

STATE OF ALASKA

THE REGULATORY COMMISSION OF ALASKA

Before Commissioners:

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

In the Matter of the Tariff Revision Designated)
as TA285-4 Filed by ENSTAR NATURAL GAS) U-16-066
COMPANY, A DIVISION OF SEMCO)
ENERGY, INC.)
_____)

**ENSTAR NATURAL GAS COMPANY'S RESPONSE TO THE OFFICE OF
THE ATTORNEY GENERAL'S THIRD REQUEST FOR DISCOVERY (AG-3)**

Pursuant to 3 AAC 48.155 and 3 AAC 48.141-145, ENSTAR Natural Gas
Company ("ENSTAR"), by and through its counsel, responds to the Third Request for
Discovery by the Attorney General ("AG-RAPA"), as follows:

PRELIMINARY STATEMENT

Discovery in this docket is not complete. As discovery proceeds, facts,
information, evidence, documents, and other matters may be discovered which are not
set forth in these responses, but which may be responsive to these discovery requests.
The following responses are complete based on ENSTAR's current knowledge,
information, and belief. Furthermore, these responses were prepared based on

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Date: 8 June 17 Exh # H-26
Regulatory Commission of Alaska
By: [Signature] U-16-066
Northern Lights Realtime & Reporting, Inc.
(907) 337-2221

1 ENSTAR's good faith interpretation of the discovery requests and are subject to
2 correction for inadvertent errors or omissions, if any.

3 GENERAL OBJECTIONS

4 1. ENSTAR objects to requests for documents relating to confidential
5 settlement negotiations. Any and all answers ENSTAR provides in response to these
6 data requests will be provided subject to, and without waiving, this objection.
7

8 2. ENSTAR objects to the production of documents, calculations, and
9 analyses that do not exist. A document is not within a party's "possession, custody, or
10 control" if it does not exist.

11 3. ENSTAR objects to each and every data request insofar as they are vague,
12 ambiguous, overly broad, unduly burdensome, or use terms that are subject to multiple
13 interpretations but are not properly defined or explained for purposes of these data
14 requests. Any and all answers ENSTAR provides in response to these data requests will
15 be provided subject to, and without waiving, this objection.
16

17 4. ENSTAR objects to each and every data request insofar as it is not
18 reasonably calculated to lead to the discovery of admissible evidence and is not relevant
19 to the subject matter of this proceeding.
20

21 5. ENSTAR objects to providing information to the extent such information
22 is already a matter of public record. RAPA is not entitled to require other parties to
23 gather information that is equally available and accessible to it.
24

1 6. ENSTAR objects to each and every data request insofar as it seeks
2 documents or information protected by the attorney-client privilege or the work product
3 privilege. Nothing contained in these responses is intended as, or shall in any way be
4 deemed, a waiver of any such privilege or protection, or any other applicable privilege
5 or doctrine.
6

7 7. ENSTAR objects to the instructions contained in RAPA's Third
8 Discovery Request to ENSTAR Natural Gas Company. In responding to the requests,
9 ENSTAR will abide by the Commission's discovery regulations and where applicable,
10 Alaska Rules of Civil Procedure.
11

12 8. ENSTAR objects to the requests for identification of answering and
13 hearing witnesses as part of the responses. Witness designation in this matter is not
14 required by the Commission's regulations or the Alaska Rules of Civil Procedure.
15 Further, it is too early in the proceedings to designate witnesses for certain topics and
16 some topics may be addressed by multiple witnesses. In accord with Commission
17 regulations, ENSTAR will identify individuals who supplied information for a
18 particular response where appropriate.
19

20 **DISCOVERY RESPONSES**

21 **AG-ENSTAR-3-1.** Refer to ENSTAR's Revenue Requirement Study,
22 Attachment B to TA 285-4, at Schedule L, "Credit Card Program Adjustment," and to
23 Mr. Dieckgraeff's Direct Testimony at 31-32.
24

1 (c) Please identify the dollar amount of the \$74,012,172 year-end balance in
2 this account that is attributable to other fees or charges.

3 **Response:**

4 (a) – (c) Please see ENS03357.

5 **Person(s) Who Supplied Information for Response:** Denise Romans and Inna
6 Johansen.
7

8
9 **AG-ENSTAR-3-16.** Refer to ENSTAR's 2015 general ledger provided in
10 response to AG-ENSTAR-1.

11 (a) What is the ENSTAR Employee Club?

12 (b) What is the purpose of expenditures identified as ENSTAR employee
13 "club dues"?
14

15 (c) Are ENSTAR employee club dues deducted from employee payroll?

16 **Response:**

17 (a) EEC is a non-profit organization with the primary purpose of encouraging
18 fellowship and cooperation among ENSTAR employees, sponsoring recreational,
19 athletic, entertainment and enrichment programs for ENSTAR employees, and
20 encouraging employee pride in ENSTAR.
21

22 (b) The expenditures are dues to belong to the ENSTAR Employee Club that
23 are deducted from the members' ENSTAR payroll check and then submitted to the
24

1 ENSTAR Employee Club. The company also matches a portion of the dues when they
2 are submitted to the ENSTAR Employee Club.

3 (c) Yes, and the company also matches a portion of these dues.

4 **Person(s) Who Supplied Information for Response:** Paula Harrison.

5
6
7 **AG-ENSTAR-3-17.** Refer to ENSTAR's 2015 general ledger provided in
8 response to AG-ENSTAR-1.

9 (a) What is the ENSTAR Employee PAC?

10 (b) What is the purpose of expenditures identified in the Accounts Payable
11 ledger as ENSTAR Employee PAC, Political Action Committee?

12 (c) Which ENSTAR employees are members of the ENSTAR Employee
13 PAC?
14

15 **Response:**

16 (a) The ENSTAR Employee PAC is a nonprofit political organization
17 composed of non-union employees, retirees, contractors and friends of ENSTAR.

18 (b) The expenditures are dues to belong to the PAC that are deducted from the
19 members' ENSTAR payroll checks and then submitted to the PAC.
20

21 (c) ENSTAR objects to this request because it seeks information neither
22 relevant nor reasonably calculated to lead to the discovery of admissible evidence.
23 ENSTAR objects to this request to the extent it seeks publicly available documents
24