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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 Consumer Counsel

Question:

(Storm MN25K – Line Crew) The following pertains to the responses provided as part of OCC-411 and the respective invoice #250012 for Conexus Energy Group LLC. Considering the response provided in subpart (a) of OCC-411, if the workday started at 12:00 PM and the crew did not receive their first job until 2:00 PM, wouldn't this time be considered standby time? Explain how the 2 hours before deployment to the first job should be considered work time. If the definition of this time is documented within the vendor contract provided in OCC-044, provide reference.

Response:

The crews are in "working" status for the entire duration of their shift – from start to finish. The Company does not compensate crews based on the specific restoration event to which they are assigned, nor are crews expected to be actively engaged in an "event" every minute of their shift. Time must be allocated at the start and end of each day, as well as between restoration "events," to complete all necessary steps to ensure safe working conditions in the field. For the Resource Management Teams identifying the jobs and deploying crews and the EFRC, the critical focus is to follow procedures, keep the crews safe, and keep them moving efficiently throughout the working shift. In this context, there is no bright line that separates one event from another and neatly segmenting the day from an "event" perspective – all activities whether in preparation of, or "on the pole," are proper work activities that are undertaken during the work shift and will not be specified on the timesheet.

Once a contractor has begun their day and is ready to work at a Eversource-designated location, the contractor is compensated at the applicable working rate. This remains the case even if the contractor is temporarily "standing by" while waiting for a work assignment/work ticket. The contractor is paid at standby rates only when they have not yet been directed to report to an Eversource-designated location and remain at their hotel or home show-up location because circumstances prevent restoration efforts from beginning (e.g., high wind, additional adverse weather conditions, etc). In other words, once a contractor has reported to the designated work location and is available to perform work, any time awaiting dispatch is compensated at the working rate. It is rare that Eversource would have a contractor remain in their hotel or home show-up location without a release.

Refer to OCC-044, Attachment 2 CONFIDENTIAL, p.880, Exhibit A-Pricing Schedule, which defines Emergency Response Working Rates as "the agreed labor rates payable from the commencement of applicable Emergency Response Work through the termination of such Emergency Response Work, excluding rest time during that Emergency Response Work."