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Witness: Christopher E. Colorio, Mark P. Baldwin, John G. Griffin and Leanne M. Landry
Request from: Office of Education, Outreach, and Enforcement

Question:

(MS24A-VENDOR-CONST REPS; WIRE GUARDS) Refer to Exhibit ACCT-2 CLP-1, and Confidential Exhibit ACCT-2 CLP-1A-19, pp. 1-401. The Company reported an incremental charge of $146,312 for the Storm Services Engineering LLC vendor for wire guard services. The Company supported the requested incremental charge with a consolidated invoice documents that appear to support travel from throughout New York. Respond to the following:

a. Explain why the consolidated invoice does not agree with the amounts requested for recovery. Specifically, the invoice identifies a summarized charge of $141,590 (p.1) versus the requested amount of $146,312.

b. Confirm that the wire guards were not utilized for remediation services (i.e., guarding downed wires). If not confirmed, cite the supporting documents demonstrating the actual services that were rendered.

c. Provide an unlocked Excel spreadsheet that summarizes the total number of wire down guards by mobilization/demobilization location, the total distance between the locations, the hours billed for mobilization, the hours billed for demobilization, the hours billed for standby, the costs applicable to mobilization, the costs applicable to demobilization, and the costs applicable to standby. If response to subsection (b) identifies actual remediation, please also include the details attributed to work.

d. Provide documentation to support the specific efforts performed by the Company to obtain local (in-state) wire down guard crews in lieu of the out-of-state crews employed by Storm Services Engineering LLC.

Response:

a. The difference of $4,722 between the summarized charge and the requested recovery is due to taxes.

b. Leading up to the event, the Company monitored forecasts for a powerful, winter storm with moderate-to-heavy rainfall, snow in the northwest hills, and strong damaging wind. Sustained winds were predicted to range from 16-35 mph, with peak wind gusts ranging

from 45-50 mph, and higher gusts of up to 57 mph predicted to occur in the southeast coastal areas. Based on the forecast, the Company procured Wire Guards from Storm Services Engineering LLC to perform wire guard functions exclusively. Due to the storm not materializing as forecasted, Storm Services Engineering LLC resources were not deployed to the field. The associated charges were related to mobilization, time awaiting potential deployment and demobilization.

c. Please refer to EOE-249, Attachment 1 CONFIDENTIAL, which contains an unlocked Excel spreadsheet providing the requested summary details. In accordance with the contractor's rate schedule, labor rates are based on hours worked and applicable overtime thresholds rather than the specific task being performed. The applicable labor rates were validated against the contractor's rate schedule, which provides for Straight Time billing for the first 40 hours worked in a week and Overtime billing only after an individual exceeds a 12-hour shift or 40 weekly hours. As a result, personnel remained billable at the applicable contractual rate while assigned to the event, regardless of whether they were actively monitoring a downed wire or temporarily awaiting deployment to the next assignment.

d. Acquisition of Wire Guard resources is performed by leveraging a list of Contracted contractors that perform this type of service. The list of Contractors has the location of resources. The Acquisition team begins the acquisition process by first calling all contractors within the service territory and working outward until the request is satisfied. All acquisitions are conducted based on available resources at the time of need.