energy Texas Gas	GUD 10567	Depreciation rates, simulated plant analysis	Texas Coast Utilities Coalition
Arkansas Public Service Commission	Oklahoma Gas & Electric Company	160-159-GU	Cost of capital, depreciation rates, terminal salvage	Arkansas River Valley Energy Consumers; Wal-Mart
Florida Public Service Commission	Peoples Gas	160-159-GU	Depreciation rates, service lives, net salvage	Florida Office of Public Counsel
Arizona Corporation Commission	Arizona Public Service Company	E-01345A-16-0036	Cost of capital, depreciation rates, terminal salvage	Energy Freedom Coalition of America
Nevada Public Utilities Commission	Sierra Pacific Power Company	16-06008	Depreciation rates, net salvage, theoretical reserve	Northern Nevada Utility Customers
Oklahoma Corporation Commission	Oklahoma Gas & Electric Co.	PUD 201500273	Cost of capital, depreciation rates, terminal salvage	Public Utility Division
Oklahoma Corporation Commission	Public Service Co. of Oklahoma	PUD 201500208	Cost of capital, depreciation rates, terminal salvage	Public Utility Division
Oklahoma Corporation Commission	Oklahoma Natural Gas Company	PUD 201500213	Cost of capital, depreciation rates, net salvage	Public Utility Division

Awarded Return Recommendation

Source	Capital Structure	Cost Rates	Weighted Cost
Long-term Debt	50.00%	4.44%	2.22%
Common Equity	50.00%	8.20%	4.10%
		6.50% – 8.20%	3.25% – 4.10%

Recommended Range for Awarded Rate of Return



Proxy Group Summary

Company	Ticker	[1] Market Cap. ($ millions)	[2] Market Category	[3] Moody's Ratings	[4] Value Line Safety Rank	[5] Financial Strength
ALLETE, Inc.	ALE	4,500	Mid Cap	Baa1	2	A
Alliant Energy Corporation	LNT	12,700	Large Cap	Baa1	2	A
Ameren Corporation	AEE	19,000	Large Cap	Baa1	2	A
American Electric Power Company, Inc.	AEP	46,000	Large Cap	Baa1	1	A+
DTE Energy Company	DTE	24,000	Large Cap	Baa2	2	B++
Duke Energy Corporation	DUK	65,000	Large Cap	Baa1	2	A
Exelon Corporation	EXC	44,000	Large Cap	Baa2	2	B++
Evergy, Inc.	EVRG	15,000	Large Cap	Baa2	2	B++
Hawaiian Electric Industries, Inc.	HE	4,800	Mid Cap	Baa2	2	A
IDACORP, Inc.	IDA	5,500	Mid Cap	Baa1	2	A
NorthWestern Corporation	NWE	3,700	Mid Cap	Baa2	2	B++
OGE Energy Corporation	OGE	8,700	Mid Cap	Baa1	2	A
Otter Tail Corporation	OTTR	2,000	Mid Cap	Baa2	2	A
Pinnacle West Capital Corporation	PNW	11,000	Large Cap	A3	1	A+
PNM Resources, Inc.	PNM	4,000	Mid Cap	Baa3	3	B+
Portland General Electric Company	POR	5,000	Mid Cap	A3	2	B++
PPL Corporation	PPL	21,000	Large Cap	Baa2	2	B++

[1], [4], [5] Value Line Investment Survey

[2] Large Cap > $10 billion; Mid Cap > $2 billion; Small Cap > $200 million

[3] Bond ratings

Stock and Index Prices

Exhibit DJG-4

Ticker	^GSPC	ALE	LNT	AEE	AEP	DTE	DUK	EXC	EVRG	HE	IDA	NWE	OGE	OTTR	PNW	PNM	POR	PPL
30-day Average	2977	86.80	52.98	77.86	93.45	130.31	95.53	47.10	64.78	45.05	110.41	74.51	43.70	54.23	95.48	51.41	56.46	31.79
Standard Deviation	40.8	0.70	0.59	1.51	0.92	2.23	0.83	1.47	1.38	0.40	1.76	0.88	0.88	0.79	1.64	0.56	0.45	0.93
09/19/19	3007	87.14	52.75	78.66	93.18	131.87	94.49	47.80	65.55	44.40	110.37	74.50	44.55	53.82	96.26	50.82	55.82	31.54
09/20/19	2992	87.29	52.82	79.04	93.18	132.29	95.27	48.45	66.01	44.68	111.19	74.68	44.56	54.34	97.17	51.18	56.11	31.68
09/23/19	2992	87.25	52.91	78.97	93.40	131.49	95.40	48.31	66.20	44.95	110.77	74.83	44.51	54.06	97.39	51.14	56.11	31.59
09/24/19	2967	87.61	53.79	79.56	94.59	133.68	96.28	48.80	66.72	45.23	112.02	75.29	44.68	54.05	97.87	51.60	56.59	31.58
09/25/19	2985	88.17	53.66	80.26	94.23	133.80	96.00	49.01	67.24	45.55	113.04	76.05	44.78	54.25	97.78	51.85	56.70	31.15
09/26/19	2978	88.01	53.89	80.38	94.29	133.44	96.20	49.18	67.31	45.61	113.17	75.96	45.00	54.28	97.67	51.55	56.82	31.71
09/27/19	2962	87.60	53.66	80.00	94.20	132.49	96.26	48.58	66.56	45.42	112.50	75.18	45.03	53.93	97.41	51.16	56.74	31.60
09/30/19	2977	87.41	53.57	80.05	93.69	132.96	95.86	48.31	66.56	45.61	112.67	75.05	44.98	53.75	97.07	51.79	56.37	31.49
10/01/19	2940	87.12	53.53	79.66	93.22	133.19	96.19	47.98	66.28	45.34	112.34	74.76	44.86	53.35	97.31	52.27	56.55	31.31
10/02/19	2888	86.16	52.95	78.75	92.13	131.22	94.71	47.62	65.36	44.56	110.95	74.12	44.26	53.05	95.59	51.39	56.10	30.58
10/03/19	2911	85.99	53.02	78.50	92.50	130.61	95.10	47.72	65.39	44.69	111.28	74.23	44.25	53.00	95.73	51.83	55.85	30.57
10/04/19	2952	87.12	53.98	79.53	93.61	132.24	97.17	48.45	66.01	45.22	113.25	75.35	44.50	53.48	97.23	52.62	56.79	30.93
10/07/19	2939	86.67	53.42	78.94	93.71	132.45	96.92	48.46	65.63	45.23	111.99	75.23	43.98	53.35	97.44	52.19	56.82	30.81
10/08/19	2893	85.75	53.03	77.42	92.56	130.18	96.09	47.77	65.01	44.74	110.59	74.41	43.18	53.20	95.58	51.42	56.08	30.21
10/09/19	2919	85.99	53.18	77.34	92.88	129.86	96.03	47.91	63.80	44.98	110.81	74.59	43.56	53.51	95.41	51.59	56.51	30.31
10/10/19	2938	86.77	53.13	76.85	92.61	130.29	96.29	47.42	63.47	44.91	111.09	75.14	43.24	53.55	95.37	51.73	56.27	30.56
10/11/19	2970	87.17	52.67	77.05	92.34	129.89	95.97	47.51	63.95	44.91	111.05	74.86	43.36	54.15	95.46	51.54	56.39	31.43
10/14/19	2966	86.84	52.03	76.29	92.03	128.11	95.13	47.11	63.81	44.55	109.72	74.28	42.76	53.98	94.53	50.87	55.66	32.15
10/15/19	2996	86.24	51.64	75.80	91.74	129.03	95.00	47.06	63.89	44.31	108.62	73.34	42.46	54.08	93.66	50.37	55.67	31.92
10/16/19	2990	85.60	51.94	75.72	92.60	129.26	95.13	44.91	63.58	44.51	108.36	73.46	42.31	53.96	93.83	50.73	56.23	32.41
10/17/19	2998	86.28	52.38	75.80	93.00	129.48	95.17	44.06	63.16	44.93	108.95	74.51	42.62	54.43	93.69	51.14	56.49	32.09
10/18/19	2986	87.03	52.62	76.62	94.14	127.34	95.35	44.67	63.31	45.26	109.59	74.85	42.79	54.98	93.91	51.74	57.03	32.03
10/21/19	3007	87.09	52.79	76.66	94.48	129.20	95.33	44.71	63.41	45.44	109.35	74.90	42.95	55.24	93.99	51.67	56.96	32.65
10/22/19	2996	87.06	53.01	77.05	94.15	128.98	95.32	45.25	63.95	45.41	109.09	74.83	43.26	54.92	94.53	51.81	56.95	32.74
10/23/19	3005	87.25	53.28	77.06	94.44	129.32	96.17	45.65	63.48	45.58	109.17	74.91	43.33	55.46	94.15	51.72	57.10	33.18
10/24/19	3010	87.21	53.30	77.49	95.72	129.11	96.07	46.18	63.86	45.62	108.99	74.28	43.55	55.38	95.09	51.72	57.41	33.13
10/25/19	3023	86.35	52.82	76.59	94.35	128.21	95.43	45.89	63.50	45.31	107.92	73.69	43.05	55.12	94.20	50.92	56.66	33.22
10/28/19	3039	85.43	52.37	75.84	93.37	125.68	94.10	45.60	63.09	44.63	106.80	72.64	42.74	55.01	92.23	50.37	56.07	32.94
10/29/19	3037	86.05	52.17	76.48	93.17	126.59	93.53	45.86	63.55	44.75	107.74	72.74	42.86	55.13	93.08	50.30	56.20	32.97
10/30/19	3047	86.47	52.95	77.58	94.10	127.00	94.01	46.66	63.68	45.12	108.91	72.53	43.10	56.06	93.84	51.43	56.87	33.29

All prices are adjusted closing prices reported by Yahoo! Finance, http://finance.yahoo.com

Dividend Yields

Company	Ticker	[1] Dividend	[2] Stock Price	[3] Dividend Yield
ALLETE, Inc.	ALE	0.587	86.80	0.68%
Alliant Energy Corporation	LNT	0.355	52.98	0.67%
Ameren Corporation	AEE	0.495	77.86	0.64%
American Electric Power Company, Inc.	AEP	0.700	93.45	0.75%
DTE Energy Company	DTE	1.013	130.31	0.78%
Duke Energy Corporation	DUK	0.945	95.53	0.99%
Exelon Corporation	EXC	0.363	47.10	0.77%
Evergy, Inc.	EVRG	0.475	64.78	0.73%
Hawaiian Electric Industries, Inc.	HE	0.320	45.05	0.71%
IDACORP, Inc.	IDA	0.670	110.41	0.61%
NorthWestern Corporation	NWE	0.575	74.51	0.77%
OGE Energy Corporation	OGE	0.387	43.70	0.89%
Otter Tail Corporation	OTTR	0.350	54.23	0.65%
Pinnacle West Capital Corporation	PNW	0.783	95.48	0.82%
PNM Resources, Inc.	PNM	0.290	51.41	0.56%
Portland General Electric Company	POR	0.385	56.46	0.68%
PPL Corporation	PPL	0.412	31.79	1.30%
Average		**$0.54**	**$71.29**	**0.76%**

[1] Most recent reported quarterly dividends per share. Nasdaq.com

[2] Average stock price from DJG stock price exhibit.

[3] = [1] / [2] ; quarterly dividend yield

Terminal Growth Rate Determinants

Growth Determinants	Rate	
Nominal GDP	3.9%	[1]
Inflation	2.0%	[2]
Risk Free Rate	2.2%	[3]
Highest	**3.9%**	

[1], [2] CBO, The 2019 Long-Term Budget Outlook, p. 54

[3] From DJG risk-free rate exhibit

SPS Growth Determinants	Rate	
Total Load (2019 - 2049)	0.4%	[4]
Total Customers (2019 - 2048)	0.5%	[5]
Energy Sales (2019 - 2038)	0.5%	[6]
Population in Territory (2008-2017)	0.6%	[7]
Average	**0.5%**	

[4], [5] SPS response to OPL 7-10

[6] 2018 Integrated Resource Plan p. 44.

[7] 2018 Integrated Resource Plan p. 45.

Final DCF Result

[1]	[2]	[3]	[4]
Dividend (d_0)	Stock Price (P_0)	Growth Rate (g)	**DCF Result**
$0.54	$71.29	3.90%	**7.1%**

[1] Average proxy quarterly dividend from DJG dividend exhibit

[2] Average proxy stock price from DJG dividend exhibit

[3] Highest growth rate from DJG growth determinant exhibit

[4] Quarterly DCF Approximation = $[d_0(1 + g)^{0.25}/P_0 + (1 + g)^{0.25}]^4 - 1$

Risk-Free Rate

Date	Rate
09/18/19	2.25%
09/19/19	2.22%
09/20/19	2.17%
09/23/19	2.16%
09/24/19	2.09%
09/25/19	2.18%
09/26/19	2.15%
09/27/19	2.13%
09/30/19	2.12%
10/01/19	2.11%
10/02/19	2.09%
10/03/19	2.04%
10/04/19	2.01%
10/07/19	2.05%
10/08/19	2.04%
10/09/19	2.08%
10/10/19	2.16%
10/11/19	2.22%
10/15/19	2.23%
10/16/19	2.23%
10/17/19	2.24%
10/18/19	2.25%
10/21/19	2.28%
10/22/19	2.26%
10/23/19	2.25%
10/24/19	2.26%
10/25/19	2.29%
10/28/19	2.34%
10/29/19	2.33%
10/30/19	2.26%
Average	**2.18%**

*Daily Treasury Yield Curve Rates on 30-year T-bonds, http://www.treasury.gov/resources-center/data-chart-center/interest-rates/.

Beta Results

Company	Ticker	Beta
ALLETE, Inc.	ALE	0.65
Alliant Energy Corporation	LNT	0.60
Ameren Corporation	AEE	0.55
American Electric Power Company, Inc.	AEP	0.55
DTE Energy Company	DTE	0.55
Duke Energy Corporation	DUK	0.50
Exelon Corporation	EXC	0.70
Evergy, Inc.	EVRG	0.65
Hawaiian Electric Industries, Inc.	HE	0.55
IDACORP, Inc.	IDA	0.55
NorthWestern Corporation	NWE	0.60
OGE Energy Corporation	OGE	0.80
Otter Tail Corporation	OTTR	0.65
Pinnacle West Capital Corporation	PNW	0.55
PNM Resources, Inc.	PNM	0.60
Portland General Electric Company	POR	0.60
PPL Corporation	PPL	0.65
Average		0.61

Betas from Value Line Investment Survey

*EVRG Beta from Bloomberg, Exhibit AEB-8

Implied Equity Risk Premium

	[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]
Year	Index Value	Operating Earnings	Dividends	Buybacks	Earnings Yield	Dividend Yield	Buyback Yield	Gross Cash Yield
2013	16,495	956	312	476	5.80%	1.89%	2.88%	4.77%
2014	18,245	1,004	350	553	5.50%	1.92%	3.03%	4.95%
2015	17,900	885	382	572	4.95%	2.14%	3.20%	5.33%
2016	19,268	920	397	536	4.77%	2.06%	2.78%	4.85%
2017	22,821	1,066	420	519	4.67%	1.84%	2.28%	4.12%
2018	21,033	1,282	456	806	6.09%	2.17%	3.83%	6.00%

Cash Yield	5.00%	[9]
Growth Rate	6.04%	[10]
Risk-free Rate	2.18%	[11]
Current Index Value	2,977	[12]

	[13]	[14]	[15]	[16]	[17]
Year	1	2	3	4	5
Expected Dividends	158	168	178	188	200
Expected Terminal Value					3379
Present Value	146	143	140	137	2411
Intrinsic Index Value	2977	[18]			
Required Return on Market	8.2%	[19]			
Implied Equity Risk Premium	**6.0%**	[20]			

[1-4] S&P Quarterly Press Releases, data found at https://us.spindices.com/indices/equity/sp-500 (additional info tab) (all dollar figures are in $ billions)
[1] Market value of S&P 500
[5] = [2] / [1]
[6] = [3] / [1]
[7] = [4] / [1]
[8] = [6] + [7]
[9] = Average of [8]
[10] = Compund annual growth rate of [2] = (end value / beginning value)^ $^{1/4}$ -1
[11] Risk-free rate from DJG risk-free rate exhibit
[12] 30-day average of closing index prices from DJG stock price exhibit
[13-16] Expected dividends = [9]*[12]*(1+[10]) ^{n} ; Present value = expected dividend / (1+[11]+[19]) ^{n}
[17] Expected terminal value = expected dividend * (1+[11]) / [19] ; Present value = (expected dividend + expected terminal value) / (1+[11]+[19]) ^{n}
[18] = Sum([13-17]) present values.
[19] = [20] + [11]
[20] Internal rate of return calculation setting [18] equal to [12] and solving for the discount rate

Equity Risk Premium Results

IESE Business School Survey	5.6%	[1]
Graham & Harvey Survey	4.4%	[2]
Duff & Phelps Report	5.5%	[3]
Damodaran	5.3%	[4]
Garrett	6.0%	[5]
Average	**5.4%**	
Highest	**6.0%**	

[1] IESE Business School Survey 2019

[2] Graham and Harvey Survey 2018

[3] Duff & Phelps

[4] Average ERP est., http://pages.stern.nyu.edu/~adamodar/
10-1-2019 (avg. 5.20%, 5.55%, 5.33%, 5.22%)

[5] From DJG implied ERP exhibit

CAPM Final Results

Company	Ticker	[1] Risk-Free Rate	[2] Value Line Beta	[3] Risk Premium	[4] CAPM Results
ALLETE, Inc.	ALE	2.18%	0.650	6.04%	6.1%
Alliant Energy Corporation	LNT	2.18%	0.600	6.04%	5.8%
Ameren Corporation	AEE	2.18%	0.550	6.04%	5.5%
American Electric Power Company, Inc.	AEP	2.18%	0.550	6.04%	5.5%
DTE Energy Company	DTE	2.18%	0.550	6.04%	5.5%
Duke Energy Corporation	DUK	2.18%	0.500	6.04%	5.2%
Exelon Corporation	EXC	2.18%	0.700	6.04%	6.4%
Evergy, Inc.	EVRG	2.18%	0.650	6.04%	6.1%
Hawaiian Electric Industries, Inc.	HE	2.18%	0.550	6.04%	5.5%
IDACORP, Inc.	IDA	2.18%	0.550	6.04%	5.5%
NorthWestern Corporation	NWE	2.18%	0.600	6.04%	5.8%
OGE Energy Corporation	OGE	2.18%	0.800	6.04%	7.0%
Otter Tail Corporation	OTTR	2.18%	0.650	6.04%	6.1%
Pinnacle West Capital Corporation	PNW	2.18%	0.550	6.04%	5.5%
PNM Resources, Inc.	PNM	2.18%	0.600	6.04%	5.8%
Portland General Electric Company	POR	2.18%	0.600	6.04%	5.8%
PPL Corporation	PPL	2.18%	0.650	6.04%	6.1%
Average			0.606		**5.8%**

[1] From DJG risk-free rate exhibit
[2] From DJG beta exhibit
[3] From DJG equity risk premium exhibit
[6] = [1] + [2] * [3]

Cost of Equity Summary

Model	Cost of Equity
Discounted Cash Flow Model	7.1%
Capital Asset Pricing Model	5.8%
Average	**6.5%**

Market Cost of Equity

Source	Estimate	
IESE Survey	7.8%	[1]
Graham Harvey Survey	6.6%	[2]
Damodaran	7.5%	[3]
Garrett	8.2%	[4]
Average	7.5%	

[1] Average reported ERP + riskfree rate

[2] Average reported ERP + risk-free rate

[3] Recent highest reported ERP + risk-free rate

[4] From Implied ERP exhibit

Market Cost of Equity vs. Awarded Returns

Exhibit DJG-15

	[1]		[2]		[3]		[4]	[5]	[6]	[7]
	Electric Utilities		Gas Utilities		Total Utilities		S&P 500	T-Bond	Risk	Market
Year	ROE	#	ROE	#	ROE	#	Returns	Rate	Premium	COE
1990	12.70%	38	12.68%	33	12.69%	71	-3.06%	8.07%	3.89%	11.96%
1991	12.54%	42	12.45%	31	12.50%	73	30.23%	6.70%	3.48%	10.18%
1992	12.09%	45	12.02%	28	12.06%	73	7.49%	6.68%	3.55%	10.23%
1993	11.46%	28	11.37%	40	11.41%	68	9.97%	5.79%	3.17%	8.96%
1994	11.21%	28	11.24%	24	11.22%	52	1.33%	7.82%	3.55%	11.37%
1995	11.58%	28	11.44%	13	11.54%	41	37.20%	5.57%	3.29%	8.86%
1996	11.40%	18	11.12%	17	11.26%	35	22.68%	6.41%	3.20%	9.61%
1997	11.33%	10	11.30%	12	11.31%	22	33.10%	5.74%	2.73%	8.47%
1998	11.77%	10	11.51%	10	11.64%	20	28.34%	4.65%	2.26%	6.91%
1999	10.72%	6	10.74%	6	10.73%	12	20.89%	6.44%	2.05%	8.49%
2000	11.58%	9	11.34%	13	11.44%	22	-9.03%	5.11%	2.87%	7.98%
2001	11.07%	15	10.96%	5	11.04%	20	-11.85%	5.05%	3.62%	8.67%
2002	11.21%	14	11.17%	19	11.19%	33	-21.97%	3.81%	4.10%	7.91%
2003	10.96%	20	10.99%	25	10.98%	45	28.36%	4.25%	3.69%	7.94%
2004	10.81%	21	10.63%	22	10.72%	43	10.74%	4.22%	3.65%	7.87%
2005	10.51%	24	10.41%	26	10.46%	50	4.83%	4.39%	4.08%	8.47%
2006	10.32%	26	10.40%	15	10.35%	41	15.61%	4.70%	4.16%	8.86%
2007	10.30%	38	10.22%	35	10.26%	73	5.48%	4.02%	4.37%	8.39%
2008	10.41%	37	10.39%	32	10.40%	69	-36.55%	2.21%	6.43%	8.64%
2009	10.52%	40	10.22%	30	10.39%	70	25.94%	3.84%	4.36%	8.20%
2010	10.37%	61	10.15%	39	10.28%	100	14.82%	3.29%	5.20%	8.49%
2011	10.29%	42	9.92%	16	10.19%	58	2.10%	1.88%	6.01%	7.89%
2012	10.17%	58	9.94%	35	10.08%	93	15.89%	1.76%	5.78%	7.54%
2013	10.03%	49	9.68%	21	9.93%	70	32.15%	3.04%	4.96%	8.00%
2014	9.91%	38	9.78%	26	9.86%	64	13.52%	2.17%	5.78%	7.95%
2015	9.85%	30	9.60%	16	9.76%	46	1.38%	2.27%	6.12%	8.39%
2016	9.77%	42	9.54%	26	9.68%	68	11.77%	2.45%	5.69%	8.14%
2017	9.74%	53	9.72%	24	9.73%	77	21.64%	2.41%	5.08%	7.49%
2018	9.64%	37	9.62%	26	9.63%	63	-4.23%	2.68%	5.96%	8.64%

[1], [2], [3] Average annual authorized ROE for electric and gas utilities, RRA Regulatory Focus: Major Rate Case Decisions, 10-11-18

[3] = [1] + [2]

[4], [5], [6] Annual S&P 500 return, 10-year T-bond Rate, and equity risk premium published by NYU Stern School of Business

[7] = [5] + [6] ; Market cost of equity represents the required return for investing in all stocks in the market for a given year

Optimal Capital Structure

Inputs

Operating Income	288,242	[1]
Interest Expense	82,816	[2]
Book Debt	2,092,873	[3]
Book Equity	2,533,185	[4]
Debt / Capital	45.24%	[5]
Debt / Equity	83%	[6]
Debt Cost	4.44%	[7]
Tax Rate	21%	[8]
Unlevered Beta	0.37	[9]
Risk-free Rate	2.18%	[10]
Equity Risk Premium	6.0%	[11]
Coverage Ratio	3.48	[12]
Bond Rating	Baa2	[13]

Ratings Table

[14] Coverage Ratio	[15] Bond Rating	[16] Spread	[17] Interest Rate
8.5 - 10.00	Aaa/AAA	0.75%	2.93%
6.5 - 8.49	Aa2/AA	1.00%	3.18%
5.5 - 6.49	A1/A+	1.25%	3.43%
4.25 - 5.49	A2/A	1.38%	3.56%
3.0 - 4.24	A3/A-	1.56%	3.74%
2.5 - 2.99	Baa2/BBB	2.00%	4.18%
2.25 - 2.49	Ba1/BB+	3.00%	5.18%
2.0 - 2.24	Ba2/BB	3.60%	5.78%
1.75 - 1.99	B1/B+	4.50%	6.68%
1.5 - 1.74	B2/B	5.40%	7.58%
1.25 - 1.49	B3/B-	6.60%	8.78%
0.8 - 1.24	Caa/CCC	9.00%	11.18%

Optimal Capital Structure Calculation

[18] Debt Ratio	[19] D/E Ratio	[20] Levered Beta	[21] Cost of Equity	[22] Proposed ROE	[23] Debt Level	[24] Interest Expense	[25] Coverage Ratio	[26] Pre-tax Debt Cost	[27] After-tax Debt Cost	[28] Optimal WACC	[29] WACC at 9.0% ROE
0%	0%	0.367	4.40%	8.20%	0	0	∞	2.93%	2.31%	4.40%	8.20%
20%	25%	0.439	4.83%	8.20%	925,212	41,079	7.02	3.18%	2.51%	4.37%	7.06%
25%	33%	0.463	4.98%	8.20%	1,156,515	51,349	5.61	3.43%	2.71%	4.41%	6.83%
30%	43%	0.491	5.15%	8.20%	1,387,817	61,619	4.68	3.56%	2.81%	4.45%	6.58%
40%	67%	0.560	5.56%	8.20%	1,850,423	82,159	3.51	3.74%	2.95%	4.52%	6.10%
45%	82%	0.604	5.83%	8.20%	2,081,726	92,429	3.12	3.74%	2.95%	4.54%	5.84%
50%	100%	0.656	6.15%	8.20%	2,313,029	102,698	2.81	4.18%	3.30%	4.72%	5.75%
55%	122%	0.721	6.54%	8.20%	2,544,332	112,968	2.55	4.18%	3.30%	4.76%	5.51%
60%	150%	0.801	7.02%	8.20%	2,775,635	123,238	2.34	5.18%	4.09%	5.26%	5.74%

[1], [2] Company Schedule I-2
[3], [4] Company Schedule G-1 (base period)
[5] = [3] / ([3] + [4])
[6] = [3] / [4]
[7] Company Schedule G-1
[8] Corporate tax rate, Sch. H-9
[9] Average beta / (1+(1 - [8])*[6])
[10] From DJG risk-free rate exhibit
[11] From DJG equity risk premium exhibit

[12] = [1] / [2]
[13] Company bond rating
[14] Ranges of coverage ratios
[15] Moody's / S&P bond ratings
[16] NYU spread over risk-free rate
[17] = [16] + [10] = est. debt cost
[18] = debt / total capital
[19] = [18] / (1 - [18])
[20] = [9] * (1 + (1 - [8]) * [6]

[21] = [10] + [20] * [11]
[22] Recommended awarded ROE
[23] = [18] * ([3] + [4]); (000's)
[24] = [22] * [7]; (000's)
[25] = [1] / [23]
[26] Debt cost given coverage ratio per Ratings Table
[27] = [25] * (1 - [8])
[28] = ([18] * [26]) + ((1 - [18]) * [21])
[29] = ([18] * [26]) + ((1 - [18]) * [22])

Competitive Industry Debt Ratios

Industry	# Firms	Debt Ratio
Hospitals/Healthcare Facilities	34	88%
Tobacco	17	88%
Broadcasting	24	83%
Brokerage & Investment Banking	38	77%
Auto & Truck	14	76%
Retail (Building Supply)	17	76%
Advertising	48	75%
Retail (Automotive)	24	74%
Software (Internet)	44	74%
Bank (Money Center)	10	67%
Trucking	28	65%
Food Wholesalers	18	64%
Hotel/Gaming	70	63%
Beverage (Soft)	37	63%
Packaging & Container	27	62%
R.E.I.T.	238	62%
Retail (Grocery and Food)	12	61%
Green & Renewable Energy	21	60%
Transportation	19	59%
Retail (Distributors)	88	59%
Telecom. Services	67	58%
Utility (General)	18	58%
Aerospace/Defense	85	58%
Air Transport	18	58%
Oil/Gas Distribution	20	58%
Farming/Agriculture	33	57%
Construction Supplies	48	56%
Utility (Water)	19	56%
Power	51	56%
Cable TV	14	56%
Office Equipment & Services	24	56%
Telecom (Wireless)	21	55%
Computers/Peripherals	57	55%
Business & Consumer Services	168	55%
Recreation	72	55%
Real Estate (Operations & Services)	59	53%
Drugs (Biotechnology)	481	53%
Rubber& Tires	4	52%
Environmental & Waste Services	91	52%
Household Products	141	52%
Chemical (Basic)	39	52%
Information Services	71	52%
Computer Services	119	51%
Healthcare Support Services	111	50%
Chemical (Specialty)	89	49%
Software (System & Application)	355	48%
Total / Average	**3,103**	**61%**

http://pages.stern.nyu.edu/~adamodar/New_Home_Page/datafile/dbtfund.htm

Proxy Company Debt Ratios

Company	Ticker	Debt Ratio
ALLETE, Inc.	ALE	40%
Alliant Energy Corporation	LNT	53%
Ameren Corporation	AEE	50%
American Electric Power Company, Inc.	AEP	53%
DTE Energy Company	DTE	54%
Duke Energy Corporation	DUK	54%
Exelon Corporation	EXC	53%
Evergy, Inc.	EVRG	40%
Hawaiian Electric Industries, Inc.	HE	48%
IDACORP, Inc.	IDA	44%
NorthWestern Corporation	NWE	52%
OGE Energy Corporation	OGE	42%
Otter Tail Corporation	OTTR	45%
Pinnacle West Capital Corporation	PNW	47%
PNM Resources, Inc.	PNM	61%
Portland General Electric Company	POR	47%
PPL Corporation	PPL	63%
Average		50%

Debt ratios from Value Line Investment Survey