

STATE OF ALASKA

THE REGULATORY COMMISSION OF ALASKA

Before Commissioners:

Stephen McAlpine, Chairman
Rebecca L. Pauli
Robert M. Pickett
Norman Rokeberg
Janis W. Wilson

In the Matter of the Request Filed by the)
MUNICIPALITY OF ANCHORAGE d/b/a)
MUNICIPAL LIGHT & POWER DEPARTMENT for)
Approval to Establish Depreciation Rates)

U-16-094

In the Matter of the Tariff Revisions, Designated as)
TA357-121, filed by the MUNICIPALITY OF)
ANCHORAGE d/b/a MUNICIPAL LIGHT &)
POWER DEPARTMENT)

U-17-008

**MUNICIPAL LIGHT AND POWER'S INITIAL RESPONSE TO
PROVIDENCE HEALTH & SERVICES' SIXTEENTH REQUEST FOR DISCOVERY
ON REPLY TESTIMONY (PHS-MLP-16)**

The Municipality of Anchorage d/b/a Municipal Light and Power ("ML&P"), hereby provides its initial response to Providence Health & Services' ("PHS") sixteenth request for discovery on reply testimony. All responses to discovery are prepared by ML&P in consultation with counsel. Witnesses at hearing will be available for cross-examination on their testimony. Documents produced in response to these requests will also be stored in an electronic document management sharefile site accessible with login credentials that have been or will be provided as requested to the counsel, analysts, and consultants for PHS, AG, ANTHC, ENSTAR, FEA, and JLP.

PRELIMINARY STATEMENT

Discovery in this docket is not complete. As discovery proceeds, facts,

October 25, 2017

Page 1 of 30

fs\MLP\U-17-008\Discovery\PHS-MLP-16\InitialResponse

Date: 12-5-17 Exh # 80
Regulatory Commission of Alaska
U-16-094 By: APS U-17-008
Northern Lights Realtime & Reporting, Inc.
(907) 337-2221

REDACTED

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11 Interrogatory (No. PHS-MLP-16-43): At page 3, lines 7-12, of his reply
12 testimony, Mr. Saleba explains his firm's practices with respect to data retention. In PHS-MLP-
13 5-22, Providence asked for production of "all EES documents and communications (including,
14 but not limited to, emails) related to document retention, deletion, destruction, or the like
15 applicable at the time EES deleted each document potentially responsive" to several earlier
16 Providence requests for production related to the 2009 IRP and 2012 Generation Study. Through
17 EES project manager Anne Falcon, ML&P responded that "There are no documents responsive
18 to this request." In this regard:

19 (a) To the best of EES's knowledge, when and how did it delete the data and
20 drafts related to the 2008 load forecast study and 2009 JRP, and who carried out the deletion?
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25 MUNICIPAL LIGHT AND POWER'S INITIAL RESPONSE TO PHS' SIXTEENTH
26 REQUEST FOR DISCOVERY ON REPLY TESTIMONY (PHS-MLP-16)

Docket U-17-008/U-16-094

October 25, 2017

Page 25 of 30

fs\ML&PU-17-008\Discovery\PHS-MLP-16

1 (b) To the best of EES's knowledge, when and how did it delete the data and
2 drafts related to the 2012 load forecast study and 2012 Generation Report, and who carried out
3 the deletion?

4 (c) To the extent that EES is not certain of the answer to (a) or (b), explain
5 why not.

6 (d) Explain EES's document retention practices and policies with respect to
7 non-engineering design projects.

8 (e) Explain how EES's document retention practices and policies with respect
9 to non-engineering design projects are communicated to and implemented by EES employees in
10 the absence of written documentation or email communication.

11 (f) When did EES first adopt its policy of "delet[ing] all data and draft
12 documents after 2 years"?

13 (g) Does EES implement its policy of "delet[ing] all data and draft documents
14 after 2 years" uniformly across all of the work it does for its clients? If not, please describe
15 EES's actual practice and why it is not uniform.

16 Describe all prior EES document deletion policies effective at any time since
17 2002.

18 **Response:** (a) Not certain; see response to subpart (c).

19 (b) Not certain; see response to subpart (c).

20 (c) EES does not keep records on what documents were deleted, when
21 something was deleted or who deleted it. There is no written policy or specific assignees to carry
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25 MUNICIPAL LIGHT AND POWER'S INITIAL RESPONSE TO PHS' SIXTEENTH
26 REQUEST FOR DISCOVERY ON REPLY TESTIMONY (PHS-MLP-16)

Docket U-17-008/U-16-094

October 25, 2017

Page 26 of 30

g:\ML&PU-17-008\Discovery\PHS-MLP-16

1 out this task. There also is no audit to see if the requested deletions have been carried out.
2 Mr. Saleba reminds staff periodically at staff meetings to delete older files as storage becomes
3 constrained on the EES server.

4 (d) EES's document retention practices and policies with respect to non-
5 engineering design projects is described in subpart (c).

6 (e) See the response to subpart (c).

7 (f) This policy has been in place for several years.

8 (g) See the response to subpart (c).

9 **Person(s) Supplying Information:** Gary Saleba.

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25 MUNICIPAL LIGHT AND POWER'S INITIAL RESPONSE TO PHS' SIXTEENTH
26 REQUEST FOR DISCOVERY ON REPLY TESTIMONY (PHS-MLP-16)

Docket U-17-008/U-16-094

October 25, 2017

Page 27 of 30

fs\ML&PU-17-008\Discovery\PHS-MLP-16