

1                   **DIRECT TESTIMONY OF ACCION GROUP, LLC., INDEPENDENT**  
2                   **EVALUATORS FOR THE GEORGIA POWER COMPANY**  
3                   **ON BEHALF OF THE GEORGIA PUBLIC SERVICE COMMISSION**

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5                   **In Re: 2022-2028 CAPACITY**  
6                   **REQUEST FOR PROPOSALS**

7  
8                   **DOCKET NO. 44160**

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10           **Q.     Please state your name and business address.**

11           **A.**My name is Harold T. Judd. I am the President of Accion Group, LLC  
12                   (Accion Group). Accion Group served as the Independent Evaluator for the  
13                   2022-2028 Capacity (Capacity) RFP. Accion Group's business address is  
14                   244 North Main Street, Concord, NH 03301.

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16                   My name is Phillip Layfield. I am a Senior Consultant with Accion Group.

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18                   My name is Marcus Jackson. I am a Senior Consultant with Accion Group.

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20                   My name is Nicholas Wintermantel. I am a Consultant with Accion Group.

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22           **Q.     Please discuss your educational background.**

23           **A.     Mr. Judd:** I graduated from the University of Wisconsin at Madison in 1974  
24                   with a B.A. Degree. In 1978, I received a law degree from the University of  
25                   New Hampshire School of Law, formerly the Franklin Pierce Law Center.  
26                   Since then, I have continued my education through professional education  
27                   courses.

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29                   **Mr. Layfield:** I graduated from the George Washington University in 1964  
30                   with a Bachelor of Business Administration degree, and in 1971 with a  
31                   Master of Business Administration degree.

1           **Mr. Jackson:** I graduated from Southern Illinois University in 1974 with a  
2           B.S. in Mechanical Engineering Technology, and graduated from Rockhurst  
3           University, Kansas City, Missouri with a Master's in Business Administration  
4           in 1991. My education includes Nuclear Engineering course work at the  
5           University of Missouri as well as course work at the United States Air Force  
6           Academy in Colorado Springs, Colorado.

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8           **Mr. Wintermantel:** I graduated from the University of Alabama in 2003 with  
9           a B.S. Degree in Mechanical Engineering and graduated from the University  
10          of Alabama at Birmingham with a Master of Business Administration in  
11          2007.

12   **Q.     Please discuss your professional experience.**

13   **A.     Mr. Judd:** I began my career in 1978 in New Hampshire as the Deputy  
14          Consumer Advocate for the Legislative Utilities Consumer Counsel. I left  
15          that office as Acting Consumer Advocate in 1979 to become the Deputy  
16          General Counsel and Energy Advisor to the Special Assistant to President  
17          Carter in the White House Office of Consumer Affairs. In 1981, I was  
18          appointed an Assistant Solicitor for the Department of Energy. From 1985  
19          through 1987, I served as the Economic Development Advisor to the  
20          Congress of the Federated States of Micronesia (FSM), and as Special  
21          Counsel to the President of the FSM. From September 1989 until January  
22          1994, I served in the Office of the Attorney General for the State of New  
23          Hampshire, first as an Assistant Attorney General and later as a Senior  
24          Assistant Attorney General. Since then, I have represented regulators, and  
25          utilities in the electric, telephone and water utility industries, with issues  
26          ranging from deregulation, siting and decommissioning nuclear power  
27          plants, and bankruptcies. Since 2003 I have served as an Independent  
28          Evaluator for multiple procurements in Arizona, California, Colorado,

1 Florida, Georgia, Hawaii, North Carolina, Montana, Oregon, Puerto Rico  
2 and South Carolina. I co-founded Accion Group, LLC in 2001.

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4 **Mr. Layfield:** I began my career in 1964 at Potomac Electric Power. I was  
5 able to specialize in electric system modeling and was responsible for the  
6 adaption and implementation of the Philadelphia Electric load flow model  
7 on the PEPCO system. While at PEPCO I helped implement compatible  
8 units and unit costing programs. I designed and implemented the first-  
9 generation maintenance scheduling program within the Pennsylvania New  
10 Jersey Maryland interconnection. As a member of the System Control  
11 Implementation Team, I designed and implemented the first automated  
12 trouble call analysis system, which has become a standard for the industry.  
13 Following my employment at PEPCO I was hired by the Ernst and Ernst  
14 Utility Consulting Group, where I stayed until I became an independent  
15 consultant completing electric and gas utility consulting engagements,  
16 working with several different consulting firms on renewable resource  
17 evaluation, regulatory support, performance management, business  
18 process improvement and system operation and maintenance projects. For  
19 the last five years I have been working with Accion Group serving as  
20 Independent Evaluator in Arizona, Georgia, Hawaii, Oregon, Colorado and  
21 Montana, evaluating supplies from those states and Canada, Washington,  
22 California, Utah, New Mexico and Wyoming.

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24 **Mr. Jackson:** Immediately before joining Accion Group I was Chairman of  
25 the Board, President and CEO of SEMCO Energy Gas Company with  
26 headquarters in Michigan, a firm with diversified business lines including  
27 gas pipelines and pipeline construction companies. For much of my career  
28 I was with Kansas City Power and Light, where I began as a Plant  
29 Maintenance Engineer, eventually rising to Executive Vice President and

1 President of KCPL Power. I served in a variety of position, including Chief  
2 Financial Officer of KCP&L and Senior Vice President of Power Production.  
3 Also, I served as Chief Operating Officer for KCP&L, with responsibility for  
4 power generation, transmission and distribution, customer service and  
5 human resources. During a break in my tenure with KCP&L I was the  
6 Project Engineer for Gibbs & Hill Engineering – Dravo Arabia for the  
7 construction of power generation in Alkhobar, Saudi Arabia.

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9 **Mr. Wintermantel:** I began my career in 2000 at Southern Company as a  
10 co-op student working within Southern Nuclear. In 2003, I was hired as an  
11 engineer within the resource planning functions of Southern Company and  
12 served in a number of roles including integrated resource planning,  
13 structuring of wholesale power contracts, system model development, and  
14 asset management. From 2009 to present, I have served as a consultant  
15 for Accion Group, serving as Independent Evaluator for multiple  
16 procurements in Georgia, Arizona, Oregon, California, and Colorado,  
17 evaluating supplies from those states and surrounding regions. As a  
18 consultant, I have also performed multiple system reliability and economic  
19 evaluations for regulators, utilities, and Regional Transmission  
20 Organizations (RTOs), including entities such as the Federal Energy  
21 Regulatory Commission (FERC), the Electric Reliability Council of Texas  
22 (ERCOT), the Midcontinent Independent System Operator (MISO), the  
23 Tennessee Valley Authority (TVA), and the Public Service Company of New  
24 Mexico.

25  
26 **Q. Have you ever testified before any regulatory agencies?**

27 **A. Mr. Judd:** Yes. I have testified before this Commission, the Arizona  
28 Corporation Commission, the New Hampshire Public Utilities Commission,  
29 the Vermont Public Service Board, the Oregon Public Utilities Commission,

1 The North Carolina Utilities Commission, the Public Service Commission of  
2 South Carolina, the Public Service Commission of Montana and legislative  
3 bodies or regulatory bodies in Maine, New Hampshire, Pennsylvania,  
4 Massachusetts, and New York. I have also presented reports to regulatory  
5 bodies in California, Hawaii, Colorado, and Florida for dockets where  
6 testimony was not required.

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8 **Mr. Layfield:** Yes, I have testified before this Commission and before the  
9 Connecticut Public Utilities Regulatory Authority, the Guam Public Utilities  
10 Commission, the Kentucky Public Service Commission, the Nevada Public  
11 Service Commission, the Indiana Utility Regulatory Commission, the  
12 Colorado Public Utilities Commission and the Oregon Public Utilities  
13 Commission.

14

15 **Mr. Jackson:** Yes, I frequently appeared before the Missouri Public Service  
16 Commission concerning plant operation issues.

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18 **Mr. Wintermantel:** Yes, I have testified before this Commission, the North  
19 Carolina Utilities Commission, the Public Service Commission of South  
20 Carolina, and the New Mexico Public Regulation Commission. I have  
21 prepared presentations, reports, and filed comments to regulated bodies  
22 including the Federal Energy Regulatory Commission (FERC) where  
23 testimony was not required.

24

25 **Q. Would you please describe your role in this proceeding?**

26 **A. Mr. Judd:** Accion Group was selected by the Commission to be the  
27 Independent Evaluator for the Capacity Request for Proposals (RFP). In  
28 that role we were involved in all major activities in the RFP, including the  
29 development of the RFP process, the drafting of RFP related documents,  
30 the receipt of bids, the evaluation of bids and post-selection discussions

1 with the successful Bidders. I participated in the Bidders Conference and  
2 participated in all meetings between Georgia Power and any Bidder, as  
3 required by the Rules of the Commission. In addition, Accion Group created  
4 and maintained the website through which the RFP was conducted. I  
5 directed the evaluation and analysis performed by Accion consultants,  
6 which is documented in the report prepared for the Commission.

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8 Mr. Layfield was responsible for the transmission and distribution impact  
9 analysis performed by Accion as part of the evaluation of bids. Mr. Jackson  
10 was responsible for reviewing the Asset Purchase Sale Agreement (APSA)  
11 bids. Mr. Wintermantel was responsible for reviewing the Company's  
12 evaluation methodology, conducting a mock bid process, and performing a  
13 parallel evaluation of bids submitted for the Capacity RFP.

14 **Q. What is the purpose of your testimony?**

15 **A. Mr. Judd:** The Final Report of the Independent Evaluator Re: Georgia  
16 Power Company's Capacity Request for Proposals Process dated February  
17 24, 2022, was prepared by me or under my direction. The Report was  
18 prepared in two versions, the public version and the non-public, Trade  
19 Secret version. The Trade Secret version was prepared for the Commission  
20 and contains commercially sensitive or proprietary and confidential  
21 information, as determined by Georgia Power. The public version is  
22 Attachment 1 to this testimony. We appear to sponsor the report.

23  
24 **Q. Does your report detail the activities and findings of the Independent  
25 Evaluator?**

26 **A. Mr. Judd:** Yes it does.

27

- 1 **Q. Does this conclude your testimony and that of Mr. Layfield, Mr.**  
2 **Jackson, and Mr. Wintermantel?**  
3 **A. Mr. Judd:** Yes it does.