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Table 1 – Discovery Delays

Data Requests	Date Requested	Due Date	Received ²	Days late/Quality of response	Total # ³
143-175	3/19/2020	4/2/2020	4/10/20, 4/16/20 4/20/20, 7/9/20 (Suppl.)	7,14,18	33
225-228	4/3/2020	4/17/2020	4/17/2020	0, unanswered	4
444-462 (C)	5/5/2020	5/19/2020	5/20/2020	1	19
463-504	5/5/2020	5/19/2020	5/21/2020	2	42
525-533	5/14/2020	5/28/2020	5/29/2020	1, unanswered	9
Staff Internal Deadline	-	5/4/2020	-	-	-
Staff Opening Testimony	-	6/4/2020	-	-	-
Settlement	-	6/18/2020	-	-	-
Settlement	-	6/19/2020	-	-	-
Company Reply Testimony	-	6/25/2020	-	-	-
Q&A with Company	-	6/30/2020	-	-	-
734-749	7/2/2020	7/9/2020	7/9/20 – 7/17/20	0,1,2,3,4,8, unanswered	16
Second Q&A	-	7/15/2020	-	-	-
Staff Internal Deadline	-	7/17/2020	-	-	-
Staff Rebuttal Testimony	-	7/24/2020	-	-	-

2 **Q. Could you please explain the table above?**

3 A. Yes. As the table demonstrates, **no batch of data requests was fully**
4 **received on time.** “Unanswered” requests are those for which Staff is *still*
5 waiting for key information. For example Staff has still not received an itemized
6 breakdown of Pro Forma projects (DR 226), one-line diagrams of projects

² Indicates when responses were uploaded to Huddle, or in the case of highly confidential contracts, were received by Staff.

³ This number does not include subparts.

1 under one million (DR 531), quality one line diagrams of Pro Forma projects
2 (DR 531), quality one-line diagrams of the projects in Mr. Vail's testimony (DR
3 530), as well as all project contracts (DRs 745 and 746).⁴ While the Company
4 did provide this type of information for some projects, the information presented
5 to Staff was inconsistent in kind and quality throughout.

6 **Q. Did Mr. Vail address discovery delays in his testimony?**

7 A. Yes. Mr. Vail acknowledged that there were delays.⁵ Mr. Vail in his testimony
8 also complained that Staff did not provide any prudence recommendations or
9 discuss reliability benefits for the projects in the case, and that an opportunity
10 for all parties to build a thorough record on the issue would now have to be
11 done in only two rounds of testimony.⁶

12 Staff reiterates its statements from Opening Testimony that we did not
13 receive discovery in a timely fashion, making it impossible to make final
14 recommendations in its Opening Testimony. Upon receiving voluminous
15 discovery mid-April, Staff only had two weeks to analyze the voluminous
16 responses, as well as simultaneously submit follow-up requests and write
17 Opening Testimony by the internal deadline of May 4. Given the delayed
18 responses, there was not sufficient information of acceptable quality to be able
19 to provide any reasonable recommendations with confidence.

⁴ See Staff Exhibit 2101 for a list of Staff Data Requests and 2102 for a list of confidential requests.

⁵ See PAC/2800, Vail/2.

⁶ See PAC/2800, throughout.

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