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Request from: Office of Consumer Counsel

Question:

(Storm MN25K – Tree Crews) Refer to Exhibits ACCT-2 (CLP-13A-9) (MN25K), ACCT-2 (CLP-13A-10) (MN25K), and ACCT-2 (CLP-13A-11) (MN25K). The following pertains to invoices from Lewis Tree Service Inc:

a. Exhibits ACCT-2 (CLP-13A-9) (MN25K), ACCT-2 (CLP-13A-10) (MN25K), and ACCT-2 (CLP-13A-11) (MN25K) - Several invoices (ex. invoice #445493p. 154 Exhibit ACCT-2 (CLP-13A-10) (MN25K)) note hours recorded within the Tree Contractor Work Location report on days that were not charged per the invoice and weekly operations summary report. How did the Company validate the work performed by these crews and the hours charged given inconsistency between the reports?
b. Exhibits ACCT-2 (CLP-13A-9) (MN25K) and ACCT-2 (CLP-13A-10) (MN25K) - Several invoices (ex. invoice #445115 p. 80 on Exhibit ACCT-2 (CLP-13A-10) (MN25K)) indicated standby time for the hours charged by the crew. Per review of the vendor contract provided as part of OCC-044, Attachment 2 CONFIDENTIAL, p. 3228, "Standby Rates apply to labor resources only". Given this information, explain the reason for allowing equipment to be charged for the time crews were on standby when the contract allows for only labor. If additional information was considered at the time of the invoice and related to the equipment hours, please provide. How did the Company track the hours held on standby for those crews that only recorded a portion of their time to standby?
c. Exhibit ACCT-2 (CLP-13A-11) (MN25K) – Per review of invoices (ex. invoice #446544 p. 56), hours were charged for work performed 5-16 days after the storm event had occurred per Exhibit CLP-STORM-IMT-3 (Event 13-MN25K). How did the Company ensure that the hours charged, and work performed by these crews were related to the storm event? If additional information was provided at the time of deployment or receipt of invoice to validate the work performed in relation to storm MN25K, please provide.

Response:

a. Tree Contractor Emergency Response Work Location sheets are used to document field locations for storm-related utility tree work. Crews may record multiple days, work activities, or storm-related assignments on a single sheet, as there is no requirement to maintain separate location sheets by day, work type, or storm event. Company arborists oversee storm tree work activities and have the operational knowledge necessary to associate documented work with the applicable storm event. When reviewed alongside

timesheets, these location sheets provide sufficient documentation to accurately identify, verify, and allocate storm-related work and costs.

b. The applicable Vegetation Management contract does not establish a separate billing rate for "Standby Time." Rather, the contract provides that compensation for Emergency Response Work is in accordance with the Agreement rates for Work. The Special Conditions part of vegetation management contract outlines what work will be billable under various circumstances.

   The applicable Emergency Response Work provisions require the Contractor to provide qualified resources and equipment upon issuance of an Emergency Response Work Release. The contract further provides that, during emergency restoration, "all crews and equipment shall remain on the property during emergency restoration, unless released by the Owner's Representative." The contract also states that resources working on the system are expected to remain available for storm and emergency response for the entire system.

   Because the Vegetation Management contract does not establish a separate "Standby" billing rate, the premise that equipment was charged under a standby rate applicable only to labor resources does not apply to this contract.

c. Company arborists track post-storm vegetation damage locations through customer and municipal notifications, field observations, and post-storm patrols. Storm-damaged trees are documented, assessed, and scheduled for remediation based on priority, site conditions, resource availability, equipment requirements, and any necessary planned outages. The Company arborist is responsible for verifying that the work is associated with documented storm-related vegetation damage and occurred at an identified post-storm location. Approval of the contractor timesheet by the Company arborist confirms that the work was attributable to the storm event and eligible for storm-related accounting. This review process ensures that post-storm vegetation work is appropriately tracked, validated, and charged to the applicable storm event.