



## Got a date with a judge? CCA can help you prepare

KATHLEEN DAVIS, ASSOCIATE EDITOR

"Ken Lay could have really used your services," I joked while interviewing Nancie Poppema, executive vice president for the Communication Counsel of America.

She laughed and added, "We've heard that a lot recently. After the scandal broke, one of our clients said, 'Well, you obviously don't do any work for Enron.'"

I first became aware of the Communication Counsel of America (CCA) when I received a mailer about their recent assignments, but what kept that pamphlet from being tossed in the circle file like most of the other promo material I get everyday was its tagline: *The Communication Counsel of America prepares organizations to address high-risk controversy and pursue high-stakes opportunities.*

Obviously, this was no ordinary P.R. firm. In fact, according to CCA, they do absolutely no P.R. Not an iota. Not an inch. Not at all. CCA exists for one purpose only: To teach you how to answer those tough questions, whether they be directed by lawyers, judges, Congress, investors or the press.

"We are unique," Poppema stated. "We've been around for 27 years and have never published a list of our clients. We've never advertised; we don't market. In fact, we were surprised by your inquiry and wondered just how you managed to get one of our 'recent assignment' pamphlets."

What can I say? I guess it was just a happy accident, a quirk of fate, a good feature falling into my lap.

The CCA curriculum

According to CCA's teaching materials, "a crisis is a platform from which to build credibility," but I have to admit, upon my first reading, I thought the

saying was all about "spin," putting the proper amount of English—to borrow a billiards term—on the problem.

But, an hour talking with Nancie Poppema convinced me that CCA is, at its core, about owning up. They have one major push: They want you to tell the truth, even if it's painful.

"You've got to fall on your sword and be up front with your past practices," Poppema said. "And then go on to what you're doing about it today and in the future." Some utilities are more willing to practice this concept than others, Nancie stated. "If a utility is looking for someone to manipulate and spin, it would not be us."

"We say, 'You know what, there are a lot of other companies out there who will help you spin this any way you want, but we're not it,'" she added.

It may sound a little white-washed and "goodie, goodie" to propose the truth as a company's salvation, but CCA isn't naïve. They realize that, for the truth to have the proper impact, it

must come in the right polished package. This is where their basic "Straight Question Model" comes into play.

"For those who are saying 'no, we can't possibly admit we did this,' remember that if you hold the sword in your own hand, you can put it in and pull it out cleanly. You have control of it. If someone else has that sword, that truth, and you spin things to make them sound pretty, that someone else is going to cut you to pieces and leave you bloody," Poppema stated.

According to Poppema, most witnesses answer in one of two ways. Either they give short, clipped answers which

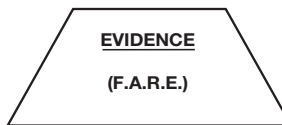
Straight questions are straightforward, "unloaded" probes for a limited amount of information. To deal with them, use the Straight Question Model. Here it is in complete form.

### STRAIGHT QUESTION MODEL

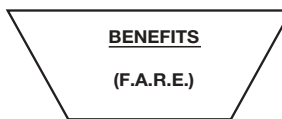
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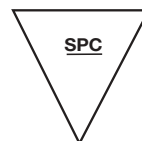
**DIRECT ANSWER (DA):** Answer the question honestly, in a few words. When necessary, define technical terms. Take a strong **POSITION** – a bold, defensible claim.



**EVIDENCE:** "Prove it!" Support your DA + POSITION with **Facts, Analogies, References, or Examples**. Remember that generalities mean very little to a concerned listener.



**BENEFITS:** Listeners want to know, "What's in it for me?" What advantage is provided? Tell them. Add F.A.R.E. support.



**SHORT POSITIVE CONCLUSION (SPC):** End on the positive, even though the original question may have contained negative implications. This is the last, positive thought you wish to leave with your listeners.

Note: Learn to accomplish this in 60 seconds or less. This helps to maintain audience interest in your answers. In trials, it lessens the chance of an interruption. In media interviews, it minimizes the damage that can be done to you through editing.

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force a lawyer to probe (and, in turn, make the witness seem as if he's hiding something), or they give long-winded explanations where the point may be somewhere down the primrose path four paragraphs later (and the witness still looks like he's hiding something). This is where CCA's model comes into play, for when you are telling the truth, you should also sound like you're telling the truth.

"A typical utility witness, who is generally an engineer or came from an engineering or financial background, has a tendency to want to 'back' into the answer," Poppema says. "Utilities are technically based, and technically oriented people have been taught to give the hypothesis, the methodology, the parameters, etc., but all the questioner wants is the answer."

"It's like the old joke: please don't ask an engineer what time it is because they'll tell you how to build a clock," she added. "So, getting that direct answer up front is very difficult for a utility witness just because of their technical background. They're not dishonest; they've just been taught differently. And, yet, if they back into an answer on the stand, they've just lost their credibility, no matter how much truth is in there."

CCA's model proposes that you give a definite answer and then add a bold position (What's your point?) without pausing—for a lack of breath or pause can prevent the questioner, especially in electronic media, from interrupting. If evidence and benefits can be claimed from the position, you should add those as well, and, finally, you should wrap it up with a short, positive conclusion.

The following example is from an article that Poppema and George Lyons wrote for *The National Law Journal*.

Without CCA's model, a witness may be tempted to act out this scenario:

- Questioner: And did your company subject these one-inch bolts to destructive testing to determine whether or not they would support

the enormous weight of this roof [pointing]?

- Witness: No.
- Questioner: And management did not tell you to undertake such testing, did they?
- Witness: No.
- Questioner: No further questions.

Using the formula behind the CCA model, the same witness could have answered this way:

- Questioner: And did your company subject these one-inch bolts to destructive testing to determine whether or not they would support the enormous weight of this roof [pointing]?
- Witness: No, our supplier is required to conduct such testing, and that is a standard practice for our industry.

In a nutshell, I asked Poppema what she would say to a witness on his way to the stand, what her one piece of advice would be, even if she'd never seen him before and never had the chance to prepare him. She said, "Tell the truth, and put it up front."

#### CCA and the energy industry

According to Poppema, CCA has seen a rise in the number of utility and power company clients over the last few years, but it has, by no means, been sudden or unexpected. They've had utility clients for decades and have seen surges like this before, even if they are driven by different issues each time: activism against nuclear power, prudence hearings, rate cases, and now regulator and shareholder pressure.

"We've been doing this a long time, particularly in the utility business," she stated. "We grew up in the utility business. All 27 years, we've had utilities as clients."

Poppema herself came from Salt River Project and the company president, Ronald Gossling, hailed from Southern California Edison and "cut his teeth on debating Ralph Nader on the nuke issues," according to Poppema.

These days, however, the issue driving that surge in utility clients isn't some-

thing exterior, like the protests against nuclear power in the 1970s, according to CCA. Instead, this new utility environment—tinted by Enron and Andersen—has put more pressure on the executives, more pressure than they've ever felt before to "be in the know."

"I guess I would point to that as being a bit more unique today for the utility industry than for some of the other industries, but, certainly, there will be a ripple effect and other industries will follow," Poppema said.

"In fact, the utility industry has been the forerunner in a number of major shifts in corporate America. This is just the latest," she added. "But we've certainly had to push the top level of our utility clients to get more detail, to understand more, to be able to demonstrate that understanding and do something about it."

"In the past, utility executives could give you high-level answers, and you'd expect that from an executive," Poppema said. "They can't do that now, not today, not in this environment. Today's executive has to have a lot more support, proof, evidence on which to base his/her answers. That's a quantum shift in executive trends. It used to be expected that they would look outside, toward the future. Now they need to look inside and know their company from the mailroom up."

"Think of how much pain Enron could have saved themselves, the industry, the government, and corporate America in general, if they'd just had the guts to fall on their sword," she added. ELP

*The Communication Counsel of America is a group of high-risk communication consultants based in Dallas, Texas. They offer a number of preparation services for a variety of controversial topics, including seminars and in-depth immersion programs. More information can be found at [www.cca-consulting.com](http://www.cca-consulting.com).*

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