

BEFORE  
THE OHIO POWER SITING BOARD 2008 MAR 27 PM 4: 24  
OF  
THE STATE OF OHIO

PUCO

FILE

In the Matter of: )  
The Certificate Application of )  
American Transmission Systems, Inc. and )  
The Cleveland Electric Illuminating Company )  
for a Certificate of Environmental Compatibility )  
and Public Need for the Construction of the )  
Geauga County 138KV Transmission Line )  
Supply Project )

CASE NO. 07-0171-EL-BTX

---

**CITIZENS ADVOCATING RESPONSIBLE ENERGY'S FIRST SET OF  
INTERROGATORIES AND DOCUMENT REQUESTS TO AMERICAN  
TRANSMISSION SYSTEMS, INCORPORATED AND  
THE CLEVELAND ELECTRIC ILLUMINATING COMPANY**

---

Pursuant to Ohio Administrative Code Rule 4906-7-07, Intervenor Citizens  
Advocating Responsible Energy ("CARE") hereby requests that Applicants American  
Transmission Systems, Inc. and The Cleveland Electric Illuminating Company  
(collectively the "Applicants") serve a written response to each of the following discovery  
requests within twenty (20) days of service. All requests are to be answered in  
accordance with the following instructions and definitions:

**INSTRUCTIONS**

1. With respect to all requests, all information, tangible things and documents  
are to be divulged which are within the knowledge, possession or control of the Applicants,  
its attorney or other representative.

2. When a discovery request calls for an answer in one or more parts, the parts should be separated in the answers so that they are clearly understandable.

3. The space for the answer following each request is not intended to limit your response or to suggest in any way the length of the answer that is required. If additional space is required to answer as fully as needed, please attach a separate sheet to the page upon which the interrogatory appears and indicate on such sheet the number of the interrogatory to which the answer relates.

4. If a request is made for the identification or production of documents or other tangible things which are no longer in the possession or subject to the control of the Applicants, please state when such documents or other tangible things were most recently in the possession or subject to the control of the Applicants and what has become of them, and identify the persons presently in possession or control of the documents or other tangible things. If any documents or other tangible things have been destroyed, please state when such documents or other tangible things were destroyed and the person who directed that the documents or other tangible things be destroyed and state the reason(s) the documents or other tangible things were destroyed.

5. If you object to providing the answer to any request, in whole or in part, please state clearly the basis for the objection. If a privilege is claimed, please identify any document or communication for which a privilege is claimed and set forth the nature of the privilege asserted.

6. These requests shall be deemed to be continuing to the extent permitted by Ohio Administrative Code Rule 4906-7-07. You are under a continuing duty to seasonably supplement your responses to these requests, including your responses with respect to

any question relating to the identity and location of persons having knowledge of discoverable matters, and to correct any responses which you know or later learn to be incorrect.

7. If the Applicants claim privilege as a ground for not answering any interrogatory, in whole or in part, or for not producing any requested document, they shall describe the factual basis for the claim of privilege with sufficient detail so as to permit the Administrative Law Judge to adjudicate the validity of the claim. Furthermore, the Applicants shall identify and list all documents or communications requested but withheld from production on the ground of privilege. All such documents or communications shall be retained intact pending a ruling by the Administrative Law Judge on any claim of privilege. Each document or communication shall be identified by:

- (a) the names and titles of all authors and recipients;
- (b) the date the document or communication was prepared;
- (c) the name and title of each person who had access to or custody of the document or communication;
- (d) a general description of the subject matter and nature of the document or communication;
- (e) the present custodian;
- (f) the subject matter and nature of the privilege claimed; and
- (g) if the attorney-client privilege is claimed, the date when the alleged attorney-client relationship arose.

8. All answers and responses to these discovery requests shall be delivered to counsel for CARE at the following address:

Thomas J. Lee  
Taft Stettinius & Hollister LLP

200 Public Square, Suite 3500  
Cleveland, Ohio 44114

9. Unless otherwise specifically stated, the authenticity and admissibility of each and every document you submit in response to this request for production shall be deemed admitted for purposes of this action, including at the adjudicatory hearing.

10. For each response to a request for production of documents, indicate the title of, or if unknown, briefly describe each document being produced. If any subject matter is deleted or redacted from a document that is produced, state the reason(s) for the deletion or redaction and describe generally the subject matter of the deleted or redacted material.

11. As used in these requests, unless incompatible with the intent of the questions where used, words in the singular tense shall be construed to include the plural and vice versa, and pronouns of any gender shall be construed to include masculine and feminine genders.

12. The present tense shall be construed to include the past tense and the past tense shall be construed to include the present tense. Where the context herein makes it appropriate, each singular word shall include its plural and each plural word shall include its singular.

#### **DEFINITIONS**

Unless a contrary meaning appears in the context of a specific request, the following definitions apply:

1. The term "communication" shall include any and all forms of communication including, but not limited to, conversations, conferences, meetings and other face-to-face communications, telephone calls and other forms of verbal or oral communication,

correspondence, telegrams, telexes, faxes, e-mails, and all other forms of written communication. In the case of parties to a conversation or consultation:

- (a) The name, last known business and home address, and home telephone number of each party;
- (b) The present position or title for each party;
- (c) The position or title of each party at the time referred to in the particular Interrogatory;
- (d) The exact date of the conversation or consultation.

2. "Document" or "documents" means any original and any non-identical copy, regardless of origin or location, written, typed, printed, recorded or graphic matter, however produced or reproduced, of any type or description, regardless of origin or location, including without limitation all correspondence, records, tables, charts, analyses, graphs, schedules, reports, memoranda, notes, lists, calendar and diary entries, letters (sent or received), e-mails, telegrams, telexes, Internet communications, messages (including, but not limited to reports of telephone conversations and conferences), studies, books, periodicals, magazines, booklets, circulars, bulletins, instructions, papers, files, minutes, other communications including, but not limited to, inter and intra office communications such as e-mail, questionnaires, contracts, memoranda or agreements, assignments, licenses, ledgers, books of account, orders, invoices, statements, bills, checks, vouchers, notebooks, receipts, acknowledgments, data processing cards, computer generated matter (including material on computer diskettes, back-up tapes or hard drives), photographs, photographic negatives, phonograph records, tape recordings, wire recordings, other mechanical recordings, transcripts or logs of any such recordings,

all other data compilations from which information can be obtained, or translated if necessary, and any other tangible thing of a similar nature.

3. The terms "identify," "identity," and "identification," "describe" and "description" mean:

(a) In the case of an individual, to state:

- (1) his name and last known business and home address;
- (2) his present position or title; and
- (3) his position or title at the time referred to in a particular Interrogatory.

(b) In the case of a firm or organization, to state the name, address and telephone number of the firm or organization.

4. "And" and "or" as used herein are both conjunctive and disjunctive.

5. "Any" shall be construed to include "all" and "all" shall be construed to include the word "any".

6. "Each" shall be construed to include the word "every" and "every" shall be construed to include the word "each."

7. The term "Applicants," "you," and "your" shall refer to Applicants American Transmission Systems, Inc. and The Cleveland Electric Illuminating Company, and any of their representatives, agents, and assigns.

8. The term "Action" shall refer to the case captioned *The Certificate Application of American Transmission Systems, Inc. and The Cleveland Electric Illuminating Company for a Certificate of Environmental Compatibility and Public Need for the Construction of the Geauga County 138KV Transmission Line Supply Project, Ohio* Power Siting Board Case No. 07-0171-EL-BTX.

9. The term "CARE" shall refer to Intervenor Citizens Advocating Responsible Energy.

10. "Employee," "trustee," "agent," "consultant," or "representative," shall mean any person serving, acting or being in such capacity at a relevant time even if such person may no longer be acting in that capacity.

11. "Project" means the Geauga County 138kV Transmission Line Supply Project, as set forth in the Application of American Transmission Systems, Inc. and the Cleveland Electric Illuminating Company for a Certificate of Environmental Compatibility and Public Need.

12. "Person" means an individual, corporation, proprietorship, partnership, professional corporation, association, organization, group, governmental agency or agent, and any other entity as referenced in Ohio Revised Code Chapter 4906.

13. "Relating to" means referring to, reflecting directly or indirectly, mentioning or describing, pertaining to or being connected with the matter at issue in any manner logically, factually, directly or indirectly.

14. The term "Application" shall refer to the Application of American Transmission Systems Incorporated and The Cleveland Electric Illuminating Company for a Certificate of Environmental Compatibility and Public Need for the construction of the Geauga County 138 kV Transmission Line Supply Project, which was filed in the instant matter.

15. "State Route 528" shall refer to the proposed route identified as the "Preferred Route" in the Application, which runs through Madison Township of Lake County and Thompson, Montville, and Huntsburg Townships of Geauga County.

16. "Clay Street Route" shall refer to the proposed route identified as the "Alternate Route" in the Application, which runs primarily adjacent to Clay Street and through Thompson, Montville, and Huntsburg Townships of Geauga County.

17. The term "Rachel Line" shall refer to the Rachel Transmission Line Project as proposed by The Cleveland Electric Illuminating Company in Ohio Power Siting Board Case No. 95-600-EL-BTX.



## **INTERROGATORIES**

### **Interrogatory No. 1:**

Identify every person who participated in furnishing any information in preparing answers to these Interrogatories and Requests for Production of Documents.

**ANSWER:**

### **Interrogatory No. 2:**

Identify the individuals and/or entities responsible for drafting the Application.

**ANSWER:**

### **Interrogatory No. 3:**

Identify the URS Corporation employees, representatives, and/or agents responsible for preparing and drafting the Route Selection Study included in the Application and provide each individual's area of expertise.

**ANSWER:**

### **Interrogatory No. 4:**

Identify whether you will produce witnesses from URS Corporation for deposition without the issuance of a subpoena.

**ANSWER:**

### **Interrogatory No. 5:**

Explain why the Rachel Line was never constructed.

**ANSWER:**

**Interrogatory No. 6:**

Identify the basis for your contention on page 33 of the Route Selection Study included in the Application that the "certificated Rachel route" was "limited by recent development and the restrictions placed upon the Geauga County bicycle path" and provide the source of this information.

**ANSWER:**

**Interrogatory No. 7:**

Identify the "recent development and the restrictions placed on the Geauga County bicycle path" as referred to on page 33 of the Route Selection Study included in the Application.

**ANSWER:**

**Interrogatory No. 8:**

Identify each expert the Applicants intend to call as a witness at the adjudicatory hearing in this Action, including the subject matter on which the expert is expected to testify.

**ANSWER:**

**Interrogatory No. 9:**

For each expert identified in response to Interrogatory No. 8, identify all facts or data known or opinions held by the expert relevant to the subject matter of these proceedings.

**ANSWER:**

**Interrogatory No. 10:**

Identify each witness the Applicants intend to call as a witness at the adjudicatory hearing in this Action, including the subject matter on which the witness is expected to testify.

**ANSWER:**

**Interrogatory No. 11:**

For each witness identified in response to Interrogatory No. 10, identify all facts or data known or opinions held by the witness relevant to the subject matter of these proceedings.

**ANSWER:**

**Interrogatory No. 12:**

Identify the "representatives of the Geauga County Park District" who "stated they objected to a transmission line route that would be adjacent to the bike path" as set forth in the Application on page 25 of the Route Selection Study.

**ANSWER:**

**Interrogatory No. 13:**

Identify the maximum distance, in miles, from the zero reference point of the present Ruth substation, to the most westerly point on Mayfield Road where the proposed Stacey substation could be located, while maintaining solution of all voltage regulation, capacity/thermal issues, and N-1 contingencies. Include the calculations and model results to support this distance.

**ANSWER:**

**Interrogatory No. 14:**

Identify the maximum distance, in miles, from the zero reference point of the present Ruth substation, to the most easterly point on Mayfield Road where the proposed Stacey substation could be located, while maintaining solution of all voltage regulation, capacity/thermal issues, and N-1 contingencies. Include the calculations and model results to support this distance.

**ANSWER:**

**Interrogatory No. 15:**

Identify the range of locations along transmission circuit Q-3-AT-MF that are suitable for location of a tapped or looped transmission line extension to feed the proposed Stacey substation. If the range is different from the complete length of transmission circuit Q-3-AT-MF, explain the reason for the location restriction.

**ANSWER:**

**Interrogatory No. 16:**

Explain what, if any, restrictions exist with respect to locating a two circuit 138 kV transmission line adjacent to or along a state route, such as State Route 11, and identify the basis for said restrictions.

**ANSWER:**

**Interrogatory No. 17:**

Explain the mechanism by which 36 kV subtransmission circuits MF-20, MF-21 and MF-22 are interconnected and loads distributed between the three circuits in the Middlefield vicinity.

**ANSWER:**

**Interrogatory No. 18:**

Identify the specific operational differences between a tapped, two circuit 138 kV transmission line extension and a looped, two circuit 138 kV transmission line extension as related to differing effects on voltage regulation, thermal/capacity issues, and N-1 contingencies.

**ANSWER:**

**Interrogatory No. 19:**

Identify all documents and exhibits you intend to introduce at the adjudicatory hearing in this Action.

**ANSWER:**

**Interrogatory No. 20:**

Identify whether State Route 528 serves the same purpose as the Rachel Line.

**ANSWER:**

**Interrogatory No. 21:**

Identify whether the Clay Street Route serves the same purpose as the Rachel Line.

**ANSWER:**

**Interrogatory No. 22:**

Identify any differences between the collection and evaluation of data related to URS Corporation's Route Selection Study and the collection and evaluation of data related to any route selection studies conducted in Ohio Power Siting Board Case No. 95-600-EL-BTX.

**ANSWER:**

## **REQUESTS FOR PRODUCTION**

### **Document Request No. 1:**

Any and all documents that were consulted, support, refute and/or are referred to in your answers to CARE's Interrogatories.

**ANSWER:**

### **Document Request No. 2:**

Any and all drafts of the Application.

**ANSWER:**

### **Document Request No. 3:**

Any and all documents given to and/or received from URS Corporation related to the Project.

**ANSWER:**

### **Document Request No. 4:**

Any and all documents given to and/or received from URS Corporation related to the Route Selection Study conducted by URS Corporation.

**ANSWER:**

### **Document Request No. 5:**

Any and all documents that refer, relate or otherwise pertain to any and all communications and/or correspondence by and/or between the Applicants and URS Corporation relating to the Project.

**ANSWER:**

**Document Request No. 6:**

Any and all drafts of the Route Selection Study conducted by URS Corporation.

**ANSWER:**

**Document Request No. 7:**

Any and all documents that refer, relate, or otherwise pertain to the Rachel Line.

**ANSWER:**

**Document Request No. 8:**

Any and all documents regarding the data and information collected and analyzed by the Applicants and/or URS Corporation relating to State Route 528.

**ANSWER:**

**Document Request No. 9:**

Any and all documents regarding the data and information collected and analyzed by the Applicants and/or URS Corporation relating to the Clay Street Route.

**ANSWER:**

**Document Request No. 10:**

A detailed map of the 36 kV subtransmission system within, but not limited to, the area containing all of the transmission alternatives identified in Application Section 4906-15-02(D), Analysis of Alternatives, including the normal operating position of all subtransmission circuit switches.

**ANSWER:**

**Document Request No. 11:**

An electronic copy of the Applicants' base case power flow model data, as identified in Section 4906-15-02(A)(4) of the Application.


**ANSWER:**

**Document Request No. 12:**

Any and all documents and exhibits that you intend to introduce at the adjudicatory hearing.

**ANSWER:**

Respectfully submitted,



Thomas J. Lee (0009529)

*tlee@taftlaw.com*

Julie A. Crocker (0081231)

*jcrocker@taftlaw.com*

Taft, Stettinius & Hollister LLP

200 Public Square, Suite 3500

Cleveland, OH 44114-2302

(216) 241-2838

(216) 241-3707

Counsel for Citizens Advocating  
Responsible Energy



### CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing First Set of Interrogatories and Document Requests to American Transmission Systems, Incorporated and The Cleveland Electric Illuminating Company was served this 26th day of March, 2008, via electronic mail and regular U.S. Mail upon the following:

Christopher Schraff  
*cschraff@porterwright.com*  
Robert J. Schmidt, Jr.  
*rschmidt@porterwright.com*  
Porter Wright Morris & Arthur  
41 South High Street  
Columbus, Ohio 43215

*Attorneys for Applicants*  
*American Transmission Systems, Inc.*  
*And The Cleveland Electric Illuminating*  
*Company*

I hereby certify that a true and accurate copy of the foregoing First Set of Interrogatories and Document Requests to American Transmission Systems, Incorporated and The Cleveland Electric Illuminating Company was served this 26th day of March, 2008, by regular U.S. Mail upon the following:

Ted Krauss  
American Transmission Systems, Inc.  
76 South Main Street  
Akron, Ohio 44308-1890

*Representative of Applicant American*  
*Transmission Systems, Inc.*

Morgan Parke  
Michael R. Beiting  
First Energy Service Company  
76 South Main Street  
Akron, Ohio 44308

*Representatives of Applicants*  
*American Transmission Systems, Inc.*  
*and The Cleveland Electric*  
*Illuminating Company*

  
\_\_\_\_\_  
Julie A. Crocker

**VERIFICATION**

State of Ohio    )  
                          ) :ss  
County of        )

\_\_\_\_\_ swears under oath that he/she has answered the foregoing Interrogatories truthfully and correctly to the best of his/her ability.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

Sworn to and subscribed in my presence this \_\_\_\_ day of \_\_\_\_\_, 2008.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public