

DEPOSITION OF MIKE COUICK
September 21, 2018

1

STATE OF SOUTH CAROLINA) COURT OF COMMON PLEAS
)
COUNTY OF HAMPTON) CASE NO. 2017-CP-25-00335

RICHARD LIGHTSEY, LeBRIAN)
CLECKLEY, PHILLIP COOPER,)
et al., on behalf of)
themselves and all others)
situated,)

Plaintiffs,)

v.)

SOUTH CAROLINA ELECTRIC)
& GAS COMPANY, a Wholly)
Owned Subsidiary of SCANA,)
SCANA Corporation, and the)
State of South Carolina,)

Defendants.)

SOUTH CAROLINA OFFICE OF)
REGULATORY STAFF,)

Intervenor.)

VIDEOTAPED DEPOSITION OF MIKE COUICK
(Taken by Defendants South Carolina Electric & Gas
Company and SCANA Corporation)
September 21, 2018

Reported by: Rebecca L. Arrison
 Court Reporter
 Notary Public

DEPOSITION OF MIKE COUICK
September 21, 2018

2

1 APPEARANCE OF COUNSEL:

2 FOR THE PLAINTIFFS:

3 BY: A. GIBSON SOLOMONS, III
4 SPEIGHTS & SOLOMONS

5 100 Oak Street
6 Hampton, SC 29924
7 (803) 943-4444

8 BY: JAMES L. WARD, JR. (JAY)
9 MCGOWAN HOOD & FELDER, LLC

10 1517 Hampton Street
11 Columbia, SC 29201
12 (803) 779-0100

13 FOR DEFENDANTS SOUTH CAROLINA ELECTRIC & GAS; SCANA
14 CORPORATION::

15 BY: JOHN R. CHALLY
16 BRANDON R. KEEL
17 KING & SPALDING LLP
18 1180 Peachtree Street, N.E.
19 Atlanta, GA 30309-3521
20 (404) 572-2780

21 BY: BRYONY HODGES
22 SCANA CORPORATION
23 1426 Main Street
24 Columbia, SC 29201
25 (803) 217-9000

BY: LEAH B. MOODY
LAW OFFICE OF LEA B. MOODY, LLC
235 East Main Street, Suite 115
Rockhill, SC 29730
(803) 327-4192

FOR DEFENDANT DOMINION ENERGY, INC.:

BY: BRIAN D. SCHMALZBACH
MCGUIRE WOODS LLP
800 East Canal Street
Richmond, VA 23219
(804) 775-1000

DEPOSITION OF MIKE COUICK
September 21, 2018

3

1 FOR DEFENDANT SANTEE COOPER:

2 BY: B. RUSH SMITH, III
3 WILLIAM C. HUBBARD
4 NELSON MULLINS RILEY & SCARBOROUGH LLP
5 1320 Main Street, 17th Floor
6 Columbia, SC 29201
7 (803) 799-2000

8 FOR DEFENDANTS CENTRAL ELECTRIC COOPERATIVE; ELECTRIC
9 COOPERATIVES OF SOUTH CAROLINA:

10 BY: FRANK ELLERBE
11 ROBINSON GRAY STEPP & LAFFITTE, LLC
12 1310 Gadsden Street
13 Columbia, SC 29211
14 (803) 929-1400

15 Also Present:

16 Michael M. Arrison, CLVS

17 Videotaped deposition of MIKE COUICK, taken by
18 the Defendants, at Haynsworth Sinkler Boyd, P.A.,
19 1201 North Main Street, 22nd Floor, Columbia, South
20 Carolina, on the 21st day of September, 2018, at
21 9:31 a.m., before Rebecca L. Arrison, Notary Public
22 and Court Reporter.

23
24
25

DEPOSITION OF MIKE COUICK
September 21, 2018

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CONTENTS

THE WITNESS: MIKE COUICK	EXAMINATION	
BY MR. CHALLY		7
BY MR. SOLOMONS		203

INDEX OF EXHIBITS

Exhibit No. 1	Power Point Slides 5/11/2016	90
Exhibit No. 2	Power Point Slides 3/3/2016	118
Exhibit No. 3	Letter Dated 6/3/2016 Re: Petition of South Carolina Electric & Gas Company for Updates and Revisions To Schedules Related to the Construction of a Nuclear Base Load Generation Facility at Jenkinsville South Carolina, Docket No. 2016-223-E	143
Exhibit No. 4	Letter Dated September 1, 2016 Re: SCE&G Petition for Updates and Revisions to Schedules Related to the Construction of a Nuclear Base Load Generation Facility at Jenkinsville South Carolina, Docket No. 2016-223-E	146
Exhibit No. 5	Power Point Slides 8/4/2016	156
Exhibit No. 6	Settlement Agreement 9/1/2016	165
Exhibit No. 7	Direct Testimoy of Joseph M. Lynch On Behalf of South Carolina Electric & Gas Company Docket No. 2016-223-E	169
Exhibit No. 8	Transcript of Testimony and Proceedings Volume 3 of 4 10/12/2016	179
Exhibit No. 9	Article: Co-ops Voice Support For Stopping Nuclear Unit Construction	184
Exhibit No. 10	Email Dated 7/2/2018 Re: Co-ops	194

DEPOSITION OF MIKE COUICK
September 21, 2018

		5
1	Exhibit No. 11 Email Dated 7/2/2018 Re: Co-ops 196	
2		
3		
4	Certificate of Reporter	213
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

DEPOSITION OF MIKE COUICK
September 21, 2018

6

1 THE VIDEOGRAPHER: This is the
2 videotaped deposition of Mr. Mike Couick, taken
3 by the defendants in the matter of Richard
4 Lightsey, et al., versus South Carolina Electric
5 & Gas Company, et al., filed in the Court of
6 Common Pleas, State of South Carolina, Hampton
7 County. Case Number is 2017-CP-25-00335.

8 This deposition is being held at
9 the law firm of Haynsworth Sinkler Boyd, located
10 at 1201 Main Street, the 22nd Floor, Columbia,
11 South Carolina, on Friday, September 21st, 2018.

12 My name is Michael Arrison from
13 the firm of CSI Global. Our court reporter is
14 Rebecca Arrison, also of CSI Global.

15 We're going on the record at
16 9:33 a.m. Counsel will now state their
17 appearance for the record.

18 MR. CHALLY: I'm John Chally.
19 With me is Brandon Keel. We are both from King &
20 Spalding. We represent SCE&G and SCANA in this
21 matter. We also have Bryony Hodges who is
22 in-house at SCANA.

23 MR. SCHMALZBACH: Brian
24 Schmalzbach at Mcguire Woods, LLP, for Dominion
25 Energy, Incorporated.

DEPOSITION OF MIKE COUICK
September 21, 2018

7

1 MR. SMITH: Rush Smith, Nelson
2 Mullins, Santee Cooper.

3 MR. HUBBARD: William Hubbard,
4 Nelson Mullins, Santee Cooper.

5 MR. WARD: Jay Ward, McGowan Hood
6 & Felder, plaintiffs.

7 MR. SOLOMONS: Gibson Solomons,
8 Speight & Solomons for plaintiffs.

9 MR. ELLERBE: Frank Ellerbe
10 representing Central Electric Cooperative and
11 Electric Cooperatives of South Carolina.

12 THE VIDEOGRAPHER: The court
13 reporter will now swear in the witness.

14 - - -

15 MIKE COUICK,
16 being first duly sworn, testified as follows:

17 - - -

18 EXAMINATION

19 BY MR. CHALLY:

20 Q. Mr. Couick, can you state your name for the
21 record.

22 A. Michael Ney Couick.

23 Q. We met just before your deposition began,
24 but I'm John Chally. I represent SCE&G in this case.
25 I'm going to be asking you some questions today.

DEPOSITION OF MIKE COUICK
September 21, 2018

8

1 A. Sure.

2 Q. Have you ever given a deposition before?

3 A. I have.

4 Q. Okay. And you're an attorney; isn't that
5 right?

6 A. That's correct.

7 Q. So you're familiar with the process here. I
8 won't belabor the ground rules except for one. If at
9 any time I ask you a question that you don't
10 understand, please tell me, and I will try to fix my
11 question so that you do. Okay?

12 A. Fine.

13 Q. But if you don't tell me that you don't
14 understand the question, is it fair that we assume
15 for here and forever that you understood my question
16 and were able to answer it truthfully?

17 A. I will do my best to answer your questions.

18 Q. Excellent. Thank you.

19 Okay. Mr. Couick, just housekeeping, are
20 you currently taking any medications that impact your
21 memory?

22 A. I'm not.

23 Q. So nothing that would inhibit you from
24 providing truthful and accurate testimony in response
25 to my questions today?

DEPOSITION OF MIKE COUICK
September 21, 2018

9

1 A. I am not.

2 Q. What's your current occupation, Mr. Couick?

3 A. I'm the President and Chief Executive
4 Officer of the Electric Cooperatives of South
5 Carolina.

6 Q. Now, you said at the outset that you were a
7 lawyer, but you don't serve as a lawyer for ECSC, do
8 you?

9 A. My title is President and Chief Executive
10 Officer of the Electric Co-op of South Carolina. I
11 also have a law degree. I am not their general
12 counsel, but I utilize my legal training and being an
13 attorney from time to time.

14 Q. Do you consider yourself to represent ECSC
15 in any --

16 A. I do not.

17 Q. Thank you.

18 How long have you held your role as CEO of
19 ECSC?

20 A. Since August of 2005.

21 Q. Okay. Can you real briefly walk us through
22 your educational background; where did you go to
23 college?

24 A. Okay. Clover Public High School, Clover,
25 South Carolina; University of South Carolina,

DEPOSITION OF MIKE COUICK
September 21, 2018

10

1 Bachelor's degree in English literature; Jurist
2 Doctorate degree from University of South Carolina,
3 graduated in 1984.

4 Q. So you graduated from South Carolina Law
5 School in 1984; is that right?

6 A. Yes.

7 Q. How about briefly walk through your job
8 history. So what did you start doing when you
9 graduated from law school?

10 A. Immediately upon graduation I clerked for
11 the Honorable Tolbert Goolsby, who was on the Court
12 of Appeals, for several months. There was a vacancy
13 created in the Senate Judiciary Committee of the
14 South Carolina Senate in the fall of 2004 that
15 would -- I mean 1984 -- and I was hired to be the
16 General Counsel to the South Carolina Senate
17 Judiciary Committee in, I guess, November of 1984.

18 I served in that capacity and other
19 capacities related to the Senate from 1984 until my
20 retirement from the Senate in 2005 immediately before
21 taking this job.

22 Q. So you were general counsel of the Senate
23 Judicial Committee starting in November of 1984 --

24 A. Right.

25 Q. -- right?

DEPOSITION OF MIKE COUICK
September 21, 2018

11

1 How long did you have that particular job?

2 A. Until I retired.

3 Q. So that -- was that -- did that remain your
4 **primary function?**

5 A. I had other functions related to the Senate,
6 but I was a Chief Counsel to the Judicial Screening
7 Committee, which later became a Commission. I was
8 Chief Counsel to the Public Review Committee, which
9 was created in 2004.

10 Prior to that, I was Chief Counsel to the --
11 the predecessor to the PRC Committee which was the
12 PSC Screening Committee, but I had other
13 responsibilities related to litigation and
14 re-districting and drawing the re-districting maps
15 for the Senate and for Congress in the 1990s, around
16 the 2000s, around there. Those were outside of my
17 general course of responsibilities.

18 Q. I understand. Were you, at any point, did
19 you work with the President of the Senate,
20 **Mr. McConnell?**

21 A. He was not President of the Senate. He was
22 President Pro Tempore of the Senate.

23 Q. **Thank you.**

24 A. President of the Senate is the Lieutenant
25 Governor.

DEPOSITION OF MIKE COUICK
September 21, 2018

12

1 Q. Understood. Okay.

2 I have heard reference to the fact that you
3 were, at one point during your time working with Mr.
4 McConnell, referred to as the 47th Senator. Have you
5 heard that?

6 A. That was not true. That was when I worked
7 for the Honorable Senator Marshall B. Williams. That
8 would be in the 1980s and 1990s when that was true.

9 Q. What did you understand that to have meant
10 at the time?

11 A. That there were 46 Senators -- and actually,
12 I was not referred to as the 47th; I was referred to
13 the 48th Senator.

14 Q. Fair enough. Okay.

15 And then who was the 47th?

16 A. I'm not sure. I don't recall. It might
17 have been the Clerk of the Senate.

18 Q. Okay. So you spent 20-plus years working
19 with the Senate in the South Carolina General
20 Assembly, correct?

21 A. (Witness nodded head.)

22 Q. Is that a yes?

23 A. Yes.

24 Q. Okay. One other housekeeping, just to
25 remind you because of the court reporter taking down

DEPOSITION OF MIKE COUICK
September 21, 2018

13

1 everything that we say, nods of the head or uh-huh or
2 huh-uh don't really come across in a transcript.

3 A. Thank you.

4 Q. We'll do our best to provide verbal answers
5 in response to -- if you can, do your best to provide
6 verbal answers and responses to my questions, and I
7 will make sure to give you the time to provide
8 whatever answer you want to provide.

9 A. Thank you.

10 Q. All right. So you mentioned a number of
11 roles you had as counsel to various committees within
12 the Senate. Are there any other roles you considered
13 to be significant during your 20-year tenure at the
14 Senate?

15 A. There were a number of major pieces of
16 legislation considered by the House, the Senate, and
17 the General Assembly that occurred from 1984 to 2004.
18 My involvement would have been wearing the same hat
19 or one of those hats I described, but I would have
20 been working on various things that came through the
21 General Assembly over that period of time.

22 Q. And then, so working on these pieces of
23 legislation, what would your role have been?

24 A. I was a staffer. Nothing more than a
25 staffer.

DEPOSITION OF MIKE COUICK
September 21, 2018

14

1 Q. Understood. But what does that mean; what
2 were you doing?

3 A. Well, I was an attorney. I did research. I
4 would have been overseeing other attorneys that would
5 have been doing research. I would have been
6 overseeing the drafting of legislation. Sometimes I
7 would have been doing the drafting.

8 I would have been meeting with members of
9 the General Assembly, both House and Senate, to hear
10 what they would like perhaps in a piece of
11 legislation or a report in working to make sure that
12 their intentions were included in the legislation to
13 reflect the drafter's intent. I was not the drafter;
14 I was the scribe.

15 Q. Okay. So you assisted in drafting major
16 pieces of legislation while you were there; is that
17 right?

18 A. I worked with a team of folks that drafted,
19 yes.

20 Q. Did you lead that team?

21 A. It would have depended upon the matter at
22 hand.

23 Q. Fair enough. And then, so were you also
24 involved in the policymaking decisions as to whether
25 this particular piece of legislation was good for the

DEPOSITION OF MIKE COUICK
September 21, 2018

15

1 people of South Carolina or otherwise?

2 A. No, sir. Policymaking is reserved to the
3 members of the General Assembly. I would have been
4 involved in the research they might have utilized to
5 make that policy.

6 Q. So you were certainly familiar then with the
7 decisions that members of the General Assembly were
8 making in terms of what was the appropriate policy on
9 some of these major pieces of legislation?

10 A. I would have been aware.

11 Q. Did you have a staff, let's say from 2000 to
12 2005, did you have a staff working for you at the
13 Senate?

14 A. I did.

15 Q. How many people were on that staff?

16 A. There would have been, my best recollection,
17 it would have been between seven to ten attorneys,
18 and there would have been cadre of law clerks that
19 would have worked for them. Then there would have
20 been other folks that would have been support staff.
21 That was at a time when a lot of the typing and stuff
22 was not done by the attorney; it would have been done
23 by people that specialized in that process.

24 Q. Is it fair to say that, given your tenure
25 with the Senate, you're well-known throughout

DEPOSITION OF MIKE COUICK
September 21, 2018

16

1 political circles in the State of South Carolina;
2 would you agree with that?

3 A. I have to assume that people that worked
4 with the Senate from '84 to 2004, and if they worked
5 with the issues, they would have known of me, yes,
6 sir.

7 Q. Fair enough. So then in 2005, you retire
8 from the Senate and you join ECSC; is that right?

9 A. That's correct.

10 Q. Why?

11 A. I needed a job.

12 Q. What caused you to need a job? You had one
13 prior.

14 A. Well, I had retired. I had started driving
15 a school bus when I was 15 years of age in Clover
16 School District, York County, South Carolina. I had
17 worked throughout my undergraduate and law school
18 career, generally at the state Senate or the State
19 House of Representatives. I spent one summer working
20 for the law firm of John Spratt in York, and one
21 summer I spent at Troutman Sanders in Atlanta.

22 But coming out of law school, I had quite a
23 bit of retirement time built up and went to work
24 immediately still within government. When I reached
25 that magic number of 28 years and eligible for

DEPOSITION OF MIKE COUICK
September 21, 2018

17

1 retirement, it was, I thought, a smart financial
2 decision to retire. I took the benefit of that and
3 then moved into a different career. I had talked to
4 other folks about opportunities postretirement, but
5 this was one that came along and was one that
6 presented itself as the best option.

7 Q. Okay. So you have been the CEO of ECSC
8 since 2005; is that correct?

9 A. That is right.

10 Q. As the CEO, I take it that you often speak
11 and act on behalf of the organization; is that right?

12 A. When you say "the organization," the
13 organization is a service group for the 20
14 independent electric cooperatives. In terms of the
15 Electric Cooperatives of South Carolina as a
16 corporate entity, I can certainly speak for that --

17 Q. Yeah.

18 A. -- grouped when I'm authorized to state
19 positions, and I certainly have the ability to speak
20 generally about policies established.

21 Q. I'm trying to be a little precise here. So
22 is ECSC a distinct legal entity on its own?

23 A. Yes, sir. The Electric Cooperatives of
24 South Carolina is incorporated.

25 Q. Incorporated; so it is a corporation?

DEPOSITION OF MIKE COUICK
September 21, 2018

18

1 A. Right.

2 Q. Right. And then as the CEO of that -- you
3 are the CEO of that corporation, correct?

4 A. Correct.

5 Q. And then so speaking -- I'm just limiting my
6 question to that particular organization.

7 As the CEO, you often speak on behalf of
8 that organization; isn't that right?

9 A. And I would do so as to the internal
10 operations of that organization and feel free to do
11 that. As it related to matters beyond the scope of
12 that organization, I would only do so as generally
13 under the authorization and guidance of the
14 collective membership of the bond.

15 Q. Understood. Understood. Okay.

16 The reason I was trying to be specific there
17 is, during your testimony today, during the
18 deposition, I may refer to -- and I mean that to
19 include you, Mike Couick. I also mean "you" to
20 include just ECSC. So not other organizations that
21 may be members of ECSC, but just ECSC; is that fair?

22 A. Yes, sir.

23 Q. And if at any point you need to distinguish
24 between you personally and ECSC, please let me know.

25 A. Okay.

DEPOSITION OF MIKE COUICK
September 21, 2018

19

1 Q. All right. Now, you gave us a little bit of
2 this, but I just want to make sure I understand
3 completely. What is ECSC?

4 A. Electric cooperatives across the United
5 States have chosen to be autonomous, independent, in
6 their delivery of electricity to approximately 900
7 service territories. We exist in 47 states. In
8 South Carolina, there are 20 electric cooperatives
9 that serve about 70 percent of the state's land mass,
10 serve about a million-and-a-half people.

11 When they were first created in the state in
12 1939 and they began to evolve and come on line over
13 the next five years, they could pretty much handle
14 all of their own services that they needed on a local
15 level.

16 In 1950, there was a determination made,
17 there were certain things that needed to be done that
18 could best be done at scale, and that's when they
19 formed the electric co-ops of South Carolina. For
20 example, a magazine is published, SC Living, that
21 goes into approximately 700,000 homes a month. That
22 publication is edited and published out of ECSC.

23 There is training of individuals, both soft
24 skills and linemen. We coordinate and handle that
25 training. There are matters that relate to

DEPOSITION OF MIKE COUICK
September 21, 2018

20

1 government relations, both at the state and federal
2 level, where there is still a strong role at the
3 local co-op level, but it's funneled through the
4 statewide organization.

5 Altogether, we have 150 different services
6 and programs that we administer out of the Electric
7 Co-op of South Carolina; some of them as narrow as
8 Youth Tour, sending, this past year, 73 high school
9 rising seniors to Washington. We put on Touchtone
10 Energy Football Games, and others are very broad like
11 our training of approximately 1,500 linemen across
12 the state on a day-to-day, week-to-week basis.

13 Q. Okay. I'm sorry if you mentioned this and I
14 just didn't catch it, but how long has ECSC been in
15 operation?

16 A. 1950.

17 Q. 1950. And then who specifically are ECSC's
18 members?

19 A. Each of the 20 electric cooperatives,
20 distribution cooperatives, have two board members
21 that sit on my board. There are other cooperative
22 entities, like CS, a supply cooperative, Central
23 Electric Power Cooperative, which is an aggregate of
24 electricity purchasing for both Duke Energy, SEPA,
25 and from Santee Cooper has two board seats. Finally,

DEPOSITION OF MIKE COUICK
September 21, 2018

21

1 New Horizon is a services cooperative. So of those
2 23 entites, each have two board members, so I have a
3 board of 46 board members.

4 Q. And so those are members of your board, and
5 then is it automatic that a cooperative in South
6 Carolina is a member of each?

7 A. They can choose to be a member.

8 Q. And then how do they choose? What steps are
9 required for them to elect to be a member?

10 A. It's a year-to-year basis. They choose to
11 sign up and pay dues, and take the magazines as a
12 separate choice.

13 Q. Fair enough. And then what are those dues
14 that a member would be required to pay?

15 A. They're paid based upon the number of meters
16 they serve. Our largest cooperative has about 1,000
17 meters -- excuse me -- 100,000 meters; our smallest
18 has somewhere in the neighborhood of 5,000 to 6,000
19 meters.

20 Q. Sort of a -- do you have a cost per meter;
21 is that how the fees are determined?

22 A. Uh-huh.

23 Q. And what is that cost per --

24 A. A little over \$8 a year, exclusive of the
25 magazine.

DEPOSITION OF MIKE COUICK
September 21, 2018

22

1 Q. Are there other services that are somewhat à
2 la carte or are all of the services --

3 A. Magazine is à la carte. We mention that.
4 We publish a magazine. It goes out 11 times a year.
5 We price it, I think, at 51 cents per month. That
6 includes the printing and the postage of 51 cents,
7 just four cents more than a postage stamp. That is à
8 la carte. All but one of my members takes the
9 magazine. One has chosen not to.

10 Then we offer -- we have kW Savings, Help My
11 House, which is a program that does sanitation -- not
12 sanitation, excuse me -- energy efficiency retrofits.
13 Folks that have -- we have folks that live in housing
14 that's just very substandard and nonstandard, they
15 consume a lot of electricity. What we're trying to
16 do is to avoid building new generation, to reach into
17 those homes and do energy efficiency retrofits where
18 we reduce the amount of the consumption, we also
19 reduce the peak. We offer that as an à la carte
20 service where we help organize that.

21 Q. And how many ECSC members are there in
22 total?

23 A. Currently, today?

24 Q. Currently.

25 A. I have 23 co-ops, both service and

DEPOSITION OF MIKE COUICK
September 21, 2018

23

1 otherwise, that have paid their dues for this year.

2 Q. Now, are there 23 cooperatives in the state
3 of South Carolina?

4 A. There are 20 distribution cooperatives, as I
5 described earlier. There is a transmission
6 aggregation cooperative, Central, that would make 21.
7 CEE-US is a supply cooperative, makes 22. And then
8 New Horizon makes 23.

9 Q. There are no cooperatives in the state of
10 South Carolina that are not members of ECSC; is that
11 right?

12 A. My answer was, as of today, for this year,
13 there are 23 cooperatives that have chosen to pay
14 dues and be members of the Electric Cooperatives of
15 South Carolina. In terms of what their choice may be
16 for next year, that could be different.

17 Q. Sure. Has it fluctuated over time?

18 A. It has.

19 Q. All right. And since 2005, what's the
20 lowest number of co-ops that were members of ECSC?

21 A. That would have been 21. There were two
22 that were not. I have one cooperative now that has
23 indicated it's likely to withdraw, but they have paid
24 their dues through the end of the year.

25 Q. What cooperative is that?

DEPOSITION OF MIKE COUICK
September 21, 2018

24

1 A. Marlboro Electric Cooperative.

2 Q. What are your specific job responsibilities
3 at ECSC?

4 A. I have a position description that was set
5 by the board and by my executive committee when I was
6 hired that has been modified as time goes along.
7 Each of those nearly 150 programs or services we
8 offer is -- falls generally under my scope of
9 responsibility. I view myself as being the person
10 where accountability ultimately lands on each of
11 those.

12 So in terms of what my responsibilities are,
13 I have things I do more often than not in terms of
14 being in public, making public statements, that sort
15 of thing. But my responsibilities in terms of what I
16 do varies dramatically. I would have never thought
17 three years ago I would be involved in what I am
18 doing now.

19 Q. I understand.

20 A. But it varies based upon the needs of the
21 organization.

22 Q. Sure. So generally, is it fair to say that
23 you work with state and federal officials that might
24 have -- might be considering issues that could impact
25 the ECSC members?

DEPOSITION OF MIKE COUICK
September 21, 2018

25

1 A. That's part of my responsibilities. I work
2 a lot with my member cooperatives understanding their
3 needs. With 20 different cooperatives serving
4 70 percent of the state's land mass, what one
5 cooperative may need -- Palmetto, that serves Hilton
6 Head, is very different than the cooperative Lynches
7 River that serves Chesterfield County. The Corridor
8 of Shame along I-95, all those co-ops are territory.
9 So what they need is very individualized, and it's my
10 responsibility to understand that and translate that
11 as we approach policymakers about what the needs of
12 cooperatives are.

13 Q. And you're familiar, are you not, with the
14 Office of Regulatory Staff?

15 A. I am.

16 Q. Do you work with the Office of Regulatory
17 Staff in carrying out your job responsibilities?

18 A. Yes, sir.

19 Q. How so?

20 A. The Office of Regulatory Staff, as I
21 understand, is a mission from AG 175 of 2004, was
22 charged with being unique in the United States in
23 that, rather than having a siloed Public Service
24 Commission that was only really judicial in nature
25 reacting to those. RS is charged with working a

DEPOSITION OF MIKE COUICK
September 21, 2018

26

1 broad range, a broad array of stakeholders to help
2 recommend to the General Assembly policy. It's
3 charged with helping the Public Service Commission
4 make determinations, and it's called upon to invite
5 stakeholders to the table to discuss those issues.
6 The electric cooperatives are a part of that group of
7 stakeholders.

8 So I find myself working with other
9 stakeholders. Coastal Conservation League, I have
10 worked with SCE&G a good bit on a number of issues,
11 I've worked with Duke Energy. Any stakeholder that
12 would be an ORS, I've worked with those groups of
13 stakeholders.

14 Q. Is it fair to say then that you act as, you
15 personally, act as a liaison between ECSC and its
16 members on the one hand, and, for instance, South
17 Carolina General Assembly on the other hand?

18 A. No, sir.

19 Q. Okay. Why? How is that inaccurate?

20 A. I am not a lobbyist, I am a lobbyist
21 principal. I do not routinely go to the General
22 Assembly and stake out positions through individual
23 meetings with members of the House or Senate. Most
24 often if I'm going to have interaction with the
25 General Assembly, it's going to be in a public forum

DEPOSITION OF MIKE COUICK
September 21, 2018

27

1 through offering testimony or just through something
2 that we may be hosting or one of my electric
3 cooperatives is hosting that I would run into them.

4 The role of lobbying and the role of
5 interacting with them is charged with the 20 local
6 cooperatives that have their own liaisons and
7 lobbyists, and then we have registered lobbyists that
8 work for the Electric Co-ops of South Carolina as
9 well.

10 Q. Did I understand you to say that you are a
11 lobbyist principal?

12 A. The Electric Cooperatives South Carolina is
13 a lobbyist principal --

14 Q. Okay.

15 A. -- under South Carolina law.

16 Q. And then what does that mean, to your
17 understanding?

18 A. South Carolina Code 2-17-10 et seq. sets out
19 responsibilities for interaction between members of
20 the General Assembly and lobbyists. It also sets out
21 responsibilities of the lobbyist principal that
22 oversee and report their expenses to the Ethics
23 Commission as to the activities of their lobbyists.

24 Q. You said that you interacted with the Office
25 of Regulatory Staff periodically in connection with

DEPOSITION OF MIKE COUICK
September 21, 2018

28

1 carrying out your duties. Who, prior to let's say
2 July 31st, 2017, who was your primary point of
3 contact at ORS?

4 A. It would have been dependent upon the issue.
5 If we were working on the State Implementation Plan
6 for the Clean Power Plan under the Obama
7 Administration, which is something we worked on
8 extensively, my primary contact there would have been
9 Mave, and probably also Nanette Edwards. If it were
10 another issue, it might have been Anthony James. It
11 would depend on what the issue was, would have been
12 the primary contact.

13 Q. You're familiar with the construction of new
14 nuclear facilities at the V.C. Summer plant, aren't
15 you?

16 A. I don't understand the question.

17 Q. Sorry. It's a phrase that we refer to in
18 this case as "The Project" and The Project is the
19 construction of Units 2 and 3 at the V.C. Summer
20 Nuclear --

21 A. I'm aware of that.

22 Q. You're aware of that. Okay.

23 Did you interact -- and I understand from
24 some testimony that you have provided that we will
25 talk about in more detail, but I understand that you

DEPOSITION OF MIKE COUICK
September 21, 2018

29

1 interacted with the ORS in some way as related to
2 this project, didn't you?

3 A. The Project, in its inception, goes back to
4 the mid 2000s in terms of when legislation was first
5 considered, and then it goes through a process before
6 the Public Service Commission for the initial Base
7 Load Review Act consideration. At every stage, I
8 would have interacted with someone maybe different
9 about that. I would have interacted --

10 We urged both SCANA and Santee Cooper to
11 allow Duke Energy into the project going back to
12 2007, 2008, 2009; would have interacted with people
13 at ORS at that point in time. So it really depends
14 on what phase you're talking about between inception
15 until now.

16 Q. Fair enough. We'll talk about some of those
17 in more specific detail later.

18 Do you know Dukes Scott?

19 A. I do.

20 Q. How long have you known Dukes Scott?

21 A. Since 1985 or '6.

22 Q. How would you describe your relationship
23 with Mr. Scott?

24 (Interruption; the record was read as
25 requested.)

DEPOSITION OF MIKE COUICK
September 21, 2018

30

1 THE WITNESS: We are friends. We
2 are colleagues.

3 BY MR. CHALLY:

4 Q. Do you communicate with him regularly?

5 A. Not nearly as much as I used to.

6 Q. When, so when did that begin to wane?

7 A. When he retired.

8 Q. When he retired.

9 All right. So during -- prior to July 31st,
10 2017, you communicated with him quite regularly; is
11 that fair?

12 A. It would depend on where things were with
13 various things. If it were an ice storm and it was
14 restoration, it would have been starting at 3:00 in
15 the morning through midnight. It would depend on
16 what was going on.

17 Q. Fair enough. And you're familiar, are you
18 not, with the Public Service Authority of South
19 Carolina, correct?

20 A. Santee Cooper, yes.

21 Q. Santee Cooper, yes.

22 What is ECSC's relationship with Santee
23 Cooper?

24 A. We have no official relationship with Santee
25 Cooper. Central Electric Power Cooperative, a

DEPOSITION OF MIKE COUICK
September 21, 2018

31

1 member, has a contractual relationship with Santee
2 Cooper.

3 Q. And that document's referred to as the
4 Coordination Agreement; is that right?

5 A. That's what sets out that relationship.

6 Q. Do you know who the parties are to the
7 Coordination Agreement?

8 A. I'm not sure what you're asking.

9 Q. Are you familiar with the Coordination
10 Agreement?

11 A. I am.

12 Q. Can you generally describe for us what the
13 Coordination Agreement provides?

14 A. Coordination Agreement, as I understand, it
15 goes back to about 1980 in its current iteration, it
16 may have had some predecessor documents before then,
17 that set up a relationship initially between, I
18 believe it was 15 electric cooperatives, through
19 Central Electric Power Cooperative with Santee
20 Cooper. The only two parties to the agreement were
21 Central and Santee Cooper. That has had a series of
22 amendments over time, and I think the most recent one
23 was in 2013.

24 Q. And you understand that in 2013, the
25 Coordination Agreement was changed so as to obtain a

DEPOSITION OF MIKE COUICK
September 21, 2018

32

1 portion of -- so that cooperatives could obtain a
2 portion of their power from Duke Energy; is that
3 right?

4 A. That's not true.

5 Q. Okay. What changed?

6 A. The Coordination Agreement's change in 2013
7 is not what enabled the, what I call the Duke Deal.
8 That preceded, that I recall, it was probably 2009,
9 2010. It was an evolution of that happening that was
10 separate and apart from the 2013 agreement.

11 Q. Okay. Then what was the change in 2013, to
12 your memory?

13 A. There were a number of changes listed there.
14 I was not the attorney that negotiated the changes.
15 The ones that are top-of-the-hat are that it allowed
16 for a longer period of time for the duration of the
17 agreement it was originally scheduled in prior to its
18 current duration. It also allowed the cooperatives
19 to make certain decisions about future generation
20 decisions differently that would have been allowed
21 under the previous agreement. And there were certain
22 other things that came out of that 2013 agreement.

23 Q. Fair enough. Let me ask my question or get
24 it to point a little more precisely.

25 Is it true to say that, through the

DEPOSITION OF MIKE COUICK
September 21, 2018

33

1 Coordination Agreement, at least, say, 2005, ECSC's
2 members, cooperatives, purchased all of their power
3 from either Santee Cooper or Duke Energy?

4 A. That's not true.

5 Q. Not true. Okay. How is it not true?

6 A. They received a certain portion from the
7 Southeastern Power Association, which was originally
8 created to allow for the damming of flood risk waters
9 along the Savannah River, SEPA. It has the
10 impalements, and the power produced there under what
11 came out of the new deal was principally allocated to
12 either municipalities or public power in the form of
13 electric cooperatives. So a part of that flows into
14 the cooperatives as well.

15 Q. That's the only other source for power for
16 the electric co-ops?

17 A. Purchase power. We also own Community Solar
18 at the local cooperative level. There is also --
19 were, at one point, since 2005, at one point, there
20 were some diesel generators originally owned, I'm not
21 sure whether it was New Horizon, Saluda River which
22 no longer exists, or Central Electric Power
23 Cooperative, that were used for peak shaving. I'm
24 not sure who has ownership of those generators now.

25 Q. So I believe we have both referred to this

DEPOSITION OF MIKE COUICK
September 21, 2018

34

1 entity already but I will make it clear. You're
2 familiar with South Carolina Electric & Gas Company,
3 correct?

4 A. I am.

5 Q. Is it okay if I refer to that entity as
6 SCE&G today?

7 A. That would be fine.

8 Q. Okay. Does ECSC itself have any contractual
9 arrangement with SCE&G, that you're aware of?

10 A. On the contractual basis, we purchase
11 electricity from SCE&G.

12 Q. ECSC as an entity does?

13 A. Yes, sir.

14 Q. To your knowledge, does any ECSC member have
15 any contractual agreement with SCE&G?

16 A. Of the distribution cooperatives, over time,
17 there have been delivery points or transmission
18 provided by SCE&G. I'm not familiar with where we
19 are today in terms of any of those delivery points
20 being SCE&G or not. That would be a question for
21 Central or one of their attorneys or one of their
22 officials.

23 Q. Fair enough. I'm not sure I understand what
24 you mean by "delivery point." Can you just describe
25 that in a little more detail?

DEPOSITION OF MIKE COUICK
September 21, 2018

35

1 A. The ability to deliver electricity, there is
2 the generation phase, there is the transmission
3 phase, and there's the distribution phase. Recall
4 that my education, I have a literature degree and a
5 law degree; I don't have an electrical engineering
6 degree.

7 Those delivery points sometimes are owned
8 by, whether it be a Duke Energy Carolinas or by
9 SCE&G. It may make more sense for electricity, as
10 electrons, to be delivered by SCE&G because it's
11 closer to Berkeley Electric Cooperative, or Santee
12 Cooper would not have to build new facilities to get
13 there.

14 Those have been some of the decisions that
15 utilities, in general, have made over time; what's
16 the least costly way to get from G to D, and that
17 delivery point may shift around from time to time.

18 Q. But other than those delivery points, you're
19 not aware of any ECSC member having any sort of
20 direct contractual relationship with SCE&G; is that
21 right?

22 A. And again, I wouldn't be familiar with 20 or
23 23, every relationship, but just -- I'm not aware of
24 it.

25 Q. Yes, sir. Okay.

DEPOSITION OF MIKE COUICK
September 21, 2018

36

1 So a related question: Each of the ECSC
2 members have customers of their own, right, like
3 pairs of some sort?

4 A. We have member-owners.

5 Q. Member-owners. All right.

6 To your knowledge, do any of the
7 member-owners receive power through SCE&G?

8 A. A member-owner is either an individual or a
9 business or a commercial entity. So if you were
10 speaking about a large customer, industrial customer,
11 of a single electric cooperative that had multi-plant
12 operations but they were under a single corporate
13 head, that single corporate entity would likely, in
14 South Carolina, to also be a customer of either
15 SCE&G, Santee Cooper, Duke Energy Carolinas or Duke
16 Energy Progress, and their own cooperative.

17 They are a member to us as to their account
18 at that local cooperative, but they may have
19 contractual relationships, buying power from other
20 utilities. I wouldn't be able to tell you today how
21 many of those. There are individuals that live on a
22 co-op line for their primary residence that may have
23 a separate residence that they're also served by
24 SCE&G.

25 Q. Yeah. Understood. And I think what I'm

DEPOSITION OF MIKE COUICK
September 21, 2018

37

1 trying to get at is, if you receive power through a
2 member of ECSC, at that location where you receive
3 power, you would not also receive power from SCE&G;
4 isn't that right?

5 A. If a local distribution customer
6 member-owner receives power from one of the 20 local
7 cooperatives, the juice that flows into their home is
8 coming from their electric cooperative for that --
9 wherever that residence is, would be the same thing
10 for a commercial or industrial load.

11 And there may be certain exceptions. The
12 Haile Gold Mine is an exception to that, but it flows
13 not from SCE&G but from Duke. There are different
14 accommodations sometimes that utilities can make.
15 But as a general matter, if you're served by a co-op,
16 the electricity coming in is from the co-op.

17 Q. Are you familiar with what has been commonly
18 known as the Base Load Review Act?

19 A. I'm aware of it. I won't say that I'm
20 familiar with it.

21 Q. Were you involved at all in the process
22 through which the Base Load Review Act passed the
23 General Assembly?

24 A. I was. There are three components to the
25 Base Load Review Act. One component is the part

DEPOSITION OF MIKE COUICK
September 21, 2018

38

1 that's most commonly referred to as the Base Load
2 Review Act, which was advocated by Duke Energy
3 primarily and principally at first that dealt with
4 ability to recover cost based upon proof of prudence
5 or, you know, you took your plan forward, if you
6 stuck with your plan and you proved that prudent
7 decision-making. That was not the part the
8 cooperatives were interested in.

9 There was a second part that dealt with the
10 ability to treat certain fuel-related costs as part
11 of fuel and with part of fuel adjustment. That was
12 not the part the co-ops were interested in.

13 The third part dealt with if you had
14 territory in South Carolina as a co-op and someone
15 chose to locate a load more than 750 kW, which is
16 essentially the size of a Super Walmart or higher.
17 Investor-owned utilities, up until the point the time
18 the Act was passed, had the ability to reach into
19 that co-op territory and take that load by offering a
20 better deal.

21 So what we had were co-ops that were
22 building facilities, line substations, and others,
23 anticipating growth, only to have an announcement
24 that there was going to be perhaps an industry,
25 whatever, that was going to be coming in there, and

DEPOSITION OF MIKE COUICK
September 21, 2018

39

1 someone like an SCE&G or a Duke or otherwise would
2 poach that load.

3 So it was really an inefficient allocation
4 of resources where there was not territorial
5 integrity. The cooperatives were very much for
6 territorial integrity. In fact, we still are today.

7 Q. And so you were involved in this last piece;
8 is that correct?

9 A. Right.

10 Q. All right. Now, you said -- I'm going to
11 focus on the first and the last for a second, the
12 first and the last of the pieces of the BLRA that you
13 described. All right?

14 The first, as I understood it, was something
15 you described as Duke pushing for --

16 A. Initially.

17 Q. Initially? Okay. But you indicated that
18 the cooperatives weren't interested in that portion
19 of the BLRA?

20 A. We supported it to the extent we were told
21 that it was the only way to get new nuclear built in
22 this country. And in fact, I testified to a Senate
23 subcommittee to that extent, that if we were, in
24 2007, looking at the need for electricity, it looked
25 like it was going to be one in the carbon-constrained

DEPOSITION OF MIKE COUICK
September 21, 2018

40

1 world, and that looked like the best option. And we
2 had been told the only way to get that amount of
3 capital investment was to have a concept or legal
4 construct like the Base Load Review Act.

5 Q. Where were you informed of that position
6 that this sort of construct was required to get new
7 nuclear?

8 A. It was everywhere from The State newspaper
9 to speeches I heard delivered by officials of both
10 Duke and SCANA that this was something that was
11 required, because investors had been snakebit by what
12 had occurred, I guess in the 1980s, where nuclear
13 units were begun, the regulations were changed, and
14 only to -- it was just every time something was
15 changed, you had to go back into a regulatory
16 proceeding in order to get the approval.

17 The then-CEO of Central Electric Power
18 Cooperative had begun his career, I believe in Ohio
19 or Michigan, one, where he had worked for a number of
20 years on a unit that was never completed and
21 ultimately took the company bankrupt. And so I had
22 heard that. So the thought was, and I think this was
23 on the back side of the 2005 Energy Policy maybe
24 coming out of Washington, that they had indicated
25 that Congress had indicated a strong interest in a

DEPOSITION OF MIKE COUICK
September 21, 2018

41

1 new generation of nuclear, and they had come up with
2 a new form of licensing that would allow for things
3 to move forward more quickly.

4 And again, all of these things are things I
5 know at a basic level. I don't know them in-depth,
6 but I would have thought, well, this makes sense.
7 From what I'm hearing, Wall Street is not going to
8 back it.

9 In 2007, you have the ruling of the Supreme
10 Court in Massachusetts versus EPA that allows for the
11 EPA to regulate CO2 emissions, and it all seems to
12 fit together than if you're going to tackle carbon,
13 and you can do so in a cost effective way.

14 At that time, Santee Cooper was 84 percent
15 coal by way of how it generated electricity. If you
16 were looking at the options of a carbon tax under
17 Waxman-Markey versus a solution, and the carbon tax
18 was as much as \$200 per metric ton, for every ton of
19 coal you burn, you get three metric tons of CO2. It
20 was a no-brainer that you needed to find a solution
21 that would work.

22 Q. So you needed to find a solution to issues
23 related to carbon, right?

24 A. In addition, every -- co-ops were growing in
25 the ten years prior to that, on average, 5.2 percent

DEPOSITION OF MIKE COUICK
September 21, 2018

42

1 per year. And so when you look at that ten-year,
2 there is a lot of growth, and that's before the Great
3 Recession of 2008, 2009. Since then, growth has been
4 flat. But, you know, things change, times change.

5 Q. So let me just put a recap, if I can. You
6 can correct me if any of this is wrong. You, as the
7 CEO of ECSC at the time the Base Load Review Act is
8 being evaluated, knew that there were projections for
9 a need to have new load; isn't that right?

10 A. Yes, sir.

11 Q. And that not only did you need new load
12 capacity, but you needed that load capacity to be
13 clean of some kind; is that right?

14 A. Needed to be carbon constrained.

15 Q. Carbon constrained. Thank you.

16 And then did you know personally that, or
17 through ECSC, that the only way to get -- well, let
18 me strike that, let me ask a different question.

19 So nuclear was a -- was a very good
20 alternative to provide both the new load capacity
21 that was necessary, and to provide it in a way that
22 was carbon constrained; is that fair?

23 A. It wasn't the best road but it was a road.
24 The road that we actually articulated and supported,
25 beginning at that time, was we wanted to avoid

DEPOSITION OF MIKE COUICK
September 21, 2018

43

1 building half of a nuclear unit. We wanted to do
2 that through the Help My House program I described
3 earlier of energy efficiency retrofits in housing.
4 We pursued that at the federal level, became enacted
5 by Congress and is current law. A way for co-ops to
6 finance on-bill financing, we pursued legislation
7 here in South Carolina to allow for on-bill
8 financing. But that was a process that was projected
9 to take time to build out, but it was a way.

10 Where we saw the value of nuclear was, you
11 needed an all-of-the-above solution. We thought that
12 the solution, as articulated later, was wrong-sized
13 for South Carolina cooperatives. We expressed that.
14 But as it relates to needing new nuclear as a general
15 concept in that 2005 to 2008, '9, there was no
16 question that there was a need for nuclear to be part
17 of the solution.

18 Q. Then did you understand that, at that time,
19 the time of the Base Load Review Act was being
20 considered, that the only way to achieve a new
21 nuclear plant was through some mechanism like the
22 Base Load Review Act?

23 A. I had been told that was the only way to
24 achieve it.

25 Q. And what was your understanding as to why

DEPOSITION OF MIKE COUICK
September 21, 2018

44

1 that was the only way to achieve it?

2 A. I had been told by representatives of those
3 utilities looking to finance and build new nuclear,
4 that was the only way they could raise capital.

5 Q. And what was unique to your understanding
6 about the Base Load Review Act that would facilitate
7 their identification capital?

8 A. I was told that, again, going back to the
9 1980s, they were concerned that there was the
10 possibility that things could change. For investors,
11 they wanted more certainty than the possibility of
12 things changing, and that this provided a level of
13 certainty they were looking for.

14 Q. They wanted more certainty as to whether and
15 to what extent they could recover costs associated
16 with those nuclear developments; is that fair?

17 A. That's your statement about what the summary
18 might be. I would have heard it in any different --
19 any number of different forms about how expressed,
20 depending on who was making the expression.

21 Q. I guess what I'm trying to understand is:
22 What do they want certainty about; did you have an
23 understanding?

24 A. Again, investors, I believe from what I
25 heard from investor-owned utilities, believed that

DEPOSITION OF MIKE COUICK
September 21, 2018

45

1 they could not raise capital to finance the building
2 of these large nuclear units, unless there was
3 certainty that if they had a plan when they started
4 that was approved by the appropriate regulatory
5 authority, and they stuck to the plan under the
6 constructs of the law and what the law required by
7 systematic and periodic reporting and other parts of
8 the law, that if they followed that plan, that on the
9 back side there would be certainty about recovery,
10 whether the unit was finished or not.

11 But at the time it was expressed, it was
12 never expressed whether it was finished or not; it
13 was more expressed about, if things change, as long
14 as we stick to the plan and we act prudently, we'll
15 have the ability to recover. That was what was said,
16 pronounced by executives of the investor-owned
17 utilities.

18 Q. And you understood at the time that that
19 included both the possibility of the plant being
20 constructed and the plant not being constructed; is
21 that right?

22 A. I would have never focused even on the
23 possibility of the plans not being finished. It was
24 never something that was really, really ever
25 articulated as being a possibility. Because there

DEPOSITION OF MIKE COUICK
September 21, 2018

46

1 was so much optimism being expressed by those people
2 building at the time they begun this, I don't think
3 that anybody was out there on the stump saying, but,
4 wait, we need this because we may not be able to
5 finish it.

6 They were talking about it in the context of
7 whether it be delayed, changed or whatever. Nobody
8 was ever offering up the possibility of failure. I
9 don't know that it would have been ever top-of-mind
10 to me.

11 There were more cheerleaders for new nuclear
12 at that time than there was either for the Gamecocks
13 or the Clemson Tigers. I mean, they just wanted new
14 nuclear.

15 Q. And so it was generally accepted at the time
16 that new nuclear was an important policy for the
17 state of South Carolina to pursue; is that fair?

18 A. That was my impression of how it was being
19 pursued.

20 Q. And further, your understanding that in
21 order to get new nuclear, you needed to create a
22 legal construct that provided certainty to the
23 investor-owned utility?

24 A. I can't offer a legal opinion on that. I'm
25 just saying, these are what people were saying within

DEPOSITION OF MIKE COUICK
September 21, 2018

47

1 the industry that was needed.

2 Q. And that's all I'm asking for, what you
3 recall in terms of what people in the industry were
4 saying and what you, as an interested observer, were
5 aware of in that regard.

6 So you were aware, were you not at the time,
7 that to achieve new nuclear, certainly as to the cost
8 of constructing a new nuclear plant, was important to
9 investor-owned utilities; is that right?

10 A. They were telling me it was important for
11 them.

12 Q. Now, you said at one point that you thought
13 some aspects, and I believe you were referring to the
14 project, were wrong-sized. Do you recall that
15 testimony?

16 A. (Witness nodded head.)

17 Q. When did you reach that conclusion?

18 A. And this was primarily a question between
19 Santee Cooper and the cooperatives. What was the
20 right amount of investment for Santee Cooper in new
21 nuclear.

22 And I don't have any specific memory of a
23 particular date, but there were deliberations within
24 the Central boardroom about the appropriate amount of
25 investment by Santee Cooper. What they were on the

DEPOSITION OF MIKE COUICK
September 21, 2018

48

1 hook for was 45 percent of each of the two units.
2 They owned 33 percent of Unit One; that was the
3 original partnership they had with SCE&G. The co-ops
4 probably have expressed different numbers at
5 different times as being optimal.

6 It would be an oversimplification to say
7 that changing conditions didn't change what that
8 number ought to be. If you looked at what the number
9 ought to be post-Obama Administration with the Clean
10 Power Plan, it's radically different than when there
11 was going to be carbon constraint. But over time,
12 that number was significantly lower than 45 percent.

13 Q. So at the time the Base Load Review Act was
14 passed, were you expressing reservations regarding
15 whether the contribution of Santee Cooper to the
16 project was wrong-sized?

17 A. That would have been something that mainly
18 would have been communicated between Central Electric
19 Power Cooperative to Santee Cooper. I would not have
20 been part of that communication process.

21 Q. Fair enough. My question is as to timing.
22 Do you recall when that concern was raised; before
23 the Base Load Review Act or after?

24 A. Today, sitting here, I don't know. I cannot
25 even recall the exact day the Base Load Review Act

DEPOSITION OF MIKE COUICK
September 21, 2018

49

1 was signed by the governor. I cannot recall from
2 memory the dates that correspondence would have gone
3 back and forth between Central and Santee Cooper.

4 I do recall that as early as 2008, 2009, I
5 was being asked to ask both Santee Cooper and SCANA
6 for help -- I was being asked to help get Duke Energy
7 Carolinas into Jenkinsville.

8 Q. Who was asking you to do that?

9 A. Duke Energy Carolinas was asking for help to
10 get into Jenkinsville.

11 Q. Why did you understand Duke Energy wanted to
12 be involved in this?

13 A. They thought the regional building of
14 generation was a smart approach to new nuclear. It
15 spread risk. They had a site in Cherokee County that
16 may not have been optimal but they were considering
17 because of water flow. They thought it would be a
18 good thing that if this new era of nuclear, that
19 everybody in the state kind of went in it together.
20 This would have been prior to the initial inking of,
21 I think it's the EPC, and I was asked to see if they
22 could get meetings with the then-heads of both Santee
23 Cooper and SCE&G, and I asked for the assistance of
24 the head of ORS to do that.

25 Q. And the head of ORS at that time would have

DEPOSITION OF MIKE COUICK
September 21, 2018

50

1 **been?**

2 A. Dukes Scott.

3 Q. You said that the cooperatives weren't
4 particularly interested in this particular aspect of
5 the BLRA, and so I want to make sure I understand how
6 it came to be that you took up this charge on behalf
7 of Duke.

8 A. The 750 rule, as I described it earlier, the
9 poaching allowance, had been a sore spot for
10 cooperatives for decades. And public policy
11 development, sometimes you have to put enough things
12 together to make the wheels on the train move.

13 So the block for the 750 rule reform had
14 always been the investor-owned utilities. They came
15 forward with their BLRA proposal, and they say we
16 really need this and we need it for good reasons, and
17 if you will go along with this, we'll give
18 territorial integrity to cooperatives, and we believe
19 that both of those ideas are good ideas.

20 Q. So, and did you agree with those statements?

21 A. Certainly agreed that getting rid of the 750
22 rule was a good thing. And based upon what I was
23 being told, I believed that the Base Load Review Act
24 was necessary for building a new generation of
25 nuclear.

DEPOSITION OF MIKE COUICK
September 21, 2018

51

1 Q. Can you tell me what you did to further this
2 desire of Duke Energy to become involved in
3 Jenkinsville? You said you discussed that with the
4 head of ORS, but tell us a little bit more about what
5 you did at the time.

6 A. I asked for ORS to share with then-CEO Kevin
7 Marsh of SCE&G the importance of them listening to
8 the proposal to be made by Duke Energy Carolinas. I
9 expressed to Ron Calcaterra, the then-head of
10 Central, the need for someone at Santee Cooper to
11 listen to a proposal being made by Duke Energy
12 Carolinas. My memory is that both of those meetings
13 took place, and that whatever the proposal was
14 offered by Duke Energy Carolinas at the time was
15 unacceptable.

16 Q. So you were able to arrange a meeting
17 with --

18 A. I was not present at the meeting. I was
19 able to arrange them being able to meet.

20 Q. You were able to arrange a meeting with
21 folks at Duke and folks at SCE&G or SCANA, and
22 others, that would have an interest in this; is that
23 right?

24 A. (Witness nodded head.)

25 Q. Do you recall -- I'm sorry, is that a yes?

DEPOSITION OF MIKE COUICK
September 21, 2018

52

1 A. Yes, sir.

2 Q. Do you recall roughly what time this would
3 have been?

4 A. No, sir. It could have been in probably the
5 '08, '09 time frame.

6 Q. Did ECSC prepare talking points related to
7 the BLRA?

8 A. We did.

9 Q. Do you recall the substance of what those
10 talking points contained?

11 A. We talked through each of the three parts of
12 the bill. We described support for each three parts
13 of the bill. Those were provided to the members of
14 the General Assembly. We recently provided that copy
15 to the General Assembly again last year as part of
16 its deliberations over the wisdom of having passed
17 the BLRA.

18 Q. So do you -- can you access a copy of those
19 particular talking points today?

20 A. I don't have them with me today, no, sir.

21 Q. I understand, sir. But do you know how to
22 find those things today?

23 A. No, sir, but I know people that do.

24 Q. And the talking points were in favor of each
25 of the three components of the BLRA that you

DEPOSITION OF MIKE COUICK
September 21, 2018

53

1 **identified?**

2 A. Expressed a general level of support,
3 depending upon what our particularized interest was.

4 Q. Then you -- you indicated that this third,
5 this poaching allowance provision --

6 A. 750 rule.

7 Q. 750 rule -- was the primary focus of the
8 cooperatives at the time as it related to the BLRA;
9 is that right?

10 A. Yes, sir.

11 Q. Can you tell me what you did to further the
12 interest of the cooperatives as it relates to that
13 rule, specifically?

14 A. Legislation was drafted. Each of the member
15 20 cooperatives would have used their local liaison
16 lobbyist to lobby in favor of that. It was passed.

17 Q. And you facilitated those efforts; is that
18 fair?

19 A. Are you asking me that as an individual or
20 as the organization ECSC?

21 Q. Both.

22 A. I would not have been the person supervising
23 the local folks; that would have been my Vice
24 President of Government Relations. I would have been
25 the person that would have been generally aware of

DEPOSITION OF MIKE COUICK
September 21, 2018

54

1 the movement of the effort.

2 Q. But ECSC, as a whole, was supporting the
3 efforts --

4 A. Yes, sir.

5 Q. -- of the cooperatives --

6 A. Yes, sir.

7 Q. -- to get this passed?

8 A. Yes, sir.

9 Q. And so you believed, at the time, that these
10 three components of the BLRA were sort of a good deal
11 in light of the interests that you were focused on;
12 is that right?

13 A. I thought they were good public policy.
14 Based upon what we were aware of at the time, that it
15 was good public policy.

16 Q. And did you agree at the time that SCE&G and
17 Santee Cooper started building the new nuclear
18 reactors at V.C. Summer that it was the right
19 decision to proceed that project?

20 A. Been quoted to that.

21 Q. On what did you base that decision?

22 A. Again, if you look at the decision to build
23 and what was happening in the world and in South
24 Carolina at the time with growth, and also as it
25 related to the likelihood of carbon constraint, it

DEPOSITION OF MIKE COUICK
September 21, 2018

55

1 was part of an appropriate, all-of-the-above
2 solution. It wasn't the only solution, it wasn't a
3 perfect standalone solution, but it was part of the
4 solution.

5 Q. Were you in any way involved in SCE&G's
6 initial proceeding before the South Carolina Public
7 Service Commission in which the PSC ultimately
8 approved of SCE&G's application for a Base Load
9 Review order that would allow SCE&G to proceed with
10 the project?

11 A. I don't recollect any particular
12 involvement. May very well have been some based upon
13 the organization, but beyond that, I just don't
14 recollect. If there's something specifically that
15 you want to ask about --

16 Q. I'm just trying to get any memory you have
17 of that early proceeding and your involvement in it.
18 No?

19 A. Not that I remember.

20 Q. Okay. Fair enough.

21 After -- you are aware though that PSC
22 granted approval to SCE&G, right?

23 A. Right.

24 Q. After that approval, to what extent, if any,
25 were you involved in monitoring the progress of the

DEPOSITION OF MIKE COUICK
September 21, 2018

56

1 **project?**

2 A. Again, that primary responsibility would
3 have been one of the partners at the project; SCE&G
4 and Santee Cooper. The primary monitoring of the
5 partner, Santee Cooper, would have been by Central
6 Electric Power Cooperative. ECSC nor myself had
7 primary responsibility or relationship for that.

8 I would have been aware of reports being
9 given at various opportunities of meetings with
10 Santee Cooper about their statements as to the
11 progress of the project. Those would have been at
12 differing intervals in the rapidity of the intervals
13 over time. I would have also been aware of generally
14 any reports in the paper that would have been about
15 it. I would have had irregular conversations early
16 on about it. I don't believe the first spadeful of
17 dirt was really turned until later, from what I
18 recall.

19 But I would have made, I think, two site
20 visits to the unit at the invitation of Santee Cooper
21 with my other co-op -- my boards, my board's board
22 members. On one occasion that I would have gone
23 there again later at the invitation of ORS and SCE&G
24 in 2016, but I would not have toured the site with
25 any ability to know what was going on.

DEPOSITION OF MIKE COUICK
September 21, 2018

57

1 Q. So I'm going to talk about some of your
2 activity in late 2015 and early into 2016, so hold
3 that for a second.

4 A. Okay.

5 Q. Between the time of the initial Base Load
6 Review order and approving the project, and that time
7 in 2015 and 2016 I believe you identified a handful
8 of ways in which you were informed. So I just want
9 to talk about those. Okay?

10 You said that you were aware of reports, and
11 I understood -- I'm not exactly sure of what you mean
12 by "aware of reports." What are you referring to?

13 A. I think I gave you two categories. One were
14 reports that were coming from Santee Cooper as one of
15 the partners. And many of those were anecdotal. An
16 example, there was a problem with the rebar or
17 they're having to do a re-pour or whatever. Those
18 would have been -- those would have been reports that
19 would have come up not directly to me; they would
20 have been occasions where I would have been in a
21 room, and executives of Santee Cooper were giving a
22 report on progress.

23 The other reports were just the more general
24 reports that anybody could have read, primarily in
25 The State newspaper or the Post & Courier.

DEPOSITION OF MIKE COUICK
September 21, 2018

58

1 Q. So you were meeting with Santee Cooper
2 executives on other issues and topics related to the
3 project would come up?

4 A. Again, this depends on which year you're
5 talking about. There are a series or a couple of
6 different forums that Santee Cooper and the co-ops
7 historically have utilized to discuss issues of
8 common importance. Some of those I'm a part of, some
9 of them I'm not. The ones that I'm most often a part
10 of really began later than the initial years after
11 the Base Load Review Act. There were quarterly
12 partnering meetings where there would have been an
13 opportunity for someone to report on aspects of
14 nuclear.

15 And again, my involvement with nuclear is
16 mainly one of public policy. So the desire of Santee
17 Cooper and SCANA to have a change in the nuclear
18 production tax credit would have been an issue I
19 would have worked on. I would not have been that
20 person that they would have wanted or trusted to talk
21 about whether they ought to do a re-pour or
22 reposition rebar. They would have been focused on
23 the policy aspect.

24 Q. Yeah.

25 A. So it depends on, again, which year you're

DEPOSITION OF MIKE COUICK
September 21, 2018

59

1 talking about. Because we were dealing with the
2 State Implementation Plan under the Clean Power Plan.
3 The first Obama administration release of that did
4 not count new nuclear as part of the solution. We
5 were going to have to essentially build four nuclear
6 units to get the credit for two nuclear units. It
7 was going to cost the state a billion dollars a year
8 to get that solution under the original EPA release
9 of the Clean Power Plan.

10 So the cooperatives worked hard to have
11 182,000 e-mails go to the EPA in Washington to share,
12 why are you wasting our money? And we would have
13 worked hand-in-hand with the leadership of SCE&G and
14 Santee Cooper to achieve that change. Why invest in
15 these two units when they were not going to provide
16 relief from what would have been an environmental
17 penalty. We would have worked with ORS extensively
18 on that effort. We worked with DHEC on it. That was
19 a three-year effort.

20 That would have been when I would have seen
21 Anthony James and Nannette Edwards and others
22 certainly on a weekly basis, along with the Coastal
23 Conservation League, and others, trying to get a
24 rational approach to what was going to be a Clean
25 Power Plan.

DEPOSITION OF MIKE COUICK
September 21, 2018

60

1 Q. So you said that was a three-year process.
2 Can you give us benchmarks for that?

3 A. Well, you can think about, I believe, the
4 first release was probably June of 2014, if I recall
5 right, of the Clean Power Plan. It would have been a
6 year, year and a half before that, and then another
7 year after that. They announced a right-size Clean
8 Power Plan, I believe, in August of 2015.

9 And I want to share with you, I think I have
10 gotten my months right; first one came out in June,
11 the last one came out in August, but I may be off by
12 a year on either '14 or '15.

13 Q. Okay. Fair enough.

14 What sort of, in that intensive effort that
15 you were involved in as you described, what sort of
16 information would you have collected regarding the
17 status of the project at the time?

18 A. Status was one where, as it relates to the
19 Clean Power Plan, that I would have shown, along with
20 Dukes Scott at a meeting in Washington of all the
21 Congressional staff, about why it was important not
22 to treat the new units as being already complete.

23 There was a September meeting of the staffs
24 of all the members of the House and Senate in
25 Washington to share with them pictures of where

DEPOSITION OF MIKE COUICK
September 21, 2018

61

1 things were at Jenkinsville, and it was because the
2 EPA was telling us that they were treating these as
3 already completed units, and since they were already
4 completed, they didn't get to count toward the new
5 solution.

6 There wasn't a bit of electricity flowing
7 out these two holes in the ground, and it wasn't
8 about there being holes in the ground and that being
9 a problem, it was about there being holes in the
10 ground that are not producing electricity, but you're
11 still holding us to building something new in
12 addition to these.

13 So that would have been sharing with people
14 in D.C. that could have an impact on regulators. I
15 met with folks of the White House with both SCE&G and
16 leadership of Santee Cooper to share that story to
17 get the EPA to change. Met with EPA officials, I met
18 with representatives of my National Trade
19 Association, NRECA to share that message. South
20 Carolina and Georgia were unique. We were the only
21 two states that really had a dog in this fight of
22 getting it -- the rule changed to allow for this, and
23 we worked hard on it.

24 Q. All right. So that's your primary
25 interaction with the project from the time of the

DEPOSITION OF MIKE COUICK
September 21, 2018

62

1 initial Base Load Review Order to this 2015 --

2 MR. ELLERBE: Object to the form
3 of the question. You can go ahead and answer.

4 BY MR. CHALLY:

5 Q. Is that fair?

6 A. Could you ask it again?

7 MR. CHALLY: Yeah, could the court
8 reporter read it back?

9 (The record was read as requested.)

10 BY MR. CHALLY:

11 Q. I'm trying to make sure I have gone back to
12 what you described earlier as the means through which
13 you received information related to the project in
14 this time frame between the initial Base Load Review
15 Order and 2015, late 2015. Okay?

16 You talked about reports that you received
17 from Santee Cooper, and you highlighted those reports
18 as relating specifically to this particular issue in
19 your --

20 A. They would have been anecdotal about
21 construction. It would not have been an overall
22 assessment about progress, generally.

23 Q. That's what I want to understand, these
24 anecdotal statements. What do you recall about
25 anecdotal --

DEPOSITION OF MIKE COUICK
September 21, 2018

63

1 A. I told you what I could recall. I remember
2 the words rebar and concrete re-pour. Those would
3 have not been things that I would have had
4 responsibility to capture and measure. That would
5 have been a responsibility of Central Electric Power
6 Cooperative, or more particular the partner, partners
7 there, Santee Cooper and SCANA. We were not part of
8 the management people over there, certainly not ECSC.
9 I was there mainly on public policy matters.

10 And up until Clean Power, the primary thing
11 I was focused on was Santee Cooper owned too much of
12 what was being built, and we were working that issue
13 here in this state. We intervened in the merger of
14 Duke and Progress on that very issue that we wanted
15 there to be movement for Duke to continue to want to
16 get in to this investment here. We monitor -- I
17 would have monitored what Santee Cooper was saying
18 about its efforts to sell part of its ownership to
19 other entities outside of South Carolina. That would
20 have been what I would have been focused on.

21 The process of -- or the progress of those
22 things were just not something that would have been
23 on my radar screen in that period of time that you're
24 talking about. I wouldn't have been listening for
25 that.

DEPOSITION OF MIKE COUICK
September 21, 2018

64

1 Q. All right. You also -- I think the phrase
2 you used was irregular conversations, and didn't pin
3 that down in any way.

4 A. Please specify what I was referring to.

5 Q. I'm doing my best to recount exactly what
6 you said.

7 A. I think I was saying that there were
8 partnering meetings that came along later. Prior to
9 that, those were quarterly. Prior to that, there was
10 an irregularly scheduled series of conversations. It
11 wouldn't have been like that there was a status
12 conference once a week, once a month, even bimonthly
13 that I would have been attending that would have been
14 related to the progress.

15 Q. And then in those conversations that you
16 just described as actually having, who would those
17 have been with?

18 A. It wouldn't have been me having a
19 conversation. It would be me hearing a report that
20 would have come out, something.

21 Q. All right. Now, you also said that there
22 were two site visits that you did at the invitation
23 of Santee Cooper.

24 A. No, sir. One was at the invitation of
25 Santee Cooper, one was one arranged by ORS and SCE&G.

DEPOSITION OF MIKE COUICK
September 21, 2018

65

1 Q. Then perhaps I'm confused. I believe that
2 you said that there were two site visits?

3 A. There were.

4 Q. Prior to 2015 and 2016 --

5 A. No, sir.

6 Q. -- is that not what you said?

7 A. There was one in the summer of 2016 --

8 Q. Okay.

9 A. -- that was arranged between ORS, SCE&G, and
10 all, I believe all of the intervenors into the Fixed
11 Price Proceeding. That, I believe, would have been
12 in July of 2016.

13 Q. And prior to that, you had only had one site
14 visit?

15 A. One site visit.

16 Q. Tell us what you recall about that site
17 visit.

18 A. Big room, good sandwich, that they gave --
19 they had a representative of SCE&G, I cannot remember
20 his name, came in and talked generally about what
21 they were doing there. They would have -- again, I
22 would have probably been more focused on my members
23 and their comfort. I would have been making sure
24 that the buses got there on time, picked them up on
25 time. It wouldn't have been me there for a progress

DEPOSITION OF MIKE COUICK
September 21, 2018

66

1 report. It would have been me making sure my members
2 were --

3 Q. What do you recall being the impetus for the
4 site visit?

5 A. An invitation.

6 Q. An invitation from Santee Cooper?

7 A. That if you ever -- my members would have
8 heard it from Mr. Carter or somebody at Santee
9 Cooper. If y'all ever want to go up there and see
10 what we're spending your money on, just let us know.
11 When I say "spending your money on," for every dollar
12 spent by Santee Cooper, approximately 70 cents of
13 that dollar was a cooperative dollar.

14 Q. So because of that 70 cents per dollar, you
15 and your members had an interest in things that were
16 going on at the site; is that fair?

17 A. Did.

18 Q. Is that fair?

19 A. True.

20 Q. And that is part of what led to this one
21 site visit that you have described, right?

22 A. Yes, sir.

23 Q. Did you follow the proceedings before the
24 Public Service Commission related to the project
25 after the initial approval?

DEPOSITION OF MIKE COUICK
September 21, 2018

67

1 A. We would have had attorneys that would have
2 monitored it.

3 Q. Are these in-house attorneys or outside
4 counsel?

5 A. Both.

6 Q. Did you receive updates on the status or --
7 sorry, let me --

8 From anyone other than lawyers, did you
9 receive updates related to the PSC proceedings on the
10 project?

11 A. Are you still limiting that prior to 2015?

12 Q. I am.

13 A. The updates that I have already referred to
14 in connection with Santee Cooper meetings are the
15 bulk of any memory I have of updates prior to that
16 point in time. I don't recall anything outside of
17 the context of meeting with an attorney or those that
18 I would have gotten a briefing on.

19 Q. Fair enough. So in this time frame, the
20 initial Base Load Review Order issued late 2015, do
21 you recall any specific discussions other than what
22 you have described with Dukes Scott related to the
23 status of the project?

24 A. There is a proceeding that occurs, by my
25 memory, in early 2015, which the cooperatives were

DEPOSITION OF MIKE COUICK
September 21, 2018

68

1 not involved in that. On the back end of that, out
2 of that, grows the Fixed Price Proceeding or Fixed
3 Price Agreement. I would have heard from Santee
4 Cooper that their board was going to be considering
5 the wisdom of entering into that agreement.

6 At that time, I would have likely have heard
7 from Dukes Scott in the course of other conversations
8 that this proceeding they had just had had been
9 completed. My antennae at that point in time were
10 being raised by comments I was hearing outside of
11 Dukes Scott.

12 Q. Okay.

13 A. I had a trustee call me from one of my local
14 cooperatives complaining about people leaning on
15 shovels on the site, that they were not efficiently
16 working. I believe that was in late 2015. I told
17 him that there was not a lot he could get out of me
18 knowing that information since I was not their
19 supervisor, but that would have raised, again, this
20 issue, are things getting done.

21 But that leads us up to about the time the
22 Fixed Price Proceeding -- not the Fixed Price
23 Proceeding but the Agreement, once it's released and
24 there's a price tag attached to it of going into
25 that. That would have become on my radar screen at

DEPOSITION OF MIKE COUICK
September 21, 2018

69

1 that point in time, I guess in the late 2015.

2 Q. So just for efficiency sake, I'm going to
3 talk in detail about what you recall once you became
4 aware of the Fixed Price Option. I want to make sure
5 though that I understand the full scope of what
6 you're saying prompted your involvement.

7 So with the potential risk of having to
8 replow some of that ground, or you'll just tell me
9 that we're replowing that ground later, let's go
10 through those things that you just mentioned.

11 All right. So you said from -- you would
12 have heard from a board member of Santee Cooper, the
13 board?

14 A. Yes, sir. Yes, sir. One of my local
15 trustees would have called me or did call me and say,
16 I hear -- he's saying this -- I hear that people are
17 leaning on shovels up there and they're not getting
18 work done.

19 Q. Right. I understood that. That's -- I've
20 got the full scope of that discussion.

21 The first category of information you
22 identified was that you would have heard something
23 that I understood emanated from the Santee Cooper
24 board; is that incorrect?

25 A. I would have heard from the management of

DEPOSITION OF MIKE COUICK
September 21, 2018

70

1 Santee Cooper at one of these briefings, it may have
2 been a quarterly partner meeting, it may have been
3 something else, where they said we're going to be
4 confronted with this Fixed Price Agreement, we're
5 going to be coming to y'all to let you know, and it's
6 going to have a dollar figure attached to it. And
7 I'm trying to recollect what the exact dollar figure
8 was of moving the price tag up, and I can't state
9 with any certainty what it was, but it was big enough
10 to catch my attention, and we're going to be coming
11 back at you.

12 Q. Do you have any idea when you would have
13 heard that?

14 A. It would have been sometime in the fall of
15 2015. I would imagine it would have been about the
16 time that they were inking the deal with
17 Westinghouse/Toshiba.

18 Q. Do you have any idea from whom you heard
19 that?

20 A. I would say that I was hearing it at a
21 partnering meeting, and there were a variety of
22 people at those Santee Cooper cooperative meetings
23 that provided status reports, and it could have very
24 well have either been a financial person with Santee
25 Cooper, it could have been the executive in charge of

DEPOSITION OF MIKE COUICK
September 21, 2018

71

1 the nuclear construction, Mr. Crosby, or it could
2 have been Mr. Carter himself.

3 Q. And you understood then that Santee Cooper
4 was going to come to you at some later point?

5 A. No. They were just going to come report to
6 us once things had been sifted out, finalized, about
7 what it looked like, what the new deal looked like,
8 what the new fixed price deal looked like.

9 Q. And then you referred to the wisdom of the
10 Fixed Price Agreement. What are you referring to in
11 that regard? Were they asking you to opine as to the
12 wisdom?

13 A. No. They were inquiring as to the wisdom,
14 the Santee Cooper Board was inquiring as to the
15 wisdom of the Fixed Price Agreement.

16 Q. Santee Cooper Board was inquiring as to the
17 wisdom to whom?

18 A. Of themselves, about whether it was the
19 right thing to do.

20 Q. So management is reporting to you in this
21 partnering meeting that the board --

22 A. Is going to be deliberating over whether
23 it's the right thing to do or not.

24 Q. Fair enough. All right.

25 And then what do you recall doing in

DEPOSITION OF MIKE COUICK
September 21, 2018

72

1 response to that particular partnering --

2 A. Listening.

3 Q. Didn't take any action following --

4 A. No action to take.

5 Q. Why is there no action to take?

6 A. They hold all the cards at the Santee Cooper
7 Board of making the decision of whether it was the
8 right decision or not, and so did SCANA. It would
9 have been thought of, well, they've got the
10 information, we don't; they're going to sit there and
11 sift it out; I'm going to monitor -- that's my role
12 as a customer. And essentially, I'm in the shoes of
13 being the customer. I'm not an owner, I'm not a
14 partner, I'm not a manager, and I'm going to listen.
15 We can ask questions. But at that point in time, I
16 didn't know enough to ask any questions.

17 Q. So you don't recall having discussions
18 following this partnering meeting with anyone at
19 Santee Cooper about the wisdom of the Fixed Price
20 Option?

21 A. I would have in the fall of 2015 or either
22 in early 2016. There are board members at Santee
23 Cooper, that there were, I think, 11. Two of those
24 were charged to have cooperative experience. One of
25 those is a former CEO at Mid Carolina Electric

DEPOSITION OF MIKE COUICK
September 21, 2018

73

1 Cooperative, Jack Wolfe. Jack had been on my board.
2 Jack is a friend of mine. Jack and I routinely
3 talked just about cooperative matters. Jack had been
4 President of the National Rural Electric Cooperative
5 Association. Jack is a cooperative person's
6 cooperative leader.

7 Jack expressed to me sometime late 2015, it
8 could have been as late as 2016, that they had
9 concerns about not knowing what was really going on
10 at Jenkinsville Unit 2 and 3, "they" being the board
11 and perhaps even the management of Santee Cooper, and
12 that they wanted to utilize an owner's agent or an
13 owner's engineer that could be on site to keep them
14 updated about progress.

15 During the course of those conversations, he
16 shared with me another person's name that had a
17 similar viewpoint. And it was important to me that
18 person had been a former executive of Duke Energy
19 Carolinas, Catherine Heigel, that she was an advocate
20 of having an owner's agent or an owner's engineer
21 that had an independent role, and that they had heard
22 from a company that kind of affirmed to them or
23 confirmed to them that there might be a need for
24 that.

25 When I say "they had heard," they had heard

DEPOSITION OF MIKE COUICK
September 21, 2018

74

1 their management report to them as a board what I
2 took to believe that Bechtel says there ought to be
3 an owner's agent. And I also heard, I believe, my
4 memory, that Jack says that Bechtel wanted the job,
5 that Bechtel had been working to understand what was
6 going on at Jenkinsville, and that someone in the
7 management at Santee Cooper had shared with the board
8 that they believed there was a role for Bechtel, and
9 it were to get things improved. That would have been
10 the depth of the conversation.

11 Q. One conversation?

12 A. The initial conversation would have been
13 one.

14 Q. And to make sure I understand, so all of
15 what you just described came from Mr. Wolfe in this
16 initial conversation?

17 A. (Witness nodded head.)

18 Q. Was anyone else involved in the
19 conversation?

20 A. Me. Telephone conversation.

21 Q. He called you or you called him?

22 A. I don't recall.

23 Q. And he -- so he just sort of rattles off all
24 of this information to you. Did you find it odd,
25 seeing as how you hadn't been familiar with the

DEPOSITION OF MIKE COUICK
September 21, 2018

75

1 status of the project prior to this time intimately?

2 A. No, because this is at the time of the Fixed
3 Price Agreement. I recall the Fixed Price Agreement,
4 as I heard it initially from the Santee Cooper Board,
5 is we need certainty, we need certainty as -- I mean
6 the Santee Cooper management -- they needed certainty
7 about things moving forward, what I call a price tag
8 and roadmap, and that Fixed Price Agreement was going
9 to provide more certainty. And -- but it cost more
10 to have a Fixed Price Agreement.

11 So I was being told on the back side of
12 being aware of there being these negotiations, that
13 the issues were one of certainty and, again, of
14 knowing that, for whatever money was being paid, work
15 was being done.

16 So just -- I've got trust that you tell me
17 people are leaning on shovels, I have got someone
18 telling me that there is a Fixed Price Proceeding --
19 or not fixed proceeding -- but Fixed Price Agreement
20 that's being negotiated, and then I've got someone
21 telling me, as a board, we're hearing from our
22 management there really needs to be an owner's agent
23 or an owner's engineer. Those three things, to me,
24 led to the conclusion that people were actively
25 considering how to better measure progress at the

DEPOSITION OF MIKE COUICK
September 21, 2018

76

1 site.

2 Q. Okay.

3 A. And that's up through probably by
4 Thanksgiving of 2015 is my best memory when all that
5 occurred.

6 The next conversation I had would not have
7 been with Jack Wolfe about that.

8 Q. So Jack Wolfe also mentioned Catherine
9 Heigel; is that correct, from Duke? Or are you
10 familiar with Catherine separately?

11 A. I am. And Catherine had served on the
12 Santee Cooper Board.

13 Q. Fair enough. And then I don't know that I
14 fully appreciated how Mr. Wolfe was describing to you
15 Ms. Heigel's involvement. Can you describe that?

16 A. Catherine had been a member of the Santee
17 Cooper Board, and she apparently had staked out, or
18 her beliefs that -- or announced her beliefs to the
19 board, whether it be in a session or not, I wasn't
20 there, that they needed an owner's agent or an
21 owner's engineer.

22 Q. And then you said that Mr. Wolfe reported
23 that Santee Cooper had heard from a company --

24 A. Bechtel.

25 Q. -- of some sort, and that company was

DEPOSITION OF MIKE COUICK
September 21, 2018

77

1 Bechtel; is that correct?

2 A. Bechtel.

3 Q. And then I want to make sure I understand
4 exactly what Mr. Wolfe recounted to you as to
5 Bechtel's involvement at the time.

6 A. That he had been told, had made certain
7 recommendations for improvements, and that one of
8 those improvements was that they be hired as an
9 owner's agent.

10 Q. Did he describe for you any other
11 recommendations --

12 A. No.

13 Q. -- that Bechtel had provided?

14 A. No.

15 Q. Did you ask?

16 A. No.

17 Q. Why not?

18 A. Because I took it that was all that Jack
19 knew. That's all he knew. I think he may have said,
20 that's all I know.

21 And where I went with that next was my best
22 recourse, which was sometime in early 2016. I don't
23 recall whether it was -- I had a lunch with Kevin
24 Marsh January 27th of 2016, I had a lunch again with
25 him in April, and I cannot recollect specifics of

DEPOSITION OF MIKE COUICK
September 21, 2018

78

1 each lunch, but at least at one of those lunches I
2 would have asked him, tell me about these
3 recommendations made by Bechtel, are you implementing
4 them; and he would have -- his answer was, yes. I
5 said, does that include hiring them as an owner's
6 agent or an owner's engineer, and he said no. My
7 memory is he would have said that would not have been
8 necessary.

9 My further memory is, at least on one
10 occasion, he said that the Oversight Review Board, or
11 whatever it was called, was a good substitute for
12 what would have been an owner's agent.

13 Q. Is that the -- I'm sorry.

14 A. And described the type of people that would
15 be on that review board, including a former executive
16 at TVA Watts Bar.

17 Q. Do you recall who that person was?

18 A. (Witness shakes head.)

19 Q. Is that the CORB, is that what you're
20 referring to --

21 A. Right.

22 Q. -- that Mr. Marsh was --

23 A. Sounds like it.

24 Q. Mr. Marsh recounted to you that the CORB was
25 the substitute for the engineer; is that your

DEPOSITION OF MIKE COUICK
September 21, 2018

79

1 understanding?

2 A. That would have been the type of independent
3 oversight.

4 Q. Now, go back to your conversation with
5 Mr. Wolfe. You understood from that conversation
6 that Bechtel had been engaged in some capacity
7 related to the project; is that right?

8 A. I understood they had become aware or
9 reviewed operations at Jenkinsville.

10 Q. So you understood that they were trying to,
11 I think is what you described it as, understand what
12 was going on in Jenkinsville; is that right?

13 A. (Witness nodded head.)

14 Q. And you understood that they had certain
15 recommendations; is that right?

16 A. They had recommendations for improvements.

17 Q. And Mr. Wolfe identified one of those
18 specific recommendations to you as being an owner's
19 engineer?

20 A. In fact, the only thing that Jack focused on
21 by way of those recommendations, only one, was that
22 he agreed that they ought to be the owner's engineer
23 or owner's agent.

24 Q. Mr. Wolfe agreed that they needed to be the
25 engineer?

DEPOSITION OF MIKE COUICK
September 21, 2018

80

1 A. He announced that -- and he referenced
2 Catherine really thought there needed to be an
3 owner's agent.

4 Q. Did they say that Bechtel needed to be the
5 owner's agent?

6 A. It was my belief that that was the
7 recommendation of Bechtel that they be the owner's
8 agent. I don't know that Jack would have said, I
9 think it's got to be them. It would have been that
10 they were interested.

11 Q. Fair enough. So you understood that there
12 were certain recommendations; one of them was there
13 be an owner's engineer; that Bechtel wanted to be
14 that owner's engineer; and then you decided you
15 needed to get more information as to what this
16 referred to; is that fair?

17 A. What I wanted to get more information about
18 was the thought of we had anecdote, people are
19 leaning on shovels, that we have got a Fixed Price
20 Agreement that's up that increases the price, that I
21 have heard that from a Santee Cooper Board member
22 there is at least some thought there needs to be some
23 independent entity up there aware of progress; and
24 I'm going, I don't know a lot about this, where do I
25 go next.

DEPOSITION OF MIKE COUICK
September 21, 2018

81

1 Q. So you took it seriously?

2 A. Took it seriously.

3 Q. You thought this was important for the
4 interest of your members, right?

5 A. Uh-huh.

6 Q. And you took the, what you believed to be
7 the most logical next step, and you convened a
8 meeting with the CEO of SCE&G, correct?

9 MR. ELLERBE: Object to the form
10 of the question.

11 THE WITNESS: What I did was two
12 things. One, I had contact with ORS, Mr. Scott,
13 and asked him, again, a series of monthly
14 meetings and on progress.

15 BY MR. CHALLY:

16 Q. So when was this conversation with
17 Mr. Scott?

18 A. It would have been December of 2015.

19 Q. After your conversation with Mister --

20 A. I would have said that I would like to keep
21 up-to-date with what's going on with the Fixed Price
22 Agreement.

23 Q. And so this was after your conversation with
24 Mr. Wolfe?

25 A. It was.

DEPOSITION OF MIKE COUICK
September 21, 2018

82

1 Q. Did you recount to Mr. Scott what you had
2 told Mr. Wolfe?

3 A. I don't believe so. I don't know, though,
4 specifically.

5 Q. Why would you have not recounted to
6 Mr. Scott?

7 A. It was only important to me that -- from
8 what Jack told me, that they had concerns about
9 progress, about progress being made.

10 Q. Why was that the only thing that was
11 important to you?

12 A. Because I had no awareness of what the
13 Bechtel report was. I had nothing mentioned to me
14 about a Bechtel report.

15 Q. Okay. But --

16 A. What I heard from Jack was that they had
17 some level -- he had some level, as a board member of
18 Santee Cooper, do they really know what was going on
19 at Jenkinsville. They needed an independent set of
20 eyes and ears to know what's going on. So where do I
21 go for independent eyes and ears? I go to the Office
22 of Regulatory Staff.

23 Santee Cooper is not regulated. Office of
24 Regulatory Staff regulates SCE&G, and I'm asking
25 Dukes Scott, just tell me what you know, once a

DEPOSITION OF MIKE COUICK
September 21, 2018

83

1 month, so I can keep up for my members, about what's
2 going on. I would have said, I'm hearing about the
3 Fixed Price Agreement, I want to better understand
4 that from y'all's perspective, I want to get engaged
5 in this, this has not been something on my radar
6 screen, now it is.

7 And then I would have -- my second step,
8 again, was the conversation with Kevin Marsh where I
9 would have asked him, and I knew Kevin well enough to
10 talk to him, of these that have been recommended,
11 have you implemented improvements? Yes, other than
12 hiring them as an owner's agent.

13 Q. So you -- this conversation with Dukes Scott
14 was in December of 2015. And do you recall anything
15 else about the substance of that conversation other
16 than what you've just described?

17 A. He mentioned that they had hired someone
18 with experience, Gary Jones, that would be coming
19 once a month to be on site, I believe, at
20 Jenkinsville; that he would arrange for Mr. Jones and
21 other employees of ORS to be able to brief me in
22 December and later other co-op leaders about what
23 they saw going on at Jenksinville; and that they
24 began that -- the very first meeting was very -- was
25 at my office, just me.

DEPOSITION OF MIKE COUICK
September 21, 2018

84

1 It quickly became apparent during the course
2 of that meeting that I needed other folks there who
3 could better understand the reports that were gotten.
4 So we included representatives of Central, all 20 of
5 my electric cooperative CEOs had the opportunity to
6 hear Mr. Jones either in March or April of 2016. And
7 again, what he would have been reporting is progress
8 he saw or didn't see as it related to how they were
9 handling construction issues there.

10 Q. Mr. Scott, in response to -- and that's all
11 you recall about your conversation with Mr. Scott; is
12 that right?

13 A. Yes, sir.

14 Q. And that's the December 2015 conversation.

15 So you said you wanted to know more about
16 the project, and Mr. Scott reported to you that they,
17 being ORS, had hired Gary Jones to provide
18 information?

19 A. I don't exactly know when they had hired
20 him, but they had hired him and he was going to be
21 coming here once a month, would I like to be part of
22 his monthly trip from Chicago here in terms of
23 meetings.

24 Q. And you said yes, right?

25 A. Yes.

DEPOSITION OF MIKE COUICK
September 21, 2018

85

1 Q. You also said that you discussed with
2 Mr. Scott the Fixed Price Agreement specifically?

3 A. I said I mentioned to him the importance of
4 me getting together with him was growing out of this
5 Fixed Price Agreement and this increase -- likely
6 increase in the price tag to my members.

7 Q. Did you mention to Mr. Scott that you had
8 had a conversation with the Santee Cooper Board
9 member?

10 A. I don't recall that I did. I don't recall
11 that I didn't. I mean, it was not something that was
12 on my radar screen about Bechtel at that time. It
13 would have been about the Fixed Price Agreement and
14 its increase in the price tag. That would have been
15 what my major issue was, was there certainty about
16 what the price tag would have been.

17 Q. Mr. Couick, I wasn't asking you whether
18 you -- yeah, I wasn't asking you whether you
19 discussed with Mr. Scott anything related to Bechtel.
20 I was asking you whether or not you discussed with
21 Mr. Scott that you had recently received a call from
22 a Santee Cooper Board member, and that that was
23 prompting your reach-out to the ORS.

24 MR. ELLERBE: Object to the form
25 of the question.

DEPOSITION OF MIKE COUICK
September 21, 2018

86

1 THE WITNESS: I have no
2 recollection.

3 BY MR. CHALLY:

4 Q. Now, let me ask you that specific question.
5 Did you mention the words Bechtel to Mr. Scott in
6 that conversation?

7 A. Do not believe that I did.

8 Q. What makes you believe that you did not?

9 A. Because I believe I would have mentioned
10 that later in early probably February or March of
11 2016. When I reported back on my conversation that I
12 had had with Kevin Marsh, when I would have said,
13 Dukes, I asked Kevin about improvements being made
14 there, and he told me they were making all the ones
15 recommended by Bechtel, other than hiring them as an
16 owner's agent.

17 Q. All right. So that's -- we'll come back to
18 that.

19 In December of 2015, your best memory is
20 that you didn't mention Bechtel to Mr. Scott at the
21 time?

22 A. I don't think so.

23 Q. Did you mention to Mr. Scott that you
24 understood there was an assessment being done of the
25 status of the project?

DEPOSITION OF MIKE COUICK
September 21, 2018

87

1 A. No, sir. I would have said that I believed
2 that the Fixed Price Agreement and its price tag was
3 heightening the need to be aware of what was going
4 on.

5 Q. So you did not tell Mr. Scott that you had
6 understood that an entity, a third-party, was working
7 to understand what was going on in Jenkinsville?

8 A. I have no recollection of sharing with him
9 about an assessment.

10 Q. Even though this assessment rose to the
11 level of significance that you believed required it
12 to be discussed in a meeting with SCE&G's CEO, you
13 didn't discuss the existence of this assessment with
14 Mr. Scott in 2015?

15 MR. ELLERBE: Object to the form
16 of the question. Excuse me.

17 THE WITNESS: I didn't recognize
18 it as being an assessment. And what I recognized
19 was that I had a board member of Santee Cooper
20 say, we need an owner's agent; and that also that
21 there was a Fixed Price Agreement that was
22 raising the price tag.

23 I would have communicated to
24 Mr. Scott perhaps that Santee Cooper's Board
25 members thought there needed to be an owner's

DEPOSITION OF MIKE COUICK
September 21, 2018

88

1 agent, but I don't necessarily remember that I
2 would have put it in the context of Bechtel
3 recommending that. I would have said they just
4 believe there needs to be an owner's agency.
5 They're not in the position of believing that
6 they're getting everything they need out of the
7 current management of the project by way of
8 reporting.

9 BY MR. CHALLY:

10 Q. So you believe you would have told Mr. Scott
11 in December of 2015 that there had been discussion of
12 a need for an owner's agent?

13 A. Could very well have told him that, yeah.

14 Q. Do you believe that you discussed with
15 Mr. Scott in December of 2015 that there had been a
16 third party recommending the need for an owner's
17 agent?

18 A. I don't believe I did and I don't have a
19 recollection either way or not. I don't think it
20 would have been important to me that they had
21 recommended.

22 What would have been important would have
23 been that I had a Santee Cooper Board member telling
24 me they believe they needed an owner's agent.

25 Q. So that was important to you?

DEPOSITION OF MIKE COUICK
September 21, 2018

89

1 A. That a Santee Cooper Board member told me,
2 that they had told me they needed an owner's agent.

3 Q. Fair enough. And then you believed that you
4 would have conveyed that point to Mr. Scott in
5 December of 2015?

6 A. I would have said there's a belief on the
7 Santee Cooper Board they need an owner's agent, could
8 have been that I would have said that.

9 MR. CHALLY: Okay. Let's take a
10 quick break, if that's okay.

11 THE VIDEOGRAPHER: This marks the
12 end of video number one of the deposition of
13 Mr. Mike Couick. We're off the record at
14 11:11 a.m.

15 (A recess was taken.)

16 THE VIDEOGRAPHER: This is the
17 continuation of the deposition of Mike Couick.
18 This is video number two. We're on the record at
19 11:25 a.m.

20 BY MR. CHALLY:

21 Q. Mr. Couick, before we broke, you had
22 described to me everything that you could recall
23 related to your conversation with Dukes Scott in
24 December of 2015; is that right?

25 A. Yes, sir.

DEPOSITION OF MIKE COUICK
September 21, 2018

90

1 Q. And I want to make sure I got everything you
2 remember about that conversation. Anything else you
3 can recall?

4 A. Not that I recall.

5 (Exhibit No. 1 was marked for
6 identification.)

7 Q. I want to show you what I have marked as
8 Exhibit 1 to your deposition. Here's your copy.

9 Mr. Couick, my first question to you is:
10 Have you ever seen this thing before?

11 A. I have not seen this document before, no,
12 sir.

13 Q. Describe for us then -- the first page of
14 the document is indicated as a Presentation to the
15 South Carolina Energy User's Committee. Do you see
16 that?

17 A. Yes, sir.

18 Q. Do you know what the South Carolina Energy
19 User's Committee is?

20 A. I believe they're the organization that uses
21 Scott Elliott as their attorney; they're large
22 consumers of electricity.

23 Q. So ECSC is not a member of the South
24 Carolina Energy User's --

25 A. No, sir.

DEPOSITION OF MIKE COUICK
September 21, 2018

91

1 Q. Do you recall being at a meeting with the
2 ORS in May of 2016 related to the status of the V.C.
3 Summer units?

4 A. I would have been probably in more than one
5 meeting in 2016 in May with ORS and others as it
6 relates to this.

7 Q. So let's go at this a slightly different
8 way. You mentioned that in December of 2015, and
9 correct me if any of this is wrong, but as I
10 understood, you said Mr. Scott acquiesced at your
11 request to receive monthly progress reports on the
12 status of the project at that time; is that right?

13 A. I asked to be kept up-to-date, and that he
14 said that they had a monthly visit from Gary Jones
15 scheduled that might be a good opportunity and forum
16 for being kept up-to-date, so that's why it was
17 monthly with Mr. Jones' visits.

18 Q. So you -- so Mr. Jones is visiting monthly,
19 and Mr. Scott invited you to attend Mr. Jones'
20 monthly meetings; is that right?

21 A. No, sir. We had a co-op only meeting where
22 the initial meeting was just me; later, it included
23 other co-op representatives, and it would be various
24 personnel from ORS, usually to include Mr. Jones.

25 Q. So when did these meetings begin?

DEPOSITION OF MIKE COUICK
September 21, 2018

92

1 A. The first was in December of 2015 at my
2 offices in Cayce. It only included me on behalf of
3 the electric cooperatives.

4 Q. And who did you meet with?

5 A. I recollect that I was introduced to
6 Mr. Jones at that meeting. I believe that Mr. Scott
7 was there. I believe that Mr. James was there.
8 Beyond that, I do not recall.

9 Q. Was there a presentation provided to you in
10 connection with this meeting?

11 A. No, sir. No, sir.

12 Q. How long did the meeting last?

13 A. My recollection is it lasted probably
14 between 30 minutes to an hour.

15 Q. Was this before you reached out to Kevin
16 Marsh and requested a meeting with him?

17 A. It was.

18 Q. So you, just to make sure I have the time
19 line right, you received a call from Jack Wolfe, you
20 first reached out to Mr. Scott and just have the
21 conversation that we have already recounted. The
22 next step is meet with Mr. Scott and other ORS
23 representatives in December of 2015?

24 A. A series of events leads me to reach out to
25 Mr. Scott: Call from a trustee, people are leaning

DEPOSITION OF MIKE COUICK
September 21, 2018

93

1 on shovels; the Fixed Price Agreement being
2 considered by Santee Cooper, as well as by SCE&G and
3 being told there is an increased price tag; and then
4 the call from Mr. Wolfe saying that we believe there
5 ought to be -- or he believed that there ought to be
6 an owner's agent or an owner's engineer.

7 Q. Thank you for the clarification.

8 And then the next step is call Mr. Scott in
9 December of 2015, have a meeting with Mr. Scott and
10 other ORS representatives also in 2015?

11 A. And I would have said I just believe I need
12 to be more up-to-date with what's going on, I need it
13 from the regulator. We're not regulating, nor is
14 Santee Cooper, but you may have more information than
15 I may have access to as it relates to progress.

16 Q. So you recall this meeting with the ORS
17 representatives lasting 30 minutes to an hour. I
18 want to know everything that you can recall about the
19 substance of that meeting.

20 A. I recollect being introduced to Mr. Jones,
21 and they went through his rather lengthy CV about
22 what all he had done around the world -- that
23 probably took half to two-thirds of the meeting --
24 and that his role was going to be that he was going
25 to come to Columbia from Chicago once a month, fly

DEPOSITION OF MIKE COUICK
September 21, 2018

94

1 down; that they had engaged him to be at Jenkinsville
2 for part of that visit. I was not really aware of
3 the presence of ORS having one or not having one on
4 site. Up until that point in time, I was not aware
5 of what efforts they did on a regular basis to be
6 aware of what was happening at Jenkinsville Units 2
7 and 3, ORS.

8 And so I hear that he is going to be a part
9 of whatever they're doing or whatever they claim to
10 do, and that we quickly reached the conclusion that I
11 am not the right person to be at these monthly -- not
12 exclusively the right person to be at these monthly
13 meetings. I need to get folks from Central Electric
14 Power Cooperative to come to these meetings in Order
15 to be able to appreciate, absorb, the type of
16 information they might have, and that would have been
17 the meeting.

18 Q. Did you discuss in any way during this
19 December of 2015 meeting the substance of the
20 information you had received from Mr. Wolfe regarding
21 the professed need of an owner's engineer?

22 A. I have no specific recollection of either
23 discussing it or not discussing it. It very well
24 could have come up that they wanted some on-site
25 independent person, "they" being Santee Cooper. If I

DEPOSITION OF MIKE COUICK
September 21, 2018

95

1 were to believe that Jack was reflective of the rest
2 of the board, that board may believe they needed to
3 have an independent set of eyes, independent -- not
4 being independent of SCANA but just being
5 representative of both companies that was there kind
6 of looking over the shoulder.

7 Q. Do you have any recollection of the word
8 Bechtel being discussed at that meeting?

9 A. Not in December.

10 Q. Anything else you can recall about that
11 meeting?

12 A. No, sir.

13 Q. All right. And then did this meeting and
14 the fact that Mr. Jones was involved assuage some of
15 your concerns related to figuring out the status of
16 the project?

17 A. I don't know that it made me feel like I had
18 figured out the status of the project. It told me
19 that I had plugged in with ORS in hopefully what was
20 just going to be an effective way to be able to
21 better keep up with how things were going.

22 I had been distant -- again, my involvement,
23 up until 2015, had been on the public policy side.
24 The folks I would have been working with at SCE&G and
25 Santee Cooper were all focused on Clean Power Plan.

DEPOSITION OF MIKE COUICK
September 21, 2018

96

1 Maybe Nuclear Production Tax Credit had come up at
2 that point in time, I don't recall. That probably
3 would have dealt with transferability from a
4 non-taxable entity like Santee Cooper to a taxable
5 entity like SCE&G, but it would not have been on the
6 realm of completion or not completion or the speed
7 with which it was going to be completed. This was a
8 change in gears and change --

9 **Q. I understand. When you say "change in**
10 **gears," this was a change in your focus as it related**
11 **to the project; is that right?**

12 A. As a matter of my time in being the person
13 that generally is charged with keeping up with
14 whatever is happening on a regulatory basis in South
15 Carolina, exclusive of FERC, ECSC is generally
16 charged with being aware, and so that became on my
17 radar screen then as I need to be more aware of
18 what's happening at Jenkinsville by way of relying on
19 ORS to tell me.

20 **Q. Now -- all right. Now, did you understand,**
21 **following this December 2015 meeting, that Gary Jones**
22 **was going to be on site at the project?**

23 A. I understood that on a recurring monthly
24 basis he would have -- he would be traveling, I
25 believe, from Chicago, that he would spend some time

DEPOSITION OF MIKE COUICK
September 21, 2018

97

1 there, and then once he had spent some time there,
2 and I believe it was with some other employees, that
3 he would be briefing Dukes Scott and other ORS
4 executives, in that separately they would be glad for
5 me to be briefed and any co-op people each month on
6 that as well.

7 Q. So following this meeting, you set up a
8 process where Mr. Jones would brief you and whoever
9 you wanted to invite to those meetings on what he was
10 seeing on the ground at Jenkinsville; is that fair?

11 A. Whatever he chose to present is what we
12 heard, yes, sir.

13 Q. You said that you also recall concluding in
14 this meeting that you needed to involve other people
15 in the meetings going forward, right?

16 A. Yes, sir.

17 Q. Who did you decide you needed to involve?

18 A. Well, principally, it was anybody that
19 Central Electric Power Cooperative thought ought to
20 be involved. I'm not -- I have no managerial
21 responsibility over their operations, nor am I
22 familiar who they might think might be best to come.
23 So I reached out to my counterpart, Rob Hostetler,
24 and said, Rob, we have this opportunity, I think we
25 ought to take advantage of it, here's the next date,

DEPOSITION OF MIKE COUICK
September 21, 2018

98

1 who do you want to be there.

2 I would have thought at some point in time
3 that legal counsel that routinely helped me on
4 regulatory matters might need to be in those meetings
5 just to hear the updates, and that they would have
6 been included. I can't tell you what month that
7 would have been.

8 Q. So had you, prior to this discussion that
9 you had with Central and Mr. Hostetler after your
10 December 2015 meeting, had you had discussions with
11 Central following your conversation with Mr. Wolfe?

12 A. I recollect no specific conversation, but it
13 would have been with -- it would have been my general
14 nature and notion to share that I have heard from
15 Jack, and he believes they need an owner's agent and
16 owner's engineer. And it would have been unusual for
17 me not to have shared that with Mr. Hostetler. They
18 were looking for that role. That was something I had
19 heard Central say before that -- or Mr. Hostetler say
20 before was that, in his work with Duke Energy, he had
21 been a Duke employee at one time, that he was
22 familiar with the concept of -- I don't recall if
23 he -- he probably called it an owner's engineer, but
24 he was familiar with that.

25 So I was saying, guess what I heard, Rob, I

DEPOSITION OF MIKE COUICK
September 21, 2018

99

1 heard somebody else use the term "owner's engineer,"
2 and it was Jack Wolfe and saying there seemed to be a
3 need for one.

4 Q. But it's your testimony that you don't
5 recall specifically mentioning in December of 2015
6 this need for, a professed need for an owner's
7 engineer with the ORS; is that right?

8 A. I said it could have come up. I don't
9 particularly remember one way or the other.

10 Q. Okay. Had a conversation with Central as to
11 who needed to be involved.

12 Did you report to Central at that time on --
13 any further on the conversation that you might have
14 had with Mr. Wolfe?

15 A. No.

16 Q. Do you recall who Mr. Hostetler suggested be
17 invited to these meetings?

18 A. Well, it varied, depending on the month, who
19 was available. Generally, Mr. Hostetler would be
20 there; generally, Mark Sverchek would be there; they
21 may have other employees that come; they may have
22 their own legal counsel come, depending on what month
23 it was, depending on where things were going.

24 Q. Do you recall any specific individuals who
25 attended any of those monthly meetings other than

DEPOSITION OF MIKE COUICK
September 21, 2018

100

1 from Central, at Central's suggestion, other than
2 Mr. Hostetler and Mr. Svercek?

3 A. Their legal counsel, Mr. Tiencken, may have
4 been at those meetings from time to time.

5 Q. No one else that you can recall?

6 A. No, sir.

7 Q. All right. Did you attend all of these
8 monthly meetings?

9 A. It's my memory that I attended all of them.
10 If I didn't, it may have just been one that I didn't
11 attend.

12 Q. When did the meetings begin?

13 A. Well, December we spoke about. And when you
14 say what month, they would have started in January of
15 2016.

16 Q. And then for how long did they last?

17 A. The purpose of the meetings changed. But
18 the meetings with ORS continued throughout 2016 and
19 '17. But the purpose of the meetings changed. The
20 updates became something different at the time that
21 the cooperatives were asked by ORS to become
22 intervenors in the Fixed Price Proceeding, and I
23 believe that request came in this April of 2016.

24 Q. Let's use that as a stopping point there.

25 A. Okay.

DEPOSITION OF MIKE COUICK
September 21, 2018

101

1 Q. Some additional questions I want to ask you
2 about the intervention process and what you did once
3 you decided to intervene.

4 From at least January -- but so now from
5 January of 2016, would it have been in January,
6 February, March and April?

7 A. I cannot recall if it was April or not that
8 was one of the regular meetings. What I do recall is
9 that at least one of those meetings was with all 20
10 of the electric cooperative CEOs being invited to
11 hear Mr. Jones' report. My specific recollection of
12 that is that most, if not all, were there, and he
13 spent about an hour reporting on progress being made
14 and improving workflow, and I want to call it work
15 packets.

16 Q. Okay. So let's focus first on this
17 January 2016 meeting that -- the first of the
18 substantive meetings. Do you recall who specifically
19 attended that meeting?

20 A. Not specifically. My best recollection is
21 that Mr. Hostetler would have been there. Whom else
22 would have been there, I don't recall. It very well
23 could have been that we would have had counsel for
24 both Central and ECSC there as well.

25 Q. Is that different lawyers?

DEPOSITION OF MIKE COUICK
September 21, 2018

102

1 A. Different lawyers.

2 Q. Who would have represented ECSC?

3 A. Mr. Ellerbe.

4 Q. Do you recall, did you attend the

5 January 2016 meeting?

6 A. I believe I did.

7 Q. Who from the ORS attended that meeting?

8 A. Do not recall.

9 Q. Was Mr. Jones there?

10 A. I do not specifically recall.

11 Q. Was Mr. Scott there?

12 A. I do not recall.

13 Q. What do you recall as the substance of that
14 meeting?

15 A. I do not recall.

16 Q. You recall nothing about it?

17 A. I recall that we met, I believe, every
18 month, January, February, March. One of those
19 meetings was the manager's meeting.

20 What I recall is generally I was listening
21 to folks with a lot more ability to comprehend
22 process and progress being from Central, and they
23 were asking questions of Mr. Jones and others, and
24 they were getting answered, and I would have not been
25 there other than to listen.

DEPOSITION OF MIKE COUICK
September 21, 2018

103

1 Q. Were there any questions that you recall
2 being asked of Mr. Jones and Mr. Jones wasn't able to
3 answer?

4 A. I don't recollect that we were able to ask
5 many questions of Mr. Jones; that we did not have
6 enough specifics about anything in particular to ask
7 is it A or B. What we would generally get is a
8 report of, here's what I saw, here's what I saw going
9 on. And then, again, it may be more anecdotal, it
10 may be that they talked about, again, the size of a
11 work packet going from this to this.

12 And, again, we're a customer, we're not a
13 manager and owner, whatever. We're -- we're
14 listening to somebody else tell us, as a regulator,
15 are you able to see that things are getting better or
16 on time or are you seeing progress. We don't have a
17 lot of information to ask questions with.

18 Q. But you decided in December, in 2015, that
19 you needed to get more information related to this
20 project?

21 A. I have to listen, but I don't know that I've
22 got a lot of questions. I have to listen as if I am
23 the least educated person in the room, and I'm going
24 to ask an educated person to teach me what I need to
25 know, but I may not be able to have any questions at

DEPOSITION OF MIKE COUICK
September 21, 2018

104

1 all what to ask, though other folks at Central may
2 very well have had that. Generally, I was not the
3 person that would have been tasked to ask the
4 questions.

5 Q. Did you ever hear from anyone at Central
6 that, oh, there are these questions that we've asked
7 and we haven't been able to get answered?

8 A. Are you talking about in January, February
9 and March?

10 Q. I am, from these meetings.

11 A. I don't have any specific recollection of
12 that period of time of being unanswered questions. I
13 don't know if you want to come back to that question
14 later, I would be glad to give you some examples.

15 Q. Okay. So we talked about who you recall
16 potentially attending the January 2016 meeting. What
17 about the February 2016 meeting?

18 A. I have no specific recollection.

19 Q. In January of 2016, was the presentation
20 provided?

21 A. Don't recollect that they would have made a
22 presentation by Power Point or whatever. Mostly it
23 was a conversation.

24 Q. Where was the meeting held?

25 A. They were generally held at my office.

DEPOSITION OF MIKE COUICK
September 21, 2018

105

1 Q. Do you recall anything specific at all about
2 the February meeting?

3 A. No, sir.

4 Q. So you don't recall.

5 Did you attend the February meeting, let me
6 ask?

7 A. Again, I believe I attended all of the
8 initial four meetings, but I very well could have
9 missed one and just not recollect it.

10 Q. Do you recall a presentation from the
11 February meeting at all?

12 A. No organized formal presentation that I
13 recall by way of Power Point or whatever.

14 Q. Do you recall the substance of any of the
15 discussions in that meeting?

16 A. No, sir.

17 Q. And then there was another meeting in March?

18 A. In that meeting, I am not sure whether it
19 was at my office or that could have been the meeting
20 that included all of the 20 CEOs.

21 Q. Where was the meeting with the 20 CEOs held?

22 A. It was offsite, at an offsite location near
23 Charleston.

24 Q. What specific location?

25 A. It was a hotel near Charleston, Sanctuary.

DEPOSITION OF MIKE COUICK
September 21, 2018

106

1 Q. And you attended that meeting; is that
2 right?

3 A. I did.

4 Q. What do you recall about -- or who do you
5 recall attending from the ORS?

6 A. I believe Mr. James, Mr. Scott, and
7 Mr. Jones were those in attendance. There may have
8 been others. Those are the ones I recollect.

9 Q. Do you recall there being a presentation at
10 that meeting, a formal presentation?

11 A. I do not recall. There may very well have
12 been one. When you say "formal," there was a
13 presentation. I do not recollect specifically
14 whether there was a Power Point or not.

15 Q. Do you recall the substance of the
16 presentation, what information was conveyed to
17 you-all?

18 A. What I specifically recall was the work
19 packet example, the work packet example where the
20 group was looking for examples of where progress had
21 been made. And the paperwork had -- the paperwork
22 had been viewed as an impediment; what had to be
23 produced to get work done. And what I remember is
24 the physical example he gave of raising his hand
25 perhaps two feet off of the table and then showing

DEPOSITION OF MIKE COUICK
September 21, 2018

107

1 that it had been lowered to maybe four inches off the
2 table as to the size of a work packet that would
3 drive something being done.

4 And he had plugged in with someone that had
5 been working on that, I have some vague memory that
6 it may be even someone that was from Oregon or
7 whatever, that they had worked to get -- that he saw
8 that -- he saw that Westinghouse had worked to get
9 the work packets to be more manageable.

10 And he gave his experience from his previous
11 work at other places where he had managed operations.
12 That was critical in order to get these type of
13 efficiencies in. There may have been other specific
14 examples about productivity level at that point. I
15 do not recall whether that was discussed in that
16 meeting or not.

17 **Q. Do you recall whether the word Bechtel was**
18 **mentioned at any of the January, February, or March**
19 **meetings?**

20 A. I have a memory of sometime in 2016 that
21 there was an offhand remark made that there had been
22 Bechtel employees on site, and this was coming from
23 ORS. That would have been -- it would have been
24 sometime after probably -- may have been from April
25 on, that somebody had run into somebody with a

DEPOSITION OF MIKE COUICK
September 21, 2018

108

1 Bechtel hat on.

2 Q. Do you recall this from one of those
3 meetings?

4 A. I believe it was mentioned in one of those
5 meetings that somebody had seen either a nametag or a
6 hat on an employee, a Bechtel employee.

7 Q. You said someone. Do you recall who made
8 the remark?

9 A. No, I do not.

10 Q. Would it have been someone from the ORS?

11 A. It was an ORS employee or consultant.

12 Q. And did that trigger, in your memory, your
13 conversation with Mr. Wolfe?

14 A. No, sir. I had already discussed with
15 Mr. Scott my conversation with Kevin Marsh.

16 Q. By the time of the March meeting?

17 A. The time of February, March, April. I would
18 have reported back to Mr. Scott after the, I think,
19 January 27th lunch that I have asked Mr. Marsh, have
20 they implemented the improvements that have been
21 recommended, and I had been told by him, all but
22 hiring an owner's agent.

23 What I don't recollect is whether he told me
24 at that luncheon or one that we had in April about
25 the CORB. At one of those two luncheons he

DEPOSITION OF MIKE COUICK
September 21, 2018

109

1 referenced the development of the CORB as a
2 substitute for an owner's agent.

3 Q. So you decide in late 2015 that you need to
4 get more information related to the status of the
5 project. You set up these monthly meetings. What
6 else were you doing to understand the status of the
7 project?

8 A. I certainly would rely on anything that I
9 was hearing out of Santee Cooper at any of these
10 partnering meetings. I would have shared with Santee
11 Cooper's executives that I was being briefed by ORS
12 and Mr. Jones.

13 In fact, at some point in 2016, I mentioned
14 that I knew that there were assessments being made,
15 that monthly assessments by Mr. Jones and that they
16 really might want to make sure they were aware of
17 those for their benefit. Because what I would be
18 told sometimes by Mr. Carter was that I may have more
19 access to information than even they did, which was
20 somewhat surprising, them being a partner and being
21 on site. So I was trying to make sure if they
22 believe that I told them anything I knew.

23 Q. What did you understand Mr. Carter to be
24 conveying to you in that?

25 A. I don't know. He was telling me that, in

DEPOSITION OF MIKE COUICK
September 21, 2018

110

1 fact, when we intervened in the Fixed Price
2 Proceeding, he thought that was a good thing when the
3 co-ops intervened in, I guess, mid -- was it April,
4 May, June of 2016, he thought that the co-ops being
5 involved with that was a positive development.

6 Q. So you were getting some information from
7 Santee Cooper and your interactions with them?

8 A. A lot of those were just questions, we're
9 not sure how things are going.

10 Q. Sure.

11 A. We're not sure if productivity is improving.
12 And again, I'm not getting anything that's a specific
13 fact point. I'm just like a central nervous system;
14 I am hearing people express they have concerns, and
15 I'm learning what I can and making sure that Central
16 is learning what it can. That takes us up to April,
17 and that was really where things kind of changed
18 gears again.

19 Q. I want to -- this particular presentation
20 that we have marked as Exhibit 1 appears to be dated
21 5/11. So, you know, with that, while acknowledging
22 that, I want to ask you a couple of questions about
23 that.

24 First, look at Slide 2 which is on the
25 second page, says it's a "Very Good Idea." Do you

DEPOSITION OF MIKE COUICK
September 21, 2018

111

1 see that?

2 A. I do.

3 Q. This, as I understand it, conveys the ORS's
4 belief that the project was a very good idea in 2008.

5 Is this particular slide similar in
6 substance to what you would have learned at one of
7 the monthly meetings that you attended in this time
8 frame?

9 A. We would not have discussed why it was a
10 good idea in 2008. It would not have been relevant
11 to our conversations.

12 Q. Fair enough. What about Slides 3, 4 and 5,
13 which discuss the "Experience Since 2008." And it
14 continues on 6 and 7. I'm trying to get a sense for
15 whether this is information that you were also
16 informed of in these monthly meetings in 2016.

17 A. Subitem 6 on Number 3, "Not as much credit
18 for previous experience in China as hoped." That was
19 something I would have heard about at various
20 meetings, particularly at Santee Cooper, when they
21 constantly referenced what was going on with Sanmen,
22 and whether it was working, not working. I mean, it
23 was this almost a perennial joke that the Chinese
24 were going to have Sanmen up and running by the next
25 meeting. There was always something delaying it.

DEPOSITION OF MIKE COUICK
September 21, 2018

112

1 That is the only one I can have any
2 recollection of being discussed, not just at these
3 monthly meetings, but at other meetings with the
4 Santee Cooper partnering meeting.

5 I'm on Number 4 now?

6 **Q. Yes.**

7 **A.** I am not an engineer. I would not have
8 focused on these things other than on the sub-bullet
9 under "Certified Design." "Lessons learned at
10 Chinese and sister plants."

11 Again, this was the same thing of the
12 concern of having it cited that Sanmen and China is
13 getting ready to be there, getting ready to be there,
14 getting ready to be there. That would have been a
15 recurring theme that you would have heard at
16 meetings, but it never got there.

17 **Q.** So let me ask you on Paragraph 4, I
18 understand that the only thing that you recall is,
19 specifically discussed is, the relation to the
20 Chinese and sister plants. But is any of this
21 information inconsistent with what you remember
22 hearing from the ORS at the time?

23 **A.** I am not an engineer. My focus would have
24 been on a whole different set of variables than what
25 an engineer or what an accountant or an economist

DEPOSITION OF MIKE COUICK
September 21, 2018

113

1 would focus on from Central. They would have been
2 focused on talking with Gary Jones about these
3 things.

4 I would be listening to things like, do you
5 have access to the site? When you go there, who do
6 you get to talk to? Are you -- really, I would ask
7 questions but I would listen to them to tell me they
8 weren't having access. Because I'm relying upon ORS
9 as a regulator to have access to this site to find
10 out if there are problems or not.

11 Q. So you understood the ORS had the means
12 through which it could get access as it felt
13 necessary; is that fair?

14 A. In the months December, January, February,
15 March, up until we chose to intervene in, whether to
16 be April or May, what I heard was they were asking
17 questions, that they didn't always get answers to
18 their questions. I didn't hear anybody say anything
19 about they want what is on the site or they exclude
20 us from anything, that -- that was what I was
21 hearing.

22 Q. What specific questions do you recall the
23 ORS asking that they weren't getting answered?

24 A. I don't recall.

25 Q. Was this concerning to you?

DEPOSITION OF MIKE COUICK
September 21, 2018

114

1 A. Well, it may have not risen to the level of
2 it being a concern; it may just have been we have
3 asked about something, like what are the improvements
4 being made in a certain progress; they're not able to
5 tell us yet. So I took that as a matter of that was
6 something they were going to get back to them on or
7 whatever. It wasn't a matter of anybody sandbagging
8 anybody or anything.

9 Q. So if you would have had those concerns, you
10 would have done something about it, right?

11 A. Well, me, I was listening to whether they
12 had concerns. I had very little I could do about it.
13 Again, I'm a customer, I'm listening.

14 Q. Well, you did have the ability to schedule
15 two meetings with the SCE&G CEO, right, so you had
16 things to do?

17 MR. ELLERBE: Object to the form.

18 THE WITNESS: Well, I had the
19 ability to pick up a phone and call people and
20 ask them questions, and I had the ability and a
21 friendship with Kevin Marsh to ask questions and
22 to say, here's what I'm concerned about or here's
23 what I'm hearing about. I really had to rely on
24 people telling me what they knew, and that's what
25 I had.

DEPOSITION OF MIKE COUICK
September 21, 2018

115

1 BY MR. CHALLY:

2 Q. Understood. Okay.

3 All right. We've talked about monthly
4 meetings, we've talked about interactions with Santee
5 Cooper, and then there are obviously these two
6 meetings that you had with Kevin Marsh.

7 A. Once in January, once in April.

8 Q. Right. So before we get to January and
9 April meetings, do you recall doing anything else to
10 learn about the status of the project in this
11 specific time frame, December of 2015 to April of
12 2016?

13 A. I have no current recollection of anything
14 else.

15 Q. Were you having conversations with Dukes
16 Scott at this time beyond the monthly meetings?

17 A. Dukes and I talked about any number of
18 things that would have been on the table,
19 including -- about this time, I cannot recall whether
20 we had concluded trying to get Duke in or out of
21 Jenkinsville.

22 There was an effort to get Duke in that went
23 up through Christmas, I want to say 2014 or 2015, I
24 don't recall, and SCANA objected and instead decided
25 to buy another six -- offered to buy another

DEPOSITION OF MIKE COUICK
September 21, 2018

116

1 5 percent immediately of the Jenkinsville units, and
2 made the representation that, if appropriate, it
3 would buy another 6.66 percent, which would take
4 Santee Cooper's total ownership percentage to 33-1/3
5 for all three units. That was an issue I was working
6 on with Dukes -- I working on with Dukes and that
7 would have involved Duke Energy Progress, SCE&G, and
8 SCANA, that would have been there. I would have
9 worked on Dukes -- with Dukes on what was going on
10 with the State Implementation Plan as it related to
11 the Clean Power Plan.

12 I don't recollect any other conversations
13 outside of what I have just discussed I would have
14 been having with Dukes.

15 Q. But you interacted with them regularly
16 during that time?

17 A. Yes.

18 Q. And if something significant occurred to you
19 from one of these meetings, you would have expected
20 to have had a --

21 MR. ELLERBE: Object to the form.

22 MR. CHALLY: Let me finish the
23 question.

24 BY MR. CHALLY:

25 Q. -- like, you would have expected to have

DEPOSITION OF MIKE COUICK
September 21, 2018

117

1 that conversation with Dukes; isn't that right?

2 A. Whatever I was concerned about, I would pick
3 up the phone and call, whether it be Kevin Marsh or
4 Dukes Scott.

5 Q. Now, back at this document, let's go to
6 Slide 15 and 16. Specifically on Slides 15 and 16,
7 do you recall this being discussed at any meetings
8 you had January through April of 2016 with the ORS?

9 A. With just ORS?

10 Q. Yes.

11 A. I'm not excluding anything by not mentioning
12 it because my memory is certain specific things being
13 mentioned, but very well, every one of these things
14 could have been talked about.

15 Q. Could have been. Okay. Fair enough.

16 A. But I don't recall productivity and
17 productivity rates were certainly discussed. The
18 recent independent study indicates BLRA methodology
19 reduces cost would have been discussed.

20 Q. Okay.

21 A. Still a diverse and non-GHG source of power
22 would have been discussed. I would have recollected
23 the words "Project faces significant but not
24 insurmountable challenges" not necessarily being used
25 those words, but there would have been discussions of

DEPOSITION OF MIKE COUICK
September 21, 2018

118

1 there being challenges and there being
2 representations that they could be surmounted.

3 I would have recalled that there was a real
4 need to move forward if they were going to get the
5 federal tax credits. This is about the time a lot of
6 my work shifted from being -- getting Congress to
7 agree to the transferability of a tax credit from a
8 not-for-profit entity like Santee Cooper, to SCANA,
9 to where at some point SCANA recognized it needed a
10 change in law to delay when it would be eligible for
11 the nuclear production tax credits. And that would
12 have been a subject of discussion with ORS.

13 I would have heard that the owners viewed
14 consolidation of the Westinghouse as being positive
15 or SCE&G being viewed as positive. The date of
16 Fluor, Fluor comes on -- I believe you say this is
17 printed out as of May 11, 2016?

18 **Q. Right.**

19 **A.** This date would have been an early
20 expression of hope as opposed to one of actual
21 experience. Fluor was, I understood, just getting on
22 site or soon to get on site in April, May, June of
23 2016.

24 (Exhibit No. 2 was marked for
25 identification.)

DEPOSITION OF MIKE COUICK
September 21, 2018

119

1 Q. Here's Exhibit 2. I hope this will be
2 easier.

3 MR. ELLERBE: Is there a Bates
4 number anywhere on this document?

5 MR. KEEN: There is not. There's
6 not a Bates number on the present --

7 MR. ELLERBE: What's the source of
8 it?

9 MR. KEEN: It was produced by Gary
10 Jones.

11 MR. ELLERBE: In response to
12 Subpoena?

13 MR. CHALLY: Correct.

14 MR. KEEN: Yes.

15 MR. ELLERBE: Which case was that
16 Subpoena served in? What's the name of the case?
17 Lightsey?

18 MR. CHALLY: Yes.

19 MR. KEEN: It was produced to us
20 last week, I believe.

21 MR. ELLERBE: See, we're not
22 parties to the Lightsey case, so we -- until you
23 cross Notice.

24 Under the South Carolina Rules, we
25 have an opportunity to consult -- I'm telling

DEPOSITION OF MIKE COUICK
September 21, 2018

120

1 Mr. Couick that. First time I have seen this
2 document. Do you want to talk about it?

3 THE WITNESS: I would like to get
4 advice from counsel about whether to talk about
5 it or not talk about it.

6 MR. ELLERBE: Okay. We'll take a
7 break.

8 MR. CHALLY: Okay.

9 THE VIDEOGRAPHER: Off the record
10 at 12:05 p.m.

11 (A recess was taken.)

12 THE VIDEOGRAPHER: On the record
13 at 12:09 p.m.

14 BY MR. CHALLY:

15 Q. Okay. Mr. Couick, I have handed you what I
16 have marked as Exhibit 2 to your deposition. Is this
17 a document that you recall seeing before?

18 A. I have no specific recollection of this
19 document. It very well could have been something
20 presented to the group of managers that I referred to
21 earlier.

22 Q. The group of managers?

23 A. The local co-op CEOs.

24 Q. Okay. So you --

25 A. I think my earlier answer to your question

DEPOSITION OF MIKE COUICK
September 21, 2018

121

1 was I just didn't recall.

2 Q. Yeah. That's fine.

3 So is this -- this is the meeting that you
4 couldn't quite recall but you believe might have
5 occurred in March?

6 A. Either March or April, I said.

7 Q. Fair enough. Where managers of the
8 cooperatives met outside of Charleston and heard from
9 members or representatives of the ORS; is that right?

10 A. Yes.

11 Q. So do you have any reason to disagree or
12 refute the idea that this presentation was provided
13 to the cooperatives on March 3, 2016, at this
14 Charleston area meeting?

15 A. I just had four minutes to look at it. I
16 have no reason to believe it's not, I have no reason
17 to believe it is. I just don't know.

18 Q. Well, you were there at the meeting, weren't
19 you?

20 A. I can't recall the substance of everything
21 that's in all these slides. It very well could have
22 been. I don't know.

23 Q. All right. Then the only ones that I want
24 to call your attention to specifically are Slides 19
25 and 20. And I want you to flip through those and see

DEPOSITION OF MIKE COUICK
September 21, 2018

122

1 if you have any reason to believe that the
2 information conveyed there was not conveyed to you
3 and the cooperatives on March 3, 2016.

4 A. I have no specific recollection over any of
5 these things, other than productivity. I talked
6 about job packets earlier. That would have been in
7 the context of that. I would have recalled that
8 recent independent study indicates BLRA methodology
9 reduces cost; that would have been discussed. I
10 recall still a diverse and non-GHG source of power.
11 I would have recalled that, as it was worded on the
12 ORS website. The project faces significant but not
13 insurmountable challenges, according to SCE&G, as
14 opposed to how it's worded here. Unit 3 will need
15 substantial improvement in all areas to meet the date
16 for the federal tax credits.

17 And again, my focus would have been on those
18 things that were in my wheelhouse which were policy
19 matters, largely. I would not have had the capacity
20 to focus and retain information on shield building,
21 air inlet tension ring and roof design.

22 Q. You had other people at the meeting to
23 understand that; is that right?

24 A. That would have been the role of Central or
25 their engineers, but more particularly we were

DEPOSITION OF MIKE COUICK
September 21, 2018

123

1 relying upon the people building it. We were not in
2 a position of managing the construction. We're a
3 customer. I'm a customer of SCE&G here in town. I
4 didn't try to manage the design of Jenkinsville as a
5 customer.

6 Q. In this particular context, you were in fact
7 relying on ORS and its expert, right?

8 A. I was relying on anybody that would tell me
9 anything about what was going on about what they
10 knew.

11 Q. And the first place you went after your
12 conversation with Mr. Wolfe is the ORS, right?

13 A. I went two places first. I went to ORS and
14 I went to Kevin Marsh.

15 Q. Then your -- did you have -- was it your
16 understanding that people like Gary Jones could
17 understand some of the technical details that were
18 described in this particular presentation?

19 A. I was relying on ORS to be a regulator.

20 Q. And collect the information that it thought
21 was required to serve in that capacity; is that
22 right?

23 A. Including joining with them and intervening
24 in the Fixed Price Proceeding immediately after this
25 late April, May, June.

DEPOSITION OF MIKE COUICK
September 21, 2018

124

1 Q. Okay. Now, I think my question to you was a
2 little bit different on 19 and 20. I just want to
3 make sure the record is clear.

4 What I asked you was whether you have any
5 reason to believe this information was not provided
6 at this meeting, and what you answered was slightly
7 different, and I just want to make sure this is
8 clear. You answered what you recalled. My question
9 is different.

10 Do you have any reason to believe that the
11 information conveyed in Slides 19 and 20 was not
12 conveyed to the cooperatives on March 3, 2016?

13 A. I have no ability to recollect if it was or
14 it wasn't specifically.

15 Q. Okay.

16 A. You have provided me with a document that I
17 have had four or five minutes to review, and I have
18 told you what I recall --

19 Q. Okay.

20 A. -- maybe being presented.

21 Q. Fair enough. If at any point throughout the
22 day you recall something else about this document
23 that you believe would not have been conveyed, please
24 do let me know.

25 But I have one more question for you on it.

DEPOSITION OF MIKE COUICK
September 21, 2018

125

1 A. Sure.

2 Q. On the last page, 20, bullet three, "Project
3 faces significant but not insurmountable challenges."
4 I believe you said that you recalled this being
5 loaded or posted on the ORS website but with a
6 different --

7 A. I think, if I can reclaim your Exhibit 1 --

8 Q. Please do.

9 A. I thought it was worded differently there.

10 Q. Page nine.

11 A. Actually, my memory is wrong.

12 Q. Okay.

13 A. It was the consolidation under Westinghouse
14 viewed positively by SCE&G.

15 Q. Okay.

16 A. So I'll correct my memory. That was what
17 was modified.

18 Q. Thank you.

19 So, Mr. Couick, you said you had two lunches
20 with Kevin Marsh --

21 A. Yes, sir.

22 Q. -- in this time frame? I believe you pegged
23 them in January and April; is that right?

24 A. Right.

25 Q. Can you recall precisely when you reached

DEPOSITION OF MIKE COUICK
September 21, 2018

126

1 out to Mr. Marsh to schedule this January lunch?

2 A. The date that I would have called, no.

3 Q. General time frame; before the holidays,
4 after the holidays?

5 A. It would have probably been after the
6 holidays. Generally, if we scheduled meetings, it
7 was either to happen that day or that week, as a
8 matter of practice between Kevin and I. If it was
9 just us or just a small group of people, we didn't
10 delay things.

11 Q. So you reached out to Mr. Marsh and
12 requested a lunch meeting; is that right?

13 A. We did.

14 Q. When precisely, if you can give me any more
15 details, do you recall that meeting occurring?

16 A. I believe it occurred on January 26 or 27th
17 of 2016.

18 Q. What causes you to believe that it was one
19 of those two days?

20 A. Just looking at a calendar that I had, that
21 I have "Kevin Marsh Lunch." I also have a memory
22 that it was cold weather. We sat on the porch of the
23 restaurant we ate at. I can even remember the four
24 of us that were there, and we talked about football
25 wrapping up with bowl games and the Super bowl coming

DEPOSITION OF MIKE COUICK
September 21, 2018

127

1 up.

2 Q. Fair enough. Who all was there?

3 A. Myself, Kevin, my best memory is Keller
4 Kissam and my general counsel Chris Koon.

5 Q. Did you invite Mr. Kissam to the meeting?

6 A. I'm not sure who invited Keller.

7 Q. You did invite your general counsel though,
8 right?

9 A. I did.

10 Q. What do you recall, other than football,
11 being discussed at that meeting?

12 A. We had been working on a project between the
13 electric cooperatives and SCE&G for a number of years
14 to remove unassigned territory, overlaps of claims of
15 who has what territory, so that when you go to make a
16 decision to serve a premise, which is a defined term
17 under South Carolina law, there is a lot of clarity
18 about who it is and we don't end up having
19 disagreements in the field between whether it be an
20 SCE&G lineman or an Aiken Electric Cooperative
21 lineman.

22 One of the most difficult areas we've had
23 solving that has been Aiken Electric Co-op territory.
24 What we were talking about, in part that day, and
25 that likely would have been why Chris and Keller were

DEPOSITION OF MIKE COUICK
September 21, 2018

128

1 there, was either the progress or no progress being
2 made on getting that resolved. That is very
3 important to our local cooperatives, and that's
4 something we have worked with operations side of
5 SCE&G on for a while.

6 The other thing we would have talked about
7 in 2016 would have been anything still on the table
8 as it related to nuclear production tax credit in
9 terms of where things were. They had asked for our
10 assistance in getting legislation passed, or we could
11 have still been talking about transferability. But
12 that was something important to SCE&G and the
13 cooperatives.

14 We would have talked about generally the
15 need to support ORS, that we have a unique regulatory
16 climate in South Carolina where ORS and PSC have
17 roles that were redefined by Act 175 of 2004, and it
18 was important that we work to make sure ORS had what
19 it needed to get its job done.

20 And then finally, I would have asked my
21 question that I would have asked just Kevin about, I
22 heard that Santee Cooper -- and I don't know whether
23 I would have said a board member or Santee Cooper --
24 was interested in having an owner's agent, and that
25 also they believed that there were improvements that

DEPOSITION OF MIKE COUICK
September 21, 2018

129

1 needed to be made at Jenkinsville. And I would have
2 asked the only question I felt like I was comfortable
3 asking, was, have those improvements been made, and
4 the answer I got back were, yes, they've either been
5 made or they're in the process of being made. And as
6 to the owner's agent, I would have been told, my
7 memory is, we don't need an owner's agent.

8 I don't recollect whether the CORB was
9 discussed in January or it could have been in April
10 that we talked about the CORB and who might be on
11 that CORB.

12 Q. Was this -- do you recall this being, you
13 know, a multi-hour meeting or was it --

14 A. Huh-uh.

15 Q. -- a typical lunch meeting hour?

16 A. I don't do multi-hour meetings. It was over
17 lunch, and it would have been probably no more than
18 an hour.

19 Q. And you talked about various different
20 topics, and you said "finally." Is this to suggest
21 that this was the last topic you discussed?

22 A. No. I'm just saying "finally" in terms of
23 my making my list for you today.

24 Q. Fair enough.

25 A. Finally, that was -- I don't know whether it

DEPOSITION OF MIKE COUICK
September 21, 2018

130

1 was first, last, middle, whatever.

2 Q. Do you recall how much time you spent
3 talking to Kevin about this?

4 A. Long enough for me to ask the question of
5 I'm hearing from Santee Cooper that they believe that
6 there needs to be an owner's agent or owner's
7 engineer. I have also heard that there have been
8 some improvements recommended, have you made the
9 improvements. I would have gotten his answer, and
10 then I would have heard back that they didn't think
11 there needed to be an owner's agent or an owner's
12 engineer.

13 Q. Did you follow up with him at all on any of
14 those points?

15 A. What would I have followed up about?

16 Q. I don't know. I wasn't in the meeting.

17 A. Well, my point being, I am a customer asking
18 a question. I don't have any specific information
19 about what the problems were that had been
20 identified. I don't have a dog in the fight, really,
21 between Santee Cooper and SCANA, about whether there
22 is an owner's agent or not. All I can do is trust
23 the person I'm used to trusting, Kevin Marsh, and I
24 asked him my only question I could ask: Have you
25 heard that things need to get better, are you doing

DEPOSITION OF MIKE COUICK
September 21, 2018

131

1 whatever you need to do to get them better? And he
2 tells me, yes. I have got nothing left to ask.

3 Q. Did you feel like you wanted more
4 information?

5 A. I am not managing Jenkinsville. I've got a
6 literature degree and a law degree. I have got
7 plenty of other work to do in my own hula-hoop. I
8 asked him if he was doing his job; he said he was.

9 Q. Did you have an understanding at that time
10 as to what recommendations --

11 A. No, sir.

12 Q. -- were being made?

13 A. No, sir.

14 Q. Okay. So, Mr. Couick, is it your testimony
15 that you weren't able to comprehend the issues that
16 the ORS was describing to you in December and January
17 before this meeting with Mr. Marsh?

18 A. No, sir. What I'm sharing with you is that
19 my area of operation at -- statewide, is not one as
20 an engineer, an accountant, or anybody that measures
21 the performance of Santee Cooper's role in the
22 production of wholesale power, nor in the
23 construction of Jenkinsville. Mine is to make sure
24 that if I hear of issues that relate to the
25 regulatory process or anything else, that I plug the

DEPOSITION OF MIKE COUICK
September 21, 2018

132

1 right people at Central or whoever into that.

2 So I did what I needed to do by getting
3 Central to that next meeting in January. When I had
4 heard that there was apparently some disagreement
5 between the two partners, being Santee Cooper and
6 SCE&G, over whether they needed an owner's agent, I
7 went to the person I was used to being able to talk
8 to and say, I hear they want an owner's agent, tell
9 me, what's your view on it, Kevin.

10 Q. Prior to that time, had you heard there was
11 disagreement as to whether or not there would be an
12 owner's engineer?

13 A. I had heard from various people at Santee
14 Cooper in various meetings that they weren't always
15 satisfied with their -- that people heard them.

16 Q. On this particular --

17 A. SCE&G. Just in general at Jenkinsville.

18 Q. So you didn't know there to be disagreement
19 over whether there would be an owner's engineer at
20 the time you asked Kevin Marsh the question?

21 A. Well, I asked him should there be one,
22 should there be one, and he said no.

23 Q. Okay. So that meeting was January 26 or
24 January 27. Did you, between that time and your
25 later lunch with Mr. Marsh in April, did you have any

DEPOSITION OF MIKE COUICK
September 21, 2018

133

1 further conversations with Mr. Marsh related to the
2 status of the project?

3 A. I don't recall if I did or not.

4 Q. Would it surprise you if you did; I mean, is
5 it unusual?

6 A. I just don't recall.

7 Q. Fair enough.

8 A. He and I talked when we needed to talk. In
9 this case, I would have asked my question, I would
10 have considered it answered. The next thing that
11 came up in April, it was -- came from a different
12 position and it was a different issue.

13 Q. Okay. Then describe for me the
14 circumstances related to this April meeting with
15 Mr. Marsh.

16 A. I had received a call from Dukes Scott at
17 ORS late one workday after afternoon. I say "late,"
18 it was probably 6 p.m., saying that the base load --
19 I mean, excuse me -- the Fixed Price Proceeding, what
20 was getting ready to happen, and would the
21 cooperatives be agreeable to intervening as a party.

22 And that is not what I would have first
23 thought of. We don't buy electricity from SCE&G. We
24 buy our electricity from either SEPA, Duke, or Santee
25 Cooper. But it was interesting that if we wanted to

DEPOSITION OF MIKE COUICK
September 21, 2018

134

1 get more information about whether the fixed price
2 was really a fixed price, that that was one way to
3 get it.

4 I believe Dukes Scott believed that it would
5 be better to have several parties looking for a
6 common result, and he shared with me he was going to
7 also reach out to others about intervening. And I
8 said that I would run it up the flagpole, which I did
9 within ECSC, the appropriate board committees and
10 stuff, and received the green light. And I thought
11 it was incumbent upon me to let the person know that
12 I was getting ready to intervene in their case.
13 Kevin Marsh, we're getting ready to intervene in your
14 case, and this is why, and I shared that with him at
15 that lunch.

16 Q. Okay. So do you recall when, in relation to
17 the lunch, Mr. Scott called you? Obviously before,
18 but how far before?

19 A. I don't recall.

20 Q. Do you recall whether or not you called
21 Mr. Marsh to schedule the lunch?

22 A. I'm pretty sure I would have called either
23 Mr. Scott or Mr. Kenny Jackson, one.

24 Q. You said Mr. Scott. I think you meant
25 Mr. Marsh.

DEPOSITION OF MIKE COUICK
September 21, 2018

135

1 A. I mean Mr. Marsh or Mr. Jackson.

2 Q. And that lunch would have been scheduled
3 relatively soon after you called?

4 A. Uh-huh.

5 Q. You described your typical process.

6 A. (Witness nodded head.)

7 Q. Okay. Can you please tell us everything you
8 can recall about that particular meeting with Mr.
9 Marsh?

10 A. My recollection is it was just three people
11 there. It was Mr. Jackson, who headed up, I believe,
12 Regulatory Affairs for SCE&G, Mr. Marsh and myself.
13 And I would have shared, this is what we're planning
14 to do, and I believe it's a good thing, I believe
15 it's our way, as co-ops, to know more about what's
16 going on there.

17 We do not have the benefit of PSE regulation
18 over Santee Cooper. We don't have the opportunity
19 for Santee Cooper to be under a PFC proceeding for it
20 to vet why it's chosen to go a fixed price route
21 versus another route.

22 Again, the issue is not whether you finish
23 it or not, it just is this the better deal to have a
24 Fixed Price Proceeding. And we would like to, as
25 consumers of the -- ultimately -- ultimate consumers

DEPOSITION OF MIKE COUICK
September 21, 2018

136

1 of the same nuclear units, to know whether this is
2 likely to produce a good outcome for our co-op
3 members. Is the certainty you're getting going to
4 accrue and benefit co-op members. And I would have
5 shared that with him, I think it was, again, probably
6 a 15-minute, 20-minute part of the lunch and -- but I
7 wanted him to know up front what we were doing.

8 Q. So you believed it was a good thing for the
9 cooperative members to learn more about the project
10 at that time; is that right?

11 A. I believed that it was important to learn
12 more about the wisdom of the fixed price and the
13 increase in the price tag; did it truly bring
14 certainty, would it make sense for consumers.

15 Q. All right. Do you recall Mr. Marsh's
16 response to you?

17 A. I don't recall that it was negative.

18 Q. Do you recall anything else about this
19 conversation with Mr. Marsh, this lunch with
20 Mr. Marsh?

21 A. No, sir.

22 Q. So no discussion with Mr. Marsh about an
23 owner's engineer?

24 A. That's where I have the challenge of
25 remembering which lunch he talked about the CORB. He

DEPOSITION OF MIKE COUICK
September 21, 2018

137

1 referenced the CORB and its membership at a lunch.
2 It could have either have been January or April, but
3 I don't specifically recall. It could have been
4 discussed in April, the CORB part, it could have
5 been.

6 Q. The CORB part?

7 A. The CORB part.

8 Q. Do you remember the word Bechtel being
9 **exchanged at that meeting?**

10 A. No. Again, my focus is on the improvements.
11 He had already told me the improvements were being
12 implemented. The only thing that was in
13 disagreement, I thought, was the need for an owner's
14 engineer, and I asked him about that in January.

15 What may very well have come up in April was
16 him telling me about the CORB. I have a specific
17 memory of him mentioning somebody that had the
18 Watts-Bar TVA experience. And again, I can't
19 recollect whether -- I just don't recollect which one
20 it was, but I have a specific recollection, at lunch,
21 him telling me about the CORB and the Watts-Bar
22 representative.

23 Q. Okay. Fair enough.

24 You said you received a call from Dukes
25 Scott about this potential for intervention, and you

DEPOSITION OF MIKE COUICK
September 21, 2018

138

1 described some of what you recall from that. I want
2 to ask you one or two questions about it.

3 Why did you understand Mr. Scott wanted
4 several parties to intervene?

5 A. It was important. The matter was important
6 that -- he thought it was important that there be --
7 the original mission of ORS was trying to get anybody
8 that had an interest in something at the table as
9 stakeholders, and having them proceed together,
10 together the same way went through the State
11 Implementation Plan, Clean Power Plan. And so he
12 going to reach out not only to the cooperatives who
13 had a financial interest indirectly, but also to the
14 large energy users and others and say, ORS is getting
15 ready to go through this case, do you want to work
16 together in terms of coordinating our efforts.

17 MR. ELLERBE: Just for the record,
18 we did intervene, we did work closely with ORS
19 and other parties, and we believe that there is a
20 common interest between those parties such that
21 we did not waive privilege when we had
22 discussions with the other parties that were
23 included within them that common interest
24 arrangement, for purposes of going forward with
25 the deposition as you ask questions.

DEPOSITION OF MIKE COUICK
September 21, 2018

139

1 BY MR. CHALLY:

2 Q. Okay. Well, then, let me ask you a couple
3 of questions about that.

4 Did you enter into a formal joint defense
5 agreement with any party in connection with the
6 intervention?

7 A. I would not have been the person that would
8 have implemented --

9 MR. ELLERBE: No. No, that's his
10 answer. Excuse me.

11 THE WITNESS: I mean, I don't
12 know.

13 BY MR. CHALLY:

14 Q. Fair enough. Okay.

15 Anything else you can recall about your
16 conversation with Mr. Scott that led you to your
17 meeting with Mr. Marsh?

18 A. Not from that phone call, no, sir.

19 Q. Okay. At some point earlier in your
20 testimony, you said that you had a conversation with
21 Mr. Scott reporting on a conversation you had with
22 Mr. Marsh. Did I remember that correctly?

23 A. You do.

24 Q. Okay. Tell me everything you can recall
25 about that conversation with Mr. Scott.

DEPOSITION OF MIKE COUICK
September 21, 2018

140

1 A. There would have been -- after the January,
2 the meeting we had that had Mr. Koon, Mr. Kissam,
3 Mr. Marsh and myself, my recollection is I would have
4 told Dukes, I asked him my question about whether
5 there needed to be an owner's agent, and was told,
6 no, they didn't need one.

7 Whether I told him about the rest of the
8 question or not in terms of implementing
9 improvements, I probably would have said that as
10 well. That would have been my general nature. But I
11 have no specific recollection beyond that.

12 Q. So you were -- at this time you were working
13 with ORS to collect information related to the
14 project and to -- related to moving forward, correct?

15 A. That was in January 2016.

16 Q. Right.

17 A. This is when I'm asking them to keep us
18 updated. This is when I'm sharing him back his
19 regulated utility. I have met with the CEO, I have
20 asked him two questions, I was just reporting back
21 what I heard.

22 Q. I guess what I'm trying to get at is, there
23 would have been no reason for you to not share
24 information with Mr. Marsh; it was you were working
25 with the ORS at this point, right?

DEPOSITION OF MIKE COUICK
September 21, 2018

141

1 A. Ask your question again?

2 Q. Yeah. Was there any reason for you not to
3 share information that you learned from Mr. Marsh
4 with Mr. Scott in this context?

5 A. I couldn't imagine.

6 Q. So you would have expected that anything
7 significant you learned from Mr. Marsh you relayed to
8 Mr. Scott?

9 A. I can't imagine why I wouldn't.

10 Q. So prior to ECSC intervening, did you ask
11 anyone what recommendations had been suggested by
12 this evaluation that you knew to have been conducted
13 from your original conversation with Mr. Wolfe?

14 A. I was not aware of the forum or the process
15 or formality of what had occurred on site. You call
16 it an assessment. I wasn't aware of anything about
17 the particulars of it. All I was aware of was there
18 had been recommendations, and that at least a board
19 member of Santee Cooper believed there needed to be
20 an owner's agent.

21 I had asked my best question of the CEO of
22 the company had the improvements been implemented.

23 Q. So you were aware of these recommendations.
24 My question is: Did you ever --

25 A. No, sir, I was not aware of the

DEPOSITION OF MIKE COUICK
September 21, 2018

142

1 recommendations.

2 Q. Oh. You were aware that there were
3 recommendations?

4 A. I was aware there were suggested
5 improvements.

6 Q. Did you ask anyone what those suggested
7 improvements were?

8 A. I asked the CEO of the company had they
9 implemented them. Them telling me suggested
10 improvements, if they're technical, would have been
11 wasted effort.

12 Q. So the specifics of the suggested
13 improvements were immaterial; is that right?

14 A. No, they weren't immaterial. My best
15 solution was to ask the CEO of the company building
16 it, the primary partner. What you heard, they told
17 you. Are you making the changes to meet the
18 improvements.

19 Q. So then you never asked anyone else,
20 Mr. Wolfe or anyone else that you talked to in this
21 time frame, what specific recommendations were made;
22 is that right?

23 A. Once I got Mr. Marsh's assurance they were
24 making the improvements, I really didn't have
25 anything else to do.

DEPOSITION OF MIKE COUICK
September 21, 2018

143

1 (Exhibit No. 3 was marked for
2 identification.)

3 Q. Okay. I'm handing you what I have marked as
4 Exhibit 3.

5 Do you want to take a break? I don't know
6 what your question is.

7 A. No, I'd prefer not to take a break.

8 MR. ELLERBE: Yeah. We can't talk
9 about -- he just would like to move through.
10 He's trying to get to Parents' Weekend, as we
11 discussed.

12 MR. CHALLY: Can we go off the
13 record here, if you don't want to shut the video
14 down? What is your time frame?

15 THE WITNESS: Well, I want to
16 be as cooperative as I can.

17 THE VIDEOGRAPHER: Hold on. Off
18 the record at 12:40 p.m.

19 (Off-the-record discussion.)

20 THE VIDEOGRAPHER: On the record
21 at 12:42 p.m.

22 BY MR. CHALLY:

23 Q. Mr. Couick, I have handed you what I have
24 marked as Exhibit 3 to your deposition. This is a
25 Petition to Intervene of the Electric Cooperatives of

DEPOSITION OF MIKE COUICK
September 21, 2018

144

1 South Carolina.

2 You're familiar with this particular
3 document, aren't you?

4 A. Yes, sir.

5 Q. In fact, it was submitted under your
6 signature, wasn't it, at least partially?

7 A. I am not finding my signature on the
8 document that I've got.

9 Q. It's not your physical signature; it's your
10 name, your "e" --

11 A. Right, correct.

12 Q. It has your name on it. Do you see that?

13 A. Yes, sir.

14 Q. On page three.

15 A. I do.

16 Q. All right. So this is the document through
17 which you formally intervened in the PSC proceedings;
18 is that correct?

19 A. Yes, sir.

20 Q. And you intervened in that proceeding as you
21 described earlier for the purpose of voicing your
22 views as to the issues that were pending in that
23 proceeding; is that right?

24 A. We intervened to learn more about the
25 agreement that had been reached, the likelihood it

DEPOSITION OF MIKE COUICK
September 21, 2018

145

1 will be a good financial result for our co-op
2 members.

3 Q. And you desired to learn more information,
4 and following your intervention, you in fact did
5 learn more information; isn't that right, about the
6 status of the project?

7 A. Went through a series of meetings with
8 counsel, including counsel for SCE&G. And ORS and
9 others were presented with information about their
10 views on the likelihood of the deal being a better
11 deal. Those were presented. Met with ORS and the
12 other parties to discuss what had been presented by
13 SCE&G, both informally and whatever had been
14 presented by filings, and worked with ORS to see if
15 there was a mediated settlement or settlement that
16 could be reached in this proceeding.

17 Q. Has ECSC ever intervened in a PSC proceeding
18 before this one?

19 A. Sure, we have intervened in other
20 proceedings. I don't recollect another SCE&G
21 proceeding that didn't deal specifically with the
22 provision of electricity by an electrical
23 distribution cooperative.

24 Q. So would you agree with me that deciding to
25 intervene is not a decision that you undertook

DEPOSITION OF MIKE COUICK
September 21, 2018

146

1 lightly?

2 A. No, sir. I do agree with you.

3 Q. And ultimately, your position on the issues
4 before the PSC is something that you were thoughtful
5 about, that you wanted to make sure you had the
6 information that was necessary and that you were
7 comfortable with the decision you ultimately reached
8 on the matters before the PSC?

9 A. We expressed that we had confidence in what
10 ORS had done, that we believed that what they worked
11 out as a negotiated agreement was appropriate to
12 support.

13 Q. And your specific conclusions as to what you
14 thought of the matters before the PSC are documented
15 in testimony, right?

16 A. They are.

17 Q. In fact, you submitted pre-filed testimony
18 in the PSC proceeding; isn't that right?

19 A. We did.

20 (Exhibit No. 4 was marked for
21 identification.)

22 Q. I'm showing you what I've marked as
23 Exhibit 4 to your deposition. Do you recognize this?

24 A. I do.

25 Q. This is your pre-filed testimony as

DEPOSITION OF MIKE COUICK
September 21, 2018

147

1 submitted in the PSC proceedings where ECSC had
2 intervened; isn't that right?

3 A. Correct.

4 Q. You read this testimony before it was
5 submitted to the PSC?

6 A. I did.

7 Q. At the time you provided the testimony,
8 which I believe was September 1st, 2016, did you
9 believe it to be true and accurate?

10 A. I did.

11 Q. If I were to ask you the questions that were
12 directed to you in this pre-filed testimony today,
13 would you answer them in substantially the same way?

14 A. Based upon what I knew at the time I signed
15 it, I would still have signed it.

16 Q. Anything in this testimony that you believe
17 to be incorrect?

18 A. Based upon what I knew at the time I signed
19 it, I would still believe it to be correct.

20 Q. Sir, if you look at page four.

21 A. Yes, sir.

22 Q. You indicate in the second to last sentence
23 of the first paragraph, carryover paragraph, begins
24 "ECSC and Central intervened in this proceeding to
25 get a better understanding."

DEPOSITION OF MIKE COUICK
September 21, 2018

148

1 Do you see that?

2 A. Yes, sir.

3 Q. Okay. Do I understand that sentence to mean
4 that you, at ECSC, were intervening to get as much
5 information as you could about whether this 2016
6 petition of SCE&G relayed to the Fixed Price Options
7 was in the best interest of ECSC's members?

8 A. I did not believe that that question was
9 before the Commission. The only question before the
10 Commission related to SCE&G and its ratepayers.

11 But we were along for the ride to find out
12 what we could find about whether this fixed price was
13 better than the old deal, and was it worth the extra
14 amount that was being paid, and what likelihood did
15 the fixed price, what likelihood would the fixed
16 price result in a finished on time, on budget, set of
17 units.

18 Q. So you wanted to get information related to
19 the Fixed Price Option; is that fair?

20 A. Right.

21 Q. You wanted to get information as to the
22 status of the project as well; is that fair?

23 A. I believe that what we were hoping for was
24 there were going to be -- and I believe you testified
25 this before the Commission -- that we needed

DEPOSITION OF MIKE COUICK
September 21, 2018

149

1 measurables, in milestones, by which the Commission
2 could gauge progress.

3 But I believe I also testified that I
4 believe that Fluor's role was important. So whether
5 the project was on time or not or whatever, I was
6 viewing this as a reset button, and was this Fixed
7 Price Agreement effectively worth the extra cost to
8 make sure there was going to be reports to the Public
9 Service Commission to ORS in the future that would
10 include the type of assessments to know whether there
11 was truly a reliable price tag and a reliable
12 roadmap.

13 Q. You ultimately indicate or ultimately did,
14 as you indicate in your testimony, collect additional
15 information on these topics in connection with the
16 intervention; isn't that right?

17 A. Ask your question again, please.

18 Q. Yeah. I will just refer you to page four,
19 the question that begins about halfway down the page,
20 the second question, "Please explain why you support
21 settlement."

22 You testified, "By participating in this
23 proceeding and meeting with various parties, we have
24 developed a much better understanding of the Summer
25 project and the issues that caused SCE&G to negotiate

DEPOSITION OF MIKE COUICK
September 21, 2018

150

1 the changes to the EPC contract. And the reasons why
2 we're in favor of the Fixed Price Option."

3 Q. Right.

4 A. Right.

5 Q. So what meetings did you have and with what
6 parties to develop this better understanding?

7 A. Through the course of the summer, there were
8 a series of meetings with those people that had
9 intervened, including the large energy users. There
10 was one convened at the site that I referenced
11 earlier, hosted by SCE&G that had Westinghouse there,
12 or Westinghouse talked about what they'd done within
13 the last several months to improve performance there.
14 There were meetings with lawyers discussing trying to
15 reach a settlement.

16 Most of my focus was on, how do you change
17 who bears the risk of things not working out. The
18 consumer had been bearing that risk, whether it be
19 cost overruns or delays, and hopefully with the Fixed
20 Price Agreement, that risk would shift to the
21 contractor if things didn't go out. They had every
22 reason to want to make things better.

23 Q. All right. Try to unpack some of that.

24 So you said that there were meetings with
25 lawyers?

DEPOSITION OF MIKE COUICK
September 21, 2018

151

1 A. Yes, sir.

2 Q. Were these lawyers that represented the ECSC
3 and cooperatives?

4 A. And others, yes, sir.

5 Q. What others?

6 A. Well, it would depend on various meetings.
7 It could have been the large energy users, Scott
8 Elliott; it could have been lawyers for ORS; I have
9 no specific recollection now of whether Mr. Frank
10 Knapp had a lawyer or not that was involved, whether
11 they were in any of those meetings; there would have
12 been meetings that would have occurred between other
13 personnel at Central talking about why they thought
14 the fixed price -- why SCE&G or Santee Cooper thought
15 the Fixed Price Proceeding wouldn't have initially
16 have been involved in those, was it a better option.

17 Q. You said there was a site meeting with
18 Westinghouse?

19 A. And SCE&G and ORS, and my memory is the
20 large energy user, Scott Elliott, was there.

21 Q. Did you attend that meeting?

22 A. I did.

23 Q. Can you tell me everything you can recall
24 about that particular meeting?

25 A. There were probably 40 people there. It had

DEPOSITION OF MIKE COUICK
September 21, 2018

152

1 representatives not only of Westinghouse but also
2 Fluor, the number two person at Fluor, I believe, was
3 there. They were very quiet. Westinghouse carried
4 the burden, carrying the presentation on what was
5 going on.

6 The people from SCANA that were there were
7 included, I believe Mr. Byrne and others. I don't
8 recall -- I don't believe Mr. Marsh was there. There
9 was counsel for the co-ops there, both Central and
10 Statewide, which is what we call ECSC.

11 There was a Power Point presentation made by
12 Westinghouse. I focused on one slide in particular,
13 I call it Slide Number 12, where they ask -- they
14 talked about the number of meetings they were having
15 each month to try to clean up inefficiencies. As I
16 recollect, there were 44 different meeting
17 opportunities; some were daily, some were biweekly,
18 some were weekly, some were once a month. I asked
19 the question, of those, how many was Santee Cooper
20 attending, and the answer I got back was two.

21 I shared that back later to Central. I had
22 some concerns about whether these meetings were being
23 utilized or not by Santee Cooper. But that, today,
24 is about the best of my memory. It was a
25 several-hour meeting.

DEPOSITION OF MIKE COUICK
September 21, 2018

153

1 Q. Would you characterize your ECSC's review
2 and these meetings between April and September of
3 2017 as extensive?

4 A. ECSC review, no. We're primary the face for
5 a law firm and for public policy. But within Central
6 Electric Power Cooperative, the attorneys for ECSC
7 outside, including Mr. Ellerbe, including
8 Mr. Tiencken, outside counsel for Central, they were
9 reviewing the work of SCANA to date.

10 Q. Okay. So you of course agree, as you
11 testified before, that you, you developed a much
12 better understanding of the Summer project and the
13 issues through this process.

14 A. We as an entity. I'm representing Electric
15 Cooperatives of South Carolina who, in turn, is
16 representing the interest of 20 distribution
17 cooperatives and Central Cooperative. We developed a
18 better understanding of the Summer project, the
19 issues that caused SCANA to negotiate the changes to
20 making a fixed price.

21 Q. And you had a number of lawyers and others
22 that were involved in the process; is that right?

23 A. Yes, sir.

24 Q. Did you have any experts, engineers, that
25 were involved in the process?

DEPOSITION OF MIKE COUICK
September 21, 2018

154

1 A. I don't recollect specifically now what
2 expertise we had in that area at that point in time.

3 Q. But you had involved Central specifically,
4 correct?

5 A. Right, yes, sir.

6 Q. And to the extent that there was technical
7 knowledge, Central, to your understanding, would have
8 that knowledge; is that right?

9 A. Technical knowledge as to whether the Fixed
10 Price Agreement, which was the focus, was a better
11 deal even because or even if there was a higher price
12 tag; that would have been the issue.

13 Q. Are you aware of any information that anyone
14 on the cooperative side requested during this time
15 frame that they didn't receive?

16 A. I don't remember.

17 Q. What was your understanding of the issues
18 that caused SCE&G to negotiate the changes to the EPC
19 contract?

20 A. Say that one more time.

21 Q. What was your understanding of the issues
22 that caused SCE&G to negotiate the changes to the EPC
23 contract?

24 A. My understanding was there had been a
25 migration of responsibilities among the contractors

DEPOSITION OF MIKE COUICK
September 21, 2018

155

1 on the site; there had been change-out to where it
2 had been consolidated under Westinghouse, that they
3 viewed that, SCE&G, as an improvement; there was
4 single-handed responsibility now, and with that
5 single-handed responsibility came the opportunity to
6 make them on the hook to get it done on schedule and
7 on budget.

8 Q. All right. You also say in response to the
9 next question, your pre-filed testimony, that we were
10 also able to review documents prepared by and for
11 Santee Cooper related to the project.

12 A. Yes, sir.

13 Q. What are you referring to there?

14 A. Whatever documents would have been made
15 available to counsel and for the -- for ECSC and to
16 ORS working with them.

17 Q. Same question there: Are you aware of any
18 information that was requested that you didn't
19 receive?

20 A. I would not have been in the loop on those
21 type of requests. I would not have been the person
22 that would have known that there had been a request
23 that had not been honored.

24 Q. So your understanding that those requests
25 that particular answer is referring to were requests

DEPOSITION OF MIKE COUICK
September 21, 2018

156

1 through counsel and only counsel; is that right?

2 A. I am not aware of anything I was asking for
3 outside of the loop of counsel.

4 (Exhibit No. 5 was marked for
5 identification.)

6 Q. All right. I'm handing you what I have
7 marked as Exhibit 5.

8 MR. ELLERBE: Is this part of my
9 production?

10 MR. CHALLY: I believe it was
11 produced in connection with the PSC proceedings.
12 I don't know precisely when it was produced.

13 MR. ELLERBE: Can we take a
14 second? We may not need to step out.

15 THE WITNESS: I can't see all of
16 it. The way it's produced, I can't see all of
17 it.

18 MR. CHALLY: Ready?

19 MR. ELLERBE: Yeah, go ahead.

20 BY MR. CHALLY:

21 Q. All right. Mr. Couick, I have handed you
22 this exhibit. First, do you recognize it?

23 A. I recognize the cover of it.

24 Q. What do you -- so you don't recognize the
25 content of the presentation?

DEPOSITION OF MIKE COUICK
September 21, 2018

157

1 A. I don't know if it's complete or not.

2 Q. Okay. What causes you to think that it's
3 not complete?

4 A. It's not numbered. Generally, if I had
5 printed out a Power Point that I would have provided
6 to someone, I would have numbered the pages so I
7 could tell if I was looking at one, two, three, four,
8 five, six, seven, eight.

9 Q. Do you recall making a presentation?

10 A. I do, to my board, in August of 2016.

11 Q. So this is a presentation on August 4, 2016,
12 whether this one or not, but it was a presentation
13 you made?

14 A. I do recall making a presentation.

15 Q. What was the purpose for the presentation?

16 A. Was to describe that we had been working
17 with ORS as our best way of finding out information
18 about whether the Fixed Price Agreement was a good
19 deal or a bad deal, and that we had reached a point
20 where we had made certain conclusions, and we walked
21 through those conclusions.

22 Our members were still concerned about
23 owning too much, Santee Cooper owning too much. So
24 our first objective, at the end of the day, this
25 proceeding should be settled and the project

DEPOSITION OF MIKE COUICK
September 21, 2018

158

1 finished. Walking away from Jenkinsville was not an
2 option at that point in time. We need it finished
3 and we need it sold. So I have amplified on the
4 Power Point to say, the goal was to finish it and
5 sell it, or get Santee Cooper to sell a portion of
6 it.

7 The next one was our objective to prepare
8 for the worst case; Westinghouse walks away, who
9 finishes, could they finish? This had been a
10 question that had been discussed, to a limited degree
11 in my presence, with SCANA, as to whether they would
12 have the expertise or who might have the expertise to
13 finish it. The only question I had ever asked on
14 this was, can Fluor finish it, and the answer was no,
15 Fluor was not the type of company standalone that
16 could have finished it, but somebody would need to
17 have the ability to finish it.

18 This got to be important, because what we
19 had learned during the course of the summer was the
20 plans for the two units. There truly were no finish
21 plans, as we understood them, and that got to be more
22 apparent and obvious in 2017 when we were looking for
23 what was a fully -- I hope I get it right -- a
24 fully-loaded integrated schedule or build schedule,
25 whatever.

DEPOSITION OF MIKE COUICK
September 21, 2018

159

1 That did not exist, and that was one thing
2 that Fluor was helping find out was, where was the
3 plan, where was the plan to finish it. That was one
4 of the questions about intellectual property; who
5 owned the title to the electrical property; who could
6 finish it if Westinghouse did walk away. Because one
7 of the questions that was up was, is this too good of
8 a deal, is this a deal that has been negotiated that
9 Westinghouse never has the intention of trying to
10 finish because they had given away too much. That
11 was one of the questions asked.

12 Q. Can I stop you there just to streamline this
13 a bit?

14 A. Sure.

15 Q. The first page, you say very clearly in this
16 presentation, "Walking away from Jenkinsville is not
17 an option." Right?

18 A. There was so much money already in that red
19 clay up there. There had been a tipping point where
20 at one point it may have been best for the co-ops to
21 walk away in terms of let's just don't finish it.
22 That -- based upon what we knew at the time, that day
23 had come and gone.

24 Q. It was your understanding then that if you
25 had walked away, you would still be saddled with

DEPOSITION OF MIKE COUICK
September 21, 2018

160

1 certain of the rates that are associated with that,
2 or costs that were associated with that?

3 A. Never got into that discussion. What we got
4 into was you can't sell something you don't finish.

5 Q. All right. Then you said that you -- on
6 what I'm referring to is page two of this
7 presentation. "Our Objective: Prepare." You said
8 that there was discussion about Westinghouse's
9 ability to complete the project under the Fixed Price
10 Option; is that right?

11 A. Well, their desire to want to finish it.

12 Q. Okay.

13 A. At some point, does it get so bad for them
14 that they just walk away?

15 Q. What do you recall about those discussions?

16 A. That there had been a model done by both, I
17 believe SCE&G and Santee Cooper. I do not recall
18 seeing specific graphs of SCE&G's model, but I did
19 see a specific graph of Santee Cooper's that
20 indicated, on a likelihood basis, the likelihood of
21 anything being done under the former arrangement
22 being cheaper than the Fixed Price Proceeding, Fix
23 Price Agreement, was miniscule.

24 And when I looked at that chart, what I came
25 to believe was, boy, if Westinghouse cut this deal,

DEPOSITION OF MIKE COUICK
September 21, 2018

161

1 do they really mean to live up to it; it's almost too
2 good to be true. I had had that discussion with
3 Mr. Jimmy Addison of SCE&G, is this deal too good to
4 be true, Jimmy?

5 Q. What do you recall hearing in response?

6 A. Was that they were prepared to deal with
7 that contingency if Westinghouse did walk away, and
8 that's why they were insisting on getting access to
9 all the information they would need to continue the
10 project, if need be.

11 Q. So you yourself expressed some concern in
12 response to the spreadsheet that you're referring to
13 that you reviewed?

14 A. All I saw was that the -- in a likelihood
15 analysis on a piece of 8-1/2-by-14 paper, the spread
16 of this is not -- this deal is not good; it's
17 actually better to leave it out, not do fixed price,
18 was very, very small. The circumstances which would
19 have lent itself to not doing a Fixed Price Agreement
20 were very, very small. There was no likelihood that
21 this deal was going to come in better without the
22 Fixed Price Proceeding.

23 That, as I had it described to me by Santee
24 Cooper, was an indication of what hard bargaining had
25 been done, but at the same time that hard bargaining

DEPOSITION OF MIKE COUICK
September 21, 2018

162

1 came a realization of making sure that if there was a
2 walkaway by Westinghouse, there was some ability to
3 finish it.

4 Q. So you were -- your understanding from this
5 spreadsheet was that the fixed price was about as
6 good as it was going to get in terms of --

7 A. May have been too good.

8 Q. -- in terms of the cost savings for Santee
9 Cooper and SCE&G; is that right?

10 A. May have been too good, yes, sir.

11 Q. And your concern was that it may have been
12 too good.

13 What you did do -- you nevertheless
14 supported actual exercise of the Fixed Price Option,
15 right?

16 A. Because I was told that the contingency of
17 Westinghouse walkaway was being handled through the
18 investment in Fluor, and others, to get access to the
19 necessary information and whatever that would be
20 needed for somebody else to be able to step in and
21 finish it.

22 Q. You knew that was a risk that if
23 Westinghouse --

24 A. Sure.

25 Q. -- failed that that would have implications

DEPOSITION OF MIKE COUICK
September 21, 2018

163

1 for the project, right?

2 A. Knew that SCANA and Santee Cooper were both
3 preparing to alleviate their risk, is what I knew.

4 Q. Any other ways in which you can recall --
5 are there any other ways in which you can recall
6 SCE&G or Santee Cooper preparing for this
7 contingency?

8 A. Again, I wouldn't have known. I would have
9 heard what they would have said in meetings, and I
10 would have relied upon those people that were expert
11 working for Central or lawyers to have asked the
12 question, and what I was being reassured was,
13 basically, any intellectual property necessary to
14 finishing this will be in our possession when we need
15 it.

16 Q. You said you attended this meeting with
17 Westinghouse at the onsite meeting. Did you ask
18 Westinghouse then about its commitment to the
19 project?

20 A. Others may have. I was more focused on what
21 improvements were being made to increase productivity
22 and what opportunities there were for the partners to
23 be able to measure success better.

24 Q. Is there anything else you can recall from
25 2016 that you or ECSC did to try to determine whether

DEPOSITION OF MIKE COUICK
September 21, 2018

164

1 it should sign on to the Fixed Price Option?

2 A. We certainly staffed and attended the
3 totality of the hearing before the Commission. Any
4 meetings that were held by ORS, we attended that,
5 involved the group of interveners and stakeholders.
6 We -- I would have attended various meetings at
7 Santee Cooper of the partnering meetings.

8 We were involved with ORS and their
9 insistence that there be only a very limited number
10 of things that would fall outside of the true fixed
11 price where the risk either went to shareholders or
12 to Westinghouse, not to ratepayers.

13 Q. Was there any other information that you
14 thought you needed to have before you could make this
15 determination as to whether you signed on to the
16 Fixed Price Option?

17 A. For me, I'm not aware of anything
18 contemporaneous at that time. I have become aware
19 since then of other requests that had been made that
20 I was unaware of Central, but I was not aware at the
21 time.

22 Q. And despite the fact -- so you had
23 sufficient information to sign on to ultimately the
24 settlement of your intervention; is that right?

25 A. That's what I represent in the testimony as

DEPOSITION OF MIKE COUICK
September 21, 2018

165

1 well.

2 (Exhibit No. 6 was marked for
3 identification.)

4 Q. Okay. I'm going to hand you what I have
5 marked as Exhibit 6.

6 MR. ELLERBE: It's marked Exhibit
7 1. Oh, you may want to put on the record the
8 fact that there is an exhibit sticker indicating
9 that this was Exhibit 1 in the PSC proceeding.

10 MR. CHALLY: Thank you. I will
11 take Mr. Ellerbe's record notation on that point.

12 THE WITNESS: Yes, sir.

13 BY MR. CHALLY:

14 Q. Are you familiar with this document,
15 Mr. Couick?

16 A. Yes, sir.

17 Q. This is a Settlement Agreement that
18 memorializes the terms of ECSC's conclusion as to the
19 Fixed Price Option as presented to the PSC; isn't
20 that right?

21 A. Yes, sir.

22 Q. If you turn to the last page of the document
23 before you get to the exhibits, which is page 22, is
24 that your signature?

25 A. Yes, sir.

DEPOSITION OF MIKE COUICK
September 21, 2018

166

1 Q. So is it fair to say, Mr. Couick, you
2 reviewed this document before it was signed?

3 A. Yes, sir.

4 Q. Is it true that when you signed this
5 settlement, you believed you were acting in the best
6 interest of your members?

7 A. At that time, based upon what I knew, yes,
8 sir.

9 Q. And when you signed the settlement, you
10 believed that the settlement and the Fixed Price
11 Option, that it allowed for was the best way to
12 resolve the PSC proceeding for your members; is that
13 right?

14 A. At that time, based upon what I knew, yes,
15 sir.

16 Q. And you achieved or you ultimately decided
17 to enter into the settlement after going through the
18 process that you have already testified as to the
19 review of additional information, right?

20 A. Yes, sir.

21 Q. And you certainly got information from all
22 the different parties that were involved in this
23 process on your and Central's behalf, right?

24 A. We did receive the information provided,
25 yes, sir.

DEPOSITION OF MIKE COUICK
September 21, 2018

167

1 Q. I want to ask you a couple of questions
2 about some documents that are reported as you having
3 seen here.

4 Go to paragraph 5. Page 7 of the Agreement.
5 Says, "ORS and settling parties have reviewed the
6 option, the scope of work necessary to complete the
7 EPC contract and the Sensitivity Analysis prepared by
8 SCE&G, witnessed by Joseph M. Lynch."

9 Do you see that?

10 A. Yes, sir.

11 Q. Do you recall specifically looking at those
12 documents?

13 A. If I do, I have no recollection now. I
14 probably would have relied on somebody else to review
15 those as to accuracy.

16 Q. I want to ask you a specific question about
17 the Sensitivity Analysis provided by Mr. Lynch. Who
18 would you have delegated -- to whom would you have
19 delegated a responsibility of reviewing that
20 Sensitivity Analysis?

21 A. I do not recall.

22 Q. What is the "Option" that this sentence in
23 Paragraph 5 is referring to?

24 A. This is the option, as I understood it, that
25 had been negotiated between the parties and

DEPOSITION OF MIKE COUICK
September 21, 2018

168

1 Westinghouse to achieve the fixed price within the
2 context of that settlement that was tightened down
3 by -- through a series of negotiations by ORS and
4 with SCE&G to limit a limited number of things
5 following outside of the true fixed price.

6 Q. Do you have an understanding as to what the
7 scope of work necessary to complete the EPC contract?

8 A. I would not even begin to.

9 Q. Do you know who, on behalf of ECSC would
10 have been responsible for --

11 A. I do not recollect at this time who that
12 would have been.

13 Q. Okay. One of the things, for the court
14 reporter's benefit, if we can do our best not to talk
15 over each other, that will make her job a little
16 easier.

17 A. Okay.

18 Q. But, of course, someone, as you recounted in
19 this paragraph, from ECSC, would have reviewed this
20 scope of work and would have reviewed the Sensitivity
21 Analysis?

22 A. Someone either with Central, working for the
23 electric cooperatives or perhaps working with ORS, we
24 would have relied on some party that was part of the
25 negotiating group to have done some type of analysis.

DEPOSITION OF MIKE COUICK
September 21, 2018

169

1 Q. So is it your testimony that you have no
2 memory of the Sensitivity Analysis at all?

3 A. I would not have worked on the Sensitivity
4 Analysis.

5 Q. My question is a little different. Do you
6 have any memory of the Sensitivity Analysis at all?

7 A. I remember a discussion about Sensitivity
8 Analysis. I have not focused on that.

9 Q. Do you recall anything specific about that
10 discussion?

11 A. No, sir.

12 (Exhibit No. 7 was marked for
13 identification.)

14 Q. Handing you what I have marked as Exhibit 7.
15 Have you ever seen this before?

16 A. I don't recall.

17 Q. I'm going to try to -- this, I will
18 represent to you, is the Sensitivity Analysis that
19 was submitted at and around the time of the
20 Settlement Agreement.

21 So you're, as the CEO of ECSC and signatory
22 to the Settlement Agreement, you're telling me you
23 don't recall anything about this particular document?

24 A. I would have relied upon someone sharing
25 with me, as either as counsel or expert for counsel,

DEPOSITION OF MIKE COUICK
September 21, 2018

170

1 that they had reviewed it and it was sufficient for
2 me to sign off on the settlement.

3 Q. Fair enough. Do you recall any discussion,
4 any specifics discussions then, related to the
5 performance factor of the project?

6 A. Please ask the question again.

7 Q. Do you recall any specific discussions
8 related to -- excuse me, let me strike that and start
9 over.

10 Do you recall any specific discussions
11 around the time of the Settlement Agreement related
12 to the performance factor for the project?

13 A. I recall conversations over the course of
14 the year about productivity. I would recognize it as
15 productivity, perhaps, percentages in terms of rates
16 of productivity. That may just be the word I'm
17 applying. It may not be the same thing.

18 Q. You said you recall some discussions. What
19 exactly do you recall about those discussions?

20 A. That they were lagging behind the levels
21 that would be necessary, and they needed to be
22 improved. And again, when I was at the onsite
23 meeting, what I was listening for was the
24 representative of Westinghouse to share what he was
25 doing to improve productivity, and one of the

DEPOSITION OF MIKE COUICK
September 21, 2018

171

1 measures he said he had implemented was the 44
2 meetings per month.

3 Q. So when you said "they were lagging," is
4 that "they" in that sentence Westinghouse?

5 A. "They" being the productivity levels, the
6 percentages.

7 Q. Okay. All right. Do you understand who's
8 responsible for the productivity factors or
9 productivity of the construction of project?

10 A. Sir? I'm not sure I understand your
11 question.

12 Q. Do you understand who was responsible for
13 the productivity of the project?

14 A. Ultimately it is the utilities that are
15 building it. They may have contracted with someone
16 to do the work. But I was sitting there, as a
17 customer, seeing who is minding the store.

18 Q. Okay. Flip with me to page 6 of the actual
19 Sensitivity Analysis which is an attachment to the
20 Pre-file Testimony. There is a section that begins
21 on that page 6, d.

22 A. Yes, sir.

23 Q. >Selecting PF Ranges For Modeling.

24 Before I ask you this question, let me back
25 up. Do you have any understanding as to what this

DEPOSITION OF MIKE COUICK
September 21, 2018

172

1 **Sensitivity Analysis was supposed to convey?**

2 A. No, sir. I would have relied on other folks
3 to have consumed this, absorb it, make a
4 recommendation to me about whether it was accurate or
5 not.

6 When I represented awhile ago that I
7 understand things as productivity levels, it may be a
8 very different concept than what you're discussing
9 here. This is not a document that I would have
10 focused on. I would have had somebody else focus on
11 it before I ever would have put my signature on it.

12 Q. But you would have done that -- someone on
13 your behalf would have had to review this document,
14 understand it, and discuss it with you before you
15 would have signed the Settlement Agreement; isn't
16 that fair?

17 A. They may not have discussed it with me.
18 They may have said that we have had a group work on
19 this. Between Central, ORS, the large energy users,
20 they have reviewed it, they believe it's accurate in
21 whatever sense, and we believe that the settlement's
22 fair. I would have relied on that.

23 Q. So then a couple of questions on the
24 specifics, page 6. "The 1.00 PF is the PF that was
25 included in the original cost projections for the

DEPOSITION OF MIKE COUICK
September 21, 2018

173

1 project, chosen by the Consortium."

2 Do you see that? On the very last, page 6,
3 the very last paragraph begins on page 6.

4 A. Page 6.

5 Q. No, that's the Pre-file Testimony.

6 A. Okay.

7 Q. The -- I'm sorry, same document. Following
8 that prefile testimony is the actual --

9 MR. ELLERBE: It's the exhibit to
10 the testimony.

11 THE WITNESS: All right.

12 BY MR. CHALLY:

13 Q. Page 6.

14 A. All right.

15 Q. The very last sentence begins on that page.

16 A. Yes, sir.

17 Q. "1.00 PF" Factor. "PF is the PF that was
18 included in the original cost for the projections for
19 the project."

20 A. Okay.

21 Q. Do you -- does that jog your memory as to
22 any discussion that you had with anyone related to
23 performance factor at the time of entering into the
24 Settlement Agreement?

25 A. Again, sir, I would not have been the one

DEPOSITION OF MIKE COUICK
September 21, 2018

174

1 specifically focused on this document or the
2 sensitivity study. My memory is generally about
3 productivity.

4 Q. Flip to the next page. The last sentence of
5 that paragraph. "Even so, the 1.00 PF was chosen as
6 a lower bound to the Sensitivity Analysis because it
7 is the judgment of the NND team, based on their
8 experience with the project to date, that the chance
9 of achieving a PF of 1.00 or less over the remaining
10 life of the project is remote."

11 Do you see that?

12 A. And again, sir, you could have a document in
13 Chinese out here right now and I could be making the
14 same progress. I would not have been the person that
15 would have worked with this.

16 Q. I understand.

17 A. I would have relied on someone to offer back
18 to me, taking everything into account, the settlement
19 was a fair settlement.

20 Q. So is it consistent with your memory at the
21 time of the Settlement Agreement that the chance of
22 achieving productivity factor, as Westinghouse had
23 promised, was remote?

24 A. My only memory is about the price being
25 within that range that I shared with you earlier on

DEPOSITION OF MIKE COUICK
September 21, 2018

175

1 that document.

2 Productivity was something that was going to
3 be handled by systematic reporting to the Public
4 Service Commission of progress. And to the extent
5 that improved productivity was promised, which is
6 what I was taking was being promised, there was going
7 to be a way for the Public Service Commission to
8 measure that on a regular basis.

9 Unfortunately, what happened was the Order
10 of the Commission happens, I believe in November, and
11 Toshiba sends a signal less than a month later that
12 there were problems. So there was never the ability
13 to see if a negotiated settlement produced the type
14 of accountability to see if you could measure
15 improvements or not.

16 Q. The next paragraph, and specifically second
17 sentence -- well, let me just recount a little bit of
18 what the first sentence says.

19 "The 1.15 PF is the factor on which the
20 Consortium computed the estimate of the
21 cost-to-complete that is reflected in Order Number
22 2016-661.

23 The second sentence, "Based on current
24 productivity rates, it will require a great deal of
25 improvement for Westinghouse and Fluor to achieve a

DEPOSITION OF MIKE COUICK
September 21, 2018

176

1 1.15 PF going forward."

2 Is this consistent with your memory that, as
3 of 2016, SCE&G was making clear that it would require
4 a great deal of improvement for Westinghouse and
5 Fluor to achieve the productivity factor that formed
6 the basis for PFC's Order Number 2015-661?

7 A. I've testified here just a moment ago that I
8 have no specific memories about any of these
9 particular goals for improvement. But what I was
10 counting on was the representation made of the Public
11 Service Commission by SCE&G that there would be more
12 transparent reporting to the Commission and to ORS
13 about improvements in productivity, and that would
14 happen on a regular basis.

15 Q. And let's look at the very last paragraph.

16 A. Which page?

17 Q. Same page, seven. The two -- second
18 sentence of it is, "The 2.00 PF is the highest
19 leveled modeled."

20 And then the last sentence that begins on
21 this page, "Given what SCE&G knows today about the
22 project, its leadership, and the plans for
23 productivity improvements, SCE&G would expect the PF
24 of the project to fall somewhere in the range of 1.5
25 to 2.0."

DEPOSITION OF MIKE COUICK
September 21, 2018

177

1 Is this anything that is in any way familiar
2 to you?

3 A. I've shared with you my same answer about
4 productivity and what was represented to the
5 Commission about how to achieve improvements.

6 Q. Who, on your behalf, would have reviewed
7 this testimony and the Sensitivity Analysis?

8 A. It would have been someone between the
9 attorneys and those folks at Central, or perhaps any
10 experts they would have employed.

11 Q. Did anyone ever come to you and say,
12 Mr. Couick, we have received the Sensitivity
13 Analysis, and it is different than what we understood
14 to be the facts and circumstances prior to receiving
15 the Sensitivity Analysis?

16 A. Ask that question again.

17 MR. CHALLY: Can the court
18 reporter ask it back, please.

19 (The record was read as requested.)

20 THE WITNESS: The factors were
21 different. I don't know that anyone ever had
22 talked to me about that, about that context,
23 basically.

24 BY MR. CHALLY:

25 Q. Did anyone ever say, we got a Sensitivity

DEPOSITION OF MIKE COUICK
September 21, 2018

178

1 **Analysis, and it conveys different information than**
2 **what we understood previously?**

3 A. Please let me be clear. My responsibilities
4 at ECSC are very segregated than those of Central as
5 the contractual relationship with Santee Cooper. And
6 the type of analysis that you're talking about would
7 not have been the one that would have occurred at
8 ECSC, nor would it have been something that I could
9 have independently handled alone.

10 **Q. It's your testimony that someone at Central**
11 **would have been responsible?**

12 A. I don't know. I don't know if it was ORS or
13 anyone who would have been the person that would have
14 focused on that.

15 MR. CHALLY: He needs to change
16 the tape.

17 THE VIDEOGRAPHER: This marks the
18 end of video number two in the deposition of
19 Mr. Mike Couick. We're off the record at
20 1:30 p.m.

21 (A recess was taken.)

22 THE VIDEOGRAPHER: This is the
23 continuation of the deposition of Mr. Mike
24 Couick. This is video number three. On the
25 record at 1:36 p.m.

DEPOSITION OF MIKE COUICK
September 21, 2018

179

1 BY MR. CHALLY:

2 Q. Mr. Couick, in addition to signing on to the
3 Settlement Agreement and providing Pre-filed
4 Testimony, you also testified live at the Public
5 Service Commission in connection with the settlement,
6 didn't you?

7 A. Yes, sir.

8 (Exhibit No. 8 was marked for
9 identification.)

10 Q. I'm going to hand you what I have marked as
11 Exhibit 8. I will represent to you, and your counsel
12 can correct me if he disagrees, that this is an
13 excerpt portion of the testimony provided there but
14 it includes all of the testimony that you provided at
15 this particular PSC hearing.

16 Only a couple of things just to sort of
17 expedite as much as I can, there's only two things
18 that I want to ask about but want to refresh your
19 memory as to this testimony before I do.

20 I'm going to refer you to the back end of
21 this transcript, at least your own testimony. It
22 begins on page 689. There?

23 A. (Witness nodded head.)

24 Q. Okay. Sir, I understand that this is a
25 narrative answer that you're providing in support of

DEPOSITION OF MIKE COUICK
September 21, 2018

180

1 the settlement. And the question I wanted to ask you
2 is: At the end, right before Mr. Ellerbe asks you if
3 this concludes your summary, you said, "And that's
4 what had happened here, is I believe the deal that
5 was struck through the leadership of the Office of
6 Regulatory Staff and brought to you here is the best
7 deal for my people and for the people of South
8 Carolina."

9 And you're referring here to the Fixed Price
10 Option?

11 A. Yes, sir, with the improvements occasioned
12 through the negotiated settlement.

13 Q. And that deal, is it true to say that that
14 deal, to your understanding, caps the amount that
15 SCE&G or Santee Cooper would be required to pay for
16 completion of the project?

17 A. With limited exceptions.

18 Q. And it then transfers to Westinghouse the
19 financial risk of cost overruns and project delays;
20 isn't that right?

21 A. Either Westinghouse or SCANA's shareholders;
22 somebody other than the ratepayer. Somebody was
23 going to be at risk.

24 Q. How exactly did you understand that SCANA's
25 shareholders would bear that risk?

DEPOSITION OF MIKE COUICK
September 21, 2018

181

1 A. When I say that, I knew that from, based on
2 the deal, it wasn't going to be the ratepayers. Who
3 it was after that point, it was in SCANA's corporate
4 interest not to let it be the shareholders, but to
5 the extent they also, I think, were willing to
6 negotiate beyond a different return on equity, their
7 ROE, that was a reduction that was tasked to the
8 shareholders.

9 Q. Other than that reduction in the ROE because
10 of the Fixed Price Option was fixed with limited
11 exceptions, the SCANA shareholders wouldn't bear
12 risk?

13 A. And those limited exceptions had certain
14 things that flowed out of them as well in terms of it
15 was reserved when they would come back. And I'm not
16 getting into the details of that because I don't know
17 them. But it was represented to me that,
18 essentially, the ratepayer was the one that was not
19 going to be on the hook.

20 Q. Isn't it true, Mr. Couick, that at the time
21 you signed on to the settlement, you understood there
22 still remained a risk of Westinghouse incurring
23 financial difficulties relating to the project?

24 A. Please ask the question again.

25 Q. Sure. You understood that it was at least

DEPOSITION OF MIKE COUICK
September 21, 2018

182

1 possible that Westinghouse could walk away from the
2 project at some point, right?

3 A. I did not know nor was I aware of the
4 specifics of the relationship between Santee Cooper,
5 SCANA, and Westinghouse, and what the penalties were
6 or not. That later got to be an issue that evolved
7 in 2017 about what those were.

8 Q. Okay.

9 A. But at that point in time, I don't believe
10 that I had all the information that I have now.

11 Q. Fair enough. Can you flip to page 707.
12 Following Mr. Ellerbe's direct examination, you were
13 asked some questions of Bob Guild.

14 A. Uh-huh.

15 Q. And on page 707, is this your answer to a
16 question of Mr. Guild. "Mr. Guild, looking through
17 that front windshield, there's some things you are
18 not protected from, and you've identified some of --
19 those very questions you asked, I had the same
20 questions when I went into this. How can you protect
21 yourself from the possibility of a Toshiba or a
22 Westinghouse failure or walkaway? What can you do to
23 best do that? Then the same thing about if things
24 do -- if there is a natural disaster, a calamity,
25 force majeure, whatever what can you do there? There

DEPOSITION OF MIKE COUICK
September 21, 2018

183

1 are some things you're just not going to able to do."

2 A. To control, yes, sir.

3 Q. And one of those things that you weren't
4 going to be able to control and you knew to be a risk
5 at the time you signed on to the Fixed Price Option
6 was the possibility of the Toshiba or Westinghouse
7 failure or to walk away, right?

8 A. That was certainly not something that had
9 been announced. That wasn't announced by Toshiba
10 until late December.

11 Q. Understood. The possibility of it is
12 something you were --

13 A. But there is also a possibility with any
14 company that it's going to fail.

15 Q. Did you ever have any discussions with the
16 ORS about that possibility?

17 A. I mentioned it with you earlier that when
18 you look at the analysis, particularly the analysis
19 from Santee Cooper, was this deal too good to be
20 true. And that question was asked. And then you
21 started asking, what can you do about if it's a deal
22 too good to be true. You make sure that the risk
23 shifts to SCANA. And to the extent it wasn't them
24 finishing and it was somebody else finishing it, not
25 Westinghouse, that that risk would fall on SCANA.

DEPOSITION OF MIKE COUICK
September 21, 2018

184

1 Q. And then that risk of a failure of
2 Westinghouse ultimately materialized, didn't it?

3 A. I don't know whether they failed or not
4 or --

5 Q. Well, they went bankrupt, right?

6 A. Well, I don't know. I haven't kept up with
7 them since then.

8 Q. You are aware though, of course, that SCE&G
9 and Santee Cooper ultimately abandoned construction
10 of the nuclear facilities, right?

11 A. Yes, sir.

12 (Exhibit No. 9 was marked for
13 identification.)

14 Q. I'm handing you what I have marked as
15 Exhibit 9. Are you familiar with this document?

16 A. I am.

17 Q. This is a press release issued by the ECSC
18 following, it appears, announcement of the
19 abandonment; is that right?

20 A. The date on it of September 19, 2018,
21 obviously is not the date of release. Is the date of
22 release on it anywhere?

23 Q. All I see is, to guide us in that regard is,
24 on the last page, it notes "A recent interview."

25 A. Right. That predated the pulling the plug.

DEPOSITION OF MIKE COUICK
September 21, 2018

185

1 That was the interview that predated that. So I'm
2 not sure whether this is -- what this was
3 contemporaneous with, is what I'm saying.

4 Q. You believed at the time of the press
5 release that abandoning construction of the nuclear
6 facilities was the right decision at the right time,
7 right?

8 A. I do -- did.

9 Q. And you also believed at that time that that
10 didn't change the fact that it was the right decision
11 to start the project in 2017 and 2018, right?

12 A. Still, yes.

13 Q. Still believe?

14 A. Based upon what we knew at the time. I mean
15 hindsight's great to have but it doesn't change what
16 you had then.

17 Q. Fair enough. And the hindsight, in part
18 that we're referring to, or you're referring to in
19 this press release, is the failure of the contractor
20 to deliver on its promises, right?

21 A. That and other things, what's changed, yes,
22 sir.

23 Q. Well, you issued a press release at the time
24 and said, "What is regrettable, infuriating even, is
25 the failure of the contractor to delivery on its

DEPOSITION OF MIKE COUICK
September 21, 2018

186

1 written promises," right?

2 A. Yes, sir.

3 Q. So in this press release, you say, second
4 paragraph, "Contrary to many critics with convenient
5 20/20 hindsight."

6 A. Yes.

7 Q. Who are the critics that are professing
8 20/20 hindsight here?

9 A. Well, I'm not sure that anybody would be
10 willing to step forward and say that they thought
11 everything was going to be perfect with nuclear --
12 anybody now. But there are folks that said nuclear
13 was never good, that it was doomed from the
14 beginning.

15 But when you look back at what folks knew in
16 2005, '6, '7, '8, where the economy was, where we
17 were with carbon policy, it was the right decision.
18 But also presume that you had a design that would
19 work and also was predicated on having a builder that
20 could build it. All those things are now things that
21 we know are not still true.

22 And so I can't claim perfect foresight, so
23 people that want to look backwards, I don't know that
24 we're really learning anything just by saying it was
25 wrong.

DEPOSITION OF MIKE COUICK
September 21, 2018

187

1 Q. What, generally, do you understand to have
2 changed from this 2007 to 2008 time frame?

3 A. About?

4 Q. About new nuclear particularly.

5 A. The level of understanding of the complexity
6 of finishing a unit seems to be increasing. Even
7 with Vogtle, Georgia, with recent reports, there
8 seems to be a level of awareness that is a tough
9 thing to do. That level of awareness that it was
10 tough either didn't exist in the mid-2005, '6, '7
11 period, or it was not something being talked about.

12 Again, where public policymakers were, and
13 others in that period of time was, nuclear is good,
14 it's something we need to invest in, it's being
15 pushed by the federal government, it's something that
16 is clean by way of carbon.

17 Then that's the other thing that's changed
18 is carbon. And the other thing is just the dynamics
19 of frack natural gas in terms of what do you look --
20 what comes in the money now. Money really is the
21 thing that displaces nuclear now. There are very few
22 nuclear units, as I understand it, that are in the
23 money in the United States, even ones that have been
24 built for a while. So those things have all changed.

25 What things have not changed is the

DEPOSITION OF MIKE COUICK
September 21, 2018

188

1 regulatory environment in South Carolina. And that
2 regulatory environment relied upon a lot of
3 reporting. And I guess that's the open question I
4 have got is that's one thing that's not changed is
5 that level of obligation to transparency.

6 Q. I've got a couple more topics, but they
7 hopefully will go quicker than what we have already
8 done.

9 You testified -- I need to make sure I
10 understand everything related to Bechtel. So you
11 testified earlier that you first got involved in the
12 project in December of 2015, and that, with that call
13 from Jack Wolfe, you understood that Bechtel had done
14 some analysis of the site?

15 A. Had done something, had made
16 recommendations, including hire them.

17 Q. I believe you said you discussed that issue
18 at some point with Dukes Scott; is that right?

19 A. Mentioned that they had recommend -- someone
20 had recommended -- that Jack said that they believe
21 they needed an owner's agent. Whether the name
22 Bechtel or not was mentioned, I don't have any
23 specific recollection on that or not.

24 I do recall being in a meeting where someone
25 mentioned the name Bechtel because of either name

DEPOSITION OF MIKE COUICK
September 21, 2018

189

1 badges or something, that there was an awareness that
2 somebody at Bechtel had been on the site. I can't
3 tell you when that was in 2016.

4 Q. So --

5 A. After that point in time, I had no
6 involvement with Bechtel at all, no real conversation
7 about Bechtel, as Bechtel.

8 Q. When do you recall this conversation with
9 Dukes Scott where you mentioned Wolfe's desire for an
10 owner's engineer?

11 A. That would have been, I think I said
12 earlier, there would have been a conversation perhaps
13 in December prior to the meeting where I talked about
14 an owner's agent. But then also I would have
15 reported back after the meeting with Kevin Marsh
16 that -- what he said then.

17 Q. So in two different phone calls, you recall
18 Dukes Scott where this concept of an owner's engineer
19 was discussed?

20 A. That's it.

21 Q. Two different phone calls with Dukes Scott
22 where you recall this concept of an owner's engineer
23 was discussed?

24 A. Or owner's agent, Santee Cooper had a desire
25 for one.

DEPOSITION OF MIKE COUICK
September 21, 2018

190

1 Q. Do you recall any other discussion with any
2 representative of the ORS related to an assessment?

3 A. No, sir. I am aware that has been reported
4 that I did, but I did not.

5 Q. What are you aware of?

6 A. Based upon an e-mail that was transmitted or
7 either some type of e-mail between Santee Cooper and
8 Central Electric Power Cooperative that I had had a
9 conversation, but I have never had a conversation --
10 that conversation.

11 Q. Can you give me any context on that e-mail?
12 I'm not sure what you're referring to.

13 A. It's one that I saw in the process of
14 reviewing for this deposition where there was a
15 reference perhaps by John Tiencken or someone that I
16 had had a conversation with Dukes Scott about
17 Bechtel, which I never had. There is a series --

18 Q. Well, you said you had two different
19 conversations with him about the concept of an
20 owner's agent.

21 A. Owner's agent, but about Bechtel as
22 Bechtel --

23 Q. And I believe --

24 A. -- an assessment or whatever.

25 MR. ELLERBE: And now you need to

DEPOSITION OF MIKE COUICK
September 21, 2018

191

1 go ahead and let him finish the answer.

2 MR. CHALLY: I'm happy to.

3 BY MR. CHALLY:

4 **Q. And I believe you said --**

5 A. As it relates to Bechtel as an assessment.
6 That was not even a concept I was familiar with as by
7 way of report, assessment or whatever, until it hit
8 the newspaper.

9 **Q. Okay.**

10 A. What I knew was that somebody had said you
11 need to make things better, and that person that said
12 that also wanted to get hired to be an owner's agent.

13 **Q. What's your concept of an assessment then?**

14 A. I didn't hear the word assessment out of
15 Jack Wolfe's mouth. What I heard was, somebody came
16 in and said things need to be better; that's how he
17 probably said it. And they also said, you probably
18 ought to hire us to be your on-site owner's agent,
19 owner's engineer. So when I hear that, it sounds
20 like a lot of selling going on to me.

21 **Q. Is that, in your mind, the fact that there**
22 **is a lot of selling, discredit a little bit of the**
23 **advice otherwise provided?**

24 A. That's why when I went to Kevin Marsh, I was
25 willing to listen to Kevin Marsh in January, because

DEPOSITION OF MIKE COUICK
September 21, 2018

192

1 I'm hearing, at the time, based upon what I knew, I'm
2 hearing somebody trying to sell services. And when I
3 talked to Kevin Marsh in January, I'm saying, Kevin,
4 this is what I'm hearing, is this necessary. So I
5 asked my question, are you making the improvements
6 that they recommended.

7 Q. Okay.

8 A. And do you need to hire them as an owner's
9 agent or do you need an owner's agent. And I got an
10 answer back from somebody that I trusted; that we're
11 making the changes and improvements and, no, we don't
12 need an owner's agent.

13 Q. Okay. You are aware, Mr. Couick, are you
14 not, that SCE&G is facing a series of lawsuits filed
15 by ratepayers, correct?

16 A. Yes, sir.

17 Q. Have you ever talked to anyone other than
18 your lawyers about those lawsuits?

19 A. My wife. She owns SCE&G shares.

20 Q. Anyone other than your wife or your lawyers?

21 A. About those lawsuits?

22 Q. Yes.

23 A. I have talked to members of the General
24 Assembly that have asked me questions about the
25 viability of SCE&G, whether it be merged or not, they

DEPOSITION OF MIKE COUICK
September 21, 2018

193

1 have mentioned the context of those lawsuits from
2 time to time. I have talked to -- with counsel,
3 representatives of ORS that we continue to work with
4 as we move forward in the Public Service Commission
5 proceeding. I don't have any specific memories of
6 talking about the ratepayer cases.

7 Q. Do you know who represents the plaintiffs in
8 the ratepayer cases?

9 A. I'm getting ready to finish.

10 Q. Okay.

11 A. I have talked to Terry Richardson, who is
12 one of the lawyers in the ratepayer cases, about
13 whether the co-ops ought to just go ahead and become
14 part of suing SCE&G. That conversation came up in
15 October or November of 2017. And my thought was, I'm
16 not the lawyer on this, Mr. Ellerbe and Mr. Tiencken
17 are. Mr. Richardson, you really ought to talk to
18 them. He and I later had other conversations as it
19 relates to other aspects of the class action cases
20 but not SCE&G. I have -- go ahead.

21 Q. Are you finished?

22 A. No, sir. I have talked to friends that have
23 asked me about the viability of SCE&G for my personal
24 opinion, but not about the ratepayer cases. I have
25 expressed my empathy and concern to friends that work

DEPOSITION OF MIKE COUICK
September 21, 2018

194

1 at SCE&G about what they're having to work through
2 and with, but not about the ratepayer cases.

3 Q. I'm going back to your discussion with Terry
4 Richardson, not about whether you're going to
5 intervene. You said there were other aspects of the
6 class action that you discussed with him.

7 A. He sued the co-ops. I mean -- I mean, he
8 sued Palmetto Electric Cooperative, with their class
9 action plaintiff, in turn sued Central Electric Power
10 Cooperative and then in turn sued Santee Cooper.
11 That was prior to the co-ops bringing their own
12 cross-claim in that action.

13 (Exhibit No. 10 was marked for
14 identification.)

15 Q. I'm handing you what I have marked as
16 Exhibit 10. Are you familiar with this document,
17 Mr. Couick?

18 A. I see it, yes, sir.

19 Q. First question, and maybe Frank can answer
20 this: It looks to me like the document has, some
21 portions of it have been removed.

22 MR. ELLERBE: We should -- I
23 believe we provided you the response to it; did
24 we not?

25 MR. CHALLY: What do you mean by

DEPOSITION OF MIKE COUICK
September 21, 2018

195

1 "response"?

2 MR. ELLERBE: Mike responded to
3 this e-mail.

4 MR. CHALLY: He did, yeah.

5 BY MR. CHALLY:

6 Q. But this document -- there is -- do a little
7 e-mail tutorial that you already may be familiar
8 with. This is an e-mail from Terry Richardson to you
9 dated July 2, 2018 at 12:06. Okay? What immediately
10 precedes the header is "Begin forwarded message."

11 Do you see that? Does that suggest to you
12 that this e-mail was forwarded shortly after you
13 received it?

14 A. I don't recall anything about the
15 circumstances of receipt or forwarding or how I
16 answered it or whatever.

17 Q. Fair enough.

18 MR. CHALLY: Do you know?

19 MR. ELLERBE: No idea.

20 MR. CHALLY: You don't know
21 whether this portion was redacted?

22 MR. ELLERBE: We produced a
23 similar document, right --

24 MR. CHALLY: Yeah.

25 MR. ELLERBE: -- in response to

DEPOSITION OF MIKE COUICK
September 21, 2018

196

1 your Subpoena, and I assume you have it over
2 there. This is a document you got from somewhere
3 else, and I don't know where you got it from.

4 MR. KEEN: From you.

5 MR. ELLERBE: You got it from me?

6 MR. KEEN: We got it from you.

7 MR. ELLERBE: Okay. Okay.

8 (Exhibit No. 11 was marked for
9 identification.)

10 BY MR. CHALLY:

11 Q. This is Exhibit 11.

12 I guess my point, Mr. Couick, is, if you
13 compare 11 and 10, I just want to know what was on
14 10, if you have any memory at all. Do you recall
15 receiving this e mill from Mr. Richardson and
16 forwarding it to anyone?

17 A. I don't. I mean, if I would have forwarded
18 it, it might have been to a lawyer, like Mr. Ellerbe
19 or somebody. I mean, that would have been it.

20 MR. ELLERBE: I think that's the
21 explanation. I can't --

22 THE WITNESS: Again, I'm not the
23 lawyer for the electric cooperatives in these
24 cases; Mr. Ellerbe and Mr. Tiencken.

25 MR. CHALLY: I understand.

DEPOSITION OF MIKE COUICK
September 21, 2018

197

1 MR. ELLERBE: And I believe that's
2 the explanation. I think this was redacted
3 because it was forwarded to lawyers.

4 MR. CHALLY: Okay.

5 BY MR. CHALLY:

6 Q. Then if we look at Exhibit 11.

7 A. Yes, sir.

8 Q. You're recounting to Mr. Richardson what you
9 recall about Bechtel. And I think we have covered
10 this ground except for one issue and I want to make
11 sure I ask you about it. "I had asked him about
12 Bechtel's view of how things were going."

13 A. Uh-huh.

14 Q. In this, you're discussing a conversation
15 you had with Kevin Marsh at the time, right?

16 A. Uh-huh.

17 Q. I don't know that I understood you to have
18 said earlier today that you asked Kevin about
19 Bechtel's view of how things are going.

20 A. That would have been included in suggestions
21 to improvement; how were things going, what do they
22 suggest to improve, have you made those improvements.

23 MR. CHALLY: Okay. Give me just a
24 couple of minutes, I think we are probably
25 finished.

DEPOSITION OF MIKE COUICK
September 21, 2018

198

1 THE VIDEOGRAPHER: Off the record
2 at 2:03 p.m.

3 (A recess was taken.)

4 THE VIDEOGRAPHER: On the record
5 at 2:12 p.m.

6 BY MR. CHALLY:

7 Q. Mr. Couick, did you in any way participate
8 in an August 22, 2017 committee meeting before the
9 South Carolina Senate related to the V.C. Summer
10 Nuclear Project?

11 A. I don't recall any particular date relative
12 to that. I very well may have.

13 Q. Do you recall attending a meeting in August
14 of 2017 where Dukes Scott testified related to --
15 related to the project?

16 A. I recall a series of hearings that the House
17 and Senate had about that time. I don't know if I
18 have specific recollection of that hearing.

19 Q. I'm going to read to you a portion of
20 testimony that appears from that proceeding and see
21 if you recall any of this. Okay?

22 Mr. Scott says that, In the fixed price
23 portion -- I'm leaving out a couple of words here --
24 but our analysis of what that would save the customer
25 was greater than the analysis that SCE&G said would

DEPOSITION OF MIKE COUICK
September 21, 2018

199

1 save the customer. Because we didn't have the
2 confidence in the schedule that they had, and we
3 thought the schedule was going to get delayed, which
4 would have cost more.

5 Do you recall Mr. Scott providing any
6 testimony along those lines?

7 A. I have no specific recollection, but I'm
8 not -- I'm uncomfortable with what he said.

9 Q. Is that consistent with your memory that
10 "we," including ECSC, didn't have confidence in the
11 schedule that Westinghouse had provided to SCE&G?

12 A. No, sir. What I believe -- my understanding
13 of what he was saying was the value of the Fixed
14 Price Agreement was that what SCE&G thought was going
15 to happen under the prior agreement and what they
16 represented to be the likely outcome by way of
17 schedule, was not nearly the -- what -- none of us
18 looked at without fixing it was likely to be longer,
19 and for that reason, by fixing the liability, by
20 fixing the liability by the Fixed Price Agreement, it
21 was transferring the risk from the ratepayer to
22 somebody else.

23 Q. Okay. And to, I think, bring this point
24 home just to make sure I have got your memory on
25 this, Mr. Scott continued with that, fixed price was

DEPOSITION OF MIKE COUICK
September 21, 2018

200

1 going to fix 98 percent of the cost. So we said,
2 what would it take to resolve this case, not what ORS
3 said or what Duke said, what did we all say to
4 resolve the case, and that resolution is that we get
5 SCE&G to guarantee the fixed price because we had no
6 confidence in Westinghouse to do it.

7 Is that consistent with your memory at the
8 time?

9 A. As I testified earlier today, it was not
10 only making sure the price was going to be fixed but
11 also that SCANA was capable of finishing the project
12 by having access to the intellectual property. It
13 wasn't planning on it to fail, it was planning on
14 that it was going to be built, finished, no matter
15 who did it, it was going to be done at that price.

16 Q. Okay. And the means you received the
17 protection that you're referring to for the
18 intellectual property was that the intellectual
19 property would flow to the SCE&G following a
20 bankruptcy; is that right?

21 A. One of the questions that we had was were
22 they getting access to information from the Fluor
23 process. Later it became, during the bankruptcy,
24 during the bankruptcy process, which obviously
25 postdated the proceeding of the fixed price.

DEPOSITION OF MIKE COUICK
September 21, 2018

201

1 But again, during the Fixed Price
2 Proceeding, there was the Fluor wall, a Fluor
3 understanding of that.

4 Q. Okay. Mr. Couick, you understood that you
5 received a Subpoena that has caused you to appear
6 here today, correct?

7 A. Yes, sir.

8 Q. Did you understand that that Subpoena also
9 requested that you collect and produce documents in
10 response to that Subpoena?

11 A. Yes, sir.

12 Q. What did you do to fulfill those
13 obligations?

14 A. Relied upon my attorneys, both external and
15 internal, to do the appropriate search and provide
16 those.

17 Q. So did you do -- are you aware of these
18 lawyers doing a search for e-mails and other
19 documents that you received?

20 A. I was told they did, yes, sir.

21 Q. And are you aware of any category of
22 document that you have not provided in connection
23 with your deposition today?

24 A. I have relied upon that e-mail search to
25 provide any documents.

DEPOSITION OF MIKE COUICK
September 21, 2018

202

1 Q. Do you understand what the nature of that
2 e-mail search was, how it was conducted?

3 A. No, sir.

4 Q. Do you know who would have been involved in
5 that; just lawyers?

6 A. I would have -- I relied upon my counsel to
7 supervise the group to do that.

8 MR. CHALLY: Okay. I don't have
9 any more questions. Thank you.

10 THE WITNESS: Thank you.

11 MR. ELLERBE: Anybody else?

12 MR. SMITH: For Santee Cooper, we
13 do not have any questions. Mr. Ellerbe asked
14 that since we had not cross-noticed the
15 deposition, and appearing here only because
16 Santee Cooper was also an intervenor in the PFC
17 docket, that we're not going to ask any
18 questions. We will have questions later on and
19 we will follow up at a good time for those
20 depositions.

21 MR. ELLERBE: And just to clarify
22 what I think our agreement was, this is not a
23 deposition that might be taken at a later time in
24 the Cook case.

25 MR. SMITH: This is not -- I'm

DEPOSITION OF MIKE COUICK
September 21, 2018

203

1 sorry, what?

2 MR. ELLERBE: This is not -- you
3 would have the right to take --

4 MR. SMITH: His deposition.

5 MR. ELLERBE: -- his deposition in
6 the Cook matter or in any matters relating to
7 that.

8 MR. SMITH: Correct, right, that's
9 what I meant.

10 MR. ELLERBE: I haven't asked you
11 to agree not to ask any questions in this
12 deposition about this, about the matters covered
13 in the scope of this deposition.

14 MR. SMITH: Which would be the, as
15 I understand it, the ORS.

16 MR. ELLERBE: Right.

17 EXAMINATION

18 BY MR. SOLOMONS:

19 Q. Mike, or Mr. Couick, Gibson Solomons. I
20 represent the plaintiffs. And I don't have many. I
21 just -- we talked a long time, and so I want to just
22 wrap up a couple of things in a little tighter
23 package.

24 You talked earlier about your assessment of
25 the BLRA as it was originally being assessed. And

DEPOSITION OF MIKE COUICK
September 21, 2018

204

1 you said a couple of things. One, you said that your
2 assessment of BLRA as it finished out had essentially
3 three parts. It had a part about prudence of
4 continuing, it had a part about the ability to treat
5 fuel related costs, and then it had a third part.
6 And you said that, in your role, that really what you
7 were focused on is the service to your entities that
8 you serve as in that third part.

9 A. That's right.

10 Q. This was your primary examination.

11 A. Yes, sir.

12 Q. Now, you did talk a little bit about the
13 BLRA. And in the first part, the initial prudence
14 part, and one of the things that's been said is that
15 the BLRA was the only way to get the nuclear plant
16 off the ground because investors weren't willing to
17 invest in nuclear; is that correct?

18 MR. CHALLY: Form.

19 THE WITNESS: That's what I was
20 told.

21 BY MR. SOLOMONS:

22 Q. And is that because they weren't -- the
23 people with knowledge weren't willing to put their
24 money in what they say was something risky?

25 MR. CHALLY: Object to form.

DEPOSITION OF MIKE COUICK
September 21, 2018

205

1 THE WITNESS: I was told that the
2 1970s and '80s round of nuclear construction,
3 particularly when it was plagued with changes and
4 regulations, had snakebit investors as it related
5 to new nuclear, and that it would require the
6 change in law that was part of EPAC, I guess
7 2005, that tightened up regulation, but also it
8 would need what had become Base Load Review Act
9 in South Carolina.

10 BY MR. SOLOMONS:

11 Q. And then after, even after the risk or
12 the -- the investors needed to see that they weren't
13 the ones that were going to try and bear this full
14 risk, that the BLRA still required a weighing at the
15 inception of the suit; is that how you interpreted
16 the inception of the V.C. Summer project?

17 MR. CHALLY: Objection to form.

18 THE WITNESS: Again, I did not
19 draft the BLRA, that part, nor have I ever worked
20 with those provisions, so I don't have an opinion
21 on that.

22 BY MR. SOLOMONS:

23 Q. All right. And that's fair. I understand.
24 I understand the role you were playing.

25 But we did talk about, at the outset, in

DEPOSITION OF MIKE COUICK
September 21, 2018

206

1 2008, because of what had occurred in 2005 and '6 and
2 '7, it looked like perhaps a nuclear project, whether
3 it was this nuclear project and the scale of this
4 nuclear project was right, a nuclear project should
5 be included in the generation, base load generation
6 in South Carolina?

7 A. Yes, sir.

8 Q. But that was that assessment and the answer
9 being yes was contingent upon a number of things,
10 correct?

11 MR. CHALLY: Object to form.

12 BY MR. SOLOMONS:

13 Q. Let me just name them. And maybe I'm being
14 inartful. We talked about the anticipated need for
15 additional base load because of what was happening in
16 '03, '04, '05, '06, '07. Do you remember that?

17 A. It may not have needed to be additional base
18 load generation but the need for additional
19 generation.

20 Q. And then we talked about, I don't know the
21 terms in the industry like you do, but there was this
22 carbon tax scare.

23 A. It was the reality of the United States
24 Supreme Court in EPA versus Massachusetts saying that
25 the EPA has to regulate carbon like any other type of

DEPOSITION OF MIKE COUICK
September 21, 2018

207

1 particulate matter, you have to abate it. And on the
2 backside of that decision was you had Congress with
3 newly-elected President Obama considering things like
4 Waxman-Markey and other legislation, and when you
5 looked at the dollar figures they were attaching to
6 tariffs, taxes or whatever, one figure we saw was
7 \$200 per metric ton. If you look at the amount of
8 metric tons, for example, Santee Cooper was using at
9 the time, and multiply by three, you were talking
10 about Santee Cooper or the co-ops having to pay twice
11 as much or three times as much to have electricity
12 generated than they were actually already paying.

13 So if you looked about what was the cheapest
14 way to reduce carbon emissions, at that time, nuclear
15 got to be in the money quicker than if there wasn't a
16 carbon tariff or tax.

17 **Q. And then we also talked about the cost of**
18 **alternatives, such as natural gas and what was known**
19 **in '05 and '06 and '07.**

20 **A.** If you look at what frack natural gas gets
21 to be commercially competitive, it's about the same
22 time that you have what's happening in South Carolina
23 with the Base Load Review Act. There is no level of
24 knowledge that we're going to go from being an
25 importer of natural gas in this country to an

DEPOSITION OF MIKE COUICK
September 21, 2018

208

1 exporter of natural gas because of frack natural gas.

2 Q. And even with those three conditions that
3 were present at the time, the investors, those with
4 knowledge, the institutional investors, were still
5 saying, this is too risky without some other
6 additional incentive, and that incentive was the
7 BLRA?

8 A. I didn't talk to those investors only. We
9 had representatives of companies telling me it was a
10 necessary ingredient to the financing of the project.

11 Q. Now, did you say what year they put a shovel
12 in the ground in Jenkinsville?

13 A. I don't recollect. I want to say it's after
14 '11 or '12. I mean, just generally -- they moved
15 dirt, but in terms of pouring concrete, moving steel
16 or whatever, it was after that point in time.

17 Q. Well, let's just say '12. By '12, those
18 three things I talked about, those were all gone,
19 weren't they?

20 MR. CHALLY: Object to form.

21 BY MR. SOLOMONS:

22 Q. Fracking had changed the market, the carbon
23 tax scare.

24 A. No, sir. The carbon tax scare had become
25 the Clean Power Plan. Clean Power Plan was a

DEPOSITION OF MIKE COUICK
September 21, 2018

209

1 regulation not based necessarily on taxes, but you
2 had to find the least costly alternative to abate
3 carbon emissions.

4 That's why I mentioned we worked so long and
5 hard on getting South Carolina credit for that new
6 nuclear. It was worth a billion dollars a year up
7 until President Trump was elected, theoretically. It
8 was worth a billion dollars a year for those plants
9 to be completed.

10 Q. The only other piece that I wanted to talk
11 about was we talked -- there was a lot of talk about
12 the fixed price and why fixed price was ultimately
13 recommended as the best option based on where we
14 were. And I believe you said that fixed price
15 increased the price of the project, especially on the
16 front end, correct?

17 MR. CHALLY: Object to form.

18 THE WITNESS: It increased the
19 price that we were given that we were going to
20 be -- the known charge. But, of course, it's the
21 comparison between what's unknown with a
22 non-fixed price versus a fixed price. So you
23 have to look at that analysis to figure out how
24 likely it is that you're actually going to come
25 in lower than the fixed price, which is what I

DEPOSITION OF MIKE COUICK
September 21, 2018

210

1 was referring to earlier.

2 BY MR. SOLOMONS:

3 Q. Sure. And whether it front-loaded some of
4 those costs or not, you're not sure; you didn't study
5 the fixed price contract enough to know that?

6 A. I wouldn't have focused on that.

7 Q. Okay. The Fixed Price Option, it was also
8 true that you stated that the Fixed Price Option was
9 structured in such a way that it increased the
10 likelihood that Westinghouse may walk away?

11 A. We asked the question, was it just too good
12 of a deal for the utilities. And if it were too good
13 of a deal, what was -- what steps had they taken to
14 be ready if there was a walkaway. And there, the
15 context wasn't about not finishing it at that time.

16 Q. Right.

17 A. It was about what you just do to finish it.

18 Q. So the points: One, it increased the price,
19 and especially on the front end; and point two, that
20 it may increase the likelihood that Westinghouse
21 would walk away. Those were -- those two pieces were
22 counter-balanced by point three that we discussed,
23 and that is that assurances were made by either SCANA
24 and/or Santee that the Westinghouse walkaway
25 contingency was being dealt with?

DEPOSITION OF MIKE COUICK
September 21, 2018

211

1 MR. CHALLY: Object to form.

2 MR. SOLOMONS: Repeat the last
3 part of that question.

4 BY MR. SOLOMONS:

5 Q. Sure. That we talked, and in fact you just
6 started to allude to it, that assurances were made by
7 either SCANA and/or Santee that the Westinghouse
8 walkaway contingency was accounted for?

9 MR. CHALLY: Object to form.

10 THE WITNESS: You've stated it
11 more broadly than I stated it. Mine was that to
12 the extent they could wrap their arms around
13 really getting a design plan that they would have
14 access to, even up through the bankruptcy, that
15 was the focus of the cooperatives, and Central in
16 particular. If there was -- if they do walk
17 away, because remember, you don't go from
18 December 2016 or '17, '16, immediately to
19 bankruptcy. There's several months there where
20 it's kind of unknown what's going to happen. A
21 lot of effort about how do we get our hands
22 around what we need to finish.

23 MR. SOLOMONS: Okay. I don't have
24 any further questions. Thank you, Mr. Couick.

25 THE WITNESS: Thank you.

DEPOSITION OF MIKE COUICK
September 21, 2018

213

1 STATE OF SOUTH CAROLINA

2 COUNTY OF GREENVILLE

3 REPORTER'S CERTIFICATE

4 I, Rebecca L. Arrison, a Notary Public in and for
5 the State of South Carolina, do hereby certify that
6 there came before me on the 21st day of September,
7 2018, the person hereinbefore named, who was by me
8 duly sworn to testify to the truth and nothing but the
9 truth of his knowledge concerning the matters in
10 controversy in this cause; that the witness was there
11 upon examined under oath, the examination reduced to
12 typewriting under my direction, and the deposition is
13 a true record of the testimony given by the witness.

14 I further certify that I am neither attorney or
15 counsel for, nor related to or employed by, any
16 attorney or counsel employed by the parties hereto or
17 financially interested in the action.

18 IN WITNESS WHEREOF, I have hereto set my hand,
19 this 25th day of September, 2018.

20

21

22



23

Rebecca L. Arrison, Notary Public

24

My Commission Expires: 3/28/2027

25

DEPOSITION OF MIKE COUICK
September 21, 2018

214

A	absorb 94:15 172:3	acquiesced 91:10	208:6	140:5
à 22:1, 3, 7	accepted 46:15	act 17:11 26:14, 15	adjustment 38:11	141:20
22:19	access 52:18 93:15	29:7 37:18 37:22, 25	administer 20:6	188:21
a.m. 3:20	109:19 113:5, 8, 9	38:2, 18 40:4 42:7	administ... 28:7 48:9	189:14, 24
6:16 89:14	113:12 161:8	44:6 45:14	59:3	190:20, 21
89:19	abandoned 184:9	advice 120:4 191:23	advocate 73:19	191:12, 18
abandoning 185:5	abandonment 184:19	48:13, 23 48:25	advocated 38:2	192:9, 9, 12
abate 207:1 209:2	abate 207:1 209:2	50:23 58:11	Advances 135:12	aggregate 20:23
ability 17:19 35:1	accommod... 37:14	128:17 205:8	affirmed 73:22	aggregation 23:6
38:4, 10, 18	account 36:17	207:23	affirmed 73:22	ago 24:17
45:15	174:18	acting 166:5	afternoon 133:17	172:6
56:25	accounta... 24:10	action 72:3 72:4, 5	AG 25:21	176:7
102:21	175:14	193:19	age 16:15	agree 16:2 50:20
114:14, 19	accountant 112:25	194:6, 9, 12	agency 88:4	54:16
114:20	131:20	213:17	agent 73:12 73:20 74:3	118:7
124:13	accounted 211:8	actively 75:24	75:22	145:24
158:17	accrue 136:4	activities 27:23	76:20 77:9	146:2
160:9	accuracy 167:15	activity 57:2	78:6, 12	153:10
162:2	accurate 8:24 147:9	actual 118:20	79:23 80:3	203:11
175:12	172:4, 20	162:14	80:5, 8	agreeable 133:21
204:4	achieve 43:20, 24	171:18	83:12	agreed 50:21 79:22, 24
able 8:16	44:1 47:7	173:8	86:16	agreement 4:18 31:4
36:20 46:4	59:14	Addison 161:3	87:20 88:1	31:7, 10, 13
51:16, 19	168:1	addition 41:24	88:12, 17	31:14, 20
51:19, 20	175:25	61:12	88:24 89:2	31:25
83:21	176:5	179:2	89:7 93:6	32:10, 17
94:15	177:5	additional 101:1	98:15	32:21, 22
95:20	achieved 166:16	149:14	108:22	33:1 34:15
103:2, 4, 15	achieving 174:9, 22	166:19	109:2	68:3, 5, 23
103:25	acknowle... 110:21	206:15, 17	128:24	70:4 71:10
104:7		206:18	129:6, 7	71:15 75:3
114:4			130:6, 11	75:3, 8, 10
131:15			130:22	75:19
132:7			132:6, 8	80:20
155:10				81:22 83:3
162:20				85:2, 5, 13
163:23				87:2, 21
183:1, 4				93:1 139:5
				144:25
				146:11

DEPOSITION OF MIKE COUICK
September 21, 2018

149:7	allude 211:6	60:7 76:18	97:18	40:16
150:20	alternative	80:1 183:9	113:18	55:22, 24
154:10	42:20	183:9	114:7, 8	66:25
157:18	209:2	announce...	123:8	approved
160:23	alternat...	38:23	131:20	45:4 55:8
161:19	207:18	184:18	138:7	approving
165:17	Altogether	answer 8:16	186:9, 12	57:6
167:4	20:5	8:17 13:8	202:11	approxim...
169:20, 22	amendments	23:12 62:3	apart 32:10	19:6, 21
170:11	31:22	78:4 103:3	apparent	20:11
172:15	amount 22:18	120:25	84:1	66:12
173:24	40:2 47:20	129:4	158:22	April 77:25
174:21	47:24	130:9	apparently	84:6
179:3	148:14	139:10	76:17	100:23
199:14, 15	180:14	147:13	132:4	101:6, 7
199:20	207:7	152:20	Appeals	107:24
202:22	amplified	155:25	10:12	108:17, 24
Agreement's	158:3	158:14	appear 201:5	110:3, 16
32:6	analysis	177:3	appearance	113:16
ahead 62:3	161:15	179:25	2:1 6:17	115:7, 9, 11
156:19	167:7, 17	182:15	appearing	117:8
191:1	167:20	191:1	202:15	118:22
193:13, 20	168:21, 25	192:10	appears	121:6
Aiken 127:20	169:2, 4, 6	194:19	110:20	123:25
127:23	169:8, 18	206:8	184:18	125:23
air 122:21	171:19	answered	198:20	129:9
al 1:6 6:4, 5	172:1	102:24	application	132:25
all-of-t...	174:6	104:7	55:8	133:11, 14
43:11 55:1	177:7, 13	113:23	applying	137:2, 4, 15
alleviate	177:15	124:6, 8	170:17	153:2
163:3	178:1, 6	133:10	appreciate	area 121:14
allocated	183:18, 18	195:16	94:15	131:19
33:11	188:14	answers 13:4	appreciated	154:2
allocation	198:24, 25	13:6	76:14	areas 122:15
39:3	209:23	113:17	approach	127:22
allow 29:11	and/or	antennae	25:11	arms 211:12
33:8 41:2	210:24	68:9	49:14	arrange
43:7 55:9	211:7	Anthony	59:24	51:16, 19
61:22	anecdotal	28:10	appropriate	51:20
allowance	57:15	59:21	15:8 45:4	83:20
50:9 53:5	62:20, 24	anticipated	47:24 55:1	arranged
allowed	62:25	206:14	116:2	64:25 65:9
32:15, 18	103:9	anticipa...	134:9	arrangement
32:20	anecdote	38:23	146:11	34:9
166:11	80:18	anybody 46:3	201:15	138:24
allows 41:10	announced	57:24	approval	160:21

DEPOSITION OF MIKE COUICK
September 21, 2018

array 26:1	31:8 47:2	206:8	106:1	42:25
Arrison 1:23	49:8,9	assessments	111:7	aware 15:10
3:12,20	53:19	109:14,15	163:16	28:21,22
6:12,14	71:11	149:10	164:2,4,6	34:9 35:19
213:4,23	82:24	assistance	attending	35:23
Article 4:23	85:17,18	49:23	64:13	37:19 47:5
articulated	85:20	128:10	104:16	47:6 53:25
42:24	102:23	assisted	106:5	54:14
43:12	113:16,23	14:15	152:20	55:21 56:8
45:25	129:3	associated	198:13	56:13
asked 49:5,6	130:17	44:15	attention	57:10,12
49:21,23	140:17	160:1,2	70:10	69:4 75:12
51:6 78:2	156:2	Association	121:24	79:8 80:23
81:13 83:9	183:21	33:7 61:19	attorney 8:4	87:3 94:2
86:13	asks 180:2	73:5	9:13 14:3	94:4,6
91:13	aspect 50:4	assuage	15:22	96:16,17
100:21	58:23	95:14	32:14	109:16
103:2	aspects	assume 8:14	67:17	141:14,16
104:6	47:13	16:3 196:1	90:21	141:17,23
108:19	58:13	assurance	213:14,16	141:25
114:3	193:19	142:23	attorneys	142:2,4
124:4	194:5	assurances	14:4 15:17	154:13
128:9,20	Assembly	210:23	34:21 67:1	155:17
128:21	12:20	211:6	67:3 153:6	156:2
129:2	13:17,21	ate 126:23	177:9	164:17,18
130:24	14:9 15:3	Atlanta 2:13	201:14	164:20
131:8	15:7 26:2	16:21	August 9:20	182:3
132:20,21	26:17,22	attached	60:8,11	184:8
133:9	26:25	68:24 70:6	157:10,11	190:3,5
137:14	27:20	attaching	198:8,13	192:13
140:4,20	37:23	207:5	authority	201:17,21
141:21	52:14,15	attachment	30:18 45:5	awareness
142:8,19	192:24	171:19	authoriz...	82:12
152:18	assessed	attend 91:19	18:13	187:8,9
158:13	203:25	100:7,11	authorized	189:1
159:11	assessment	102:4	17:18	awhile 172:6
163:11	62:22	105:5	automatic	
182:13,19	86:24 87:9	151:21	21:5	B
183:20	87:10,13	attendance	autonomous	B 2:18,18
192:5,24	87:18	106:7	19:5	3:2 12:7
193:23	141:16	attended	available	103:7
197:11,18	190:2,24	99:25	99:19	Bachelor's
202:13	191:5,7,13	100:9	155:15	10:1
203:10	191:14	101:19	average	back 29:3,11
210:11	203:24	102:7	41:25	31:15
asking 7:25	204:2	105:7	avoid 22:16	40:15,23

DEPOSITION OF MIKE COUICK
September 21, 2018

217

41:8 44:8	42:7 43:19	bearing	92:2	130:5
45:9 49:3	43:22 44:6	150:18	166:23	134:4
62:8,11	48:13,23	bears 150:17	168:9	135:11,14
68:1 70:11	48:25	Bechtel 74:2	172:13	135:14
75:11 79:4	50:23	74:4,5,8	177:6	138:19
86:11,17	54:21 55:8	76:24 77:1	belabor 8:8	147:8,9,16
104:13	57:5 58:11	77:2,13	belief 80:6	147:19
108:18	62:1,14	78:3 79:6	89:6 111:4	148:8,23
114:6	67:20	80:4,7,13	beliefs	148:24
117:5	133:18	82:13,14	76:18,18	149:3,4
129:4	205:8	85:12,19	believe	152:2,7,8
130:10	206:5,15	86:5,15,20	31:18	156:10
140:18,20	206:17	88:2 95:8	33:25	160:17,25
152:20,21	207:23	107:17,22	40:18	172:20,21
171:24	based 21:15	108:1,6	44:24	175:10
174:17	24:20 38:4	137:8	47:13	180:4
177:18	50:22	188:10,13	50:18	182:9
179:20	54:14	188:22,25	56:16 57:7	185:13
181:15	55:12	189:2,6,7	60:3,8	188:17,20
186:15	147:14,18	189:7	65:1,10,11	190:23
189:15	159:22	190:17,21	68:16 74:2	191:4
192:10	166:7,14	190:22	74:3 82:3	194:23
194:3	174:7	191:5	83:19 86:7	197:1
background	175:23	197:9	86:8,9	199:12
9:22	181:1	Bechtel's	88:4,10,14	209:14
backside	185:14	77:5	88:18,24	believed
207:2	190:6	197:12,19	90:20 92:6	44:25
backwards	192:1	began 7:23	92:7 93:4	50:23 54:9
186:23	209:1,13	19:12	93:11 95:1	74:8 81:6
bad 157:19	basic 41:5	58:10	95:2 96:25	87:1,11
160:13	basically	83:24	97:2	89:3 93:5
badges 189:1	163:13	beginning	100:23	128:25
bankrupt	177:23	42:25	102:6,17	134:4
40:21	basis 20:12	186:14	105:7	136:8,11
184:5	21:10	begins	106:6	141:19
bankruptcy	34:10	147:23	108:4	146:10
200:20,23	59:22 94:5	149:19	109:22	166:5,10
200:24	96:14,24	171:20	118:16	185:4,9
211:14,19	160:20	173:3,15	119:20	believes
Bar 78:16	175:8	176:20	121:4,16	98:15
bargaining	176:6,14	179:22	121:17	believing
161:24,25	Bates 119:3	begun 40:13	122:1	88:5
base 4:12,15	119:6	40:18 46:2	124:5,10	benchmarks
29:6 37:18	bear 180:25	behalf 1:6	124:23	60:2
37:22,25	181:11	4:20 17:11	125:4,22	benefit 17:2
38:1 40:4	205:13	18:7 50:6	126:16,18	109:17

DEPOSITION OF MIKE COUICK
September 21, 2018

135:17	55:13 92:8	75:21	199:23	36:9
136:4	115:16	76:12,17	bringing	button 149:6
168:14	140:11	76:19	194:11	buy 115:25
Berkeley	181:6	78:10,15	broad 20:10	115:25
35:11	big 65:18	80:21	26:1,1	116:3
best 8:17	70:9	82:17 85:8	broadly	133:23,24
13:4,5	bill 52:12	85:22	211:11	buying 36:19
15:16 17:6	52:13	87:19,24	broke 89:21	Byrne 152:7
19:18 40:1	billion 59:7	88:23 89:1	brought	
42:23 64:5	209:6,8	89:7 95:2	180:6	C
76:4 77:21	bimonthly	95:2	Bryony 2:15	C 3:2
86:19	64:12	128:23	6:21	cadre 15:18
97:22	bit 16:23	134:9	budget	calamity
101:20	19:1 26:10	141:18	148:16	182:24
127:3	51:4 61:6	157:10	155:7	Calcaterra
141:21	124:2	board's	build 35:12	51:9
142:14	159:13	56:21	43:9 44:3	calendar
148:7	175:17	boardroom	54:22 59:5	126:20
152:24	191:22	47:24	158:24	call 32:7
157:17	204:12	boards 56:21	186:20	68:13
159:20	biweekly	Bob 182:13	builder	69:15 75:7
166:5,11	152:17	bond 18:14	186:19	85:21
168:14	block 50:13	bound 174:6	building	92:19,25
180:6	BLRA 39:12	bowl 126:25	22:16	93:4,8
182:23	39:19 50:5	126:25	38:22 43:1	101:14
209:13	50:15 52:7	boy 160:25	45:1 46:2	114:19
better 38:20	52:17,25	Boyd 3:17	49:13	117:3
75:25 83:3	53:8 54:10	6:9	50:24	121:24
84:3 95:21	117:18	Brandon 2:12	54:17	133:16
103:15	122:8	6:19	61:11	137:24
130:25	203:25	break 89:10	122:20	139:18
131:1	204:2,13	120:7	123:1	141:15
134:5	204:15	143:5,7	142:15	152:10,13
135:23	205:14,19	Brian 2:22	171:15	188:12
145:10	208:7	6:23	built 16:23	called 26:4
147:25	board 20:20	brief 83:21	39:21	69:15
148:13	20:21,25	97:8	63:12	74:21,21
149:24	21:2,3,3,4	briefed 97:5	187:24	78:11
150:6,22	24:5 56:21	109:11	200:14	98:23
151:16	68:4 69:12	briefing	bulk 67:15	126:2
153:12,18	69:13,24	67:18 97:3	bullet 125:2	134:17,20
154:10	71:14,16	briefings	burden 152:4	134:22
161:17,21	71:21 72:7	70:1	burn 41:19	135:3
163:23	72:22 73:1	briefly 9:21	bus 16:15	calls 189:17
191:11,16	73:10 74:1	10:7	buses 65:24	189:21
beyond 18:11	74:7 75:4	bring 136:13	business	Canal 2:23

DEPOSITION OF MIKE COUICK
September 21, 2018

219

capable	19:8,19	71:2	47:24	CEOs 84:5
200:11	20:7 21:6	109:18,23	48:18 49:3	101:10
capacities	23:3,10,15	case 1:2 6:7	51:10 56:5	105:20,21
10:19	26:17 27:8	7:24 28:18	63:5 84:4	120:23
capacity	27:12,15	119:15,16	94:13	certain
10:18	27:18	119:22	97:19 98:9	19:17
42:12,12	30:19 34:2	133:9	98:11,19	32:19,21
42:20 79:6	36:14	134:12,14	99:10,12	33:6 37:11
122:19	38:14 43:7	138:15	100:1	38:10 77:6
123:21	43:13	158:8	101:24	79:14
capital 40:3	46:17	200:2,4	102:22	80:12
44:4,7	54:24 55:6	202:24	104:1,5	114:4
45:1	61:20	cases 193:6	110:13,15	117:12
caps 180:14	63:19	193:8,12	113:1	157:20
capture 63:4	72:25	193:19,24	122:24	160:1
carbon 41:12	90:15,18	194:2	132:1,3	181:13
41:16,17	90:24	196:24	147:24	certainly
41:23	96:15	catch 20:14	151:13	15:6 17:16
42:14,15	119:24	70:10	152:9,21	17:19 47:7
42:22	127:17	categories	153:5,8,17	50:21
48:11	128:16	57:13	154:3,7	59:22 63:8
54:25	144:1	category	163:11	109:8
186:17	153:15	69:21	164:20	117:17
187:16,18	180:8	201:21	168:22	164:2
206:22,25	188:1	Catherine	172:19	166:21
207:14,16	198:9	73:19 76:8	177:9	183:8
208:22,24	205:9	76:10,11	178:4,10	certainty
209:3	206:6	76:16 80:2	190:8	44:11,13
carbon-c...	207:22	cause 213:10	194:9	44:14,22
39:25	209:5	caused 16:12	211:15	45:3,9
cards 72:6	213:1,5	149:25	Central's	46:22 70:9
career 16:18	Carolinas	153:19	100:1	75:5,5,6,9
17:3 40:18	35:8 36:15	154:18,22	166:23	75:13
Carolina 1:1	49:7,9	201:5	cents 22:5,6	85:15
1:10,12,14	51:8,12,14	causes	22:7 66:12	136:3,14
1:19 2:10	73:19	126:18	66:14	Certificate
3:6,19	carried	157:2	CEO 9:18	5:4 213:3
4:10,13,16	152:3	Cayce 92:2	17:7,10	Certified
4:20 6:4,6	carrying	CEE-US 23:7	18:2,3,7	112:9
6:11 7:11	25:17 28:1	central 3:6	42:7 72:25	certify
9:5,10,25	152:4	7:10 20:22	81:8 87:12	213:5,14
9:25 10:2	carryover	23:6 30:25	114:15	challenge
10:4,14,16	147:23	31:19,21	140:19	136:24
12:19 15:1	carte 22:2,3	33:22	141:21	challenges
16:1,16	22:8,19	34:21	142:8,15	117:24
17:15,24	Carter 66:8	40:17	169:21	118:1

DEPOSITION OF MIKE COUICK
September 21, 2018

122:13	61:17 96:8	cheapest	127:14	38:14,19
125:3	96:8,9,10	207:13	clarific...	56:21
Chally 2:11	118:10	cheerlea...	93:7	83:22
4:4 6:18	150:16	46:11	clarify	91:21,23
6:18 7:19	178:15	Cherokee	202:21	97:5
7:24 30:3	185:10,15	49:15	clarity	120:23
62:4,7,10	205:6	Chesterf...	127:17	127:23
81:15 86:3	change-out	25:7	class 193:19	136:2,4
88:9 89:9	155:1	Chicago	194:6,8	145:1
89:20	changed	84:22	clay 159:19	co-ops 4:23
115:1	31:25 32:5	93:25	clean 28:6	4:25 5:1
116:22,24	40:13,15	96:25	42:13 48:9	19:19
119:13,18	46:7 61:22	Chief 9:3,9	59:2,9,24	22:25
120:8,14	100:17,19	11:6,8,10	60:5,7,19	23:20 25:8
139:1,13	110:17	China 111:18	63:10	27:8 33:16
143:12,22	185:21	112:12	95:25	38:12,21
156:10,18	187:2,17	Chinese	116:11	41:24 43:5
156:20	187:24,25	111:23	138:11	48:3 58:6
165:10,13	188:4	112:10,20	152:15	110:3,4
173:12	208:22	174:13	187:16	135:15
177:17,24	changes	choice 21:12	208:25,25	152:9
178:15	32:13,14	23:15	clear 34:1	159:20
179:1	142:17	choose 21:7	124:3,8	193:13
191:2,3	150:1	21:8,10	176:3	194:7,11
194:25	153:19	chose 38:15	178:3	207:10
195:4,5,18	154:18,22	97:11	clearly	CO2 41:11,19
195:20,24	192:11	113:15	159:15	coal 41:15
196:10,25	205:3	chosen 19:5	CLECKLEY 1:5	41:19
197:4,5,23	changing	22:9 23:13	Clemson	Coastal 26:9
198:6	44:12 48:7	135:20	46:13	59:22
202:8	characte...	173:1	Clerk 12:17	Code 27:18
204:18,25	153:1	174:5	clerked	cold 126:22
205:17	charge 50:6	Chris 127:4	10:10	colleagues
206:11	70:25	127:25	clerks 15:18	30:2
208:20	209:20	Christmas	climate	collect
209:17	charged	115:23	128:16	123:20
211:1,9	25:22,25	circles 16:1	closely	140:13
212:3	26:3 27:5	circumst...	138:18	149:14
chance 174:8	72:24	133:14	closer 35:11	201:9
174:21	96:13,16	161:18	Clover 9:24	collected
change 32:6	Charleston	177:14	9:24 16:15	60:16
32:11 42:4	105:23,25	195:15	CLVS 3:12	collective
42:4 44:10	121:8,14	cited 112:12	co-op 9:10	18:14
45:13 48:7	chart 160:24	claim 94:9	20:3,7	college 9:23
58:17	cheaper	186:22	36:22	Columbia 2:7
59:14	160:22	claims	37:15,16	2:16 3:4,9

DEPOSITION OF MIKE COUICK
September 21, 2018

3:18 6:10	148:9,10	141:22	191:6,13	conference
93:25	148:25	142:8,15	concern	64:12
come 13:2	149:1,9	158:15	48:22	confidence
19:12 41:1	164:3	183:14	112:12	146:9
58:3 64:20	175:4,7,10	compare	114:2	199:2,10
71:4,5	176:11,12	196:13	161:11	200:6
86:17	177:5	comparison	162:11	confirmed
93:25	179:5	209:21	193:25	73:23
94:14,24	193:4	competitive	concerned	confronted
96:1 97:22	213:24	207:21	44:9	70:4
99:8,21,22	commitment	complaining	114:22	confused
104:13	163:18	68:14	117:2	65:1
137:15	committee	complete	157:22	Congress
159:23	10:13,17	60:22	concerning	11:15
161:21	10:23 11:7	157:1,3	113:25	40:25 43:5
177:11	11:8,11,12	160:9	213:9	118:6
181:15	24:5 90:15	167:6	concerns	207:2
209:24	90:19	168:7	73:9 82:8	Congress...
comes 118:16	198:8	completed	95:15	60:21
187:20	committees	40:20 61:3	110:14	connection
comfort	13:11	61:4 68:9	114:9,12	27:25
65:23	134:9	96:7 209:9	152:22	67:14
comfortable	common 1:1	completely	concluded	92:10
129:2	6:6 58:8	19:3	115:20	139:5
146:7	134:6	completion	212:8	149:15
coming 16:22	138:20,23	96:6,6	concludes	156:11
37:8,16	commonly	180:16	180:3	179:5
38:25	37:17 38:1	complexity	212:5	201:22
40:24	communicate	187:5	concluding	Conserva...
57:14 70:5	30:4	component	97:13	26:9 59:23
70:10	communic...	37:25	conclusion	consider
83:18	30:10	components	47:17	9:14
84:21	48:18	37:24	75:24	consider...
107:22	87:23	52:25	94:10	29:7
126:25	communic...	54:10	165:18	considered
comments	48:20	comprehend	conclusions	13:12,16
68:10	Community	102:21	146:13	29:5 43:20
commercial	33:17	131:15	157:20,21	93:2
36:9 37:10	companies	computed	concrete	133:10
commerci...	95:5 208:9	175:20	63:2	considering
207:21	company 1:10	concept 40:3	208:15	24:24
Commission	1:20 4:11	43:15	conditions	49:16 68:4
11:7 25:24	4:20 6:5	98:22	48:7 208:2	75:25
26:3 27:23	34:2 40:21	172:8	conducted	207:3
29:6 55:7	73:22	189:18,22	141:12	consistent
66:24	76:23,25	190:19	202:2	174:20

DEPOSITION OF MIKE COUICK
September 21, 2018

222

176:2	consumer	199:25	84:11,14	3:1 7:2,4
199:9	150:18	continues	85:8 86:6	20:25
200:7	consumers	111:14	86:11	29:10
consolid...	90:22	continuing	89:23 90:2	30:20,21
155:2	135:25,25	204:4	92:21	30:23,25
consolid...	136:14	contract	98:11,12	31:2,20,21
118:14	consumption	150:1	99:10,13	33:3 35:12
125:13	22:18	154:19,23	104:23	36:15
Consortium	contact 28:3	167:7	108:13,15	41:14
173:1	28:8,12	168:7	117:1	47:19,20
175:20	81:12	210:5	123:12	47:25
constantly	contained	contracted	136:19	48:15,19
111:21	52:10	171:15	139:16,20	49:3,5,23
constrained	contempo...	contractor	139:21,25	51:10
42:14,15	164:18	150:21	141:13	54:17 56:4
42:22	185:3	185:19,25	189:6,8,12	56:5,10,20
constraint	content	contractors	190:9,9,10	57:14,21
48:11	156:25	154:25	190:16	58:1,6,17
54:25	CONTENTS 4:2	contractual	193:14	59:14
construct	context 46:6	31:1 34:8	197:14	61:16
40:4,6	67:17 88:2	34:10,15	conversa...	62:17 63:7
46:22	122:7	35:20	56:15 64:2	63:11,17
constructed	123:6	36:19	64:10,15	64:23,25
45:20,20	141:4	178:5	68:7 73:15	66:6,9,12
construc...	168:2	Contrary	111:11	67:14 68:4
47:8	177:22	186:4	115:15	69:12,23
construc...	190:11	contribu...	116:12	70:1,22,25
4:12,15,24	193:1	48:15	133:1	71:3,14,16
28:13,19	210:15	control	170:13	72:6,19,23
62:21 71:1	contingency	183:2,4	190:19	73:11 74:7
84:9 123:2	161:7	controversy	193:18	75:4,6
131:23	162:16	213:10	convey 172:1	76:12,17
171:9	163:7	convened	conveyed	76:23
184:9	210:25	81:7	89:4	80:21
185:5	211:8	150:10	106:16	82:18,23
205:2	contingent	convenient	122:2,2	85:8,22
constructs	206:9	186:4	124:11,12	87:19
45:6	continua...	conversa...	124:23	88:23 89:1
consult	89:17	64:19	conveying	89:7 93:2
119:25	178:23	74:10,11	109:24	93:14
consultant	continue	74:12,16	conveys	94:25
108:11	63:15	74:19,20	111:3	95:25 96:4
consume	161:9	76:6 79:4	178:1	109:9
22:15	193:3	79:5 81:16	Cook 202:24	110:7
consumed	continued	81:19,23	203:6	111:20
172:3	100:18	83:8,13,15	Cooper 1:5	112:4

DEPOSITION OF MIKE COUICK
September 21, 2018

223

115:5	36:11,16	124:12	77:1 81:8	3:16 4:3
118:8	36:18 37:8	127:13	91:9	6:2 7:15
128:22,23	40:18	128:3,13	119:13	7:20,22
130:5,21	48:19 56:6	133:21	125:16	8:19 9:2
132:5,14	63:6 66:13	138:12	140:14	18:19
133:25	70:22	143:25	144:11,18	85:17
135:18,19	72:24 73:1	151:3	147:3,19	89:13,17
141:19	73:3,4,5,6	153:15,17	154:4	89:21 90:9
151:14	84:5 94:14	168:23	179:12	120:1,15
152:19,23	97:19	196:23	192:15	125:19
155:11	101:10	211:15	201:6	131:14
157:23	127:20	coordinate	203:8	143:23
158:5	136:9	19:24	204:17	156:21
160:17	143:16	coordina...	206:10	165:15
161:24	145:23	138:16	209:16	166:1
162:9	153:6,17	Coordina...	correctly	177:12
163:2,6	154:14	31:4,7,9	139:22	178:19,24
164:7	190:8	31:13,14	correspo...	179:2
178:5	194:8,10	31:25 32:6	49:2	181:20
180:15	cooperat...	33:1	Corridor	192:13
182:4	3:6 7:11	copy 52:14	25:7	194:17
183:19	9:4 17:14	52:18 90:8	cost 21:20	196:12
184:9	17:15,23	CORB 78:19	21:23 38:4	198:7
189:24	19:4,8	78:24	41:13 47:7	201:4
190:7	20:19,20	108:25	59:7 75:9	203:19
194:10	23:2,4,9	109:1	117:19	211:24
202:12,16	23:13,14	129:8,10	122:9	212:6
207:8,10	25:2,3,12	129:11	149:7	counsel 2:1
Cooper's	26:6 27:3	136:25	150:19	6:16 9:12
87:24	27:6,12	137:1,4,6	162:8	10:16,22
109:11	31:18 32:1	137:7,16	172:25	11:6,8,10
116:4	32:18 33:2	137:21	173:18	13:11 67:4
131:21	33:13,14	corporate	180:19	98:3 99:22
160:19	34:16 37:7	17:16	199:4	100:3
cooperative	38:8 39:5	36:12,13	200:1	101:23
3:6 7:10	39:18	181:3	207:17	120:4
20:21,22	43:13	corporation	cost-to-...	127:4,7
20:23 21:1	47:19 50:3	1:11,20	175:21	145:8,8
21:5,16	50:10,18	2:10,15	costly 35:16	152:9
23:6,7,22	53:8,12,15	17:25 18:3	209:2	153:8
23:25 24:1	54:5 59:10	correct 8:6	costs 38:10	155:15
25:5,6	67:25	12:20 16:9	44:15	156:1,1,3
30:25	68:14 92:3	17:8 18:3	160:2	169:25,25
31:19	100:21	18:4 30:19	204:5	179:11
33:18,23	121:8,13	34:3 39:8	210:4	193:2
35:11	122:3	42:6 76:9	Couick 1:18	202:6

DEPOSITION OF MIKE COUICK
September 21, 2018

213:15,16	206:24	130:17	71:8	109:3
count 59:4	cover 156:23	171:17	135:23	decided
61:4	covered	198:24	145:10,11	80:14
counter- ...	197:9	199:1	145:21	101:3
210:22	203:12	customers	148:13	103:18
counterpart	create 46:21	36:2	154:11	115:24
97:23	created	cut 160:25	157:19,19	166:16
counting	10:13 11:9	CV 93:21	159:8,8	deciding
176:10	19:11 33:8		160:25	145:24
country	credit 58:18	<u>D</u>	161:3,6,16	decision
39:22	59:6 96:1	d 2:22 35:16	161:21	17:2 54:19
207:25	111:17	171:21	175:24	54:21,22
County 1:2	118:7	D.C 61:14	176:4	72:7,8
6:7 16:16	128:8	daily 152:17	180:4,7,13	127:16
25:7 49:15	209:5	damming 33:8	180:14	145:25
213:2	credits	date 47:23	181:2	146:7
couple 58:5	118:5,11	97:25	183:19,21	185:6,10
110:22	122:16	118:15,19	210:12,13	186:17
139:2	critical	122:15	dealing 59:1	207:2
167:1	107:12	126:2	dealt 38:3,9	decision...
172:23	critics	153:9	38:13 96:3	38:7
179:16	186:4,7	174:8	210:25	decisions
188:6	Crosby 71:1	184:20,21	decades	14:24 15:7
197:24	cross 119:23	184:21	50:10	32:19,20
198:23	cross-claim	198:11	December	35:14
203:22	194:12	dated 4:10	81:18	DEFENDANT
204:1	cross-no...	4:14,25	83:14,22	2:21 3:1
Courier	202:14	5:1 110:20	84:14	defendants
57:25	CS 20:22	195:9	86:19	1:13,19
course 11:17	CSI 6:13,14	dates 49:2	88:11,15	2:10 3:6
68:7 73:15	current 9:2	day 3:19	89:5,24	3:17 6:3
84:1 150:7	31:15	48:25	91:8 92:1	defense
153:10	32:18 43:5	124:22	92:23 93:9	139:4
158:19	88:7	126:7	94:19 95:9	defined
168:18	115:13	127:24	96:21	127:16
170:13	175:23	157:24	98:10 99:5	degree 9:11
184:8	currently	159:22	100:13	10:1,2
209:20	8:20 22:23	213:6,19	103:18	35:4,5,6
court 1:1,24	22:24	day-to-day	113:14	131:6,6
3:21 6:5	customer	20:12	115:11	158:10
6:13 7:12	36:10,10	days 126:19	131:16	delay 118:10
10:11	36:14 37:5	deal 32:7	183:10	126:10
12:25	72:12,13	33:11	188:12	delayed 46:7
41:10 62:7	103:12	38:20	189:13	199:3
168:13	114:13	54:10	211:18	delaying
177:17	123:3,3,5	70:16 71:7	decide 97:17	111:25

DEPOSITION OF MIKE COUICK
September 21, 2018

delays	202:15, 23	211:13	58:6 91:7	disagrees
150:19	203:4, 5, 12	desire 51:2	100:20	179:12
180:19	203:13	58:16	101:25	disaster
delegated	212:6, 8	160:11	102:1	182:24
167:18, 19	213:12	189:9, 24	112:24	discredit
delibera...	depositions	desired	124:2, 7, 9	191:22
71:22	202:20	145:3	125:6	discuss 26:5
delibera...	depth 74:10	despite	129:19	58:7 87:13
47:23	describe	164:22	133:11, 12	94:18
52:16	29:22	detail 28:25	152:16	111:13
deliver 35:1	31:12	29:17	166:22	145:12
185:20	34:24	34:25 69:3	169:5	172:14
delivered	76:15	details	172:8	discussed
35:10 40:9	77:10	123:17	177:13, 21	51:3 85:1
delivery	90:13	126:15	178:1	85:19, 20
19:6 34:17	133:13	181:16	181:6	87:12
34:19, 24	157:16	determin...	189:17, 21	88:14 95:8
35:7, 17, 18	described	19:16	190:18	107:15
185:25	13:19 23:5	164:15	differently	108:14
depend 28:11	39:13, 15	determin...	32:20	111:9
30:12, 15	43:2 50:8	26:4	125:9	112:2, 19
151:6	52:12	determine	differing	116:13
depended	60:15	163:25	56:12	117:7, 17
14:21	62:12	determined	difficult	117:19, 22
dependent	64:16	21:21	127:22	122:9
28:4	66:21	develop	difficul...	127:11
depending	67:22	150:6	181:23	129:9, 21
44:20 53:3	74:15	developed	direct 4:19	137:4
99:18, 22	78:14	149:24	35:20	143:11
99:23	79:11	153:11, 17	182:12	158:10
depends	83:16	development	directed	172:17
29:13 58:4	89:22	50:11	147:12	188:17
58:25	123:18	109:1	direction	189:19, 23
deposition	135:5	110:5	213:12	194:6
1:18 3:16	138:1	developm...	directly	210:22
6:2, 8 7:23	144:21	44:16	57:19	discussing
8:2 18:18	161:23	DHEC 59:18	dirt 56:17	94:23, 23
89:12, 17	describing	diesel 33:20	208:15	150:14
90:8	76:14	different	disagree	172:8
120:16	131:16	17:3 20:5	121:11	197:14
138:25	description	23:16 25:3	disagree...	discussion
143:24	24:4	25:6 29:8	132:4, 11	69:20
146:23	design 112:9	37:13	132:18	88:11 98:8
178:18, 23	122:21	42:18	137:13	118:12
190:14	123:4	44:18, 19	disagree...	136:22
201:23	186:18	48:4, 5, 10	127:19	143:19

DEPOSITION OF MIKE COUICK
September 21, 2018

160:3,8	120:2,17	209:6,8	Dukes 29:18	122:6
161:2	120:19	Dominion	29:20 50:2	139:19
169:7,10	124:16,22	2:21 6:24	60:20	144:21
170:3	144:3,8,16	212:2	67:22 68:7	150:11
173:22	165:14,22	doomed	68:11	174:25
190:1	166:2	186:13	82:25	183:17
194:3	169:23	draft 205:19	83:13	188:11
discussions	172:9,13	drafted	86:13	189:12
67:21	173:7	14:18	89:23 97:3	197:18
72:17	174:1,12	53:14	115:15,17	200:9
98:10	175:1	drafter	116:6,6,9	203:24
105:15	184:15	14:13	116:9,14	210:1
117:25	194:16,20	drafter's	117:1,4	early 49:4
138:22	195:6,23	14:13	133:16	55:17
160:15	196:2	drafting	134:4	56:15 57:2
170:4,7,10	201:22	14:6,7,15	137:24	67:25
170:18,19	document's	dramatic...	140:4	72:22
183:15	31:3	24:16	188:18	77:22
displaces	documented	drawing	189:9,18	86:10
187:21	146:14	11:14	189:21	118:19
distant	documents	drive 107:3	190:16	ears 82:20
95:22	31:16	driving	198:14	82:21
distinct	155:10,14	16:14	duly 7:16	easier 119:2
17:22	167:2,12	dues 21:11	213:8	168:16
distinguish	201:9,19	21:13 23:1	duration	East 2:19,23
18:23	201:25	23:14,24	32:16,18	economist
distribu...	dog 61:21	Duke 20:24	duties 28:1	112:25
20:20 23:4	130:20	26:11	dynamics	economy
34:16 35:3	doing 10:8	29:11 32:2	187:18	186:16
37:5	14:2,5,7	32:7 33:3		ECSC 9:7,14
145:23	24:18 64:5	35:8 36:15	E	9:19 16:8
153:16	65:21	36:15	e 144:10	17:7,22
District	71:25 94:9	37:13 38:2	196:15	18:20,21
16:16	109:6	39:1,15	e-mail 190:6	18:21,24
diverse	115:9	40:10 49:6	190:7,11	19:3,22
117:21	130:25	49:9,11	195:3,7,8	20:14
122:10	131:8	50:7 51:2	195:12	22:21
docket 4:13	136:7	51:8,11,14	201:24	23:10,20
4:16,21	161:19	51:21	202:2	24:3,25
202:17	170:25	63:14,15	e-mails	26:15 34:8
Doctorate	201:18	73:18 76:9	59:11	34:12,14
10:2	dollar 66:11	98:20,21	201:18	35:19 36:1
document	66:13,13	115:20,22	earlier 23:5	37:2 42:7
90:11,14	66:14 70:6	116:7	43:3 50:8	42:17 52:6
117:5	70:7 207:5	133:24	62:12	53:20 54:2
119:4	dollars 59:7	200:3	120:21,25	56:6 63:8

DEPOSITION OF MIKE COUICK
September 21, 2018

90:23	59:18,19	17:15,23	16:25	209:3
96:15	60:14	19:4,8,19	118:10	empathy
101:24	115:22	20:6,19,23	Ellerbe 3:7	193:25
102:2	142:11	23:14 24:1	7:9,9 62:2	employed
134:9	211:21	26:6 27:2	81:9 85:24	177:10
141:10	efforts	27:8,12	87:15	213:15,16
145:17	53:17 54:3	30:25	102:3	employee
147:1,24	63:18 94:5	31:18,19	114:17	98:21
148:4	138:16	33:13,16	116:21	108:6,6,11
151:2	eight 157:8	33:22 34:2	119:3,7,11	employees
152:10	either 33:3	35:11	119:15,21	83:21 97:2
153:4,6	33:12 36:8	36:11 37:8	120:6	99:21
155:15	36:14	40:17	138:17	107:22
163:25	46:12	48:18 56:6	139:9	enabled 32:7
168:9,19	60:12	63:5 72:25	143:8	enacted 43:4
169:21	70:24	73:4 84:5	153:7	energy 2:21
178:4,8	72:21 84:6	92:3 94:13	156:8,13	6:25 20:10
184:17	88:19	97:19	156:19	20:24
199:10	94:22	101:10	165:6	22:12,17
ECSC's 20:17	108:5	127:13,20	173:9	26:11
30:22 33:1	121:6	127:23	180:2	29:11 32:2
148:7	126:7	143:25	190:25	33:3 35:8
153:1	128:1	153:6,14	193:16	36:15,16
165:18	129:4	168:23	194:22	38:2 40:23
edited 19:22	133:24	190:8	195:2,19	43:3 49:6
educated	134:22	194:8,9	195:22,25	49:9,11
103:23,24	137:2	196:23	196:5,7,18	51:2,8,11
education	164:11	electrical	196:20,24	51:14
35:4	168:22	35:5	197:1	73:18
educational	169:25	145:22	202:11,13	90:15,18
9:22	180:21	159:5	202:21	90:24
Edwards 28:9	187:10	electricity	203:2,5,10	98:20
59:21	188:25	19:6 20:24	203:16	116:7
effective	190:7	22:15	Ellerbe's	138:14
41:13	210:23	34:11 35:1	165:11	150:9
95:20	211:7	35:9 37:16	182:12	151:7,20
effectively	elect 21:9	39:24	Elliott	172:19
149:7	elected	41:15 61:6	90:21	engaged 79:6
efficien...	209:7	61:10	151:8,20	83:4 94:1
107:13	electric	90:22	Email 4:25	engineer
efficiency	1:10,19	133:23,24	5:1	73:13,20
22:12,17	2:10 3:6,6	145:22	emanated	75:23
43:3 69:2	4:10,20	207:11	69:23	76:21 78:6
efficiently	6:4 7:10	electrons	emissions	78:25
68:15	7:11 9:4	35:10	41:11	79:19,22
effort 54:1	9:10 17:14	eligible	207:14	79:25

DEPOSITION OF MIKE COUICK
September 21, 2018

228

80:13,14	EPAC 205:6	204:10	executives	experience
93:6 94:21	EPC 49:21	213:11	45:16	72:24
98:16,23	150:1	examined	57:21 58:2	83:18
99:1,7	154:18,22	213:11	97:4	107:10
112:7,23	167:7	example	109:11	111:13,18
112:25	168:7	19:20	exercise	118:21
130:7,12	equity 181:6	57:16	162:14	137:18
131:20	era 49:18	106:19,19	exhibit 4:8	174:8
132:12,19	especially	106:24	4:9,10,14	expert 123:7
136:23	209:15	207:8	4:17,18,19	163:10
137:14	210:19	examples	4:22,23,25	169:25
189:10,18	essentially	104:14	5:1 90:5,8	expertise
189:22	38:16 59:5	106:20	110:20	154:2
191:19	72:12	107:14	118:24	158:12,12
engineering	181:18	Excellent	119:1	experts
35:5	204:2	8:18	120:16	153:24
engineers	established	exception	125:7	177:10
122:25	17:20	37:12	143:1,4,24	Expires
153:24	estimate	exceptions	146:20,23	213:24
English 10:1	175:20	37:11	156:4,7,22	explain
enter 139:4	et 1:6 6:4,5	180:17	165:2,5,6	149:20
166:17	27:18	181:11,13	165:8,9	explanation
entering	Ethics 27:22	excerpt	169:12,14	196:21
68:5	evaluated	179:13	173:9	197:2
173:23	42:8	exchanged	179:8,11	exporter
entites 21:2	evaluation	137:9	184:12,15	208:1
entities	141:12	exclude	194:13,16	express
20:22	events 92:24	113:19	196:8,11	110:14
63:19	everybody	excluding	197:6	expressed
204:7	49:19	117:11	exhibits 4:7	43:13
entity 17:16	evolution	exclusive	165:23	44:19
17:22 34:1	32:9	21:24	exist 19:7	45:11,12
34:5,12	evolve 19:12	96:15	159:1	45:13 46:1
36:9,13	evolved	exclusively	187:10	48:4 51:9
80:23 87:6	182:6	94:12	existence	53:2 73:7
96:4,5	exact 48:25	excuse 21:17	87:13	146:9
118:8	70:7	22:12	exists 33:22	161:11
153:14	exactly	87:16	expect	193:25
environment	57:11 64:5	133:19	176:23	expressing
188:1,2	77:4 84:19	139:10	expected	48:14
environm...	170:19	170:8	116:19,25	expression
59:16	180:24	executive	141:6	44:20
EPA 41:10,11	examination	9:3,9 24:5	expedite	118:20
59:8,11	4:3 7:18	70:25	179:17	extensive
61:2,17,17	182:12	73:18	expenses	153:3
206:24,25	203:17	78:15	27:22	extensively

DEPOSITION OF MIKE COUICK
September 21, 2018

229

28:8 59:17	164:22	71:24	194:16	finalized
extent 39:20	165:8	76:13	195:7	71:6
39:23	185:10	80:11,16	far 134:18	finally
44:15	191:21	89:3 97:10	favor 52:24	20:25
55:24	211:5	111:12	53:16	128:20
154:6	factor 170:5	113:13	150:2	129:20,22
175:4	170:12	117:15	February	129:25
181:5	173:17,23	121:7	86:10	finance 43:6
183:23	174:22	124:21	101:6	44:3 45:1
211:12	175:19	127:2	102:18	financial
external	176:5	129:24	104:8,17	17:1 70:24
201:14	factors	133:7	105:2,5,11	138:13
extra 148:13	171:8	137:23	107:18	145:1
149:7	177:20	139:14	108:17	180:19
eyes 82:20	facts 177:14	148:19,22	113:14	181:23
82:21 95:3	fail 183:14	166:1	federal 20:1	financially
	200:13	170:3	24:23 43:4	213:17
F	failed	172:16,22	118:5	financing
face 153:4	162:25	174:19	122:16	43:6,8
faces 117:23	184:3	182:11	187:15	208:10
122:12	failure 46:8	185:17	feel 18:10	find 26:8
125:3	182:22	195:17	95:17	41:20,22
facilitate	183:7	205:23	131:3	52:22
44:6	184:1	fall 10:14	fees 21:21	74:24
facilitated	185:19,25	70:14	feet 106:25	113:9
53:17	fair 8:14	72:21	Felder 2:6	148:11,12
facilities	12:14	164:10	7:6	159:2
28:14	14:23	176:24	felt 113:12	209:2
35:12	15:24 16:7	183:25	129:2	finding
38:22	18:21	falls 24:8	FERC 96:15	144:7
184:10	21:13	familiar 8:7	field 127:19	157:17
185:6	24:22	15:6 25:13	fight 61:21	fine 8:12
Facility	26:14	28:13	130:20	34:7 121:2
4:12,16	29:16	30:17 31:9	figure 70:6	finish 46:5
facing	30:11,17	34:2,18	70:7 207:6	116:22
192:14	32:23	35:22	209:23	135:22
fact 12:2	34:23	37:17,20	figured	158:4,9,13
39:6,22	42:22	74:25	95:18	158:14,17
79:20	44:16	76:10	figures	158:20
95:14	46:17	97:22	207:5	159:3,6,10
109:13	48:21	98:22,24	figuring	159:21
110:1,13	53:18	144:2	95:15	160:4,11
123:6	55:20	165:14	filed 6:5	162:3,21
144:5	60:13 62:5	177:1	192:14	191:1
145:4	66:16,18	184:15	filings	193:9
146:17	67:19	191:6	145:14	210:17

DEPOSITION OF MIKE COUICK
September 21, 2018

finished	124:17	183:5	fly 93:25	followed
45:10, 12	157:8	198:22	focus 39:11	45:8
45:23	fix 8:10	199:13, 20	53:7 96:10	130:15
148:16	160:22	199:25	101:16	following
158:1, 2, 16	200:1	200:5, 10	112:23	72:3, 18
193:21	fixed 65:10	200:25	113:1	96:21 97:7
197:25	68:2, 2, 22	201:1	122:17, 20	98:11
200:14	68:22 69:4	209:12, 12	137:10	145:4
204:2	70:4 71:8	209:14, 22	150:16	168:5
finishes	71:10, 15	209:25	154:10	173:7
158:9	72:19 75:2	210:5, 7, 8	172:10	182:12
finishing	75:3, 8, 10	fixing	211:15	184:18
163:14	75:18, 19	199:18, 19	focused	200:19
183:24, 24	75:19	199:20	45:22	follows 7:16
187:6	80:19	flagpole	54:11	football
200:11	81:21 83:3	134:8	58:22	20:10
210:15	85:2, 5, 13	flat 42:4	63:11, 20	126:24
firm 6:9, 13	87:2, 21	flip 121:25	65:22	127:10
16:20	93:1	171:18	79:20	force 182:25
153:5	100:22	174:4	95:25	foresight
first 7:16	110:1	182:11	112:8	186:22
19:11 29:4	123:24	flood 33:8	113:2	forever 8:15
38:3 39:11	133:19	Floor 3:3, 18	152:12	form 33:12
39:12, 14	134:1, 2	6:10	163:20	41:2 62:2
56:16 59:3	135:20, 24	Flour 158:15	169:8	81:9 85:24
60:4, 10	136:12	flow 49:17	172:10	87:15
69:21	148:6, 12	200:19	174:1	114:17
83:24 90:9	148:15, 15	flowed	178:14	116:21
90:13 92:1	148:19	181:14	204:7	204:18, 25
92:20	149:6	flowing 61:6	210:6	205:17
101:16, 17	150:2, 19	flows 33:13	folks 14:18	206:11
110:24	151:14, 15	37:7, 12	15:20 17:4	208:20
120:1	153:20	fluctuated	22:13, 13	209:17
123:11, 13	154:9	23:17	51:21, 21	211:1, 9
130:1	157:18	Fluor 118:16	53:23	formal
133:22	160:9, 22	118:16, 21	61:15 84:2	105:12
147:23	161:17, 19	152:2, 2	94:13	106:10, 12
156:22	161:22	158:14	95:24	139:4
157:24	162:5, 14	159:2	102:21	formality
159:15	164:1, 10	162:18	104:1	141:15
175:18	164:16	175:25	172:2	formally
188:11	165:19	176:5	177:9	144:17
194:19	166:10	200:22	186:12, 15	formed 19:19
204:13	168:1, 5	201:2, 2	follow 66:23	176:5
fit 41:12	180:9	Fluor's	130:13	former 72:25
five 19:13	181:10, 10	149:4	202:19	73:18

DEPOSITION OF MIKE COUICK
September 21, 2018

78:15	143:14	149:9	127:4,7	69:17 85:4
160:21	154:15		132:17	88:6
forms 44:19	187:2	<u>G</u>	140:10	102:24
forth 49:3	Frank 3:7	G 35:16	192:23	103:15
forum 26:25	7:9 151:9	GA 2:13	generally	110:6,12
91:15	194:19	Gadsden 3:8	16:18	112:13,13
141:14	free 18:10	Gamecocks	17:20	112:14
forums 58:6	Friday 6:11	46:12	18:12 24:8	113:23
forward 38:5	friend 73:2	games 20:10	24:22	118:6,21
41:3 50:15	friends 30:1	126:25	31:12	128:2,10
75:7 97:15	193:22,25	Gary 83:18	46:15	132:2
118:4	friendship	84:17	53:25	133:20
138:24	114:21	91:14	56:13	134:12,13
140:14	front 136:7	96:21	62:22	136:3
176:1	182:17	113:2	65:20	138:14
186:10	209:16	119:9	96:13,15	161:8
193:4	210:19	123:16	99:19,20	181:16
forwarded	front-lo...	gas 1:10,19	102:20	193:9
195:10,12	210:3	2:10 4:11	103:7	200:22
196:17	fuel 38:11	4:20 6:5	104:2,25	209:5
197:3	38:11	34:2	126:6	211:13
forwarding	204:5	187:19	128:14	Gibson 2:3
195:15	fuel-rel...	207:18,20	157:4	7:7 203:19
196:16	38:10	207:25	174:2	give 13:7
four 22:7	fulfill	208:1,1	187:1	50:17 60:2
59:5 105:8	201:12	gauge 149:2	208:14	104:14
107:1	full 69:5,20	gears 96:8	generated	126:14
121:15	205:13	96:10	41:15	190:11
124:17	fully 76:14	110:18	207:12	197:23
126:23	158:23	general 9:11	generation	given 8:2
147:20	fully-lo...	10:16,22	4:12,16	15:24 56:9
149:18	158:24	11:17	22:16	159:10
157:7	function	12:19	32:19 35:2	176:21
frack 187:19	11:4	13:17,21	41:1 49:14	209:19
207:20	functions	14:9 15:3	50:24	213:13
208:1	11:5	15:7 26:2	206:5,5,18	giving 57:21
Fracking	funneled	26:17,21	206:19	glad 97:4
208:22	20:3	26:25	generators	104:14
frame 52:5	further	27:20	33:20,24	Global 6:13
62:14	46:20 51:1	35:15	Georgia	6:14
67:19	53:11 78:9	37:15,23	61:20	go 9:22
111:8	99:13	43:14	187:7	26:21
115:11	133:1	52:14,15	getting	40:15
125:22	211:24	53:2 57:23	50:21	50:17
126:3	213:14	98:13	61:22	59:11 62:3
142:21	future 32:19	126:3	68:20	66:9 69:9

DEPOSITION OF MIKE COUICK
September 21, 2018

79:4 80:25	83:2,23	207:24	55:22	140:22
82:21,21	84:20 87:3	209:19,24	graph 160:19	188:3
91:7 113:5	87:7 93:12	211:20	graphs	196:12
117:5	93:24,24	Gold 37:12	160:18	205:6
127:15	94:8 95:20	good 14:25	GRAY 3:8	guidance
135:20	95:21 96:7	26:10	great 42:2	18:13
138:15	96:22	42:19	175:24	guide 184:23
143:12	97:15	49:18	176:4	Guild 182:13
150:21	99:23	50:16,19	185:15	182:16,16
156:19	103:8,11	50:22	greater	
167:4	103:23	54:10,13	198:25	H
188:7	110:9	54:15	green 134:10	Haile 37:12
191:1	111:21,24	65:18	GREENVILLE	half 43:1
193:13,20	114:6	78:11	213:2	60:6 93:23
207:24	116:9	91:15	ground 8:8	halfway
211:17	118:4	110:2,25	61:7,8,10	149:19
goal 158:4	123:9	111:4,10	69:8,9	Hampton 1:2
goals 176:9	134:6	135:14	97:10	2:4,7 6:6
goes 19:21	135:16	136:2,8	197:10	hand 14:22
22:4 24:6	136:3	145:1	204:16	26:16,17
29:3,5	138:12,24	157:18	208:12	106:24
31:15	148:24	159:7	group 17:13	165:4
going 6:15	149:8	161:2,3,16	26:6	179:10
7:25 26:24	152:5	162:6,7,10	106:20	213:18
26:25	161:21	162:12	120:20,22	hand-in-...
29:11	162:6	183:19,22	126:9	59:13
30:16	165:4	186:13	164:5	handed
38:24,25	166:17	187:13	168:25	120:15
39:10,25	169:17	202:19	172:18	143:23
41:7,12	175:2,6	210:11,12	202:7	156:21
44:8 48:11	176:1	Goolsby	grouped	handful 57:7
56:25 57:1	179:10,20	10:11	17:18	handing
59:5,7,15	180:23	gotten 60:10	groups 26:12	143:3
59:24	181:2,19	67:18 84:3	growing	156:6
66:16 68:4	183:1,4,14	130:9	41:24 85:4	169:14
68:24 69:2	186:11	government	grows 68:2	184:14
70:3,5,6	191:20	16:24 20:1	growth 38:23	194:15
70:10 71:4	194:3,4	53:24	42:2,3	handle 19:13
71:5,22	197:12,19	187:15	54:24	19:24
72:10,11	197:21	governor	guarantee	handled
72:14 73:9	198:19	11:25 49:1	200:5	162:17
74:6 75:8	199:3,14	graduated	guess 10:17	175:3
79:12	200:1,10	10:3,4,9	40:12	178:9
80:24	200:14,15	graduation	44:21 69:1	handling
81:21	202:17	10:10	98:25	84:9
82:18,20	205:13	granted	110:3	hands 211:21

DEPOSITION OF MIKE COUICK
September 21, 2018

233

happen 126:7	104:5	164:3	24:6 77:8	Horizon 21:1
133:20	113:18	179:15	83:17	23:8 33:21
176:14	131:24	192:1, 2, 4	84:17, 19	hosted
199:15	132:8	198:18	84:20	150:11
211:20	191:14, 19	hearings	191:12	Hostetler
happened	heard 12:2, 5	198:16	hiring 78:5	97:23 98:9
175:9	40:9, 22	Heigel 73:19	83:12	98:17, 19
180:4	44:18, 25	76:9	86:15	99:16, 19
happening	66:8 68:3	Heigel's	108:22	100:2
32:9 54:23	68:6 69:12	76:15	historic...	101:21
94:6 96:14	69:22, 25	heightening	58:7	hosting 27:2
96:18	70:13, 18	87:3	history 10:8	27:3
206:15	73:21, 25	held 6:8	hit 191:7	hotel 105:25
207:22	73:25 74:3	9:18	Hodges 2:15	hour 92:14
happens	75:4 76:23	104:24, 25	6:21	93:17
175:10	80:21	105:21	hold 57:2	101:13
happy 191:2	82:16	164:4	72:6	129:15, 18
hard 59:10	97:12	help 22:10	143:17	House 13:16
61:23	98:14, 19	22:20 26:1	holding	14:9 16:19
161:24, 25	98:25 99:1	43:2 49:6	61:11	22:11
209:5	111:19	49:6, 9	holes 61:7, 8	26:23 43:2
hat 13:18	112:15	helped 98:3	61:9	60:24
108:1, 6	113:16	helping 26:3	holidays	61:15
hats 13:19	118:13	159:2	126:3, 4, 6	198:16
Haynsworth	121:8	hereinbe...	home 37:7	housekee...
3:17 6:9	128:22	213:7	199:24	8:19 12:24
head 12:21	130:7, 10	hereto	homes 19:21	housing
13:1 25:6	130:25	213:16, 18	22:17	22:13 43:3
36:13	132:4, 10	high 9:24	Honorable	Hubbard 3:2
47:16	132:13, 15	20:8	10:11 12:7	7:3, 3
49:24, 25	140:21	higher 38:16	honored	huh-uh 13:2
51:4, 24	142:16	154:11	155:23	129:14
74:17	163:9	highest	Hood 2:6 7:5	hula-hoop
78:18	191:15	176:18	hook 48:1	131:7
79:13	hearing 41:7	highlighted	155:6	
135:6	64:19	62:17	181:19	I
179:23	68:10	Hilton 25:5	hope 118:20	I-95 25:8
headed	70:20	hindsight	119:1	ice 30:13
135:11	75:21 83:2	185:17	158:23	idea 70:12
header	109:9	186:5, 8	hoped 111:18	70:18
195:10	110:14	hindsight's	hopefully	110:25
hear 14:9	112:22	185:15	95:19	111:4, 10
69:16, 16	113:21	hire 188:16	150:19	121:12
84:6 94:8	114:23	191:18	188:7	195:19
98:5	130:5	192:8	hoping	ideas 50:19
101:11	161:5	hired 10:15	148:23	50:19

DEPOSITION OF MIKE COUICK
September 21, 2018

identifi...	137:12	79:16	98:6	17:14 19:5
44:7 90:6	139:8	83:11	105:20	73:21 79:2
118:25	141:22	86:13	138:23	80:23
143:2	142:9	108:20	152:7	82:19, 21
146:21	171:1	114:3	172:25	94:25 95:3
156:5	implemen...	128:25	173:18	95:3, 4
165:3	78:3 140:8	129:3	197:20	117:18
169:13	implicat...	130:8, 9	206:5	122:8
179:9	162:25	137:10, 11	includes	independ...
184:13	importance	140:9	22:6	178:9
194:14	51:7 58:8	141:22	179:14	INDEX 4:7
196:9	85:3	142:5, 7, 10	including	indicate
identified	important	142:13, 18	78:15	147:22
53:1 57:7	46:16 47:8	142:24	115:19	149:13, 14
69:22	47:10	163:21	123:23	indicated
79:17	60:21	175:15	145:8	23:23
130:20	73:17 81:3	176:13, 23	150:9	39:17
182:18	82:7, 11	177:5	153:7, 7	40:24, 25
III 2:3 3:2	88:20, 22	180:11	188:16	53:4 90:14
imagine	88:25	192:5, 11	199:10	160:20
70:15	128:3, 12	197:22	inconsis...	indicates
141:5, 9	128:18	improving	112:21	117:18
immaterial	136:11	101:14	incorpor...	122:8
142:13, 14	138:5, 5, 6	110:11	6:25 17:24	indicating
immediately	149:4	in-depth	17:25	165:8
10:10, 20	158:18	41:5	incorrect	indication
16:24	importer	in-house	69:24	161:24
116:1	207:25	6:22 67:3	147:17	indirectly
123:24	impression	inaccurate	increase	138:13
195:9	46:18	26:19	85:5, 6, 14	individual
211:18	improve	inartful	136:13	26:22 36:8
impact 8:20	150:13	206:14	163:21	53:19
24:24	170:25	incentive	210:20	individu...
61:14	197:22	208:6, 6	increased	25:9
impalements	improved	inception	93:3	individuals
33:10	74:9	29:3, 14	209:15, 18	19:23
impediment	170:22	205:15, 16	210:9, 18	36:21
106:22	175:5	inches 107:1	increases	99:24
impetus 66:3	improvement	include	80:20	industrial
Implemen...	122:15	18:19, 20	increasing	36:10
28:5 59:2	155:3	78:5 91:24	187:6	37:10
116:10	175:25	149:10	incumbent	industry
138:11	176:4, 9	included	134:11	38:24 47:1
implemented	197:21	14:12	incurring	47:3
83:11	improvem...	45:19 84:4	181:22	206:21
108:20	77:7, 8	91:22 92:2	independent	ineffici...

DEPOSITION OF MIKE COUICK
September 21, 2018

152:15	informed	intellec...	interests	149:16
inefficient	40:5 57:8	159:4	54:11	164:24
39:3	111:16	163:13	internal	interview
informally	infuriating	200:12,18	18:9	184:24
145:13	185:24	200:18	201:15	185:1
information	ingredient	intensive	interpreted	intimately
60:16	208:10	60:14	205:15	75:1
62:13	inhibit 8:23	intent 14:13	Interrup...	introduced
68:18	initial 29:6	intention	29:24	92:5 93:20
69:21	49:20 55:6	159:9	intervals	invest 59:14
72:10	57:5 58:10	intentions	56:12,12	187:14
74:24	62:1,14	14:12	intervene	204:17
80:15,17	66:25	interact	101:3	investment
84:18	67:20	28:23	113:15	40:3 47:20
93:14	74:12,16	interacted	134:12,13	47:25
94:16,20	91:22	27:24 29:1	138:4,18	63:16
103:17,19	105:8	29:8,9,12	143:25	162:18
106:16	204:13	116:15	145:25	investor...
109:4,19	initially	interacting	194:5	38:17
110:6	31:17	27:5	intervened	44:25
111:15	39:16,17	interaction	63:13	45:16
112:21	75:4	26:24	110:1,3	46:23 47:9
122:2,20	151:15	27:19	144:17,20	50:14
123:20	inking 49:20	61:25	144:24	investors
124:5,11	70:16	interact...	145:17,19	40:11
130:18	inlet 122:21	110:7	147:2,24	44:10,24
131:4	inquiring	115:4	150:9	204:16
134:1	71:13,14	interest	interveners	205:4,12
140:13,24	71:16	40:25	164:5	208:3,4,8
141:3	insistence	51:22 53:3	intervening	invitation
145:3,5,9	164:9	53:12	123:23	56:20,23
146:6	insisting	66:15 81:4	133:21	64:22,24
148:5,18	161:8	138:8,13	134:7	66:5,6
148:21	instance	138:20,23	141:10	invite 26:4
149:15	26:16	148:7	148:4	97:9 127:5
154:13	institut...	153:16	intervenor	127:7
155:18	208:4	166:6	1:15	invited
157:17	insurmou...	181:4	202:16	91:19
161:9	117:24	interested	interveners	99:17
162:19	122:13	38:8,12	65:10	101:10
164:13,23	125:3	39:18 47:4	100:22	127:6
166:19,21	integrated	50:4 80:10	interven...	involve
166:24	158:24	128:24	101:2	97:14,17
178:1	integrity	213:17	137:25	involved
182:10	39:5,6	interesting	139:6	14:24 15:4
200:22	50:18	133:25	145:4	24:17

DEPOSITION OF MIKE COUICK
September 21, 2018

49:12 51:2	26:10	126:1, 16	190:15	6:19
55:5, 25	41:22 58:2	129:9	join 16:8	KEEN 119:5, 9
60:15 68:1	58:7 75:13	131:16	joining	119:14, 19
74:18	84:9	132:3, 23	123:23	196:4, 6
95:14	131:15, 24	132:24	joint 139:4	keep 73:13
97:20	144:22	137:2, 14	joke 111:23	81:20 83:1
99:11	146:3	140:1, 15	Jones 83:18	95:21
110:5	149:25	191:25	83:20 84:6	140:17
116:7	153:13, 19	192:3	84:17	keeping
151:10, 16	154:17, 21	Jay 2:6 7:5	91:14, 18	96:13
153:22, 25	iteration	Jenkinsv...	91:24 92:6	Keller 127:3
154:3	31:15	4:12, 16	93:20	127:6, 25
164:5, 8		49:7, 10	95:14	Kenny 134:23
166:22	<u>J</u>	51:3 61:1	96:21 97:8	kept 91:13
188:11	Jack 73:1, 1	73:10 74:6	102:9, 23	91:16
202:4	73:2, 2, 3, 5	79:9, 12	103:2, 2, 5	184:6
involvement	73:7 74:4	82:19	106:7	Kevin 51:6
13:18	76:7, 8	83:20 87:7	109:12, 15	77:23 83:8
55:12, 17	77:18	94:1, 6	113:2	83:9 86:12
58:15 69:6	79:20 80:8	96:18	119:10	86:13
76:15 77:5	82:8, 16	97:10	123:16	92:15
95:22	92:19 95:1	115:21	Jones' 91:17	108:15
189:6	98:15 99:2	116:1	91:19	114:21
irregular	188:13, 20	123:4	101:11	115:6
56:15 64:2	191:15	129:1	Joseph 4:19	117:3
irregularly	Jackson	131:5, 23	167:8	123:14
64:10	134:23	132:17	JR 2:6	125:20
issue 28:4	135:1, 11	158:1	judgment	126:8, 21
28:10, 11	James 2:6	159:16	174:7	127:3
58:18	28:10	208:12	judicial	128:21
62:18	59:21 92:7	Jenkinsv...	10:23 11:6	130:3, 23
63:12, 14	106:6	83:23	25:24	132:9, 20
68:20	January	Jimmy 161:3	Judiciary	134:13
85:15	77:24	161:4	10:13, 17	189:15
116:5	100:14	job 10:7, 21	juice 37:7	191:24, 25
133:12	101:4, 5, 5	11:1 16:11	July 28:2	192:3, 3
135:22	101:17	16:12 24:2	30:9 65:12	197:15, 18
154:12	102:5, 18	25:17 74:4	195:9	kind 42:13
182:6	104:8, 16	122:6	June 60:4, 10	49:19
188:17	104:19	128:19	110:4	73:22 95:5
197:10	107:18	131:8	118:22	110:17
issued 67:20	108:19	168:15	123:25	211:20
184:17	113:14	jog 173:21	Jurist 10:1	King 2:12
185:23	115:7, 8	John 2:11		6:19
issues 16:5	117:8	6:18 7:24	<u>K</u>	Kissam 127:4
24:24 26:5	125:23	16:20	Keel 2:12	127:5

DEPOSITION OF MIKE COUICK
September 21, 2018

140:2	129:13,25	kw 22:10	118:10	learn 115:10
Knapp 151:10	130:16	38:15	127:17	136:9,11
knew 42:8	132:18		131:6	144:24
77:19,19	134:11	<u>L</u>	153:5	145:3,5
83:9	135:15	L 1:23 2:6	205:6	learned
109:14,22	136:1,7	3:20 213:4	lawsuits	111:6
114:24	139:12	213:23	192:14,18	112:9
123:10	143:5	la 22:2,3,8	192:21	141:3,7
141:12	149:10	22:19	193:1	158:19
147:14,18	156:12	LAFFITTE 3:8	lawyer 9:7,7	learning
159:22	157:1	lagging	151:10	110:15,16
162:22	168:9	170:20	193:16	186:24
163:2,3	177:21	171:3	196:18,23	leave 161:17
166:7,14	178:12,12	land 19:9	lawyers 67:8	leaving
181:1	181:16	25:4	101:25	198:23
183:4	182:3	lands 24:10	102:1	LeBRIAN 1:5
185:14	184:3,6	large 36:10	150:14,25	led 66:20
186:15	186:21,23	45:2 90:21	151:2,8	75:24
191:10	193:7	138:14	153:21	139:16
192:1	195:18,20	150:9	163:11	left 131:2
know 18:24	196:3,13	151:7,20	192:18,20	legal 9:12
29:18 31:6	197:17	172:19	193:12	17:22 40:3
38:5 41:5	198:17	largely	197:3	46:22,24
41:5 42:4	202:4	122:19	201:18	98:3 99:22
42:16 46:9	206:20	largest	202:5	100:3
48:24	210:5	21:16	LEA 2:18	legislation
52:21,23	knowing	lasted 92:13	lead 14:20	13:16,23
56:25	68:18 73:9	lasting	leader 73:6	14:6,11,12
66:10 70:5	75:14	93:17	leaders	14:16,25
72:16	knowledge	late 57:2	83:22	15:9 29:4
76:13	34:14 36:6	62:15	leadership	43:6 53:14
77:20 80:8	154:7,8,9	67:20	59:13	128:10
80:24 82:3	204:23	68:16 69:1	61:16	207:4
82:18,20	207:24	73:7,8	176:22	lengthy
82:25	208:4	109:3	180:5	93:21
84:15,19	213:9	123:25	leads 68:21	lent 161:19
90:18	known 16:5	133:17,17	92:24	Lessons
93:18	29:20	183:10	League 26:9	112:9
95:17	37:18	law 2:18 6:9	59:23	let's 15:11
103:21,25	155:22	9:11 10:4	LEAH 2:18	28:1 69:9
104:13	163:8	10:9 15:18	leaning	89:9 91:7
109:25	207:18	16:17,20	68:14	100:24
110:21	209:20	16:22	69:17	101:16
121:17,22	knows 176:21	27:15 35:5	75:17	117:5
124:24	Koon 127:4	43:5 45:6	80:19	159:21
128:22	140:2	45:6,8	92:25	176:15

DEPOSITION OF MIKE COUICK
September 21, 2018

208:17	161:14,20	114:12	53:16	71:7,7,8
Letter 4:10	210:10,20	124:2	lobbyists	160:24
4:14	limit 168:4	168:15	27:7,7,20	199:18
level 19:15	limited	169:5	27:23	206:2
20:2,3	158:10	175:17	local 19:14	207:5,13
33:18 41:5	164:9	191:22	20:3 27:5	looking
43:4 44:12	168:4	195:6	33:18	39:24
53:2 82:17	180:17	203:22	36:18 37:5	41:16 44:3
82:17	181:10,13	204:12	37:6 53:15	44:13 95:6
87:11	limiting	live 22:13	53:23	98:18
107:14	18:5 67:11	36:21	68:13	106:20
114:1	line 19:12	161:1	69:14	126:20
187:5,8,9	36:22	179:4	120:23	134:5
188:5	38:22	Living 19:20	128:3	157:7
207:23	92:19	LLC 2:6,18	locate 38:15	158:22
leveled	lineman	3:8	located 6:9	167:11
176:19	127:20,21	LLP 2:12,23	location	182:16
levels	linemen	3:3 6:24	37:2	looks 194:20
170:20	19:24	load 4:12,15	105:22,24	loop 155:20
171:5	20:11	29:7 37:10	logical 81:7	156:3
172:7	lines 199:6	37:18,22	long 9:18	lot 15:21
liability	list 129:23	37:25 38:1	11:1 20:14	22:15 25:2
199:19,20	listed 32:13	38:15,19	29:20	42:2 68:17
liaison	listen 51:11	39:2 40:4	45:13	80:24
26:15	72:14	42:7,9,11	92:12	102:21
53:15	102:25	42:12,20	100:16	103:17,22
liaisons	103:21,22	43:19,22	130:4	110:8
27:6	113:7	44:6 48:13	203:21	118:5
licensing	191:25	48:23,25	209:4	127:17
41:2	listening	50:23 55:8	longer 32:16	188:2
Lieutenant	51:7 63:24	57:5 58:11	33:22	191:20,22
11:24	72:2	62:1,14	199:18	209:11
life 174:10	102:20	67:20	look 42:1	211:21
light 54:11	103:14	133:18	54:22	lower 48:12
134:10	113:4	205:8	110:24	174:6
lightly	114:11,13	206:5,15	121:15	209:25
146:1	170:23	206:18	147:20	lowered
Lightsey 1:5	literature	207:23	176:15	107:1
6:4 119:17	10:1 35:4	loaded 125:5	183:18	lowest 23:20
119:22	131:6	lobby 53:16	186:15,23	lunch 77:23
likelihood	litigation	lobbying	187:19	77:24 78:1
54:25	11:13	27:4	197:6	108:19
144:25	little 17:21	lobbyist	207:7,20	126:1,12
145:10	19:1 21:24	26:20,20	209:23	126:21
148:14,15	32:24	27:11,13	looked 39:24	129:15,17
160:20,20	34:25 51:4	27:21	40:1 48:8	132:25

DEPOSITION OF MIKE COUICK
September 21, 2018

134:15,17	176:3	143:1,3,24	136:15	135:1
134:21	192:5,11	146:20,22	142:23	139:11
135:2	200:10	156:4,7	Marshall	148:3
136:6,19	manage 123:4	165:2,5,6	12:7	161:1
136:25	manageable	169:12,14	mass 19:9	185:14
137:1,20	107:9	179:8,10	25:4	194:7,7,25
luncheon	managed	184:12,14	Massachu...	196:17,19
108:24	107:11	194:13,15	41:10	208:14
luncheons	management	196:8	206:24	means 62:12
108:25	63:8 69:25	market	material...	113:11
lunches 78:1	71:20	208:22	184:2	200:16
125:19	73:11 74:1	marks 89:11	matter 6:3	meant 12:9
Lynch 4:20	74:7 75:6	178:17	6:21 14:21	134:24
167:8,17	75:22 88:7	Marlboro	37:15	203:9
Lynches 25:6	manager	24:1	96:12	measurables
M	72:14	Marsh 51:7	114:5,7	149:1
M 3:12 4:19	103:13	77:24	126:8	measure 63:4
167:8	manager's	78:22,24	138:5	75:25
magazine	102:19	83:8 86:12	200:14	163:23
19:20	managerial	92:16	203:6	175:8,14
21:25 22:3	97:20	108:15,19	207:1	measures
22:4,9	managers	114:21	matters	131:20
magazines	120:20,22	115:6	18:11	171:1
21:11	121:7	117:3	19:25 63:9	mechanism
magic 16:25	managing	123:14	73:3 98:4	43:21
Main 2:16,19	123:2	125:20	122:19	mediated
3:3,18	131:5	126:1,11	146:8,14	145:15
6:10	maps 11:14	126:21	203:6,12	medications
majeure	March 84:6	130:23	213:9	8:20
182:25	86:10	131:17	Mave 28:9	meet 51:19
major 13:15	101:6	132:20,25	McConnell	92:4,22
14:15 15:9	102:18	133:1,15	11:20 12:4	122:15
85:15	104:9	134:13,21	McGowan 2:6	142:17
making 15:8	105:17	134:25	7:5	meeting 14:8
24:14	107:18	135:1,9,12	Mcguire 2:23	51:16,18
44:20	108:16,17	136:19,20	6:24	51:20 58:1
65:23 66:1	113:15	136:22	mean 10:15	60:20,23
72:7 86:14	121:5,6,13	139:17,22	14:1 18:18	67:17 70:2
110:15	122:3	140:3,24	18:19	70:21
129:23	124:12	141:3,7	27:16	71:21
142:17,24	Mark 99:20	152:8	34:24	72:18 81:8
153:20	marked 90:5	189:15	46:13	83:24 84:2
157:9,14	90:7	191:24,25	57:11 75:5	87:12 91:1
162:1	110:20	192:3	85:11	91:5,21,22
174:13	118:24	197:15	111:22	92:6,10,12
	120:16	Marsh's	133:4,19	92:16 93:9

DEPOSITION OF MIKE COUICK
September 21, 2018

93:16,19	26:23	25:2 31:1	18:14	107:18
93:23	49:22	34:14	137:1	108:4
94:17,19	51:12 56:9	35:19	memorial...	109:13
95:8,11,13	58:12 64:8	36:17 37:2	165:18	117:13
96:21 97:7	67:14	53:14	memories	183:17
97:14	70:22	69:12	176:8	188:19,22
98:10	81:14	76:16	193:5	188:25
101:17,19	84:23	80:21	memory 8:21	189:9
102:5,7,14	91:20,25	82:17 85:9	32:12	193:1
102:19	94:13,14	85:22	47:22 49:2	209:4
104:16,17	97:9,15	87:19	51:12	mentioning
104:24	98:4 99:17	88:23 89:1	55:16	99:5
105:2,5,11	99:25	90:23	67:15,25	117:11
105:15,17	100:4,8,12	128:23	74:4 76:4	137:17
105:18,19	100:17,18	141:19	78:7,9	merged
105:21	100:19	member-o...	86:19	192:25
106:1,10	101:8,9,18	36:8 37:6	100:9	merger 63:13
107:16	102:19	member-o...	107:5,20	message
108:16	104:10	36:4,5,7	108:12	61:19
111:25	105:8	members 14:8	117:12	195:10
112:4	107:19	15:3,7	125:11,16	met 7:23
121:3,14	108:3,5	18:21	126:21	61:15,17
121:18	109:5,10	20:18,20	127:3	61:17
122:22	111:7,16	21:2,3,4	129:7	102:17
124:6	111:20	22:8,21	137:17	121:8
126:12,15	112:3,3,16	23:10,14	151:19	140:19
127:5,11	114:15	23:20	152:24	145:11
129:13,15	115:4,6,9	24:25	169:2,6	meter 21:20
130:16	115:16	26:16,23	173:21	meters 21:15
131:17	116:19	27:19 33:2	174:2,20	21:17,17
132:3,23	117:7	36:2 52:13	174:24	21:19
133:14	126:6	56:22	176:2	methodology
135:8	129:16	60:24	179:19	117:18
137:9	132:14	65:22 66:1	196:14	122:8
139:17	145:7	66:7,15	199:9,24	metric 41:18
140:2	150:5,8,14	72:22 81:4	200:7	41:19
149:23	150:24	83:1 85:6	mention 22:3	207:7,8
151:17,21	151:6,11	87:25	85:7 86:5	Michael 3:12
151:24	151:12	121:9	86:20,23	6:12 7:22
152:16,25	152:14,22	136:3,4,9	mentioned	Michigan
163:16,17	153:2	145:2	13:10	40:19
170:23	163:9	148:7	20:13	mid 29:4
188:24	164:4,6,7	157:22	69:10 76:8	72:25
189:13,15	171:2	166:6,12	82:13	110:3
198:8,13	member 21:6	192:23	83:17 85:3	mid-2005
meetings	21:7,9,14	membership	86:9 91:8	187:10

DEPOSITION OF MIKE COUICK
September 21, 2018

middle 130:1	24:6	113:14	Nannette	75:5 87:3
midnight	125:17	150:13	59:21	87:20 88:6
30:15	moment 176:7	211:19	narrative	88:12,16
migration	money 59:12	MOODY 2:18	179:25	89:7 93:11
154:25	66:10,11	2:18	narrow 20:7	93:12
Mike 1:18	75:14	morning	National	94:13,21
3:16 4:3	159:18	30:15	61:18 73:4	96:17 98:4
6:2 7:15	187:20,20	mouth 191:15	natural	98:15 99:3
18:19	187:23	move 41:3	182:24	99:6,6
89:13,17	204:24	50:12	187:19	103:24
178:19,23	207:15	118:4	207:18,20	109:3
195:2	monitor	143:9	207:25	118:4
203:19	63:16	193:4	208:1,1	122:14
212:6	72:11	moved 17:3	nature 25:24	128:15
milestones	monitored	208:14	98:14	129:7
149:1	63:17 67:2	movement	140:10	130:25
mill 196:15	monitoring	54:1 63:15	202:1	131:1
million-...	55:25 56:4	moving 70:8	near 105:22	137:13
19:10	month 19:21	75:7	105:25	140:6
mind 191:21	22:5 64:12	140:14	nearly 24:7	156:14
mindng	83:1,19	208:15	30:5	158:2,3,16
171:17	84:21	Mullins 3:3	199:17	161:9,10
mine 37:12	93:25 97:5	7:2,4	necessarily	163:14
73:2	98:6 99:18	multi-hour	88:1	187:14
131:23	99:22	129:13,16	117:24	188:9
211:11	100:14	multi-plant	209:1	190:25
miniscule	102:18	36:11	necessary	191:11,16
160:23	152:15,18	multiply	42:21	192:8,9,12
minutes	171:2	207:9	50:24 78:8	205:8
92:14	175:11	municipa...	113:13	206:14,18
93:17	monthly	33:12	146:6	211:22
121:15	81:13	N	162:19	needed 16:11
124:17	84:22	N.E 2:13	163:13	19:14,17
197:24	91:11,14	name 6:12	167:6	41:20,22
missed 105:9	91:17,18	7:20 65:20	168:7	42:12,14
mission	91:20	73:16	170:21	43:11
25:21	94:11,12	119:16	192:4	46:21 47:1
138:7	96:23	144:10,12	208:10	75:6 76:20
Mister 81:19	99:25	188:21,25	need 16:12	79:24 80:2
model 160:16	100:8	188:25	18:23 25:5	80:4,15
160:18	109:5,15	206:13	25:9 39:24	82:19 84:2
modeled	111:7,16	named 213:7	42:9,11	87:25
176:19	112:3	nametag	43:16 46:4	88:24 89:2
Modeling	115:3,16	108:5	50:16,16	95:2 97:14
171:23	months 10:12	Nanette 28:9	51:10	97:17
modified	60:10		73:23 75:5	99:11

DEPOSITION OF MIKE COUICK
September 21, 2018

103:19	neither	nine 125:10	44:3, 16	164:9
118:9	213:14	NND 174:7	45:2 46:11	168:4
128:19	Nelson 3:3	no-brainer	46:14, 16	175:21
129:1	7:1, 4	41:20	46:21 47:7	176:6
130:11	nervous	nodded 12:21	47:8, 21	178:18, 24
132:2, 6	110:13	47:16	49:14, 18	206:9
133:8	never 24:16	51:24	50:25	numbered
140:5	40:20	74:17	54:17	157:4, 6
141:19	45:12, 22	79:13	58:14, 15	numbers 48:4
148:25	45:24	135:6	58:17 59:4	
162:20	112:16	179:23	59:5, 6	O
164:14	142:19	nods 13:1	71:1 96:1	Oak 2:4
170:21	159:9	non-fixed	118:11	oath 213:11
188:21	160:3	209:22	128:8	Obama 28:6
205:12	175:12	non-GHG	136:1	59:3 207:3
206:17	186:13	117:21	184:10	Object 62:2
needing	190:9, 17	122:10	185:5	81:9 85:24
43:14	neverthe...	non-taxable	186:11, 12	87:15
needs 24:20	162:13	96:4	187:4, 13	114:17
25:3, 11	new 21:1	nonstandard	187:21, 22	116:21
75:22	22:16 23:8	22:14	198:10	204:25
80:22 88:4	28:13	North 3:18	204:15, 17	206:11
130:6	33:11, 21	not-for-...	205:2, 5	208:20
178:15	35:12	118:8	206:2, 3, 4	209:17
negative	39:21 40:6	Notary 1:25	206:4	211:1, 9
136:17	41:1, 2	3:20 213:4	207:14	objected
negotiate	42:9, 11, 20	213:23	209:6	115:24
149:25	43:14, 20	notation	number 6:7	Objection
153:19	44:3 46:11	165:11	13:10, 15	205:17
154:18, 22	46:13, 16	notes 184:24	16:25	objective
181:6	46:21 47:7	Notice	21:15	157:24
negotiated	47:8, 20	119:23	23:20	158:7
32:14	49:14, 18	notion 98:14	26:10	160:7
75:20	50:24	November	32:13	obligation
146:11	54:17 59:4	10:17, 23	40:19	188:5
159:8	60:22 61:4	175:10	44:19 48:8	obligations
167:25	61:11 71:7	193:15	48:8, 12	201:13
175:13	71:8 187:4	NRECA 61:19	89:12, 18	observer
180:12	205:5	nuclear 4:12	111:17	47:4
negotiating	209:5	4:15, 24	112:5	obtain 31:25
168:25	newly-el...	28:14, 20	115:17	32:1
negotiat...	207:3	39:21 40:7	119:4, 6	obvious
75:12	newspaper	40:12 41:1	127:13	158:22
168:3	40:8 57:25	42:19 43:1	152:2, 13	obviously
neighbor...	191:8	43:10, 14	152:14	115:5
21:18	Ney 7:22	43:16, 21	153:21	134:17

DEPOSITION OF MIKE COUICK
September 21, 2018

184:21	83:25	120:6,8,15	68:23 69:3	122:14
200:24	104:25	120:24	71:6 82:25	optimal 48:5
occasion	105:19	124:1,15	83:19	49:16
56:22	180:5	124:19	84:21	optimism
78:10	Officer 9:4	125:12,15	93:25 97:1	46:1
occasioned	9:10	131:14	101:2	option 17:6
180:11	offices 92:2	132:23	115:7,7	40:1 69:4
occasions	official	133:13	142:23	72:20
57:20	30:24	134:16	152:18	148:19
occupation	officials	135:7	ones 32:15	150:2
9:2	24:23	137:23	58:9 86:14	151:16
occurred	34:22 40:9	139:2,14	106:8	158:2
13:17	61:17	139:19,24	121:23	159:17
40:12 76:5	offsite	143:3	187:23	160:10
116:18	105:22,22	148:3	205:13	162:14
121:5	oh 104:6	153:10	onsite	164:1,16
126:16	142:2	157:2	163:17	165:19
141:15	165:7	160:12	170:22	166:11
151:12	Ohio 40:18	165:4	open 188:3	167:6,22
178:7	okay 8:4,11	168:13,17	operation	167:24
206:1	8:19 9:21	171:7,18	20:15	180:10
occurring	9:24 12:1	173:6,20	131:19	181:10
126:15	12:14,18	179:24	operations	183:5
occurs 67:24	12:24	182:8	18:10	209:13
October	14:15 17:7	191:9	36:12 79:9	210:7,8
193:15	18:15,25	192:7,13	97:21	options
odd 74:24	20:13	193:10	107:11	41:16
Off-the-...	26:19	195:9	128:4	148:6
143:19	27:14	196:7,7	opine 71:11	order 40:16
offer 22:10	28:22 32:5	197:4,23	opinion	46:21 55:9
22:19 24:8	32:11 33:5	198:21	46:24	57:6 62:1
46:24	34:5,8	199:23	193:24	62:15
174:17	35:25	200:16	205:20	67:20
offered	39:17	201:4	opportun...	94:14
51:14	55:20 57:4	202:8	17:4 56:9	107:12
115:25	57:9 60:13	210:7	152:17	175:9,21
offering	62:15 65:8	211:23	163:22	176:6
27:1 38:19	68:12 76:2	212:3	opportunity	Oregon 107:6
46:8	82:15 89:9	old 148:13	58:13 84:5	organiza...
offhand	89:10	on-bill 43:6	91:15	17:11,12
107:21	99:10	43:7	97:24	17:13 18:6
office 1:14	100:25	on-site	119:25	18:8,10,12
2:18 25:14	101:16	94:24	135:18	20:4 24:21
25:16,20	104:15	191:18	155:5	53:20
27:24	115:2	once 64:12	opposed	55:13
82:21,23	117:15,20	64:12	118:20	90:20

DEPOSITION OF MIKE COUICK
September 21, 2018

organiza...	121:9	67:16	89:7 93:6	packet
18:20	122:12	68:10	93:6 94:21	103:11
organize	123:7,12	116:13	98:15,16	106:19,19
22:20	123:13,19	121:8	98:23 99:1	107:2
organized	125:5	153:7,8	99:6	packets
105:12	128:15,16	156:3	108:22	101:15
original	128:18	164:10	109:2	107:9
48:3 59:8	131:16	168:5	128:24	122:6
138:7	133:17	overall	129:6,7	page 90:13
141:13	138:7,14	62:21	130:6,6,11	110:25
172:25	138:18	overlaps	130:11,22	125:2,10
173:18	140:13,25	127:14	132:6,8,12	144:14
originally	145:8,11	overruns	132:19	147:20
32:17 33:7	145:14	150:19	136:23	149:18,19
33:20	146:10	180:19	137:13	159:15
203:25	149:9	oversee	140:5	160:6
ORS 26:12	151:8,19	27:22	141:20	165:22,23
28:3 29:1	155:16	overseeing	188:21	167:4
29:13	157:17	14:4,6	189:10,14	171:18,21
49:24,25	164:4,8	oversight	189:18,22	172:24
51:4,6	167:5	78:10 79:3	189:24	173:2,3,4
56:23	168:3,23	oversimp...	190:20,21	173:13,15
59:17	172:19	48:6	191:12,18	174:4
64:25 65:9	176:12	owned 1:11	191:19	176:16,17
81:12	178:12	33:20 35:7	192:8,9,12	176:21
83:21	183:16	48:2 63:11	owners	179:22
84:17	190:2	159:5	118:13	182:11,15
85:23 91:2	193:3	owner 72:13	ownership	184:24
91:5,24	200:2	103:13	33:24	pages 157:6
92:22	203:15	owner's	63:18	paid 21:15
93:10,16	ORS's 111:3	73:12,13	116:4	23:1,23
94:3,7	ought 48:8,9	73:20,20	owning	75:14
95:19	58:21 74:2	74:3 75:22	157:23,23	148:14
96:19 97:3	79:22 93:5	75:23	owns 192:19	pairs 36:3
99:7	93:5 97:19	76:20,21		Palmetto
100:18,21	97:25	77:9 78:5	<u>P</u>	25:5 194:8
102:7	191:18	78:6,12	P.A 3:17	paper 56:14
106:5	193:13,17	79:18,22	p.m 120:10	161:15
107:23	outcome	79:23 80:3	120:13	paperwork
108:10,11	136:2	80:5,7,13	133:18	106:21,21
109:11	199:16	80:14	143:18,21	paragraph
112:22	outset 9:6	83:12	178:20,25	112:17
113:8,11	205:25	86:16	198:2,5	147:23,23
113:23	outside	87:20,25	212:7,8	167:4,23
117:8,9	11:16	88:4,12,16	package	168:19
118:12	63:19 67:3	88:24 89:2	203:23	173:3

DEPOSITION OF MIKE COUICK
September 21, 2018

174:5	111:5	71:21 72:1	46:25 47:3	period 13:21
175:16	123:6,18	72:18	52:23	32:16
176:15	132:16	109:10	61:13 63:8	63:23
186:4	135:8	112:4	68:14	104:12
Parents'	144:2	164:7	69:16	187:11,13
143:10	151:24	partners	70:22	periodic
part 25:1	152:12	56:3 57:15	75:17,24	45:7
26:6 33:13	155:25	63:6 132:5	78:14	periodic...
37:25 38:7	169:23	163:22	80:18	27:25
38:9,10,11	176:9	partnership	92:25 97:5	person 24:9
38:12,13	179:15	48:3	97:14	53:22,25
43:16	198:11	parts 45:7	110:14	58:20
48:20	211:16	52:11,12	114:19,24	70:24
52:15 55:1	particul...	204:3	122:22	73:18
55:3 58:8	53:3	party 88:16	123:1,16	78:17
58:9 59:4	particul...	133:21	126:9	94:11,12
63:7,18	50:4 99:9	139:5	132:1,13	94:25
66:20	111:20	168:24	132:15	96:12
84:21 94:2	122:25	passed 37:22	135:10	103:23,24
94:8	183:18	38:18	150:8	104:3
127:24	187:4	48:14	151:25	130:23
136:6	205:3	52:16	152:6	132:7
137:4,6,7	particulars	53:16 54:7	163:10	134:11
156:8	141:17	128:10	180:7,7	139:7
168:24	particulate	pay 21:11,14	186:23	152:2
185:17	207:1	23:13	204:23	155:21
193:14	parties 31:6	180:15	percent 19:9	174:14
204:3,4,5	31:20	207:10	25:4 41:14	178:13
204:8,13	119:22	paying	41:25 48:1	191:11
204:14	134:5	207:12	48:2,12	213:7
205:6,19	138:4,19	Peachtree	116:1,3	person's
211:3	138:20,22	2:13	200:1	73:5,16
partially	145:12	peak 22:19	percentage	personal
144:6	149:23	33:23	116:4	193:23
participate	150:6	pegged	percentages	personally
198:7	166:22	125:22	170:15	18:24
particip...	167:5,25	penalties	171:6	26:15
149:22	213:16	182:5	perennial	42:16
particular	partner 56:5	penalty	111:23	personnel
11:1 14:25	63:6 70:2	59:17	perfect 55:3	91:24
18:6 47:23	72:14	pending	186:11,22	151:13
50:4 52:19	109:20	144:22	performance	perspective
55:11	142:16	people 15:1	131:21	83:4
62:18 63:6	partnering	15:15,23	150:13	petition
72:1 103:6	58:12 64:8	16:3 19:10	170:5,12	4:10,14
110:19	70:21	29:12 46:1	173:23	143:25

DEPOSITION OF MIKE COUICK
September 21, 2018

148:6	plaintiff	178:3	182:2,9	88:5 123:2
PF 171:23	194:9	181:24	188:18	133:12
172:24,24	plaintiffs	plenty 131:7	189:5	146:3
173:17,17	1:8 2:2	plug 131:25	196:12	positions
173:17	7:6,8	184:25	199:23	17:19
174:5,9	193:7	plugged	208:16	26:22
175:19	203:20	95:19	210:19,22	positive
176:1,18	plan 28:5,6	107:4	points 34:17	110:5
176:23	38:5,6	poach 39:2	34:19 35:7	118:14,15
PFC 135:19	45:3,5,8	poaching	35:18 52:6	positively
202:16	45:14	50:9 53:5	52:10,19	125:14
PFC's 176:6	48:10 59:2	point 4:8,9	52:24	possession
phase 29:14	59:2,9,25	4:17 11:18	130:14	163:14
35:2,3,3	60:5,8,19	12:3 18:23	210:18	possibility
PHILLIP 1:5	95:25	28:2 29:13	policies	44:10,11
phone 114:19	116:10,11	32:24	17:20	45:19,23
117:3	138:11,11	33:19,19	policy 15:5	45:25 46:8
139:18	159:3,3	34:24	15:8 26:2	182:21
189:17,21	208:25,25	35:17	40:23	183:6,11
phrase 28:17	211:13	38:17	46:16	183:13,16
64:1	planning	47:12	50:10	possible
physical	135:13	67:16 68:9	54:13,15	182:1
106:24	200:13,13	69:1 71:4	58:16,23	Post 57:25
144:9	plans 45:23	72:15 89:4	63:9 95:23	post-Obama
pick 114:19	158:20,21	94:4 96:2	122:18	48:9
117:2	176:22	98:2	153:5	postage 22:6
picked 65:24	plant 28:14	100:24	186:17	22:7
pictures	43:21	104:22	policyma...	postdated
60:25	45:19,20	105:13	25:11	200:25
piece 14:10	47:8	106:14	187:12	posted 125:5
14:25 39:7	204:15	107:14	policyma...	postreti...
161:15	plants	109:13	14:24 15:2	17:4
209:10	112:10,20	110:13	political	potential
pieces 13:15	209:8	118:9	16:1	69:7
13:22	playing	124:21	porch 126:22	137:25
14:16 15:9	205:24	130:17	portion 32:1	potentially
39:12	Pleas 1:1	139:19	32:2 33:6	104:16
210:21	6:6	140:25	39:18	pouring
pin 64:2	please 8:10	152:11	158:5	208:15
place 51:13	18:24 64:4	154:2	179:13	power 4:8,9
123:11	124:23	157:5,19	195:21	4:17 20:23
places	125:8	158:2,4	198:19,23	28:6 30:25
107:11	135:7	159:19,20	portions	31:19 32:2
123:13	149:17,20	160:13	194:21	33:2,7,10
plagued	170:6	165:11	position	33:12,15
205:3	177:18	181:3	24:4 40:5	33:17,22

DEPOSITION OF MIKE COUICK
September 21, 2018

36:7,19	126:14	159:16	93:1,3	primary 11:4
37:1,3,3,6	156:12	160:7	100:22	28:2,8,12
40:17	predated	presented	110:1	36:22 53:7
48:10,19	184:25	17:6	123:24	56:2,4,7
56:6 59:2	185:1	120:20	133:19	61:24
59:9,25	predecessor	124:20	134:1,2	63:10
60:5,8,19	11:11	145:9,11	135:20,24	142:16
63:5,10	31:16	145:12,14	136:12,13	153:4
94:14	predicated	165:19	148:6,12	204:10
95:25	186:19	President	148:15,16	principal
97:19	prefer 143:7	9:3,9	148:19	26:21
104:22	prefile	11:19,21	149:7,11	27:11,13
105:13	173:8	11:22,24	150:2,20	27:21
106:14	premise	53:24 73:4	151:14,15	principally
116:11	127:16	207:3	153:20	33:11 38:3
117:21	prepare 52:6	209:7	154:10,11	97:18
122:10	158:7	press 184:17	157:18	printed
131:22	160:7	185:4,19	160:9,22	118:17
138:11	prepared	185:23	160:23	157:5
152:11	155:10	186:3	161:17,19	printing
153:6	161:6	presume	161:22	22:6
157:5	167:7	186:18	162:5,14	prior 11:10
158:4	preparing	pretty 19:13	164:1,11	16:13 28:1
190:8	163:3,6	134:22	164:16	30:9 32:17
194:9	presence	previous	165:19	41:25
208:25,25	94:3	32:21	166:10	49:20 64:8
practice	158:11	107:10	168:1,5	64:9 65:4
126:8	present 3:11	111:18	174:24	65:13
PRC 11:11	51:18	previously	180:9	67:11,15
Pre-file	97:11	178:2	181:10	75:1 98:8
171:20	119:6	price 22:5	183:5	132:10
173:5	208:3	65:11 68:2	198:22	141:10
pre-filed	presenta...	68:3,22,22	199:14,20	177:14
146:17,25	90:14 92:9	68:24 69:4	199:25	189:13
147:12	104:19,22	70:4,8	200:5,10	194:11
155:9	105:10,12	71:8,10,15	200:15,25	199:15
179:3	106:9,10	72:19 75:3	201:1	privilege
preceded	106:13,16	75:3,7,8	209:12,12	138:21
32:8	110:19	75:10,18	209:14,15	Pro 11:22
precedes	121:12	75:19	209:19,22	probably
195:10	123:18	80:19,20	209:22,25	28:9 32:8
precise	152:4,11	81:21 83:3	210:5,7,8	48:4 52:4
17:21	156:25	85:2,5,6	210:18	60:4 65:22
precisely	157:9,11	85:13,14	primarily	76:3 86:10
32:24	157:12,14	85:16 87:2	38:3 47:18	91:4 92:13
125:25	157:15	87:2,21,22	57:24	93:23 96:2

DEPOSITION OF MIKE COUICK
September 21, 2018

98:23	200:25	110:11	174:14	176:22, 24
107:24	201:2	117:16, 17	175:4	180:16, 19
126:5	proceedings	122:5	project	181:23
129:17	4:22 66:23	163:21	28:18, 18	182:2
133:18	67:9	170:14, 15	29:2, 3, 11	185:11
136:5	144:17	170:16, 25	47:14	188:12
140:9	145:20	171:5, 8, 9	48:16	198:10, 15
151:25	147:1	171:13	54:19	200:11
167:14	156:11	172:7	55:10 56:1	205:16
191:17, 17	process 8:7	174:3, 22	56:3, 11	206:2, 3, 4
197:24	15:23 29:5	175:2, 5, 24	57:6 58:3	206:4
problem	37:21 43:8	176:5, 13	60:17	208:10
57:16 61:9	48:20 60:1	176:23	61:25	209:15
problems	63:21 97:8	177:4	62:13	projected
113:10	101:2	professed	66:24	43:8
130:19	102:22	94:21 99:6	67:10, 23	projections
175:12	129:5	professing	75:1 79:7	42:8
proceed	131:25	186:7	84:16	172:25
54:19 55:9	135:5	program	86:25 88:7	173:18
138:9	141:14	22:11 43:2	91:12	promised
proceeding	153:13, 22	programs	95:16, 18	174:23
40:16 55:6	153:25	20:6 24:7	96:11, 22	175:5, 6
55:17	166:18, 23	progress	103:20	promises
65:11	190:13	36:16	109:5, 7	185:20
67:24 68:2	200:23, 24	55:25	111:4	186:1
68:8, 22, 23	produce	56:11	115:10	prompted
75:18, 19	136:2	57:22	117:23	69:6
100:22	201:9	62:22	122:12	prompting
110:2	produced	63:14, 21	125:2	85:23
123:24	33:10	64:14	127:12	pronounced
133:19	106:23	65:25	133:2	45:16
135:19, 24	119:9, 19	73:14	136:9	proof 38:4
144:20, 23	156:11, 12	75:25	140:14	property
145:16, 17	156:16	80:23	145:6	159:4, 5
145:21	175:13	81:14 82:9	148:22	163:13
146:18	195:22	82:9 84:7	149:5, 25	200:12, 18
147:24	producing	91:11	153:12, 18	200:19
149:23	61:10	93:15	155:11	proposal
151:15	production	101:13	157:25	50:15 51:8
157:25	58:18 96:1	102:22	160:9	51:11, 13
160:22	118:11	103:16	161:10	protect
161:22	128:8	106:20	163:1, 19	182:20
165:9	131:22	114:4	170:5, 12	protected
166:12	156:9	116:7	171:9, 13	182:18
193:5	producti...	128:1, 1	173:1, 19	protection
198:20	107:14	149:2	174:8, 10	200:17

DEPOSITION OF MIKE COUICK
September 21, 2018

proved 38:6	55:7,21	purchasing	132:20	172:23
provide 13:4	67:9	20:24	133:9	182:13,19
13:5,7,8	128:16	purpose	140:4,8	182:20
42:20,21	144:17	100:17,19	141:1,21	192:24
59:15 75:9	145:17	144:21	141:24	200:21
84:17	146:4,8,14	157:15	143:6	202:9,13
201:15,25	146:18	purposes	148:8,9	202:18,18
provided	147:1,5	138:24	149:17,19	203:11
28:24	156:11	pursue 46:17	149:20	211:24
34:18	165:9,19	pursued 43:4	152:19	quick 89:10
44:12	166:12	43:6 46:19	155:9,17	quicker
46:22	179:15	pushed	158:10,13	188:7
52:13,14	PSE 135:17	187:15	163:12	207:15
70:23	public 1:25	pushing	167:16	quickly 41:3
77:13 92:9	3:20 9:24	39:15	169:5	84:1 94:10
104:20	11:8 24:14	put 20:9	170:6	quiet 152:3
121:12	24:14	42:5 50:11	171:11,24	quite 16:22
124:5,16	25:23 26:3	88:2 165:7	177:16	30:10
147:7	26:25 29:6	172:11	180:1	121:4
157:5	30:18	204:23	181:24	quoted 54:20
166:24	33:12	208:11	182:16	
167:17	50:10		183:20	R
179:13,14	54:13,15	Q	188:3	R 2:11,12
191:23	55:6 58:16	quarterly	192:5	radar 63:23
194:23	63:9 66:24	58:11 64:9	194:19	68:25 83:5
199:11	95:23	70:2	210:11	85:12
201:22	149:8	question 8:9	211:3	96:17
provides	153:5	8:11,14,15	questions	radically
31:13	175:3,7	18:6 28:16	7:25 8:17	48:10
providing	176:10	32:23	8:25 13:6	raise 44:4
8:24 179:3	179:4	34:20 36:1	72:15,16	45:1
179:25	187:12	42:18	101:1	raised 48:22
199:5	193:4	43:16	102:23	68:10,19
provision	213:4,23	47:18	103:1,5,17	raising
53:5	publication	48:21 62:3	103:22,25	87:22
145:22	19:22	81:10	104:4,6,12	106:24
provisions	publish 22:4	85:25 86:4	110:8,22	range 26:1
205:20	published	87:16 90:9	113:7,17	174:25
prudence	19:20,22	104:13	113:18,22	176:24
204:13	pulling	116:23	114:20,21	Ranges
prudency	184:25	120:25	138:2,25	171:23
38:4 204:3	purchase	124:1,8,25	139:3	rapidity
prudent 38:6	33:17	128:21	140:20	56:12
prudently	34:10	129:2	147:11	ratepayer
45:14	purchased	130:4,18	159:4,7,11	180:22
PSC 11:12	33:2	130:24	167:1	181:18

DEPOSITION OF MIKE COUICK
September 21, 2018

250

193:6, 8, 12	read 29:24	121:16	101:22	170:3, 7, 10
193:24	57:24 62:8	122:1	102:4, 8, 10	170:13, 18
194:2	62:9 147:4	124:5, 10	102:12, 13	170:19
199:21	177:19	140:23	102:15, 16	188:24
ratepayers	198:19	141:2	102:17, 20	189:8, 17
148:10	ready 112:13	150:22	103:1	189:22
164:12	112:13, 14	199:19	104:15	190:1
181:2	133:20	reasons	105:1, 4, 10	195:14
192:15	134:12, 13	50:16	105:13, 14	196:14
rates 117:17	138:15	150:1	106:4, 5, 9	197:9
160:1	156:18	reassured	106:11, 15	198:11, 13
170:15	193:9	163:12	106:18	198:16, 21
175:24	210:14	rebar 57:16	107:15, 17	199:5
rational	real 9:21	58:22 63:2	108:2, 7	recalled
59:24	118:3	Rebecca 1:23	112:18	118:3
rattles	189:6	3:20 6:14	113:22, 24	122:7, 11
74:23	reality	213:4, 23	115:9, 19	124:8
re-distr...	206:23	recall 12:16	115:24	125:4
11:14, 14	realization	32:8 35:3	117:7, 16	recap 42:5
re-pour	162:1	47:3, 14	120:17	receipt
57:17	really 13:2	48:22, 25	121:1, 4, 20	195:15
58:21 63:2	25:24	49:1, 4	122:10	receive 36:7
reach 22:16	29:13 39:3	51:25 52:2	124:18, 22	37:1, 2, 3
38:18	45:24, 24	52:9 56:18	125:25	67:6, 9
47:17	50:16	60:4 62:24	126:15	91:11
92:24	56:17	63:1 65:16	127:10	154:15
134:7	58:10	66:3 67:16	129:12	155:19
138:12	61:21 73:9	67:21 69:3	130:2	166:24
150:15	75:22 80:2	71:25	133:3, 6	received
reach-out	82:18 94:2	72:17	134:16, 19	33:6 62:13
85:23	109:16	74:22 75:3	134:20	62:16
reached	110:17	77:23	135:8	85:21
16:24	113:6	78:17	136:15, 17	92:19
92:15, 20	114:23	83:14	136:18	94:20
94:10	130:20	84:11	137:3	133:16
97:23	134:2	85:10, 10	138:1	134:10
125:25	142:24	89:22 90:3	139:15, 24	137:24
126:11	161:1	90:4 91:1	151:23	177:12
144:25	186:24	92:8 93:16	152:8	195:13
145:16	187:20	93:18	157:9, 14	200:16
146:7	193:17	95:10 96:2	160:15, 17	201:5, 19
157:19	204:6	97:13	161:5	receives
reacting	211:13	98:22 99:5	163:4, 5, 24	37:6
25:25	realm 96:6	99:16, 24	167:11, 21	receiving
reactors	reason 18:16	100:5	169:9, 16	177:14
54:18	121:11, 16	101:7, 8, 18	169:23	196:15

DEPOSITION OF MIKE COUICK
September 21, 2018

251

recess 89:15	115:13	143:20	reference	regional
120:11	120:18	165:7,11	12:2	49:13
178:21	122:4	177:19	190:15	registered
198:3	135:10	178:19,25	referenced	27:7
Recession	137:20	198:1,4	80:1 109:1	regrettable
42:3	140:3,11	212:7	111:21	185:24
reclaim	151:9	213:13	137:1	regular 94:5
125:7	167:13	recount 64:5	150:10	101:8
recognize	188:23	82:1	referred	175:8
87:17	198:18	175:17	12:4,12,12	176:14
146:23	199:7	recounted	31:3 33:25	regularly
156:22,23	recommend	77:4 78:24	38:1 67:13	30:4,10
156:24	26:2	82:5 92:21	71:9 80:16	116:15
170:14	188:19	168:18	120:20	regulate
recognized	recommen...	recounting	referring	41:11
87:18	80:7 172:4	197:8	47:13	206:25
118:9	recommen...	recourse	57:12 64:4	regulated
recollect	77:7,11	77:22	71:10	82:23
55:11,14	78:3 79:15	recover 38:4	78:20	140:19
70:7 77:25	79:16,18	44:15	155:13,25	regulates
92:5 93:20	79:21	45:15	160:6	82:24
98:12	80:12	recovery	161:12	regulating
103:4	131:10	45:9	167:23	93:13
104:21	141:11,18	recurring	180:9	regulation
105:9	141:23	96:23	185:18,18	135:17
106:8,13	142:1,3,21	112:15	190:12	205:7
108:23	188:16	red 159:18	200:17	209:1
116:12	recommended	redacted	210:1	regulations
124:13	83:10	195:21	reflect	40:13
129:8	86:15	197:2	14:13	205:4
137:19,19	88:21	redefined	reflected	regulator
145:20	108:21	128:17	175:21	93:13
152:16	130:8	reduce 22:18	reflective	103:14
154:1	188:20	22:19	95:1	113:9
168:11	192:6	207:14	reform 50:13	123:19
208:13	209:13	reduced	refresh	regulators
recollected	recommen...	213:11	179:18	61:14
117:22	88:3,16	reduces	refute	regulatory
recollec...	record 6:15	117:19	121:12	1:14 25:14
15:16 86:2	6:17 7:21	122:9	regard 47:5	25:16,20
87:8 88:19	29:24 62:9	reduction	71:11	27:25
92:13	89:13,18	181:7,9	184:23	40:15 45:4
94:22 95:7	120:9,12	refer 18:18	regarding	82:22,24
101:11,20	124:3	28:17 34:5	48:14	96:14 98:4
104:11,18	138:17	149:18	60:16	128:15
112:2	143:13,18	179:20	94:20	131:25

DEPOSITION OF MIKE COUICK
September 21, 2018

135:12	181:23	relief 59:16	64:19 66:1	6:20 7:24
180:6	203:6	rely 109:8	71:5 74:1	9:14
188:1,2	relation	114:23	82:13,14	164:25
relate 19:25	112:19	relying	99:12	169:18
131:24	134:16	96:18	101:11	179:11
related 4:11	relations	113:8	103:8	203:20
4:15 10:19	20:1 53:24	123:1,7,8	191:7	represent...
11:5,13	relation...	123:19	reported	116:2
18:11 29:1	29:22	remain 11:3	1:23 76:22	176:10
36:1 41:23	30:22,24	remained	84:16	represent...
52:6 53:8	31:1,5,17	181:22	86:11	118:2
54:25 58:2	35:20,23	remaining	108:18	represent...
62:13	56:7 178:5	174:9	167:2	65:19 95:5
64:14	182:4	remark	189:15	137:22
66:24 67:9	relation...	107:21	190:3	170:24
67:22 79:7	36:19	108:8	reporter	190:2
84:8 85:19	relative	remember	1:24 3:21	represent...
89:23 91:2	198:11	55:19 63:1	5:4 6:13	16:19 44:2
95:15	relatively	65:19 88:1	7:13 12:25	61:18 84:4
96:10	135:3	90:2 99:9	62:8	91:23
103:19	relayed	106:23	177:18	92:23
109:4	141:7	112:21	reporter's	93:10,17
116:10	148:6	126:23	168:14	121:9
128:8	release 59:3	137:8	213:3	152:1
133:1,14	59:8 60:4	139:22	reporting	193:3
140:13,14	184:17,21	154:16	45:7 71:20	208:9
148:10,18	184:22	169:7	84:7 88:8	represented
155:11	185:5,19	206:16	101:13	102:2
170:4,8,11	185:23	211:17	139:21	151:2
173:22	186:3	remembering	140:20	172:6
188:10	released	136:25	175:3	177:4
190:2	68:23	remind 12:25	176:12	181:17
198:9,14	relevant	remote	188:3	199:16
198:15	111:10	174:10,23	reports 56:8	represent...
204:5	reliable	remove	56:14	7:10
205:4	149:11,11	127:14	57:10,12	153:14,16
213:15	relied	removed	57:14,18	represents
relates	163:10	194:21	57:23,24	193:7
43:14	167:14	Repeat 211:2	62:16,17	request
53:12	168:24	replow 69:8	70:23 84:3	91:11
60:18 91:6	169:24	replowing	91:11	100:23
93:15	172:2,22	69:9	149:8	155:22
191:5	174:17	report 14:11	187:7	requested
193:19	188:2	27:22	reposition	29:25 62:9
relating	201:14,24	57:22	58:22	92:16
62:18	202:6	58:13	represent	126:12

DEPOSITION OF MIKE COUICK
September 21, 2018

253

154:14	136:16	22:12,17	197:8	115:3,8
155:18	155:8	43:3	Richmond	117:1
177:19	161:5,12	return 181:6	2:24	118:18
201:9	194:23	review 11:8	rid 50:21	121:9,23
requests	195:1,25	29:7 37:18	ride 148:11	122:23
155:21,24	201:10	37:22,25	right 8:5	123:7,12
155:25	responses	38:2 40:4	10:5,24,25	123:22
164:19	13:6	42:7 43:19	13:10	125:23,24
require	responsi...	43:22 44:6	14:17 16:8	126:12
175:24	11:13,17	48:13,23	17:9,11	127:8
176:3	24:2,12,15	48:25	18:1,2,8	132:1
205:5	25:1,17	50:23 55:9	19:1 23:11	136:10,15
required	27:19,21	57:6 58:11	23:19 30:9	140:16,25
21:9,14	154:25	62:1,14	31:4 32:3	142:13,22
40:6,11	178:3	67:20	35:21 36:2	144:11,16
45:6 87:11	responsi...	78:10,15	36:5 37:4	144:23
123:21	24:9 25:10	124:17	39:9,10,13	145:5
180:15	56:2,7	153:1,4	41:23 42:9	146:15,18
205:14	63:4,5	155:10	42:13	147:2
research	97:21	166:19	45:21 47:9	148:20
14:3,5	155:4,5	167:14	47:20	149:16
15:4	167:19	172:13	51:23 53:9	150:3,4,23
reservat...	responsible	205:8	54:12,18	153:22
48:14	168:10	207:23	55:22,23	154:5,8
reserved	171:8,12	reviewed	60:5,10	155:8
15:2	178:11	79:9	61:24 64:1	156:1,6,21
181:15	rest 95:1	161:13	64:21	158:23
reset 149:6	140:7	166:2	66:21	159:17
residence	restaurant	167:5	69:11,19	160:5,10
36:22,23	126:23	168:19,20	71:19,23	162:9,15
37:9	restoration	170:1	71:24 72:8	163:1
resolution	30:14	172:20	78:21 79:7	164:24
200:4	result 134:6	177:6	79:12,15	165:20
resolve	145:1	reviewing	81:4 84:12	166:13,19
166:12	148:16	153:9	84:24	166:23
200:2,4	retain	167:19	86:17	171:7
resolved	122:20	190:14	89:24	173:11,14
128:2	retire 16:7	Revisions	91:12,20	174:13
resources	17:2	4:11,15	92:19	180:2,20
39:4	retired 11:2	Richard 1:5	94:11,12	182:2
responded	16:14 30:7	6:3	95:13	183:7
195:2	30:8	Richardson	96:11,20	184:5,10
response	retirement	193:11,17	97:15 99:7	184:19,25
8:24 13:5	10:20	194:4	100:7	185:6,6,7
72:1 84:10	16:23 17:1	195:8	106:2	185:10,11
119:11	retrofits	196:15	114:10,15	185:20

DEPOSITION OF MIKE COUICK
September 21, 2018

186:1, 17	13:23 20:2	sake 69:2	75:4, 6	210:24
188:18	27:4, 4	Saluda 33:21	76:12, 16	211:7
195:23	72:11	Sanctuary	76:23	sat 126:22
197:15	73:21 74:8	105:25	80:21	satisfied
200:20	93:24	sandbagging	82:18, 23	132:15
203:3, 8, 16	98:18	114:7	85:8, 22	Savannah
204:9	122:24	Sanders	87:19, 24	33:9
205:23	131:21	16:21	88:23 89:1	save 198:24
206:4	149:4	sandwich	89:7 93:2	199:1
210:16	204:6	65:18	93:14	savings
right-size	205:24	sanitation	94:25	22:10
60:7	roles 13:11	22:11, 12	95:25 96:4	162:8
RILEY 3:3	13:12	Sanmen	109:9, 10	saw 43:10
ring 122:21	128:17	111:21, 24	110:7	83:23 84:8
risen 114:1	Ron 51:9	112:12	111:20	103:8, 8
rising 20:9	roof 122:21	Santee 3:1	112:4	107:7, 8
risk 33:8	room 57:21	7:2, 4	115:4	161:14
49:15 69:7	65:18	20:25	116:4	190:13
150:17, 18	103:23	29:10	118:8	207:6
150:20	rose 87:10	30:20, 21	128:22, 23	saying 46:3
162:22	roughly 52:2	30:22, 24	130:5, 21	46:25, 25
163:3	round 205:2	31:1, 19, 21	131:21	47:4 63:17
164:11	route 135:20	33:3 35:11	132:5, 13	64:7 69:6
180:19, 23	135:21	36:15	133:24	69:16 93:4
180:25	routinely	41:14	135:18, 19	98:25 99:2
181:12, 22	26:21 73:2	47:19, 20	141:19	129:22
183:4, 22	98:3	47:25	151:14	133:18
183:25	RS 25:25	48:15, 19	152:19, 23	185:3
184:1	rule 50:8, 13	49:3, 5, 22	155:11	186:24
199:21	50:22 53:6	51:10	157:23	192:3
205:11, 14	53:7, 13	54:17 56:4	158:5	199:13
risky 204:24	61:22	56:5, 10, 20	160:17, 19	206:24
208:5	rules 8:8	57:14, 21	161:23	208:5
River 25:7	119:24	58:1, 6, 16	162:8	says 74:2, 4
33:9, 21	ruling 41:9	59:14	163:2, 6	110:25
road 42:23	run 27:3	61:16	164:7	167:5
42:23, 24	107:25	62:17 63:7	178:5	175:18
roadmap 75:8	134:8	63:11, 17	180:15	198:22
149:12	running	64:23, 25	182:4	SC 2:4, 7, 16
Rob 97:23, 24	111:24	66:6, 8, 12	183:19	2:19 3:4, 9
98:25	Rural 73:4	67:14 68:3	184:9	19:20
ROBINSON 3:8	Rush 3:2 7:1	69:12, 23	189:24	scale 19:18
Rockhill		70:1, 22, 24	190:7	206:3
2:19	S	71:3, 14, 16	194:10	SCANA 1:11
ROE 181:7, 9	saddled	72:6, 19, 22	202:12, 16	1:11, 20
role 9:18	159:25	73:11 74:7	207:8, 10	2:10, 15

DEPOSITION OF MIKE COUICK
September 21, 2018

6:20,22	95:24 96:5	158:24,24	106:6	90:15
29:10	114:15	199:2,3,11	108:15,18	103:15
40:10 49:5	116:7	199:17	115:16	111:1
51:21	118:15	scheduled	117:4	119:21
58:17 63:7	122:13	32:17	133:16	121:25
72:8 95:4	123:3	64:10	134:4,17	144:12
115:24	125:14	91:15	134:23,24	145:14
116:8	127:13,20	126:6	137:25	148:1
118:8,9	128:5,12	135:2	138:3	156:15,16
130:21	132:6,17	Schedules	139:16,21	160:19
152:6	133:23	4:11,15	139:25	167:9
153:9,19	135:12	Schmalzbach	141:4,8	173:2
158:11	145:8,13	2:22 6:23	151:7,20	174:11
163:2	145:20	6:24 212:1	188:18	175:13,14
181:11	148:6,10	school 9:24	189:9,18	184:23
182:5	149:25	10:5,9	189:21	194:18
183:23,25	150:11	16:15,16	190:16	195:11
200:11	151:14,19	16:17,22	198:14,22	198:20
210:23	154:18,22	20:8	199:5,25	205:12
211:7	155:3	scope 18:11	screen 63:23	seeing 74:25
SCANA's	160:17	24:8 69:5	68:25 83:6	97:10
180:21,24	161:3	69:20	85:12	103:16
181:3	162:9	167:6	96:17	120:17
SCARBOROUGH	163:6	168:7,20	Screening	160:18
3:3	167:8	203:13	11:6,12	171:17
scare 206:22	168:4	Scott 29:18	scribner	seen 59:20
208:23,24	176:3,11	29:20,23	14:14	90:10,11
SCE&G 4:14	176:21,23	50:2 60:20	search	108:5
6:20 7:24	180:15	67:22 68:7	201:15,18	120:1
26:10 34:6	184:8	68:11	201:24	167:3
34:9,11,15	192:14,19	81:12,17	202:2	169:15
34:18,20	192:25	82:1,6,25	seats 20:25	segregated
35:9,10,20	193:14,20	83:13	second 38:9	178:4
36:7,15,24	193:23	84:10,11	39:11 57:3	Selecting
37:3,13	194:1	84:16 85:2	83:7	171:23
39:1 48:3	198:25	85:7,19,21	110:25	sell 63:18
49:23 51:7	199:11,14	86:5,20,23	147:22	158:5,5
51:21	200:5,19	87:5,14,24	149:20	160:4
54:16 55:9	SCE&G's 55:5	88:10,15	156:14	192:2
55:22 56:3	55:8 87:12	89:4,23	175:16,23	selling
56:23	160:18	90:21	176:17	191:20,22
59:13	schedule	91:10,19	186:3	Senate 10:13
61:15	114:14	92:6,20,22	section	10:14,16
64:25 65:9	126:1	92:25 93:8	171:20	10:19,20
65:19 81:8	134:21	93:9 97:3	see 49:21	10:22 11:5
82:24 93:2	155:6	102:11	66:9 84:8	11:15,19

DEPOSITION OF MIKE COUICK
September 21, 2018

11:21,22	133:24	55:7 66:24	settleme...	118:6
11:24	separate	149:9	172:21	shifts
12:17,19	21:12	175:4,7	settling	183:23
13:12,14	32:10	176:11	167:5	shoes 72:12
13:16 14:9	36:23	179:5	seven 15:17	shortly
15:13,25	separately	193:4	157:8	195:12
16:4,8,18	76:10 97:4	204:7	176:17	shoulder
26:23	September	services	several-...	95:6
39:22	1:21 3:19	19:14 20:5	152:25	shovel
60:24	4:14 6:11	21:1 22:1	shakes 78:18	208:11
198:9,17	60:23	22:2 24:7	Shame 25:8	shovels
Senator 12:4	147:8	192:2	share 51:6	68:15
12:7,13	153:2	servicing 25:3	59:11 60:9	69:17
Senators	184:20	session	60:25	75:17
12:11	213:6,19	76:19	61:16,19	80:19 93:1
sending 20:8	seq 27:18	set 24:4	98:14	show 90:7
sends 175:11	series 31:21	31:17	140:23	showing
seniors 20:9	58:5 64:10	82:19 95:3	141:3	106:25
sense 35:9	81:13	97:7 109:5	170:24	146:22
41:6	92:24	112:24	shared 73:16	shown 60:19
111:14	145:7	148:16	74:7 98:17	shut 143:13
136:14	150:8	213:18	109:10	side 40:23
172:21	168:3	sets 27:18	134:6,14	45:9 75:11
sensitivity	190:17	27:20 31:5	135:13	95:23
167:7,17	192:14	settled	136:5	128:4
167:20	198:16	157:25	152:21	154:14
168:20	seriously	settlement	174:25	sift 72:11
169:2,3,6	81:1,2	4:18	177:3	sifted 71:6
169:7,18	serve 9:7	145:15,15	sharehol...	sign 21:11
171:19	19:9,10	149:21	164:11	164:1,23
172:1	21:16	150:15	180:21,25	170:2
174:2,6	123:21	164:24	181:4,8,11	signal
177:7,12	127:16	165:17	shares	175:11
177:15,25	204:8	166:5,9,10	192:19	signatory
sentence	served 10:18	166:17	sharing	169:21
147:22	36:23	168:2	61:13 87:8	signature
148:3	37:15	169:20,22	131:18	144:6,7,9
167:22	76:11	170:2,11	140:18	165:24
171:4	119:16	172:15	169:24	172:11
173:15	serves 25:5	173:24	shaving	signed 49:1
174:4	25:7	174:18,19	33:23	147:14,15
175:17,18	service	174:21	shield	147:18
175:23	17:13 19:7	175:13	122:20	164:15
176:18,20	22:20,25	179:3,5	shift 35:17	166:2,4,9
SEPA 20:24	25:23 26:3	180:1,12	150:20	172:15
33:9	29:6 30:18	181:21	shifted	181:21

DEPOSITION OF MIKE COUICK
September 21, 2018

183:5	95:12	204:11	121:21,24	137:17
signific...	97:12,16	206:7	124:11	158:16
87:11	100:6	208:24	slightly	162:20
significant	105:3,16	212:4	91:7 124:6	167:14
13:13	108:14	sister	small 126:9	172:10
116:18	125:21	112:10,20	161:18,20	180:22,22
117:23	131:11,13	sit 20:21	smallest	183:24
122:12	131:18	72:10	21:17	189:2
125:3	136:21	site 49:15	smart 17:1	191:10,15
141:7	139:18	56:19,24	49:14	192:2,10
signific...	141:25	64:22 65:2	Smith 3:2	196:19
48:12	144:4,13	65:13,15	7:1,1	199:22
signing	144:19	65:16 66:4	202:12,25	somewhat
179:2	146:2	66:16,21	203:4,8,14	22:1
siload 25:23	147:20,21	68:15	snakebit	109:20
similar	148:2	73:13 76:1	40:11	soon 118:22
73:17	151:1,4	83:19 94:4	205:4	135:3
111:5	153:23	96:22	soft 19:23	sore 50:9
195:23	154:5	107:22	Solar 33:17	sorry 20:13
single 36:11	155:12	109:21	sold 158:3	28:17
36:12,13	162:10	113:5,9,19	Solomons 2:3	51:25 67:7
single-h...	165:12,16	118:22,22	2:3 4:5	78:13
155:4,5	165:21,25	141:15	7:7,7,8	173:7
Sinkler 3:17	166:3,8,15	150:10	203:18,19	203:1
6:9	166:20,25	151:17	204:21	sort 21:20
sir 15:2	167:10	155:1	205:10,22	24:14
16:6 17:23	169:11	188:14	206:12	35:19 36:3
18:22	171:10,22	189:2	208:21	40:6 54:10
25:18	172:2	sitting	210:2	60:14,15
26:18	173:16,25	48:24	211:2,4,23	74:23
34:13	174:12	171:16	solution	76:25
35:25	179:7,24	situated 1:7	41:17,20	179:16
42:10 52:1	180:11	six 115:25	41:22	sounds 78:23
52:4,20,21	183:2	157:8	43:11,12	191:19
52:23	184:11	size 38:16	43:17 55:2	source 33:15
53:10 54:4	185:22	103:10	55:2,3,4	117:21
54:6,8	186:2	107:2	59:4,8	119:7
64:24 65:5	190:3	skills 19:24	61:5	122:10
66:22	192:16	slide 110:24	142:15	South 1:1,10
69:14,14	193:22	111:5	solving	1:12,14,19
84:13 87:1	194:18	117:6	127:23	2:10 3:6
89:25	197:7	152:12,13	somebody	3:18 4:10
90:12,17	199:12	slides 4:8,9	66:8 99:1	4:13,16,20
90:25	201:7,11	4:17	103:14	6:4,6,11
91:21	201:20	111:12	107:25,25	7:11 9:4
92:11,11	202:3	117:6	108:5	9:10,25,25

DEPOSITION OF MIKE COUICK
September 21, 2018

258

10:2,4,14	specialized	117:6	180:6	116:10
10:16	15:23	121:24	staffed	138:10
12:19 15:1	specific	124:14	164:2	213:1,5
16:1,16	18:16 24:2	137:3	staffer	state's 19:9
17:15,24	29:17	145:21	13:24,25	25:4
19:8,19	47:22	154:1,3	staffs 60:23	stated 210:8
20:7 21:5	67:21	167:11	stage 29:7	211:10,11
23:3,10,15	79:18 86:4	174:1	stake 26:22	statement
26:16 27:8	94:22	175:16	staked 76:17	44:17
27:12,15	98:12	specifics	stakeholder	statements
27:18	99:24	77:25	26:11	24:14
30:18 34:2	101:11	103:6	stakehol...	50:20
36:14	104:11,18	142:12	26:1,5,7,9	56:10
38:14 43:7	105:1,24	170:4	26:13	62:24
43:13	107:13	172:24	138:9	states 19:5
46:17	110:12	182:4	164:5	19:7 25:22
54:23 55:6	113:22	specify 64:4	stamp 22:7	61:21
61:19	115:11	speeches	standalone	187:23
63:19	117:12	40:9	55:3	206:23
90:15,18	120:18	speed 96:6	158:15	statewide
90:23	122:4	Speight 7:8	start 10:8	20:4
96:14	130:18	SPEIGHTS 2:3	170:8	131:19
119:24	137:16,20	spend 96:25	185:11	152:10
127:17	140:11	spending	started	status 60:17
128:16	142:21	66:10,11	16:14 45:3	60:18
144:1	146:13	spent 12:18	54:17	64:11 67:6
153:15	151:9	16:19,21	100:14	67:23
180:7	160:18,19	66:12 97:1	183:21	70:23 75:1
188:1	167:16	101:13	211:6	86:25 91:2
198:9	169:9	130:2	starting	91:12
205:9	170:7,10	spoke 100:13	10:23	95:15,18
206:6	176:8	spot 50:9	30:14	109:4,6
207:22	188:23	Spratt 16:20	state 1:1,12	115:10
209:5	193:5	spread 49:15	6:6,16	133:2
213:1,5	198:18	161:15	7:20 16:1	145:6
Southeas...	199:7	spreadsheet	16:18,18	148:22
33:7	specific...	161:12	17:18	steel 208:15
spadeful	20:17	162:5	19:11 20:1	step 81:7
56:16	53:13	staff 1:14	20:12 23:2	83:7 92:22
Spalding	55:14	15:11,12	23:9 24:23	93:8
2:12 6:20	62:18 82:4	15:15,20	28:5 40:8	156:14
speak 17:10	85:2 99:5	25:14,17	46:17	162:20
17:16,19	101:18,20	25:20	49:19	186:10
18:7	102:10	27:25	57:25 59:2	STEPP 3:8
speaking	106:13,18	60:21	59:7 63:13	steps 21:8
18:5 36:10	112:19	82:22,24	70:8	210:13

DEPOSITION OF MIKE COUICK
September 21, 2018

259

stick 45:14	Subpoena	suggestions	sure 8:1	Svercek
sticker	119:12,16	197:20	12:16 13:7	100:2
165:8	196:1	suing 193:14	14:11 19:2	Sverchek
stop 159:12	201:5,8,10	suit 205:15	23:17	99:20
stopping	Subsidiary	Suite 2:19	24:22 31:8	swear 7:13
4:24	1:11	summary	33:21,24	sworn 7:16
100:24	substance	44:17	34:23 50:5	213:8
store 171:17	52:9 83:15	180:3	57:11	system
storm 30:13	93:19	summer 16:19	62:11	110:13
story 61:16	94:19	16:21	65:23 66:1	systematic
streamline	102:13	28:14,19	69:4 74:14	45:7 175:3
159:12	105:14	54:18 65:7	77:3 90:1	T
Street 2:4,7	106:15	91:3	92:18	table 26:5
2:13,16,19	111:6	149:24	105:18	106:25
2:23 3:3,8	121:20	150:7	109:16,21	107:2
3:18 6:10	substandard	153:12,18	110:9,10	115:18
41:7	22:14	158:19	110:11,15	128:7
strike 42:18	substantial	198:9	124:3,7	138:8
170:8	122:15	205:16	125:1	tackle 41:12
strong 20:2	substant...	Super 38:16	127:6	tag 68:24
40:25	147:13	126:25	128:18	70:8 75:7
struck 180:5	substantive	supervise	131:23	85:6,14,16
structured	101:18	202:7	134:22	87:2,22
210:9	substations	supervising	145:19	93:3
stuck 38:6	38:22	53:22	146:5	136:13
45:5	substitute	supervisor	149:8	149:11
study 117:18	78:11,25	68:19	159:14	154:12
122:8	109:2	supply 20:22	162:1,24	take 17:10
174:2	success	23:7	171:10	21:11
210:4	163:23	support 4:23	181:25	38:19 43:9
stuff 15:21	sued 194:7,8	15:20	183:22	72:3,4,5
134:10	194:9,10	52:12 53:2	185:2	89:9 97:25
stump 46:3	sufficient	128:15	186:9	116:3
sub-bullet	164:23	146:12	188:9	120:6
112:8	170:1	149:20	190:12	143:5,7
subcommi...	suggest	179:25	197:11	156:13
39:23	129:20	supported	199:24	165:11
Subitem	195:11	39:20	200:10	200:2
111:17	197:22	42:24	210:3,4	203:3
subject	suggested	162:14	211:5	taken 1:19
118:12	99:16	supporting	surmounted	3:16 6:2
submitted	141:11	54:2	118:2	89:15
144:5	142:4,6,9	supposed	surprise	120:11
146:17	142:12	172:1	133:4	178:21
147:1,5	suggestion	Supreme 41:9	surprising	198:3
169:19	100:1	206:24	109:20	

DEPOSITION OF MIKE COUICK
September 21, 2018

202:23	208:18	36:20 51:1	84:22	146:15,17
210:13	209:11	51:4 53:11	128:9	146:25
takes 22:8	211:5	65:16 69:8	129:22	147:4,7,12
110:16	talking	75:16 78:2	138:16	147:16
talk 28:25	29:14 46:6	82:25 87:5	140:8	149:14
29:16 57:1	52:6,10,19	96:19 98:6	159:21	155:9
57:9 58:20	52:24 58:5	103:14	162:6,8	164:25
69:3 83:10	59:1 63:24	113:7	165:18	169:1
113:6	104:8	114:5	170:15	171:20
120:2,4,5	113:2	123:8	181:14	173:5,8,10
132:7	127:24	132:8	187:19	177:7
133:8	128:11	135:7	206:21	178:10
143:8	130:3	139:24	208:15	179:4,13
168:14	151:13	151:23	territorial	179:14,19
193:17	178:6	157:7	39:4,6	179:21
204:12	193:6	189:3	50:18	198:20
205:25	207:9	telling	territories	199:6
208:8	tape 178:16	47:10 61:2	19:7	213:13
209:10,11	tariff	75:18,21	territory	Testimoy
talked 17:3	207:16	88:23	25:8 38:14	4:19
52:11	tariffs	109:25	38:19	Thank 8:18
62:16	207:6	114:24	127:14,15	9:17 11:23
65:20 73:3	tasked 104:3	119:25	127:23	13:3,9
103:10	181:7	137:16,21	Terry 193:11	42:15 93:7
104:15	tax 41:16,17	142:9	194:3	125:18
115:3,4,17	58:18 96:1	169:22	195:8	165:10
117:14	118:5,7,11	208:9	testified	202:9,10
122:5	122:16	tells 131:2	7:16 39:22	211:24,25
126:24	128:8	Tempore	148:24	212:4
128:6,14	206:22	11:22	149:3,22	Thanksgi...
129:10,19	207:16	ten 15:17	153:11	76:4
133:8	208:23,24	41:25	166:18	theme 112:15
136:25	taxable 96:4	ten-year	176:7	then-CEO
142:20	taxes 207:6	42:1	179:4	40:17 51:6
150:12	209:1	tension	188:9,11	then-head
152:14	teach 103:24	122:21	198:14	51:9
177:22	team 14:18	tenure 13:13	200:9	then-heads
187:11	14:20	15:24	testify	49:22
189:13	174:7	term 99:1	213:8	theoreti...
192:3,17	technical	127:16	testimony	209:7
192:23	123:17	terms 15:8	4:22 8:24	they'd
193:2,11	142:10	17:14	18:17 27:1	150:12
193:22	154:6,9	23:15	28:24	thing 24:15
203:21,24	Telephone	24:12,13	47:15 99:4	37:9 49:18
206:14,20	74:20	24:15 29:4	131:14	50:22
207:17	tell 8:10,13	34:19 47:3	139:20	63:10

DEPOSITION OF MIKE COUICK
September 21, 2018

71:19, 23	128:9	196:20	178:24	56:13 57:5
79:20	130:25	197:2, 9, 24	204:3	57:6 60:17
82:10	150:17, 21	199:23	207:9, 11	61:25
90:10	150:22	202:22	208:2, 18	62:14
110:2	164:10	third 38:13	210:22	63:23
112:11, 18	168:4, 13	53:4 88:16	three-year	65:24, 25
128:6	172:7	204:5, 8	59:19 60:1	67:16, 19
133:10	179:16, 17	third-party	Tiencken	68:6, 9, 21
135:14	181:14	87:6	100:3	69:1 70:16
136:8	182:17, 23	thought 17:1	153:8	72:15 75:1
137:12	183:1, 3	24:16	190:15	75:2 77:5
159:1	185:21	40:22 41:6	193:16	85:12
170:17	186:20, 20	43:11	196:24	86:21
182:23	187:24, 25	47:12	Tigers 46:13	91:12
187:9, 17	191:11, 16	49:13, 17	tightened	92:18 94:4
187:18, 21	197:12, 19	54:13 72:9	168:2	96:2, 12, 25
188:4	197:21	80:2, 18, 22	205:7	97:1 98:2
things 13:20	203:22	81:3 87:25	tighter	98:21
19:17	204:1, 14	97:19 98:2	203:22	99:12
24:13	206:9	110:2, 4	time 8:9	100:4, 4, 20
30:12, 13	207:3	123:20	9:13, 13	103:16
32:22 41:2	208:18	125:9	12:3, 10	104:12
41:4, 4	think 22:5	133:23	13:7, 21	108:16, 17
42:4 44:10	31:22	134:10	15:21	111:7
44:12	36:25	137:13	16:23	112:22
45:13	40:22 46:2	138:6	23:17 24:6	115:11, 16
50:11	49:21	146:14	29:13	115:19
52:22 61:1	56:19	151:13, 14	31:22	116:16
63:3, 22	57:13 60:3	164:14	32:16	118:5
66:15	60:9 64:1	186:10	34:16	120:1
68:20	64:7 72:23	193:15	35:15, 17	125:22
69:10 71:6	77:19	199:3, 14	35:17	126:3
74:9 75:7	79:11 80:9	thoughtful	38:17	130:2
75:23	86:22	146:4	40:14	131:9
81:12	88:19	three 24:17	41:14 42:7	132:10, 20
95:21	97:22, 24	37:24	42:25 43:9	132:24
99:23	108:18	41:19	43:18, 19	136:10
103:15	120:25	52:11, 12	45:11, 18	140:12
110:9, 17	124:1	52:25	46:2, 12, 15	142:21
112:8	125:7	54:10	47:6 48:11	143:14
113:3, 4	130:10	75:23	48:13	147:7, 14
114:16	134:24	116:5	49:25 51:5	147:18
115:18	136:5	125:2	51:14 52:2	148:16
117:12, 13	157:2	135:10	52:5 53:8	149:5
122:5, 18	181:5	144:14	54:9, 14, 16	154:2, 14
126:10	189:11	157:7	54:24	154:20

DEPOSITION OF MIKE COUICK
September 21, 2018

158:2	147:12	175:11	treating	150:23
159:22	152:23	182:21	61:2	152:15
161:25	176:21	183:6,9	trigger	163:25
164:18,21	197:18	total 22:22	108:12	169:17
166:7,14	200:9	116:4	trip 84:22	205:13
168:11	201:6,23	totality	Troutman	trying 17:21
169:19	today's	164:3	16:21	18:16
170:11	212:6	Touchtone	true 12:6,8	22:15 37:1
173:23	Tolbert	20:9	32:4,25	44:21
174:21	10:11	tough 187:8	33:4,5,5	55:16
181:20	told 39:20	187:10	66:19	59:23
182:9	40:2 43:23	Tour 20:8	147:9	62:11 70:7
183:5	44:2,8	toured 56:24	161:2,4	79:10
185:4,6,9	50:23 63:1	town 123:3	164:10	109:21
185:14,23	68:16	Trade 61:18	166:4	111:14
187:2,13	75:11 77:6	train 50:12	168:5	115:20
189:5	82:2,8	training	180:13	138:7
192:1	86:14	9:12 19:23	181:20	140:22
193:2,2	88:10,13	19:25	183:20,22	143:10
197:15	89:1,2	20:11	186:21	150:14
198:17	93:3 95:18	transcript	210:8	159:9
200:8	108:21,23	4:22 13:2	213:13	192:2
202:19,23	109:18,22	179:21	truly 136:13	turn 153:15
203:21	124:18	transfer...	149:11	165:22
207:9,14	129:6	96:3 118:7	158:20	194:9,10
207:22	137:11	128:11	Trump 209:7	turned 56:17
208:3,16	140:4,5,7	transfer...	trust 75:16	tutorial
210:15	142:16	199:21	130:22	195:7
times 22:4	162:16	transfers	trusted	TVA 78:16
42:4 48:5	201:20	180:18	58:20	137:18
207:11	204:20	translate	192:10	twice 207:10
timing 48:21	205:1	25:10	trustee	two 20:20,25
tipping	ton 41:18,18	transmis...	68:13	21:2 23:21
159:19	207:7	23:5 34:17	92:25	31:20 48:1
title 9:9	tons 41:19	35:2	trustees	56:19
159:5	207:8	transmitted	69:15	57:13 59:6
today 7:25	top-of-mind	190:6	trusting	59:15 61:7
8:25 18:17	46:9	transpar...	130:23	61:21
22:23	top-of-t...	188:5	truth 213:8	64:22 65:2
23:12 34:6	32:15	transparent	213:9	72:23
34:19	topic 129:21	176:12	truthful	81:11
36:20 39:6	topics 58:2	traveling	8:24	89:18
48:24	129:20	96:24	truthfully	106:25
52:19,20	149:15	treat 38:10	8:16	108:25
52:22	188:6	60:22	try 8:10	114:15
129:23	Toshiba	204:4	123:4	115:5

DEPOSITION OF MIKE COUICK

September 21, 2018

263

123:13	40:21 55:7	138:3	71:3 79:5	187:22
125:19	135:25	148:3	79:8,10,14	University
126:19	146:3,7	171:7,10	80:11	9:25 10:2
132:5	149:13,13	171:12	86:24 87:6	unknown
138:2	164:23	172:7,14	91:10	209:21
140:20	166:16	174:16	96:23	211:20
152:2,20	171:14	179:24	113:11	unpack
157:7	184:2,9	180:24	115:2	150:23
158:20	209:12	187:1,22	118:21	unusual
160:6	unaccept...	188:10	158:21	98:16
176:17	51:15	196:25	167:24	133:5
178:18	unanswered	201:8	177:13	up-to-date
179:17	104:12	202:1	178:2	81:21
189:17,21	unassigned	203:15	181:21,25	91:13,16
190:18	127:14	205:23,24	183:11	93:12
210:19,21	unaware	understa...	188:13	updated
two-thirds	164:20	25:2 27:17	197:17	73:14
93:23	uncomfor...	43:25 44:5	201:4	140:18
type 78:14	199:8	44:23	undertook	updates 4:11
79:2 94:15	undergra...	46:20 79:1	145:25	4:14 67:6
107:12	16:17	123:16	Unfortun...	67:9,13,15
149:10	understand	131:9	175:9	98:5
155:21	8:10,14	147:25	unique 25:22	100:20
158:15	11:18 12:9	149:24	44:5 61:20	urged 29:10
168:25	19:2 24:19	150:6	128:15	use 99:1
175:13	25:10,21	153:12,18	unit 4:24	100:24
178:6	27:10	154:7,17	40:20 43:1	user 151:20
190:7	28:16,23	154:21,24	45:10 48:2	User's 90:15
206:25	28:25	155:24	56:20	90:19,24
typewriting	31:14,24	159:24	73:10	users 138:14
213:12	34:23	162:4	122:14	150:9
typical	43:18	168:6	187:6	151:7
129:15	44:21	171:25	United 19:4	172:19
135:5	49:11 50:5	180:14	25:22	uses 90:20
typing 15:21	52:21	187:5	187:23	usually
	62:23 69:5	199:12	206:23	91:24
<u>U</u>	74:5,14	201:3	units 28:19	utilities
uh-huh 13:1	77:3 79:11	understood	40:13 45:2	35:15
21:22 81:5	83:3 84:3	8:15 12:1	48:1 59:6	36:20
135:4	87:7 96:9	14:1 18:15	59:6,15	37:14
182:14	96:20	18:15	60:22 61:3	38:17 44:3
197:13,16	109:6,23	36:25	91:3 94:6	44:25
ultimate	111:3	39:14	116:1,5	45:17 47:9
135:25	112:18	45:18	136:1	50:14
ultimately	122:23	57:11	148:17	171:14
24:10	123:17	69:19,23	158:20	210:12

CSI GLOBAL DEPOSITION SERVICES

972-719-5000

DEPOSITION OF MIKE COUICK

September 21, 2018

264

utility 46:23 140:19 utilize 9:12 73:12 utilized 15:4 58:7 152:23 <hr/> <p style="text-align: center;">V</p> <hr/> v 1:9 V.C 28:14, 19 54:18 91:2 198:9 205:16 VA 2:24 vacancy 10:12 vague 107:5 value 43:10 199:13 variables 112:24 varied 99:18 varies 24:16 24:20 variety 70:21 various 13:11, 20 30:13 56:9 91:23 111:19 129:19 132:13, 14 149:23 151:6 164:6 verbal 13:4 13:6 versus 6:4 41:10, 17 135:21 206:24 209:22 vet 135:20	viability 192:25 193:23 Vice 53:23 video 89:12 89:18 143:13 178:18, 24 VIDEOGRA... 6:1 7:12 89:11, 16 120:9, 12 143:17, 20 178:17, 22 198:1, 4 212:5 videotaped 1:18 3:16 6:2 view 24:9 132:9 197:12, 19 viewed 106:22 118:13, 15 125:14 155:3 viewing 149:6 viewpoint 73:17 views 144:22 145:10 visit 65:14 65:15, 17 66:4, 21 91:14 94:2 visiting 91:18 visits 56:20 64:22 65:2 91:17 Vogtle 187:7 Voice 4:23 voicing 144:21	Volume 4:22 <hr/> <p style="text-align: center;">W</p> <hr/> wait 46:4 waive 138:21 walk 9:21 10:7 159:6 159:21 160:14 161:7 182:1 183:7 210:10, 21 211:16 walkaway 162:2, 17 182:22 210:14, 24 211:8 walked 157:20 159:25 Walking 158:1 159:16 walks 158:8 wall 41:7 201:2 Walmart 38:16 wane 30:6 want 13:8 19:2 44:22 50:5 55:15 57:8 60:9 62:23 63:15 66:9 69:4 77:3 83:3, 4 90:1, 7 93:18 98:1 101:1, 14 104:13 109:16 110:19, 22 113:19	115:23 120:2 121:23, 25 124:2, 7 132:8 138:1, 15 143:5, 13 143:15 150:22 160:11 165:7 167:1, 16 179:18, 18 186:23 196:13 197:10 203:21 208:13 wanted 42:25 43:1 44:11 44:14 46:13 49:11 58:20 63:14 73:12 74:4 80:13, 17 84:15 94:24 97:9 131:3 133:25 136:7 138:3 146:5 148:18, 21 180:1 191:12 209:10 Ward 2:6 7:5 7:5 Washington 20:9 40:24 59:11 60:20, 25 wasn't 42:23 55:2, 2	61:6, 7 76:19 85:17, 18 103:2 114:7 124:14 130:16 141:16 144:6 181:2 183:9, 23 200:13 207:15 210:15 wasted 142:11 wasting 59:12 water 49:17 waters 33:8 Watts 78:16 Watts-Bar 137:18, 21 Waxman-M... 41:17 207:4 way 29:1 35:16 39:21 40:2 41:13, 15 42:17, 21 43:5, 9, 20 43:23 44:1 44:4 55:5 64:3 79:21 88:7, 19 91:8 94:18 95:20 96:18 99:9 105:13 134:2 135:15 138:10 147:13 156:16 157:17
--	---	---	--	--

CSI GLOBAL DEPOSITION SERVICES

972-719-5000

DEPOSITION OF MIKE COUICK

September 21, 2018

265

166:11	weather	118:14	7:3	167:8
175:7	126:22	125:13	Williams	Wolfe 73:1
177:1	website	150:11,12	12:7	74:15 76:7
187:16	122:12	151:18	willing	76:8,14,22
191:7	125:5	152:1,3,12	181:5	77:4 79:5
198:7	week 64:12	155:2	186:10	79:17,24
199:16	119:20	158:8	191:25	81:24 82:2
204:15	126:7	159:6,9	204:16,23	92:19 93:4
207:14	week-to-...	160:25	windshield	94:20
210:9	20:12	161:7	182:17	98:11 99:2
ways 57:8	Weekend	162:2,17	wisdom 52:16	99:14
163:4,5	143:10	162:23	68:5 71:9	108:13
we'll 13:4	weekly 59:22	163:17,18	71:12,13	123:12
29:16	152:18	164:12	71:15,17	141:13
45:14	weighing	168:1	72:19	142:20
50:17	205:14	170:24	136:12	188:13
86:17	well-known	171:4	withdraw	Wolfe's
120:6	15:25	174:22	23:23	189:9
we're 6:15	went 16:23	175:25	witness 4:3	191:15
22:15	49:19	176:4	7:13 12:21	Woods 2:23
66:10 69:9	77:21	180:18,21	30:1 47:16	6:24
70:3,4,10	93:21	181:22	51:24	word 95:7
75:21	115:22	182:1,5,22	74:17	107:17
89:13,18	123:11,13	183:6,25	78:18	137:8
93:13	123:13,14	184:2	79:13	170:16
103:12,12	132:7	199:11	81:11 86:1	191:14
103:13,13	138:10	200:6	87:17	worded
110:8,11	145:7	210:10,20	114:18	122:11,14
119:21	164:11	210:24	120:3	125:9
123:2	182:20	211:7	135:6	words 63:2
134:13	184:5	Westingh...	139:11	86:5
135:13	191:24	160:8	143:15	117:23,25
150:2	weren't	Westingh...	156:15	198:23
153:4	39:18 50:3	70:17	165:12	work 11:19
178:19	113:8,23	wheelhouse	173:11	16:23
185:18	121:18	122:18	177:20	24:23 25:1
186:24	131:15	wheels 50:12	179:23	25:16 27:8
192:10	132:14	WHEREOF	196:22	41:21
202:17	142:14	213:18	202:10	69:18
207:24	183:3	White 61:15	204:19	75:14
212:6	204:16,22	wholesale	205:1,18	98:20
we've 104:6	204:23	131:22	209:18	101:14
115:3,4	205:12	Wholly 1:10	211:10,25	103:11
127:22	208:19	wife 192:19	213:10,13	106:18,19
wearing	Westingh...	192:20	213:18	106:23
13:18	107:8	William 3:2	witnessed	107:2,9,11

CSI GLOBAL DEPOSITION SERVICES

972-719-5000

DEPOSITION OF MIKE COUICK
September 21, 2018

118:6	107:5	y'all 66:9	05 206:16	208:14,17
128:18	111:22,22	70:5	207:19	208:17
131:7	116:5,6	y'all's 83:4	06 206:16	12:05 120:10
138:15,18	127:12	yeah 17:17	207:19	12:06 195:9
153:9	140:12,24	36:25	07 206:16	12:09 120:13
167:6	150:17	58:24 62:7	207:19	12:40 143:18
168:7,20	155:16	85:18	08 52:5	12:42 143:21
171:16	157:16	88:13	09 52:5	1201 3:18
172:18	163:11	121:2		6:10
186:19	168:22,23	141:2	<u>1</u>	1310 3:8
193:3,25	world 40:1	143:8	1 4:8,14	1320 3:3
194:1	54:23	149:18	90:5,8	14 60:12
workday	93:22	156:19	110:20	1426 2:16
133:17	worst 158:8	195:4,24	125:7	143 4:10
worked 12:6	worth 148:13	year 20:8	165:7,9	146 4:14
14:18	149:7	21:24 22:4	1,000 21:16	15 16:15
15:19 16:3	209:6,8	23:1,12,16	1,500 20:11	31:18
16:4,17	wouldn't	23:24 42:1	1.00 172:24	60:12
26:10,11	35:22	52:15 58:4	173:17	117:6,6
26:12 28:7	36:20	58:25 59:7	174:5,9	15-minute
40:19	63:24	60:6,6,7	1.15 175:19	136:6
58:19	64:11,18	60:12	176:1	150 20:5
59:10,13	65:25	170:14	1.5 176:24	24:7
59:17,18	141:9	208:11	1:30 178:20	1517 2:7
61:23	151:15	209:6,8	1:36 178:25	156 4:17
107:7,8	163:8	year-to-...	10 4:25	16 117:6,6
116:9	181:11	21:10	194:13,16	211:18
128:4	210:6	years 12:18	196:13,14	165 4:18
145:14	wrap 203:22	16:15,25	10/12/2016	169 4:19
146:10	211:12	19:13	4:22	17 100:19
169:3	wrapping	24:17	100 2:4	211:18
174:15	126:25	40:20	100,000	175 25:21
205:19	written	41:25	21:17	128:17
209:4	186:1	58:10	115:1 22:4	179 4:22
workflow	wrong 42:6	127:13	72:23	17th 3:3
101:14	91:9	York 16:16	118:17	182,000
working 12:3	125:11	16:20	196:8,11	59:11
12:18	186:25	you-all	196:13	184 4:23
13:20,22	wrong-sized	106:17	197:6	19 121:24
14:11	43:12	Youth 20:8	208:14	124:2,11
15:12	47:14		11:11 89:14	184:20
16:19	48:16		11:25 89:19	1939 19:12
25:25 26:8			115 2:19	194 4:25
28:5 63:12	<u>X</u>		118 4:9	1950 19:16
68:16 74:5		03 206:16	1180 2:13	20:16,17
87:6 95:24	<u>Y</u>	04 206:16	12 152:13	196 5:1

DEPOSITION OF MIKE COUICK

September 21, 2018

267

<p>1970s 205:2 1980 31:15 1980s 12:8 40:12 44:9 1984 10:3,5 10:15,17 10:19,23 13:17 1985 29:21 1990s 11:15 12:8 1st 147:8</p> <hr/> <p style="text-align: center;">2</p> <p>2 4:9 28:19 73:10 94:6 110:24 118:24 119:1 120:16 195:9 2-17-10 27:18 2.0 176:25 2.00 176:18 2:03 198:2 2:12 198:5 2:30 212:7,8 20 17:13 19:8 20:19 23:4 25:3 27:5 35:22 37:6 53:15 84:4 101:9 105:20,21 121:25 124:2,11 125:2 153:16 20-minute 136:6 20-plus 12:18 20-year 13:13 20/20 186:5</p>	<p>186:8 200 41:18 207:7 2000 15:11 2000s 11:16 29:4 2004 10:14 11:9 13:17 16:4 25:21 128:17 2005 9:20 10:20 15:12 16:7 17:8 23:19 33:1,19 40:23 43:15 186:16 205:7 206:1 2007 29:12 39:24 41:9 187:2 2008 29:12 42:3 43:15 49:4 111:4 111:10,13 187:2 206:1 2009 29:12 32:8 42:3 49:4 2010 32:9 2013 31:23 31:24 32:6 32:10,11 32:22 2014 60:4 115:23 2015 57:2,7 60:8 62:1 62:15,15 65:4 67:11 67:20,25 68:16 69:1 70:15</p>	<p>72:21 73:7 76:4 81:18 83:14 84:14 86:19 87:14 88:11,15 89:5,24 91:8 92:1 92:23 93:9 93:10 94:19 95:23 96:21 98:10 99:5 103:18 109:3 115:11,23 188:12 2015-661 176:6 2016 4:14 56:24 57:2 57:7 65:4 65:7,12 72:22 73:8 77:22,24 84:6 86:11 91:2,5 100:15,18 100:23 101:5,17 102:5 104:16,17 104:19 107:20 109:13 110:4 111:16 115:12 117:8 118:17,23 121:13 122:3 124:12 126:17</p>	<p>128:7 140:15 147:8 148:5 157:10,11 163:25 176:3 189:3 211:18 2016-223-E 4:13,16,21 2016-661 175:22 2017 28:2 30:10 153:3 158:22 182:7 185:11 193:15 198:8,14 2017-CP-... 1:2 6:7 2018 1:21 3:19 6:11 184:20 185:11 195:9 213:7,19 203 4:5 21 1:21 23:6 23:21 213 5:4 217-9000 2:17 21st 3:19 6:11 213:6 22 23:7 165:23 198:8 22nd 3:18 6:10 23 21:2 22:25 23:2 23:8,13 35:23</p>	<p>23219 2:24 235 2:19 25th 213:19 26 126:16 132:23 27 132:24 27th 77:24 108:19 126:16 28 16:25 29201 2:7,16 3:4 29211 3:9 29730 2:19 29924 2:4</p> <hr/> <p style="text-align: center;">3</p> <p>3 4:10,22 28:19 73:10 94:7 111:12,17 121:13 122:3,14 124:12 143:1,4,24 3/28/2027 213:24 3/3/2016 4:9 3:00 30:14 30 92:14 93:17 30309-3521 2:13 31st 28:2 30:9 327-4192 2:20 33 48:2 33-1/3 116:4</p> <hr/> <p style="text-align: center;">4</p> <p>4 4:14,22 111:12 112:5,17 146:20,23 157:11</p>
--	---	--	---	--

CSI GLOBAL DEPOSITION SERVICES

972-719-5000

DEPOSITION OF MIKE COUICK
September 21, 2018

<p>40 151:25 404 2:14 44 152:16 171:1 45 48:1, 12 46 12:11 21:3 47 19:7 47th 12:4, 12 12:15 48th 12:13</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p>5 4:17 111:12 116:1 156:4, 7 167:4, 23 5,000 21:18 5.2 41:25 5/11 110:21 5/11/2016 4:8 51 22:5, 6 572-2780 2:14</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>6 4:18 29:21 111:14, 17 133:18 165:2, 5 171:18, 21 172:24 173:2, 3, 4 173:13 186:16 187:10 206:1 6,000 21:18 6.66 116:3 6/3/2016 4:10 689 179:22</p> <hr/> <p style="text-align: center;">7</p> <hr/>	<p>7 4:4, 19 111:14 167:4 169:12, 14 186:16 187:10 206:2 7/2/2018 4:25 5:1 70 19:9 25:4 66:12, 14 700,000 19:21 707 182:11 182:15 73 20:8 750 38:15 50:8, 13, 21 53:6, 7 775-1000 2:24 779-0100 2:8 799-2000 3:4</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p>8 4:22 21:24 179:8, 11 186:16 8-1/2-by-14 161:15 8/4/2016 4:17 800 2:23 803 2:5, 8, 17 2:20 3:4, 9 804 2:24 80s 205:2 84 16:4 41:14</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9 4:23 43:15 184:12, 15 9/1/2016 4:18 9:31 3:20</p>	<p>9:33 6:16 90 4:8 900 19:6 929-1400 3:9 943-4444 2:5 98 200:1</p>	
--	---	--	--