



MCR Witness Effectiveness Training

Becoming a More Effective Witness™

- Provides a comprehensive approach to developing and refining communication skills
- Combines classroom instruction, workshop activities, and mock hearing experiences
- Addresses the theory, application and practice of effective witness skills and techniques
- Provides practical guidance to prepare and present every phase of testimony
- Focuses on the unique challenges of presenting testimony before a regulatory body

Who should participate?

- Executives, key employees, and expert witnesses who may be tasked with presenting testimony before state or federal regulators
- Senior personnel who support the preparation and presentation of rate and regulatory filings
- Company spokespersons and executives who respond to media inquiries, meet with potentially aggrieved customers and community leaders, or speak on behalf of a company managing a crisis

Why MCR?

MCR is uniquely positioned to facilitate your witness to *Becoming a More Effective Witness™*. Specifically, MCR brings the following qualifications to witness effectiveness training:

- **In-depth understanding of utility operations**, including familiarity with operations, cost of service, rate design, competitive forces, capacity planning, and customer service and information systems. We effectively engage and lead the nation's best utility operations in cost allocation, finance, capital structure, cost of capital, rate of return, O&M and capital budgeting, infrastructure replacement, rate and rider design, tariff language and rate case presentation.
- **In-depth understanding of the regulatory environment**, ensuring that witnesses are well prepared to be effective in any regulatory setting and ensuring that each witness understands his or her role in communicating the larger regulatory message to decision-makers and to the company's stakeholders.
- **In-depth experience with developing and leading superior rate, regulatory and witness effectiveness programs**, utilizing MCR's established tools and the approaches developed over many years, clients and jurisdictions. Our experience and approach ensure that witnesses will be confident in their ability to effectively communicate key points, recognize and respond to difficult questions, and maintain composure and control on the witness stand, leading to successful regulatory results. We have detailed knowledge and experience to prepare the company's witness to be effective.
- **A supportive, coaching approach**, in coordination with the Company's internal resources and the Company's existing law firm relationships, to refine witnesses' skills. We build on individual communication styles to more fully develop each witness' effectiveness potential.

MCR's Typical Approach to Witness Effectiveness Training

A. Classroom Sessions

Through shared classroom experiences with other witnesses and potential witnesses, we introduce class participants to the concepts that become the foundation for improved communication skills.

Step 1: Understand the individual witness' role in conveying the company's larger rate and regulatory message.

- Each witness carries a unique set of key messages through the hearing process. When each witness communicates effectively, the company's goals, objectives and rationales are clearly articulated in manner that is factually accurate and persuasively compelling.
- The ratemaking process is far more than changing the rates charged by a company to address projected revenue deficiencies. Strategic ratemaking is a process to accomplish desired results on behalf of numerous stakeholder groups and to achieve desired behaviors.
- Rate cases provide unmatched opportunities to communicate to a regulated company's stakeholders.

Step 2: Present the challenges of effectively communicating verbally and non-verbally

- All speakers, presenters and witnesses communicate both verbally and non-verbally.
- Most persuasive advocacy is accomplished through non-verbal communications. Hearing records (upon which appeals must be based) are perfected through verbal communications.
- Effective witnesses must combine both verbal and non-verbal communication skills.

Step 3: Identify key messages and home bases

- An effective witness understands the importance of being able to communicate key messages (even complex, technical points) in short and simple, yet accurate statements.

Step 4: Learn how to get back on message

- Message continuity can be challenging in any setting – none more so than in the course of unfriendly cross-examination. Effective witnesses use simple, proven methods to stay on point.

Step 5: Master the skills of highly effective witnesses

- Highly effective witnesses employ many different presentation styles, according to their own unique personalities. A style that is highly effective for one witness may, or may not, work for another. Nonetheless, all highly effective witnesses share a common set of skills that can be identified and mastered to maintain control of the communications opportunity that is provided by the hearing process.



B. Hearing Room Simulations

Although it is vitally important for witnesses to understand the intellectual underpinnings of being a highly effective witness, nothing can substitute for the actual experience of communicating from a witness stand. Consequently, MCR's typical approach to witness-effectiveness training places considerable emphasis on hearing room simulations.

Each witness is given an opportunity to present a summary of "pre-filed testimony" and to experience cross-examination in a mock hearing. If the course participant has recently prepared testimony in an actual regulatory proceeding, that testimony can be used. Otherwise, the course participant will be provided with sample testimony that is appropriate to the witness' subject matter expertise.

The witness' presentation and testimony under cross-examination will be recorded. During the cross-examination simulation, the witness will be subjected to various styles and intensities of examination. During the playback of the recorded video, we will provide careful critique to emphasize the more effective techniques; instructors will provide suggestions on how to address less effective responses.

Because the video simulation is very witness-specific, it is most effectively done in small groups. Senior officers participating as potential witnesses may wish to engage in this portion of the course individually.

The hearing room simulations provide an opportunity – in a very controlled setting – to practice the lessons from the classroom sessions. Through effective preparation, witnesses will gain the confidence and master the skills necessary to become highly effective.

About *Becoming a More Effective Witness*™ Course Facilitator

The course facilitators for *Becoming a More Effective Witness*™ have extensive experience in developing, presenting, and implementing regulatory initiatives.

Cindy Menhorn is Vice President of Electric Rates and Regulatory Services at MCR. She has more than 35 years of rates and regulatory experience. Cindy's expertise includes work on over 80 rate cases and testimony before numerous state commissions. She directed a multifunctional rate department by managing all aspects of electric rate case development, including development of revenue requirements, cost of service studies, revenue allocation and rate design, rate case strategy, testimony development and interrogatory response development. She graduated *magna cum laude* with a Master of Business Administration from Indiana University of Pennsylvania and *magna cum laude* with a Bachelor of Business Administration with a concentration in Finance from Seton Hill University.

Ian MacDougall is a Consultant in the Regulatory Services practice at MCR. He has 15 years of gas and electric utility regulatory experience. Ian's expertise includes work as an analyst and project manager for multiple large gas and electric IOUs, specializing in rate design, cost of service, cost recovery mechanisms, and rate case management. He has trained expert witnesses for multiple dockets and rate cases. Ian graduated with a Bachelor of Science from University of Maryland.



Customizable Components of the Becoming a More Effective Witness™ Course

Module		Topics	What You Will Learn
Session 1	Course Introduction: Your role in the ratemaking process	<p>Understanding the strategic implications of the ratemaking process</p> <p>Defining the role of each witness in conveying the company's larger messages</p>	<ul style="list-style-type: none"> • How to use the ratemaking process to: <ul style="list-style-type: none"> – Achieve stakeholder objectives – Establish goals and ensure corporate alignment – Communicate key messages – Influence customer and competitor behavior – Implement risk management and profit strategies – Reward and penalize performance – Change rates and revenues • How to use your unique position as an expert to communicate the company's messages
Session 2	Verbal and non-verbal communications	<p>Capitalizing on the characteristics of effective witnesses</p> <p>Using effective verbal and non-verbal communications in regulatory proceedings</p> <p>Maximizing persuasiveness while creating a record</p>	<ul style="list-style-type: none"> • How to use the building blocks of effective testimony • How all speakers, presenters and witnesses communicate verbally and non-verbally • How persuasive advocacy can be enhanced by using non-verbal communication skills • How hearing transcripts (upon which appeals must be based) should be perfected primarily through verbal communications • How highly effective witnesses combine verbal and non-verbal communication skills and techniques
Session 3	Key messages	<p>Identifying and refining key messages</p> <p>Providing evidence to support the right decision</p>	<ul style="list-style-type: none"> • How to say what you mean • How to communicate key messages (even complex, technical points) in short and simple, yet accurate statements • How to retain the decision-makers' attention • How to convey information necessary for the desired result
Session 4	Preparation	<p>Preparing for each stage of the process</p>	<ul style="list-style-type: none"> • What to do in advance of your appearance • How to accurately anticipate questions • What to take with you to the witness stand • How to prepare for the hearing • Specific recommendations to prepare for direct testimony and cross examination
Session 5	Direct testimony	<p>Maintaining focus and control</p> <p>Mastering techniques to succeed</p>	<ul style="list-style-type: none"> • How to master the skills that make witnesses more effective on the witness stand • How to communicate your messages more effectively • How to set the tone for the hearing • How to control timing, cadence and direction
Session 6	Cross examination	<p>Understanding the objectives</p> <p>Maintaining focus and control</p> <p>Mastering message discipline</p>	<ul style="list-style-type: none"> • What attorneys seek to do during cross examination • How to maintain control of your testimony • How to deliver your messages during cross examination • How to recover if your testimony is misconstrued or mischaracterized
Session 7	Potential pitfalls	<p>Recognizing potential pitfalls</p> <p>Avoiding potential pitfalls</p>	<ul style="list-style-type: none"> • How to deal with difficult questions • How to recognize and avoid the most common mistakes made by witnesses • How to maintain confidence and control under fire
Session 8	Experiential learning opportunities	<p>Communicating from a witness stand</p>	<ul style="list-style-type: none"> • Practice the lessons from the classroom sessions • Discover the areas that need attention • Improve what you already do well • Gain confidence • Master the skills necessary to become highly effective

