



*Public Advocates Office*  
*California Public Utilities Commission*

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**PUBLIC ADVOCATES OFFICE DATA REQUEST**

**R. 18-10-007: Wildfire Mitigation Plan Rulemaking**

**No. CalAdvocates-BVES-2020WMP-04**

Date: October 15, 2020

Response requested: October 29, 2020

To: **Nguyen Quan**

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## **INSTRUCTIONS**

You are instructed to answer the following Data Requests in the above-captioned proceeding, with written, verified responses per Public Utilities Code §§ 309.5 and 314, and Rules 1.1 and 10.1 of the California Public Utilities Commission's Rules of Practice and Procedure. Restate the text of each request prior to providing the response. Identify the person providing the answer to each data request and his/her contact information.

Provide your response as it becomes available, but no later than the due date noted above. If you are unable to provide a response by this date, notify the Public Advocates Office as soon as possible, with a written explanation as to why the response date cannot be met and a best estimate of when the information can be provided. If you acquire additional information after providing an answer to any request, you must supplement your response following the receipt of such additional information.

Responses should be provided both in the original electronic format, if available, and in hard copy. (If available in Word format, send the Word document and do not send the information as a PDF file.) All electronic documents submitted in response to this data request should be in readable, downloadable, printable, and searchable formats, unless use of such formats is infeasible. Each page should be numbered. If any of your answers refer to or reflect calculations, provide a copy of the supporting electronic files that were used to derive such calculations, such as Excel-compatible spreadsheets or computer programs, with data and formulas intact and functioning. Documents produced in response to the data requests should be Bates-numbered and, if voluminous, indexed. Responses to data requests that refer to or incorporate documents should identify the particular documents referenced by Bates-numbers or Bates-range.

For any questions, email the Public Advocates Office contact(s) above with a copy to the Public Advocates Office attorney. If you are unable to answer a question completely, accurately, and with the specificity requested, notify the Public Advocates Office as soon as possible. In your written response to the question, explain why you are unable to answer in full and describe the limitations of your response.

## **DEFINITIONS**

- A. As used herein, the terms "you," "your(s)," "Company," and "BVES" mean Bear Valley Electric Service, Inc. and any and all of its respective present and former employees, agents, consultants, attorneys, officials, and any and all other persons acting on its behalf.
- B. The terms "and" and "or" shall be construed either disjunctively or conjunctively whenever appropriate in order to bring within the scope of these Data Requests any information or documents which might otherwise be considered to be beyond their scope.
- C. Date ranges shall be construed to include the beginning and end dates named. For example, the phrases "from January 1 to January 31," "January 1-31," "January 1 to 31," and "January 1 through January 31" should be understood to include both the 1st of January and the 31st of January. Likewise, phrases such as "since January 1" and "from January 1 to the present" should be understood to include January 1st, and phrases such as "until January 31," "through January 31," and "up to January 31" should also be understood to include the 31st.

- D. The singular form of a word shall be interpreted as plural, and the plural form of a word shall be interpreted as singular whenever appropriate in order to bring within the scope of these Data Requests any information or documents which might otherwise be considered to be beyond their scope.
- E. The term “communications” includes all verbal and written communications of every kind, including but not limited to telephone calls, conferences, notes, correspondence, and all memoranda concerning the requested communications. Where communications are not in writing, provide copies of all memoranda and documents made relating to the requested communication and describe in full the substance of the communication to the extent that the substance is not reflected in the memoranda and documents provided.
- F. The terms “document,” “documents,” or “documentary material” include, without limitation, the following items, whether in electronic form, printed, recorded, or written or reproduced by hand: reports, studies, statistics, projections, forecasts, decisions, and orders, intra-office and interoffice communications, correspondence, memoranda, financial data, summaries or records of conversations or interviews, statements, returns, diaries, calendars, work papers, graphs, notebooks, notes, charts, computations, plans, drawings, sketches, computer printouts, summaries of records of meetings or conferences, summaries or reports of investigations or negotiations, opinions or reports of consultants, photographs, bulletins, records or representations or publications of any kind (including microfilm, videotape, and records however produced or reproduced), electronic or mechanical or electrical records of any kind (including, without limitation, tapes, tape cassettes, discs, emails, and records) other data compilations (including without limitation, input/output files, source codes, object codes, program documentation, computer programs, computer printouts, cards, tapes, discs and recordings used in automated data processing, together with the programming instructions and other material necessary to translate, understand, or use the same), and other documents or tangible things of whatever description which constitute or contain information within the scope of these data requests.
- G. “Relate to,” “concern,” and similar terms and phrases shall mean consist of, refer to, reflect, comprise, discuss, underlie, comment upon, form the basis for, analyze, mention, or be connected with, in any way, the subject of these Data Requests.
- H. “Identify”:
- i. When used in reference to a person, includes stating his or her full name, his or her most recent known business address and telephone number, and his or her present title or position;
  - ii. When used in reference to documents, includes stating the nature of the document (e.g., letter, memorandum), the date (if any), the title of the document, the identity of the author and/or the document, the location of the document, the identity of the person having possession, control or custody of the document, and the general subject matter of the document.
- I. When requested to “state the basis” for any analysis (including studies and workpapers), proposal, assertion, assumption, description, quantification, or conclusion, please describe every fact, statistic, inference, supposition, estimate, consideration, conclusion, study, and

analysis known to you which you believe to support the analysis, proposal, assertion, assumption, description, quantification, or conclusion, or which you contend to be evidence of the truth or accuracy thereof.

### **DATA REQUESTS**

The following questions relate to BVES's *Supplemental Filing Regarding BVES 2020 WMP*, submitted October 13, 2020.

#### **Question 1**

Please provide a copy of BVES's original consultant contract for work related to the February 7, 2020 WMP filing.

#### **Question 2**

On page 6 of the *Supplemental Filing Regarding BVES 2020 WMP*, BVES states under *Compensation to Consultant for Work Product*: "BVES has advised the consultant that it does not intend to pay the consultant for such work in light of the rejection of initial filings of the 2020 WMP, and will credit future invoice(s) to reflect that fact."

- a) Does BVES assert that the contractor did not meet their contractual obligations for their work for the 2020 WMP? If so, please point to specific contract clauses/areas in the scope of work that the contractor did not fulfill, and contractor actions which failed to meet those obligations.
- b) Is BVES incurring litigation costs relating to the non-payment of the contract?
- c) Please list any other current consultant contracts with the same contractor, if any.

#### **Question 3**

Has BVES initiated other contracts in the past five years where the contractor did not fulfill the terms of the contract? If yes, please provide the contractor name, date, and description of the project scope, and a narrative explanation for why the contractor did not meet expectations and for how the situation was resolved by BVES.

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Please provide the above information as it becomes available but no later than the due date identified above. If you are unable to provide the information by this date, please notify the Originator **at least** 3 days before the data request is due and provide your best estimate of when the information can be provided. Please identify the person who will be providing the response and his/her phone number and email address.

**END OF REQUEST**