

EXHIBIT “D”

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

FEDERAL INSURANCE COMPANY,
as subrogee of Genesis Healthcare System,
15 Mountainview Road
Warren, New Jersey 07059

Complainant,

v.

OHIO POWER COMPANY d/b/a
AMERICAN ELECTRIC POWER
COMPANY, INC.
1 Riverside Plaza
Columbus, Ohio 43215

Respondent.

CASE NO.: 12-1750-EL-CSS

COMPLAINANT'S FIRST SET OF REQUESTS FOR ADMISSION, FOURTH SET OF REQUESTS FOR PRODUCTION AND FIFTH SET OF INTERROGATORIES TO RESPONDENT OHIO POWER COMPANY D/B/A AMERICAN ELECTRIC POWER COMPANY, INC.

Pursuant to Ohio Administrative Code § 4901-1-19 and § 4901-1-22, Complainant, **Federal Insurance Company** ("Complainant"), as subrogee of **Genesis Healthcare System** ("Genesis Healthcare System"), by and through its attorneys, hereby requests that Respondent, **Ohio Power Company d/b/a American Electric Power Company, Inc.** ("Respondent"), answer the following Requests for Admission and Interrogatories in writing and under oath and serve a copy of the answers on the undersigned attorneys for Complainant within twenty (20) days of receipt of these Requests for Admission and Interrogatories. These Interrogatories are continuing so as to require you to file supplemental answers if you obtain additional or different information in this matter.

Pursuant to further provisions of Ohio Administrative Code § 4901-1-20, Complainant also hereby requests that Respondent produce the items identified below that are in Respondent's

custody, possession, or control for inspection and copying within twenty (20) days from the date of service hereof at a mutually agreed and convenient location. These Requests for Production are continuing in nature, and objection will be made to any attempt to offer into evidence or otherwise rely upon any item requested herein with respect to which no prior inspection was provided.

DEFINITIONS AND INSTRUCTIONS

1. The terms “property,” “premises,” “subject property,” and/or “subject premises” refers to the real and personal property located at 2951 North Maple Avenue, Zanesville, OH 45215.

2. The terms “incident” refers to the June 14-15, 2010 event involving the tap changer that went into full boost resulting in an over voltage condition and shut down of the HVAC system chiller unit at the subject property.

3. The term “substation” means the Linden Avenue substation which supplied electric power to the subject property.

4. The term “equipment” means any and all parts, components, mechanisms and/or instrumentalities at or within the substation, including, but not limited to, the tap changer that went into full boost on the date of the incident, and any and all control boards or control panels at or within the substation, or any and all control boards or control panels for the substation at another location.

5. The term “Work” shall refer to any and all work performed by the Respondent at the substation.

6. The word “document” or “documents” as used herein shall include without limitation the original and any non-identical copy of any written, reported or graphic matter, however produced or reproduced, including but not limited to any correspondence, memoranda,

notes, minutes of meetings, telegrams, reports, transcripts, e-mail communications, transcripts of telephone conversations, or any other writings or documentary material of any nature whatsoever, together with any attachments thereto and enclosures therewith in the possession, custody or control of the Respondent or its attorneys.

7. The term "identify" as used herein in connection with identification of a document requires you to identify the name and date of the document, the name and address of the person, if any, who sent the document, the name and address of the person, if any, to whom the document was addressed, the names and addresses of all persons, if any, to whom the copies of the documents were or had been sent and the firm or firms with which all such persons were connected at the date of the document.

8. The term "identify" also requires the Respondent to state whether it is in possession of the original of the document or a copy thereof, and if not in possession of the original or copy, a requirement that the Respondent furnish the name and address of the custodian of the original or a copy.

9. The term "identify" further requires the Respondent when identifying witnesses, individuals, representatives, or any other persons to state the names, social security numbers, dates of birth, titles, employers and the present addresses or, if unknown, the last known addresses and employers of such witnesses, individuals, representatives or persons.

10. As used herein the term "Respondent," "you," and "your" shall include the answering Respondent and any of its agents, servants, subcontractors, employees or any other person acting on its behalf.

11. Whenever the context in which words are used in this Interrogatory indicate or suggest that such is the intent, words in the singular can include the plural, and vice versa, and words in the masculine, feminine or neuter shall include each of the other genders.

12. In each instance where an Interrogatory is answered on information and belief, it is requested that Respondent set forth the basis for such information and belief.

13. In each instance where the Respondent denies knowledge or information sufficient to answer the Interrogatory, it is requested that Respondent set forth the name and address of each person, if any, who is known by Respondent to have such knowledge.

14. In each instance where the Respondent answers insufficient knowledge or information as the grounds to not provide any information, or provides only a portion of the information requested by an Interrogatory, it is requested that the Respondent set forth the description of the efforts made to locate information needed for such answer.

15. In each instance where a Request for Production is answered on information and belief, it is requested that Respondent set forth the basis for such information and belief.

16. In each instance where Respondent denies knowledge or information sufficient to answer the Request for Production, it is requested that Respondent set forth the name and address of each person, if any, who is known by Respondent to have such knowledge.

17. In each instance where Respondent answers inability or unavailability as the grounds to not produce for inspection the item requested, or produces for inspection only part of the item requested because of the inability to produce the entire item, or because of the unavailability of the entire item requested, it is requested that Respondent forth the description of the efforts made to locate the item or part of the item which Respondent cannot produce for inspection.

18. These definitions and instructions shall be considered part of these Requests for Admission, Interrogatories, and Requests for Production as if they were fully set forth in each Request for Production.

**FIRST SET OF REQUESTS FOR ADMISSION, FIFTH SET OF INTERROGATORIES,
AND FOURTH SET OF REQUESTS FOR PRODUCTION**

REQUEST FOR ADMISSIONS NO. 1. Admit that the control board for the tap changer involved in the incident would have provided information about the operation of the tap changer, including information about the operational status of the relays, motor drive, limit switches, dynamic breaking circuit, resistors, and other electrical and mechanical components. The tap changer and control board refers to the tap changer and control board identified by your former employee John Roberts in the e-mail message he sent to Charles Thomas Williams at Genesis Healthcare System on June 15, 2010 at 4:50 p.m., which was produced by Complainant as GHS007 and marked as Exhibit 3 during the deposition of Charles Thomas Williams on June 27, 2013. The incident refers to the subject of the e-mail message produced by Complainant as GHS008 and marked as Exhibit 1 during the deposition of Charles Thomas Williams on June 27, 2013. The term "incident" is further defined within paragraph number 2 of the Definitions and Instructions section above.

ANSWER:

REQUEST FOR ADMISSIONS NO. 2. Admit that the manufacturer's product literature produced by Respondent in this proceeding and for the tap changer involved in the incident required testing oil dielectric strength annually in order to determine if replacement was needed. The tap changer refers to the tap changer identified by your former employee John Roberts in the e-mail message he sent to Charles Thomas Williams at Genesis Healthcare System on June 15, 2010 at 4:50 p.m., which was produced by Complainant as GHS007 and marked as Exhibit 3 during the deposition of Charles Thomas Williams on June 27, 2013. The incident refers to the subject of the e-mail message produced by Complainant as GHS008 and marked as

Exhibit 1 during the deposition of Charles Thomas Williams on June 27, 2013. The term “incident” is further defined within paragraph number 2 of the Definitions and Instructions section above.

ANSWER:

REQUEST FOR ADMISSIONS NO. 3. Admit that you have no records or other documents of any kind which indicate that you tested the oil dielectric strength for the tap changer annually. The tap changer refers to the tap changer identified by your former employee John Roberts in the e-mail message he sent to Charles Thomas Williams at Genesis Healthcare System on June 15, 2010 at 4:50 p.m., which was produced by Complainant as GHS007 and marked as Exhibit 3 during the deposition of Charles Thomas Williams on June 27, 2013. The terms “you” and “yours” are defined within paragraph number 10 of the Definitions and Instructions section above.

ANSWER:

INTERROGATORY NO. 1. If your answers to Requests for Admission numbers 2 and 3 above are anything other than an unqualified admission, state all facts in support of your denial or qualified admission, identify all witnesses who will testify in support your denial or qualified admission, and identify all documents which support your denial or qualified admission. The term “your” is defined within paragraph number 10 of the Definitions and Instructions section above.

ANSWER:

REQUEST FOR PRODUCTION NO. 1. Produce for inspection and copying all documents identified in the answer to Interrogatory number 1 above.

RESPONSE:

REQUEST FOR ADMISSIONS NO. 4. Admit that the manufacturer's product literature produced by Respondent in this proceeding and for the tap changer involved in the incident required inspection of the arcing contacts every two years or at every 25,000 operations. The tap changer refers to the tap changer identified by your former employee John Roberts in the e-mail message he sent to Charles Thomas Williams at Genesis Healthcare System on June 15, 2010 at 4:50 p.m., which was produced by Complainant as GHS007 and marked as Exhibit 3 during the deposition of Charles Thomas Williams on June 27, 2013. The incident refers to the subject of the e-mail message produced by Complainant as GHS008 and marked as Exhibit 1 during the deposition of Charles Thomas Williams on June 27, 2013. The term "incident" is further defined within paragraph number 2 of the Definitions and Instructions section above.

ANSWER:

REQUEST FOR ADMISSIONS NO. 5. Admit that you have no records or other documents of any kind which indicate that you inspected the arcing contacts on the tap changer every two years or at every 25,000 operations. The tap changer refers to the tap changer identified by your former employee John Roberts in the e-mail message he sent to Charles

Thomas Williams at Genesis Healthcare System on June 15, 2010 at 4:50 p.m., which was produced by Complainant as GHS007 and marked as Exhibit 3 during the deposition of Charles Thomas Williams on June 27, 2013. The terms “you” and “yours” are defined within paragraph number 10 of the Definitions and Instructions section above.

ANSWER:

INTERROGATORY NO. 2. If your answers to Request for Admissions numbers 4 and 5 above are anything other than an unqualified admission, state all facts in support of your denial or qualified admission, identify all witnesses who will testify in support of your denial or qualified admission, and identify all documents which will support your denial or qualified admission. The term “your” is defined within paragraph number 10 of the Definitions and Instructions section above.

ANSWER:

REQUEST FOR PRODUCTION NO. 2. Produce for inspection and copying all documents identified in the answer to Interrogatory number 2 above.

RESPONSE:

REQUEST FOR ADMISSIONS NO. 6. Admit that the manufacturer’s product literature produced by Respondent in this proceeding and for the tap changer involved in the incident required lubrication of the motor drive bearings every five years. The tap changer refers

to the tap changer identified by your former employee John Roberts in the e-mail message he sent to Charles Thomas Williams at Genesis Healthcare System on June 15, 2010 at 4:50 p.m., which was produced by Complainant as GHS007 and marked as Exhibit 3 during the deposition of Charles Thomas Williams on June 27, 2013. The incident refers to the subject of the e-mail message produced by Complainant as GHS008 and marked as Exhibit 1 during the deposition of Charles Thomas Williams on June 27, 2013. The term "incident" is further defined within paragraph number 2 of the Definitions and Instructions section above.

ANSWER:

REQUEST FOR ADMISSIONS NO. 7. Admit that you have no records or other written documents of any kind which indicate that you lubricated the motor drive bearings for the tap changer every five years. The tap changer refers to the tap changer identified by your former employee John Roberts in the e-mail message he sent to Charles Thomas Williams at Genesis Healthcare System on June 15, 2010 at 4:50 p.m., which was produced by Complainant as GHS007 and marked as Exhibit 3 during the deposition of Charles Thomas Williams on June 27, 2013. The terms "you" and "yours" are defined within paragraph number 10 of the Definitions and Instructions section above.

ANSWER:

INTERROGATORY NO. 3. If your answers to Request for Admission numbers 6 and 7 above are anything other than an unqualified admission, state all facts in support of your denial or qualified admission, identify all witnesses who will testify in support of your denial or

qualified admission, and identify all documents which support your denial or qualified admission.

ANSWER:

REQUEST FOR PRODUCTION NO. 3. Produce for inspection and copying all documents identified in the answer to Interrogatory number 3 above.

RESPONSE:

REQUEST FOR ADMISSIONS NO. 8. Admit that the manufacturer's product literature produced by Respondent in this proceeding and for the tap changer involved in the incident required periodic dynamic breaking adjustments. The tap changer refers to the tap changer identified by your former employee John Roberts in the e-mail message he sent to Charles Thomas Williams at Genesis Healthcare System on June 15, 2010 at 4:50 p.m., which was produced by Complainant as GHS007 and marked as Exhibit 3 during the deposition of Charles Thomas Williams on June 27, 2013. The incident refers to the subject of the e-mail message produced by Complainant as GHS008 and marked as Exhibit 1 during the deposition of Charles Thomas Williams on June 27, 2013. The term "incident" is further defined within paragraph number 2 of the Definitions and Instructions section above.

ANSWER:

REQUEST FOR ADMISSIONS NO. 9. Admit that you have no written records or documents which indicate that you made dynamic breaking adjustments for the tap changer. The tap changer refers to the tap changer identified by your former employee John Roberts in the e-mail message he sent to Charles Thomas Williams at Genesis Healthcare System on June 15, 2010 at 4:50 p.m., which was produced by Complainant as GHS007 and marked as Exhibit 3 during the deposition of Charles Thomas Williams on June 27, 2013. The terms “you” and “yours” are defined within paragraph number 10 of the Definitions and Instructions section above.

ANSWER:

INTERROGATORY NO. 4. If your answers to Requests for Admission numbers 8 and 9 above are anything other than an unqualified admission, state all facts in support of your denial or qualified admission, identify all witnesses who will testify in support of your denial or qualified admission, and identify all documents which support your denial or qualified admission. The term “your” is defined within paragraph number 10 of the Definitions and Instructions section above.

ANSWER:

REQUEST FOR PRODUCTION NO. 4. Produce for inspection and copying all documents identified in the answer to Interrogatory number 4 above.

RESPONSE:

REQUEST FOR ADMISSIONS NO. 10. Admit that the manufacturer's product literature produced by Respondent in this proceeding and for the tap changer involved in the incident required maintenance and inspections of the relays. The tap changer refers to the tap changer identified by your former employee John Roberts in the e-mail message he sent to Charles Thomas Williams at Genesis Healthcare System on June 15, 2010 at 4:50 p.m., which was produced by Complainant as GHS007 and marked as Exhibit 3 during the deposition of Charles Thomas Williams on June 27, 2013. The incident refers to the subject of the e-mail message produced by Complainant as GHS008 and marked as Exhibit 1 during the deposition of Charles Thomas Williams on June 27, 2013. The term "incident" is further defined within paragraph number 2 of the Definitions and Instructions section above.

ANSWER:

REQUEST FOR ADMISSIONS NO. 11. Admit that you have no records or other written documents of any kind which indicate that you maintained and inspected the relays referenced within Request for Admission number 10 above. The terms "you" is defined within paragraph number 10 of the Definitions and Instructions section above.

ANSWER:

INTERROGATORY NO. 5. If your answers to Requests for Admission numbers 10 and 11 above are anything other than an unqualified admission, state all facts in support of your denial or qualified admission, identify all witnesses who will testify in support of your denial or qualified admission, and identify all documents which support your denial or qualified

admission. The term “your” is defined within paragraph number 10 of the Definitions and Instructions section above.

ANSWER:

REQUEST FOR PRODUCTION NO. 5. Produce for inspection and copying all documents identified in the answer to Interrogatory number 5 above.

RESPONSE:

REQUEST FOR ADMISSION NO. 12. Admit that you do not include in the service you provide to Genesis Healthcare System information about why tap changers may fail and go into full boost. The term “you” is defined within paragraph number 10 of the Definitions and Instructions section above.

ANSWER:

REQUEST FOR ADMISSION NO. 13. Admit that you do not include in the service you provide to your customers information about why tap changers may fail and go into full boost. The terms “you” and “your” are defined within paragraph number 10 of the Definitions and Instructions section above.

ANSWER:

REQUEST FOR ADMISSION NO. 14. Admit that you do not include in the service you provide to Genesis Healthcare System information about why control boards for tap changers may fail. The term “you” is defined within paragraph number 10 of the Definitions and Instructions section above.

ANSWER:

REQUEST FOR ADMISSION NO. 15. Admit that you do not include in the service you provide to your customers information about why control boards for tap changers may fail. The terms “you” and “your” are defined within paragraph number 10 of the Definitions and Instructions section above.

ANSWER:

REQUEST FOR ADMISSION NO. 16. Admit that you did not notify Genesis Healthcare System when the tap changer involved in the incident failed and went into full boost. The tap changer refers to the tap changer identified by your former employee John Roberts in the e-mail message he sent to Charles Thomas Williams at Genesis Healthcare System on June 15, 2010 at 4:50 p.m., which was produced by Complainant as GHS007 and marked as Exhibit 3 during the deposition of Charles Thomas Williams on June 27, 2013. The incident refers to the subject of the e-mail message produced by Complainant as GHS008 and marked as Exhibit 1 during the deposition of Charles Thomas Williams on June 27, 2013. The term “incident” is further defined within paragraph number 2 of the Definitions and Instructions section above.

The term "you" is defined within paragraph number 10 of the Definitions and Instructions section above.

ANSWER:

REQUEST FOR ADMISSION NO. 17. Admit that you do not notify Genesis Healthcare System when a tap changer fails and goes into full boost.

ANSWER:

REQUEST FOR ADMISSION NO. 18. Admit that you do not notify your customers when a tap changer fails and goes into full boost. The term "you" and "yours" are defined within paragraph number 10 of the Definitions and Instructions section above.

ANSWER:

INTERROGATORY NO. 6. If your answers to Requests for Admission numbers 12 through 18 above are anything other than an unqualified admission, state all facts in support of your denial or qualified admission, identify all witnesses who will testify in support of your denial or qualified admission, and identify all documents which support your denial or qualified admission. The term "your" is defined within paragraph number 10 of the Definitions and Instructions section above.

ANSWER:

REQUEST FOR PRODUCTION NO. 6. Produce for inspection and copying all documents identified in the answer to Interrogatory number 6 above.

RESPONSE:

REQUEST FOR ADMISSION NO. 19. Admit that the control panel for the HVAC chiller unit involved in the incident at the Genesis Healthcare System facility shut down the HVAC chiller unit in response to the over voltage condition as a result of the tap changer that went into full boost. The incident refers to the subject of the e-mail message produced by Complainant as GHS008 and marked as Exhibit 1 during the deposition of Charles Thomas Williams on June 27, 2013. The term "incident" is further defined within paragraph number 2 of the Definitions and Instructions section above. The tap changer which went into full boost refers to the tap changer identified by your former employee John Roberts in the e-mail message he sent to Charles Thomas Williams at Genesis Healthcare System on June 15, 2010 at 4:50 p.m., which was produced by Complainant as GHS007 and marked as Exhibit 3 during the deposition of Charles Thomas Williams on June 27, 2013.

ANSWER:

INTERROGATORY NO. 7. If your answers to Request for Admission number 19 above is anything other than an unqualified admission, state all facts in support of your denial or qualified admission, identify all witnesses who will testify in support of your denial or qualified admission, and identify all documents which support your denial or qualified

admission. The term "your" is defined within paragraph number 10 of the Definitions and Instructions section above.

ANSWER:

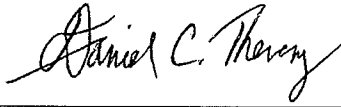
REQUEST FOR ADMISSION NO. 20. Admit that the control panel shut down the HVAC chiller unit in response to the over voltage condition as a result of the incident in order to prevent damage to the HVAC chiller unit. The incident refers to the subject of the e-mail message produced by Complainant as GHS008 and marked as Exhibit 1 during the deposition of Charles Thomas Williams on June 27, 2013. The term "incident" is further defined within paragraph number 2 of the Definitions and Instructions section above.

ANSWER:

INTERROGATORY NO. 8. If your answers to Request for Admission number 20 above is anything other than an unqualified admission, state all facts in support of your denial or qualified admission, identify all witnesses who will testify in support of your denial or qualified admission, and identify all documents which support your denial or qualified admission. The term "your" is defined within paragraph number 10 of the Definitions and Instructions section above.

ANSWER:

Dated: July 5, 2013



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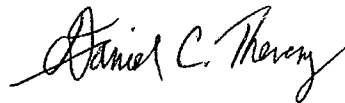
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Attorneys for Complainant

CERTIFICATE OF SERVICE

The undersigned certifies that on this 5th day of July, 2013 the foregoing Complainant's First Set of Requests for Admission, Fourth Set of Requests for Production, and Fifth Set of Interrogatories to Respondent were served electronically upon counsel of record as noted below.

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