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Exhibit HYM-5

1.09-01-018

FIRST CPSD DATA REQUEST TO SCE

Below is the CPSD's First Data Request to SCE

CPSD requests full responses to this data request no later June 19, 2009. If SCE objects to any of these data requests, please submit your specific objection and its basis by June 15, 2009. If SCE asserts any privilege, please state by June 15 the basis of the privilege claimed. If any document is not produced under a claim of privilege, for each such document provide a summary of the purpose and subject of the document withheld, the date of the document, and the author or author and all recipients of the document.

In responding to each request please state the text of the request prior to providing the response, and provide the name of the person or person answering, the title of such person(s), the person and title of person they work for, and the name of the witness or witnesses who will be prepared to testify concerning the matters contained in each response or document produced. With respect to each document produced, identify the number of the data request and subpart that the document is in response to.

The terms "document," "documents," or "documentary material" include, but are not limited to, the following items, whether printed, recorded, or written or reproduced by hand: reports, studies, statistics, projections, forecasts, decisions, and orders, intra-office and interoffice communications, correspondence, memoranda, financial data, summaries or records of conversations or interviews, statements, returns, diaries, calendar, work papers, graphs, notebooks, notes, charts, computations, plans, drawing, sketches, computer printouts, summaries of records of meetings or conferences, summaries or reports of investigations or negotiations, opinions or reports of consultants, photographs, bulletins, records or representation or publications of any kind (including microfilm, videotape, and records however produced or reproduced), electronic or mechanical or electrical records of any kind (including, without limitation, tapes, tapes cassettes, discs, emails, and records) other data compilations (including without limitation, input/output files, source codes, object codes, program documentation, computer programs, computer printouts, cards, tapes, discs and recording used in automated data processing, together with the programming instructions and other material necessary to translate, understand, or use the same), and other documents or tangible things or whatever description which constitute or contain information within the scope of a Request to produce.

1. Provide all documents that refer or relate to wind load safety factor calculations, done between January 1, 1990 and October 30, 2007, to establish or confirm pre-construction compliance with GO 95, for any wooden utility poles entirely or jointly owned by SCE. This data request applies both to calculations made for planned new poles and for planned new assets to be attached to existing poles.
2. Provide all manuals, memos, instructions, standards, directives, and all other documents created or used by SCE or its agents between January 1, 1990 and October 30, 2007, that refer or relate to the circumstances under which SCE identified that a GO 95 wind load safety calculation must or should be made, and to the circumstances under which SCE identified that these calculations need not be made.
3. Provide each and all wind load safety calculations done between January 1, 1990 to October 30, 2007 for any of the three poles that broke in October 2007, and identify clearly when the calculation provided was made. Provide such calculations regardless of whether SCE or agents, or whether another entity, made the calculations.
4. Provide a summary of the search that SCE did to locate the calculations requested in numbers 1, 2 and 3 above.
5. For each installation or reconstruction that occurred on any of the three poles between January 1, 1990 and October 21, 2007, provide a retrospective wind load calculation to demonstrate that the allowable safety factors were not exceeded under GO 95. Provide the calculation regardless of identity of the entity or entities owning the assets attached to the poles at the time.
6. If SCE is unable to provide such a calculation for each installation or reconstruction that occurred between January 1, 1990 to October 30, 2007, provide the reasons why SCE cannot provide the calculation and the data that is not available and would be required for the calculation.
7. Identify and explain the conditions under which SCE contends that a wind loading safety factor calculation was required to be conducted for "planned" reconstruction or installation (see GO 95, 44.1) between 1990 and October 2007.
8. Identify and explain the conditions under which SCE contends that a wind loading safety factor was not required to be conducted for "planned" reconstruction or installation (see GO 95, 44.1) between 1990 and October 2007.
9. For each of the calendar years of 2003, 2004, 2005, 2006, and 2007, provide the following data:

- A. A list of all wind load calculations conducted during these calendar years to establish compliance of planned installation and construction (Rule 44.1) with the safety factors specified in GO 95. Provide the list by date of calculation, identity of person or persons who did the calculation, date of installation and construction associated with the construction, and a general description of the construction or installation.
 - B. Provide all such wind load safety calculations listed in "A".
 - C. Provide a list of all installation and construction started during each of the calendar years that did not generate a wind load safety calculation.
 - D. For each entry on the list in "C" above, explain the reasons why no wind load calculation was made.
- 10 Provide a chronological list of all notifications or complaints about any of the three poles or their loads received by SCE between 1993 and 2007 from any source, and provide a summary of the complaint or notification.
 11. Provide all documents that refer or relate to the notifications or complaints identified in the response to number 10 above.
 12. Refer to SCE's April 20 report (report), p. 10 and 11, Rule 12.2 discussion. Provide all written reports of the intrusive testing done in 1990, 2003, or any other time, and all documents that refer or relate to all intrusive testing done on any of the three poles at any time.
 13. Refer to report, p. 11, Rule 31.1 discussion. SCE refers to its installation of "a private communication circuit in 1996. A contemporaneous pole loading study has not been located". Provide the study to CPSD. If it cannot be located describe the search for it that SCE conducted, and provide all documents that refer to the study, and identify by name and position all persons who can provide evidence.
 14. Refer to report, p. 11, Rule 31.1 discussion. SCE states that "it is SCE's belief that poles 1169252E and 1169253E were not overloaded by the addition of its own telecommunication cable because at the time of construction, SCE transmission poles were routinely designed to accommodate additional load such as, the future installation of its own communications circuits, if necessary." Does SCE contend that this routine design to accommodate additional load alleviates SCE from conducting additional wind load safety calculation that otherwise would be required by GO 95 for the planned installation of its own communications circuits or other items? If the answer is anything other than an unqualified "no", explain the basis for SCE's contention that SCE's design alleviates the utility's responsibilities under GO 95.
 - 15 Refer to PT&T's James Kenney's February 8, 1974 letter to SCE VP Robert Coe (letter produced as attachment to SCE's April 20, 2009 report). The letter refers to

an SCE proposal of November 2, 1973 "to overbuild our facilities in Malibu Canyon". Provide a copy of this proposal.

- A. Does SCE contend that any or all of the three poles that failed and their appurtenant attachments or support were "overbuilt"? If the answer is anything other than an unqualified "no", list and explain each specific way that the pole or poles and other equipment attached them were "overbuilt".
 - B. If SCE contends that any or all of the three poles that failed and their appurtenant attachments or support were "overbuilt", provide calculations done before construction that demonstrate the safety factor of the poles as designed to be constructed. If no such calculations exist, re-create the safety factor calculations of the poles with the material planned for the poles at the time of construction.
16. Provide all documents and photos that show or refer or relate to any of the three poles leaning or varying from vertical at any time between 1990 and October 20, 2007. Provide these documents and photos regardless whether the authorship was utility personnel or agents, or non-employees such as customers or other public members, or any other source.
 17. SCE's August 20 report lists a number of distribution circuit patrols (pp.4 and 5), detailed distribution inspections (p. 5), transmission patrols (pp. 5 and 6), intrusive inspections (p.6), and streetlight patrols (pp. 7 and 8) that SCE identified as involving the three poles from 1990 through 2007. Did SCE personnel or agents take note during any of those patrols or inspections that the three poles or any of them were leaning or varied from vertical in any measure? If yes, provide all documents authored between 1990 and October 2008 that reflect or refer to any SCE personnel or agents notation or reference to such leaning or variance.
 18. At any time between 1990 and 2007, did SCE engineers take into account in their designs for planned installation and construction on the three poles and attached and appurtenant structures, that winds speed in Malibu Canyon may exceed winds speed in adjacent areas? If yes, detail and explain how SCE took such winds into account for the poles and the other assets associated with the poles.
 19. Provide all memos and other documents in use by SCE or its agents from 1990 through October 2007 and that refer or relate to construction and maintenance of wooden poles in areas subject to stronger average winds than surrounding areas.
 20. Did SCE construction and maintenance managers and supervisors generally understand or experience that winds in Malibu Canyon may exceed the strength of winds measured in adjacent or surrounding areas? If the answer is anything other than an unqualified "no", provide all SCE documents that refer or relate to winds in Malibu Canyon.

21. SCE states that it replaced the original guy pole in 1983 (SCE report, p.12). Provide all documents that relate or refer to the reasons why SCE replaced the pole at that time.
22. Provide all studies, analyses, and calculations done between 1990 and October 2007, to ascertain that safety factors associated with the three poles had not been reduced to less than two thirds of the construction safety factors (see SCE report pp. 12 and 13, section re Rule 44.2).
23. SCE states in its report that on December 20, 2007 it "informed the CPSD that it believed the wind speeds at the time of the incident exceeded 108 miles per hour" (SCE report, p.14). SCE then states that its belief was based upon "wind measurements taken at two nearby peaks, Whitaker Peak and Laguna Peak". With respect to these statements, provide each and all facts and documents which support SCE's apparent belief that wind measurements on October 20, 2007 at those two locations were characteristic of the wind speeds at Malibu Canyon at the same times.
24. Provide all expert analyses or statements that estimate wind speeds that occurred anywhere in Malibu Canyon on October 20, 2007.
25. Provide all correspondence and other documents sent by SCE to experts retained by SCE to submit testimony about wind speed that occurred in Malibu Canyon on October 20, 2007.
26. Did firefighting personnel or any fire department, either verbally or in writing, estimate to SCE or to any of its personnel, the speed of the wind in Malibu Canyon on October 20, 2007? If SCE's response is anything other than an unqualified "no", provide all written documents and communications that refer or relate to such estimates, and provide a summary of all such verbal communications (by date and time, names of personnel for SCE and fire dept., and statements made about wind speed).
27. Refer to SCE's report, p.2, that states:

"SCE further notes that it recently received documents from another Respondent to this proceeding which appear to relate to or reflect potentially relevant calculations and analyses performed by SCE during the subject time-period. SCE's search for relevant information did not identify these documents. SCE is now in the process of searching for and authenticating the subject materials".

With respect to the above, provide:

- A. The identity of the Respondent and the documents SCE referred to.
 - B. A copy of the calculations and analyses that SCE performed during the subject time-period.
 - C. Identify each person or person who conducted, reviewed, or approved each such calculation or analysis.
28. Provide a copy of each and all written communications and all other documents generated between January 1, 1990 and October 20, 2007 between SCE and any other utility or utilities and that refer or relate to wind load analyses or calculations. In SCE's response include communications both from Edison and those sent to Edison.
29. Provide a copy of each and all written communications and all other documents generated between January 1, 1990 and October 20, 2007 between SCE and any other utility or utilities that refer or relate to planned reconstruction or installation associated with the three poles or their loads. In SCE's response include communications both from Edison and those sent to Edison.
30. Provide a copy of each and all written communications and all other documents generated from January 1, 1990 and October 20, 2007 between SCE and the Joint Pole Organization (sent either way) or its predecessors, that refers or relates to the following:
- A. Wind Load Calculations associated with any of the three poles or their loads.
 - B. Planned reconstruction or installation associated with the three poles or their loads.
 - C. Agreements, standards, instructions, suggestions, and memos about wind load calculations, wind load analyses, wind load procedures, and how and when to conduct them.
31. Refer to April 20 Sprint report, p. 20. Sprint refers there to a "field meet" between SCE and BMS before October 22, 2003 to review "wind loading concerns". With respect to this reference, state:
- A. Whether the field meet took place, and if so when, where, and the names of each person attending the meeting, names of their employers, and their functions.
 - B. Provide all documents and correspondence that refer or relate to the field meet or to conclusions reached from the field meet.
32. Refer to Sprint report, p. 21. Sprint there refers to its conclusion that "SCE *did* verify the wind loading results for this pole". With respect to this contention, state:

- A. Whether SCE did verify wind loading results for the pole.
 - B. If yes, all documents generated before October 20, 2007 that verify any wind loading results for this pole.
 - C. Describe the method that SCE used to verify wind loading results for the pole.
33. Refer to Sprint report, p. 15. Sprint there refers to a wind loading determination by Michael Smith on February 7, 2003 that the pole attachments proposed by Sprint would comply with GO 95. With respect to this reference:
- A. State whether SCE had this written determination (Ex. 33) in its possession at or near February 7, 2003.
 - B. Provide all documents that refer or relate to Sprint's determination.
 - C. Provide all correspondence between SCE and any other person or entity that refers or relates to the 2003 determination of compliance with GO 95 or to the meetings or discussions that led to this conclusion.
34. Provide all SCE manuals, memos and instructions to managers, supervisors and field personnel on how to assess by visual inspection or other means whether wood poles are overloaded.
35. Provide all wind load calculations or analyses done by anyone from January 1, 1990 through October 23, 2007 that relate any of the three subject poles and planned reconstruction or installation associated with the poles.
36. Provide an organizational chart as of July 1, 2003, showing:
- A. organization of the divisions and groups responsible for making wind load assessments and calculations associated with planned installation and Reconstruction, and for approving them.
 - B. provide the names and job titles of all SCE personnel responsible on July 1, 2003 for making such wind load assessments and calculations, and for approving them.
 - C. Provide the duties and responsibilities of persons identified in "B" above with respect to wind load assessments and calculations, and approvals.