



1401 Main Street, Suite 900
Columbia, SC 29201

Phone: (803) 737-0800
www.regulatorystaff.sc.gov

jpittman@regstaff.sc.gov

Jenny R. Pittman
Counsel for ORS

May 9, 2017

K. Chad Burgess, Esquire
SCANA Corp.
220 Operation Way MC-C222
Cayce, SC 29033-3701

Re: **Discovery Responses**
Docket Nos. 2017-207-E, 2017-305-E, and 2017-370-E

Dear Chad:

After reviewing the discovery that South Carolina Electric & Gas Company and Dominion Energy, Incorporated have provided in response to the South Carolina Office of Regulatory Staff Audit Information Requests issued pursuant to S.C. Code Ann. §§ 58-4-50(A)(2), 58-4-55(A), 58-27-160, 58-27-1570, 58-27-1580, and 58-33-277, many responses do not appear to comply in good faith with the above referenced statutory provisions. Numerous responses are nonresponsive; several are merely labeled as confidential without sufficient explanation as to why they are confidential; and a few are marked as attorney-client privileged without including a privilege log detailing the nature of what SCE&G/Dominion alleges is privileged. Based on information and belief, Bechtel Corporation was not hired for claims consultancy, therefore the assertion of attorney-client privilege with respect to Bechtel being hired in preparation of litigation does not appear to apply.

Please see the attachment containing the original requests and the corresponding responses we deem insufficient; we ask that you provide updated responses within seven (7) days. The attached list is subject to supplement as we continue to identify further missing and deficient information.

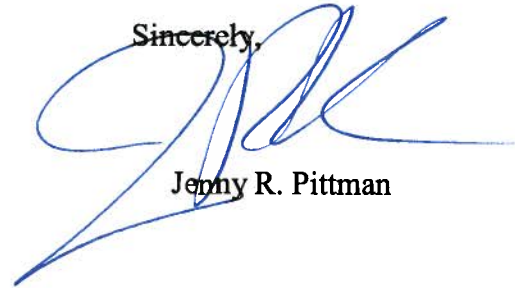
Letter – K. Chad Burgess

May 9, 2018

Page 2 of 2

Per S.C. Code Ann. § 58-4-55(A), if the information provided does not appear to disclose full and accurate information, and if such deficiencies are not cured after reasonable notice, ORS may require the testimony under oath of the officers or other agents having knowledge of the requested information.

Sincerely,



Jenny R. Pittman

Encl.

ORS List of Deficient Discovery Responses

Request Number	ORS Request
1-20: Changes to Joint Application	The response is inadequate as no reasons for the changes were provided. Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS.
1-22: SCANA Board Minutes	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.
1-23: Auditor's Report Summaries	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.
1-29: Construction & Acquisition Budget	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.
1-44: Officer Compensation	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.
1-45: Officer Compensation	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.
1-119: Tax Cuts and Jobs Act 1.5% Bill Credit	The response is inadequate as no calculations or work papers were provided as requested. Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS.
1-147: Joint Application Exhibit 12	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.
1-174: Tax Law Reduction Changed from 1.5%	The response is inadequate as no update has been provided. Pursuant to § 58-27-1570, please provide an updated reduction, along with calculations and work papers, to the offices of ORS.
2-3: Fluor's 2016 Est-to-Comp	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.

2-5: Bechtel Meeting Notes 10/22/2015	Please state with specificity why privilege applies and provide a privilege log.
2-7: AECOM Work	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.
3-8: Estimate of CAPEX Projects	The response is inadequate as it failed to address the type and amount of CAPEX projects planned for 2018-2021. Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS.
3-24: Requirements for Approval by PE	The response is inadequate as there are claims that unlicensed engineers worked at this site, which relates to the issue of imprudence. Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS.
3-25: § 44-22-270 re: Westinghouse	The response is inadequate as there are claims that unlicensed engineers worked at this site, which relates to the issue of imprudence. Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS.
3-26: Use of Non-SC Licensed Engineers	The response is inadequate as there are claims that unlicensed engineers worked at this site, which relates to the issue of imprudence. Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS.
4-25: Studies, Analyses, Presentations made to Dominion Board	Please state with specificity why privilege applies and provide a privilege log. Please state with specificity why this information is confidential and only available at HQ, not in the E-Room.
4-26: Studies, Analyses, Presentations made to SCANA Board	Please state with specificity why privilege applies and provide a privilege log. Please state with specificity why this information is confidential and only available at HQ, not in the E-Room.
4-27: Studies, Analyses, Presentations made to SCE&G Board	Please state with specificity why privilege applies and provide a privilege log. Please state with specificity why this information is confidential and only available at HQ, not in the E-Room.
4-43: Securities Analysts' Reports	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.
4-44: Bond Rating Agency Reports	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.

4-66: SCE&G Accounting Entries	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.
4-69: Toshiba Payment Analyses	Please state with specificity why privilege applies and provide a privilege log. Please state with specificity why this information is confidential and only available at HQ, not in the E-Room.
4-72: SCE&G Corporate Financial Model	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.
4-73: SCE&G Corporate Financial Model Used as Base Case to Assess Merger	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.
4-74: SCE&G Corporate Financial Model re: Customer Benefits Plan, No Benefits Plan, Base Request, etc.	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.
4-76: Income Tax Expenses	The response is inadequate as the total income tax expense included in present rates was not provided, only the income tax expenses related to the equity return on BLRA costs were provided. Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS.
4-82: Dominion's Calculations of Estimated SCE&G Income Tax Expense Savings	The response is inadequate as it refers back to previously addressed incomplete responses. Additionally, no calculations or work papers were provided as requested. Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS.
4-83: Magnitude for 1.5% Base Rate Reduction for Income Tax Savings	The response is inadequate as it refers back to previously addressed incomplete responses. Additionally, no calculations or work papers were provided as requested. Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS.
5-25: Documents Provided to DOJ, FBI, SEC, SLED, SC AG, and SC LLR	These documents are relevant as they concern the withholding of information as to the progress of the project, the proposed completion dates, and the motives as to why this information was not disclosed. Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS.
5-26: Pre-Abandonment Analyses and Case Studies	Please state with specificity why privilege applies and provide a privilege log.

6-6: Documents Containing “Bechtel” and “Kevin Marsh” and “Kevin Marsh” and “Project Manager”	Please state with specificity why privilege applies and provide a privilege log.
6-7: Documents re: Removal of Project Completion Dates	Please state with specificity why privilege applies and provide a privilege log.
6-8: Documents re: Hiring George Wenick	Please state with specificity why privilege applies and provide a privilege log.
6-9: Documents re: Release of Bechtel Report	Please state with specificity why privilege applies and provide a privilege log.
6-10: Supplementary Key Executive Severance Benefits Plan	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.
6-11: Employees’ Bonus Incentive for 2018	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.
6-12: Employee Raises	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.
6-13: Employee Monetary Benefits	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.
6-16: WEC/CB&I Emails	Please state with specificity why privilege applies and provide a privilege log.
6-25: 540-MW Combined Cycle Gas Generating Station Purchase Agreement	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.
6-30: Documents re: Carrying Values for Units 2 & 3	Please state with specificity why privilege applies and provide a privilege log.
6-31: Retail Allocation Factor for Recoverable NND Costs	Pursuant to § 58-27-1570, please provide the information as requested to the offices of ORS. If asserting confidentiality, please state with specificity why this information is confidential.