

1 IN THE COURT OF COMMON PLEAS
2 FOR THE STATE OF SOUTH CAROLINA
 RICHLAND COUNTY

3 DEPOSITION OF CARLETTE L. WALKER

4 LEBRIAN CLECKLEY, on behalf of
5 himself and all others similarly
 situated,

6 Plaintiffs,

7 vs. Case No. 2017-CP-40-04833

8 SOUTH CAROLINA ELECTRIC & GAS
9 COMPANY and the STATE OF SOUTH
 CAROLINA,

10 Defendants.

11
12 CONFIDENTIAL

13 DEPONENT: CARLETTE L. WALKER

14
15 DATE: APRIL 24, 2018

16
17 TIME: 9:21 AM

18 LOCATION: HOLIDAY INN
19 COLUMBIA, SOUTH CAROLINA

20
21
22 REPORTED BY: JULIE K. LYLE, RPR/RMR/CRR
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 Certified Realtime Reporter

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A P P E A R A N C E S

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GENE WALKER

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EXAMINATION

BY MR. HALTIWANGER PAGE 5

EXHIBITS

No. 1	Notice of deposition	7
No. 2	Cash flow documented with updated expenditures	69
No. 3	Transcription of voice mail to Marion Cherry	106
No. 4	Thumb drive containing audio of voice mail	186

1 (Exhibit No. 1 was marked for
2 identification.)

3 CARLETTE L. WALKER,
4 having been first duly sworn, was examined
5 and testified as follows:

6 EXAMINATION

7 BY MR. HALTIWANGER:

8 Q All right. Ms. Walker, my name is
9 Dan Haltiwanger, and we got introduced right
10 before the deposition started. And it's my
11 understanding you've had a deposition taken
12 before, but our court rules require me to go
13 over a little bit of the ground rules so that
14 they're on the record and it's clear that
15 I've had the opportunity to explain them to
16 you.

17 One of the most important rules is
18 that we have a court reporter here today that
19 is going to be taking down everything we say.
20 Therefore, it's important to verbalize your
21 answers, to say yes or no instead of uh-huh
22 or uh-uh so she can make a clear record of
23 what is said.

24 Also, I think as we were just
25 talking about, it's not an endurance contest

1 today. If at any point you need to take a
2 break, use the restroom, get a glass of
3 water, anything like that, let me know, and
4 we'll take a break. Okay?

5 A Okay.

6 Q Also, as you were just sworn in,
7 the testimony is under oath today, so it can
8 be used in a court of law later. But it's
9 important for me to remind you of that for
10 your testimony today.

11 And, also, it's my understanding
12 when we were setting this up that you -- that
13 there may be an obligation you have this
14 afternoon, so I'm going to try to get as much
15 in today. I hope to get it finished today,
16 but if not, we'll get as much done as we can
17 today and work with you and your lawyer about
18 if we have to get back together at some point
19 in the future.

20 But it's -- my understanding is
21 1:30 is the time we're shooting to be done
22 for today; is that right?

23 A That's right.

24 Q Okay. That being said, can you
25 give us your full name for the record?

1 A Carlette L. Walker.

2 Q And what is your current
3 occupation?

4 A I'm retired.

5 Q Retired. And when did you retire?

6 A After I resigned from SCANA in June
7 of 2016.

8 Q Okay. And I'm going to hand you
9 what has been marked as Exhibit 1. I don't
10 know if anybody wants a copy of that, but
11 this is Exhibit 1 to your deposition.

12 Have you seen this document before?

13 MR. MOORE: This is just the
14 notice of deposition, Carlette.

15 THE WITNESS: Yeah.

16 A Yes, I have.

17 Q Okay. And you're appearing here
18 today for us because you were subpoenaed to
19 be here in order to give your testimony,
20 correct?

21 A That's correct.

22 Q All right. Can I ask you -- and I
23 don't want any conversations you had with
24 your lawyers or with your lawyer, but did you
25 do anything to prepare for your deposition

1 today?

2 A No.

3 Q So you have not gone back and
4 looked at any documents, anything like that?

5 A No.

6 Q Any conversations with any SCANA
7 employees or former employees that you knew?

8 A No.

9 Q Okay. You say you retired in June
10 of 2016. What was your position when you
11 retired?

12 A Vice president of nuclear finance
13 administration.

14 Q And I don't need exact dates, but
15 I'm just trying to get a timeline of how long
16 you had that position and going back, so your
17 employment history there.

18 So how long had you been vice
19 president?

20 A I think I was VP for six years.

21 Q And what was your position before
22 that?

23 A Before that I was the corporate
24 compliance officer for SCANA.

25 Q And how long, approximately, did

1 you serve as a corporate compliance officer?

2 A I think I was corporate compliance
3 officer for four years.

4 Q And prior to being a corporate
5 compliance officer?

6 A I was assistant controller for
7 SCE&G.

8 Q And approximately how long had you
9 been an assistant controller?

10 A That's where I'm not as exact on
11 the dates. I want to say -- I think I was
12 assistant controller about eight years.

13 Q And before being assistant
14 controller?

15 A I was controller of South Carolina
16 Pipeline. No, wait a minute. I was manager
17 of fossil hydro -- or, no, I was manager of
18 generation --

19 Q And how long --

20 A -- for accounting. That was one
21 year.

22 Q Okay. And prior to that?

23 A Prior to that I was controller for
24 South Carolina Pipeline.

25 Q And before controller at South

1 Carolina Pipeline?

2 A That was -- I was controller for
3 South Carolina Pipeline for probably about
4 two years, and then prior to that, I was
5 manager of customer billing, measurement, and
6 finance.

7 Q Okay. And before that?

8 A And before that I was manager of
9 customer billing and measurement. Actually,
10 I was the supervisor at that point.

11 Q And your position before that?

12 A I was a senior auditor in the
13 internal audit department of SCE&G. And that
14 should take you back to when I started with
15 the company, which would have been in October
16 of '83.

17 Q Okay. When you left as vice
18 president of nuclear finance, what entity was
19 actually signing your paycheck? And we're
20 going to get into that.

21 A SCANA.

22 Q SCANA?

23 A There's an entity that's a service
24 company --

25 Q Okay.

1 A -- under the umbrella of SCANA, and
2 so it would really be SCANA Services that
3 would have been the employing entity. So I
4 worked for SCANA Services, and that's where
5 all of the finance organization was operating
6 out of.

7 Q Do you recall your e-mail address
8 when you worked there?

9 A It was CWalker@scana.com.

10 Q And did that ever change during
11 your time of employment there?

12 A I think it did change when I
13 left -- no, I think it stayed the same. I
14 don't think I had a different e-mail when I
15 was at Pipeline.

16 Q Did you ever use other e-mail
17 addresses while you were doing work for
18 SCANA?

19 A No.

20 Q Are you aware of any other
21 employees that you interacted with at SCANA
22 using e-mail addresses that were different
23 from the domain address that you had?

24 A What -- what do you mean?

25 Q Yeah. I guess I'm trying to figure

1 out, we've got a bunch of documents, and
2 we're trying to figure out if we're
3 understanding how the e-mail system worked
4 with the -- you know, like you said, the
5 CWalker then @scana.com.

6 Were there other endings that you
7 were familiar with with any of the other
8 companies or any other employees there?

9 A Well, I know that Santee Cooper
10 had, you know, their own e-mail system, and
11 then the site representative for Santee
12 Cooper, I believe he also had an @scana.com
13 e-mail.

14 Q And who would that have been?

15 A Marion Cherry.

16 Q Marion?

17 A Uh-huh. Marion Cherry.

18 Q Okay. Any of the SCE&G employees
19 that you interacted with on a regular basis
20 use an e-mail besides their company e-mail to
21 interact with you?

22 A Not that I remember. I mean, they
23 may have used a personal e-mail if they were
24 at home, if for some reason they couldn't
25 sign on and they needed to send me a message,

1 but not on any kind of routine basis.

2 Q Okay. And we sort of talked about
3 this. I'm trying to get myself educated
4 about SCANA and SCE&G. I noticed there were
5 a lot of SCANA and SCE&G entities. And if
6 you could -- you're the first witness we've
7 talked to in this case, so I'm trying to get
8 an idea of how all those companies
9 interacted.

10 A Okay.

11 Q If you could do your best job of
12 explaining SCANA's relationship to SCE&G and
13 SCE&G Services and what other entities were
14 involved in the project out there.

15 A Okay. Well, SCE&G is the utility
16 company, and SCE&G was going to be the owner
17 of the nuclear plant. It was also the entity
18 that was building the plant.

19 SCANA Services was providing
20 services to supplement the SCE&G staff. So I
21 was an -- I was a SCANA Services support team
22 that was going to be assigned to the project.

23 There were also -- like the IT
24 group, which would be information technology,
25 they came from SCANA Services and

1 supplemented the project team.

2 The project team itself was made up
3 of a lot of engineering and technical people
4 that came from SCE&G personnel, which a lot
5 of them came from Unit 1. And so those were
6 SCE&G employees.

7 So, generally speaking, SCE&G
8 employees are more technical and are utility
9 specific. They're not the homogeneous
10 employees that can provide services to any of
11 the different subsidiaries that we might have
12 had.

13 So in your SCANA Services, you
14 tended to have your governance employees,
15 like your corporate secretary, your
16 accounting, your IT, your payroll, your
17 internal audit. I'm trying to think of the
18 different departments. Corporate security,
19 your senior executives.

20 SCE&G had some designated
21 executives, but they were also SCANA
22 executives. So you might have had Keller
23 Kissam as a designated SCE&G executive, but
24 he was also a SCANA executive. So they were
25 one and the same.

1 Q And as we talked about, we have a
2 court reporter writing everything down. When
3 we come to names, sometimes to help her out,
4 the name you just said, can you spell it for
5 her, if you know?

6 A Yeah. Keller Kissam. That's
7 K-E-L-L-E-R. Kissam, K-I-S-S-A-M.

8 And then like Kevin Marsh,
9 K-E-V-I-N, Marsh, M-A-R-S-H. Kevin was the
10 CEO of SCANA, but he was also -- had that
11 same authority over SCE&G. So it's not like
12 there was a separate CEO for SCE&G. He had
13 that same CEO authority over SCE&G. He made
14 all the final decisions and had all the
15 purchasing power authority given to him by
16 the board for SCE&G.

17 So SCE&G was by far the largest
18 subsidiary of SCANA. They had a couple other
19 smaller subsidiaries, like SEMI-GAS.
20 SEMI-GAS bought gas on the open market and
21 then sold it and moved it through
22 transmission lines. SEMI is S-E-M-I. And
23 that was -- they strictly bought gas in
24 Houston and then brought it across
25 transmission lines in the -- across the south

1 and then brought it to end users, primarily
2 in South Carolina but also in Georgia.

3 South Carolina Pipeline was a big
4 subsidiary, but they sold it probably about
5 maybe three or four years before I left the
6 company. As I had mentioned, I had worked at
7 South Carolina Pipeline for about nine years.
8 That was a transmission company.

9 But they sold it because they
10 wanted to consolidate what their efforts were
11 on, and they felt like generation and
12 distribution of electricity was their core
13 business, and so that's where their efforts
14 were going to be, was consolidated toward
15 distribution with the end-user customers.

16 Q Okay. When we talk about SCANA
17 Services, how is -- where does SCANA Services
18 get its income from?

19 A SCANA Services bills out its
20 employees for cost and then its benefits. So
21 it's pretty much a zero game. It doesn't
22 have -- it doesn't -- it's not there to make
23 a profit. It's strictly there to provide
24 services at a zero markup other than for the
25 benefits for its employees and the costs for

1 office -- you know, office furniture and
2 equipment and stuff like that.

3 So it's built into -- what we did
4 was we had time sheets that were incremental
5 time sheets. You were supposed to keep up
6 with your time sheets up to a tenth of an
7 hour, and you billed your time out according
8 to where you spent your time. So if you
9 spent time with SEMI or if you spent time
10 with SCE&G, with distribution or if you spent
11 time with a project, capital project, you
12 were supposed to charge your time according
13 to what you did and who got the benefit of
14 your time.

15 And so in the case of me working on
16 a capital project, I charged my name to that
17 capital work order. And so my labor rate, my
18 actual labor rate and my benefits and any
19 overhead costs of my efforts would be charged
20 directly to that capital work order. And so
21 SCANA Services would be zeroed out on any
22 costs associated with my employment, and my
23 employment costs would go directly to that
24 capital work order.

25 And in this case, it would go

1 against that BRLA and be collected from the
2 rate payors whenever the rates were changed.

3 Does that answer your question?

4 Q Yes, that's very helpful. I've
5 been trying to understand SCANA Services and
6 its relationship to all the other entities
7 out there.

8 A Right.

9 Q If your time, though, is billed to
10 SCANA -- or the SCANA Services time that
11 would be billed on the capital work project,
12 would there be any markup on that on the BRLA
13 that would be profit to SCE&G, or how would
14 that work?

15 A There would be no additional profit
16 other than the profit that was allowed in the
17 capital work order for the interest component
18 of AFUDC, and I think the allowed rate of
19 return was like 12 1/2 percent maybe.

20 Q Okay. And for the -- well, it
21 would probably help us to get it straight.
22 The problem we're here to talk about is the
23 nuclear project up in Fairfield County.

24 What would be the title that would
25 be used at SCANA to denote that project in

1 general?

2 A NND. New Nuclear Development is
3 what they called it.

4 Q And I've heard it -- we've seen in
5 documents like VC Summer project, Number 2
6 and 3 project.

7 A No. That's -- all of those refer
8 to the same thing. That's the new nuclear
9 build. That's Units 2 and 3. Because
10 they've got an operating unit that was put in
11 service back in '83. That's Unit 1.

12 Q Okay.

13 A And back when they built that unit,
14 it was -- that site was sized for two units,
15 but they didn't build the second unit, so
16 there was always plans to build a second
17 unit.

18 But when they went out and decided
19 to build again in the early 2000s, the
20 footprint or the amount of space needed for
21 the new technology allowed you to build two
22 plants in the footprint that used to require
23 the amount of space to build one.

24 So they knew that they had enough
25 footprint next to Unit 1 to build two units,

1 and so they were going to build Units 2 and 3
2 in the same site that in the early '70s they
3 were only going to be able to build one more
4 unit. So that's where you get the Units 2
5 and 3.

6 Q Okay. And for the NND project or
7 VC Summer project, who was -- I guess which
8 entities made management decisions relating
9 to that project?

10 I'm trying to get an idea of the
11 hierarchy of decision-making for VC Summer 2
12 and 3.

13 A Say that again.

14 Q I'm trying to get an idea if we're
15 trying to make a chart of who made decisions
16 regarding the construction and management of
17 Units 2 and 3. You know, SCANA versus SCANA
18 Services versus SCE&G, kind of just give us
19 an idea of the hierarchy of command, I guess
20 is the easiest way to say it.

21 A Well, that's a good question. I
22 never could find anybody that would make a
23 decision. That was a major issue.

24 The body that was supposed to make
25 decisions about it was the senior executives

1 of SCANA.

2 Q Okay.

3 A Because the people at the project
4 apparently didn't have any authority. I
5 couldn't make any decisions. I wasn't given
6 the authority to make any.

7 Q What about the board of directors
8 of SCANA or SCE&G? Did they ever have any
9 interaction with the project out on VC
10 Summer?

11 A I never -- I know that they had at
12 least one board meeting at the site, but that
13 doesn't necessarily -- I'm not trying to
14 indicate that they did anything at the site.
15 You know, they may have come to the office
16 and used the office space. Because we had an
17 office out there. But, you know, they may
18 have gone on a tour.

19 I wasn't in attendance to the
20 meeting, so I couldn't tell you what they did
21 or what they saw, nor could I tell you what
22 was told to them about the progress of the
23 project from one quarter to the next.

24 Q Do you know if SCANA and SCE&G have
25 the same board or if they're different?

1 A It is one board.

2 Q I want to shift a little bit back
3 to your employment at SCANA. How -- you've
4 told us that your paycheck actually came from
5 SCANA Services; is that correct?

6 A Right.

7 Q How was your personal compensation
8 structured? Were you on an annual salary?
9 Was it salary plus bonus? Was it commission?
10 Just tell us in general how you were
11 compensated.

12 A I was compensated with an annual
13 salary, and then I had two risk components
14 associated with my salary. I had a long-term
15 bonus and then I had a short-term bonus.

16 Q Okay. And for somebody like me
17 who's completely unfamiliar with that system,
18 can you explain it as best you can?

19 A Yeah. The short-term bonus was
20 tied to -- it was two components at the end.
21 One component was based on operational goals,
22 and those goals for my team, I set those so
23 that they were focused on goals that would
24 support the success of the project.

25 And then the others were the

1 earnings goals for the company. So those --
2 those were set by senior staff.

3 And then the long-term bonus was
4 based on how our stock did in comparison to
5 some indexes. And it was kind of convoluted.
6 I never did the calculation. But there was
7 more to it than that. You'd have to look in
8 the proxy statements and get the full
9 description of the long-term bonus.

10 So it was kind of a convoluted
11 calculation on how you did -- it was like a
12 rolling three-year calculation that they did.
13 And one, you locked in a year -- it was kind
14 of crazy, and they would change it just about
15 every year.

16 Q Who was in charge of deciding the
17 goals that would make up the bonus structure?

18 A I think senior staff pretty much
19 reviewed all the goals to make sure that the
20 goals had enough meat to them. And then they
21 presented them to the board, and then the
22 board had the final say-so whether or not to
23 approve them.

24 And then the board had the final
25 say-so as to whether or not the bonus goals

1 were achieved and whether or not they were
2 going to pay out at 100 percent or if there
3 was going to be a payout to include
4 discretion.

5 Q And when you say senior staff, in
6 general, who would that be?

7 A Those would be the top senior
8 executives. And that's probably six or seven
9 of the executives, to include the CEO and the
10 CFO.

11 Q And for your time there, who would
12 have been in those positions?

13 A Well, when I first went up to the
14 nuclear project, it would have been Bill
15 Timmerman as the CEO; Kevin Marsh as the CFO;
16 Jimmy Addison; Keller Kissam; Frank Mood;
17 Gina Champion; Jeff Archie, Steve Byrne.

18 THE WITNESS: I'm trying to
19 remember the guy -- who's the guy that's
20 over -- that was over PSNC and they brought
21 him back down?

22 Q One of the things I should have
23 told you when we started, even though it's
24 not a test, there's no pass/fail grades,
25 we're really just asking for your

1 recollection today.

2 A Okay.

3 Q So --

4 A I can't ask any questions?

5 MS. HODGES: I'll tell you
6 when it's over.

7 Q Another thing I should have told
8 you, any time during the deposition, if you
9 gave an answer earlier that you think was
10 either incomplete or incorrect for any
11 reason, we can also go back and address it.
12 Just let me know and we can go back.

13 For instance, if you say, you know
14 what, I said so-and-so was the CEO at that
15 time and I now remember it was somebody else,
16 we can go back and correct it. You're not
17 held to bite your tongue or anything, if
18 you've said it, once you've said it.

19 A Okay. Rusty Harris.

20 Oh, yeah, and -- what was that last
21 name --

22 Q Now, for bonus payments, did these
23 come out on an annual occurrence, or were
24 they triggered by other events?

25 A It was annual because they had to

1 have year-end stock prices and year-end
2 earnings.

3 Q And during the time of the
4 construction of VC Summer Units 2 and 3, did
5 you actually receive bonus payments related
6 to the construction out there on the site?

7 A Say that again.

8 Q During the time that the VC Summer
9 project was ongoing, did you receive bonus
10 payments related to the work going on out at
11 the site?

12 A I did.

13 Q And what would be the criteria that
14 would be related to that, those bonuses? Was
15 it just, in general, if you get enough done,
16 if it's price related? What would be
17 triggering your bonuses?

18 A I mean, we would have goals set for
19 each year based on what we were trying to
20 achieve, and they were much more in minutia
21 than what you're talking about.

22 I mean, ours would have been
23 something more like to establish -- and this
24 is just an example. I don't even know if
25 this would have been a goal, but to establish

1 a database, an electronic database, for use
2 in reviewing all invoice data for
3 inappropriate billings.

4 Because we were getting invoice
5 billings from Westinghouse and CB&I that had
6 thousands and thousands of lines of data, and
7 so we had, you know, our information that we
8 were sifting through and looking for
9 duplicate billings for the same employee or
10 employees that supposedly worked more than
11 the 40 hours or the 50 hours.

12 And, you know, we found a lot of
13 mistakes in the billings by just doing just
14 common sense or simple internal controls that
15 any shop should be doing when they're
16 reviewing billings that are cost-plus.

17 Q And this -- we may get into this
18 later, but since you brought it up, cost-plus
19 billing, explain first your understanding of
20 how that operated with respect to the project
21 in Fairfield.

22 A Well, there was different aspects
23 of the contract, and one aspect of the
24 contract, which was the labor for the site,
25 was billed at what you call target. And that

1 target was a cost-plus part of the contract.

2 So in our mind, from an accounting
3 perspective, that was a high-risk area for
4 the company and the project, so we spent a
5 fair amount of resource trying to make sure
6 that that area of cost was under control and
7 that they had controls in place as far as
8 trying to manage time sheets and make sure
9 that there weren't fraudulent charges coming
10 through.

11 Q And for somebody who's not familiar
12 with accounting like that, what do you mean
13 when you say it's a high-risk area? What
14 makes it high risk as opposed to low risk?

15 A It's high risk because the
16 contractor bears no -- if somebody charges
17 time and they're not at the site or they're
18 not being productive, the contractor bears no
19 loss on it. The only people that lose money
20 on it would be the owner of the -- owner of
21 the site.

22 So just like the gasoline or the
23 inventory, the other areas of cost-plus, if
24 they're not managing those types of costs,
25 the owner, which was SCANA or SCE&G, bore the

1 risk of fuel being used to fuel cars to drive
2 back and forth to their trailer or wherever
3 they might be living rather than it being
4 used to fuel the trucks that were actually
5 used at the site to produce construction
6 product.

7 So there were different pieces or
8 elements of the construction that we felt and
9 we put in high risk, so we did audits or we
10 did reviews of those kind of areas because we
11 felt like those were high-risk areas for
12 fraudulent activity.

13 Q And who at SCANA would have been in
14 charge of that process of overseeing that
15 audit and that type of work?

16 A Well, my team did most of it. And
17 then we also shared what our plans were with
18 internal audit, and internal audit would then
19 add those to their audit plan. And a lot of
20 times they would work with my team in doing
21 some of the overseeing of the audits.

22 Q And who would have been the names
23 of some of the people on your team doing that
24 work?

25 A Shirley Johnson was my manager who

1 led those efforts.

2 Q And who else would have been
3 involved?

4 A Well, one was in the paper,
5 unfortunately, and her name was Margaret
6 Feckle.

7 Q And the phrase you just used, her
8 name was in the paper, unfortunately, what do
9 you mean by that?

10 A I just hate to have somebody who's
11 a senior accountant's name put in the
12 newspaper when she was doing a good job, and
13 to be added to a list of people that are
14 associated with the scandal at the nuclear
15 project is probably not great. I mean,
16 that's not exactly a common name, Margaret
17 Feckle.

18 Q Uh-huh. All right.

19 Besides Shirley Johnson and
20 Margaret Feckle, what other SCANA employees
21 would have been doing that work out there?

22 A I'm trying to remember that one's
23 name. I can't remember the guy's name that
24 Shirley had hired.

25 Kullen Boling did some. That name

1 is B-O-L-I-N-G. First name is K-U-L-L-E-N.
2 So it's Kullen Boling.

3 Q And --

4 A Joey Giles pie did some work.

5 Q And part of their job was reviewing
6 the -- or auditing, I should say, the work
7 being done for SCANA Services looking for
8 fraudulent or other improper billing?

9 A For SCE&G.

10 Q For SCE&G.

11 A For NND.

12 Q For NND.

13 And if they found any of that or
14 they wanted to follow up with anything they
15 found that's suspicious or curious, take me
16 through that process. What documents would
17 be created, who would be notified, and how
18 would that be logged in?

19 A We would have exit interviews with
20 a representative from the area with
21 Westinghouse or CB&I, whichever area was
22 responsible for it. Generally it was CB&I.

23 And as time passed, those meetings
24 became more and more confrontational. They
25 were never friendly, but they became more and

1 more confrontational. It got to where they
2 usually had one or two lawyers in the
3 meetings. They started bringing in a manager
4 from the construction side. He was kind of
5 burly, so they were -- it seemed like it was
6 becoming more like they were trying to team
7 up on us.

8 But anyway, they had a lawyer for
9 procurement that was particularly nasty, and
10 we would meet with them, explain to them what
11 our problem was, and usually an example --
12 this is just a really good example, was like
13 the gasoline and the marked vehicles, where
14 we talked to them about how many cars did
15 they have that were marked vehicles that
16 would be using the gasoline. You know, we
17 were told that they might have 10.

18 Well, when we actually had somebody
19 sit out front and watch the number of
20 vehicles going into the gated secured area
21 where the cars would be going in, they might
22 have counted 40.

23 And then when they went to check to
24 see how the secured fuel tanks were actually
25 operated, unlike the way they were described,

1 there wasn't a key that was serviced so that
2 you had to use the key to swipe it to be able
3 to engage the fuel. All you had to do was
4 walk into the little shop, and you got the
5 key, and you swiped it. And anybody could go
6 up there and pump gas.

7 It was just like the Hess station,
8 and everybody knew to go in the little gated
9 house, pull the key off there, swipe it, and
10 then you could fuel your car. So when we
11 asked them how we counted 40 cars compared to
12 the 10 you had on the list -- I mean, nothing
13 reconciled. There was no controls over the
14 fuel.

15 And so when we met with them, you
16 know, instead of acknowledging that they
17 didn't have control, they'd fight you tooth
18 and nail on it. And then we would fight for,
19 you know, months over this.

20 And we would try to get a credit
21 back on it because we'd say, Well, okay,
22 we've been in this project for "X" number of
23 months. You've ramped up by this number of
24 days, you know, this number of people.
25 You've given out cars by this. And we'd come

1 up with some reasonable way of calculating
2 how much we think that the fuel has been
3 inappropriately used, and we would try to
4 seek out a credit.

5 And then we would add this to a
6 sheet, what we called a running tab of
7 disputed amounts. And we would put it in a
8 letter, and they would have their response
9 put in the letter.

10 And we never were able to get those
11 disputed amounts settled. Our senior
12 executives never supported us on them. And
13 at the end, when they negotiated a
14 fixed-price contract, that all got just
15 lumped in supposedly with the negotiations,
16 and whether it was treated fairly or not, I
17 couldn't tell you.

18 Q Okay. I want to go back through a
19 little bit of that.

20 And one of the reasons I'm asking
21 is I'm trying to find if I can go back and
22 look for documents that would, for instance,
23 trace this dispute about the fuel and who had
24 access and who was using it.

25 What type of document names or

1 databases or what would I go to look for if I
2 wanted to go back and sort of educate myself
3 about this controversy or other controversies
4 that you would have with the contractors with
5 regard to payments that were being requested?

6 A I think you probably would ask for
7 the disputed invoice log.

8 Q And who would have been responsible
9 for maintaining that?

10 A Shirley Johnson. Marion Cherry
11 should have probably been getting a copy of
12 it from Santee Cooper.

13 Q And how often -- and, again,
14 because I'm not familiar with the whole
15 process.

16 A Right.

17 Q You have this disputed invoice log.
18 Is this something that would be addressed in
19 any sort of regular time frame, or is it as
20 things went along, it would come up? How did
21 that work?

22 A We would update it with different
23 things that we would come up with where we
24 felt like we were inappropriately billed.
25 And we would take it to senior executives,

1 and they would look at it and make no
2 comment. No decisions were ever made until
3 they got to the point where they were going
4 to negotiate this fixed-price contract in the
5 latter part of '15.

6 Q And the senior executives for SCANA
7 that would have been --

8 A Kevin Marsh, Jimmy Addison.

9 Q And any others?

10 A I can't remember if Lonnie Carter
11 was in there or not.

12 Q And was Lonnie Carter an executive
13 at SCANA or --

14 A No, he's Santee Cooper. I'm sorry.

15 Q So, again, just so I can try to
16 educate myself with it, we've been produced a
17 lot of documents from SCANA and SCE&G related
18 to the project, thousands of them. If I
19 wanted to search through them to find
20 information about instances like we were
21 talking with the fuel, the disputed invoice
22 log, any other titles of documents that I
23 would be looking for?

24 A You might want to look for audit
25 reports.

1 Q Who would be doing audit reports?

2 A Internal audit was producing audit
3 reports, and then my team was producing audit
4 reports.

5 Q And who was the internal audit
6 team?

7 A Well, Iris Griffin, who's now CFO,
8 was internal auditor then.

9 Q And who else would have been on
10 Iris's team?

11 A Courtney Owen. She was the
12 manager.

13 Q And how did -- I mean, it sounds
14 like you had two groups working here,
15 internal audit and your group. How did they
16 interact or how was that system set up?

17 A They worked hand in hand together.
18 Sometimes they would lead the audit and then
19 other times Shirley's team would lead the
20 audit.

21 Q And --

22 A And our team was physically located
23 at the site.

24 Q Okay.

25 A And so that made it to where we had

1 relationships and insight into what was going
2 on in the project more so than people that
3 were at corporate.

4 That was one thing that, you know,
5 when I was told that I needed to go out to
6 the project, I went straight out to the
7 project and made myself an office at the
8 project. I didn't stay at the corporate
9 headquarters like my predecessors had done.
10 I mean, they never even went out to the
11 project for the two years they had it. Their
12 view of it was, Well, they get two invoices a
13 month; what could there be that needs to be
14 done.

15 Q And who was your two predecessors?

16 A Casey Coffe.

17 Q And how do you spell that name for
18 her?

19 A I'm sorry. Casey, C-A-S-E-Y. And
20 then his last name, Coffe, is C-O-F-F-E-R.

21 And then Jim Swan, S-W-A-N. And
22 Jim Swan is the controller of SCANA and
23 SCE&G.

24 And they never even went out to the
25 site. And when I went to visit them when

1 Bill Timmerman told me he needed me to go out
2 to the site, I went to see them to see what
3 they had been doing so I could get a flavor
4 for what I should expect, and their view of
5 it was, you know, they didn't think it was a
6 big deal because they only get two invoices a
7 month. They get one from WEC and one from
8 CB&I. They didn't see it as a big deal.

9 And when I got up there, I mean,
10 I -- I was shocked at how far behind we were.
11 I ended up getting people from internal audit
12 to augment my staff so that we could start
13 doing some flowcharts of what processes that
14 were going on at the project so we could get
15 a feel for what CB&I was doing -- or at that
16 point I think it was Stone & Webster -- find
17 out what processes they were using to bill us
18 so we could start getting a flavor for where
19 we might need to be doing some intrusive
20 audit work so we could get a better handle on
21 what was going on and try to, you know, do
22 some risk analysis.

23 Q And about what time frame was that?

24 A Okay.

25 MR. MOORE: You're going to

1 have to excuse me for a minute.

2 MR. HALTIWANGER: We'll take a
3 break.

4 (Off-the-record discussion.)

5 Q Ms. Walker, I'm just trying to --
6 I'm going back over some of the things we
7 asked before. When did you become in charge
8 of accounting?

9 A What do you mean, in charge of
10 accounting?

11 Q Or for the project. When would you
12 have taken over the role out at VC Summer,
13 those responsibilities?

14 A I think I was there for six years,
15 so I think it was around 2010.

16 Q And the disputed invoice log, is
17 that a process you created, or was that in
18 place before you got there?

19 A Actually, Shirley Johnson came up
20 with that.

21 Q And, again, if I'm doing word
22 searches trying to find those documents,
23 disputed invoice log, any other terms that
24 would come up or were being used?

25 A That's the name of it.

1 Q Okay. When we talked about bonus
2 goals, were those written down?

3 A Uh-huh.

4 Q Where would I find those for the
5 various employees involved in the project?
6 What would they be titled?

7 A That's what they would be titled,
8 would be bonus goals.

9 Q Bonus goals.

10 A I mean, they might be called
11 short-term bonus goals.

12 Q The disputed invoice log, prior to
13 that process being in place, how were issues
14 with billing handled with the contractors,
15 billing disputes?

16 A I couldn't tell you. I mean,
17 that's the process that, you know, we came up
18 with when I got there.

19 Q Can you tell us or give us an idea
20 of what was going on before if there was an
21 issue?

22 A I couldn't tell you.

23 Q Who would know most about that?

24 A Probably Sheri Wicker. Sheri
25 Wicker. She's currently employed by SCANA.

1 Q All right. And how often would you
2 be meeting with Westinghouse or CB&I to go
3 over the disputed invoice log or the issues
4 that arose with the disputed invoice log?

5 A We ended up going over that with
6 them every single month.

7 Q And what paperwork would be
8 generated along with those meetings that we
9 could look for?

10 A I think that they had notes beside
11 each one of the things that were discussed on
12 the disputed invoice log.

13 Q And can you give us an idea of
14 generally what amounts of money we're talking
15 about on the disputed invoice log?

16 A I mean, those could be anywhere
17 from 40, 50, \$60, up to, you know, hundreds
18 of thousands of dollars.

19 And those don't necessarily all
20 come from any one source. I mean, those
21 could be from audits. They could be from
22 review of the invoice. They could be from
23 the review of -- or something that was seen
24 by engineers out in the site.

25 It could be from the review of the

1 billables of miscellaneous items that Ken
2 Browne did. And he would find things that
3 were absolutely wrong and being billed to us
4 that were supposed to be included in the
5 fixed price, and they were billing it to us
6 as recoverable.

7 Q And I just want to make sure that I
8 can go back and find all those disputes and
9 all those materials, and if I'm searching
10 under the disputed invoice log, I'll be able
11 to find that?

12 A Uh-huh. You should.

13 Q Okay. And was the disputed invoice
14 log continued the entire time you were there,
15 or did that end whenever it switched to the
16 cost-plus, or do you know?

17 A Well, the cost-plus was the
18 whole -- the whole time. Now, when it went
19 to fixed price --

20 Q Fixed price, that's what I meant.

21 A -- I can't tell you because that's
22 when I quit, after they negotiated that.

23 Q Okay. Well, that will bring us
24 right to the next topic, which is the date
25 that you left employment at SCANA. Do you

1 recall the date?

2 A Uh-huh.

3 Q What is it? What was it?

4 A January 7th, I think.

5 Q Of?

6 A 2016.

7 Q And what was the official job title
8 at the time you left?

9 A Vice president of nuclear finance
10 administration.

11 Q And I want to get an idea of
12 your -- the supervisory hierarchy at the
13 time.

14 Who did you report to at the time
15 you left?

16 A The CFO, Jimmy Addison.

17 Q And he would have been your direct
18 boss?

19 A Yeah. I had reported to Jimmy from
20 the time that I started on the project.
21 Prior to that I was in corporate compliance.
22 I reported to the CEO who had since retired.

23 Q And who was that?

24 A Bill Timmerman.

25 Q And, again, just trying to get a

1 hierarchy, if you're the vice president, you
2 report to the CFO, Jimmy Addison. Who
3 reported to you, underneath you, if anybody?

4 A When I was --

5 Q At the time you left.

6 A I had three managers reporting --
7 well, I had four -- five. I had Shirley
8 Johnson, Kevin Kochems. That's -- Kochems is
9 K-O-C-H-E-M-S.

10 And then I had Sheri Wicker. And
11 Sheri has an I instead of a Y at the end.

12 And then I had Billie Kaye --
13 that's K-A-Y-E -- Morris, and she had Unit 1.

14 And then I had Shannon Perry, and
15 she had responsibility for transmission.
16 That was the construction for the
17 transmission line that was going to take the
18 electricity from Units 2 and 3 and move it
19 down toward the beach.

20 And I take that back. They had --
21 right before -- right before the -- I think
22 it was at the beginning of 2015, I think they
23 went ahead and made her a part of the
24 transmission organization.

25 Q Okay. And let me ask you, when you

1 came to leave SCANA, did you resign from
2 SCANA, or were you terminated?

3 A I resigned.

4 Q And in as much detail as you can
5 give us, tell us how you came to leave SCANA
6 employment.

7 A Well, actually, I went to talk to
8 Kevin Marsh to be able to tell him some
9 concerns that I had with the project. And,
10 much to my surprise, Kevin didn't want to
11 hear what I had to say.

12 And he put me out on a medical
13 leave. A special medical leave was the term
14 he used. And so I was on a medical leave for
15 three months. And it was obvious when he put
16 me on the medical leave that it was a
17 complete exit from the company.

18 I went to see one attorney to start
19 with, and then I moved to go see Jake. And I
20 explained what I had seen with the company to
21 Jake and what had happened when I testified
22 in the 2015 rate case that was before the
23 Public Service Commission and how
24 uncomfortable I was with the number that they
25 had put in my testimony and filed in my

1 testimony while I was out of work when my
2 husband was deathly ill.

3 And then at the end of that year,
4 in -- I guess it was the fall of '15, I
5 watched the negotiations of that fixed-price
6 contract, and that was like the icing on the
7 cake. And I told Jimmy Addison on the phone
8 that I was not going to lie for the company.
9 And it was six weeks later that I was put out
10 on a special medical leave.

11 But they -- what I saw in the
12 negotiations of the fixed-price contract, I
13 thought it was just a rouse. And everything
14 that they negotiated, what Kevin negotiated
15 was ridiculous, and it was all in the best
16 interests of SCANA and in the worst interest
17 of the ratepayers.

18 I mean, he was basically financing
19 Westinghouse's cash flow needs for 2016 in
20 the first five months of 2016, which happens
21 to line up with exactly when he was going to
22 be filing for the BLRA new rates. He was
23 going to pay them \$100 million a month,
24 January through May, which is \$500 million,
25 and at the end of May was the cut-off period

1 for revised rates that he would file for and
2 they'd be in his rates for October.

3 And he would have spent
4 \$500 million, which is double what he'd ever
5 spent in target price for construction
6 on-site.

7 And he was going to have a new
8 contractor, that was when he was going to
9 have the company out of Greenville come
10 on-site in January. So they'd be the least
11 productive possible, and he promised them
12 he'd pay them \$100 million a month during the
13 least productive period and you're going to
14 bring on a new construction crowd. And it's
15 like, I just -- I just can't go here anymore.

16 Q Okay. There's a lot that you just
17 covered that we're going to go through, go
18 through in some detail.

19 But I do want to ask, at -- when
20 was the first time that you went to go see an
21 attorney?

22 A Probably in January.

23 Q Of which year?

24 A '16.

25 Q Okay. And when you say that you

1 resigned from SCE&G, you were not terminated;
2 is that correct?

3 A That's right.

4 Q What reason did you give SCE&G for
5 your decision to resign?

6 A Because I wasn't going to lie.

7 Q And who do you feel was pressuring
8 you to lie?

9 A Kevin Marsh, Steve Byrne, Jimmy
10 Addison.

11 Q And what do you believe that they
12 were pressuring you to lie about?

13 A Well, in 2015 I went and I fought
14 them for four months before that rate case in
15 2015 about what the budget should be. And I
16 even went to Jimmy with a file that
17 documented exactly how we calculate -- how
18 his team, his finance team, calculated what
19 the budget needed to be.

20 And it was just math. We
21 mathematically went through, and we had a
22 team that sat and built what the budget
23 needed to be based on the number of man-hours
24 that originally was calculated that needed to
25 be done to build the project, based on the

1 productivity factor that CB&I was actually
2 achieving at the project, and we made the
3 mathematical calculation based on the hourly
4 rates that they were -- they were actually
5 paying out and their markups. And we came up
6 with a number that was at least a half -- a
7 half a billion dollars more than the number
8 that Westinghouse was saying it would take
9 them to complete the project.

10 And Kevin made the decision that he
11 was going to go with the low number. It was
12 a number he could point to that Westinghouse
13 had given him as the price tag to finish the
14 project.

15 And so I went to Jimmy, and I
16 walked him through this file. I gave him a
17 copy, and I made me a duplicate of exactly
18 what I gave him. And he said, Carlette, I
19 understand where you're coming from and I
20 thought I agreed with you, but they showed me
21 why that other number was the right number
22 and I agree with them now.

23 And so I made one more formal pitch
24 the next day and got overturned again. And
25 every time we met to talk about the strategy

1 as to what was going to be filed in the rate
2 case, every time we met, it was as if there
3 was a meeting the night before the team was
4 there and another decision was made and we
5 just missed the meeting.

6 And we all said, Well, it's kind of
7 like did you feel like you missed a meeting?
8 We all agreed, Well, we must have missed the
9 meeting because it seemed like the agenda was
10 a day ahead.

11 And anyway, in the midst of the
12 decision being made, my husband went into
13 total kidney failure, and I had to take him
14 to the emergency room. And I was out for
15 about five weeks or six weeks.

16 And while I was out, they wrote
17 testimony under my name, and they filed
18 testimony under my name with the number that
19 I had fought against.

20 And when I came back to work, it
21 was right before the hearing. And I went
22 through testimony prep knowing that I had to
23 testify because I couldn't lose my job
24 because my husband was just out of the
25 hospital. I didn't know what condition he

1 was going to be in. And so the testimony
2 prep went terribly. It was awkward. It --
3 it was just a bad period for me.

4 So they filed the testimony. We
5 went through the motions of having the
6 testimony read into the record and all that
7 stuff. Nobody asked any questions. Really
8 didn't think about what I was answering on
9 the witness stand.

10 But anyway, after that is when I
11 started worrying about things more. I
12 started losing weight. I was losing weight
13 at 10 pounds every two weeks. So by the end
14 of the year, I was down about 70 pounds. I
15 know I looked like hell.

16 And that was the pretense that he
17 was saying he was putting me out on medical
18 leave. It was obvious that something was
19 wrong, and I don't doubt it.

20 Because I was worried. It was
21 like, Something is wrong. And I know the
22 stress was right through the roof. My
23 headaches were awful. I was going and
24 getting cortisone injections in my neck
25 trying to see if I could get it under

1 control. And, I mean, I was stressed to the
2 max because they were all over me. I was
3 getting reprimanded for everything I did.
4 Kevin was involved in it, I found out.

5 I couldn't understand things. I
6 was -- I mean, it was just -- it was awful.
7 And then when I finally figured out that
8 Kevin was not the Kevin that I thought he
9 was, it all made sense.

10 But I didn't -- I still believed
11 and trusted him up until the last meeting
12 that I had with him. And that's when I found
13 out that Kevin Marsh was just a piece of
14 trash and he'd been lying to me for two years
15 and that he would lie and steal from every
16 person in South Carolina to line his own
17 pocket. And, I mean, that was just --

18 Q Okay. Going back to the 2015
19 testimony, you said you-all had prepared
20 numbers internally of what you thought the
21 cost for Westinghouse would be?

22 A Uh-huh.

23 Q How would I -- if I wanted to go
24 back and find those numbers from SCE&G, how
25 would I track those down?

1 A I don't know how you'd find those.
2 Ask Jimmy Addison. He should have a file of
3 it. I gave it to him.

4 Q And what -- how would that file be
5 titled? Would it have been e-mailed to him?
6 Would it have been handed to him?

7 A I handed it to him. Just ask him.
8 Say Jackass, where's the file Carlette gave
9 you that was supposed to be used in the
10 testimony in 2015? He said he totally
11 understood it.

12 Q Okay.

13 A His was red. Mine was yellow.

14 Q Okay. And the numbers that your
15 team prepared that you provided Jimmy Addison
16 were not the numbers that eventually made it
17 into the 2015 testimony?

18 A No.

19 Q And how were they different?

20 A I think my number was somewhere
21 around 1.2 billion and his was like somewhere
22 around 698 million. Don't hold me to those
23 numbers, but, I mean, it's significantly
24 different.

25 Q And the numbers we're talking about

1 is the cost to complete the project?

2 A Yes.

3 Q All right.

4 A And it would have a likely -- a
5 similar effect on the schedule. I mean, you
6 can't have that kind of a difference in the
7 budget and not have a similar impact on the
8 schedule.

9 I mean, they can't -- they were
10 working at -- their ratio to be able to
11 actually do the work was horrible, but I
12 couldn't get any of them to acknowledge that.
13 They wouldn't even listen to Bechtel, which
14 came out, I think, the month after I left,
15 that they weren't managing the project.

16 Q Okay. When you left SCANA, did you
17 take any materials of any of this work
18 product with you?

19 A Yeah.

20 Q And what materials did you take
21 with you when you left SCANA?

22 A I think one of them was that file.

23 Q And what would you call that file?

24 A It was the 2015 Jimmy file.

25 Q Besides the 2015 Jimmy file, any

1 other materials that you remember taking?

2 A No. I mean, that was the big --
3 that was the most important thing for me. I
4 mean, you can go in and read all of the SEC
5 filings and you can see where -- I mean, if
6 you go in and -- well, you have to go to the
7 project records, but if you go in and look at
8 the project records, you can see their PF
9 factor did nothing but climb.

10 Q And for a layperson like me, what
11 does that mean?

12 A Their performance factor.

13 Q And what is the effect of their
14 performance factor?

15 A Well, a performance factor tells
16 you how originally they're budgeted to -- in
17 this case we used a performance factor of 1,
18 1 meaning that they're going to budget one
19 man-hour to do -- to do one -- I don't know
20 how you'd say it, how you describe it. To do
21 1 yard of concrete is going to be 1.

22 If you -- if it takes more than one
23 hour to do a yard of concrete, then you're
24 not doing it in time. So if it takes two
25 hours to do 1 yard of concrete, then you're

1 now at a performance factor of 2.

2 Q Okay.

3 A Well, concrete was like one of the
4 biggest commodities that they had to install
5 at a nuclear plant. Their performance factor
6 for something that they had millions of hours
7 for pouring was at 5. So it took them five
8 times the amount of time to pour concrete
9 than it did when they budgeted it, so if
10 you've got millions of hours to pour concrete
11 and it takes you five times the amount of
12 time to do it, you got a major issue.

13 Q And those are the performance
14 factors. You mentioned they'd be in the SEC
15 files?

16 A Not in the SEC. They're going to
17 be in project reports.

18 Q Are those called project reports,
19 and who would be preparing those?

20 A You would want to look for the
21 Westinghouse -- or the consortium monthly
22 project reports.

23 Q Any other documents you can think
24 to steer me towards to find that type of
25 information in?

1 A I think you're just going to have
2 to look for the monthly project meeting and
3 then try to get those -- and they're
4 PowerPoint slides. And if you could get your
5 hands on those, there's maybe 100 or 75
6 slides in there and they're metrics.

7 They later changed to less focused
8 on metrics, but for the first four or five
9 years that I was on the project, they were
10 metrics-based. And there's a couple in there
11 that are on their PF factor.

12 And every time I raised questions
13 about the PF factor and wanted to get to know
14 what they were doing to change the PF factor,
15 I was shut down by the VP of construction and
16 told to take that discussion offline because
17 it really wasn't appropriate to ask questions
18 about that in this meeting.

19 Q And who was the VP of construction?

20 A He made a big impression on me. I
21 can't even remember his name. He was that
22 good.

23 Q And when you say -- when you used
24 the terminology take it offline, what does
25 that mean?

1 A He didn't want to talk about it.

2 Q And why? What was your impression
3 of why that would be?

4 A Because he didn't care. He was
5 there just for the money.

6 Q Was this VP of construction at
7 SCANA or at Westinghouse or CB&I?

8 A This was SCANA. He retired from
9 Duke or kind of got pushed out by Duke
10 whenever they got bought up by I think
11 Progress. And so he came down here. His
12 family was still in Charlotte. He got a job
13 offer to come down here for construction, and
14 so he came down here for that.

15 And he was here for a stint, and
16 then went home to Charlotte after he lost his
17 job. I'll remember his name.

18 Q At some point probably the name
19 will pop into your head, and just bring it to
20 me and we'll --

21 A He was a nice guy. I mean, he just
22 didn't care. Jones, I think. Ron Jones.

23 Q All right. And in --

24 A Dan, his name was Ron Jones.

25 Q Okay.

1 A He was VP of construction, and he
2 would be an SCE&G employee. Because he was
3 actually in the nuclear organization, so he
4 reported to Jeff Archie.

5 Jeff would be another interesting
6 person for you to talk to.

7 Q And why do you believe that?

8 A Just be an interesting one to
9 get -- or to interview him.

10 Q I want to look at a couple of
11 documents now, so give us a --

12 Let me ask you this. What is your
13 understanding of what the South Carolina
14 Public Service Commission is?

15 A Say that again.

16 Q The South Carolina Public Service
17 Commission, what is it that they do?

18 A Well, they're supposed to look out
19 for the rate payors while they also balance
20 the long-term sustainability of the utility
21 in establishing rates.

22 Q And so would it be fair to say that
23 the Public -- the relationship between the
24 PSC and SCANA is that PSC would be setting
25 the rates that SCANA could charge to its

1 customers?

2 A Yes.

3 Q And as part of your employment at
4 SCANA, did you ever provide testimony before
5 the South Carolina Public Service Commission?

6 A I did.

7 Q And why would it be you giving that
8 testimony as opposed to somebody else at
9 SCANA?

10 A Well, I had given testimony when I
11 was at Pipeline on quite a few occasions, and
12 they seemed to be happy with my ability to
13 give testimony before the commissioners. And
14 I had done it for the two electric rate cases
15 in the early 2000s, I think it was, and the
16 commissioner seemed to respond to me. And so
17 it seemed natural, I guess, for them to do
18 the same when I got to the nuclear project.

19 Q And when did you last give
20 testimony to the PSC?

21 A It would be that 2015.

22 Q And what was the purpose of your
23 testimony in 2015 to the PSC?

24 A It was to get a revised budget and
25 the revised schedule approved.

1 Q And was it the -- the intention of
2 it was for the PSC to rely on the information
3 in determining to do what?

4 A To approve the revised budget and
5 schedule.

6 Q And the two main topics that you
7 were going to testify to were forecasting of
8 construction and accounting and budgeting?

9 A Right.

10 Q All right. Who all was prepared --
11 I'm going to get -- we've touched on it a
12 little bit, but I want to get into how the
13 testimony in 2015 for the PSC was prepared.
14 Can you give us a list of everybody at SCANA
15 that would have been involved in preparing
16 your testimony?

17 A Kevin Kochems.

18 Q Uh-huh.

19 A And Mitch Willoughby was the
20 outside regulatory counsel.

21 Q Do you know which firm he works
22 for?

23 A His firm, Willoughby -- I think
24 he's in his own practice.

25 Q Okay.

1 A Belton Ziegler would have probably
2 had the last say on it, but I think Mitch
3 Willoughby wrote my testimony. And then I
4 think that Ken Browne made some comments, and
5 he was pretty much cussed out by Mitch
6 Willoughby and put in his place and so he
7 just shut up.

8 Q All right. You're going to have to
9 elaborate on that for me. Explain that.

10 A That's all I know. Ken said
11 something to me about him pushing back on
12 Mitch about something in my testimony in my
13 absence and Mitch really let him hold it,
14 which was out of character for Ken to see in
15 Mitch, and that's why he shared it with me
16 just to let me know that he saw how Mitch
17 could get really pissed off. And so he felt
18 the need to share that with me.

19 Q What was it substancewise that you
20 believe Ken had shared with Mitch that upset
21 him?

22 MR. BALSER: Object to the
23 form of the question to the extent that it
24 calls for the witness to reveal SCANA
25 attorney-client privileged communications. I

1 instruct the witness that the privilege
2 belongs to SCANA and that you may not waive
3 any attorney-client privilege that involves
4 the company.

5 MR. MOORE: She is here under
6 subpoena, so, gentlemen, you tell me what to
7 do.

8 MR. BALSER: You're not
9 seeking any attorney-client privilege
10 testimony, are you?

11 MR. HALTIWANGER: I don't
12 believe that she has had a conversation with
13 Mitch Willoughby -- is that correct? -- about
14 this.

15 THE WITNESS: No.

16 MR. BALSER: As I understand
17 the question, you asked for the substance of
18 the discussion between SCANA's outside
19 counsel and SCANA employees, and that is
20 privileged information. She cannot reveal it
21 no matter where she worked.

22 MR. HALTIWANGER: All right.
23 I'll tell you what, I'm going to see if we
24 can't work around this. I'll respect that
25 objection.

1 MR. MOORE: Or I suggest that
2 we skip the question, certify it for
3 consideration by the Court, and allow you to
4 take it up with the Court at a later date
5 should you choose to do so.

6 MR. HALTIWANGER: We can agree
7 with that.

8 MR. MOORE: Great.

9 Q Let me ask you, was there a name
10 for the team that was prepared -- or that
11 participated in preparing your testimony for
12 2015?

13 A Uh-uh.

14 Q If I wanted to do sort of a word
15 search to find any documents related to your
16 2015 testimony preparation, how would I go
17 about finding that?

18 A I wouldn't know.

19 Q Were there drafts of written
20 materials that were prepared going into the
21 2015 testimony?

22 A I'm sure there were drafts.

23 Q Who would have been involved in
24 drafting that material?

25 A Mitch and Kevin.

1 Q Do you know who Mitch would have
2 been getting the information from?

3 A Kevin.

4 Q Do you know who Kevin would be
5 getting his information from to supply to
6 Mitch?

7 A Kevin would have been preparing it.
8 He would be getting some of the information
9 from the documents that were prepared by the
10 team that pulled together the estimates.

11 Q Who would have been in charge of
12 putting the estimates together?

13 A That ultimately was given to Ken
14 Browne.

15 Q And so Ken Browne, he was a SCANA
16 employee, a SCANA Services employee?

17 A He was an SCE&G employee. He was
18 employed within the nuclear organization.

19 Q And what information would he have
20 been gathering in order to help prepare your
21 testimony?

22 A He didn't -- I don't mean that --
23 he would have been involved in the
24 preparation of our team's development of the
25 budget based on where the project was in the

1 winter of 2015.

2 Q Okay.

3 A And that was the basis for my
4 arguing with senior executives about what we
5 should put in the testimony as our estimate
6 to complete the project. It would have been
7 his work --

8 Q Ken Browne's work?

9 A Right. And Ken Browne, that last
10 name has an E on the end.

11 Q Were there any external accountants
12 involved in preparing your 2015 testimony?

13 A No.

14 Q Anybody from Pricewaterhouse Cooper
15 involved?

16 A No.

17 Q From an internal accounting
18 standpoint, besides Ken Browne, who else
19 would have been involved in preparing that
20 testimony or the materials that would
21 underlie the testimony?

22 A Just Ken and Kevin. Shirley might
23 have -- Shirley might have been involved,
24 too, with some things. Shirley Johnson.

25 Q During this process, did you ever

1 see any rough drafts of the testimony prior
2 to signing off on it to give to the PSC?

3 A They may have e-mailed them to me,
4 but I didn't look at them. My husband was in
5 total kidney failure.

6 Q So this all was occurring while you
7 were occupied with your husband's health
8 situation?

9 A Absolutely. He was in the hospital
10 for ten days.

11 Q And in addition to estimates about
12 cost of completion, there was also a
13 component dealing with the -- I guess the
14 timeline for when the project would be
15 completed?

16 A Right.

17 Q And in 2015, do you recall what the
18 approximate date was that was given for when
19 the project would have been completed?

20 A I can't remember.

21 Q Do you recall whether you agreed
22 with those dates whenever they were given in
23 your testimony?

24 A I can't remember.

25 (Exhibit No. 2 was marked for

1 identification.)

2 Q Ms. Walker, I've handed you what's
3 been marked as Exhibit 2. And I'll give you
4 a chance to review it, and then I'm going to
5 ask you if you recognize what this document
6 is.

7 A Uh-huh.

8 Q You do --

9 A I do.

10 Q Okay. And can you tell us what
11 this is?

12 A Yeah, this is just the cash flow
13 reformatted for the new updated expenditures.

14 Q And this would have been an exhibit
15 to your 2015 testimony?

16 A That's correct.

17 Q And who would have been involved,
18 and we may have covered this, but who would
19 have been involved in preparing the numbers
20 to put into this material?

21 A Kevin Kochems.

22 Q And --

23 A And there was another --

24 Q Do you recall?

25 A Rachel Robinson, I know she's

1 involved in doing the final step on this.

2 Q And who does she work for?

3 A Ultimately Kenny Jackson. He was
4 on senior staff.

5 Q Of SCANA?

6 A Uh-huh.

7 Q And --

8 A I'm trying to remember the guy that
9 trained her.

10 Q Okay. In looking at Exhibit
11 Number 2, the restated and updated
12 construction expenditures, for a layperson,
13 can you explain what this material is we're
14 looking at? What was the purpose of this
15 exhibit?

16 A Well, the first column that has
17 numbers in it, you can see what the
18 transmission costs are?

19 Q Yes.

20 A And they're just laying out by year
21 the actuals, or through 2014. You see the
22 last -- the last one is 47 million?

23 Q Yes.

24 A That's actual how much they spent
25 in each one of those years. And then for

1 those years after that line, that's what they
2 expect that they were going to spend through
3 '16 or '18. They were expecting to spend
4 64 million or 84 million, whatever those
5 numbers are to be able to complete the
6 transmission line.

7 Q And the -- explain for us what the
8 total revised project cash flow number
9 represents.

10 A That is the total -- well, I mean,
11 that's just the total of the escalation and
12 the base project costs added together.

13 Q And so that is the -- is that the
14 dollar amount that SCANA is telling the PSC
15 that this is what it's going to cost to
16 complete the project?

17 A Yes.

18 Q And what was that number in
19 Exhibit 1?

20 A What? Say that again.

21 Q What was the number in Exhibit 1
22 that SCANA gave to the PSC as the number that
23 it believed was the amount necessary to
24 complete the project?

25 A 6,547,124.

1 Q And at the time this material was
2 prepared in 2015, do you believe that number
3 was accurate?

4 A No. I don't -- this is the one
5 that's got the projection I didn't agree
6 with.

7 Q I'm sorry. What did you say?

8 A No, because this is the one that's
9 got the amounts that I didn't agree with.

10 Q And what -- what would be the
11 difference in the amount that was given in
12 Exhibit 1 and what you actually believed to
13 be the proper amount?

14 A I don't remember the numbers
15 exactly.

16 Q Rough ballpark would do.

17 A I think it was about a half a
18 billion dollar difference. You would
19 increase it by a half a billion dollars.

20 Q And that was your belief back in
21 2015 when this testimony was given to the
22 PSC?

23 A Right.

24 Q And you had shared that belief with
25 who at SCE&G or SCANA?

1 A The CEO, the CFO, Steve Byrne,
2 Marty Phalen. So I gave -- I had shared my
3 feelings with five of the senior executives.

4 Q And if I wanted to go back and see
5 if I could put together any communication
6 with that information in it to those
7 individuals, what documents or --

8 A There wouldn't be anything you
9 could find.

10 Q And why is that?

11 A Because no matter what I said or
12 did, they would not put it on the agenda.

13 Q So if I wanted to find any
14 documentation about your concerns you had
15 raised to those five individuals, where would
16 I go to find it?

17 A I don't think you will.

18 Q And, again, explain why that is.

19 A Because they didn't -- they didn't
20 want to hear it. Kevin had made the decision
21 that he was going to go to the number that he
22 could point to that Westinghouse had given
23 him.

24 Q And elaborate what that means based
25 on your understanding of the project as

1 it's --

2 A Exactly what I just said. I don't
3 know what it means other than exactly what I
4 just said. That's what he decided to do.
5 That's what I heard somebody say.

6 Q And so the number --

7 A This is when I'm -- this is when I
8 believe that Kevin Marsh is an upstanding
9 citizen with integrity.

10 Q Okay.

11 A It wasn't until eight months later
12 that I find out that he's a schmuck.

13 Q And what led you to make that
14 discovery?

15 A When I watched him negotiate that
16 fixed-price contract.

17 Q And what about --

18 A And then when I also -- after I
19 told him of things that I knew was going on
20 in his organization and he told me he was
21 going to simply put together a team to find
22 out about whether or not his nuclear
23 organization operated as an island and that
24 was okay.

25 Any CFO who knows he's got 800

1 people -- and the organization, the motto is
2 what happens at nuclear stays at nuclear --
3 and they're okay with that has got a major
4 issue. And he was going to put together a
5 team to see if that really was the
6 organization at nuclear, the culture.

7 Q So when you say what happens at
8 nuclear stays at nuclear, is that a phrase
9 you had heard while employed at SCANA?

10 A Oh, my gosh, yes. And I saw it in
11 living color when I was at nuclear.

12 Q Uh-huh.

13 A That's where I invite you to
14 interview Jeff Archie.

15 Q And what was his position?

16 A He's the chief nuclear officer. I
17 don't think he could find his way out of a
18 paper bag.

19 Q All right. So we've looked at
20 Exhibit Number 2, which has the -- what I
21 would consider to be the cost of completion
22 number given to the PSC in 2015, and that was
23 the -- and I believe this is in billions. So
24 that would have been 6.5 million, roughly?

25 A Uh-huh.

1 Q And I believe we touched on it.
2 There's also a time frame under which the
3 project was supposed to be completed as part
4 of the testimony in 2015; is that correct?

5 A Uh-huh.

6 Q And do you believe that that time
7 frame was also accurate, or do you believe
8 that there was an issue with the time frame
9 that was given to the PSC?

10 A I'm not an engineering expert
11 witness, so I would have relied on, you know,
12 some of the engineers looking at the
13 schedule. So it would have been included
14 probably in my testimony, but I would not be
15 an expert, you know, on schedules.

16 Q Then why would that have been
17 included in your testimony as opposed to
18 somebody else for the PSC?

19 A I don't know.

20 Q Who would have made that decision?

21 A Belton Ziegler and Mitch. You
22 would expect that that would have been in
23 Steve's testimony.

24 Q All right. Now, we've talked about
25 testimony, and I just don't know this. When

1 we talk about the testimony that was given to
2 the PSC, did you actually have to go in and
3 give live testimony to the PSC, or was this
4 submitted as written materials, or both?

5 A Both. They put us on a panel. I
6 think they had myself, Ron Jones, and
7 somebody else. There were three of us, I
8 think, on the panel.

9 Q And the testimony that you -- or
10 that was given on your behalf with respect to
11 the total revised project cash flow of 6 1/2
12 billion dollars, from what we're talking
13 about here today, it sounds to me like you
14 did not believe that number was accurate?

15 A Well, let me clarify something. I
16 mean, you can -- I mean, if Westinghouse said
17 they could do it in \$698 million, you know,
18 we calculated something different.

19 Now, if they have some workaround
20 method, they might have been able to do it in
21 698 million. My calculation, based on the
22 performance factor to date, said that it
23 wasn't probable.

24 But they were also getting rid of
25 CB&I and they were going to bring in Fluor

1 Daniel. Fluor Daniel is the one that built
2 the first unit, so Fluor Daniel might have
3 been able to do it.

4 Q At the time that this testimony was
5 given, though, you were aware of information
6 that led you to believe that it probably
7 wasn't accurate?

8 A I was not real happy with them
9 putting that 698 -- yeah, the 698 in there
10 because I didn't think that that was very
11 likely.

12 Q And did you feel pressure to put
13 that number in there?

14 A I didn't put the number there.
15 Remember, I wasn't at work.

16 Q Okay. Did you feel any pressure
17 not to raise concerns about that number once
18 you became aware of it?

19 A Say that again.

20 Q Did you feel any pressure about not
21 raising your concern about that number,
22 whatever --

23 A Once it was filed?

24 Q Once it was filed.

25 A Yeah, I felt pressure not to raise

1 a concern.

2 Q And how would you have come to feel
3 that pressure? In conversations or e-mails
4 or anything like that from anybody?

5 A No. I mean, I -- I mean, we all --
6 Ken Browne and I, those of us who had argued
7 for four months about that number, I mean, we
8 didn't change our position despite management
9 deciding to go with the WEC number. That was
10 Westinghouse. I'm sorry.

11 Q And I guess what I'm looking for,
12 in coming to that -- or coming to your
13 conclusion about what that number would be,
14 had you done any written work or any written
15 materials that we could look for to support
16 the number you were thinking as opposed to
17 the number that Westinghouse was given?

18 A Yeah. That record that I gave to
19 Jimmy has got all the documentation that
20 supports why we thought the million two was
21 the appropriate number. It's got all the
22 calculations and all the supporting
23 documents. It all ties together.

24 Q And you say million. Is it
25 actually a billion two?

1 A Billion, yeah. I'm sorry.

2 Q So your testimony is that you would
3 have given to -- this is Jimmy Addison --

4 A Uh-huh.

5 Q -- all the calculations and
6 information that would show that the number
7 that -- that the SCANA team that you were
8 working with came to the conclusion of was
9 closer to \$1.2 billion?

10 A Right.

11 Q And the number that was being
12 included to the PSC was closer to 6 1/2
13 million?

14 A Million, uh-huh.

15 Q 600 million, I should say.

16 A Right.

17 Q And when would you have supplied
18 that information to Jimmy Addison?

19 A It was somewhere between January
20 and April of '15. It was toward -- more
21 toward April because it was my last-ditch
22 effort and it was my chance to say you can't
23 say I didn't tell you because I put it in
24 writing, in a file. And I had an exact
25 duplicate so that I knew that I could say,

1 Don't tell me you didn't see it and I didn't
2 tell you because I left you a written copy
3 because I've got a duplicate right here
4 (indicating).

5 Q And do you still have a copy of
6 that duplicate today?

7 A Yeah.

8 Q And if I wanted to ask you for a
9 copy of that material, you would refer to it
10 as the Jimmy Addison file? If I wanted to
11 ask your lawyer for a copy of it, is that how
12 he would know to refer to it?

13 MR. MOORE: As far as I know,
14 you can refer to it basically any way we -- I
15 mean, that would be pretty rational, I think.

16 MR. HALTIWANGER: Okay.

17 MR. MOORE: I'm not supposed
18 to speak, but I think -- if they want me to,
19 I will.

20 A I can tell you, I can't look at the
21 file, so if you want some of it --

22 Q And why is that?

23 A It drives too much emotion.

24 Q And it's not because you've signed
25 any -- let me ask you this. When you came to

1 leave employment at SCANA, did you sign any
2 sort of severance package with them?

3 A Uh-huh.

4 Q Explain how that came to be.

5 A Well, Jake negotiated something
6 with me that said that unless I was
7 subpoenaed and had to talk, that I wouldn't
8 talk to anybody about anything that happened
9 to me in my employment with SCANA.

10 Q And when did that agreement come
11 into place?

12 A In July or August of '16.

13 Q And are you -- just tell us, in
14 your own words, how did that agreement come
15 to be?

16 A Well, they knew that I had records
17 at the house, and they wanted those records
18 back for their own destruction or maybe
19 keeping. I don't know.

20 And I guess just good clean living,
21 when I sent them the records, their lawyer
22 made a faux pas, and when they returned some
23 boxes that didn't have records in them that
24 they wanted to keep, he also sent back a
25 yellow file that just happened to be the very

1 yellow file that was the Jimmy Addison file.
2 And it's like, Well, damn, if you don't want
3 it, I'll keep it.

4 And so I got my yellow file back,
5 which was the pivotal file. And so I had one
6 file in my safe at home that was the one file
7 that he probably should have kept of all the
8 files he got.

9 Q And I guess we've all heard about
10 this in the press lately due to some of the
11 news, but nondisclosure agreement, are you
12 familiar with that term?

13 A Uh-huh.

14 Q As part of your severance package,
15 was there a nondisclosure agreement?

16 A Uh-huh.

17 Q And do you recall what the terms
18 were of that agreement? Is that the you
19 can't talk unless you're under subpoena?

20 A Right.

21 Q Are there any penalties in the
22 package for violation of that NDA?

23 A On both parts, yeah.

24 Q Explain what those are.

25 A I don't know what they are for me.

1 I think they're pretty steep. If they
2 violate it, I think they have to pay me
3 25 percent of the contract that's been unpaid
4 at that point.

5 Q Let me shift to that. What are the
6 terms of payment under that contract?

7 A Why do we need to talk about that?

8 Q I'll let you talk to your --

9 MR. MOORE: I would prefer not
10 to. I mean, I understand that we -- she has
11 a confidentiality agreement with -- she
12 basically agreed to resign, and she agreed
13 that she would receive certain benefits under
14 the agreement.

15 I would hope that -- I mean,
16 that doesn't seem to be particularly relevant
17 to the whole thing. She's here to testify --
18 the lady has had certainly enough of her
19 personal life exposed. I would hope we could
20 pass that by.

21 MR. HALTIWANGER: Okay. I
22 will respect that, Mr. Moore.

23 MR. MOORE: I appreciate that
24 very much.

25 Q I guess what I'm going to try to do

1 is I'm going to try to recreate what
2 documents would be covered by that by going
3 to SCE&G and asking them for those materials.
4 And as best as you can, what should I be
5 asking them for besides the Jimmy Addison
6 file, the yellow folder, and that material
7 that we've discussed? Is there anything else
8 that we haven't discovered?

9 A I mean, there's not that much that
10 I had at the house. I mean, I had created
11 some timelines.

12 Q And what was the information in
13 those timelines?

14 A Who did what and some documents
15 that would have been good and people that you
16 could have identified to use to depose if you
17 wanted to go ahead and do a file with the
18 SEC.

19 Q And this was all materials you
20 would have prepared in what time frame?

21 A Probably January through March of
22 2016.

23 Q And do those materials still exist
24 today?

25 A I don't know. I mean, SCE&G's

1 attorney Ted Speth got them, so I don't know
2 what he would have done with them.

3 Q What was the name of the attorney?

4 A Ted Speth. I think it's S-P-E-T-H.

5 Q So these are timelines and
6 identities of individuals that you believe
7 had information relevant to the 2015
8 testimony in front of the PSC?

9 A No. This was related to the whole
10 project.

11 Q The whole project. Okay. Besides
12 the 2015 testimony, what else about the
13 project was covered in that material?

14 A I had identified something that had
15 happened early on in the project before I was
16 actually at the project that had to do with
17 owner's costs.

18 Q And explain -- I've never heard of
19 owner's costs before. Explain what this
20 issue was, as best as you can, to me.

21 A I wasn't -- I don't know if Bill
22 Timmerman was made aware of this, but I know
23 that Ron Clary, who was given the charge
24 for -- that's C-L-A-R-Y -- Ron Clary was a
25 nuclear Navy and Unit 1 person. He was given

1 charge with going out and doing the research
2 to find out what would be the best next layer
3 of generation for the plant -- for the
4 company. And he came back. The expectation
5 was that he was going to go out with an open
6 mind, whether it be gas, nuclear. You know,
7 whatever the alternatives were.

8 But keep in mind, he's also been
9 nuclear for his entire career. So the story
10 that I've been told, so it's hearsay, was
11 that when he gathered his information from
12 AREVA and GE and all the different makers of
13 nuclear technology, he was trying to get
14 information on what owner's costs should be
15 expected to be.

16 And when they came up with the
17 owner's costs, it was -- it was extremely
18 tight with running the numbers between a gas
19 plant or a turbine versus a nuclear. And so
20 to make sure nuclear came out as the obvious
21 choice, he cut the owner's costs in half for
22 SCE&G's numbers, and that made nuclear come
23 out as the choice of fuel.

24 And Santee Cooper's representative
25 at that point was Ken Browne, the same person

1 that we've talked about earlier that worked
2 for SCE&G at the end.

3 Q Uh-huh.

4 A He didn't cut Santee Cooper's
5 owner's costs, and that's why Santee Cooper
6 didn't have to go before their board and ask
7 for more money in their owner's costs.

8 And so the first hearing that I
9 testified in for SCE&G several years after
10 the project had started was, in fact, to
11 raise owner's costs because they had been set
12 artificially too low. And so we ended up
13 raising them, I think, about -- I think that
14 we ended up doubling them in that first rate
15 case that I had to testify.

16 Q And what was the date of that
17 testimony? Roughly, what year?

18 A It must have been -- I think it was
19 2012.

20 Q And, again, I'm not an accountant
21 or an engineer or anything, so I'm just going
22 to try to explain to you what I just
23 understood you to say.

24 Owner's cost is -- or SCE&G was in
25 the position of trying to decide between

1 building different types of baseload
2 generation plants?

3 A Uh-huh.

4 Q One of the options would be
5 nuclear. There would be other options, such
6 as gas or coal.

7 And in coming to make that
8 determination about which plant to build,
9 they would come up with what would be the
10 owner's costs for constructing the different
11 types of plants?

12 A Uh-huh.

13 Q And, again, we're writing it down,
14 so if you're nodding your head, can you say
15 yes or no?

16 A Yes. Yes.

17 Q Okay. And you -- when you came
18 onto the project, you believe you discovered
19 there was an issue with owner's costs with
20 regard to the nuclear costs that was given to
21 the PSC?

22 A That's right.

23 Q And it was your belief --

24 A No, not to the PSC.

25 Q Okay.

1 A To the management for them to make
2 a decision as to which one they were going to
3 choose.

4 Q Okay.

5 A To senior executives.

6 Q So this would have been --

7 A This was in like 2005, 2007 time
8 frame.

9 Q And so, again, I don't want to put
10 words in your mouth, so I just want to get
11 your understanding.

12 The owner's costs that was looked
13 at for nuclear for SCE&G -- or for SCANA, you
14 don't believe that those numbers were
15 accurate?

16 A Right.

17 Q And what is your understanding of
18 how that inaccuracy came to be as part of
19 this project?

20 A I believe that Ron Clary cut
21 owner's costs in half so that when those
22 numbers were put in the model, along with the
23 gas, that the model would show that nuclear
24 was the choice for the next baseload
25 generation.

1 Q And what was Ron Clary's position
2 at the time? Do you know?

3 A He got promoted to the vice
4 president of construction at the same time
5 that Bill Timmerman sent me up there to the
6 project as vice president of nuclear finance
7 administration.

8 Q And eventually the owner's cost was
9 adjusted?

10 A Right.

11 Q And explain how that adjustment
12 came to be and what was the result.

13 A When I got up there, we did an
14 exhaustive analysis of owner's costs by going
15 to each of the department heads and getting
16 them to do a layout of their manpower needs
17 for the life of the project, and then we also
18 did training and all the other things that go
19 along with manpower.

20 Q Uh-huh.

21 A And we also did a -- tried to do an
22 exhaustive list of supplies in inventory.

23 Q So is this basically just trying to
24 actually put numbers, hard numbers, as to
25 what was the projected owner's costs?

1 A Right.

2 Q And --

3 A And when we did that, it was
4 obvious that the owner's cost was lacking.

5 Q And, again, one of the things I'm
6 going to try to do is go back and find these
7 materials as written. What document names or
8 titles would I be looking for that would go
9 into this owner's cost revision analysis?

10 A I would just look for the 2012 rate
11 case documentation or owner's cost, 2012
12 owner's costs.

13 Q And -- and this was occurring
14 around the -- was this part of your 2012
15 testimony when you went in front of the PSC?

16 A Uh-huh. I think it was 2012.

17 Q Okay. And would it have been your
18 responsibility -- would you have been the one
19 that would have been revising the owner's
20 cost numbers, or was that somebody else on
21 the team? Or who would have been --

22 A We would have been doing that.
23 That was my responsibility.

24 Q And whenever you came up with those
25 numbers, new numbers, were there any

1 discussions with management about the
2 difference between the owner's costs that you
3 came up with versus what Mr. Clary had put
4 together?

5 A No.

6 Q Nobody -- you never went back and
7 said Ron was wrong or --

8 A No.

9 Q -- look at the difference between
10 these numbers?

11 A No.

12 Q Did SCE&G -- did anybody give you
13 any indication that they disagreed with the
14 new number you came up with?

15 A No. Bill had already retired. The
16 contract was already signed. I mean, that
17 water had already flown under the bridge, and
18 so there was no real reason to bring it up.
19 We were way beyond pulling the plug on that.

20 You know, this is after the fact.
21 People are telling me about war stories, and
22 I'm just flabbergasted by what they were
23 telling me. It was like, wow, this is pretty
24 incredible.

25 Q When you talk about war stories,

1 this is one of them, this owner's cost issue?

2 A Uh-huh.

3 Q That would be one of the things
4 that --

5 A Well, I mean, you got to keep in
6 mind, I mean, Ron Clary -- this is, you know,
7 the nuclear mentality. You know, I got to
8 the project, and Ron Clary is doing
9 everything he can to make it to where he's
10 undermining everything I am and everything
11 I'm trying to do. He's having me taken off
12 of every distribution so that I can't get
13 e-mails, I can't get letters, so -- because
14 he doesn't want me to be successful on the
15 project because I'm not part of the nuclear
16 organization. I'm part of SCANA Services.

17 And so, you know, that's the
18 mentality of the nuclear organization.
19 Instead of embracing somebody from SCANA
20 Services who's supposed to help you, he tries
21 to push me to the side and keep me from being
22 a part of the organization and helping him.
23 And so I fought battles with him trying to
24 get him just to let me become a part of the
25 team and work with him.

1 I went to his boss, Jeff Archie,
2 and Jeff Archie told me, he said, Yeah -- he
3 said, Ron, we've always known we had to keep
4 him in a box.

5 And I said, Well, he's out of the
6 box. Can you help me put him back in the
7 box?

8 And, you know, then I told -- I
9 went to my boss after a while and I said, Can
10 you think of anything you can do to help me
11 with Ron Clary? He's driving me crazy. I
12 mean, I can't get a seat at the table with
13 this guy.

14 Did Jimmy do anything? No,
15 nothing.

16 So one day he -- finally on a
17 Friday, we were working out trying to make
18 plans to do this re-budgeting, and I had all
19 the names of all the department heads on my
20 white board, and I had somebody in my office.
21 We were talking about, you know, how are we
22 going to approach getting this re-budgeting
23 done for the owner's costs.

24 And in comes Ron Clary in my
25 office, and he walks in and he says, What are

1 you-all trying to do?

2 And I said we got to get a
3 realistic owner's costs because we know the
4 one we've got right now is bad. So I told
5 him the approach we were going to take.

6 He said, Oh, you don't need to do
7 that. We've already done that.

8 And I was like, You know, Ron? And
9 so I got mad. And so I left for the day
10 after I kind of got pissed off at him. And I
11 did have a witness to the conversation.

12 But on Monday morning, I found out
13 that I got called into a meeting with Jeff
14 Archie, his boss, and my boss, Jimmy Addison,
15 and I was reprimanded because I got mad.

16 And both of them called and had a
17 conversation with the witness, and they
18 acknowledged I didn't holler, I didn't
19 scream, and I didn't cuss. But they both
20 told me I did have emotion in my voice.

21 And I was like, Good god almighty.
22 I said, How many men scream, holler, and cuss
23 in meetings, but if I've got emotion in my
24 voice, that's too much.

25 And both of you, I've went to both

1 of you to try to get you to get this
2 knucklehead to get off of his ass and let me
3 have a seat at the table, and you both looked
4 at me like you were retarded.

5 But now I'm getting reprimanded, my
6 pay and my bonuses are being called into
7 question, and you got nothing more to say but
8 to tell me I had emotion in my voice?

9 And so, I mean, that's the kind of
10 people that I'm working with. And so it was
11 like, Okay, you won't ever hear emotion in my
12 voice.

13 Q And this all goes back to your
14 attempt to recalculate the owner's costs for
15 the project?

16 A Right.

17 Q And based on the work that was
18 completed, do you believe you were correct
19 about the owner's costs on that issue?

20 A Absolutely. So we redid it under
21 my command, and we came up with the right
22 one. And despite what Ron Clary was going to
23 try to do, we did it the right way, and we
24 came up with the right owner's costs.

25 It had to be changed because over

1 time you learn more and more about the
2 systems and the training crew had to be
3 developed and, you know, you have to adjust
4 things. But, I mean, at least we made a
5 good-faith effort at doing it instead of
6 doing a SWAG based on where the sun might be.

7 Q Besides this issue with owner's
8 costs, any other -- I think you used the term
9 war stories. Any other topic like that that
10 you experienced on the project?

11 A I mean, every day was a war with
12 those vendors.

13 Q Explain what you mean by that.

14 A Well, I mean, I had one of the
15 Westinghouse executives or project
16 managers -- I can't remember his name. He
17 died when he was the Westinghouse executive
18 for the project -- turn around and, I mean,
19 jumped down my throat like crazy when we were
20 arguing about whether or not something should
21 be credited back to us.

22 And then he sent me an e-mail -- it
23 was hilarious -- saying what a great meeting
24 we had and how professional it was.

25 And it was like, This is just a

1 joke. It's like you climbed down my throat
2 and all but threatened my life.

3 And we all agreed that it was the
4 least professional meeting I'd ever been in,
5 and he sends an e-mail and makes a comment
6 about how professional it was, and it was
7 anything but professional.

8 And all of the meetings ended up
9 being very confrontational because they
10 didn't want to pay -- or they wanted a bill
11 and we didn't want to pay.

12 And so their attorneys were
13 becoming more obnoxious. I mean, they had, I
14 mean, roughhouse attorneys at every meeting.

15 Q And these would be attorneys for
16 the vendors that were charging on a
17 cost-plus --

18 A Right.

19 Q -- program with SCANA?

20 A Westinghouse and CB&I.

21 Q Okay.

22 A And they were bringing in people
23 out of construction into the meetings so that
24 they could have just sheer volume in the
25 room. I mean, I have junior auditors and

1 junior accountants and I had to have -- set
2 up a policy, nobody has a meeting unless
3 myself or the manager named Skip Smith was in
4 the meeting because they were too rough on my
5 accountants.

6 Q And what would have been the
7 outcome of them being so rough with your
8 accountants? What was the goal that you
9 believe they were trying to accomplish?

10 A Intimidate them.

11 Q Intimidate them into doing what?

12 A Not bringing up issues.

13 Q And those issues would have been
14 billing issues with --

15 A Exactly.

16 Q In other words, the vendors would
17 be billing information that your audit team
18 would have questions about --

19 A Right.

20 Q -- or feel that they should
21 challenge?

22 A Right.

23 Q And --

24 A Rather than challenge them, they
25 wouldn't have brought them up because they

1 know that the meetings would be -- they'd be
2 a slaughterhouse.

3 Q And who was supposed to be
4 representing SCANA in these meetings?

5 A Myself and another manager and then
6 the person that actually did the work. I
7 mean, we normally got to the point where we
8 would have at least three people that were
9 out of management in our meetings.

10 Q And, again, one of the things --
11 like I've said from the beginning, I'm trying
12 to find documentation of things. What type
13 of materials or documents would I look for
14 that would be able to lay out some of these
15 confrontations and some of these
16 disagreements?

17 A I mean, you're not going to be able
18 to see the confrontation in the -- all of
19 it's going to be in the invoice -- what was
20 the name of the document that we had talked
21 about earlier? The invoice issues log? It's
22 all -- yeah, it all boils down to that.

23 Q Okay.

24 A And we always went back to that.
25 That was our documentation that we always

1 went back to.

2 You might find -- if you go to
3 audit work papers, you'll find where we had
4 meetings, and they might have documentation
5 in there about the meetings.

6 But it all boils back down to that
7 issues log is going to have the substance of
8 what we ended up doing with it. I don't know
9 if you're going to be able to find audit work
10 papers. I don't know how -- I don't know
11 what you have access to.

12 Q Okay.

13 A But they do have -- they have audit
14 work papers. Internal audit and the project
15 team had audit work papers.

16 Q And can you give us an idea of what
17 amounts of money we're talking about in
18 dispute?

19 A It's just -- like I said, I mean,
20 before, I mean, you might find something
21 that's symptomatic, so you're disputing
22 something that might be minor in the few that
23 you found, but it's symptomatic of some -- of
24 a control that could be -- you know, when you
25 start talking about thousands of people and

1 you found 6 out of 20 or 40 that you were
2 checking, you could -- you know, if you could
3 extrapolate it -- that was a scientific
4 sample, and you did the extrapolation, then
5 that would be a huge amount of money. But we
6 didn't always do it with a scientific sample,
7 so you couldn't extrapolate.

8 But we thought, when we found 6 out
9 of 40 that were bad, we got a problem.

10 Q And so it would be your team's
11 responsibility to -- or role to engage with
12 the vendors about the disputes over these --
13 these invoices?

14 A Or these transactions.

15 Q Transactions.

16 A Uh-huh. Because we felt like their
17 controls were lacking. And then they would
18 try to suggest to us our controls are fine.
19 You only found 6. I mean, you looked at 40;
20 you only found 6. What's the problem? And
21 we'd fix those 6.

22 Q And --

23 A And then they would try to prove to
24 you that was an anomaly, that was just a
25 fluke.

1 Or like one of the things, we were
2 always badgering them about the expense
3 reports. So what did they do? They
4 contracted it out, and it cost us three
5 times -- any mistakes that could be made on
6 expense reports, they paid a local CPA firm
7 to audit 100 percent of them.

8 Q All right. So I think I understand
9 what you're saying there, but for a
10 layperson, explain what you just -- what you
11 just said. You were explaining about --

12 A Expense reimbursements.

13 Q So they said, Well, okay, fine,
14 we'll have 100 percent of them audited?

15 A Which cost us -- you know, if you
16 have five that were lying about where they
17 lived and shouldn't have been paid per diem,
18 well, that might have cost you, I don't know,
19 \$100,000 a year.

20 Well, instead of, you know, them
21 checking them, they just said, Okay, we'll
22 outsource that and we'll hire a CPA firm and
23 you can pay for a senior accountant to sit
24 over here at \$200 an hour and they'll review
25 100 percent of our expense reports for every

1 year. And that will cost you \$400,000, but
2 you won't have any mistakes. And we couldn't
3 argue because we wanted them audited.

4 Q And for somebody not familiar with
5 the contract, why would that end up being an
6 expense for SCANA as opposed to an expense
7 carried by the vendor?

8 A Because we wanted them audited.
9 And they would say they didn't have the
10 personnel and they didn't want to pay for the
11 personnel and pay for the benefits. They had
12 to bring in two people to review them
13 full-time and pay benefits, and at their
14 rates, they'd calculate and approve it was
15 more expensive to have them full-time than to
16 bring somebody in seasonal to do it from an
17 accounting firm.

18 MR. HALTIWANGER: We've been
19 going about another hour. Let's take a short
20 break.

21 (A recess was taken.)

22 (Exhibit No. 3 was marked for
23 identification.)

24 Q All right. Ms. Walker, I'm going
25 to hand you Exhibit Number 3. And before we

1 go through it, I just want to let you know,
2 when we -- when this law firm, our law firm,
3 first got involved in this project or this
4 matter, we sent a Freedom of Information
5 request to Santee Cooper and asked for a lot
6 of different materials from them that they
7 might have in their files. And one of the
8 materials we got in response to our request
9 was a phone message left on a Santee Cooper
10 voice mail. In a second, I'm going to play
11 that voice mail for you because I believe it
12 was you that left the voice mail.

13 A I've heard it.

14 Q What's that?

15 A I've heard it. You don't have to
16 play it.

17 Q Well, I need it just for the court
18 reporter to make a copy of it, for you to
19 verify what I've done in **Exhibit 3** is typed
20 up, the message itself. And I want to make
21 sure that you get an opportunity to read
22 along with it and make any corrections.

23 For instance, I believe right in
24 the first sentence, I believe there's an
25 error in that and I say Mary and I believe

1 it's Marion. Is that correct?

2 A Yes.

3 Q So what I'm going to do now, and if
4 at any point you need me to stop it to get
5 caught up, but I'm going to play a voice
6 mail.

7 MR. HALTIWANGER: And, David,
8 I'm going to get that marked as Exhibit 4
9 just to have a hard copy of it, if that works
10 for you.

11 MR. BALSER: You're going to
12 mark what as 4?

13 MR. HALTIWANGER: The little
14 disk that has the voice mail on it.

15 MR. BALSER: Okay.

16 MR. HALTIWANGER: And that way
17 we can get an audio if we need it.

18 Q And really what I want to do is,
19 from a housekeeping standpoint, I'm going to
20 play the message, have you listen to it, read
21 along with it, and let me know if any changes
22 need to be made, verify it's you on the
23 message. And then we'll go from there.
24 Okay?

25 MR. RICHARDSON: It may be

1 better to stop it -- if you see an
2 inaccuracy, stop it and make the change
3 instead of trying to go back.

4 A Okay. Well, we know that Mary
5 should be Marion.

6 Q That's M-A-R-I-O-N?

7 A I-O-N. That's Marion Cherry of
8 Santee Cooper.

9 Q Okay. Here we go.

10 (Audio recording played.)

11 Q Ms. Walker, were you able to follow
12 along --

13 A Uh-huh.

14 Q -- in Exhibit 3 with the message as
15 it played?

16 A Uh-huh. Yes.

17 Q Besides the change to the name Mary
18 to Marion, any other changes that you believe
19 need to be made in Exhibit 3 to accurately
20 reflect the message you had left on the voice
21 mail?

22 A No.

23 Q And that was your voice on the
24 phone call?

25 A That's right.

1 Q And what was the approximate date
2 of that call?

3 A I have no idea.

4 Q Based on the information given in
5 it, can you give us a time frame of when that
6 call --

7 A I would think that that would
8 probably be in January.

9 Q Of what year?

10 A 2016.

11 Q Do you remember where you were
12 physically when you made the call? Were you
13 at your house or an office or --

14 A No. I was on my company's cell
15 phone, so I'm thinking that I was probably
16 driving or walking somewhere. I wasn't at
17 home.

18 Q Was there any event that you recall
19 in particular that triggered you to make that
20 phone call to Marion?

21 A No. I know that I felt especially
22 protective of the rate payors, whether they
23 were Santee Cooper or SCE&G's. And I knew at
24 that point I could not do anything to protect
25 SCE&G's rate payors, but I knew that Marion,

1 especially Michael and Lonnie, they had been
2 pushing back against SCE&G's management or
3 SCANA a lot, and -- and I didn't know if they
4 had actually signed that fixed-price
5 agreement yet. And so my intention was to
6 try to get them to not sign that fixed-price
7 agreement if they had not signed it yet
8 because my expectation was is that
9 fixed-price contract wasn't in their best
10 interests.

11 Q Whose interests would it have been
12 in, in your opinion?

13 A SCANA's only.

14 Q And how would it be in SCANA's
15 interest and not the rate payors?

16 A Because SCANA is the only person or
17 only organization that had the Base Load
18 Review Act as a means to have cost recovery.

19 Q And so what did that mean as a
20 practical effect, having cost recovery? How
21 did that benefit SCANA as opposed to the rate
22 payors with respect to that fixed-price
23 contract?

24 A Like I said earlier, the
25 arrangements, as I understood it, was SCE&G

1 was going to pay them, which put Santee
2 Cooper in the same block, they were going to
3 be paying them \$100 million per month January
4 through May of 2016 for -- to Westinghouse,
5 and that was going to be for craft labor.

6 The highest craft labor that I had
7 ever seen was between 50 and 60 million, and
8 so I questioned where the \$100 million a
9 month -- yeah, \$100 million a month came out
10 and why we had agreed to pay such a large
11 amount.

12 And so the only thing that I could
13 come up with was that Kevin had wished to
14 finance Westinghouse's functions by giving
15 them that large amount of money, knowing that
16 they were going to be in a start-up with a
17 new contractor because Fluor Daniels was
18 supposed to be coming onboard. CB&I was
19 leaving the site.

20 And that was all a part of that
21 fixed-price contract, and that negotiation
22 was the release of CB&I from the site. And
23 you expect a lot of CB&I's craft personnel to
24 leave because they're a part of that
25 organization.

1 And so under the Base Load Review
2 Act, the tradition was that, from
3 July 1st through June 30th, the cash that's
4 paid out on the project is measured and you
5 do a filing at June 30th for rates that would
6 go into effect in October of that calendar
7 year.

8 Well, if you paid out excessive
9 amounts January through May, it certainly
10 supports you being able to increase your
11 revenue later in that year in October if you
12 pay it early in January through May. And
13 that's what it looked like Kevin had set up,
14 so that he would pay out a hundred million
15 dollars for five months, finance
16 Westinghouse's operations so they could
17 continue to operate, because they were
18 basically bankrupt, and then he would get his
19 highest bang in revenue that he had ever had
20 in October when the rates were approved.

21 Because there was no real approval
22 process to go through. It was just a matter
23 of signing -- filling in the documents,
24 filing them with the PSC, and then they
25 automatically went in and got approved.

1 And then in November he'd have the
2 revenue stream from the \$500 million, plus
3 what was spent in the 2015 period.

4 And I believe -- I'm not certain,
5 but I think that those rates went into
6 effect. Or maybe they didn't. I don't know.
7 I know they pulled the plug on the project
8 that July.

9 Q Okay.

10 A No. They pulled the plug in '17,
11 didn't they? So those rates -- that cost
12 probably went into the rates in '16, so the
13 customers were bearing that cost.

14 Q All right. I'm going to now dig
15 into little details kind of line by line in
16 the message, and that's why I had it printed
17 out for you in **Exhibit 3**.

18 Let's start with the question, who
19 is the Marion that you left the message for?

20 A Marion Cherry.

21 Q And what --

22 A He's the site representative for
23 Santee Cooper. His background is
24 engineering.

25 Q And what would be your

1 understanding of the job responsibilities he
2 would have had with regard to the project?

3 A Marion had endless job
4 responsibility. Not an enviable position.
5 He had to do pretty much everything. He was
6 a one-man shop, and he had to do -- cover all
7 the bases for protecting Santee Cooper, from
8 engineering to billing.

9 Q And was he there for the time
10 period you were there at SCANA?

11 A He was.

12 Q And why would you have been calling
13 Marion as opposed to anybody else with this
14 information?

15 A Marion and I had developed a
16 business relationship that was very
17 supportive of each other, and I knew -- I
18 felt like Marion was deserving to know that
19 Kevin Marsh and the other executives that he
20 had met in front of and had spoken in front
21 of was not the person that I had thought he
22 was. And I thought that Marion should know
23 that.

24 Q And so you had had a prior
25 relationship with Marion as a result of your

1 work on the project?

2 A Not prior to the project.

3 Q Not prior to the project but
4 prior --

5 A Just on the project.

6 Q On the project. Okay.

7 Besides Marion, did you reach out
8 to anybody else at Santee Cooper?

9 A No.

10 Q I'm just going to read through some
11 of the statement and then ask you some
12 questions about the material that was in the
13 voice mail.

14 The message starts off: Hey,
15 Marion. It's Carlette. Listen, I just
16 wanted to give you a heads-up, and this is
17 just between you and me and the fencepost.
18 I'm fine. Whatever they're telling you-all
19 is just bullshit.

20 What was it that you believe that
21 they might be or were telling Santee Cooper
22 about you?

23 A What I expected them to tell
24 everybody was that I had a nervous breakdown
25 and I wasn't able to take phone calls and --

1 because that's basically what I had been told
2 was that don't call Carlette; she needs time
3 away from work and, you know, no e-mails, no
4 nothing.

5 And I thought they were telling
6 everybody that I had just had a nervous
7 breakdown. And what I understood was unlike
8 anything I've ever heard of. There was some
9 attorneys sent out, and they were out asking
10 some questions about my -- about me.

11 Q Who would these attorneys have
12 been? Were they --

13 A I think one of them was an HR
14 attorney, and then the other one was the
15 project attorney.

16 Q And these would have been SCANA
17 attorneys?

18 A Uh-huh.

19 Q And do you believe you had had a
20 nervous breakdown?

21 A I think -- I think -- I might have.
22 If I didn't, I came within a hair of having
23 one.

24 Q And what about it -- or what about
25 the work on this project do you believe would

1 have brought about that condition for you?

2 A Working for Jimmy Addison and Jeff
3 Archie. Those two worked to collaborate -- I
4 think those two worked collaboratively under
5 Kevin's watchful hand to wear me out so that
6 I'd leave. I think if I would have walked
7 out a zombie and unable to talk, that would
8 have been perfect.

9 Q And what would have been their
10 motivation of doing that? You were a fellow
11 SCANA employee, correct?

12 A Yep.

13 Q So why -- why would they want to do
14 that to you?

15 A Because then I wouldn't be able to
16 talk to you today.

17 Q And what -- why do you think that
18 that was their goal or what was -- I --

19 A Because they knew I wasn't going to
20 lie for them.

21 Q And why would it have been in their
22 benefit -- I guess I'm trying to get at the
23 big picture. What is the benefit to them to
24 doing that?

25 A Because they knowingly lied to the

1 public about that fixed-price contract and
2 lied about being able to complete that
3 project on time or in a time frame.

4 And they knew that, as they
5 continued to start the lies -- that started
6 in 2015 in my testimony, and that was just
7 like, Okay, we don't really like these
8 numbers Carlette is coming up with; we'd
9 rather it be a smaller number.

10 So that one was kind of like
11 borderline, but the fixed-price contract, way
12 out of bounds. And I think that's when they
13 just decided things are out of control. We
14 have people coming in and telling us that,
15 but we are -- there's no going back.

16 And she's a problem. She's already
17 said I'm not going to lie for you. And
18 they -- and they knew that. I mean, once
19 Bill retired -- Bill is the one that put me
20 up there, and Bill put me in corporate
21 compliance.

22 And I think they knew that I wasn't
23 going to be a liar. And I think they knew
24 that early enough on that they started
25 working on me well in advance of when I had

1 that testimony.

2 Q And going from a big-picture
3 viewpoint, though, your role was as an
4 auditor accountant for SCANA, correct?

5 A Uh-huh.

6 Q They were also employees of SCANA?

7 A (Nods head.)

8 Q I guess what did you see as their
9 interest that was crosswise with SCANA
10 getting auditing and accounting information
11 on this project? What was in it for them?

12 A Money.

13 Q Explain how that would be.

14 A Their short-term bonuses and
15 long-term bonuses were at much higher levels
16 than mine. And then they also had other
17 programs that I wasn't a party to that also
18 paid large amounts of money, supplemental
19 executive retirement programs and, you know,
20 who -- I mean, I don't even know about some
21 of the stuff they had. I mean, it just came
22 down to greed.

23 Q And that's what I want to try to
24 get a better understanding of since I'm
25 coming at this totally from the outside.

1 If you're going to explain it to me
2 as a layperson coming into this project, what
3 about it -- what incentives were there to not
4 be honest with the public and PSC?

5 A Yeah. I mean, under Kevin -- I
6 mean, Kevin is the new CEO. The other one
7 has been successful for however long he had
8 been in the position. He's coming in. He's
9 got a nuclear project underway, and if he
10 comes out publicly and says that we got
11 problems with the project, stock price is
12 going to start turning. Kevin looks like a
13 bad CEO.

14 So first thing he's going to want
15 to do -- oh, my god, I can't let anybody know
16 that the project is not doing good. What are
17 we going to do?

18 The first thing he's going to do,
19 he's going to start questioning, Well, we're
20 not going to go out there and tell them the
21 project is not doing good. What can we do?
22 Let's start fudging a little bit.

23 Well, once you tell one white lie
24 and then the next time the lie has got to get
25 a little bit bigger, and before you know it,

1 you're on a really fine little limb. And I
2 think that's what happened.

3 I don't know that Kevin was ever a
4 good person. I thought he was. But the
5 first person that he promoted after he became
6 CEO -- you could almost hear a hush across
7 the whole company because the guy that he
8 promoted was known to be a bad person, and
9 Kevin knew this.

10 Q And who was that person?

11 A Marty Phalen.

12 Q Okay.

13 A I mean, he lied and cheated on his
14 expense report and his procurement card. I
15 was in compliance, and I saw it. And Kevin
16 knew that. And you promote somebody that has
17 no integrity into a senior vice president
18 position? And that says something really
19 bold about the person that promoted him.

20 And so everybody in the whole
21 company questioned, Well, what does Kevin
22 stand for when you promote somebody that
23 everybody knows is a bad person and you
24 promote somebody like that to be your
25 right-hand person?

1 And so that was the -- kind of like
2 a fatal fall right there for Kevin. And then
3 right after that is -- the project starts
4 going bad, and everywhere you see Kevin, you
5 see Marty Phalen. It's like, Well, what's
6 wrong with this picture?

7 And so, I mean, I'm speculating. I
8 mean, I don't -- I don't get it. But all I
9 know is that the Kevin Marsh that I once
10 thought I knew is not the executive at the
11 helm of the company.

12 Because, I mean, he told me
13 on -- the one thing that should have sent me
14 just a huge alarm was an employee had been, I
15 think, mishandled. And I saw him in the
16 hall, and I just briefed him on it. And he
17 said, Carlette, just send me an appeal on
18 that. And I don't know, Jimmy can be cold
19 sometimes.

20 And it was an employee who had had
21 her position re-evaluated, and it came back
22 as even a lower position. And Marty Phalen's
23 decision was to cut her pay 30 percent.
24 She'd been with the company 35 years.

25 And I fought it, and I said, You

1 don't cut somebody's pay that's been here for
2 35 years by 30 percent. I said, That's
3 insanity.

4 And -- well, Marty Phalen was just
5 like, Well, that's what you do. I mean, her
6 market is a clerk now.

7 I said, Well, you don't cut her
8 pay. You redline it, and then when she --
9 the market eventually gets here, she's going
10 to get a pay increase for the next ten years.

11 And I took it to an outside
12 attorney just as a touch point for me just to
13 make sure I wasn't crazy. And the outside
14 legal counsel told me absolutely, it's
15 against the law to do what they're doing.

16 And so I came back in, and I just
17 asked Kevin -- I didn't say anything about
18 seeing an outside attorney about it. I asked
19 Kevin to -- I told him the situation. He
20 said, Just appeal it to me.

21 So I -- my bosses signed off on it
22 and so had Marty Phalen, who was over at HR.
23 So I wrote this very nice e-mail, I thought
24 was extremely nice and politically sensitive,
25 and I copied Marty and Jimmy Addison on it.

1 And it was to Kevin, and it took a
2 long time for him to respond. And he
3 remanded it back to the two people that
4 approved it.

5 I was like, Oh, shit. Now I'm in
6 real hot water. And of course, I mean, what
7 are they going to do but approve it and then
8 call me in.

9 And, I mean, they raked me over the
10 coals like no man's business. And, I mean,
11 at that point, you just broke my spirit
12 beyond breaking it.

13 I mean, my -- Jimmy Addison went to
14 CB&I and got feedback from them on me, and
15 it's like, Really? It's like, If you're
16 going to go on a witch hunt like that, why
17 don't you go catch some people on Main Street
18 and just tell them you're trying to come up
19 with some mean statements and just solicit
20 mean statements?

21 I mean, from CB&I, you're getting
22 feedback from them on your VP of nuclear
23 operations? Really? I mean, it was god
24 awful. It was like having your -- your
25 wrists slit for 30 minutes and him telling

1 you what a shit ass you are at work. And
2 it's like, Are you done yet?

3 And so after that, he was like,
4 Carlette, I just want to let you know, you
5 took that criticism more professionally than
6 anybody I have ever seen.

7 And it was like, What do you mean
8 by that, Jimmy?

9 He said, Well, you kept your
10 composure.

11 And I said, Well, let me tell you
12 something, Jimmy. I said, The reason I
13 appeared to have kept my composure is I was
14 speechless. That was what you considered
15 composure; I was speechless.

16 Let me tell you another thing. And
17 we were on the phone, and I said, The other
18 thing I need to tell you is you broke my
19 spirit on that same day. And I'll tell you
20 one more thing, I will not lie for this
21 company. And I said, So you can go ahead and
22 stick that where you want to, I said, but I
23 will not lie for this company.

24 And six weeks later is when they
25 walked me out the front door. And that was

1 in November of '15.

2 Q And we're going to touch on this
3 some more, but while we're on the topic, what
4 lies do you feel you were being asked to tell
5 for the company?

6 A I just knew they were going to ask
7 me to lie about that fixed-price contract.

8 Q In what way?

9 A With the Public Service
10 Commission -- well, the ORS, the Office of
11 Regulatory Staff, when they were around, I
12 was going to have to act like that was a good
13 thing; it was positive for the ratepayers.
14 And it was like, I'm not going to tell them
15 that.

16 Q And that's because you didn't
17 believe it?

18 A No.

19 Q And why would it not have been a
20 good thing in general?

21 A Because, as I explained to you, you
22 were financing Westinghouse's operations, and
23 to the extent that you were financing their
24 operations, you were upfront financing the
25 BLRA so that you could charge your customers

1 early.

2 I mean, you wouldn't have spent
3 that money in 2016. You would have spent
4 that money in 2017, not when you agreed to
5 pay it to Westinghouse. That cash flow would
6 have looked very different.

7 Q All right. Going back to the voice
8 mail, the statement, I just want to let you
9 know that I know the truth now, and I don't
10 want you and Santee to get screwed any more
11 by the executives of SCE&G and SCANA.

12 When you used the phrase the truth
13 you believe you had learned when you made
14 this call, what was the truth you believe you
15 had learned?

16 A As to what -- who Kevin Marsh was
17 and what was driving Kevin Marsh and his
18 executives in their decision-making.

19 Q And what did you believe was
20 driving them in their decision-making?

21 A They were trying to prop up the
22 purchase -- the stock purchase price and the
23 earnings for SCANA.

24 Q And how would that benefit them?

25 A Because their bonus was tied to

1 earnings and stock price.

2 Q And how did you come to learn what
3 you called this truth? What information came
4 to you that gave you this knowledge?

5 A Just my experience as a CPA looking
6 at the sequence of events.

7 Q Had you had any discussions with
8 anyone else at SCANA about this?

9 A No.

10 Q All right. Many a times today
11 we've talked about documentation. What
12 documents would you point me to if I wanted
13 to go out and find documents that would be in
14 support of what you're telling us here?

15 A If you go look at the SEC filings
16 and then if you were to go look at the PF
17 factors and the reality of how that project
18 was actually performing, based on those
19 project -- monthly project review meetings,
20 you can't. They don't match.

21 Q All right.

22 A And you got VPs out there, you got
23 a chief nuclear officer, and you've got a
24 chief operating officer, and whether Kevin
25 likes it or not, he had a responsibility to

1 go out there. You can't turn your head to a
2 responsibility.

3 I mean, I think somebody said that
4 he had legislators out there two weeks before
5 we closed the project, and he was boasting
6 about how good it was going.

7 Q Do you know who those legislators
8 would have been by chance?

9 A Uh-uh.

10 Q All right. In the message you
11 stated you did not want Santee Cooper to,
12 quote/unquote, get screwed anymore.

13 At that time you left this message,
14 did you believe that Santee Cooper had been
15 screwed in the past in relation to the
16 nuclear project?

17 A Yeah.

18 Q Explain how.

19 A Because they were making payments
20 according to when SCE&G made payments, and
21 instead of disputing the payments like Santee
22 Cooper was requesting, SCE&G kept making full
23 payments.

24 Q Who at Santee Cooper was requesting
25 that?

1 A Michael Crosby.

2 Q And who was responsible for
3 responding to those requests for SCANA?

4 A I guess it would be Steve Byrne and
5 Kevin Marsh.

6 Q And what was the outcome of that?

7 A They didn't respond to him. I
8 remember Jimmy Addison making comments to the
9 effect that Michael Crosby had just made a
10 bunch of noise.

11 Q Who -- these complaints, would
12 there have been like documentation of these
13 complaints by Michael Crosby? Would they
14 have come in e-mails or documents?

15 A It might. It wouldn't have come to
16 me.

17 Q Who would it have gone to, do you
18 think?

19 A I would think it would have gone to
20 Jimmy or either Steve.

21 Q Steve?

22 A Byrne.

23 Q Byrne. Okay.

24 A And that's B-Y-R-N-E.

25 Q And that leads us right into the

1 next question I have is that -- your
2 inference that you didn't want Santee to get
3 screwed anymore by, quote, the executives of
4 SCE&G and SCANA, end quote.

5 Who are the executives of SCE&G and
6 SCANA that you were talking about? If you
7 can list them for me.

8 A That would be Kevin Marsh, Jimmy
9 Addison, Steve Byrne, Marty Phalen, and Jeff
10 Archie.

11 Q And --

12 A And you might as well add Kenny
13 Jackson.

14 Q What was his role?

15 A He was over rates and regulation.

16 Q And -- going on in the message, you
17 say that Kevin Marsh is not the guy that
18 everybody thinks he is. He is a liar, and
19 he's just like Steve and Jeff and Jimmy and
20 Marty Phalen. They're all of the same cloth.
21 They all think that they are the smartest
22 guys in the room, but they're on the fricken'
23 take.

24 The lies that you believe Kevin
25 Marsh would have been told -- would have

1 told, what would they have been? I just want
2 to try to get a list as general as I can.

3 A Say what now?

4 Q Lies that you believe Kevin Marsh
5 had told in relation to the project that
6 would have been the basis for your statement
7 in the phone message.

8 A I couldn't believe anything that he
9 said. I mean, once I found out that he was a
10 liar, then I pretty much painted him off as
11 just everything that came out of his mouth, I
12 wouldn't trust anything.

13 Q Okay. But for the purposes of what
14 I'm looking for, I'm looking for things that
15 would have had an impact on the project out
16 there as opposed to -- or as opposed to
17 something not related to the Fairfield
18 project.

19 What specifically would you believe
20 would have been dishonest statements Kevin
21 had made with respect to the nuclear project
22 itself that I could look into?

23 A Just like the SEC filings that he
24 has filed and signed for 2016.

25 Q Uh-huh.

1 A You know, where they're saying that
2 the project -- they're saying that the
3 project is ongoing and everything is okay.
4 You know, I mean, that's -- in 2016, he knew
5 that project was failing. I mean, the
6 Bechtel report clearly told him that the
7 project was upside down. I had already told
8 him that.

9 Q All right. So I'm going to go look
10 at the SEC filings.

11 What else should I go look to try
12 to find anything that you would characterize
13 as dishonest statements by Kevin Marsh?

14 A Well, I mean, that's -- that's the
15 big one. I mean, that's -- that's
16 Sarbanes-Oxley right there.

17 Q Okay. And at what point do you
18 believe that you came across the information
19 that led you to believe -- or led you to
20 understand that that information was untrue?
21 What time frame would we have been looking
22 at?

23 A I mean, I knew that in early 2016.
24 I mean, as soon as they filed, which would
25 have probably been in February, it's like

1 it's a done deal. I mean, unless you pull
2 the plug on the project and you start telling
3 the truth, something's got to give. I mean,
4 you're either going to lie about it again or
5 you're going to come out and tell the truth.
6 And they didn't.

7 But with the PF factors that they
8 had and based on all the problems that I
9 knew -- I'm an accountant, and I could tell
10 you, I mean, the engineering design was so
11 screwed up and so far behind and impacted so
12 much of the fabrication for that project that
13 there was no way they were going to be able
14 to complete that project in the timeline or
15 anywhere close to the cost.

16 If you look at the project down in
17 Georgia right now, I mean, they're looking at
18 \$25 million -- billion.

19 Q All right. In the voice message
20 you reference Steve. And this is sort of
21 housekeeping. What would have been Steve's
22 name?

23 A That's Steve Byrne.

24 Q And what was his relationship to
25 the project?

1 A He was in charge of the project.

2 Q Does he still work at SCANA?

3 A No, he quit.

4 Q Do you know --

5 A Or retired. I don't know what the
6 status was, but he left at the same time as
7 Kevin Marsh.

8 Q Have you ever heard any information
9 about why he may have left?

10 A Uh-uh.

11 Q Can you say it out loud for the
12 court reporter.

13 A No. I'm sorry. I never heard
14 anything.

15 Q Who is the Jeff that you're
16 referring to?

17 A Jeff Archie.

18 Q And what was his relationship to
19 the project?

20 A Pretty much nothing, but he had
21 more responsibility for the project, I guess,
22 than Steve. He was the chief nuclear
23 officer.

24 Q And do you know if he still works
25 at the company?

1 A Yeah. As I understand it, he's
2 been told to stay at Unit 1, so he's at
3 Unit 1.

4 Q And that would be the Unit 1
5 nuclear reactor in Fairfield?

6 A Uh-huh. That's right.

7 Q And who was the Jimmy that you're
8 referring to?

9 A That's Jimmy Addison, and he's now
10 the current CEO.

11 Q And you referenced --

12 A And you ought to -- another good
13 point would be to check the qualifications
14 for the new CFO, Iris Griffin, and compare
15 that to your -- get some federal statistics
16 on qualifications for CFO. I think you'll
17 find that to be pretty interesting.

18 Q And what about that would I find
19 interesting?

20 A She pretty much doesn't have a lot
21 of qualifications other than she's kind of
22 cute and she'll say anything that Jimmy tells
23 her to say.

24 Q And when would she have gotten that
25 position?

1 A The same time Jimmy got CEO.

2 Q And who is the Marty you're
3 referring to in the message?

4 A Marty Phalen.

5 Q And what was his relationship to
6 the project?

7 A That's a really good question. He
8 was just always wherever Kevin was. He's the
9 one that the news said that he was -- sold a
10 pretty big block of stock right after he had
11 left the company.

12 Q So he has left the company?

13 A Well, once they found -- once it
14 hit the public media -- or I don't know if it
15 ever hit the media, but Marty had lied about
16 graduating from college.

17 Q Okay.

18 A He never went to College of
19 Charleston even though that's what he put on
20 his application. And so an employee brought
21 that to the attention of the company, and so
22 that didn't look real good since he was a
23 senior executive, and so he left on that one.

24 Q Do you know what time frame that
25 was?

1 A That was 2017, in the fall of 2017.

2 Q In the message you used the phrase
3 they're all from the same cloth. And I think
4 I understand how you're using that phrase,
5 but I want to give you the opportunity to
6 explain. What did you mean by that?

7 A Arrogant, pompous.

8 Q And you followed that up with the
9 statement that, quote, they all think that
10 they are the smartest guys in the room, end
11 quote.

12 Elaborate what you mean by that
13 description of them.

14 A More arrogance and pompous. I
15 mean, they all thought that they were like
16 geniuses, and you couldn't tell them
17 anything.

18 Q Does that have an impact on the
19 project itself?

20 A Oh, yeah.

21 Q Explain how.

22 A Because, I mean, they didn't want
23 to hear anything from anybody. If you had
24 consultant after your name, how dare you
25 approach Steve Byrne. He hated consultants.

1 Q I may be a little confused. Isn't
2 the purpose of a consultant to provide you
3 information?

4 A He -- how dare you think that you
5 could tell him anything. I'm telling you, he
6 was pompous. Most arrogant person I've ever
7 met in my life.

8 Q There was a movie documentary about
9 the --

10 A Yeah. His opinion of nuclear, it's
11 going to cost what it's going to cost.

12 Q There was a documentary about the
13 Enron Company called "The Smartest Guys in
14 the Room." And I just wondered if that was a
15 coincidence or we're using that phrase in
16 reference to the Enron documentary.

17 A No. But I've said before, this is
18 like the South Carolina Enron.

19 Q And what do you mean by that?

20 A Because it's the exact same thing.
21 I mean, these guys propping up everything
22 trying to make it look great, and then all
23 the sudden the deck of cards all just fell
24 apart. I mean, you can only lie so long
25 before the truth just -- I mean, it has to

1 come out.

2 And what really is disappointing is
3 that there were so many managers, general
4 managers, at that project that were right
5 there with them. And they had to know, too,
6 and they went along with it.

7 I wasn't out in the project, so I
8 didn't see that stuff. I mean, I just saw
9 accounting records, and they were --
10 damnedest thing I ever seen in my life. When
11 I figured out what was going on, I was just
12 like, God almighty, these people are crazy.
13 I don't operate like that.

14 Q Well, the next phrase, you talked
15 about them all -- they're all on the fricken'
16 take. My understanding of a person being on
17 the take is that they're being improperly
18 influenced.

19 Do you believe that these persons
20 were being improperly influenced by
21 something?

22 A By money and greed.

23 Q And, again, explain to us how money
24 and greed would play into this.

25 A Because if you can prop up that

1 stock price and keep that stock price up and
2 then keep that net income up by that BLRA,
3 then your base pay continues to get increased
4 by compensation from the compensation
5 committee of the board and then your bonus
6 continues to excel because it's all based on
7 stock and on net income or earnings.

8 Q So the compensation of these
9 executives was tied to the stock price and --

10 A Earnings per share.

11 Q And earnings per share?

12 A Yes.

13 Q And how would this project impact
14 stock price and earnings per share?

15 A Well, that was a growth strategy,
16 was this project. I mean, they had a little
17 bit of electric growth on the system but
18 nothing compared to the growth in their -- on
19 that capital project. That capital project
20 was their whole growth strategy. I mean,
21 that was the mother lode for SCE&G or SCANA.

22 Q And explain in more detail what you
23 mean by that.

24 A The more you spend on that capital
25 project, the more money you make at 12 1/2

1 percent. It was a no-risk 12 1/2 percent. I
2 mean, who wouldn't invest in that if you
3 could make 12 1/2 percent and have no risk?
4 That's what that base load review gave them.

5 Q Explain your understanding of why
6 there was no risk.

7 A Because you were guaranteed on the
8 front end, before you spent a dollar, that
9 you were going to get recovery of it. You
10 didn't have to go before a -- the PSC to get
11 approval on it. Once you spent it, it was
12 deemed proven already. It was a matter of
13 filing the paperwork, and it was put into the
14 rates in October.

15 The only time you had to go before
16 the commission was if you thought you were
17 going to be outside of your approved budget
18 or your schedule.

19 Q And --

20 A And then you had to just make sure
21 that you showed them it was proven, that they
22 approved your schedule or your budget
23 increase.

24 Q So in order to continue it, you
25 just had -- did SCE&G or SCANA have the

1 ability to change the schedule?

2 A Yeah.

3 Q Was that subject to oversight by
4 the PSC?

5 A That -- yes.

6 Q Let me talk, again, about this
7 growth strategy and your understanding of it
8 because I'm trying to get a better idea.

9 SCE&G has a footprint of customers
10 that they service as a utility. While there
11 might be some growth or change based on
12 population change, they're pretty much tied
13 to that footprint; is that --

14 A That's right.

15 Q In general. And so you talk about
16 a growth strategy. If you tie the executive
17 compensation into earnings per share and the
18 growth of the company, how is that -- how can
19 a utility, a public utility -- can it grow by
20 capital expenditures?

21 A Uh-huh. That's how you grow.

22 Q Explain more for me.

23 A You can only grow one of two ways.
24 You can either add customers or you can add
25 capital and charge more to your customers for

1 capital investment. So that's what they did.
2 They're adding base load capital. And you're
3 allowed to earn on your capital investment.

4 So you had a plant and now, you
5 know, you had so many plants out there.
6 Well, they decided they were going to retire
7 a couple of those old coal-burning plants
8 because they're not good for the environment.

9 Well, those were old and they had
10 been depreciated and they really didn't have
11 a lot of cost left on the books. But we're
12 going to build this big nuclear project and
13 that project is going to cost -- I don't
14 remember what the original amount was, but
15 let's just say it was going to be \$5 billion.

16 Well, now you're going to put
17 \$5 billion on the books. And I remember
18 whenever the project was first announced
19 Kevin Marsh talking about how we are going to
20 bet the family farm on this project. So
21 we're going to double the balance sheet with
22 this project.

23 Well, what that means is you're
24 going to take and add \$5 billion of capital.
25 And when you set your rates, you get your

1 operating cost recovered at -- just
2 recovered. You know, zero -- no profit on
3 there. Where you get a profit added to it is
4 on your capital investment. So you get a
5 return on equity on what you've got invested.

6 What your rate -- what your
7 stockholders invest in, you take that money
8 and you put it into capital assets, like the
9 lines that you see up above the roads and
10 going into the neighborhoods and in the
11 plants.

12 Well, when you add a \$5 billion
13 plant, you've got a \$5 billion plant now that
14 you can earn 12 1/2 percent on. And so
15 that's what your customers are going to pay
16 for, and you're going to get -- earn 12 1/2
17 percent on that.

18 Whereas before you were only paying
19 5 percent -- or 12 percent on -- maybe we
20 only had \$4.6 billion in plant. Well, now
21 we've got \$9 billion because we had some and
22 now we're doubling it.

23 Now they're paying -- the same
24 700,000 customers are now paying for
25 \$9 billion worth of plant. Because we had

1 4.6. Now we're adding \$5 billion more. Now
2 we got \$9.6 billion worth of plant.

3 So it's not like you have -- you
4 have excess electricity, and so you hope to
5 sell it off and defray some of the cost. But
6 your customers have got to pay for that
7 plant, and they're going to pay a profit for
8 you to be able to carry that plant on the
9 books.

10 And so the 700,000 customers are
11 going to have an increase in their electric
12 bill. And the only way it's going to get
13 watered down would be if there's a huge
14 growth in the system. And then you've got
15 that fixed price that you can -- you can
16 spread over a larger number of heads.

17 But we don't have that, and we
18 probably don't have prospects for that in any
19 near future that I know of.

20 Q Well, and I know this is somewhat
21 out of your realm, but these -- obviously
22 these plants have been abandoned, correct, is
23 your understanding?

24 A Right.

25 Q We haven't lost any -- we're still

1 getting our electricity?

2 A Right.

3 Q It seems to me, if these plants are
4 supposed to go online, you know, either by
5 now originally or even under the revised, why
6 are we not in an electricity shortage?

7 A Well, I mean, I don't know that
8 we're not. I mean, we might be buying off of
9 the grid. You know, I don't know.

10 Q Okay.

11 A I can't really answer that. And
12 they may not have abandoned a plant that they
13 were going to plan to abandon, a coal-burning
14 plant. You know, that's just outside of my
15 realm of knowledge.

16 Q So from a company perspective, what
17 I hear in general is that the incentive is
18 there to -- you make more profit by growing.
19 We grow by building a bigger plant. The
20 bigger the plant we build, the bigger the
21 growth, the bigger the profit we get.

22 Is that, in general --

23 A Yeah. But, I mean, it also -- you
24 know, there was a big leap for a company the
25 size of SCANA to take on a project like that.

1 Q What do you mean by that?

2 A Well, I mean, they're going to
3 secure financing to be able to carry a
4 project like that. They're going to have to
5 go out and borrow money, and then they're
6 going to have to hope that people are going
7 to be willing to hold on to their stock
8 knowing that they've kind of taken a bite at
9 total 100 percent costs. I mean, that thing
10 was more like an \$8 billion plant.

11 And, I mean, there weren't a lot of
12 utilities jumping at -- you know, signing a
13 contract. There were a lot of people that --
14 originally that were interested, and then at
15 the end of the day, there were only two
16 contracts that were actually executed, the
17 one in Augusta and then the one here.

18 So there was -- there was some risk
19 involved. SCANA is not a huge utility.

20 Q Yeah.

21 A And you can see that there was real
22 risk there given that the management may not
23 have been up to the test of being able to
24 drive the contractor like they needed to.

25 Q You mentioned earlier I bet the --

1 A The PF factor.

2 Q Oh, no. The decision to go nuclear
3 was to bet the farm or bet the company-type
4 decision. Am I misquoting you on that or is
5 that --

6 A What's your question?

7 Q When you were talking about the
8 size of the project undertaken by SCANA being
9 as large as it was, at some point did you
10 hear someone say that it was a
11 bet-the-company-type proposition?

12 A Oh, I heard Kevin Marsh saying
13 that.

14 Q Okay. And that's because the size
15 of the project was something that SCANA --

16 A It was tremendous in size relative
17 to the size of SCANA. And that's why, when I
18 would go to Kevin, it surprised me that he
19 didn't seem to want to be in attendance to
20 some of the meetings. And Jimmy never came
21 to any meetings.

22 And I would have thought that if
23 you had a project of that magnitude, that
24 your CFO and your chief nuclear officer and
25 your COO, I would have expected them to be at

1 all the meetings.

2 The monthly meetings, I mean, we
3 would see Jeff periodically, the chief
4 nuclear officer.

5 You would see Steve Byrne at the
6 monthly meetings maybe twice a year. And he
7 acted like he was bored at his quarterly
8 executive meeting with the general managers.
9 I mean, it's -- he acted like he was bored
10 stiff with those meetings.

11 Q Let me move on to the side aspect
12 of this.

13 The company -- as we just went
14 through in detail, the company itself seems
15 to make money whenever the company is growing
16 based on the rate of -- that it could charge
17 for the customers for the costs that are
18 associated with the construction?

19 A Uh-huh.

20 Q What about CEO compensation? How
21 is that related to company growth?

22 A It would -- well, it's -- like I
23 said before, it's based on the earnings per
24 share and then the stock price.

25 Q Uh-huh.

1 A So, I mean, as long as -- I mean,
2 earnings per share is net income. So as long
3 as you're bringing in 12 1/2 percent on a
4 capital account that continues to grow,
5 you're going to see where net income just
6 continues to grow. So, I mean, every year in
7 November, their revenue stream got bigger.
8 Every year.

9 Q And that revenue stream isn't
10 coming from selling more electricity? It's
11 not coming from servicing --

12 A No.

13 Q -- the customers?

14 A It's selling -- it's at a more
15 expensive price. It's cumulative. It's this
16 price this year. Now next year it's this
17 price, and next year it's this price. So
18 your net income keeps going up but your
19 operating costs stay the same.

20 You're not writing the project off
21 yet. You wait until the end of the project.
22 Then you start writing the asset down. So
23 there's no cost hitting the books for that
24 project, but your revenue stream is going up.

25 Q And if the revenue stream goes up,

1 the --

2 A And there's no costs, your income
3 is going up.

4 Q And what's the impact on that on
5 executive compensation?

6 A It goes up.

7 Q Can you give us an idea of numbers?

8 A I don't know what their payout
9 percentage was. I mean, if their payout
10 percentage was 90 percent of their income or
11 their salary and their salary was a half a
12 million dollars, then they'd get another
13 \$450,000 in a bonus.

14 And then if the company did really
15 good for the year, they might get 20 percent
16 more for discretion.

17 Q Well, let me ask you, bonuses that
18 are paid, did you ever see -- are you aware
19 of any employees receiving bonuses in stock
20 as opposed to cash bonuses?

21 A Yeah, I think they do. I think
22 some of them do.

23 Q And so instead of receiving a cash
24 check for a bonus, they might receive shares
25 of company stock?

1 A Yeah. I think they -- I think the
2 executives -- I didn't, but I think there
3 were some executive stock bonus programs.

4 Q Okay.

5 A You can look that stuff up in the
6 proxy --

7 Q Okay.

8 A -- if you get a copy of the proxy.
9 It's a public document that -- if you go to
10 SCANA.com and look at the proxy, I think you
11 can just read all about -- until your heart's
12 content about bonus programs.

13 Q All right. Jumping back to the
14 message, I want to try to get through this.
15 You mentioned going to a lawyer and, quote,
16 they have broken every fricken' law that you
17 can break.

18 What time frame was it when you had
19 gone to this lawyer?

20 A Are we talking about that? It was
21 probably in January.

22 Q January.

23 Is there anything specific that
24 triggered you going to the lawyer, a
25 conversation or a document or something you

1 had seen?

2 A No.

3 Q Had you already left the company at
4 that time?

5 A I was on that special medical
6 leave.

7 Q And in this part, you actually
8 mention specific laws -- or you mention laws
9 being broken.

10 Can you tell me -- I think you
11 referenced SEC laws earlier. Are there laws
12 that you think may have been violated by the
13 actions of the executives?

14 A I thought that there were criminal
15 laws that they probably had broken.

16 Q And what, by example, could you
17 tell me?

18 A I can't remember now what I all had
19 in mind. I know that I had taken a class at
20 the end of the year for my CPE, and I had
21 talked to the teacher of the class who was a
22 lawyer out of Denver, I think. And I figured
23 he was so far away that he couldn't possibly
24 figure out or have any connection to the
25 South Carolina utility, so I was asking him

1 questions at break. And by the time we
2 finished that CPE session, he was like, You
3 really need to go talk to somebody.

4 Q Well, and I want to try to get
5 details of that. What actions were criminal
6 that you thought or were discussed with that
7 professor?

8 A I don't remember. I mean, you're
9 talking about something that was two and a
10 half years ago.

11 Q Yeah.

12 A And by the time I left that
13 company, I mean, I was just about out of my
14 mind. I mean, I was -- at this point had
15 been berated probably for two years.

16 Q And who would have been doing that?

17 A Jimmy Addison, Marty Phalen, Kevin
18 Marsh, and Jeff Archie.

19 Q And what were their main criticisms
20 of you?

21 A Everything. I mean, anything. I
22 mean, pick it, and they would criticize me.
23 Anything I did.

24 I mean, at one point I went to
25 Kevin -- or to Jimmy, and I said, Jimmy, are

1 you -- are you going to have any comments for
2 me for midyear, year end, or whatever?

3 And he said, Uhm, you might want to
4 talk to Jeff. And I was just kind of like,
5 Okay.

6 And so I went to Jeff, and I was
7 like, Jeff, have you got any concerns or
8 something you need to share with me?

9 And he was like, You might want to
10 talk with Jimmy. And I was just like, Oh,
11 screw you-all. I mean, just a bunch of
12 jackasses.

13 So I'm sure that was probably close
14 to the end of the year, or maybe it was the
15 middle of the year. And it was just, You
16 know what? I was so sick of it. I hated
17 them. I hated them. I mean, they didn't
18 have the man enough to be able to even stand
19 up. It's just like, God almighty, a bunch of
20 sickos.

21 Q Jumping down the statement a little
22 bit, you say -- you reference, you know,
23 Michael and Lonnie and you need to push back
24 and don't let them to continue to mismanage
25 that project. Just don't let them. Don't

1 furnish anything. Refuse to pay. Don't pay
2 SCANA. Push back. Just say no. We're not
3 going to do it because they're mismanaging
4 that project and it's at you-all's expense.

5 I want to break that down a little
6 bit. Who was the Michael you're referring
7 to?

8 A That would be Michael Crosby.

9 Q And what was his position?

10 A I think he was a VP of -- at Santee
11 Cooper.

12 Q And why did you think that he would
13 have been somebody who could push back on the
14 issue?

15 A Because I knew he was pretty hot
16 about the way the project was being managed.

17 Q And when you say hot --

18 A Upset. He didn't think that SCE&G
19 was doing a good job at all.

20 Q And did you know this from
21 conversations with him?

22 A Yeah.

23 Q What about written communication?
24 Anything --

25 A Uh-uh. He would tend to support me

1 when I would stand up against them in the
2 project -- in the project meetings. And, you
3 know, he would thank me for asking questions
4 and pushing back on the PF factor when nobody
5 on my team would do anything.

6 You know, when I would go to like
7 the risk management meeting, which I went to
8 one and it was just pathetic what they had on
9 there for risks for the project. I was just
10 like, Are you kidding?

11 I mean, these were -- what you have
12 on this risk management project, I don't even
13 want my name associated with this meeting
14 because if you-all are even having my name
15 saying that I attended this meeting and I had
16 signed off as these were the risks for this
17 project, I said, I want my name taken off of
18 being in attendance because this is
19 so -- this is such a crappy work product that
20 I don't want this to be in a Westinghouse
21 file that can be pulled up and you can say
22 that I was here and that I accepted this work
23 product.

24 And I named a couple things that I
25 thought were much higher in risks than what

1 they had. This was a committee of probably
2 seven or eight people from Westinghouse that
3 produced this risk product. And the
4 construction VP was sitting right there. He
5 was working with his little BlackBerry or
6 whatever little thing he's got. He didn't
7 ever look up. And it was like, I'm going to
8 kill him.

9 And he finally, at the end of the
10 meeting, he closed the meeting and he's like,
11 Well, there's very -- there's some room for
12 improvement here and we'll -- we'll look to
13 see a better product next time.

14 I was like, That's it. That's what
15 we should say. That is exactly what I
16 thought.

17 And that's all he had to say.

18 Q Okay.

19 A So, I mean, when you work with
20 people like that, I mean, it's just only so
21 much you can take. And that was Ron Jones on
22 risk -- a risk register.

23 Q Ron Jones would have been working
24 for?

25 A Jeff Archie.

1 Q Jeff Archie.

2 A And, see, when I -- when I raised
3 questions like that, I'm told that I'm
4 derogatory in my comments. And it's like,
5 it's hard not to be when you've got
6 engineers, senior engineers for Westinghouse,
7 that are being billed over to us at \$300 an
8 hour and they give you a work product that
9 I'm not going to count it. And I can tell
10 you that this is the worst work product and
11 these are not the risks of this project.

12 I'm an accountant telling them
13 these are not the engineering risks of a
14 project. There's something wrong with a
15 picture when I'm the one that's calling in
16 the problems like that.

17 Q And what -- I want to try to get to
18 your understanding of why do you think that
19 that is. Why would they not have the same
20 attitude you had with respect to that?

21 A That's the thing I don't
22 understand. Unless they -- I mean, everybody
23 up there is either -- I don't know.

24 Q Did they have financial incentive
25 to do a better job or not? I mean, the way

1 the payment is set up as a cost-plus, would
2 that have interfered with any financial
3 incentive to do a better job?

4 A For Westinghouse?

5 Q Yeah.

6 A I mean, I would think that -- the
7 only thing I could figure is they were
8 papering the files so that later on they
9 could sue us and say, Well, here it is; we
10 gave you everything that we owed you. And
11 the VP of construction never proved or said
12 anything to indicate otherwise. I mean, he
13 was a do-nothing.

14 Q All right. I think we left off, I
15 was asking you about Lonnie. Who was Lonnie?

16 A Carter.

17 Q And what was his position?

18 A He was CEO of Santee Cooper.

19 Q And being CEO, is that a position
20 that you believe would have been able to push
21 back on the --

22 A Oh, yeah. I mean, you would hope.
23 But I don't think Lonnie was able to make any
24 changes with them either. I think Kevin
25 would talk to Lonnie and quiet Lonnie down

1 and make him, you know, comfortable somehow
2 or another.

3 Q And I know we've touched on this,
4 but you used the phrase continue to mismanage
5 that project. If we can take a moment here,
6 get as many examples as I can of what you
7 consider to be mismanagement of the project
8 itself.

9 A I mean, that example I just gave
10 you is perfect.

11 Q Okay.

12 A Everywhere I turned, I ran into
13 stuff like that where I wanted my name taken
14 off of the record because I didn't want
15 anybody to assume that, because I was there,
16 that was evidence that whatever they produced
17 was a good record.

18 Q Uh-huh.

19 A Everything was screwed up like
20 that.

21 Q And one of the reasons I'm
22 following this up, as I continue to say,
23 we're going to go back and try to go through
24 these documents and find evidence and, you
25 know, materials related to this. And if I'm

1 looking for examples of mismanagement, can
2 you point me to anything you recall to be
3 specific examples of go look at this project
4 manager, go look at that memo, go look at
5 this meeting, go look at those e-mails,
6 something like that?

7 A I mean, it's way harder than --

8 Q Like we talked about owner's costs
9 earlier. That seemed to be an issue that you
10 came back to.

11 A Owner's cost is not really the
12 issue. You need to look at stuff that
13 Westinghouse was doing. I mean, like Lake
14 Charles is a huge one.

15 Q Explain that.

16 A Do a word search on Lake Charles.
17 Lake Charles was like a nightmare in the
18 making. Do a word search on Module 20.

19 Q Uh-huh.

20 A Module 5. Shield building. I'm
21 trying to remember that company's name.
22 There was a company that was building the
23 shield building's walls. They didn't have a
24 prayer.

25 Q Other keyword searches you would

1 recommend looking -- for us to chase down?

2 A Are you-all going to interview
3 other people?

4 Q Oh, yeah. We plan to do this with
5 a lot of different witnesses.

6 A Ken Browne would be a good person
7 to talk to.

8 Q Okay.

9 A He'd remember the names of
10 companies probably. Because there's -- there
11 was a company that was building the shield
12 building's walls that was really struggling
13 because the design was changing as they were
14 trying to build the walls, which is
15 problematic. You know, as you're trying to
16 fabricate walls, if you change it, it screws
17 you up pretty bad.

18 Q Yeah. Okay.

19 When you were talking with Michael
20 Crosby, did he express that he shared your
21 views on these concerns, or what was his
22 position?

23 A Yeah, he had the same concerns.
24 I'm sure he had more. But, I mean, we shared
25 a lot of the same concerns about not going

1 along with what Westinghouse wants and doing
2 something different.

3 Because, obviously, if you continue
4 doing the same thing, you get the same
5 results. And they kept doing the same thing.
6 Kept paying, and it's like, Well, if you keep
7 paying, you're not going to get anything
8 different.

9 But for some reason, withholding
10 payment just seemed to be a land that Kevin
11 and Steve and those just did not want to go.
12 They just didn't want to go there for some
13 reason.

14 Q Do you -- what could be some of the
15 reasons why they wouldn't go there?

16 A I couldn't understand that. They
17 didn't want to short-pay the invoice or
18 withhold. And the contract seemed like it
19 was written so it was very supportive of the
20 consortium, very biased towards the
21 consortium.

22 I mean, I think if you look at the
23 contract and you look at the payment terms,
24 the payment terms, if I remember correctly,
25 were set up so that you could withhold

1 payment on disputed invoice amounts for 30
2 days, but at the end of the 30 days, you
3 still had to pay.

4 Q Even though the dispute wasn't
5 wrapped up?

6 A Yeah.

7 Q Okay.

8 A So it was -- it was, like I said,
9 very biased toward the consortium and not --
10 and I don't know -- I know -- I remember
11 hearing them say that, during the contract
12 review period when they were negotiating the
13 contract, they didn't have a lot of time.
14 They didn't have the luxury of being able to
15 review a lot of the contract terms, and they
16 did some really quick reviews of the buildup
17 of the budget that supported the contract.
18 And it was just a small team of like maybe
19 five or six people.

20 So that probably plays into why the
21 terms are so consortium-oriented and not
22 customer-oriented, I would think.

23 Q Okay. I'm going to jump off ship
24 for just a quick second here.

25 If the terms are so beneficial to

1 the consortium, why did the consortium end up
2 not being successful? Do you have any input
3 on that?

4 A Well, I think that -- I think the
5 consortium came into the project having
6 underperformed at the beginning of the
7 contract, and I think that that played
8 heavily into why the contract as a whole here
9 and at Vogtle has been less successful. I
10 think that they may have oversold where they
11 were in the design of the plant.

12 Q And, in other words, you believe
13 they may have represented that the project --
14 or the plant itself were further along than
15 they actually were?

16 A Uh-huh. That's a nonengineer's
17 opinion.

18 Q Yeah. All right.

19 In the message next you use the
20 phrase they're doing it because they want to
21 make money and they're propping up earnings
22 to be able to make their bonuses, and it's
23 going to be at your expense.

24 And to be -- the they, that they're
25 doing it, who is the they that you're talking

1 about?

2 A It's those same five or six senior
3 executives that I talked about. Kevin,
4 Marsh, Jimmy Addison, Steve Byrne, Jeff
5 Archie, and then Kenny Jackson.

6 Q And for somebody who is not a
7 financial person, when you say propping up
8 earnings, explain to a layperson what that
9 means.

10 A Creating increased revenue streams,
11 like we talked about as far as them agreeing
12 to pay Westinghouse or the consortium
13 \$100 million instead of something that's more
14 reasonable, like 50 million like what you've
15 paid before.

16 Pay them 100 million a month for
17 five months instead of 50 million for five
18 months, which is more like what historically
19 you've paid them, and then turn around and
20 taking 100 million a month for five months
21 and then rolling that into rates, and then
22 now all the sudden your revenue is double
23 what you would have had when you rolled that
24 into the rates in November.

25 Q And the doubling, that would have

1 had what type of impact on the bonuses and
2 salaries of those individuals?

3 A Oh, huge.

4 Q Elaborate.

5 A Well, I mean, at the end of the
6 year, you're going to see where -- you're
7 only going to have two months of that revenue
8 stream, but with two months, if you've got
9 cold weather, you could probably end up with
10 15 to 20 cents added to the bottom line. And
11 with that, if you already are close to making
12 earnings anyway and then you pick up 20 cents
13 in the last two months of the year, you're
14 going to get not only 100 percent of your
15 bonus, but you're probably going to get your
16 discretion. So you're going to end up
17 earning 120 percent of your bonus.

18 And your stock is going to look
19 great because you hit Wall Street's
20 expectations and you exceeded it. So, you
21 know, Wall Street is going to be happy with
22 you.

23 Q Well, let me ask you about that.
24 As just an investor in general, sometimes I'm
25 aware that there are -- you know, companies

1 will have phone calls for investors to
2 provide information to them about what's
3 going on with the company and their
4 expectations and what's going on.

5 So are you aware of any calls to
6 Wall Street investors or anything where there
7 may have been any misrepresentations by SCANA
8 executives about what was going on?

9 A I haven't been following them. I
10 know recently they haven't been having any,
11 which I think is unusual. But I believe
12 that, during the period that I was there,
13 they were having those calls.

14 Q And generally, all of the propping
15 up of the earnings and all that, it all comes
16 eventually from the rates being paid by the
17 customers of SCANA or SCE&G?

18 A Uh-huh. Uh-huh.

19 Q And that's through the BLRA
20 advanced recovery costs?

21 A Right.

22 Q I think it's cost recovery program.

23 A Right.

24 Q During this time or prior to your
25 leaving SCANA, all these concerns that we've

1 been talking about today, were there other
2 SCANA employees that you had interactions
3 with and discussions with that agreed with
4 you, that saw the same things you saw with
5 respect to the management and -- or
6 mismanagement of the project?

7 A Probably the one person that saw it
8 like I did was probably Ken. Ken was in a
9 lot of the same meetings I was. But there
10 weren't a lot of people that were in the same
11 meetings that I was in because the level of
12 the position I was in and then the level of
13 meetings that I was in with executives.

14 Q And that would be Ken?

15 A Browne.

16 Q Browne. Well, let me ask you,
17 then, if -- as this process goes forward, if
18 they come -- you know, if we go forward and
19 they say, Look, Carlette was a voice in the
20 wilderness; nobody else agreed with her and
21 she has no support for what she's telling
22 you, that's what I'm trying to get a -- who
23 agreed with you? Who would be able to
24 support what you're saying here today about
25 all this and what documents should I be

1 looking for to support you in that so that we
2 can respond to an argument that, you know,
3 Carlette was just out there on her own?

4 A I think Ken -- Ken Browne would be
5 good. Another one would probably be Dave
6 Levine.

7 Q What was his position?

8 A He was a general manager over the
9 start-up team. And probably Kevin Kochems.

10 Q And who else would I talk to that
11 would -- you think might give a similar
12 perspective?

13 A Shirley Johnson.

14 Q Anyone else?

15 A Skip Smith. Skip saw a lot of
16 this.

17 Q And who else? I'm just trying to
18 figure out who's on -- for a slang term, who
19 would be on Team Carlette verse Kevin Marsh,
20 Jimmy Addison, and some of the others.

21 A I think Marion Cherry would agree,
22 Michael Crosby.

23 I mean, the other people, I
24 can't -- I mean, I just don't even know what
25 to think about the other general managers

1 because, I mean, they all saw it, and I don't
2 know where they stand.

3 I mean, they've all lost their
4 jobs, but I don't -- I don't know what --
5 what they were thinking.

6 I think Courtney Owen would be
7 another one. She saw a lot of the efforts.
8 She's in SCANA Services. She was the audit
9 manager.

10 Q And, again, going back to, with
11 this group of people, what documentation
12 would be most supportive of what you're
13 telling us today as opposed to an argument
14 that you're wrong, that this didn't happen
15 that way? What would be the best
16 documentation to support your --

17 A I'll tell you, if you go and you
18 read the Post and Courier's newspaper
19 articles about our -- what happened at that
20 project, if you read it, I mean, I think you
21 can see that they've broken the
22 Sarbanes-Oxley law.

23 Q And I want to get some
24 clarification on some of the terms you used.
25 Later in the statement you said that I want

1 those five guys out of the company so they
2 can't keep hurting people.

3 I think I understand what you were
4 saying about propping up earnings, but what
5 action would be actually -- what would be
6 hurting people?

7 A Well, I mean, each one of them had
8 their little mean streak and so, you know, if
9 they looked -- if somebody looked at them the
10 wrong way and it pissed them off, it
11 wasn't -- you couldn't put it past them. I
12 mean, they'd fire somebody.

13 Jeff Archie was notorious for doing
14 stuff like that. I mean, if somebody said
15 something that he didn't like, you know, 12
16 years later, they could come back to the
17 project or come back to Unit 1 and he'd
18 remember that he didn't like something that
19 they said and he'd make sure that they were
20 blackballed and didn't come back to Unit 1.
21 Just -- you know, just being mean.

22 Marty Phalen was like super mean
23 like that. Just hateful where he would just
24 say and do mean things to people just because
25 he had the authority to do it. And it's like

1 that's just not a way to treat people.

2 I mean, that company was a great
3 company up until the time Kevin Marsh became
4 CEO. I mean, they worked with people and
5 everybody was proud of their jobs and felt
6 like the company was moving in the right
7 direction for the customers and for the
8 employees and everybody was proud to say they
9 worked for that company.

10 And then Kevin Marsh became CEO,
11 and you could watch the morale of the company
12 just plummet. And it's because of those
13 executives that I just named, they just
14 didn't have any integrity. And, I mean, I
15 think overall, those people, the people that
16 reported to them, instead of protecting them
17 in a battle, they would have gotten speared
18 by their own army and run over.

19 Q Okay. Later in the message you
20 say -- and this is when you're speaking to
21 Marion -- you saw the condition I was in when
22 I left physically, but you have no idea of
23 the emotional stress and what they have done
24 to me and to Gene emotionally, and it's like
25 if I never heard the word SCANA again, it

1 would be great.

2 When you say the phrase that
3 they've all but stripped me of my life, what
4 did you mean by that? Can you explain what
5 was done to you or what --

6 A I mean, I've shared some examples.
7 But, I mean, there's --

8 Q I want to give you the opportunity
9 to elaborate on that.

10 A Well, I mean, there's just -- I
11 can't talk about it.

12 Q And that is because it's personally
13 troubling to you?

14 A Yeah.

15 MR. WALKER: Extremely.

16 Q What about Gene? What was done to
17 him that you observed at SCANA that you felt
18 was -- would have brought emotional stress to
19 him?

20 A Well, you screw up his wife, I
21 mean, what do you think it's going to do to
22 him?

23 Q I don't know anything about that.
24 That's what I'm asking about.

25 A Well, they screwed with me for five

1 or six years, which screws up my family life.

2 Q So moving -- focusing on Gene, what
3 can you tell us about what was involved with
4 him that you felt that they were emotionally
5 impacting him.

6 A You cannot imagine what I went
7 through and what it did to him. I can't -- I
8 can't explain it to you, but it tore our
9 family up. I was the bedrock to the family,
10 and my family saw me go through just a hell
11 period.

12 Q Okay.

13 A You don't lose 70 pounds in six
14 months and not have something that's
15 seriously driving you crazy.

16 Q Well, let me ask you -- and that
17 may be a good -- what I want to understand is
18 what I can look to to make sure that if the
19 argument is made that -- a very inartful way
20 of saying this -- the cause and effect is
21 different -- what if you were faced with the
22 argument that what you're saying about the
23 company was stemming from problems you were
24 having medically or emotionally as opposed to
25 the other way around? You know, what I would

1 generally say about your testimony today is
2 you're saying that what you were seeing and
3 what you were experiencing in your work was
4 causing your medical problems.

5 What would I look at in response to
6 an argument that, no, that your medical
7 problems were actually causing you to
8 misunderstand or misapprehend what was going
9 on at the project?

10 A Well, I mean, how did the project
11 turn out? I mean, it turned out exactly like
12 I predicted.

13 MR. WALKER: And she didn't
14 have any medical problems.

15 A I mean, yeah, I lost weight
16 because, I mean, I was so stressed because of
17 that project. But the project turned out
18 exactly like I was telling everybody it was
19 going to turn out.

20 I mean, 12 months almost to the day
21 after we settled, they pulled the plug on the
22 project. If the project was still going
23 today, I'd feel differently. But I think
24 when they pulled the plug on the project,
25 that pretty much vindicated me.

1 As a matter of fact, I left in
2 January of '16. In February of '16, the
3 Bechtel report came out. It read exactly
4 like what I said. It might have been gone
5 into a little bit more depth, which it
6 should. I mean, they were an engineering
7 outfit. But I don't think there's a whole
8 lot of difference between what they're saying
9 and what I'm saying.

10 Q Okay. Let me jump to another
11 topic, and this is following the time you've
12 left SCANA.

13 Since leaving employment, have you
14 had any discussions related to the South
15 Carolina law enforcement division called
16 SLED?

17 A Yeah.

18 Q How did those discussions come
19 about? Did you reach out to them? Did they
20 reach out to you?

21 A They reached out to me.

22 Q And who in particular reached out
23 to you?

24 A The FBI.

25 Q Okay. Well, I'm -- maybe they were

1 together. I'm talking about SLED versus -- I
2 mean, I'm going to ask you about SLED, the
3 FBI, the SEC, all these various groups.

4 Who was the first to reach out to
5 you?

6 A The FBI came to the house, and SLED
7 joined them in the interview.

8 Q Okay. When was that?

9 THE WITNESS: Do you remember
10 when that was?

11 MR. WALKER: I don't know.

12 Q Ms. Walker, as best as you can.
13 It's not a test. There's no penalties or
14 anything.

15 A Summer of last year, I think.

16 Q Summer of last year.

17 Who in particular reached out to
18 you? Do you recall if somebody called up and
19 said this is Agent So-and-So?

20 A No. They just showed up at the
21 house. I don't remember their names.

22 Q Did they give you a card or
23 anything that you would be able to look back
24 on to find out who it was?

25 A I'd have to look.

1 Q Okay. Give me some details about
2 what happened. They showed up at the door.
3 They knock on the door. They say,
4 Ms. Walker, I'm with the FBI.

5 A Yeah, they came to the door.
6 Actually, they didn't come to the door. They
7 came into the driveway, and my husband
8 thought that they were from the Mormon church
9 or somewhere like that, and so he kind of
10 circled back around the back and met them at
11 the back gate. And then he was going to show
12 them his alligators or something; I don't
13 know.

14 And then he realized they really
15 were from the FBI, so they came in off the
16 back porch. And I didn't believe that they
17 were with the FBI for a while, and then I
18 finally realized they really were with the
19 FBI.

20 And so we sat down for a little
21 while, and I think we established a date.
22 But we agreed that they would contact Jake
23 and we would go from there. And so I think
24 they served Jake with a subpoena.

25 Q Okay. And did that subpoena ask

1 you for documents or for a meeting?

2 A I think it was for a meeting.

3 Q And did you go through with that
4 meeting?

5 A Yes, I did.

6 Q And who was present at that
7 meeting?

8 A My husband Gene, myself, Jake, a
9 SLED agent was there, and then the two FBI
10 agents.

11 Q And did you provide any written
12 materials or documentation to them or to your
13 lawyer to provide to them?

14 A Yeah. I think that at the end of
15 the meeting we gave them a copy of the file,
16 the yellow file that was for -- you know, it
17 had the contents of the file that I gave to
18 Jimmy Addison that proved the numbers for the
19 2015 re-budgeting baseline.

20 Q Okay. Besides that material, any
21 other written materials you recall providing
22 to your lawyer or to the FBI to provide to
23 the lawyer or provide to the FBI?

24 A No, I think that was it. And at
25 that point, just like with when I talked to

1 you about it, they agreed to have Ken Browne
2 walk them through the mechanics of that file.

3 Q Okay. And you said there was
4 somebody from the South Carolina law
5 enforcement division involved as well, SLED?

6 A Yeah. I think -- yeah, it was --
7 yeah, it was SLED.

8 Q Okay. Any other -- any other
9 meetings with any other law enforcement?

10 A Uh-uh.

11 Q What about any discussions with
12 persons related to the Securities and
13 Exchange Commission?

14 A No, I haven't heard anything from
15 them.

16 Q What about elected officials? Any
17 politicians involved in South Carolina ever
18 contact you or ask you for any information?

19 A (Shakes head.) Uh-uh.

20 Q Well, besides here today and the
21 meeting with SLED and FBI, anybody else
22 interview you about the VC Summer project and
23 SCANA's role in it and your involvement in
24 it?

25 A No. I know a Post and Courier

1 reporter called asking to talk to me about
2 this voice mail, but I referred him to Jake.

3 Q Okay.

4 A I didn't comment.

5 Q Let me ask you, with respect to the
6 project and your work for SCANA, has anybody
7 ever asked you to take a lie detector test?

8 A Uh-uh.

9 Q And have you ever taken one?

10 A Uh-uh.

11 MR. HALTIWANGER: My
12 understanding is Mr. Moore had talked with
13 Mr. Richardson about your availability today.

14 MR. MOORE: Right.

15 MR. HALTIWANGER: And we've
16 bumped up on that time frame. I know that
17 I've taken all day, so we're going to have to
18 have some follow-up discussions about this.

19 MR. MOORE: We're at your
20 disposal. We'll be where you tell us to be.
21 Next time I suggest we do it at my place.
22 We've got enough room at my place.

23 MR. RICHARDSON: Yeah, we'll
24 be glad to be there.

25 MR. MOORE: It will save you

1 money.

2 MR. BALSER: A few
3 housekeeping matters before we wrap up. We,
4 on behalf of SCANA and SCE&G, are prepared
5 today to go forward and ask a series of
6 questions of this witness. We understand
7 that she has requested, based on health
8 concerns, to stop the deposition at 1:30.
9 We're prepared to honor that request.

10 Of course we will need to have
11 the opportunity to ask all the questions that
12 we need to ask, and we will cooperate with
13 Mr. Moore and the witness in rescheduling.

14 We have agreed, in principle,
15 upon a confidentiality order with counsel for
16 the plaintiffs in this case, and subject to
17 final entry of that order by Judge Hayes, we
18 would like to designate the entire transcript
19 of this deposition as confidential subject to
20 that protective order.

21 We can discuss later whether
22 parts of the deposition should be
23 de-designated, but until we see the
24 transcript, until we get the order entered,
25 this transcript should be treated as

1 confidential pursuant to a protective order.

2 That's all.

3 MR. HALTIWANGER: Okay. One
4 more.

5 MR. MOORE: Well, go ahead.

6 MR. HALTIWANGER: I was just
7 going to say, as I had mentioned earlier, I
8 was going to mark the actual audio of the
9 voice mail as an exhibit, so --

10 (Exhibit No. 4 was marked for
11 identification.)

12 (Off-the-record discussion.)

13 (Deposition concluded at 1:33
14 PM)

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1 CERTIFICATE OF REPORTER
2 STATE OF SOUTH CAROLINA
3 COUNTY OF CHARLESTON

4 I, Julie K. Lyle, Notary Public for the
5 State of South Carolina at Large, do hereby
6 certify that the witness in the foregoing
7 deposition was by me duly sworn to testify to
8 the truth, the whole truth, and nothing but
9 the truth in the within-entitled cause; that
10 said deposition was taken at the time and
11 location therein stated; that the testimony
12 of the witness and all objections made at the
13 time of the examination were recorded
14 stenographically by me and were thereafter
15 transcribed by computer-aided transcription;
16 that the foregoing is a full, complete, and
17 true record of the testimony of the witness
18 and of all objections made at the time of the
19 examination; and that the witness was given
20 an opportunity to read and correct said
21 deposition and to subscribe the same.

22 Should the signature of the witness not
23 be affixed to the deposition, the witness
24 shall not have availed himself of the
25 opportunity to sign or the signature has been
waived.

I further certify that I am neither
related to nor counsel for any party to the
cause pending or interested in the events
thereof.

Witness my hand, I have hereunto affixed
my official seal on April 25, 2018, at
Charleston, Charleston County, South
Carolina.

23 _____
24 Julie K. Lyle, RPR/RMR/CRR
25 REGISTERED PROFESSIONAL REPORTER
REGISTERED MERIT REPORTER
CERTIFIED REALTIME REPORTER
My commission expires 7/22/2024

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Case (11)	CLARK (1)	compare (1)	contract (27)
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Casey (2)	C-L-A-R-Y (1)	comparison (1)	contractor (5)
C-A-S-E-Y (1)	Clary's (1)	compensated (2)	contractors (2)
Cash (9)	class (2)	compensation (7)	contracts (1)
catch (1)	clean (1)	complaints (2)	control (5)
caught (1)	clear (2)	complete (10)	controller (9)
cause (3)	clearly (1)	completed (4)	controls (5)
causing (2)	CLECKLEY (1)	completely (1)	controversies (1)
CB (15)	clerk (1)	completion (2)	controversy (1)
cell (1)	climb (1)	compliance (7)	conversation (4)
cents (2)	climbed (1)	component (3)	conversations (4)
CEO (18)	close (3)	components (2)	convoluted (2)
certain (2)	closed (2)	composure (3)	COO (1)
certainly (2)	closer (2)	computer-aided (1)	Cooper (21)
CERTIFICATE (1)	cloth (2)	concern (2)	cooperate (1)
Certified (2)	coal (1)	concerns (9)	Cooper's (2)
certify (3)	coal-burning (2)	concluded (1)	copied (1)
CFO (10)	coals (1)	conclusion (2)	copy (11)
challenge (2)	Coffer (2)	concrete (6)	core (1)
Champion (1)	C-O-F-F-E-R (1)	condition (3)	corporate (10)
chance (3)	coincidence (1)	CONFIDENTIAL	correct (14)
change (11)	cold (2)	(3)	corrections (1)
changed (3)	collaborate (1)	confidentiality (2)	correctly (1)
changes (3)	collaboratively (1)	confrontation (1)	cortisone (1)
changing (1)	collected (1)	confrontational (3)	cost (32)
character (1)	college (2)	confrontations (1)	cost-plus (8)
characterize (1)	color (1)	confused (1)	costs (36)
charge (13)	COLUMBIA (3)	connection (1)	COUNSEL (6)
charged (2)	column (1)	consider (2)	count (1)
charges (2)	come (28)	consideration (1)	counted (2)
charging (1)	comes (3)	considered (1)	COUNTY (4)
Charles (3)	comfortable (1)	consolidate (1)	couple (5)
Charleston (5)	coming (13)	consolidated (1)	Courier (1)
Charlotte (2)	command (2)	consortium (8)	Courier's (1)
chart (1)	comment (3)	consortium-oriented	course (2)
chase (1)	comments (4)	(1)	COURT (9)
cheated (1)	commission (9)	constructing (1)	Courtney (2)
check (3)	commissioner (1)	construction (21)	cover (1)
checking (2)	commissioners (1)	consultant (2)	covered (4)

CPA (3)	dates (3)	differently (1)	< E >
CPE (2)	Dave (1)	dig (1)	earlier (8)
craft (3)	DAVID (2)	direct (1)	early (8)
crappy (1)	day (9)	direction (1)	earn (3)
crazy (6)	days (4)	directly (2)	earning (1)
created (3)	deal (3)	directors (1)	earnings (16)
Creating (1)	dealing (1)	disagreed (1)	easiest (1)
credit (2)	deathly (1)	disagreements (1)	educate (2)
credited (1)	decide (1)	disappointing (1)	educated (1)
crew (1)	decided (4)	discovered (2)	effect (7)
criminal (2)	deciding (2)	discovery (1)	effort (2)
criteria (1)	decision (11)	discretion (3)	efforts (5)
criticism (1)	decision-making (3)	discuss (1)	eight (3)
criticisms (1)	decisions (6)	discussed (3)	either (7)
criticize (1)	deck (1)	discussion (4)	elaborate (5)
Crosby (6)	de-designated (1)	discussions (7)	elected (1)
crosswise (1)	deemed (1)	dishonest (2)	ELECTRIC (4)
crowd (1)	Defendants (2)	disk (1)	electricity (6)
CRR (2)	defray (1)	disposal (1)	electronic (1)
culture (1)	denote (1)	dispute (3)	elements (1)
cumulative (1)	Denver (1)	disputed (15)	e-mail (13)
curious (1)	department (3)	disputes (3)	e-mailed (2)
current (2)	departments (1)	disputing (2)	e-mails (5)
currently (1)	DEPONENT (1)	distribution (4)	embracing (1)
cuss (2)	depose (1)	division (2)	emergency (1)
cussed (1)	DEPOSITION (16)	document (7)	emotion (5)
customer (2)	depreciated (1)	documentary (3)	emotional (2)
customer-oriented (1)	depth (1)	documentation (11)	emotionally (3)
customers (15)	derogatory (1)	documented (2)	employed (3)
cut (6)	describe (1)	documents (24)	employee (9)
cute (1)	described (1)	doing (37)	employees (19)
cut-off (1)	description (2)	dollar (3)	employing (1)
CWalker (1)	deserving (1)	dollars (6)	employment (11)
	design (3)	domain (1)	ended (6)
	designate (1)	do-nothing (1)	endings (1)
CWalker@scana.com (1)	designated (2)	door (5)	endless (1)
	despite (2)	double (3)	endurance (1)
< D >	destruction (1)	doubling (3)	end-user (1)
damn (1)	detail (4)	doubt (1)	enforcement (3)
damnedest (1)	details (3)	drafting (1)	engage (2)
Dan (2)	detector (1)	drafts (3)	engineer (1)
DANIEL (4)	determination (1)	drive (3)	engineering (7)
Daniels (1)	determining (1)	drives (1)	engineers (4)
dare (2)	developed (2)	driveway (1)	Enron (3)
data (2)	Development (2)	driving (5)	entered (1)
database (2)	died (1)	due (1)	entire (3)
databases (1)	diem (1)	Duke (2)	entities (4)
DATE (9)	difference (6)	duly (2)	entity (4)
	different (20)	duplicate (5)	

entry (1)	expert (2)	filed (8)	frame (13)
enviable (1)	expires (1)	files (4)	Frank (1)
environment (1)	explain (29)	filing (4)	fraudulent (3)
equipment (1)	explained (2)	filings (4)	Freedom (1)
equity (1)	explaining (2)	filling (1)	friicken (3)
error (1)	exposed (1)	final (5)	Friday (1)
escalation (1)	express (1)	finally (4)	friendly (1)
especially (2)	extent (2)	finance (9)	front (7)
establish (2)	external (1)	financial (3)	fudging (1)
established (1)	extrapolate (2)	financing (5)	fuel (11)
establishing (1)	extrapolation (1)	find (32)	full (4)
estimate (1)	extremely (3)	finding (1)	full-time (2)
estimates (3)		fine (4)	functions (1)
event (1)	< F >	finish (1)	furnish (1)
events (3)	fabricate (1)	finished (2)	furniture (1)
eventually (4)	fabrication (1)	fire (1)	further (2)
everybody (11)	faced (1)	FIRM (9)	future (2)
evidence (2)	fact (3)	first (19)	
exact (4)	factor (14)	five (17)	< G >
exactly (12)	factors (3)	fix (1)	GA (1)
EXAMINATION (4)	fail (1)	fixed (4)	game (1)
examined (1)	failing (1)	fixed-price (13)	GAS (8)
example (5)	failure (2)	flabbergasted (1)	gasoline (3)
examples (4)	fair (2)	flavor (2)	gate (1)
exceeded (1)	Fairfield (4)	flow (6)	gated (2)
excel (1)	fairly (1)	flowcharts (1)	gathered (1)
excess (1)	fall (3)	flown (1)	gathering (1)
excessive (1)	familiar (5)	fluke (1)	GE (1)
Exchange (1)	family (6)	Fluor (4)	GENE (5)
excuse (1)	far (7)	focused (2)	GENERAL (15)
executed (1)	farm (2)	focusing (1)	generally (5)
executive (11)	fatal (1)	folder (1)	generated (1)
executives (25)	faux (1)	follow (2)	generation (5)
exhaustive (2)	FBI (11)	followed (1)	geniuses (1)
Exhibit (21)	February (2)	following (3)	gentlemen (1)
EXHIBITS (1)	Feckle (3)	follows (1)	Georgia (2)
exist (1)	federal (1)	follow-up (1)	getting (16)
exit (2)	feedback (2)	footprint (5)	Gilespie (1)
expect (4)	feel (10)	forecasting (1)	Gina (1)
expectation (2)	feelings (1)	foregoing (2)	give (26)
expectations (2)	fell (1)	form (1)	given (24)
expected (3)	fellow (1)	formal (1)	giving (2)
expecting (1)	felt (12)	former (1)	glad (1)
expenditures (4)	fencepost (1)	forth (1)	glass (1)
expense (9)	FICKLING (1)	forward (3)	go (81)
expensive (2)	fight (2)	fossil (1)	goal (3)
experience (1)	figure (5)	fought (4)	goals (13)
experienced (1)	figured (3)	found (13)	god (5)
experiencing (1)	file (27)	four (6)	goes (4)

going (171)	headaches (1)	house (6)	individuals (4)
good (23)	headquarters (1)	housekeeping (3)	inference (1)
good-faith (1)	heads (3)	Houston (1)	influenced (2)
gosh (1)	heads-up (1)	HR (2)	information (30)
gotten (2)	health (2)	huge (6)	injections (1)
governance (1)	hear (7)	hundred (1)	INN (1)
grades (1)	heard (13)	hundreds (1)	input (1)
graduating (1)	hearing (3)	hunt (1)	insanity (1)
great (7)	hearsay (1)	hurting (2)	insight (1)
greed (3)	heart's (1)	husband (6)	install (1)
Greenville (1)	heavily (1)	husband's (1)	instance (3)
grid (1)	he'd (7)	hush (1)	instances (1)
Griffin (2)	held (1)	hydro (1)	instruct (1)
ground (1)	hell (2)	< I >	integrity (3)
group (3)	helm (1)	icing (1)	intention (2)
groups (2)	help (6)	idea (12)	interact (2)
grow (6)	helpful (1)	identification (4)	interacted (3)
growing (2)	helping (1)	identified (2)	interaction (1)
growth (11)	hereunto (1)	identities (1)	interactions (1)
G's (5)	Hess (1)	ill (1)	interest (4)
guaranteed (1)	Hey (1)	imagine (1)	interested (2)
guess (14)	hierarchy (4)	impact (6)	interesting (4)
guy (7)	high (3)	impacted (1)	interests (3)
guys (5)	higher (2)	impacting (1)	interfered (1)
guy's (1)	highest (2)	important (4)	internal (12)
< H >	high-risk (3)	impression (2)	internally (1)
hair (1)	hilarious (1)	improper (1)	interview (5)
half (8)	Hill (1)	improperly (2)	interviews (1)
hall (1)	hire (1)	improvement (1)	Intimidate (2)
HALTIWANGER	hired (1)	inaccuracy (2)	introduced (1)
(18)	historically (1)	inappropriate (1)	intrusive (1)
hand (6)	history (1)	inappropriately (2)	inventory (2)
handed (3)	hit (3)	inartful (1)	invest (2)
handle (1)	hitting (1)	incentive (3)	invested (1)
handled (1)	HODGES (2)	incentives (1)	investment (3)
hands (1)	hold (3)	include (2)	investor (1)
happen (1)	HOLIDAY (1)	included (4)	investors (2)
happened (7)	holler (2)	income (8)	invite (1)
happens (3)	home (4)	incomplete (1)	invoice (19)
happy (3)	homogeneous (1)	incorrect (1)	invoices (3)
hard (3)	honest (1)	increase (5)	involved (19)
harder (1)	honor (1)	increased (2)	involvement (1)
Harris (1)	hope (6)	incredible (1)	involves (1)
hate (1)	horrible (1)	incremental (1)	I-O-N (1)
hated (3)	hospital (2)	indexes (1)	Iris (2)
hateful (1)	hot (3)	indicate (2)	Iris's (1)
Hayes (1)	hour (5)	indicating (1)	I's (1)
head (5)	hourly (1)	indication (1)	island (1)
	hours (5)		issue (13)

issues (7)
 items (1)
 its (6)

< J >

Jackass (1)
 jackasses (1)
 Jackson (3)
 JAHUE (1)
 Jake (7)
 January (13)
 Jeff (21)
 JESSICA (1)
 Jim (2)
 Jimmy (43)
 job (12)
 jobs (2)
 Joey (1)
 Johnson (7)
 joined (1)
 joke (1)
 Jones (6)
 JR (1)
 Judge (1)
 JULIE (3)
 July (3)
 jump (2)
 jumped (1)
 jumping (3)
 June (4)
 junior (2)

< K >

Kaye (1)
 K-A-Y-E (1)
 keep (11)
 keeping (1)
 keeps (1)
 Keller (3)
 K-E-L-L-E-R (1)
 Ken (20)
 Kenny (3)
 kept (6)
 Kevin (63)
 K-E-V-I-N (1)
 Kevin's (1)
 key (4)
 keyword (1)
 kidding (1)

kidney (2)
 kill (1)
 kind (19)
 KING (1)
 Kissam (4)
 K-I-S-S-A-M (1)
 knew (22)
 knock (1)
 know (147)
 knowing (3)
 knowingly (1)
 knowledge (2)
 known (2)
 knows (2)
 knucklehead (1)
 Kochems (5)
 K-O-C-H-E-M-S (1)
 Kullen (2)
 K-U-L-L-E-N (1)

< L >

labor (5)
 lacking (2)
 lady (1)
 Lake (3)
 land (1)
 large (5)
 larger (1)
 largest (1)
 last-ditch (1)
 lately (1)
 LAW (12)
 laws (5)
 lawyer (12)
 lawyers (2)
 lay (1)
 layer (1)
 laying (1)
 layout (1)
 layperson (5)
 lead (2)
 leads (1)
 LEAH (2)
 leap (1)
 learn (2)
 learned (2)
 leave (12)
 leaving (3)
 LEBRIAN (1)
 led (5)
 left (29)
 legal (1)
 legislators (2)
 letter (2)
 letters (1)
 level (2)
 levels (1)
 Levine (1)
 liar (3)
 lie (15)
 lied (4)
 lies (4)
 life (7)
 likes (1)
 limb (1)
 line (8)
 lines (4)
 list (6)
 listen (3)
 little (20)
 live (1)
 lived (1)
 living (3)
 LLC (3)
 LLP (1)
 Load (4)
 local (1)
 located (1)
 LOCATION (2)
 locked (1)
 lode (1)
 log (14)
 logged (1)
 long (10)
 long-term (5)
 Lonnie (9)
 look (42)
 looked (10)
 looking (16)
 looks (1)
 lose (3)
 losing (2)
 loss (1)
 lost (4)
 lot (23)
 loud (1)
 low (3)
 lower (1)

lumped (1)
 luxury (1)
 lying (2)
 LYLE (3)

< M >

mad (2)
 magnitude (1)
 mail (12)
 Main (4)
 maintaining (1)
 major (3)
 makers (1)
 making (5)
 man (1)
 manage (1)
 managed (1)
 management (11)
 manager (12)
 managers (6)
 managing (2)
 man-hour (1)
 man-hours (1)
 manpower (2)
 man's (1)
 March (1)
 Margaret (3)
 Marion (23)
 M-A-R-I-O-N (1)
 mark (2)
 marked (9)
 market (3)
 markup (2)
 markups (1)
 Marsh (26)
 M-A-R-S-H (1)
 Marty (14)
 Mary (3)
 match (1)
 material (9)
 materials (18)
 math (1)
 mathematical (1)
 mathematically (1)
 matter (6)
 matters (1)
 max (1)
 mean (168)
 meaning (1)

means (5)	Module (2)	net (5)	officials (1)
meant (1)	moment (1)	never (15)	offline (2)
measured (1)	Monday (1)	New (12)	Off-the-record (2)
measurement (2)	money (19)	news (2)	Oh (12)
meat (1)	month (11)	newspaper (2)	Okay (95)
mechanics (1)	monthly (5)	nice (3)	old (2)
media (2)	months (16)	night (1)	onboard (1)
medical (10)	Mood (1)	nightmare (1)	once (11)
medically (1)	MOODY (2)	nine (1)	one-man (1)
meet (1)	MOORE (18)	NND (4)	one's (1)
meeting (29)	morale (1)	NOBLES (1)	ongoing (2)
meetings (23)	Mormon (1)	nodding (1)	online (1)
memo (1)	morning (1)	Nods (1)	on-site (2)
men (1)	Morris (1)	noise (1)	open (2)
mentality (2)	mother (1)	nondisclosure (2)	operate (2)
mention (2)	motions (1)	nonengineer's (1)	operated (3)
mentioned (5)	motivation (1)	no-risk (1)	operating (5)
Merit (2)	motto (1)	normally (1)	operational (1)
message (20)	mouth (2)	Notary (1)	operations (4)
met (6)	move (2)	notes (1)	opinion (3)
method (1)	moved (2)	Notice (2)	opportunity (7)
metrics (2)	movie (1)	noticed (1)	opposed (12)
metrics-based (1)	moving (2)	notified (1)	options (2)
Michael (9)		notorious (1)	order (12)
middle (1)	< N >	November (4)	organization (13)
midst (1)	nail (1)	nuclear (48)	original (1)
midyear (1)	name (35)	Number (42)	originally (4)
million (29)	named (3)	numbers (23)	ORS (1)
millions (2)	names (7)		ought (1)
mind (6)	nasty (1)	< O >	outcome (2)
Mine (2)	natural (1)	oath (1)	outfit (1)
minor (1)	Navy (1)	Object (1)	outside (8)
minute (2)	NDA (1)	objection (1)	outsource (1)
minutes (1)	NE (1)	objections (2)	overall (1)
minutia (1)	near (1)	obligation (1)	overhead (1)
misapprehend (1)	necessarily (2)	obnoxious (1)	overseeing (2)
miscellaneous (1)	necessary (1)	observed (1)	oversight (1)
mishandled (1)	neck (1)	obvious (4)	oversold (1)
mismanage (2)	need (18)	obviously (2)	overturned (1)
mismanagement (3)	needed (8)	occasions (1)	owed (1)
mismanaging (1)	needs (4)	occupation (1)	Owen (2)
misquoting (1)	negotiate (2)	occupied (1)	owner (4)
misrepresentations	negotiated (5)	occurrence (1)	owner's (31)
(1)	negotiating (1)	occurring (2)	
missed (3)	negotiation (1)	October (6)	< P >
mistakes (3)	negotiations (3)	offer (1)	P.O (2)
misunderstand (1)	neighborhoods (1)	OFFICE (11)	package (3)
Mitch (13)	neither (1)	officer (10)	PAGE (1)
model (2)	nervous (3)	official (2)	paid (9)

PAIGE (1)	physically (3)	prep (2)	prop (2)
painted (1)	pick (2)	preparation (2)	proper (1)
panel (2)	picture (3)	prepare (2)	proposition (1)
paper (3)	piece (1)	prepared (11)	propping (5)
papering (1)	pieces (1)	preparing (7)	prospects (1)
papers (4)	Pipeline (8)	PRESENT (2)	protect (1)
paperwork (2)	pissed (3)	presented (1)	protecting (2)
part (16)	pitch (1)	president (8)	protective (3)
participated (1)	pivotal (1)	press (1)	proud (2)
particular (3)	place (7)	pressure (5)	prove (1)
particularly (2)	Plaintiffs (3)	pressuring (2)	proved (2)
parts (2)	plan (3)	pretense (1)	proven (2)
party (2)	plans (3)	pretty (16)	provide (9)
pas (1)	plant (21)	price (19)	provided (1)
pass (2)	plants (8)	prices (1)	providing (2)
passed (1)	play (5)	Pricewaterhouse (1)	proxy (4)
pathetic (1)	played (3)	primarily (1)	PSC (24)
PATRICK (1)	plays (1)	principle (1)	PSNC (1)
pay (29)	PLEAS (1)	printed (1)	Public (12)
paycheck (2)	plug (6)	prior (12)	publicly (1)
paying (7)	plummet (1)	privilege (3)	pull (2)
payment (6)	plus (2)	privileged (2)	pulled (6)
payments (8)	PM (1)	probable (1)	pulling (1)
payors (6)	pocket (1)	probably (33)	pump (1)
payout (3)	point (23)	problem (5)	purchase (2)
payroll (1)	policy (1)	problematic (1)	purchasing (1)
Peachtree (1)	politically (1)	problems (7)	purpose (3)
penalties (2)	politicians (1)	process (9)	purposes (1)
pending (1)	pompous (3)	processes (2)	pursuant (1)
people (36)	pop (1)	procurement (2)	push (5)
percent (21)	population (1)	produce (1)	pushed (1)
percentage (2)	porch (1)	produced (3)	pushing (3)
perfect (2)	position (20)	producing (2)	put (33)
performance (8)	positions (1)	product (8)	putting (3)
performing (1)	positive (1)	productive (3)	< Q >
period (8)	possible (1)	productivity (1)	qualifications (3)
periodically (1)	possibly (1)	professional (5)	quarter (1)
Perry (1)	Post (2)	professionally (1)	quarterly (1)
person (19)	pounds (3)	professor (1)	question (10)
personal (3)	pour (2)	profit (9)	questioned (2)
personally (1)	pouring (1)	program (2)	questioning (1)
personnel (4)	power (1)	programs (4)	questions (12)
persons (2)	PowerPoint (1)	progress (2)	quick (2)
perspective (3)	practical (1)	project (167)	quiet (1)
PF (8)	practice (1)	projected (1)	quit (2)
Phalen (10)	prayer (1)	projection (1)	quite (1)
Phalen's (1)	predecessors (2)	promised (1)	quote (6)
phone (9)	predicted (1)	promote (3)	
phrase (10)	prefer (1)	promoted (4)	

< R >

Rachel (1)
raise (3)
raised (3)
raising (2)
raked (1)
ramped (1)
ran (1)
rate (17)
ratepayers (2)
rates (19)
ratio (1)
rational (1)
reach (4)
reached (3)
reactor (1)
read (10)
real (6)
realistic (1)
reality (1)
realized (2)
really (25)
realm (2)
Realtime (2)
reason (7)
reasonable (2)
reasons (3)
re-budgeting (3)
recalculate (1)
recall (10)
receive (4)
receiving (2)
recess (1)
recognize (1)
recollection (1)
recommend (1)
reconciled (1)
record (8)
recorded (1)
recording (1)
records (7)
recoverable (1)
recovered (2)
recovery (5)
recreate (1)
red (1)
redid (1)
redline (1)
re-evaluated (1)

refer (4)
reference (3)
referenced (2)
referred (1)
referring (4)
reflect (1)
reformatted (1)
Refuse (1)
regard (3)
regarding (1)
register (1)
Registered (3)
regular (2)
regulation (1)
regulatory (2)
reimbursements (1)
related (13)
relating (1)
relation (2)
relationship (8)
relationships (1)
relative (1)
release (1)
relevant (2)
relied (1)
rely (1)
remanded (1)
remember (28)
remind (1)
report (5)
REPORTED (6)
Reporter (11)
reporting (1)
reports (10)
representative (4)
represented (1)
representing (1)
represents (1)
reprimanded (3)
request (3)
requested (2)
requesting (2)
requests (1)
require (2)
rescheduling (1)
research (1)
resign (3)
resigned (3)
resource (1)

respect (9)
respond (4)
responding (1)
response (3)
responsibilities (2)
responsibility (8)
responsible (3)
restated (1)
restroom (1)
result (2)
results (1)
retarded (1)
retire (2)
retired (9)
retirement (1)
return (2)
returned (1)
reveal (2)
revenue (10)
review (12)
reviewed (1)
reviewing (3)
reviews (2)
revised (7)
revising (1)
revision (1)
RICHARDSON (5)
RICHLAND (1)
rid (1)
ridiculous (1)
right (74)
right-hand (1)
risk (16)
risks (5)
RMR (2)
roads (1)
Robinson (1)
Rock (1)
role (5)
rolled (1)
rolling (2)
Ron (17)
roof (1)
room (7)
rough (4)
roughhouse (1)
roughly (2)
rouse (1)
routine (1)

RPR (2)
rules (3)
run (1)
running (2)
Rusty (1)

 < S >
safe (1)
salaries (1)
salary (6)
sample (2)
Santee (24)
Sarbanes-Oxley (2)
sat (2)
save (1)
saw (15)
saying (15)
says (3)
say-so (2)
SC (5)
SCANA (112)
scana.com (3)
SCANA's (5)
scandal (1)
SCE (59)
schedule (8)
schedules (1)
schmuck (1)
scientific (2)
scream (2)
screw (2)
screwed (7)
screws (2)
seal (1)
search (4)
searches (2)
searching (1)
seasonal (1)
seat (2)
SEC (9)
second (4)
secretary (1)
secure (1)
secured (2)
Securities (1)
security (1)
see (35)
seeing (2)
seek (1)

seeking (1)	shop (3)	sort (6)	stint (1)
seen (8)	short (1)	sounds (2)	stock (17)
sell (1)	shortage (1)	source (1)	stockholders (1)
selling (2)	short-pay (1)	SOUTH (24)	Stone (1)
SEMI (2)	short-term (4)	space (3)	stop (4)
S-E-M-I (1)	show (3)	SPALDING (1)	stories (3)
SEMI-GAS (2)	showed (4)	speak (1)	story (1)
send (2)	shut (2)	speaking (2)	straight (2)
sends (1)	sick (1)	speared (1)	strategy (5)
senior (20)	sickos (1)	special (3)	streak (1)
sense (2)	side (3)	specific (4)	stream (6)
sensitive (1)	sifting (1)	specifically (1)	streams (1)
sent (7)	sign (4)	speculating (1)	Street (5)
sentence (1)	signature (2)	speechless (2)	Street's (1)
separate (1)	signed (7)	spell (2)	stress (3)
sequence (1)	significantly (1)	spend (3)	stressed (2)
series (1)	signing (4)	spent (13)	strictly (2)
seriously (1)	similar (3)	Speth (2)	stripped (1)
serve (1)	similarly (1)	S-P-E-T-H (1)	STROM (1)
served (1)	simple (1)	spirit (2)	structure (1)
service (8)	simply (1)	spoken (1)	structured (1)
serviced (1)	single (1)	spread (1)	struggling (1)
Services (23)	sit (2)	staff (7)	stuff (8)
servicing (1)	site (18)	stand (5)	subject (3)
session (1)	sitting (1)	standpoint (2)	submitted (1)
set (10)	situated (1)	start (11)	subpoena (4)
setting (2)	situation (2)	started (10)	subpoenaed (2)
settled (2)	six (10)	starts (2)	subscribe (1)
seven (2)	size (5)	start-up (2)	subsidiaries (2)
severance (2)	sized (1)	STATE (4)	subsidiary (2)
Shakes (1)	skip (4)	stated (2)	substance (2)
Shannon (1)	slang (1)	statement (6)	substancewise (1)
share (8)	slaughterhouse (1)	statements (5)	success (1)
shared (8)	SLED (8)	station (1)	successful (4)
shares (1)	slides (2)	statistics (1)	sudden (2)
She'd (1)	slit (1)	status (1)	sue (1)
sheer (1)	small (1)	stay (3)	suggest (3)
sheet (2)	smaller (2)	stayed (1)	Summer (10)
sheets (4)	smartest (3)	stays (2)	sun (1)
she'll (1)	Smith (2)	steal (1)	Sunset (1)
Sheri (4)	so-and-so (2)	steep (1)	super (1)
Shield (3)	sold (4)	steer (1)	supervisor (1)
shift (2)	solicit (1)	stemming (1)	supervisory (1)
ship (1)	somebody (27)	stenographically (1)	supplement (1)
Shirley (10)	somebody's (1)	step (1)	supplemental (1)
Shirley's (1)	something's (1)	Steve (15)	supplemented (1)
shit (2)	somewhat (1)	Steve's (2)	supplied (1)
shocked (1)	soon (1)	stick (1)	supplies (1)
shooting (1)	sorry (6)	stiff (1)	supply (1)

support (9)	term (4)	trace (1)	understand (14)
supported (2)	terminated (2)	track (1)	understanding (17)
supporting (1)	terminology (1)	tradition (1)	understood (4)
supportive (3)	terms (9)	trailer (1)	undertaken (1)
supports (2)	terribly (1)	trained (1)	underway (1)
supposed (12)	TERRY (1)	training (2)	unfamiliar (1)
supposedly (2)	test (4)	transactions (2)	unfortunately (2)
sure (13)	testified (3)	transcribed (1)	Unit (16)
surprise (1)	testify (5)	transcript (3)	Units (8)
surprised (1)	testimony (56)	Transcription (2)	unpaid (1)
suspicious (1)	thank (1)	transmission (8)	unquote (1)
sustainability (1)	thereof (1)	trash (1)	untrue (1)
SWAG (1)	thing (22)	treat (1)	unusual (1)
Swan (2)	things (22)	treated (2)	update (1)
S-W-A-N (1)	think (115)	tremendous (1)	updated (3)
swipe (2)	thinking (3)	tried (1)	upfront (1)
swiped (1)	thinks (1)	tries (1)	upset (2)
switched (1)	thought (20)	triggered (3)	upside (1)
sworn (3)	thousands (5)	triggering (1)	upstanding (1)
symptomatic (2)	threatened (1)	troubling (1)	use (7)
system (6)	three (6)	trucks (1)	users (1)
systems (1)	three-year (1)	true (1)	usually (2)
	throat (2)	trust (1)	utilities (1)
< T >	Thumb (1)	trusted (1)	utility (8)
tab (1)	tie (1)	truth (10)	< V >
table (2)	tied (4)	try (22)	various (2)
tag (1)	ties (1)	trying (43)	VC (8)
take (27)	tight (1)	turbine (1)	vehicles (3)
taken (11)	TIME (76)	turn (5)	vendor (1)
takes (3)	timeline (3)	turned (3)	vendors (4)
talk (25)	timelines (3)	turning (1)	verbalize (1)
talked (16)	times (6)	twice (1)	verify (2)
talking (18)	Timmerman (5)	two (32)	verse (1)
tanks (1)	title (2)	type (5)	versus (5)
target (3)	titled (3)	typed (1)	Vice (8)
TAYLOR (1)	titles (2)	types (3)	view (2)
teacher (1)	today (24)	< U >	viewpoint (1)
team (31)	told (27)	uh-huh (39)	views (1)
team's (2)	tongue (1)	Uhm (1)	vindicated (1)
technical (2)	tooth (1)	uh-uh (9)	violate (1)
technology (3)	top (1)	ultimately (2)	violated (1)
Ted (2)	topic (4)	umbrella (1)	violation (1)
tell (40)	topics (1)	unable (1)	visit (1)
telling (15)	tore (1)	uncomfortable (1)	Vogtle (1)
tells (2)	total (7)	underlie (1)	voice (19)
ten (2)	totally (2)	undermining (1)	volume (1)
tend (1)	touch (2)	underneath (1)	VP (9)
tended (1)	touched (3)	underperformed (1)	VPs (1)
tenth (1)	tour (1)		

vs (1)

< W >

wait (2)

waive (1)

waived (1)

walk (2)

walked (3)

WALKER (15)

walking (1)

walks (1)

Wall (3)

walls (4)

want (57)

wanted (20)

wants (2)

war (4)

watch (2)

watched (2)

watchful (1)

water (3)

watered (1)

way (20)

ways (1)

wear (1)

weather (1)

Webster (1)

WEC (2)

weeks (6)

weight (3)

Well (84)

went (41)

we're (29)

West (1)

WESTBROOK (1)

Westinghouse (24)

Westinghouse's (4)

we've (21)

whichever (1)

white (2)

Wicker (3)

wife (1)

wilderness (1)

willing (1)

Willoughby (5)

winter (1)

wished (1)

witch (1)

withhold (2)

withholding (1)

within-entitled (1)

WITNESS (21)

witnesses (1)

wondered (1)

word (5)

words (4)

work (46)

workaround (1)

worked (12)

working (10)

works (3)

worried (1)

worrying (1)

worst (2)

worth (2)

wow (1)

wrap (1)

wrapped (1)

wrists (1)

writing (5)

written (11)

wrong (8)

wrote (3)

WWW.CLARK-ASS
OCIATES.COM (1)

< Y >

yard (3)

Yeah (45)

year (29)

year-end (2)

years (20)

yellow (6)

Yep (1)

you-all (6)

you-all's (1)

< Z >

zero (3)

zeroed (1)

Ziegler (2)

zombie (1)