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From: WOODS.MONICA [WOODS.MONICA@leg.state.fl.us]
Sent: Friday, August 19, 2011 2:59 PM
To: Filings@psc.state.fl.us
Cc: 'Blaise Huhta'; 'Cecilia Bradley'; 'F. Alvin Taylor'; 'George Cavros'; 'J. Burnett'; 'Jay Brew'; 'John Moyle'; 'K. Torain'; Keino Young; Lisa Bennett; 'Matthew Bernier'; 'Paul Lewis'; 'Randy Miller'; 'Vicki Kaufman'; 'thomas@saprondani-associates.com'
Subject: Letter to John Burnett (PEF Delam Deponents)
Attachments: Letter to John Burnett (PEF Delam Deponents).pdf

Electronic Filing

a. Person responsible for this electronic filing:

Charles J. Rehwinkel, Deputy Public Counsel
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b. Docket No. 100437-EI

In re: Examination of the outage and replacement fuel/power costs associated with the CR3 steam generator replacement project, by Progress Energy Florida, Inc.

c. Documents being filed on behalf of the Office of Public Counsel

d. There are a total of 2 pages.

e. The document attached for electronic filing is *Letter to John Burnett (PEF Delam Deponents)*

Thank you for your attention and cooperation to this request.

Monica R. Woods
Administrative Assistant to Charles J. Rehwinkel
Office of Public Counsel
Phone #: 488-9330

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DEAN CANNON
Speaker of the
House of Representatives



August 19, 2011

John T. Burnett
Progress Energy Florida
P.O. Box 14042
St. Petersburg, FL 33733-4042

Re: Docket No. 100437-EI; Prudence Associated with CR3 Delamination

Dear John:

In preparation for the testimony that will be needed in this case, the Public Counsel requests that Progress Energy Florida, Inc. (PEF) advise the availability of the individuals listed below and indicate your willingness to make them available in the month of October. The OPC makes this request based on the central role the individuals played in the key events leading up to the delamination that occurred in the course of making the temporary construction opening as part of the governing Engineering Change (EC) 63016.

While we recognize that not all of the individuals are employees of PEF, all were or are contractors or retirees of the company or its affiliates and were involved in the project as a result of decisions that Progress made in how to manage the project. We have listed the deponents in the order of importance with respect to timeliness. However, it should be noted that all of the prospective deponents are at a minimum critical to the case and the OPC must have an opportunity to interview them in deposition in order to test the prudence of PEF's decisions and actions.

This list is preliminary and will likely expand as further information is evaluated. The individuals to be deposed are the following (and some aspect of their relevance is described based on OPC's belief and information):

1. **John Holiday**, Civil Engineering (either PGN employee or seconded contractor); responsible for the direct oversight of the Sargent and Lundy (S&L) calculations supporting the EC 63016;

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2. **Dan Jopling**, Engineering supervisor for the Steam Generator Replacement (SGR) Project;
3. **Scotty Hinnant**, former PGN Chief Nuclear Officer who was involved in the decision to authorize the temporary construction opening rather than utilization of the existing equipment hatch;
4. **Ken Lanham**, PGN contract civil engineer who acted for a time as a third party reviewer of certain S&L calculations (including S06-002) on behalf of PGN;
5. **Javad Moslemian**, S&L civil engineer who was responsible for producing the calculations utilized to support EC 63016;
6. **Howard Hill**, PGN contract civil engineer who was responsible for third party review of EC 63016 and S&L calculations, including those relating to tendon detensioning and retensioning;
7. **Chris Sward**, S&L engineer manager with responsibilities related to review and approval of engineering calculations performed by S&L supporting EC 63016;
8. **Dr. Domingo Carreira**, S&L contract civil engineer responsible for designing the concrete mix for the temporary construction opening repair;
9. **Dhirien Pandya**, PGN employee or seconded contractor responsible for third party civil engineering review of EC 63016;
10. **John Burchett**, PGN contractor with some responsibility for activities related to tensioning and detensioning of the CR3 containment building.

This letter is being sent to begin a dialogue on how the OPC can interview individuals vital to the parties and the Commission understanding key facts in this case and maintain the schedule that we anticipate will be established. As you know, these individuals have important information and the timely availability of the individuals will have an essential bearing on the ability of the OPC and other Intervenors to properly and adequately prepare testimony.

Please advise your earliest convenience when we can discuss PEF's willingness to make these individuals available so that notices can be prepared and the associated logistics can be arranged.

Thank you for your consideration. I look forward to discussing this matter with you.

Sincerely,



Charles J. Rehwinkel
Deputy Public Counsel

cc: parties of record; docket file