

Record of Litigation, Regulatory, and Legislative Proceeding Experience

John F. Painter

Forum	Proceeding	Petitioner/Matter	On Behalf of:	Subject / Involvement	Dates
US District Court for the Eastern District of Arkansas, Jonesboro Division	Case No. 3:13-CV-011 BSM	City of Osceola, Arkansas v. Entergy Arkansas Inc., and Entergy Services Inc.	City of Osceola, AR	Assessment of whether Rough Production Cost Equalization (RPCE) charges should be included in the formula rates used to determine charges to the City of Osceola under the Power Coordination, Interconnection, and Transmission Agreement, as amended, between Osceola and EAI filed at the FERC.	2014
Arkansas Public Service Commission	Docket No. 12-069-U	Entergy, ITC Holdings Corp, et al	Arkansas Cities	Testimony regarding effect of changes to network transmission service formula, rates and charges upon Entergy's entry to MISO and spin off of assets to ITC	2013
Virgin Islands Public Service Commission	Docket 289	Virgin Islands Water and Power Authority (the Authority)	The Authority	Analyses, preparation and presentation to the Commission of the Authority's "Response to Commission Orders 20/2013 and 21/2013 and Report on the WAPA LEAC Factors for January 1, 2013." The response presented addressed factors affecting the cost of fuel, deferred fuel balances, and initiative to reduce the cost of fuel rebutting inaccurate and misleading statements by the Commission's consultant concerning the above topics.	2013

Record of Litigation, Regulatory, and Legislative Proceeding Experience

John F. Painter

Forum	Proceeding	Petitioner/Matter	On Behalf of:	Subject / Involvement	Dates
Virgin Islands Senate Committee on Energy and Environmental Protection of the 30 th Legislature of the Virgin Islands	February 22, 2013 Hearing on the status of the Authority's efforts to develop and implement renewable resources and to answer prepared questions from the Committee concerning the cost of cost of electricity	Virgin Islands Water and Power Authority (the Authority)	The Authority	Analyses and support during the preparation and presentation of the testimony of Hugo V. Hodge, Jr., Executive Director/CEO	2013
Court of Common Pleas, Greenville County, South Carolina	Case No. 2006-CP-23-4267	City of Union, SC v. Piedmont Municipal Power Agency	Piedmont Municipal Power Agency (PMPA)	Assistance with settlement negotiations to resolve a dispute pertaining to a special billing arrangement between the City of Union and PMPA	2006 to 2007
District Court of Lancaster County, Nebraska	Docket 528, Page 69	City of Lincoln, et. al. v. Nebraska Public Power District	Nebraska Public Power District	Testimony regarding estimates prepared on behalf of Lincoln of replacement power costs and foregone profits on energy sales during outages of Cooper Nuclear Station	1998 to 2002
General Court of Justice, Superior Court Division, Wake County, North Carolina	88 CVS 6512	North Carolina Eastern Municipal Power Agency v. Carolina Power & Light Co.	North Carolina Eastern Municipal Power Agency (NCEMPA)	Fact and damage witness and project manager for Firm's support of NCEMPA's complaint concerning failures by CP&L resulting in excessive costs for the Harris Nuclear Station and other project units.	1988 to 1996

Record of Litigation, Regulatory, and Legislative Proceeding Experience

John F. Painter

Forum	Proceeding	Petitioner/Matter	On Behalf of:	Subject / Involvement	Dates
Federal Energy Regulatory Commission	Docket EL87-11-000	North Carolina Municipal Power Agency No. 1 and Piedmont Municipal Power Agency v. Duke Power Company	NCMPA No. 1 and PMPA	Analyses of damages and refunds and other litigation support in support of Clients' claim that extraordinary property loss-related costs resulting from the cancelled Cherokee Nuclear Station should not be recovered through a formula rate.	1987 to 1988
Federal Energy Regulatory Commission	Docket EL88-27-000	North Carolina Eastern Municipal Power Agency v. Carolina Power & Light Co.	North Carolina Eastern Municipal Power Agency (NCEMPA)	Testimony regarding provisions of the 1981 Power Coordination Agreement and other agreements between the parties impacted by a proposed purchase by the Client from the South Carolina Public Service Authority. Also, served as project manager of the Firm's project team that assisted with the application for arrangements to facilitate the purchase.	1988
Binding Arbitration Proceeding and Extended Issue Settlement Negotiations	Arbitration Proceedings 2 through 5 and negotiation regarding numerous other issues	North Carolina Municipal Power Agency No. 1 (NCMPA No. 1), Piedmont Municipal Power Agency (PMPA), et. al. v. Duke Power Company	NCMPA No. 1 and PMPA	Analyses in support of and testimony regarding interpretation of contract provisions, application of formulas, overcharges, and refunds due pertaining to numerous disputes concerning cost allocations, charges, and computations under formula rates included in the Interconnection Agreement and Operating and Fuel Agreement between the parties pertaining to the Catawba Nuclear Station	1987 to 1993

Record of Litigation, Regulatory, and Legislative Proceeding Experience

John F. Painter

Forum	Proceeding	Petitioner/Matter	On Behalf of:	Subject / Involvement	Dates
Binding Arbitration Proceeding	First Arbitration Proceeding	North Carolina Municipal Power Agency No. 1 (NCMPA No. 1), Piedmont Municipal Power Agency (PMPA), et. al. v. Duke Power Company	NCMPA No. 1 and PMPA	Testimony regarding interpretation of contract provisions, application of formulas, overcharges, and refunds due pertaining to allocations of costs for partial requirements service, entitlement to capacity under the McGuire Reliability Exchange, and charges under the sell-back arrangement from the Clients entitlement to the Catawba Nuclear Station.	1987 to 1990
Pre-Litigation Settlement Negotiation		North Carolina Eastern Municipal Power Agency v. Carolina Power & Light Co.	North Carolina Eastern Municipal Power Agency (NCEMPA)	Analysis concerning a significant dispute concerning amounts due under the Purchase, Construction and Ownership Agreement date July 30, 1981 to compensate CP&L for tax effects of the sale of ownership interests to NCEMPA.	1983 to 1984