



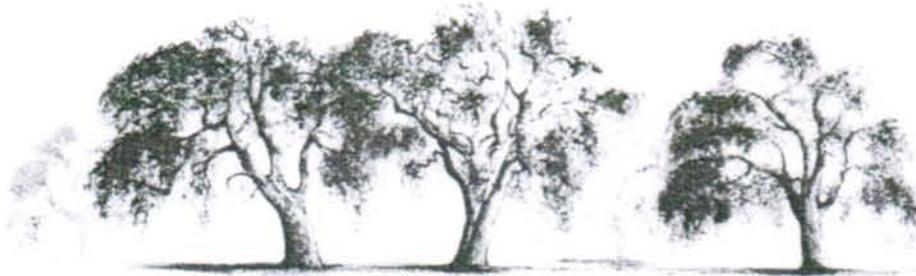
FILED

07-20-12

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Motion of Great Oaks Water Company to Compel Discovery from DRA

Exhibit B



GREAT OAKS WATER COMPANY

P. O. Box 23490
San Jose, California 95153
(408) 227-9540

July 3, 2012

Via email and U.S. Mail

California Public Utilities Commission
Division of Ratepayer Advocates
Attention: Raymond Charvez
505 Van Ness Avenue
San Francisco, CA 94102

RE: Great Oaks Water Company
Cost of Capital Application A.12-05-005
GOWC-1: Data Request to Division of Ratepayer Advocates
Request to Meet and Confer Regarding Delinquent DRA Discovery Responses

Dear Mr. Charvez:

On June 19, 2012, Great Oaks Water Company (Great Oaks) served its initial data request to the Division of Ratepayer Advocates (DRA) in the above-referenced proceeding. A copy of those discovery requests is attached. The response date for the data request was June 26, 2012.

Because the data request was sent late in the day on June 26th, in my email transmittal of that data request I indicated that if an extra day was needed to respond for you to contact me to let me know.

As of this date, Great Oaks has received no responses to its data request, no objections to the data request, and no request for additional time to respond to the data request. In fact, DRA has not responded in any manner whatsoever.

As you will recall from the prehearing conference, Administrative Law Judge Rochester indicated that the parties should not wait to bring discovery issues before her, especially considering the tight scheduling issues presented in this proceeding.¹ It is for that reason

¹ See Transcript of June 12, 2012 Prehearing Conference, pages 17-18.

that Great Oaks is requesting that DRA immediately provide responses to Great Oaks' data request GOWC-1.

DRA has not objected to the discovery sought in GOWC-1. Because no objections have been made within the time period provided for a response – or in the additional time that has passed since the response deadline passed without extension (or request for extension), any objections DRA may have had to GOWC-1 are deemed waived.

Please provide full and complete responses to Data Request GOWC-1 by Monday, July 9, 2012. If responses are not provided by that date, it will be necessary for Great Oaks to file a motion to compel discovery responses and to seek appropriate sanctions for DRA's failure to comply with its discovery obligations.

Should you have any questions, please contact me directly.

Great Oaks Water Company



Timothy S. Guster
General Counsel
Legal and Regulatory Affairs

cc: Service List

Service List A.12-05-005

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GREAT OAKS WATER COMPANY

P. O. Box 23490
San Jose, California 95153
(408) 227-9540

June 19, 2012

Via email and U.S. Mail

California Public Utilities Commission
Division of Ratepayer Advocates
Attention: Raymond Charvez
505 Van Ness Avenue
San Francisco, CA 94102

COPY

RE: Great Oaks Water Company
Cost of Capital Application A.12-05-005
GOWC-1: Data Request to Division of Ratepayer Advocates

Dear Mr. Charvez:

Attached you will find Great Oaks Water Company's (Great Oaks) first data request to the Division of Ratepayer Advocates (DRA) for the proceeding referenced above. Since DRA data requests typically require responses within seven (7) days of the date of the request, this data request also requests DRA's responses within seven days -- by June 26, 2012.

Should you have any questions, please contact me directly.

Great Oaks Water Company

A handwritten signature in black ink, appearing to read "Timothy S. Guster". The signature is written in a cursive, flowing style.

Timothy S. Guster
General Counsel
Legal and Regulatory Affairs

Attachment: Data Request GOWC-1 to DRA

cc: Service List

Data Request GOWC-1 to DRA

COPY

Preliminary Statement

At the June 12, 2012 Prehearing Conference held in this matter, counsel for the Division of Ratepayer Advocates (DRA), Jason Zeller, advised Administrative Law Judge Rochester and the parties that DRA's expert witness would only be available during certain limited times for testimony. Because DRA has selected its expert witness and because access to that expert witness is limited, Great Oaks Water Company (Great Oaks) will conduct certain discovery in advance of receipt of the testimony of DRA's expert witness. This preliminary discovery does not go to the opinions of the expert witness, but instead seeks background information about the witness.

If DRA will utilize more than one expert witness for this proceeding, separate responses should be provided for each witness.

Data Requests

1. Please state the full name and address of DRA's expert witness for this proceeding.
2. Please provide a current résumé and/or *curriculum vitae* for DRA's expert.
3. Please provide a listing of proceedings in which DRA's expert has testified (in person or in writing) during the last five (5) years. Note that this request is not limited to testimony by DRA's expert before the California Public Utilities Commission. For each proceeding, please identify the party for whom DRA's expert testified, the date of the testimony, and whether the testimony was in person or in writing.
4. Please provide DRA's expert's fee schedule or a listing of the amounts charged by DRA's expert for services, including testimony, for the last five years.
5. Please provide a listing of proceedings in which DRA's expert has testified or provided testimony for DRA over the last five years. For each proceeding, please provide the date of testimony by DRA's expert and indicate whether the testimony was in person or in writing.
6. Please provide the date when DRA retained its expert for this proceeding.
7. Please provide any written agreement or correspondence (including email correspondence) providing information about the services DRA's expert will be providing in this proceeding.

COPY

Data Request GOWC-1 to DRA

8. Please provide the amount and manner of compensation (e.g., hourly, upon completion, etc.) for DRA's expert in this proceeding.
9. If DRA's expert witness has been deposed in any proceeding during the last five years, please provide the following information: (a) the names of the parties to the proceeding, the forum for the proceeding, and the proceeding number (e.g., Great Oaks Water Company and DRA, California Public Utilities Commission, A.12-05-005); (b) the date of the deposition; and (c) the name, address, and telephone number of the party and attorney deposing DRA's expert.

Responses Due: June 26, 2012