CME Interrogatory #19

Interrogatory

Reference:
Exhibit D2, Tab 2, Schedule 10

With respect to the D20 Storage Project:

(a) Please provide all reports or documents by Modus/Burns McDonnell with respect to the D20 project;

(b) Please provide all reports or other documents created by OPG's P&M group with respect to the D20 project.

Response

(a) All reports by Modus/Burns McDonnell regarding the Darlington Refurbishment Program since EB-2016-0152 have been provided in response to L-D2-02-SEC-084. Of that set, Attachment 2 (confidential) is the only one related to the D2O Storage Project. Additional Modus/Burns reports regarding the D2O Storage Project were produced as part of OPG's evidence in EB-2016-0152. See Ex. L-04.3-1-Staff-072, Attachments 1 to 11, 15, and 19.

(b) OPG declines to answer on the basis that this is not an appropriate question. The question ignores the principle of proportionality, which underlies the interrogatory process, in that it is overly broad and all encompassing. Contrary to the OEB Rules of Practice and Procedure (Section 26.02 (d)), the question does not "contain specific requests for clarification of a party's evidence, documents or other information in the possession of the party and relevant to the proceeding."

The question contemplates the production of "all reports or other documents created by OPG's P&M group with respect to the D2O project" without limit. Responding to this request would require the production of thousands of documents.