

## **Attachment 1 to Answer**

### **Olympic's Responses to Other WUTC Data Requests**

In its Motion to Dismiss, Staff has addressed Olympic's responses to certain data requests. Our Answer to the Motion to Dismiss addresses Olympic's responses to WUTC Data Request Nos. 376 and 377. On April 3, 2002, Staff filed its Status Report on Staff Data Requests Addressed in Staff's March 27, Motion to Dismiss ("April 3 Staff Status Report"). In that April 3 Staff Status Report, the Staff acknowledged that after more thorough review of the materials provided to Staff by Olympic, Staff agrees that Olympic has been responsive and that many of its data requests have been answered. For example, in the April 3 Staff Status Report, Staff agreed that Olympic has fully responded to WUTC Staff Data Request No. 376. This Attachment A addresses the other data requests identified by Staff. The remaining WUTC data requests and responses can be divided into two categories: (1) barge and shipping issues; and (2) contingencies.

#### **1. Barge and Shipping Rate Information**

Certain of Staff's data requests seek to obtain information regarding barge and shipping competition, rates and prices. Olympic has provided all of the information it has been able to obtain. These data requests are specifically addressed below.

a. **WUTC Staff Data Request No. 339.** Staff asserts that Olympic provided a late and incomplete response to Staff Data Request No. 339. See Motion to Dismiss at 6. Staff is incorrect. Olympic has provided a response to Staff. Olympic provided an initial response on February 21, 2002. Olympic has also provided supplemental responses on March 8, 2002 and March 28, 2002. Olympic had provided explicit explanations as to the information that is available and the information that is not available. Olympic's responses had attempted to explain the price

levels that are needed. Olympic has been forthcoming in its responses and has made every effort to respond to Staff's data requests. Staff has now agreed in its April 3 Staff Status Report that Olympic has provided a response answer to this data request.

b. **WUTC Staff Data Request No. 341.** Staff states that Olympic has provided a late and incomplete response to Staff Data Request No. 341. See Motion to Dismiss at 6. Staff is mistaken. Olympic provided an initial response to Staff on February 21, 2002, and provided supplemental responses on March 8, 2002 and March 27, 2002. Olympic had provided explicit explanations and references regarding the information sought in this data request. While Olympic cannot provide certain specific information that is unavailable, Olympic had provided a detailed explanation regarding competitive pricing. Olympic has been forthcoming in its responses and has made every effort to respond to Staff's data requests. In April 3 Staff Status Report, Staff states that it received Olympic's response to WUTC Staff Data Request No. 341 on March 29, 2002. It states that attempted to follow up on this data request seeking additional response. Olympic will send out a further supplemental response on April 3, 2002.

c. **WUTC Staff Data Request No. 355.** Staff states that Olympic has provided a late and incomplete response to Staff Data Request No. 355. See Motion to Dismiss at 6. Staff is wrong because Olympic has provided a response to Staff. Olympic provided an initial response on February 21, 2002. Olympic has also provided a supplemental response on March 28, 2002. This data request is related to Staff Data Request No. 341. As such, Olympic response references its response to Staff Data Request No. 341.

d. **WUTC Staff Data Request No. 414.** Staff asserts that it has not received any response to Staff Data Request No. 414. See Motion to Dismiss at 5. Olympic has provided a response to this data request. On March 27, 2002, Olympic provided a response to Staff Data Request No. 414. This response attempted to explain why shippers might be concerned with

pipeline investment or market exit. The response provided an indicator regarding pricing from a shipper. Thus, Olympic has responded to the data request. Staff has now agreed in its April 3 Staff Status Report that Olympic has provided a responsive answer to this data request.

## **2. Answered Data Requests or Contingent**

Some of Staff's data requests may be categorized as data requests that have been answered or that seek information contingent upon other information. These other data requests and responses are more appropriate for the cross-examination of Olympic witnesses and are inappropriate at this time for the preparation of Staff's general rate case proceeding. These data requests are specifically addressed below.

a. **WUTC Staff Data Request No. 319.** Staff states that Olympic has provided a late and incomplete response to Staff Data Request No. 319. See Motion to Dismiss at 8. Staff is incorrect because Olympic has provided a response to Staff. Olympic provided an initial response on January 29, 2002. Olympic then provided a supplemental response on March 22, 2002. Olympic supplemental response was provided by March 22, 2002 via email and overnight courier. Olympic's response to Staff Data Request No. 319 included a schedule that showed the taxes paid for the year 2001.

b. **WUTC Staff Data Request No. 323.** Staff argues that Olympic provided a late and incomplete response to Staff Data Request No. 323. See Motion to Dismiss at 6. This is incorrect. Olympic provided a response on February 21, 2002. In that response, Olympic stated that much of the information was not available because the individuals who had knowledge of event prior to July 1, 2000 were no longer associated with Olympic. While it was once thought that Olympic might provide additional samples or documents, Olympic has since learned that no such documents are available. All samples and documents available to Olympic have been provided in the testimony. Olympic will send out a further supplemental response on April 3, 2002.

c. **WUTC Staff Data Request No. 345.** Staff claims that Olympic provided a late and incomplete response to Staff Data Request No. 345. Staff asserts that Olympic did not provide certain schedules as requested. See Motion to Dismiss at 8. Staff had requested that Olympic to provide a rule or order, which prescribed, found or concluded that any particular rate methodology was appropriate for Olympic. Olympic has provided a response to this data request on February 21, 2002. In that response, Olympic informed Staff that a further response is more appropriate for legal briefing. Olympic also referred Staff to other responses to Staff data requests that would be informative. Thus, Olympic has attempted to address Staff's request and has responded to this data request.

d. **WUTC Staff Data Request No. 364.** Staff had requested that Olympic state the purposes for the amounts of debt shown on an exhibit related to Mr. Batch's testimony. See Motion to Dismiss at 9. Olympic had provided a response but did not provide a specific break down of the amounts for specific purposes. Olympic had previously discussed this data request with Staff. Staff and Olympic had agreed that this data request would "remain open" while Olympic attempted to gather the information for this data request. Staff has agreed. See *id.*

e. **WUTC Staff Data Request No. 397.** Staff asserts that it has not received any response to Staff Data Request No. 397. See Motion to Dismiss at 5. On March 27, 2002, Olympic provided a response to Staff Data Request No. 397. Staff had requested to ascertain the reason for the differential in amounts. Olympic provided an explicit explanation for the difference in amounts. Thus, Olympic has provided a response to this data request. In April 3 Staff Status Report, Staff has now agreed that Olympic has provided a response answer to this data request.

f. **WUTC Staff Data Request No. 400.** In WUTC Staff Data Request No. 400, Staff had requested that Olympic provide specific information regarding Olympic's annuitant expenses. Staff had also asked that this information be provided by account. See Motion to

Dismiss at 9. On March 22, 2002, Olympic provided a response to WUTC Staff Data Request No. 400. Olympic did not provide this information by account because such information is not available in such a format.

g. **WUTC Staff Data Request No. 401.** In WUTC Staff Data Request No. 401, Staff had requested that Olympic provide specific payroll information. Staff had also asked that this information be provided by amount, account and month. See Motion to Dismiss at 9. On March 22, 2002, Olympic provided a response to WUTC Staff Data Request No. 401. Olympic provided specific references to other responses that might assist in the details regarding the year 2001. Olympic did not provide this information by account because such information is not available in such a format. Olympic has made every effort to address these data.

h. **WUTC Staff Data Request No. 405.** Staff asserts that it has not received any response to Staff Data Request No. 405. See Motion to Dismiss at 5. Olympic is preparing a response to this request.