

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
COUNTY OF KING**

ANTHONY DEIEN, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

SEATTLE CITY LIGHT

Defendant.

NO. 19-2-21999-8 SEA

DECLARATION OF SETTLEMENT ADMINISTRATOR

I, RYAN ALDRIDGE, hereby declare as follows:

I. INTRODUCTION

1. ***Personal Information.*** I am a Project Manager for Postlethwaite & Netterville, APAC (“P&N”). P&N was retained as the Settlement Administrator in this case, and, as the project manager, I am personally familiar with the facts set forth in this declaration. If called as a witness, I could and would competently testify to the matters stated herein.
2. ***The Capacity and Basis of this Declaration.*** I am over the age of 21. Except as otherwise noted, the matters set forth in this Declaration are based upon my personal knowledge, information received from the parties in this proceeding (the “Parties”), and information provided by my colleagues at P&N and our partners.

II. BACKGROUND

3. ***Preliminary Approval.*** On October 13, 2021, the Court entered its order preliminarily approving the Settlement Agreement and the appointment of P&N as Settlement Administrator. After the

Court's preliminary approval of the Settlement, P&N began to implement and coordinate the notice program.

4. ***The Purpose of this Declaration.*** I submit this Declaration to evidence P&N's compliance with the terms of the Preliminary Approval Order and detail P&N's execution of its role as the Settlement Administrator.

III. CLASS NOTICE PROGRAM EXECUTION

5. ***Notice Database.*** P&N maintains a database of 307,179 Settlement Class Members ("Class Notice List"). P&N received the class data in three separate files from counsel for Seattle City Light with a total of 307,980 records. After consolidating the files and de-duplicating the records based on Seattle City Light Account ID, P&N determined that 307,179 unique account IDs existed to which notice should be issued as outlined within the Settlement Agreement. Of the 307,179 records, 307,138 contained an Email or mailing address that was sufficient to attempt to issue notice.
6. ***Email Notice.*** Beginning on January 11, 2022, P&N caused Email Notice to be sent to the 113,964 email addresses on the Class Notice List. Ultimately, the Email Notice was successfully delivered to 106,169 email addresses, or 93.16% deliverability. A true and correct copy of the Email Notice sent to those identified on the Class Notice List is attached hereto as **Exhibit A**.
7. ***Mail Notice.*** P&N coordinated and caused the mailing of the Postcard Notice to be mailed via First-Class Mail to Settlement Class Members for which (a) an Email address was not available or an Email Notice was not successfully delivered and (b) a mailing address was available from the class data. The Postcard Notice included the web address to the case website for access to additional information, rights and options as a Class Member and the dates by which to act on those options, and the date and location of the Final Approval Hearing. A true and correct copy of the Postcard Notice is attached hereto as **Exhibit B**.

8. ***Mail Notice Delivery.*** Prior to the mailing, all mailing addresses were checked against the National Change of Address (NCOA) database maintained by the United States Postal Service (“USPS”). In addition, the addresses were certified via the Coding Accuracy Support System (CASS) to ensure the quality of the zip code and verified through Delivery Point Validation (DPV) to verify the accuracy of the addresses. P&N executed Postcard Notice mailings to 200,969 Settlement Class Members and supplemental mailings to 7,483 Class Members whose initial Postcard Notices were not deliverable but for whom we were able to obtain an alternative mailing address via skip trace searches using the LexisNexis third party vendor database.
9. ***Settlement Post Office Box.*** P&N maintains the following Post Office Box (the “P.O. Box”) for the Settlement Program:

SCL Billing Settlement Administrator
c/o Postlethwaite & Netterville
PO Box 1029
Baton Rouge, LA 70821

This P.O. Box serves as a location for the USPS to return undeliverable program mail to P&N and for Settlement Class Members to submit Claim Forms, Exclusion Request Forms, and other settlement related correspondence. The P.O. Box address appears prominently in all Notices and in multiple locations on the Settlement Website. P&N monitors the P.O. Box daily and uses a dedicated mail intake team to process each item received.

10. ***Settlement Website.*** On January 11, 2022, a neutral, informational Settlement Website, www.SCLBillingSettlement.com, was created to provide Settlement Class Members access to the Claim Form, Notices, Settlement Agreement, and other relevant documents. The Settlement Website also includes relevant dates, answers to frequently asked questions, instructions for how Settlement Class Members may opt-out (request exclusion) from or object to the Settlement, contact information for the Settlement Administrator, and provides Settlement Class Members

with the ability to submit a claim using the online claim form and instructions for completing a claim submission. As of March 28, 2022, the Settlement Website has received 255,920 page views from 93,480 unique visitors.

11. ***Toll-Free Number.*** P&N established a toll-free telephone number, 1-844-633-0260 (the “Toll-Free Number”), which is available twenty-four hours per day. Settlement Class Members can call and interact with an interactive voice response (“IVR”) system that provides important settlement information and offers the ability to leave a voicemail message to address specific requests or issues. The Toll-Free Number appeared in all Notices, as well as in multiple locations on the Settlement Website. The Toll-Free Number will remain active through the close of this Settlement Program. As of March 28, 2022, P&N has received 2,500 calls to the toll-free number.
12. ***Email Support.*** P&N established an Email address, info@SCLBillingSettlement.com, to provide an additional option for Settlement Class Members to address specific questions and requests to the Settlement Administrator for support. As of March 28, 2022, P&N received 383 emails to the Email address established for the settlement.

IV. NOTICE PROGRAM REACH

13. ***Notice Reach Results.*** Through the Notice procedures outlined above, P&N attempted to send direct notice to all 307,138 Settlement Class Members for which an Email or a mailing address was available. The Notice Program reached a total of 301,534 Settlement Class Members.¹ Table 1 below provides an overview of dissemination results for the Notice Program and Table 2 provides an overview of the reach statistics for the Notice Program.

¹ A Settlement Class Member is considered “reached” by direct Notice if a Postcard Notice mailed to the Settlement Class Member has not been returned by the USPS as undeliverable.

Table 1: Notice Program Dissemination Results		
Description	Volume (#)	Percentage of Class Members (%)
Class Members	307,179	100.00%
E-Mail Notices		
Total E-Mail Notices Sent	113,964	37.10%
Total E-Mail Notices Delivered	106,169	34.56%
Total E-Mail Notices Bounced/Undeliverable	7,795	2.54%
Mail Notice		
Total Postcard Notices Mailed	200,969	65.42%
Total Postcard Notices Returned as Undeliverable	11,354	3.70%
Mail Notice Re-Mailed		
Total Postcards Re-Mailed	7,483	2.44%
Total Undeliverable (Re-Mailed) Postcards	1,733	0.56%

Table 2: Notice Program Reach Statistics		
Description	Volume (#)	Percentage of Class Members (%)
Class Members	307,179	100.00%
Received E-mail Notice	106,169	34.56%
Received Postcard Notice	195,365	63.60%
Received Direct Notice	301,534	98.16%

V. SUPPLEMENTAL NOTICE

14. *Supplemental Email Notice.* In addition to the Court approved notice program detailed in sections III and IV, P&N initiated a supplemental reminder Email notice campaign to all Settlement Class Member for whom an email was previously delivered but had not submitted a claim as of the date of the reminder email. The supplemental email campaign commenced on February 21, 2022. P&N sent the supplemental email to 94,057 Class Members with 90,736 emails delivered.

VI. NOTICE AND ADMINISTRATION COSTS

15. **Notice and Administration Costs.** P&N has incurred \$165,885 in fees and costs completing the notice plan and administering the Settlement and anticipates incurring \$36,612 in additional fees and costs for a total anticipated notice and administrative costs of \$202,497.

VII. SETTLEMENT FUND SUMMARY

16. **Settlement Fund Summary.** If the Court awards the requested attorneys' fees, costs, incentive award, and administrative costs, the Net Settlement Class Recovery amount will be \$2,420,003.00, with \$605,000.75 allocated to the True Up Fund and \$1,815,002.25 allocated to the Elevated Bill Fund as shown in Table 3 below.

Table 3: Settlement Fund Summary	
Total Settlement Fund	\$3,500,000.00
(-) Attorney Fees	\$875,000.00
(-) Attorney Costs	Included Above
(-) Incentive Award	\$2,500.00
(-) Administrative Costs	\$202,497.00
(=) Net Funds for Distribution	\$2,420,003.00
<i>True Up Fund</i>	<i>\$605,000.75</i>
<i>Elevated Bill Fund</i>	<i>\$1,815,002.25</i>

VIII. CLAIM ACTIVITY

17. **Claim Intake and Processing.** P&N has processed, reviewed, and categorized all claim submissions received as of March 28, 2022. **Valid Claims** are non-duplicate submissions where the claimant information provided did match Class Member data records. **Invalid Claims** are *either* those where the claimant information provided did not match Class Member data records *or* duplicate claim submissions. **Pending Deficiency Claims** are those where additional information is required to determine the validity of the claim. **Late Claims** are submissions postmarked after February 28, 2022. Table 4 provides an overview of the claim statuses as of March 28, 2022.

Table 4: Claims Status Overview (as of March 28, 2022)		
Description	Volume (#)	Claims Rate (%)
Class Members	307,179	
Total Claims Received	36,965	12.03%
Valid Claims	34,778	11.32%
Invalid Claims	128	0.04%
Pending Deficiency Claims	2,036	0.66%
Late Claims	23	<0.01%

18. *Estimated Award Calculation.* If all 2,036 claimants respond and cure deficiencies, the per claim award for the True Up Fund will be \$17.64. If zero deficiencies are cured by claimant responses, the per claim award for the True Up Fund will be \$18.74. Claimant responses to cure deficiencies are due to be received or postmarked no later than April 27, 2022. Per claim award for the Elevated Bill Fund will be unaffected by the deficiencies as the damages calculated by Plaintiff’s expert for each claimant does not exceed the total dollars allocated to the Elevated Bill Fund.

Table 5: Distribution Summary		
Description	All Deficiencies Cured	Zero Deficiencies Cured
True Up Fund	\$605,000.75	\$605,000.75
Projected Valid Claims (True Up)	34,283	32,271
Projected Distribution per Claim	\$17.64	\$18.74
Elevated Bill Fund	\$1,815,002.25	\$1,815,002.25
Projected Valid Claims (Elevated Bill)	2,554	2,530
Average Claim Award	\$706.68	\$705.83
Low Claim Award	\$18.92	\$18.92
High Claim Award	\$13,516.95	\$13,516.95
Total Elevated Bill Distribution	\$1,804,857.28	\$1,785,760.93

VII. EXCLUSIONS AND OBJECTIONS

19. *Exclusions (Opt-Outs) Received.* The Settlement Agreement states that “Settlement Class Members who wish to exclude themselves (i.e., opt out) from the Settlement Class must mail a letter to the

Settlement Administrator requesting exclusion from the Settlement Class on or before the Objection/Opt-Out Deadline. P&N received twenty-eight (28) exclusion requests from Settlement Class Members, which have been provided to the parties. A redacted list of the Class Members requesting to be excluded is attached as **Exhibit C**.

20. **Settlement Objections.** The Settlement Agreement directed that objections be filed with the Court. P&N understands that one objection has been filed directly with the Court. P&N, however, has not directly received any objections.

IX. CERTIFICATION

I, Ryan Aldridge, declare under the penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. Executed on this 30th day of March, 2022 at Baton Rouge, Louisiana.

A handwritten signature in black ink that reads "Ryan Aldridge". The signature is written in a cursive, flowing style.

Ryan Aldridge