

BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Ohio)
Edison Company, The Cleveland Electric)
Illuminating Company and The Toledo) Case No. 14-1297-EL-SSO
Edison Company for Authority to Provide)
for a Standard Service Offer Pursuant to)
R.C. § 4928.143 in the Form of an Electric)
Security Plan)

**MID-ATLANTIC RENEWABLE ENERGY COALITION RESPONSES TO THE FIRST
SET OF DISCOVERY REQUESTS OF OHIO EDISON COMPANY, THE CLEVELAND
ELECTRIC ILLUMINATING COMPANY AND THE TOLEDO EDISON COMPANY**

RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 1-1: Identify each person whom You intend to call to testify at the hearings in the Proceeding. To the extent You claim that You have not made a final determination as to which witnesses You intend to call to testify on Your behalf, please supplement this response as soon as such a determination is made.

RESPONSE: Bruce Burcat will be providing testimony on behalf of MAREC. He is MAREC's executive director and also an attorney. If this changes, MAREC will supplement the response.

INTERROGATORY NO. 1-2: For each person identified in response to the preceding interrogatory, please state (a) the subject matter upon which the witness is expected to testify; (b) the facts to which each witness is expected to testify; (c) the opinions to be rendered by each witness; (d) for each opinion, the facts that support that opinion; (e) a summary of the witness's qualifications to provide the testimony; and (f) if not otherwise listed in (a), (b), (c) and (d), a summary of each witness's testimony. To the extent You claim that You have not made a final determination as to witnesses You intend to call to testify, please supplement this response as soon as such a determination is made.

RESPONSE: Mr. Burcat is not in a position at this time to respond fully to this question, but may supplement this response after any testimony is completed. Preliminarily, he will testify upon issues relative to renewable energy (specifically wind energy), the importance of a diverse state energy portfolio, and the mechanisms by which wind energy projects are typically financed. His resume is attached.

INTERROGATORY NO. 1-3: For each witness identified in response to Interrogatory No. 1-1 above, please identify all proceedings in all jurisdictions in which the witness has offered evidence, including but not limited to, pre-filed testimony, sworn statements, and live testimony. For each response, please provide the following:

- (a) the jurisdiction in which the testimony or statement was pre-filed, offered, given, or admitted into the record;
- (b) the administrative agency, court, and/or forum in which the testimony or statement was pre-filed, offered, admitted, or given;
- (c) the date(s) the testimony or statement was pre-filed, offered, admitted, or given;
- (d) the identifying number for the case or proceeding in which the testimony or statement was pre-filed, offered, admitted, or given;
- (e) whether the witness was cross-examined; and
- (f) the custodian of the transcripts and pre-filed testimony or statements for each proceeding.

RESPONSE:

- (a) Public Utilities Commission of Ohio (PUCO), Maryland Public Service Commission MD PSC), District of Columbia Public Service Commission (DC PSC), North Carolina Utilities Commission (NCUC) and the Federal Energy Regulatory Commission (FERC).
- (b) See subsection (a) of this response.
- (c) PUCO Case No. 10-503-EL-FOR – direct testimony filed on March 14, 2011
PUCO Case No. 11-5201-EL-RDR – direct testimony filed on January 31, 2013 (cross-examined).

MD PSC Case No. 9271 - direct testimony filed on September 16, 2011 and surrebuttal filed on October 27, 2011 (cross-examined).

MD PSC Case No. 9361 direct testimony filed on December 8, 2014.

DC PSC Case No FC 1119 – direct testimony filed on November 10, 2014.

NCUC Docket No. E-100, Sub 136 – sworn public statement on February 12, 2013.

FERC Docket No. PA 03-12 – direct testimony filed on July 23, 2003 (cross-examined).

- (d) See subsection (c) of this response.
- (e) See subsection (c) of this response.
- (f) See subsection (a) above.

INTERROGATORY NO. 1-4: For each witness identified in response to Interrogatory No. 1-3, above, please identify all documents relating to the anticipated expert testimony, including, without limitation: (a) documents, correspondence or communications exchanged between You and the witness; and (b) any documents received, generated or relied upon by the witness.

RESPONSE: Mr. Burcat is not in a position at this time to respond to this question, but will supplement this response after the testimony is completed.

INTERROGATORY NO. 1-5: Identify all documents or other evidence that You may seek to introduce as exhibits or for purposes of witness examination in any proceeding related to the Proceeding.

RESPONSE: Mr. Burcat is not in a position at this time to respond to this question, but will supplement this response after the testimony is completed.

INTERROGATORY NO. 1-6: Identify each meeting, teleconference, or communication (written or oral), between You and any Intervenor, or member of any Intervenor, or any representative or counsel for any Intervenor regarding the Proceeding. For purposes of this Interrogatory:

- (a) for each meeting, teleconference, or oral communication, state the date and each person in attendance at same.
- (b) for each written communication, identify the date, author and addressee (including any person designated as receiving copies), and the form of the communication (i.e., whether it was a letter, memorandum, email or some other form of written communication).

RESPONSE:

- (a) None.

(b) None.

INTERROGATORY NO. 1-7: Please state whether there are any agreements, relating in any way to this Proceeding, between You and any Intervenor, any member or affiliate of an Intervenor, or a representative or counsel for any Intervenor. The term "Agreements" means written or oral terms agreed upon by the participants or any other commitments made between You and any Intervenor. For purposes of this Interrogatory, for each agreement, state:

- (a) the parties to the agreement;
- (b) the date of the agreement;
- (c) whether the agreement was written or oral; and
- (d) the subject matter of the agreement.

RESPONSE: None.

- (a) n/a
- (b) n/a
- (c) n/a
- (d) n/a

REQUESTS FOR PRODUCTION OF DOCUMENTS

Produce all documents that comprise, constitute or relate to:

1-1. Documents identified or referenced in response to any of the foregoing Interrogatories.

<http://dis.puc.state.oh.us/DocumentRecord.aspx?DocID=ab992782-d365-4b33-99ef-109bcfb19479> PUCO direct testimony; Case No. 10-503-EL-FOR

<http://dis.puc.state.oh.us/DocumentRecord.aspx?DocID=c8802b7e-9236-4eb7-824b-db590494e43d> PUCO direct testimony; Case No. 11-5201-EL-RDR

http://webapp.psc.state.md.us/Intranet/Casenum/submit_new.cfm?DirPath=C:\Casenum\9200-9299\9271\Item_104\&CaseN=9271\Item_104 MD PSC Case No. 9271 - direct testimony

http://webapp.psc.state.md.us/Intranet/Casenum/submit_new.cfm?DirPath=C:\Casenum\9200-9299\9271\Item_161\&CaseN=9271\Item_161 MD PSC Case No. 9271 - surrebuttal

[file:///C:/Users/OWNER/Downloads/CE01_11102014_1018_1_BURCATERRATAFINALDCP SCFC1119%20\(2\).pdf](file:///C:/Users/OWNER/Downloads/CE01_11102014_1018_1_BURCATERRATAFINALDCP SCFC1119%20(2).pdf) DC PSC Case No FC 1119 – direct testimony

NCUC Docket No. E-100, Sub 136 – sworn public statement – MAREC not in possession of transcript.

[file:///C:/Users/OWNER/Downloads/20030724-5005\(3662913\).pdf](file:///C:/Users/OWNER/Downloads/20030724-5005(3662913).pdf) FERC Docket No. PA 03-12 – direct testimony

1-2. Documents that contain any information used, reviewed, or referenced in preparing Your responses to any of the foregoing Interrogatories.

Please see response in Requests for Production of Documents in 1-1. This response will be updated after other questions are supplemented.

1-3. Documents that You may introduce as exhibits or use for purposes of witness examination at any hearing related to the Proceeding.

Mr. Burcat is not in a position at this time to respond to request for production, but will supplement this response after the testimony is completed.

1-4. The curriculum vitae of any witness identified in response to Interrogatory No. 1-1.

See attached.

1-5. Any reports, papers, statements, notes, other documents, and any correspondence, communications, or other documents exchanged between You and any witness identified in response to Interrogatory No. 1-1.

None at this time, but subject to supplementation.

1-6. Contracts for services between You and any witness identified in response to Interrogatory No. 1-1.

Mr. Burcat is an employee of MAREC.

1-7. Documents reviewed, relied upon, or generated by any witness identified in response to Interrogatory No. 1-1 for purposes of this Proceeding.

None at this time, but subject to supplementation.

1-8. Transcripts of depositions of each witness identified in response to Interrogatory No. 1-1 in any matter identified in response to Interrogatory No. 1-3.

N/A.

1-9. Any analysis or opinion rendered by said expert identified in response to Interrogatory No. 1-1, on behalf of You, related to the topics listed in Interrogatory No. 1-2.

Mr. Burcat is not in a position at this time to respond to request for production, but will supplement this response after the testimony is completed.

1-10. Documents, work papers, and electronic files that you have received from any Intervenor in this proceeding.

None.

1-11. Agreements between You and any Intervenor to this proceeding, including any counsel or representative thereof, as identified in response to Interrogatory No. 1-7.

None.

1-12. Documents identified in response to Interrogatory No. 6.

None.

Respectfully Submitted,

/s/ Terrence O'Donnell

Terrence O'Donnell (0074213)

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***Attorney for Mid-Atlantic Renewable
Energy Coalition***

CERTIFICATE OF SERVICE

The Public Utility Commission of Ohio e-filing system will electronically serve notice of the filing of this document on the parties referenced in the service list of the docket card who have electronically subscribed to this case. In addition, the undersigned certifies that a courtesy copy of the foregoing document is also being served upon the persons below via electronic mail this 19th day of December, 2014.

/s/ Terrence O'Donnell

Terrence O'Donnell (0074213)

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BRUCE H. BURCAT

SUMMARY OF PROFESSIONAL EXPERIENCE

- Twenty-four years of energy policy and utility regulatory experience.
- Directs and supports efforts of a regional wind energy organization, which focuses its efforts on Delaware, District of Columbia, Maryland, New Jersey, North Carolina, Ohio Pennsylvania, Virginia and West Virginia.
- Actively engages in regional wind industry related dialogues, proceedings and events.
- Successfully managed a state public utility agency that decides matters of considerable economic and societal consequence.

WORK EXPERIENCE

2010 to Present Mid-Atlantic Renewable Energy Coalition Camden, DE
Executive Director

- Leads the efforts of the Mid-Atlantic Renewable Energy Coalition (MAREC) to facilitate wind energy development in the region.
- Provides testimony before state regulatory agencies.
- Participates in stakeholder proceedings at PJM Interconnection, LLC to identify transmission and regional electricity market issues affecting the wind industry. Work with stakeholders to find solutions to these issues.
- Provides legal representation to the MAREC in integrated resource planning dockets and other relevant regulatory proceedings.
- Participates and present at a number of national, regional and state conferences on behalf of MAREC, including the Mid-Atlantic Conference of Regulatory Utility Commissioners Annual Meeting, Organization of PJM States Annual Meeting, the Thirty-First National Regulatory Conference, West Virginia Wind Forum and Distributed Wind Expo.
- Meets with utility commissioners and their staff, policymakers, local officials to discuss issues facing the wind industry.
- Prepares written comments and documents on policies to support the development of the wind industry in the region.

1995 to 2010 Delaware Public Service Commission Dover, DE
Executive Director

- Managed the staff and operations of the Commission.
- Directed major policy and technical positions taken by Commission staff in proceedings before the Commission, which included the restructuring of the electricity market, integrated resource planning for Delaware's major electric utility, consideration of the Bluewater Wind purchase power agreement for offshore wind generation, rulemakings to implement the State's Renewable Portfolio Standard and utility rate cases.
- Provided counsel to senior government officials.
- Chaired the Commission's Consumer Energy Education Group.
- Drafted legislation on behalf of the Commission or at the request of members of the Delaware General Assembly. Testified frequently before the State House

and the Senate.

- Chaired the National Association of Regulatory Utility Commissioners' Staff Subcommittee on Executive Management.
- Member of the Delaware delegation to the Regional Greenhouse Gas Initiative.

1993 to 1995 NJ Division of the Ratepayer Advocate Newark, NJ
Assistant Deputy Public Advocate

- Managed the Advocate's water utility litigation staff.
- Litigated water, wastewater and electric cases before the New Jersey Board of Public Utilities on behalf of utility ratepayer interests.
- Represented the Ratepayer Advocate before federal and state courts.

1990 to 1993 General Waterworks Corporation King of Prussia, PA
Senior Rate Attorney

- Represented affiliated water companies in public utility rate proceedings and other administrative hearings in Delaware, New Jersey, Pennsylvania, Indiana and Idaho.
- Provided legal counsel to corporate clients in the areas of public utility, corporate, employment, real estate and contract law.

1987 to 1990 NJ Casino Control Commission Lawrenceville, NJ
Assistant Counsel

- Represented the Commission at its public hearings and on appeal.
- Researched and prepared legal memoranda and opinions.

1986 to 1987 Hannold, Caulfield, Marshall & McDonnell Woodbury, NJ
Associate Attorney

- Prepared legal documents and briefs and represented the firm's clients in matters involving civil litigation, real estate law and family law.

1985 to 1986 NJ Superior Court, Civil Part Woodbury, NJ
Judicial Law Clerk

- Researched and drafted trial opinions for the Honorable Donald A. Smith, Jr., Judge of the Superior Court.

EDUCATION

1992 Villanova University School of Law Villanova, PA
LL.M in Taxation

1985 Rutgers University School of Law Camden, NJ
Juris Doctor

1978 University of Delaware Newark, DE
B.A. Political Science/Criminal Justice

PROFESSIONAL MEMBERSHIPS

Member of the Bars of New Jersey and Pennsylvania since 1985
Member of the American Bar Association

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in

Case No(s). 14-1297-EL-SSO

Summary: Response to the First Set of Discovery Requests electronically filed by Terrence O'Donnell on behalf of Mid-Atlantic Renewable Energy Coalition