

**BEFORE THE  
NEW MEXICO PUBLIC REGULATION COMMISSION**

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<b>APPLICATION OF EL PASO ELECTRIC</b>	)	
<b>COMPANY FOR APPROVAL OF A GRID</b>	)	
<b>MODERNIZATION PROJECT TO IMPLEMENT AN</b>	)	
<b>ADVANCED METERING SYSTEM (AMS)</b>	)	<b>CASE NO. 21-00269-UT</b>
<b>PROJECT, ADVICE NOTICE NO. 274, ORIGINAL</b>	)	
<b>RATE NO. 46 – ADVANCED METERING SYSTEM</b>	)	
<b>RIDER, REVISED RATE NO. 15 -</b>	)	
<b>MISCELLANEOUS SERVICE CHARGES, AND</b>	)	
<b>ORIGINAL FORM 42 FOR OPT-OUT PROVISIONS</b>	)	
<b>AND FEES.</b>	)	
	)	
<b>EL PASO ELECTRIC COMPANY</b>	)	
	)	
<b>APPLICANT.</b>	)	

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**TESTIMONY IN SUPPORT OF UNOPPOSED COMPREHENSIVE STIPULATION**

**COURTNEY LANE**

**ON BEHALF OF  
THE OFFICE OF ATTORNEY GENERAL**

**MAY 11, 2022**

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Appendix A - Resume of Courtney Lane

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1     **I. INTRODUCTION AND QUALIFICATIONS**

2     **Q     Please state your name, title, and employer.**

3     **A**     My name is Courtney Lane. I am a Senior Associate at Synapse Energy Economics  
4             ("Synapse"), located at 485 Massachusetts Avenue, Suite 3, Cambridge, MA 02139.

5     **Q     Please describe Synapse Energy Economics.**

6     **A**     Synapse is a research and consulting firm specializing in electricity and gas industry  
7             regulation, planning, and analysis. Our work covers a range of issues, including economic  
8             and technical assessments of demand-side and supply-side energy resources; energy  
9             efficiency policies and programs; integrated resource planning; electricity market  
10            modeling and assessment; renewable resource technologies and policies; and climate  
11            change strategies. Synapse works for a wide range of clients, including attorneys general,  
12            offices of consumer advocates, public utility commissions, environmental advocates, the  
13            U.S. Environmental Protection Agency, the U.S. Department of Energy, the U.S.  
14            Department of Justice, the Federal Trade Commission, and the National Association of  
15            Regulatory Utility Commissioners. Synapse has over 30 professional staff with extensive  
16            experience in the electricity industry.

17    **Q     Please summarize your professional and educational experience.**

18    **A**     I have 17 years of experience in energy policy and regulation. At Synapse, I work on  
19            issues related to utility regulatory models, grid modernization, benefit-cost assessment  
20            frameworks, and performance incentive mechanisms. Prior to working at Synapse, I was  
21            employed by National Grid as the Growth Management Lead for New England where I  
22            oversaw the development of customer products, services, and business models for

1 Massachusetts and Rhode Island. In previous roles at National Grid, I worked on the  
2 deployment of non-wires alternatives and grid modernization efforts and led the  
3 development of the Rhode Island electric and natural gas energy efficiency plans. Prior to  
4 joining National Grid, I worked on regulatory and state policy issues pertaining to energy  
5 conservation, retail competition, net metering, and the Alternative Energy Portfolio  
6 Standard for Citizens for Pennsylvania’s Future (PennFuture). Prior to that, I worked for  
7 Northeast Energy Efficiency Partnerships, Inc. where I promoted energy efficiency  
8 throughout the Northeast.

9 I hold a Master of Arts in Environmental Policy and Planning from Tufts University and  
10 a Bachelor of Arts in Environmental Geography from Colgate University. My resume is  
11 attached as Appendix A.

12 **Q On whose behalf are you testifying in this case?**

13 **A** I am testifying on behalf of the New Mexico Office of Attorney General (“NMAG”)

14 **Q Have you previously testified in regulatory proceedings in New Mexico?**

15 **A** No.

16 **Q Have you previously testified in proceedings before other state commissions or**  
17 **agencies?**

18 **A** Yes. I have testified before the New Hampshire Public Utilities Commission, the  
19 Maryland Public Service Commission, the Pennsylvania Public Service Commission, the  
20 Public Service Commission of the District of Columbia, and the Rhode Island Public  
21 Utilities Commission. A list of my previous testimony is included in Attachment A.

1 **Q What is the purpose of your testimony?**

2 **A** Synapse was retained by the NMAG to review El Paso Electric Company's ("EPE" or  
3 "Company") Application for approval of an Advanced Metering System ("AMS") Project  
4 ("AMS Project" or "Project") and provide recommendations to the New Mexico Public  
5 Regulation Commission ("NMPRC"). Specifically, Synapse was engaged to examine the  
6 technical components of the AMS Project, assess the reasonableness of assumed benefits  
7 to EPE and customers, and determine whether the proposal is in the interest of New  
8 Mexico ratepayers.

9 After extensive discussions, the parties to this proceeding have entered into an  
10 Unopposed Comprehensive Stipulation ("AMS Stipulation") that resolves all of the  
11 issues in this proceeding. The purpose of my testimony is to provide a summary of the  
12 proposed AMS Project, summarize my concerns with the original Application, and  
13 explain how the AMS Stipulation addresses my concerns. Witness Andrea C. Crane, of  
14 The Columbia Group, Inc., is also filing testimony on behalf of the NMAG addressing  
15 issues relating to cost of service and the cost recovery mechanism.

16 **Q What materials did you rely on to develop your testimony?**

17 **A** The sources for my testimony and exhibits are public documents and EPE's responses to  
18 discovery requests, as well as my personal knowledge and experience.

19 **Q Was your testimony prepared by you or under your direction?**

20 **A** Yes. My testimony and the accompanying exhibits were prepared by me or under my  
21 direct supervision and control.

1 **II. SUMMARY OF THE APPLICATION**

2 **Q Please explain EPE’s justification for filing the AMS Project Application.**

3 **A** The Company states the Application is being made pursuant to the Grid Modernization  
4 Statute, which authorizes the NPMRC to approve grid modernization projects “to  
5 facilitate grid modernization, rate designs or programs that incorporate the use of  
6 technologies, equipment or infrastructure associated with grid modernization and  
7 customer education and outreach programs that increase awareness of grid modernization  
8 programs and of the benefits of grid modernization.”<sup>1</sup>

9 **Q Please summarize EPE’s proposed AMS Project.**

10 **A** EPE’s proposed AMS Project consists of three main components:

11 1) The replacement of existing Automated Meter Reading (“AMR”) meters with  
12 AMS meters.

13 2) The design and implementation of a communications network that supports two-  
14 way data flow between the AMS meters and a head-end system through a radio  
15 frequency mesh network.

16 3) The implementation of a Meter Data Management System (“MDMS”) that will  
17 integrate with the head-end system to support the loading and automated  
18 validation-editing-estimation (“VEE”) of meter data, aggregated consumption

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<sup>1</sup> The Grid Modernization Act, § 62-8-13(A). NMSA 1978 (2019).

1 data, and automatically calculate billing determinants for simple and complex rate  
2 structures.<sup>2</sup>

3 Through a competitive Request for Proposals (“RFP”) process, the Company selected  
4 Itron, Inc. (“Itron”) as the meter vendor and Oracle Corporation (“Oracle”) as the MDMS  
5 vendor.<sup>3</sup> The Company proposes to commence implementation of the communications  
6 network in the middle of 2022 and finish AMS meter deployment in 2025.<sup>4</sup>

7 **Q What are the key differences in functionality between EPE’s existing AMR meters**  
8 **and the proposed AMS meters?**

9 **A** EPE’s existing AMR meters do not support two-way communication. This means the  
10 meters require drive-by meter reading to collect monthly customer electricity usage data  
11 and an employee must be physically present at the meter to perform connections and  
12 disconnections. The proposed AMS meters will provide for two-way communication,  
13 allowing for remote meter reading, connection and disconnection, and outage and power  
14 quality reporting.

15 Another difference is in the level of data granularity provided by AMS meters. AMR  
16 meters can typically only record up to three energy measurements (data points) once per  
17 month for each data reading. The proposed AMS meters will be able to record multiple  
18 data-points at 15-minute intervals. Specifically, EPE contends that residential customer  
19 data will be available in 15-minute intervals and non-residential customers in 5 minute

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<sup>2</sup> Direct Testimony of Tracy Van Slyke, pgs. 3-8.

<sup>3</sup> Direct Testimony of Grisel Arizpe, pg. 12.

<sup>4</sup> Direct Testimony of James Schichtl, pg. 9.

1 intervals, with validated interval data available for customer download on a day-after  
2 basis.<sup>5</sup>

3 **Q How will customers access their AMS meter data?**

4 **A** EPE proposes to provide customers with next-day energy usage information through a  
5 proposed web portal that will be accessible through a computer and/or mobile device.

6 The web portal will be functional by the time that meter deployment begins and will  
7 allow for customers to customize notifications related to their energy usage. This includes  
8 notifications for high bill alerts and pre-determined dollar thresholds.<sup>6</sup>

9 **Q Will the AMS meters support new rate design options for customers?**

10 **A** Yes. While the Company is not requesting approval of new rates in this filing, EPE  
11 indicates that the AMS Project will allow for time-of-day (“TOD”) rates and dynamic  
12 pricing options such as Critical Peak Pricing (“CPP”), Peak Time Rebate (“PTR”) and  
13 Capacity Bidding.<sup>7</sup>

14 **Q Will the AMS meters offer any additional functionality?**

15 **A** Yes. Although EPE does not plan to enable this function at the present time, the AMS  
16 meters will have Home Area Network (“HAN”) capability at the time of deployment.<sup>8</sup>

17 HAN is a radio device within the AMS meter that can connect to qualified energy  
18 monitoring devices, allowing residential and commercial customers to view their

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<sup>5</sup> EPE Response to AG 4-40(d).

<sup>6</sup> Direct Testimony of James Schichtl, pgs. 28-29.

<sup>7</sup> *Id.*, pg. 35.

<sup>8</sup> EPE Response to AG4-41.



1 consumption in near real-time. Common HAN devices include in-home energy displays,  
2 programmable communicating thermostats, and gateway devices.

3 In response to discovery, the Company also indicated that the AMS meters have a  
4 “distributed intelligence” capability that will allow for the download of new software and  
5 programs. To allow for future applications, EPE chose to purchase additional memory in  
6 the meters to allow for future additional downloadable applications.<sup>9</sup>

7 **Q Does the AMS Project include a plan for customer outreach and education?**

8 **A** Yes, EPE provides an outline for a multi-phased approach to educate its customers on the  
9 AMS project. The proposed education plan includes four phases that begins with general  
10 education to customers on the purpose of the Project Application and ends with full AMS  
11 meter deployment where EPE will promote the use of energy management tools.<sup>10</sup>

12 **Q Did the Company propose any public reporting criteria?**

13 **A** Yes. As summarized on page 44 of the Direct Testimony of James Schichtl, EPE  
14 proposes to provide the following information as part of annual progress reports:

- 15
- The number of installed advanced meters.
- 16
- Any significant delays or deviation from the proposed timeline and the reasons for  
17 the delay or deviation.

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<sup>9</sup> EPE Response to AG 4-01.

<sup>10</sup> Exhibit JS-5, pgs. 2-3.

- 1           • A description of significant problems from an AMS, with an explanation of how  
2           the problems are being addressed.
- 3           • The number of advanced meters that have been replaced as a result of problems  
4           with the AMS.

5       **III. ANALYSIS OF THE ORIGINAL AMS PROJECT PROPOSAL**

6   **Q     Are you generally supportive of the AMS Project proposed by EPE in this**  
7   **proceeding?**

8   **A     Yes. While I am generally supportive of EPE’s proposed AMS Project, I have concerns**  
9   with the original Application. These include:

- 10           1) The lack of a clear commitment and plan for the implementation of customer-  
11           facing program offerings and price signals that would allow customers to take full  
12           advantage of their AMS meter data to save energy and help to control and manage  
13           their bills.
- 14           2) The omission of an AMS data sharing policy that would enable customers to  
15           automatically share energy usage data with third-parties.
- 16           3) Insufficient public reporting on AMS Project performance metrics.

17           In addition to these concerns, NMAG also has concerns regarding the cost recovery  
18           mechanism. These concerns are discussed in the testimony of Witness Andrea C. Crane.

1 **Q Please explain the importance of AMS-enabled customer offerings.**

2 **A** AMS meters on their own do not provide sufficient savings opportunities for customers.

3 The actual benefits of AMS realized by customers is directly related to the types of  
4 programs provided by utilities and the design of those programs. Customers need  
5 sufficient education, price signals, tools, and ease-of-use applications to take advantage  
6 of this new technology. These offering can include time-varying rates, load  
7 disaggregation, behavioral-based programs with real-time feedback, grid-interactive  
8 efficient buildings, HAN applications, and Green Button Connect My Data (CMD).

9 While noted by EPE Witness James Schichtl, “maximizing the benefit to customers of  
10 EPE's investment in an advanced metering system is only possible by fully leveraging the  
11 associated information and technology”,<sup>11</sup> the Company did not provide a specific plan  
12 for how it will deploy and utilize the full capabilities of the AMS Project.

13 Unfortunately, it is far too common for utilities to cite potential customer benefits from  
14 AMS meters in applications before a commission and then not follow through with  
15 necessary implementation of programs to achieve those purported benefits. For example,  
16 a recent study by the American Council for an Energy-Efficient Economy (“ACEEE”)  
17 found that only one of the 52 utilities surveyed was optimizing its AMS infrastructure to  
18 create energy savings opportunities for customers.<sup>12</sup>

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<sup>11</sup> Direct Testimony of James Schichtl, pg. 34.

<sup>12</sup> Gold, R., Waters, C., York, D. 2020. *Leveraging Advanced Metering Infrastructure to Save Energy*. American Council for an Energy-Efficiency Economy (“ACEEE”).

1 EPE's AMS Project has significant costs that will be recovered from ratepayers.

2 Ratepayers should be entitled to have access to the full benefits of this technology.

3 **Q Please explain your concerns with the original Application as it relates to third-**  
4 **party data access.**

5 **A** The original Application did not include a proposal for enabling third-party access to  
6 customer data. While EPE stated in response to discovery that customers will be able to  
7 download their interval usage information and provide it to a third-party, there is no  
8 indication that a privacy and data sharing policy will be developed to enable future  
9 automation of data sharing through the HAN or platforms like Green Button CMD.<sup>13</sup> The  
10 Company stated that the terms and conditions with Itron do not address third-party access  
11 to customer energy data and non-discrimination to third party applications and  
12 equipment.<sup>14</sup>

13 It is important that customers own and have control over their energy data, including the  
14 ability to share interval energy usage data and other AMS related data fields with chosen  
15 authorized entities. Further, the data sharing process should be as streamlined and  
16 automated as possible to encourage customer participation.

17 The roll-out of advanced metering throughout the country has fostered the market for  
18 third-party products and services that can provide customers with additional options to  
19 control energy usage and save money. These services can include new in-home products  
20 that can connect through the HAN to monitor and manage energy usage in real-time or

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<sup>13</sup> EPE Response to AG 4-40(a).

<sup>14</sup> EPE Response to AG 4-41.

1 actionable insights and tools through Green Button CMD. Such programs can supplement  
2 utility offerings and provide customers with more choices and opportunities to benefit  
3 from their AMS meter but only if a data sharing process is established by EPE.

4 **Q Please explain your concerns with EPE's proposed reporting criteria.**

5 **A** As described earlier in my testimony, EPE proposes a limited list of information it will  
6 provide as part of its annual progress reports. None of these seek to track progress  
7 towards the benefits EPE claims the AMS Project will provide. For example, EPE claims  
8 that the AMS Project will create operational benefits related to reliability, reduced meter  
9 reads, planning, and direct customer benefits from participation in TOD rates and other  
10 dynamic pricing options. However, EPE does not currently plan to measure or track  
11 changes in these areas attributable to the AMS Project.

12 While it may not be possible to track all claimed benefits, reporting metrics should be  
13 mapped to as many as possible to provide transparency on the actual costs and benefits  
14 resulting from EPE's investment in the AMS Project over time.

15 **Q What reporting metrics do you recommend?**

16 **A** I recommend metrics for the implementation phase of the AMS project that track the  
17 installation and deployment of meters. This can include, but not be limited to, metrics  
18 related to number of meters installed compared to planned installation levels, costs  
19 compared to planned costs, number of customers electing to opt-out of AMS installation,  
20 and number of customer complaints.

21 I also recommend EPE develop tracking metrics for the post meter deployment phase.

22 The metrics for this phase would track to EPE's assumed benefits including operational

1 benefits from avoided truck rolls and associated cost savings, AMS meter functionality  
2 including meter accuracy, number of remote meter disconnections and connections,  
3 changes to reliability, customer engagement with the web portal, and customer  
4 satisfaction.

5 **IV. SUPPORT FOR THE AMS STIPULATION**

6 **Q Prior to Direct Testimony being filed, did the parties engage in settlement**  
7 **discussion?**

8 **A** Yes. The parties had extensive settlement discussions to resolve all issues in this  
9 proceeding prior to the Direct Testimony being filed. The NMAG, Staff of the Utility  
10 Division of the NMPRC (“Staff”), the City of Las Cruces (“CLC” or “the City”),  
11 Coalition for Clean Affordable Energy (“CCAЕ”), Philip B. Simpson, pro se, and Merrie  
12 Lee Soules, pro se, referred to collectively as the “Signatories” entered into the AMS  
13 Stipulation. It is my understanding that the Stipulation was circulated to Yellow Bird  
14 Services, LLC (“Yellow Bird”) and Yellow Bird took no position, but subsequently filed  
15 Direct Testimony opposing the AMS Project as filed.

16 **Q Please summarize the terms of the AMS Stipulation.**

17 **A** The AMS Stipulation includes several important enhancements that will lead to increased  
18 opportunities for customers to realize the benefits of the AMS Project and will provide  
19 further reporting transparency. Specifically, the AMS Stipulation sets forth the following  
20 agreements regarding EPE’s commitment for additional filings, stakeholder engagement,  
21 and reporting.

- 1           • EPE will file a proposal for customer-authorized third-party access to energy-  
2           usage data through Green Button CMD platform no later than one year prior to  
3           the estimated completion of AMS meter deployment.
- 4           • EPE will create an AMS Programs Advisory Group (“Advisory Group”) to  
5           collaborate on the development of programs and services to enable full customer  
6           use of AMS capabilities beginning in January 2023.
- 7           • EPE will assess the costs and benefits of enabling HAN and Distributed  
8           Intelligence (“DI”) functionality in relation to the costs and benefits of enabling  
9           load disaggregation, demand response, and other functionality in the third and  
10          fourth quarters of 2023.
- 11          • EPE will seek regulatory approval for pilot rate and program options by the fourth  
12          quarter of 2023 and will implement any approved pilots in 2024 and 2025 and  
13          conduct an evaluation of the pilot results in 2025.
- 14          • EPE will file an application for regulatory approval to adopt rates and programs in  
15          the first rate case after June 30, 2025, or file such an application by January 1,  
16          2027 if no rates or program options have yet been filed in a rate case.
- 17          • EPE agrees to incorporate AMS data (to the extent available) in the measurement  
18          and evaluation of its EE/LM programs, including to providing relevant data to its  
19          third-party implementer.

- 1           • EPE commits to file and post on its website an enhanced list of AMS metrics  
2           beginning in January 2023.

3           The AMS Stipulation also includes several modifications to the cost recovery mechanism  
4           and other aspects of the Company’s Application. These issues are addressed by Witness  
5           Andrea C. Crane.

6   **Q    How does the AMS Stipulation address your concerns regarding the development of**  
7   **new AMS-enabled customer offerings and data sharing capabilities?**

8   **A**The AMS Stipulation provides for a clear path and timeline for the development and  
9           filing of new customer offerings like the Green Button Connect My Data (“CMD”)  
10          platform, the development of an Advisory Group to help inform future pricing options  
11          and programs, dates by when EPE must file for pilots and full rates and programs, and the  
12          incorporation of AMS data (to the extent available) in the measurement and evaluation of  
13          its EE/LM programs.

14 **Q    Why do you support Green Button CMD?**

15 **A**The Green Button CMD is an open-data standard designed to enable customer authorized  
16          third-parties the ability to quickly and securely obtain interval meter data that can be used  
17          to help inform the way in which a customer manages their energy usage. The customer  
18          can choose to automatically share AMS meter data with third-parties and can define the  
19          length of that authorization.<sup>15</sup>

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<sup>15</sup> See <https://www.greenbuttonalliance.org/cmd>. Accessed on 4/27/22.



1 I support this functionality as a well-vetted and industry-supported means to provide  
2 customers with access to new market offerings and data-driven services and programs to  
3 support better energy consumption monitoring and management. Green Button CMD is a  
4 nationally-recognized technical standard that has been ratified by the ANSI-accredited  
5 North American Energy Standards Board (“NAESB”), for sharing customer usage, cost,  
6 and other related data. The data standards were originally developed by the Smart Grid  
7 Interoperability Panel, facilitated by the National Institute of Standards and Technology  
8 (“NIST”) and is currently offered by dozens of utilities across the country.<sup>16</sup>

9 A key benefit of Green Button CMD is it provides for the automatic transfer of meter  
10 data to third-parties without the need for customers to purchase additional equipment for  
11 their home or building. It also removes the step of the customer needing to download  
12 their meter data to then share with a third-party. By automating the data-sharing process,  
13 Green Button CMD creates an ease of use that may encourage more customer  
14 participation.

15 **Q Please describe the Advisory Group and its objectives.**

16 **A** The AMS Stipulation requires that EPE will form an Advisory Group with the objective  
17 of enabling collaboration on development, testing, and evaluation of future customer  
18 programs and services, including new dynamic pricing options and rate design, to enable  
19 full customer use of AMS capabilities. EPE will schedule quarterly Advisory Group  
20 meetings starting in January 2023, with more meetings added as needed.

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<sup>16</sup> See <https://www.energy.gov/data/green-button>. Accessed on 4/27/22.

1 As provided for in the AMS Stipulation, the Advisory Group and EPE will follow the  
2 schedule detailed in Table 1.

3 **Table 1. Timeline for the Development of Future Customer Rates and Programs**

<b>Date</b>	<b>Objective</b>
January 2023	Advisory Group meetings commence
Quarter 1, 2023	EPE presents initial options for new customer rates and programs to the Advisory Group
Quarters 3-4, 2023	EPE conducts customer focus groups to inform rate and program development.
Quarters 3-4, 2023	Advisory Group and EPE assess the costs and benefits of enabling HAN and DI functionality in comparison to those related to load disaggregation, demand response and other potential meter functionalities.
Quarter 4, 2023	EPE files for regulatory approval of rate design pilots and program pilots as informed by the Advisory Group.
2024-2025	EPE implements approved pilots.
2025	EPE conducts program analysis and an evaluation of the pilots.
Post-2025	EPE will file an Application for regulatory approval to adopt rate and program offerings in the first rate case after June 30, 2025, or file such Application by January 1, 2027 if no rates or programs have as yet been filed in a rate case.

4  
5 **Q Does the AMS Stipulation address your concerns related to reporting criteria?**

6 Yes. EPE agrees to report an expanded list of metrics each year as included in  
7 Attachment E to the AMS Stipulation. The Company will file this report with the  
8 Commission and post this information on its website. This represents a substantial  
9 improvement to EPE's original reporting proposal. In addition to tracking more metrics  
10 for the installation and deployment phase related to the roll-out of AMS meters, EPE will  
11 track a variety of metrics for the post-deployment phase. This includes metrics related to  
12 reduced field visits for meter reading, the functionality of the AMS meters, changes in  
13 reliability, customer engagement, and customer satisfaction. The addition of post

1 deployment phase metrics is critical to understanding the outcome of EPE’s investment.  
2 Furthermore, the tracking of metrics related to customer engagement and customer  
3 satisfaction can highlight whether customers are using the AMS meter functionality and  
4 if changes in EPE’s customer outreach and education are needed.

5 **Q Does the AMS Stipulation also address cost recovery mechanisms?**

6 **A** Yes. These issues are addressed in the testimony of Witness Andrea C. Crane.

7 **V. RESPONSE TO YELLOW BIRD SERVICES TESTIMONY**

8 **Q Have you reviewed the testimony of Rocky Bacchus that was filed on behalf of**  
9 **Yellow Bird on April 29, 2022?**

10 **A** Yes. Mr. Bacchus raises concerns related to the realization of benefits, the lack of pilots,  
11 and the choice of meters. He recommends that the AMS Project, as filed, be rejected.

12 **Q Do the concerns raised by Mr. Bacchus have merit?**

13 **A** No. I find that these concerns are either not warranted or have been addressed through the  
14 AMS Stipulation. Mr. Bacchus stated he had not seen “a final settlement offer” at the  
15 time he filed testimony. Therefore, it is not clear whether Yellow Bird would still have  
16 the same concerns upon review of the final AMS Stipulation. Regardless, I find that the  
17 concerns raised by Mr. Bacchus should not prevent the NMPRC from approving the  
18 AMS Stipulation proposed by the Signatories.

19 **Q Do you agree that EPE’s existing meters can provide all the data for a “smart**  
20 **meter” program?**

21 **A** No, I do not. While Mr. Bacchus does not define what is meant by a “smart meter”  
22 program in his testimony, EPE’s existing meter technology would not be capable of  
23 providing the same interval data and two-way communication as an AMS meter. As I

1 describe earlier in my testimony, the proposed AMS meters will be able to record  
2 multiple data-points at 15-minute intervals and validated interval data will be available  
3 for customer download on a day-after basis. These capabilities provide for more dynamic  
4 pricing signals and additional customer program offerings. As noted by the Company, the  
5 availability of interval metering data allows for pricing changes during a billing cycle on  
6 top of tariffed rates and actual measurement of customer response to curtailment requests,  
7 relative to recent customer-specific baseline.<sup>17</sup>

8 **Q Please explain how the AMS Stipulation addresses Mr. Bacchus' concerns related to**  
9 **pilots and benefits.**

10 **A** Mr. Bacchus states in his testimony that EPE did not show clear value for solar  
11 connections, micro-grid, demand response or other valuable grid goals and recommends  
12 that the project needs to be re-thought, piloted with multiple systems and multiple  
13 suppliers.<sup>18</sup> As discussed earlier in my testimony, I had similar concerns with EPE's  
14 original Application due to the lack of commitment by the Company to develop programs  
15 and pricing signals that would enable the full value of the AMS Project.

16 However, the AMS Stipulation addresses this issue with a commitment by the Company  
17 to develop and file new customer offerings like the Green Button CMD platform, the  
18 development of an Advisory Group, and dates by when EPE must file for pilots and full  
19 rates and programs. I encourage Yellow Bird to join the Advisory Group and use that

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<sup>17</sup> EPE Response to AG 4-12(b).

<sup>18</sup> Prefiled Direct Testimony of Rocky Bacchus, pg. 4 and pg. 11.

1 process as a means to make recommendations for how the AMS Project can be leveraged  
2 to support its goals.

3 **VI. CONCLUSION**

4 **Q Do you believe the Commission should approve this proposed stipulation?**

5 **A** Yes. The AMS Stipulation provides a significant improvement over the original  
6 Application. The provisions of the AMS Stipulation will set a clear plan with dates that  
7 EPE will follow to develop and implement new rate and offerings to help customers  
8 realize the full value of the AMS Project investment. Further the additional reporting  
9 metrics will help bring transparency to the costs and benefits created from the AMS  
10 Project.

11 **Q Does this conclude your testimony?**

12 **A** Yes, it does.

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

APPLICATION OF EL PASO ELECTRIC )  
COMPANY FOR APPROVAL OF A GRID )  
MODERNIZATION PROJECT TO IMPLEMENT AN )  
ADVANCED METERING SYSTEM (AMS) ) CASE NO. 21-00269-UT  
PROJECT, ADVICE NOTICE No. 274, ORIGINAL )  
RATE NO. 46 – ADVANCED METERING SYSTEM )  
RIDER, REVISED RATE NO. 15 - )  
MISCELLANEOUS SERVICE CHARGES, AND )  
ORIGINAL FORM 42 FOR OPT-OUT PROVISIONS )  
AND FEES. )  
)  
EL PASO ELECTRIC COMPANY )  
)  
APPLICANT. )  
\_\_\_\_\_ )

AFFIRMATION (IN LIEU OF AFFIDAVIT)  
OF COURTNEY LANE

In compliance with the *Temporary NMPRC Electronic Filing Policy of March 20, 2020*, and under Rule 1-011(B) NMRA of the New Mexico Rules of Procedures for the District Courts, I, Courtney Lane, hereby file this testimony on behalf of the New Mexico Attorney General and state as follows:

I hereby affirm in writing under penalty of perjury under the laws of the State of New Mexico that the statements contained in the foregoing *Testimony in Support of Unopposed Comprehensive Stipulation of Courtney Lane on Behalf of the Office of Attorney General* are true and correct to the best of my knowledge, information, and belief.

I further declare under penalty of perjury that the foregoing is true and correct.

Executed on May 11, 2022.

/s/ Courtney Lane  
Courtney Lane (electronically signed)  
Expert Witness on Behalf of the New Mexico Attorney General  
485 Massachusetts Avenue, Suite 3  
Cambridge, MA 02139

**BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION**

**APPLICATION OF EL PASO ELECTRIC COMPANY FOR )  
APPROVAL OF A GRID MODERNIZATION PROJECT TO )  
IMPLEMENT AN ADVANCED METERING SYSTEM )  
(AMS) PROJECT, ADVICE NOTICE NO. 274, ORIGINAL )  
RATE NO. 46 - ADVANCED METERING SYSTEM RIDER, )  
REVISED RATE NO. 15 - MISCELLANEOUS SERVICE )  
CHARGES, AND ORIGINAL FORM 42 FOR OPT-OUT )  
PROVISION AND FEES )  
)**

**Case No. 21-00269-UT**

**CERTIFICATE OF SERVICE**

**I CERTIFY** that on this date I sent via email a true and correct copy of the **Testimony of**

**Courtney Lane in Support of Unopposed Comprehensive Stipulation** to the individuals

listed below.

Nancy Burns	nancy.burns@epelectric.com;	Stephanie Dzur	stephanie@dzur-law.com;
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Courtney Lane	clane@synapse-energy.com;	Elizabeth Hurst	Elizabeth.Hurst@state.nm.us
Brian Harris	brianhattorney@gmail.com;		

**DATED** May 11, 2022.

*/s/ Keven Gedko*

Keven Gedko

Assistant Attorney General

(505) 303-1790

[kgedko@nmag.gov](mailto:kgedko@nmag.gov)

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# Appendix A

## Courtney Lane, Senior Associate

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Synapse Energy Economics | 485 Massachusetts Avenue, Suite 3 | Cambridge, MA 02139 | 617- 453-7028  
clane@synapse-energy.com

### PROFESSIONAL EXPERIENCE

**Synapse Energy Economics, Inc.**, Cambridge, MA. *Senior Associate*, November 2019 – Present.

Provides consulting and researching services on a wide range of issues related to the electric industry including performance-based regulation, benefit-cost assessment, rate and bill impacts, and assessment of distributed energy resource policies and programs. Develops expert witness testimony in public utility commission proceedings.

**National Grid**, Waltham, MA. *Growth Management Lead, New England*, May 2019 – November 2019, *Lead Analyst for Rhode Island Policy and Evaluation*, June 2013 – April 2019.

- Portfolio management of product verticals including energy efficiency, demand response, solar, storage, distributed gas resources, and electric transportation, to optimize growth and customer offerings.
- Strategy lead for the Performance Incentive Mechanisms (PIMs) working group.
- Worked with internal and external stakeholders and led the development of National Grid's Annual and Three-Year Energy Efficiency Plans and System Reliability Procurement Plans for the state of Rhode Island.
- Represented energy efficiency and demand response within the company at various Rhode Island grid modernization proceedings.
- Led the Rhode Island Energy Efficiency Collaborative; a group focused on reaching consensus regarding energy efficiency plans and policy issues for demand-side resources in Rhode Island.
- Managed evaluations of National Grid's residential energy efficiency programs in Rhode Island, and benefit-cost models to screen energy efficiency measures.

**Citizens for Pennsylvania's Future**, Philadelphia, PA. *Senior Energy Policy Analyst*, 2005–2013.

- Played a vital role in several legislative victories in Pennsylvania, including passage of energy conservation legislation that requires utilities to reduce overall and peak demand for electricity (2009); passage of the \$650 million Alternative Energy Investment Act (2008); and important amendments to the Alternative Energy Portfolio Standards law vital to the development of solar energy in Pennsylvania (2007).
- Performed market research and industry investigation on emerging energy resources including wind, solar, energy efficiency and demand response.
- Planned, facilitated and participated in wind energy advocates training meetings, annual partners retreat with members of wind and solar companies, and the PennFuture annual clean energy conference.

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**Northeast Energy Efficiency Partnerships, Inc.**, Lexington, MA. *Research and Policy Analyst*, 2004–2005.

- Drafted comments and testimony on various state regulatory and legislative actions pertaining to energy efficiency.
- Tracked energy efficiency initiatives set forth in various state climate change action plans, and federal and state energy regulatory developments and requirements.
- Participated in Regional Greenhouse Gas Initiative (RGGI) stakeholder meetings.
- Analyzed cost-effectiveness of various initiatives within the organization.

**Massachusetts Executive Office of Environmental Affairs**, Boston, MA. *Field Projects Extern*, 2003.

- Worked for the Director of Water and Watersheds at the EOE, examining the risks and benefits of different groundwater recharge techniques and policies throughout the U.S.
- Presented a final report to both Sea Change and the EOE with findings and policy recommendations for the state.

**EnviroBusiness, Inc.**, Cambridge, MA. *Environmental Scientist*, July 2000 – May 2001

- Conducted pre-acquisition assessments/due diligence assignments for properties throughout New England. Environmental assessments included an analysis of historic properties, wetlands, endangered species habitat, floodplains, and other areas of environmental concern and the possible impacts of cellular installations on these sensitive areas.

## SKILLS

Software: SPSS, Arcview GIS, IMPLAN, Access, Microsoft Excel, Word, Power Point

## EDUCATION

**Tufts University**, Medford, MA

Master of Arts; Environmental Policy and Planning, 2004.

**Colgate University**, Hamilton, NY

Bachelor of Arts; Environmental Geography, 2000, *cum laude*.

## PUBLICATIONS

National Energy Screening Project. 2022. *Methods, Tools and Resources: A Handbook for Quantifying Distributed Energy Resource Impacts for Benefit-Cost Analysis*. E4TheFuture, Synapse Energy Economics, Parmenter Consulting, Apex Analytics, Energy Futures Group.

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Woolf, T., D Bhandari, C. Lane, J. Frost, B. Havumaki, S. Letendre, C. Odom. 2021. *Benefit-Cost Analysis of the Rhode Island Community Remote Net Metering Program*. Synapse Energy Economics for the Rhode Island Division of Public Utilities and Carriers.

Lane, C., S. Kwok, J. Hall, I. Addleton. 2021. *Macroeconomic Analysis of Clean Vehicle Policy Scenarios for Illinois*. Synapse Energy for the Natural Resources Defense Council.

National Energy Screening Project. 2020. *National Standard Practice Manual for Benefit-Cost Analysis of Distributed Energy Resources*. E4TheFuture, Synapse Energy Economics, Energy Futures Group, ICF, Pace Energy and Climate Center, Schiller Consulting, Smart Electric Power Alliance.

Lane, C., K. Takahashi. 2020. *Rate and Bill Impact Analysis of Rhode Island Natural Gas Energy Efficiency Programs*. Synapse Energy Economics for National Grid.

Chang, M., J. Frost, C. Lane, S. Letendre, PhD. 2020. *The Fixed Resource Requirement Alternative to PJM's Capacity Market: A Guide for State Decision-Making*. Synapse Energy Economics for the State Energy & Environmental Impact Center at the NYU School of Law.

National Energy Screening Project. 2020. *National Standard Practice Manual for Benefit-Cost Analysis of Distributed Energy Resources*. E4TheFuture, Synapse Energy Economics, Energy Futures Group, ICF, Pace Energy and Climate Center, Schiller Consulting, Smart Electric Power Alliance.

## TESTIMONY

**Public Utilities Commission of New Hampshire (Docket No. DE 20-092):** Direct testimony of Courtney Lane and Danielle Goldberg regarding the 2021-2023 Triennial Energy Efficiency Plan. On behalf of the Office of Consumer Advocate. April 19, 2022.

**Public Utilities Commission of New Hampshire (Docket No. DG 21-104):** Direct testimony of Courtney Lane and Ben Havumaki regarding Northern Utilities, Inc.'s request for change in rates. On behalf of the Office of Consumer Advocate. April 1, 2022.

**Maryland Public Service Commission (Docket No. 9655):** Direct and Surrebuttal Testimony of Courtney Lane regarding the application of Potomac Electric Company for a Multi-Year Plan and Performance Incentive Mechanisms. On behalf of the Maryland Office of People's Counsel. March 3, 2021 and April 20, 2021.

**Pennsylvania Public Utility Commission (Docket No. M-2020-3020830):** Direct testimony of Alice Napoleon and Courtney Lane regarding PECO Energy Company's proposed Act 129 Phase IV Energy Efficiency and Conservation Plan. On behalf of the Natural Resources Defense Council. January 14, 2021.

**Maryland Public Service Commission (Case No. 9645):** Direct and Surrebuttal Testimony of Courtney Lane regarding the Application of Baltimore Gas and Electric Company for an Electric and Gas Multi-Year Plan. On behalf of the Maryland Office of People's Counsel. August 14, 2020 and October 7, 2020.

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**Maryland Public Service Commission (Case No. 9619):** Comments of Maryland Office of People's Counsel Regarding Energy Storage Pilot Program Applications, attached Synapse Energy Economics Report. June 23, 2020.

**Public Service Commission of the District of Columbia (Formal Case No. 1156):** Direct, Rebuttal, Surrebuttal, and Supplemental Testimony of Courtney Lane regarding the Application of Potomac Electric Power Company for Authority to Implement a Multiyear Rate Plan for Electric Distribution Service in the District of Columbia. On behalf of the District of Columbia Government. March 6, 2020, April 8, 2020, June 1, 2020, and July 27, 2020.

**Rhode Island Public Utilities Commission (Docket No. 4888):** Oral testimony of Courtney Lane regarding the Narragansett Electric Co. d/b/a National Grid - 2019 Energy Efficiency Program (EEP). On behalf of National Grid. December 11, 2018.

**Rhode Island Public Utilities Commission (Docket No. 4889):** Oral testimony of Courtney Lane regarding the Narragansett Electric Co. d/b/a National Grid - 2019 System Reliability Procurement Report (SRP). On behalf of National Grid. December 10, 2018.

**Rhode Island Public Utilities Commission (Docket No. 4755):** Oral testimony of Courtney Lane regarding the Narragansett Electric Co. d/b/a National Grid - 2018 Energy Efficiency Program (EEP). On behalf of National Grid. December 13, 2017.

**Rhode Island Public Utilities Commission (Docket No. 4684):** Oral testimony of Courtney Lane regarding the RI Energy Efficiency and Resource Management Council (EERMC) Proposed Energy Efficiency Savings Targets for National Grid's Energy Efficiency and System Reliability Procurement for the Period 2018-2020 Pursuant to §39-1-27.7. On behalf of National Grid. March 7, 2017.

**Rhode Island Public Utilities Commission (Docket No. 4684):** Oral testimony of Courtney Lane regarding National Grid's 2018-2020 Energy Efficiency and System Reliability Procurement Plan. On behalf of National Grid. October 25, 2017.

**Rhode Island Public Utilities Commission (Docket No. 4654):** Oral testimony of Courtney Lane regarding the Narragansett Electric Co. d/b/a National Grid - 2017 Energy Efficiency Program Plan (EPPP) for Electric & Gas. On behalf of National Grid. December 8, 2016.

**Rhode Island Public Utilities Commission (Docket No. 4580):** Oral testimony of Courtney Lane regarding the Narragansett Electric Co. d/b/a National Grid - 2016 Energy Efficiency Program Plan (EPPP) for Electric & Gas. On behalf of National Grid. December 2, 2015.

**Pennsylvania Public Utility Commission (Docket No. P-2012-2320369):** Direct testimony of Courtney Lane regarding the Petition of PPL Electric Utilities Corporation for an Evidentiary Hearing on the Energy Efficiency Benchmarks Established for the Period June 1, 2013 through May 31, 2016. On behalf of PennFuture. October 19, 2012.

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**Pennsylvania Public Utility Commission (Docket No. P-2012-2320334):** Direct testimony of Courtney Lane regarding the Petition of PECO Energy for an Evidentiary Hearing on the Energy Efficiency Benchmarks Established for the Period June 1, 2013 through May 31, 2016. On behalf of PennFuture. September 20, 2012.

**Pennsylvania Public Utility Commission (Docket No. I-2011-2237952):** Oral testimony of Courtney Lane regarding the Commission's Investigation of Pennsylvania's Retail Electricity Markets. On behalf of PennFuture. March 21, 2012.

**Committee on the Environment Council of the City of Philadelphia (Bill No. 110829):** Oral testimony of Courtney Lane regarding building permitting fees for solar energy projects. On behalf of PennFuture. December 5, 2011.

**Pennsylvania Public Utility Commission (Docket No. M-00061984):** Oral testimony of Courtney Lane regarding the En Banc Hearing on Alternative Energy, Energy Conservation, and Demand Side Response. On behalf of PennFuture. November 19, 2008.

## **PRESENTATIONS**

Lane, C. 2021. "Accounting for Interactive Effects: Assessing the Cost-Effectiveness of Integrated Distributed Energy Resources." Presentation at the 2021 American Council for an Energy-Efficient Economy (ACEEE) National Conference on Energy Efficiency as a Resource, October 27, 2021.

Lane, C. 2019. "The RI Test." Presentation for AESP Webinar: Emerging Valuation Approaches in Cost-Effectiveness and IRPs, October 31, 2019.

Lane, C., A. Flanders. 2017. "National Grid Rhode Island: Piloting Wireless Alternatives: Forging a Successful Program in Difficult Circumstances." Presentation at the 35th Annual Peak Load Management Association (PLMA) Conference, Nashville, TN, April 4, 2017.

Lane, C. 2013. "Regional Renewable Energy Policy Update." Presentation at the Globalcon Conference, Philadelphia, PA, March 6, 2013.

Lane, C. 2012. "Act 129 and Beyond." Presentation at the ACI Mid-Atlantic Home Performance Conference, October 1, 2012.

Lane, C. 2012. "Act 129: Taking Energy Efficiency to the Next Level." Presentation at the Energypath Conference, June 28, 2012.

Lane, C. 2011. "Pennsylvania's Model Wind Ordinance." Presentation at Harvesting Wind Energy on the Delmarva Peninsula, September 14, 2011.

Lane, C. 2011. "Electric Retail Competition and the AEPS." Presentation at the Villanova Law Forum, November 4, 2011.

Lane, C. 2009. "Act 129: Growing the Energy Conservation Market." Presentation at the Western Chester County Chamber of Commerce, March 25, 2009.

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*Resume updated April 2022*