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FAX

2017 MAY 12 PM 2:07

BEFORE
THE OHIO POWER SITING BOARD

PUCO

In the Matter of The Application of Duke)
 Energy Ohio, Inc. for a Certificate of)
 Environmental Compatibility and)
 Public Need for the C314V Central)
 Corridor Pipeline Extension Project)

Case No. 16-253-GA-BTX

**SYCAMORE TOWNSHIP'S FIRST SET OF INTERROGATORIES TO DUKE
 ENERGY OHIO, INC.**

Pursuant to Ohio Administrative Code 4906-2-17, Sycamore Township propounds its First Set of Interrogatories, ("Discovery Request") to Duke Energy Ohio, Inc. ("Duke") to be answered in writing and under oath. Pursuant to 4906-2-17(A), Sycamore Township requests that Duke respond to the Discovery Request within twenty days of service by electronic means or serving written responses to the undersigned at Donnellon, Donnellon & Miller, LPA, 9079 Montgomery Road, Cincinnati, Ohio 45242.

INSTRUCTIONS

1. If you refuse to answer any Discovery Request, in whole or in part, specifically describe the basis for your refusal to answer, including a statement of facts relied on for any claim of privilege.
2. In accordance with Rule 4906-2-14 of the Ohio Administrative Code, these Discovery Requests shall be deemed to be continuing so as to request supplementation of the responses up to and through the time of the hearing in this case.

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 Technician Am Date Processed May 12, 2017

3. For each response to these Discovery Requests, state the name and title of the person responsible for preparing the response.
4. Terms in the plural include the singular, and terms in the singular include the plural.
5. Except as otherwise noted, the period of time covered by each Discovery Request is to date.
6. The word "or" is not exclusive.
7. Terms referring to a gender include all genders.
8. The use of the past tense in any Discovery Request shall include the present tense, and vice versa.
9. No statement or inference contained in any Discovery Request herein shall constitute a representation or admission of any fact or condition.
10. Questions 1 through 16 of these Interrogatories reference page 1 of 19 of the amended application (Figure 7-2A). For convenience, a copy of that page is included prior to the Interrogatories for reference purposes.

DEFINITIONS

1. The term "person," when used herein, means an individual, corporation, partnership or association, any other business or governmental entity, or political subdivision.
2. The term "document" refers to any written, printed, typed, photostatic, photographed, recorded, electronically stored, computerized and/or otherwise reproduced communication or representation, whether comprised of letters, words, numbers, pictures, sounds or symbols, electronic and/or computerized data or any

combination thereof. This definition includes all drafts of every document and/or computer file, and copies or duplicates of documents and/or computer files contemporaneously or subsequently created which have any non-conforming notes or other markings. More specifically, the term "document" includes, but is not limited to, correspondence, memoranda, notes or notations, records, letters, e-mail, envelopes, telegrams, messages, studies, analyses, contracts, agreements, working papers, accounts, analytical records, reports and/or summaries of investigations, trade letters, press releases, comparisons, books, calendars, diaries, articles, magazines, newspapers, booklets, brochures, pamphlets, circulars, bulletins, notices, drawings, diagrams, instructions, notes or minutes of meeting or of other communications of any type, including inter- and intra-office communications, questionnaires, surveys, charts, graphs, photographs, photograph recordings, films, tapes, disks, data cells, e-mail, printouts or hard copies of information stored or maintained by electronic data processing or word processing equipment, all other data compilations from which information can be obtained (by translations, if necessary, by you through detection devices into usable form) including, without limitation, electromagnetically sensitive storage media such as floppy disks, hard disks and/or other CD-ROM, and any preliminary versions, drafts or revisions of any of the foregoing.

3. The term "communication" or "communicate" includes information relating to all oral communication and "documents" (as defined above), whether or not any such document, or the information contained therein, was transmitted by its author to any other person.

4. The term "identify," when used herein, has the following meanings:

- A. When used in reference to an individual, it means to state the person's (a) full name; (b) present business address, or, if unavailable, last known home address; and (c) business or governmental affiliation or job title or, if unavailable, the last known business or governmental affiliation and job description.
- B. When used in reference to any person other than an individual, it means to state the person's (a) full name and d/b/a, if any; and (b) present address or, if unavailable, last known address.
- C. When used in reference to corporate or other business entities, it means to state (a) the name of the corporation or business entity; (b) the date and place(s) of incorporation; (c) the principal place(s) of business; (d) all locations where it is licensed or authorized to do business; and (e) all of its present business addresses.
- D. When used in reference to communications, it means to describe the statements and communications by (a) stating the date and place where they were made; (b) identifying each of the makers and recipients thereof, in addition to all persons present; and (c) indicating the medium of communication.

Note: When identifying the date of an oral statement or communication, the precise date must be given. If only an approximate date is given, it will be presumed that you have no recollection or do not have specific knowledge as to the exact date.

- E. When used in reference to a document or documentary evidence, it means to state the type of document (e.g., letter, memorandum, telegraph, chart), its author and originator, its date(s), all addresses and recipients, its present location or custodian, the topics dealt with therein, with such reasonable particularity as is sufficient for a specific demand for production, and any identifying marks, numerals, code words or letters distinguishing it from other similar documents. If any such document was but no longer is, in your possession or subject to your custody or control, state what disposition was made of it. Documents to be identified shall include all those documents in your possession, custody or control and all of the documents of which you have knowledge, all documents available to you, and all documents that you could obtain from your employees, agents, representatives, sureties, or indemnitors.

5. "Relates to" and "relating to" are intended to include referring to, relating to, embodying, connected with, commenting on, responding to, showing, describing, analyzing, reflecting, or constituting.

6. "You" and "your" refers to Duke and all employees, agents, representatives, affiliates, successor corporations, subsidiary corporations, and parent corporations thereof.

7. "Duke" refers collectively to Duke Energy Ohio, Inc., its predecessors, officers, directors, agents, employees, and other persons acting on its behalf.

8. The "Board" means the Ohio Power Siting Board.

9. The "Amended Application" means the amended application Duke filed with the Ohio Power Siting Board in Case No. 16-0253-GA-BTX on or around January 20, 2017, as later amended.

10. The "RSS" means the Route Selection Study referenced throughout the Amended Application, as well as the RSS report attached as Appendix 4-1 to the Amended Application.



INTERROGATORIES

1. With regard to the property designated No. 23 on Figure 7-2A, where the pipeline crosses Deerfield Road, by what means will the pipeline be installed, i.e. boring, cutting the road etc.?

RESPONSE:

2. At that location, what measures will be taken during construction to insure the free access to Deerfield Road of EMS and fire vehicles moving in either direction?

RESPONSE:

3. At that location where the pipeline crosses Deerfield Road and extends south to Interstate 275, is the pipeline to be located in the right-of-way?

RESPONSE:

4. As the pipeline is proposed to be constructed on the parcel designated as No. 23 on Figure 7-2A, does Duke currently have easements to install the pipeline on all or any part of that property?

RESPONSE:

5. Is there any area on that property, designated No. 23 on Figure 7-2A, where the pipeline is proposed to be constructed that Duke does not currently have an easement?

(a) If so, what measures will Duke take to obtain the required easements?

RESPONSE:

6. Why does the pipeline need to cross Deerfield Road onto the property designated No. 23?

RESPONSE:

7. Is there any area on that property, designated No. 23 on Figure 7-2A, that is indicated as "temporary workspace" that Duke does not currently have an easement?

(a) If so, where?

RESPONSE:

8. What is the purpose of the "temporary work space shown on that parcel extending into the three soccer fields and perpendicular to Interstate 275?

RESPONSE:

9. What period of time would the same "temporary workspace" be occupied by Duke?

RESPONSE:

10. Does Duke currently have an easement or right to use that same "temporary workspace"?

RESPONSE:

11. How does Duke propose to maintain the public's use of the ballfields while they are used as "temporary workspace"?

RESPONSE:

12. Are there any other areas on that property, designated No. 23 on Figure 7-2A, that Duke proposes to use that Duke does have an easement or right to use the property?

RESPONSE:

13. As the pipeline runs parallel to Interstate 275 on the property, designated No. 23 on Figure 7-2A, is the proposed pipeline within the ODOT right of way?

RESPONSE:

14. Does the application propose to remove any trees on the parcel designated No. 23 on Figure 7-2A?

RESPONSE:

15. How would the proposed pipeline be constructed and installed under Interstate 275?

RESPONSE:

16. Has ODOT given Duke permission to install the pipeline under Interstate 275 in that location?

RESPONSE:

17. Explain why the "Preferred Route" was selected by Duke for routing the pipeline through Sycamore Township.

RESPONSE:

18. Explain how the "Preferred Route" differs from the "Alternate Route" in Sycamore Township.

RESPONSE:

STATE OF OHIO)
) SS
COUNTY OF _____)

I, _____, having first been duly cautioned and sworn, hereby states that I have answered the above Interrogatories to the best of my personal knowledge and hereby affirm these answers by my signature thereon.

SWORN to and subscribed before me, a Notary Public, in and for said State and County this
day of _____, 2017.

Notary Public

Respectfully submitted,

/s/ R. Douglas Miller
R. Douglas Miller (0033343)
Law Director, Sycamore Township
Robert T. Butler (0046610)
Donnellon, Donnellon & Miller LPA
9079 Montgomery Road
Cincinnati, Ohio 45242
Telephone: (513) 891-7087
Facsimile: (513) 891-7125
E-mail: miller@donnellonlaw.com
Attorneys for Thomas J. Weidman, President
Board of Township Trustees of Sycamore
Township, Ohio and Sycamore Township

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notice of Intervention was sent by electronic mail this 11th day of May, 2017 to the following:

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/s/ R. Douglas Miller
 R. Douglas Miller, Law Director
 Sycamore Township
 Attorney for Thomas J. Weidman
 and Sycamore Township

I hereby certify a copy of the following was mailed by ordinary U.S. Mail to the following parties this 11th day of May, 2017.

Anthony and Joan Boiano
 9528 Bluewing Terrace
 Blue Ash, Ohio 45241

Thomas A. and Patricia H. Kreitingner
 6150 St. Regis Drive
 Cincinnati, Ohio 45236

/s/R.Douglas Miller
 R. Douglas Miller

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miller@donnellonlaw.com

FACSIMILE TRANSMISSION COVER LETTER

To: Docketing Division **Fax No.:** 1-614-466-0313
From: R. Douglas Miller
Date: May 12, 2017
Re: Case No. 16-253-GA-BTX

No. of Pages (Including this page): 15

MESSAGE: Dear Sir or Madam:

Attached you will find Sycamore Township's First Set of Interrogatories to Duke Energy Ohio, Inc., which I would ask that you accept for filing in Case Number 16-253-GA-BTX.

Thank You.

Sincerely,

R. Douglas Miller.

CONFIDENTIALITY NOTICE: The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this transmission in error, please contact DONNELLON, DONNELLON & MILLER immediately at (513) 891-7087.

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