

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND ENERGY,

Respondent.

DOCKETS UE-151871 and UG-151872
(Consolidated)

**PUGET SOUND ENERGY'S FIRST
SET OF DATA REQUESTS TO THE
SHEET METAL AND AIR
CONDITIONING CONTRACTORS
NATIONAL ASSOCIATION,
WESTERN WASHINGTON
(SMACNA-WW)**

TO: SMACNA-WW

AND TO: Attorneys Jeffrey D. Goltz and Valerie K. Rickman, Cascadia Law Group

Pursuant to WAC 480-07-405, Puget Sound Energy ("PSE") requests that SMACNA-WW produce the documents described below to the offices of Perkins Coie LLP, 10885 N.E. Fourth Street, Suite 700, Bellevue, WA 98004-5579, within ten (10) business days after service. The following definitions and instructions apply to these requests:

DEFINITIONS

1. The terms "You," "Your," "SMACNA-WW," or any similar word or phrase, means the Sheet Metal and Air Conditioning Contractors National Association, Western Washington Chapter, and, where applicable, includes without limitation each of its members, predecessors-in-interest, successors-in-interest, present or former parents, subsidiaries, divisions, branches, affiliated or controlled companies, joint ventures, and any entities acting or purporting to act for or on behalf of the foregoing or who are subject to the direction or control of the foregoing, including any present or former agents, employees, officers, directors, owners, insurance companies, attorneys, representatives, accountants, investigators, and consultants of the foregoing.

2. “Equipment Leasing Program” refers to PSE’s revisions to WN U-60 Schedule 75 and WN U-2 Schedule 175, to offer an electric and natural gas equipment lease service to its customers, filed on September 18, 2015, and any subsequent amended revisions or filings.

3. “HVAC equipment” means space heating, ventilation, and air conditioning equipment or appliances.

4. “Analysis or analyses” means any reviews, reports, studies, tests, computations, comparisons, calculations, estimates, appraisals, assessments, valuations, inquiries, investigations, evaluations or inquiries undertaken by a person, including any and formal or informal draft or final analyses and all documents related to such analyses.

5. “Identify,” means to:

- a. Describe with reasonable particularity;
- b. Identify each person believed to have knowledge with respect to the fact or event; and
- c. Identify each document that refers or relates to the fact or event.

6. “Identify,” when used with respect to a document, means to describe the document with sufficient particularity so as to provide the basis for a motion to compel production. In lieu of identifying a document in this manner, it will be sufficient to produce copies of the document.

7. “Communication” means any exchange or transmission of words or ideas to another person or entity, whether accomplished person to person, by telephone, in writing, via electronic mail, via social media or through another medium, and shall include, without limitation, discussions, conversations, negotiations, conferences, meetings, speeches, memoranda, letters, correspondence, notes, blogs, postings, and statements or questions.

8. “Document” means, without limitation, all tangible preservations of information, including writings, recordings, and photographs, along with all documents or electronically stored information, information preserved on computers, and any non-identical copies (whether

different from the originals because of notes made on such copies, because such copies were sent to different individuals, or for any other reason) and drafts.

9. "Person" means a natural person and, without limitation, firms, partnerships, corporations, associations, unincorporated associations, organizations, businesses, trusts, public entities, parent companies, subsidiaries, divisions, departments or other units thereof, and/or any other type of legal entity.

10. "Concerning," "reflecting," "regarding," and "related to" mean, in whole or in part, reflecting, regarding, related to, relating to, in connection with, involving, supporting, addressing, analyzing, constituting, containing, commenting on, discussing, describing, identifying, referring to, reporting on, stating, dealing with, or in any way pertaining to.

INSTRUCTIONS

11. You are requested to produce all documents in Your possession, custody, care or control that are described below. In so doing, please furnish documents that are in the possession of Your partners, officers, employees, attorneys, accountants, representatives, or agents, or any other person otherwise subject to Your custody, care or control.

12. Should SMACNA-WW withhold any document or thing responsive to these requests, SMACNA-WW is requested to state the basis for withholding the document or thing in a manner sufficient to enable PSE and the Commission to adjudicate the validity of SMACNA-WW's withholding, including, in the case of any document or thing withheld on the grounds of privilege or work product, the following information for each document or thing:

- a. the title of the document;
- b. the date appearing on the document, and if no date appears thereon, so state and give the date or approximate date on which the document was prepared;
- c. the type or general nature of the document (i.e., whether it is a letter, memorandum, minutes of a meeting, presentation, etc.);
- d. the name, title, and company affiliation of the person who prepared the document;

- e. the name, title and company affiliation of the person who signed the document, if any;
- f. the name, title, and company affiliation of each person to whom the document was disclosed, including the person to whom it was addressed and the person to whom the document, or copies of the document, were sent;
- g. the name, title and company affiliation of the person who maintained custody of the document; and
- h. the general subject matter of the document and the basis for withholding the document, in a manner sufficient for PSE and the Commission to determine the validity of Your claim of privilege and/or work product.

13. All documents that exist in electronic format should be produced in their native format, complete with all metadata. All documents that exist only in paper or other hard-copy format are to be produced in the order and structure as they are kept in the usual course of business.

14. Should SMACNA-WW find the meaning of any term to be unclear, SMACNA-WW should assume a reasonable meaning, state what that assumed meaning is, and respond to the request on the basis of that assumed meaning.

15. These data requests are deemed to be continuing in nature, and SMACNA-WW is requested to amend or supplement its responses as is necessary to maintain the accuracy of SMACNA-WW's responses. To that end, if SMACNA-WW obtains additional responsive information at any time between the time for the initial response and the time of hearing, SMACNA-WW shall promptly provide PSE with the supplemental response.

16. The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside its scope.

17. The use of the singular form of any word includes the plural, and the plural form of a word shall be interpreted as singular, whenever appropriate to bring within the scope any documents or information that might otherwise be considered beyond the scope of the request.

18. None of the definitions set forth above or requests below shall be construed as an admission relating to the existence of any evidence, to the relevance or admissibility of any evidence, or to the truth or accuracy of any statement or characterization in the definition of this request.

19. Unless otherwise stated, the relevant time period for which documents should be produced is January 1, 2013, to present.

DATA REQUESTS

PSE Data Request No. 001 to SMACNA-WW:

Provide all documents or analysis undertaken by or on behalf of SMACNA-WW, or any documents or analyses relied on by SMACNA-WW, or its individual members, or any other documents or analysis, relating to PSE's proposed Equipment Lease Program.

PSE Data Request No. 002 to SMACNA-WW:

Provide all documents or analyses undertaken by or on behalf of SMACNA-WW, or any documents or analyses relied on by SMACNA-WW, or its individual members, or any other documents or analysis, relating to its efforts to provide energy efficient water heating and HVAC equipment options to customers in Western Washington.
(Refer to Petition to Intervene by SMACNA-WW, paragraph 4)

PSE Data Request No. 003 to SMACNA-WW:

Provide all documents or analyses undertaken by or on behalf of SMACNA-WW, or any documents or analysis relied on by SMACNA-WW, or its individual members, or any other documents or analysis, relating to the market for water heating and HVAC equipment and services in Washington, including the market for the sale, installation, maintenance, and repair of such equipment, market penetration of the sale, installation, maintenance, and repair of such equipment, any barriers to market entry, and the relative market share of SMACNA-WW and its individual members.
(Refer to Petition to Intervene by SMACNA-WW, paragraphs 4, 6, 10)

PSE Data Request No. 004 to SMACNA-WW:

Provide all documents or analyses undertaken by or on behalf of SMACNA-WW, or any documents or analysis relied on by SMACNA-WW, or its individual members, or any other

documents or analysis, relating to the market for water heating or HVAC equipment and services in Washington, including the market for financing, leasing or renting such equipment, market penetration of equipment financing, leasing or rental services, any barriers to market entry, and the relative market share of any equipment financing, leasing or rental services, including any services financed, funded, promoted or provided by SMACNA-WW or its individual members. (Refer to Petition to Intervene by SMACNA-WW, paragraphs 4, 6, 10)

PSE Data Request No. 005 to SMACNA-WW:

Provide all documents or analyses undertaken by or on behalf of SMACNA-WW, or any documents or analysis relied on by SMACNA-WW, or its individual members, or any other documents or analysis, relating to its efforts to provide financing options to customers for water heating and HVAC equipment since January 1, 2013, including:

- a) the total number and percentage of SMACNA-WW's individual members' customers who finance their water heating and HVAC equipment, and any demographic information about such customers;
- b) a breakdown of the types of financing options available to and ultimately selected by customers;
- c) any agreements, contracts or documents demonstrating or relating to any business relationship between SMACNA-WW or any individual member, and any third-party financing source;
- d) any documents referring or relating to a financing option financed, funded, promoted or provided by SMACNA-WW or any individual member, including any marketing or promotional materials; and
- e) a listing of all SMACNA-WW members who offer financing options and a listing of the type of financing options financed, funded, promoted or provided by each member.
(Refer to Petition to Intervene by SMACNA-WW, paragraph 4)

PSE Data Request No. 006 to SMACNA-WW:

Provide all documents relating to the terms of any financing options offered by SMACNA-WW or any individual member to customers for water heating and HVAC equipment, including copies of any financing agreements or contracts, the terms and conditions of such agreements or contracts, underwriting processes, qualifying requirements, and interest rate.
(Refer to Petition to Intervene by SMACNA-WW, paragraph 4)

PSE Data Request No. 007 to SMACNA-WW:

Provide all documents in Your possession, custody or control relating to financing options available for water heating and HVAC equipment in Western Washington.
(Refer to Petition to Intervene by SMACNA-WW, paragraph 4)

PSE Data Request No. 008 to SMACNA-WW:

Provide all documents or analyses undertaken by or on behalf of SMACNA-WW, or any documents or analysis relied on by SMACNA-WW, or any individual member, or any other document or analysis, relating to its efforts to provide leasing or rental options for water heating and HVAC equipment, since January 1, 2013.
(Refer to Petition to Intervene by SMACNA-WW, paragraph 4)

PSE Data Request No. 009 to SMACNA-WW:

Provide all documents sufficient to show which SMACNA-WW members offer leasing or rental programs for water heating and HVAC equipment, the terms of those leasing or rental programs, how many of their customers lease or rent their equipment, the percentage of customers that lease or rent their equipment, and any demographic information about such customers, since January 1, 2013.
(Refer to Petition to Intervene by SMACNA-WW, paragraph 4)

PSE Data Request No. 010 to SMACNA-WW:

Provide all documents in Your possession, custody or control relating to the leasing or rental of water heating and HVAC equipment in Western Washington.
(Refer to Petition to Intervene by SMACNA-WW, paragraph 4)

PSE Data Request No. 011 to SMACNA-WW:

Provide the total number of water heating and HVAC equipment sales and installations performed by SMACNA-WW's individual members, and a breakdown of such sales and installations by county, since January 1, 2013, using the format below.
(Refer to Petition to Intervene by SMACNA-WW, paragraphs 2, 4, 6)

County	Water Heater Sales and Installations	HVAC Equipment Sales and Installations
[List county]		
[List county]		

PSE Data Request No. 012 to SMACNA-WW:

Provide the total number of water heating and HVAC equipment maintained, serviced or repaired (not installed) by SMACNA-WW's individual members, and a breakdown of such services or repairs by county, since January 1, 2013, using the format below.
(Refer to Petition to Intervene by SMACNA-WW, paragraphs 2, 4, 6)

County	Water Heater Sales and	HVAC Equipment Sales and

	Installations	Installations
[List county]		
[List county]		

PSE Data Request No. 013 to SMACNA-WW:

Provide all documents or analyses undertaken by or on behalf of SMACNA-WW, or any documents or analysis relied on by SMACNA-WW, or its individual members, or any other documents or analysis, relating to the pursuit of cost-effective energy conservation. (Refer to Petition to Intervene by SMACNA-WW, paragraph 5)

PSE Data Request No. 014 to SMACNA-WW:

Describe what SMACNA-WW means by “energy management services.” (Refer to Petition to Intervene by SMACNA-WW, paragraph 2)

PSE Data Request No. 015 to SMACNA-WW:

Provide all documents or analyses undertaken by or on behalf of SMACNA-WW, or any documents or analysis relied on by SMACNA-WW, or its individual members, or any other documents or analysis, relating to its “energy management services.” (Refer to Petition to Intervene by SMACNA-WW, paragraph 2)

PSE Data Request No. 016 to SMACNA-WW:

Provide all documents or analyses undertaken by or on behalf of SMACNA-WW, or any documents or analysis relied on by SMACNA-WW, or its individual members, or any other documents or analysis, sufficient to show the average rates or prices for SMACNA-WW’s services, including the sale or lease, installation, maintenance, and servicing of water heating and HVAC equipment, since January 1, 2013. (Refer to Petition to Intervene by SMACNA-WW, paragraphs 2, 4, 6)

PSE Data Request No. 017 to SMACNA-WW:

Provide a list all of current SMACNA-WW members and their primary business addresses and applicable business license number, L&I license number, and contractor license number, in the form of the table below.

SMACNA-WW Member	Primary Address	Business License Number	L & I License Number	Contractor License Number

PSE Data Request No. 018 to SMACNA-WW:

Provide all documents or analyses undertaken by or on behalf of SMACNA-WW, or any documents or analysis, relied on by SMACNA-WW, or its individual members, or any other documents or analysis, relating to the relative age of water heating and HVAC equipment currently in use in Western Washington, including the number and percentage of such equipment that is fifteen (15) years old or more.

(Refer to Petition to Intervene by SMACNA-WW, paragraph 4)

PSE Data Request No. 019 to SMACNA-WW:

Provide all documents or analyses undertaken by or on behalf of SMACNA-WW, or any documents or analysis relied on by SMACNA-WW, or its individual members, or any other documents or analysis, relating to SMACNA-WW's or its individual members' efforts to replace water heating and HVAC equipment in Washington that is fifteen (15) years old or more, since January 1, 2013.

(Refer to Petition to Intervene by SMACNA-WW, paragraph 4)

PSE Data Request No. 020 to SMACNA-WW:

For all sales of water heating and HVAC equipment in Western Washington by SMACNA-WW's individual members since January 1, 2013, list the total number, percentage, and breakdown by equipment type, of equipment sales that are equipped with Demand Response technology.

(Refer to Petition to Intervene by SMACNA-WW, paragraph 4)

PSE Data Request No. 021 to SMACNA-WW:

Provide all documents or analyses undertaken by or on behalf of SMACNA-WW, or any documents or analysis relied on by SMACNA-WW, or its individual members, or any other documents or analysis, relating to SMACNA-WW's or its individual members' efforts and capability to provide Demand Response services to customers, since January 1, 2013.

(Refer to Petition to Intervene by SMACNA-WW, paragraph 4)

PSE Data Request No. 022 to SMACNA-WW:

Provide all documents or analyses undertaken by or on behalf of SMACNA-WW, or any documents or analysis relied on by SMACNA-WW, or its individual members, or any other documents or analysis, relating to the regional maturity of:

- a) Demand Response services;

- b) Customer interest in Demand Response;
- c) Commercial availability of Demand Response equipment; and
- d) Demand Response technology.

PSE Data Request No. 023 to SMACNA-WW:

Provide all documents or analyses undertaken by or on behalf of SMACNA-WW, or any documents or analysis relied on by SMACNA-WW, or its individual members, or any other documents or analysis, relating to any existing comprehensive lease options in Western Washington for water heating and HVAC equipment, which include lease options include equipment repairs, scheduled maintenance and replacement during the lease term.

PSE Data Request No. 024 to SMACNA-WW:

Provide copies of all postings made on the SMACNA-WW website, or any other electronic communication network (email, blog, text, website, twitter, Facebook), and any communications (electronic or otherwise), including communications between SMACNA-WW and its individual members, relating in any way to PSE's Equipment Lease Program.