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

Question:

(MS24A-VENDOR-LINE) Refer to Exhibit ACCT-2 CLP-1 and Confidential Exhibit ACCT-2 CLP-1A-18, pp. 1-108. The Company reported four incremental charges in the combined amount of $2,578,455 for the Sparks Energy Inc vendor. Respond to the following:

a. Provide an unlocked Excel spreadsheet analyzing the total billable travel hours (i.e., both labor and equipment) for each invoice based on the billed travel time versus the estimated travel time. To the extent that the billed travel hours were in excess of 1.3 times the estimated hours, please provide any existing documentation that supports the evaluation and approval of the excess billed hours, as well as an estimated cost impact of the excess costs.
b. Referring to OCC-044, Att.2 (Confidential), p. 6153-6203, confirm that the vendor's Exhibit A Pricing Schedule contains the Company's standard provisions, including "Standby Rates apply to labor resources only" (i.e., p. 6159). If confirmed, identify the total amount of equipment that was billed during standby activities. If not confirmed, cite the revised Exhibit A Pricing Schedule that was executed (signed) for 2024 and 2025 that excludes the standard provisions.

Response:

a. Please refer to EOE-247, Attachment 1, for a spreadsheet summarizing the travel details requested in subpart (a).

   During the Tier 3 review, both mobilization ("Mob") and demobilization ("DeMob") travel hours were examined. The Company determined that, considering the distance, the hours traveled, and the weather conditions, these hours were not excessive and were therefore approved.

b. Yes. The vendor's Exhibit A Pricing Schedule contained the Company's standard provisions, including the provision stating that "Standby Rates apply to labor resources only" (OCC-044, Att. 2 CONFIDENTIAL, p. 6159).

   The provision that "Standby Rates apply to labor resources only" should not be interpreted to mean that equipment cannot be billed during periods when crews are awaiting assignment or

direction. Rather, the provision establishes that a contractual Standby Rate applies only to labor resources and does not create a separate standby rate for equipment. Those equipment rates are charged during all hours that the equipment resources are made available to or are utilized to support the company.

Consistent with the contract, the total amount of equipment that was billed during standby totaled to $207,112.