

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

<b>In the Matter of the Application of</b>	)	
<b>Columbus Southern Power Company and</b>	)	<b>Case No. 11-346-EL-SSO</b>
<b>Ohio Power Company for Authority to</b>	)	<b>Case No. 11-348-EL-SSO</b>
<b>Establish a Standard Service Offer</b>	)	
<b>Pursuant to § 4928.143, Ohio Rev. Code,</b>	)	
<b>in the Form of an Electric Security Plan.</b>	)	
	)	
<b>In the Matter of the Application of</b>	)	
<b>Columbus Southern Power Company and</b>	)	<b>Case No. 11-349-EL-AAM</b>
<b>Ohio Power Company for Approval of</b>	)	<b>Case No. 11-350-EL-AAM</b>
<b>Certain Accounting Authority.</b>	)	

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**SUMMIT ETHANOL, LLC D/B/A POET BIOREFINING-LEIPSIC AND  
FOSTORIA ETHANOL, LLC D/B/A POET BIOREFINING-FOSTORIA  
RESPONSES TO OHIO POWER COMPANY’S SECOND SET OF  
INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS**

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NOW COME Intervenors Summit Ethanol, LLC d/b/a POET Biorefining-Leipsic and Fostoria Ethanol, LLC d/b/a POET Biorefining-Fostoria (together, “Summit/Fostoria” or the “POET Plants”) and, in response to Ohio Power Company’s Second Set of Interrogatories and Requests for Production of Documents, state as follows:

**GENERAL OBJECTIONS**

The POET Plants object to each and every interrogatory and document request on the following grounds:

1. The POET Plants object to the Definitions and Instructions to the extent they seek to impose burdens beyond those imposed by the Ohio Rules of Civil Procedure.

2. The POET Plants object to the Interrogatories and Document Requests to the extent that they seek information protected by the attorney-client privilege, the work product doctrine and/or any other privilege or immunity from disclosure.

3. The POET Plants object to these Interrogatories and Document Requests on the ground that they seek evidence that is neither relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence.

4. The POET Plants object to these Interrogatories and Document Requests on the ground that they are overly broad and unduly burdensome.

5. The POET Plants object to these Interrogatories and Document Requests to the extent they require the Poet Plants to disclose trade secrets and/or proprietary, confidential or commercially sensitive information. To the extent such information exists and is discoverable, the POET Plants will provide such information upon entry of a Protective Order.

### **SPECIFIC OBJECTIONS AND RESPONSES**

6. Please describe the analysis and/or calculations that you used or performed to determine that the 3% increase in Ohio Power's industrial rates is "actually much closer to a 35-45% increase." (*See* Swanson Direct Test. at p. 4, line 6.)

#### **RESPONSE:**

Gary Swanson compared the rates that the POET Plants are currently paying per kWh (which are in the records of Ohio Power) with the rates that the POET Plants would pay under the current proposal. Mr. Swanson performed this analysis for each of the component costs identified in Exhibit 1A to the testimony that Mr. Swanson previously filed in this case. This analysis is summarized as follows:

<b>Description</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
Generation Rate 323 – Fostoria	<b>1.94%</b>	<b>1.94%</b>	<b>1.94%</b>
Transmission Cost Recovery Rider Total	<b>0.65%</b>	<b>0.65%</b>	<b>0.65%</b>
Energy Efficiency	<b>0.04%</b>	<b>0.04%</b>	<b>0.04%</b>
Retail Stability Rider (RSR)	<b>3.26%</b>	<b>3.26%</b>	<b>3.26%</b>
Distribution Investment Rider (DIR) 2012	<b>1.59%</b>	<b>1.59%</b>	
Distribution Investment Rider (DIR) 2014			<b>2.29%</b>
Proposed Increase in FAC Rates Nov. 2011 - March 2012	<b>24.14%</b>		
Proposed Increase in FAC Rates Nov. 2011 - June 2013 (Unified Rates)		<b>32.41%**</b>	<b>38.31%</b>
<b>Total</b>	<b>31.62%</b>	<b>39.89%</b>	<b>46.49%</b>
** This number is determined based on 5 months at \$.0324/kWh (Jan - June 1) and 7 months at the proposed unified rate of \$.0361/kWh.			

7. Please describe the analysis and/or calculations that you used or performed to determine that the “proposed rates will cost the POET plants a combined total of over \$2 million more each year . . . .” (*See Swanson Direct Test. at p. 4, lines 7-8.*)

**SPECIFIC OBJECTION:**

The POET Plants specifically object to this Interrogatory to the extent it calls for disclosure of trade secrets and/or proprietary, confidential or commercially sensitive information. To the extent such information exists and is discoverable, the POET Plants will provide such information upon entry of a Protective Order.

**RESPONSE:**

Mr. Swanson multiplied (1) the actual electricity usage that the POET Plants incurred over the past 12 months, from November 2010 through October 2011 (which information is possessed by Ohio Power), by (2) the difference between (a) the rates before the ESP filing (November 2011) and (b) the proposed rates.

8. Please describe the analysis and/or calculations that you used or performed to determine the figures set forth in the table at the bottom of page 6 of Summit/Fostoria witness Swanson’s direct testimony.

**RESPONSE:**

This calculation was based on Ohio Power's initial calculations presented to the PUCO. AEP allocated the costs based on a percentage allocation derived from the total coincidental demand. This percentage allocation was then applied to total kWh usage to determine the rate to charge. Since each customer has different load factors, this is not a fair way to allocate costs. Costs should be allocated based on the method used to allocate percentages, which in this case is demand (kW). Where demand is available, the costs should also be allocated accordingly. The POET Plants' calculation under "New Proposed Rate" uses demand for the proper allocation of costs. The rate only changes for Industrial Customers (\$0.84/kW/Month) since they have demand components to the bills. The total revenue is also the same. We do not agree that AEP should be able to charge this rate; however, it is the POET Plants' position that if this rate is going to be charged, a proper allocation should be allowed. The Units are incorrectly shown in Mr. Swanson's testimony. It should be "\$/kW/month" and not "\$kW/Month," as is currently written.

9. Please describe the analysis and/or calculations used that you used or performed to determine that the proposed distribution investment rider will "result in an increase to rates of 1.59% in 2012 and 2.29% by 2014." (*See Swanson Direct Test. at p. 7, lines 18-19.*)

**RESPONSE:**

The 1.59% increase is derived at by calculating the difference between the November 2011 rates and the proposed rates. This percentage increases from 13.17% to a proposed rate of 14.21%. Based on the POET Plants' actual usage, the impact to the POET Plants was derived. The 2.29% increase is estimated based on the increased spending allowed for this rider from \$86 million to \$124 million.

## **REQUEST FOR PRODUCTION OF DOCUMENTS**

7. Please produce a copy of each document you identified, consulted, referred to, or utilized in preparing your responses to Interrogatory Nos. 6 through 9.

### **RESPONSE:**

Information responsive to this Request is contained in the exhibits to the testimony of Gary Swanson. To the extent any additional non-privileged responsive documents are identified, they will be turned over to Ohio Power. If the documents contain trade secrets and/or proprietary, confidential or commercially sensitive information, the POET Plants will provide such information upon entry of a Protective Order.

8. Please produce all workpapers, tables, spreadsheets, and other backup documentation, including electronic files with formulae intact and active, used to conduct the analyses referred to in Interrogatory Nos. 6 through 9.


### **RESPONSE:**

The POET Plants are not at this time aware of any documents responsive to this request. The POET Plants are continuing their review of relevant information. To the extent any additional non-privileged responsive documents are identified, they will be turned over to Ohio Power. If the documents contain trade secrets and/or proprietary, confidential or commercially sensitive information, the POET Plants will provide such information upon entry of a Protective Order.

AS TO OBJECTIONS:

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of the foregoing Responses of Summit Ethanol, LLC d/b/a Poet Biorefining-Leipsic and Fostoria Ethanol, LLC d/b/a Poet Biorefining-Fostoria to Ohio Power Company's Second Set of Interrogatories and Request for Production of Documents was served via U.S. Mail this 18th day of May, 2012, on the persons included in the attached Service List.

  
\_\_\_\_\_  
David J. Michalski

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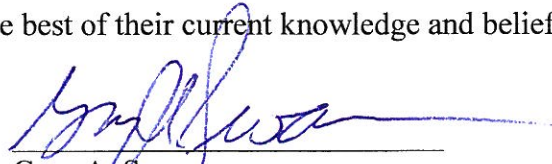
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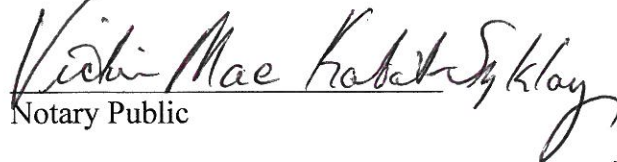
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STATE OF MINNESOTA                     )  
  ) SS:       **VERIFICATION**  
COUNTY OF CARVER                     )

Gary A. Swanson, being first duly sworn, deposes and says that he is President of Energy Management Solutions, Inc., which is a consultant to Intervenor Summit Ethanol, LLC ("Summit") and Fostoria Ethanol, LLC ("Fostoria"), and that in such capacity he has read the foregoing Responses to Ohio Power Company's Second Set of Interrogatories to Summit and Fostoria; and that he has been authorized on behalf of Summit and Fostoria to represent that the information contained in the Responses is true to the best of their current knowledge and belief.

  
\_\_\_\_\_  
Gary A. Swanson

SWORN TO BEFORE ME and subscribed in my presence this 17<sup>th</sup> day of May, 2012.

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



**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**5/18/2012 1:23:11 PM**

**in**

**Case No(s). 11-0346-EL-SSO, 11-0348-EL-SSO, 11-0349-EL-AAM, 11-0350-EL-AAM**

Summary: Response of Summit Ethanol, LLC d/b/a Poet Biorefining-Leipsic and Fostoria Ethanol, LLC d/b/a Poet Biorefining-Fostoria to Ohio Power Company's Second Set of Interrogatories and Request for Production of Documents electronically filed by Mr. David J Michalski on behalf of SUMMIT ETHANOL, LLC and FOSTORIA ETHANOL, LLC