

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

VERIFIED PETITION OF DUKE ENERGY INDIANA,)
INC. SEEKING (1) APPROVAL OF AN ONGOING)
REVIEW PROGRESS REPORT PURSUANT TO IND.)
CODE §§8-1-8.5 AND 8-1-8.7; (2) AUTHORITY TO)
REFLECT COSTS INCURRED FOR THE)
EDWARDSPORT INTEGRATED GASIFICATION)
COMBINED CYCLE GENERATING FACILITY)
("IGCC PROJECT") PROPERTY UNDER)
CONSTRUCTION IN ITS RATES AND AUTHORITY) CAUSE NOS. 43114 IGCC-4
TO RECOVER APPLICABLE RELATED COSTS) & 4S1
THROUGH ITS INTEGRATED COAL)
GASIFICATION COMBINED CYCLE GENERATING)
FACILITY COST RECOVERY ADJUSTMENT,)
STANDARD CONTRACT RIDER NO. 61 PURSUANT)
TO IND. CODE §§8-1-8.8-11 AND -12; (3))
ESTABLISHMENT A SUBDOCKET PROCEEDING)
TO REVIEW THE COST ESTIMATE FOR THE)
IGCC PROJECT; AND (4) APPROVAL OF A)
SETTLEMENT AGREEMENT FILED SEPTEMBER)
17,2010, INCLUDING A REQUEST TO UPDATE ITS)
DEPRECIATION RATES FOR PRODUCTION,)
TRANSMISSION, DISTRIBUTION AND GENERAL)
PLANT AND EQUIPMENT)

**JOINT MOVANTS SUBMITTAL OF THE AFFIDAVIT OF KERWIN OLSON
IN FURTHER SUPPORT OF PENDING MOTION TO ESTABLISH A SUBDOCKET
AND INITIATE AN INVESTIGATION RE IMPROPER COMMUNICATIONS, UNDUE
INFLUENCE AND OTHER MISCONDUCT IN THE REGULATORY REVIEW OF
THE EDWARDSPORT PROJECT**

Intervenors Citizens Action Coalition of Indiana, Hoosier Chapter Sierra Club, Save the Valley and Valley Watch ("Joint Movants") respectfully submit the Affidavit of Kerwin Olson (including appended Exhibits A to F) in further support of their pending motion to establish a subdocket and initiate an investigation regarding improper communications, undue influence and other misconduct in the regulatory review of the Edwardsport project. In explanation of their Submittal, Joint Movants represent to the Commission:

1. Joint Movants filed their pending motion for subpoena and investigation on November 22, 2010 based on evidence which their witness Kerwin Olson had prefiled on November 15, 2010.

2. On December 27 and December 30, 2010 and January 5, 2011, Joint Movants received responses from Duke Energy Indiana (DEI) to their Discovery Request Set No. 18, which had been served on December 2, 2010. During roughly the same time period, Joint Movant Citizens Action Coalition also received responses to several public information requests from certain state agencies, including particularly the Commission.

3. In Mr. Olson's opinion, certain of the DEI responses to Joint Movants' Discovery Request Set No. 18 and the agencies responses to public information requests further substantiate his previous testimony that the Company and its representatives have been involved in improper communications, undue influence, and other misconduct in the regulatory review of the Edwardsport project. *See Affidavit, ¶¶ 4 - 7.*

4. For the most part, the documents further substantiate Mr. Olson's previous testimony that Duke Energy Indiana has exercised undue influence over the conduct of the Commission's regulatory review of the Edwardsport project through improper communications and relationships among former Duke Energy employees Jim Turner and Mike Reed and former Commission Chair David Hardy and former Chief Administrative Law Judge Scott Storms. *See Affidavit, ¶ 4.*

5. However, the documents also raise serious issues about certain communications and other interactions between current Duke CEO Jim Rogers and former Chair Hardy, especially but not necessarily exclusively those which occurred in conjunction with the Santa Fe Conference at New Mexico State University in March, 2008, 2009 and 2010 and the breakfast meeting in

Indianapolis among Messrs. Rogers, Turner and Hardy on February 24, 2010. *See* Affidavit, ¶ 5

6. Further, the timing and content of many of the documents show a direct interplay between the Commission's regulatory process in its Edwardsport review (among other proceedings) and the Company's hiring process regarding Messrs. Reed and Storms. *See* Affidavit, ¶ 6

7. The documents also show an ongoing pattern and not simply an isolated incident or two of improper communications and other interactions which continued at least through the presentation of the (now withdrawn) settlement agreement in this cause on September 17, 2010. *See* Affidavit, ¶ 7.

8. In Mr. Olson's opinion, the documents he cites further supports the need for the Commission to initiate a separate investigation and subdocket relating improper communications, undue influence and other misconduct in the regulatory review of the Edwardsport Project. *See* Affidavit, ¶ 8.

9. Joint Movants represent to the Commission that the issues raised by the documents are substantial and serious and include (but are not limited to) at least the following:

A. Have DEI and several of its executives (Messrs. Rogers, Turner, Reed and Stanley) engaged in *ex parte* communications and other improper interactions with former Chairman Hardy regarding the Edwardsport project?

B. Have DEI and at least two of its executives (Messrs. Turner and Reed) established and maintained inappropriate relationships with former Chairman Hardy?

C. Has DEI exercised undue influence over the Commission's regulatory review of the Edwardsport project through the *ex parte* communications, other improper interactions, and inappropriate relationships of several of its executives with former Chairman Hardy?

D. Were the DEI hires of former IURC employees Reed and Storms partial consideration for the Company's undue influence over past and future Commission regulatory actions – including but not limited to the Edwardsport project?

10. Accordingly, Joint Movants respectfully submit the Affidavit (including appended Exhibits A to F) of Kerwin Olson in further support of their pending motion to establish a subdocket and initiate an investigation regarding improper communications, undue influence and other misconduct in the regulatory review of the Edwardsport project.

Respectfully submitted,

Digitally signed by Jerome E. Polk

Jerome E. Polk
Polk & Associates LLC
101 W. Ohio Street, Suite 2000
Indianapolis, Indiana 46204
(317) 636-5165 [Phone]
(317) 636-5435 [Fax]
jpolk@polk-law.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing submittal and attached affidavit and exhibits were served by electronic mail or U.S. Mail, first class postage prepaid, this 13th day of January, 2011, to the following:

J. William DuMond
Kelley A. Karn
Duke Energy Indiana, Inc.
1000 East Main Street
Plainfield, IN 46168

Randal Helmen
Indiana Office of Utility Consumer Counselor
115 W. Washington Street, Suite 1500 South
Indianapolis, IN 46204

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1025 Thomas Jefferson St., N.W.
8th Floor, West Tower
Washington, D.C. 20007

Digitally signed by Jerome E. Polk

Jerome E. Polk

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

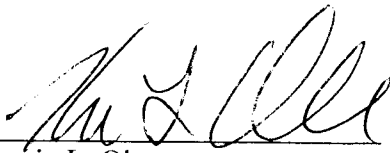
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AFFIDAVIT OF KERWIN L. OLSON

JANUARY 13, 2011

1. I am the Program Director of the Citizens Action Coalition; address 602 E Washington St, Suite 502, Indianapolis, IN 46204.
2. I filed Direct Testimony in this Cause on July 30, 2010 and Settlement Testimony on November 15, 2010.
3. The following documents that are appended to this affidavit have been provided by Duke Energy Indiana and obtained through public information requests since I filed my Settlement Testimony on November 15, 2010. In my opinion, these materials provide evidence in addition to that presented in my November 15, 2010 testimony that the Company has exercised undue influence over the Commission's regulatory oversight of the Edwardsport Project.
 - DEI discovery response and e-mails between Jim Stanley, Jim Turner, and David Hardy regarding a breakfast meeting that occurred on February 24, 2010 at the Capital Grille in Indianapolis – Exhibit A.
 - DEI discovery response and e-mails regarding dinner meetings between David Hardy and Jim Rogers that took place during the Santa Fe Conferences at New Mexico State University in March, 2010, as well as March, 2008 and 2009 – Exhibit B.
 - E-mails between Mssrs. Reed, Turner, and Hardy dated June 29, 2010 through July 21, 2010 regarding meetings and conversations at the NARUC summer meetings in Sacramento, CA, July 18-21, 2010 – Exhibit C.
 - E-mails between Mssrs Reed, Turner, and Hardy dated July 11-31 2010 about meetings and conversations at the EPRI summer meetings in Chicago, IL, August 1-3, 2010 – Exhibit D.
 - E-mails exchanged between Mssrs Reed, Turner and Hardy during the time of ongoing Settlement negotiations in this sub-docket dated August 13 through September 17, 2010 – Exhibit E.
 - E-mails from 2007-2010 exchanged between Duke Energy Indiana employees, primarily but not limited to Mssrs. Reed, Turner, Rogers, and Stanley, and employees of the Commission, primarily but not limited to Mssrs. Hardy and Storms, as well as e-mails while Mr. Reed was employed at INDOT, that detail various meetings, conversations, and other communications with respect to Duke Energy Indiana proceedings at the Commission, primarily but not limited to the Edwardsport Project – Exhibit F.
4. For the most part, the documents further substantiate my previous testimony that Duke Energy Indiana has exercised undue influence over the conduct of the Commission's regulatory review of the Edwardsport project through improper communications and relationships among former Duke Energy employees Jim Turner and Mike Reed and former Commission Chair David Hardy and former Chief Administrative Law Judge Scott Storms.

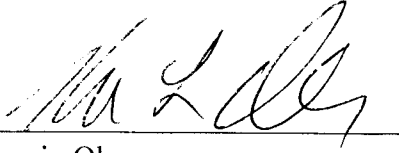
5. However, the documents also raise serious issues about certain communications and other interactions between current Duke CEO Jim Rogers and former Chair Hardy, especially but not necessarily exclusively those which occurred in conjunction with the Santa Fe Conference at New Mexico State University in March, 2010 and the breakfast meeting in Indianapolis among Mssrs. Rogers, Turner and Hardy on February 24, 2010.
6. Further, the timing and content of many of the documents show a direct interplay between the Commission's regulatory process in its Edwardsport review (among other proceedings) and the Company's hiring process regarding Mssrs. Reed and Storms.
7. The documents also show an ongoing pattern and not simply an isolated incident or two of improper communications and other interactions which continued at least through the presentation of the (now withdrawn) settlement agreement in this cause on September 17, 2010.
7. In my opinion, this evidence further supports the need for the IURC to initiate a separate investigation and subdocket relating to matters implicating the exercise of undue influence by Duke Energy Indiana over (among other matters) the Commission's regulatory oversight of the Edwardsport Project.
8. I affirm, under the penalties of perjury, that the foregoing statements are true to the best of my knowledge, information and belief.



Kerwin L. Olson

VERIFICATION

I, Kerwin Olson, Program Director of Citizens Action Coalition of Indiana, Inc., affirm under penalties of perjury that the foregoing representations are true and correct to the best of my knowledge, information, and belief.

A handwritten signature in black ink, appearing to read 'K. Olson', is written over a horizontal line.

Kerwin Olson

01/13/2010

Date

Exhibit A

CAC
IURC Cause No. 43114 IGCC 4S1
Data Request Set No. 17
Received: December 2, 2010

SUPPLEMENTAL RESPONSE 12/21/10
SUPPLEMENTAL INFORMATION IS IN BOLD
CAC 17.9

Request:

Reference the Page A1 Indianapolis Star article of November 28, 2010 entitled, "IURC Chief and Duke Exec Were Pals, E-Mails Show." Please provide:

- a. Copies of all e-mails on or after August 7, 2006 which include the word "Edwardsport," "E-port," "Eport," or "E'port" between or among the following current or former Duke or DEI executives and former IURC Chairman Hardy, other members of the IURC, former IURC Chief Administrative Law Judge Storms (before his employment by Duke), former IURC Executive Director Mike Reed (before his employment by Duke), and/or IURC Deputy or Chief Administrative Law Judge Loraine Seyfried:
 - i. Jim Rogers;
 - ii. Jim Turner;
 - iii. Jim Stanley;
 - iv. Mike Reed (after his employment by Duke); and/or
 - v. Scott Storms (after his employment by Duke).
- b. The dates, times, locations, approximate length, and attendees of all meetings at which the Edwardsport project was discussed on or after August 7, 2006, between or among the following current or former Duke or DEI executives and former IURC Chairman Hardy, other members of the IURC, former Chief Administrative Law Judge Storms (before his employment by Duke, former IURC Executive Director Mike Reed (before his employment by Duke), and/or IURC Deputy or Chief Administrative Law Judge Loraine Seyfried:
 - i. Jim Rogers,
 - ii. Jim Turner,
 - iii. Jim Stanley,

- iv. Mike Reed (after his employment by Duke); and/or
- v. Scott Storms (after his employment by Duke)
- c. Copies of any attachments to the e-mails identified and/or provided in response to Request 17.9(a) above.
- d. Copies of any correspondence setting up or following up, agendas, minutes, summaries or reports of, and any documents discussed at, the meetings identified in response to Request 17.9(b) above.

Objection:

Duke Energy Indiana objects to this Request on the grounds that it is overbroad and burdensome and not reasonably calculated to lead to admissible evidence. Duke Energy also objects on the grounds the response seeks information that is privileged or subject to the attorney work product protection. Finally, certain documents have been redacted on the basis of relevance.

Response:

Subject to and without waiving the foregoing general and specific objections, Duke Energy Indiana responds as follows:

- a. See the attached CD labeled Attachment CAC 17.9-A, which will be sent via overnight mail on December 8, 2010, and hand-delivered to counsel for the CAC.
- b. Duke Energy Indiana is conducting a reasonable search and will update this response as soon as possible.
- c. See the response to a. above.
- d. See the response to b. above.

Supplemental Response (Dec. 21, 2010):

b. After conducting a reasonable search of the listed Duke Energy employees' calendars using search terms "Edwardsport," "Eport," "E-port," "E'port" along with search terms "urc," "iurc," or "Hardy", the Company located one document which is being provided as Attachment CAC 17.9-B.

The Company is also aware of two meetings where Edwardsport IGCC Project was discussed:

On March 17, 2008 between Jim Stanley, Jim Turner, and then-Chairman Hardy, where Company officials informed Mr. Hardy that the cost estimate of the IGCC Project was increasing from \$1.985 billion to \$2.35 billion. The meeting was held in Santa Fe, NM at the New Mexico State University Center or Public Utilities Current Issues Conference and lasted approximately 15-20 minutes, approximately 5-10 minutes was spent on the Edwardsport cost estimate update.

On Feb. 24, 2010 between Jim Stanley, Jim Turner, Jim Rogers and then-Chairman Hardy, where Company officials informed Mr. Hardy that the cost estimate of the IGCC Project was increasing to a new estimate of \$2.88 billion. The breakfast meeting was held at Capital Grille in Indianapolis and lasted approximately 1 hour, approximately 5-10 minutes was spent on Edwardsport cost estimate update.

The Company is continuing to search for potential responsive documentation and will provide an update if anything additional is found.

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Sunday, February 21, 2010 8:07 PM
To: Hardy, David Lott
Subject: RE: Your calendar

Ps I would be happy to provide counsel. The "wise" part may be beyond my skill set . . .

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

From: Hardy, David Lott [<mailto:dlhardy@urc.IN.gov>]
Sent: Sunday, February 21, 2010 7:55 PM
To: Turner, Jim
Subject: Re: Your calendar

Retirement is too weird for me. But I am getting into a project and I may need your wise counsel.

Sherry

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Sun Feb 21 19:49:19 2010
Subject: RE: Your calendar

I agree with you every single time you happen to be right.

PS, how's the Woman enjoying her retirement and having more time on her hands?

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

From: Hardy, David Lott [<mailto:dlhardy@urc.IN.gov>]
Sent: Sunday, February 21, 2010 7:46 PM
To: Turner, Jim
Subject: Re: Your calendar

You are enjoying agreeing with me way too much.

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Sun Feb 21 19:28:21 2010
Subject: RE: Your calendar

Don't worry. Your reputation in this regard is unalterable . . .

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

From: Hardy, David Lott [<mailto:dlhardy@urc.IN.gov>]
Sent: Sunday, February 21, 2010 4:51 PM
To: Turner, Jim
Subject: Re: Your calendar

For you I would be. Don't tell the utilities I'm being accommodating - bad for my reputation.

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Sun Feb 21 16:35:51 2010
Subject: Re: Your calendar

You'd be available for breakfast Wed morning?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Sun Feb 21 15:59:15 2010
Subject: Re: Your calendar

Would be the high point of my year, but, am in Santa Monica for the Harvard thing. Wed am is open as I don't leave 'til 1215am.

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Sun Feb 21 14:49:16 2010
Subject: Your calendar

Rogers and I would like to have breakfast with you this coming Thursday if you're available.

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Tuesday, February 23, 2010 9:51 PM
To: Hardy, David Lott; Stanley, Jim
Subject: Re: Turner/Rogers Tomorrow

But I really wanted to see willy and nilly . . .

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Stanley, Jim
Cc: Turner, Jim
Sent: Tue Feb 23 21:03:08 2010
Subject: Re: Turner/Rogers Tomorrow

Understand. Turner cannot roam the halls willy-nilly, but he can see folks. Does he have a target or two in mind?

From: Stanley, Jim <Jim.Stanley@duke-energy.com>
To: Hardy, David Lott
Sent: Tue Feb 23 13:32:20 2010
Subject: Turner/Rogers Tomorrow

Chairman....I heard back from the Jims a few moments ago....the Duke Energy board is meeting today so they have been relatively inaccessible. Turns out that Jim Rogers has an outside board call tomorrow that he will jump on after breakfast so he is not available. Mr. Turner would like to come by your offices and do a walk thru and reintroduce himself to folks...nothing scheduled but simply a casual way to say hello. Let me know if this presents any concerns. When I talked to you this morning I did not know of their schedules so I apologize for backpedaling a little. Let me know your thoughts. Thanks...Jim.

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Wednesday, February 24, 2010 12:50 PM
To: Hardy, David Lott; Rogers, Jim
Subject: Re: Terseness

Got it.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Rogers, Jim; Turner, Jim
Sent: Wed Feb 24 12:44:32 2010
Subject: Terseness

Who ever reports on the meeting might consider a one word chacterization and a number where you can be reached.

Exhibit B

CAC
IURC Cause No. 43114 IGCC 4S1
Data Request Set No. 17
Received: December 2, 2010

SUPPLEMENTAL RESPONSE 12/21/10
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 - iii. Jim Stanley,

- iv. Mike Reed (after his employment by Duke); and/or
- v. Scott Storms (after his employment by Duke)
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- a. See the attached CD labeled Attachment CAC 17.9-A, which will be sent via overnight mail on December 8, 2010, and hand-delivered to counsel for the CAC.
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The Company is also aware of two meetings where Edwardsport IGCC Project was discussed:

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The Company is continuing to search for potential responsive documentation and will provide an update if anything additional is found.

From: Rogers, Jim [Jim.Rogers@duke-energy.com]
Sent: Sunday, January 17, 2010 10:49 AM
To: Hardy, David Lott
Cc: Currence, Kathy K
Subject: Re: Santa Fe Conference

David, happy New Year....sorry that I have been so slow in responding to your request. (Needed to rework my schedule plus out with a little virus). .

I have never been able to say no to you. I can't this time. I look forward to being with you (and Sherry) in Santa Fe. I enjoyed our dinner last year and hopefully we can do a repeat.

I hope Sherry has enjoyed her new status as "retired". I am not sure what that means these days. We all seem to young to use that word.

By the way, I would be open to other panels or discussions while I am there. I enjoyed last year. It is not often that I get to stop and focus on a set of issues.

Looking forward to seeing you and Sherry.

Best,
Jim

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Rogers, Jim
Sent: Wed Dec 30 08:40:24 2009
Subject: Santa Fe Conference

Hope you had a good Christmas - I collected Sherry from Greensboro just before the storm and we made it home without incident. She retires Dec 31.

I hope you recall last years Santa Fe Conference - that's the one many who were there refer to as "the best conference, ever".

I helped Commissioner Ziegner with the planning and I claim credit for urging him to invite you. As he ended his term as Chairman of the Advisory Committee and mine as helper, we suggested renaming the conference "Some time with Jim" and having it when ever you were free. Seems there is a protocol that the current EEI President is invited, which trumped inviting you. Luckily (my chacterization, not theirs) the current guy has a conflict and I suggested you. As often happens, the one who opens his mouth gets the job. So, would you like to return in triumph to Santa Fe March 15? Bob Skaggs will also be on the panel and I'll buy dinner if that will seal the deal.

BTW, the NOWGEN tag for Edwardsport got approving nods at my Federal Energy Bar speech: never fear, I credited you for the line.

Let me know if this can work - Happy New Year.

From: Turner, Jim
To: Rogers, Jim
Sent: 1/17/2010 2:45:31 PM
Subject: RE: Santa Fe Conference

[REDACTED]

One of my top priorities this year is to reduce the regulatory risk associated with Edwardsport -- by testifying in our revised cost estimate sub-docket, by putting pressure on GE and Bechtel to own up to some of the construction cost issues, by clear-eyed evaluation of possible options, and by seeking partners (Huaneng, Nucor, others?) to absorb some of this investment and reduce total cost to customers. I will feel better about overall Indiana strategy when I feel like Edwardsport is in smoother waters.

[REDACTED]

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

From: Rogers, Jim
Sent: Sunday, January 17, 2010 2:26 PM
To: Turner, Jim
Subject: Fw: Santa Fe Conference

Fyi

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Rogers, Jim
Cc: hardy88@verizon.net <hardy88@verizon.net>
Sent: Sun Jan 17 13:39:22 2010
Subject: Re: Santa Fe Conference

Wonderful! Biggest smile I've seen on Sherry since she retired.
I have forwarded your acceptance and willingness to do double duty to the organizers and a tweak to Brent Gale. You may know Brent, he works for Mid American and is the Chairman of this years conference. I have jabbed Brent that, with you coming, he is obliged to get Mr. Buffet. We are his shareholders, not yours obviously, but I doubt that's enough to get him to return a call - do you know him? An afternoon with Jim and Warren? I'd be in the front row.
Anyway, Thank You, and we will put a corker together.
Hope you are over your virus.

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

From: Rogers, Jim <Jim.Rogers@duke-energy.com>
To: Hardy, David Lott
Cc: Currence, Kathy K <Kathy.Currence@duke-energy.com>
Sent: Sun Jan 17 10:48:34 2010
Subject: Re: Santa Fe Conference

David, happy New Year....sorry that I have been so slow in responding to your request. (Needed to rework my schedule plus out with a little virus). .

I have never been able to say no to you. I can't this time. I look forward to being with you (and Sherry) in Santa Fe. I enjoyed our dinner last year and hopefully we can do a repeat.

I hope Sherry has enjoyed her new status as "retired". I am not sure what that means these

days. We all seem to young to use that word.

By the way, I would be open to other panels or discussions while I am there. I enjoyed last year. It is not often that I get to stop and focus on a set of issues.

Looking forward to seeing you and Sherry.

Best,
Jim

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From: Hardy, David Lott <dlhardy@urc.IN.gov>

To: Rogers, Jim

Sent: Wed Dec 30 08:40:24 2009

Subject: Santa Fe Conference

Hope you had a good Christmas - I collected Sherry from Greensboro just before the storm and we made it home without incident. She retires Dec 31.
I hope you recall last years Santa Fe Conference - that's the one many who were there refer to as "the best conference, ever".

I helped Commissioner Ziegner with the planning and I claim credit for urging him to invite you. As he ended his term as Chairman of the Advisory Committee and mine as helper, we suggested renaming the conference "Some time with Jim" and having it when ever you were free. Seems there is a protocol that the current EEI President is invited, which trumped inviting you. Luckily (my chacterization, not theirs) the current guy has a conflict and I suggested you. As often happens, the one who opens his mouth gets the job. So, would you like to return in triumph to Santa Fe March 15? Bob Skaggs will also be on the panel and I'll buy dinner if that will seal the deal.

BTW, the NOWGEN tag for Edwardsport got approving nods at my Federal Energy Bar speech: never fear, I credited you for the line.

Let me know if this can work - Happy New Year.

From: Rogers, Jim [Jim.Rogers@duke-energy.com]
Sent: Wednesday, February 17, 2010 6:44 PM
To: Hardy, David Lott; Turner, Jim
Subject: Re: TV Stars!

David, thanks.....I pretended to be a judge by slamming the gavel down exactly at 4. Looking forward to hanging out with you in Santa Fe.

It was fun for the team. We just completed our financial analyst presentation Tuesday.

See you soon, Best,
Jim

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Rogers, Jim; Turner, Jim
Sent: Wed Feb 17 18:14:00 2010
Subject: TV Stars!

You all got a duration about 3 rings of the bell of TV exposure on the evening news here in DC. Looked good.

From: Rogers, Jim [Jim.Rogers@duke-energy.com]
Sent: Thursday, March 04, 2010 4:33 PM
To: Hardy, David Lott
Subject: Re: Santa Fe

Please don't tempt her.....I do my best to discourage that kind of buying behavior

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Rogers, Jim
Cc: hardy88@verizon.net <hardy88@verizon.net>
Sent: Thu Mar 04 15:20:43 2010
Subject: Re: Santa Fe

Sunday it is. I'd say the same place as last year. We get in late Sat and will make a reservation.

Sherry will make arrangements for the three top jewelry stores to have an assortment of their best wares in your hotel room. That way MA won't have waste time shopping. Does MA consider 5 carat or more diamonds vulgar or a good start?

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

From: Rogers, Jim <Jim.Rogers@duke-energy.com>
To: Hardy, David Lott
Sent: Thu Mar 04 15:13:09 2010
Subject: Re: Santa Fe

David, Sunday night works for me and I am bringing MA--she hasn't seen you guys in a long time. We are both looking forward to the dinner. You pick the place and time and we will be there ready to have fun.

Best,
Jim

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Rogers, Jim
Cc: hardy88@verizon.net <hardy88@verizon.net>
Sent: Mon Mar 01 08:34:36 2010
Subject: Re: Santa Fe

Sherry's answer is anytime, anyplace so mine becomes irrelevant. If we want to do a reprise, that would be Mon nite but I don't know your schedule for this year. We are there for the duration so happy to fit our schedule to yours.

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

From: Rogers, Jim <Jim.Rogers@duke-energy.com>
To: Hardy, David Lott
Sent: Mon Mar 01 08:05:17 2010
Subject: Santa Fe

David,

Would you and Sherry like to do a repeat of last year and have dinner together Sunday night?

Best,
Jim

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Wednesday, March 10, 2010 1:44 PM
To: Hardy, David Lott
Subject: RE: CO2 Capture & Storage News

Actually, him's a her.

From: Hardy, David Lott [mailto:dlhardy@urc.IN.gov]
Sent: Tuesday, March 09, 2010 8:44 PM
To: Rogers, Jim; Turner, Jim
Subject: Re: CO2 Capture & Storage News

Great!
I bet Deputy Secy Johnson still doesn't know what hit him.

From: Rogers, Jim <Jim.Rogers@duke-energy.com>
To: Hardy, David Lott; Turner, Jim <Jim.Turner@duke-energy.com>
Sent: Tue Mar 09 20:39:51 2010
Subject: Re: CO2 Capture & Storage News

I met with Deputy-Secretary Johnson and pitch our IGCC as future Gen 1.0 in an effort to get gov't funding of a portion of plant and CCS. I will pass along details as it unfolds.

We are working this at various levels of DOE. See you in Santa Fe.

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim; Rogers, Jim
Sent: Tue Mar 09 19:13:56 2010
Subject: Fw: CO2 Capture & Storage News

First article implies Morris got 330 million from DOE for post combustion controls in WV. Maybe DOE is in the mood to invest in IGCC?

From: U.S. Energy Association <ccs-ces-update@usea.org>
To: Hardy, David Lott
Sent: Tue Mar 09 17:03:50 2010
Subject: CO2 Capture & Storage News

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Saturday, March 13, 2010 6:01 PM
To: Hardy, David Lott
Subject: RE: When you going to London?

He's been in China this past week so all he knows is that Mike's name is in the ring. I'm supposed to talk with him tomorrow morning. At this point he's probably leaning towards Susan, but I may work on that in the morning. I'll try to let you know before he gets out there whether a sell is necessary.

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

From: Hardy, David Lott [<mailto:dlhardy@urc.IN.gov>]
Sent: Saturday, March 13, 2010 5:58 PM
To: Turner, Jim
Subject: Re: When you going to London?

Ah, in ATL going to ABQ.

How real is the interest in Mike - I think its a marriage made in heaven. Is this decision yours and I don't need to sell Jim or is his buy in pivotal?

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Sat Mar 13 17:46:09 2010
Subject: Re: When you going to London?

There now. Got here this morning. Just watched the play "Enron." Depressing.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Sat Mar 13 17:07:16 2010
Subject: When you going to London?

From: Rogers, Jim [Jim.Rogers@duke-energy.com]
Sent: Sunday, March 14, 2010 6:52 PM
To: Hardy, David Lott
Subject: Re: Hello

I flew into Charlotte from China at 6:30 pm last night--flew out this afternoon. I am ready to roll--too much fun last year to miss it.

However, MA told me I was on my own and she was going to be smart and stay home and sleep. (She went to China with me).

Nonetheless, if it is ok with you all, I would like to bring my special adviser--she is also a lawyer (Catherine Heigel) and has only been in the job only two/three weeks.

Should we meet at 6:45 and walk over, assuming it is not snowing?

Best for now (not vouching yet for tomorrow's speech).

Jim

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Rogers, Jim
Cc: hardy88@verizon.net <hardy88@verizon.net>
Sent: Sun Mar 14 16:44:54 2010
Subject: Hello

Don't know if you are here but we are dining at the Inn of the Anazai (last years venue) @ 7pm local time.

I know you have been travelling and if dinner and being pleasant is just too much, Sherry and I understand - we can do it another time.

Let's meet in the lobby @ 630 if you decide to go.

From: Rogers, Jim [Jim.Rogers@duke-energy.com]
Sent: Sunday, March 14, 2010 6:57 PM
To: Hardy, David Lott
Subject: Re: Hello

6:30 pm is ok--I re-read your note. See you then. J

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Rogers, Jim
Cc: hardy88@verizon.net <hardy88@verizon.net>
Sent: Sun Mar 14 16:44:54 2010
Subject: Hello

Don't know if you are here but we are dining at the Inn of the Anazai (last years venue) @ 7pm local time.

I know you have been travelling and if dinner and being pleasant is just too much, Sherry and I understand - we can do it another time.

Let's meet in the lobby @ 630 if you decide to go.

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Sunday, March 14, 2010 10:27 AM
To: Hardy, David Lott
Subject: follow up

I spoke with JER at some length about Mike. He's intrigued by the idea. You might have an opportunity to share more of Mike's virtues tonight because I suspect Jim will want to know strengths/weaknesses of Mike v Susan.

He will be extremely tired and possibly incoherent – he flew from Beijing to Charlotte yesterday and then out to Santa Fe this morning. Please don't take advantage of him . . .

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Sunday, March 14, 2010 7:17 PM
To: Hardy, David Lott
Subject: Re: Hello

To quote the great Sgt Schultz, I know nuthink.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Sun Mar 14 19:09:02 2010
Subject: Re: Hello

Hasn't yet - its 1 1/2 hours till we meet. Is this the new Cheryl?

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Sun Mar 14 19:01:07 2010
Subject: Re: Hello

Good Lord. He didn't bring her to dinner, did he??

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Sun Mar 14 19:00:06 2010
Subject: Fw: Hello

What's the story on this Heigel person?

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

From: Rogers, Jim <Jim.Rogers@duke-energy.com>
To: Hardy, David Lott
Sent: Sun Mar 14 18:52:02 2010
Subject: Re: Hello

I flew into Charlotte from China at 6:30 pm last night--flew out this afternoon. I am ready to roll--too much fun last year to miss it.

However, MA told me I was on my own and she was going to be smart and stay home and sleep. (She went to China with me).

Nonetheless, if it is ok with you all, I would like to bring my special adviser--she is also a lawyer (Catherine Heigel) and has only been in the job only two/three weeks.

Should we meet at 6:45 and walk over, assuming it is not snowing?

Best for now (not vouching yet for tomorrow's speech).

Jim

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

Sent: Sun Mar 14 10:44:37 2010
Subject: Hello

Exhibit - B

Don't know if you are here but we are dining at the Inn of the Anza1 (last years venue) @ 7pm local time.

I know you have been travelling and if dinner and being pleasant is just too much, Sherry and I understand - we can do it another time.

Let's meet in the lobby @ 630 if you decide to go.

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Wednesday, March 17, 2010 8:17 PM
To: Hardy, David Lott
Subject: Re: What was your honest assessment of JER's Santa Fe speech?

Please tell Sherry I said hello. Fighting to keep my eyes open a little while longer while my internal clock keeps screaming that it's 215 am and will past my bedtime. Today's flight from London was mercifully uneventful.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Wed Mar 17 18:49:27 2010
Subject: Re: What was your honest assessment of JER's Santa Fe speech?

Hummm.

Still in SF - from 6-8 inches of snow Sun to sunny and 63 today. To FW tomorrow. Woman says Hey.

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Wed Mar 17 18:42:27 2010
Subject: Re: What was your honest assessment of JER's Santa Fe speech?

No clue.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Wed Mar 17 18:41:20 2010
Subject: Re: What was your honest assessment of JER's Santa Fe speech?

B+. He took a rather more statesmanlike mien instead of a rallying tone. He was next to last and that was the tone set by the preceding speakers. Content excellent.

He was the only one with a view outside his own sand box. Positive reaction in the hallways.

Any idea why no chat on Susan/Mike?

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Wed Mar 17 15:31:21 2010
Subject: What was your honest assessment of JER's Santa Fe speech?

From: Stanley, Jim [Jim.Stanley@duke-energy.com]
Sent: Friday, March 26, 2010 1:18 PM
To: Hardy, David Lott
Subject: FW: Duke Energy Names Heigel South Carolina President - crossed the wire at 10:30 a.m. ET
Attachments: FE_G Carolinas Duke Energy Names Heigel South Carolina President 3-26-10 FINAL.docx

Chairman....hope things are good with you. Just sending this press release to you as a heads up.

From: Shiel, Tom Jr
Sent: Friday, March 26, 2010 10:31 AM
To: Executive Distribution for Final New Releases
Subject: Duke Energy Names Heigel South Carolina President - crossed the wire at 10:30 a.m. ET

NEWS

March 26, 2010

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Duke Energy Names Heigel South Carolina President

CHARLOTTE, N.C. – Duke Energy has named Catherine Heigel to the newly created position of president of its South Carolina service region.

In this capacity, she will be responsible for advancing the company's rate and regulatory initiatives and managing state and local regulatory and governmental relations, economic development and community affairs.

"These are unprecedented times in our industry. As we work with our customers, regulators and policymakers to shape our energy future, we need to sharpen our focus on the unique needs, interests and concerns of Duke Energy's different states," said James L. Turner, president and chief operating officer of Duke Energy's Franchised Electric & Gas businesses. "Creating dedicated leadership roles for South Carolina and North Carolina recognizes the significant investments Duke Energy has in both states, as well as the commitment we have made to the customers and communities we serve."

In South Carolina, Duke Energy serves more than 600,000 retail customers and operates \$3 billion in assets in the state, including more than 6,818 megawatts of power generation and distribution

facilities. In addition, the company employs approximately 3,600 people who live and work in the Upstate region.

"Catherine brings an impressive blend of experience to this new position," said James E. Rogers, Duke Energy's chairman, president and chief executive officer. "She will draw on her regulatory and legal experience to be the primary representative of our company to South Carolina regulators, legislators, customers and other stakeholders."

Heigel began her legal career nearly 15 years ago in Columbia, S. C., as a consumer advocate in utility and insurance matters. She joined Duke Energy in 1997, and with the exception of several years in private law practice from 2003 to 2006, her legal practice has been centered on commercial and regulatory utility issues. Most recently, she served as special advisor to Duke Energy's chairman.

A Darlington, S. C. native, Heigel earned a Bachelor of Arts degree with honors in International Studies from the University of South Carolina in 1992 and a Juris Doctor degree from Ohio State University in 1995. She and her family will relocate to South Carolina in the weeks ahead.

With this restructuring, Brett Carter, president of Duke Energy Carolinas, will become the company's North Carolina president. Heigel and Carter will report to Turner.

Duke Energy Carolinas owns nuclear, coal-fired, natural gas and hydroelectric generation. That diverse fuel mix provides approximately 19,000 megawatts of electricity capacity to approximately 2.4 million customers in a 22,000-square-mile service area of North Carolina and South Carolina.

Duke Energy is one of the largest electric power holding companies in the United States. Its regulated utility operations serve approximately 4 million customers located in five states in the Southeast and Midwest, representing a population of approximately 11 million people. Its commercial power and international business segments own and operate diverse power generation assets in North America and Latin America, including a growing portfolio of renewable energy assets in the United States.

Headquartered in Charlotte, N.C., Duke Energy is a Fortune 500 company traded on the New York Stock Exchange under the symbol DUK. More information about the company is available on the Internet at: www.duke-energy.com.

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CENTER FOR PUBLIC UTILITIES Advisory Council

Presents

Current Issues 2010

“The Santa Fe Conference”

March 14 – 17, 2010

Eldorado Hotel – Santa Fe, NM

PROGRAM TOPICS

- Are We on the Right Path to Meeting the Climate Change Imperatives?
- How Do We Optimize the Grid for the Benefit of All Consumers?
- More than Just an “Additional Revenue Unit” - The Role of and Impacts on Future Consumers.
- The Effect of the National Broadband Plan on the Telecom and Energy Sectors
- It's Not Your Father's Industry... It's your Twelve Year Old's, But Is She Ready?
- Is It Time For “Smart” Regulation and Policies to Reflect Tomorrow's Realities?
- Commissioner's Grill

SEE OUR WEBSITE AT <http://cpu.nmsu.edu>



CONFERENCE PROGRAM 2010

SUNDAY, March 14, 2010

6:30 – 8:00 p.m. Registration and Reception

MONDAY, March 15, 2010

8:00 – 8:15 a.m. **Welcome and Opening Remarks**

8:15 – 12:00 p.m. **Tomorrow's World – The Public Policy Drivers and the Driven**

This opening session will focus on the range of public policy issues affecting our industries. The first session will hear from those entities that are developing and driving public policy decisions and then from those entities that are being driven by those decisions and how they are responding to this new world.

Moderator: Brent Gale, CPU Chairman, Sr. VP, Legislation, Regulation & Strategy,
MidAmerican Energy Holdings Co.

The Public Policy Drivers

- The Honorable Pete Domenici, former US Senator from New Mexico (invited)
- The Honorable David Coen, CEO and President of NARUC and Commissioner, VT Public Service Board
- Suedeen Kelly, former FERC Commissioner

The Driven

- The Honorable Ray Baum, Commissioner, OR Public Utility Commission
- Denise Bode, CEO, American Wind Energy Association
- Robert J. Iacullo, President, United Water
- James E. Rogers, Chairman, President and CEO, Duke Energy
- Robert Skaggs, Chairman, AGA - President and CEO, NiSource Inc.

1:30 – 3:00 p.m. **Are We on the Right Path to Meeting the Climate Change Imperatives?**

If reducing Green House Gases is the ultimate goal, are we taking the best path to meeting those goals? Which way should we go? This panel will explore the various ways utilities, consumers and regulators can work together to meet the goals of climate change initiatives.

Moderator: The Honorable Richard Morgan, Commissioner, DC Public Service Commission

- Richard Cowart, Director, Regulatory Assistance Project
- Dr. Granger Morgan, Dept. Head, Engineering and Public Policy, Carnegie Mellon University

Responders:

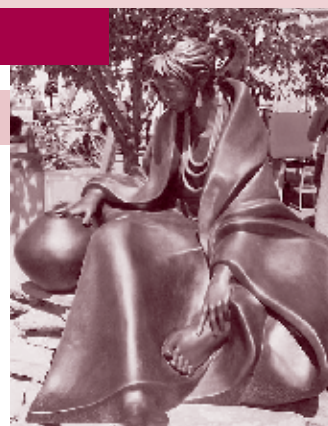
- The Honorable David Armstrong, Chairman, KY Public Service Commission
- The Honorable Ron Binz, Chairman, CO Public Utilities Commission

CONFERENCE PROGRAM 2010

MONDAY, March 15, 2010 - continued

3:30 - 5:00 p.m. **How Do We Optimize The Grid For The Benefit Of All Consumers?**

Every stakeholder has their own “enlightened self-interest” view on what’s best for themselves and, therefore, the grid; but can we ensure that the investments in smart grid and other technologies actually optimize the system for all consumers and are done in a least cost manner?



Moderator: The Honorable Lawrence Brenner, Commissioner, MD Public Service Commission

- John Bear, President and CEO, Midwest Independent Transmission System Operator
- Don Cortez, VP of Distribution Support, Centerpoint Energy
- Frank Graves, Principal, The Brattle Group
- Jerry Oppenheim, Principal, Democracy and Regulation

Responders:

- The Honorable Ted Boyer, Chairman, UT Public Service Commission
- The Honorable Fred Butler, Commissioner, NJ Board of Public Utilities

TUESDAY, March 16, 2010

8:30 - 10:00 a.m. **More than Just an “Additional Revenue Unit”:
The Role Of and Impacts on Future Consumers.**

Consumers will be the new players in tomorrow’s world; will they be up to the challenge? What policies are needed to ensure appropriate consumer protection to reflect tomorrow’s new realities.

Moderator: The Honorable Stan Wise, Commissioner, GA Public Service Commission

- The Honorable Tony Clark, Commissioner, ND Public Service Commission
- Dr. Ahmad Faruqi, Principal, The Brattle Group
- John Perkins, Iowa Consumer Advocate, Office of Consumer Advocate
- Dr. Lisa Wood, Executive Director, Institute for Electric Efficiency

Responders:

- The Honorable Butch Howard, Commissioner, SC Public Utilities Commission
- The Honorable Thomas Wright, Chairman, KS Public Service Commission

10:30 - 12:00 p.m. **The Effect of the National Broadband Plan on the Telecom and Energy Sectors**

This panel will bring communications and energy sector panelists together to discuss broadband, how it will support the smart grid, and what impact the FCC’s national broadband plan will have on both telecom and energy sectors.

Moderator: The Honorable Ray Baum, Commissioner, OR Public Utility Commission

- Mike Brady, VP, State Regulatory Affairs, Comcast
- Jeff Dygert, Executive Director- Public Policy, AT&T
- Vicki Helfrich, Strategic Planning Coordinator, MS Dept. of Information Technology Services
- Mary LaFave, Director, Legal Issues, Qwest
- Mike Oldak, VP & General Counsel, Utilities Telecom Council
- Lisa Youngers, VP, Federal Affairs, XO Communications



CONFERENCE PROGRAM 2010

TUESDAY, March 16, 2010 - continued

1:30 – 3:00 p.m. It's Not Your Father's Industry... It's your Twelve Year Old's, But Is She Ready?

While none of us will admit it, we're not getting any younger. Is there a next generation of utility, telecom, and water workers? Are they ready? What will they need to keep the lights on – A Mac computer?

Moderator: The Honorable Colette Honorable, Commissioner, AR Public Service Commission

- Mary Miller, President of Center for Work Force Development, EEI
- Walton Hill, Senior Vice President, United Water
- Jim Hunter, Utility Department Director, IBEW
- John Somerhalder, CEO and President, AGL Resources

Responders:

- The Honorable Elizabeth Fleming, Chairman, SC Public Service Commission
- The Honorable Terry Jarrett, Commissioner, MO Public Service Commission

3:30 – 5:00 p.m. Is It Time For “Smart” Regulation and Policies to Reflect Tomorrow's Realities?

Many of the regulatory policies which have served us, more or less, fairly well over the years may need some major adjustments to reflect the realities of a new energy world with smart grids, huge influx of renewable resources and storage devices, and a major effort to increase energy efficiency. This panel will look at what “traditional regulatory policies” need to go, and what “new regulatory policies” are needed quickly.

Moderator: The Honorable David Ziegner, Commissioner, IN Utility Regulatory Commission

- The Honorable David Hardy, Chairman, IN Utility Regulatory Commission
- David Owens, Executive Vice President, Business Operations, EEI
- Charles Patton, Executive VP AEP Utilities West, American Electric Power
- The Honorable Paul Suskie, Chairman, AR Public Service Commission

Responders:

- The Honorable John Bohn, Commissioner, CA Public Utilities Commission
- The Honorable Barry Smitherman, Chairman, Public Utility Commissioner of TX

WEDNESDAY, March 17, 2010

8:30 – 10:30 a.m. Commissioner's Grill

Moderator: The Honorable David Coen, CEO and President, NARUC, Commissioner, VT Public Service Board

- | | | |
|---------------------------------------|---|------------------------------------|
| • Hon. David Armstrong, Kentucky PSC | • Hon. Tony Clark, North Dakota PSC | • Hon. Phyllis Reha, Minnesota PUC |
| • Hon. Ray Baum, Oregon PUC | • Hon. Elizabeth Fleming, South Carolina PSC | • Hon. Barry Smitherman, Texas PUC |
| • Hon. Ron Binz, Colorado PUC | • Hon. David Hardy, Indiana URC | • Hon. Paul Suskie, Arkansas PSC |
| • Hon. John Bohn, California PUC | • Hon. Colette Honorable, Arkansas PSC | • Hon. Stan Wise, Georgia PSC |
| • Hon. Ted Boyer, Utah PSC | • Hon. Butch Howard, South Carolina PSC | • Hon. Thomas Wright, Kansas PSC |
| • Hon. Lawrence Brenner, Maryland PSC | • Hon. Terry Jarrett, Missouri PSC | • Hon. David Ziegner, Indiana URC |
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- Hon. Carol Sloan, Commissioner, New Mexico Public Regulation Commission
- Hon. Marsha Smith, Commissioner, Idaho Public Utilities Commission
- Hon. Paul Suskie, Chairman, Arkansas Public Service Commission
- Hon. Sam Thompson, Commissioner, Public Utilities Commission of Nevada
- Hon. Ken Toole, Commissioner, Montana Public Service Commission
- Hon. Stan Wise, Commissioner, Georgia Public Service Commission
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- Hon. David Ziegner, Commissioner, Indiana Utility Regulatory Commission



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- Curt Hebert, Executive VP, Entergy
- John Hester, Senior VP, Regulatory Affairs & Energy Resources, Southwest Gas Corporation
- Walton Hill, Senior VP, United Water
- Sandra Byrd, VP of Strategic Affairs, Arkansas Electric Cooperative Corporation
- Kimberly Joyce, General Counsel, Aqua America Water
- W. Robert Keating, Principal, Keating Strategies
- Gary Lakey, Director of Regulatory Administration, Xcel Energy Services
- Roy Lathrop, Director, State Government Affairs, National Cable & Telecommunications Association
- David Luff, Senior VP, Governmental Affairs, First Energy Corp
- Michelle Malloy, CMP Director of Meetings, NARUC
- Don Mason, Regulatory Law and Strategic Planning
- Paul McKaig, VP Regulatory Affairs, Oncor
- Donald Moncrief, Director, Regulated Pricing and Analysis, American Electric Power
- James Monk, President & CEO, Illinois Energy Association
- Howard Motley, VP Regulatory Affairs, Oklahoma Gas and Electric
- Michael Oldak, VP & General Counsel, Utilities Telecom Council
- Jerry Oppenheim, Principal, Democracy and Regulation
- Cheryl Parrino, President, Parrino Associates
- John Perkins, Iowa Consumer Advocate, IA Office of Consumer Advocate
- James Brad Ramsay, General Counsel, NARUC
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- Mack Wathen, VP Regulatory Affairs, Pepco Holdings, Inc.

GENERAL INFORMATION

LOCATION: The conference will be held at the Eldorado Hotel, 309 W. San Francisco, Santa Fe, New Mexico. A block of rooms has been reserved at a special rate of \$189/night,- single or double. To insure the special rate, each participant should make his/her own reservations BY FEBRUARY 19, 2010. To make reservations call 505-988-4455. Please mention you will be attending the NMSU Public Utility Conference. One night's room charge will be charged at the time of booking. There is no registration deadline for the actual conference, but hotel reservations should be made as soon as possible.

TRAVEL: Travel time to Santa Fe from the Albuquerque Airport is 60 minutes by car or 75 minutes by shuttle. Please contact Sandia Shuttle at 1-888-775-5696, 505-474-5696 for departure times and reservations. The cost for shuttle service is \$25 per person one way, \$45 per person round trip.

REGISTRATION FEE: The registration fee for the conference is \$1195 for company representatives, \$995 for center sponsors and \$795 for all state commissions, consumer advocates and other governmental entities. The fee does not include travel or hotel accommodations.

REGISTRATION: MUST BE MADE IN ADVANCE: You may reserve a space by phone at 575-646-4876 or 575-646-3242. You may register by sending your name, title, company, address, phone, fax number, and e-mail or by returning the attached form below. Registrations by e-mail should be sent to cpustaff@nmsu.edu. Payment by check or credit card is preferred.

CANCELLATION POLICY: If notice is received more than 3 working days before the conference, the tuition fee will be refunded in its entirety. Cancellations after that time are subject to a \$100 service charge per person. Substitutions may be made at any time.

CLE/CPE Credits: CLE/CPE Credits are awarded for this conference in certain states. You must apply to each state as an individual. Please contact CPU for more information.

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“The Santa Fe Conference”

March 16 – 19, 2008

Eldorado Hotel – Santa Fe, NM

PROGRAM TOPICS

- All Industries' State of the Sector Address: CEO Overview and Discussion of Critical Issues Facing Businesses, Consumers and Commissioners.
- Climate Change: The Prospects for a Carbon-Constrained World --- If Federal Climate Change Policy Is Enacted, What Issues Will Confront Us? What are the Nuts and Bolts of the Legislative Options?
- The Growing Gap between Rising Demand and Dwindling Reserve Margins
- Recipe for Success: In Light of our Future Energy Challenges, How Do We Minimize Cost to Consumers, Minimize Risk to Investors, Ensure Reliability of Service, Promote Fuel Diversity, and Protect our Economy?
- The Impact of Technology on Competition and Regulatory Policy in the Telecommunications Industry
- Panel of State Commissioners Discussing Solutions for Critical Public Policy Issues Involving Gas/Electric/Telecom/Water Sectors:

*“If you were Governor/Member of Congress/President for a year,
and you could solve the gas/electric/telecom/water issues
that you are most concerned about, what would you do?”*

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CONFERENCE PROGRAM 2008

Sunday, March 16, 2008

6:30 p.m. – 8:00 p.m. Registration and Reception

Monday, March 17, 2008

8:30 – 9:00 Welcome and Introductions

- Commissioner David Ziegner, CPU Chair, Indiana URC
- Dr. Doug Gegax, Director, CPU
- Dr. Gary Carruthers, Dean, College of Business, NMSU

9:00 – 9:45 Keynote Speaker

Commissioner Suede Kelly, Federal Energy Regulatory Commission

GENERAL SESSIONS: All Industries

10:00 – 12:00 **All Industries' State of the Sector Address: CEO Overview and Discussion of Critical Issues Facing Businesses, Consumers and Commissioners**

This panel will explore the “State of the Sector” issues most pertinent to each utility industry and discuss possible solutions and action steps that need to be taken.

Moderator: David E. Ziegner, Commissioner, Indiana URC

- Tony Clark, Commissioner, North Dakota PSC
- David McClanahan, CEO, Centerpoint Energy & AGA Chairman
- Jeff Sterba, CEO, Public Service Co. of New Mexico & EEI Chairman
- John Young, COO, American Water

1:30 – 3:00 **The Growing Gap between Rising Demand and Dwindling Reserve Margins: Supply-Side Options**

This panel will cover the growing concern over the need for new baseload generation and the falling capacity reserve margin levels in many regions. Coal versus gas options are being debated, new nuclear plants are on the horizon but still many years away, and carbon capture and storage technology is still being developed. Renewables and energy efficiency can play a role, but what strategies do we employ for new baseload capacity and reliability margins? How do we optimize our available energy resources, increase fuel supplies, ensure energy independence and bring new technologies to commercialization?

Moderator: Sandra Hochstetter, Vice President, Strategic Affairs, AECC

- Chris McGill, Managing Dir. Policy Analysis, AGA
- Rick Sergel, CEO, NERC
- Stuart Solomon, President & COO, Public Service Company of Oklahoma
- Lori Bird, Senior Energy Analyst, NREL

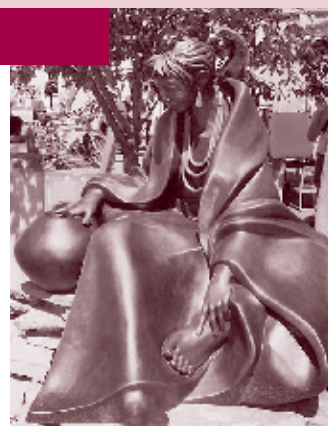
Responders

W. Robert Keating, Commissioner, Massachusetts DPU

Loyd (Aldie) Warnock, Vice President External Affairs, Allegheny Energy

CONFERENCE PROGRAM 2008

3:30 – 5:00 **Climate Change I: The Prospects for a Carbon-Constrained World -- If Federal Climate Change Policy Is Enacted, What Issues Will Confront Us?**



From “keeping the lights on” to keeping bills affordable, this panel looks at the major changes that are ahead as well as the dilemma and uncertainties facing utilities and independent suppliers making fuel choices. What issues will utility companies, utility regulators, and consumers face? What are the possible solutions, and when will they be available?

Moderator: David Lott Hardy, Chairman, Indiana URC

- Steve Corneli, VP Market and Climate Policy, NRG Energy
- Hank Courtright, VP, EPRI
- Mark Dodson, CEO, Northwest Natural Gas Company
- Nancy Mohn, Dir. Marketing Strategy, Alstom Power

Responders

Mary Byrnes, Commissioner, Wyoming PSC

Robert Gee, President, The Gee Strategies Group, LLC

Tuesday, March 18, 2008

TELECOMMUNICATIONS

8:30 – 10:00 **The Significance of New Technology on Regulatory Policy**

Moderator: Tony Clark, Commissioner, North Dakota PSC

- Jeff Brueggeman, VP Reg. Planning and Policy, AT&T
- Helen Hall, Director Policy Development, Verizon
- Jose Jimenez, Exec. Dir. Reg. Policy & Industry Relations, Cox Communications
- Michael Rouleau, Sr. VP Business Dev. and Strategy, Time Warner Telecom
- Lisa Zaina, Assistant VP State Regulatory Affairs, CTIA – The Wireless Association

GENERAL SESSION: All Industries

10:15 – 12:00 **The Growing Gap between Rising Demand and Dwindling Reserve Margins: Demand-Side Options**

This panel will cover the demand-side resources, rate options, energy efficiency programs and emerging technologies that are being implemented to bridge the gap between supply and demand.

Moderator: Lee Beyer, Chairman, Oregon PUC

- T. Graham Edwards, CEO, Midwest ISO
- Steve McCarty, Director of Demand Response, PG&E
- Ahmad Faruqui, Brattle Group
- Ben Lewis, Director of Customer and Operations Support Western Region, American Water
- John R. Perkins, Iowa Consumer Advocate, Office of the Iowa Consumer Advocate



CONFERENCE PROGRAM 2008

Responders

James Kerr, Commissioner, North Carolina UC

Laura Manz, Director CA & FERC Regulatory Affairs, Sempra Energy

1:30 – 3:00

Climate Change II: If Climate Change Policy is Implemented --- What are the Nuts and Bolts of Federal and State Options?

This Panel will discuss Cap & Trade vs. Carbon Tax issues, CO₂ liability concerns, an alternative focus on new technology, economic safety valves, economic cost of legislative proposals and other issues.

Moderator: Anne C. George, Commissioner, Connecticut DPUC

- Samuel James Ervin IV, Commissioner, North Carolina UC
- Mark Menezes, Partner, Hunton & Williams
- Anne Smith, Vice President, CRA International
- Jim Turner, President & COO, Duke Energy

Responders

Don Mason, Commissioner, Ohio PUC

Brent Gale, VP Legislation and Regulation, PacifiCorp

3:30 – 5:00

Recipe for Success: In light of Our Current and Future Demand/Supply Challenges, What Regulatory Approaches are needed to Assure a Proper Balance?

How do we minimize cost to consumers, minimize risk to investors, ensure reliability of service, promote resource diversity and protect our economy?

Moderator: Marsha H. Smith, Commissioner, Idaho PUC, NARUC President

- Scott Carter, VP Reg. Affairs, AGL Resources
- John Shelk, CEO, EPSA
- Carl Seligson, Senior Executive Consultant, Utility Financial Experts
- Ed Holland, EVP & General Counsel, Southern Company

Responders

Jim Sullivan, President, Alabama PSC

Karen Hill, VP Federal Regulatory Affairs, Exelon Corporation

Wednesday, March 19, 2008

GENERAL SESSION: All Industries

9:30 – 12:00

Panel of State Commissioners Discussing Solutions for Critical Public Policy Issues Involving Electric/Natural Gas/Telecommunications/Water Sectors

Moderator: Andy Barrett, Managing Partner, The Barrett Group

"If you were Governor/ Member of Congress /President for a year and you could solve the electric/gas/ telecom/water issues that you are most concerned about, what would you do?"

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Paul Foran, Vice President Regulatory Programs, American Water
 Janet Gail-Besser, Vice President Regulatory Affairs, U.S. Transmission, National Grid
 Brent Gale, VP Legislation and Regulation, Pacificorp
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 Joe Gillan, President, Gillan Associates
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 Mike Gribner, General Manager State Regulatory Affairs, Duke Energy
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 Charles Harder, Director of Regulatory Policy and External Affairs, CenterPoint Energy
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 Karen Hill, VP Federal Regulatory Affairs, Exelon Corporation
 Sandra Hochstetter, Vice President Strategic Affairs, AECC
 David Hudson, Director of Regulatory Administration, Xcel Services
 Jose Jimenez, Exec. Dir. Reg. Policy & Industry Relations, Cox Communications
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 James Monk, President, Illinois Energy Association
 Mike Oldak, Sr. Director State Competitive & Regulatory Policies, Edison Electric Institute
 Jerrold Oppenheim, Principal, Democracy and Regulation
 Cheryl Parrino, Parrino Strategic Consulting Group
 John Perkins, Iowa Consumer Advocate, Office of the Iowa Consumer Advocate
 Michael Quinn, Southwest Water Company
 James Brad Ramsey, General Counsel, NARUC
 Kyle Rogers, Director Government Relations, AGA
 A. Rostami, Public Service Electric and Gas, NJ
 Scott Sapperstein, Executive Director State Government Affairs, AT&T
 Tim Scanlon, Federal Market Development Manager, Energy Efficiency, Bonneville Power Administration
 Michael Sparks, Director of Government and Regulatory Affairs, SUEZ Energy, N.A.
 Allan Thoms, Verizon Communications
 Billy Thornton, Manager Regulatory and Federal Legislative Affairs, Mississippi Power
 Bernie Uffelman, Partner, Deloitte & Touche LLP
 Aldie Warnock, Vice President External Affairs, Allegheny Energy
 Mack Wathen, Vice President Regulatory Affairs, Pepco Holdings, Inc

GENERAL INFORMATION

LOCATION: The conference will be held at the Eldorado Hotel, 309 W. San Francisco, Santa Fe, New Mexico. A block of rooms has been reserved at a special rate of \$184/night- single or double. To insure the special rate, each participant should make his/her own reservations BY FEBRUARY 12, 2008. To make reservations call 505-988-4455. Please mention you will be attending the NMSU Public Utility Conference. One night's room charge will be charged at the time of booking. There is no registration deadline for the actual conference, but hotel reservations should be made as soon as possible.

TRAVEL: Travel time to Santa Fe from the Albuquerque Airport is 60 minutes by car or 75 minutes by shuttle. There are two shuttle services to Santa Fe: Sandia Shuttle at 888-775-5696 or Santa Fe Shuttle at 888-833-2300. Please contact the shuttle service for departure times and reservations. The cost of the shuttle is \$23 per person.

REGISTRATION FEE: The registration fee for the conference is \$1195 for company representatives, \$995 for center sponsors and \$795 for all state commissions, consumer advocates and other governmental entities.

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Eldorado Hotel – Santa Fe, NM

KEYNOTE SPEAKER:

Commissioner Phillip D. Moeller, Federal Energy Regulatory Commission

PROGRAM TOPICS

- All Industries State of the Sector Address: CEO Overview and Discussion of the Crisis in the Financial Markets and Uncertainty About Infrastructure Development
- GreenWatts, FossilWatts or NegaWatts – Building a Resource Portfolio in an Option-constrained World
- The Financial Crisis: A View from the Street
- Keeping Systems Functioning: The Challenge of Construction, Maintenance, and Extensions in Money Constrained Times
- War or Peace – The New Federalism?
- Is The FCC Broken and What Can the New Administration Do to Fix It?
- Commissioner’s Forum – Where Should We Be Focusing

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CONFERENCE PROGRAM 2009

Sunday, March 15, 2009

6:30 p.m. – 8:00 p.m. Registration and Reception

Monday, March 16, 2009

8:30 – 9:00 Welcome and Introductions

- Commissioner David Ziegner, CPU Chair, Indiana Utility Regulatory Commission
- Dr. Doug Gegax, Director, Center for Public Utilities
- Commissioner Jason Marks, New Mexico Public Regulation Commission

9:00 – 9:45 Keynote Speaker

Commissioner Phillip D. Moeller, Federal Energy Regulatory Commission

GENERAL SESSIONS: All Industries

10:00 – 12:00 **All Industries' State of the Sector Address: CEO Overview and Discussion of the Crisis in the Financial Markets and Uncertainty about Infrastructure Development**

Moderator: David Ziegner, Commissioner, Indiana Utility Regulatory Commission & Chairman CPU Council

- Frederick Butler, President NARUC, Commissioner, New Jersey Board of Public Utilities
- Donald L. Correll, President and CEO, American Water
- Jim Rogers, CEO, Duke Energy
- Tom Skains Chairman AGA – Chairman, President and CEO, Piedmont Natural Gas
- Jessica Zufolo, Senior Policy Director, Medley Advisors

1:00 – 5:00 **GreenWatts, FossilWatts or NegaWatts – Building a Resource Portfolio in an Option-constrained World**

With significant new generation resources needed over the next ten years, limited options for baseload power, existing transmission constraints, expected carbon constraints, and new financial constraints, what resources do we turn to? What is feasible and what is not? What is practical and what is not? How do we construct the optimum infrastructure system to deliver clean, diverse, reliable and affordable energy to American homes and businesses?

Part I: The Resources: What Energy Supply Options Do We Have Going Forward, and How Do They Compare?

Moderator: Phyllis Reha, Commissioner, Minnesota Public Utilities Commission

- Stacy Angel, National Action Plan for Energy Efficiency Facilitator, EPA – will address “maximum energy efficiency potential”, best practices, low-hanging fruit.
- Ralph Cavanaugh, Senior Attorney and Co-director, Natural Resources Defense Council – will address all renewable options; costs/benefits/issues/needs of each.
- George Schreiber, CEO, Semco, Inc – will address the implications of electric generation fuel choice on the natural gas industry and its end-users; current projections of future gas supply (shale, OCS, onshore, LNG); dangers from placing too much reliance on new natural gas generation during next decade prior to CCS and nuclear fruition.

CONFERENCE PROGRAM 2009



- David Shpigler, President, The Shpigler Group - will address SmartGrid feasibility, cost, contribution to load reduction and/or load management.
- Tom Smith, President and CEO, Oglethorpe Power - will address nuclear, coal and natural gas baseload fuel options; costs, benefits, risks, advantages, issues and feasibility of each.

Part II: The Implementation: How Do We Balance Resource Options in a Carbon-constrained Yet Economically Depressed Future?

Moderator: Paul Suskie, Chairman, Arkansas Public Service Commission

- T. Graham Edwards, CEO, MISO - will address capacity constraints for optimal portfolios, renewable integration issues, the need to consider multiple utility owners of large baseload units, EHV for renewables and nuclear.
- Frank Graves, Principal, Brattle Group - will address Long-Range IRP
- Jerry Oppenheim, Principal, Democracy and Regulation - will address the consumer concerns, the cost impact, reliability needs, state of economy.
- Stan Wise, Commissioner, Georgia Public Service Commission - will address the issues from a Regulator's perspective.

Tuesday, March 17, 2009

TELECOMMUNICATIONS

8:30 – 10:00 **Is The FCC Broken and What Can the New Administration Do to Fix It?**

The FCC is long used to being at the center of controversies involving substantive policy, but more recently the debate has broadened to include how the agency reaches its decisions, gathers and analyzes its data, and manages its staff. This panel will explore causes of the controversy, with an emphasis on the consequences of the FCC decision process on state commissions. The panel will compare and contrast FCC decision-making to common state procedures and processes, and will discuss ways that the Obama Administration can address the issue going forward.

Moderator: Joe Gillan, Gillan Associates

- Dale Hatfield, Adjunct Professor, University of Colorado
- Tom Koutsky, Resident Scholar, Phoenix Center
- Larry Landis, Commissioner, Indiana Utility Regulatory Commission
- Jessica Zufolo, Senior Policy Director, Medley Advisors

GENERAL SESSION: All Industries

10:15 – 12:00 **The Financial Crisis: A View from the Street**

The shrinkage of financial liquidity has detrimentally affected the US (and global) economy, and, not surprisingly, utilities have not been spared. However, with their public service obligations, they still must meet capital expenditure requirements to maintain service and to build out infrastructure. How has the financial sector's erosion affected their ability to access needed capital, and what terms must they incur assuming it is available? What should the proper regulatory response be in this difficult operating environment?



CONFERENCE PROGRAM 2009

Moderator: Robert W. Gee, Gee Strategies Group, LLC

- Richard W. Cortright, Jr., Managing Director, Standard & Poor's
- Heike Doerr, Research Analyst - Water Sector, Janney Montgomery Scott LLC
- Jay Horine, Managing Director, JP Morgan Securities
- Alan James, Senior Managing Director, Macquarie Capital

1:30 – 3:00 **Keeping Systems Functioning: The Challenge of Construction, Maintenance, and Extensions in Money Constrained Times**

Moderator: David Lott Hardy, Chairman, Indiana Utility Regulatory Commission

- Fred Butler, NARUC President, Commissioner, New Jersey Board of Public Utilities
- William N. Cantrell, President, TECO Peoples Gas
- Nicholas DeBenedictis, Chairman, President and CEO, Aqua America
- Jim Rogers, CEO, Duke Energy

3:30 – 5:00 **War or Peace – The New Federalism?**

Can we harmonize new Federal initiatives with existing state /regional programs? - The Obama Administration is poised to propose new federal initiatives that will challenge existing state and regional approaches to energy and telecom programs. How will a Federal RPS be harmonized /preempt state RPS standards? How will regional climate change initiatives – WCI, RGGI be harmonized with a federal climate change initiative? How will federal siting authority be harmonized with state authorities? How will proposed new FCC authorities be harmonized with state regulation? How long will we harmonize federal programs for off shore drilling and LNG ports with state concerns?

Moderator: Robert Keating, Commissioner, Massachusetts Department of Public Utilities

- Stacy Angel, National Action Plan for Energy Efficiency Facilitator, EPA
- Andrew C. Barrett, Managing Director, The Barrett Group, Inc.
- Bryan Batson, Sr, VP, External Affairs, AGL Resources
- Ray Baum, Commissioner, Oregon Public Service Commission
- Nick Brown, President & CEO, Southwest Power Pool
- Brent Gale, Sr. V.P., Legislation, Regulation & Strategy, MidAmerican Energy Holdings Co.

Wednesday, March 18, 2009

GENERAL SESSION: All Industries

8:30 Breakfast Wednesday Morning will be served during the Commissioner Forum

8:30 – 10:00 **Commissioner Forum– Where Should We Be Focusing**

Moderator: Andrew C. Barrett, Managing Director, The Barrett Group, Inc.

The following commissioners will address the issues and answer questions from the audience.

- | | | |
|--|--|---|
| • Ray Baum, Oregon PSC | • Robert Keating, Massachusetts DPU | • Robert Powelson, Pennsylvania PUC |
| • Lawrence Brenner, Maryland PSC | • David King, New Mexico PRC | • Phyllis Reha, Minnesota PUC |
| • Tony Clark, North Dakota PSC | • Larry Landis, Indiana URC | • Paul Suskie, Arkansas PSC |
| • Elizabeth B. Fleming, South Carolina PSC | • Jason Marks, New Mexico PRC | • Stan Wise, Georgia PSC |
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Joe Gillan, President, Gillan Associates

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Jerry Oppenheim, Principal, Democracy and Regulation

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Tim Scanlon, Commercial and Federal Market Lead, Energy Efficiency, Bonneville Power Company

David Stippler, Indiana Utility Consumer Council

Allan Thoms, Verizon

Brian Useforge, Southern Company

Aldie Warnock, Vice President External Affairs, Alleghany Energy

Mack Wathen, Vice President Regulatory Affairs, Pepco Holdings, Inc

GENERAL INFORMATION

LOCATION: The conference will be held at the Eldorado Hotel, 309 W. San Francisco, Santa Fe, New Mexico. A block of rooms has been reserved at a special rate of \$174/night, single or double. To insure the special rate, each participant should make his/her own reservations BY FEBRUARY 12, 2009. To make reservations call 505-988-4455. Please mention you will be attending the NMSU Public Utility Conference. One night's room charge will be charged at the time of booking. There is no registration deadline for the actual conference, but hotel reservations should be made as soon as possible.

TRAVEL: Travel time to Santa Fe from the Albuquerque Airport is 60 minutes by car or 75 minutes by shuttle. There are two shuttle services to Santa Fe: Sandia Shuttle at 888-775-5696 or Santa Fe Shuttle at 888-833-2300. Please contact the shuttle service for departure times and reservations. The cost of the shuttle is \$23 per person.

REGISTRATION FEE: The registration fee for the conference is \$1195 for company representatives, \$995 for center sponsors and \$795 for all state commissions, consumer advocates and other governmental entities.

EARLY REGISTRATION DISCOUNT IF REGISTRATION MADE BY FEBRUARY 1, 2009:

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The fee does not include travel or hotel accommodations.

REGISTRATION: MUST BE MADE IN ADVANCE. You may reserve a space by phone at 575-646-4876 or 575-646-3242. You may register by sending your name, title, company, address, phone, fax number, and e-mail or by returning the attached form below. Registrations by e-mail should be sent to cpustaff@nmsu.edu. Payment by check or credit card is preferred.

CANCELLATION POLICY: If notice is received more than 3 working days before the conference, the tuition fee will be refunded in its entirety. Cancellations after that time are subject to a \$100 service charge per person. Substitutions may be made at any time.

CLE/CPE Credits: CLE/CPE Credits are awarded for this conference in certain states. You must apply to each state as an individual. Please contact CPU for more information.

FOR MORE INFORMATION CONTACT: Center for Public Utilities MSC 3MPD
New Mexico State University
Box 30001, Dept. 3MPD
Las Cruces, New Mexico 88003-8001
575-646-4876 or 575-646-3242
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Current Issues 2009 "The Santa Fe Conference"

March 15 – 18, 2009
 Eldorado Hotel
 Santa Fe, NM



Exhibit C

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Tuesday, June 29, 2010 2:48 PM
To: Hardy, David Lott
Subject: SavAWatt
Attachments: image001.png

I would like to schedule a date to discuss next steps with you, Judge Seyfried, and Bob V. I would like to include Gianna Manes, Turner's new SVP with responsibility for all customer issues and programs, along with Kelly and I. If I knew your availability, I will work on a date.

Would you mind emailing me dates, beginning when we return from NARUC, that will work for you?

As for NARUC, tentatively I'm hitching a ride with Turner, arriving sometime Sunday. Are you and Ms. "C" interested in dinner or something Sunday eve? I can check on Turner's availability, if you wish?

Your humble duke employee.....

Michael W Reed
President
Duke Energy Indiana
(ofc) 317-838-6675
(cell) 317-412-5876

1000 East Main St
Plainfield, IN 46168



From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Sunday, July 18, 2010 1:04 PM
To: Hardy, David Lott

Sitting at signature flight support waiting for air duke to pick me up. What is sacramento like? Did you get my birthday present purchased?

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Sunday, July 18, 2010 7:56 PM
To: Hardy, David Lott
Subject: Re:

He wants to talk about PJM and Scott, I'd like private time with you on other matters, but we can do that a different meeting.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Sun Jul 18 19:52:56 2010
Subject: Re:

Is it REAL important to you?

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Sun Jul 18 19:51:12 2010
Subject: Re:

Turner asked if I could bribe you into a 7:30 AM mtg tomorrow? If any consolation, it's 10:30 IN time. :)

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Sun Jul 18 19:48:31 2010
Subject: Re:

We are at a reception till 830 or so - that's too late for dinner, but thanks.
Breakfast is awfully early - I'd hate to miss the keynote address.

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Sun Jul 18 18:55:29 2010
Subject:

Just landed. If you and sherry do not have plans, want to do dinner?

Turner would like to meet you for breakfast. Available?

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Sunday, July 18, 2010 7:56 PM
To: Hardy, David Lott
Subject: Re: Where you staying? Eom

Sheraton, in bar having a wine.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Sun Jul 18 19:53:46 2010
Subject: Where you staying? Eom

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Sunday, July 18, 2010 11:39 PM
To: Hardy, David Lott
Subject: Re: What's the plan?

Two minutes from bar.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Sun Jul 18 23:31:23 2010
Subject: What's the plan?

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Monday, July 19, 2010 9:43 AM
To: Hardy, David Lott
Subject: Re: Breakfast

Lobby at 7:30. OK?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Cc: Reed, Michael W
Sent: Mon Jul 19 09:15:01 2010
Subject: Breakfast

A pretty good night - so, lobby @ 7:15- 730?

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Monday, July 19, 2010 11:28 AM
To: Hardy, David Lott

Sorry for mixup this morning. I was of the opinion that you weren't feeling well, therefore advised Turner it was a no go early this morning. He had not seen your email when I called.

My mistake. Would appreciate a few minutes after Turner's speech, if convenient.

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Monday, July 19, 2010 9:11 PM
To: Hardy, David Lott
Subject: Re: Did I just see you in the bar?

Sure

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Mon Jul 19 21:10:21 2010
Subject: Re: Did I just see you in the bar?

Dinner?

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Mon Jul 19 21:08:54 2010
Subject: Re: Did I just see you in the bar?

Tomorrow morning.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Mon Jul 19 21:08:17 2010
Subject: Re: Did I just see you in the bar?

We are going to dinner with Cortright @ 630 - wanna join us?
That you were leaving mid afternoon?

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Mon Jul 19 21:06:00 2010
Subject: Re: Did I just see you in the bar?

Snort?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Mon Jul 19 21:04:34 2010
Subject: Did I just see you in the bar?

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Monday, July 19, 2010 9:13 PM
To: Hardy, David Lott
Subject: Re: Did I just see you in the bar?

Will be there.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Mon Jul 19 21:11:33 2010
Subject: Re: Did I just see you in the bar?

Nope - meet 625pm in Sheraton lobby - going to McCormick and Schmicks

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Mon Jul 19 21:10:01 2010
Subject: Re: Did I just see you in the bar?

Sure, if I'm not intruding?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Mon Jul 19 21:08:17 2010
Subject: Re: Did I just see you in the bar?

We are going to dinner with Cortright @ 630 - wanna join us?
Thot you were leaving mid afternoon?

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Mon Jul 19 21:06:00 2010
Subject: Re: Did I just see you in the bar?

Snort?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Mon Jul 19 21:04:34 2010
Subject: Did I just see you in the bar?

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Monday, July 19, 2010 2:36 PM
To: Hardy, David Lott
Subject: Re: You around?

I have lunch with Cheryl LeFleur then headed back. Was thinking of now but you may not want to do now.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Mon Jul 19 14:34:04 2010
Subject: Re: You around?

I'm at the miso lunch @ noon - then a meeting. After that free Tim 5.

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Mon Jul 19 14:28:42 2010
Subject: Re: You around?

Time for a visit?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Mon Jul 19 14:18:21 2010
Subject: Re: You around?

Just up - took a nap.

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Mon Jul 19 13:38:01 2010
Subject: You around?

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Monday, July 19, 2010 2:54 PM
To: Hardy, David Lott
Subject: Re: You around?

Very sorry about the aborted meeting. When I heard you were not feeling good and not thrilled about a 7:30 meeting, I opted to go to bed last night and prep this morning rather than trying to prep last night. Guess I didn't realize you were planning on the 730. Very sorry for the screw up.

If it's any consolation, I was up at 320 am for an hour, then at 5 am before giving up the effort at 6. Probably not consolation though.

Talk soon.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Mon Jul 19 14:49:11 2010
Subject: Re: You around?

No, a little rocky night and then up early for the aborted meeting.
Safe travels.

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Mon Jul 19 14:34:34 2010
Subject: Re: You around?

Was it the keynote talk that made you sleepy?

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

From: Turner, Jim
To: 'dlhardy@urc.IN.gov' <dlhardy@urc.IN.gov>
Sent: Mon Jul 19 14:28:42 2010
Subject: Re: You around?

Time for a visit?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Mon Jul 19 14:18:21 2010
Subject: Re: You around?

Just up - took a nap.

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Mon Jul 19 13:38:01 2010
Subject: You around?

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Tuesday, July 20, 2010 1:04 AM
To: Hardy, David Lott
Subject: Re: Are you okay?

Want me to have him call u tomorrow?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Tue Jul 20 01:01:25 2010
Subject: Fw: Are you okay?

Contact reestablished.

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

From: Hardy, David Lott
To: 'jim.turner@duke-energy.com' <jim.turner@duke-energy.com>
Sent: Tue Jul 20 01:00:34 2010
Subject: Re: Are you okay?

Not 100 percent - occasional coughing spasm - but better.
You home? Hope you got some rest on the plane.

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Tue Jul 20 00:39:13 2010
Subject: Are you okay?

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Tuesday, July 20, 2010 1:15 AM
To: Hardy, David Lott

Asked him to call u tomorrow. Re: scott and other stuff.

From: Reed, Michael W
To: Turner, Jim
Sent: 7/20/2010 1:13:11 AM
Subject: Life Goes On

Dinner with DLH, Sherry and Cortright tonite. [REDACTED]
[REDACTED]

Recommend you call him tomorrow, re (he is expecting a call) :

[REDACTED]
us.

- If mood right, set the "what if" on Eport
[REDACTED]

Changed my flight to lv at 6 AM. Talk soon.....

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Tuesday, July 20, 2010 4:41 PM
To: Hardy, David Lott
Subject: RE: Saturday

No. Something much sillier and more parochial -- inducted into my HS Alumni Hall of Fame (please restrain the laughter).
 Also, brief conjugal visit with my wife, who has deigned to leave the PB behind and drive down to see me in Muncie.
 I was hoping to cover several items with you -- face to face better. I now understand the extent to which I blew that opportunity in Sacramento, which is why I was hoping to grab lunch in Indy sat.
 Any chance you're going to the epri summer seminar?

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

From: Hardy, David Lott [mailto:dlhardy@urc.IN.gov]
Sent: Tuesday, July 20, 2010 4:05 PM
To: Turner, Jim
Subject: Re: Saturday

Still at Naruc - here through tomorrow then to SFO tomorrow night and return indy 1030pm Thurs night. To FW Fri afternoon.
 Problems with your Mother?

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Tue Jul 20 15:16:19 2010
Subject: RE: Saturday

I need to go to Muncie Saturday, return to CLT Sunday. I was hoping by some wild chance you might be around for lunch in Indy.
 Are you back in Indy now or still at NARUC?

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

From: Hardy, David Lott [mailto:dlhardy@urc.IN.gov]
Sent: Tuesday, July 20, 2010 2:26 PM
To: Turner, Jim
Subject: Re: Saturday

Ft Fun

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Tue Jul 20 09:53:24 2010
Subject: Saturday

Are you in Indy or Ft Fun on Saturday?

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Tuesday, July 20, 2010 8:57 PM
To: Hardy, David Lott
Subject: Re: Are you okay?

It was a little tough to craft. Main message (at least attempted) was we've been here before, we can get thru it again, it will cost money, don't get distracted by the nonsense.

On the courage point I specifically said it might also involve the courage to tell a utility exec he's full of it (though I might have a strong opinion as to when it's necessary to do so and when not...).

Also very much appreciate the appearance feedback. Not many people honest enough to give that kind of news.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Tue Jul 20 20:34:06 2010
Subject: Re: Are you okay?

Not a strong reaction. Hard to identify the message although with this group and differing experience levels its difficult to be too precise in crafting a message. Tough speech to draft I'd imagine.

The "Courage" suggestion got a bit of a rise - some saying having 'courage' to turn down an improvident request was okay too.

A couple showmanship suggestions: perhaps impolite, but....

With your slight build and coloring you might choose a less somber outfit - lighter color maybe even a sport coat as you tend to disappear behind the rostrum. For sure, if tieless (I don't endorse tieless as ties add color) don't wear non button down shirts as the collars tend to wing out and look sloppy.

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Tue Jul 20 06:25:45 2010
Subject: Re: Are you okay?

Home. No rest on plane. The one day to the west coast and return is very hard on the human body.

Assume no feedback on yesterday's talk means you found the msg somewhat less than stirring or profound?

When do you head back?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Tue Jul 20 01:00:34 2010
Subject: Re: Are you okay?

Not 100 percent - occasional coughing spasm - but better.
You home? Hope you got some rest on the plane.

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

From: Turner, Jim <Jim.Turner@duke-energy.com>

To: Hardy, David Lott

Sent: Tue Jul 20 00:39:13 2010

Subject: Are you okay?

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Wednesday, July 21, 2010 8:32 AM
To: Hardy, David Lott

Is there any time today or tomorrow that I can get you and Turner on the phone. Think we're real close to completing the deal re SS. Do not want to lose the momentum.

Glad to facilitate if you wish.

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Wednesday, July 21, 2010 3:57 PM
To: Hardy, David Lott
Subject: RE: Call

Fabulous!

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

From: Hardy, David Lott [<mailto:dlhardy@urc.IN.gov>]
Sent: Wednesday, July 21, 2010 1:26 PM
To: Reed, Michael W
Subject: Re: Call

We spoke - its a go.

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Wed Jul 21 12:46:47 2010
Subject: Re: Call

He'll call you momentarily.

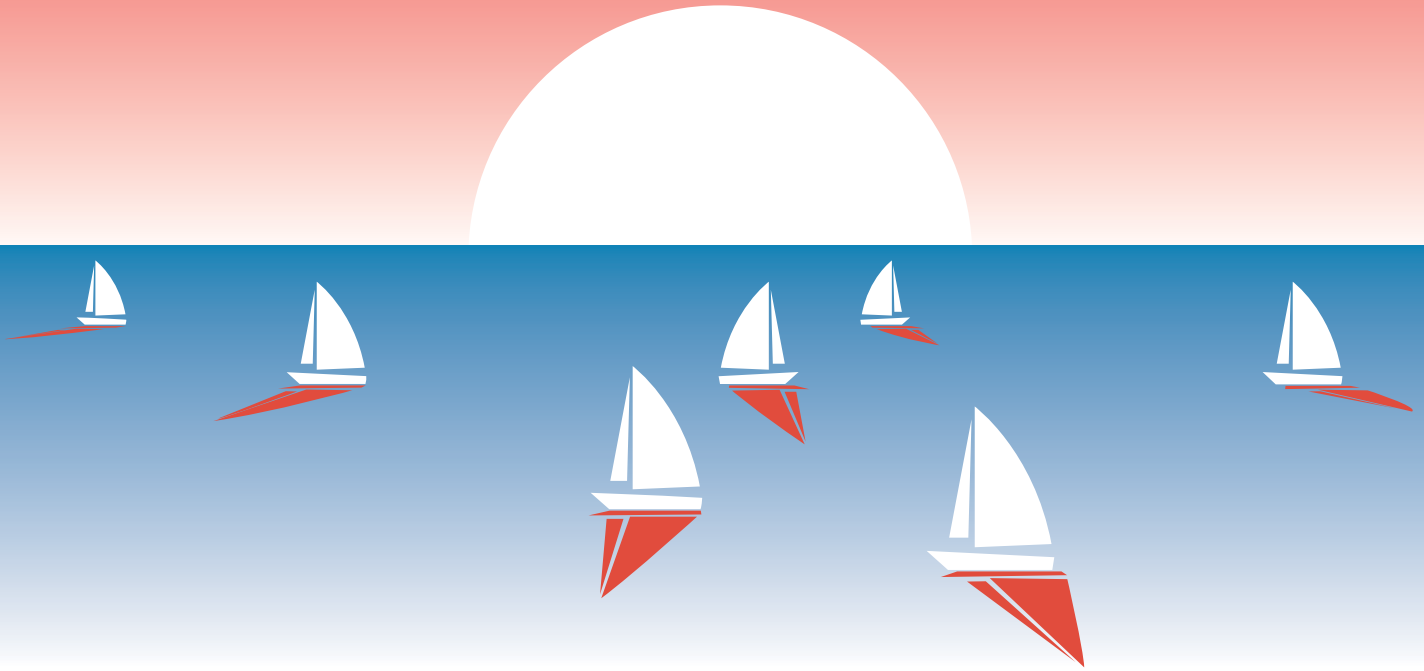
----- Original Message -----

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Wed Jul 21 12:35:15 2010
Subject: Call

Anytime in the next hour?

N A R U C

Exhibit - C



NARUC Summer Committee Meetings

Sacramento Convention Center

July 18 - 21, 2010



National Association of Regulatory Utility Commissioners



NARUC 2010

Summer Committee Meetings

Program by Day

Saturday, July 17

9:00am-5:00pm	Staff Subcommittee on Telecommunications	Room 313-314
12:00pm-3:00pm	Subcommittee on Education and Research	Room 310
2:00pm-6:00pm	Financing the Decarbonized Power Sector: What Everyone Should Know	Room 311-312
3:00pm-5:00pm	Executive Committee	Hyatt Pres. Suite

Sunday, July 18

7:30am-6:30pm	On-Site Registration Open	Foyer
8:15am-12:30pm	FERC/NARUC Collaborative on Smart Response	Room 306-307
9:00am-12:00pm	Ad Hoc Committee on Utility Market Access	Room 311-312
9:00am-12:00pm	Staff Subcommittee on Consumer Affairs	Room 315
9:00am-3:00pm	Staff Subcommittee on Telecommunications	Room 313-314
9:00am-5:00pm	Committee/Staff Subcommittee on Critical Infrastructure (9am-12pm) Closed Session	Room 308
10:00am-12:45pm	New Commissioner Forum	Room 310
11:00am-1:00pm	ARRA Update Meeting (Invitees Only)	Room 305
12:30pm-5:00pm	Committee on International Relations	Room 311-312
1:00pm-3:30pm	Staff Subcommittee on Pipeline Safety	Room 305
1:00pm-5:00pm	Committee on Consumer Affairs	Room 315
1:00pm-5:00pm	Staff Subcommittee on Electricity/Reliability	Room 306-307
1:00pm-5:00pm	Staff Subcommittee on Gas	Room 302-303
3:30pm-5:00pm	Washington Action meeting (Commissioners/Staff only)	Room 310
4:00pm-5:00pm	Committee on Telecommunications	Room 313-314
4:00pm-5:00pm	EISPC Listening Session	Room 309
5:00pm-6:30pm	Welcome Reception...sponsored in part by VISA	Room 202



NARUC 2010

Summer Committee Meetings

Program by Day

Monday, July 19

8:30am-10:15am	General Session	Room 204
10:30am-2:00pm	Committee on Consumer Affairs	Room 315
10:30am-5:00pm	Committee on Energy Resources and the Environment	Room 308
10:30am-5:00pm	Committee on Telecommunications	Room 313-314
10:30am-5:00pm	Committee/Staff Subcommittee on Water	Room 311-312
10:40am-3:30pm	Committee/Subcommittee on International Relations	Room 311-312
10:45am-4:30pm	Staff Subcommittee on Law (closed)	Room 301
10:45am-5:00pm	Committee on Electricity	Room 306-307
10:45am-5:00pm	Committee on Gas	Room 315
11:45am-1:00pm	Joint Board on Universal Service (Invitees only)	Room 303
12:00pm-1:15pm	Regional Luncheon: NECPUC (Invitees Only)	Room 302
1:00pm-3:30pm	Committee on Critical Infrastructure	Room 315
5:00pm-6:00pm	Joint Board on Separations (Invitees only)	Room 303
5:00pm-7:00pm	SEARUC Meeting (Invitees Only)	Hyatt Hotel

Tuesday, July 20

7:15am-8:15am	Regional Breakfast: MACRUC (Invitees Only)	Room 304
7:15am-8:15am	Regional Breakfast: MARC (Invitees Only)	Room 302
7:15am-8:15am	Regional Breakfast: Western (Invitees Only)	Room 301
8:30am-10:15am	General Session	Room 204
10:30am-5:00pm	Committee on Energy Resources and the Environment	Room 308
10:30am-5:00pm	Committee on Telecommunications	Room 313-314
10:45am-12:00pm	Staff Subcommittee of State USF Administrators	Room 303
10:45am-3:00pm	Staff Subcommittee on Law (closed)	Room 301
10:45am-5:00pm	Committee on Electricity	Room 306-307
10:45am-5:00pm	Committee on Gas	Room 315
10:45am-5:00pm	Committee/Staff Subcommittee on Water	Room 311-312
12:00pm-1:15pm	Commissioners Emeritus Luncheon	Room 304
12:00pm-1:15pm	Commissioners Luncheon (Commissioners Only)	Room 202
1:30pm-5:00pm	Committee on Consumer Affairs	Room 306-307
3:30pm-5:00pm	Committee on International Relations	Room 306-307
5:00pm-6:00pm	Joint Conference on Advanced Services/706 Board (Invitees only)	Room 303

Wednesday, July 21

7:30am-9:00am	Task Force on Climate Policy (closed)	Room 305
9:00am-11:45am	Committee on Critical Infrastructure	Room 204
9:00am-11:45am	Committee on Electricity	Room 204
9:00am-11:45am	Committee on Energy Resources and the Environment	Room 204
9:00am-11:45am	Committee on Gas	Room 204
9:00am-11:45am	Committee on Telecommunications	Room 313-314
11:45am-4:00pm	Board of Directors Meeting	Room 311-312

ings

Room 204

Hon. David Coen-President, NARUC, Vermont PSB

Hon. Arnold Schwarzenegger (invited)-Governor, State of California

Hon. Kevin Johnson-Mayor, City of Sacramento, CA

Hon. Nathalie Normandeau—Québec Deputy Premier,
Minister of Natural Resources And Wildlife

Jim Turner-Group Executive, Duke Energy

Room 204

Hon. David Coen-President, NARUC, Vermont PSB
Scott Blake Harris-General Counsel, US DOE

Turf wars are emerging as smart grids and meters roll out. Electric and telecommunications utilities are clashing over the networks and the data--Who owns it? Who regulates it? Where does the information go? As the lines are drawn into the sand, this session will attempt to bring order to the debate. A panel of experts will discuss who should control the data and how privacy issues should be handled. This session will also explore the role State regulators will play and how consumers should be protected. Will consumers be comfortable with their usage data being shared and viewed by different parties? How much is at stake? These questions will be answered during this General Session.

Panelists: *Hon. Phil Jones*-Commissioner, Washington UTC

Steve Oldham-CEO, Surewest, Chairman, USTA

Michael Oldak-VP and General Counsel, Utilities Telecom Council

Chris Johns-President, PG & E

John Horn-National Dir. Machine-to-Machine, T-Mobile

Eric Dresselhuys-Exec VP, Marketing, Silver Spring Networks

Exhibit D

2

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Sunday, July 11, 2010 9:22 PM
To: Hardy, David Lott
Subject: Re: Epri

I'll endeavor to convert him to a seinfeld follower.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Sun Jul 11 17:35:06 2010
Subject: Re: Epri

Summer Session is July 31 - Aug 3 (more or less) in Chicago. Turner is Ch of the Board.
BTW, as part of sucking up - he loves Monty Python. Better learn the Lumberjack Song
instantly.

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Sun Jul 11 17:04:40 2010
Subject: Re: Epri

Where?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Sun Jul 11 16:57:20 2010
Subject: Epri

You going?

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Friday, July 30, 2010 7:53 PM
To: Hardy, David Lott
Subject: Re: Ha!

Sounds like a plan. Hundred Acre comes from a vinyard in Daleville?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Cc: shardy@organicpowersolutions.com <shardy@organicpowersolutions.com>
Sent: Fri Jul 30 19:47:52 2010
Subject: Re: Ha!

Just back - the woman tried to buy wines that suit your Muncie palate.
She brought home a lobster mac for a snack.
BTW, now know a little about 100 Acre wines.
See you Sun.

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Fri Jul 30 17:19:38 2010
Subject: Re: Ha!

Sunday evening. We drive down from the compound. Guests here now. Very glad to hear the surgery went well, and now the very expensive wine rule kicks in.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Fri Jul 30 16:54:12 2010
Subject: Ha!

Surgery not so bad (I don't wish it on anyone) but they got it all first cut and I was out in two hours.

About to leave for CG wine tasting.

We get into Chicago mid afternoon Sat. You?

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Saturday, July 31, 2010 12:08 PM
To: Hardy, David Lott
Subject: Re:

Think jim and lorraine would both be great additions.

New name scar face?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Sat Jul 31 11:32:06 2010
Subject: Re:

Stunningly uncomplicated - no pain and nearly no discomfort. Once the bandage comes off, the pressure should be removed and the slight discomfort gone.

Gonna be an ugly dueling scar (1 1/2 inch long) for several months.

Off to Eprí in Chicago about 1pm; will see Turner - any messages?

On the Cortright trip - what do you think about including Atterholt or Seyfried?

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Sat Jul 31 11:15:11 2010
Subject:

How are you doing?

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Tuesday, August 03, 2010 1:17 PM
To: Hardy, David Lott
Cc: 'shardy@organicpowersolutions.com'
Subject: Re: Leah

Thanks David--and ever more mindful how unfortunate it is that your term on the AC was not extended. There are a few thought leaders in the regulator community, but not many...

It was nice seeing you and Sherry. I will look forward to seeing you in Tokyo--unless you want to go early and hit Shanghai...

Take care. We're off to Michigan tomorrow.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Cc: shardy@organicpowersolutions.com <shardy@organicpowersolutions.com>
Sent: Tue Aug 03 12:36:56 2010
Subject: Leah

Nice chat with her - assume you are back to MI. Safe travels.
Sherry has a bit of shopping to do and then we are on the road.
Good meeting.

Welcome, Guest

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2010 Agenda and Presentations

Monday, August 2, 2010

Summer Seminar Opening Welcome and Introduction

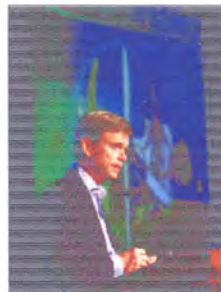
Jim Turner

Group Executive, President and Chief Operating Officer, US Franchised Electric and Gas, Duke Energy

Get Green, Stay Cheap

John Rowe

Chairman and Chief Executive Officer, Exelon, and Co-Chair, National Commission on Energy Policy



Jim Turner



John Rowe

Session 1: Framing the Discussion

Framing the Discussion

Steve Specker

President and Chief Executive Officer, EPRI

Prism 2.0: Preliminary Insights from EPRI's Regional Model

Bryan Hannegan

Vice President, Environment and Renewable Energy, EPRI



Steve Specker



Bryan Hannegan

Session 2: Powering the Next Decade

Moderator: **Hank Courtright**

Senior Vice President – Member and External Relations, Electric Power Research Institute

The Role of Natural Gas in the Future Generation Mix

Jen Snyder

Head of North American Gas Research, Wood Mackenzie

The Future of Coal

Nick Akins

Executive Vice President – Generation, American Electric Power

Deploying Renewables at Large Scale

Dick Rosenblum

President and Chief Executive Officer, Hawaiian Electric Company



Hank Courtright



Jen Snyder



Nick Akins



Dick Rosenblum

Session 3: Balancing Resources & Technology Solutions

Renewables Integration and Utilization: Striking the Right Balance

Arshad Mansoor

Vice President – Power Delivery and Utilization, Electric Power Research Institute

Addressing the Transmission Infrastructure Challenge of Wind

David Whiteley

Director, Eastern Interconnect Planning Collaborative

Cycling Coal and Gas... Challenges and Implications

Exhibit - D

David Campbell

Chief Executive Officer, Luminant

Balancing Wind... Living with the Challenge

Rana Mukerji

Senior Vice President – Market Structures, NYISO

Integration of Renewable Energy in the Iberian Market

Felix Alonso

Development Director, Iberdrola

Energy Efficiency, Demand Response, PHEVs, and the Smart Grid...Pulling It All Together

Terry Boston

President and Chief Executive Officer, PJM Interconnection

Tuesday, August 3, 2010

Session 4: Supporting the Solutions – Policy and R&D Needs**Implications from Day One Discussions**

David Victor

Professor, University of California, San Diego, and Vice Chair, EPRI Advisory Council

Policy Implications...

Sudeen Kelly

former FERC Commissioner and Partner, Patton Boggs

Utility Perspectives and Beyond...

Ted Craver, Jr.

Chief Executive Officer, Edison International

Implications for the R&D Agenda

Mike Howard

Senior Vice President – R&D Group, EPRI

Session 5: Roundtable Discussion

Jim Turner

Group Executive, President and Chief Operating Officer – U.S. Franchised Electric and Gas, Duke Energy, and Chairman, Electric Power Research Institute Board of Directors

Steve Specker

President and Chief Executive Officer, EPRI

Mike Howard

Senior Vice President – R&D Group, EPRI

Closing Comments

Jim Turner

Group Executive, President and Chief Operating Officer – U.S. Franchised Electric and Gas, Duke Energy, and Chairman, Electric Power Research Institute Board of Directors



Arshad Mansoor



David Whiteley



David Campbell



Rana Mukerji



Felix Alonso



Terry Boston



David Victor



Sudeen Kelly



Ted Craver, Jr.



Mike Howard

Exhibit E

From: mike reed
To: Turner, Jim
Sent: 7/26/2010 10:02:06 PM
Subject: [REDACTED]

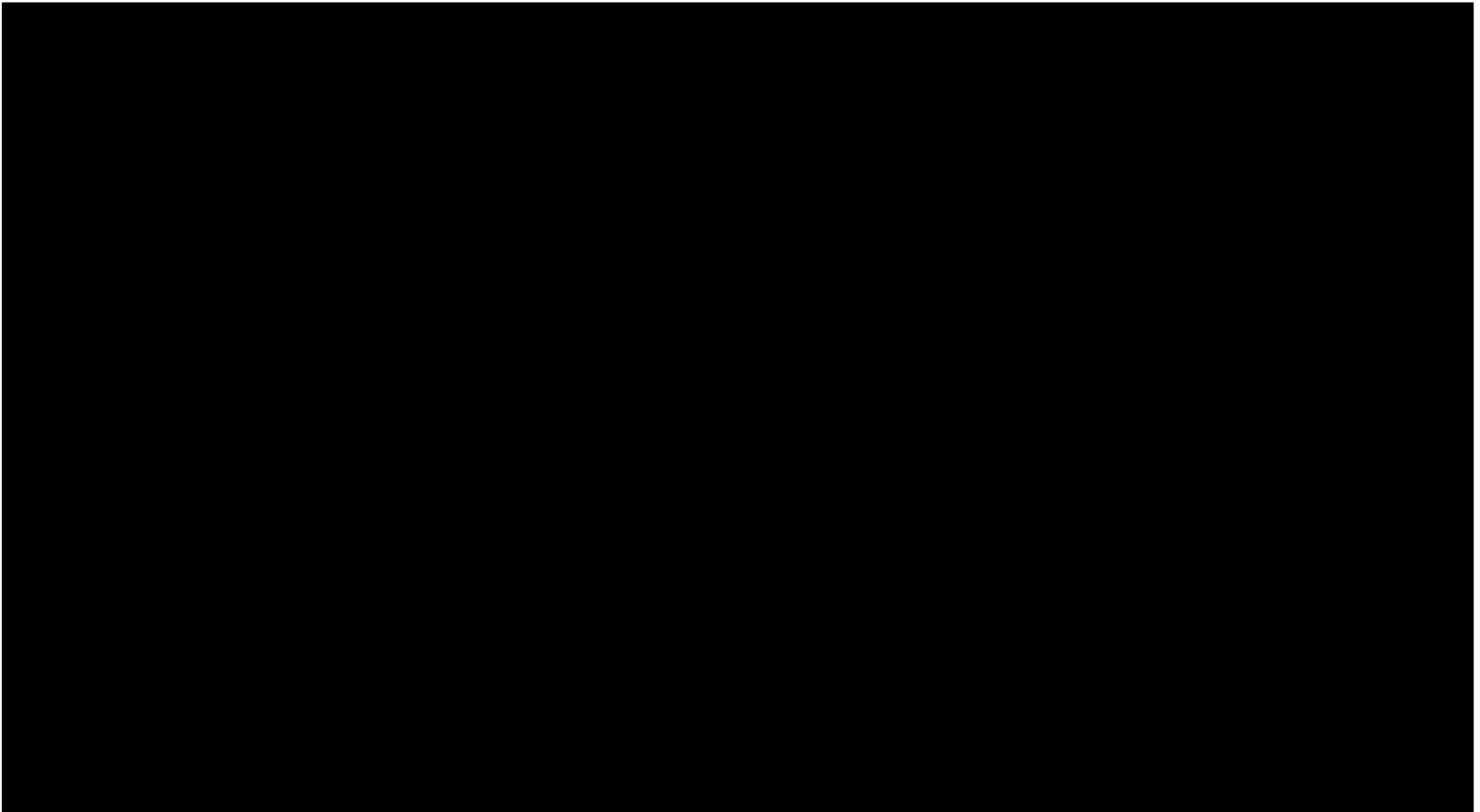
[REDACTED]

memo.

Off to employee, community, civic/legislative leader "get acquainted" meetings tomorrow in Vincennes, Edwardsport tour and open house with Edwardsport community members tomorrow evening. Believe we will be discussing IGCC settlement options at 9:00 AM tomorrow. Talk then.

Mike

[REDACTED]



From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Friday, August 13, 2010 9:58 AM
To: Hardy, David Lott
Subject: Re: Scott

I'll reach out to scott, glad to. Wish I could transplant the bs factor for a day.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Fri Aug 13 09:30:00 2010
Subject: Re: Scott

Sorry, too. I forget the compartmentalized nature - this is an Eport event: GE dropped the shell unloading it.

BTW, it struck me yesterday Scott hasn't done a lot of interviewing - you might do him a favor by explaining the process and put him at ease. I think the idea of big dogs flying in has him a little shaky. I know its his to lose, but I'd sure prefer Manley be excited about the hire.

And tell Scott not to wear the green tie.

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Thu Aug 12 22:29:19 2010
Subject: Re: Scott

Understand. Thanks. But do not understand who "they" is and what turbine shell was dropped? Are you trying to tell me something of significance was damaged at DEI? Sorry to be dense....

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Thu Aug 12 22:14:30 2010
Subject: Re: Scott

Turbines convert the heat of the steam into rotary motion and the turbine shaft is connected to the generator where the iron rotates in the magnetic field. (To make electricity)

The shell surrounds all these bits.

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Thu Aug 12 21:46:55 2010
Subject: Re: Scott

I will. Not sure what turbine shell is?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Thu Aug 12 21:41:05 2010

Subject: Re: Scott

This is after the hearing and, if flags go up, you and Richard can still go and I won't. Assume you heard they dropped the LP turbine shell.

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Thu Aug 12 21:23:02 2010
Subject: Re: Scott

Ok. Can you do IGCC that close to hearing?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Thu Aug 12 21:15:50 2010
Subject: Re: Scott

The generating tour is on - you should do it even if its without me.

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Thu Aug 12 21:11:39 2010
Subject: Re: Scott

Let me know if I can help with scott process. Lorainne will be good, unfortunately she won't have much time under you.

Had lunch with stimmel on tuesday. I was a little surprised with media release this week re IGCC. He inferred direction for releasing it came from across the street. A bit apologetic.

Kicked off discussions with all the parties today. Interesting to be on different side of table.

JT just called, he's enjoying China. Sorry you and Ms C can't make the trip.

Are you, Richard and I still doing Gibson and IGCC in Sept?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Thu Aug 12 20:22:43 2010
Subject: Scott

Good lunch with Scott and Loraine. Sort of a "you can do it, we are rootin for you, make us proud" general support kumbaya. I'm in Fw now but after next Mon not sure where I might be.

Formally offered Scott's job to Loraine - she said "I think I want it" I said "no half way stuff with me" and she revised it to "I want it". She'll be good, in some respects better than Scott.

Talking to Cortright - this week he's on family vacation - and I think he will spend an afternoon with staff when he comes out in Sept. He knows of my condition.

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Monday, August 16, 2010 11:42 AM
To: Hardy, David Lott
Subject: Re: I cannot locate Scott, do you know where he is?
Attachments: image001.png

I can either tue or thur, either work?

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Mon Aug 16 11:33:27 2010
Subject: Re: I cannot locate Scott, do you know where he is?

No - I'm not in office.
How about Wed lunch?

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Mon Aug 16 11:20:13 2010
Subject: I cannot locate Scott, do you know where he is?

Michael W Reed
President
Duke Energy Indiana
(ofc) 317-838-6675
(cell) 317-412-5876

1000 East Main St
Plainfield, IN 46168



From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Thursday, August 19, 2010 2:22 PM
To: Hardy, David Lott
Subject: RE: Re:

See ya 3:30 or so.

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

From: Hardy, David Lott [mailto:dlhardy@urc.IN.gov]
Sent: Thursday, August 19, 2010 2:06 PM
To: Reed, Michael W
Subject: Re: Re:

Okay - I'll change and not wear myself.

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Thu Aug 19 14:02:30 2010
Subject: RE: Re:

Sure, but no wisecracks re my tie!

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

From: Hardy, David Lott [mailto:dlhardy@urc.IN.gov]
Sent: Thursday, August 19, 2010 2:02 PM
To: Reed, Michael W
Subject: Re:

Running late - why don't you come to the office 330- 4 and give a chance me to catch up.
Okay?

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Thu Aug 19 13:09:33 2010
Subject:

4:00 PM at Tastings, or other watering hole of your choice?

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Monday, August 23, 2010 10:48 AM
To: Hardy, David Lott
Subject: Re: On road

Will call this aft while on way to board mtg. At united way event this morning.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Mon Aug 23 09:09:34 2010
Subject: On road

Call Berry if you want

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Wednesday, August 25, 2010 5:53 PM
To: Hardy, David Lott
Subject: Re: Your email working? Eom

Heading to reception for retiring employee (not Rogers). Shouldn't be there long. Can I call following?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Wed Aug 25 17:47:59 2010
Subject: RE: Your email working? Eom

Just back in office - free?

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

From: Turner, Jim [mailto:Jim.Turner@duke-energy.com]
Sent: Wednesday, August 25, 2010 3:35 PM
To: Hardy, David Lott
Subject: Re: Your email working? Eom

It's working. Want to talk later?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Wed Aug 25 11:50:23 2010
Subject: Your email working? Eom

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Wednesday, August 25, 2010 8:25 PM
To: Hardy, David Lott
Subject: Re: Out

Tomorrow is fine by me. Just leaving office after reception and in trouble for lying to my wife (again) about ETA at home. Look forward to catching up and getting the updated health report.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Wed Aug 25 18:40:24 2010
Subject: Out

Want me to call when we get back - should be 830 -9 or connect tomorrow? I don't have anything urgent.

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Thursday, August 26, 2010 6:32 PM
To: Hardy, David Lott
Subject: Enjoyed catching up this afternoon

Assume you have stopped to ask for directions by now...

Turner home address:

601 Moravian Lane
Charlotte, NC 28207

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Thursday, August 26, 2010 11:58 AM
To: Hardy, David Lott
Subject: Re: Lunch today?

Ok

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Thu Aug 26 11:32:16 2010
Subject: RE: Lunch today?

Cool - will include Sherry

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

From: Reed, Michael W [mailto:Michael.Reed2@duke-energy.com]
Sent: Thursday, August 26, 2010 11:29 AM
To: Hardy, David Lott
Subject: Re: Lunch today?

Lunch with IBEW head but can meet you at 1 and watch you eat!

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Thu Aug 26 11:01:01 2010
Subject: Lunch today?

Patachou 1pm?

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Sunday, August 29, 2010 6:22 PM
To: Hardy, David Lott
Subject: Re: Box

It is a business event. I requested that we open up Duke's suite so we may entertain key stakeholders, which we do from time to time.

Probably key customers, civic leaders or perhaps a legislator will be in attendance. My team is developing recommendations of who we wish to invite.

Sorry, probably a bad idea, I just knew how much Sherry enjoyed this group and, if it was acceptable within our mutual ethics rules, I would be pleased to make available.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Sun Aug 29 18:04:09 2010
Subject: Box

Perhaps a useful distinction, but is this entirely personal and Dukes name on the door is meaningless? Is there any business function or aspects? Given coming events it may be easier just to have dinner before pretend we are sitting together. I've never asked, but I'm expecting Sherry is under the same strictures I am.

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Tuesday, August 31, 2010 11:19 AM
To: Hardy, David Lott
Subject: Re: Eagles

Sorry but understand.

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Tue Aug 31 11:11:55 2010
Subject: Eagles

In a word – no way. Maybe not illegal, but the optics make it more of a hassle than it possibly can be worth. As to whether you can do something for the spouse, the G's ethics rules make it clear she is under the same rule I am. I am talking to Schenkel, phone tag actually, about going. I may get my own suite.

From: mikewreed@hotmail.com
Sent: Thursday, September 16, 2010 4:31 PM
To: Hardy, David Lott
Subject: Re: personal - do not forward

I am truly sorry for Lorainne and at the appropriate time I will extend same to her on a personal level.

You know full well I know how hard the Commission works and my respect for them is genuine

Thanks for telling us.

Mike

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

From: David Hardy
To: mikewreed@hotmail.com
To: Jim Turner
Subject: Re: personal - do not forward
Sent: Sep 16, 2010 4:07 PM

The issue goes a little deeper. Loraine was up to midnite working on this instead of IWC and the entire staff has been sluffing other things in favor of this - fundamentally, your actions have been taken as disrespect of the Commission and the staff. Loraine asked her mother to change the date of her Grandmother's funeral so this case could go.

You have all stapled your Dicks on this one.

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

From: mikewreed@hotmail.com <mikewreed@hotmail.com>
To: Hardy, David Lott
Sent: Thu Sep 16 15:27:13 2010
Subject: Re:

Glad not too bad today. If you decide to stay downtown holler, am downtown again this eve.

Z and Lorainne both did well (although out of character). Good trip to wood shed for all. Everyone weighed in except atterholt.

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

From: David Hardy
To: mikewreed@hotmail.com
Subject: Re:
Sent: Sep 16, 2010 3:00 PM

How's David do - seems to take about 5 years for a spine transplant.

Loraine was so ticked she almost swore.

Talked to McKinney - no way for them to participate but you get a brownie point for the offer.

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

From: mikewreed@hotmail.com <mikewreed@hotmail.com>

To: Hardy, David Lott
Sent: Thu Sep 16 13:11:12 2010

Lab work uneventful?
Sent from my Verizon Wireless BlackBerry

Sent from my Verizon Wireless BlackBerry

Sent from my Verizon Wireless BlackBerry

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Friday, September 17, 2010 9:12 AM
To: Hardy, David Lott
Subject: Re: personal - do not forward

Appreciate the insight. Very helpful.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Fri Sep 17 09:10:04 2010
Subject: Re: personal - do not forward

I wouldn't say a word or send a note as virtually no one knows that.

My point wasn't that she is an excellent employee (as she is) but there is a cadre (too small) at the Commission that works extraordinarily hard to provide an exceptional forum with few resources (I take you at your word it only came together at the last second) and a blow off start to the day is not a happy circumstance.

I, Repeat, I, had to quell the lynch mob and I inevitably start one.

Perhaps its a confluence of happenstance and unintended consequences but if you felt hostility yesterday morning, it was genuine.

If you want a suggestion, I'd suggest that you, very simply, at the onset this morning, acknowledge the Commission's work in preparing for the case and SEEMING cavalier treatment of their preparation and the schedule, but the settlement was a surprise and no disrespect was intended.

Don't say it in too many words, only say it once and be sincere. At this stage, that's about all you can do.

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Fri Sep 17 05:31:36 2010
Subject: RE: personal - do not forward

Do you think I should send a personal note to Judge Seyfreid, or would that be inappropriate? I was thinking handwritten, not email.

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

From: Turner, Jim
Sent: Thursday, September 16, 2010 5:13 PM
To: 'dlhardy@urc.IN.gov'; 'mikewreed@hotmail.com'
Subject: Re: personal - do not forward

We had all of our witnesses assembled in Indianapolis with a full, final day of prep yesterday. We fully anticipated being in hearing all day today and tomorrow. Frankly, the progress we made on settlement yesterday afternoon and last night came as much of a surprise to me as it did the judge.

By the way, Haviland and I were both up at 4 this morning doing final cramming since we weren't sure if the hearing would be postponed today.

Exhibit F

From: Stanley, Jim
To: 'Hardy, David Lott'
Sent: 9/7/2007 6:21:40 PM
Subject: FW: Summary of IGCC air permit mtg - Sept 5
Attachments: Summary of IDEM mtg - Sept 5.doc

Chairman Hardy:

At this hour on Friday of a long week, please allow me to simply pass along the attached summary of our discussions with IDEM regarding our air permit application associated with our proposed Edwardsport plant. The meeting took place September 5. Appreciate your patience.....if you would like to discuss, please let me know. Have a good weekend.

Jim Stanley

From: Weiss, Dan
Sent: Thursday, September 06, 2007 3:01 PM
To: Stanley, Jim; Pashos, Kay
Cc: Ezell, Julie; Sims, Mack; Griffith, Julie
Subject: Summary of IGCC air permit mtg - Sept 5

Attached is a summary, for your review, of the meeting between Duke Energy Indiana and the IDEM permitting staff regarding the IGCC air permit which can be provided to Chairman Hardy. This is an abbreviated summary of the meeting taken from Julie Ezell's email from this morning. Let us know if you need any additional information for the Chairman.

If you would like a more thorough discussion of the meeting or the key remaining permitting issues we can arrange a call at your convenience.

Dan Weiss
Duke Energy Indiana
317-838-1404

From: Turner, Jim
 To: dlhardy@urc.in.gov
 Sent: 11/22/2007 7:57:36 AM
 Subject: Re: duke press release

Probably not very significant.

We did not want to make IDEM feel jammed or that their review of the air permit is a fait accompli. Also, we want to keep a little pressure on Bechtel and GE from a contract negotiation standpoint so that they don't think they can hammer us now that the IURC has approved.

Happy Thanksgiving.

Ps what is Fort Fun?

----- Original Message -----
 From: Hardy, David Lott <dlhardy@urc.in.gov>
 To: Turner, Jim
 Sent: Wed Nov 21 17:30:46 2007
 Subject: Fw: duke press release

What is the significance of the phrase "if the project proceeds"?

----- Original Message -----
 From: Fisher, Mary Beth
 To: #URC Commissioners; Sutherland, Joseph; Reed, Mike
 Sent: Wed Nov 21 11:16:53 2007
 Subject: duke press release

<<spacer.gif>>

Indiana Utility Regulators Approve Duke Energy Clean Coal Power Plant November 20, 2007

PLAINFIELD, IND. - The Indiana Utility Regulatory Commission granted Duke Energy permission today to construct a technologically advanced clean coal power plant in Edwardsport, Ind.

If the project proceeds, it will be the first commercial-scale coal gasification power plant built in the United States in the last 10 years. The approximately 630-megawatt plant will use advanced integrated gasification combined cycle (IGCC) technology.

"In the Midwest, coal is plentiful and low-cost, and finding ways to burn it cleanly is fundamental to meeting our customers' demand for power," said Duke Energy Indiana President Jim Stanley. "The Edwardsport facility could very well be the cleanest coal-fired power plant in the world once it's completed. It fits Indiana's energy plan to turn homegrown natural resources into an economic engine and be self-reliant for power. It's part of our overall plan to meet growing customer needs with cleaner coal technology, energy efficiency, and renewables."

An air permit is still necessary from the Indiana Department of Environmental Management. If that permit is approved, Duke Energy could begin construction early next year and start

090001510-006970

producing power from the site by early 2012.

The company has selected its existing power plant site in Edwardsport, Ind., as the location for the new plant. Upon completion of the project, the existing plant -- with coal and oil units built between 1944 and 1951 -- will be retired. The new plant will be able to produce nearly four times as much power as the existing plant at Edwardsport, with much less environmental impact, including 45 percent less carbon dioxide emissions per net-megawatt hour.

The plant will cost approximately \$2 billion to construct. That cost will be offset by more than \$460 million in local, state and federal tax incentives. The plant will result in an average electric rate increase of approximately 16 percent phased in from 2008 through 2012.

An average of 800 to 900 construction workers over a three-year period, with a peak work force of 2,000, will be needed. Ongoing plant operations would employ approximately 100 people.

"We've received tremendous support for the project," Stanley said. "Knox County residents unified to embrace this project and move it forward. The federal, state and local tax incentives help close the gap between the higher costs of building a cleaner coal gasification plant compared to traditional technology."

Integrated gasification combined cycle technology uses a coal gasification system to convert coal into a synthesis gas (syngas). The syngas is processed to remove sulfur, mercury and ash before being sent to a traditional combined cycle power plant, using two combustion turbines and a steam turbine to efficiently produce electricity.

The technology could also remove the carbon dioxide from coal during the syngas conversion process to enable it to be stored or sequestered in underground geologic formations. Indiana utility regulators also were supportive of Duke Energy studying capture and sequestration of a portion of the plant's carbon emissions. If the study is successful, carbon dioxide capture and sequestration equipment could be added to the plant.

"Coal gasification technology holds tremendous promise to reduce carbon dioxide emissions to address increasing concerns and evidence of global climate change," Stanley said.

Duke Energy Indiana's Wabash River Station is the site of the 260-megawatt Wabash River Coal Gasification project, which was one of the first demonstrations of using coal gasification to produce electricity.

Duke Energy's Indiana operations provide approximately 7,300 megawatts of safe, reliable and competitively priced electricity to more than 770,000 electric customers, making it the state's largest electric supplier.

Duke Energy, one of the largest electric power companies in the United States, supplies and delivers energy to approximately 4 million U.S. customers. The company has approximately 36,000 megawatts of electric generating capacity in the Midwest and the Carolinas, and natural gas distribution services in Ohio and Kentucky. In addition, Duke Energy has more than 4,000 megawatts of electric generation in Latin America, and is a joint-venture partner in a U.S. real estate company.

Headquartered in Charlotte, N.C., Duke Energy is a Fortune 500 company traded on the New York Stock Exchange under the symbol DUK. More information about the company is available on the Internet at: www.duke-energy.com <<http://www.duke-energy.com>>.

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090001510-006972

From: Hardy, David Lott
To: Sample, Michael M; Turner, Jim
CC: Stephan, William B
Sent: 1/15/2008 3:39:30 PM
Subject: RE: Regrets

That's the Bedford way – please tell me Turner was crushed defending the sanctity of the Chairman's Chair.

From: Sample, Michael M [mailto:mmsample@indiana.edu]
Sent: Tuesday, January 15, 2008 3:35 PM
To: Hardy, David Lott; Turner, Jim
Cc: Stephan, William B
Subject: RE: Regrets

Thank you for convening both the dinner and today's meeting, Mr. Chairman. I think we all agreed this morning that there is significant potential here for a mutually beneficial collaboration on the issue of carbon sequestration. IU is anxious to play a role in addressing this issue, specifically with respect to the Edwardsport project but also regarding the implications of carbon sequestration more generally.

(PS you should know, Mr. Chairman, that Jim Stanley jumped at the chance to sit in YOUR seat in your conference room this morning. The rest of us were shocked at this obvious breach of protocol.)

From: Hardy, David Lott [mailto:dlhardy@urc.IN.gov]
Sent: Tuesday, January 15, 2008 1:28 PM
To: Turner, Jim; Sample, Michael M
Subject: Regrets

Sorry I got pulled away although it probably shortened the meeting. I see genuine potential here and appreciate the time and effort you have put forth.

From: Stanley, Jim
To: Hardy, David Lott
Sent: 1/30/2008 7:14:42 AM
Subject: RE: FINAL -- Cliffside Press Release

Could I interest you in lunch...my calendar looks ok on Feb 4—8—11 or 13. If one of these work, let me know time and place. Thanks.

From: Hardy, David Lott [mailto:dlhardy@urc.in.gov]
Sent: Tuesday, January 29, 2008 5:20 PM
To: Stanley, Jim
Subject: RE: FINAL -- Cliffside Press Release

Intriguing -- a lot going on here. No screaming urgency, but I think some discussion is useful.

From: Stanley, Jim [mailto:jim.stanley@duke-energy.com]
Sent: Tuesday, January 29, 2008 12:21 PM
To: Hardy, David Lott
Subject: FW: FINAL -- Cliffside Press Release

Chairman Hardy:

Attached for your review is the air permit press release related to the Cliffside plant in North Carolina. Please note the reference to the Carbon Mitigation plan to be implemented by 2018. We believe this is consistent with the reality we will see in Indiana and the Edwardsport facility in several ways. As you know, when the new units come on line, the existing units will be retired, coupled with the reality that other less efficient units throughout the region will move lower in the operating stack. Additionally, carbon mitigation in Indiana holds promise with the geologic makeup of the Illinois basin allowing for capture and sequestration. While the air permit in North Carolina makes specific our carbon mitigation plans, we believe the operational capabilities of Edwardsport IGCC and the potential of capture and sequestration will have the same impacts. Let me know if you have any questions.

Jim

From: Trent, B K
Sent: Tuesday, January 29, 2008 7:56 AM
To: Stanley, Jim
Subject: FW: FINAL -- Cliffside Press Release

From: Lineberger, Marilyn M
Sent: Monday, January 28, 2008 5:48 PM
To: Turner, Jim; Trent, B K; Ruff, Ellen T; Everett, George T
Cc: Roche, Cathy S; Rhodes, James R
Subject: FINAL -- Cliffside Press Release

We're ready.

090001510-006980



NEWS RELEASE

Duke Energy Corporation
P.O. Box 1009
Charlotte, NC 28201-1009

Jan. 28, 2008

CONTACT: Marilyn Lineberger
Phone: 704-382-6848
24-Hour: 704-382-8333

**North Carolina Department of Environment and Natural Resources
Issues Final Cliffside Air Permit**

- ***Cliffside modernization brings jobs and cleaner air to North Carolina***
- ***Final permit's emissions limits stricter than federal, state standards***
- ***Cliffside leads country in first-of-its-kind carbon mitigation strategy***
- ***Retirement of 1,000 megawatts of older coal units scheduled***

CHARLOTTE, N.C. – The North Carolina Department of Environment and Natural Resources' (DENR) Division of Air Quality today issued a final air permit for an 800-megawatt advanced clean-coal unit planned at Cliffside Steam Station, about 50 miles west of Charlotte.

Duke Energy executives will conduct a media call tonight at 7 o'clock to discuss details of the permit. Participants can call 704-382-8080, enter conference code 246191#, and state their name and media outlet.

"This is the final milestone prior to beginning construction on the new unit, which will serve increasing customer demand and population growth in the Carolinas," said James L. Turner, president and chief operating officer, Duke Energy U.S. Franchised Electric and Gas. "Modernizing the Cliffside Steam Station is good for North Carolina's economy and its environment. During the four-year construction period, building the unit will create 1,600 new jobs and an annual \$100 million payroll in North Carolina."

- more -

www.duke-energy.com

090001510-006976

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At Duke's request, Cliffside's final air permit includes emissions limits for sulfur dioxide and nitrogen oxide that are stricter than federal or state requirements. Mercury limits set by DENR are also more stringent than federal limits.

Adding to these environmental benefits, the final air permit includes a commitment from Duke Energy Carolinas to address the emission of carbon dioxide, which, though not regulated, has become a source of concern because of its link to global warming.

In addition, the company had previously committed to invest approximately \$50 million of Carolinas' revenues each year in energy efficiency, with appropriate regulatory approval.

"Through a carbon mitigation plan, Duke Energy Carolinas and DENR will take decisive steps to lessen the environmental footprint of our operations," said Ellen T. Ruff, Duke Energy Carolinas president. "Today is a landmark day for our region. We believe this first-of-its-kind carbon mitigation effort is needed to ensure our customers continue receiving a safe, reliable, cost-effective supply of energy while at the same time reducing the impact of greenhouse gas emissions."

First-of-Its-Kind Carbon Mitigation

Once the new unit comes online in 2012, Duke Energy will retire four older, less efficient generating units capable of generating approximately 200 megawatts at the Cliffside site.

Duke Energy has also agreed to a scheduled retirement of 800 additional megawatts of older, less efficient coal capacity in North Carolina. Previously, the company had committed to retire up to 800 megawatts only if it achieved an equivalent amount of energy efficiency savings.

The carbon mitigation plan, which is part of the permit, removes the energy efficiency

- more -

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090001510-006977

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contingency and schedules the 800-megawatt retirements as follows:

- 350 megawatts by Dec. 31, 2015
- 200 additional megawatts by Dec. 31, 2016
- 250 additional megawatts by Dec. 31, 2018

In addition, Duke Energy has committed to take further actions to render Cliffside unit 6 carbon neutral by 2018.

These actions may include energy efficiency, carbon-free tariffs, purchase of credits, domestic and international offsets, additional retirements or reduction in fossil fuel usage as carbon-free generation becomes available. These actions, with appropriate cost recovery, will require approval from the North Carolina Utilities Commission and include input from DENR's Division of Air Quality.

Duke will also build Cliffside unit 6, to the extent practical, to accommodate the installation and operation of future carbon control technologies.

"Cliffside's final air permit is the result of one of the most comprehensive and extensive public reviews ever conducted by DENR," Ruff added. "This permit is one of the most protective permits issued in the country.

"In addition, the strong positive business and community support in Cleveland and Rutherford counties and from across both Carolinas has enabled us to move forward with this modernization project and demonstrates an understanding of our state's energy choices," she said.

Construction of the new unit is expected to begin immediately.

Duke Energy must build new generation to meet its legal obligation to serve increasing customer needs, which is spurred by the region's population growth. Each year,

- more -

- 4 -

approximately 40,000 to 60,000 new customers are added to Duke's Carolinas system.

Building on a diverse fuel portfolio to ensure reliability, Duke requested approval in December 2007 to build two 620-megawatt combined cycle, natural gas facilities at its existing Buck and Dan River Steam Stations and submitted a new nuclear license application for a proposed two-unit, 2,234-megawatt nuclear station in Cherokee, S.C. The company will also continue aggressively pursuing energy efficiency and renewable technologies to help meet the energy demand.

Duke Energy's Carolinas' operations include nuclear, coal-fired, natural gas and hydroelectric generation. That diverse fuel mix provides nearly 21,000 megawatts of safe, reliable and competitively priced electricity to more than 2.3 million electric customers in a 24,000-square-mile service area of North Carolina and South Carolina.

Duke Energy, one of the largest electric power companies in the United States, supplies and delivers energy to approximately 4 million U.S. customers. The company has approximately 36,000 megawatts of electric generating capacity in the Midwest and the Carolinas, and natural gas distribution services in Ohio and Kentucky. In addition, Duke Energy has more than 4,000 megawatts of electric generation in Latin America, and is a joint-venture partner in a U.S. real estate company. Headquartered in Charlotte, N.C., Duke Energy is a Fortune 500 company traded on the New York Stock Exchange under the symbol DUK. More information about the company is available on the Internet at www.duke-energy.com.

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www.duke-energy.com

090001510-006979

From: Turner, Jim
To: 'Hardy, David Lott'
Sent: 3/26/2009 7:56:27 AM
Subject: RE: hear you are the "second best" for the MISO speech?

I was hoping you knew what we were supposed to talk about. I'm thinking about bringing my juggling pins . . .

Let me check on travel arrangements. Would love to have a snort (or two).

From: Hardy, David Lott [mailto:dlhardy@urc.IN.gov]
Sent: Thursday, March 26, 2009 7:54 AM
To: Turner, Jim
Subject: Re: hear you are the "second best" for the MISO speech?

if you come in day before let's have a snort. We also need to talk about the Eport study.
Sherry doubtful for Charlotte Epri - they haven't set the schedule yet for closing FW.
What are we supposed to talk about at the Miso convention?

From: Turner, Jim
To: Hardy, David Lott
Sent: Thu Mar 26 07:47:12 2009
Subject: RE: hear you are the "second best" for the MISO speech?
Just like in Austin Powers . . . call me #2 (as you can see by my film reference, I am a man of haute culture).

From: Hardy, David Lott [mailto:dlhardy@urc.IN.gov]
Sent: Wednesday, March 25, 2009 2:17 PM
To: Turner, Jim
Subject: hear you are the "second best" for the MISO speech?

From: Turner, Jim
To: 'dlhardy@urc.IN.gov'
CC: 'MWReed@indot.IN.gov'
Sent: 8/25/2009 7:13:27 AM
Subject: Re: US41 Heavy Load

I looked it up: section 98.5 of Roberts Rules of Order says that bridge toll disputes for heavy equipment can be settled only by consumption of a '99 Opus One.

Damn the luck . . .

Mike, thanks for the assist from your shop.

Will look forward to paying the toll.

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Cc: Reed, Mike (INDOT) <MWReed@indot.IN.gov>
Sent: Tue Aug 25 07:08:17 2009
Subject: Fw: US41 Heavy Load

Mike sent some pics of the the Commission's INDOT division assisting the Duke Edwardsport plant construction. He did mention some unpaid bridge tolls but I bet he would settle them for a snort next time you are in town.

From: Reed, Mike (INDOT)
To: MD; Stewart, Scott (GOV)
Cc: Hardy, David Lott
Sent: Mon Aug 24 17:32:49 2009
Subject: FW: US41 Heavy Load

The INDOT team was on site in Southern Indiana for this bridge crossing (see pics). The equipment is destined for Duke's new IGCC plant at Edwardsport. It was manufactured overseas, transported via cargo ship, put on a river barge and finally trailered across pre-determined bridges on Hwy 41.

I believe they said the load was 700,000 pounds. We still have remaining a 1,000,000 mile load.

Michael W Reed
Commissioner
Indiana Department of Transportation
Indiana Government Center North
100 N Senate Ave, Room N758
Indianapolis, IN 46204
(ofc) (317) 232-5525
(fax) (317) 232-0238

From: Gustin, Joseph
Sent: Monday, August 24, 2009 3:49 PM
To: Reed, Mike (INDOT); Zier, Robert
Subject: US41 Heavy Load

From: Hardy, David Lott
To: jim.turner@duke-energy.com
Sent: 10/14/2009 6:21:53 PM
Subject: Re: Duke Contact

Ofc 317 232 2702

From: Turner, Jim
To: Hardy, David Lott
Sent: Wed Oct 14 18:13:32 2009
Subject: Re: Duke Contact

Done. Call your office or mob?

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Wed Oct 14 18:09:31 2009
Subject: Re: Duke Contact

9ish will improve your odds of reaching me.

From: Turner, Jim
To: Hardy, David Lott
Sent: Wed Oct 14 18:03:36 2009
Subject: Re: Duke Contact

Will call 8ish.

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Wed Oct 14 17:54:14 2009
Subject: Re: Duke Contact

Yep

From: Turner, Jim
To: Hardy, David Lott
Sent: Wed Oct 14 17:52:20 2009
Subject: Re: Duke Contact

Around in the morning?

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Wed Oct 14 17:51:13 2009
Subject: Fw: Duke Contact

Let's talk about the name - call me tomorrow?

From: Storms, Scott
To: =SMTP:dlhardy@urc.IN.gov; Turner, Jim; Stanley, Jim
CC: =SMTP:DZiegner@urc.IN.gov; =SMTP:DPippen@gov.IN.gov; =SMTP:BBorum@urc.IN.gov;
=SMTP:dthomas@urc.IN.gov
BCC: =bborum@urc.in.gov; =dlhardy@urc.in.gov; =dpippen@gov.in.gov; =dthomas@urc.in.gov;
=dziegner@urc.in.gov; cammmp@imcltnamp02.imcltnamp02
Sent: 12/21/2009 9:45:51 AM
Subject: RE: Washington Energy Report - December 21

Well... I guess the application of exparte comes down to what they might say in response. We have not seen anything from IDEM regarding this issue and the air permits for Edwardsport have already been issued and are on appeal. This issue is perhaps better discussed in the pending IGCC 4 proceeding and not through an email exchange.

Scott

Scott R. Storms
General Counsel
Indiana Utility Regulatory Commission
101 W. Washington Street
Suite 1500E
Indianapolis, Indiana
Tel. (317) 232-2102
Fax. (317) 232-6758
Email. sstorms@urc.in.gov

From: Hardy, David Lott
Sent: Monday, December 21, 2009 9:20 AM
To: 'Turner, Jim'; 'Stanley, Jim'
Cc: Storms, Scott; Ziegner, David; Pippen, David; Borum, Bradley; Thomas, Dale
Subject: FW: Washington Energy Report - December 21

Does the second article (EPA requires IGCC plant...) have any relevance to Edwardsport?
Scott: how does Duke respond or can they respond without an exparte problem?
Turner/Stanley: please do not respond until Scott provides clearance to do so or says you cannot.

From: Troutman Sanders LLP [mailto:Troutman_Sanders_LLP@mail.vresp.com]
Sent: Monday, December 21, 2009 9:06 AM
To: Hardy, David Lott
Subject: Washington Energy Report - December 21

 Troutman Sanders Washington Energy Report

December 21, 2009

Troutman Sanders proudly acknowledges that as a direct result of working with our clients, two of our energy attorneys, Kevin Fitzgerald and Cliff Sikora, were recognized by *Public Utilities Fortnightly* magazine as part of its first-ever “Groundbreaking Lawyers” group. We would like to take this time to say thank you for helping them achieve this recognition.

We look forward to 2010 as partners in business and law. From all of our attorneys and staff, have a wonderful holiday, and have a happy and prosperous new year!

Please note, the Washington Energy Report will next be published on January 11, 2009.

Sincerely,
The Energy Lawyers of Troutman Sanders

- - -

FERC Announces Two Changes to Enforcement Process

On December 17, 2009, the Federal Energy Regulatory Commission (“FERC” or the “Commission”) released an order (“Enforcement Order”) that authorizes the Secretary of the Commission to issue a Staff’s Preliminary Notice of Violations (“Notice”) after the entity that is subject to an investigation has been given the opportunity to respond to staff’s preliminary findings. Additionally, the Commission released a Policy Statement where the Office of Enforcement (“OE”) will provide exculpatory evidence to those entities subject to their investigations and respondents in administrative enforcement proceedings. [[Read more →](#)]

EPA Requires IGCC Plant to Consider Fuel-Switching to Natural Gas in Order to Meet BACT Requirements

EPA Administrator Lisa Jackson issued a decision on Thursday requiring the Kentucky Department of Air Quality (KDAQ) to consider whether the proposed Cash Creek Integrated Gasification Combined Cycle (IGCC) plant should consider generating electricity with natural gas rather than the syngas produced in the gasification process. The decision was issued in the context of determining the Best Available Control Technology (BACT) requirements in Cash Creek’s Prevention of Significant Deterioration (PSD) permit. EPA said that natural gas might be a lower polluting

WASHINGTON ENERGY REPORT

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fuel than syngas. [\[Read more →\]](#)

FERC Order Tightening Rules on Estimating Available Grid Capacity

On November 24, FERC approved six Reliability Standards, which mandate the methods transmission owners must use to calculate Available Transfer Capability ("ATC"). [\[Read more →\]](#)

Senators Cantwell and Collins Introduce Cap and Dividend Climate Bill

On December 11, 2009, Senator Maria Cantwell (D-WA), along with Senator Susan Collins (R-ME), introduced a "cap and dividend" climate bill called the "Carbon Limits and Energy for America's Renewal (Clear) Act." The Clear Act aims to lower greenhouse gas ("GHG") emissions 20% from 2005 levels by 2020, 30% by 2035, and 83% by 2050. [\[Read more →\]](#)

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From: Hardy, David Lott
Sent: Monday, February 15, 2010 10:44 AM
To: 'jim.stanley@duke-energy.com'
Subject: Re: Phone Message

Thank you.

From: Stanley, Jim <Jim.Stanley@duke-energy.com>
To: Hardy, David Lott
Sent: Mon Feb 15 10:33:08 2010
Subject: Phone Message

Chairman.....left a phone message but thought I would follow up with an email. As you might know, Duke Energy will be updating analysts tomorrow in New York. Included in the presentation of Jim Turner's an update concerning planned and contemplated general rate case filings for our five state territory. We indicate that we are contemplating a general case filing in Indiana sometime in 2010 to be effective in 2011. While the analysis is ongoing and a final call has not been made, I nonetheless did not want you to be surprised by the inclusion of the Indiana characterization. As soon as we reach a decision on filing plans, I will be glad to discuss to the extent appropriate. If you have questions, please do not hesitate to reach out. Thanks...Jim.

From: Stanley, Jim [Jim.Stanley@duke-energy.com]
Sent: Saturday, February 20, 2010 5:59 PM
To: Hardy, David Lott
Subject: Re: Stuff

No problem....Sturgis is still a possibility. I need to make it happen soon if it is to be. Not convinced that my pristine background and attitude is ready for such an exposure.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Stanley, Jim
Sent: Sat Feb 20 17:54:34 2010
Subject: Re: Stuff

Make this your idea, no attribution to me.
Made your plans for Sturgis?

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

From: Stanley, Jim <Jim.Stanley@duke-energy.com>
To: Hardy, David Lott; Turner, Jim <Jim.Turner@duke-energy.com>
Sent: Sat Feb 20 17:29:35 2010
Subject: Re: Stuff

We'll make this happen....even the old farts. I will get with you concerning dates.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim; Stanley, Jim
Sent: Sat Feb 20 15:56:11 2010
Subject: Stuff

We are looking at a Spring return to Eport and, as of Mar 8, will have 2 Commrs who have never been in a generating station. We may try for 2 stops on that tour and get them to Gibson as well..

As you might know, I breakfast with the Old Farts as an honorary member. Most are gearheads and, if asked, would doubtless like to tour Eport. Maybe the damn lawyers won't allow it - just a suggestion.

From: Hardy, David Lott
Sent: Tuesday, March 02, 2010 7:58 PM
To: 'jim.turner@duke-energy.com'
Subject: Re: Call?

Earlier preferable but 10 okay.

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Tue Mar 02 19:54:11 2010
Subject: Re: Call?

Getting dressed at Y. Will call in about 10 if ok.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Tue Mar 02 19:32:24 2010
Subject: Call?

I returned your call earlier - do you still need to talk? Am here tonite but travelling tomorrow and Thurs.

From: Storms, Scott
Sent: Friday, March 05, 2010 10:06 AM
To: Hardy, David Lott
Subject: FW:
Attachments: IGCC1.pdf

David-

Here is Jim Turner's testimony from the IGCC 1 proceeding.

Scott

Scott R. Storms
General Counsel
Indiana Utility Regulatory Commission
101 W. Washington Street
Suite 1500E
Indianapolis, Indiana
Tel. (317) 232-2102
Fax. (317) 232-6758
Email. ssstorms@urc.in.gov

From: Ruble, Lynda
Sent: Wednesday, February 24, 2010 10:41 AM
To: Storms, Scott
Subject:

Scott, here is Turner's testimony.

Lynda

From: Stanley, Jim
To: 'dlhardy@urc.IN.gov'
Sent: 4/13/2010 6:33:27 PM
Subject: Re: Sullivan Rush Hour

Appreciate it....we'll make it a plan.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Stanley, Jim
Sent: Tue Apr 13 18:31:28 2010
Subject: Re: Sullivan Rush Hour

Thanks - you can come too.

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

From: Stanley, Jim <Jim.Stanley@duke-energy.com>
To: Hardy, David Lott
Sent: Tue Apr 13 18:29:33 2010
Subject: Re: Sullivan Rush Hour

I will do some checking.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Stanley, Jim
Cc: Reed, Mike (INDOT) <MWReed@indot.IN.gov>
Sent: Tue Apr 13 18:17:42 2010
Subject: Re: Sullivan Rush Hour

Reed and I were at the B+W facility in Mt Vernon where they offload the large bits for Edwardsport. We would like to see a barge to land transfer - do you know when the next major unloadings are?

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

From: Stanley, Jim <Jim.Stanley@duke-energy.com>
To: Hardy, David Lott
Sent: Tue Apr 13 17:22:18 2010
Subject: Re: Sullivan Rush Hour

You probably were rush hour! We were in the same neighborhood today....I spent the day with Vincennes community leaders and Edwardsport employees...if I would have travelled 41 home-it would have been rush hour!

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Stanley, Jim
Cc: Reed, Mike (INDOT) <MWReed@indot.IN.gov>
Sent: Tue Apr 13 17:17:48 2010
Subject: Sullivan Rush Hour

Reed and I are just through Sullivan on 41 - I think we missed rush hour. Right?

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Thursday, April 15, 2010 5:04 PM
To: Hardy, David Lott
Subject: Re: I know we said late in the day

I'm finishing a staff meeting and could call around 530. If that doesn't work, before 9 tmw would be good.

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Thu Apr 15 16:57:33 2010
Subject: I know we said late in the day

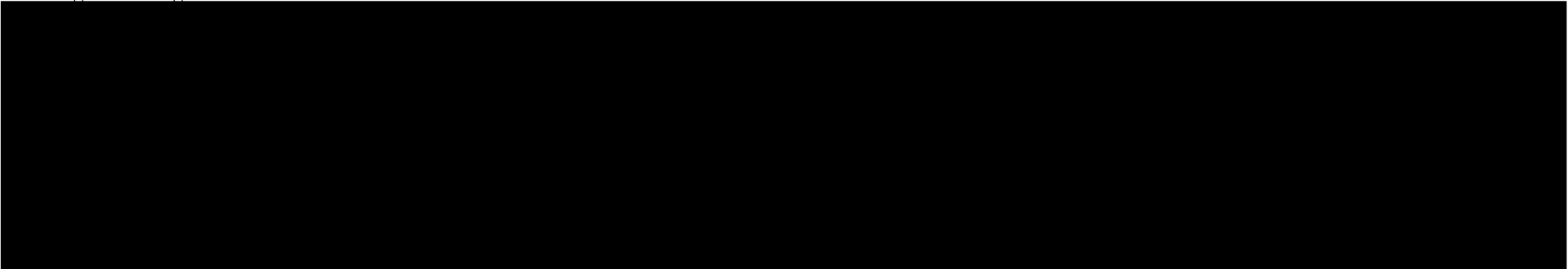
But I am leaving the office now and have an engagement at 6. Will be in tomorrow morning.

From: Griffith, Julie K
To: Turner, Jim
CC: Toney, BT
Sent: 4/27/2010 12:43:45 PM
Subject: RE: August board meeting

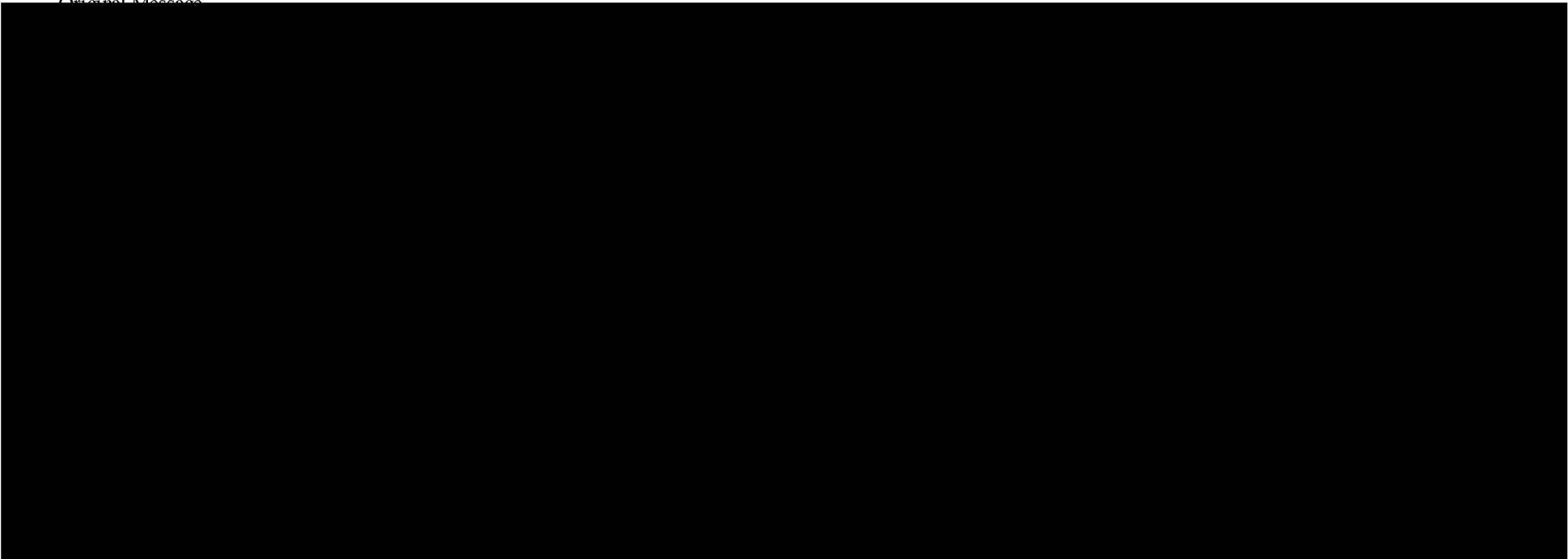
Jim, Making the ask isn't a problem. I am happy to do so, but....I want to make sure you are you entirely comfortable with the timing given that our hearings on Edwardsport are scheduled for about that same time.

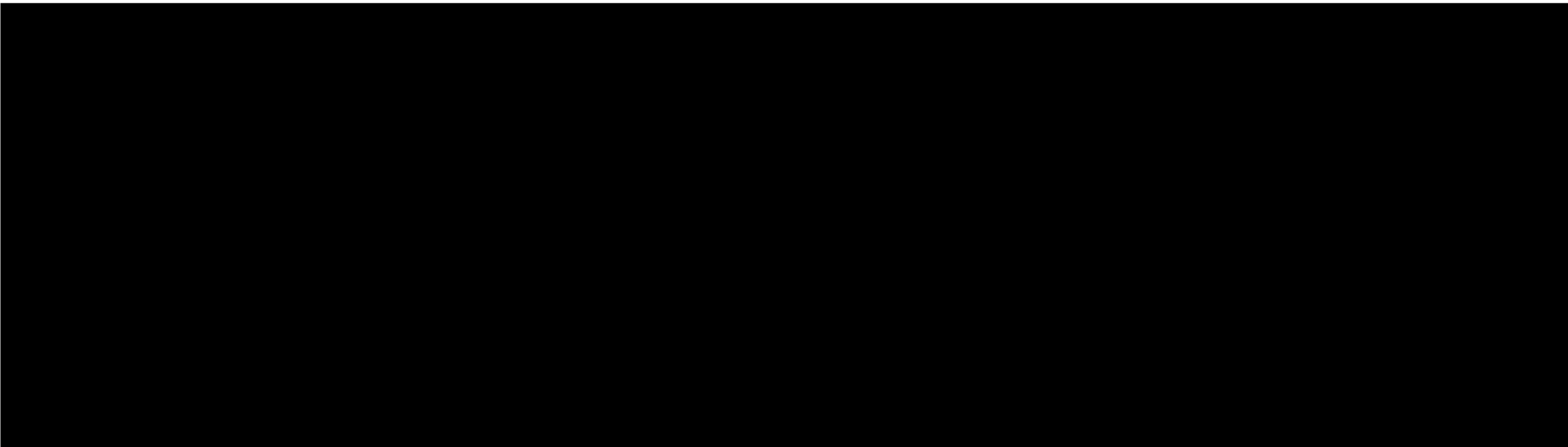


-----Original Message-----



Original Message





From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Friday, May 07, 2010 7:35 AM
To: Hardy, David Lott
Subject: Re: Fax

704.382.7705. BT will be in around 8:30 today.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Fri May 07 07:18:53 2010
Subject: Re: Fax

Give me your office fax number and I will have my AA call yours when she transmits.

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Thu May 06 23:05:18 2010
Subject: Re: Fax

My home fax isn't working so it could be tricky. How about a scan and email?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Thu May 06 22:22:30 2010
Subject: Fax

Is there a number where you would get a fax without the world seeing it?

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Friday, May 21, 2010 5:41 AM
To: Hardy, David Lott
Subject: Re: Next Tue

I'm looking forward to it. Will she insist on being called Madame CEO?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Thu May 20 22:01:10 2010
Subject: Re: Next Tue

6-630 CG? Let me know I'll make the reservation. The woman is excited to see you.

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Thu May 20 21:41:59 2010
Subject: Re: Next Tue

I'm definitely still in. I will defer to the local (unless you want to drive up to the Pizza King on Tillotson Street in Muncie, where I may still qualify as local).

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Thu May 20 20:24:36 2010
Subject: Next Tue

We still on? If so, want to do CG or something else?



From: Hardy, David Lott
Sent: Friday, May 21, 2010 5:25 PM
To: 'jim.turner@duke-energy.com'
Subject: Re: Celebrate Your Graduation with Us

You haven't testified yet.

Had a good session with Stanley @ Summer Preparedness - he will be missed and will do a great job for you in Charlotte. Tell me again about his wife and Jim.

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Fri May 21 15:02:50 2010
Subject: Re: Celebrate Your Graduation with Us

School of Hard Knocks...

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Fri May 21 14:47:32 2010
Subject: Fw: Celebrate Your Graduation with Us

I've told them you just graduated - I'm hoping for a free dessert.

From: The Capital Grille <thecapitalgrille@news.thecapitalgrille.com>
To: Hardy, David Lott
Sent: Fri May 21 13:40:57 2010
Subject: Celebrate Your Graduation with Us

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*Goodbye, Dorm Life.
Hello, Delmonico.*

Call it "graduation" to reflect on the academic triumph. Call it "commencement" to envision the what's next. A ceremony by any other name deserves celebration. May we suggest an evening of dry aged steaks, fresh seafood and a champagne toast from our award-winning wine list — whether to invite the roommate is up to you.



Private dining rooms are available for larger parties. Please call for details.



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This email is intended for persons 21 years of age and older. If you are younger than 21, please unsubscribe to future mailings.

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Monday, May 24, 2010 9:40 PM
To: Hardy, David Lott
Subject: Re: Dress for Dinner

Best laugh I've had all day...

In the for what it's worth category, I have never once written the popular acronym for "laugh out loud" nor have I ever affixed a smiley face to an email.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Mon May 24 21:12:21 2010
Subject: Re: Dress for Dinner

"R U" is that some kinda NC cracker talk?

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Mon May 24 21:01:58 2010
Subject: Re: Dress for Dinner

Done. R u making reservations since you own the joint?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Mon May 24 21:00:03 2010
Subject: Re: Dress for Dinner

Yep - 6pm. Me, thee and the woman.

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

From: Turner, Jim <Jim.Turner@duke-energy.com>
To: Hardy, David Lott
Sent: Mon May 24 20:56:42 2010
Subject: Re: Dress for Dinner

Good by me. We did decide Cap Grille?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Mon May 24 20:25:49 2010
Subject: Dress for Dinner

Casual please.

From: Reed, Michael W [<mailto:Michael.Reed2@duke-energy.com>]
Sent: Wednesday, June 23, 2010 10:28 AM
To: Sample, Michael M; Hardy, David Lott
Subject: INVITATION

Gentlemen:

Please accept this note as an invitation to tour the former PSI Hdqts at Plainfield at your leisure. I have already learned of the lore of young Hardy and Sample, with considerable whispering in the halls and mention of (skeletons), whatever they are?

After regaling in a lively discussion of the "good old days", it would be my pleasure to treat you to a meal at Gray Brothers Cafeteria in Mooresville.

Please advise as to your availability?

Michael W Reed
President
Duke Energy Indiana
(ofc) 317-838-6675
(cell) 317-412-5876

1000 East Main St
Plainfield, IN 46168



From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Wednesday, June 23, 2010 4:42 PM
To: 'mmsample@indiana.edu'; Hardy, David Lott
Subject: Re: INVITATION

July 8 good for me

From: Sample, Michael M <mmsample@indiana.edu>
To: 'Hardy, David Lott' <dlhardy@urc.IN.gov>; Reed, Michael W
Sent: Wed Jun 23 16:24:34 2010
Subject: RE: INVITATION

Ah yes, La Chaumier! Jhani and I took a group there during the glorious celebration of the inauguration of our current president. Everyone in our party raved about it....which was a relief since we had not been there in a while and wondered if it was still as good as we remembered.

Looks like alternate dates for me would be July 5, 6, 8 or 9.

From: Hardy, David Lott [mailto:dlhardy@urc.IN.gov]
Sent: Wednesday, June 23, 2010 4:18 PM
To: michael.reed2@duke-energy.com; Sample, Michael M
Subject: Re: INVITATION

The only enduring tradition Reed established was leaving on Thursday for the weekend. Thus, Fri is not available. Michael: am at the Four Seasons in Georgetown - La Chaumier survives! At least the sign is up.

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Sample, Michael M <mmsample@indiana.edu>; Hardy, David Lott
Sent: Wed Jun 23 15:58:12 2010
Subject: RE: INVITATION

Friday is workable, I am in Edwardsport on Thursday (firing up boilers)!! Mr. Chairman?????

From: Sample, Michael M [mailto:mmsample@indiana.edu]
Sent: Wednesday, June 23, 2010 3:37 PM
To: Reed, Michael W; 'Hardy, David Lott'
Subject: RE: INVITATION

Mr. President:

I am humbled by your kind invitation. I am open next Thursday and Friday, if that works for you and El Supremo. (I seem to be the only one without a really impressive title) Maybe ES can show you the Men's Room that served as a bar during the holiday season at the old PSI. That, of course, was way before my time.

Sample

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Friday, June 25, 2010 7:32 AM
To: Hardy, David Lott
Subject: Re: Savawatt

We're working schedules to do. Stay tuned.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Fri Jun 25 07:26:34 2010
Subject: Savawatt

Some public chat in his speech - not a mea culpa(one isn't needed or desired) but just a "not our best - better next time". I'd suggest you come in and we can do some scoping of the next iteration.

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Sunday, June 27, 2010 3:34 PM
To: Hardy, David Lott
Subject: Re: Turner

Evolving. Plans are to take you up on offer to come and discuss with you and LS.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Sun Jun 27 15:17:22 2010
Subject: Re: Turner

All back - Sherry Fri am me evening.

Very good seminar - spent time with Morris and Rogers. My panel was Moeller, Brown, Schriber and me with Kelliher as moderator. Kema was sponsor and they are pretty impressive as consultants. They do work for Duke.

You figured out what your role will be on the new savawatt?

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Sun Jun 27 15:07:00 2010
Subject: Re: Turner

Spoke w him last eve. No mention of this but said daughter is changing careers and is going into lobbying. Connected, who knows?

How is DC or are you back?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Sun Jun 27 10:21:42 2010
Subject: Turner

Rep Turner that is.

No smoking gun but the FW paper has a front page expose that he and his son Zeke own a FSSA call center building in Marion and the daughter Jessica is the Gen Counsel of FSSA.

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Tuesday, June 29, 2010 5:35 PM
To: Hardy, David Lott
Subject: Re:
Attachments: image001.png

See ya then

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Tue Jun 29 16:40:42 2010
Subject: RE:

Lunch Thurs fine. CG @ 1130?

From: Reed, Michael W [mailto:Michael.Reed2@duke-energy.com]
Sent: Tuesday, June 29, 2010 10:54 AM
To: Hardy, David Lott
Subject:

Forgot I already had Wednesday evening appt but can do lunch Thursday is you're available?

*Michael W Reed
President
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(ofc) 317-838-6675
(cell) 317-412-5876*

*1000 East Main St
Plainfield, IN 46168*



From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Tuesday, June 29, 2010 9:12 AM
To: Hardy, David Lott; mmsample@indiana.edu
Cc: Gearlds, Sandra
Subject: RE: Did we conclude on a date for Duke Office tour and Chairman buying lunch at Gray's?????
Attachments: image001.png

How about July 7 or 8?

From: Hardy, David Lott [mailto:dlhardy@urc.IN.gov]
Sent: Tuesday, June 29, 2010 9:04 AM
To: Reed, Michael W; mmsample@indiana.edu
Cc: Gearlds, Sandra
Subject: Re: Did we conclude on a date for Duke Office tour and Chairman buying lunch at Gray's?????

No, Sandy didn't remind me.

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Sample, Michael M <mmsample@indiana.edu>; Hardy, David Lott
Sent: Tue Jun 29 08:56:50 2010
Subject: Did we conclude on a date for Duke Office tour and Chairman buying lunch at Gray's?????

*Michael W Reed
President
Duke Energy Indiana
(ofc) 317-838-6675
(cell) 317-412-5876*

*1000 East Main St
Plainfield, IN 46168*



From: Reed, Michael W [Michael.Reed2@duke-energy.com]
 Sent: Thursday, July 08, 2010 9:02 AM
 To: Hardy, David Lott
 Subject: Re: Visit

Circle

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
 To: Reed, Michael W
 Cc: mmsample@indiana.edu <mmsample@indiana.edu>
 Sent: Thu Jul 08 09:01:15 2010
 Subject: Re: Visit

What's GI?

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
 To: Hardy, David Lott
 Cc: mmsample@indiana.edu <mmsample@indiana.edu>
 Sent: Thu Jul 08 08:48:14 2010
 Subject: RE: Visit

Hope I chose the right band! Balloons are of all colors. Mike

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

From: Hardy, David Lott [mailto:dlhardy@urc.IN.gov]
 Sent: Thursday, July 08, 2010 8:46 AM
 To: Reed, Michael W
 Cc: mmsample@indiana.edu
 Subject: Re: Visit

What's ci?

Expect you to be standing on the steps - the Woman and Sample are important.

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
 To: Hardy, David Lott
 Cc: 'mmsample@indiana.edu' <mmsample@indiana.edu>
 Sent: Thu Jul 08 08:08:20 2010
 Subject: Re: Visit

Yes, park in ci. Lobby person will call me.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
 To: Reed, Michael W
 Cc: mmsample@indiana.edu <mmsample@indiana.edu>
 Sent: Thu Jul 08 07:35:33 2010
 Subject: Visit

Guessing we will leave indy about 1030. Where do we park - in front?

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Thursday, July 08, 2010 5:15 PM
To: Hardy, David Lott
Cc: mmsample@indiana.edu
Subject: RE: Great Meeting

I thoroughly enjoyed as well! Told Angeline that Sample was rifling through her desk drawers. She didn't seem surprised.....

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

From: Hardy, David Lott [<mailto:dlhardy@urc.IN.gov>]
Sent: Thursday, July 08, 2010 4:34 PM
To: Reed, Michael W
Cc: mmsample@indiana.edu
Subject: Great Meeting

Thoughtful of you to suggest it - thank you.

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Wednesday, July 14, 2010 5:02 PM
To: Hardy, David Lott
Subject: Re:

In charlotte, received storm order summary (great!) Have not IMPA yet.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Wed Jul 14 16:39:16 2010
Subject: Re:

Sure - did you get your storm order and the Impa order?

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Wed Jul 14 16:32:58 2010
Subject: Re:

Would like 30 minutes to discuss couple of issues while in CA. We arrive around 3 PM, local time. Time for snort on Sunday?

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Reed, Michael W
Sent: Wed Jul 14 16:11:09 2010
Subject: Re:

80 degrees, blue skies - peace in the valley. You should be here - I'll buy dinner, with wine.

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

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Hardy, David Lott
Sent: Wed Jul 14 11:54:03 2010
Subject:

JT to discuss scott matter with JR on saturday. How is napa valley? Remember my birthday is just around the corner.....

From: Hardy, David Lott
To: Seyfried, Loraine; Reed, Michael W; richard_cortright@standardandpoors.com
CC: Horner, Lana J; Gearlds, Sandra
Sent: 7/30/2010 2:45:15 PM
Subject: Re: Indiana trip

Thank you, Goddess

From: Seyfried, Loraine
To: Hardy, David Lott; 'michael.reed2@duke-energy.com' <michael.reed2@duke-energy.com>; 'richard_cortright@standardandpoors.com' <richard_cortright@standardandpoors.com>
Cc: 'Lana.Horner@duke-energy.com' <Lana.Horner@duke-energy.com>; Gearlds, Sandra
Sent: Fri Jul 30 14:40:32 2010
Subject: Re: Indiana trip

Yes. Good memory. I think you should be fine to provide Mike with a ride - even better if Richard joins you. I also don't think Mike's presence on a goup tour is an issue as long as everyone understands not to discuss any pending issues.

Loraine

From: Hardy, David Lott
To: 'michael.reed2@duke-energy.com' <michael.reed2@duke-energy.com>; 'richard_cortright@standardandpoors.com' <richard_cortright@standardandpoors.com>
Cc: 'Lana.Horner@duke-energy.com' <Lana.Horner@duke-energy.com>; Gearlds, Sandra; Seyfried, Loraine
Sent: Fri Jul 30 11:44:01 2010
Subject: Re: Indiana trip

Always subject to the ethics Gods, I think that should work. The idea of starting in Evansville lends some efficiency as its a short hop to Gibson although comprehension of the scope and scale is not possible from ground only views. Whether the open docket affects tours I would think not, but am asking Loraine herewith (more precisely, she is the Ethics Goddess) and previously ruled I can't ride in a Duke vehicle but I would presume I could drive (and provide the car) and Mike could ride - Loraine?
 Richard: does riding in a State vehicle exceed your bounds? I can't think Mikes presence on the Tours affects my ability to tour - Loraine?

The hotel may be owned by a Casino but its the only place nice enough for President Reed.

Vectren is in Evansville as you know - want to try to see them or is that too many moving parts?

Perhaps I missed it but are we excluding all the steel mills? Gary would be a stretch, but there is one in Crawfordsville - Nucor continuous casting sheet steel and one closer to Indy in Pittsboro - the one in Crawfordsville I have toured and its cool - never been to the one in Pittsboro.

From: Reed, Michael W <Michael.Reed2@duke-energy.com>
To: Cortright, Richard <richard_cortright@standardandpoors.com>; Hardy, David Lott
Cc: Horner, Lana J <Lana.Horner@duke-energy.com>
Sent: Thu Jul 29 14:16:28 2010
Subject: RE: Indiana trip

Great, I'll begin to plan on my end.

I will be in charlotte on the 21st, so I will just fly to Evansville too. We can start early on the 22nd, if that works for you.

Mr Chairman?????

From: Cortright, Richard [mailto:richard_cortright@standardandpoors.com]
Sent: Thursday, July 29, 2010 2:08 PM
To: Reed, Michael W; Hardy, David Lott

090001510-007275

Subject: RE: Indiana trip

Mike,

This plan sounds like a good one. Getting an earlier start than would be possible flying in the same morning probably makes the day less hectic.

I hope that the Chairman will be able (if he so desires) to tour Eport with us. If nothing else, I'm very curious about those 'really good hotels in Evansville.'

Richard

Richard W. Cortright, Jr.
Managing Director
U.S. Utilities and Infrastructure Ratings
Standard & Poor's
55 Water Street
38th Floor
New York, NY 10041
Telephone: 212-438-7665
Fax: 212-438-2155
e-mail: richard_cortright@standardandpoors.com

From: Reed, Michael W [mailto:Michael.Reed2@duke-energy.com]
Sent: Thursday, July 29, 2010 1:59 PM
To: Cortright, Richard; Hardy, David Lott
Subject: RE: Indiana trip

Any of those options would work.

If you flew into in Evansville:

- Evansville to Gibson is 30 miles
- Gibson to Edwardsport is 45 miles
- Edwardsport to Indy 105 miles

- We could stay in Evansville evening of 21st, drive to Gibson, then to Eport, then to Indy, and be in Indy by dinner time.

If you fly into Indy, and traveled from Indy the morning of, we would have about 7 hours total driving time (3 to Eport, 1 to Gibson, 3 back to Indy).

Chairman can get us in a really good hotel in Evansville (he has pull everywhere). Not sure he can (or would want to tour Edwardsport), inasmuch that we have an open docket?

Mr Chairman, input?

Mike

From: Cortright, Richard [mailto:richard_cortright@standardandpoors.com]
Sent: Thursday, July 29, 2010 1:09 PM
To: Reed, Michael W; Hardy, David Lott
Subject: RE: Indiana trip

Mike,

Ahh... I completely got the location of the Edwardsport plant wrong. All this time I had thought that it was at the site of the Wabash River Plant outside Terre Haute, which explains why I probably made no sense at dinner when I was talking about this trip (I'm sure there were other occasions as well).

Could we do the two generating facilities on a single day if we arrived early enough? Let's try Wednesday the 22nd, the day before the IEA conference. We could arrive in Evansville by about 9:30am from NYC or fly in the night before so as to get an

earlier start.
Thanks.
Richard

Richard W. Cortright, Jr.
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55 Water Street
38th Floor
New York, NY 10041
Telephone: 212-438-7665
Fax: 212-438-2155
e-mail: richard_cortright@standardandpoors.com

From: Reed, Michael W [mailto:Michael.Reed2@duke-energy.com]
Sent: Thursday, July 29, 2010 12:32 PM
To: Cortright, Richard; Hardy, David Lott
Subject: RE: Indiana trip

Richard, Edwardsport and Gibson are about a three hour drive from Indy, in SW Indiana. Nucor is in Crawfordsville, perhaps a 30 minute drive. Glad to arrange any or all for both you and the Chairman. Let me know date preferences.
Mike

From: Cortright, Richard [mailto:richard_cortright@standardandpoors.com]
Sent: Thursday, July 29, 2010 11:54 AM
To: Hardy, David Lott; Reed, Michael W
Subject: RE: Indiana trip

Remember that we must now adhere to the same 'ethics' guidelines as any government official --- we must pay our own way --- which means that things like choppers are no longer legitimate forms of transportation (unless we are visiting something that is only accessible by air, and then we have to determine the cost and reimburse it).
But aren't the IGCC and Nucor facilities within relatively easy driving distance?

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Telephone: 212-438-7665
Fax: 212-438-2155
e-mail: richard_cortright@standardandpoors.com

From: Hardy, David Lott [mailto:dlhardy@urc.IN.gov]
Sent: Thursday, July 29, 2010 10:13 AM
To: Cortright, Richard; michael.reed2@duke-energy.com
Subject: Re: Indiana trip

My suggestion is that its doable with just you and Mike as he might have access to the chopper. My ethics prevent me from riding in said chopper, but I might be able to choose a location here and there to meet you.
Delightful as being together would be, I believe it more important that you see these facilities than we see them together.

From: Cortright, Richard <richard_cortright@standardandpoors.com>
To: Hardy, David Lott; michael.reed2@duke-energy.com <michael.reed2@duke-energy.com>
Sent: Thu Jul 29 09:58:50 2010
Subject: Indiana trip

Gentlemen,

Following up on our discussions in Sacramento last week about a possible tour of various facilities in Indiana, the week of the IEA meeting (Sept. 20-24) is looking good from our side. However, from a timing point of view, we probably need to limit the visit to the central Indiana sites (IGCC, steel). It would be great to see the the Gibson Plant as well as the Gary works (my grandfather and uncles all worked in these mills back in the '40s and '50s), but it just looks too tight.

Let me know when you can whether this is still doable.

Regards,

Richard

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From: Reed, Michael W
To: Turner, Jim
Sent: 8/1/2010 6:06:32 PM
Subject: Re: Fwd: IMG00017-20100729-1945.jpg

Judge Seyfried is the ethics officer. Assume she will get case if they wall off Scott.

You may want to fish a bit with Hardy on this issue while at EPRI. Haven't heard from him re whether he has invited them or not (as of this writing)?

I'm having lunch with Atterholt tomorrow. Anything you want me to cover?

From: Turner, Jim
To: Reed, Michael W
Sent: Sun Aug 01 17:55:12 2010
Subject: RE: Fwd: IMG00017-20100729-1945.jpg

I think they're seeing it is a great idea. I'm a little worried about the rigor of the ethics officer's opinion—you'd be giving one of the commissioners a tour of the project right around the time of the hearing. May be okay. Just seems a little dicey to me.

From: Reed, Michael W
Sent: Sunday, August 01, 2010 5:51 PM
To: Turner, Jim
Subject: Re: Fwd: IMG00017-20100729-1945.jpg

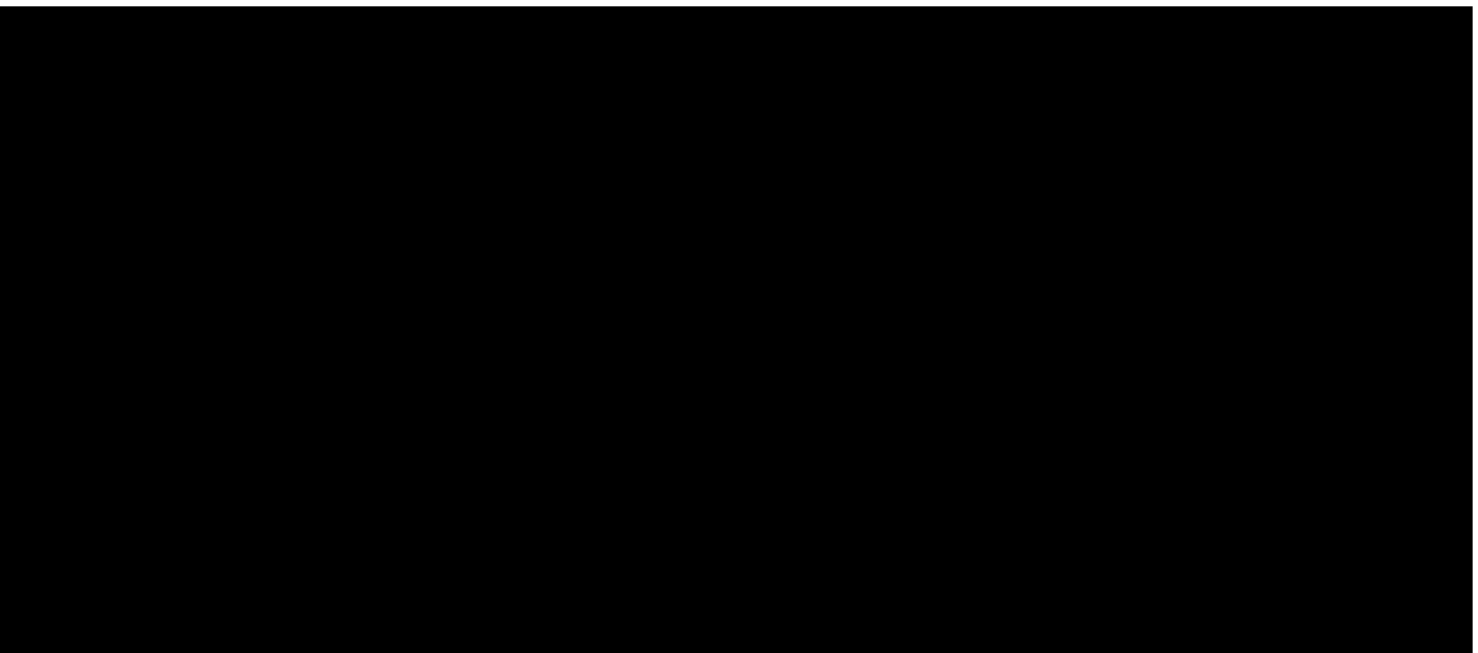
Jim; On another matter.....

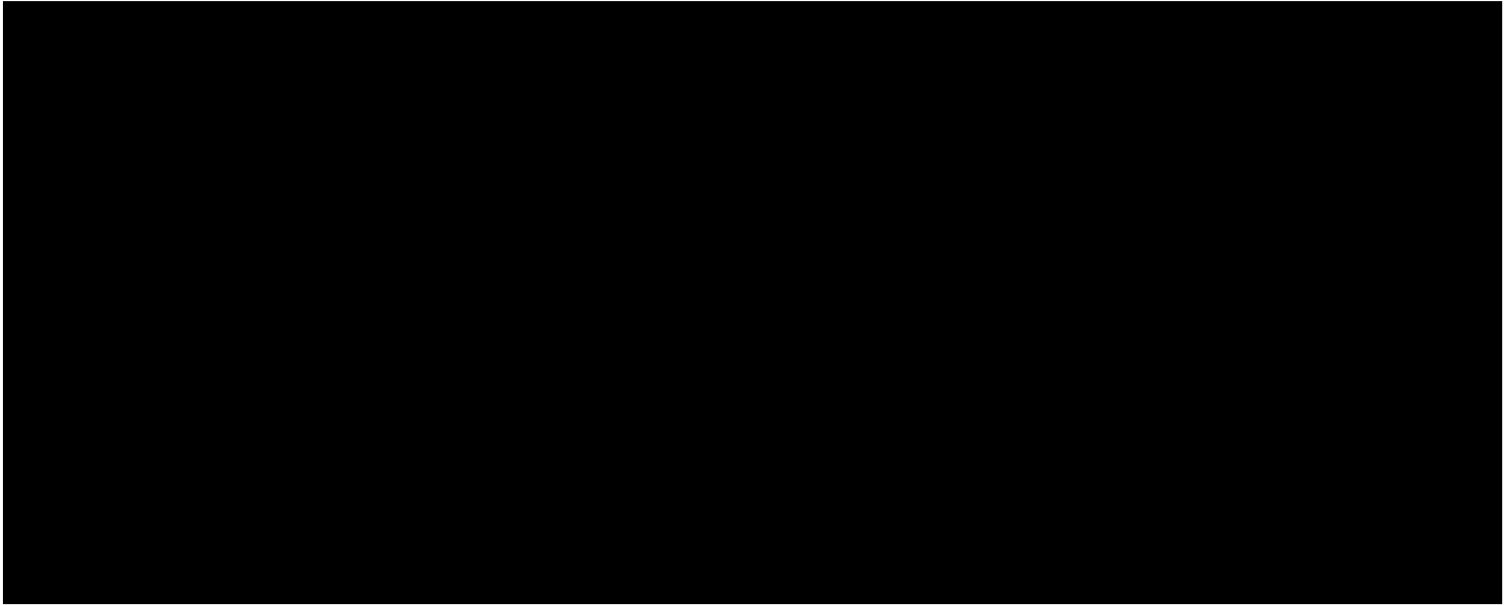
Chairman asked what I thought of inviting Commissioner Atterholt and Judge Seyfried to join he, Richard Cortright and I on our planned trip in Sept, to tour Gibson and Edwardsport.

I view a lot of upside to them both viewing, first hand, the complexity, size, scope, etc, of Eport. Do you agree?

David advises that his ethics officer doesn't see a conflict with the tour, as long as we do not discuss the case.

Thoughts?





From: Reed, Michael W
To: Turner, Jim
Sent: 8/1/2010 6:06:32 PM
Subject: Re: Fwd: IMG00017-20100729-1945.jpg

Judge Seyfried is the ethics officer. Assume she will get case if they wall off Scott.

You may want to fish a bit with Hardy on this issue while at EPRI. Haven't heard from him re whether he has invited them or not (as of this writing)?

I'm having lunch with Atterholt tomorrow. Anything you want me to cover?

From: Turner, Jim
To: Reed, Michael W
Sent: Sun Aug 01 17:55:12 2010
Subject: RE: Fwd: IMG00017-20100729-1945.jpg

I think they're seeing it is a great idea. I'm a little worried about the rigor of the ethics officer's opinion—you'd be giving one of the commissioners a tour of the project right around the time of the hearing. May be okay. Just seems a little dicey to me.

From: Reed, Michael W
Sent: Sunday, August 01, 2010 5:51 PM
To: Turner, Jim
Subject: Re: Fwd: IMG00017-20100729-1945.jpg

Jim; On another matter.....

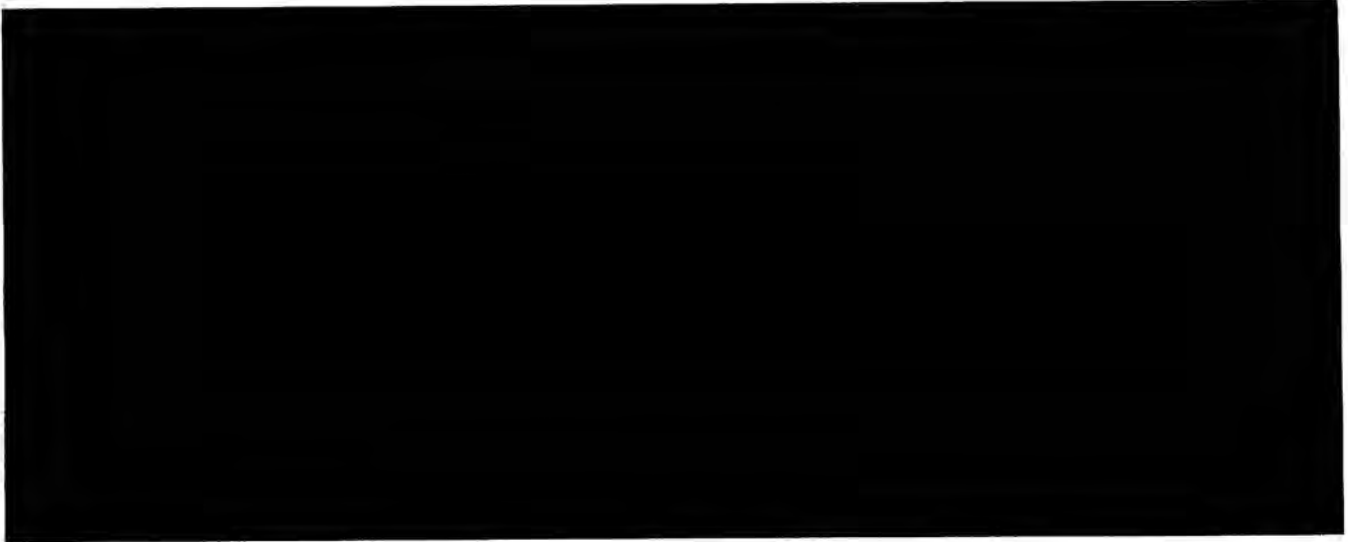
Chairman asked what I thought of inviting Commissioner Atterholt and Judge Seyfried to join he, Richard Cortright and I on our planned trip in Sept, to tour Gibson and Edwardsport.

I view a lot of upside to them both viewing, first hand, the complexity, size, scope, etc, of Eport. Do you agree?

David advises that his ethics officer doesn't see a conflict with the tour, as long as we do not discuss the case.

Thoughts?





From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Monday, August 02, 2010 10:09 AM
To: Hardy, David Lott
Subject: Re: What

Probably weighted towards the South look, less east.

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

From: Hardy, David Lott <dlhardy@urc.IN.gov>
To: Turner, Jim
Sent: Mon Aug 02 10:05:55 2010
Subject: What

Interested what it looks like when you merge East and South and then see what the needs are if you are Duke.

From: Turner, Jim [Jim.Turner@duke-energy.com]
Sent: Monday, August 02, 2010 12:26 PM
To: Hardy, David Lott
Subject: Well...

How does he fare as a competitor?

From: Reed, Michael W [Michael.Reed2@duke-energy.com]
Sent: Wednesday, August 11, 2010 9:03 AM
To: Hardy, David Lott
Cc: Reed, Michael W
Subject: FW: Meeting with Chairman Hardy – Possible Dates/Times
Attachments: image001.jpg

Mr. Chairman:

I spoke with Commissioner Atterholt after our PJM discussion yesterday. I offered to arrange for Jim Turner to meet with you (and him) if you felt the need to scratch at the PJM issue a bit more, after you read what we provided yesterday. Below are a couple options that may be available on Jim's calendar, provided you have an interest and are available?

Also, they wanted to know if you still were interested in a Gibson tour when the Duke Energy Board was at French Lick for their quarterly meeting? Assume you, I and Richard Cortright still plan same in September, before IEA?

Please let me know at your earliest convenience.

Mike

From: Reed, Michael W
Sent: Tuesday, August 10, 2010 7:11 PM
To: Toney, BT
Cc: Reed, Michael W
Subject: Re: Meeting with Chairman Hardy -- Possible Dates/Times

Thks, I will get back to you. Mike

From: Toney, BT
To: Reed, Michael W
Cc: Turner, Jim
Sent: Tue Aug 10 17:04:17 2010
Subject: Meeting with Chairman Hardy -- Possible Dates/Times

Mike, per our phone conversation earlier today, here are a few options I MAY can work out for Jim to meet with Chairman Hardy while in Indiana for the Board Meeting:

Sunday, August 22 – possible dinner meeting around 7 p.m.

Monday, August 23 – possible breakfast or meeting at Chairman Hardy's Office at 8:00 a.m. or 8:30 a.m. NOTE: Jim needs to be in French Lick no later than 1 p.m. for the FRMC Meeting that begins at 2 p.m. I think the travel time is an hour via helicopter.

Tuesday, August 24 – depending on the Gibson Tour with Chairman Hardy, perhaps a dinner meeting. It would be nice to know if the Gibson Tour is going to be a go on August 24. We can get Jim back to Indianapolis via helicopter by 5:00 p.m. if the tour does not happen.

I am copying Jim on this note since we have not discussed these dates/times. Hope this helps. BT



Brenda T. Toney

Executive Assistant to James L. Turner

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Please note new e-mail address.